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# Hebraism and the Republican Turn of 1776: A Contemporary Account of the Debate over *Common Sense*

Eric Nelson

THE Massachusetts minister Peter Whitney, discussing “that incomparable pamphlet called ‘*Common Sense*’” in September of 1776, reflected that “new truths are often struck out by the collision of parties, in the eagerness of controversy, which otherwise would have lain hid, The divine disapprobation of a form of government by kings, I take to be one of this sort of truths.”<sup>1</sup> More than a decade later, the South Carolina historian David Ramsay likewise focused on the novelty of Thomas Paine’s argument about the “divine disapprobation” of monarchy in order to account for the transformative impact of *Common Sense* on colonial debate in the early months of 1776. “With the view of operating on the sentiments of a religious people,” he explained, “scripture was pressed into his [Paine’s] service, and the powers, and even the name of a king was rendered odious in the eyes of the numerous colonists who had read and studied the history of the Jews, as recorded in the Old Testament. The folly of that people in revolting from a government, instituted by Heaven itself, and the oppressions to which they were subjected in consequence of their lusting after kings to rule over them, afforded an excellent handle for prepossessing the colonists in favour of republican institutions, and prejudicing them against kingly government.” Paine, on Ramsay’s account, had provoked an unprecedented wave of antimonarchism throughout British America by pressing

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<sup>1</sup> Peter Whitney, *American Independence Vindicated: A Sermon Delivered September 12, 1776 at a Lecture Appointed for Publishing the Declaration of Independence, Passed July 4, 1776 by the Representatives of the United States of America in General Congress Assembled* (Boston, 1777), 47 (“incomparable pamphlet”), 45n (“new truths”).

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Paine’s earliest critics agreed fully with these assessments. The author of an anonymous reply to *Common Sense*, published in Dublin in 1776, blisteringly described how Paine “ransack[s] the holy scriptures, for texts against kingly government, and with a faculty of perverting sacred truths to the worst of purposes, peculiar to gentlemen of his disposition, quotes the example of the Jews.”<sup>3</sup> This critic revealingly chose a line of Shakespeare for his pamphlet’s epigraph: “The Devil can cite Scripture for his purpose.”<sup>4</sup> A second early antagonist, writing under the pseudonym “Rationalis,” likewise assailed Paine’s “scripture quotations, which he has so carefully garbled to answer his purpose,” while a third charged that Paine had “pervert[ed] the Scripture” in claiming that “monarchy . . . (meaning, probably, the institution of Monarchy,) ‘is ranked in Scripture as one of the sins of the Jews, for which a curse in reserve is denounced against them.’”<sup>5</sup>

Paine’s scriptural argument and the debate that it provoked have recently been receiving more attention from historians. But one important intervention in this debate seems to have gone entirely unnoticed. It appears in a lengthy letter written by Richard Parker of Virginia to his close friend Richard Henry Lee in April 1776. Parker’s letter, which survives in the Lee Family Papers, contains one of the most detailed contemporary commentaries on Paine’s biblical argument against monarchy, as well as a crucially important characterization of the pamphlet debate over *Common Sense*. It has never been published and, to my knowledge, has only been discussed once before, in a three-sentence précis written thirty years ago.<sup>6</sup>

<sup>2</sup> David Ramsay, *The History of the American Revolution*, ed. Lester H. Cohen (Indianapolis, Ind., 1990), 1: 315.

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Parker's letter, reproduced at the end of this article, illuminates the depth and reach of the Hebraizing defense of republican government in 1776.

DESPITE PETER WHITNEY'S INSISTENCE that the "divine disapprobation of a form of government by kings" was one of the "new truths" that had only recently emerged from "the eagerness of controversy" in 1776, several of Paine's opponents recognized that the scriptural argument against monarchy featured in *Common Sense* was not in fact new.<sup>7</sup> In deploying it, they observed, Paine was reopening a long-dormant seventeenth-century debate. One of his English respondents noted that "his scripture politics are obsolete and superannuated in these countries by an hundred years."<sup>8</sup> Good whigs, according to a prominent American critic, "desired to leave Scripture out of the institution of modern Governments. It might be well for the author of *Common Sense* to follow the example in his future works, without stirring up an old dispute, of which our fathers were long since wearied." This "old dispute" concerning the divine acceptability of monarchy, the author continued, had animated the likes of Hugo Grotius and Algernon Sidney; it had concerned the proper interpretation of a crucial biblical text, Deuteronomy 17, and had sent seventeenth-century theorists in search of how "the *Jews* commonly understood this chapter."<sup>9</sup> A third critic likewise

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1742–1795, Jan. 1, 1770–Dec. 31, 1776, microfilm reel 2, A3 (Charlottesville, Va., 1966). Jack Rakove miraculously remembered that he had encountered this letter over thirty years ago and sent me looking for it. Without his initial suggestion, I would certainly never have found it. For the short précis of Parker's letter, see Robert L. Scribner and Brent Tarter, eds., *Revolutionary Virginia, The Road to Independence* (Richmond, Va., 1981), 6: 285. The letter has also been referenced without comment on two further occasions. See Pauline Maier, *From Resistance to Revolution: Colonial Radicals and the Development of American Opposition to Britain, 1765–1776* (New York, 1972), 292 n. 31; Albert H. Tillson Jr., *Accommodating Revolutions: Virginia's Northern Neck in an Era of Transformation, 1760–1810* (Charlottesville, Va., 2010), 367 n. 60. The first paragraph of the letter, which discusses recent naval activity, was excerpted in an 1858 publication, "Selections and Excerpts from the Lee Papers," *Southern Literary Messenger: Devoted to Every Department of Literature, and the Fine Arts* 27, no. 5 (November 1858): 324–32, esp. 326; and then again in William Bell Clark, ed., *Naval Documents of the American Revolution* (Washington, D.C., 1969), 4: 1288.

<sup>7</sup> Whitney, *American Independence Vindicated*, 45n (quotations).

<sup>8</sup> Sir Brooke Boothby, *Observations on the Appeal from the New to the Old Whigs, and on Mr. Paine's Rights of Man: In Two Parts* (London, 1792), 99. Boothby characterizes Paine's scriptural argument against monarchy as "such monstrous nonsense as might, for what I know, be suited to the fanatics of Boston, where witchcraft was in great vogue in the beginning of this century, but here will excite nothing but contempt." See *ibid.*, 99. After challenging Paine's reading of 1 Sam. 8, Boothby then adds that "in truth, such stuff is no otherwise worthy of notice, except to shew the low arts to which this mountebank has recourse, to adapt his drugs to people of all sorts. Provided he can overturn, he cares not whether it be by the hand of philosophy or superstition, and it is nothing to him which of the two possess themselves of the ruined edifice." See *ibid.*, 100.

<sup>9</sup> See Cato, "Letter 6," in *American Archives: Fourth Series*, 5: 843 ("desired to leave"), 841 ("commonly understood").

insisted on the seventeenth-century provenance of Paine's argument, dating it to "that period, to which the soul of our author yearns, the death of Charles I. England groaned under the most cruel tyranny of a government, truly military, neither existing by law, or the choice of the people, but erected by those who in *the name of the Lord*, committed crimes, till then unheard of." "We have from English history," the author explained, "sufficient proof, that saints of his disposition, tho' more eager to grasp at power than any other set of men, have a thousand times recited the same texts, by which he attempts to level all distinctions. Oliver Cromwell, the father of them, knew so well their aversion to the name of king, that he would never assume it, tho' he exercised a power despotic as the Persian Sophi."<sup>10</sup> But the most precise genealogy of Paine's argument in *Common Sense* comes to us from the man himself. Late in life, John Adams recalled a conversation that he had with Paine about the pamphlet in 1776: "I told him further, that his Reasoning from the Old Testament was ridiculous, and I could hardly think him sincere. At this he laughed, and said he had taken his Ideas in that part from John Milton: and then expressed a Contempt of the Old Testament and indeed of the Bible at large, which surprized me."<sup>11</sup>

However reluctant we might be to credit Adams's retrospective testimony about Paine's early religious views (the temptation to project Paine's later deism onto his younger self may well have proved irresistible), his claim about the Miltonic origins of Paine's scriptural argument against monarchy is worth taking seriously—not least because it is obviously correct. The section of *Common Sense* entitled "Of Monarchy and Hereditary Succession" is indeed a straightforward paraphrase of Milton's argument in the *Pro populo anglicano defensio* of 1651. In this text, Milton had turned to a radical tradition of rabbinic biblical commentary in order to explain why God became angry with the Israelites when they requested a king in 1 Samuel 8, despite his apparent acceptance of kingly government in Deuteronomy 17. Rejecting the traditional view that God had disapproved only of the *sort* of king that his people had requested, Milton argued instead that the Israelites had sinned in asking for a king *of any sort*, because monarchy per se is an instance of the sin of idolatry.<sup>12</sup> The wisest rabbis,

<sup>10</sup> *Reason: In Answer to a Pamphlet Entitled, Common Sense*, 20 ("that period, to which the soul"), 9 ("We have from English history").

<sup>11</sup> L. H. Butterfield, ed., *Diary and Autobiography of John Adams* (Cambridge, Mass., 1961), 3: 333 (quotation). A supporter of Paine likewise agreed that "in the celebrated writings of Thomas Paine, there is not a political maxim which is not to be found in the works of Sydney [*sic*], Harrington, Milton, and Buchanan"; see Henry Yorke, *These are the Times that Try Men's Souls! A Letter Addressed to John Frost, a Prisoner in Newgate* (London, 1793), 20.

<sup>12</sup> The crucial verses in Deuteronomy 17 read as follows (in the King James version): "When thou art come unto the land which the Lord thy God giveth thee, and



he explained, “deny that their forefathers ought to have acknowledged any king other than God, although one was given to them as a punishment. I follow the opinion of these rabbis.”<sup>13</sup> On Milton’s telling, “God indeed gives evidence throughout of his great displeasure at their [the Israelites’] request for a king—thus in [1 Sam. 8] verse 7: ‘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 wherewith they have forsaken me, and served other gods.’” “The meaning,” he continues, “is that it is a form of idolatry to ask for a king, who demands that he be worshipped and granted honors like those of a god.”<sup>14</sup> God accordingly punished the people by granting their sinful request: “I gave thee a king in mine anger and took him away in my wrath” (Hosea 13:11). The Israelites would endure great suffering under their kings, until at last they were led into captivity. In making this argument, Milton ushered in a new kind of republican political theory, which quickly became ubiquitous among defenders of the English commonwealth in the 1650s.<sup>15</sup>

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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.” See Deut. 17:14–15. This reading is drawn from the Midrash to Deuteronomy (*Devarim Rabbah*), which Milton knew through an intermediary source: Wilhelm Schickard, *Mishpat ha-Melekh, Jus Regium Hebraeorum* (1625). See Eric Nelson, *The Hebrew Republic: Jewish Sources and the Transformation of European Political Thought* (Cambridge, Mass., 2010), 35–44.

<sup>13</sup> “Ut omnes autem videant te nullo modo ex Hebraeorum scriptis id probare, quod probandum hoc capite susceperas, esse ex magistris tuâ sponte confiteris, qui negant alium suis majoribus regem agnoscendum fuisse prater Deum, datum autem in poenam fuisse. Quorum ego in sententiam pedibus eo.” See Milton, *Pro populo anglicano defensio* (London, 1651), 62 (quotation translated by author). See also Don M. Wolfe, ed., *Complete Prose Works of John Milton* (New Haven, Conn., 1966), 4: 1, 366.

<sup>14</sup> See Milton, *Pro populo anglicano defensio*, in Nelson, *Hebrew Republic*, 42–43 (“God indeed gives,” 42–43; “The meaning,” 43).

<sup>15</sup> See Nelson, *Hebrew Republic*, 23–56; Eric Nelson, “‘Talmudical Commonwealths’ and the Rise of Republican Exclusivism,” *Historical Journal* 50, no. 4 (December 2007): 809–35. My argument that Paine was reviving a seventeenth-century Hebraizing form of “exclusivist” republican theory has since been taken up by Nathan Perl-Rosenthal, who has applied it to the newspaper debate over *Common Sense*. I am deeply indebted to his essay. See Perl-Rosenthal, *WMQ* 66: 535–64. For Paine’s use of the Israelite example in his polemical writings, see also David Wootton, “Introduction: The Republican Tradition: From Commonwealth to Common Sense,” *Republicanism, Liberty, and Commercial Society, 1649–1776*, ed. Wootton (Stanford, Calif., 1994), esp. 26–41; Maria Teresa Pichetto, “La ‘Respublica Hebraeorum’ nella rivoluzione americana,” *Il pensiero politico* 35, no. 3 (2002): 481–500, esp. 497–500. A. Owen Aldridge’s skepticism about Paine’s claim to have taken his argument from Milton strikes me as unfounded, not least because he maintains (incorrectly) that Milton never composed a “complete version of the episode” (i.e., of “the appointing of a king over the Israelites”). See Aldridge, *Thomas Paine’s American Ideology* (Cranbury, N.J., 1984), 98. Winthrop D. Jordan, in contrast, finds the attribution entirely plausible. See Jordan, “Familial Politics: Thomas Paine and the Killing of the King, 1776,” *Journal of American History*

This Hebraizing doctrine was very different indeed from the heavily Roman theory of free states that had animated parliamentarians in the 1640s. For neo-Roman theorists, the great worry was *discretionary power*. A free man, they argued, must be *sui iuris*, governed by his own right. He must not be dependent on the will of another, which these writers took to mean (based on a freestanding set of claims about representation) that he must be governed only by laws made by a popular assembly, and not by the “arbitrary will” of a single person.<sup>16</sup> On this account, kingship is by no means a necessary institution (neo-Roman defenses of republican government were quite common throughout the early modern period), but it is an entirely permissible one, so long as the monarch is a pure “executive”—entrusted with the task of enforcing law, but invested with no prerogative powers by which he may *make* law (particularly the “negative voice”) or govern subjects without law.<sup>17</sup> For Hebraizing theorists such as Milton, who embraced what has been called an “exclusivist” commitment to republican government, the great worry was instead the *status of kingship*, not the particular powers traditionally wielded by kings (it is worth recalling that Milton himself was surprisingly amenable to government by “a single person” under the Protectorate).<sup>18</sup> In assigning a

60, no. 2 (September 1973): 294–308, esp. 302. See also Stephen Newman, “A Note on *Common Sense* and Christian Eschatology,” *Political Theory* 6, no. 1 (February 1978): 101–8.

<sup>16</sup> The classic account of this discourse remains Quentin Skinner, *Liberty before Liberalism* (Cambridge, 1998). See also Skinner, *Hobbes and Republican Liberty* (Cambridge, 2008); Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford, 1997).

<sup>17</sup> English republicans of the neo-Roman stripe argued simply that republics (understood here as kingless regimes) were preferable to monarchies, in that they minimized the danger of political dependence by preventing the accumulation of excessive power in individual men. These theorists worried that even a purely “executive” monarchy was likely in practice to degenerate into “arbitrary” rule—but they fully conceded the possibility, if not the robustness, of a monarchical “free state.” See, for example, “An Act for the Abolishing of the Kingly Office in England and Ireland, and the Dominions thereunto Belonging,” Mar. 17, 1648/9, in C. H. Firth and R. S. Rait, eds., *Acts and Ordinances of the Interregnum, 1642–1660*, ed. (London, 1911), 2: 18–20. For the Roman sources of this view, see, for example, Cicero, *De officiis*, 1:64–65; Sallust, *Bellum Catilinae*, 6–7; Tacitus, *Historiae*, 1: 1; Tacitus, *Annales*, 1: 1–3.

<sup>18</sup> See Blair Worden, *Literature and Politics in Cromwellian England: John Milton, Andrew Marvell, Marchamont Nedham* (Oxford, 2007), 256–88 (“single person,” 256). The phrase “single person” derives from the text of the “Act for the abolishing the Kingly Office,” cited above, and was famously used in the Declaration of Parliament of May 6, 1659, announcing the end of the Protectorate. In that text England was said to be a “Commonwealth . . . without a single Person, Kingship, or House of Peers.” See *Journal of the House of Commons* (London, 1813), 7: 644–46 (quotation, 7: 645). For a discussion of “republican exclusivism,” in addition to my own work cited above, see James Hankins, “Exclusivist Republicanism and the Non-Monarchical Republic,” *Political Theory* 38, no. 4 (August 2010): 452–82. For a second important seventeenth-century defense of republi-

human being the title and dignity of a king, they argued, we rebel against our heavenly King and bow down instead to an idol of flesh and blood. As John Cook put it in *Monarchy, No Creature of God's Making*, "whether the kings be good men or bad, I will punish the people sayes the Lord, so long as they have any kings; it is not a government of my ordination, kings are the peoples Idols, creatures of their own making."<sup>19</sup> We can put the contrast between these two positions as follows: the neo-Roman theory anathematized prerogative while remaining agnostic about kings; the Hebraizing exclusivist theory anathematized kings while remaining agnostic about prerogative.

In the aftermath of the Glorious Revolution, whigs emphatically rejected the Hebraizing view, as well as the biblical exegesis upon which it was based. They offered instead a straightforward neo-Roman reading of 1 Samuel 8, according to which the Israelites had sinned, not in asking for a king, but in asking for a king with sweeping prerogative powers. This whig reading was given its classic formulation in Roger Acherley's *The Britannic Constitution*. Acherley begins by addressing those seventeenth-century authors whose "Notions are Confined to the *Jewish* Oeconomy, As if the Mode of the Monarchical Government, and the Succession to the Crown, instituted in that One Single Nation, was to be the *Pattern* for all other Kingdoms, And that all other Institutions which differ from it, are *Unwarrantable*." "These writers," he reports, "have read the Nature and Manner of the *Original Constitution* of that Kingdom, which in the First Book of *Samuel* is Accurately Described" (that is, in 1 Samuel 8:11–19, where Samuel describes the abuses that will be committed by Israel's kings) and have concluded from it that monarchical government is inherently arbitrary. But this, Acherley insists, is to commit a grave error. The Israelites could have chosen the free and limited monarchy that God

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can exclusivism, see Algernon Sidney, *Court Maxims*, ed. Hans W. Blom, Eco Haitisma Mulier, and Ronald Janse (Cambridge, 1996), 65; Sidney, *Discourses Concerning Government*, ed. Thomas G. West (Indianapolis, Ind., 1996), 338.

<sup>19</sup> Cook, *Monarchy, No Creature of God's Making*, 93 (quotation). It is important to recognize that, like Milton before him (and Sidney after), Cook was not always consistent on this point. Just a few pages after his unqualified endorsement of the view that monarchy per se is idolatry, he writes instead that "it is not the name of a King but the boundlesse power which I argue against (though the Romans for the insolence of *Tarquin* would not endure the name) if any people shall place the Legislative power in Parliamentary authority and give unto one man the Title of King for their better correspondency with foraigne Kingdomes, with no more power to hurt the people, then the Duke of *Venice* or the Duke of *Genoa* have; such a government may be Iust and Rationall, but domination is a sweet morsel"; *ibid.*, 53. For a similar inconsistency in Milton's later pamphlets, see, for example, Wolfe, *Complete Prose* (New Haven, Conn., 1980), 7: 377–78. The point is not that these authors were always consistent, but, rather, that each of them formulated an extensive, detailed defense of the exclusivist position—one that eighteenth-century Americans would rediscover in 1776.

desired for them, but instead they “rejected God” by demanding arbitrary kings: “The State they were desiring to enter into, That appeared in this View, That if they would have a King like All the Nations (of which *Egypt* was one) Then they must be in the like Subjection and *Slavery*, as the People of those Nations were; which differed not from the *Bondage* that was *Egyptian*. Whereas if they had Desired a King to Protect and Defend their Liberties and Properties, the Request had been Commendable.” Samuel “was therefore Amaz’d at this People’s Importunity, not only to reject the Greatest Blessings God could Give, or they Enjoy, *viz Liberty and Property*, but to return again unto *Slavery*,” and he accordingly warned the Israelites “that the Power of such a King as they Desired, *viz Of a King like all the Nations about them*, would be *Arbitrary*, And that the Liberty of their Persons, and the Property of their Estates, would necessarily fall under his Absolute Will and Disposal, after the Manner they had formerly been in *Egypt* . . . such a King would have in him the whole *Legislative and Judicial Power*, and that his *Arbitrary Will and Pleasure* would be the *Law or Measure* by which his Government would be Administered.” For Acherley, the Israelites had sinned in asking for a monarch who would combine executive, legislative, and judicial power—one who would govern by his “Arbitrary Will and Pleasure.”<sup>20</sup> Once again, it was discretionary power, not the kingly office or title, that God was said to despise.

To the extent that British North Americans discussed biblical monarchy at all during the first twelve years of the imperial crisis, it was simply to affirm this traditional understanding. God permitted each people to choose its form of government, and he had no objection whatsoever to the institution of limited monarchy. All participants in the pamphlet wars leading up to the Revolution could endorse this formulation (although it must be stressed that pamphlets of the 1760s and early 1770s tended to ignore scripture altogether).<sup>21</sup> Indeed, as the crisis escalated in 1775, even the very small number of colonial writers and ministers who began to offer a republican reading of 1 Samuel 8 did so while continuing to insist upon the legitimacy and divine permissibility of monarchy. They followed their

<sup>20</sup> See Roger Acherley, *The Britannic Constitution; or, The Fundamental Form of Government in Britain*. . . . (London, 1727), 6 (“These writers”), 7 (“that the Power of such”), 9 (“Arbitrary Will and Pleasure”). For an earlier statement, see *The Judgment of Whole Kingdoms and Nations, Concerning the Rights, Power, and Prerogative of Kings, and the Rights, Priviledges, and Properties of the People*. . . ., 6th ed. (London, 1710), esp. 28–41.

<sup>21</sup> Even those patriots of the early 1770s who defended an expansive conception of the royal prerogative could accept the whig understanding of 1 Sam. 8. They were claiming, after all, that the ancient prerogatives of the crown were fully “legal” and did not threaten enslavement to anyone’s “arbitrary will.” See Eric Nelson, “Patriot Royalism: The Stuart Monarchy in American Political Thought, 1769–75,” *WMQ* 68, no. 4 (October 2011): 533–72.

parliamentarian predecessors in arguing simply that republican government would offer the best protection against arbitrary, discretionary power—that it would rescue them once and for all from the dangers of encroaching prerogative. Their writings from this twelve-month period therefore provide a fascinating glimpse of a road not taken, of what the republican turn might have looked like had Paine not published his pamphlet.

In his *Short Essay on Civil Government*, the Connecticut minister Dan Foster offered the incendiary argument that “England was never more happy before, nor much more since, than after the head of the first [*sic*] Stuart was severed from his body, and while it was under the protectorship of Oliver Cromwell.” Yet, for all of its radicalism, his defense of the English republic resolutely shunned exclusivism. “A people,” he insisted, have an “inherent right to appoint and constitute a king supreme and all subordinate civil officers and rulers over them, for their civil good, liberty, protection, peace and safety.” Foster accepted the Roman conceit that men are born “*sui iuris*”—independent of the will of others—and that it is contrary to reason for them to surrender their liberty when establishing civil society. Those who designed England’s “ancient constitution” had understood this perfectly: “Caesar and Tacitus describe the antient Britons to have been a fierce people; zealous of liberty: a free people; not like the Gauls, governed by laws made by great men; but by the people.” These ancient free men, like their German forebears, had preferred political regimes in which “the people had the principle authority.” Yet, notwithstanding this fact, “they often elected a Prince or a King; sometimes a General whom we call Duke, from the Latin word *Dux*. But the power of these chiefs descended entirely on the community, or people; so that it was always a mixed democracy. In other parts . . . the King’s [*sic*] reigned with more power; yet not to the detriment of liberty; their royalty was limited by laws and the reason of things.” The chief requirement of good government is the preservation of liberty, which in turn requires the absence of arbitrary, discretionary power in the chief magistrate. For this reason, Foster insists on the total elimination of the royal prerogative: war, peace, and trade must all be governed by the “consenting voice and suffrage of the people personally, or by representation,” and a king ought to be deposed immediately if he “will not give the royal assent to bills which have passed the states, or parliament.”<sup>22</sup>

<sup>22</sup> Dan Foster, *A Short Essay on Civil Government, The Substance of Six Sermons, Preached in Windsor, Second Society, October 1774* (Hartford, Conn., 1775), 71 (“England was never”), 14 (“A people”), 16 (“*sui iuris*”), 23 (“ancient constitution”), 24 (“the people had the principle”), 50 (“consenting voice”), 70 (“will not give”). This last argument was a favorite of parliamentarian writers in the 1640s. They focused on the wording of the coronation oath sworn by Edward II (and allegedly sworn by Charles I), in which the king promised “*corroborare justas leges et consuetudines quas vulgus eligerit*.” If

So long as these conditions are met, Foster is prepared to acknowledge the legitimacy (if not the desirability) of monarchy, and he grounds his view in a striking reading of 1 Samuel 8:

And now they [the Israelites] manifest their desire of a King, one who should rule according to right and equity; and pray his assistance to constitute and set one over them, to judge, rule and govern them, as was customary in all other nations.

Samuel intimates his displeasure at their request of a King; fearing they did not pay that respect to Jehovah which they ought; and from the lord he shews them the manner of the King who should reign over them; how he would conduct with them, their families and inheritances, and what would be the maxims of that government which he would exercise over the people, in the course of his reign. Notwithstanding all this, the people persisted in their request of a King, and still continued their petition. And though perhaps the circumstances attending Israel's request at this time, and their obstinacy in it, after the prophets remonstrances against it, were not to be commended, the Lord so far overlooked this, that he commanded Samuel to hearken to, and gratify the people, by accomplishing their desire in constituting a King to rule and govern them.<sup>23</sup>

On Foster's interpretation, the Israelites had asked for the right sort of king after all: one who would "rule according to right and equity." What they failed to appreciate is that, in practice, monarchs tend to become tyrannical: "the maxims of that government which [Saul] would exercise over the people" were, Samuel realized, to be very different indeed from the ones endorsed by the people themselves when they asked for a king. It would therefore have been far better for them to retain their republican constitution, the safest possible bulwark against enslavement.<sup>24</sup>

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one (mis)construed the final verb to express the future perfect indicative, rather than the perfect subjunctive tense, it seemed to commit the monarch to give his assent to any laws that "the people shall choose"—meaning that, although all bills formally had to receive the assent of the sovereign in order to become law, the king was in fact required to give his assent to all bills chosen by the people (which is to say, enacted by the House of Commons). There was thus no true negative voice. See, for example, Henry Parker, *Observations upon Some of His Majesties Late Answers and Expresses* (London, 1642), 5; William Prynne, *The Sovereign Power of Parliaments and Kingdomes. . . .* (London, 1643), 65–68. For the Latin text of the oath, see Conal Condren, *Argument and Authority in Early Modern England: The Presupposition of Oaths and Offices* (Cambridge, 2006), 254–68.

<sup>23</sup> Foster, *A Short Essay*, 4.

<sup>24</sup> See also the essay reprinted from the *London Evening Post*, June 30, 1774, in the [New-London] *Connecticut Gazette, and the Universal Intelligencer*, Oct. 7, 1774, [1]:

Nonetheless, God acceded to their request because he regarded it as perfectly permissible for a people to institute monarchy.

Harvard College's president, Samuel Langdon, offered more or less the same view in a 1775 sermon, *Government Corrupted by Vice*. "The Jewish government," he observed, "according to the original constitution which was divinely established, if considered merely in a civil view, was a perfect Republic," and "the civil Polity of Israel is doubtless an excellent general model, allowing for some peculiarities; at least some principal laws and orders of it may be copied, to great advantage, in more modern establishments."<sup>25</sup> Indeed, in one extraordinary passage, Langdon came quite close to endorsing the Miltonic position: "And let them who cry up *the divine right of Kings* consider, that the only form of government which had a proper claim to a divine establishment was so far from including the idea of a King, that it was a high crime for Israel to ask to be in this respect like other nations; and when they were gratified, it was rather as a just punishment of their folly . . . than as a divine recommendation of kingly authority."<sup>26</sup> Yet Langdon insisted at the same time that "every nation, when able and agreed, has a right to set up over themselves any form of government which to them may appear most conducive to their common welfare." Monarchy remains perfectly permissible, so long as one guards against "the many artifices to stretch the prerogatives of the crown beyond all constitutional bounds, and make the king an absolute monarch, while the people are deluded with a mere phantom of liberty."<sup>27</sup> While it may have been seditious for the Israelites to ask for a human king (because they lived under a republican constitution established for them by God), it was no sin for anyone else to do so. The Salem, Massachusetts, minister Samuel Williams agreed in his own 1775 sermon, *A Discourse on*

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"Power long entrusted either to single persons, or to bodies of men, generally increases itself so greatly as to become subversive of the intentions, and dangerous to the rights of those who delegated it. Kings are but men, are subject to all the passions and frailties of human nature, and consequently are too prompt to grasp at arbitrary power, and to wish to make all things bend and submit to their will & pleasure."

<sup>25</sup> Samuel Langdon, *Government Corrupted by Vice, and Recovered by Righteousness*. . . (Watertown, Mass., 1775), 11–12 ("The Jewish government," 11, "the civil Polity," 12). For a discussion of Langdon's sermon in the context of a broader turn toward the model of the "Jewish republic" among New England ministers, see Harry S. Stout, *The New England Soul: Preaching and Religious Culture in Colonial New England* (1986; repr., Oxford, 2012), 301–5.

<sup>26</sup> Langdon, *Government Corrupted by Vice*, 12. Langdon's argument is in fact subtly, but importantly, different from Milton's: he is claiming that the Israelites sinned in asking for a king because kingship was not part of the divinely constituted government under which they lived—not because it is inherently sinful for a people to institute monarchy. The Israelite sin was therefore that of sedition. This view draws on a tradition of exegesis originating with Josephus. See Josephus, *Contra Apionem*, 2: 163–68.

<sup>27</sup> Langdon, *Government Corrupted by Vice*, 16.

*the Love of Our Country*, declaring that “infinite wisdom had seen fit to put that people [Israel] under a more excellent form of government, than any nation has ever had. God himself was their King. And they might have been long happy under a government, in which, the Ruler of the world condescended himself to execute the office of Chief-Magistrate. But such was their impiety and folly, that in many instances they greatly abused and perverted the privileges they were favoured with.”<sup>28</sup> As a result, they soon found themselves in Babylonian exile, under “the arbitrary will of a proud, cruel, despotic monarch.”<sup>29</sup> For Williams, republican government may well be the most “excellent” known to man, but monarchy remains permissible so long as it is not “arbitrary” and “despotic.”<sup>30</sup>

Seen in the context of these discussions, Paine’s *Common Sense* emerges as a transformative intervention. Rejecting over a century of whig biblical exegesis, Paine unambiguously returned in January 1776 to Milton and the Hebraic exclusivists of the 1650s. His argument in the section “Of Monarchy and Hereditary Succession” reads as follows:

Government by kings was first introduced into the world by the Heathens, from whom the children of Israel copied the custom. It was the most prosperous invention the Devil ever set on foot for the promotion of idolatry. The Heathens paid divine honors to their deceased kings, and the Christian world hath improved on the plan by doing the same to their living ones. How impious is the title of sacred majesty applied to a worm, who in the midst of his splendor is crumbling into dust!

As the exalting one man so greatly above the rest cannot be justified on the equal rights of nature, so neither can it be

<sup>28</sup> Samuel Williams, *A Discourse on the Love of Our Country; Delivered on a Day of Thanksgiving, December 15, 1774* (Salem, Mass., 1775), 5–6 (quotation, 6). This reading was drawn from Josephus, *Contra Apionem*, 2: 163–68. See Josephus, *The Life. Against Apion*, ed. and trans. H. St. J. Thackeray (Cambridge, Mass., 1926). For an important endorsement, see Theodore Beza, *De iure magistratum* (1574), in Julian Franklin, ed., *Constitutionalism and Resistance in the Sixteenth Century: Three Treatises by Hotman, Beza, and Mornay* (New York, 1969), 116.

<sup>29</sup> Williams, *Discourse on the Love*, 6.

<sup>30</sup> See also “The Monitor, No. XII,” *New York Journal; or, The General Advertiser*, Jan. 25, 1776, [1]. The author goes so far as to attribute to loyalists “an idolatrous veneration for the king and parliament, more especially for the former,” and laments that “the imaginations of men are exceedingly prone to deify and worship them [i.e., kings]; though, to the great misfortune of mankind, they are more commonly fiends, than angels.” But he immediately adds that, notwithstanding all of this, “it is noble and generous to love, to admire a virtuous prince.” See also “An Oration on Arbitrary Power, delivered by one of the Candidates for a second degree at the late Commencement held at Princeton, in New-Jersey, September 27, 1775,” *Connecticut Gazette; and the Universal Intelligencer*, Dec. 22, 1775, [1].



defended on the authority of scripture; for the will of the Almighty as declared by Gideon, and the prophet Samuel, expressly disapproves of government by kings. . . .

Near three thousand years passed away, from the Mosaic account of the creation, till the Jews under a national delusion requested a king. Till then their form of government (except in extraordinary cases, where the Almighty interposed) was a kind of republic administered by a judge and the elders of the tribes. Kings they had none, and it was held sinful to acknowledge any being under that title but the Lord of Hosts. And when a man seriously reflects on the idolatrous homage which is paid to the persons of kings, he need not wonder that the Almighty, ever jealous of his honor, should disapprove a form of government which so impiously invades the prerogative of heaven.<sup>31</sup>

For Paine, as for Milton before him, the Israelites sinned in asking for a king per se: “monarchy is ranked in scripture as one of the sins of the Jews, for which a curse in reserve is denounced against them.” “These portions of scripture,” he announces, “are direct and positive. They admit of no equivocal construction.” The issue was not the sort of king for which the Israelites asked—an arbitrary king whose prerogatives would enslave them—or that they asked for one despite being under God’s unique, providential government at the time. On the contrary, they sinned because it is inherently idolatrous to assign any human being the title and status of king. “The Almighty,” on Paine’s account, “hath here entered his protest against monarchical government,” and when the Israelites later entreated Gideon to become their king, the judge and prophet “denieth their right” to establish a monarchy and accordingly “charges them with disaffection to their proper Sovereign, the King of Heaven.”<sup>32</sup>

<sup>31</sup> Thomas Paine, *Common Sense, the Rights of Man, and other Essential Writings of Thomas Paine* (New York, 1984), 29–32. Paine explicitly glosses 1 Sam. 8 in the Miltonic manner on page 31. Important discussions of Paine and his pamphlet include Jordan, *Journal of American History*, 60; Bernard Bailyn, “The Most Uncommon Pamphlet of the American Revolution: *Common Sense*,” *Magazine of History* 25, no. 1 (December 1973): 36–41; Eric Foner, *Tom Paine and Revolutionary America* (New York, 1976); Aldridge, *Thomas Paine’s American Ideology*; Jack Fruchtman Jr., *Thomas Paine and the Religion of Nature* (Baltimore, 1993); Fruchtman, *Thomas Paine: Apostle of Freedom* (New York, 1994); Edward Larkin, *Thomas Paine and the Literature of Revolution* (Cambridge, 2005); Nichole Eustace, *Passion Is the Gale: Emotion, Power, and the Coming of the American Revolution* (Chapel Hill, N.C., 2008); Fruchtman, *The Political Philosophy of Thomas Paine* (Baltimore, 2009). As Perl-Rosenthal points out in his important essay, none of these sources addresses the Hebraic origins of Paine’s argument.

<sup>32</sup> Paine, *Common Sense*, 30–32 (“monarchy is ranked,” 30, “These portions of scripture,” 32, “denieth their right,” 30–31). Paine’s discussion of the Gideon episode likewise follows Milton; Wolfe, *Complete Prose*, 4: 1, 370. For an antecedent to Paine, see A Republican, “For the Massachusetts Spy. . . .” [Boston] *Massachusetts Spy*, Apr. 8,

Paine's opponents (not all of them loyalists) fully recognized the radicalism of this position, as well as its tendency to shift the focus of conversation away from potentially enslaving kingly *powers* and toward the alleged evils of the very *title* of king. Two critics in particular, Charles Inglis ("An American") and the Reverend William Smith ("Cato"), answered him at length on this issue in the Pennsylvania newspapers in the early months of 1776, and their responses have recently been the subject of an article in this journal by Nathan Perl-Rosenthal.<sup>33</sup>

Other readers, however, were far more receptive to Paine's use of scripture, among them Richard Parker. Parker was Lee's neighbor in Westmoreland County and often served as his trusted agent in both financial and political matters. Originally employed as king's attorney, he joined the patriot movement quite early on. In 1766, Lee deputized Parker to arrange the meeting that enacted the Leedstown Resolutions (Parker also chaired the meeting and signed the document), and Parker likewise became a member of the county's Committee of Safety in 1775–76. It was also Parker who implemented Lee's scheme of extracting rents from his numerous tenants in tobacco rather than paper money—thus precipitating a scandal that Lee's opponents would use to have him removed from Congress in 1777 (he was accused of contributing to the depreciation of Virginia's currency).<sup>34</sup> Parker was eventually appointed a judge of the General Court in 1788 and, later, of the first Court of Appeals. His letter to Lee about biblical monarchy, dated April 27, arrived at a time when Lee was actively soliciting opinions from his friends on the future constitutional form of the American colonies. John Adams, for one, had sent Lee a sketch

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1773. The author acknowledges the legitimacy of limited kingly government (in this he is unlike Paine), but nonetheless cites Milton in attacking the "trappings of monarchy" and claims that "every man of sense and independency must give the preference to a well constructed Republic." He continues as follows: "I am not peculiar in my notion of Kings or monarchical governments; besides all the antients who adjudged them tyrants; besides the Jewish people whom God, in his wrath plagued with a vengeance by giving them a King; besides these, moderns innumerable are on my side" (quotations, [1]).

<sup>33</sup> It is important to recognize, however, that some continued to defend the more orthodox position of Foster, Langdon, and Williams even after 1776. See, for example, James Dana, *A Sermon, Preached before the General Assembly of the State of Connecticut, at Hartford, on the Day of the Anniversary Election, May 13, 1779* (Hartford, Conn., 1779), esp. 15–18. For Inglis and Smith, see Perl-Rosenthal, *WMQ* 66: 535–64.

<sup>34</sup> For Parker's friendship with Lee, see, e.g., James Curtis Ballagh, ed., *The Letters of Richard Henry Lee* (New York, 1911), 1: 32–34, 42, 127, 297 n. 1, 299; John Carter Matthews and Sarah deGraffenried Robertson, eds., "The Leedstown Resolutions," *Northern Neck of Virginia Historical Magazine* 16, no. 1 (December 1966): 1491–506; Jack P. Greene, ed., *The Diary of Colonel Landon Carter of Sabine Hall, 1752–1778* (Richmond, Va., 1987), 2: 1006–7. For the rent extraction scandal, see Paul Chadwick Bowers, "Richard Henry Lee and the Continental Congress: 1774–1779" (Ph.D. diss., Duke University, 1964), 223–46.

of what later became his *Thoughts on Government* in November 1775, which Lee subsequently arranged to have published in both New York and Virginia—he “insisted upon it So much,” Adams reported to Francis Dana, “that it could not be decently refused.”<sup>35</sup> (Lee also composed his own “hand bill,” advancing a position very much like Adams’s, in the early months of 1776).<sup>36</sup> His letter to Patrick Henry of April 20, extolling Adams’s work and enclosing a copy of the published pamphlet, was written just before he would have received Parker’s letter (no reply from Lee appears to have survived).<sup>37</sup>

Lee, like Adams, utterly rejected Paine’s unicameralism, but he was otherwise known to be an enthusiastic acolyte; fellow Virginian Landon Carter described him as “a prodigious Admirer, if not partly a writer in the Pamphlet *Common Sense*.”<sup>38</sup> Parker evidently shared Lee’s admiration for the pamphlet and wrote to his friend to offer an account of the newspaper debate that Paine’s arguments had provoked. After providing a short description of recent naval activity off the Virginia coast, as well as an account of the detention of three prominent loyalists, Parker turned to the subject at hand: “I observe the Pennsylvania [*sic*] Papers are filled with the controversy about Independance and think the writers have rather left the Question What matters it to us at present whether Monarchy is reprobated by the Almighty or not.” In other words, Parker was observing that, while the controversy may have begun as a debate about “the Expediency or Inexpediency of Independance”—that is, about whether George III had irreparably forfeited the allegiance of his American subjects—it had quickly turned into a scriptural debate over the theological permissibility of monarchy itself. As Parker went on to explain, Paine had written extensively about “Monarchical Government as established amongst the Jews” and had argued that “god was displeased with their demanding a King and was

<sup>35</sup> John Adams to Francis Dana, Aug. 16, 1776, in Robert J. Taylor, Gregg L. Lint, and Celeste Walker, eds., *Papers of John Adams*, ser. 3 (Cambridge, Mass., 1979), 4: 466.

<sup>36</sup> John E. Selby, “Richard Henry Lee, John Adams, and the Virginia Constitution of 1776,” *Virginia Magazine of History and Biography* 84, no. 4 (October 1976): 387–400.

<sup>37</sup> Richard Henry Lee to Patrick Henry, Apr. 20, 1776, in Ballagh, *Letters of Richard Henry Lee*, 1: 179–80. See also Butterfield, *Diary and Autobiography of John Adams*, 3: 333; Bowers, “Richard Henry Lee and the Continental Congress: 1774–1779,” 168–73; Oliver Perry Chitwood, *Richard Henry Lee: Statesman of the Revolution* (Morgantown, W.Va., 1967), 94–95; John Adams to Richard Henry Lee, Nov. 15, 1775, in Taylor, Lint, and Walker, *Papers of John Adams*, 3: 307–8.

<sup>38</sup> Greene, *Diary of Colonel Landon Carter of Sabine Hall*, 2: 1007, 1049–50. Lee himself appears to have been thinking about the analogy between monarchy and idolatry as early as November 1775. In a letter to Catharine Macaulay, he wrote that “as a good *Christian* properly attached to your native Country, I am sure you must be pleased to hear, that North America is not fallen, nor likely to fall down before the *Images* that the King hath set up”; Lee to Macaulay, Nov. 29, 1775, in Ballagh, *Letters of Richard Henry Lee*, 1: 160.

determined they should suffer for his Crimes.”<sup>39</sup> In contrast, “Cato [the Reverend William Smith of Philadelphia] thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it.”<sup>40</sup>

This characterization of Cato’s argument is perfectly accurate. Smith regarded it as self-evident that Paine had “pervert[ed] the Scripture” in claiming that “monarchy . . . (meaning, probably, the institution of Monarchy,) ‘is ranked in Scripture as one of the sins of the *Jews*, for which a curse in reserve is denounced against them.’” But he recognized that, in “a country in which (*God* be thanked) the Scriptures are read, and regarded with that reverence which is due to a revelation from Heaven,” the argument of *Common Sense* could not safely be ignored. Smith therefore resolved “to rescue out of our author’s hands that portion of the sacred history which he has converted into a libel against the civil Constitution of *Great Britain*; and show in what sense the passage has been universally received, as well by the *Jews* themselves as by commentators, venerable for their piety and learning, in every Christian country.” He begins by reminding his readers that “the *Jews* were long privileged with a peculiar form of Government, called a Theocracy, under which the ‘Almighty either stirred up some person, by an immediate signification of his will, to be their Judge, or, when there was none, ruled their proceedings himself, by Urim and Thummim.’” When the Israelites requested a human king, they sinned first and foremost in “rejecting the divine Government” under which they had prospered. But they sinned further in desiring “a King to judge them like all the nations,” since “all the nations which they knew, were ruled by Kings, whose arbitrary will stood in the place of law; and it appears also that the *Jews*, since the day that they were brought out of *Egypt*, had still retained a particular hankering after the customs of that country.” God therefore “not only signifies his displeasure against all such arbitrary rulers, but against every people who would impiously and foolishly prefer such a Government to one immediately under himself, where, in his providence, he might think fit to appoint such an one.”<sup>41</sup>

Yet Paine had dared to argue that “the Almighty hath here entered his protest against Monarchical Government.” First, Smith answers that “the Almighty would have as strongly expressed his displeasure against the *Jews*, had they rejected his Government for one of their own appointment, whether it had been monarchical or democratical—to be administered

<sup>39</sup> Parker to Lee, Apr. 27, 1776, 1r (“I observe”), 2r (“god was displeased”).

<sup>40</sup> Parker to Lee, Apr. 27, 1776, 2r (quotation). See Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 839.

<sup>41</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 839–40 (“pervert[ed] the Scripture,” 5: 839, “the *Jews* were long,” 5: 840). Cato’s letters were reprinted in Connecticut, Virginia, and New York, among other places. See Perl-Rosenthal, *WMQ* 66: 557.

by one man or a thousand men.” But Paine errs most spectacularly in assuming that, when Samuel described the horrors that would be perpetrated by Israelite kings (1 Samuel 8:11–18), the prophet meant to “extend his protest against all future Monarchical Governments, such as were to subsist some thousands of years afterward, however limited and mixed, particularly that of *Great Britain*, (which must certainly be our author’s meaning, or he proves nothing to his purpose;).” This, for Smith, is patently absurd: citing “[Roger] Acherley, in his *Britannick Constitutions*,” he insists that “the particular case of the *Jews* cannot be applied to any other nation in this instance, as none else were ever in similar circumstances.”<sup>42</sup>

In order to buttress this conclusion, he turns to the Hebrew text itself, as well as to the tradition of Jewish commentary upon it. First comes “the celebrated *Grotius*,” who “tells us that *Samuel*, in this passage, does not speak of what our author calls the ‘general manner of Kings,’ or the just and honest right of a King to do such things; because his right is otherwise described elsewhere, as shall be shown. The prophet only speaks of such a right as the Kings round about *Israel* had acquired, which was not a true, right; for such is not the signification of the original word *Mishpat*; but such an action as (being founded in might and violence) hath the *effectum juris*, or comes in the place of right.” Grotius, along with Sidney (who is here transfigured into a respectable whig), is then said to be “well warranted in this interpretation, not only by the *Hebrew* text, but other clear passages of Scripture, and particularly the seventeenth chapter of *Deuteronomy*, where, with the approbation of Heaven, the duty of a good King is described and limited.” Smith proceeds to summarize the rabbinic debate over this passage, as it had inflected the seventeenth-century controversy over monarchy:

The *Jews* commonly understood this chapter as containing an absolute promise from Heaven of a Royal Government, and a sufficient authority for the request made to *Samuel* more than three hundred years afterwards. Others understood it conditionally,—that if they did reject the Divine Government,

<sup>42</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 840 (quotations). Paine directly answered Cato’s claim that Samuel had not meant to “extend his protest” to monarchy as such in his third “Forester” letter (Letter 3), also printed in the *Pennsylvania Gazette*, Apr. 24, 1776: “The Scripture institutes no particular form of Government, but it enters a protest against the Monarchal form; and a negation on one thing, where two only are offered, and one must be chosen, amounts to an affirmative on the other. Monarchal Government was first set up by the Heathens, and the Almighty permitted it to the *Jews* as a punishment. ‘I gave them a King in mine anger.’—Hosea xiii, 11.” “Letter 3—To Cato,” in *American Archives: Fourth Series*, 5: 1018. Smith’s citation of the *Britannick Constitution* refers to Acherley, *The Britannick Constitution*, 6–9.

and set up one of their own appointment, *God* would permit them; but their King should be chosen in the manner, and with the qualifications in that chapter described. All this, however, they disregarded when they asked an arbitrary King, like those of their neighbouring nations; and therefore, it is demonstratively certain that *Samuel*, in entering his protest against such Kings, did not protest against Kings or Monarchical Governments generally. Either this remark is true, or one part of Scripture is a direct contradiction to the other.<sup>43</sup>

The rabbis of the Talmud (here simply “the *Jews*”), unlike the rabbis cited by Milton, had derived from Deuteronomy 17 an “absolute promise” of monarchy—that is, an affirmative commandment to ask for a king.<sup>44</sup> Others, on Smith’s account, had construed the text to embody a permission to establish a virtuous and lawful monarchy. Both readings converged in insisting that the Israelites had sinned only in asking for the wrong sort of king. Smith conveniently neglects to mention that another group of rabbis, along with their seventeenth-century expositors, had taken precisely Paine’s view of the matter.

For Smith, as for the rest of Paine’s critics in 1776, the Hebraizing argument of *Common Sense* was most dangerous because it encouraged colonial readers to become anxious about precisely the wrong things—to pursue shadow over substance. So long as their chief magistrate was not called king, they would feel that the appropriate political principles had been satisfied fully; they would not fret at all about the sweeping prerogative powers that their suitably re-christened governors might come to wield. Tyrannical wolves would masquerade as republican sheep. “The popular leaders who overturned the Monarchy in the last age,” Smith reminds his readers, “were not themselves friends to Republicks. They only

<sup>43</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 841 (quotations). See Hugo Grotius, *Hugonis Grotii Annotationes in Vetus Testamentum*, ed. Georg Johann Ludwig Vogel (Halle, Germany, 1775), 1: 215; Hugo Grotius, *Hugonis Grotii De iure belli ac pacis libri tres* (Amsterdam, 1650), 1: 4.7.

<sup>44</sup> Babylonian Talmud: Sanhedrin 20b. The majority opinion in the Talmud, attributed to Rabbi Yehudah, reads as follows: “there were three commandments that Israel were obligated to fulfill once they had entered the land: appointing a king, exterminating the offspring of Amalek, and building the temple.” Isidore Epstein and Maurice Simon, eds., *Soncino Hebrew-English Edition of the Babylonian Talmud*, 30 vols. (London, 1994). This reading became ubiquitous among Protestant defenders of monarchy. Claude de Saumaise (Salmasius), for example, simply reproduced the Talmudic gloss in his *Defensio regia* (1649): “Tradunt Iudaeorum magistri, tria injuncta fuisse Israelitis quae facere eos oporteret postquam introducti essent in terram sanctam, *regem sibi constituere, excindere Amalechitas, templum exstruere*.” See C. L. Salmasii *Defensio pro Carolo I* (Cambridge, 1684), 63.

made use of the name to procure the favour of the people; and whenever, by such means, they had mounted to the proper height, each of them, in his turn, began to kick the people from him as a ladder then useless." The embodiment of this danger was Cromwell:

*Cromwell* exercised the power of a King, and of the most absolute King, under the specious name of a Protector. The instrument of Republican Government, which he had at first extolled as the most perfect work of human invention, he began (as soon as he thought his authority sufficiently established) to represent as "a rotten plank, upon which no man could trust himself without sinking." He had his eyes fixed upon the Crown; but when he procured an offer of it, from a packed Parliament, his courage failed him. He had outwitted himself by his own hypocrisy, and, in his way to power, had thrown such an odium upon the name of the King, that his own family, apprehensive he would be murdered the moment the diadem should touch his brow, persuaded him to decline that honour.<sup>45</sup>

The Miltonic argument revived by Paine threatened to make a fetish out of "the name of the King," delivering the colonists instead into the arbitrary power of a non-monarchical tyrant.<sup>46</sup> True "Republicks" are defined by the absence of discretionary power in any single person, not by the lack of an allegedly idolatrous title. "The harm," as another critic had put it, "lay not in the four Letters K,I,N,G."<sup>47</sup>

Parker himself thought that this debate should be postponed until after "we have determined our selves independant," but he nonetheless proceeded in his letter to Lee to endorse and then elaborately defend Paine's conclusion that God is an enemy to monarchical government.<sup>48</sup> His intervention is significant for two reasons. First, it provides valuable

<sup>45</sup> Cato, "Letter 8—To the People of Pennsylvania," in *American Archives: Fourth Series*, 5: 1050 (quotations).

<sup>46</sup> Virtually all of Paine's early critics likewise offered this argument. See, for example, *Reason: In Answer to a Pamphlet Entitled, Common Sense*, 9–13 (quotation, 9).

<sup>47</sup> Cato, "Letter 8," in *American Archives: Fourth Series*, 5: 1050 ("Republicks"); A Late Member of the Continental Congress, *The True Merits of a Late Treatise, Printed in America, Intituled Common Sense*. . . (London, 1776), 14–16 ("The harm," 16).

<sup>48</sup> Parker to Lee, Apr. 27, 1776, 1r (quotation); Parker rather surprisingly indicts both "Cato & Cassandra" for turning what should be a debate about "the Expediency or Inexpediency of Independance" into one about the divine permissibility of monarchy (ibid.). In fact, while Cato (William Smith) did indeed focus on refuting Paine's scriptural argument, Cassandra (James Cannon) spent no time attacking the institution of monarchy per se. Unlike Paine, the latter argued simply that America ought not to be governed by a British monarch. See Cassandra to Cato, in *American Archives: Fourth Series*, 5: 41–43, 431–34, 921–26.

evidence about the reach of Paine's Hebraizing argument in 1776 and beyond. Scholars have usually located the scriptural case against monarchy exclusively in a set of sermons delivered by New England ministers.<sup>49</sup> But Parker was an Anglican Virginia planter and he addressed his meditation on Paine's argument to a fellow member of the tidewater gentry. His letter therefore offers support for Ramsay's claim that Paine's scriptural argument found a receptive audience throughout the colonies, not merely in Congregational strongholds. Parker's analysis is also compelling insofar as it represents the attempt of an educated observer—whose thoughts, as he confesses, “are not well connected as my Avocations so frequently take me off from the Subject that the chain is often broke”—to take the measure of Paine's Hebraizing case against monarchy and explore its relation to the more traditional, neo-Roman reading of the biblical text.<sup>50</sup> Parker was evidently unwilling at this stage to choose between them.

On the one hand, his letter includes an unmistakable paraphrase of Paine's central argument: the heathen nations surrounding the Jews, Parker writes, had “paid divine honors to their Kings” (this is a direct quotation from Paine) and the Lord, “being a jealous God took every means to prevent them from falling into the same Error knowing that a person placed so far above the level of the people would lead them to whatever he pleased.”<sup>51</sup> Notice that, even here, Parker has either misconstrued or intentionally deviated from Paine's position in a subtle, but important, respect. Paine had argued that monarchy *itself* is an instance of the sin of idolatry, whereas Parker seems to be arguing instead that monarchs (who are not intrinsically idols) will frequently prevail upon the people to worship them in an idolatrous fashion. But it had been the strict equation of monarchy and idolatry that allowed Paine to reach his radical conclusion in *Common Sense*, namely, that the God of scripture classifies monarchy in all its forms as a sin. And this, after all, is the conclusion that Parker wants to defend against Cato's critique: the Israelites, Parker explains, chose to institute kingship against God's express wishes, and the subsequent depredations of Israel's kings provide evidence of the Lord's great anger: “Can it be thought that the Almighty would have been so unmerciful to his people if it had not have been to shew them the impropriety of having

<sup>49</sup> See, for example, Eran Shalev, *American Zion: The Old Testament as a Political Text from the Revolution to the Civil War* (New Haven, Conn., 2013), 57–69; Stout, *New England Soul*, 301–5; Perl-Rosenthal, *WMQ* 66: 553–54, 560. Perl-Rosenthal rightly doubts that, in light of Ramsay's testimony, it is plausible to suppose that this discourse was confined to a group of New England ministers, but he is unable to offer examples of its use elsewhere.

<sup>50</sup> Parker to Lee, Apr. 27, 1776, 1r (quotation).

<sup>51</sup> Parker to Lee, Apr. 27, 1776, iv. This phrasing seems to echo Paine's attack on “the exalting [of] one man so greatly above the rest”; Paine, *Common Sense*, 30.



a King for whose Trespasses they were to suffer”? After all, “God had expressly declared to them long before they asked a King that they would do it and that he would punish them with the Kings they should set over them see the 28th Cap Deuteronomy to the 37th verse. Hosea in the 13th Chapter 11th verse says ‘I gave thee a King in mine Anger and took him away in my wrath[.]’ In short god was displeased with their demanding a King and was determined they should suffer for his Crimes.”<sup>52</sup> To be sure, “Cato thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it.” Does not Deuteronomy 17, Cato had asked, “smell strong of Monarchy and even of Hereditary Monarchy?” Parker answers that “God has expressly declared his displeasure with the Jews for asking a King; but he knew long before they did demand one that they would do it; and he only tells them if they should be so foolish as to do it what sort they should choose & declares how he ought to conduct himself by which Conduct he should obtain his favor.”<sup>53</sup> “It is [a] pity,” Parker concludes, that “Cato has not the Candor to compare the Scriptures, a crime he accuses Common Sense of.”<sup>54</sup>

Parker thus fully embraces Paine’s view that God is an “enemy” to monarchical government and that kingship in all its forms is sin—and he likewise offers a glancing, somewhat muddled endorsement of the claim that monarchy is sinful insofar as it is idolatrous. But Parker simultaneously runs a set of arguments that are very different from Paine’s. To begin with, whereas Paine (like Langdon and Williams before him) had favorably described the original Israelite constitution as “a kind of republic, administered by a judge and the elders of the tribes,” Parker dismisses the pre-monarchical Israelites as “Wretches” who obeyed the “dictates” of

<sup>52</sup> Parker to Lee, Apr. 27, 1776, 2r. Parker interestingly rejected the Josephan account of Israelite theocracy: “as to calling it [Israelite government before Saul] a Theocracy it is talking Nonsense because every State in the Universe is equally a Theocracy[.] Whoever believes in a particular Providence must acknowledge that the Events of States are governed by the Almighty and I am sure the Hand of God has been with us[.] It is true as the Jews were in such a State of Ignorance as to be unable to make any Laws for themselves God did prescribe a Set of Laws for them such as would be sufficient for their Government; that his wise purposes in bringing abt. the Redemption of man by his Son Jesus Christ might be fully answered but he left the Execution of those laws to the people themselves.” *Ibid.*, iv.

<sup>53</sup> Parker to Lee, Apr. 27, 1776, 2r. Parker’s wording (“God has expressly declared his displeasure with the Jews for asking a King”) is highly reminiscent of Milton’s own, as translated in the 1692 English version of the *Defense*: “God frequently protests that he was extremely displeas’d with them for asking a King”; Milton, *A Defence of the People of England* (London, 1692), 48. The Latin reads as follows: “Passim enim testatur Deus valde sibi displicuisse quod regem petissent”; Milton, *Defensio*, 66. Paine does not incorporate this language into *Common Sense*, so it is possible that Parker had direct access to Milton’s text.

<sup>54</sup> Parker to Lee, Apr. 27, 1776, 2v.

the Judges out of the (apparently) false belief that their commands “came from God” and states further that it is impossible to determine “what kind of Government” this really was.<sup>55</sup> More importantly, Parker also offers a competing account of why God was displeased with the Israelites when they instituted monarchy. In Egypt, he explains, the Israelites had been afflicted with “most abject Slavery.” God had redeemed them from bondage, and it was because he wished them to remain free men that he forbade them to establish a monarchy: “He knew that all felicity would be at an end and their Slavery under a King would be as great as whilst they lived in Egypt.” A critical portion of the text is missing here, but it seems as if Parker is trying to argue that God rejected monarchy on standard neo-Roman grounds: while it might be possible to imagine a nonarbitrary monarchy, in practice kings tend to turn into tyrants, and subjects into slaves.<sup>56</sup>

This, of course, had been the argument of Foster, Langdon, and Williams, but none of these writers (as we have seen) had taken the view that monarchy was therefore a sin and illicit in all circumstances. Indeed, they had reasoned in precisely the opposite direction: since one can perfectly well institute a nonarbitrary monarchy, it followed for them that kingly government in itself cannot be regarded as illicit—and that the Israelites did not sin in asking for a king per se. The fact that monarchs often come to wield arbitrary, discretionary power simply gives us good prudential grounds for preferring republican government and explains why God himself had initially instituted such a regime among his chosen people. Likewise, the argument that God in 1 Samuel 8 was merely expressing his concern that Israelite kings would ape the idolatrous customs of the heathens had always been invoked by those (like Cato himself) who wished to *deny* the conclusion that the Israelites sinned in asking for a king per se (the sin, on this account, was simply to have asked for the wrong sort of king—one like those of “the other nations”).<sup>57</sup> What we find in Parker’s letter, in other words, is an improvisatory attempt to match Paine’s conclusion with several very different premises. Parker cannot quite make up his mind whether monarchy is a sin because it is inherently idolatrous (that is, because the Lord is a “jealous God”), because it tends to promote idolatry, or because it threatens slavery (or for some combination of these

<sup>55</sup> For “a kind of republic,” see Paine, *Common Sense*, 30; for “Wretches,” see Parker to Lee, 1v. Paine also insisted that “the will of the Almighty” was indeed “declared by Gideon and the prophet Samuel”; see Paine, *Common Sense*, 30.

<sup>56</sup> Parker to Lee, Apr. 27, 1776, 1v (quotations). Quite a lot hangs on Parker’s precise reason for stating that God “knew” that the Israelites would be slaves under their kings. Is this because God simply foresaw that the Israelite kings would become tyrants, or because God “knows” that kings inevitably become tyrants. The latter would amount to the claim that there is no such thing (at least over time) as a nonarbitrary monarchy—and that this is why God regards all monarchies as sinful.

<sup>57</sup> 1 Sam. 8:4.

reasons).<sup>58</sup> Paine's pamphlet and the responses that it generated had forced him to wrestle with these issues, but the results, as he himself recognized, were rather inconclusive.

For many of Parker's countrymen, in contrast, the matter was far more straightforward. By the end of 1776, a host of colonial writers and ministers had come forward to defend Paine's argument unambiguously and in its entirety. In a sermon preached on September 12, Peter Whitney declared that "when the people of Israel foolishly and impiously asked God to give them a king," God begged them to "withdraw their petition, and desire rather to continue as they were." Yet, "they notwithstanding, persisted in their demand, and God gave them a king, but in his anger, and as a great scourge and curse to them." Whitney's verdict on this episode simply replicates Paine's discussion of the inherently idolatrous character of monarchical government, complete with direct quotations from *Common Sense* itself:

It is a natural inference from sacred story, and from what has been said above, that kingly government is not agreeable to the divine will, and is often a very great evil. The will of God as made known by Gideon; and the prophet Samuel expressly disapproves of government by kings. "Near three thousand years passed away from the Mosaic account of the creation, *before* the Jews under a national delusion, asked a king.—'Till then their form of government (except in extraordinary cases where the Almighty interposed) was a kind of republic administered by a judge, and the elders of the tribes. Kings they had none, and it was held sinful to acknowledge any being under that title but the Lord of hosts. And when a man seriously reflects on the idolatrous homage which is paid to the persons of kings, he need not wonder that the Almighty, ever jealous of his honor, should disapprove a form of government which so impiously invades the prerogative of heaven." No form of government but kingly or monarchical, is an invasion of God's prerogative; this is.

"The most high over all the earth," Whitney concludes, "gave kings at first, to the Jews (as he sends war) in anger, and as a judgment, and it may be affirmed, that upon the whole, they have been a scourge to the inhabitants of the earth ever since." "We in these States," Whitney concludes, "are now evidently under the frowns of heaven for our many and great transgressions: it is to be hoped we shall not 'add to our sins, this evil to ask *us* a king.'"<sup>59</sup>

<sup>58</sup> Parker to Lee, Apr. 27, 1776, iv (quotation).

<sup>59</sup> Whitney, *American Independence Vindicated* ("when the people," 11, "It is a natural inference," 43–44, "The most high," 44–45).

Whitney's view was endorsed the following month in the "Instructions to Delegates" published by the Committee for Charlotte County, Virginia. Having renounced their allegiance to George III, the citizens of the county were now committed to "taking the *God* of Heaven to be our King."<sup>60</sup> A sermon preached in Boston by Benjamin Hichborn took the same line: "I am inclined to think, that the great founder of societies has caused the curse of infatuating ambition, and relentless cruelty, to be entailed on those whose vanity may lead them to assume *his* prerogative among any of his people as they are cantoned about in the world, and to prevent mankind from paying that adoration and respect to the most dignified mortal, which is due only to *infinite wisdom and goodness*, in the direction of *almighty power*, and therefore that he alone is fit to be a monarch."<sup>61</sup> Nor did the passing of the years diminish Paine's grip on the political imagination of British Americans. In 1778, the poet Philip Freneau echoed *Common Sense* in verse:

To recommend what monarchies have done,  
 They bring, for witness, David and his son;  
 How one was brave, the other just and wise;  
 And hence our plain Republics they despise;  
 But mark how oft, to gratify their pride,  
 The people suffered, and the people died;  
 Though one was wise, and one Goliath slew,  
*Kings are the choicest curse that man e'er knew!*<sup>62</sup>

<sup>60</sup> "Instructions to Delegates for Charlotte County, Virginia," Apr. 23, 1776, in *American Archives: Fourth Series*, 5: 1035.

<sup>61</sup> Benjamin Hichborn, "Oration Delivered at Boston, March 5, 1777," in *Principles and Acts of the Revolution in America*. . . , ed. Hezekiah Niles (Baltimore, 1882), 27 (quotation). Also see Cosmopolitan, "Letter X," in *American Archives: Fourth Series*, 5: 1172. For further endorsements of Paine's argument in 1776, see for example *The People the Best Governors; or, A Plan of Government Founded on the Just Principles of Natural Freedom* (n.p., 1776); "Extract of a Letter from Philadelphia to a Gentleman in England," Mar. 12, 1776, in *American Archives: Fourth Series*, 5: 186–88; Samuel West, *A Sermon Preached Before the Honorable Council, and the Honourable House of Representatives, of the Colony of Massachusetts-Bay, in New-England. May 29th, 1776*. . . (Boston, 1776); William Drayton, "Judge Drayton's Charge to the Grand Jury of Charleston, South-Carolina," Apr. 23, 1776, in *American Archives: Fourth Series*, 5: 1031; Salus Populi, "To the People of North-America on the Different Forms of Government," 1776, in *American Archives: Fourth Series*, 5: 180–83. Even John Adams seems to have been swept up momentarily in this discourse; see, for example, Adams to William Tudor, Feb. 27, 1777, in Taylor, Lint, and Walker, *Papers of John Adams*, 4: 94: "I hope We shall e'er long renounce some of our Monarchical Corruptions, and become Republicans in Principle in Sentiment, in feeling and in Practice. In Republican Governments the Majesty is all in the Laws. They only are to be adored." Also see Adams to Congress, July 23, 1780, *ibid.*, 10: 27; "The total and absolute suppression of the Tumults in London . . . has now given them [the Ministry] such Exultation and Confidence, that the People of America will dethrone the Congress and like the Israelites demand a King."

<sup>62</sup> Philip Freneau, "America Independent; And Her Everlasting Deliverance from British Tyranny and Oppression," in *Poems Written and Published During the American*

Joseph Huntington of Connecticut offered much the same account in *A Discourse, Adapted to the Present Day*. “The infinitely wise and good Being,” he begins, “has given us the sum and substance of the most perfect form of civil government in his word. . . . I mean that ancient plan of civil policy, delineated for the chosen tribes of Israel.” In that divinely authorized constitution, “we find no king, no despot, no emperor, no tyrant, no perpetual dictator allowed of.” Quite the contrary, the “tribes of Israel” had “by divine appointment a general congress,” (as Huntington later clarified, “I mean the Sanhedrim or seventy elders”) “with a president at their head; Moses was the first, Joshua succeeded him, so on till the days of Samuel, when the constitution was subverted.” Huntington insists that “here God has marked out that form of civil government which is agreeable to his own will.” Each people is free to adapt this basic structure to its own needs and requirements, “but thus much in general God has plainly taught us, viz. that no king, no monarch, no tyrant, or despot, ought ever to be admitted to rule over his people, or any people under heaven; and hence, when Israel rejected that glorious form of government, and would have a king to govern them, God expressly declares *they rejected him*.”<sup>63</sup>

John Murray of Newburyport, Massachusetts, returned to this theme in his sermon celebrating the Peace of Paris and the birth of the new United States in 1784. “Now hail thy Deliverer-God. Worship without fear of man,” he exhorts his audience. “This day, invite him to the crown of America—proclaim him King of the land.”<sup>64</sup> Such a coronation, Murray

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*Revolutionary War*. . . . (Philadelphia, 1809), 1: 241. See also Benjamin Rush, writing to John Adams while the latter was posted to the French court: “While you are *gazed* at for your American-manufactured principles, and *gazing* at the folly and pageantry of animals in the shape of men cringing at the feet of an animal called a king, I shall be secluded from the noise and corruption of the times”; Benjamin Rush to John Adams, Jan. 22, 1778, in L. H. Butterfield, ed., *Letters of Benjamin Rush* (Princeton, N.J., 1951), 1: 192.

<sup>63</sup> Joseph Huntington, *A Discourse, Adapted to the Present Day, on the Health and Happiness, or Misery and Ruin, of the Body Politic, In Similitude to that of the Natural Body* (Hartford, Conn., 1781), 8–11 (“The infinitely wise,” 8, “we find no king,” 8–9, “tribes of Israel,” 10, “but thus much,” 11). See also Samuel Cooper, *A Sermon preached Before His Excellency John Hancock, Esq. . . . October 25, 1780. Being the Day of the Commencement of the Constitution and Inauguration of the New Government* (Boston, 1780). For the Hebrew republic as a constitutional model in revolutionary America, see Eran Shalev, “‘A Perfect Republic’: The Mosaic Constitution in Revolutionary New England, 1775–1788,” *New England Quarterly* 82, no. 2 (June 2009): 235–63. See also Shalev, *American Zion*, 50–83.

<sup>64</sup> John Murray, *Jerubbaal; or, Tyranny’s grove Destroyed, and the Altar of Liberty Finished*. . . . December 11, 1783. *On the Occasion of the Public Thanksgiving for Peace*. . . . (Newburyport, 1784), 7 (quotation). This is a direct echo of Paine: “But where, says some, is the King of America? I’ll tell you. Friend, he reigns above, and doth not make havoc of mankind like the Royal Brute of Britain. Yet that we may not appear to be defective even in earthly honors, let a day be solemnly set apart for proclaiming the charter; let it be

goes on to explain, has been made possible by the extraordinary virtue and piety of the Americans and their leaders. In the Hebrew republic of old, as Paine had recounted, Gideon was invited to become king, but he recognized that “the reins of kingly authority become no other hands than those of the all-perfect Sovereign of the universe.” Only God “is fit to sit Monarch on a throne—before him only every knee should bow—at his feet should sceptered mortals cast their crowns—there should they lay them down—to resume and wear them no more for ever—and he who refuses this rightful homage to the only Supreme, deserves to be treated as a tyrant among men, and a rebel against God.” Why should Americans expect any less of their own greatest general? “Are not we the children of Israel too—a professing covenant-people, in a land peculiarly privileged with gospel-light?” Indeed we are, and though George Washington was never offered a crown—because, for Americans, “the idea of a human monarchy is too absurd in itself”—if he had been, he surely would have replied in ringing tones that “the *Lord* alone shall be king of *America*.”<sup>65</sup>

brought forth placed on the divine law, the word of God; let a crown be placed thereon, by which the world may know, that so far as we approve of monarchy, that in America The Law Is King. For as in absolute governments the King is law, so in free countries the law *ought* to be King; and there ought to be no other. But lest any ill use should afterwards arise, let the crown at the conclusion of the ceremony be demolished, and scattered among the people whose right it is”; Paine, *Common Sense*, 48–49.

<sup>65</sup> Murray, *Jerubbaal*, 21 (“the reins of kingly”), 32 (“Are not we”), 42 (“the idea of a human”), 44 (“the *Lord* alone”). This language continued to appear during the debates over ratification. See, for example, Camillus, [Philadelphia] *Pennsylvania Packet, and Daily Advertiser*, June 13, 1787 (orig. pub. in the [Boston] *Independent Chronicle*). The author attacks proponents of the new Constitution as those who “raved about monarchy, as if we were ripe for it; and as if we were willing to take from the plough-tail or dram shop, some vociferous committee-man, and to array him in royal purple, with all the splendor of a King of the Gypsies . . . our king, whenever Providence in its wrath shall send us one, will be a blockhead or a rascal” (note the use of Hosea). See Camillus, *Pennsylvania Packet*, June 13, 1787, [2]. Compare Mercy Otis Warren’s characterization of the Constitution’s opponents: “They deprecate discord and civil convulsions, but they are not yet generally prepared, with the ungrateful Israelites, to ask a King, nor are their spirits sufficiently broken to yield the best of their olive grounds to his servants, and to see their sons appointed to run before his chariots”; A Columbian Patriot [Warren], *Observations on the New Constitution, and on the Federal and State Conventions* (Boston, 1788), 17. See also Speeches by Robert Livingston and Melancthon Smith to the New York Ratifying Convention, in *The Debates in the Several State Conventions, on the Adoption of the Federal Constitution*, ed. Jonathan Elliot (Washington, D.C., 1836), 2: 210, 223–26; Agrippa, Letter 17, in *Essays on the Constitution of the United States, Published during Its Discussion by the People, 1787–1788*, ed. Paul Leicester Ford (New York, 1892), 111. See also Thomas Jefferson to James Madison, Mar. 15, 1789, in Julian P. Boyd, ed., *The Papers of Thomas Jefferson* (Princeton, N.J., 1958), 14: 661: “I know there are some among us who would now establish a monarchy. But they are inconsiderable in number and weight of character. The rising race are all republicans. We were educated in royalism: no wonder if some of us retain that idolatry still. Our young people are educated in republicanism. An apostasy from that to royalism is unprecedented and impossible.”

The document reproduced below thus bears witness to a fateful shift in the character of colonial political thought. Paine's *Common Sense* fueled an abrupt republican turn in 1776 by reintroducing into Anglophone political discourse a particular *kind* of republican theory: one grounded in the Hebraizing conviction that it is idolatrous to assign any human being the title and dignity of a king. This theory was both more and less radical than its neo-Roman rival: more radical, in that it denied the legitimacy of all monarchies, however limited; less radical, in that it left open the possibility of an extremely powerful chief magistrate, so long as he was not called king. Parker's letter to Lee represents a very early, sympathetic attempt to grapple with the implications of Paine's scriptural argument—one that plainly sought to leave some room in the case against monarchy for the neo-Roman preoccupation with discretionary power. But the force of Paine's distinctive new brand of antimonarchism proved difficult for contemporaries to resist. Lee himself, after all, seems to have detected no dissonance whatsoever between the two great political interventions that he was simultaneously considering during the week of April 27, 1776: Paine's Hebraizing demonstration that "monarchy is reprobated by the Almighty," as defended by his friend Richard Parker, and Adams's insistence that "there should be a third Branch [of the legislature] which for the Sake of preserving old Style and Titles, you may call a Governor whom I would invest with a Negative upon the other Branches of the Legislature and also with the whole Executive Power."<sup>66</sup> It was of course perfectly possible to be worried both about the idolatrous pretensions of royal dignity and about the enslaving effects of discretionary power.<sup>67</sup> But by so profoundly altering the focus of the debate, Paine and his many acolytes made it possible for Americans in the following decade to reconcile republicanism with prerogative.

<sup>66</sup> For "monarchy is reprobated," see Parker to Lee, Apr. 27, 1776, 1r. For "there should be," see Adams to William Hooper, Mar. 27, 1776, concerning the manuscript "Thoughts on Government," in Taylor, Lint, and Walker, *Papers of John Adams*, ser. 3, 4: 73–78 (quotation 4: 76). Adams interestingly distinguishes the negative voice from "most of those Badges of Domination call'd Prerogatives."

<sup>67</sup> On this view, the absence of discretionary power in any single person is a necessary but not sufficient condition of legitimate government in a free state. Paine himself rejected the king's "negative voice" on these grounds and remained a fierce opponent of prerogative power in the executive for the rest of his life. It is therefore deeply ironic that he himself inadvertently made it possible for Americans to reconceptualize republicanism in such a way as to render it compatible with prerogative. See Paine, *Common Sense*, 44–45.

*Richard Parker to Richard Henry Lee, April 27, 1776*<sup>68</sup>

[1r] Dear Sir

Since my last nothing very material has happened with us or at least I have heard very little news our papers never coming to hand altho Purdie<sup>69</sup> and the other printers have been expressly ordered to send them to Fredericksburg for our Rider. A Tender came last Week to Hobbs Hole and took a new England man loaded with grain & flower from the Warf, an Alarm was given and the Malitias of Essex and Richmond pursued them in Vessels they retook the prize and brought her back; the Tender escaped tho pursued with in three miles of Urbanna, Anegro<sup>70</sup> fellow belonging to Walker who was skipper of his boat was killed but no other damage done to our men. We have a Report which I believe to be true tho it may be improper to propagate it unless fully confirmed, That young Mr. Wormeley<sup>71</sup> is under close Confinement in Williamsburg he was taken in a tender going to Dunmore<sup>72</sup> Charles Neilson & John Grymes<sup>73</sup> were also taken in another Tender carrying provisions to that Monster If this news be true I doubt not they will meet with their deserts. Since I wrote the above piece of news it has been confirmed so that except that he has a guard over him (it may be depended upon) and not in close confinement.<sup>74</sup>

<sup>68</sup> I am grateful to Joshua Ehrlich for his assistance in transcribing the text. The letter is written on a single sheet of paper, 15 inches by approximately 9.25 inches, which has been folded in half. The paper is torn at the bottom, with the result that two lines of text have been almost completely lost on each of the first three pages (1r, 1v, 2r). Original spelling and orthography have been retained throughout. Parker's excisions from the text are recorded in the notes (to the extent that they are decipherable). Conjectures and editorial insertions are marked with brackets. All superscript has been brought down to the line. Richard Parker to Richard Henry Lee, Apr. 27, 1776, *Lee Family Papers*, MSS 38-112, box 6 (January–November 1776), Albert and Shirley Small Special Collections Library, University of Virginia, Charlottesville, Va.

<sup>69</sup> Alexander Purdie, publisher of the *Virginia Gazette* (one of three newspapers of that name).

<sup>70</sup> That is, "A negro."

<sup>71</sup> Ralph Wormeley Jr., a prominent Middlesex County loyalist. His letter to fellow loyalist John Randolph Grymes of Apr. 4, 1776 was intercepted and presented to Maj. Gen. Charles Lee, who ordered the detention of both men (as well as that of Charles Neilson, who was identified as a loyalist in the opening line of the letter). See Scribner and Tarter, *Revolutionary Virginia, The Road to Independence*, 6: 325–32.

<sup>72</sup> John Murray, fourth Earl Dunmore, royal governor of Virginia.

<sup>73</sup> Charles Neilson and John Randolph Grymes were both prominent Middlesex County loyalists. The following text is excised after "Grymes": ~~who married Wormeley's Sister.~~

<sup>74</sup> The parentheses have been added. The phrase within the parentheses appears between two lines in the manuscript. It is not clear where the author wanted it to be inserted.



I am astonished we hear nothing from Quebec<sup>75</sup> Our Success of it will be of the utmost Consequence to our Cause

I observe the Pennsylvania Papers are filled with the controversy about Independance and think the writers have rather left the Question What matters it to us at present whether Monarchy is reprobated by the Almighty or not, It will be time enough to consider what kind of Government is best suited for America when we have determined our selves independant; indeed every man who wishes to be free will be forming Opinions relative to the form of Government And those Opinions it would do well to communicate but the present contest between Cato & Cassandra<sup>76</sup> should be of the Expediency or Inexpediency of Independence However if you will give me leave I will shew you my Sentiments of Monarchical Government as established amongst the Jews My thoughts are not well connected as my Avocations so frequently take me off from the Subject that the chain is often broke

It . . . not be amiss for the [judgment] . . . this . . . [Iv] most abject Slavery not less content with it or in a greater State of Ignorance [nay] by no means so ignorant as numbers of our Slaves here, their whole history shews it; that they were Heathens no one will deny for what few religious rights they had were from the Egyptians of course they had no form of Government until they arrived in the Land of promise and it was left to them by their Lawgiver Moses They never gave themselves the trouble to reflect on the Nature of Government and it was sufficient for such a set of Wretches to obey the dictates of their Judges<sup>77</sup> especially as they believed every ordinance came from God<sup>78</sup> under what kind of Government they really did live in the time of the Judges it is extremely difficult to if not impossible to judge for as to calling it a Theocracy it is talking Nonsense because every State in the Universe is equally a Theocracy<sup>79</sup> Whoever

<sup>75</sup> The Continental army was laying siege to Quebec. The siege would be broken the following month.

<sup>76</sup> Parker's reference to the letters of "Cassandra" (James Cannon) is rather surprising, in that these did not attack the institution of monarchy per se. Unlike Paine, Cannon argued simply that America ought not to be governed by a British monarch. See "Cassandra to Cato," in *American Archives: Fourth Series*, 5: 41–43, 431–34, 921–26.

<sup>77</sup> Note that Parker's description of the rule of the Judges is quite different from Paine's. Parker describes the Israelites of that time as "Wretches" who obeyed the "dictates" of the Judges out of the (apparently) false belief that their commands "came from God"; he further states that it is impossible to determine "what kind of Government" this really was. On Paine's telling, in contrast, Israel under the Judges appears far more favorably as "a kind of Republic, administered by a judge and the elders of the tribes." Paine also writes that "the will of the Almighty" was indeed "declared by Gideon and the prophet Samuel"; Paine, *Common Sense*, 30.

<sup>78</sup> ~~What their form~~

<sup>79</sup> Parker is here rejecting Josephus's celebrated analysis of the Israelite *politeia*. See Josephus, *Contra Apionem*, 2: 163–68.

believes in a particular Providence must acknowledge that the Events of States are governed by the Almighty and I am sure the Hand of God has been with us It is true as the Jews were in such a State of Ignorance as to be unable to make any Laws for themselves God did prescribe a Set of Laws for them such as would be sufficient for their Government; that his wise purposes in bringing abt. the Redemption of man by his Son Jesus Christ might be fully answered but he left the Execution of those laws to the people themselves. He was well acquainted with their Ignorance he knew them fond of the Customs of the Egyptians and that they would seek every opportunity to return to them and his laws were calculated to keep them separate from those as well as other Heathens those paid divine honors to their Kings and he as himself declares being a jealous God took every means to prevent them from falling into the same Error knowing that a person placed so far above the level of the people<sup>80</sup> would lead them to whatever he pleased He knew that all felicity would be at an end and their Slavery under a King would be as great as whilst they lived in Egypt. How then must the Almighty resent this demanding a Monarch to reign over them Had they have had . . . to have formed . . . Government. . . [2r] It was not particularly with Saul but with all their Kings Look through the whole catalogue of Kings (a very long one) and you will find few very few but what were a curse to them The much admired King David†<sup>81</sup> was as great a Curse to them as any other What constant Wars was he engaged in during his whole life and what a punishment did he bring on them for no appearance of a fault in them the Loss of three score and ten thousand men purely for his own disobedience of the Commands of God or his own pride or folly. Can it be thought that the Almighty would have been so unmerciful to his people if it had not have been to shew them the impropriety of having a King for whose Trespasses they were to suffer. God had expressly declared to them long before they asked a King that they would do it and that he would punish them<sup>82</sup> with the Kings they should set over them see the 28th Cap Deuteronomy to the 37th verse. Hosea in the 13th Chapter 11th verse says "I gave thee a King in mine Anger and took him away in my wrath"<sup>83</sup> In short god was displeased with their demanding a King and was determined they should suffer for his Crimes that they did suffer constantly for their Kings faults will be seen by any person who will give himself the trouble to read their History whilst governed by Kings.

<sup>80</sup> This phrasing seems to echo Paine's attack on "the exalting of one man so greatly above the rest"; Paine, *Common Sense*, 30.

<sup>81</sup> An annotation by a later hand was added at the bottom of this paragraph with an insertion marker placed here. The insertion reads "† The character of David is much misunderstood. He was indeed a sinner; but he was the humblest + sincerest of penitents."

<sup>82</sup> for the Offenses of their

<sup>83</sup> There is a sketch that resembles a small pointing hand in the left-hand margin of the letter. It is pointed at this quotation.

Cato thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it “When thou<sup>84</sup> art come into the land which the Lord thy God giveth thee, and shalt say I will set a King over me &c And then asks does not this smell strong of Monarchy and even of Hereditary Monarchy? I answer that God has expressly declared his displeasure with the Jews for asking a King; but he knew long before they did demand one that they would do it; and he only tells them if they should be so foolish as to do it what sort they should choose & declares how he ought to conduct himself<sup>85</sup> by which Conduct he should<sup>86</sup> obtain his favor; It was necessary for the purposes of the Almighty [mentioned] before that . . . subsist as a people a certain time . . . punish . . . [2v] their days in the Kingdom shall be prolonged. It is pity Cato has not the Candor to compare the Scriptures, a crime he accuses Common Sense of.<sup>87</sup> Cato gives a plain proof that he has a good deal of Priest craft, Is he not a scotch clergyman?<sup>88</sup> I should have proceeded a little farther but am just called off and indeed I fear you are fully tired with what I have wrote farewell & be assured I am with the greatest Esteem

Your most affectionate friend  
Richd. Parker  
April 27th 1776

It is to be observed that Hoshea the last King of Israel together with the whole people except Judah which was governed by other Kings was then in Captivity. The fate of Judah was prolonged a few years upon Acct. of the good Reign of Hezekiah But it was but a short time before that Kingdom was destroyed & the whole people Captives to the Babylonians Thus we see as God gave them a King in his Anger he now took him away in his Wrath and suffered his people to be punished<sup>89</sup> by reducing them to Slavery in a strange Land If Monarchy was not a Curse to the Jews, let Cato say.<sup>90</sup>

<sup>84</sup> shalt

<sup>85</sup> themselves

<sup>86</sup> shall

<sup>87</sup> “Cato” had written of Paine that “he has not the candour to compare Scripture with Scripture; nor does he give a single passage complete, and connected with the parts necessary to explain it,—a clear proof that other craft may be employed as well as King-craft and Priest-craft, in ‘withholding the Scripture from the people,’ even in Protestant countries”; Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 841.

<sup>88</sup> William Smith was born in Aberdeen, Scotland, and was an Episcopal priest.

<sup>89</sup> with

<sup>90</sup> A sketch of a small pointing hand has been placed in the left-hand margin next to the beginning of this paragraph.

no. 351

*Originals*

letters, addresses &c

official + private

R Parker

Jews<sup>91</sup>

<sup>91</sup> "Originals/letters, addresses &c/official + private/R Parker/Jews" appears sideways at the bottom of the final page, apparently in Lee's handwriting.

Parker's letter, reproduced at the end of this article, illuminates the depth and reach of the Hebraizing defense of republican government in 1776.

DESPITE PETER WHITNEY'S INSISTENCE that the "divine disapprobation of a form of government by kings" was one of the "new truths" that had only recently emerged from "the eagerness of controversy" in 1776, several of Paine's opponents recognized that the scriptural argument against monarchy featured in *Common Sense* was not in fact new.<sup>7</sup> In deploying it, they observed, Paine was reopening a long-dormant seventeenth-century debate. One of his English respondents noted that "his scripture politics are obsolete and superannuated in these countries by an hundred years."<sup>8</sup> Good whigs, according to a prominent American critic, "desired to leave Scripture out of the institution of modern Governments. It might be well for the author of *Common Sense* to follow the example in his future works, without stirring up an old dispute, of which our fathers were long since wearied." This "old dispute" concerning the divine acceptability of monarchy, the author continued, had animated the likes of Hugo Grotius and Algernon Sidney; it had concerned the proper interpretation of a crucial biblical text, Deuteronomy 17, and had sent seventeenth-century theorists in search of how "the *Jews* commonly understood this chapter."<sup>9</sup> A third critic likewise

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1742–1795, Jan. 1, 1770–Dec. 31, 1776, microfilm reel 2, A3 (Charlottesville, Va., 1966). Jack Rakove miraculously remembered that he had encountered this letter over thirty years ago and sent me looking for it. Without his initial suggestion, I would certainly never have found it. For the short précis of Parker's letter, see Robert L. Scribner and Brent Tarter, eds., *Revolutionary Virginia, The Road to Independence* (Richmond, Va., 1981), 6: 285. The letter has also been referenced without comment on two further occasions. See Pauline Maier, *From Resistance to Revolution: Colonial Radicals and the Development of American Opposition to Britain, 1765–1776* (New York, 1972), 292 n. 31; Albert H. Tillson Jr., *Accommodating Revolutions: Virginia's Northern Neck in an Era of Transformation, 1760–1810* (Charlottesville, Va., 2010), 367 n. 60. The first paragraph of the letter, which discusses recent naval activity, was excerpted in an 1858 publication, "Selections and Excerpts from the Lee Papers," *Southern Literary Messenger: Devoted to Every Department of Literature, and the Fine Arts* 27, no. 5 (November 1858): 324–32, esp. 326; and then again in William Bell Clark, ed., *Naval Documents of the American Revolution* (Washington, D.C., 1969), 4: 1288.

<sup>7</sup> Whitney, *American Independence Vindicated*, 45n (quotations).

<sup>8</sup> Sir Brooke Boothby, *Observations on the Appeal from the New to the Old Whigs, and on Mr. Paine's Rights of Man: In Two Parts* (London, 1792), 99. Boothby characterizes Paine's scriptural argument against monarchy as "such monstrous nonsense as might, for what I know, be suited to the fanatics of Boston, where witchcraft was in great vogue in the beginning of this century, but here will excite nothing but contempt." See *ibid.*, 99. After challenging Paine's reading of 1 Sam. 8, Boothby then adds that "in truth, such stuff is no otherwise worthy of notice, except to shew the low arts to which this mountebank has recourse, to adapt his drugs to people of all sorts. Provided he can *overturn*, he cares not whether it be by the hand of philosophy or superstition, and it is nothing to him which of the two possess themselves of the ruined edifice." See *ibid.*, 100.

<sup>9</sup> See Cato, "Letter 6," in *American Archives: Fourth Series*, 5: 843 ("desired to leave"), 841 ("commonly understood").

insisted on the seventeenth-century provenance of Paine's argument, dating it to "that period, to which the soul of our author yearns, the death of Charles I. England groaned under the most cruel tyranny of a government, truly military, neither existing by law, or the choice of the people, but erected by those who in *the name of the Lord*, committed crimes, till then unheard of." "We have from English history," the author explained, "sufficient proof, that saints of his disposition, tho' more eager to grasp at power than any other set of men, have a thousand times recited the same texts, by which he attempts to level all distinctions. Oliver Cromwell, the father of them, knew so well their aversion to the name of king, that he would never assume it, tho' he exercised a power despotic as the Persian Sophi."<sup>10</sup> But the most precise genealogy of Paine's argument in *Common Sense* comes to us from the man himself. Late in life, John Adams recalled a conversation that he had with Paine about the pamphlet in 1776: "I told him further, that his Reasoning from the Old Testament was ridiculous, and I could hardly think him sincere. At this he laughed, and said he had taken his Ideas in that part from John Milton: and then expressed a Contempt of the Old Testament and indeed of the Bible at large, which surprized me."<sup>11</sup>

However reluctant we might be to credit Adams's retrospective testimony about Paine's early religious views (the temptation to project Paine's later deism onto his younger self may well have proved irresistible), his claim about the Miltonic origins of Paine's scriptural argument against monarchy is worth taking seriously—not least because it is obviously correct. The section of *Common Sense* entitled "Of Monarchy and Hereditary Succession" is indeed a straightforward paraphrase of Milton's argument in the *Pro populo anglicano defensio* of 1651. In this text, Milton had turned to a radical tradition of rabbinic biblical commentary in order to explain why God became angry with the Israelites when they requested a king in 1 Samuel 8, despite his apparent acceptance of kingly government in Deuteronomy 17. Rejecting the traditional view that God had disapproved only of the *sort* of king that his people had requested, Milton argued instead that the Israelites had sinned in asking for a king *of any sort*, because monarchy per se is an instance of the sin of idolatry.<sup>12</sup> The wisest rabbis,

<sup>10</sup> *Reason: In Answer to a Pamphlet Entitled, Common Sense*, 20 ("that period, to which the soul"), 9 ("We have from English history").

<sup>11</sup> L. H. Butterfield, ed., *Diary and Autobiography of John Adams* (Cambridge, Mass., 1961), 3: 333 (quotation). A supporter of Paine likewise agreed that "in the celebrated writings of Thomas Paine, there is not a political maxim which is not to be found in the works of Sydney [*sic*], Harrington, Milton, and Buchanan"; see Henry Yorke, *These are the Times that Try Men's Souls! A Letter Addressed to John Frost, a Prisoner in Newgate* (London, 1793), 20.

<sup>12</sup> The crucial verses in Deuteronomy 17 read as follows (in the King James version): "When thou art come unto the land which the Lord thy God giveth thee, and

he explained, “deny that their forefathers ought to have acknowledged any king other than God, although one was given to them as a punishment. I follow the opinion of these rabbis.”<sup>13</sup> On Milton’s telling, “God indeed gives evidence throughout of his great displeasure at their [the Israelites’] request for a king—thus in [1 Sam. 8] verse 7: ‘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 wherewith they have forsaken me, and served other gods.’” “The meaning,” he continues, “is that it is a form of idolatry to ask for a king, who demands that he be worshipped and granted honors like those of a god.”<sup>14</sup> God accordingly punished the people by granting their sinful request: “I gave thee a king in mine anger and took him away in my wrath” (Hosea 13:11). The Israelites would endure great suffering under their kings, until at last they were led into captivity. In making this argument, Milton ushered in a new kind of republican political theory, which quickly became ubiquitous among defenders of the English commonwealth in the 1650s.<sup>15</sup>

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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.” See Deut. 17:14–15. This reading is drawn from the Midrash to Deuteronomy (*Devarim Rabbah*), which Milton knew through an intermediary source: Wilhelm Schickard, *Mishpat ha-Melekh, Jus Regium Hebraeorum* (1625). See Eric Nelson, *The Hebrew Republic: Jewish Sources and the Transformation of European Political Thought* (Cambridge, Mass., 2010), 35–44.

<sup>13</sup> “Ut omnes autem videant te nullo modo ex Hebraeorum scriptis id probare, quod probandum hoc capite suscepas, esse ex magistris tuâ sponte confiteris, qui negant alium suis majoribus regem agnoscendum fuisse prater Deum, datum autem in poenam fuisse. Quorum ego in sententiam pedibus eo.” See Milton, *Pro populo anglicano defensio* (London, 1651), 62 (quotation translated by author). See also Don M. Wolfe, ed., *Complete Prose Works of John Milton* (New Haven, Conn., 1966), 4: 1, 366.

<sup>14</sup> See Milton, *Pro populo anglicano defensio*, in Nelson, *Hebrew Republic*, 42–43 (“God indeed gives,” 42–43; “The meaning,” 43).

<sup>15</sup> See Nelson, *Hebrew Republic*, 23–56; Eric Nelson, “‘Talmudical Commonwealthmen’ and the Rise of Republican Exclusivism,” *Historical Journal* 50, no. 4 (December 2007): 809–35. My argument that Paine was reviving a seventeenth-century Hebraizing form of “exclusivist” republican theory has since been taken up by Nathan Perl-Rosenthal, who has applied it to the newspaper debate over *Common Sense*. I am deeply indebted to his essay. See Perl-Rosenthal, *WMQ* 66: 535–64. For Paine’s use of the Israelite example in his polemical writings, see also David Wootton, “Introduction: The Republican Tradition: From Commonwealth to Common Sense,” *Republicanism, Liberty, and Commercial Society, 1649–1776*, ed. Wootton (Stanford, Calif., 1994), esp. 26–41; Maria Teresa Pichetto, “La ‘Respublica Hebraeorum’ nella rivoluzione americana,” *Il pensiero politico* 35, no. 3 (2002): 481–500, esp. 497–500. A. Owen Aldridge’s skepticism about Paine’s claim to have taken his argument from Milton strikes me as unfounded, not least because he maintains (incorrectly) that Milton never composed a “complete version of the episode” (i.e., of “the appointing of a king over the Israelites”). See Aldridge, *Thomas Paine’s American Ideology* (Cranbury, N.J., 1984), 98. Winthrop D. Jordan, in contrast, finds the attribution entirely plausible. See Jordan, “Familial Politics: Thomas Paine and the Killing of the King, 1776,” *Journal of American History*

This Hebraizing doctrine was very different indeed from the heavily Roman theory of free states that had animated parliamentarians in the 1640s. For neo-Roman theorists, the great worry was *discretionary power*. A free man, they argued, must be *sui iuris*, governed by his own right. He must not be dependent on the will of another, which these writers took to mean (based on a freestanding set of claims about representation) that he must be governed only by laws made by a popular assembly, and not by the “arbitrary will” of a single person.<sup>16</sup> On this account, kingship is by no means a necessary institution (neo-Roman defenses of republican government were quite common throughout the early modern period), but it is an entirely permissible one, so long as the monarch is a pure “executive”—entrusted with the task of enforcing law, but invested with no prerogative powers by which he may *make* law (particularly the “negative voice”) or govern subjects without law.<sup>17</sup> For Hebraizing theorists such as Milton, who embraced what has been called an “exclusivist” commitment to republican government, the great worry was instead the *status of kingship*, not the particular powers traditionally wielded by kings (it is worth recalling that Milton himself was surprisingly amenable to government by “a single person” under the Protectorate).<sup>18</sup> In assigning a

60, no. 2 (September 1973): 294–308, esp. 302. See also Stephen Newman, “A Note on *Common Sense* and Christian Eschatology,” *Political Theory* 6, no. 1 (February 1978): 101–8.

<sup>16</sup> The classic account of this discourse remains Quentin Skinner, *Liberty before Liberalism* (Cambridge, 1998). See also Skinner, *Hobbes and Republican Liberty* (Cambridge, 2008); Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford, 1997).

<sup>17</sup> English republicans of the neo-Roman stripe argued simply that republics (understood here as kingless regimes) were preferable to monarchies, in that they minimized the danger of political dependence by preventing the accumulation of excessive power in individual men. These theorists worried that even a purely “executive” monarchy was likely in practice to degenerate into “arbitrary” rule—but they fully conceded the possibility, if not the robustness, of a monarchical “free state.” See, for example, “An Act for the Abolishing of the Kingly Office in England and Ireland, and the Dominions thereunto Belonging,” Mar. 17, 1648/9, in C. H. Firth and R. S. Rait, eds., *Acts and Ordinances of the Interregnum, 1642–1660*, ed. (London, 1911), 2: 18–20. For the Roman sources of this view, see, for example, Cicero, *De officiis*, 1:64–65; Sallust, *Bellum Catilinae*, 6–7; Tacitus, *Historiae*, 1: 1; Tacitus, *Annales*, 1: 1–3.

<sup>18</sup> See Blair Worden, *Literature and Politics in Cromwellian England: John Milton, Andrew Marvell, Marchamont Nedham* (Oxford, 2007), 256–88 (“single person,” 256). The phrase “single person” derives from the text of the “Act for the abolishing the Kingly Office,” cited above, and was famously used in the Declaration of Parliament of May 6, 1659, announcing the end of the Protectorate. In that text England was said to be a “Commonwealth . . . without a single Person, Kingship, or House of Peers.” See *Journal of the House of Commons* (London, 1813), 7: 644–46 (quotation, 7: 645). For a discussion of “republican exclusivism,” in addition to my own work cited above, see James Hankins, “Exclusivist Republicanism and the Non-Monarchical Republic,” *Political Theory* 38, no. 4 (August 2010): 452–82. For a second important seventeenth-century defense of republi-



human being the title and dignity of a king, they argued, we rebel against our heavenly King and bow down instead to an idol of flesh and blood. As John Cook put it in *Monarchy, No Creature of God's Making*, "whether the kings be good men or bad, I will punish the people sayes the Lord, so long as they have any kings; it is not a government of my ordination, kings are the peoples Idols, creatures of their own making."<sup>19</sup> We can put the contrast between these two positions as follows: the neo-Roman theory anathematized prerogative while remaining agnostic about kings; the Hebraizing exclusivist theory anathematized kings while remaining agnostic about prerogative.

In the aftermath of the Glorious Revolution, whigs emphatically rejected the Hebraizing view, as well as the biblical exegesis upon which it was based. They offered instead a straightforward neo-Roman reading of 1 Samuel 8, according to which the Israelites had sinned, not in asking for a king, but in asking for a king with sweeping prerogative powers. This whig reading was given its classic formulation in Roger Acherley's *The Britannic Constitution*. Acherley begins by addressing those seventeenth-century authors whose "Notions are Confined to the *Jewish* Oeconomy, As if the Mode of the Monarchical Government, and the Succession to the Crown, instituted in that One Single Nation, was to be the *Pattern* for all other Kingdoms, And that all other Institutions which differ from it, are *Unwarrantable*." "These writers," he reports, "have read the Nature and Manner of the *Original Constitution* of that Kingdom, which in the First Book of *Samuel* is Accurately Described" (that is, in 1 Samuel 8:11–19, where Samuel describes the abuses that will be committed by Israel's kings) and have concluded from it that monarchical government is inherently arbitrary. But this, Acherley insists, is to commit a grave error. The Israelites could have chosen the free and limited monarchy that God

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can exclusivism, see Algernon Sidney, *Court Maxims*, ed. Hans W. Blom, Eco Haitsma Mulier, and Ronald Janse (Cambridge, 1996), 65; Sidney, *Discourses Concerning Government*, ed. Thomas G. West (Indianapolis, Ind., 1996), 338.

<sup>19</sup> Cook, *Monarchy, No Creature of God's Making*, 93 (quotation). It is important to recognize that, like Milton before him (and Sidney after), Cook was not always consistent on this point. Just a few pages after his unqualified endorsement of the view that monarchy per se is idolatry, he writes instead that "it is not the name of a King but the boundlesse power which I argue against (though the Romans for the insolence of *Tarquin* would not endure the name) if any people shall place the Legislative power in Parliamentary authority and give unto one man the Title of King for their better correspondency with foraigne Kingdomes, with no more power to hurt the people, then the Duke of *Venice* or the Duke of *Genoa* have; such a government may be Iust and Rationall, but domination is a sweet morsel"; *ibid.*, 53. For a similar inconsistency in Milton's later pamphlets, see, for example, Wolfe, *Complete Prose* (New Haven, Conn., 1980), 7: 377–78. The point is not that these authors were always consistent, but, rather, that each of them formulated an extensive, detailed defense of the exclusivist position—one that eighteenth-century Americans would rediscover in 1776.

desired for them, but instead they “rejected God” by demanding arbitrary kings: “The State they were desiring to enter into, That appeared in this View, That if they would have a King like All the Nations (of which *Egypt* was one) Then they must be in the like Subjection and *Slavery*, as the People of those Nations were; which differed not from the *Bondage* that was *Egyptian*. Whereas if they had Desired a King to Protect and Defend their Liberties and Properties, the Request had been Commendable.” Samuel “was therefore Amaz’d at this People’s Importunity, not only to reject the Greatest Blessings God could Give, or they Enjoy, *viz Liberty and Property*, but to return again unto *Slavery*,” and he accordingly warned the Israelites “that the Power of such a King as they Desired, *viz Of a King like all the Nations about them*, would be *Arbitrary*, And that the Liberty of their Persons, and the Property of their Estates, would necessarily fall under his Absolute Will and Disposal, after the Manner they had formerly been in *Egypt* . . . such a King would have in him the whole *Legislative and Judicial Power*, and that his *Arbitrary Will and Pleasure* would be the *Law or Measure* by which his Government would be Administered.” For Acherley, the Israelites had sinned in asking for a monarch who would combine executive, legislative, and judicial power—one who would govern by his “Arbitrary Will and Pleasure.”<sup>20</sup> Once again, it was discretionary power, not the kingly office or title, that God was said to despise.

To the extent that British North Americans discussed biblical monarchy at all during the first twelve years of the imperial crisis, it was simply to affirm this traditional understanding. God permitted each people to choose its form of government, and he had no objection whatsoever to the institution of limited monarchy. All participants in the pamphlet wars leading up to the Revolution could endorse this formulation (although it must be stressed that pamphlets of the 1760s and early 1770s tended to ignore scripture altogether).<sup>21</sup> Indeed, as the crisis escalated in 1775, even the very small number of colonial writers and ministers who began to offer a republican reading of 1 Samuel 8 did so while continuing to insist upon the legitimacy and divine permissibility of monarchy. They followed their

<sup>20</sup> See Roger Acherley, *The Britannic Constitution; or, The Fundamental Form of Government in Britain*. . . . (London, 1727), 6 (“These writers”), 7 (“that the Power of such”), 9 (“Arbitrary Will and Pleasure”). For an earlier statement, see *The Judgment of Whole Kingdoms and Nations, Concerning the Rights, Power, and Prerogative of Kings, and the Rights, Priviledges, and Properties of the People*. . . ., 6th ed. (London, 1710), esp. 28–41.

<sup>21</sup> Even those patriots of the early 1770s who defended an expansive conception of the royal prerogative could accept the whig understanding of 1 Sam. 8. They were claiming, after all, that the ancient prerogatives of the crown were fully “legal” and did not threaten enslavement to anyone’s “arbitrary will.” See Eric Nelson, “Patriot Royalism: The Stuart Monarchy in American Political Thought, 1769–75,” *WMQ* 68, no. 4 (October 2011): 533–72.

parliamentarian predecessors in arguing simply that republican government would offer the best protection against arbitrary, discretionary power—that it would rescue them once and for all from the dangers of encroaching prerogative. Their writings from this twelve-month period therefore provide a fascinating glimpse of a road not taken, of what the republican turn might have looked like had Paine not published his pamphlet.

In his *Short Essay on Civil Government*, the Connecticut minister Dan Foster offered the incendiary argument that “England was never more happy before, nor much more since, than after the head of the first [*sic*] Stuart was severed from his body, and while it was under the protectorship of Oliver Cromwell.” Yet, for all of its radicalism, his defense of the English republic resolutely shunned exclusivism. “A people,” he insisted, have an “inherent right to appoint and constitute a king supreme and all subordinate civil officers and rulers over them, for their civil good, liberty, protection, peace and safety.” Foster accepted the Roman conceit that men are born “*sui iuris*”—independent of the will of others—and that it is contrary to reason for them to surrender their liberty when establishing civil society. Those who designed England’s “ancient constitution” had understood this perfectly: “Caesar and Tacitus describe the antient Britons to have been a fierce people; zealous of liberty: a free people; not like the Gauls, governed by laws made by great men; but by the people.” These ancient free men, like their German forebears, had preferred political regimes in which “the people had the principle authority.” Yet, notwithstanding this fact, “they often elected a Prince or a King; sometimes a General whom we call Duke, from the Latin word *Dux*. But the power of these chiefs descended entirely on the community, or people; so that it was always a mixed democracy. In other parts . . . the King’s [*sic*] reigned with more power; yet not to the detriment of liberty; their royalty was limited by laws and the reason of things.” The chief requirement of good government is the preservation of liberty, which in turn requires the absence of arbitrary, discretionary power in the chief magistrate. For this reason, Foster insists on the total elimination of the royal prerogative: war, peace, and trade must all be governed by the “consenting voice and suffrage of the people personally, or by representation,” and a king ought to be deposed immediately if he “will not give the royal assent to bills which have passed the states, or parliament.”<sup>22</sup>

<sup>22</sup> Dan Foster, *A Short Essay on Civil Government, The Substance of Six Sermons, Preached in Windsor, Second Society, October 1774* (Hartford, Conn., 1775), 71 (“England was never”), 14 (“A people”), 16 (“*sui iuris*”), 23 (“ancient constitution”), 24 (“the people had the principle”), 50 (“consenting voice”), 70 (“will not give”). This last argument was a favorite of parliamentarian writers in the 1640s. They focused on the wording of the coronation oath sworn by Edward II (and allegedly sworn by Charles I), in which the king promised “corroborare justas leges et consuetudines quas vulgus eligerit.” If

So long as these conditions are met, Foster is prepared to acknowledge the legitimacy (if not the desirability) of monarchy, and he grounds his view in a striking reading of 1 Samuel 8:

And now they [the Israelites] manifest their desire of a King, one who should rule according to right and equity; and pray his assistance to constitute and set one over them, to judge, rule and govern them, as was customary in all other nations.

Samuel intimates his displeasure at their request of a King; fearing they did not pay that respect to Jehovah which they ought; and from the lord he shews them the manner of the King who should reign over them; how he would conduct with them, their families and inheritances, and what would be the maxims of that government which he would exercise over the people, in the course of his reign. Notwithstanding all this, the people persisted in their request of a King, and still continued their petition. And though perhaps the circumstances attending Israel's request at this time, and their obstinacy in it, after the prophets remonstrances against it, were not to be commended, the Lord so far overlooked this, that he commanded Samuel to hearken to, and gratify the people, by accomplishing their desire in constituting a King to rule and govern them.<sup>23</sup>

On Foster's interpretation, the Israelites had asked for the right sort of king after all: one who would "rule according to right and equity." What they failed to appreciate is that, in practice, monarchs tend to become tyrannical: "the maxims of that government which [Saul] would exercise over the people" were, Samuel realized, to be very different indeed from the ones endorsed by the people themselves when they asked for a king. It would therefore have been far better for them to retain their republican constitution, the safest possible bulwark against enslavement.<sup>24</sup>

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one (mis)construed the final verb to express the future perfect indicative, rather than the perfect subjunctive tense, it seemed to commit the monarch to give his assent to any laws that "the people shall choose"—meaning that, although all bills formally had to receive the assent of the sovereign in order to become law, the king was in fact required to give his assent to all bills chosen by the people (which is to say, enacted by the House of Commons). There was thus no true negative voice. See, for example, Henry Parker, *Observations upon Some of His Majesties Late Answers and Expresses* (London, 1642), 5; William Prynne, *The Sovereign Power of Parliaments and Kingdomes. . . .* (London, 1643), 65–68. For the Latin text of the oath, see Conal Condren, *Argument and Authority in Early Modern England: The Presupposition of Oaths and Offices* (Cambridge, 2006), 254–68.

<sup>23</sup> Foster, *A Short Essay*, 4.

<sup>24</sup> See also the essay reprinted from the *London Evening Post*, June 30, 1774, in the [New-London] *Connecticut Gazette, and the Universal Intelligencer*, Oct. 7, 1774, [1]:

Nonetheless, God acceded to their request because he regarded it as perfectly permissible for a people to institute monarchy.

Harvard College's president, Samuel Langdon, offered more or less the same view in a 1775 sermon, *Government Corrupted by Vice*. "The Jewish government," he observed, "according to the original constitution which was divinely established, if considered merely in a civil view, was a perfect Republic," and "the civil Polity of Israel is doubtless an excellent general model, allowing for some peculiarities; at least some principal laws and orders of it may be copied, to great advantage, in more modern establishments."<sup>25</sup> Indeed, in one extraordinary passage, Langdon came quite close to endorsing the Miltonic position: "And let them who cry up *the divine right of Kings* consider, that the only form of government which had a proper claim to a divine establishment was so far from including the idea of a King, that it was a high crime for Israel to ask to be in this respect like other nations; and when they were gratified, it was rather as a just punishment of their folly . . . than as a divine recommendation of kingly authority."<sup>26</sup> Yet Langdon insisted at the same time that "every nation, when able and agreed, has a right to set up over themselves any form of government which to them may appear most conducive to their common welfare." Monarchy remains perfectly permissible, so long as one guards against "the many artifices to stretch the prerogatives of the crown beyond all constitutional bounds, and make the king an absolute monarch, while the people are deluded with a mere phantom of liberty."<sup>27</sup> While it may have been seditious for the Israelites to ask for a human king (because they lived under a republican constitution established for them by God), it was no sin for anyone else to do so. The Salem, Massachusetts, minister Samuel Williams agreed in his own 1775 sermon, *A Discourse on*

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"Power long entrusted either to single persons, or to bodies of men, generally increases itself so greatly as to become subversive of the intentions, and dangerous to the rights of those who delegated it. Kings are but men, are subject to all the passions and frailties of human nature, and consequently are too prompt to grasp at arbitrary power, and to wish to make all things bend and submit to their will & pleasure."

<sup>25</sup> Samuel Langdon, *Government Corrupted by Vice, and Recovered by Righteousness*. . . . (Watertown, Mass., 1775), 11–12 ("The Jewish government," 11, "the civil Polity," 12). For a discussion of Langdon's sermon in the context of a broader turn toward the model of the "Jewish republic" among New England ministers, see Harry S. Stout, *The New England Soul: Preaching and Religious Culture in Colonial New England* (1986; repr., Oxford, 2012), 301–5.

<sup>26</sup> Langdon, *Government Corrupted by Vice*, 12. Langdon's argument is in fact subtly, but importantly, different from Milton's: he is claiming that the Israelites sinned in asking for a king because kingship was not part of the divinely constituted government under which they lived—not because it is inherently sinful for a people to institute monarchy. The Israelite sin was therefore that of sedition. This view draws on a tradition of exegesis originating with Josephus. See Josephus, *Contra Apionem*, 2: 163–68.

<sup>27</sup> Langdon, *Government Corrupted by Vice*, 16.

*the Love of Our Country*, declaring that “infinite wisdom had seen fit to put that people [Israel] under a more excellent form of government, than any nation has ever had. God himself was their King. And they might have been long happy under a government, in which, the Ruler of the world condescended himself to execute the office of Chief-Magistrate. But such was their impiety and folly, that in many instances they greatly abused and perverted the privileges they were favoured with.”<sup>28</sup> As a result, they soon found themselves in Babylonian exile, under “the arbitrary will of a proud, cruel, despotic monarch.”<sup>29</sup> For Williams, republican government may well be the most “excellent” known to man, but monarchy remains permissible so long as it is not “arbitrary” and “despotic.”<sup>30</sup>

Seen in the context of these discussions, Paine’s *Common Sense* emerges as a transformative intervention. Rejecting over a century of whig biblical exegesis, Paine unambiguously returned in January 1776 to Milton and the Hebraic exclusivists of the 1650s. His argument in the section “Of Monarchy and Hereditary Succession” reads as follows:

Government by kings was first introduced into the world by the Heathens, from whom the children of Israel copied the custom. It was the most prosperous invention the Devil ever set on foot for the promotion of idolatry. The Heathens paid divine honors to their deceased kings, and the Christian world hath improved on the plan by doing the same to their living ones. How impious is the title of sacred majesty applied to a worm, who in the midst of his splendor is crumbling into dust!

As the exalting one man so greatly above the rest cannot be justified on the equal rights of nature, so neither can it be

<sup>28</sup> Samuel Williams, *A Discourse on the Love of Our Country; Delivered on a Day of Thanksgiving, December 15, 1774* (Salem, Mass., 1775), 5–6 (quotation, 6). This reading was drawn from Josephus, *Contra Apionem*, 2: 163–68. See Josephus, *The Life. Against Apion*, ed. and trans. H. St. J. Thackeray (Cambridge, Mass., 1926). For an important endorsement, see Theodore Beza, *De iure magistratum* (1574), in Julian Franklin, ed., *Constitutionalism and Resistance in the Sixteenth Century: Three Treatises by Hotman, Beza, and Mornay* (New York, 1969), 116.

<sup>29</sup> Williams, *Discourse on the Love*, 6.

<sup>30</sup> See also “The Monitor, No. XII,” *New York Journal; or, The General Advertiser*, Jan. 25, 1776, [1]. The author goes so far as to attribute to loyalists “an idolatrous veneration for the king and parliament, more especially for the former,” and laments that “the imaginations of men are exceedingly prone to deify and worship them [i.e., kings]; though, to the great misfortune of mankind, they are more commonly fiends, than angels.” But he immediately adds that, notwithstanding all of this, “it is noble and generous to love, to admire a virtuous prince.” See also “An Oration on Arbitrary Power, delivered by one of the Candidates for a second degree at the late Commencement held at Princeton, in New-Jersey, September 27, 1775,” *Connecticut Gazette; and the Universal Intelligencer*, Dec. 22, 1775, [1].

defended on the authority of scripture; for the will of the Almighty as declared by Gideon, and the prophet Samuel, expressly disapproves of government by kings. . . .

Near three thousand years passed away, from the Mosaic account of the creation, till the Jews under a national delusion requested a king. Till then their form of government (except in extraordinary cases, where the Almighty interposed) was a kind of republic administered by a judge and the elders of the tribes. Kings they had none, and it was held sinful to acknowledge any being under that title but the Lord of Hosts. And when a man seriously reflects on the idolatrous homage which is paid to the persons of kings, he need not wonder that the Almighty, ever jealous of his honor, should disapprove a form of government which so impiously invades the prerogative of heaven.<sup>31</sup>

For Paine, as for Milton before him, the Israelites sinned in asking for a king per se: “monarchy is ranked in scripture as one of the sins of the Jews, for which a curse in reserve is denounced against them.” “These portions of scripture,” he announces, “are direct and positive. They admit of no equivocal construction.” The issue was not the sort of king for which the Israelites asked—an arbitrary king whose prerogatives would enslave them—or that they asked for one despite being under God’s unique, providential government at the time. On the contrary, they sinned because it is inherently idolatrous to assign any human being the title and status of king. “The Almighty,” on Paine’s account, “hath here entered his protest against monarchical government,” and when the Israelites later entreated Gideon to become their king, the judge and prophet “denieth their right” to establish a monarchy and accordingly “charges them with disaffection to their proper Sovereign, the King of Heaven.”<sup>32</sup>

<sup>31</sup> Thomas Paine, *Common Sense, the Rights of Man, and other Essential Writings of Thomas Paine* (New York, 1984), 29–32. Paine explicitly glosses 1 Sam. 8 in the Miltonic manner on page 31. Important discussions of Paine and his pamphlet include Jordan, *Journal of American History*, 60; Bernard Bailyn, “The Most Uncommon Pamphlet of the American Revolution: *Common Sense*,” *Magazine of History* 25, no. 1 (December 1973): 36–41; Eric Foner, *Tom Paine and Revolutionary America* (New York, 1976); Aldridge, *Thomas Paine’s American Ideology*; Jack Fruchtman Jr., *Thomas Paine and the Religion of Nature* (Baltimore, 1993); Fruchtman, *Thomas Paine: Apostle of Freedom* (New York, 1994); Edward Larkin, *Thomas Paine and the Literature of Revolution* (Cambridge, 2005); Nichole Eustace, *Passion Is the Gale: Emotion, Power, and the Coming of the American Revolution* (Chapel Hill, N.C., 2008); Fruchtman, *The Political Philosophy of Thomas Paine* (Baltimore, 2009). As Perl-Rosenthal points out in his important essay, none of these sources addresses the Hebraic origins of Paine’s argument.

<sup>32</sup> Paine, *Common Sense*, 30–32 (“monarchy is ranked,” 30, “These portions of scripture,” 32, “denieth their right,” 30–31). Paine’s discussion of the Gideon episode likewise follows Milton; Wolfe, *Complete Prose*, 4: 1, 370. For an antecedent to Paine, see A Republican, “For the Massachusetts Spy. . . .” [Boston] *Massachusetts Spy*, Apr. 8,

Paine's opponents (not all of them loyalists) fully recognized the radicalism of this position, as well as its tendency to shift the focus of conversation away from potentially enslaving kingly *powers* and toward the alleged evils of the very *title* of king. Two critics in particular, Charles Inglis ("An American") and the Reverend William Smith ("Cato"), answered him at length on this issue in the Pennsylvania newspapers in the early months of 1776, and their responses have recently been the subject of an article in this journal by Nathan Perl-Rosenthal.<sup>33</sup>

Other readers, however, were far more receptive to Paine's use of scripture, among them Richard Parker. Parker was Lee's neighbor in Westmoreland County and often served as his trusted agent in both financial and political matters. Originally employed as king's attorney, he joined the patriot movement quite early on. In 1766, Lee deputized Parker to arrange the meeting that enacted the Leedstown Resolutions (Parker also chaired the meeting and signed the document), and Parker likewise became a member of the county's Committee of Safety in 1775–76. It was also Parker who implemented Lee's scheme of extracting rents from his numerous tenants in tobacco rather than paper money—thus precipitating a scandal that Lee's opponents would use to have him removed from Congress in 1777 (he was accused of contributing to the depreciation of Virginia's currency).<sup>34</sup> Parker was eventually appointed a judge of the General Court in 1788 and, later, of the first Court of Appeals. His letter to Lee about biblical monarchy, dated April 27, arrived at a time when Lee was actively soliciting opinions from his friends on the future constitutional form of the American colonies. John Adams, for one, had sent Lee a sketch

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1773. The author acknowledges the legitimacy of limited kingly government (in this he is unlike Paine), but nonetheless cites Milton in attacking the "trappings of monarchy" and claims that "every man of sense and independency must give the preference to a well constructed Republic." He continues as follows: "I am not peculiar in my notion of Kings or monarchical governments; besides all the antients who adjudged them tyrants; besides the Jewish people whom God, in his wrath plagued with a vengeance by giving them a King; besides these, moderns innumerable are on my side" (quotations, [1]).

<sup>33</sup> It is important to recognize, however, that some continued to defend the more orthodox position of Foster, Langdon, and Williams even after 1776. See, for example, James Dana, *A Sermon, Preached before the General Assembly of the State of Connecticut, at Hartford, on the Day of the Anniversary Election, May 13, 1779* (Hartford, Conn., 1779), esp. 15–18. For Inglis and Smith, see Perl-Rosenthal, *WMQ* 66: 535–64.

<sup>34</sup> For Parker's friendship with Lee, see, e.g., James Curtis Ballagh, ed., *The Letters of Richard Henry Lee* (New York, 1911), 1: 32–34, 42, 127, 297 n. 1, 299; John Carter Matthews and Sarah deGraffenried Robertson, eds., "The Leedstown Resolutions," *Northern Neck of Virginia Historical Magazine* 16, no. 1 (December 1966): 1491–506; Jack P. Greene, ed., *The Diary of Colonel Landon Carter of Sabine Hall, 1752–1778* (Richmond, Va., 1987), 2: 1006–7. For the rent extraction scandal, see Paul Chadwick Bowers, "Richard Henry Lee and the Continental Congress: 1774–1779" (Ph.D. diss., Duke University, 1964), 223–46.



of what later became his *Thoughts on Government* in November 1775, which Lee subsequently arranged to have published in both New York and Virginia—he “insisted upon it So much,” Adams reported to Francis Dana, “that it could not be decently refused.”<sup>35</sup> (Lee also composed his own “hand bill,” advancing a position very much like Adams’s, in the early months of 1776).<sup>36</sup> His letter to Patrick Henry of April 20, extolling Adams’s work and enclosing a copy of the published pamphlet, was written just before he would have received Parker’s letter (no reply from Lee appears to have survived).<sup>37</sup>

Lee, like Adams, utterly rejected Paine’s unicameralism, but he was otherwise known to be an enthusiastic acolyte; fellow Virginian Landon Carter described him as “a prodigious Admirer, if not partly a writer in the Pamphlet *Common Sense*.”<sup>38</sup> Parker evidently shared Lee’s admiration for the pamphlet and wrote to his friend to offer an account of the newspaper debate that Paine’s arguments had provoked. After providing a short description of recent naval activity off the Virginia coast, as well as an account of the detention of three prominent loyalists, Parker turned to the subject at hand: “I observe the Pennsylvania [*sic*] Papers are filled with the controversy about Independance and think the writers have rather left the Question What matters it to us at present whether Monarchy is reprobated by the Almighty or not.” In other words, Parker was observing that, while the controversy may have begun as a debate about “the Expediency or Inexpediency of Independance”—that is, about whether George III had irreparably forfeited the allegiance of his American subjects—it had quickly turned into a scriptural debate over the theological permissibility of monarchy itself. As Parker went on to explain, Paine had written extensively about “Monarchical Government as established amongst the Jews” and had argued that “god was displeased with their demanding a King and was

<sup>35</sup> John Adams to Francis Dana, Aug. 16, 1776, in Robert J. Taylor, Gregg L. Lint, and Celeste Walker, eds., *Papers of John Adams*, ser. 3 (Cambridge, Mass., 1979), 4: 466.

<sup>36</sup> John E. Selby, “Richard Henry Lee, John Adams, and the Virginia Constitution of 1776,” *Virginia Magazine of History and Biography* 84, no. 4 (October 1976): 387–400.

<sup>37</sup> Richard Henry Lee to Patrick Henry, Apr. 20, 1776, in Ballagh, *Letters of Richard Henry Lee*, 1: 179–80. See also Butterfield, *Diary and Autobiography of John Adams*, 3: 333; Bowers, “Richard Henry Lee and the Continental Congress: 1774–1779,” 168–73; Oliver Perry Chitwood, *Richard Henry Lee: Statesman of the Revolution* (Morgantown, W.Va., 1967), 94–95; John Adams to Richard Henry Lee, Nov. 15, 1775, in Taylor, Lint, and Walker, *Papers of John Adams*, 3: 307–8.

<sup>38</sup> Greene, *Diary of Colonel Landon Carter of Sabine Hall*, 2: 1007, 1049–50. Lee himself appears to have been thinking about the analogy between monarchy and idolatry as early as November 1775. In a letter to Catharine Macaulay, he wrote that “as a good *Christian* properly attached to your native Country, I am sure you must be pleased to hear, that North America is not fallen, nor likely to fall down before the *Images* that the King hath set up”; Lee to Macaulay, Nov. 29, 1775, in Ballagh, *Letters of Richard Henry Lee*, 1: 160.

determined they should suffer for his Crimes.”<sup>39</sup> In contrast, “Cato [the Reverend William Smith of Philadelphia] thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it.”<sup>40</sup>

This characterization of Cato’s argument is perfectly accurate. Smith regarded it as self-evident that Paine had “pervert[ed] the Scripture” in claiming that “monarchy . . . (meaning, probably, the institution of Monarchy,) ‘is ranked in Scripture as one of the sins of the *Jews*, for which a curse in reserve is denounced against them.’” But he recognized that, in “a country in which (*God* be thanked) the Scriptures are read, and regarded with that reverence which is due to a revelation from Heaven,” the argument of *Common Sense* could not safely be ignored. Smith therefore resolved “to rescue out of our author’s hands that portion of the sacred history which he has converted into a libel against the civil Constitution of *Great Britain*; and show in what sense the passage has been universally received, as well by the *Jews* themselves as by commentators, venerable for their piety and learning, in every Christian country.” He begins by reminding his readers that “the *Jews* were long privileged with a peculiar form of Government, called a Theocracy, under which the ‘Almighty either stirred up some person, by an immediate signification of his will, to be their Judge, or, when there was none, ruled their proceedings himself, by Urim and Thummim.’” When the Israelites requested a human king, they sinned first and foremost in “rejecting the divine Government” under which they had prospered. But they sinned further in desiring “a King to judge them like all the nations,” since “all the nations which they knew, were ruled by Kings, whose arbitrary will stood in the place of law; and it appears also that the *Jews*, since the day that they were brought out of *Egypt*, had still retained a particular hankering after the customs of that country.” God therefore “not only signifies his displeasure against all such arbitrary rulers, but against every people who would impiously and foolishly prefer such a Government to one immediately under himself, where, in his providence, he might think fit to appoint such an one.”<sup>41</sup>

Yet Paine had dared to argue that “the Almighty hath here entered his protest against Monarchical Government.” First, Smith answers that “the Almighty would have as strongly expressed his displeasure against the *Jews*, had they rejected his Government for one of their own appointment, whether it had been monarchical or democratical—to be administered

<sup>39</sup> Parker to Lee, Apr. 27, 1776, 1r (“I observe”), 2r (“god was displeased”).

<sup>40</sup> Parker to Lee, Apr. 27, 1776, 2r (quotation). See Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 839.

<sup>41</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 839–40 (“pervert[ed] the Scripture,” 5: 839, “the *Jews* were long,” 5: 840). Cato’s letters were reprinted in Connecticut, Virginia, and New York, among other places. See Perl-Rosenthal, *WMQ* 66: 557.

by one man or a thousand men.” But Paine errs most spectacularly in assuming that, when Samuel described the horrors that would be perpetrated by Israelite kings (1 Samuel 8:11–18), the prophet meant to “extend his protest against all future Monarchical Governments, such as were to subsist some thousands of years afterward, however limited and mixed, particularly that of *Great Britain*, (which must certainly be our author’s meaning, or he proves nothing to his purpose;).” This, for Smith, is patently absurd: citing “[Roger] Acherley, in his *Britannick Constitutions*,” he insists that “the particular case of the *Jews* cannot be applied to any other nation in this instance, as none else were ever in similar circumstances.”<sup>42</sup>

In order to buttress this conclusion, he turns to the Hebrew text itself, as well as to the tradition of Jewish commentary upon it. First comes “the celebrated *Grotius*,” who “tells us that *Samuel*, in this passage, does not speak of what our author calls the ‘general manner of Kings,’ or the just and honest right of a King to do such things; because his right is otherwise described elsewhere, as shall be shown. The prophet only speaks of such a right as the Kings round about *Israel* had acquired, which was not a true, right; for such is not the signification of the original word *Mishpat*; but such an action as (being founded in might and violence) hath the *effectum juris*, or comes in the place of right.” Grotius, along with Sidney (who is here transfigured into a respectable whig), is then said to be “well warranted in this interpretation, not only by the *Hebrew* text, but other clear passages of Scripture, and particularly the seventeenth chapter of *Deuteronomy*, where, with the approbation of Heaven, the duty of a good King is described and limited.” Smith proceeds to summarize the rabbinic debate over this passage, as it had inflected the seventeenth-century controversy over monarchy:

The *Jews* commonly understood this chapter as containing an absolute promise from Heaven of a Royal Government, and a sufficient authority for the request made to *Samuel* more than three hundred years afterwards. Others understood it conditionally,—that if they did reject the Divine Government,

<sup>42</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 840 (quotations). Paine directly answered Cato’s claim that Samuel had not meant to “extend his protest” to monarchy as such in his third “Forester” letter (Letter 3), also printed in the *Pennsylvania Gazette*, Apr. 24, 1776: “The Scripture institutes no particular form of Government, but it enters a protest against the Monarchal form; and a negation on one thing, where two only are offered, and one must be chosen, amounts to an affirmative on the other. Monarchal Government was first set up by the Heathens, and the Almighty permitted it to the *Jews* as a punishment. ‘I gave them a King in mine anger.’—Hosea xiii, 11.” “Letter 3—To Cato,” in *American Archives: Fourth Series*, 5: 1018. Smith’s citation of the *Britannick Constitution* refers to Acherley, *The Britannick Constitution*, 6–9.

and set up one of their own appointment, *God* would permit them; but their King should be chosen in the manner, and with the qualifications in that chapter described. All this, however, they disregarded when they asked an arbitrary King, like those of their neighbouring nations; and therefore, it is demonstratively certain that *Samuel*, in entering his protest against such Kings, did not protest against Kings or Monarchical Governments generally. Either this remark is true, or one part of Scripture is a direct contradiction to the other.<sup>43</sup>

The rabbis of the Talmud (here simply “the *Jews*”), unlike the rabbis cited by Milton, had derived from Deuteronomy 17 an “absolute promise” of monarchy—that is, an affirmative commandment to ask for a king.<sup>44</sup> Others, on Smith’s account, had construed the text to embody a permission to establish a virtuous and lawful monarchy. Both readings converged in insisting that the Israelites had sinned only in asking for the wrong sort of king. Smith conveniently neglects to mention that another group of rabbis, along with their seventeenth-century expositors, had taken precisely Paine’s view of the matter.

For Smith, as for the rest of Paine’s critics in 1776, the Hebraizing argument of *Common Sense* was most dangerous because it encouraged colonial readers to become anxious about precisely the wrong things—to pursue shadow over substance. So long as their chief magistrate was not called king, they would feel that the appropriate political principles had been satisfied fully; they would not fret at all about the sweeping prerogative powers that their suitably re-christened governors might come to wield. Tyrannical wolves would masquerade as republican sheep. “The popular leaders who overturned the Monarchy in the last age,” Smith reminds his readers, “were not themselves friends to Republicks. They only

<sup>43</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 841 (quotations). See Hugo Grotius, *Hugonis Grotii Annotationes in Vetus Testamentum*, ed. Georg Johann Ludwig Vogel (Halle, Germany, 1775), 1: 215; Hugo Grotius, *Hugonis Grotii De iure belli ac pacis libri tres* (Amsterdam, 1650), 1: 4.7.

<sup>44</sup> Babylonian Talmud: Sanhedrin 20b. The majority opinion in the Talmud, attributed to Rabbi Yehudah, reads as follows: “there were three commandments that Israel were obligated to fulfill once they had entered the land: appointing a king, exterminating the offspring of Amalek, and building the temple.” Isidore Epstein and Maurice Simon, eds., *Soncino Hebrew-English Edition of the Babylonian Talmud*, 30 vols. (London, 1994). This reading became ubiquitous among Protestant defenders of monarchy. Claude de Saumaise (Salmasius), for example, simply reproduced the Talmudic gloss in his *Defensio regia* (1649): “Tradunt Iudaeorum magistri, tria injuncta fuisse Israelitis quae facere eos oporteret postquam introducti essent in terram sanctam, *regem sibi constituere, excindere Amalechitas, templum exstruere*.” See C. L. Salmasii *Defensio pro Carolo I* (Cambridge, 1684), 63.

made use of the name to procure the favour of the people; and whenever, by such means, they had mounted to the proper height, each of them, in his turn, began to kick the people from him as a ladder then useless." The embodiment of this danger was Cromwell:

*Cromwell* exercised the power of a King, and of the most absolute King, under the specious name of a Protector. The instrument of Republican Government, which he had at first extolled as the most perfect work of human invention, he began (as soon as he thought his authority sufficiently established) to represent as "a rotten plank, upon which no man could trust himself without sinking." He had his eyes fixed upon the Crown; but when he procured an offer of it, from a packed Parliament, his courage failed him. He had outwitted himself by his own hypocrisy, and, in his way to power, had thrown such an odium upon the name of the King, that his own family, apprehensive he would be murdered the moment the diadem should touch his brow, persuaded him to decline that honour.<sup>45</sup>

The Miltonic argument revived by Paine threatened to make a fetish out of "the name of the King," delivering the colonists instead into the arbitrary power of a non-monarchical tyrant.<sup>46</sup> True "Republicks" are defined by the absence of discretionary power in any single person, not by the lack of an allegedly idolatrous title. "The harm," as another critic had put it, "lay not in the four Letters K,I,N,G."<sup>47</sup>

Parker himself thought that this debate should be postponed until after "we have determined our selves independant," but he nonetheless proceeded in his letter to Lee to endorse and then elaborately defend Paine's conclusion that God is an enemy to monarchical government.<sup>48</sup> His intervention is significant for two reasons. First, it provides valuable

<sup>45</sup> Cato, "Letter 8—To the People of Pennsylvania," in *American Archives: Fourth Series*, 5: 1050 (quotations).

<sup>46</sup> Virtually all of Paine's early critics likewise offered this argument. See, for example, *Reason: In Answer to a Pamphlet Entitled, Common Sense*, 9–13 (quotation, 9).

<sup>47</sup> Cato, "Letter 8," in *American Archives: Fourth Series*, 5: 1050 ("Republicks"); A Late Member of the Continental Congress, *The True Merits of a Late Treatise, Printed in America, Intituled Common Sense*. . . (London, 1776), 14–16 ("The harm," 16).

<sup>48</sup> Parker to Lee, Apr. 27, 1776, 1r (quotation); Parker rather surprisingly indicts both "Cato & Cassandra" for turning what should be a debate about "the Expediency or Inexpediency of Independance" into one about the divine permissibility of monarchy (ibid.). In fact, while Cato (William Smith) did indeed focus on refuting Paine's scriptural argument, Cassandra (James Cannon) spent no time attacking the institution of monarchy per se. Unlike Paine, the latter argued simply that America ought not to be governed by a British monarch. See Cassandra to Cato, in *American Archives: Fourth Series*, 5: 41–43, 431–34, 921–26.

evidence about the reach of Paine's Hebraizing argument in 1776 and beyond. Scholars have usually located the scriptural case against monarchy exclusively in a set of sermons delivered by New England ministers.<sup>49</sup> But Parker was an Anglican Virginia planter and he addressed his meditation on Paine's argument to a fellow member of the tidewater gentry. His letter therefore offers support for Ramsay's claim that Paine's scriptural argument found a receptive audience throughout the colonies, not merely in Congregational strongholds. Parker's analysis is also compelling insofar as it represents the attempt of an educated observer—whose thoughts, as he confesses, “are not well connected as my Avocations so frequently take me off from the Subject that the chain is often broke”—to take the measure of Paine's Hebraizing case against monarchy and explore its relation to the more traditional, neo-Roman reading of the biblical text.<sup>50</sup> Parker was evidently unwilling at this stage to choose between them.

On the one hand, his letter includes an unmistakable paraphrase of Paine's central argument: the heathen nations surrounding the Jews, Parker writes, had “paid divine honors to their Kings” (this is a direct quotation from Paine) and the Lord, “being a jealous God took every means to prevent them from falling into the same Error knowing that a person placed so far above the level of the people would lead them to whatever he pleased.”<sup>51</sup> Notice that, even here, Parker has either misconstrued or intentionally deviated from Paine's position in a subtle, but important, respect. Paine had argued that monarchy *itself* is an instance of the sin of idolatry, whereas Parker seems to be arguing instead that monarchs (who are not intrinsically idols) will frequently prevail upon the people to worship them in an idolatrous fashion. But it had been the strict equation of monarchy and idolatry that allowed Paine to reach his radical conclusion in *Common Sense*, namely, that the God of scripture classifies monarchy in all its forms as a sin. And this, after all, is the conclusion that Parker wants to defend against Cato's critique: the Israelites, Parker explains, chose to institute kingship against God's express wishes, and the subsequent depredations of Israel's kings provide evidence of the Lord's great anger: “Can it be thought that the Almighty would have been so unmerciful to his people if it had not have been to shew them the impropriety of having

<sup>49</sup> See, for example, Eran Shalev, *American Zion: The Old Testament as a Political Text from the Revolution to the Civil War* (New Haven, Conn., 2013), 57–69; Stout, *New England Soul*, 301–5; Perl-Rosenthal, *WMQ* 66: 553–54, 560. Perl-Rosenthal rightly doubts that, in light of Ramsay's testimony, it is plausible to suppose that this discourse was confined to a group of New England ministers, but he is unable to offer examples of its use elsewhere.

<sup>50</sup> Parker to Lee, Apr. 27, 1776, 1r (quotation).

<sup>51</sup> Parker to Lee, Apr. 27, 1776, iv. This phrasing seems to echo Paine's attack on “the exalting [of] one man so greatly above the rest”; Paine, *Common Sense*, 30.

a King for whose Trespasses they were to suffer”? After all, “God had expressly declared to them long before they asked a King that they would do it and that he would punish them with the Kings they should set over them see the 28th Cap Deuteronomy to the 37th verse. Hosea in the 13th Chapter 11th verse says ‘I gave thee a King in mine Anger and took him away in my wrath[.]’ In short god was displeased with their demanding a King and was determined they should suffer for his Crimes.”<sup>52</sup> To be sure, “Cato thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it.” Does not Deuteronomy 17, Cato had asked, “smell strong of Monarchy and even of Hereditary Monarchy?” Parker answers that “God has expressly declared his displeasure with the Jews for asking a King; but he knew long before they did demand one that they would do it; and he only tells them if they should be so foolish as to do it what sort they should choose & declares how he ought to conduct himself by which Conduct he should obtain his favor.”<sup>53</sup> “It is [a] pity,” Parker concludes, that “Cato has not the Candor to compare the Scriptures, a crime he accuses Common Sense of.”<sup>54</sup>

Parker thus fully embraces Paine’s view that God is an “enemy” to monarchical government and that kingship in all its forms is sin—and he likewise offers a glancing, somewhat muddled endorsement of the claim that monarchy is sinful insofar as it is idolatrous. But Parker simultaneously runs a set of arguments that are very different from Paine’s. To begin with, whereas Paine (like Langdon and Williams before him) had favorably described the original Israelite constitution as “a kind of republic, administered by a judge and the elders of the tribes,” Parker dismisses the pre-monarchical Israelites as “Wretches” who obeyed the “dictates” of

<sup>52</sup> Parker to Lee, Apr. 27, 1776, 2r. Parker interestingly rejected the Josephan account of Israelite theocracy: “as to calling it [Israelite government before Saul] a Theocracy it is talking Nonsense because every State in the Universe is equally a Theocracy[.] Whoever believes in a particular Providence must acknowledge that the Events of States are governed by the Almighty and I am sure the Hand of God has been with us[.] It is true as the Jews were in such a State of Ignorance as to be unable to make any Laws for themselves God did prescribe a Set of Laws for them such as would be sufficient for their Government; that his wise purposes in bringing abt. the Redemption of man by his Son Jesus Christ might be fully answered but he left the Execution of those laws to the people themselves.” *Ibid.*, iv.

<sup>53</sup> Parker to Lee, Apr. 27, 1776, 2r. Parker’s wording (“God has expressly declared his displeasure with the Jews for asking a King”) is highly reminiscent of Milton’s own, as translated in the 1692 English version of the *Defense*: “God frequently protests that he was extremely displeas’d with them for asking a King”; Milton, *A Defence of the People of England* (London, 1692), 48. The Latin reads as follows: “Passim enim testatur Deus valde sibi displicuisse quod regem petissent”; Milton, *Defensio*, 66. Paine does not incorporate this language into *Common Sense*, so it is possible that Parker had direct access to Milton’s text.

<sup>54</sup> Parker to Lee, Apr. 27, 1776, 2v.

the Judges out of the (apparently) false belief that their commands “came from God” and states further that it is impossible to determine “what kind of Government” this really was.<sup>55</sup> More importantly, Parker also offers a competing account of why God was displeased with the Israelites when they instituted monarchy. In Egypt, he explains, the Israelites had been afflicted with “most abject Slavery.” God had redeemed them from bondage, and it was because he wished them to remain free men that he forbade them to establish a monarchy: “He knew that all felicity would be at an end and their Slavery under a King would be as great as whilst they lived in Egypt.” A critical portion of the text is missing here, but it seems as if Parker is trying to argue that God rejected monarchy on standard neo-Roman grounds: while it might be possible to imagine a nonarbitrary monarchy, in practice kings tend to turn into tyrants, and subjects into slaves.<sup>56</sup>

This, of course, had been the argument of Foster, Langdon, and Williams, but none of these writers (as we have seen) had taken the view that monarchy was therefore a sin and illicit in all circumstances. Indeed, they had reasoned in precisely the opposite direction: since one can perfectly well institute a nonarbitrary monarchy, it followed for them that kingly government in itself cannot be regarded as illicit—and that the Israelites did not sin in asking for a king *per se*. The fact that monarchs often come to wield arbitrary, discretionary power simply gives us good prudential grounds for preferring republican government and explains why God himself had initially instituted such a regime among his chosen people. Likewise, the argument that God in 1 Samuel 8 was merely expressing his concern that Israelite kings would ape the idolatrous customs of the heathens had always been invoked by those (like Cato himself) who wished to *deny* the conclusion that the Israelites sinned in asking for a king *per se* (the sin, on this account, was simply to have asked for the wrong sort of king—one like those of “the other nations”).<sup>57</sup> What we find in Parker’s letter, in other words, is an improvisatory attempt to match Paine’s conclusion with several very different premises. Parker cannot quite make up his mind whether monarchy is a sin because it is inherently idolatrous (that is, because the Lord is a “jealous God”), because it tends to promote idolatry, or because it threatens slavery (or for some combination of these

<sup>55</sup> For “a kind of republic,” see Paine, *Common Sense*, 30; for “Wretches,” see Parker to Lee, 1v. Paine also insisted that “the will of the Almighty” was indeed “declared by Gideon and the prophet Samuel”; see Paine, *Common Sense*, 30.

<sup>56</sup> Parker to Lee, Apr. 27, 1776, 1v (quotations). Quite a lot hangs on Parker’s precise reason for stating that God “knew” that the Israelites would be slaves under their kings. Is this because God simply foresaw that the Israelite kings would become tyrants, or because God “knows” that kings inevitably become tyrants. The latter would amount to the claim that there is no such thing (at least over time) as a nonarbitrary monarchy—and that this is why God regards all monarchies as sinful.

<sup>57</sup> 1 Sam. 8:4.



reasons).<sup>58</sup> Paine's pamphlet and the responses that it generated had forced him to wrestle with these issues, but the results, as he himself recognized, were rather inconclusive.

For many of Parker's countrymen, in contrast, the matter was far more straightforward. By the end of 1776, a host of colonial writers and ministers had come forward to defend Paine's argument unambiguously and in its entirety. In a sermon preached on September 12, Peter Whitney declared that "when the people of Israel foolishly and impiously asked God to give them a king," God begged them to "withdraw their petition, and desire rather to continue as they were." Yet, "they notwithstanding, persisted in their demand, and God gave them a king, but in his anger, and as a great scourge and curse to them." Whitney's verdict on this episode simply replicates Paine's discussion of the inherently idolatrous character of monarchical government, complete with direct quotations from *Common Sense* itself:

It is a natural inference from sacred story, and from what has been said above, that kingly government is not agreeable to the divine will, and is often a very great evil. The will of God as made known by Gideon; and the prophet Samuel expressly disapproves of government by kings. "Near three thousand years passed away from the Mosaic account of the creation, *before* the Jews under a national delusion, asked a king.—'Till then their form of government (except in extraordinary cases where the Almighty interposed) was a kind of republic administered by a judge, and the elders of the tribes. Kings they had none, and it was held sinful to acknowledge any being under that title but the Lord of hosts. And when a man seriously reflects on the idolatrous homage which is paid to the persons of kings, he need not wonder that the Almighty, ever jealous of his honor, should disapprove a form of government which so impiously invades the prerogative of heaven." No form of government but kingly or monarchical, is an invasion of God's prerogative; this is.

"The most high over all the earth," Whitney concludes, "gave kings at first, to the Jews (as he sends war) in anger, and as a judgment, and it may be affirmed, that upon the whole, they have been a scourge to the inhabitants of the earth ever since." "We in these States," Whitney concludes, "are now evidently under the frowns of heaven for our many and great transgressions: it is to be hoped we shall not 'add to our sins, this evil to ask *us* a king.'"<sup>59</sup>

<sup>58</sup> Parker to Lee, Apr. 27, 1776, iv (quotation).

<sup>59</sup> Whitney, *American Independence Vindicated* ("when the people," 11, "It is a natural inference," 43–44, "The most high," 44–45).

Whitney's view was endorsed the following month in the "Instructions to Delegates" published by the Committee for Charlotte County, Virginia. Having renounced their allegiance to George III, the citizens of the county were now committed to "taking the *God* of Heaven to be our King."<sup>60</sup> A sermon preached in Boston by Benjamin Hichborn took the same line: "I am inclined to think, that the great founder of societies has caused the curse of infatuating ambition, and relentless cruelty, to be entailed on those whose vanity may lead them to assume *his* prerogative among any of his people as they are cantoned about in the world, and to prevent mankind from paying that adoration and respect to the most dignified mortal, which is due only to *infinite wisdom and goodness*, in the direction of *almighty power*, and therefore that he alone is fit to be a monarch."<sup>61</sup> Nor did the passing of the years diminish Paine's grip on the political imagination of British Americans. In 1778, the poet Philip Freneau echoed *Common Sense* in verse:

To recommend what monarchies have done,  
 They bring, for witness, David and his son;  
 How one was brave, the other just and wise;  
 And hence our plain Republics they despise;  
 But mark how oft, to gratify their pride,  
 The people suffered, and the people died;  
 Though one was wise, and one Goliath slew,  
*Kings are the choicest curse that man e'er knew!*<sup>62</sup>

<sup>60</sup> "Instructions to Delegates for Charlotte County, Virginia," Apr. 23, 1776, in *American Archives: Fourth Series*, 5: 1035.

<sup>61</sup> Benjamin Hichborn, "Oration Delivered at Boston, March 5, 1777," in *Principles and Acts of the Revolution in America*. . . , ed. Hezekiah Niles (Baltimore, 1882), 27 (quotation). Also see Cosmopolitan, "Letter X," in *American Archives: Fourth Series*, 5: 1172. For further endorsements of Paine's argument in 1776, see for example *The People the Best Governors; or, A Plan of Government Founded on the Just Principles of Natural Freedom* (n.p., 1776); "Extract of a Letter from Philadelphia to a Gentleman in England," Mar. 12, 1776, in *American Archives: Fourth Series*, 5: 186–88; Samuel West, *A Sermon Preached Before the Honorable Council, and the Honourable House of Representatives, of the Colony of Massachusetts-Bay, in New-England. May 29th, 1776*. . . (Boston, 1776); William Drayton, "Judge Drayton's Charge to the Grand Jury of Charleston, South-Carolina," Apr. 23, 1776, in *American Archives: Fourth Series*, 5: 1031; Salus Populi, "To the People of North-America on the Different Forms of Government," 1776, in *American Archives: Fourth Series*, 5: 180–83. Even John Adams seems to have been swept up momentarily in this discourse; see, for example, Adams to William Tudor, Feb. 27, 1777, in Taylor, Lint, and Walker, *Papers of John Adams*, 4: 94: "I hope We shall e'er long renounce some of our Monarchical Corruptions, and become Republicans in Principle in Sentiment, in feeling and in Practice. In Republican Governments the Majesty is all in the Laws. They only are to be adored." Also see Adams to Congress, July 23, 1780, *ibid.*, 10: 27; "The total and absolute suppression of the Tumults in London . . . has now given them [the Ministry] such Exultation and Confidence, that the People of America will dethrone the Congress and like the Israelites demand a King."

<sup>62</sup> Philip Freneau, "America Independent; And Her Everlasting Deliverance from British Tyranny and Oppression," in *Poems Written and Published During the American*

Joseph Huntington of Connecticut offered much the same account in *A Discourse, Adapted to the Present Day*. “The infinitely wise and good Being,” he begins, “has given us the sum and substance of the most perfect form of civil government in his word. . . . I mean that ancient plan of civil policy, delineated for the chosen tribes of Israel.” In that divinely authorized constitution, “we find no king, no despot, no emperor, no tyrant, no perpetual dictator allowed of.” Quite the contrary, the “tribes of Israel” had “by divine appointment a general congress,” (as Huntington later clarified, “I mean the Sanhedrim or seventy elders”) “with a president at their head; Moses was the first, Joshua succeeded him, so on till the days of Samuel, when the constitution was subverted.” Huntington insists that “here God has marked out that form of civil government which is agreeable to his own will.” Each people is free to adapt this basic structure to its own needs and requirements, “but thus much in general God has plainly taught us, viz. that no king, no monarch, no tyrant, or despot, ought ever to be admitted to rule over his people, or any people under heaven; and hence, when Israel rejected that glorious form of government, and would have a king to govern them, God expressly declares *they rejected him*.”<sup>63</sup>

John Murray of Newburyport, Massachusetts, returned to this theme in his sermon celebrating the Peace of Paris and the birth of the new United States in 1784. “Now hail thy Deliverer-God. Worship without fear of man,” he exhorts his audience. “This day, invite him to the crown of America—proclaim him King of the land.”<sup>64</sup> Such a coronation, Murray

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*Revolutionary War*. . . . (Philadelphia, 1809), 1: 241. See also Benjamin Rush, writing to John Adams while the latter was posted to the French court: “While you are *gazed* at for your American-manufactured principles, and *gazing* at the folly and pageantry of animals in the shape of men cringing at the feet of an animal called a king, I shall be secluded from the noise and corruption of the times”; Benjamin Rush to John Adams, Jan. 22, 1778, in L. H. Butterfield, ed., *Letters of Benjamin Rush* (Princeton, N.J., 1951), 1: 192.

<sup>63</sup> Joseph Huntington, *A Discourse, Adapted to the Present Day, on the Health and Happiness, or Misery and Ruin, of the Body Politic, In Similitude to that of the Natural Body* (Hartford, Conn., 1781), 8–11 (“The infinitely wise,” 8, “we find no king,” 8–9, “tribes of Israel,” 10, “but thus much,” 11). See also Samuel Cooper, *A Sermon preached Before His Excellency John Hancock, Esq. . . . October 25, 1780. Being the Day of the Commencement of the Constitution and Inauguration of the New Government* (Boston, 1780). For the Hebrew republic as a constitutional model in revolutionary America, see Eran Shalev, “‘A Perfect Republic’: The Mosaic Constitution in Revolutionary New England, 1775–1788,” *New England Quarterly* 82, no. 2 (June 2009): 235–63. See also Shalev, *American Zion*, 50–83.

<sup>64</sup> John Murray, *Jerubbaal; or, Tyranny’s grove Destroyed, and the Altar of Liberty Finished*. . . . December 11, 1783. *On the Occasion of the Public Thanksgiving for Peace*. . . . (Newburyport, 1784), 7 (quotation). This is a direct echo of Paine: “But where, says some, is the King of America? I’ll tell you. Friend, he reigns above, and doth not make havoc of mankind like the Royal Brute of Britain. Yet that we may not appear to be defective even in earthly honors, let a day be solemnly set apart for proclaiming the charter; let it be

goes on to explain, has been made possible by the extraordinary virtue and piety of the Americans and their leaders. In the Hebrew republic of old, as Paine had recounted, Gideon was invited to become king, but he recognized that “the reins of kingly authority become no other hands than those of the all-perfect Sovereign of the universe.” Only God “is fit to sit Monarch on a throne—before him only every knee should bow—at his feet should sceptered mortals cast their crowns—there should they lay them down—to resume and wear them no more for ever—and he who refuses this rightful homage to the only Supreme, deserves to be treated as a tyrant among men, and a rebel against God.” Why should Americans expect any less of their own greatest general? “Are not we the children of Israel too—a professing covenant-people, in a land peculiarly privileged with gospel-light?” Indeed we are, and though George Washington was never offered a crown—because, for Americans, “the idea of a human monarchy is too absurd in itself”—if he had been, he surely would have replied in ringing tones that “the *Lord* alone shall be king of *America*.”<sup>65</sup>

brought forth placed on the divine law, the word of God; let a crown be placed thereon, by which the world may know, that so far as we approve of monarchy, that in America The Law Is King. For as in absolute governments the King is law, so in free countries the law *ought* to be King; and there ought to be no other. But lest any ill use should afterwards arise, let the crown at the conclusion of the ceremony be demolished, and scattered among the people whose right it is”; Paine, *Common Sense*, 48–49.

<sup>65</sup> Murray, *Jerubbaal*, 21 (“the reins of kingly”), 32 (“Are not we”), 42 (“the idea of a human”), 44 (“the *Lord* alone”). This language continued to appear during the debates over ratification. See, for example, Camillus, [Philadelphia] *Pennsylvania Packet, and Daily Advertiser*, June 13, 1787 (orig. pub. in the [Boston] *Independent Chronicle*). The author attacks proponents of the new Constitution as those who “raved about monarchy, as if we were ripe for it; and as if we were willing to take from the plough-tail or dram shop, some vociferous committee-man, and to array him in royal purple, with all the splendor of a King of the Gypsies . . . our king, whenever Providence in its wrath shall send us one, will be a blockhead or a rascal” (note the use of Hosea). See Camillus, *Pennsylvania Packet*, June 13, 1787, [2]. Compare Mercy Otis Warren’s characterization of the Constitution’s opponents: “They deprecate discord and civil convulsions, but they are not yet generally prepared, with the ungrateful Israelites, to ask a King, nor are their spirits sufficiently broken to yield the best of their olive grounds to his servants, and to see their sons appointed to run before his chariots”; A Columbian Patriot [Warren], *Observations on the New Constitution, and on the Fæderal and State Conventions* (Boston, 1788), 17. See also Speeches by Robert Livingston and Melancthon Smith to the New York Ratifying Convention, in *The Debates in the Several State Conventions, on the Adoption of the Federal Constitution*, ed. Jonathan Elliot (Washington, D.C., 1836), 2: 210, 223–26; Agrippa, Letter 17, in *Essays on the Constitution of the United States, Published during Its Discussion by the People, 1787–1788*, ed. Paul Leicester Ford (New York, 1892), 111. See also Thomas Jefferson to James Madison, Mar. 15, 1789, in Julian P. Boyd, ed., *The Papers of Thomas Jefferson* (Princeton, N.J., 1958), 14: 661: “I know there are some among us who would now establish a monarchy. But they are inconsiderable in number and weight of character. The rising race are all republicans. We were educated in royalism: no wonder if some of us retain that idolatry still. Our young people are educated in republicanism. An apostasy from that to royalism is unprecedented and impossible.”

The document reproduced below thus bears witness to a fateful shift in the character of colonial political thought. Paine's *Common Sense* fueled an abrupt republican turn in 1776 by reintroducing into Anglophone political discourse a particular *kind* of republican theory: one grounded in the Hebraizing conviction that it is idolatrous to assign any human being the title and dignity of a king. This theory was both more and less radical than its neo-Roman rival: more radical, in that it denied the legitimacy of all monarchies, however limited; less radical, in that it left open the possibility of an extremely powerful chief magistrate, so long as he was not called king. Parker's letter to Lee represents a very early, sympathetic attempt to grapple with the implications of Paine's scriptural argument—one that plainly sought to leave some room in the case against monarchy for the neo-Roman preoccupation with discretionary power. But the force of Paine's distinctive new brand of antimonarchism proved difficult for contemporaries to resist. Lee himself, after all, seems to have detected no dissonance whatsoever between the two great political interventions that he was simultaneously considering during the week of April 27, 1776: Paine's Hebraizing demonstration that "monarchy is reprobated by the Almighty," as defended by his friend Richard Parker, and Adams's insistence that "there should be a third Branch [of the legislature] which for the Sake of preserving old Style and Titles, you may call a Governor whom I would invest with a Negative upon the other Branches of the Legislature and also with the whole Executive Power."<sup>66</sup> It was of course perfectly possible to be worried both about the idolatrous pretensions of royal dignity and about the enslaving effects of discretionary power.<sup>67</sup> But by so profoundly altering the focus of the debate, Paine and his many acolytes made it possible for Americans in the following decade to reconcile republicanism with prerogative.

<sup>66</sup> For "monarchy is reprobated," see Parker to Lee, Apr. 27, 1776, 1r. For "there should be," see Adams to William Hooper, Mar. 27, 1776, concerning the manuscript "Thoughts on Government," in Taylor, Lint, and Walker, *Papers of John Adams*, ser. 3, 4: 73–78 (quotation 4: 76). Adams interestingly distinguishes the negative voice from "most of those Badges of Domination call'd Prerogatives."

<sup>67</sup> On this view, the absence of discretionary power in any single person is a necessary but not sufficient condition of legitimate government in a free state. Paine himself rejected the king's "negative voice" on these grounds and remained a fierce opponent of prerogative power in the executive for the rest of his life. It is therefore deeply ironic that he himself inadvertently made it possible for Americans to reconceptualize republicanism in such a way as to render it compatible with prerogative. See Paine, *Common Sense*, 44–45.

*Richard Parker to Richard Henry Lee, April 27, 1776*<sup>68</sup>

[1r] Dear Sir

Since my last nothing very material has happened with us or at least I have heard very little news our papers never coming to hand altho Purdie<sup>69</sup> and the other printers have been expressly ordered to send them to Fredericksburg for our Rider. A Tender came last Week to Hobbs Hole and took a new England man loaded with grain & flower from the Warf, an Alarm was given and the Malitias of Essex and Richmond pursued them in Vessels they retook the prize and brought her back; the Tender escaped tho pursued with in three miles of Urbanna, Anegro<sup>70</sup> fellow belonging to Walker who was skipper of his boat was killed but no other damage done to our men. We have a Report which I believe to be true tho it may be improper to propagate it unless fully confirmed, That young Mr. Wormeley<sup>71</sup> is under close Confinement in Williamsburg he was taken in a tender going to Dunmore<sup>72</sup> Charles Neilson & John Grymes<sup>73</sup> were also taken in another Tender carrying provisions to that Monster If this news be true I doubt not they will meet with their deserts. Since I wrote the above piece of news it has been confirmed so that except that he has a guard over him (it may be depended upon) and not in close confinement.<sup>74</sup>

<sup>68</sup> I am grateful to Joshua Ehrlich for his assistance in transcribing the text. The letter is written on a single sheet of paper, 15 inches by approximately 9.25 inches, which has been folded in half. The paper is torn at the bottom, with the result that two lines of text have been almost completely lost on each of the first three pages (1r, 1v, 2r). Original spelling and orthography have been retained throughout. Parker's excisions from the text are recorded in the notes (to the extent that they are decipherable). Conjectures and editorial insertions are marked with brackets. All superscript has been brought down to the line. Richard Parker to Richard Henry Lee, Apr. 27, 1776, *Lee Family Papers*, MSS 38-112, box 6 (January–November 1776), Albert and Shirley Small Special Collections Library, University of Virginia, Charlottesville, Va.

<sup>69</sup> Alexander Purdie, publisher of the *Virginia Gazette* (one of three newspapers of that name).

<sup>70</sup> That is, "A negro."

<sup>71</sup> Ralph Wormeley Jr., a prominent Middlesex County loyalist. His letter to fellow loyalist John Randolph Grymes of Apr. 4, 1776 was intercepted and presented to Maj. Gen. Charles Lee, who ordered the detention of both men (as well as that of Charles Neilson, who was identified as a loyalist in the opening line of the letter). See Scribner and Tarter, *Revolutionary Virginia, The Road to Independence*, 6: 325–32.

<sup>72</sup> John Murray, fourth Earl Dunmore, royal governor of Virginia.

<sup>73</sup> Charles Neilson and John Randolph Grymes were both prominent Middlesex County loyalists. The following text is excised after "Grymes": ~~who married Wormeley's Sister.~~

<sup>74</sup> The parentheses have been added. The phrase within the parentheses appears between two lines in the manuscript. It is not clear where the author wanted it to be inserted.

I am astonished we hear nothing from Quebec<sup>75</sup> Our Success of it will be of the utmost Consequence to our Cause

I observe the Pennsylvania Papers are filled with the controversy about Independance and think the writers have rather left the Question What matters it to us at present whether Monarchy is reprobated by the Almighty or not, It will be time enough to consider what kind of Government is best suited for America when we have determined our selves independant; indeed every man who wishes to be free will be forming Opinions relative to the form of Government And those Opinions it would do well to communicate but the present contest between Cato & Cassandra<sup>76</sup> should be of the Expediency or Inexpediency of Independence However if you will give me leave I will shew you my Sentiments of Monarchical Government as established amongst the Jews My thoughts are not well connected as my Avocations so frequently take me off from the Subject that the chain is often broke

It . . . not be amiss for the [judgment] . . . this . . . [Iv] most abject Slavery not less content with it or in a greater State of Ignorance [nay] by no means so ignorant as numbers of our Slaves here, their whole history shews it; that they were Heathens no one will deny for what few religious rights they had were from the Egyptians of course they had no form of Government until they arrived in the Land of promise and it was left to them by their Lawgiver Moses They never gave themselves the trouble to reflect on the Nature of Government and it was sufficient for such a set of Wretches to obey the dictates of their Judges<sup>77</sup> especially as they believed every ordinance came from God<sup>78</sup> under what kind of Government they really did live in the time of the Judges it is extremely difficult to if not impossible to judge for as to calling it a Theocracy it is talking Nonsense because every State in the Universe is equally a Theocracy<sup>79</sup> Whoever

<sup>75</sup> The Continental army was laying siege to Quebec. The siege would be broken the following month.

<sup>76</sup> Parker's reference to the letters of "Cassandra" (James Cannon) is rather surprising, in that these did not attack the institution of monarchy per se. Unlike Paine, Cannon argued simply that America ought not to be governed by a British monarch. See "Cassandra to Cato," in *American Archives: Fourth Series*, 5: 41–43, 431–34, 921–26.

<sup>77</sup> Note that Parker's description of the rule of the Judges is quite different from Paine's. Parker describes the Israelites of that time as "Wretches" who obeyed the "dictates" of the Judges out of the (apparently) false belief that their commands "came from God"; he further states that it is impossible to determine "what kind of Government" this really was. On Paine's telling, in contrast, Israel under the Judges appears far more favorably as "a kind of Republic, administered by a judge and the elders of the tribes." Paine also writes that "the will of the Almighty" was indeed "declared by Gideon and the prophet Samuel"; Paine, *Common Sense*, 30.

<sup>78</sup> ~~What their form~~

<sup>79</sup> Parker is here rejecting Josephus's celebrated analysis of the Israelite *politeia*. See Josephus, *Contra Apionem*, 2: 163–68.

believes in a particular Providence must acknowledge that the Events of States are governed by the Almighty and I am sure the Hand of God has been with us It is true as the Jews were in such a State of Ignorance as to be unable to make any Laws for themselves God did prescribe a Set of Laws for them such as would be sufficient for their Government; that his wise purposes in bringing abt. the Redemption of man by his Son Jesus Christ might be fully answered but he left the Execution of those laws to the people themselves. He was well acquainted with their Ignorance he knew them fond of the Customs of the Egyptians and that they would seek every opportunity to return to them and his laws were calculated to keep them separate from those as well as other Heathens those paid divine honors to their Kings and he as himself declares being a jealous God took every means to prevent them from falling into the same Error knowing that a person placed so far above the level of the people<sup>80</sup> would lead them to whatever he pleased He knew that all felicity would be at an end and their Slavery under a King would be as great as whilst they lived in Egypt. How then must the Almighty resent this demanding a Monarch to reign over them Had they have had . . . to have formed . . . Government. . . [2r] It was not particularly with Saul but with all their Kings Look through the whole catalogue of Kings (a very long one) and you will find few very few but what were a curse to them The much admired King David†<sup>81</sup> was as great a Curse to them as any other What constant Wars was he engaged in during his whole life and what a punishment did he bring on them for no appearance of a fault in them the Loss of three score and ten thousand men purely for his own disobedience of the Commands of God or his own pride or folly. Can it be thought that the Almighty would have been so unmerciful to his people if it had not have been to shew them the impropriety of having a King for whose Trespasses they were to suffer. God had expressly declared to them long before they asked a King that they would do it and that he would punish them<sup>82</sup> with the Kings they should set over them see the 28th Cap Deuteronomy to the 37th verse. Hosea in the 13th Chapter 11th verse says "I gave thee a King in mine Anger and took him away in my wrath"<sup>83</sup> In short god was displeased with their demanding a King and was determined they should suffer for his Crimes that they did suffer constantly for their Kings faults will be seen by any person who will give himself the trouble to read their History whilst governed by Kings.

<sup>80</sup> This phrasing seems to echo Paine's attack on "the exalting of one man so greatly above the rest"; Paine, *Common Sense*, 30.

<sup>81</sup> An annotation by a later hand was added at the bottom of this paragraph with an insertion marker placed here. The insertion reads "† The character of David is much misunderstood. He was indeed a sinner; but he was the humblest + sincerest of penitents."

<sup>82</sup> for the Offenses of their

<sup>83</sup> There is a sketch that resembles a small pointing hand in the left-hand margin of the letter. It is pointed at this quotation.



Cato thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it “When thou<sup>84</sup> art come into the land which the Lord thy God giveth thee, and shalt say I will set a King over me &c And then asks does not this smell strong of Monarchy and even of Hereditary Monarchy? I answer that God has expressly declared his displeasure with the Jews for asking a King; but he knew long before they did demand one that they would do it; and he only tells them if they should be so foolish as to do it what sort they should choose & declares how he ought to conduct himself<sup>85</sup> by which Conduct he should<sup>86</sup> obtain his favor; It was necessary for the purposes of the Almighty [mentioned] before that . . . subsist as a people a certain time . . . punish . . . [2v] their days in the Kingdom shall be prolonged. It is pity Cato has not the Candor to compare the Scriptures, a crime he accuses Common Sense of.<sup>87</sup> Cato gives a plain proof that he has a good deal of Priest craft, Is he not a scotch clergyman?<sup>88</sup> I should have proceeded a little farther but am just called off and indeed I fear you are fully tired with what I have wrote farewell & be assured I am with the greatest Esteem

Your most affectionate friend  
Richd. Parker  
April 27th 1776

It is to be observed that Hoshea the last King of Israel together with the whole people except Judah which was governed by other Kings was then in Captivity. The fate of Judah was prolonged a few years upon Acct. of the good Reign of Hezekiah But it was but a short time before that Kingdom was destroyed & the whole people Captives to the Babylonians Thus we see as God gave them a King in his Anger he now took him away in his Wrath and suffered his people to be punished<sup>89</sup> by reducing them to Slavery in a strange Land If Monarchy was not a Curse to the Jews, let Cato say.<sup>90</sup>

<sup>84</sup> shalt

<sup>85</sup> themselves

<sup>86</sup> shall

<sup>87</sup> “Cato” had written of Paine that “he has not the candour to compare Scripture with Scripture; nor does he give a single passage complete, and connected with the parts necessary to explain it,—a clear proof that other craft may be employed as well as King-craft and Priest-craft, in ‘withholding the Scripture from the people,’ even in Protestant countries”; Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 841.

<sup>88</sup> William Smith was born in Aberdeen, Scotland, and was an Episcopal priest.

<sup>89</sup> with

<sup>90</sup> A sketch of a small pointing hand has been placed in the left-hand margin next to the beginning of this paragraph.

no. 351

*Originals*

letters, addresses &c

official + private

R Parker

Jews<sup>91</sup>

<sup>91</sup> "Originals/letters, addresses &c/official + private/R Parker/Jews" appears sideways at the bottom of the final page, apparently in Lee's handwriting.

“scripture . . . into his service” and convincing a “religious people” conversant with “the history of the Jews” that God regarded the institution of kingship as sinful and illicit.<sup>2</sup>

Paine’s earliest critics agreed fully with these assessments. The author of an anonymous reply to *Common Sense*, published in Dublin in 1776, blisteringly described how Paine “ransack[s] the holy scriptures, for texts against kingly government, and with a faculty of perverting sacred truths to the worst of purposes, peculiar to gentlemen of his disposition, quotes the example of the Jews.”<sup>3</sup> This critic revealingly chose a line of Shakespeare for his pamphlet’s epigraph: “The Devil can cite Scripture for his purpose.”<sup>4</sup> A second early antagonist, writing under the pseudonym “Rationalis,” likewise assailed Paine’s “scripture quotations, which he has so carefully garbled to answer his purpose,” while a third charged that Paine had “pervert[ed] the Scripture” in claiming that “monarchy . . . (meaning, probably, the institution of Monarchy,) ‘is ranked in Scripture as one of the sins of the Jews, for which a curse in reserve is denounced against them.’”<sup>5</sup>

Paine’s scriptural argument and the debate that it provoked have recently been receiving more attention from historians. But one important intervention in this debate seems to have gone entirely unnoticed. It appears in a lengthy letter written by Richard Parker of Virginia to his close friend Richard Henry Lee in April 1776. Parker’s letter, which survives in the Lee Family Papers, contains one of the most detailed contemporary commentaries on Paine’s biblical argument against monarchy, as well as a crucially important characterization of the pamphlet debate over *Common Sense*. It has never been published and, to my knowledge, has only been discussed once before, in a three-sentence précis written thirty years ago.<sup>6</sup>

<sup>2</sup> David Ramsay, *The History of the American Revolution*, ed. Lester H. Cohen (Indianapolis, Ind., 1990), 1: 315.

<sup>3</sup> *Reason: In Answer to a Pamphlet Entitled, Common Sense* (Dublin, 1776), 7.

<sup>4</sup> The epigraph reads in full: “Mark ye this, / The Devil can cite Scripture for his purpose, / An evil soul, producing holy witness, / Is like a villain with a smiling cheek, / A goody apple rotten at the Heart’ Shakesp.” See Shakespeare, *Merchant of Venice* act 1, sc. 3. The verse is based on the temptation of Jesus, as recounted in Matt. 4:5–10 and Luke 4:9–13.

<sup>5</sup> Candidus [James Chalmers], *Plain Truth: Addressed to the Inhabitants of America*. . . (Philadelphia, 1776), 72 (“scripture quotations”); the letters of “Rationalis” were appended to Chalmers’s “Candidus” letters. Cato [Rev. William Smith], “To the People of Pennsylvania—Letter 6,” Philadelphia, Apr. 13, 1776, in *American Archives: Fourth Series*, ed. Peter Force (Washington, D.C., 1844), 5: 839 (“pervert[ed] the Scripture”); Smith’s “Cato” letters were reprinted in Connecticut, Virginia, and New York, among other places. See Nathan R. Perl-Rosenthal, “The ‘divine right of republics’: Hebraic Republicanism and the Debate over Kingless Government in Revolutionary America,” *William and Mary Quarterly*, 3d ser., 66, no. 3 (July 2009): 535–64, esp. 557.

<sup>6</sup> For Parker’s letter, see Richard Parker to Richard Henry Lee, Apr. 27, 1776, *Lee Family Papers*, MSS 38–112, box 6 (January–November 1776), Albert and Shirley Small Special Collections Library, University of Virginia, Charlottesville, Va. A full transcription of this letter appears on 808–12. See also Paul P. Hoffman, ed., *Lee Family Papers*,

Parker's letter, reproduced at the end of this article, illuminates the depth and reach of the Hebraizing defense of republican government in 1776.

DESPITE PETER WHITNEY'S INSISTENCE that the "divine disapprobation of a form of government by kings" was one of the "new truths" that had only recently emerged from "the eagerness of controversy" in 1776, several of Paine's opponents recognized that the scriptural argument against monarchy featured in *Common Sense* was not in fact new.<sup>7</sup> In deploying it, they observed, Paine was reopening a long-dormant seventeenth-century debate. One of his English respondents noted that "his scripture politics are obsolete and superannuated in these countries by an hundred years."<sup>8</sup> Good whigs, according to a prominent American critic, "desired to leave Scripture out of the institution of modern Governments. It might be well for the author of *Common Sense* to follow the example in his future works, without stirring up an old dispute, of which our fathers were long since wearied." This "old dispute" concerning the divine acceptability of monarchy, the author continued, had animated the likes of Hugo Grotius and Algernon Sidney; it had concerned the proper interpretation of a crucial biblical text, Deuteronomy 17, and had sent seventeenth-century theorists in search of how "the *Jews* commonly understood this chapter."<sup>9</sup> A third critic likewise

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1742–1795, Jan. 1, 1770–Dec. 31, 1776, microfilm reel 2, A3 (Charlottesville, Va., 1966). Jack Rakove miraculously remembered that he had encountered this letter over thirty years ago and sent me looking for it. Without his initial suggestion, I would certainly never have found it. For the short précis of Parker's letter, see Robert L. Scribner and Brent Tarter, eds., *Revolutionary Virginia, The Road to Independence* (Richmond, Va., 1981), 6: 285. The letter has also been referenced without comment on two further occasions. See Pauline Maier, *From Resistance to Revolution: Colonial Radicals and the Development of American Opposition to Britain, 1765–1776* (New York, 1972), 292 n. 31; Albert H. Tillson Jr., *Accommodating Revolutions: Virginia's Northern Neck in an Era of Transformation, 1760–1810* (Charlottesville, Va., 2010), 367 n. 60. The first paragraph of the letter, which discusses recent naval activity, was excerpted in an 1858 publication, "Selections and Excerpts from the Lee Papers," *Southern Literary Messenger: Devoted to Every Department of Literature, and the Fine Arts* 27, no. 5 (November 1858): 324–32, esp. 326; and then again in William Bell Clark, ed., *Naval Documents of the American Revolution* (Washington, D.C., 1969), 4: 1288.

<sup>7</sup> Whitney, *American Independence Vindicated*, 45n (quotations).

<sup>8</sup> Sir Brooke Boothby, *Observations on the Appeal from the New to the Old Whigs, and on Mr. Paine's Rights of Man: In Two Parts* (London, 1792), 99. Boothby characterizes Paine's scriptural argument against monarchy as "such monstrous nonsense as might, for what I know, be suited to the fanatics of Boston, where witchcraft was in great vogue in the beginning of this century, but here will excite nothing but contempt." See *ibid.*, 99. After challenging Paine's reading of 1 Sam. 8, Boothby then adds that "in truth, such stuff is no otherwise worthy of notice, except to shew the low arts to which this mountebank has recourse, to adapt his drugs to people of all sorts. Provided he can *overturn*, he cares not whether it be by the hand of philosophy or superstition, and it is nothing to him which of the two possess themselves of the ruined edifice." See *ibid.*, 100.

<sup>9</sup> See Cato, "Letter 6," in *American Archives: Fourth Series*, 5: 843 ("desired to leave"), 841 ("commonly understood").

insisted on the seventeenth-century provenance of Paine's argument, dating it to "that period, to which the soul of our author yearns, the death of Charles I. England groaned under the most cruel tyranny of a government, truly military, neither existing by law, or the choice of the people, but erected by those who in *the name of the Lord*, committed crimes, till then unheard of." "We have from English history," the author explained, "sufficient proof, that saints of his disposition, tho' more eager to grasp at power than any other set of men, have a thousand times recited the same texts, by which he attempts to level all distinctions. Oliver Cromwell, the father of them, knew so well their aversion to the name of king, that he would never assume it, tho' he exercised a power despotic as the Persian Sophi."<sup>10</sup> But the most precise genealogy of Paine's argument in *Common Sense* comes to us from the man himself. Late in life, John Adams recalled a conversation that he had with Paine about the pamphlet in 1776: "I told him further, that his Reasoning from the Old Testament was ridiculous, and I could hardly think him sincere. At this he laughed, and said he had taken his Ideas in that part from John Milton: and then expressed a Contempt of the Old Testament and indeed of the Bible at large, which surprized me."<sup>11</sup>

However reluctant we might be to credit Adams's retrospective testimony about Paine's early religious views (the temptation to project Paine's later deism onto his younger self may well have proved irresistible), his claim about the Miltonic origins of Paine's scriptural argument against monarchy is worth taking seriously—not least because it is obviously correct. The section of *Common Sense* entitled "Of Monarchy and Hereditary Succession" is indeed a straightforward paraphrase of Milton's argument in the *Pro populo anglicano defensio* of 1651. In this text, Milton had turned to a radical tradition of rabbinic biblical commentary in order to explain why God became angry with the Israelites when they requested a king in 1 Samuel 8, despite his apparent acceptance of kingly government in Deuteronomy 17. Rejecting the traditional view that God had disapproved only of the *sort* of king that his people had requested, Milton argued instead that the Israelites had sinned in asking for a king *of any sort*, because monarchy per se is an instance of the sin of idolatry.<sup>12</sup> The wisest rabbis,

<sup>10</sup> *Reason: In Answer to a Pamphlet Entitled, Common Sense*, 20 ("that period, to which the soul"), 9 ("We have from English history").

<sup>11</sup> L. H. Butterfield, ed., *Diary and Autobiography of John Adams* (Cambridge, Mass., 1961), 3: 333 (quotation). A supporter of Paine likewise agreed that "in the celebrated writings of Thomas Paine, there is not a political maxim which is not to be found in the works of Sydney [*sic*], Harrington, Milton, and Buchanan"; see Henry Yorke, *These are the Times that Try Men's Souls! A Letter Addressed to John Frost, a Prisoner in Newgate* (London, 1793), 20.

<sup>12</sup> The crucial verses in Deuteronomy 17 read as follows (in the King James version): "When thou art come unto the land which the Lord thy God giveth thee, and

he explained, “deny that their forefathers ought to have acknowledged any king other than God, although one was given to them as a punishment. I follow the opinion of these rabbis.”<sup>13</sup> On Milton’s telling, “God indeed gives evidence throughout of his great displeasure at their [the Israelites’] request for a king—thus in [1 Sam. 8] verse 7: ‘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 wherewith they have forsaken me, and served other gods.’” “The meaning,” he continues, “is that it is a form of idolatry to ask for a king, who demands that he be worshipped and granted honors like those of a god.”<sup>14</sup> God accordingly punished the people by granting their sinful request: “I gave thee a king in mine anger and took him away in my wrath” (Hosea 13:11). The Israelites would endure great suffering under their kings, until at last they were led into captivity. In making this argument, Milton ushered in a new kind of republican political theory, which quickly became ubiquitous among defenders of the English commonwealth in the 1650s.<sup>15</sup>

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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.” See Deut. 17:14–15. This reading is drawn from the Midrash to Deuteronomy (*Devarim Rabbah*), which Milton knew through an intermediary source: Wilhelm Schickard, *Mishpat ha-Melekh, Jus Regium Hebraeorum* (1625). See Eric Nelson, *The Hebrew Republic: Jewish Sources and the Transformation of European Political Thought* (Cambridge, Mass., 2010), 35–44.

<sup>13</sup> “Ut omnes autem videant te nullo modo ex Hebraeorum scriptis id probare, quod probandum hoc capite susceperas, esse ex magistris tuâ sponte confiteris, qui negant alium suis majoribus regem agnoscendum fuisse prater Deum, datum autem in poenam fuisse. Quorum ego in sententiam pedibus eo.” See Milton, *Pro populo anglicano defensio* (London, 1651), 62 (quotation translated by author). See also Don M. Wolfe, ed., *Complete Prose Works of John Milton* (New Haven, Conn., 1966), 4: 1, 366.

<sup>14</sup> See Milton, *Pro populo anglicano defensio*, in Nelson, *Hebrew Republic*, 42–43 (“God indeed gives,” 42–43; “The meaning,” 43).

<sup>15</sup> See Nelson, *Hebrew Republic*, 23–56; Eric Nelson, “‘Talmudical Commonwealthmen’ and the Rise of Republican Exclusivism,” *Historical Journal* 50, no. 4 (December 2007): 809–35. My argument that Paine was reviving a seventeenth-century Hebraizing form of “exclusivist” republican theory has since been taken up by Nathan Perl-Rosenthal, who has applied it to the newspaper debate over *Common Sense*. I am deeply indebted to his essay. See Perl-Rosenthal, *WMQ* 66: 535–64. For Paine’s use of the Israelite example in his polemical writings, see also David Wootton, “Introduction: The Republican Tradition: From Commonwealth to Common Sense,” *Republicanism, Liberty, and Commercial Society, 1649–1776*, ed. Wootton (Stanford, Calif., 1994), esp. 26–41; Maria Teresa Pichetto, “La ‘Respublica Hebraeorum’ nella rivoluzione americana,” *Il pensiero politico* 35, no. 3 (2002): 481–500, esp. 497–500. A. Owen Aldridge’s skepticism about Paine’s claim to have taken his argument from Milton strikes me as unfounded, not least because he maintains (incorrectly) that Milton never composed a “complete version of the episode” (i.e., of “the appointing of a king over the Israelites”). See Aldridge, *Thomas Paine’s American Ideology* (Cranbury, N.J., 1984), 98. Winthrop D. Jordan, in contrast, finds the attribution entirely plausible. See Jordan, “Familial Politics: Thomas Paine and the Killing of the King, 1776,” *Journal of American History*

This Hebraizing doctrine was very different indeed from the heavily Roman theory of free states that had animated parliamentarians in the 1640s. For neo-Roman theorists, the great worry was *discretionary power*. A free man, they argued, must be *sui iuris*, governed by his own right. He must not be dependent on the will of another, which these writers took to mean (based on a freestanding set of claims about representation) that he must be governed only by laws made by a popular assembly, and not by the “arbitrary will” of a single person.<sup>16</sup> On this account, kingship is by no means a necessary institution (neo-Roman defenses of republican government were quite common throughout the early modern period), but it is an entirely permissible one, so long as the monarch is a pure “executive”—entrusted with the task of enforcing law, but invested with no prerogative powers by which he may *make* law (particularly the “negative voice”) or govern subjects without law.<sup>17</sup> For Hebraizing theorists such as Milton, who embraced what has been called an “exclusivist” commitment to republican government, the great worry was instead the *status of kingship*, not the particular powers traditionally wielded by kings (it is worth recalling that Milton himself was surprisingly amenable to government by “a single person” under the Protectorate).<sup>18</sup> In assigning a

60, no. 2 (September 1973): 294–308, esp. 302. See also Stephen Newman, “A Note on *Common Sense* and Christian Eschatology,” *Political Theory* 6, no. 1 (February 1978): 101–8.

<sup>16</sup> The classic account of this discourse remains Quentin Skinner, *Liberty before Liberalism* (Cambridge, 1998). See also Skinner, *Hobbes and Republican Liberty* (Cambridge, 2008); Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford, 1997).

<sup>17</sup> English republicans of the neo-Roman stripe argued simply that republics (understood here as kingless regimes) were preferable to monarchies, in that they minimized the danger of political dependence by preventing the accumulation of excessive power in individual men. These theorists worried that even a purely “executive” monarchy was likely in practice to degenerate into “arbitrary” rule—but they fully conceded the possibility, if not the robustness, of a monarchical “free state.” See, for example, “An Act for the Abolishing of the Kingly Office in England and Ireland, and the Dominions thereunto Belonging,” Mar. 17, 1648/9, in C. H. Firth and R. S. Rait, eds., *Acts and Ordinances of the Interregnum, 1642–1660*, ed. (London, 1911), 2: 18–20. For the Roman sources of this view, see, for example, Cicero, *De officiis*, 1:64–65; Sallust, *Bellum Catilinae*, 6–7; Tacitus, *Historiae*, 1: 1; Tacitus, *Annales*, 1: 1–3.

<sup>18</sup> See Blair Worden, *Literature and Politics in Cromwellian England: John Milton, Andrew Marvell, Marchamont Nedham* (Oxford, 2007), 256–88 (“single person,” 256). The phrase “single person” derives from the text of the “Act for the abolishing the Kingly Office,” cited above, and was famously used in the Declaration of Parliament of May 6, 1659, announcing the end of the Protectorate. In that text England was said to be a “Commonwealth . . . without a single Person, Kingship, or House of Peers.” See *Journal of the House of Commons* (London, 1813), 7: 644–46 (quotation, 7: 645). For a discussion of “republican exclusivism,” in addition to my own work cited above, see James Hankins, “Exclusivist Republicanism and the Non-Monarchical Republic,” *Political Theory* 38, no. 4 (August 2010): 452–82. For a second important seventeenth-century defense of republi-

human being the title and dignity of a king, they argued, we rebel against our heavenly King and bow down instead to an idol of flesh and blood. As John Cook put it in *Monarchy, No Creature of God's Making*, "whether the kings be good men or bad, I will punish the people sayes the Lord, so long as they have any kings; it is not a government of my ordination, kings are the peoples Idols, creatures of their own making."<sup>19</sup> We can put the contrast between these two positions as follows: the neo-Roman theory anathematized prerogative while remaining agnostic about kings; the Hebraizing exclusivist theory anathematized kings while remaining agnostic about prerogative.

In the aftermath of the Glorious Revolution, whigs emphatically rejected the Hebraizing view, as well as the biblical exegesis upon which it was based. They offered instead a straightforward neo-Roman reading of 1 Samuel 8, according to which the Israelites had sinned, not in asking for a king, but in asking for a king with sweeping prerogative powers. This whig reading was given its classic formulation in Roger Acherley's *The Britannic Constitution*. Acherley begins by addressing those seventeenth-century authors whose "Notions are Confined to the *Jewish* Oeconomy, As if the Mode of the Monarchical Government, and the Succession to the Crown, instituted in that One Single Nation, was to be the *Pattern* for all other Kingdoms, And that all other Institutions which differ from it, are *Unwarrantable*." "These writers," he reports, "have read the Nature and Manner of the *Original Constitution* of that Kingdom, which in the First Book of *Samuel* is Accurately Described" (that is, in 1 Samuel 8:11–19, where Samuel describes the abuses that will be committed by Israel's kings) and have concluded from it that monarchical government is inherently arbitrary. But this, Acherley insists, is to commit a grave error. The Israelites could have chosen the free and limited monarchy that God

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can exclusivism, see Algernon Sidney, *Court Maxims*, ed. Hans W. Blom, Eco Haitsma Mulier, and Ronald Janse (Cambridge, 1996), 65; Sidney, *Discourses Concerning Government*, ed. Thomas G. West (Indianapolis, Ind., 1996), 338.

<sup>19</sup> Cook, *Monarchy, No Creature of God's Making*, 93 (quotation). It is important to recognize that, like Milton before him (and Sidney after), Cook was not always consistent on this point. Just a few pages after his unqualified endorsement of the view that monarchy per se is idolatry, he writes instead that "it is not the name of a King but the boundlesse power which I argue against (though the Romans for the insolence of *Tarquin* would not endure the name) if any people shall place the Legislative power in Parliamentary authority and give unto one man the Title of King for their better correspondency with foraigne Kingdomes, with no more power to hurt the people, then the Duke of *Venice* or the Duke of *Genoa* have; such a government may be Iust and Rationall, but domination is a sweet morsel"; *ibid.*, 53. For a similar inconsistency in Milton's later pamphlets, see, for example, Wolfe, *Complete Prose* (New Haven, Conn., 1980), 7: 377–78. The point is not that these authors were always consistent, but, rather, that each of them formulated an extensive, detailed defense of the exclusivist position—one that eighteenth-century Americans would rediscover in 1776.



desired for them, but instead they “rejected God” by demanding arbitrary kings: “The State they were desiring to enter into, That appeared in this View, That if they would have a King like All the Nations (of which *Egypt* was one) Then they must be in the like Subjection and *Slavery*, as the People of those Nations were; which differed not from the *Bondage* that was *Egyptian*. Whereas if they had Desired a King to Protect and Defend their Liberties and Properties, the Request had been Commendable.” Samuel “was therefore Amaz’d at this People’s Importunity, not only to reject the Greatest Blessings God could Give, or they Enjoy, *viz Liberty and Property*, but to return again unto *Slavery*,” and he accordingly warned the Israelites “that the Power of such a King as they Desired, *viz Of a King like all the Nations about them*, would be *Arbitrary*, And that the Liberty of their Persons, and the Property of their Estates, would necessarily fall under his Absolute Will and Disposal, after the Manner they had formerly been in *Egypt* . . . such a King would have in him the whole *Legislative and Judicial Power*, and that his *Arbitrary Will and Pleasure* would be the *Law or Measure* by which his Government would be Administered.” For Acherley, the Israelites had sinned in asking for a monarch who would combine executive, legislative, and judicial power—one who would govern by his “Arbitrary Will and Pleasure.”<sup>20</sup> Once again, it was discretionary power, not the kingly office or title, that God was said to despise.

To the extent that British North Americans discussed biblical monarchy at all during the first twelve years of the imperial crisis, it was simply to affirm this traditional understanding. God permitted each people to choose its form of government, and he had no objection whatsoever to the institution of limited monarchy. All participants in the pamphlet wars leading up to the Revolution could endorse this formulation (although it must be stressed that pamphlets of the 1760s and early 1770s tended to ignore scripture altogether).<sup>21</sup> Indeed, as the crisis escalated in 1775, even the very small number of colonial writers and ministers who began to offer a republican reading of 1 Samuel 8 did so while continuing to insist upon the legitimacy and divine permissibility of monarchy. They followed their

<sup>20</sup> See Roger Acherley, *The Britannic Constitution; or, The Fundamental Form of Government in Britain*. . . . (London, 1727), 6 (“These writers”), 7 (“that the Power of such”), 9 (“Arbitrary Will and Pleasure”). For an earlier statement, see *The Judgment of Whole Kingdoms and Nations, Concerning the Rights, Power, and Prerogative of Kings, and the Rights, Priviledges, and Properties of the People*. . . ., 6th ed. (London, 1710), esp. 28–41.

<sup>21</sup> Even those patriots of the early 1770s who defended an expansive conception of the royal prerogative could accept the whig understanding of 1 Sam. 8. They were claiming, after all, that the ancient prerogatives of the crown were fully “legal” and did not threaten enslavement to anyone’s “arbitrary will.” See Eric Nelson, “Patriot Royalism: The Stuart Monarchy in American Political Thought, 1769–75,” *WMQ* 68, no. 4 (October 2011): 533–72.

parliamentarian predecessors in arguing simply that republican government would offer the best protection against arbitrary, discretionary power—that it would rescue them once and for all from the dangers of encroaching prerogative. Their writings from this twelve-month period therefore provide a fascinating glimpse of a road not taken, of what the republican turn might have looked like had Paine not published his pamphlet.

In his *Short Essay on Civil Government*, the Connecticut minister Dan Foster offered the incendiary argument that “England was never more happy before, nor much more since, than after the head of the first [*sic*] Stuart was severed from his body, and while it was under the protectorship of Oliver Cromwell.” Yet, for all of its radicalism, his defense of the English republic resolutely shunned exclusivism. “A people,” he insisted, have an “inherent right to appoint and constitute a king supreme and all subordinate civil officers and rulers over them, for their civil good, liberty, protection, peace and safety.” Foster accepted the Roman conceit that men are born “*sui iuris*”—independent of the will of others—and that it is contrary to reason for them to surrender their liberty when establishing civil society. Those who designed England’s “ancient constitution” had understood this perfectly: “Caesar and Tacitus describe the antient Britons to have been a fierce people; zealous of liberty: a free people; not like the Gauls, governed by laws made by great men; but by the people.” These ancient free men, like their German forebears, had preferred political regimes in which “the people had the principle authority.” Yet, notwithstanding this fact, “they often elected a Prince or a King; sometimes a General whom we call Duke, from the Latin word *Dux*. But the power of these chiefs descended entirely on the community, or people; so that it was always a mixed democracy. In other parts . . . the King’s [*sic*] reigned with more power; yet not to the detriment of liberty; their royalty was limited by laws and the reason of things.” The chief requirement of good government is the preservation of liberty, which in turn requires the absence of arbitrary, discretionary power in the chief magistrate. For this reason, Foster insists on the total elimination of the royal prerogative: war, peace, and trade must all be governed by the “consenting voice and suffrage of the people personally, or by representation,” and a king ought to be deposed immediately if he “will not give the royal assent to bills which have passed the states, or parliament.”<sup>22</sup>

<sup>22</sup> Dan Foster, *A Short Essay on Civil Government, The Substance of Six Sermons, Preached in Windsor, Second Society, October 1774* (Hartford, Conn., 1775), 71 (“England was never”), 14 (“A people”), 16 (“*sui iuris*”), 23 (“ancient constitution”), 24 (“the people had the principle”), 50 (“consenting voice”), 70 (“will not give”). This last argument was a favorite of parliamentarian writers in the 1640s. They focused on the wording of the coronation oath sworn by Edward II (and allegedly sworn by Charles I), in which the king promised “corroborare justas leges et consuetudines quas vulgus eligerit.” If

So long as these conditions are met, Foster is prepared to acknowledge the legitimacy (if not the desirability) of monarchy, and he grounds his view in a striking reading of 1 Samuel 8:

And now they [the Israelites] manifest their desire of a King, one who should rule according to right and equity; and pray his assistance to constitute and set one over them, to judge, rule and govern them, as was customary in all other nations.

Samuel intimates his displeasure at their request of a King; fearing they did not pay that respect to Jehovah which they ought; and from the lord he shews them the manner of the King who should reign over them; how he would conduct with them, their families and inheritances, and what would be the maxims of that government which he would exercise over the people, in the course of his reign. Notwithstanding all this, the people persisted in their request of a King, and still continued their petition. And though perhaps the circumstances attending Israel's request at this time, and their obstinacy in it, after the prophets remonstrances against it, were not to be commended, the Lord so far overlooked this, that he commanded Samuel to hearken to, and gratify the people, by accomplishing their desire in constituting a King to rule and govern them.<sup>23</sup>

On Foster's interpretation, the Israelites had asked for the right sort of king after all: one who would "rule according to right and equity." What they failed to appreciate is that, in practice, monarchs tend to become tyrannical: "the maxims of that government which [Saul] would exercise over the people" were, Samuel realized, to be very different indeed from the ones endorsed by the people themselves when they asked for a king. It would therefore have been far better for them to retain their republican constitution, the safest possible bulwark against enslavement.<sup>24</sup>

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one (mis)construed the final verb to express the future perfect indicative, rather than the perfect subjunctive tense, it seemed to commit the monarch to give his assent to any laws that "the people shall choose"—meaning that, although all bills formally had to receive the assent of the sovereign in order to become law, the king was in fact required to give his assent to all bills chosen by the people (which is to say, enacted by the House of Commons). There was thus no true negative voice. See, for example, Henry Parker, *Observations upon Some of His Majesties Late Answers and Expresses* (London, 1642), 5; William Prynne, *The Sovereign Power of Parliaments and Kingdomes. . . .* (London, 1643), 65–68. For the Latin text of the oath, see Conal Condren, *Argument and Authority in Early Modern England: The Presupposition of Oaths and Offices* (Cambridge, 2006), 254–68.

<sup>23</sup> Foster, *A Short Essay*, 4.

<sup>24</sup> See also the essay reprinted from the *London Evening Post*, June 30, 1774, in the [New-London] *Connecticut Gazette, and the Universal Intelligencer*, Oct. 7, 1774, [1]:

Nonetheless, God acceded to their request because he regarded it as perfectly permissible for a people to institute monarchy.

Harvard College's president, Samuel Langdon, offered more or less the same view in a 1775 sermon, *Government Corrupted by Vice*. "The Jewish government," he observed, "according to the original constitution which was divinely established, if considered merely in a civil view, was a perfect Republic," and "the civil Polity of Israel is doubtless an excellent general model, allowing for some peculiarities; at least some principal laws and orders of it may be copied, to great advantage, in more modern establishments."<sup>25</sup> Indeed, in one extraordinary passage, Langdon came quite close to endorsing the Miltonic position: "And let them who cry up *the divine right of Kings* consider, that the only form of government which had a proper claim to a divine establishment was so far from including the idea of a King, that it was a high crime for Israel to ask to be in this respect like other nations; and when they were gratified, it was rather as a just punishment of their folly . . . than as a divine recommendation of kingly authority."<sup>26</sup> Yet Langdon insisted at the same time that "every nation, when able and agreed, has a right to set up over themselves any form of government which to them may appear most conducive to their common welfare." Monarchy remains perfectly permissible, so long as one guards against "the many artifices to stretch the prerogatives of the crown beyond all constitutional bounds, and make the king an absolute monarch, while the people are deluded with a mere phantom of liberty."<sup>27</sup> While it may have been seditious for the Israelites to ask for a human king (because they lived under a republican constitution established for them by God), it was no sin for anyone else to do so. The Salem, Massachusetts, minister Samuel Williams agreed in his own 1775 sermon, *A Discourse on*

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"Power long entrusted either to single persons, or to bodies of men, generally increases itself so greatly as to become subversive of the intentions, and dangerous to the rights of those who delegated it. Kings are but men, are subject to all the passions and frailties of human nature, and consequently are too prompt to grasp at arbitrary power, and to wish to make all things bend and submit to their will & pleasure."

<sup>25</sup> Samuel Langdon, *Government Corrupted by Vice, and Recovered by Righteousness*. . . (Watertown, Mass., 1775), 11–12 ("The Jewish government," 11, "the civil Polity," 12). For a discussion of Langdon's sermon in the context of a broader turn toward the model of the "Jewish republic" among New England ministers, see Harry S. Stout, *The New England Soul: Preaching and Religious Culture in Colonial New England* (1986; repr., Oxford, 2012), 301–5.

<sup>26</sup> Langdon, *Government Corrupted by Vice*, 12. Langdon's argument is in fact subtly, but importantly, different from Milton's: he is claiming that the Israelites sinned in asking for a king because kingship was not part of the divinely constituted government under which they lived—not because it is inherently sinful for a people to institute monarchy. The Israelite sin was therefore that of sedition. This view draws on a tradition of exegesis originating with Josephus. See Josephus, *Contra Apionem*, 2: 163–68.

<sup>27</sup> Langdon, *Government Corrupted by Vice*, 16.

*the Love of Our Country*, declaring that “infinite wisdom had seen fit to put that people [Israel] under a more excellent form of government, than any nation has ever had. God himself was their King. And they might have been long happy under a government, in which, the Ruler of the world condescended himself to execute the office of Chief-Magistrate. But such was their impiety and folly, that in many instances they greatly abused and perverted the privileges they were favoured with.”<sup>28</sup> As a result, they soon found themselves in Babylonian exile, under “the arbitrary will of a proud, cruel, despotic monarch.”<sup>29</sup> For Williams, republican government may well be the most “excellent” known to man, but monarchy remains permissible so long as it is not “arbitrary” and “despotic.”<sup>30</sup>

Seen in the context of these discussions, Paine’s *Common Sense* emerges as a transformative intervention. Rejecting over a century of whig biblical exegesis, Paine unambiguously returned in January 1776 to Milton and the Hebraic exclusivists of the 1650s. His argument in the section “Of Monarchy and Hereditary Succession” reads as follows:

Government by kings was first introduced into the world by the Heathens, from whom the children of Israel copied the custom. It was the most prosperous invention the Devil ever set on foot for the promotion of idolatry. The Heathens paid divine honors to their deceased kings, and the Christian world hath improved on the plan by doing the same to their living ones. How impious is the title of sacred majesty applied to a worm, who in the midst of his splendor is crumbling into dust!

As the exalting one man so greatly above the rest cannot be justified on the equal rights of nature, so neither can it be

<sup>28</sup> Samuel Williams, *A Discourse on the Love of Our Country; Delivered on a Day of Thanksgiving, December 15, 1774* (Salem, Mass., 1775), 5–6 (quotation, 6). This reading was drawn from Josephus, *Contra Apionem*, 2: 163–68. See Josephus, *The Life. Against Apion*, ed. and trans. H. St. J. Thackeray (Cambridge, Mass., 1926). For an important endorsement, see Theodore Beza, *De iure magistratum* (1574), in Julian Franklin, ed., *Constitutionalism and Resistance in the Sixteenth Century: Three Treatises by Hotman, Beza, and Mornay* (New York, 1969), 116.

<sup>29</sup> Williams, *Discourse on the Love*, 6.

<sup>30</sup> See also “The Monitor, No. XII,” *New York Journal; or, The General Advertiser*, Jan. 25, 1776, [1]. The author goes so far as to attribute to loyalists “an idolatrous veneration for the king and parliament, more especially for the former,” and laments that “the imaginations of men are exceedingly prone to deify and worship them [i.e., kings]; though, to the great misfortune of mankind, they are more commonly fiends, than angels.” But he immediately adds that, notwithstanding all of this, “it is noble and generous to love, to admire a virtuous prince.” See also “An Oration on Arbitrary Power, delivered by one of the Candidates for a second degree at the late Commencement held at Princeton, in New-Jersey, September 27, 1775,” *Connecticut Gazette; and the Universal Intelligencer*, Dec. 22, 1775, [1].

defended on the authority of scripture; for the will of the Almighty as declared by Gideon, and the prophet Samuel, expressly disapproves of government by kings. . . .

Near three thousand years passed away, from the Mosaic account of the creation, till the Jews under a national delusion requested a king. Till then their form of government (except in extraordinary cases, where the Almighty interposed) was a kind of republic administered by a judge and the elders of the tribes. Kings they had none, and it was held sinful to acknowledge any being under that title but the Lord of Hosts. And when a man seriously reflects on the idolatrous homage which is paid to the persons of kings, he need not wonder that the Almighty, ever jealous of his honor, should disapprove a form of government which so impiously invades the prerogative of heaven.<sup>31</sup>

For Paine, as for Milton before him, the Israelites sinned in asking for a king per se: “monarchy is ranked in scripture as one of the sins of the Jews, for which a curse in reserve is denounced against them.” “These portions of scripture,” he announces, “are direct and positive. They admit of no equivocal construction.” The issue was not the sort of king for which the Israelites asked—an arbitrary king whose prerogatives would enslave them—or that they asked for one despite being under God’s unique, providential government at the time. On the contrary, they sinned because it is inherently idolatrous to assign any human being the title and status of king. “The Almighty,” on Paine’s account, “hath here entered his protest against monarchical government,” and when the Israelites later entreated Gideon to become their king, the judge and prophet “denieth their right” to establish a monarchy and accordingly “charges them with disaffection to their proper Sovereign, the King of Heaven.”<sup>32</sup>

<sup>31</sup> Thomas Paine, *Common Sense, the Rights of Man, and other Essential Writings of Thomas Paine* (New York, 1984), 29–32. Paine explicitly glosses 1 Sam. 8 in the Miltonic manner on page 31. Important discussions of Paine and his pamphlet include Jordan, *Journal of American History*, 60; Bernard Bailyn, “The Most Uncommon Pamphlet of the American Revolution: *Common Sense*,” *Magazine of History* 25, no. 1 (December 1973): 36–41; Eric Foner, *Tom Paine and Revolutionary America* (New York, 1976); Aldridge, *Thomas Paine’s American Ideology*; Jack Fruchtman Jr., *Thomas Paine and the Religion of Nature* (Baltimore, 1993); Fruchtman, *Thomas Paine: Apostle of Freedom* (New York, 1994); Edward Larkin, *Thomas Paine and the Literature of Revolution* (Cambridge, 2005); Nichole Eustace, *Passion Is the Gale: Emotion, Power, and the Coming of the American Revolution* (Chapel Hill, N.C., 2008); Fruchtman, *The Political Philosophy of Thomas Paine* (Baltimore, 2009). As Perl-Rosenthal points out in his important essay, none of these sources addresses the Hebraic origins of Paine’s argument.

<sup>32</sup> Paine, *Common Sense*, 30–32 (“monarchy is ranked,” 30, “These portions of scripture,” 32, “denieth their right,” 30–31). Paine’s discussion of the Gideon episode likewise follows Milton; Wolfe, *Complete Prose*, 4: 1, 370. For an antecedent to Paine, see A Republican, “For the Massachusetts Spy. . . .” [Boston] *Massachusetts Spy*, Apr. 8,

Paine's opponents (not all of them loyalists) fully recognized the radicalism of this position, as well as its tendency to shift the focus of conversation away from potentially enslaving kingly *powers* and toward the alleged evils of the very *title* of king. Two critics in particular, Charles Inglis ("An American") and the Reverend William Smith ("Cato"), answered him at length on this issue in the Pennsylvania newspapers in the early months of 1776, and their responses have recently been the subject of an article in this journal by Nathan Perl-Rosenthal.<sup>33</sup>

Other readers, however, were far more receptive to Paine's use of scripture, among them Richard Parker. Parker was Lee's neighbor in Westmoreland County and often served as his trusted agent in both financial and political matters. Originally employed as king's attorney, he joined the patriot movement quite early on. In 1766, Lee deputized Parker to arrange the meeting that enacted the Leedstown Resolutions (Parker also chaired the meeting and signed the document), and Parker likewise became a member of the county's Committee of Safety in 1775–76. It was also Parker who implemented Lee's scheme of extracting rents from his numerous tenants in tobacco rather than paper money—thus precipitating a scandal that Lee's opponents would use to have him removed from Congress in 1777 (he was accused of contributing to the depreciation of Virginia's currency).<sup>34</sup> Parker was eventually appointed a judge of the General Court in 1788 and, later, of the first Court of Appeals. His letter to Lee about biblical monarchy, dated April 27, arrived at a time when Lee was actively soliciting opinions from his friends on the future constitutional form of the American colonies. John Adams, for one, had sent Lee a sketch

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1773. The author acknowledges the legitimacy of limited kingly government (in this he is unlike Paine), but nonetheless cites Milton in attacking the "trappings of monarchy" and claims that "every man of sense and independency must give the preference to a well constructed Republic." He continues as follows: "I am not peculiar in my notion of Kings or monarchical governments; besides all the antients who adjudged them tyrants; besides the Jewish people whom God, in his wrath plagued with a vengeance by giving them a King; besides these, moderns innumerable are on my side" (quotations, [1]).

<sup>33</sup> It is important to recognize, however, that some continued to defend the more orthodox position of Foster, Langdon, and Williams even after 1776. See, for example, James Dana, *A Sermon, Preached before the General Assembly of the State of Connecticut, at Hartford, on the Day of the Anniversary Election, May 13, 1779* (Hartford, Conn., 1779), esp. 15–18. For Inglis and Smith, see Perl-Rosenthal, *WMQ* 66: 535–64.

<sup>34</sup> For Parker's friendship with Lee, see, e.g., James Curtis Ballagh, ed., *The Letters of Richard Henry Lee* (New York, 1911), 1: 32–34, 42, 127, 297 n. 1, 299; John Carter Matthews and Sarah deGraffenried Robertson, eds., "The Leedstown Resolutions," *Northern Neck of Virginia Historical Magazine* 16, no. 1 (December 1966): 1491–506; Jack P. Greene, ed., *The Diary of Colonel Landon Carter of Sabine Hall, 1752–1778* (Richmond, Va., 1987), 2: 1006–7. For the rent extraction scandal, see Paul Chadwick Bowers, "Richard Henry Lee and the Continental Congress: 1774–1779" (Ph.D. diss., Duke University, 1964), 223–46.

of what later became his *Thoughts on Government* in November 1775, which Lee subsequently arranged to have published in both New York and Virginia—he “insisted upon it So much,” Adams reported to Francis Dana, “that it could not be decently refused.”<sup>35</sup> (Lee also composed his own “hand bill,” advancing a position very much like Adams’s, in the early months of 1776).<sup>36</sup> His letter to Patrick Henry of April 20, extolling Adams’s work and enclosing a copy of the published pamphlet, was written just before he would have received Parker’s letter (no reply from Lee appears to have survived).<sup>37</sup>

Lee, like Adams, utterly rejected Paine’s unicameralism, but he was otherwise known to be an enthusiastic acolyte; fellow Virginian Landon Carter described him as “a prodigious Admirer, if not partly a writer in the Pamphlet *Common Sense*.”<sup>38</sup> Parker evidently shared Lee’s admiration for the pamphlet and wrote to his friend to offer an account of the newspaper debate that Paine’s arguments had provoked. After providing a short description of recent naval activity off the Virginia coast, as well as an account of the detention of three prominent loyalists, Parker turned to the subject at hand: “I observe the Pennsylvania [*sic*] Papers are filled with the controversy about Independance and think the writers have rather left the Question What matters it to us at present whether Monarchy is reprobated by the Almighty or not.” In other words, Parker was observing that, while the controversy may have begun as a debate about “the Expediency or Inexpediency of Independance”—that is, about whether George III had irreparably forfeited the allegiance of his American subjects—it had quickly turned into a scriptural debate over the theological permissibility of monarchy itself. As Parker went on to explain, Paine had written extensively about “Monarchical Government as established amongst the Jews” and had argued that “god was displeased with their demanding a King and was

<sup>35</sup> John Adams to Francis Dana, Aug. 16, 1776, in Robert J. Taylor, Gregg L. Lint, and Celeste Walker, eds., *Papers of John Adams*, ser. 3 (Cambridge, Mass., 1979), 4: 466.

<sup>36</sup> John E. Selby, “Richard Henry Lee, John Adams, and the Virginia Constitution of 1776,” *Virginia Magazine of History and Biography* 84, no. 4 (October 1976): 387–400.

<sup>37</sup> Richard Henry Lee to Patrick Henry, Apr. 20, 1776, in Ballagh, *Letters of Richard Henry Lee*, 1: 179–80. See also Butterfield, *Diary and Autobiography of John Adams*, 3: 333; Bowers, “Richard Henry Lee and the Continental Congress: 1774–1779,” 168–73; Oliver Perry Chitwood, *Richard Henry Lee: Statesman of the Revolution* (Morgantown, W.Va., 1967), 94–95; John Adams to Richard Henry Lee, Nov. 15, 1775, in Taylor, Lint, and Walker, *Papers of John Adams*, 3: 307–8.

<sup>38</sup> Greene, *Diary of Colonel Landon Carter of Sabine Hall*, 2: 1007, 1049–50. Lee himself appears to have been thinking about the analogy between monarchy and idolatry as early as November 1775. In a letter to Catharine Macaulay, he wrote that “as a good *Christian* properly attached to your native Country, I am sure you must be pleased to hear, that North America is not fallen, nor likely to fall down before the *Images* that the King hath set up”; Lee to Macaulay, Nov. 29, 1775, in Ballagh, *Letters of Richard Henry Lee*, 1: 160.



determined they should suffer for his Crimes.”<sup>39</sup> In contrast, “Cato [the Reverend William Smith of Philadelphia] thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it.”<sup>40</sup>

This characterization of Cato’s argument is perfectly accurate. Smith regarded it as self-evident that Paine had “pervert[ed] the Scripture” in claiming that “monarchy . . . (meaning, probably, the institution of Monarchy,) ‘is ranked in Scripture as one of the sins of the *Jews*, for which a curse in reserve is denounced against them.’” But he recognized that, in “a country in which (*God* be thanked) the Scriptures are read, and regarded with that reverence which is due to a revelation from Heaven,” the argument of *Common Sense* could not safely be ignored. Smith therefore resolved “to rescue out of our author’s hands that portion of the sacred history which he has converted into a libel against the civil Constitution of *Great Britain*; and show in what sense the passage has been universally received, as well by the *Jews* themselves as by commentators, venerable for their piety and learning, in every Christian country.” He begins by reminding his readers that “the *Jews* were long privileged with a peculiar form of Government, called a Theocracy, under which the ‘Almighty either stirred up some person, by an immediate signification of his will, to be their Judge, or, when there was none, ruled their proceedings himself, by Urim and Thummim.’” When the Israelites requested a human king, they sinned first and foremost in “rejecting the divine Government” under which they had prospered. But they sinned further in desiring “a King to judge them like all the nations,” since “all the nations which they knew, were ruled by Kings, whose arbitrary will stood in the place of law; and it appears also that the *Jews*, since the day that they were brought out of *Egypt*, had still retained a particular hankering after the customs of that country.” God therefore “not only signifies his displeasure against all such arbitrary rulers, but against every people who would impiously and foolishly prefer such a Government to one immediately under himself, where, in his providence, he might think fit to appoint such an one.”<sup>41</sup>

Yet Paine had dared to argue that “the Almighty hath here entered his protest against Monarchical Government.” First, Smith answers that “the Almighty would have as strongly expressed his displeasure against the *Jews*, had they rejected his Government for one of their own appointment, whether it had been monarchical or democratical—to be administered

<sup>39</sup> Parker to Lee, Apr. 27, 1776, 1r (“I observe”), 2r (“god was displeased”).

<sup>40</sup> Parker to Lee, Apr. 27, 1776, 2r (quotation). See Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 839.

<sup>41</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 839–40 (“pervert[ed] the Scripture,” 5: 839, “the *Jews* were long,” 5: 840). Cato’s letters were reprinted in Connecticut, Virginia, and New York, among other places. See Perl-Rosenthal, *WMQ* 66: 557.

by one man or a thousand men.” But Paine errs most spectacularly in assuming that, when Samuel described the horrors that would be perpetrated by Israelite kings (1 Samuel 8:11–18), the prophet meant to “extend his protest against all future Monarchical Governments, such as were to subsist some thousands of years afterward, however limited and mixed, particularly that of *Great Britain*, (which must certainly be our author’s meaning, or he proves nothing to his purpose;).” This, for Smith, is patently absurd: citing “[Roger] Acherley, in his *Britannick Constitutions*,” he insists that “the particular case of the *Jews* cannot be applied to any other nation in this instance, as none else were ever in similar circumstances.”<sup>42</sup>

In order to buttress this conclusion, he turns to the Hebrew text itself, as well as to the tradition of Jewish commentary upon it. First comes “the celebrated *Grotius*,” who “tells us that *Samuel*, in this passage, does not speak of what our author calls the ‘general manner of Kings,’ or the just and honest right of a King to do such things; because his right is otherwise described elsewhere, as shall be shown. The prophet only speaks of such a right as the Kings round about *Israel* had acquired, which was not a true, right; for such is not the signification of the original word *Mishpat*; but such an action as (being founded in might and violence) hath the *effectum juris*, or comes in the place of right.” Grotius, along with Sidney (who is here transfigured into a respectable whig), is then said to be “well warranted in this interpretation, not only by the *Hebrew* text, but other clear passages of Scripture, and particularly the seventeenth chapter of *Deuteronomy*, where, with the approbation of Heaven, the duty of a good King is described and limited.” Smith proceeds to summarize the rabbinic debate over this passage, as it had inflected the seventeenth-century controversy over monarchy:

The *Jews* commonly understood this chapter as containing an absolute promise from Heaven of a Royal Government, and a sufficient authority for the request made to *Samuel* more than three hundred years afterwards. Others understood it conditionally,—that if they did reject the Divine Government,

<sup>42</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 840 (quotations). Paine directly answered Cato’s claim that Samuel had not meant to “extend his protest” to monarchy as such in his third “Forester” letter (Letter 3), also printed in the *Pennsylvania Gazette*, Apr. 24, 1776: “The Scripture institutes no particular form of Government, but it enters a protest against the Monarchal form; and a negation on one thing, where two only are offered, and one must be chosen, amounts to an affirmative on the other. Monarchal Government was first set up by the Heathens, and the Almighty permitted it to the *Jews* as a punishment. ‘I gave them a King in mine anger.’—Hosea xiii, 11.” “Letter 3—To Cato,” in *American Archives: Fourth Series*, 5: 1018. Smith’s citation of the *Britannick Constitution* refers to Acherley, *The Britannick Constitution*, 6–9.

and set up one of their own appointment, *God* would permit them; but their King should be chosen in the manner, and with the qualifications in that chapter described. All this, however, they disregarded when they asked an arbitrary King, like those of their neighbouring nations; and therefore, it is demonstratively certain that *Samuel*, in entering his protest against such Kings, did not protest against Kings or Monarchical Governments generally. Either this remark is true, or one part of Scripture is a direct contradiction to the other.<sup>43</sup>

The rabbis of the Talmud (here simply “the *Jews*”), unlike the rabbis cited by Milton, had derived from Deuteronomy 17 an “absolute promise” of monarchy—that is, an affirmative commandment to ask for a king.<sup>44</sup> Others, on Smith’s account, had construed the text to embody a permission to establish a virtuous and lawful monarchy. Both readings converged in insisting that the Israelites had sinned only in asking for the wrong sort of king. Smith conveniently neglects to mention that another group of rabbis, along with their seventeenth-century expositors, had taken precisely Paine’s view of the matter.

For Smith, as for the rest of Paine’s critics in 1776, the Hebraizing argument of *Common Sense* was most dangerous because it encouraged colonial readers to become anxious about precisely the wrong things—to pursue shadow over substance. So long as their chief magistrate was not called king, they would feel that the appropriate political principles had been satisfied fully; they would not fret at all about the sweeping prerogative powers that their suitably re-christened governors might come to wield. Tyrannical wolves would masquerade as republican sheep. “The popular leaders who overturned the Monarchy in the last age,” Smith reminds his readers, “were not themselves friends to Republicks. They only

<sup>43</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 841 (quotations). See Hugo Grotius, *Hugonis Grotii Annotationes in Vetus Testamentum*, ed. Georg Johann Ludwig Vogel (Halle, Germany, 1775), 1: 215; Hugo Grotius, *Hugonis Grotii De iure belli ac pacis libri tres* (Amsterdam, 1650), 1: 4.7.

<sup>44</sup> Babylonian Talmud: Sanhedrin 20b. The majority opinion in the Talmud, attributed to Rabbi Yehudah, reads as follows: “there were three commandments that Israel were obligated to fulfill once they had entered the land: appointing a king, exterminating the offspring of Amalek, and building the temple.” Isidore Epstein and Maurice Simon, eds., *Soncino Hebrew-English Edition of the Babylonian Talmud*, 30 vols. (London, 1994). This reading became ubiquitous among Protestant defenders of monarchy. Claude de Saumaise (Salmasius), for example, simply reproduced the Talmudic gloss in his *Defensio regia* (1649): “Tradunt Iudaeorum magistri, tria injuncta fuisse Israelitis quae facere eos oporteret postquam introducti essent in terram sanctam, *regem sibi constituere, excindere Amalechitas, templum exstruere*.” See C. L. Salmasii *Defensio pro Carolo I* (Cambridge, 1684), 63.

made use of the name to procure the favour of the people; and whenever, by such means, they had mounted to the proper height, each of them, in his turn, began to kick the people from him as a ladder then useless." The embodiment of this danger was Cromwell:

*Cromwell* exercised the power of a King, and of the most absolute King, under the specious name of a Protector. The instrument of Republican Government, which he had at first extolled as the most perfect work of human invention, he began (as soon as he thought his authority sufficiently established) to represent as "a rotten plank, upon which no man could trust himself without sinking." He had his eyes fixed upon the Crown; but when he procured an offer of it, from a packed Parliament, his courage failed him. He had outwitted himself by his own hypocrisy, and, in his way to power, had thrown such an odium upon the name of the King, that his own family, apprehensive he would be murdered the moment the diadem should touch his brow, persuaded him to decline that honour.<sup>45</sup>

The Miltonic argument revived by Paine threatened to make a fetish out of "the name of the King," delivering the colonists instead into the arbitrary power of a non-monarchical tyrant.<sup>46</sup> True "Republicks" are defined by the absence of discretionary power in any single person, not by the lack of an allegedly idolatrous title. "The harm," as another critic had put it, "lay not in the four Letters K,I,N,G."<sup>47</sup>

Parker himself thought that this debate should be postponed until after "we have determined our selves independant," but he nonetheless proceeded in his letter to Lee to endorse and then elaborately defend Paine's conclusion that God is an enemy to monarchical government.<sup>48</sup> His intervention is significant for two reasons. First, it provides valuable

<sup>45</sup> Cato, "Letter 8—To the People of Pennsylvania," in *American Archives: Fourth Series*, 5: 1050 (quotations).

<sup>46</sup> Virtually all of Paine's early critics likewise offered this argument. See, for example, *Reason: In Answer to a Pamphlet Entitled, Common Sense*, 9–13 (quotation, 9).

<sup>47</sup> Cato, "Letter 8," in *American Archives: Fourth Series*, 5: 1050 ("Republicks"); A Late Member of the Continental Congress, *The True Merits of a Late Treatise, Printed in America, Intituled Common Sense*. . . (London, 1776), 14–16 ("The harm," 16).

<sup>48</sup> Parker to Lee, Apr. 27, 1776, 1r (quotation); Parker rather surprisingly indicts both "Cato & Cassandra" for turning what should be a debate about "the Expediency or Inexpediency of Independance" into one about the divine permissibility of monarchy (ibid.). In fact, while Cato (William Smith) did indeed focus on refuting Paine's scriptural argument, Cassandra (James Cannon) spent no time attacking the institution of monarchy per se. Unlike Paine, the latter argued simply that America ought not to be governed by a British monarch. See Cassandra to Cato, in *American Archives: Fourth Series*, 5: 41–43, 431–34, 921–26.

evidence about the reach of Paine's Hebraizing argument in 1776 and beyond. Scholars have usually located the scriptural case against monarchy exclusively in a set of sermons delivered by New England ministers.<sup>49</sup> But Parker was an Anglican Virginia planter and he addressed his meditation on Paine's argument to a fellow member of the tidewater gentry. His letter therefore offers support for Ramsay's claim that Paine's scriptural argument found a receptive audience throughout the colonies, not merely in Congregational strongholds. Parker's analysis is also compelling insofar as it represents the attempt of an educated observer—whose thoughts, as he confesses, “are not well connected as my Avocations so frequently take me off from the Subject that the chain is often broke”—to take the measure of Paine's Hebraizing case against monarchy and explore its relation to the more traditional, neo-Roman reading of the biblical text.<sup>50</sup> Parker was evidently unwilling at this stage to choose between them.

On the one hand, his letter includes an unmistakable paraphrase of Paine's central argument: the heathen nations surrounding the Jews, Parker writes, had “paid divine honors to their Kings” (this is a direct quotation from Paine) and the Lord, “being a jealous God took every means to prevent them from falling into the same Error knowing that a person placed so far above the level of the people would lead them to whatever he pleased.”<sup>51</sup> Notice that, even here, Parker has either misconstrued or intentionally deviated from Paine's position in a subtle, but important, respect. Paine had argued that monarchy *itself* is an instance of the sin of idolatry, whereas Parker seems to be arguing instead that monarchs (who are not intrinsically idols) will frequently prevail upon the people to worship them in an idolatrous fashion. But it had been the strict equation of monarchy and idolatry that allowed Paine to reach his radical conclusion in *Common Sense*, namely, that the God of scripture classifies monarchy in all its forms as a sin. And this, after all, is the conclusion that Parker wants to defend against Cato's critique: the Israelites, Parker explains, chose to institute kingship against God's express wishes, and the subsequent depredations of Israel's kings provide evidence of the Lord's great anger: “Can it be thought that the Almighty would have been so unmerciful to his people if it had not have been to shew them the impropriety of having

<sup>49</sup> See, for example, Eran Shalev, *American Zion: The Old Testament as a Political Text from the Revolution to the Civil War* (New Haven, Conn., 2013), 57–69; Stout, *New England Soul*, 301–5; Perl-Rosenthal, *WMQ* 66: 553–54, 560. Perl-Rosenthal rightly doubts that, in light of Ramsay's testimony, it is plausible to suppose that this discourse was confined to a group of New England ministers, but he is unable to offer examples of its use elsewhere.

<sup>50</sup> Parker to Lee, Apr. 27, 1776, 1r (quotation).

<sup>51</sup> Parker to Lee, Apr. 27, 1776, iv. This phrasing seems to echo Paine's attack on “the exalting [of] one man so greatly above the rest”; Paine, *Common Sense*, 30.

a King for whose Trespasses they were to suffer”? After all, “God had expressly declared to them long before they asked a King that they would do it and that he would punish them with the Kings they should set over them see the 28th Cap Deuteronomy to the 37th verse. Hosea in the 13th Chapter 11th verse says ‘I gave thee a King in mine Anger and took him away in my wrath[.]’ In short god was displeased with their demanding a King and was determined they should suffer for his Crimes.”<sup>52</sup> To be sure, “Cato thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it.” Does not Deuteronomy 17, Cato had asked, “smell strong of Monarchy and even of Hereditary Monarchy?” Parker answers that “God has expressly declared his displeasure with the Jews for asking a King; but he knew long before they did demand one that they would do it; and he only tells them if they should be so foolish as to do it what sort they should choose & declares how he ought to conduct himself by which Conduct he should obtain his favor.”<sup>53</sup> “It is [a] pity,” Parker concludes, that “Cato has not the Candor to compare the Scriptures, a crime he accuses Common Sense of.”<sup>54</sup>

Parker thus fully embraces Paine’s view that God is an “enemy” to monarchical government and that kingship in all its forms is sin—and he likewise offers a glancing, somewhat muddled endorsement of the claim that monarchy is sinful insofar as it is idolatrous. But Parker simultaneously runs a set of arguments that are very different from Paine’s. To begin with, whereas Paine (like Langdon and Williams before him) had favorably described the original Israelite constitution as “a kind of republic, administered by a judge and the elders of the tribes,” Parker dismisses the pre-monarchical Israelites as “Wretches” who obeyed the “dictates” of

<sup>52</sup> Parker to Lee, Apr. 27, 1776, 2r. Parker interestingly rejected the Josephan account of Israelite theocracy: “as to calling it [Israelite government before Saul] a Theocracy it is talking Nonsense because every State in the Universe is equally a Theocracy[.] Whoever believes in a particular Providence must acknowledge that the Events of States are governed by the Almighty and I am sure the Hand of God has been with us[.] It is true as the Jews were in such a State of Ignorance as to be unable to make any Laws for themselves God did prescribe a Set of Laws for them such as would be sufficient for their Government; that his wise purposes in bringing abt. the Redemption of man by his Son Jesus Christ might be fully answered but he left the Execution of those laws to the people themselves.” *Ibid.*, iv.

<sup>53</sup> Parker to Lee, Apr. 27, 1776, 2r. Parker’s wording (“God has expressly declared his displeasure with the Jews for asking a King”) is highly reminiscent of Milton’s own, as translated in the 1692 English version of the *Defense*: “God frequently protests that he was extremely displeas’d with them for asking a King”; Milton, *A Defence of the People of England* (London, 1692), 48. The Latin reads as follows: “Passim enim testatur Deus valde sibi displicuisse quod regem petissent”; Milton, *Defensio*, 66. Paine does not incorporate this language into *Common Sense*, so it is possible that Parker had direct access to Milton’s text.

<sup>54</sup> Parker to Lee, Apr. 27, 1776, 2v.

the Judges out of the (apparently) false belief that their commands “came from God” and states further that it is impossible to determine “what kind of Government” this really was.<sup>55</sup> More importantly, Parker also offers a competing account of why God was displeased with the Israelites when they instituted monarchy. In Egypt, he explains, the Israelites had been afflicted with “most abject Slavery.” God had redeemed them from bondage, and it was because he wished them to remain free men that he forbade them to establish a monarchy: “He knew that all felicity would be at an end and their Slavery under a King would be as great as whilst they lived in Egypt.” A critical portion of the text is missing here, but it seems as if Parker is trying to argue that God rejected monarchy on standard neo-Roman grounds: while it might be possible to imagine a nonarbitrary monarchy, in practice kings tend to turn into tyrants, and subjects into slaves.<sup>56</sup>

This, of course, had been the argument of Foster, Langdon, and Williams, but none of these writers (as we have seen) had taken the view that monarchy was therefore a sin and illicit in all circumstances. Indeed, they had reasoned in precisely the opposite direction: since one can perfectly well institute a nonarbitrary monarchy, it followed for them that kingly government in itself cannot be regarded as illicit—and that the Israelites did not sin in asking for a king per se. The fact that monarchs often come to wield arbitrary, discretionary power simply gives us good prudential grounds for preferring republican government and explains why God himself had initially instituted such a regime among his chosen people. Likewise, the argument that God in 1 Samuel 8 was merely expressing his concern that Israelite kings would ape the idolatrous customs of the heathens had always been invoked by those (like Cato himself) who wished to *deny* the conclusion that the Israelites sinned in asking for a king per se (the sin, on this account, was simply to have asked for the wrong sort of king—one like those of “the other nations”).<sup>57</sup> What we find in Parker’s letter, in other words, is an improvisatory attempt to match Paine’s conclusion with several very different premises. Parker cannot quite make up his mind whether monarchy is a sin because it is inherently idolatrous (that is, because the Lord is a “jealous God”), because it tends to promote idolatry, or because it threatens slavery (or for some combination of these

<sup>55</sup> For “a kind of republic,” see Paine, *Common Sense*, 30; for “Wretches,” see Parker to Lee, 1v. Paine also insisted that “the will of the Almighty” was indeed “declared by Gideon and the prophet Samuel”; see Paine, *Common Sense*, 30.

<sup>56</sup> Parker to Lee, Apr. 27, 1776, 1v (quotations). Quite a lot hangs on Parker’s precise reason for stating that God “knew” that the Israelites would be slaves under their kings. Is this because God simply foresaw that the Israelite kings would become tyrants, or because God “knows” that kings inevitably become tyrants. The latter would amount to the claim that there is no such thing (at least over time) as a nonarbitrary monarchy—and that this is why God regards all monarchies as sinful.

<sup>57</sup> 1 Sam. 8:4.

reasons).<sup>58</sup> Paine's pamphlet and the responses that it generated had forced him to wrestle with these issues, but the results, as he himself recognized, were rather inconclusive.

For many of Parker's countrymen, in contrast, the matter was far more straightforward. By the end of 1776, a host of colonial writers and ministers had come forward to defend Paine's argument unambiguously and in its entirety. In a sermon preached on September 12, Peter Whitney declared that "when the people of Israel foolishly and impiously asked God to give them a king," God begged them to "withdraw their petition, and desire rather to continue as they were." Yet, "they notwithstanding, persisted in their demand, and God gave them a king, but in his anger, and as a great scourge and curse to them." Whitney's verdict on this episode simply replicates Paine's discussion of the inherently idolatrous character of monarchical government, complete with direct quotations from *Common Sense* itself:

It is a natural inference from sacred story, and from what has been said above, that kingly government is not agreeable to the divine will, and is often a very great evil. The will of God as made known by Gideon; and the prophet Samuel expressly disapproves of government by kings. "Near three thousand years passed away from the Mosaic account of the creation, *before* the Jews under a national delusion, asked a king.—'Till then their form of government (except in extraordinary cases where the Almighty interposed) was a kind of republic administered by a judge, and the elders of the tribes. Kings they had none, and it was held sinful to acknowledge any being under that title but the Lord of hosts. And when a man seriously reflects on the idolatrous homage which is paid to the persons of kings, he need not wonder that the Almighty, ever jealous of his honor, should disapprove a form of government which so impiously invades the prerogative of heaven." No form of government but kingly or monarchical, is an invasion of God's prerogative; this is.

"The most high over all the earth," Whitney concludes, "gave kings at first, to the Jews (as he sends war) in anger, and as a judgment, and it may be affirmed, that upon the whole, they have been a scourge to the inhabitants of the earth ever since." "We in these States," Whitney concludes, "are now evidently under the frowns of heaven for our many and great transgressions: it is to be hoped we shall not 'add to our sins, this evil to ask *us* a king.'"<sup>59</sup>

<sup>58</sup> Parker to Lee, Apr. 27, 1776, iv (quotation).

<sup>59</sup> Whitney, *American Independence Vindicated* ("when the people," 11, "It is a natural inference," 43–44, "The most high," 44–45).



Whitney's view was endorsed the following month in the "Instructions to Delegates" published by the Committee for Charlotte County, Virginia. Having renounced their allegiance to George III, the citizens of the county were now committed to "taking the *God* of Heaven to be our King."<sup>60</sup> A sermon preached in Boston by Benjamin Hichborn took the same line: "I am inclined to think, that the great founder of societies has caused the curse of infatuating ambition, and relentless cruelty, to be entailed on those whose vanity may lead them to assume *his* prerogative among any of his people as they are cantoned about in the world, and to prevent mankind from paying that adoration and respect to the most dignified mortal, which is due only to *infinite wisdom and goodness*, in the direction of *almighty power*, and therefore that he alone is fit to be a monarch."<sup>61</sup> Nor did the passing of the years diminish Paine's grip on the political imagination of British Americans. In 1778, the poet Philip Freneau echoed *Common Sense* in verse:

To recommend what monarchies have done,  
 They bring, for witness, David and his son;  
 How one was brave, the other just and wise;  
 And hence our plain Republics they despise;  
 But mark how oft, to gratify their pride,  
 The people suffered, and the people died;  
 Though one was wise, and one Goliath slew,  
*Kings are the choicest curse that man e'er knew!*<sup>62</sup>

<sup>60</sup> "Instructions to Delegates for Charlotte County, Virginia," Apr. 23, 1776, in *American Archives: Fourth Series*, 5: 1035.

<sup>61</sup> Benjamin Hichborn, "Oration Delivered at Boston, March 5, 1777," in *Principles and Acts of the Revolution in America*. . . ., ed. Hezekiah Niles (Baltimore, 1882), 27 (quotation). Also see Cosmopolitan, "Letter X," in *American Archives: Fourth Series*, 5: 1172. For further endorsements of Paine's argument in 1776, see for example *The People the Best Governors; or, A Plan of Government Founded on the Just Principles of Natural Freedom* (n.p., 1776); "Extract of a Letter from Philadelphia to a Gentleman in England," Mar. 12, 1776, in *American Archives: Fourth Series*, 5: 186–88; Samuel West, *A Sermon Preached Before the Honorable Council, and the Honourable House of Representatives, of the Colony of Massachusetts-Bay, in New-England. May 29th, 1776*. . . . (Boston, 1776); William Drayton, "Judge Drayton's Charge to the Grand Jury of Charleston, South-Carolina," Apr. 23, 1776, in *American Archives: Fourth Series*, 5: 1031; Salus Populi, "To the People of North-America on the Different Forms of Government," 1776, in *American Archives: Fourth Series*, 5: 180–83. Even John Adams seems to have been swept up momentarily in this discourse; see, for example, Adams to William Tudor, Feb. 27, 1777, in Taylor, Lint, and Walker, *Papers of John Adams*, 4: 94: "I hope We shall e'er long renounce some of our Monarchical Corruptions, and become Republicans in Principle in Sentiment, in feeling and in Practice. In Republican Governments the Majesty is all in the Laws. They only are to be adored." Also see Adams to Congress, July 23, 1780, *ibid.*, 10: 27; "The total and absolute suppression of the Tumults in London . . . has now given them [the Ministry] such Exultation and Confidence, that the People of America will dethrone the Congress and like the Israelites demand a King."

<sup>62</sup> Philip Freneau, "America Independent; And Her Everlasting Deliverance from British Tyranny and Oppression," in *Poems Written and Published During the American*

Joseph Huntington of Connecticut offered much the same account in *A Discourse, Adapted to the Present Day*. “The infinitely wise and good Being,” he begins, “has given us the sum and substance of the most perfect form of civil government in his word. . . . I mean that ancient plan of civil policy, delineated for the chosen tribes of Israel.” In that divinely authorized constitution, “we find no king, no despot, no emperor, no tyrant, no perpetual dictator allowed of.” Quite the contrary, the “tribes of Israel” had “by divine appointment a general congress,” (as Huntington later clarified, “I mean the Sanhedrim or seventy elders”) “with a president at their head; Moses was the first, Joshua succeeded him, so on till the days of Samuel, when the constitution was subverted.” Huntington insists that “here God has marked out that form of civil government which is agreeable to his own will.” Each people is free to adapt this basic structure to its own needs and requirements, “but thus much in general God has plainly taught us, viz. that no king, no monarch, no tyrant, or despot, ought ever to be admitted to rule over his people, or any people under heaven; and hence, when Israel rejected that glorious form of government, and would have a king to govern them, God expressly declares *they rejected him*.”<sup>63</sup>

John Murray of Newburyport, Massachusetts, returned to this theme in his sermon celebrating the Peace of Paris and the birth of the new United States in 1784. “Now hail thy Deliverer-God. Worship without fear of man,” he exhorts his audience. “This day, invite him to the crown of America—proclaim him King of the land.”<sup>64</sup> Such a coronation, Murray

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*Revolutionary War*. . . . (Philadelphia, 1809), 1: 241. See also Benjamin Rush, writing to John Adams while the latter was posted to the French court: “While you are *gazed* at for your American-manufactured principles, and *gazing* at the folly and pageantry of animals in the shape of men cringing at the feet of an animal called a king, I shall be secluded from the noise and corruption of the times”; Benjamin Rush to John Adams, Jan. 22, 1778, in L. H. Butterfield, ed., *Letters of Benjamin Rush* (Princeton, N.J., 1951), 1: 192.

<sup>63</sup> Joseph Huntington, *A Discourse, Adapted to the Present Day, on the Health and Happiness, or Misery and Ruin, of the Body Politic, In Similitude to that of the Natural Body* (Hartford, Conn., 1781), 8–11 (“The infinitely wise,” 8, “we find no king,” 8–9, “tribes of Israel,” 10, “but thus much,” 11). See also Samuel Cooper, *A Sermon preached Before His Excellency John Hancock, Esq. . . . October 25, 1780. Being the Day of the Commencement of the Constitution and Inauguration of the New Government* (Boston, 1780). For the Hebrew republic as a constitutional model in revolutionary America, see Eran Shalev, “‘A Perfect Republic’: The Mosaic Constitution in Revolutionary New England, 1775–1788,” *New England Quarterly* 82, no. 2 (June 2009): 235–63. See also Shalev, *American Zion*, 50–83.

<sup>64</sup> John Murray, *Jerubbaal; or, Tyranny’s grove Destroyed, and the Altar of Liberty Finished*. . . . December 11, 1783. *On the Occasion of the Public Thanksgiving for Peace*. . . . (Newburyport, 1784), 7 (quotation). This is a direct echo of Paine: “But where, says some, is the King of America? I’ll tell you. Friend, he reigns above, and doth not make havoc of mankind like the Royal Brute of Britain. Yet that we may not appear to be defective even in earthly honors, let a day be solemnly set apart for proclaiming the charter; let it be

goes on to explain, has been made possible by the extraordinary virtue and piety of the Americans and their leaders. In the Hebrew republic of old, as Paine had recounted, Gideon was invited to become king, but he recognized that “the reins of kingly authority become no other hands than those of the all-perfect Sovereign of the universe.” Only God “is fit to sit Monarch on a throne—before him only every knee should bow—at his feet should sceptered mortals cast their crowns—there should they lay them down—to resume and wear them no more for ever—and he who refuses this rightful homage to the only Supreme, deserves to be treated as a tyrant among men, and a rebel against God.” Why should Americans expect any less of their own greatest general? “Are not we the children of Israel too—a professing covenant-people, in a land peculiarly privileged with gospel-light?” Indeed we are, and though George Washington was never offered a crown—because, for Americans, “the idea of a human monarchy is too absurd in itself”—if he had been, he surely would have replied in ringing tones that “the *Lord* alone shall be king of *America*.”<sup>65</sup>

brought forth placed on the divine law, the word of God; let a crown be placed thereon, by which the world may know, that so far as we approve of monarchy, that in America The Law Is King. For as in absolute governments the King is law, so in free countries the law *ought* to be King; and there ought to be no other. But lest any ill use should afterwards arise, let the crown at the conclusion of the ceremony be demolished, and scattered among the people whose right it is”; Paine, *Common Sense*, 48–49.

<sup>65</sup> Murray, *Jerubbaal*, 21 (“the reins of kingly”), 32 (“Are not we”), 42 (“the idea of a human”), 44 (“the *Lord* alone”). This language continued to appear during the debates over ratification. See, for example, Camillus, [Philadelphia] *Pennsylvania Packet, and Daily Advertiser*, June 13, 1787 (orig. pub. in the [Boston] *Independent Chronicle*). The author attacks proponents of the new Constitution as those who “raved about monarchy, as if we were ripe for it; and as if we were willing to take from the plough-tail or dram shop, some vociferous committee-man, and to array him in royal purple, with all the splendor of a King of the Gypsies . . . our king, whenever Providence in its wrath shall send us one, will be a blockhead or a rascal” (note the use of Hosea). See Camillus, *Pennsylvania Packet*, June 13, 1787, [2]. Compare Mercy Otis Warren’s characterization of the Constitution’s opponents: “They deprecate discord and civil convulsions, but they are not yet generally prepared, with the ungrateful Israelites, to ask a King, nor are their spirits sufficiently broken to yield the best of their olive grounds to his servants, and to see their sons appointed to run before his chariots”; A Columbian Patriot [Warren], *Observations on the New Constitution, and on the Fæderal and State Conventions* (Boston, 1788), 17. See also Speeches by Robert Livingston and Melancthon Smith to the New York Ratifying Convention, in *The Debates in the Several State Conventions, on the Adoption of the Federal Constitution*, ed. Jonathan Elliot (Washington, D.C., 1836), 2: 210, 223–26; Agrippa, Letter 17, in *Essays on the Constitution of the United States, Published during Its Discussion by the People, 1787–1788*, ed. Paul Leicester Ford (New York, 1892), 111. See also Thomas Jefferson to James Madison, Mar. 15, 1789, in Julian P. Boyd, ed., *The Papers of Thomas Jefferson* (Princeton, N.J., 1958), 14: 661: “I know there are some among us who would now establish a monarchy. But they are inconsiderable in number and weight of character. The rising race are all republicans. We were educated in royalism: no wonder if some of us retain that idolatry still. Our young people are educated in republicanism. An apostasy from that to royalism is unprecedented and impossible.”

The document reproduced below thus bears witness to a fateful shift in the character of colonial political thought. Paine's *Common Sense* fueled an abrupt republican turn in 1776 by reintroducing into Anglophone political discourse a particular *kind* of republican theory: one grounded in the Hebraizing conviction that it is idolatrous to assign any human being the title and dignity of a king. This theory was both more and less radical than its neo-Roman rival: more radical, in that it denied the legitimacy of all monarchies, however limited; less radical, in that it left open the possibility of an extremely powerful chief magistrate, so long as he was not called king. Parker's letter to Lee represents a very early, sympathetic attempt to grapple with the implications of Paine's scriptural argument—one that plainly sought to leave some room in the case against monarchy for the neo-Roman preoccupation with discretionary power. But the force of Paine's distinctive new brand of antimonarchism proved difficult for contemporaries to resist. Lee himself, after all, seems to have detected no dissonance whatsoever between the two great political interventions that he was simultaneously considering during the week of April 27, 1776: Paine's Hebraizing demonstration that "monarchy is reprobated by the Almighty," as defended by his friend Richard Parker, and Adams's insistence that "there should be a third Branch [of the legislature] which for the Sake of preserving old Style and Titles, you may call a Governor whom I would invest with a Negative upon the other Branches of the Legislature and also with the whole Executive Power."<sup>66</sup> It was of course perfectly possible to be worried both about the idolatrous pretensions of royal dignity and about the enslaving effects of discretionary power.<sup>67</sup> But by so profoundly altering the focus of the debate, Paine and his many acolytes made it possible for Americans in the following decade to reconcile republicanism with prerogative.

<sup>66</sup> For "monarchy is reprobated," see Parker to Lee, Apr. 27, 1776, 1r. For "there should be," see Adams to William Hooper, Mar. 27, 1776, concerning the manuscript "Thoughts on Government," in Taylor, Lint, and Walker, *Papers of John Adams*, ser. 3, 4: 73–78 (quotation 4: 76). Adams interestingly distinguishes the negative voice from "most of those Badges of Domination call'd Prerogatives."

<sup>67</sup> On this view, the absence of discretionary power in any single person is a necessary but not sufficient condition of legitimate government in a free state. Paine himself rejected the king's "negative voice" on these grounds and remained a fierce opponent of prerogative power in the executive for the rest of his life. It is therefore deeply ironic that he himself inadvertently made it possible for Americans to reconceptualize republicanism in such a way as to render it compatible with prerogative. See Paine, *Common Sense*, 44–45.

*Richard Parker to Richard Henry Lee, April 27, 1776*<sup>68</sup>

[1r] Dear Sir

Since my last nothing very material has happened with us or at least I have heard very little news our papers never coming to hand altho Purdie<sup>69</sup> and the other printers have been expressly ordered to send them to Fredericksburg for our Rider. A Tender came last Week to Hobbs Hole and took a new England man loaded with grain & flower from the Warf, an Alarm was given and the Malitias of Essex and Richmond pursued them in Vessels they retook the prize and brought her back; the Tender escaped tho pursued with in three miles of Urbanna, Anegro<sup>70</sup> fellow belonging to Walker who was skipper of his boat was killed but no other damage done to our men. We have a Report which I believe to be true tho it may be improper to propagate it unless fully confirmed, That young Mr. Wormeley<sup>71</sup> is under close Confinement in Williamsburg he was taken in a tender going to Dunmore<sup>72</sup> Charles Neilson & John Grymes<sup>73</sup> were also taken in another Tender carrying provisions to that Monster If this news be true I doubt not they will meet with their deserts. Since I wrote the above piece of news it has been confirmed so that except that he has a guard over him (it may be depended upon) and not in close confinement.<sup>74</sup>

<sup>68</sup> I am grateful to Joshua Ehrlich for his assistance in transcribing the text. The letter is written on a single sheet of paper, 15 inches by approximately 9.25 inches, which has been folded in half. The paper is torn at the bottom, with the result that two lines of text have been almost completely lost on each of the first three pages (1r, 1v, 2r). Original spelling and orthography have been retained throughout. Parker's excisions from the text are recorded in the notes (to the extent that they are decipherable). Conjectures and editorial insertions are marked with brackets. All superscript has been brought down to the line. Richard Parker to Richard Henry Lee, Apr. 27, 1776, *Lee Family Papers*, MSS 38-112, box 6 (January–November 1776), Albert and Shirley Small Special Collections Library, University of Virginia, Charlottesville, Va.

<sup>69</sup> Alexander Purdie, publisher of the *Virginia Gazette* (one of three newspapers of that name).

<sup>70</sup> That is, "A negro."

<sup>71</sup> Ralph Wormeley Jr., a prominent Middlesex County loyalist. His letter to fellow loyalist John Randolph Grymes of Apr. 4, 1776 was intercepted and presented to Maj. Gen. Charles Lee, who ordered the detention of both men (as well as that of Charles Neilson, who was identified as a loyalist in the opening line of the letter). See Scribner and Tarter, *Revolutionary Virginia, The Road to Independence*, 6: 325–32.

<sup>72</sup> John Murray, fourth Earl Dunmore, royal governor of Virginia.

<sup>73</sup> Charles Neilson and John Randolph Grymes were both prominent Middlesex County loyalists. The following text is excised after "Grymes": ~~who married Wormeley's Sister.~~

<sup>74</sup> The parentheses have been added. The phrase within the parentheses appears between two lines in the manuscript. It is not clear where the author wanted it to be inserted.

I am astonished we hear nothing from Quebec<sup>75</sup> Our Success of it will be of the utmost Consequence to our Cause

I observe the Pennsylvania Papers are filled with the controversy about Independance and think the writers have rather left the Question What matters it to us at present whether Monarchy is reprobated by the Almighty or not, It will be time enough to consider what kind of Government is best suited for America when we have determined our selves independant; indeed every man who wishes to be free will be forming Opinions relative to the form of Government And those Opinions it would do well to communicate but the present contest between Cato & Cassandra<sup>76</sup> should be of the Expediency or Inexpediency of Independence However if you will give me leave I will shew you my Sentiments of Monarchical Government as established amongst the Jews My thoughts are not well connected as my Avocations so frequently take me off from the Subject that the chain is often broke

It . . . not be amiss for the [judgment] . . . this . . . [Iv] most abject Slavery not less content with it or in a greater State of Ignorance [nay] by no means so ignorant as numbers of our Slaves here, their whole history shews it; that they were Heathens no one will deny for what few religious rights they had were from the Egyptians of course they had no form of Government until they arrived in the Land of promise and it was left to them by their Lawgiver Moses They never gave themselves the trouble to reflect on the Nature of Government and it was sufficient for such a set of Wretches to obey the dictates of their Judges<sup>77</sup> especially as they believed every ordinance came from God<sup>78</sup> under what kind of Government they really did live in the time of the Judges it is extremely difficult to if not impossible to judge for as to calling it a Theocracy it is talking Nonsense because every State in the Universe is equally a Theocracy<sup>79</sup> Whoever

<sup>75</sup> The Continental army was laying siege to Quebec. The siege would be broken the following month.

<sup>76</sup> Parker's reference to the letters of "Cassandra" (James Cannon) is rather surprising, in that these did not attack the institution of monarchy per se. Unlike Paine, Cannon argued simply that America ought not to be governed by a British monarch. See "Cassandra to Cato," in *American Archives: Fourth Series*, 5: 41–43, 431–34, 921–26.

<sup>77</sup> Note that Parker's description of the rule of the Judges is quite different from Paine's. Parker describes the Israelites of that time as "Wretches" who obeyed the "dictates" of the Judges out of the (apparently) false belief that their commands "came from God"; he further states that it is impossible to determine "what kind of Government" this really was. On Paine's telling, in contrast, Israel under the Judges appears far more favorably as "a kind of Republic, administered by a judge and the elders of the tribes." Paine also writes that "the will of the Almighty" was indeed "declared by Gideon and the prophet Samuel"; Paine, *Common Sense*, 30.

<sup>78</sup> What their form

<sup>79</sup> Parker is here rejecting Josephus's celebrated analysis of the Israelite *politeia*. See Josephus, *Contra Apionem*, 2: 163–68.

believes in a particular Providence must acknowledge that the Events of States are governed by the Almighty and I am sure the Hand of God has been with us It is true as the Jews were in such a State of Ignorance as to be unable to make any Laws for themselves God did prescribe a Set of Laws for them such as would be sufficient for their Government; that his wise purposes in bringing abt. the Redemption of man by his Son Jesus Christ might be fully answered but he left the Execution of those laws to the people themselves. He was well acquainted with their Ignorance he knew them fond of the Customs of the Egyptians and that they would seek every opportunity to return to them and his laws were calculated to keep them separate from those as well as other Heathens those paid divine honors to their Kings and he as himself declares being a jealous God took every means to prevent them from falling into the same Error knowing that a person placed so far above the level of the people<sup>80</sup> would lead them to whatever he pleased He knew that all felicity would be at an end and their Slavery under a King would be as great as whilst they lived in Egypt. How then must the Almighty resent this demanding a Monarch to reign over them Had they have had . . . to have formed . . . Government. . . [2r] It was not particularly with Saul but with all their Kings Look through the whole catalogue of Kings (a very long one) and you will find few very few but what were a curse to them The much admired King David†<sup>81</sup> was as great a Curse to them as any other What constant Wars was he engaged in during his whole life and what a punishment did he bring on them for no appearance of a fault in them the Loss of three score and ten thousand men purely for his own disobedience of the Commands of God or his own pride or folly. Can it be thought that the Almighty would have been so unmerciful to his people if it had not have been to shew them the impropriety of having a King for whose Trespasses they were to suffer. God had expressly declared to them long before they asked a King that they would do it and that he would punish them<sup>82</sup> with the Kings they should set over them see the 28th Cap Deuteronomy to the 37th verse. Hosea in the 13th Chapter 11th verse says "I gave thee a King in mine Anger and took him away in my wrath"<sup>83</sup> In short god was displeased with their demanding a King and was determined they should suffer for his Crimes that they did suffer constantly for their Kings faults will be seen by any person who will give himself the trouble to read their History whilst governed by Kings.

<sup>80</sup> This phrasing seems to echo Paine's attack on "the exalting of one man so greatly above the rest"; Paine, *Common Sense*, 30.

<sup>81</sup> An annotation by a later hand was added at the bottom of this paragraph with an insertion marker placed here. The insertion reads "† The character of David is much misunderstood. He was indeed a sinner; but he was the humblest + sincerest of penitents."

<sup>82</sup> for the Offenses of their

<sup>83</sup> There is a sketch that resembles a small pointing hand in the left-hand margin of the letter. It is pointed at this quotation.

Cato thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it “When thou<sup>84</sup> art come into the land which the Lord thy God giveth thee, and shalt say I will set a King over me &c And then asks does not this smell strong of Monarchy and even of Hereditary Monarchy? I answer that God has expressly declared his displeasure with the Jews for asking a King; but he knew long before they did demand one that they would do it; and he only tells them if they should be so foolish as to do it what sort they should choose & declares how he ought to conduct himself<sup>85</sup> by which Conduct he should<sup>86</sup> obtain his favor; It was necessary for the purposes of the Almighty [mentioned] before that . . . subsist as a people a certain time . . . punish . . . [2v] their days in the Kingdom shall be prolonged. It is pity Cato has not the Candor to compare the Scriptures, a crime he accuses Common Sense of.<sup>87</sup> Cato gives a plain proof that he has a good deal of Priest craft, Is he not a scotch clergyman?<sup>88</sup> I should have proceeded a little farther but am just called off and indeed I fear you are fully tired with what I have wrote farewell & be assured I am with the greatest Esteem

Your most affectionate friend  
Richd. Parker  
April 27th 1776

It is to be observed that Hoshea the last King of Israel together with the whole people except Judah which was governed by other Kings was then in Captivity. The fate of Judah was prolonged a few years upon Acct. of the good Reign of Hezekiah But it was but a short time before that Kingdom was destroyed & the whole people Captives to the Babylonians Thus we see as God gave them a King in his Anger he now took him away in his Wrath and suffered his people to be punished<sup>89</sup> by reducing them to Slavery in a strange Land If Monarchy was not a Curse to the Jews, let Cato say.<sup>90</sup>

<sup>84</sup> shalt

<sup>85</sup> themselves

<sup>86</sup> shall

<sup>87</sup> “Cato” had written of Paine that “he has not the candour to compare Scripture with Scripture; nor does he give a single passage complete, and connected with the parts necessary to explain it,—a clear proof that other craft may be employed as well as King-craft and Priest-craft, in ‘withholding the Scripture from the people,’ even in Protestant countries”; Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 841.

<sup>88</sup> William Smith was born in Aberdeen, Scotland, and was an Episcopal priest.

<sup>89</sup> with

<sup>90</sup> A sketch of a small pointing hand has been placed in the left-hand margin next to the beginning of this paragraph.



no. 351

*Originals*

letters, addresses &c

official + private

R Parker

Jews<sup>91</sup>

<sup>91</sup> "Originals/letters, addresses &c/official + private/R Parker/Jews" appears sideways at the bottom of the final page, apparently in Lee's handwriting.

Parker's letter, reproduced at the end of this article, illuminates the depth and reach of the Hebraizing defense of republican government in 1776.

DESPITE PETER WHITNEY'S INSISTENCE that the "divine disapprobation of a form of government by kings" was one of the "new truths" that had only recently emerged from "the eagerness of controversy" in 1776, several of Paine's opponents recognized that the scriptural argument against monarchy featured in *Common Sense* was not in fact new.<sup>7</sup> In deploying it, they observed, Paine was reopening a long-dormant seventeenth-century debate. One of his English respondents noted that "his scripture politics are obsolete and superannuated in these countries by an hundred years."<sup>8</sup> Good whigs, according to a prominent American critic, "desired to leave Scripture out of the institution of modern Governments. It might be well for the author of *Common Sense* to follow the example in his future works, without stirring up an old dispute, of which our fathers were long since wearied." This "old dispute" concerning the divine acceptability of monarchy, the author continued, had animated the likes of Hugo Grotius and Algernon Sidney; it had concerned the proper interpretation of a crucial biblical text, Deuteronomy 17, and had sent seventeenth-century theorists in search of how "the *Jews* commonly understood this chapter."<sup>9</sup> A third critic likewise

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1742–1795, Jan. 1, 1770–Dec. 31, 1776, microfilm reel 2, A3 (Charlottesville, Va., 1966). Jack Rakove miraculously remembered that he had encountered this letter over thirty years ago and sent me looking for it. Without his initial suggestion, I would certainly never have found it. For the short précis of Parker's letter, see Robert L. Scribner and Brent Tarter, eds., *Revolutionary Virginia, The Road to Independence* (Richmond, Va., 1981), 6: 285. The letter has also been referenced without comment on two further occasions. See Pauline Maier, *From Resistance to Revolution: Colonial Radicals and the Development of American Opposition to Britain, 1765–1776* (New York, 1972), 292 n. 31; Albert H. Tillson Jr., *Accommodating Revolutions: Virginia's Northern Neck in an Era of Transformation, 1760–1810* (Charlottesville, Va., 2010), 367 n. 60. The first paragraph of the letter, which discusses recent naval activity, was excerpted in an 1858 publication, "Selections and Excerpts from the Lee Papers," *Southern Literary Messenger: Devoted to Every Department of Literature, and the Fine Arts* 27, no. 5 (November 1858): 324–32, esp. 326; and then again in William Bell Clark, ed., *Naval Documents of the American Revolution* (Washington, D.C., 1969), 4: 1288.

<sup>7</sup> Whitney, *American Independence Vindicated*, 45n (quotations).

<sup>8</sup> Sir Brooke Boothby, *Observations on the Appeal from the New to the Old Whigs, and on Mr. Paine's Rights of Man: In Two Parts* (London, 1792), 99. Boothby characterizes Paine's scriptural argument against monarchy as "such monstrous nonsense as might, for what I know, be suited to the fanatics of Boston, where witchcraft was in great vogue in the beginning of this century, but here will excite nothing but contempt." See *ibid.*, 99. After challenging Paine's reading of 1 Sam. 8, Boothby then adds that "in truth, such stuff is no otherwise worthy of notice, except to shew the low arts to which this mountebank has recourse, to adapt his drugs to people of all sorts. Provided he can *overturn*, he cares not whether it be by the hand of philosophy or superstition, and it is nothing to him which of the two possess themselves of the ruined edifice." See *ibid.*, 100.

<sup>9</sup> See Cato, "Letter 6," in *American Archives: Fourth Series*, 5: 843 ("desired to leave"), 841 ("commonly understood").

insisted on the seventeenth-century provenance of Paine's argument, dating it to "that period, to which the soul of our author yearns, the death of Charles I. England groaned under the most cruel tyranny of a government, truly military, neither existing by law, or the choice of the people, but erected by those who in *the name of the Lord*, committed crimes, till then unheard of." "We have from English history," the author explained, "sufficient proof, that saints of his disposition, tho' more eager to grasp at power than any other set of men, have a thousand times recited the same texts, by which he attempts to level all distinctions. Oliver Cromwell, the father of them, knew so well their aversion to the name of king, that he would never assume it, tho' he exercised a power despotic as the Persian Sophi."<sup>10</sup> But the most precise genealogy of Paine's argument in *Common Sense* comes to us from the man himself. Late in life, John Adams recalled a conversation that he had with Paine about the pamphlet in 1776: "I told him further, that his Reasoning from the Old Testament was ridiculous, and I could hardly think him sincere. At this he laughed, and said he had taken his Ideas in that part from John Milton: and then expressed a Contempt of the Old Testament and indeed of the Bible at large, which surprized me."<sup>11</sup>

However reluctant we might be to credit Adams's retrospective testimony about Paine's early religious views (the temptation to project Paine's later deism onto his younger self may well have proved irresistible), his claim about the Miltonic origins of Paine's scriptural argument against monarchy is worth taking seriously—not least because it is obviously correct. The section of *Common Sense* entitled "Of Monarchy and Hereditary Succession" is indeed a straightforward paraphrase of Milton's argument in the *Pro populo anglicano defensio* of 1651. In this text, Milton had turned to a radical tradition of rabbinic biblical commentary in order to explain why God became angry with the Israelites when they requested a king in 1 Samuel 8, despite his apparent acceptance of kingly government in Deuteronomy 17. Rejecting the traditional view that God had disapproved only of the *sort* of king that his people had requested, Milton argued instead that the Israelites had sinned in asking for a king *of any sort*, because monarchy per se is an instance of the sin of idolatry.<sup>12</sup> The wisest rabbis,

<sup>10</sup> *Reason: In Answer to a Pamphlet Entitled, Common Sense*, 20 ("that period, to which the soul"), 9 ("We have from English history").

<sup>11</sup> L. H. Butterfield, ed., *Diary and Autobiography of John Adams* (Cambridge, Mass., 1961), 3: 333 (quotation). A supporter of Paine likewise agreed that "in the celebrated writings of Thomas Paine, there is not a political maxim which is not to be found in the works of Sydney [*sic*], Harrington, Milton, and Buchanan"; see Henry Yorke, *These are the Times that Try Men's Souls! A Letter Addressed to John Frost, a Prisoner in Newgate* (London, 1793), 20.

<sup>12</sup> The crucial verses in Deuteronomy 17 read as follows (in the King James version): "When thou art come unto the land which the Lord thy God giveth thee, and

he explained, “deny that their forefathers ought to have acknowledged any king other than God, although one was given to them as a punishment. I follow the opinion of these rabbis.”<sup>13</sup> On Milton’s telling, “God indeed gives evidence throughout of his great displeasure at their [the Israelites’] request for a king—thus in [1 Sam. 8] verse 7: ‘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 wherewith they have forsaken me, and served other gods.’” “The meaning,” he continues, “is that it is a form of idolatry to ask for a king, who demands that he be worshipped and granted honors like those of a god.”<sup>14</sup> God accordingly punished the people by granting their sinful request: “I gave thee a king in mine anger and took him away in my wrath” (Hosea 13:11). The Israelites would endure great suffering under their kings, until at last they were led into captivity. In making this argument, Milton ushered in a new kind of republican political theory, which quickly became ubiquitous among defenders of the English commonwealth in the 1650s.<sup>15</sup>

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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.” See Deut. 17:14–15. This reading is drawn from the Midrash to Deuteronomy (*Devarim Rabbah*), which Milton knew through an intermediary source: Wilhelm Schickard, *Mishpat ha-Melekh, Jus Regium Hebraeorum* (1625). See Eric Nelson, *The Hebrew Republic: Jewish Sources and the Transformation of European Political Thought* (Cambridge, Mass., 2010), 35–44.

<sup>13</sup> “Ut omnes autem videant te nullo modo ex Hebraeorum scriptis id probare, quod probandum hoc capite suscepas, esse ex magistris tuâ sponte confiteris, qui negant alium suis majoribus regem agnoscendum fuisse prater Deum, datum autem in poenam fuisse. Quorum ego in sententiam pedibus eo.” See Milton, *Pro populo anglicano defensio* (London, 1651), 62 (quotation translated by author). See also Don M. Wolfe, ed., *Complete Prose Works of John Milton* (New Haven, Conn., 1966), 4: 1, 366.

<sup>14</sup> See Milton, *Pro populo anglicano defensio*, in Nelson, *Hebrew Republic*, 42–43 (“God indeed gives,” 42–43; “The meaning,” 43).

<sup>15</sup> See Nelson, *Hebrew Republic*, 23–56; Eric Nelson, “‘Talmudical Commonwealthmen’ and the Rise of Republican Exclusivism,” *Historical Journal* 50, no. 4 (December 2007): 809–35. My argument that Paine was reviving a seventeenth-century Hebraizing form of “exclusivist” republican theory has since been taken up by Nathan Perl-Rosenthal, who has applied it to the newspaper debate over *Common Sense*. I am deeply indebted to his essay. See Perl-Rosenthal, *WMQ* 66: 535–64. For Paine’s use of the Israelite example in his polemical writings, see also David Wootton, “Introduction: The Republican Tradition: From Commonwealth to Common Sense,” *Republicanism, Liberty, and Commercial Society, 1649–1776*, ed. Wootton (Stanford, Calif., 1994), esp. 26–41; Maria Teresa Pichetto, “La ‘Respublica Hebraeorum’ nella rivoluzione americana,” *Il pensiero politico* 35, no. 3 (2002): 481–500, esp. 497–500. A. Owen Aldridge’s skepticism about Paine’s claim to have taken his argument from Milton strikes me as unfounded, not least because he maintains (incorrectly) that Milton never composed a “complete version of the episode” (i.e., of “the appointing of a king over the Israelites”). See Aldridge, *Thomas Paine’s American Ideology* (Cranbury, N.J., 1984), 98. Winthrop D. Jordan, in contrast, finds the attribution entirely plausible. See Jordan, “Familial Politics: Thomas Paine and the Killing of the King, 1776,” *Journal of American History*

This Hebraizing doctrine was very different indeed from the heavily Roman theory of free states that had animated parliamentarians in the 1640s. For neo-Roman theorists, the great worry was *discretionary power*. A free man, they argued, must be *sui iuris*, governed by his own right. He must not be dependent on the will of another, which these writers took to mean (based on a freestanding set of claims about representation) that he must be governed only by laws made by a popular assembly, and not by the “arbitrary will” of a single person.<sup>16</sup> On this account, kingship is by no means a necessary institution (neo-Roman defenses of republican government were quite common throughout the early modern period), but it is an entirely permissible one, so long as the monarch is a pure “executive”—entrusted with the task of enforcing law, but invested with no prerogative powers by which he may *make* law (particularly the “negative voice”) or govern subjects without law.<sup>17</sup> For Hebraizing theorists such as Milton, who embraced what has been called an “exclusivist” commitment to republican government, the great worry was instead the *status of kingship*, not the particular powers traditionally wielded by kings (it is worth recalling that Milton himself was surprisingly amenable to government by “a single person” under the Protectorate).<sup>18</sup> In assigning a

60, no. 2 (September 1973): 294–308, esp. 302. See also Stephen Newman, “A Note on *Common Sense* and Christian Eschatology,” *Political Theory* 6, no. 1 (February 1978): 101–8.

<sup>16</sup> The classic account of this discourse remains Quentin Skinner, *Liberty before Liberalism* (Cambridge, 1998). See also Skinner, *Hobbes and Republican Liberty* (Cambridge, 2008); Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford, 1997).

<sup>17</sup> English republicans of the neo-Roman stripe argued simply that republics (understood here as kingless regimes) were preferable to monarchies, in that they minimized the danger of political dependence by preventing the accumulation of excessive power in individual men. These theorists worried that even a purely “executive” monarchy was likely in practice to degenerate into “arbitrary” rule—but they fully conceded the possibility, if not the robustness, of a monarchical “free state.” See, for example, “An Act for the Abolishing of the Kingly Office in England and Ireland, and the Dominions thereunto Belonging,” Mar. 17, 1648/9, in C. H. Firth and R. S. Rait, eds., *Acts and Ordinances of the Interregnum, 1642–1660*, ed. (London, 1911), 2: 18–20. For the Roman sources of this view, see, for example, Cicero, *De officiis*, 1:64–65; Sallust, *Bellum Catilinae*, 6–7; Tacitus, *Historiae*, 1: 1; Tacitus, *Annales*, 1: 1–3.

<sup>18</sup> See Blair Worden, *Literature and Politics in Cromwellian England: John Milton, Andrew Marvell, Marchamont Nedham* (Oxford, 2007), 256–88 (“single person,” 256). The phrase “single person” derives from the text of the “Act for the abolishing the Kingly Office,” cited above, and was famously used in the Declaration of Parliament of May 6, 1659, announcing the end of the Protectorate. In that text England was said to be a “Commonwealth . . . without a single Person, Kingship, or House of Peers.” See *Journal of the House of Commons* (London, 1813), 7: 644–46 (quotation, 7: 645). For a discussion of “republican exclusivism,” in addition to my own work cited above, see James Hankins, “Exclusivist Republicanism and the Non-Monarchical Republic,” *Political Theory* 38, no. 4 (August 2010): 452–82. For a second important seventeenth-century defense of republi-

human being the title and dignity of a king, they argued, we rebel against our heavenly King and bow down instead to an idol of flesh and blood. As John Cook put it in *Monarchy, No Creature of God's Making*, "whether the kings be good men or bad, I will punish the people sayes the Lord, so long as they have any kings; it is not a government of my ordination, kings are the peoples Idols, creatures of their own making."<sup>19</sup> We can put the contrast between these two positions as follows: the neo-Roman theory anathematized prerogative while remaining agnostic about kings; the Hebraizing exclusivist theory anathematized kings while remaining agnostic about prerogative.

In the aftermath of the Glorious Revolution, whigs emphatically rejected the Hebraizing view, as well as the biblical exegesis upon which it was based. They offered instead a straightforward neo-Roman reading of 1 Samuel 8, according to which the Israelites had sinned, not in asking for a king, but in asking for a king with sweeping prerogative powers. This whig reading was given its classic formulation in Roger Acherley's *The Britannic Constitution*. Acherley begins by addressing those seventeenth-century authors whose "Notions are Confined to the *Jewish* Oeconomy, As if the Mode of the Monarchical Government, and the Succession to the Crown, instituted in that One Single Nation, was to be the *Pattern* for all other Kingdoms, And that all other Institutions which differ from it, are *Unwarrantable*." "These writers," he reports, "have read the Nature and Manner of the *Original Constitution* of that Kingdom, which in the First Book of *Samuel* is Accurately Described" (that is, in 1 Samuel 8:11–19, where Samuel describes the abuses that will be committed by Israel's kings) and have concluded from it that monarchical government is inherently arbitrary. But this, Acherley insists, is to commit a grave error. The Israelites could have chosen the free and limited monarchy that God

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can exclusivism, see Algernon Sidney, *Court Maxims*, ed. Hans W. Blom, Eco Haitisma Mulier, and Ronald Janse (Cambridge, 1996), 65; Sidney, *Discourses Concerning Government*, ed. Thomas G. West (Indianapolis, Ind., 1996), 338.

<sup>19</sup> Cook, *Monarchy, No Creature of God's Making*, 93 (quotation). It is important to recognize that, like Milton before him (and Sidney after), Cook was not always consistent on this point. Just a few pages after his unqualified endorsement of the view that monarchy per se is idolatry, he writes instead that "it is not the name of a King but the boundlesse power which I argue against (though the Romans for the insolence of *Tarquin* would not endure the name) if any people shall place the Legislative power in Parliamentary authority and give unto one man the Title of King for their better correspondency with foraigne Kingdomes, with no more power to hurt the people, then the Duke of *Venice* or the Duke of *Genoa* have; such a government may be Iust and Rationall, but domination is a sweet morsel"; *ibid.*, 53. For a similar inconsistency in Milton's later pamphlets, see, for example, Wolfe, *Complete Prose* (New Haven, Conn., 1980), 7: 377–78. The point is not that these authors were always consistent, but, rather, that each of them formulated an extensive, detailed defense of the exclusivist position—one that eighteenth-century Americans would rediscover in 1776.

desired for them, but instead they “rejected God” by demanding arbitrary kings: “The State they were desiring to enter into, That appeared in this View, That if they would have a King like All the Nations (of which *Egypt* was one) Then they must be in the like Subjection and *Slavery*, as the People of those Nations were; which differed not from the *Bondage* that was *Egyptian*. Whereas if they had Desired a King to Protect and Defend their Liberties and Properties, the Request had been Commendable.” Samuel “was therefore Amaz’d at this People’s Importunity, not only to reject the Greatest Blessings God could Give, or they Enjoy, *viz Liberty and Property*, but to return again unto *Slavery*,” and he accordingly warned the Israelites “that the Power of such a King as they Desired, *viz Of a King like all the Nations about them*, would be *Arbitrary*, And that the Liberty of their Persons, and the Property of their Estates, would necessarily fall under his Absolute Will and Disposal, after the Manner they had formerly been in *Egypt* . . . such a King would have in him the whole *Legislative and Judicial Power*, and that his *Arbitrary Will and Pleasure* would be the *Law or Measure* by which his Government would be Administered.” For Acherley, the Israelites had sinned in asking for a monarch who would combine executive, legislative, and judicial power—one who would govern by his “Arbitrary Will and Pleasure.”<sup>20</sup> Once again, it was discretionary power, not the kingly office or title, that God was said to despise.

To the extent that British North Americans discussed biblical monarchy at all during the first twelve years of the imperial crisis, it was simply to affirm this traditional understanding. God permitted each people to choose its form of government, and he had no objection whatsoever to the institution of limited monarchy. All participants in the pamphlet wars leading up to the Revolution could endorse this formulation (although it must be stressed that pamphlets of the 1760s and early 1770s tended to ignore scripture altogether).<sup>21</sup> Indeed, as the crisis escalated in 1775, even the very small number of colonial writers and ministers who began to offer a republican reading of 1 Samuel 8 did so while continuing to insist upon the legitimacy and divine permissibility of monarchy. They followed their

<sup>20</sup> See Roger Acherley, *The Britannic Constitution; or, The Fundamental Form of Government in Britain*. . . . (London, 1727), 6 (“These writers”), 7 (“that the Power of such”), 9 (“Arbitrary Will and Pleasure”). For an earlier statement, see *The Judgment of Whole Kingdoms and Nations, Concerning the Rights, Power, and Prerogative of Kings, and the Rights, Priviledges, and Properties of the People*. . . ., 6th ed. (London, 1710), esp. 28–41.

<sup>21</sup> Even those patriots of the early 1770s who defended an expansive conception of the royal prerogative could accept the whig understanding of 1 Sam. 8. They were claiming, after all, that the ancient prerogatives of the crown were fully “legal” and did not threaten enslavement to anyone’s “arbitrary will.” See Eric Nelson, “Patriot Royalism: The Stuart Monarchy in American Political Thought, 1769–75,” *WMQ* 68, no. 4 (October 2011): 533–72.

parliamentarian predecessors in arguing simply that republican government would offer the best protection against arbitrary, discretionary power—that it would rescue them once and for all from the dangers of encroaching prerogative. Their writings from this twelve-month period therefore provide a fascinating glimpse of a road not taken, of what the republican turn might have looked like had Paine not published his pamphlet.

In his *Short Essay on Civil Government*, the Connecticut minister Dan Foster offered the incendiary argument that “England was never more happy before, nor much more since, than after the head of the first [*sic*] Stuart was severed from his body, and while it was under the protectorship of Oliver Cromwell.” Yet, for all of its radicalism, his defense of the English republic resolutely shunned exclusivism. “A people,” he insisted, have an “inherent right to appoint and constitute a king supreme and all subordinate civil officers and rulers over them, for their civil good, liberty, protection, peace and safety.” Foster accepted the Roman conceit that men are born “*sui iuris*”—independent of the will of others—and that it is contrary to reason for them to surrender their liberty when establishing civil society. Those who designed England’s “ancient constitution” had understood this perfectly: “Caesar and Tacitus describe the antient Britons to have been a fierce people; zealous of liberty: a free people; not like the Gauls, governed by laws made by great men; but by the people.” These ancient free men, like their German forebears, had preferred political regimes in which “the people had the principle authority.” Yet, notwithstanding this fact, “they often elected a Prince or a King; sometimes a General whom we call Duke, from the Latin word *Dux*. But the power of these chiefs descended entirely on the community, or people; so that it was always a mixed democracy. In other parts . . . the King’s [*sic*] reigned with more power; yet not to the detriment of liberty; their royalty was limited by laws and the reason of things.” The chief requirement of good government is the preservation of liberty, which in turn requires the absence of arbitrary, discretionary power in the chief magistrate. For this reason, Foster insists on the total elimination of the royal prerogative: war, peace, and trade must all be governed by the “consenting voice and suffrage of the people personally, or by representation,” and a king ought to be deposed immediately if he “will not give the royal assent to bills which have passed the states, or parliament.”<sup>22</sup>

<sup>22</sup> Dan Foster, *A Short Essay on Civil Government, The Substance of Six Sermons, Preached in Windsor, Second Society, October 1774* (Hartford, Conn., 1775), 71 (“England was never”), 14 (“A people”), 16 (“*sui iuris*”), 23 (“ancient constitution”), 24 (“the people had the principle”), 50 (“consenting voice”), 70 (“will not give”). This last argument was a favorite of parliamentarian writers in the 1640s. They focused on the wording of the coronation oath sworn by Edward II (and allegedly sworn by Charles I), in which the king promised “corroborare justas leges et consuetudines quas vulgus eligerit.” If



So long as these conditions are met, Foster is prepared to acknowledge the legitimacy (if not the desirability) of monarchy, and he grounds his view in a striking reading of 1 Samuel 8:

And now they [the Israelites] manifest their desire of a King, one who should rule according to right and equity; and pray his assistance to constitute and set one over them, to judge, rule and govern them, as was customary in all other nations.

Samuel intimates his displeasure at their request of a King; fearing they did not pay that respect to Jehovah which they ought; and from the lord he shews them the manner of the King who should reign over them; how he would conduct with them, their families and inheritances, and what would be the maxims of that government which he would exercise over the people, in the course of his reign. Notwithstanding all this, the people persisted in their request of a King, and still continued their petition. And though perhaps the circumstances attending Israel's request at this time, and their obstinacy in it, after the prophets remonstrances against it, were not to be commended, the Lord so far overlooked this, that he commanded Samuel to hearken to, and gratify the people, by accomplishing their desire in constituting a King to rule and govern them.<sup>23</sup>

On Foster's interpretation, the Israelites had asked for the right sort of king after all: one who would "rule according to right and equity." What they failed to appreciate is that, in practice, monarchs tend to become tyrannical: "the maxims of that government which [Saul] would exercise over the people" were, Samuel realized, to be very different indeed from the ones endorsed by the people themselves when they asked for a king. It would therefore have been far better for them to retain their republican constitution, the safest possible bulwark against enslavement.<sup>24</sup>

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one (mis)construed the final verb to express the future perfect indicative, rather than the perfect subjunctive tense, it seemed to commit the monarch to give his assent to any laws that "the people shall choose"—meaning that, although all bills formally had to receive the assent of the sovereign in order to become law, the king was in fact required to give his assent to all bills chosen by the people (which is to say, enacted by the House of Commons). There was thus no true negative voice. See, for example, Henry Parker, *Observations upon Some of His Majesties Late Answers and Expresses* (London, 1642), 5; William Prynne, *The Sovereign Power of Parliaments and Kingdomes. . . .* (London, 1643), 65–68. For the Latin text of the oath, see Conal Condren, *Argument and Authority in Early Modern England: The Presupposition of Oaths and Offices* (Cambridge, 2006), 254–68.

<sup>23</sup> Foster, *A Short Essay*, 4.

<sup>24</sup> See also the essay reprinted from the *London Evening Post*, June 30, 1774, in the [New-London] *Connecticut Gazette, and the Universal Intelligencer*, Oct. 7, 1774, [1]:

Nonetheless, God acceded to their request because he regarded it as perfectly permissible for a people to institute monarchy.

Harvard College's president, Samuel Langdon, offered more or less the same view in a 1775 sermon, *Government Corrupted by Vice*. "The Jewish government," he observed, "according to the original constitution which was divinely established, if considered merely in a civil view, was a perfect Republic," and "the civil Polity of Israel is doubtless an excellent general model, allowing for some peculiarities; at least some principal laws and orders of it may be copied, to great advantage, in more modern establishments."<sup>25</sup> Indeed, in one extraordinary passage, Langdon came quite close to endorsing the Miltonic position: "And let them who cry up *the divine right of Kings* consider, that the only form of government which had a proper claim to a divine establishment was so far from including the idea of a King, that it was a high crime for Israel to ask to be in this respect like other nations; and when they were gratified, it was rather as a just punishment of their folly . . . than as a divine recommendation of kingly authority."<sup>26</sup> Yet Langdon insisted at the same time that "every nation, when able and agreed, has a right to set up over themselves any form of government which to them may appear most conducive to their common welfare." Monarchy remains perfectly permissible, so long as one guards against "the many artifices to stretch the prerogatives of the crown beyond all constitutional bounds, and make the king an absolute monarch, while the people are deluded with a mere phantom of liberty."<sup>27</sup> While it may have been seditious for the Israelites to ask for a human king (because they lived under a republican constitution established for them by God), it was no sin for anyone else to do so. The Salem, Massachusetts, minister Samuel Williams agreed in his own 1775 sermon, *A Discourse on*

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"Power long entrusted either to single persons, or to bodies of men, generally increases itself so greatly as to become subversive of the intentions, and dangerous to the rights of those who delegated it. Kings are but men, are subject to all the passions and frailties of human nature, and consequently are too prompt to grasp at arbitrary power, and to wish to make all things bend and submit to their will & pleasure."

<sup>25</sup> Samuel Langdon, *Government Corrupted by Vice, and Recovered by Righteousness*. . . . (Watertown, Mass., 1775), 11–12 ("The Jewish government," 11, "the civil Polity," 12). For a discussion of Langdon's sermon in the context of a broader turn toward the model of the "Jewish republic" among New England ministers, see Harry S. Stout, *The New England Soul: Preaching and Religious Culture in Colonial New England* (1986; repr., Oxford, 2012), 301–5.

<sup>26</sup> Langdon, *Government Corrupted by Vice*, 12. Langdon's argument is in fact subtly, but importantly, different from Milton's: he is claiming that the Israelites sinned in asking for a king because kingship was not part of the divinely constituted government under which they lived—not because it is inherently sinful for a people to institute monarchy. The Israelite sin was therefore that of sedition. This view draws on a tradition of exegesis originating with Josephus. See Josephus, *Contra Apionem*, 2: 163–68.

<sup>27</sup> Langdon, *Government Corrupted by Vice*, 16.

*the Love of Our Country*, declaring that “infinite wisdom had seen fit to put that people [Israel] under a more excellent form of government, than any nation has ever had. God himself was their King. And they might have been long happy under a government, in which, the Ruler of the world condescended himself to execute the office of Chief-Magistrate. But such was their impiety and folly, that in many instances they greatly abused and perverted the privileges they were favoured with.”<sup>28</sup> As a result, they soon found themselves in Babylonian exile, under “the arbitrary will of a proud, cruel, despotic monarch.”<sup>29</sup> For Williams, republican government may well be the most “excellent” known to man, but monarchy remains permissible so long as it is not “arbitrary” and “despotic.”<sup>30</sup>

Seen in the context of these discussions, Paine’s *Common Sense* emerges as a transformative intervention. Rejecting over a century of whig biblical exegesis, Paine unambiguously returned in January 1776 to Milton and the Hebraic exclusivists of the 1650s. His argument in the section “Of Monarchy and Hereditary Succession” reads as follows:

Government by kings was first introduced into the world by the Heathens, from whom the children of Israel copied the custom. It was the most prosperous invention the Devil ever set on foot for the promotion of idolatry. The Heathens paid divine honors to their deceased kings, and the Christian world hath improved on the plan by doing the same to their living ones. How impious is the title of sacred majesty applied to a worm, who in the midst of his splendor is crumbling into dust!

As the exalting one man so greatly above the rest cannot be justified on the equal rights of nature, so neither can it be

<sup>28</sup> Samuel Williams, *A Discourse on the Love of Our Country; Delivered on a Day of Thanksgiving, December 15, 1774* (Salem, Mass., 1775), 5–6 (quotation, 6). This reading was drawn from Josephus, *Contra Apionem*, 2: 163–68. See Josephus, *The Life. Against Apion*, ed. and trans. H. St. J. Thackeray (Cambridge, Mass., 1926). For an important endorsement, see Theodore Beza, *De iure magistratum* (1574), in Julian Franklin, ed., *Constitutionalism and Resistance in the Sixteenth Century: Three Treatises by Hotman, Beza, and Mornay* (New York, 1969), 116.

<sup>29</sup> Williams, *Discourse on the Love*, 6.

<sup>30</sup> See also “The Monitor, No. XII,” *New York Journal; or, The General Advertiser*, Jan. 25, 1776, [1]. The author goes so far as to attribute to loyalists “an idolatrous veneration for the king and parliament, more especially for the former,” and laments that “the imaginations of men are exceedingly prone to deify and worship them [i.e., kings]; though, to the great misfortune of mankind, they are more commonly fiends, than angels.” But he immediately adds that, notwithstanding all of this, “it is noble and generous to love, to admire a virtuous prince.” See also “An Oration on Arbitrary Power, delivered by one of the Candidates for a second degree at the late Commencement held at Princeton, in New-Jersey, September 27, 1775,” *Connecticut Gazette; and the Universal Intelligencer*, Dec. 22, 1775, [1].

defended on the authority of scripture; for the will of the Almighty as declared by Gideon, and the prophet Samuel, expressly disapproves of government by kings. . . .

Near three thousand years passed away, from the Mosaic account of the creation, till the Jews under a national delusion requested a king. Till then their form of government (except in extraordinary cases, where the Almighty interposed) was a kind of republic administered by a judge and the elders of the tribes. Kings they had none, and it was held sinful to acknowledge any being under that title but the Lord of Hosts. And when a man seriously reflects on the idolatrous homage which is paid to the persons of kings, he need not wonder that the Almighty, ever jealous of his honor, should disapprove a form of government which so impiously invades the prerogative of heaven.<sup>31</sup>

For Paine, as for Milton before him, the Israelites sinned in asking for a king per se: “monarchy is ranked in scripture as one of the sins of the Jews, for which a curse in reserve is denounced against them.” “These portions of scripture,” he announces, “are direct and positive. They admit of no equivocal construction.” The issue was not the sort of king for which the Israelites asked—an arbitrary king whose prerogatives would enslave them—or that they asked for one despite being under God’s unique, providential government at the time. On the contrary, they sinned because it is inherently idolatrous to assign any human being the title and status of king. “The Almighty,” on Paine’s account, “hath here entered his protest against monarchical government,” and when the Israelites later entreated Gideon to become their king, the judge and prophet “denieth their right” to establish a monarchy and accordingly “charges them with disaffection to their proper Sovereign, the King of Heaven.”<sup>32</sup>

<sup>31</sup> Thomas Paine, *Common Sense, the Rights of Man, and other Essential Writings of Thomas Paine* (New York, 1984), 29–32. Paine explicitly glosses 1 Sam. 8 in the Miltonic manner on page 31. Important discussions of Paine and his pamphlet include Jordan, *Journal of American History*, 60; Bernard Bailyn, “The Most Uncommon Pamphlet of the American Revolution: *Common Sense*,” *Magazine of History* 25, no. 1 (December 1973): 36–41; Eric Foner, *Tom Paine and Revolutionary America* (New York, 1976); Aldridge, *Thomas Paine’s American Ideology*; Jack Fruchtman Jr., *Thomas Paine and the Religion of Nature* (Baltimore, 1993); Fruchtman, *Thomas Paine: Apostle of Freedom* (New York, 1994); Edward Larkin, *Thomas Paine and the Literature of Revolution* (Cambridge, 2005); Nichole Eustace, *Passion Is the Gale: Emotion, Power, and the Coming of the American Revolution* (Chapel Hill, N.C., 2008); Fruchtman, *The Political Philosophy of Thomas Paine* (Baltimore, 2009). As Perl-Rosenthal points out in his important essay, none of these sources addresses the Hebraic origins of Paine’s argument.

<sup>32</sup> Paine, *Common Sense*, 30–32 (“monarchy is ranked,” 30, “These portions of scripture,” 32, “denieth their right,” 30–31). Paine’s discussion of the Gideon episode likewise follows Milton; Wolfe, *Complete Prose*, 4: 1, 370. For an antecedent to Paine, see A Republican, “For the Massachusetts Spy. . . .” [Boston] *Massachusetts Spy*, Apr. 8,

Paine's opponents (not all of them loyalists) fully recognized the radicalism of this position, as well as its tendency to shift the focus of conversation away from potentially enslaving kingly *powers* and toward the alleged evils of the very *title* of king. Two critics in particular, Charles Inglis ("An American") and the Reverend William Smith ("Cato"), answered him at length on this issue in the Pennsylvania newspapers in the early months of 1776, and their responses have recently been the subject of an article in this journal by Nathan Perl-Rosenthal.<sup>33</sup>

Other readers, however, were far more receptive to Paine's use of scripture, among them Richard Parker. Parker was Lee's neighbor in Westmoreland County and often served as his trusted agent in both financial and political matters. Originally employed as king's attorney, he joined the patriot movement quite early on. In 1766, Lee deputized Parker to arrange the meeting that enacted the Leedstown Resolutions (Parker also chaired the meeting and signed the document), and Parker likewise became a member of the county's Committee of Safety in 1775–76. It was also Parker who implemented Lee's scheme of extracting rents from his numerous tenants in tobacco rather than paper money—thus precipitating a scandal that Lee's opponents would use to have him removed from Congress in 1777 (he was accused of contributing to the depreciation of Virginia's currency).<sup>34</sup> Parker was eventually appointed a judge of the General Court in 1788 and, later, of the first Court of Appeals. His letter to Lee about biblical monarchy, dated April 27, arrived at a time when Lee was actively soliciting opinions from his friends on the future constitutional form of the American colonies. John Adams, for one, had sent Lee a sketch

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1773. The author acknowledges the legitimacy of limited kingly government (in this he is unlike Paine), but nonetheless cites Milton in attacking the "trappings of monarchy" and claims that "every man of sense and independency must give the preference to a well constructed Republic." He continues as follows: "I am not peculiar in my notion of Kings or monarchical governments; besides all the antients who adjudged them tyrants; besides the Jewish people whom God, in his wrath plagued with a vengeance by giving them a King; besides these, moderns innumerable are on my side" (quotations, [1]).

<sup>33</sup> It is important to recognize, however, that some continued to defend the more orthodox position of Foster, Langdon, and Williams even after 1776. See, for example, James Dana, *A Sermon, Preached before the General Assembly of the State of Connecticut, at Hartford, on the Day of the Anniversary Election, May 13, 1779* (Hartford, Conn., 1779), esp. 15–18. For Inglis and Smith, see Perl-Rosenthal, *WMQ* 66: 535–64.

<sup>34</sup> For Parker's friendship with Lee, see, e.g., James Curtis Ballagh, ed., *The Letters of Richard Henry Lee* (New York, 1911), 1: 32–34, 42, 127, 297 n. 1, 299; John Carter Matthews and Sarah deGraffenried Robertson, eds., "The Leedstown Resolutions," *Northern Neck of Virginia Historical Magazine* 16, no. 1 (December 1966): 1491–506; Jack P. Greene, ed., *The Diary of Colonel Landon Carter of Sabine Hall, 1752–1778* (Richmond, Va., 1987), 2: 1006–7. For the rent extraction scandal, see Paul Chadwick Bowers, "Richard Henry Lee and the Continental Congress: 1774–1779" (Ph.D. diss., Duke University, 1964), 223–46.

of what later became his *Thoughts on Government* in November 1775, which Lee subsequently arranged to have published in both New York and Virginia—he “insisted upon it So much,” Adams reported to Francis Dana, “that it could not be decently refused.”<sup>35</sup> (Lee also composed his own “hand bill,” advancing a position very much like Adams’s, in the early months of 1776).<sup>36</sup> His letter to Patrick Henry of April 20, extolling Adams’s work and enclosing a copy of the published pamphlet, was written just before he would have received Parker’s letter (no reply from Lee appears to have survived).<sup>37</sup>

Lee, like Adams, utterly rejected Paine’s unicameralism, but he was otherwise known to be an enthusiastic acolyte; fellow Virginian Landon Carter described him as “a prodigious Admirer, if not partly a writer in the Pamphlet *Common Sense*.”<sup>38</sup> Parker evidently shared Lee’s admiration for the pamphlet and wrote to his friend to offer an account of the newspaper debate that Paine’s arguments had provoked. After providing a short description of recent naval activity off the Virginia coast, as well as an account of the detention of three prominent loyalists, Parker turned to the subject at hand: “I observe the Pennsylvania [*sic*] Papers are filled with the controversy about Independance and think the writers have rather left the Question What matters it to us at present whether Monarchy is reprobated by the Almighty or not.” In other words, Parker was observing that, while the controversy may have begun as a debate about “the Expediency or Inexpediency of Independance”—that is, about whether George III had irreparably forfeited the allegiance of his American subjects—it had quickly turned into a scriptural debate over the theological permissibility of monarchy itself. As Parker went on to explain, Paine had written extensively about “Monarchical Government as established amongst the Jews” and had argued that “god was displeased with their demanding a King and was

<sup>35</sup> John Adams to Francis Dana, Aug. 16, 1776, in Robert J. Taylor, Gregg L. Lint, and Celeste Walker, eds., *Papers of John Adams*, ser. 3 (Cambridge, Mass., 1979), 4: 466.

<sup>36</sup> John E. Selby, “Richard Henry Lee, John Adams, and the Virginia Constitution of 1776,” *Virginia Magazine of History and Biography* 84, no. 4 (October 1976): 387–400.

<sup>37</sup> Richard Henry Lee to Patrick Henry, Apr. 20, 1776, in Ballagh, *Letters of Richard Henry Lee*, 1: 179–80. See also Butterfield, *Diary and Autobiography of John Adams*, 3: 333; Bowers, “Richard Henry Lee and the Continental Congress: 1774–1779,” 168–73; Oliver Perry Chitwood, *Richard Henry Lee: Statesman of the Revolution* (Morgantown, W.Va., 1967), 94–95; John Adams to Richard Henry Lee, Nov. 15, 1775, in Taylor, Lint, and Walker, *Papers of John Adams*, 3: 307–8.

<sup>38</sup> Greene, *Diary of Colonel Landon Carter of Sabine Hall*, 2: 1007, 1049–50. Lee himself appears to have been thinking about the analogy between monarchy and idolatry as early as November 1775. In a letter to Catharine Macaulay, he wrote that “as a good *Christian* properly attached to your native Country, I am sure you must be pleased to hear, that North America is not fallen, nor likely to fall down before the *Images* that the King hath set up”; Lee to Macaulay, Nov. 29, 1775, in Ballagh, *Letters of Richard Henry Lee*, 1: 160.

determined they should suffer for his Crimes.”<sup>39</sup> In contrast, “Cato [the Reverend William Smith of Philadelphia] thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it.”<sup>40</sup>

This characterization of Cato’s argument is perfectly accurate. Smith regarded it as self-evident that Paine had “pervert[ed] the Scripture” in claiming that “monarchy . . . (meaning, probably, the institution of Monarchy,) ‘is ranked in Scripture as one of the sins of the *Jews*, for which a curse in reserve is denounced against them.’” But he recognized that, in “a country in which (*God* be thanked) the Scriptures are read, and regarded with that reverence which is due to a revelation from Heaven,” the argument of *Common Sense* could not safely be ignored. Smith therefore resolved “to rescue out of our author’s hands that portion of the sacred history which he has converted into a libel against the civil Constitution of *Great Britain*; and show in what sense the passage has been universally received, as well by the *Jews* themselves as by commentators, venerable for their piety and learning, in every Christian country.” He begins by reminding his readers that “the *Jews* were long privileged with a peculiar form of Government, called a Theocracy, under which the ‘Almighty either stirred up some person, by an immediate signification of his will, to be their Judge, or, when there was none, ruled their proceedings himself, by Urim and Thummim.’” When the Israelites requested a human king, they sinned first and foremost in “rejecting the divine Government” under which they had prospered. But they sinned further in desiring “a King to judge them like all the nations,” since “all the nations which they knew, were ruled by Kings, whose arbitrary will stood in the place of law; and it appears also that the *Jews*, since the day that they were brought out of *Egypt*, had still retained a particular hankering after the customs of that country.” God therefore “not only signifies his displeasure against all such arbitrary rulers, but against every people who would impiously and foolishly prefer such a Government to one immediately under himself, where, in his providence, he might think fit to appoint such an one.”<sup>41</sup>

Yet Paine had dared to argue that “the Almighty hath here entered his protest against Monarchical Government.” First, Smith answers that “the Almighty would have as strongly expressed his displeasure against the *Jews*, had they rejected his Government for one of their own appointment, whether it had been monarchical or democratical—to be administered

<sup>39</sup> Parker to Lee, Apr. 27, 1776, 1r (“I observe”), 2r (“god was displeased”).

<sup>40</sup> Parker to Lee, Apr. 27, 1776, 2r (quotation). See Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 839.

<sup>41</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 839–40 (“pervert[ed] the Scripture,” 5: 839, “the *Jews* were long,” 5: 840). Cato’s letters were reprinted in Connecticut, Virginia, and New York, among other places. See Perl-Rosenthal, *WMQ* 66: 557.

by one man or a thousand men.” But Paine errs most spectacularly in assuming that, when Samuel described the horrors that would be perpetrated by Israelite kings (1 Samuel 8:11–18), the prophet meant to “extend his protest against all future Monarchical Governments, such as were to subsist some thousands of years afterward, however limited and mixed, particularly that of *Great Britain*, (which must certainly be our author’s meaning, or he proves nothing to his purpose;).” This, for Smith, is patently absurd: citing “[Roger] Acherley, in his *Britannick Constitutions*,” he insists that “the particular case of the *Jews* cannot be applied to any other nation in this instance, as none else were ever in similar circumstances.”<sup>42</sup>

In order to buttress this conclusion, he turns to the Hebrew text itself, as well as to the tradition of Jewish commentary upon it. First comes “the celebrated *Grotius*,” who “tells us that *Samuel*, in this passage, does not speak of what our author calls the ‘general manner of Kings,’ or the just and honest right of a King to do such things; because his right is otherwise described elsewhere, as shall be shown. The prophet only speaks of such a right as the Kings round about *Israel* had acquired, which was not a true, right; for such is not the signification of the original word *Mishpat*; but such an action as (being founded in might and violence) hath the *effectum juris*, or comes in the place of right.” Grotius, along with Sidney (who is here transfigured into a respectable whig), is then said to be “well warranted in this interpretation, not only by the *Hebrew* text, but other clear passages of Scripture, and particularly the seventeenth chapter of *Deuteronomy*, where, with the approbation of Heaven, the duty of a good King is described and limited.” Smith proceeds to summarize the rabbinic debate over this passage, as it had inflected the seventeenth-century controversy over monarchy:

The *Jews* commonly understood this chapter as containing an absolute promise from Heaven of a Royal Government, and a sufficient authority for the request made to *Samuel* more than three hundred years afterwards. Others understood it conditionally,—that if they did reject the Divine Government,

<sup>42</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 840 (quotations). Paine directly answered Cato’s claim that Samuel had not meant to “extend his protest” to monarchy as such in his third “Forester” letter (Letter 3), also printed in the *Pennsylvania Gazette*, Apr. 24, 1776: “The Scripture institutes no particular form of Government, but it enters a protest against the Monarchal form; and a negation on one thing, where two only are offered, and one must be chosen, amounts to an affirmative on the other. Monarchal Government was first set up by the Heathens, and the Almighty permitted it to the *Jews* as a punishment. ‘I gave them a King in mine anger.’—Hosea xiii, 11.” “Letter 3—To Cato,” in *American Archives: Fourth Series*, 5: 1018. Smith’s citation of the *Britannick Constitution* refers to Acherley, *The Britannick Constitution*, 6–9.



and set up one of their own appointment, *God* would permit them; but their King should be chosen in the manner, and with the qualifications in that chapter described. All this, however, they disregarded when they asked an arbitrary King, like those of their neighbouring nations; and therefore, it is demonstratively certain that *Samuel*, in entering his protest against such Kings, did not protest against Kings or Monarchical Governments generally. Either this remark is true, or one part of Scripture is a direct contradiction to the other.<sup>43</sup>

The rabbis of the Talmud (here simply “the *Jews*”), unlike the rabbis cited by Milton, had derived from Deuteronomy 17 an “absolute promise” of monarchy—that is, an affirmative commandment to ask for a king.<sup>44</sup> Others, on Smith’s account, had construed the text to embody a permission to establish a virtuous and lawful monarchy. Both readings converged in insisting that the Israelites had sinned only in asking for the wrong sort of king. Smith conveniently neglects to mention that another group of rabbis, along with their seventeenth-century expositors, had taken precisely Paine’s view of the matter.

For Smith, as for the rest of Paine’s critics in 1776, the Hebraizing argument of *Common Sense* was most dangerous because it encouraged colonial readers to become anxious about precisely the wrong things—to pursue shadow over substance. So long as their chief magistrate was not called king, they would feel that the appropriate political principles had been satisfied fully; they would not fret at all about the sweeping prerogative powers that their suitably re-christened governors might come to wield. Tyrannical wolves would masquerade as republican sheep. “The popular leaders who overturned the Monarchy in the last age,” Smith reminds his readers, “were not themselves friends to Republicks. They only

<sup>43</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 841 (quotations). See Hugo Grotius, *Hugonis Grotii Annotationes in Vetus Testamentum*, ed. Georg Johann Ludwig Vogel (Halle, Germany, 1775), 1: 215; Hugo Grotius, *Hugonis Grotii De iure belli ac pacis libri tres* (Amsterdam, 1650), 1: 4.7.

<sup>44</sup> Babylonian Talmud: Sanhedrin 20b. The majority opinion in the Talmud, attributed to Rabbi Yehudah, reads as follows: “there were three commandments that Israel were obligated to fulfill once they had entered the land: appointing a king, exterminating the offspring of Amalek, and building the temple.” Isidore Epstein and Maurice Simon, eds., *Soncino Hebrew-English Edition of the Babylonian Talmud*, 30 vols. (London, 1994). This reading became ubiquitous among Protestant defenders of monarchy. Claude de Saumaise (Salmasius), for example, simply reproduced the Talmudic gloss in his *Defensio regia* (1649): “Tradunt Iudaeorum magistri, tria injuncta fuisse Israelitis quae facere eos oporteret postquam introducti essent in terram sanctam, *regem sibi constituere, excindere Amalechitas, templum exstruere*.” See C. L. Salmasii *Defensio pro Carolo I* (Cambridge, 1684), 63.

made use of the name to procure the favour of the people; and whenever, by such means, they had mounted to the proper height, each of them, in his turn, began to kick the people from him as a ladder then useless." The embodiment of this danger was Cromwell:

*Cromwell* exercised the power of a King, and of the most absolute King, under the specious name of a Protector. The instrument of Republican Government, which he had at first extolled as the most perfect work of human invention, he began (as soon as he thought his authority sufficiently established) to represent as "a rotten plank, upon which no man could trust himself without sinking." He had his eyes fixed upon the Crown; but when he procured an offer of it, from a packed Parliament, his courage failed him. He had outwitted himself by his own hypocrisy, and, in his way to power, had thrown such an odium upon the name of the King, that his own family, apprehensive he would be murdered the moment the diadem should touch his brow, persuaded him to decline that honour.<sup>45</sup>

The Miltonic argument revived by Paine threatened to make a fetish out of "the name of the King," delivering the colonists instead into the arbitrary power of a non-monarchical tyrant.<sup>46</sup> True "Republicks" are defined by the absence of discretionary power in any single person, not by the lack of an allegedly idolatrous title. "The harm," as another critic had put it, "lay not in the four Letters K,I,N,G."<sup>47</sup>

Parker himself thought that this debate should be postponed until after "we have determined our selves independant," but he nonetheless proceeded in his letter to Lee to endorse and then elaborately defend Paine's conclusion that God is an enemy to monarchical government.<sup>48</sup> His intervention is significant for two reasons. First, it provides valuable

<sup>45</sup> Cato, "Letter 8—To the People of Pennsylvania," in *American Archives: Fourth Series*, 5: 1050 (quotations).

<sup>46</sup> Virtually all of Paine's early critics likewise offered this argument. See, for example, *Reason: In Answer to a Pamphlet Entitled, Common Sense*, 9–13 (quotation, 9).

<sup>47</sup> Cato, "Letter 8," in *American Archives: Fourth Series*, 5: 1050 ("Republicks"); A Late Member of the Continental Congress, *The True Merits of a Late Treatise, Printed in America, Intituled Common Sense*. . . (London, 1776), 14–16 ("The harm," 16).

<sup>48</sup> Parker to Lee, Apr. 27, 1776, 1r (quotation); Parker rather surprisingly indicts both "Cato & Cassandra" for turning what should be a debate about "the Expediency or Inexpediency of Independance" into one about the divine permissibility of monarchy (ibid.). In fact, while Cato (William Smith) did indeed focus on refuting Paine's scriptural argument, Cassandra (James Cannon) spent no time attacking the institution of monarchy per se. Unlike Paine, the latter argued simply that America ought not to be governed by a British monarch. See Cassandra to Cato, in *American Archives: Fourth Series*, 5: 41–43, 431–34, 921–26.

evidence about the reach of Paine's Hebraizing argument in 1776 and beyond. Scholars have usually located the scriptural case against monarchy exclusively in a set of sermons delivered by New England ministers.<sup>49</sup> But Parker was an Anglican Virginia planter and he addressed his meditation on Paine's argument to a fellow member of the tidewater gentry. His letter therefore offers support for Ramsay's claim that Paine's scriptural argument found a receptive audience throughout the colonies, not merely in Congregational strongholds. Parker's analysis is also compelling insofar as it represents the attempt of an educated observer—whose thoughts, as he confesses, “are not well connected as my Avocations so frequently take me off from the Subject that the chain is often broke”—to take the measure of Paine's Hebraizing case against monarchy and explore its relation to the more traditional, neo-Roman reading of the biblical text.<sup>50</sup> Parker was evidently unwilling at this stage to choose between them.

On the one hand, his letter includes an unmistakable paraphrase of Paine's central argument: the heathen nations surrounding the Jews, Parker writes, had “paid divine honors to their Kings” (this is a direct quotation from Paine) and the Lord, “being a jealous God took every means to prevent them from falling into the same Error knowing that a person placed so far above the level of the people would lead them to whatever he pleased.”<sup>51</sup> Notice that, even here, Parker has either misconstrued or intentionally deviated from Paine's position in a subtle, but important, respect. Paine had argued that monarchy *itself* is an instance of the sin of idolatry, whereas Parker seems to be arguing instead that monarchs (who are not intrinsically idols) will frequently prevail upon the people to worship them in an idolatrous fashion. But it had been the strict equation of monarchy and idolatry that allowed Paine to reach his radical conclusion in *Common Sense*, namely, that the God of scripture classifies monarchy in all its forms as a sin. And this, after all, is the conclusion that Parker wants to defend against Cato's critique: the Israelites, Parker explains, chose to institute kingship against God's express wishes, and the subsequent depredations of Israel's kings provide evidence of the Lord's great anger: “Can it be thought that the Almighty would have been so unmerciful to his people if it had not have been to shew them the impropriety of having

<sup>49</sup> See, for example, Eran Shalev, *American Zion: The Old Testament as a Political Text from the Revolution to the Civil War* (New Haven, Conn., 2013), 57–69; Stout, *New England Soul*, 301–5; Perl-Rosenthal, *WMQ* 66: 553–54, 560. Perl-Rosenthal rightly doubts that, in light of Ramsay's testimony, it is plausible to suppose that this discourse was confined to a group of New England ministers, but he is unable to offer examples of its use elsewhere.

<sup>50</sup> Parker to Lee, Apr. 27, 1776, 1r (quotation).

<sup>51</sup> Parker to Lee, Apr. 27, 1776, iv. This phrasing seems to echo Paine's attack on “the exalting [of] one man so greatly above the rest”; Paine, *Common Sense*, 30.

a King for whose Trespasses they were to suffer”? After all, “God had expressly declared to them long before they asked a King that they would do it and that he would punish them with the Kings they should set over them see the 28th Cap Deuteronomy to the 37th verse. Hosea in the 13th Chapter 11th verse says ‘I gave thee a King in mine Anger and took him away in my wrath[.]’ In short god was displeased with their demanding a King and was determined they should suffer for his Crimes.”<sup>52</sup> To be sure, “Cato thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it.” Does not Deuteronomy 17, Cato had asked, “smell strong of Monarchy and even of Hereditary Monarchy?” Parker answers that “God has expressly declared his displeasure with the Jews for asking a King; but he knew long before they did demand one that they would do it; and he only tells them if they should be so foolish as to do it what sort they should choose & declares how he ought to conduct himself by which Conduct he should obtain his favor.”<sup>53</sup> “It is [a] pity,” Parker concludes, that “Cato has not the Candor to compare the Scriptures, a crime he accuses Common Sense of.”<sup>54</sup>

Parker thus fully embraces Paine’s view that God is an “enemy” to monarchical government and that kingship in all its forms is sin—and he likewise offers a glancing, somewhat muddled endorsement of the claim that monarchy is sinful insofar as it is idolatrous. But Parker simultaneously runs a set of arguments that are very different from Paine’s. To begin with, whereas Paine (like Langdon and Williams before him) had favorably described the original Israelite constitution as “a kind of republic, administered by a judge and the elders of the tribes,” Parker dismisses the pre-monarchical Israelites as “Wretches” who obeyed the “dictates” of

<sup>52</sup> Parker to Lee, Apr. 27, 1776, 2r. Parker interestingly rejected the Josephan account of Israelite theocracy: “as to calling it [Israelite government before Saul] a Theocracy it is talking Nonsense because every State in the Universe is equally a Theocracy[.] Whoever believes in a particular Providence must acknowledge that the Events of States are governed by the Almighty and I am sure the Hand of God has been with us[.] It is true as the Jews were in such a State of Ignorance as to be unable to make any Laws for themselves God did prescribe a Set of Laws for them such as would be sufficient for their Government; that his wise purposes in bringing abt. the Redemption of man by his Son Jesus Christ might be fully answered but he left the Execution of those laws to the people themselves.” *Ibid.*, iv.

<sup>53</sup> Parker to Lee, Apr. 27, 1776, 2r. Parker’s wording (“God has expressly declared his displeasure with the Jews for asking a King”) is highly reminiscent of Milton’s own, as translated in the 1692 English version of the *Defense*: “God frequently protests that he was extremely displeas’d with them for asking a King”; Milton, *A Defence of the People of England* (London, 1692), 48. The Latin reads as follows: “Passim enim testatur Deus valde sibi displicuisse quod regem petissent”; Milton, *Defensio*, 66. Paine does not incorporate this language into *Common Sense*, so it is possible that Parker had direct access to Milton’s text.

<sup>54</sup> Parker to Lee, Apr. 27, 1776, 2v.

the Judges out of the (apparently) false belief that their commands “came from God” and states further that it is impossible to determine “what kind of Government” this really was.<sup>55</sup> More importantly, Parker also offers a competing account of why God was displeased with the Israelites when they instituted monarchy. In Egypt, he explains, the Israelites had been afflicted with “most abject Slavery.” God had redeemed them from bondage, and it was because he wished them to remain free men that he forbade them to establish a monarchy: “He knew that all felicity would be at an end and their Slavery under a King would be as great as whilst they lived in Egypt.” A critical portion of the text is missing here, but it seems as if Parker is trying to argue that God rejected monarchy on standard neo-Roman grounds: while it might be possible to imagine a nonarbitrary monarchy, in practice kings tend to turn into tyrants, and subjects into slaves.<sup>56</sup>

This, of course, had been the argument of Foster, Langdon, and Williams, but none of these writers (as we have seen) had taken the view that monarchy was therefore a sin and illicit in all circumstances. Indeed, they had reasoned in precisely the opposite direction: since one can perfectly well institute a nonarbitrary monarchy, it followed for them that kingly government in itself cannot be regarded as illicit—and that the Israelites did not sin in asking for a king per se. The fact that monarchs often come to wield arbitrary, discretionary power simply gives us good prudential grounds for preferring republican government and explains why God himself had initially instituted such a regime among his chosen people. Likewise, the argument that God in 1 Samuel 8 was merely expressing his concern that Israelite kings would ape the idolatrous customs of the heathens had always been invoked by those (like Cato himself) who wished to *deny* the conclusion that the Israelites sinned in asking for a king per se (the sin, on this account, was simply to have asked for the wrong sort of king—one like those of “the other nations”).<sup>57</sup> What we find in Parker’s letter, in other words, is an improvisatory attempt to match Paine’s conclusion with several very different premises. Parker cannot quite make up his mind whether monarchy is a sin because it is inherently idolatrous (that is, because the Lord is a “jealous God”), because it tends to promote idolatry, or because it threatens slavery (or for some combination of these

<sup>55</sup> For “a kind of republic,” see Paine, *Common Sense*, 30; for “Wretches,” see Parker to Lee, 1v. Paine also insisted that “the will of the Almighty” was indeed “declared by Gideon and the prophet Samuel”; see Paine, *Common Sense*, 30.

<sup>56</sup> Parker to Lee, Apr. 27, 1776, 1v (quotations). Quite a lot hangs on Parker’s precise reason for stating that God “knew” that the Israelites would be slaves under their kings. Is this because God simply foresaw that the Israelite kings would become tyrants, or because God “knows” that kings inevitably become tyrants. The latter would amount to the claim that there is no such thing (at least over time) as a nonarbitrary monarchy—and that this is why God regards all monarchies as sinful.

<sup>57</sup> 1 Sam. 8:4.

reasons).<sup>58</sup> Paine's pamphlet and the responses that it generated had forced him to wrestle with these issues, but the results, as he himself recognized, were rather inconclusive.

For many of Parker's countrymen, in contrast, the matter was far more straightforward. By the end of 1776, a host of colonial writers and ministers had come forward to defend Paine's argument unambiguously and in its entirety. In a sermon preached on September 12, Peter Whitney declared that "when the people of Israel foolishly and impiously asked God to give them a king," God begged them to "withdraw their petition, and desire rather to continue as they were." Yet, "they notwithstanding, persisted in their demand, and God gave them a king, but in his anger, and as a great scourge and curse to them." Whitney's verdict on this episode simply replicates Paine's discussion of the inherently idolatrous character of monarchical government, complete with direct quotations from *Common Sense* itself:

It is a natural inference from sacred story, and from what has been said above, that kingly government is not agreeable to the divine will, and is often a very great evil. The will of God as made known by Gideon; and the prophet Samuel expressly disapproves of government by kings. "Near three thousand years passed away from the Mosaic account of the creation, *before* the Jews under a national delusion, asked a king.—'Till then their form of government (except in extraordinary cases where the Almighty interposed) was a kind of republic administered by a judge, and the elders of the tribes. Kings they had none, and it was held sinful to acknowledge any being under that title but the Lord of hosts. And when a man seriously reflects on the idolatrous homage which is paid to the persons of kings, he need not wonder that the Almighty, ever jealous of his honor, should disapprove a form of government which so impiously invades the prerogative of heaven." No form of government but kingly or monarchical, is an invasion of God's prerogative; this is.

"The most high over all the earth," Whitney concludes, "gave kings at first, to the Jews (as he sends war) in anger, and as a judgment, and it may be affirmed, that upon the whole, they have been a scourge to the inhabitants of the earth ever since." "We in these States," Whitney concludes, "are now evidently under the frowns of heaven for our many and great transgressions: it is to be hoped we shall not 'add to our sins, this evil to ask *us* a king."<sup>59</sup>

<sup>58</sup> Parker to Lee, Apr. 27, 1776, iv (quotation).

<sup>59</sup> Whitney, *American Independence Vindicated* ("when the people," 11, "It is a natural inference," 43–44, "The most high," 44–45).

Whitney's view was endorsed the following month in the "Instructions to Delegates" published by the Committee for Charlotte County, Virginia. Having renounced their allegiance to George III, the citizens of the county were now committed to "taking the *God* of Heaven to be our King."<sup>60</sup> A sermon preached in Boston by Benjamin Hichborn took the same line: "I am inclined to think, that the great founder of societies has caused the curse of infatuating ambition, and relentless cruelty, to be entailed on those whose vanity may lead them to assume *his* prerogative among any of his people as they are cantoned about in the world, and to prevent mankind from paying that adoration and respect to the most dignified mortal, which is due only to *infinite wisdom and goodness*, in the direction of *almighty power*, and therefore that he alone is fit to be a monarch."<sup>61</sup> Nor did the passing of the years diminish Paine's grip on the political imagination of British Americans. In 1778, the poet Philip Freneau echoed *Common Sense* in verse:

To recommend what monarchies have done,  
 They bring, for witness, David and his son;  
 How one was brave, the other just and wise;  
 And hence our plain Republics they despise;  
 But mark how oft, to gratify their pride,  
 The people suffered, and the people died;  
 Though one was wise, and one Goliath slew,  
*Kings are the choicest curse that man e'er knew!*<sup>62</sup>

<sup>60</sup> "Instructions to Delegates for Charlotte County, Virginia," Apr. 23, 1776, in *American Archives: Fourth Series*, 5: 1035.

<sup>61</sup> Benjamin Hichborn, "Oration Delivered at Boston, March 5, 1777," in *Principles and Acts of the Revolution in America*. . . , ed. Hezekiah Niles (Baltimore, 1882), 27 (quotation). Also see Cosmopolitan, "Letter X," in *American Archives: Fourth Series*, 5: 1172. For further endorsements of Paine's argument in 1776, see for example *The People the Best Governors; or, A Plan of Government Founded on the Just Principles of Natural Freedom* (n.p., 1776); "Extract of a Letter from Philadelphia to a Gentleman in England," Mar. 12, 1776, in *American Archives: Fourth Series*, 5: 186–88; Samuel West, *A Sermon Preached Before the Honorable Council, and the Honourable House of Representatives, of the Colony of Massachusetts-Bay, in New-England. May 29th, 1776*. . . (Boston, 1776); William Drayton, "Judge Drayton's Charge to the Grand Jury of Charleston, South-Carolina," Apr. 23, 1776, in *American Archives: Fourth Series*, 5: 1031; Salus Populi, "To the People of North-America on the Different Forms of Government," 1776, in *American Archives: Fourth Series*, 5: 180–83. Even John Adams seems to have been swept up momentarily in this discourse; see, for example, Adams to William Tudor, Feb. 27, 1777, in Taylor, Lint, and Walker, *Papers of John Adams*, 4: 94: "I hope We shall e'er long renounce some of our Monarchical Corruptions, and become Republicans in Principle in Sentiment, in feeling and in Practice. In Republican Governments the Majesty is all in the Laws. They only are to be adored." Also see Adams to Congress, July 23, 1780, *ibid.*, 10: 27; "The total and absolute suppression of the Tumults in London . . . has now given them [the Ministry] such Exultation and Confidence, that the People of America will dethrone the Congress and like the Israelites demand a King."

<sup>62</sup> Philip Freneau, "America Independent; And Her Everlasting Deliverance from British Tyranny and Oppression," in *Poems Written and Published During the American*

Joseph Huntington of Connecticut offered much the same account in *A Discourse, Adapted to the Present Day*. “The infinitely wise and good Being,” he begins, “has given us the sum and substance of the most perfect form of civil government in his word. . . . I mean that ancient plan of civil policy, delineated for the chosen tribes of Israel.” In that divinely authorized constitution, “we find no king, no despot, no emperor, no tyrant, no perpetual dictator allowed of.” Quite the contrary, the “tribes of Israel” had “by divine appointment a general congress,” (as Huntington later clarified, “I mean the Sanhedrim or seventy elders”) “with a president at their head; Moses was the first, Joshua succeeded him, so on till the days of Samuel, when the constitution was subverted.” Huntington insists that “here God has marked out that form of civil government which is agreeable to his own will.” Each people is free to adapt this basic structure to its own needs and requirements, “but thus much in general God has plainly taught us, viz. that no king, no monarch, no tyrant, or despot, ought ever to be admitted to rule over his people, or any people under heaven; and hence, when Israel rejected that glorious form of government, and would have a king to govern them, God expressly declares *they rejected him*.”<sup>63</sup>

John Murray of Newburyport, Massachusetts, returned to this theme in his sermon celebrating the Peace of Paris and the birth of the new United States in 1784. “Now hail thy Deliverer-God. Worship without fear of man,” he exhorts his audience. “This day, invite him to the crown of America—proclaim him King of the land.”<sup>64</sup> Such a coronation, Murray

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*Revolutionary War*. . . . (Philadelphia, 1809), 1: 241. See also Benjamin Rush, writing to John Adams while the latter was posted to the French court: “While you are *gazed* at for your American-manufactured principles, and *gazing* at the folly and pageantry of animals in the shape of men cringing at the feet of an animal called a king, I shall be secluded from the noise and corruption of the times”; Benjamin Rush to John Adams, Jan. 22, 1778, in L. H. Butterfield, ed., *Letters of Benjamin Rush* (Princeton, N.J., 1951), 1: 192.

<sup>63</sup> Joseph Huntington, *A Discourse, Adapted to the Present Day, on the Health and Happiness, or Misery and Ruin, of the Body Politic, In Similitude to that of the Natural Body* (Hartford, Conn., 1781), 8–11 (“The infinitely wise,” 8, “we find no king,” 8–9, “tribes of Israel,” 10, “but thus much,” 11). See also Samuel Cooper, *A Sermon preached Before His Excellency John Hancock, Esq. . . . October 25, 1780. Being the Day of the Commencement of the Constitution and Inauguration of the New Government* (Boston, 1780). For the Hebrew republic as a constitutional model in revolutionary America, see Eran Shalev, “‘A Perfect Republic’: The Mosaic Constitution in Revolutionary New England, 1775–1788,” *New England Quarterly* 82, no. 2 (June 2009): 235–63. See also Shalev, *American Zion*, 50–83.

<sup>64</sup> John Murray, *Jerubbaal; or, Tyranny’s grove Destroyed, and the Altar of Liberty Finished*. . . . December 11, 1783. *On the Occasion of the Public Thanksgiving for Peace*. . . . (Newburyport, 1784), 7 (quotation). This is a direct echo of Paine: “But where, says some, is the King of America? I’ll tell you. Friend, he reigns above, and doth not make havoc of mankind like the Royal Brute of Britain. Yet that we may not appear to be defective even in earthly honors, let a day be solemnly set apart for proclaiming the charter; let it be



goes on to explain, has been made possible by the extraordinary virtue and piety of the Americans and their leaders. In the Hebrew republic of old, as Paine had recounted, Gideon was invited to become king, but he recognized that “the reins of kingly authority become no other hands than those of the all-perfect Sovereign of the universe.” Only God “is fit to sit Monarch on a throne—before him only every knee should bow—at his feet should sceptered mortals cast their crowns—there should they lay them down—to resume and wear them no more for ever—and he who refuses this rightful homage to the only Supreme, deserves to be treated as a tyrant among men, and a rebel against God.” Why should Americans expect any less of their own greatest general? “Are not we the children of Israel too—a professing covenant-people, in a land peculiarly privileged with gospel-light?” Indeed we are, and though George Washington was never offered a crown—because, for Americans, “the idea of a human monarchy is too absurd in itself”—if he had been, he surely would have replied in ringing tones that “the *Lord* alone shall be king of *America*.”<sup>65</sup>

brought forth placed on the divine law, the word of God; let a crown be placed thereon, by which the world may know, that so far as we approve of monarchy, that in America The Law Is King. For as in absolute governments the King is law, so in free countries the law *ought* to be King; and there ought to be no other. But lest any ill use should afterwards arise, let the crown at the conclusion of the ceremony be demolished, and scattered among the people whose right it is”; Paine, *Common Sense*, 48–49.

<sup>65</sup> Murray, *Jerubbaal*, 21 (“the reins of kingly”), 32 (“Are not we”), 42 (“the idea of a human”), 44 (“the *Lord* alone”). This language continued to appear during the debates over ratification. See, for example, Camillus, [Philadelphia] *Pennsylvania Packet, and Daily Advertiser*, June 13, 1787 (orig. pub. in the [Boston] *Independent Chronicle*). The author attacks proponents of the new Constitution as those who “raved about monarchy, as if we were ripe for it; and as if we were willing to take from the plough-tail or dram shop, some vociferous committee-man, and to array him in royal purple, with all the splendor of a King of the Gypsies . . . our king, whenever Providence in its wrath shall send us one, will be a blockhead or a rascal” (note the use of Hosea). See Camillus, *Pennsylvania Packet*, June 13, 1787, [2]. Compare Mercy Otis Warren’s characterization of the Constitution’s opponents: “They deprecate discord and civil convulsions, but they are not yet generally prepared, with the ungrateful Israelites, to ask a King, nor are their spirits sufficiently broken to yield the best of their olive grounds to his servants, and to see their sons appointed to run before his chariots”; A Columbian Patriot [Warren], *Observations on the New Constitution, and on the Fæderal and State Conventions* (Boston, 1788), 17. See also Speeches by Robert Livingston and Melancthon Smith to the New York Ratifying Convention, in *The Debates in the Several State Conventions, on the Adoption of the Federal Constitution*, ed. Jonathan Elliot (Washington, D.C., 1836), 2: 210, 223–26; Agrippa, Letter 17, in *Essays on the Constitution of the United States, Published during Its Discussion by the People, 1787–1788*, ed. Paul Leicester Ford (New York, 1892), 111. See also Thomas Jefferson to James Madison, Mar. 15, 1789, in Julian P. Boyd, ed., *The Papers of Thomas Jefferson* (Princeton, N.J., 1958), 14: 661: “I know there are some among us who would now establish a monarchy. But they are inconsiderable in number and weight of character. The rising race are all republicans. We were educated in royalism: no wonder if some of us retain that idolatry still. Our young people are educated in republicanism. An apostasy from that to royalism is unprecedented and impossible.”

The document reproduced below thus bears witness to a fateful shift in the character of colonial political thought. Paine's *Common Sense* fueled an abrupt republican turn in 1776 by reintroducing into Anglophone political discourse a particular *kind* of republican theory: one grounded in the Hebraizing conviction that it is idolatrous to assign any human being the title and dignity of a king. This theory was both more and less radical than its neo-Roman rival: more radical, in that it denied the legitimacy of all monarchies, however limited; less radical, in that it left open the possibility of an extremely powerful chief magistrate, so long as he was not called king. Parker's letter to Lee represents a very early, sympathetic attempt to grapple with the implications of Paine's scriptural argument—one that plainly sought to leave some room in the case against monarchy for the neo-Roman preoccupation with discretionary power. But the force of Paine's distinctive new brand of antimonarchism proved difficult for contemporaries to resist. Lee himself, after all, seems to have detected no dissonance whatsoever between the two great political interventions that he was simultaneously considering during the week of April 27, 1776: Paine's Hebraizing demonstration that "monarchy is reprobated by the Almighty," as defended by his friend Richard Parker, and Adams's insistence that "there should be a third Branch [of the legislature] which for the Sake of preserving old Style and Titles, you may call a Governor whom I would invest with a Negative upon the other Branches of the Legislature and also with the whole Executive Power."<sup>66</sup> It was of course perfectly possible to be worried both about the idolatrous pretensions of royal dignity and about the enslaving effects of discretionary power.<sup>67</sup> But by so profoundly altering the focus of the debate, Paine and his many acolytes made it possible for Americans in the following decade to reconcile republicanism with prerogative.

<sup>66</sup> For "monarchy is reprobated," see Parker to Lee, Apr. 27, 1776, 1r. For "there should be," see Adams to William Hooper, Mar. 27, 1776, concerning the manuscript "Thoughts on Government," in Taylor, Lint, and Walker, *Papers of John Adams*, ser. 3, 4: 73–78 (quotation 4: 76). Adams interestingly distinguishes the negative voice from "most of those Badges of Domination call'd Prerogatives."

<sup>67</sup> On this view, the absence of discretionary power in any single person is a necessary but not sufficient condition of legitimate government in a free state. Paine himself rejected the king's "negative voice" on these grounds and remained a fierce opponent of prerogative power in the executive for the rest of his life. It is therefore deeply ironic that he himself inadvertently made it possible for Americans to reconceptualize republicanism in such a way as to render it compatible with prerogative. See Paine, *Common Sense*, 44–45.

*Richard Parker to Richard Henry Lee, April 27, 1776*<sup>68</sup>

[1r] Dear Sir

Since my last nothing very material has happened with us or at least I have heard very little news our papers never coming to hand altho Purdie<sup>69</sup> and the other printers have been expressly ordered to send them to Fredericksburg for our Rider. A Tender came last Week to Hobbs Hole and took a new England man loaded with grain & flower from the Warf, an Alarm was given and the Malitias of Essex and Richmond pursued them in Vessels they retook the prize and brought her back; the Tender escaped tho pursued with in three miles of Urbanna, Anegro<sup>70</sup> fellow belonging to Walker who was skipper of his boat was killed but no other damage done to our men. We have a Report which I believe to be true tho it may be improper to propagate it unless fully confirmed, That young Mr. Wormeley<sup>71</sup> is under close Confinement in Williamsburg he was taken in a tender going to Dunmore<sup>72</sup> Charles Neilson & John Grymes<sup>73</sup> were also taken in another Tender carrying provisions to that Monster If this news be true I doubt not they will meet with their deserts. Since I wrote the above piece of news it has been confirmed so that except that he has a guard over him (it may be depended upon) and not in close confinement.<sup>74</sup>

<sup>68</sup> I am grateful to Joshua Ehrlich for his assistance in transcribing the text. The letter is written on a single sheet of paper, 15 inches by approximately 9.25 inches, which has been folded in half. The paper is torn at the bottom, with the result that two lines of text have been almost completely lost on each of the first three pages (1r, 1v, 2r). Original spelling and orthography have been retained throughout. Parker's excisions from the text are recorded in the notes (to the extent that they are decipherable). Conjectures and editorial insertions are marked with brackets. All superscript has been brought down to the line. Richard Parker to Richard Henry Lee, Apr. 27, 1776, *Lee Family Papers*, MSS 38-112, box 6 (January–November 1776), Albert and Shirley Small Special Collections Library, University of Virginia, Charlottesville, Va.

<sup>69</sup> Alexander Purdie, publisher of the *Virginia Gazette* (one of three newspapers of that name).

<sup>70</sup> That is, "A negro."

<sup>71</sup> Ralph Wormeley Jr., a prominent Middlesex County loyalist. His letter to fellow loyalist John Randolph Grymes of Apr. 4, 1776 was intercepted and presented to Maj. Gen. Charles Lee, who ordered the detention of both men (as well as that of Charles Neilson, who was identified as a loyalist in the opening line of the letter). See Scribner and Tarter, *Revolutionary Virginia, The Road to Independence*, 6: 325–32.

<sup>72</sup> John Murray, fourth Earl Dunmore, royal governor of Virginia.

<sup>73</sup> Charles Neilson and John Randolph Grymes were both prominent Middlesex County loyalists. The following text is excised after "Grymes": ~~who married Wormeley's Sister.~~

<sup>74</sup> The parentheses have been added. The phrase within the parentheses appears between two lines in the manuscript. It is not clear where the author wanted it to be inserted.

I am astonished we hear nothing from Quebec<sup>75</sup> Our Success of it will be of the utmost Consequence to our Cause

I observe the Pennsylvania Papers are filled with the controversy about Independance and think the writers have rather left the Question What matters it to us at present whether Monarchy is reprobated by the Almighty or not, It will be time enough to consider what kind of Government is best suited for America when we have determined our selves independant; indeed every man who wishes to be free will be forming Opinions relative to the form of Government And those Opinions it would do well to communicate but the present contest between Cato & Cassandra<sup>76</sup> should be of the Expediency or Inexpediency of Independence However if you will give me leave I will shew you my Sentiments of Monarchical Government as established amongst the Jews My thoughts are not well connected as my Avocations so frequently take me off from the Subject that the chain is often broke

It . . . not be amiss for the [judgment] . . . this . . . [Iv] most abject Slavery not less content with it or in a greater State of Ignorance [nay] by no means so ignorant as numbers of our Slaves here, their whole history shews it; that they were Heathens no one will deny for what few religious rights they had were from the Egyptians of course they had no form of Government until they arrived in the Land of promise and it was left to them by their Lawgiver Moses They never gave themselves the trouble to reflect on the Nature of Government and it was sufficient for such a set of Wretches to obey the dictates of their Judges<sup>77</sup> especially as they believed every ordinance came from God<sup>78</sup> under what kind of Government they really did live in the time of the Judges it is extremely difficult to if not impossible to judge for as to calling it a Theocracy it is talking Nonsense because every State in the Universe is equally a Theocracy<sup>79</sup> Whoever

<sup>75</sup> The Continental army was laying siege to Quebec. The siege would be broken the following month.

<sup>76</sup> Parker's reference to the letters of "Cassandra" (James Cannon) is rather surprising, in that these did not attack the institution of monarchy per se. Unlike Paine, Cannon argued simply that America ought not to be governed by a British monarch. See "Cassandra to Cato," in *American Archives: Fourth Series*, 5: 41–43, 431–34, 921–26.

<sup>77</sup> Note that Parker's description of the rule of the Judges is quite different from Paine's. Parker describes the Israelites of that time as "Wretches" who obeyed the "dictates" of the Judges out of the (apparently) false belief that their commands "came from God"; he further states that it is impossible to determine "what kind of Government" this really was. On Paine's telling, in contrast, Israel under the Judges appears far more favorably as "a kind of Republic, administered by a judge and the elders of the tribes." Paine also writes that "the will of the Almighty" was indeed "declared by Gideon and the prophet Samuel"; Paine, *Common Sense*, 30.

<sup>78</sup> What their form

<sup>79</sup> Parker is here rejecting Josephus's celebrated analysis of the Israelite *politeia*. See Josephus, *Contra Apionem*, 2: 163–68.

believes in a particular Providence must acknowledge that the Events of States are governed by the Almighty and I am sure the Hand of God has been with us It is true as the Jews were in such a State of Ignorance as to be unable to make any Laws for themselves God did prescribe a Set of Laws for them such as would be sufficient for their Government; that his wise purposes in bringing abt. the Redemption of man by his Son Jesus Christ might be fully answered but he left the Execution of those laws to the people themselves. He was well acquainted with their Ignorance he knew them fond of the Customs of the Egyptians and that they would seek every opportunity to return to them and his laws were calculated to keep them separate from those as well as other Heathens those paid divine honors to their Kings and he as himself declares being a jealous God took every means to prevent them from falling into the same Error knowing that a person placed so far above the level of the people<sup>80</sup> would lead them to whatever he pleased He knew that all felicity would be at an end and their Slavery under a King would be as great as whilst they lived in Egypt. How then must the Almighty resent this demanding a Monarch to reign over them Had they have had . . . to have formed . . . Government. . . [2r] It was not particularly with Saul but with all their Kings Look through the whole catalogue of Kings (a very long one) and you will find few very few but what were a curse to them The much admired King David†<sup>81</sup> was as great a Curse to them as any other What constant Wars was he engaged in during his whole life and what a punishment did he bring on them for no appearance of a fault in them the Loss of three score and ten thousand men purely for his own disobedience of the Commands of God or his own pride or folly. Can it be thought that the Almighty would have been so unmerciful to his people if it had not have been to shew them the impropriety of having a King for whose Trespasses they were to suffer. God had expressly declared to them long before they asked a King that they would do it and that he would punish them<sup>82</sup> with the Kings they should set over them see the 28th Cap Deuteronomy to the 37th verse. Hosea in the 13th Chapter 11th verse says "I gave thee a King in mine Anger and took him away in my wrath"<sup>83</sup> In short god was displeased with their demanding a King and was determined they should suffer for his Crimes that they did suffer constantly for their Kings faults will be seen by any person who will give himself the trouble to read their History whilst governed by Kings.

<sup>80</sup> This phrasing seems to echo Paine's attack on "the exalting of one man so greatly above the rest"; Paine, *Common Sense*, 30.

<sup>81</sup> An annotation by a later hand was added at the bottom of this paragraph with an insertion marker placed here. The insertion reads "† The character of David is much misunderstood. He was indeed a sinner; but he was the humblest + sincerest of penitents."

<sup>82</sup> for the Offenses of their

<sup>83</sup> There is a sketch that resembles a small pointing hand in the left-hand margin of the letter. It is pointed at this quotation.

Cato thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it “When thou<sup>84</sup> art come into the land which the Lord thy God giveth thee, and shalt say I will set a King over me &c And then asks does not this smell strong of Monarchy and even of Hereditary Monarchy? I answer that God has expressly declared his displeasure with the Jews for asking a King; but he knew long before they did demand one that they would do it; and he only tells them if they should be so foolish as to do it what sort they should choose & declares how he ought to conduct himself<sup>85</sup> by which Conduct he should<sup>86</sup> obtain his favor; It was necessary for the purposes of the Almighty [mentioned] before that . . . subsist as a people a certain time . . . punish . . . [2v] their days in the Kingdom shall be prolonged. It is pity Cato has not the Candor to compare the Scriptures, a crime he accuses Common Sense of.<sup>87</sup> Cato gives a plain proof that he has a good deal of Priest craft, Is he not a scotch clergyman?<sup>88</sup> I should have proceeded a little farther but am just called off and indeed I fear you are fully tired with what I have wrote farewell & be assured I am with the greatest Esteem

Your most affectionate friend  
Richd. Parker  
April 27th 1776

It is to be observed that Hoshea the last King of Israel together with the whole people except Judah which was governed by other Kings was then in Captivity. The fate of Judah was prolonged a few years upon Acct. of the good Reign of Hezekiah But it was but a short time before that Kingdom was destroyed & the whole people Captives to the Babylonians Thus we see as God gave them a King in his Anger he now took him away in his Wrath and suffered his people to be punished<sup>89</sup> by reducing them to Slavery in a strange Land If Monarchy was not a Curse to the Jews, let Cato say.<sup>90</sup>

<sup>84</sup> shalt

<sup>85</sup> themselves

<sup>86</sup> shall

<sup>87</sup> “Cato” had written of Paine that “he has not the candour to compare Scripture with Scripture; nor does he give a single passage complete, and connected with the parts necessary to explain it,—a clear proof that other craft may be employed as well as King-craft and Priest-craft, in ‘withholding the Scripture from the people,’ even in Protestant countries”; Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 841.

<sup>88</sup> William Smith was born in Aberdeen, Scotland, and was an Episcopal priest.

<sup>89</sup> with

<sup>90</sup> A sketch of a small pointing hand has been placed in the left-hand margin next to the beginning of this paragraph.

no. 351

*Originals*

letters, addresses &c

official + private

R Parker

Jews<sup>91</sup>

<sup>91</sup> "Originals/letters, addresses &c/official + private/R Parker/Jews" appears sideways at the bottom of the final page, apparently in Lee's handwriting.

“scripture . . . into his service” and convincing a “religious people” conversant with “the history of the Jews” that God regarded the institution of kingship as sinful and illicit.<sup>2</sup>

Paine’s earliest critics agreed fully with these assessments. The author of an anonymous reply to *Common Sense*, published in Dublin in 1776, blisteringly described how Paine “ransack[s] the holy scriptures, for texts against kingly government, and with a faculty of perverting sacred truths to the worst of purposes, peculiar to gentlemen of his disposition, quotes the example of the Jews.”<sup>3</sup> This critic revealingly chose a line of Shakespeare for his pamphlet’s epigraph: “The Devil can cite Scripture for his purpose.”<sup>4</sup> A second early antagonist, writing under the pseudonym “Rationalis,” likewise assailed Paine’s “scripture quotations, which he has so carefully garbled to answer his purpose,” while a third charged that Paine had “pervert[ed] the Scripture” in claiming that “monarchy . . . (meaning, probably, the institution of Monarchy,) ‘is ranked in Scripture as one of the sins of the Jews, for which a curse in reserve is denounced against them.’”<sup>5</sup>

Paine’s scriptural argument and the debate that it provoked have recently been receiving more attention from historians. But one important intervention in this debate seems to have gone entirely unnoticed. It appears in a lengthy letter written by Richard Parker of Virginia to his close friend Richard Henry Lee in April 1776. Parker’s letter, which survives in the Lee Family Papers, contains one of the most detailed contemporary commentaries on Paine’s biblical argument against monarchy, as well as a crucially important characterization of the pamphlet debate over *Common Sense*. It has never been published and, to my knowledge, has only been discussed once before, in a three-sentence précis written thirty years ago.<sup>6</sup>

<sup>2</sup> David Ramsay, *The History of the American Revolution*, ed. Lester H. Cohen (Indianapolis, Ind., 1990), 1: 315.

<sup>3</sup> *Reason: In Answer to a Pamphlet Entitled, Common Sense* (Dublin, 1776), 7.

<sup>4</sup> The epigraph reads in full: “Mark ye this, / The Devil can cite Scripture for his purpose, / An evil soul, producing holy witness, / Is like a villain with a smiling cheek, / A goody apple rotten at the Heart’ Shakesp.” See Shakespeare, *Merchant of Venice* act 1, sc. 3. The verse is based on the temptation of Jesus, as recounted in Matt. 4:5–10 and Luke 4:9–13.

<sup>5</sup> Candidus [James Chalmers], *Plain Truth: Addressed to the Inhabitants of America*. . . (Philadelphia, 1776), 72 (“scripture quotations”); the letters of “Rationalis” were appended to Chalmers’s “Candidus” letters. Cato [Rev. William Smith], “To the People of Pennsylvania—Letter 6,” Philadelphia, Apr. 13, 1776, in *American Archives: Fourth Series*, ed. Peter Force (Washington, D.C., 1844), 5: 839 (“pervert[ed] the Scripture”); Smith’s “Cato” letters were reprinted in Connecticut, Virginia, and New York, among other places. See Nathan R. Perl-Rosenthal, “The ‘divine right of republics’: Hebraic Republicanism and the Debate over Kingless Government in Revolutionary America,” *William and Mary Quarterly*, 3d ser., 66, no. 3 (July 2009): 535–64, esp. 557.

<sup>6</sup> For Parker’s letter, see Richard Parker to Richard Henry Lee, Apr. 27, 1776, *Lee Family Papers*, MSS 38–112, box 6 (January–November 1776), Albert and Shirley Small Special Collections Library, University of Virginia, Charlottesville, Va. A full transcription of this letter appears on 808–12. See also Paul P. Hoffman, ed., *Lee Family Papers*,



“scripture . . . into his service” and convincing a “religious people” conversant with “the history of the Jews” that God regarded the institution of kingship as sinful and illicit.<sup>2</sup>

Paine’s earliest critics agreed fully with these assessments. The author of an anonymous reply to *Common Sense*, published in Dublin in 1776, blisteringly described how Paine “ransack[s] the holy scriptures, for texts against kingly government, and with a faculty of perverting sacred truths to the worst of purposes, peculiar to gentlemen of his disposition, quotes the example of the Jews.”<sup>3</sup> This critic revealingly chose a line of Shakespeare for his pamphlet’s epigraph: “The Devil can cite Scripture for his purpose.”<sup>4</sup> A second early antagonist, writing under the pseudonym “Rationalis,” likewise assailed Paine’s “scripture quotations, which he has so carefully garbled to answer his purpose,” while a third charged that Paine had “pervert[ed] the Scripture” in claiming that “monarchy . . . (meaning, probably, the institution of Monarchy,) ‘is ranked in Scripture as one of the sins of the Jews, for which a curse in reserve is denounced against them.’”<sup>5</sup>

Paine’s scriptural argument and the debate that it provoked have recently been receiving more attention from historians. But one important intervention in this debate seems to have gone entirely unnoticed. It appears in a lengthy letter written by Richard Parker of Virginia to his close friend Richard Henry Lee in April 1776. Parker’s letter, which survives in the Lee Family Papers, contains one of the most detailed contemporary commentaries on Paine’s biblical argument against monarchy, as well as a crucially important characterization of the pamphlet debate over *Common Sense*. It has never been published and, to my knowledge, has only been discussed once before, in a three-sentence précis written thirty years ago.<sup>6</sup>

<sup>2</sup> David Ramsay, *The History of the American Revolution*, ed. Lester H. Cohen (Indianapolis, Ind., 1990), 1: 315.

<sup>3</sup> *Reason: In Answer to a Pamphlet Entitled, Common Sense* (Dublin, 1776), 7.

<sup>4</sup> The epigraph reads in full: “Mark ye this, / The Devil can cite Scripture for his purpose, / An evil soul, producing holy witness, / Is like a villain with a smiling cheek, / A goody apple rotten at the Heart’ Shakesp.” See Shakespeare, *Merchant of Venice* act 1, sc. 3. The verse is based on the temptation of Jesus, as recounted in Matt. 4:5–10 and Luke 4:9–13.

<sup>5</sup> Candidus [James Chalmers], *Plain Truth: Addressed to the Inhabitants of America*. . . (Philadelphia, 1776), 72 (“scripture quotations”); the letters of “Rationalis” were appended to Chalmers’s “Candidus” letters. Cato [Rev. William Smith], “To the People of Pennsylvania—Letter 6,” Philadelphia, Apr. 13, 1776, in *American Archives: Fourth Series*, ed. Peter Force (Washington, D.C., 1844), 5: 839 (“pervert[ed] the Scripture”); Smith’s “Cato” letters were reprinted in Connecticut, Virginia, and New York, among other places. See Nathan R. Perl-Rosenthal, “The ‘divine right of republics’: Hebraic Republicanism and the Debate over Kingless Government in Revolutionary America,” *William and Mary Quarterly*, 3d ser., 66, no. 3 (July 2009): 535–64, esp. 557.

<sup>6</sup> For Parker’s letter, see Richard Parker to Richard Henry Lee, Apr. 27, 1776, *Lee Family Papers*, MSS 38–112, box 6 (January–November 1776), Albert and Shirley Small Special Collections Library, University of Virginia, Charlottesville, Va. A full transcription of this letter appears on 808–12. See also Paul P. Hoffman, ed., *Lee Family Papers*,

Parker's letter, reproduced at the end of this article, illuminates the depth and reach of the Hebraizing defense of republican government in 1776.

DESPITE PETER WHITNEY'S INSISTENCE that the "divine disapprobation of a form of government by kings" was one of the "new truths" that had only recently emerged from "the eagerness of controversy" in 1776, several of Paine's opponents recognized that the scriptural argument against monarchy featured in *Common Sense* was not in fact new.<sup>7</sup> In deploying it, they observed, Paine was reopening a long-dormant seventeenth-century debate. One of his English respondents noted that "his scripture politics are obsolete and superannuated in these countries by an hundred years."<sup>8</sup> Good whigs, according to a prominent American critic, "desired to leave Scripture out of the institution of modern Governments. It might be well for the author of *Common Sense* to follow the example in his future works, without stirring up an old dispute, of which our fathers were long since wearied." This "old dispute" concerning the divine acceptability of monarchy, the author continued, had animated the likes of Hugo Grotius and Algernon Sidney; it had concerned the proper interpretation of a crucial biblical text, Deuteronomy 17, and had sent seventeenth-century theorists in search of how "the *Jews* commonly understood this chapter."<sup>9</sup> A third critic likewise

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1742–1795, Jan. 1, 1770–Dec. 31, 1776, microfilm reel 2, A3 (Charlottesville, Va., 1966). Jack Rakove miraculously remembered that he had encountered this letter over thirty years ago and sent me looking for it. Without his initial suggestion, I would certainly never have found it. For the short précis of Parker's letter, see Robert L. Scribner and Brent Tarter, eds., *Revolutionary Virginia, The Road to Independence* (Richmond, Va., 1981), 6: 285. The letter has also been referenced without comment on two further occasions. See Pauline Maier, *From Resistance to Revolution: Colonial Radicals and the Development of American Opposition to Britain, 1765–1776* (New York, 1972), 292 n. 31; Albert H. Tillson Jr., *Accommodating Revolutions: Virginia's Northern Neck in an Era of Transformation, 1760–1810* (Charlottesville, Va., 2010), 367 n. 60. The first paragraph of the letter, which discusses recent naval activity, was excerpted in an 1858 publication, "Selections and Excerpts from the Lee Papers," *Southern Literary Messenger: Devoted to Every Department of Literature, and the Fine Arts* 27, no. 5 (November 1858): 324–32, esp. 326; and then again in William Bell Clark, ed., *Naval Documents of the American Revolution* (Washington, D.C., 1969), 4: 1288.

<sup>7</sup> Whitney, *American Independence Vindicated*, 45n (quotations).

<sup>8</sup> Sir Brooke Boothby, *Observations on the Appeal from the New to the Old Whigs, and on Mr. Paine's Rights of Man: In Two Parts* (London, 1792), 99. Boothby characterizes Paine's scriptural argument against monarchy as "such monstrous nonsense as might, for what I know, be suited to the fanatics of Boston, where witchcraft was in great vogue in the beginning of this century, but here will excite nothing but contempt." See *ibid.*, 99. After challenging Paine's reading of 1 Sam. 8, Boothby then adds that "in truth, such stuff is no otherwise worthy of notice, except to shew the low arts to which this mountebank has recourse, to adapt his drugs to people of all sorts. Provided he can overturn, he cares not whether it be by the hand of philosophy or superstition, and it is nothing to him which of the two possess themselves of the ruined edifice." See *ibid.*, 100.

<sup>9</sup> See Cato, "Letter 6," in *American Archives: Fourth Series*, 5: 843 ("desired to leave"), 841 ("commonly understood").

insisted on the seventeenth-century provenance of Paine's argument, dating it to "that period, to which the soul of our author yearns, the death of Charles I. England groaned under the most cruel tyranny of a government, truly military, neither existing by law, or the choice of the people, but erected by those who in *the name of the Lord*, committed crimes, till then unheard of." "We have from English history," the author explained, "sufficient proof, that saints of his disposition, tho' more eager to grasp at power than any other set of men, have a thousand times recited the same texts, by which he attempts to level all distinctions. Oliver Cromwell, the father of them, knew so well their aversion to the name of king, that he would never assume it, tho' he exercised a power despotic as the Persian Sophi."<sup>10</sup> But the most precise genealogy of Paine's argument in *Common Sense* comes to us from the man himself. Late in life, John Adams recalled a conversation that he had with Paine about the pamphlet in 1776: "I told him further, that his Reasoning from the Old Testament was ridiculous, and I could hardly think him sincere. At this he laughed, and said he had taken his Ideas in that part from John Milton: and then expressed a Contempt of the Old Testament and indeed of the Bible at large, which surprized me."<sup>11</sup>

However reluctant we might be to credit Adams's retrospective testimony about Paine's early religious views (the temptation to project Paine's later deism onto his younger self may well have proved irresistible), his claim about the Miltonic origins of Paine's scriptural argument against monarchy is worth taking seriously—not least because it is obviously correct. The section of *Common Sense* entitled "Of Monarchy and Hereditary Succession" is indeed a straightforward paraphrase of Milton's argument in the *Pro populo anglicano defensio* of 1651. In this text, Milton had turned to a radical tradition of rabbinic biblical commentary in order to explain why God became angry with the Israelites when they requested a king in 1 Samuel 8, despite his apparent acceptance of kingly government in Deuteronomy 17. Rejecting the traditional view that God had disapproved only of the *sort* of king that his people had requested, Milton argued instead that the Israelites had sinned in asking for a king *of any sort*, because monarchy per se is an instance of the sin of idolatry.<sup>12</sup> The wisest rabbis,

<sup>10</sup> *Reason: In Answer to a Pamphlet Entitled, Common Sense*, 20 ("that period, to which the soul"), 9 ("We have from English history").

<sup>11</sup> L. H. Butterfield, ed., *Diary and Autobiography of John Adams* (Cambridge, Mass., 1961), 3: 333 (quotation). A supporter of Paine likewise agreed that "in the celebrated writings of Thomas Paine, there is not a political maxim which is not to be found in the works of Sydney [*sic*], Harrington, Milton, and Buchanan"; see Henry Yorke, *These are the Times that Try Men's Souls! A Letter Addressed to John Frost, a Prisoner in Newgate* (London, 1793), 20.

<sup>12</sup> The crucial verses in Deuteronomy 17 read as follows (in the King James version): "When thou art come unto the land which the Lord thy God giveth thee, and

he explained, “deny that their forefathers ought to have acknowledged any king other than God, although one was given to them as a punishment. I follow the opinion of these rabbis.”<sup>13</sup> On Milton’s telling, “God indeed gives evidence throughout of his great displeasure at their [the Israelites’] request for a king—thus in [1 Sam. 8] verse 7: ‘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 wherewith they have forsaken me, and served other gods.’” “The meaning,” he continues, “is that it is a form of idolatry to ask for a king, who demands that he be worshipped and granted honors like those of a god.”<sup>14</sup> God accordingly punished the people by granting their sinful request: “I gave thee a king in mine anger and took him away in my wrath” (Hosea 13:11). The Israelites would endure great suffering under their kings, until at last they were led into captivity. In making this argument, Milton ushered in a new kind of republican political theory, which quickly became ubiquitous among defenders of the English commonwealth in the 1650s.<sup>15</sup>

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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.” See Deut. 17:14–15. This reading is drawn from the Midrash to Deuteronomy (*Devarim Rabbah*), which Milton knew through an intermediary source: Wilhelm Schickard, *Mishpat ha-Melekh, Jus Regium Hebraeorum* (1625). See Eric Nelson, *The Hebrew Republic: Jewish Sources and the Transformation of European Political Thought* (Cambridge, Mass., 2010), 35–44.

<sup>13</sup> “Ut omnes autem videant te nullo modo ex Hebraeorum scriptis id probare, quod probandum hoc capite suscepas, esse ex magistris tuâ sponte confiteris, qui negant alium suis majoribus regem agnoscendum fuisse prater Deum, datum autem in poenam fuisse. Quorum ego in sententiam pedibus eo.” See Milton, *Pro populo anglicano defensio* (London, 1651), 62 (quotation translated by author). See also Don M. Wolfe, ed., *Complete Prose Works of John Milton* (New Haven, Conn., 1966), 4: 1, 366.

<sup>14</sup> See Milton, *Pro populo anglicano defensio*, in Nelson, *Hebrew Republic*, 42–43 (“God indeed gives,” 42–43; “The meaning,” 43).

<sup>15</sup> See Nelson, *Hebrew Republic*, 23–56; Eric Nelson, “‘Talmudical Commonwealthmen’ and the Rise of Republican Exclusivism,” *Historical Journal* 50, no. 4 (December 2007): 809–35. My argument that Paine was reviving a seventeenth-century Hebraizing form of “exclusivist” republican theory has since been taken up by Nathan Perl-Rosenthal, who has applied it to the newspaper debate over *Common Sense*. I am deeply indebted to his essay. See Perl-Rosenthal, *WMQ* 66: 535–64. For Paine’s use of the Israelite example in his polemical writings, see also David Wootton, “Introduction: The Republican Tradition: From Commonwealth to Common Sense,” *Republicanism, Liberty, and Commercial Society, 1649–1776*, ed. Wootton (Stanford, Calif., 1994), esp. 26–41; Maria Teresa Pichetto, “La ‘Respublica Hebraeorum’ nella rivoluzione americana,” *Il pensiero politico* 35, no. 3 (2002): 481–500, esp. 497–500. A. Owen Aldridge’s skepticism about Paine’s claim to have taken his argument from Milton strikes me as unfounded, not least because he maintains (incorrectly) that Milton never composed a “complete version of the episode” (i.e., of “the appointing of a king over the Israelites”). See Aldridge, *Thomas Paine’s American Ideology* (Cranbury, N.J., 1984), 98. Winthrop D. Jordan, in contrast, finds the attribution entirely plausible. See Jordan, “Familial Politics: Thomas Paine and the Killing of the King, 1776,” *Journal of American History*

This Hebraizing doctrine was very different indeed from the heavily Roman theory of free states that had animated parliamentarians in the 1640s. For neo-Roman theorists, the great worry was *discretionary power*. A free man, they argued, must be *sui iuris*, governed by his own right. He must not be dependent on the will of another, which these writers took to mean (based on a freestanding set of claims about representation) that he must be governed only by laws made by a popular assembly, and not by the “arbitrary will” of a single person.<sup>16</sup> On this account, kingship is by no means a necessary institution (neo-Roman defenses of republican government were quite common throughout the early modern period), but it is an entirely permissible one, so long as the monarch is a pure “executive”—entrusted with the task of enforcing law, but invested with no prerogative powers by which he may *make* law (particularly the “negative voice”) or govern subjects without law.<sup>17</sup> For Hebraizing theorists such as Milton, who embraced what has been called an “exclusivist” commitment to republican government, the great worry was instead the *status of kingship*, not the particular powers traditionally wielded by kings (it is worth recalling that Milton himself was surprisingly amenable to government by “a single person” under the Protectorate).<sup>18</sup> In assigning a

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60, no. 2 (September 1973): 294–308, esp. 302. See also Stephen Newman, “A Note on *Common Sense* and Christian Eschatology,” *Political Theory* 6, no. 1 (February 1978): 101–8.

<sup>16</sup> The classic account of this discourse remains Quentin Skinner, *Liberty before Liberalism* (Cambridge, 1998). See also Skinner, *Hobbes and Republican Liberty* (Cambridge, 2008); Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford, 1997).

<sup>17</sup> English republicans of the neo-Roman stripe argued simply that republics (understood here as kingless regimes) were preferable to monarchies, in that they minimized the danger of political dependence by preventing the accumulation of excessive power in individual men. These theorists worried that even a purely “executive” monarchy was likely in practice to degenerate into “arbitrary” rule—but they fully conceded the possibility, if not the robustness, of a monarchical “free state.” See, for example, “An Act for the Abolishing of the Kingly Office in England and Ireland, and the Dominions thereunto Belonging,” Mar. 17, 1648/9, in C. H. Firth and R. S. Rait, eds., *Acts and Ordinances of the Interregnum, 1642–1660*, ed. (London, 1911), 2: 18–20. For the Roman sources of this view, see, for example, Cicero, *De officiis*, 1:64–65; Sallust, *Bellum Catilinae*, 6–7; Tacitus, *Historiae*, 1: 1; Tacitus, *Annales*, 1: 1–3.

<sup>18</sup> See Blair Worden, *Literature and Politics in Cromwellian England: John Milton, Andrew Marvell, Marchamont Nedham* (Oxford, 2007), 256–88 (“single person,” 256). The phrase “single person” derives from the text of the “Act for the abolishing the Kingly Office,” cited above, and was famously used in the Declaration of Parliament of May 6, 1659, announcing the end of the Protectorate. In that text England was said to be a “Commonwealth . . . without a single Person, Kingship, or House of Peers.” See *Journal of the House of Commons* (London, 1813), 7: 644–46 (quotation, 7: 645). For a discussion of “republican exclusivism,” in addition to my own work cited above, see James Hankins, “Exclusivist Republicanism and the Non-Monarchical Republic,” *Political Theory* 38, no. 4 (August 2010): 452–82. For a second important seventeenth-century defense of republi-

human being the title and dignity of a king, they argued, we rebel against our heavenly King and bow down instead to an idol of flesh and blood. As John Cook put it in *Monarchy, No Creature of God's Making*, "whether the kings be good men or bad, I will punish the people sayes the Lord, so long as they have any kings; it is not a government of my ordination, kings are the peoples Idols, creatures of their own making."<sup>19</sup> We can put the contrast between these two positions as follows: the neo-Roman theory anathematized prerogative while remaining agnostic about kings; the Hebraizing exclusivist theory anathematized kings while remaining agnostic about prerogative.

In the aftermath of the Glorious Revolution, whigs emphatically rejected the Hebraizing view, as well as the biblical exegesis upon which it was based. They offered instead a straightforward neo-Roman reading of 1 Samuel 8, according to which the Israelites had sinned, not in asking for a king, but in asking for a king with sweeping prerogative powers. This whig reading was given its classic formulation in Roger Acherley's *The Britannic Constitution*. Acherley begins by addressing those seventeenth-century authors whose "Notions are Confined to the *Jewish* Oeconomy, As if the Mode of the Monarchical Government, and the Succession to the Crown, instituted in that One Single Nation, was to be the *Pattern* for all other Kingdoms, And that all other Institutions which differ from it, are *Unwarrantable*." "These writers," he reports, "have read the Nature and Manner of the *Original Constitution* of that Kingdom, which in the First Book of *Samuel* is Accurately Described" (that is, in 1 Samuel 8:11–19, where Samuel describes the abuses that will be committed by Israel's kings) and have concluded from it that monarchical government is inherently arbitrary. But this, Acherley insists, is to commit a grave error. The Israelites could have chosen the free and limited monarchy that God

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can exclusivism, see Algernon Sidney, *Court Maxims*, ed. Hans W. Blom, Eco Haitisma Mulier, and Ronald Janse (Cambridge, 1996), 65; Sidney, *Discourses Concerning Government*, ed. Thomas G. West (Indianapolis, Ind., 1996), 338.

<sup>19</sup> Cook, *Monarchy, No Creature of God's Making*, 93 (quotation). It is important to recognize that, like Milton before him (and Sidney after), Cook was not always consistent on this point. Just a few pages after his unqualified endorsement of the view that monarchy per se is idolatry, he writes instead that "it is not the name of a King but the boundlesse power which I argue against (though the Romans for the insolence of *Tarquin* would not endure the name) if any people shall place the Legislative power in Parliamentary authority and give unto one man the Title of King for their better correspondency with foraigne Kingdomes, with no more power to hurt the people, then the Duke of *Venice* or the Duke of *Genoa* have; such a government may be Iust and Rationall, but domination is a sweet morsel"; *ibid.*, 53. For a similar inconsistency in Milton's later pamphlets, see, for example, Wolfe, *Complete Prose* (New Haven, Conn., 1980), 7: 377–78. The point is not that these authors were always consistent, but, rather, that each of them formulated an extensive, detailed defense of the exclusivist position—one that eighteenth-century Americans would rediscover in 1776.

desired for them, but instead they “rejected God” by demanding arbitrary kings: “The State they were desiring to enter into, That appeared in this View, That if they would have a King like All the Nations (of which *Egypt* was one) Then they must be in the like Subjection and *Slavery*, as the People of those Nations were; which differed not from the *Bondage* that was *Egyptian*. Whereas if they had Desired a King to Protect and Defend their Liberties and Properties, the Request had been Commendable.” Samuel “was therefore Amaz’d at this People’s Importunity, not only to reject the Greatest Blessings God could Give, or they Enjoy, *viz Liberty and Property*, but to return again unto *Slavery*,” and he accordingly warned the Israelites “that the Power of such a King as they Desired, *viz Of a King like all the Nations about them*, would be *Arbitrary*, And that the Liberty of their Persons, and the Property of their Estates, would necessarily fall under his Absolute Will and Disposal, after the Manner they had formerly been in *Egypt* . . . such a King would have in him the whole *Legislative and Judicial Power*, and that his *Arbitrary Will and Pleasure* would be the *Law or Measure* by which his Government would be Administered.” For Acherley, the Israelites had sinned in asking for a monarch who would combine executive, legislative, and judicial power—one who would govern by his “Arbitrary Will and Pleasure.”<sup>20</sup> Once again, it was discretionary power, not the kingly office or title, that God was said to despise.

To the extent that British North Americans discussed biblical monarchy at all during the first twelve years of the imperial crisis, it was simply to affirm this traditional understanding. God permitted each people to choose its form of government, and he had no objection whatsoever to the institution of limited monarchy. All participants in the pamphlet wars leading up to the Revolution could endorse this formulation (although it must be stressed that pamphlets of the 1760s and early 1770s tended to ignore scripture altogether).<sup>21</sup> Indeed, as the crisis escalated in 1775, even the very small number of colonial writers and ministers who began to offer a republican reading of 1 Samuel 8 did so while continuing to insist upon the legitimacy and divine permissibility of monarchy. They followed their

<sup>20</sup> See Roger Acherley, *The Britannic Constitution; or, The Fundamental Form of Government in Britain*. . . . (London, 1727), 6 (“These writers”), 7 (“that the Power of such”), 9 (“Arbitrary Will and Pleasure”). For an earlier statement, see *The Judgment of Whole Kingdoms and Nations, Concerning the Rights, Power, and Prerogative of Kings, and the Rights, Priviledges, and Properties of the People*. . . ., 6th ed. (London, 1710), esp. 28–41.

<sup>21</sup> Even those patriots of the early 1770s who defended an expansive conception of the royal prerogative could accept the whig understanding of 1 Sam. 8. They were claiming, after all, that the ancient prerogatives of the crown were fully “legal” and did not threaten enslavement to anyone’s “arbitrary will.” See Eric Nelson, “Patriot Royalism: The Stuart Monarchy in American Political Thought, 1769–75,” *WMQ* 68, no. 4 (October 2011): 533–72.

parliamentarian predecessors in arguing simply that republican government would offer the best protection against arbitrary, discretionary power—that it would rescue them once and for all from the dangers of encroaching prerogative. Their writings from this twelve-month period therefore provide a fascinating glimpse of a road not taken, of what the republican turn might have looked like had Paine not published his pamphlet.

In his *Short Essay on Civil Government*, the Connecticut minister Dan Foster offered the incendiary argument that “England was never more happy before, nor much more since, than after the head of the first [*sic*] Stuart was severed from his body, and while it was under the protectorship of Oliver Cromwell.” Yet, for all of its radicalism, his defense of the English republic resolutely shunned exclusivism. “A people,” he insisted, have an “inherent right to appoint and constitute a king supreme and all subordinate civil officers and rulers over them, for their civil good, liberty, protection, peace and safety.” Foster accepted the Roman conceit that men are born “*sui iuris*”—independent of the will of others—and that it is contrary to reason for them to surrender their liberty when establishing civil society. Those who designed England’s “ancient constitution” had understood this perfectly: “Caesar and Tacitus describe the antient Britons to have been a fierce people; zealous of liberty: a free people; not like the Gauls, governed by laws made by great men; but by the people.” These ancient free men, like their German forebears, had preferred political regimes in which “the people had the principle authority.” Yet, notwithstanding this fact, “they often elected a Prince or a King; sometimes a General whom we call Duke, from the Latin word *Dux*. But the power of these chiefs descended entirely on the community, or people; so that it was always a mixed democracy. In other parts . . . the King’s [*sic*] reigned with more power; yet not to the detriment of liberty; their royalty was limited by laws and the reason of things.” The chief requirement of good government is the preservation of liberty, which in turn requires the absence of arbitrary, discretionary power in the chief magistrate. For this reason, Foster insists on the total elimination of the royal prerogative: war, peace, and trade must all be governed by the “consenting voice and suffrage of the people personally, or by representation,” and a king ought to be deposed immediately if he “will not give the royal assent to bills which have passed the states, or parliament.”<sup>22</sup>

<sup>22</sup> Dan Foster, *A Short Essay on Civil Government, The Substance of Six Sermons, Preached in Windsor, Second Society, October 1774* (Hartford, Conn., 1775), 71 (“England was never”), 14 (“A people”), 16 (“*sui iuris*”), 23 (“ancient constitution”), 24 (“the people had the principle”), 50 (“consenting voice”), 70 (“will not give”). This last argument was a favorite of parliamentarian writers in the 1640s. They focused on the wording of the coronation oath sworn by Edward II (and allegedly sworn by Charles I), in which the king promised “corroborare justas leges et consuetudines quas vulgus eligerit.” If



So long as these conditions are met, Foster is prepared to acknowledge the legitimacy (if not the desirability) of monarchy, and he grounds his view in a striking reading of 1 Samuel 8:

And now they [the Israelites] manifest their desire of a King, one who should rule according to right and equity; and pray his assistance to constitute and set one over them, to judge, rule and govern them, as was customary in all other nations.

Samuel intimates his displeasure at their request of a King; fearing they did not pay that respect to Jehovah which they ought; and from the lord he shews them the manner of the King who should reign over them; how he would conduct with them, their families and inheritances, and what would be the maxims of that government which he would exercise over the people, in the course of his reign. Notwithstanding all this, the people persisted in their request of a King, and still continued their petition. And though perhaps the circumstances attending Israel's request at this time, and their obstinacy in it, after the prophets remonstrances against it, were not to be commended, the Lord so far overlooked this, that he commanded Samuel to hearken to, and gratify the people, by accomplishing their desire in constituting a King to rule and govern them.<sup>23</sup>

On Foster's interpretation, the Israelites had asked for the right sort of king after all: one who would "rule according to right and equity." What they failed to appreciate is that, in practice, monarchs tend to become tyrannical: "the maxims of that government which [Saul] would exercise over the people" were, Samuel realized, to be very different indeed from the ones endorsed by the people themselves when they asked for a king. It would therefore have been far better for them to retain their republican constitution, the safest possible bulwark against enslavement.<sup>24</sup>

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one (mis)construed the final verb to express the future perfect indicative, rather than the perfect subjunctive tense, it seemed to commit the monarch to give his assent to any laws that "the people shall choose"—meaning that, although all bills formally had to receive the assent of the sovereign in order to become law, the king was in fact required to give his assent to all bills chosen by the people (which is to say, enacted by the House of Commons). There was thus no true negative voice. See, for example, Henry Parker, *Observations upon Some of His Majesties Late Answers and Expresses* (London, 1642), 5; William Prynne, *The Sovereign Power of Parliaments and Kingdomes. . . .* (London, 1643), 65–68. For the Latin text of the oath, see Conal Condren, *Argument and Authority in Early Modern England: The Presupposition of Oaths and Offices* (Cambridge, 2006), 254–68.

<sup>23</sup> Foster, *A Short Essay*, 4.

<sup>24</sup> See also the essay reprinted from the *London Evening Post*, June 30, 1774, in the [New-London] *Connecticut Gazette, and the Universal Intelligencer*, Oct. 7, 1774, [1]:

Nonetheless, God acceded to their request because he regarded it as perfectly permissible for a people to institute monarchy.

Harvard College's president, Samuel Langdon, offered more or less the same view in a 1775 sermon, *Government Corrupted by Vice*. "The Jewish government," he observed, "according to the original constitution which was divinely established, if considered merely in a civil view, was a perfect Republic," and "the civil Polity of Israel is doubtless an excellent general model, allowing for some peculiarities; at least some principal laws and orders of it may be copied, to great advantage, in more modern establishments."<sup>25</sup> Indeed, in one extraordinary passage, Langdon came quite close to endorsing the Miltonic position: "And let them who cry up *the divine right of Kings* consider, that the only form of government which had a proper claim to a divine establishment was so far from including the idea of a King, that it was a high crime for Israel to ask to be in this respect like other nations; and when they were gratified, it was rather as a just punishment of their folly . . . than as a divine recommendation of kingly authority."<sup>26</sup> Yet Langdon insisted at the same time that "every nation, when able and agreed, has a right to set up over themselves any form of government which to them may appear most conducive to their common welfare." Monarchy remains perfectly permissible, so long as one guards against "the many artifices to stretch the prerogatives of the crown beyond all constitutional bounds, and make the king an absolute monarch, while the people are deluded with a mere phantom of liberty."<sup>27</sup> While it may have been seditious for the Israelites to ask for a human king (because they lived under a republican constitution established for them by God), it was no sin for anyone else to do so. The Salem, Massachusetts, minister Samuel Williams agreed in his own 1775 sermon, *A Discourse on*

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"Power long entrusted either to single persons, or to bodies of men, generally increases itself so greatly as to become subversive of the intentions, and dangerous to the rights of those who delegated it. Kings are but men, are subject to all the passions and frailties of human nature, and consequently are too prompt to grasp at arbitrary power, and to wish to make all things bend and submit to their will & pleasure."

<sup>25</sup> Samuel Langdon, *Government Corrupted by Vice, and Recovered by Righteousness*. . . (Watertown, Mass., 1775), 11–12 ("The Jewish government," 11, "the civil Polity," 12). For a discussion of Langdon's sermon in the context of a broader turn toward the model of the "Jewish republic" among New England ministers, see Harry S. Stout, *The New England Soul: Preaching and Religious Culture in Colonial New England* (1986; repr., Oxford, 2012), 301–5.

<sup>26</sup> Langdon, *Government Corrupted by Vice*, 12. Langdon's argument is in fact subtly, but importantly, different from Milton's: he is claiming that the Israelites sinned in asking for a king because kingship was not part of the divinely constituted government under which they lived—not because it is inherently sinful for a people to institute monarchy. The Israelite sin was therefore that of sedition. This view draws on a tradition of exegesis originating with Josephus. See Josephus, *Contra Apionem*, 2: 163–68.

<sup>27</sup> Langdon, *Government Corrupted by Vice*, 16.

*the Love of Our Country*, declaring that “infinite wisdom had seen fit to put that people [Israel] under a more excellent form of government, than any nation has ever had. God himself was their King. And they might have been long happy under a government, in which, the Ruler of the world condescended himself to execute the office of Chief-Magistrate. But such was their impiety and folly, that in many instances they greatly abused and perverted the privileges they were favoured with.”<sup>28</sup> As a result, they soon found themselves in Babylonian exile, under “the arbitrary will of a proud, cruel, despotic monarch.”<sup>29</sup> For Williams, republican government may well be the most “excellent” known to man, but monarchy remains permissible so long as it is not “arbitrary” and “despotic.”<sup>30</sup>

Seen in the context of these discussions, Paine’s *Common Sense* emerges as a transformative intervention. Rejecting over a century of whig biblical exegesis, Paine unambiguously returned in January 1776 to Milton and the Hebraic exclusivists of the 1650s. His argument in the section “Of Monarchy and Hereditary Succession” reads as follows:

Government by kings was first introduced into the world by the Heathens, from whom the children of Israel copied the custom. It was the most prosperous invention the Devil ever set on foot for the promotion of idolatry. The Heathens paid divine honors to their deceased kings, and the Christian world hath improved on the plan by doing the same to their living ones. How impious is the title of sacred majesty applied to a worm, who in the midst of his splendor is crumbling into dust!

As the exalting one man so greatly above the rest cannot be justified on the equal rights of nature, so neither can it be

<sup>28</sup> Samuel Williams, *A Discourse on the Love of Our Country; Delivered on a Day of Thanksgiving, December 15, 1774* (Salem, Mass., 1775), 5–6 (quotation, 6). This reading was drawn from Josephus, *Contra Apionem*, 2: 163–68. See Josephus, *The Life. Against Apion*, ed. and trans. H. St. J. Thackeray (Cambridge, Mass., 1926). For an important endorsement, see Theodore Beza, *De iure magistratum* (1574), in Julian Franklin, ed., *Constitutionalism and Resistance in the Sixteenth Century: Three Treatises by Hotman, Beza, and Mornay* (New York, 1969), 116.

<sup>29</sup> Williams, *Discourse on the Love*, 6.

<sup>30</sup> See also “The Monitor, No. XII,” *New York Journal; or, The General Advertiser*, Jan. 25, 1776, [1]. The author goes so far as to attribute to loyalists “an idolatrous veneration for the king and parliament, more especially for the former,” and laments that “the imaginations of men are exceedingly prone to deify and worship them [i.e., kings]; though, to the great misfortune of mankind, they are more commonly fiends, than angels.” But he immediately adds that, notwithstanding all of this, “it is noble and generous to love, to admire a virtuous prince.” See also “An Oration on Arbitrary Power, delivered by one of the Candidates for a second degree at the late Commencement held at Princeton, in New-Jersey, September 27, 1775,” *Connecticut Gazette; and the Universal Intelligencer*, Dec. 22, 1775, [1].

defended on the authority of scripture; for the will of the Almighty as declared by Gideon, and the prophet Samuel, expressly disapproves of government by kings. . . .

Near three thousand years passed away, from the Mosaic account of the creation, till the Jews under a national delusion requested a king. Till then their form of government (except in extraordinary cases, where the Almighty interposed) was a kind of republic administered by a judge and the elders of the tribes. Kings they had none, and it was held sinful to acknowledge any being under that title but the Lord of Hosts. And when a man seriously reflects on the idolatrous homage which is paid to the persons of kings, he need not wonder that the Almighty, ever jealous of his honor, should disapprove a form of government which so impiously invades the prerogative of heaven.<sup>31</sup>

For Paine, as for Milton before him, the Israelites sinned in asking for a king per se: “monarchy is ranked in scripture as one of the sins of the Jews, for which a curse in reserve is denounced against them.” “These portions of scripture,” he announces, “are direct and positive. They admit of no equivocal construction.” The issue was not the sort of king for which the Israelites asked—an arbitrary king whose prerogatives would enslave them—or that they asked for one despite being under God’s unique, providential government at the time. On the contrary, they sinned because it is inherently idolatrous to assign any human being the title and status of king. “The Almighty,” on Paine’s account, “hath here entered his protest against monarchical government,” and when the Israelites later entreated Gideon to become their king, the judge and prophet “denieth their right” to establish a monarchy and accordingly “charges them with disaffection to their proper Sovereign, the King of Heaven.”<sup>32</sup>

<sup>31</sup> Thomas Paine, *Common Sense, the Rights of Man, and other Essential Writings of Thomas Paine* (New York, 1984), 29–32. Paine explicitly glosses 1 Sam. 8 in the Miltonic manner on page 31. Important discussions of Paine and his pamphlet include Jordan, *Journal of American History*, 60; Bernard Bailyn, “The Most Uncommon Pamphlet of the American Revolution: *Common Sense*,” *Magazine of History* 25, no. 1 (December 1973): 36–41; Eric Foner, *Tom Paine and Revolutionary America* (New York, 1976); Aldridge, *Thomas Paine’s American Ideology*; Jack Fruchtman Jr., *Thomas Paine and the Religion of Nature* (Baltimore, 1993); Fruchtman, *Thomas Paine: Apostle of Freedom* (New York, 1994); Edward Larkin, *Thomas Paine and the Literature of Revolution* (Cambridge, 2005); Nichole Eustace, *Passion Is the Gale: Emotion, Power, and the Coming of the American Revolution* (Chapel Hill, N.C., 2008); Fruchtman, *The Political Philosophy of Thomas Paine* (Baltimore, 2009). As Perl-Rosenthal points out in his important essay, none of these sources addresses the Hebraic origins of Paine’s argument.

<sup>32</sup> Paine, *Common Sense*, 30–32 (“monarchy is ranked,” 30, “These portions of scripture,” 32, “denieth their right,” 30–31). Paine’s discussion of the Gideon episode likewise follows Milton; Wolfe, *Complete Prose*, 4: 1, 370. For an antecedent to Paine, see A Republican, “For the Massachusetts Spy. . . .” [Boston] *Massachusetts Spy*, Apr. 8,

Paine's opponents (not all of them loyalists) fully recognized the radicalism of this position, as well as its tendency to shift the focus of conversation away from potentially enslaving kingly *powers* and toward the alleged evils of the very *title* of king. Two critics in particular, Charles Inglis ("An American") and the Reverend William Smith ("Cato"), answered him at length on this issue in the Pennsylvania newspapers in the early months of 1776, and their responses have recently been the subject of an article in this journal by Nathan Perl-Rosenthal.<sup>33</sup>

Other readers, however, were far more receptive to Paine's use of scripture, among them Richard Parker. Parker was Lee's neighbor in Westmoreland County and often served as his trusted agent in both financial and political matters. Originally employed as king's attorney, he joined the patriot movement quite early on. In 1766, Lee deputized Parker to arrange the meeting that enacted the Leedstown Resolutions (Parker also chaired the meeting and signed the document), and Parker likewise became a member of the county's Committee of Safety in 1775–76. It was also Parker who implemented Lee's scheme of extracting rents from his numerous tenants in tobacco rather than paper money—thus precipitating a scandal that Lee's opponents would use to have him removed from Congress in 1777 (he was accused of contributing to the depreciation of Virginia's currency).<sup>34</sup> Parker was eventually appointed a judge of the General Court in 1788 and, later, of the first Court of Appeals. His letter to Lee about biblical monarchy, dated April 27, arrived at a time when Lee was actively soliciting opinions from his friends on the future constitutional form of the American colonies. John Adams, for one, had sent Lee a sketch

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1773. The author acknowledges the legitimacy of limited kingly government (in this he is unlike Paine), but nonetheless cites Milton in attacking the "trappings of monarchy" and claims that "every man of sense and independency must give the preference to a well constructed Republic." He continues as follows: "I am not peculiar in my notion of Kings or monarchical governments; besides all the antients who adjudged them tyrants; besides the Jewish people whom God, in his wrath plagued with a vengeance by giving them a King; besides these, moderns innumerable are on my side" (quotations, [1]).

<sup>33</sup> It is important to recognize, however, that some continued to defend the more orthodox position of Foster, Langdon, and Williams even after 1776. See, for example, James Dana, *A Sermon, Preached before the General Assembly of the State of Connecticut, at Hartford, on the Day of the Anniversary Election, May 13, 1779* (Hartford, Conn., 1779), esp. 15–18. For Inglis and Smith, see Perl-Rosenthal, *WMQ* 66: 535–64.

<sup>34</sup> For Parker's friendship with Lee, see, e.g., James Curtis Ballagh, ed., *The Letters of Richard Henry Lee* (New York, 1911), 1: 32–34, 42, 127, 297 n. 1, 299; John Carter Matthews and Sarah deGraffenried Robertson, eds., "The Leedstown Resolutions," *Northern Neck of Virginia Historical Magazine* 16, no. 1 (December 1966): 1491–506; Jack P. Greene, ed., *The Diary of Colonel Landon Carter of Sabine Hall, 1752–1778* (Richmond, Va., 1987), 2: 1006–7. For the rent extraction scandal, see Paul Chadwick Bowers, "Richard Henry Lee and the Continental Congress: 1774–1779" (Ph.D. diss., Duke University, 1964), 223–46.

of what later became his *Thoughts on Government* in November 1775, which Lee subsequently arranged to have published in both New York and Virginia—he “insisted upon it So much,” Adams reported to Francis Dana, “that it could not be decently refused.”<sup>35</sup> (Lee also composed his own “hand bill,” advancing a position very much like Adams’s, in the early months of 1776).<sup>36</sup> His letter to Patrick Henry of April 20, extolling Adams’s work and enclosing a copy of the published pamphlet, was written just before he would have received Parker’s letter (no reply from Lee appears to have survived).<sup>37</sup>

Lee, like Adams, utterly rejected Paine’s unicameralism, but he was otherwise known to be an enthusiastic acolyte; fellow Virginian Landon Carter described him as “a prodigious Admirer, if not partly a writer in the Pamphlet *Common Sense*.”<sup>38</sup> Parker evidently shared Lee’s admiration for the pamphlet and wrote to his friend to offer an account of the newspaper debate that Paine’s arguments had provoked. After providing a short description of recent naval activity off the Virginia coast, as well as an account of the detention of three prominent loyalists, Parker turned to the subject at hand: “I observe the Pennsylvania [*sic*] Papers are filled with the controversy about Independance and think the writers have rather left the Question What matters it to us at present whether Monarchy is reprobated by the Almighty or not.” In other words, Parker was observing that, while the controversy may have begun as a debate about “the Expediency or Inexpediency of Independance”—that is, about whether George III had irreparably forfeited the allegiance of his American subjects—it had quickly turned into a scriptural debate over the theological permissibility of monarchy itself. As Parker went on to explain, Paine had written extensively about “Monarchical Government as established amongst the Jews” and had argued that “god was displeased with their demanding a King and was

<sup>35</sup> John Adams to Francis Dana, Aug. 16, 1776, in Robert J. Taylor, Gregg L. Lint, and Celeste Walker, eds., *Papers of John Adams*, ser. 3 (Cambridge, Mass., 1979), 4: 466.

<sup>36</sup> John E. Selby, “Richard Henry Lee, John Adams, and the Virginia Constitution of 1776,” *Virginia Magazine of History and Biography* 84, no. 4 (October 1976): 387–400.

<sup>37</sup> Richard Henry Lee to Patrick Henry, Apr. 20, 1776, in Ballagh, *Letters of Richard Henry Lee*, 1: 179–80. See also Butterfield, *Diary and Autobiography of John Adams*, 3: 333; Bowers, “Richard Henry Lee and the Continental Congress: 1774–1779,” 168–73; Oliver Perry Chitwood, *Richard Henry Lee: Statesman of the Revolution* (Morgantown, W.Va., 1967), 94–95; John Adams to Richard Henry Lee, Nov. 15, 1775, in Taylor, Lint, and Walker, *Papers of John Adams*, 3: 307–8.

<sup>38</sup> Greene, *Diary of Colonel Landon Carter of Sabine Hall*, 2: 1007, 1049–50. Lee himself appears to have been thinking about the analogy between monarchy and idolatry as early as November 1775. In a letter to Catharine Macaulay, he wrote that “as a good *Christian* properly attached to your native Country, I am sure you must be pleased to hear, that North America is not fallen, nor likely to fall down before the *Images* that the King hath set up”; Lee to Macaulay, Nov. 29, 1775, in Ballagh, *Letters of Richard Henry Lee*, 1: 160.

determined they should suffer for his Crimes.”<sup>39</sup> In contrast, “Cato [the Reverend William Smith of Philadelphia] thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it.”<sup>40</sup>

This characterization of Cato’s argument is perfectly accurate. Smith regarded it as self-evident that Paine had “pervert[ed] the Scripture” in claiming that “monarchy . . . (meaning, probably, the institution of Monarchy,) ‘is ranked in Scripture as one of the sins of the *Jews*, for which a curse in reserve is denounced against them.’” But he recognized that, in “a country in which (*God* be thanked) the Scriptures are read, and regarded with that reverence which is due to a revelation from Heaven,” the argument of *Common Sense* could not safely be ignored. Smith therefore resolved “to rescue out of our author’s hands that portion of the sacred history which he has converted into a libel against the civil Constitution of *Great Britain*; and show in what sense the passage has been universally received, as well by the *Jews* themselves as by commentators, venerable for their piety and learning, in every Christian country.” He begins by reminding his readers that “the *Jews* were long privileged with a peculiar form of Government, called a Theocracy, under which the ‘Almighty either stirred up some person, by an immediate signification of his will, to be their Judge, or, when there was none, ruled their proceedings himself, by Urim and Thummim.’” When the Israelites requested a human king, they sinned first and foremost in “rejecting the divine Government” under which they had prospered. But they sinned further in desiring “a King to judge them like all the nations,” since “all the nations which they knew, were ruled by Kings, whose arbitrary will stood in the place of law; and it appears also that the *Jews*, since the day that they were brought out of *Egypt*, had still retained a particular hankering after the customs of that country.” God therefore “not only signifies his displeasure against all such arbitrary rulers, but against every people who would impiously and foolishly prefer such a Government to one immediately under himself, where, in his providence, he might think fit to appoint such an one.”<sup>41</sup>

Yet Paine had dared to argue that “the Almighty hath here entered his protest against Monarchical Government.” First, Smith answers that “the Almighty would have as strongly expressed his displeasure against the *Jews*, had they rejected his Government for one of their own appointment, whether it had been monarchical or democratical—to be administered

<sup>39</sup> Parker to Lee, Apr. 27, 1776, 1r (“I observe”), 2r (“god was displeased”).

<sup>40</sup> Parker to Lee, Apr. 27, 1776, 2r (quotation). See Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 839.

<sup>41</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 839–40 (“pervert[ed] the Scripture,” 5: 839, “the *Jews* were long,” 5: 840). Cato’s letters were reprinted in Connecticut, Virginia, and New York, among other places. See Perl-Rosenthal, *WMQ* 66: 557.

by one man or a thousand men.” But Paine errs most spectacularly in assuming that, when Samuel described the horrors that would be perpetrated by Israelite kings (1 Samuel 8:11–18), the prophet meant to “extend his protest against all future Monarchical Governments, such as were to subsist some thousands of years afterward, however limited and mixed, particularly that of *Great Britain*, (which must certainly be our author’s meaning, or he proves nothing to his purpose;).” This, for Smith, is patently absurd: citing “[Roger] Acherley, in his *Britannick Constitutions*,” he insists that “the particular case of the *Jews* cannot be applied to any other nation in this instance, as none else were ever in similar circumstances.”<sup>42</sup>

In order to buttress this conclusion, he turns to the Hebrew text itself, as well as to the tradition of Jewish commentary upon it. First comes “the celebrated *Grotius*,” who “tells us that *Samuel*, in this passage, does not speak of what our author calls the ‘general manner of Kings,’ or the just and honest right of a King to do such things; because his right is otherwise described elsewhere, as shall be shown. The prophet only speaks of such a right as the Kings round about *Israel* had acquired, which was not a true, right; for such is not the signification of the original word *Mishpat*; but such an action as (being founded in might and violence) hath the *effectum juris*, or comes in the place of right.” Grotius, along with Sidney (who is here transfigured into a respectable whig), is then said to be “well warranted in this interpretation, not only by the *Hebrew* text, but other clear passages of Scripture, and particularly the seventeenth chapter of *Deuteronomy*, where, with the approbation of Heaven, the duty of a good King is described and limited.” Smith proceeds to summarize the rabbinic debate over this passage, as it had inflected the seventeenth-century controversy over monarchy:

The *Jews* commonly understood this chapter as containing an absolute promise from Heaven of a Royal Government, and a sufficient authority for the request made to *Samuel* more than three hundred years afterwards. Others understood it conditionally,—that if they did reject the Divine Government,

<sup>42</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 840 (quotations). Paine directly answered Cato’s claim that Samuel had not meant to “extend his protest” to monarchy as such in his third “Forester” letter (Letter 3), also printed in the *Pennsylvania Gazette*, Apr. 24, 1776: “The Scripture institutes no particular form of Government, but it enters a protest against the Monarchal form; and a negation on one thing, where two only are offered, and one must be chosen, amounts to an affirmative on the other. Monarchal Government was first set up by the Heathens, and the Almighty permitted it to the *Jews* as a punishment. ‘I gave them a King in mine anger.’—Hosea xiii, 11.” “Letter 3—To Cato,” in *American Archives: Fourth Series*, 5: 1018. Smith’s citation of the *Britannick Constitution* refers to Acherley, *The Britannick Constitution*, 6–9.



and set up one of their own appointment, *God* would permit them; but their King should be chosen in the manner, and with the qualifications in that chapter described. All this, however, they disregarded when they asked an arbitrary King, like those of their neighbouring nations; and therefore, it is demonstratively certain that *Samuel*, in entering his protest against such Kings, did not protest against Kings or Monarchical Governments generally. Either this remark is true, or one part of Scripture is a direct contradiction to the other.<sup>43</sup>

The rabbis of the Talmud (here simply “the *Jews*”), unlike the rabbis cited by Milton, had derived from Deuteronomy 17 an “absolute promise” of monarchy—that is, an affirmative commandment to ask for a king.<sup>44</sup> Others, on Smith’s account, had construed the text to embody a permission to establish a virtuous and lawful monarchy. Both readings converged in insisting that the Israelites had sinned only in asking for the wrong sort of king. Smith conveniently neglects to mention that another group of rabbis, along with their seventeenth-century expositors, had taken precisely Paine’s view of the matter.

For Smith, as for the rest of Paine’s critics in 1776, the Hebraizing argument of *Common Sense* was most dangerous because it encouraged colonial readers to become anxious about precisely the wrong things—to pursue shadow over substance. So long as their chief magistrate was not called king, they would feel that the appropriate political principles had been satisfied fully; they would not fret at all about the sweeping prerogative powers that their suitably re-christened governors might come to wield. Tyrannical wolves would masquerade as republican sheep. “The popular leaders who overturned the Monarchy in the last age,” Smith reminds his readers, “were not themselves friends to Republicks. They only

<sup>43</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 841 (quotations). See Hugo Grotius, *Hugonis Grotii Annotationes in Vetus Testamentum*, ed. Georg Johann Ludwig Vogel (Halle, Germany, 1775), 1: 215; Hugo Grotius, *Hugonis Grotii De iure belli ac pacis libri tres* (Amsterdam, 1650), 1: 4.7.

<sup>44</sup> Babylonian Talmud: Sanhedrin 20b. The majority opinion in the Talmud, attributed to Rabbi Yehudah, reads as follows: “there were three commandments that Israel were obligated to fulfill once they had entered the land: appointing a king, exterminating the offspring of Amalek, and building the temple.” Isidore Epstein and Maurice Simon, eds., *Soncino Hebrew-English Edition of the Babylonian Talmud*, 30 vols. (London, 1994). This reading became ubiquitous among Protestant defenders of monarchy. Claude de Saumaise (Salmasius), for example, simply reproduced the Talmudic gloss in his *Defensio regia* (1649): “Tradunt Iudaeorum magistri, tria injuncta fuisse Israelitis quae facere eos oporteret postquam introducti essent in terram sanctam, *regem sibi constituere, excindere Amalechitas, templum exstruere*.” See C. L. Salmasii *Defensio pro Carolo I* (Cambridge, 1684), 63.

made use of the name to procure the favour of the people; and whenever, by such means, they had mounted to the proper height, each of them, in his turn, began to kick the people from him as a ladder then useless." The embodiment of this danger was Cromwell:

*Cromwell* exercised the power of a King, and of the most absolute King, under the specious name of a Protector. The instrument of Republican Government, which he had at first extolled as the most perfect work of human invention, he began (as soon as he thought his authority sufficiently established) to represent as "a rotten plank, upon which no man could trust himself without sinking." He had his eyes fixed upon the Crown; but when he procured an offer of it, from a packed Parliament, his courage failed him. He had outwitted himself by his own hypocrisy, and, in his way to power, had thrown such an odium upon the name of the King, that his own family, apprehensive he would be murdered the moment the diadem should touch his brow, persuaded him to decline that honour.<sup>45</sup>

The Miltonic argument revived by Paine threatened to make a fetish out of "the name of the King," delivering the colonists instead into the arbitrary power of a non-monarchical tyrant.<sup>46</sup> True "Republicks" are defined by the absence of discretionary power in any single person, not by the lack of an allegedly idolatrous title. "The harm," as another critic had put it, "lay not in the four Letters K,I,N,G."<sup>47</sup>

Parker himself thought that this debate should be postponed until after "we have determined our selves independant," but he nonetheless proceeded in his letter to Lee to endorse and then elaborately defend Paine's conclusion that God is an enemy to monarchical government.<sup>48</sup> His intervention is significant for two reasons. First, it provides valuable

<sup>45</sup> Cato, "Letter 8—To the People of Pennsylvania," in *American Archives: Fourth Series*, 5: 1050 (quotations).

<sup>46</sup> Virtually all of Paine's early critics likewise offered this argument. See, for example, *Reason: In Answer to a Pamphlet Entitled, Common Sense*, 9–13 (quotation, 9).

<sup>47</sup> Cato, "Letter 8," in *American Archives: Fourth Series*, 5: 1050 ("Republicks"); A Late Member of the Continental Congress, *The True Merits of a Late Treatise, Printed in America, Intituled Common Sense*. . . (London, 1776), 14–16 ("The harm," 16).

<sup>48</sup> Parker to Lee, Apr. 27, 1776, 1r (quotation); Parker rather surprisingly indicts both "Cato & Cassandra" for turning what should be a debate about "the Expediency or Inexpediency of Independance" into one about the divine permissibility of monarchy (ibid.). In fact, while Cato (William Smith) did indeed focus on refuting Paine's scriptural argument, Cassandra (James Cannon) spent no time attacking the institution of monarchy per se. Unlike Paine, the latter argued simply that America ought not to be governed by a British monarch. See Cassandra to Cato, in *American Archives: Fourth Series*, 5: 41–43, 431–34, 921–26.

evidence about the reach of Paine's Hebraizing argument in 1776 and beyond. Scholars have usually located the scriptural case against monarchy exclusively in a set of sermons delivered by New England ministers.<sup>49</sup> But Parker was an Anglican Virginia planter and he addressed his meditation on Paine's argument to a fellow member of the tidewater gentry. His letter therefore offers support for Ramsay's claim that Paine's scriptural argument found a receptive audience throughout the colonies, not merely in Congregational strongholds. Parker's analysis is also compelling insofar as it represents the attempt of an educated observer—whose thoughts, as he confesses, “are not well connected as my Avocations so frequently take me off from the Subject that the chain is often broke”—to take the measure of Paine's Hebraizing case against monarchy and explore its relation to the more traditional, neo-Roman reading of the biblical text.<sup>50</sup> Parker was evidently unwilling at this stage to choose between them.

On the one hand, his letter includes an unmistakable paraphrase of Paine's central argument: the heathen nations surrounding the Jews, Parker writes, had “paid divine honors to their Kings” (this is a direct quotation from Paine) and the Lord, “being a jealous God took every means to prevent them from falling into the same Error knowing that a person placed so far above the level of the people would lead them to whatever he pleased.”<sup>51</sup> Notice that, even here, Parker has either misconstrued or intentionally deviated from Paine's position in a subtle, but important, respect. Paine had argued that monarchy *itself* is an instance of the sin of idolatry, whereas Parker seems to be arguing instead that monarchs (who are not intrinsically idols) will frequently prevail upon the people to worship them in an idolatrous fashion. But it had been the strict equation of monarchy and idolatry that allowed Paine to reach his radical conclusion in *Common Sense*, namely, that the God of scripture classifies monarchy in all its forms as a sin. And this, after all, is the conclusion that Parker wants to defend against Cato's critique: the Israelites, Parker explains, chose to institute kingship against God's express wishes, and the subsequent depredations of Israel's kings provide evidence of the Lord's great anger: “Can it be thought that the Almighty would have been so unmerciful to his people if it had not have been to shew them the impropriety of having

<sup>49</sup> See, for example, Eran Shalev, *American Zion: The Old Testament as a Political Text from the Revolution to the Civil War* (New Haven, Conn., 2013), 57–69; Stout, *New England Soul*, 301–5; Perl-Rosenthal, *WMQ* 66: 553–54, 560. Perl-Rosenthal rightly doubts that, in light of Ramsay's testimony, it is plausible to suppose that this discourse was confined to a group of New England ministers, but he is unable to offer examples of its use elsewhere.

<sup>50</sup> Parker to Lee, Apr. 27, 1776, 1r (quotation).

<sup>51</sup> Parker to Lee, Apr. 27, 1776, iv. This phrasing seems to echo Paine's attack on “the exalting [of] one man so greatly above the rest”; Paine, *Common Sense*, 30.

a King for whose Trespasses they were to suffer”? After all, “God had expressly declared to them long before they asked a King that they would do it and that he would punish them with the Kings they should set over them see the 28th Cap Deuteronomy to the 37th verse. Hosea in the 13th Chapter 11th verse says ‘I gave thee a King in mine Anger and took him away in my wrath[.]’ In short god was displeased with their demanding a King and was determined they should suffer for his Crimes.”<sup>52</sup> To be sure, “Cato thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it.” Does not Deuteronomy 17, Cato had asked, “smell strong of Monarchy and even of Hereditary Monarchy?” Parker answers that “God has expressly declared his displeasure with the Jews for asking a King; but he knew long before they did demand one that they would do it; and he only tells them if they should be so foolish as to do it what sort they should choose & declares how he ought to conduct himself by which Conduct he should obtain his favor.”<sup>53</sup> “It is [a] pity,” Parker concludes, that “Cato has not the Candor to compare the Scriptures, a crime he accuses Common Sense of.”<sup>54</sup>

Parker thus fully embraces Paine’s view that God is an “enemy” to monarchical government and that kingship in all its forms is sin—and he likewise offers a glancing, somewhat muddled endorsement of the claim that monarchy is sinful insofar as it is idolatrous. But Parker simultaneously runs a set of arguments that are very different from Paine’s. To begin with, whereas Paine (like Langdon and Williams before him) had favorably described the original Israelite constitution as “a kind of republic, administered by a judge and the elders of the tribes,” Parker dismisses the pre-monarchical Israelites as “Wretches” who obeyed the “dictates” of

<sup>52</sup> Parker to Lee, Apr. 27, 1776, 2r. Parker interestingly rejected the Josephan account of Israelite theocracy: “as to calling it [Israelite government before Saul] a Theocracy it is talking Nonsense because every State in the Universe is equally a Theocracy[.] Whoever believes in a particular Providence must acknowledge that the Events of States are governed by the Almighty and I am sure the Hand of God has been with us[.] It is true as the Jews were in such a State of Ignorance as to be unable to make any Laws for themselves God did prescribe a Set of Laws for them such as would be sufficient for their Government; that his wise purposes in bringing abt. the Redemption of man by his Son Jesus Christ might be fully answered but he left the Execution of those laws to the people themselves.” *Ibid.*, iv.

<sup>53</sup> Parker to Lee, Apr. 27, 1776, 2r. Parker’s wording (“God has expressly declared his displeasure with the Jews for asking a King”) is highly reminiscent of Milton’s own, as translated in the 1692 English version of the *Defense*: “God frequently protests that he was extremely displeas’d with them for asking a King”; Milton, *A Defence of the People of England* (London, 1692), 48. The Latin reads as follows: “Passim enim testatur Deus valde sibi displicuisse quod regem petissent”; Milton, *Defensio*, 66. Paine does not incorporate this language into *Common Sense*, so it is possible that Parker had direct access to Milton’s text.

<sup>54</sup> Parker to Lee, Apr. 27, 1776, 2v.

the Judges out of the (apparently) false belief that their commands “came from God” and states further that it is impossible to determine “what kind of Government” this really was.<sup>55</sup> More importantly, Parker also offers a competing account of why God was displeased with the Israelites when they instituted monarchy. In Egypt, he explains, the Israelites had been afflicted with “most abject Slavery.” God had redeemed them from bondage, and it was because he wished them to remain free men that he forbade them to establish a monarchy: “He knew that all felicity would be at an end and their Slavery under a King would be as great as whilst they lived in Egypt.” A critical portion of the text is missing here, but it seems as if Parker is trying to argue that God rejected monarchy on standard neo-Roman grounds: while it might be possible to imagine a nonarbitrary monarchy, in practice kings tend to turn into tyrants, and subjects into slaves.<sup>56</sup>

This, of course, had been the argument of Foster, Langdon, and Williams, but none of these writers (as we have seen) had taken the view that monarchy was therefore a sin and illicit in all circumstances. Indeed, they had reasoned in precisely the opposite direction: since one can perfectly well institute a nonarbitrary monarchy, it followed for them that kingly government in itself cannot be regarded as illicit—and that the Israelites did not sin in asking for a king per se. The fact that monarchs often come to wield arbitrary, discretionary power simply gives us good prudential grounds for preferring republican government and explains why God himself had initially instituted such a regime among his chosen people. Likewise, the argument that God in 1 Samuel 8 was merely expressing his concern that Israelite kings would ape the idolatrous customs of the heathens had always been invoked by those (like Cato himself) who wished to *deny* the conclusion that the Israelites sinned in asking for a king per se (the sin, on this account, was simply to have asked for the wrong sort of king—one like those of “the other nations”).<sup>57</sup> What we find in Parker’s letter, in other words, is an improvisatory attempt to match Paine’s conclusion with several very different premises. Parker cannot quite make up his mind whether monarchy is a sin because it is inherently idolatrous (that is, because the Lord is a “jealous God”), because it tends to promote idolatry, or because it threatens slavery (or for some combination of these

<sup>55</sup> For “a kind of republic,” see Paine, *Common Sense*, 30; for “Wretches,” see Parker to Lee, 1v. Paine also insisted that “the will of the Almighty” was indeed “declared by Gideon and the prophet Samuel”; see Paine, *Common Sense*, 30.

<sup>56</sup> Parker to Lee, Apr. 27, 1776, 1v (quotations). Quite a lot hangs on Parker’s precise reason for stating that God “knew” that the Israelites would be slaves under their kings. Is this because God simply foresaw that the Israelite kings would become tyrants, or because God “knows” that kings inevitably become tyrants. The latter would amount to the claim that there is no such thing (at least over time) as a nonarbitrary monarchy—and that this is why God regards all monarchies as sinful.

<sup>57</sup> 1 Sam. 8:4.

reasons).<sup>58</sup> Paine's pamphlet and the responses that it generated had forced him to wrestle with these issues, but the results, as he himself recognized, were rather inconclusive.

For many of Parker's countrymen, in contrast, the matter was far more straightforward. By the end of 1776, a host of colonial writers and ministers had come forward to defend Paine's argument unambiguously and in its entirety. In a sermon preached on September 12, Peter Whitney declared that "when the people of Israel foolishly and impiously asked God to give them a king," God begged them to "withdraw their petition, and desire rather to continue as they were." Yet, "they notwithstanding, persisted in their demand, and God gave them a king, but in his anger, and as a great scourge and curse to them." Whitney's verdict on this episode simply replicates Paine's discussion of the inherently idolatrous character of monarchical government, complete with direct quotations from *Common Sense* itself:

It is a natural inference from sacred story, and from what has been said above, that kingly government is not agreeable to the divine will, and is often a very great evil. The will of God as made known by Gideon; and the prophet Samuel expressly disapproves of government by kings. "Near three thousand years passed away from the Mosaic account of the creation, *before* the Jews under a national delusion, asked a king.—'Till then their form of government (except in extraordinary cases where the Almighty interposed) was a kind of republic administered by a judge, and the elders of the tribes. Kings they had none, and it was held sinful to acknowledge any being under that title but the Lord of hosts. And when a man seriously reflects on the idolatrous homage which is paid to the persons of kings, he need not wonder that the Almighty, ever jealous of his honor, should disapprove a form of government which so impiously invades the prerogative of heaven." No form of government but kingly or monarchical, is an invasion of God's prerogative; this is.

"The most high over all the earth," Whitney concludes, "gave kings at first, to the Jews (as he sends war) in anger, and as a judgment, and it may be affirmed, that upon the whole, they have been a scourge to the inhabitants of the earth ever since." "We in these States," Whitney concludes, "are now evidently under the frowns of heaven for our many and great transgressions: it is to be hoped we shall not 'add to our sins, this evil to ask *us* a king.'"<sup>59</sup>

<sup>58</sup> Parker to Lee, Apr. 27, 1776, iv (quotation).

<sup>59</sup> Whitney, *American Independence Vindicated* ("when the people," 11, "It is a natural inference," 43–44, "The most high," 44–45).

Whitney's view was endorsed the following month in the "Instructions to Delegates" published by the Committee for Charlotte County, Virginia. Having renounced their allegiance to George III, the citizens of the county were now committed to "taking the *God* of Heaven to be our King."<sup>60</sup> A sermon preached in Boston by Benjamin Hichborn took the same line: "I am inclined to think, that the great founder of societies has caused the curse of infatuating ambition, and relentless cruelty, to be entailed on those whose vanity may lead them to assume *his* prerogative among any of his people as they are cantoned about in the world, and to prevent mankind from paying that adoration and respect to the most dignified mortal, which is due only to *infinite wisdom and goodness*, in the direction of *almighty power*, and therefore that he alone is fit to be a monarch."<sup>61</sup> Nor did the passing of the years diminish Paine's grip on the political imagination of British Americans. In 1778, the poet Philip Freneau echoed *Common Sense* in verse:

To recommend what monarchies have done,  
 They bring, for witness, David and his son;  
 How one was brave, the other just and wise;  
 And hence our plain Republics they despise;  
 But mark how oft, to gratify their pride,  
 The people suffered, and the people died;  
 Though one was wise, and one Goliath slew,  
*Kings are the choicest curse that man e'er knew!*<sup>62</sup>

<sup>60</sup> "Instructions to Delegates for Charlotte County, Virginia," Apr. 23, 1776, in *American Archives: Fourth Series*, 5: 1035.

<sup>61</sup> Benjamin Hichborn, "Oration Delivered at Boston, March 5, 1777," in *Principles and Acts of the Revolution in America*. . . , ed. Hezekiah Niles (Baltimore, 1882), 27 (quotation). Also see Cosmopolitan, "Letter X," in *American Archives: Fourth Series*, 5: 1172. For further endorsements of Paine's argument in 1776, see for example *The People the Best Governors; or, A Plan of Government Founded on the Just Principles of Natural Freedom* (n.p., 1776); "Extract of a Letter from Philadelphia to a Gentleman in England," Mar. 12, 1776, in *American Archives: Fourth Series*, 5: 186–88; Samuel West, *A Sermon Preached Before the Honorable Council, and the Honourable House of Representatives, of the Colony of Massachusetts-Bay, in New-England. May 29th, 1776*. . . (Boston, 1776); William Drayton, "Judge Drayton's Charge to the Grand Jury of Charleston, South-Carolina," Apr. 23, 1776, in *American Archives: Fourth Series*, 5: 1031; Salus Populi, "To the People of North-America on the Different Forms of Government," 1776, in *American Archives: Fourth Series*, 5: 180–83. Even John Adams seems to have been swept up momentarily in this discourse; see, for example, Adams to William Tudor, Feb. 27, 1777, in Taylor, Lint, and Walker, *Papers of John Adams*, 4: 94: "I hope We shall e'er long renounce some of our Monarchical Corruptions, and become Republicans in Principle in Sentiment, in feeling and in Practice. In Republican Governments the Majesty is all in the Laws. They only are to be adored." Also see Adams to Congress, July 23, 1780, *ibid.*, 10: 27; "The total and absolute suppression of the Tumults in London . . . has now given them [the Ministry] such Exultation and Confidence, that the People of America will dethrone the Congress and like the Israelites demand a King."

<sup>62</sup> Philip Freneau, "America Independent; And Her Everlasting Deliverance from British Tyranny and Oppression," in *Poems Written and Published During the American*

Joseph Huntington of Connecticut offered much the same account in *A Discourse, Adapted to the Present Day*. “The infinitely wise and good Being,” he begins, “has given us the sum and substance of the most perfect form of civil government in his word. . . . I mean that ancient plan of civil policy, delineated for the chosen tribes of Israel.” In that divinely authorized constitution, “we find no king, no despot, no emperor, no tyrant, no perpetual dictator allowed of.” Quite the contrary, the “tribes of Israel” had “by divine appointment a general congress,” (as Huntington later clarified, “I mean the Sanhedrim or seventy elders”) “with a president at their head; Moses was the first, Joshua succeeded him, so on till the days of Samuel, when the constitution was subverted.” Huntington insists that “here God has marked out that form of civil government which is agreeable to his own will.” Each people is free to adapt this basic structure to its own needs and requirements, “but thus much in general God has plainly taught us, viz. that no king, no monarch, no tyrant, or despot, ought ever to be admitted to rule over his people, or any people under heaven; and hence, when Israel rejected that glorious form of government, and would have a king to govern them, God expressly declares *they rejected him*.”<sup>63</sup>

John Murray of Newburyport, Massachusetts, returned to this theme in his sermon celebrating the Peace of Paris and the birth of the new United States in 1784. “Now hail thy Deliverer-God. Worship without fear of man,” he exhorts his audience. “This day, invite him to the crown of America—proclaim him King of the land.”<sup>64</sup> Such a coronation, Murray

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*Revolutionary War*. . . . (Philadelphia, 1809), 1: 241. See also Benjamin Rush, writing to John Adams while the latter was posted to the French court: “While you are *gazed* at for your American-manufactured principles, and *gazing* at the folly and pageantry of animals in the shape of men cringing at the feet of an animal called a king, I shall be secluded from the noise and corruption of the times”; Benjamin Rush to John Adams, Jan. 22, 1778, in L. H. Butterfield, ed., *Letters of Benjamin Rush* (Princeton, N.J., 1951), 1: 192.

<sup>63</sup> Joseph Huntington, *A Discourse, Adapted to the Present Day, on the Health and Happiness, or Misery and Ruin, of the Body Politic, In Similitude to that of the Natural Body* (Hartford, Conn., 1781), 8–11 (“The infinitely wise,” 8, “we find no king,” 8–9, “tribes of Israel,” 10, “but thus much,” 11). See also Samuel Cooper, *A Sermon preached Before His Excellency John Hancock, Esq. . . . October 25, 1780. Being the Day of the Commencement of the Constitution and Inauguration of the New Government* (Boston, 1780). For the Hebrew republic as a constitutional model in revolutionary America, see Eran Shalev, “‘A Perfect Republic’: The Mosaic Constitution in Revolutionary New England, 1775–1788,” *New England Quarterly* 82, no. 2 (June 2009): 235–63. See also Shalev, *American Zion*, 50–83.

<sup>64</sup> John Murray, *Jerubbaal; or, Tyranny’s grove Destroyed, and the Altar of Liberty Finished*. . . . December 11, 1783. *On the Occasion of the Public Thanksgiving for Peace*. . . . (Newburyport, 1784), 7 (quotation). This is a direct echo of Paine: “But where, says some, is the King of America? I’ll tell you. Friend, he reigns above, and doth not make havoc of mankind like the Royal Brute of Britain. Yet that we may not appear to be defective even in earthly honors, let a day be solemnly set apart for proclaiming the charter; let it be



goes on to explain, has been made possible by the extraordinary virtue and piety of the Americans and their leaders. In the Hebrew republic of old, as Paine had recounted, Gideon was invited to become king, but he recognized that “the reins of kingly authority become no other hands than those of the all-perfect Sovereign of the universe.” Only God “is fit to sit Monarch on a throne—before him only every knee should bow—at his feet should sceptered mortals cast their crowns—there should they lay them down—to resume and wear them no more for ever—and he who refuses this rightful homage to the only Supreme, deserves to be treated as a tyrant among men, and a rebel against God.” Why should Americans expect any less of their own greatest general? “Are not we the children of Israel too—a professing covenant-people, in a land peculiarly privileged with gospel-light?” Indeed we are, and though George Washington was never offered a crown—because, for Americans, “the idea of a human monarchy is too absurd in itself”—if he had been, he surely would have replied in ringing tones that “the *Lord* alone shall be king of *America*.”<sup>65</sup>

brought forth placed on the divine law, the word of God; let a crown be placed thereon, by which the world may know, that so far as we approve of monarchy, that in America The Law Is King. For as in absolute governments the King is law, so in free countries the law *ought* to be King; and there ought to be no other. But lest any ill use should afterwards arise, let the crown at the conclusion of the ceremony be demolished, and scattered among the people whose right it is”; Paine, *Common Sense*, 48–49.

<sup>65</sup> Murray, *Jerubbaal*, 21 (“the reins of kingly”), 32 (“Are not we”), 42 (“the idea of a human”), 44 (“the *Lord* alone”). This language continued to appear during the debates over ratification. See, for example, Camillus, [Philadelphia] *Pennsylvania Packet, and Daily Advertiser*, June 13, 1787 (orig. pub. in the [Boston] *Independent Chronicle*). The author attacks proponents of the new Constitution as those who “raved about monarchy, as if we were ripe for it; and as if we were willing to take from the plough-tail or dram shop, some vociferous committee-man, and to array him in royal purple, with all the splendor of a King of the Gypsies . . . our king, whenever Providence in its wrath shall send us one, will be a blockhead or a rascal” (note the use of Hosea). See Camillus, *Pennsylvania Packet*, June 13, 1787, [2]. Compare Mercy Otis Warren’s characterization of the Constitution’s opponents: “They deprecate discord and civil convulsions, but they are not yet generally prepared, with the ungrateful Israelites, to ask a King, nor are their spirits sufficiently broken to yield the best of their olive grounds to his servants, and to see their sons appointed to run before his chariots”; A Columbian Patriot [Warren], *Observations on the New Constitution, and on the Fæderal and State Conventions* (Boston, 1788), 17. See also Speeches by Robert Livingston and Melancthon Smith to the New York Ratifying Convention, in *The Debates in the Several State Conventions, on the Adoption of the Federal Constitution*, ed. Jonathan Elliot (Washington, D.C., 1836), 2: 210, 223–26; Agrippa, Letter 17, in *Essays on the Constitution of the United States, Published during Its Discussion by the People, 1787–1788*, ed. Paul Leicester Ford (New York, 1892), 111. See also Thomas Jefferson to James Madison, Mar. 15, 1789, in Julian P. Boyd, ed., *The Papers of Thomas Jefferson* (Princeton, N.J., 1958), 14: 661: “I know there are some among us who would now establish a monarchy. But they are inconsiderable in number and weight of character. The rising race are all republicans. We were educated in royalism: no wonder if some of us retain that idolatry still. Our young people are educated in republicanism. An apostasy from that to royalism is unprecedented and impossible.”

The document reproduced below thus bears witness to a fateful shift in the character of colonial political thought. Paine's *Common Sense* fueled an abrupt republican turn in 1776 by reintroducing into Anglophone political discourse a particular *kind* of republican theory: one grounded in the Hebraizing conviction that it is idolatrous to assign any human being the title and dignity of a king. This theory was both more and less radical than its neo-Roman rival: more radical, in that it denied the legitimacy of all monarchies, however limited; less radical, in that it left open the possibility of an extremely powerful chief magistrate, so long as he was not called king. Parker's letter to Lee represents a very early, sympathetic attempt to grapple with the implications of Paine's scriptural argument—one that plainly sought to leave some room in the case against monarchy for the neo-Roman preoccupation with discretionary power. But the force of Paine's distinctive new brand of antimonarchism proved difficult for contemporaries to resist. Lee himself, after all, seems to have detected no dissonance whatsoever between the two great political interventions that he was simultaneously considering during the week of April 27, 1776: Paine's Hebraizing demonstration that "monarchy is reprobated by the Almighty," as defended by his friend Richard Parker, and Adams's insistence that "there should be a third Branch [of the legislature] which for the Sake of preserving old Style and Titles, you may call a Governor whom I would invest with a Negative upon the other Branches of the Legislature and also with the whole Executive Power."<sup>66</sup> It was of course perfectly possible to be worried both about the idolatrous pretensions of royal dignity and about the enslaving effects of discretionary power.<sup>67</sup> But by so profoundly altering the focus of the debate, Paine and his many acolytes made it possible for Americans in the following decade to reconcile republicanism with prerogative.

<sup>66</sup> For "monarchy is reprobated," see Parker to Lee, Apr. 27, 1776, 1r. For "there should be," see Adams to William Hooper, Mar. 27, 1776, concerning the manuscript "Thoughts on Government," in Taylor, Lint, and Walker, *Papers of John Adams*, ser. 3, 4: 73–78 (quotation 4: 76). Adams interestingly distinguishes the negative voice from "most of those Badges of Domination call'd Prerogatives."

<sup>67</sup> On this view, the absence of discretionary power in any single person is a necessary but not sufficient condition of legitimate government in a free state. Paine himself rejected the king's "negative voice" on these grounds and remained a fierce opponent of prerogative power in the executive for the rest of his life. It is therefore deeply ironic that he himself inadvertently made it possible for Americans to reconceptualize republicanism in such a way as to render it compatible with prerogative. See Paine, *Common Sense*, 44–45.

*Richard Parker to Richard Henry Lee, April 27, 1776*<sup>68</sup>

[1r] Dear Sir

Since my last nothing very material has happened with us or at least I have heard very little news our papers never coming to hand altho Purdie<sup>69</sup> and the other printers have been expressly ordered to send them to Fredericksburg for our Rider. A Tender came last Week to Hobbs Hole and took a new England man loaded with grain & flower from the Warf, an Alarm was given and the Malitias of Essex and Richmond pursued them in Vessels they retook the prize and brought her back; the Tender escaped tho pursued with in three miles of Urbanna, Anegro<sup>70</sup> fellow belonging to Walker who was skipper of his boat was killed but no other damage done to our men. We have a Report which I believe to be true tho it may be improper to propagate it unless fully confirmed, That young Mr. Wormeley<sup>71</sup> is under close Confinement in Williamsburg he was taken in a tender going to Dunmore<sup>72</sup> Charles Neilson & John Grymes<sup>73</sup> were also taken in another Tender carrying provisions to that Monster If this news be true I doubt not they will meet with their deserts. Since I wrote the above piece of news it has been confirmed so that except that he has a guard over him (it may be depended upon) and not in close confinement.<sup>74</sup>

<sup>68</sup> I am grateful to Joshua Ehrlich for his assistance in transcribing the text. The letter is written on a single sheet of paper, 15 inches by approximately 9.25 inches, which has been folded in half. The paper is torn at the bottom, with the result that two lines of text have been almost completely lost on each of the first three pages (1r, 1v, 2r). Original spelling and orthography have been retained throughout. Parker's excisions from the text are recorded in the notes (to the extent that they are decipherable). Conjectures and editorial insertions are marked with brackets. All superscript has been brought down to the line. Richard Parker to Richard Henry Lee, Apr. 27, 1776, *Lee Family Papers*, MSS 38-112, box 6 (January–November 1776), Albert and Shirley Small Special Collections Library, University of Virginia, Charlottesville, Va.

<sup>69</sup> Alexander Purdie, publisher of the *Virginia Gazette* (one of three newspapers of that name).

<sup>70</sup> That is, "A negro."

<sup>71</sup> Ralph Wormeley Jr., a prominent Middlesex County loyalist. His letter to fellow loyalist John Randolph Grymes of Apr. 4, 1776 was intercepted and presented to Maj. Gen. Charles Lee, who ordered the detention of both men (as well as that of Charles Neilson, who was identified as a loyalist in the opening line of the letter). See Scribner and Tarter, *Revolutionary Virginia, The Road to Independence*, 6: 325–32.

<sup>72</sup> John Murray, fourth Earl Dunmore, royal governor of Virginia.

<sup>73</sup> Charles Neilson and John Randolph Grymes were both prominent Middlesex County loyalists. The following text is excised after "Grymes": ~~who married Wormeley's Sister.~~

<sup>74</sup> The parentheses have been added. The phrase within the parentheses appears between two lines in the manuscript. It is not clear where the author wanted it to be inserted.

I am astonished we hear nothing from Quebec<sup>75</sup> Our Success of it will be of the utmost Consequence to our Cause

I observe the Pennsylvania Papers are filled with the controversy about Independance and think the writers have rather left the Question What matters it to us at present whether Monarchy is reprobated by the Almighty or not, It will be time enough to consider what kind of Government is best suited for America when we have determined our selves independant; indeed every man who wishes to be free will be forming Opinions relative to the form of Government And those Opinions it would do well to communicate but the present contest between Cato & Cassandra<sup>76</sup> should be of the Expediency or Inexpediency of Independence However if you will give me leave I will shew you my Sentiments of Monarchical Government as established amongst the Jews My thoughts are not well connected as my Avocations so frequently take me off from the Subject that the chain is often broke

It . . . not be amiss for the [judgment] . . . this . . . [Iv] most abject Slavery not less content with it or in a greater State of Ignorance [nay] by no means so ignorant as numbers of our Slaves here, their whole history shews it; that they were Heathens no one will deny for what few religious rights they had were from the Egyptians of course they had no form of Government until they arrived in the Land of promise and it was left to them by their Lawgiver Moses They never gave themselves the trouble to reflect on the Nature of Government and it was sufficient for such a set of Wretches to obey the dictates of their Judges<sup>77</sup> especially as they believed every ordinance came from God<sup>78</sup> under what kind of Government they really did live in the time of the Judges it is extremely difficult to if not impossible to judge for as to calling it a Theocracy it is talking Nonsense because every State in the Universe is equally a Theocracy<sup>79</sup> Whoever

<sup>75</sup> The Continental army was laying siege to Quebec. The siege would be broken the following month.

<sup>76</sup> Parker's reference to the letters of "Cassandra" (James Cannon) is rather surprising, in that these did not attack the institution of monarchy per se. Unlike Paine, Cannon argued simply that America ought not to be governed by a British monarch. See "Cassandra to Cato," in *American Archives: Fourth Series*, 5: 41–43, 431–34, 921–26.

<sup>77</sup> Note that Parker's description of the rule of the Judges is quite different from Paine's. Parker describes the Israelites of that time as "Wretches" who obeyed the "dictates" of the Judges out of the (apparently) false belief that their commands "came from God"; he further states that it is impossible to determine "what kind of Government" this really was. On Paine's telling, in contrast, Israel under the Judges appears far more favorably as "a kind of Republic, administered by a judge and the elders of the tribes." Paine also writes that "the will of the Almighty" was indeed "declared by Gideon and the prophet Samuel"; Paine, *Common Sense*, 30.

<sup>78</sup> What their form

<sup>79</sup> Parker is here rejecting Josephus's celebrated analysis of the Israelite *politeia*. See Josephus, *Contra Apionem*, 2: 163–68.

believes in a particular Providence must acknowledge that the Events of States are governed by the Almighty and I am sure the Hand of God has been with us It is true as the Jews were in such a State of Ignorance as to be unable to make any Laws for themselves God did prescribe a Set of Laws for them such as would be sufficient for their Government; that his wise purposes in bringing abt. the Redemption of man by his Son Jesus Christ might be fully answered but he left the Execution of those laws to the people themselves. He was well acquainted with their Ignorance he knew them fond of the Customs of the Egyptians and that they would seek every opportunity to return to them and his laws were calculated to keep them separate from those as well as other Heathens those paid divine honors to their Kings and he as himself declares being a jealous God took every means to prevent them from falling into the same Error knowing that a person placed so far above the level of the people<sup>80</sup> would lead them to whatever he pleased He knew that all felicity would be at an end and their Slavery under a King would be as great as whilst they lived in Egypt. How then must the Almighty resent this demanding a Monarch to reign over them Had they have had . . . to have formed . . . Government. . . . [2r] It was not particularly with Saul but with all their Kings Look through the whole catalogue of Kings (a very long one) and you will find few very few but what were a curse to them The much admired King David†<sup>81</sup> was as great a Curse to them as any other What constant Wars was he engaged in during his whole life and what a punishment did he bring on them for no appearance of a fault in them the Loss of three score and ten thousand men purely for his own disobedience of the Commands of God or his own pride or folly. Can it be thought that the Almighty would have been so unmerciful to his people if it had not have been to shew them the impropriety of having a King for whose Trespasses they were to suffer. God had expressly declared to them long before they asked a King that they would do it and that he would punish them<sup>82</sup> with the Kings they should set over them see the 28th Cap Deuteronomy to the 37th verse. Hosea in the 13th Chapter 11th verse says "I gave thee a King in mine Anger and took him away in my wrath"<sup>83</sup> In short god was displeased with their demanding a King and was determined they should suffer for his Crimes that they did suffer constantly for their Kings faults will be seen by any person who will give himself the trouble to read their History whilst governed by Kings.

<sup>80</sup> This phrasing seems to echo Paine's attack on "the exalting of one man so greatly above the rest"; Paine, *Common Sense*, 30.

<sup>81</sup> An annotation by a later hand was added at the bottom of this paragraph with an insertion marker placed here. The insertion reads "† The character of David is much misunderstood. He was indeed a sinner; but he was the humblest + sincerest of penitents."

<sup>82</sup> for the Offenses of their

<sup>83</sup> There is a sketch that resembles a small pointing hand in the left-hand margin of the letter. It is pointed at this quotation.

Cato thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it “When thou<sup>84</sup> art come into the land which the Lord thy God giveth thee, and shalt say I will set a King over me &c And then asks does not this smell strong of Monarchy and even of Hereditary Monarchy? I answer that God has expressly declared his displeasure with the Jews for asking a King; but he knew long before they did demand one that they would do it; and he only tells them if they should be so foolish as to do it what sort they should choose & declares how he ought to conduct himself<sup>85</sup> by which Conduct he should<sup>86</sup> obtain his favor; It was necessary for the purposes of the Almighty [mentioned] before that . . . subsist as a people a certain time . . . punish . . . [2v] their days in the Kingdom shall be prolonged. It is pity Cato has not the Candor to compare the Scriptures, a crime he accuses Common Sense of.<sup>87</sup> Cato gives a plain proof that he has a good deal of Priest craft, Is he not a scotch clergyman?<sup>88</sup> I should have proceeded a little farther but am just called off and indeed I fear you are fully tired with what I have wrote farewell & be assured I am with the greatest Esteem

Your most affectionate friend  
Richd. Parker  
April 27th 1776

It is to be observed that Hoshea the last King of Israel together with the whole people except Judah which was governed by other Kings was then in Captivity. The fate of Judah was prolonged a few years upon Acct. of the good Reign of Hezekiah But it was but a short time before that Kingdom was destroyed & the whole people Captives to the Babylonians Thus we see as God gave them a King in his Anger he now took him away in his Wrath and suffered his people to be punished<sup>89</sup> by reducing them to Slavery in a strange Land If Monarchy was not a Curse to the Jews, let Cato say.<sup>90</sup>

<sup>84</sup> shalt

<sup>85</sup> themselves

<sup>86</sup> shall

<sup>87</sup> “Cato” had written of Paine that “he has not the candour to compare Scripture with Scripture; nor does he give a single passage complete, and connected with the parts necessary to explain it,—a clear proof that other craft may be employed as well as King-craft and Priest-craft, in ‘withholding the Scripture from the people,’ even in Protestant countries”; Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 841.

<sup>88</sup> William Smith was born in Aberdeen, Scotland, and was an Episcopal priest.

<sup>89</sup> with

<sup>90</sup> A sketch of a small pointing hand has been placed in the left-hand margin next to the beginning of this paragraph.

no. 351

*Originals*

letters, addresses &c

official + private

R Parker

Jews<sup>91</sup>

<sup>91</sup> "Originals/letters, addresses &c/official + private/R Parker/Jews" appears sideways at the bottom of the final page, apparently in Lee's handwriting.

Parker's letter, reproduced at the end of this article, illuminates the depth and reach of the Hebraizing defense of republican government in 1776.

DESPITE PETER WHITNEY'S INSISTENCE that the "divine disapprobation of a form of government by kings" was one of the "new truths" that had only recently emerged from "the eagerness of controversy" in 1776, several of Paine's opponents recognized that the scriptural argument against monarchy featured in *Common Sense* was not in fact new.<sup>7</sup> In deploying it, they observed, Paine was reopening a long-dormant seventeenth-century debate. One of his English respondents noted that "his scripture politics are obsolete and superannuated in these countries by an hundred years."<sup>8</sup> Good whigs, according to a prominent American critic, "desired to leave Scripture out of the institution of modern Governments. It might be well for the author of *Common Sense* to follow the example in his future works, without stirring up an old dispute, of which our fathers were long since wearied." This "old dispute" concerning the divine acceptability of monarchy, the author continued, had animated the likes of Hugo Grotius and Algernon Sidney; it had concerned the proper interpretation of a crucial biblical text, Deuteronomy 17, and had sent seventeenth-century theorists in search of how "the *Jews* commonly understood this chapter."<sup>9</sup> A third critic likewise

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1742–1795, Jan. 1, 1770–Dec. 31, 1776, microfilm reel 2, A3 (Charlottesville, Va., 1966). Jack Rakove miraculously remembered that he had encountered this letter over thirty years ago and sent me looking for it. Without his initial suggestion, I would certainly never have found it. For the short précis of Parker's letter, see Robert L. Scribner and Brent Tarter, eds., *Revolutionary Virginia, The Road to Independence* (Richmond, Va., 1981), 6: 285. The letter has also been referenced without comment on two further occasions. See Pauline Maier, *From Resistance to Revolution: Colonial Radicals and the Development of American Opposition to Britain, 1765–1776* (New York, 1972), 292 n. 31; Albert H. Tillson Jr., *Accommodating Revolutions: Virginia's Northern Neck in an Era of Transformation, 1760–1810* (Charlottesville, Va., 2010), 367 n. 60. The first paragraph of the letter, which discusses recent naval activity, was excerpted in an 1858 publication, "Selections and Excerpts from the Lee Papers," *Southern Literary Messenger: Devoted to Every Department of Literature, and the Fine Arts* 27, no. 5 (November 1858): 324–32, esp. 326; and then again in William Bell Clark, ed., *Naval Documents of the American Revolution* (Washington, D.C., 1969), 4: 1288.

<sup>7</sup> Whitney, *American Independence Vindicated*, 45n (quotations).

<sup>8</sup> Sir Brooke Boothby, *Observations on the Appeal from the New to the Old Whigs, and on Mr. Paine's Rights of Man: In Two Parts* (London, 1792), 99. Boothby characterizes Paine's scriptural argument against monarchy as "such monstrous nonsense as might, for what I know, be suited to the fanatics of Boston, where witchcraft was in great vogue in the beginning of this century, but here will excite nothing but contempt." See *ibid.*, 99. After challenging Paine's reading of 1 Sam. 8, Boothby then adds that "in truth, such stuff is no otherwise worthy of notice, except to shew the low arts to which this mountebank has recourse, to adapt his drugs to people of all sorts. Provided he can overturn, he cares not whether it be by the hand of philosophy or superstition, and it is nothing to him which of the two possess themselves of the ruined edifice." See *ibid.*, 100.

<sup>9</sup> See Cato, "Letter 6," in *American Archives: Fourth Series*, 5: 843 ("desired to leave"), 841 ("commonly understood").



insisted on the seventeenth-century provenance of Paine's argument, dating it to "that period, to which the soul of our author yearns, the death of Charles I. England groaned under the most cruel tyranny of a government, truly military, neither existing by law, or the choice of the people, but erected by those who in *the name of the Lord*, committed crimes, till then unheard of." "We have from English history," the author explained, "sufficient proof, that saints of his disposition, tho' more eager to grasp at power than any other set of men, have a thousand times recited the same texts, by which he attempts to level all distinctions. Oliver Cromwell, the father of them, knew so well their aversion to the name of king, that he would never assume it, tho' he exercised a power despotic as the Persian Sophi."<sup>10</sup> But the most precise genealogy of Paine's argument in *Common Sense* comes to us from the man himself. Late in life, John Adams recalled a conversation that he had with Paine about the pamphlet in 1776: "I told him further, that his Reasoning from the Old Testament was ridiculous, and I could hardly think him sincere. At this he laughed, and said he had taken his Ideas in that part from John Milton: and then expressed a Contempt of the Old Testament and indeed of the Bible at large, which surprized me."<sup>11</sup>

However reluctant we might be to credit Adams's retrospective testimony about Paine's early religious views (the temptation to project Paine's later deism onto his younger self may well have proved irresistible), his claim about the Miltonic origins of Paine's scriptural argument against monarchy is worth taking seriously—not least because it is obviously correct. The section of *Common Sense* entitled "Of Monarchy and Hereditary Succession" is indeed a straightforward paraphrase of Milton's argument in the *Pro populo anglicano defensio* of 1651. In this text, Milton had turned to a radical tradition of rabbinic biblical commentary in order to explain why God became angry with the Israelites when they requested a king in 1 Samuel 8, despite his apparent acceptance of kingly government in Deuteronomy 17. Rejecting the traditional view that God had disapproved only of the *sort* of king that his people had requested, Milton argued instead that the Israelites had sinned in asking for a king *of any sort*, because monarchy per se is an instance of the sin of idolatry.<sup>12</sup> The wisest rabbis,

<sup>10</sup> *Reason: In Answer to a Pamphlet Entitled, Common Sense*, 20 ("that period, to which the soul"), 9 ("We have from English history").

<sup>11</sup> L. H. Butterfield, ed., *Diary and Autobiography of John Adams* (Cambridge, Mass., 1961), 3: 333 (quotation). A supporter of Paine likewise agreed that "in the celebrated writings of Thomas Paine, there is not a political maxim which is not to be found in the works of Sydney [*sic*], Harrington, Milton, and Buchanan"; see Henry Yorke, *These are the Times that Try Men's Souls! A Letter Addressed to John Frost, a Prisoner in Newgate* (London, 1793), 20.

<sup>12</sup> The crucial verses in Deuteronomy 17 read as follows (in the King James version): "When thou art come unto the land which the Lord thy God giveth thee, and

he explained, “deny that their forefathers ought to have acknowledged any king other than God, although one was given to them as a punishment. I follow the opinion of these rabbis.”<sup>13</sup> On Milton’s telling, “God indeed gives evidence throughout of his great displeasure at their [the Israelites’] request for a king—thus in [1 Sam. 8] verse 7: ‘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 wherewith they have forsaken me, and served other gods.’” “The meaning,” he continues, “is that it is a form of idolatry to ask for a king, who demands that he be worshipped and granted honors like those of a god.”<sup>14</sup> God accordingly punished the people by granting their sinful request: “I gave thee a king in mine anger and took him away in my wrath” (Hosea 13:11). The Israelites would endure great suffering under their kings, until at last they were led into captivity. In making this argument, Milton ushered in a new kind of republican political theory, which quickly became ubiquitous among defenders of the English commonwealth in the 1650s.<sup>15</sup>

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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.” See Deut. 17:14–15. This reading is drawn from the Midrash to Deuteronomy (*Devarim Rabbah*), which Milton knew through an intermediary source: Wilhelm Schickard, *Mishpat ha-Melekh, Jus Regium Hebraeorum* (1625). See Eric Nelson, *The Hebrew Republic: Jewish Sources and the Transformation of European Political Thought* (Cambridge, Mass., 2010), 35–44.

<sup>13</sup> “Ut omnes autem videant te nullo modo ex Hebraeorum scriptis id probare, quod probandum hoc capite susceperas, esse ex magistris tuâ sponte confiteris, qui negant alium suis majoribus regem agnoscendum fuisse prater Deum, datum autem in poenam fuisse. Quorum ego in sententiam pedibus eo.” See Milton, *Pro populo anglicano defensio* (London, 1651), 62 (quotation translated by author). See also Don M. Wolfe, ed., *Complete Prose Works of John Milton* (New Haven, Conn., 1966), 4: 1, 366.

<sup>14</sup> See Milton, *Pro populo anglicano defensio*, in Nelson, *Hebrew Republic*, 42–43 (“God indeed gives,” 42–43; “The meaning,” 43).

<sup>15</sup> See Nelson, *Hebrew Republic*, 23–56; Eric Nelson, “‘Talmudical Commonwealthmen’ and the Rise of Republican Exclusivism,” *Historical Journal* 50, no. 4 (December 2007): 809–35. My argument that Paine was reviving a seventeenth-century Hebraizing form of “exclusivist” republican theory has since been taken up by Nathan Perl-Rosenthal, who has applied it to the newspaper debate over *Common Sense*. I am deeply indebted to his essay. See Perl-Rosenthal, *WMQ* 66: 535–64. For Paine’s use of the Israelite example in his polemical writings, see also David Wootton, “Introduction: The Republican Tradition: From Commonwealth to Common Sense,” *Republicanism, Liberty, and Commercial Society, 1649–1776*, ed. Wootton (Stanford, Calif., 1994), esp. 26–41; Maria Teresa Pichetto, “La ‘Respublica Hebraeorum’ nella rivoluzione americana,” *Il pensiero politico* 35, no. 3 (2002): 481–500, esp. 497–500. A. Owen Aldridge’s skepticism about Paine’s claim to have taken his argument from Milton strikes me as unfounded, not least because he maintains (incorrectly) that Milton never composed a “complete version of the episode” (i.e., of “the appointing of a king over the Israelites”). See Aldridge, *Thomas Paine’s American Ideology* (Cranbury, N.J., 1984), 98. Winthrop D. Jordan, in contrast, finds the attribution entirely plausible. See Jordan, “Familial Politics: Thomas Paine and the Killing of the King, 1776,” *Journal of American History*

This Hebraizing doctrine was very different indeed from the heavily Roman theory of free states that had animated parliamentarians in the 1640s. For neo-Roman theorists, the great worry was *discretionary power*. A free man, they argued, must be *sui iuris*, governed by his own right. He must not be dependent on the will of another, which these writers took to mean (based on a freestanding set of claims about representation) that he must be governed only by laws made by a popular assembly, and not by the “arbitrary will” of a single person.<sup>16</sup> On this account, kingship is by no means a necessary institution (neo-Roman defenses of republican government were quite common throughout the early modern period), but it is an entirely permissible one, so long as the monarch is a pure “executive”—entrusted with the task of enforcing law, but invested with no prerogative powers by which he may *make* law (particularly the “negative voice”) or govern subjects without law.<sup>17</sup> For Hebraizing theorists such as Milton, who embraced what has been called an “exclusivist” commitment to republican government, the great worry was instead the *status of kingship*, not the particular powers traditionally wielded by kings (it is worth recalling that Milton himself was surprisingly amenable to government by “a single person” under the Protectorate).<sup>18</sup> In assigning a

60, no. 2 (September 1973): 294–308, esp. 302. See also Stephen Newman, “A Note on *Common Sense* and Christian Eschatology,” *Political Theory* 6, no. 1 (February 1978): 101–8.

<sup>16</sup> The classic account of this discourse remains Quentin Skinner, *Liberty before Liberalism* (Cambridge, 1998). See also Skinner, *Hobbes and Republican Liberty* (Cambridge, 2008); Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford, 1997).

<sup>17</sup> English republicans of the neo-Roman stripe argued simply that republics (understood here as kingless regimes) were preferable to monarchies, in that they minimized the danger of political dependence by preventing the accumulation of excessive power in individual men. These theorists worried that even a purely “executive” monarchy was likely in practice to degenerate into “arbitrary” rule—but they fully conceded the possibility, if not the robustness, of a monarchical “free state.” See, for example, “An Act for the Abolishing of the Kingly Office in England and Ireland, and the Dominions thereunto Belonging,” Mar. 17, 1648/9, in C. H. Firth and R. S. Rait, eds., *Acts and Ordinances of the Interregnum, 1642–1660*, ed. (London, 1911), 2: 18–20. For the Roman sources of this view, see, for example, Cicero, *De officiis*, 1:64–65; Sallust, *Bellum Catilinae*, 6–7; Tacitus, *Historiae*, 1: 1; Tacitus, *Annales*, 1: 1–3.

<sup>18</sup> See Blair Worden, *Literature and Politics in Cromwellian England: John Milton, Andrew Marvell, Marchamont Nedham* (Oxford, 2007), 256–88 (“single person,” 256). The phrase “single person” derives from the text of the “Act for the abolishing the Kingly Office,” cited above, and was famously used in the Declaration of Parliament of May 6, 1659, announcing the end of the Protectorate. In that text England was said to be a “Commonwealth . . . without a single Person, Kingship, or House of Peers.” See *Journal of the House of Commons* (London, 1813), 7: 644–46 (quotation, 7: 645). For a discussion of “republican exclusivism,” in addition to my own work cited above, see James Hankins, “Exclusivist Republicanism and the Non-Monarchical Republic,” *Political Theory* 38, no. 4 (August 2010): 452–82. For a second important seventeenth-century defense of republi-

human being the title and dignity of a king, they argued, we rebel against our heavenly King and bow down instead to an idol of flesh and blood. As John Cook put it in *Monarchy, No Creature of God's Making*, "whether the kings be good men or bad, I will punish the people sayes the Lord, so long as they have any kings; it is not a government of my ordination, kings are the peoples Idols, creatures of their own making."<sup>19</sup> We can put the contrast between these two positions as follows: the neo-Roman theory anathematized prerogative while remaining agnostic about kings; the Hebraizing exclusivist theory anathematized kings while remaining agnostic about prerogative.

In the aftermath of the Glorious Revolution, whigs emphatically rejected the Hebraizing view, as well as the biblical exegesis upon which it was based. They offered instead a straightforward neo-Roman reading of 1 Samuel 8, according to which the Israelites had sinned, not in asking for a king, but in asking for a king with sweeping prerogative powers. This whig reading was given its classic formulation in Roger Acherley's *The Britannic Constitution*. Acherley begins by addressing those seventeenth-century authors whose "Notions are Confined to the *Jewish* Oeconomy, As if the Mode of the Monarchical Government, and the Succession to the Crown, instituted in that One Single Nation, was to be the *Pattern* for all other Kingdoms, And that all other Institutions which differ from it, are *Unwarrantable*." "These writers," he reports, "have read the Nature and Manner of the *Original Constitution* of that Kingdom, which in the First Book of *Samuel* is Accurately Described" (that is, in 1 Samuel 8:11–19, where Samuel describes the abuses that will be committed by Israel's kings) and have concluded from it that monarchical government is inherently arbitrary. But this, Acherley insists, is to commit a grave error. The Israelites could have chosen the free and limited monarchy that God

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can exclusivism, see Algernon Sidney, *Court Maxims*, ed. Hans W. Blom, Eco Haitsma Mulier, and Ronald Janse (Cambridge, 1996), 65; Sidney, *Discourses Concerning Government*, ed. Thomas G. West (Indianapolis, Ind., 1996), 338.

<sup>19</sup> Cook, *Monarchy, No Creature of God's Making*, 93 (quotation). It is important to recognize that, like Milton before him (and Sidney after), Cook was not always consistent on this point. Just a few pages after his unqualified endorsement of the view that monarchy per se is idolatry, he writes instead that "it is not the name of a King but the boundlesse power which I argue against (though the Romans for the insolence of *Tarquin* would not endure the name) if any people shall place the Legislative power in Parliamentary authority and give unto one man the Title of King for their better correspondency with foraigne Kingdomes, with no more power to hurt the people, then the Duke of *Venice* or the Duke of *Genoa* have; such a government may be Iust and Rationall, but domination is a sweet morsel"; *ibid.*, 53. For a similar inconsistency in Milton's later pamphlets, see, for example, Wolfe, *Complete Prose* (New Haven, Conn., 1980), 7: 377–78. The point is not that these authors were always consistent, but, rather, that each of them formulated an extensive, detailed defense of the exclusivist position—one that eighteenth-century Americans would rediscover in 1776.

desired for them, but instead they “rejected God” by demanding arbitrary kings: “The State they were desiring to enter into, That appeared in this View, That if they would have a King like All the Nations (of which *Egypt* was one) Then they must be in the like Subjection and *Slavery*, as the People of those Nations were; which differed not from the *Bondage* that was *Egyptian*. Whereas if they had Desired a King to Protect and Defend their Liberties and Properties, the Request had been Commendable.” Samuel “was therefore Amaz’d at this People’s Importunity, not only to reject the Greatest Blessings God could Give, or they Enjoy, *viz Liberty and Property*, but to return again unto *Slavery*,” and he accordingly warned the Israelites “that the Power of such a King as they Desired, *viz Of a King like all the Nations about them*, would be *Arbitrary*, And that the Liberty of their Persons, and the Property of their Estates, would necessarily fall under his Absolute Will and Disposal, after the Manner they had formerly been in *Egypt* . . . such a King would have in him the whole *Legislative and Judicial Power*, and that his *Arbitrary Will and Pleasure* would be the *Law or Measure* by which his Government would be Administered.” For Acherley, the Israelites had sinned in asking for a monarch who would combine executive, legislative, and judicial power—one who would govern by his “Arbitrary Will and Pleasure.”<sup>20</sup> Once again, it was discretionary power, not the kingly office or title, that God was said to despise.

To the extent that British North Americans discussed biblical monarchy at all during the first twelve years of the imperial crisis, it was simply to affirm this traditional understanding. God permitted each people to choose its form of government, and he had no objection whatsoever to the institution of limited monarchy. All participants in the pamphlet wars leading up to the Revolution could endorse this formulation (although it must be stressed that pamphlets of the 1760s and early 1770s tended to ignore scripture altogether).<sup>21</sup> Indeed, as the crisis escalated in 1775, even the very small number of colonial writers and ministers who began to offer a republican reading of 1 Samuel 8 did so while continuing to insist upon the legitimacy and divine permissibility of monarchy. They followed their

<sup>20</sup> See Roger Acherley, *The Britannic Constitution; or, The Fundamental Form of Government in Britain*. . . . (London, 1727), 6 (“These writers”), 7 (“that the Power of such”), 9 (“Arbitrary Will and Pleasure”). For an earlier statement, see *The Judgment of Whole Kingdoms and Nations, Concerning the Rights, Power, and Prerogative of Kings, and the Rights, Priviledges, and Properties of the People*. . . ., 6th ed. (London, 1710), esp. 28–41.

<sup>21</sup> Even those patriots of the early 1770s who defended an expansive conception of the royal prerogative could accept the whig understanding of 1 Sam. 8. They were claiming, after all, that the ancient prerogatives of the crown were fully “legal” and did not threaten enslavement to anyone’s “arbitrary will.” See Eric Nelson, “Patriot Royalism: The Stuart Monarchy in American Political Thought, 1769–75,” *WMQ* 68, no. 4 (October 2011): 533–72.

parliamentarian predecessors in arguing simply that republican government would offer the best protection against arbitrary, discretionary power—that it would rescue them once and for all from the dangers of encroaching prerogative. Their writings from this twelve-month period therefore provide a fascinating glimpse of a road not taken, of what the republican turn might have looked like had Paine not published his pamphlet.

In his *Short Essay on Civil Government*, the Connecticut minister Dan Foster offered the incendiary argument that “England was never more happy before, nor much more since, than after the head of the first [*sic*] Stuart was severed from his body, and while it was under the protectorship of Oliver Cromwell.” Yet, for all of its radicalism, his defense of the English republic resolutely shunned exclusivism. “A people,” he insisted, have an “inherent right to appoint and constitute a king supreme and all subordinate civil officers and rulers over them, for their civil good, liberty, protection, peace and safety.” Foster accepted the Roman conceit that men are born “*sui iuris*”—independent of the will of others—and that it is contrary to reason for them to surrender their liberty when establishing civil society. Those who designed England’s “ancient constitution” had understood this perfectly: “Caesar and Tacitus describe the antient Britons to have been a fierce people; zealous of liberty: a free people; not like the Gauls, governed by laws made by great men; but by the people.” These ancient free men, like their German forebears, had preferred political regimes in which “the people had the principle authority.” Yet, notwithstanding this fact, “they often elected a Prince or a King; sometimes a General whom we call Duke, from the Latin word *Dux*. But the power of these chiefs descended entirely on the community, or people; so that it was always a mixed democracy. In other parts . . . the King’s [*sic*] reigned with more power; yet not to the detriment of liberty; their royalty was limited by laws and the reason of things.” The chief requirement of good government is the preservation of liberty, which in turn requires the absence of arbitrary, discretionary power in the chief magistrate. For this reason, Foster insists on the total elimination of the royal prerogative: war, peace, and trade must all be governed by the “consenting voice and suffrage of the people personally, or by representation,” and a king ought to be deposed immediately if he “will not give the royal assent to bills which have passed the states, or parliament.”<sup>22</sup>

<sup>22</sup> Dan Foster, *A Short Essay on Civil Government, The Substance of Six Sermons, Preached in Windsor, Second Society, October 1774* (Hartford, Conn., 1775), 71 (“England was never”), 14 (“A people”), 16 (“*sui iuris*”), 23 (“ancient constitution”), 24 (“the people had the principle”), 50 (“consenting voice”), 70 (“will not give”). This last argument was a favorite of parliamentarian writers in the 1640s. They focused on the wording of the coronation oath sworn by Edward II (and allegedly sworn by Charles I), in which the king promised “corroborare justas leges et consuetudines quas vulgus eligerit.” If

So long as these conditions are met, Foster is prepared to acknowledge the legitimacy (if not the desirability) of monarchy, and he grounds his view in a striking reading of 1 Samuel 8:

And now they [the Israelites] manifest their desire of a King, one who should rule according to right and equity; and pray his assistance to constitute and set one over them, to judge, rule and govern them, as was customary in all other nations.

Samuel intimates his displeasure at their request of a King; fearing they did not pay that respect to Jehovah which they ought; and from the lord he shews them the manner of the King who should reign over them; how he would conduct with them, their families and inheritances, and what would be the maxims of that government which he would exercise over the people, in the course of his reign. Notwithstanding all this, the people persisted in their request of a King, and still continued their petition. And though perhaps the circumstances attending Israel's request at this time, and their obstinacy in it, after the prophets remonstrances against it, were not to be commended, the Lord so far overlooked this, that he commanded Samuel to hearken to, and gratify the people, by accomplishing their desire in constituting a King to rule and govern them.<sup>23</sup>

On Foster's interpretation, the Israelites had asked for the right sort of king after all: one who would "rule according to right and equity." What they failed to appreciate is that, in practice, monarchs tend to become tyrannical: "the maxims of that government which [Saul] would exercise over the people" were, Samuel realized, to be very different indeed from the ones endorsed by the people themselves when they asked for a king. It would therefore have been far better for them to retain their republican constitution, the safest possible bulwark against enslavement.<sup>24</sup>

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one (mis)construed the final verb to express the future perfect indicative, rather than the perfect subjunctive tense, it seemed to commit the monarch to give his assent to any laws that "the people shall choose"—meaning that, although all bills formally had to receive the assent of the sovereign in order to become law, the king was in fact required to give his assent to all bills chosen by the people (which is to say, enacted by the House of Commons). There was thus no true negative voice. See, for example, Henry Parker, *Observations upon Some of His Majesties Late Answers and Expresses* (London, 1642), 5; William Prynne, *The Sovereign Power of Parliaments and Kingdomes. . . .* (London, 1643), 65–68. For the Latin text of the oath, see Conal Condren, *Argument and Authority in Early Modern England: The Presupposition of Oaths and Offices* (Cambridge, 2006), 254–68.

<sup>23</sup> Foster, *A Short Essay*, 4.

<sup>24</sup> See also the essay reprinted from the *London Evening Post*, June 30, 1774, in the [New-London] *Connecticut Gazette, and the Universal Intelligencer*, Oct. 7, 1774, [1]:

Nonetheless, God acceded to their request because he regarded it as perfectly permissible for a people to institute monarchy.

Harvard College's president, Samuel Langdon, offered more or less the same view in a 1775 sermon, *Government Corrupted by Vice*. "The Jewish government," he observed, "according to the original constitution which was divinely established, if considered merely in a civil view, was a perfect Republic," and "the civil Polity of Israel is doubtless an excellent general model, allowing for some peculiarities; at least some principal laws and orders of it may be copied, to great advantage, in more modern establishments."<sup>25</sup> Indeed, in one extraordinary passage, Langdon came quite close to endorsing the Miltonic position: "And let them who cry up *the divine right of Kings* consider, that the only form of government which had a proper claim to a divine establishment was so far from including the idea of a King, that it was a high crime for Israel to ask to be in this respect like other nations; and when they were gratified, it was rather as a just punishment of their folly . . . than as a divine recommendation of kingly authority."<sup>26</sup> Yet Langdon insisted at the same time that "every nation, when able and agreed, has a right to set up over themselves any form of government which to them may appear most conducive to their common welfare." Monarchy remains perfectly permissible, so long as one guards against "the many artifices to stretch the prerogatives of the crown beyond all constitutional bounds, and make the king an absolute monarch, while the people are deluded with a mere phantom of liberty."<sup>27</sup> While it may have been seditious for the Israelites to ask for a human king (because they lived under a republican constitution established for them by God), it was no sin for anyone else to do so. The Salem, Massachusetts, minister Samuel Williams agreed in his own 1775 sermon, *A Discourse on*

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"Power long entrusted either to single persons, or to bodies of men, generally increases itself so greatly as to become subversive of the intentions, and dangerous to the rights of those who delegated it. Kings are but men, are subject to all the passions and frailties of human nature, and consequently are too prompt to grasp at arbitrary power, and to wish to make all things bend and submit to their will & pleasure."

<sup>25</sup> Samuel Langdon, *Government Corrupted by Vice, and Recovered by Righteousness*. . . (Watertown, Mass., 1775), 11–12 ("The Jewish government," 11, "the civil Polity," 12). For a discussion of Langdon's sermon in the context of a broader turn toward the model of the "Jewish republic" among New England ministers, see Harry S. Stout, *The New England Soul: Preaching and Religious Culture in Colonial New England* (1986; repr., Oxford, 2012), 301–5.

<sup>26</sup> Langdon, *Government Corrupted by Vice*, 12. Langdon's argument is in fact subtly, but importantly, different from Milton's: he is claiming that the Israelites sinned in asking for a king because kingship was not part of the divinely constituted government under which they lived—not because it is inherently sinful for a people to institute monarchy. The Israelite sin was therefore that of sedition. This view draws on a tradition of exegesis originating with Josephus. See Josephus, *Contra Apionem*, 2: 163–68.

<sup>27</sup> Langdon, *Government Corrupted by Vice*, 16.



*the Love of Our Country*, declaring that “infinite wisdom had seen fit to put that people [Israel] under a more excellent form of government, than any nation has ever had. God himself was their King. And they might have been long happy under a government, in which, the Ruler of the world condescended himself to execute the office of Chief-Magistrate. But such was their impiety and folly, that in many instances they greatly abused and perverted the privileges they were favoured with.”<sup>28</sup> As a result, they soon found themselves in Babylonian exile, under “the arbitrary will of a proud, cruel, despotic monarch.”<sup>29</sup> For Williams, republican government may well be the most “excellent” known to man, but monarchy remains permissible so long as it is not “arbitrary” and “despotic.”<sup>30</sup>

Seen in the context of these discussions, Paine’s *Common Sense* emerges as a transformative intervention. Rejecting over a century of whig biblical exegesis, Paine unambiguously returned in January 1776 to Milton and the Hebraic exclusivists of the 1650s. His argument in the section “Of Monarchy and Hereditary Succession” reads as follows:

Government by kings was first introduced into the world by the Heathens, from whom the children of Israel copied the custom. It was the most prosperous invention the Devil ever set on foot for the promotion of idolatry. The Heathens paid divine honors to their deceased kings, and the Christian world hath improved on the plan by doing the same to their living ones. How impious is the title of sacred majesty applied to a worm, who in the midst of his splendor is crumbling into dust!

As the exalting one man so greatly above the rest cannot be justified on the equal rights of nature, so neither can it be

<sup>28</sup> Samuel Williams, *A Discourse on the Love of Our Country; Delivered on a Day of Thanksgiving, December 15, 1774* (Salem, Mass., 1775), 5–6 (quotation, 6). This reading was drawn from Josephus, *Contra Apionem*, 2: 163–68. See Josephus, *The Life. Against Apion*, ed. and trans. H. St. J. Thackeray (Cambridge, Mass., 1926). For an important endorsement, see Theodore Beza, *De iure magistratum* (1574), in Julian Franklin, ed., *Constitutionalism and Resistance in the Sixteenth Century: Three Treatises by Hotman, Beza, and Mornay* (New York, 1969), 116.

<sup>29</sup> Williams, *Discourse on the Love*, 6.

<sup>30</sup> See also “The Monitor, No. XII,” *New York Journal; or, The General Advertiser*, Jan. 25, 1776, [1]. The author goes so far as to attribute to loyalists “an idolatrous veneration for the king and parliament, more especially for the former,” and laments that “the imaginations of men are exceedingly prone to deify and worship them [i.e., kings]; though, to the great misfortune of mankind, they are more commonly fiends, than angels.” But he immediately adds that, notwithstanding all of this, “it is noble and generous to love, to admire a virtuous prince.” See also “An Oration on Arbitrary Power, delivered by one of the Candidates for a second degree at the late Commencement held at Princeton, in New-Jersey, September 27, 1775,” *Connecticut Gazette; and the Universal Intelligencer*, Dec. 22, 1775, [1].

defended on the authority of scripture; for the will of the Almighty as declared by Gideon, and the prophet Samuel, expressly disapproves of government by kings. . . .

Near three thousand years passed away, from the Mosaic account of the creation, till the Jews under a national delusion requested a king. Till then their form of government (except in extraordinary cases, where the Almighty interposed) was a kind of republic administered by a judge and the elders of the tribes. Kings they had none, and it was held sinful to acknowledge any being under that title but the Lord of Hosts. And when a man seriously reflects on the idolatrous homage which is paid to the persons of kings, he need not wonder that the Almighty, ever jealous of his honor, should disapprove a form of government which so impiously invades the prerogative of heaven.<sup>31</sup>

For Paine, as for Milton before him, the Israelites sinned in asking for a king per se: “monarchy is ranked in scripture as one of the sins of the Jews, for which a curse in reserve is denounced against them.” “These portions of scripture,” he announces, “are direct and positive. They admit of no equivocal construction.” The issue was not the sort of king for which the Israelites asked—an arbitrary king whose prerogatives would enslave them—or that they asked for one despite being under God’s unique, providential government at the time. On the contrary, they sinned because it is inherently idolatrous to assign any human being the title and status of king. “The Almighty,” on Paine’s account, “hath here entered his protest against monarchical government,” and when the Israelites later entreated Gideon to become their king, the judge and prophet “denieth their right” to establish a monarchy and accordingly “charges them with disaffection to their proper Sovereign, the King of Heaven.”<sup>32</sup>

<sup>31</sup> Thomas Paine, *Common Sense, the Rights of Man, and other Essential Writings of Thomas Paine* (New York, 1984), 29–32. Paine explicitly glosses 1 Sam. 8 in the Miltonic manner on page 31. Important discussions of Paine and his pamphlet include Jordan, *Journal of American History*, 60; Bernard Bailyn, “The Most Uncommon Pamphlet of the American Revolution: *Common Sense*,” *Magazine of History* 25, no. 1 (December 1973): 36–41; Eric Foner, *Tom Paine and Revolutionary America* (New York, 1976); Aldridge, *Thomas Paine’s American Ideology*; Jack Fruchtman Jr., *Thomas Paine and the Religion of Nature* (Baltimore, 1993); Fruchtman, *Thomas Paine: Apostle of Freedom* (New York, 1994); Edward Larkin, *Thomas Paine and the Literature of Revolution* (Cambridge, 2005); Nichole Eustace, *Passion Is the Gale: Emotion, Power, and the Coming of the American Revolution* (Chapel Hill, N.C., 2008); Fruchtman, *The Political Philosophy of Thomas Paine* (Baltimore, 2009). As Perl-Rosenthal points out in his important essay, none of these sources addresses the Hebraic origins of Paine’s argument.

<sup>32</sup> Paine, *Common Sense*, 30–32 (“monarchy is ranked,” 30, “These portions of scripture,” 32, “denieth their right,” 30–31). Paine’s discussion of the Gideon episode likewise follows Milton; Wolfe, *Complete Prose*, 4: 1, 370. For an antecedent to Paine, see A Republican, “For the Massachusetts Spy. . . .” [Boston] *Massachusetts Spy*, Apr. 8,

Paine's opponents (not all of them loyalists) fully recognized the radicalism of this position, as well as its tendency to shift the focus of conversation away from potentially enslaving kingly *powers* and toward the alleged evils of the very *title* of king. Two critics in particular, Charles Inglis ("An American") and the Reverend William Smith ("Cato"), answered him at length on this issue in the Pennsylvania newspapers in the early months of 1776, and their responses have recently been the subject of an article in this journal by Nathan Perl-Rosenthal.<sup>33</sup>

Other readers, however, were far more receptive to Paine's use of scripture, among them Richard Parker. Parker was Lee's neighbor in Westmoreland County and often served as his trusted agent in both financial and political matters. Originally employed as king's attorney, he joined the patriot movement quite early on. In 1766, Lee deputized Parker to arrange the meeting that enacted the Leedstown Resolutions (Parker also chaired the meeting and signed the document), and Parker likewise became a member of the county's Committee of Safety in 1775–76. It was also Parker who implemented Lee's scheme of extracting rents from his numerous tenants in tobacco rather than paper money—thus precipitating a scandal that Lee's opponents would use to have him removed from Congress in 1777 (he was accused of contributing to the depreciation of Virginia's currency).<sup>34</sup> Parker was eventually appointed a judge of the General Court in 1788 and, later, of the first Court of Appeals. His letter to Lee about biblical monarchy, dated April 27, arrived at a time when Lee was actively soliciting opinions from his friends on the future constitutional form of the American colonies. John Adams, for one, had sent Lee a sketch

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1773. The author acknowledges the legitimacy of limited kingly government (in this he is unlike Paine), but nonetheless cites Milton in attacking the "trappings of monarchy" and claims that "every man of sense and independency must give the preference to a well constructed Republic." He continues as follows: "I am not peculiar in my notion of Kings or monarchical governments; besides all the antients who adjudged them tyrants; besides the Jewish people whom God, in his wrath plagued with a vengeance by giving them a King; besides these, moderns innumerable are on my side" (quotations, [1]).

<sup>33</sup> It is important to recognize, however, that some continued to defend the more orthodox position of Foster, Langdon, and Williams even after 1776. See, for example, James Dana, *A Sermon, Preached before the General Assembly of the State of Connecticut, at Hartford, on the Day of the Anniversary Election, May 13, 1779* (Hartford, Conn., 1779), esp. 15–18. For Inglis and Smith, see Perl-Rosenthal, *WMQ* 66: 535–64.

<sup>34</sup> For Parker's friendship with Lee, see, e.g., James Curtis Ballagh, ed., *The Letters of Richard Henry Lee* (New York, 1911), 1: 32–34, 42, 127, 297 n. 1, 299; John Carter Matthews and Sarah deGraffenried Robertson, eds., "The Leedstown Resolutions," *Northern Neck of Virginia Historical Magazine* 16, no. 1 (December 1966): 1491–506; Jack P. Greene, ed., *The Diary of Colonel Landon Carter of Sabine Hall, 1752–1778* (Richmond, Va., 1987), 2: 1006–7. For the rent extraction scandal, see Paul Chadwick Bowers, "Richard Henry Lee and the Continental Congress: 1774–1779" (Ph.D. diss., Duke University, 1964), 223–46.

of what later became his *Thoughts on Government* in November 1775, which Lee subsequently arranged to have published in both New York and Virginia—he “insisted upon it So much,” Adams reported to Francis Dana, “that it could not be decently refused.”<sup>35</sup> (Lee also composed his own “hand bill,” advancing a position very much like Adams’s, in the early months of 1776).<sup>36</sup> His letter to Patrick Henry of April 20, extolling Adams’s work and enclosing a copy of the published pamphlet, was written just before he would have received Parker’s letter (no reply from Lee appears to have survived).<sup>37</sup>

Lee, like Adams, utterly rejected Paine’s unicameralism, but he was otherwise known to be an enthusiastic acolyte; fellow Virginian Landon Carter described him as “a prodigious Admirer, if not partly a writer in the Pamphlet *Common Sense*.”<sup>38</sup> Parker evidently shared Lee’s admiration for the pamphlet and wrote to his friend to offer an account of the newspaper debate that Paine’s arguments had provoked. After providing a short description of recent naval activity off the Virginia coast, as well as an account of the detention of three prominent loyalists, Parker turned to the subject at hand: “I observe the Pennsylvania [*sic*] Papers are filled with the controversy about Independance and think the writers have rather left the Question What matters it to us at present whether Monarchy is reprobated by the Almighty or not.” In other words, Parker was observing that, while the controversy may have begun as a debate about “the Expediency or Inexpediency of Independance”—that is, about whether George III had irreparably forfeited the allegiance of his American subjects—it had quickly turned into a scriptural debate over the theological permissibility of monarchy itself. As Parker went on to explain, Paine had written extensively about “Monarchical Government as established amongst the Jews” and had argued that “god was displeased with their demanding a King and was

<sup>35</sup> John Adams to Francis Dana, Aug. 16, 1776, in Robert J. Taylor, Gregg L. Lint, and Celeste Walker, eds., *Papers of John Adams*, ser. 3 (Cambridge, Mass., 1979), 4: 466.

<sup>36</sup> John E. Selby, “Richard Henry Lee, John Adams, and the Virginia Constitution of 1776,” *Virginia Magazine of History and Biography* 84, no. 4 (October 1976): 387–400.

<sup>37</sup> Richard Henry Lee to Patrick Henry, Apr. 20, 1776, in Ballagh, *Letters of Richard Henry Lee*, 1: 179–80. See also Butterfield, *Diary and Autobiography of John Adams*, 3: 333; Bowers, “Richard Henry Lee and the Continental Congress: 1774–1779,” 168–73; Oliver Perry Chitwood, *Richard Henry Lee: Statesman of the Revolution* (Morgantown, W.Va., 1967), 94–95; John Adams to Richard Henry Lee, Nov. 15, 1775, in Taylor, Lint, and Walker, *Papers of John Adams*, 3: 307–8.

<sup>38</sup> Greene, *Diary of Colonel Landon Carter of Sabine Hall*, 2: 1007, 1049–50. Lee himself appears to have been thinking about the analogy between monarchy and idolatry as early as November 1775. In a letter to Catharine Macaulay, he wrote that “as a good *Christian* properly attached to your native Country, I am sure you must be pleased to hear, that North America is not fallen, nor likely to fall down before the *Images* that the King hath set up”; Lee to Macaulay, Nov. 29, 1775, in Ballagh, *Letters of Richard Henry Lee*, 1: 160.

determined they should suffer for his Crimes.”<sup>39</sup> In contrast, “Cato [the Reverend William Smith of Philadelphia] thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it.”<sup>40</sup>

This characterization of Cato’s argument is perfectly accurate. Smith regarded it as self-evident that Paine had “pervert[ed] the Scripture” in claiming that “monarchy . . . (meaning, probably, the institution of Monarchy,) ‘is ranked in Scripture as one of the sins of the *Jews*, for which a curse in reserve is denounced against them.’” But he recognized that, in “a country in which (*God* be thanked) the Scriptures are read, and regarded with that reverence which is due to a revelation from Heaven,” the argument of *Common Sense* could not safely be ignored. Smith therefore resolved “to rescue out of our author’s hands that portion of the sacred history which he has converted into a libel against the civil Constitution of *Great Britain*; and show in what sense the passage has been universally received, as well by the *Jews* themselves as by commentators, venerable for their piety and learning, in every Christian country.” He begins by reminding his readers that “the *Jews* were long privileged with a peculiar form of Government, called a Theocracy, under which the ‘Almighty either stirred up some person, by an immediate signification of his will, to be their Judge, or, when there was none, ruled their proceedings himself, by Urim and Thummim.’” When the Israelites requested a human king, they sinned first and foremost in “rejecting the divine Government” under which they had prospered. But they sinned further in desiring “a King to judge them like all the nations,” since “all the nations which they knew, were ruled by Kings, whose arbitrary will stood in the place of law; and it appears also that the *Jews*, since the day that they were brought out of *Egypt*, had still retained a particular hankering after the customs of that country.” God therefore “not only signifies his displeasure against all such arbitrary rulers, but against every people who would impiously and foolishly prefer such a Government to one immediately under himself, where, in his providence, he might think fit to appoint such an one.”<sup>41</sup>

Yet Paine had dared to argue that “the Almighty hath here entered his protest against Monarchical Government.” First, Smith answers that “the Almighty would have as strongly expressed his displeasure against the *Jews*, had they rejected his Government for one of their own appointment, whether it had been monarchical or democratical—to be administered

<sup>39</sup> Parker to Lee, Apr. 27, 1776, 1r (“I observe”), 2r (“god was displeased”).

<sup>40</sup> Parker to Lee, Apr. 27, 1776, 2r (quotation). See Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 839.

<sup>41</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 839–40 (“pervert[ed] the Scripture,” 5: 839, “the *Jews* were long,” 5: 840). Cato’s letters were reprinted in Connecticut, Virginia, and New York, among other places. See Perl-Rosenthal, *WMQ* 66: 557.

by one man or a thousand men.” But Paine errs most spectacularly in assuming that, when Samuel described the horrors that would be perpetrated by Israelite kings (1 Samuel 8:11–18), the prophet meant to “extend his protest against all future Monarchical Governments, such as were to subsist some thousands of years afterward, however limited and mixed, particularly that of *Great Britain*, (which must certainly be our author’s meaning, or he proves nothing to his purpose;).” This, for Smith, is patently absurd: citing “[Roger] Acherley, in his *Britannick Constitutions*,” he insists that “the particular case of the *Jews* cannot be applied to any other nation in this instance, as none else were ever in similar circumstances.”<sup>42</sup>

In order to buttress this conclusion, he turns to the Hebrew text itself, as well as to the tradition of Jewish commentary upon it. First comes “the celebrated *Grotius*,” who “tells us that *Samuel*, in this passage, does not speak of what our author calls the ‘general manner of Kings,’ or the just and honest right of a King to do such things; because his right is otherwise described elsewhere, as shall be shown. The prophet only speaks of such a right as the Kings round about *Israel* had acquired, which was not a true, right; for such is not the signification of the original word *Mishpat*; but such an action as (being founded in might and violence) hath the *effectum juris*, or comes in the place of right.” Grotius, along with Sidney (who is here transfigured into a respectable whig), is then said to be “well warranted in this interpretation, not only by the *Hebrew* text, but other clear passages of Scripture, and particularly the seventeenth chapter of *Deuteronomy*, where, with the approbation of Heaven, the duty of a good King is described and limited.” Smith proceeds to summarize the rabbinic debate over this passage, as it had inflected the seventeenth-century controversy over monarchy:

The *Jews* commonly understood this chapter as containing an absolute promise from Heaven of a Royal Government, and a sufficient authority for the request made to *Samuel* more than three hundred years afterwards. Others understood it conditionally,—that if they did reject the Divine Government,

<sup>42</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 840 (quotations). Paine directly answered Cato’s claim that Samuel had not meant to “extend his protest” to monarchy as such in his third “Forester” letter (Letter 3), also printed in the *Pennsylvania Gazette*, Apr. 24, 1776: “The Scripture institutes no particular form of Government, but it enters a protest against the Monarchal form; and a negation on one thing, where two only are offered, and one must be chosen, amounts to an affirmative on the other. Monarchal Government was first set up by the Heathens, and the Almighty permitted it to the *Jews* as a punishment. ‘I gave them a King in mine anger.’—Hosea xiii, 11.” “Letter 3—To Cato,” in *American Archives: Fourth Series*, 5: 1018. Smith’s citation of the *Britannick Constitution* refers to Acherley, *The Britannick Constitution*, 6–9.

and set up one of their own appointment, *God* would permit them; but their King should be chosen in the manner, and with the qualifications in that chapter described. All this, however, they disregarded when they asked an arbitrary King, like those of their neighbouring nations; and therefore, it is demonstratively certain that *Samuel*, in entering his protest against such Kings, did not protest against Kings or Monarchical Governments generally. Either this remark is true, or one part of Scripture is a direct contradiction to the other.<sup>43</sup>

The rabbis of the Talmud (here simply “the *Jews*”), unlike the rabbis cited by Milton, had derived from Deuteronomy 17 an “absolute promise” of monarchy—that is, an affirmative commandment to ask for a king.<sup>44</sup> Others, on Smith’s account, had construed the text to embody a permission to establish a virtuous and lawful monarchy. Both readings converged in insisting that the Israelites had sinned only in asking for the wrong sort of king. Smith conveniently neglects to mention that another group of rabbis, along with their seventeenth-century expositors, had taken precisely Paine’s view of the matter.

For Smith, as for the rest of Paine’s critics in 1776, the Hebraizing argument of *Common Sense* was most dangerous because it encouraged colonial readers to become anxious about precisely the wrong things—to pursue shadow over substance. So long as their chief magistrate was not called king, they would feel that the appropriate political principles had been satisfied fully; they would not fret at all about the sweeping prerogative powers that their suitably re-christened governors might come to wield. Tyrannical wolves would masquerade as republican sheep. “The popular leaders who overturned the Monarchy in the last age,” Smith reminds his readers, “were not themselves friends to Republicks. They only

<sup>43</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 841 (quotations). See Hugo Grotius, *Hugonis Grotii Annotationes in Vetus Testamentum*, ed. Georg Johann Ludwig Vogel (Halle, Germany, 1775), 1: 215; Hugo Grotius, *Hugonis Grotii De iure belli ac pacis libri tres* (Amsterdam, 1650), 1: 4.7.

<sup>44</sup> Babylonian Talmud: Sanhedrin 20b. The majority opinion in the Talmud, attributed to Rabbi Yehudah, reads as follows: “there were three commandments that Israel were obligated to fulfill once they had entered the land: appointing a king, exterminating the offspring of Amalek, and building the temple.” Isidore Epstein and Maurice Simon, eds., *Soncino Hebrew-English Edition of the Babylonian Talmud*, 30 vols. (London, 1994). This reading became ubiquitous among Protestant defenders of monarchy. Claude de Saumaise (Salmasius), for example, simply reproduced the Talmudic gloss in his *Defensio regia* (1649): “Tradunt Iudaeorum magistri, tria injuncta fuisse Israelitis quae facere eos oporteret postquam introducti essent in terram sanctam, *regem sibi constituere, excindere Amalechitas, templum exstruere*.” See C. L. Salmasii *Defensio pro Carolo I* (Cambridge, 1684), 63.

made use of the name to procure the favour of the people; and whenever, by such means, they had mounted to the proper height, each of them, in his turn, began to kick the people from him as a ladder then useless." The embodiment of this danger was Cromwell:

*Cromwell* exercised the power of a King, and of the most absolute King, under the specious name of a Protector. The instrument of Republican Government, which he had at first extolled as the most perfect work of human invention, he began (as soon as he thought his authority sufficiently established) to represent as "a rotten plank, upon which no man could trust himself without sinking." He had his eyes fixed upon the Crown; but when he procured an offer of it, from a packed Parliament, his courage failed him. He had outwitted himself by his own hypocrisy, and, in his way to power, had thrown such an odium upon the name of the King, that his own family, apprehensive he would be murdered the moment the diadem should touch his brow, persuaded him to decline that honour.<sup>45</sup>

The Miltonic argument revived by Paine threatened to make a fetish out of "the name of the King," delivering the colonists instead into the arbitrary power of a non-monarchical tyrant.<sup>46</sup> True "Republicks" are defined by the absence of discretionary power in any single person, not by the lack of an allegedly idolatrous title. "The harm," as another critic had put it, "lay not in the four Letters K,I,N,G."<sup>47</sup>

Parker himself thought that this debate should be postponed until after "we have determined our selves independant," but he nonetheless proceeded in his letter to Lee to endorse and then elaborately defend Paine's conclusion that God is an enemy to monarchical government.<sup>48</sup> His intervention is significant for two reasons. First, it provides valuable

<sup>45</sup> Cato, "Letter 8—To the People of Pennsylvania," in *American Archives: Fourth Series*, 5: 1050 (quotations).

<sup>46</sup> Virtually all of Paine's early critics likewise offered this argument. See, for example, *Reason: In Answer to a Pamphlet Entitled, Common Sense*, 9–13 (quotation, 9).

<sup>47</sup> Cato, "Letter 8," in *American Archives: Fourth Series*, 5: 1050 ("Republicks"); A Late Member of the Continental Congress, *The True Merits of a Late Treatise, Printed in America, Intituled Common Sense*. . . (London, 1776), 14–16 ("The harm," 16).

<sup>48</sup> Parker to Lee, Apr. 27, 1776, 1r (quotation); Parker rather surprisingly indicts both "Cato & Cassandra" for turning what should be a debate about "the Expediency or Inexpediency of Independance" into one about the divine permissibility of monarchy (ibid.). In fact, while Cato (William Smith) did indeed focus on refuting Paine's scriptural argument, Cassandra (James Cannon) spent no time attacking the institution of monarchy per se. Unlike Paine, the latter argued simply that America ought not to be governed by a British monarch. See Cassandra to Cato, in *American Archives: Fourth Series*, 5: 41–43, 431–34, 921–26.



evidence about the reach of Paine's Hebraizing argument in 1776 and beyond. Scholars have usually located the scriptural case against monarchy exclusively in a set of sermons delivered by New England ministers.<sup>49</sup> But Parker was an Anglican Virginia planter and he addressed his meditation on Paine's argument to a fellow member of the tidewater gentry. His letter therefore offers support for Ramsay's claim that Paine's scriptural argument found a receptive audience throughout the colonies, not merely in Congregational strongholds. Parker's analysis is also compelling insofar as it represents the attempt of an educated observer—whose thoughts, as he confesses, “are not well connected as my Avocations so frequently take me off from the Subject that the chain is often broke”—to take the measure of Paine's Hebraizing case against monarchy and explore its relation to the more traditional, neo-Roman reading of the biblical text.<sup>50</sup> Parker was evidently unwilling at this stage to choose between them.

On the one hand, his letter includes an unmistakable paraphrase of Paine's central argument: the heathen nations surrounding the Jews, Parker writes, had “paid divine honors to their Kings” (this is a direct quotation from Paine) and the Lord, “being a jealous God took every means to prevent them from falling into the same Error knowing that a person placed so far above the level of the people would lead them to whatever he pleased.”<sup>51</sup> Notice that, even here, Parker has either misconstrued or intentionally deviated from Paine's position in a subtle, but important, respect. Paine had argued that monarchy *itself* is an instance of the sin of idolatry, whereas Parker seems to be arguing instead that monarchs (who are not intrinsically idols) will frequently prevail upon the people to worship them in an idolatrous fashion. But it had been the strict equation of monarchy and idolatry that allowed Paine to reach his radical conclusion in *Common Sense*, namely, that the God of scripture classifies monarchy in all its forms as a sin. And this, after all, is the conclusion that Parker wants to defend against Cato's critique: the Israelites, Parker explains, chose to institute kingship against God's express wishes, and the subsequent depredations of Israel's kings provide evidence of the Lord's great anger: “Can it be thought that the Almighty would have been so unmerciful to his people if it had not have been to shew them the impropriety of having

<sup>49</sup> See, for example, Eran Shalev, *American Zion: The Old Testament as a Political Text from the Revolution to the Civil War* (New Haven, Conn., 2013), 57–69; Stout, *New England Soul*, 301–5; Perl-Rosenthal, *WMQ* 66: 553–54, 560. Perl-Rosenthal rightly doubts that, in light of Ramsay's testimony, it is plausible to suppose that this discourse was confined to a group of New England ministers, but he is unable to offer examples of its use elsewhere.

<sup>50</sup> Parker to Lee, Apr. 27, 1776, 1r (quotation).

<sup>51</sup> Parker to Lee, Apr. 27, 1776, iv. This phrasing seems to echo Paine's attack on “the exalting [of] one man so greatly above the rest”; Paine, *Common Sense*, 30.

a King for whose Trespasses they were to suffer”? After all, “God had expressly declared to them long before they asked a King that they would do it and that he would punish them with the Kings they should set over them see the 28th Cap Deuteronomy to the 37th verse. Hosea in the 13th Chapter 11th verse says ‘I gave thee a King in mine Anger and took him away in my wrath[.]’ In short god was displeased with their demanding a King and was determined they should suffer for his Crimes.”<sup>52</sup> To be sure, “Cato thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it.” Does not Deuteronomy 17, Cato had asked, “smell strong of Monarchy and even of Hereditary Monarchy?” Parker answers that “God has expressly declared his displeasure with the Jews for asking a King; but he knew long before they did demand one that they would do it; and he only tells them if they should be so foolish as to do it what sort they should choose & declares how he ought to conduct himself by which Conduct he should obtain his favor.”<sup>53</sup> “It is [a] pity,” Parker concludes, that “Cato has not the Candor to compare the Scriptures, a crime he accuses Common Sense of.”<sup>54</sup>

Parker thus fully embraces Paine’s view that God is an “enemy” to monarchical government and that kingship in all its forms is sin—and he likewise offers a glancing, somewhat muddled endorsement of the claim that monarchy is sinful insofar as it is idolatrous. But Parker simultaneously runs a set of arguments that are very different from Paine’s. To begin with, whereas Paine (like Langdon and Williams before him) had favorably described the original Israelite constitution as “a kind of republic, administered by a judge and the elders of the tribes,” Parker dismisses the pre-monarchical Israelites as “Wretches” who obeyed the “dictates” of

<sup>52</sup> Parker to Lee, Apr. 27, 1776, 2r. Parker interestingly rejected the Josephian account of Israelite theocracy: “as to calling it [Israelite government before Saul] a Theocracy it is talking Nonsense because every State in the Universe is equally a Theocracy[.] Whoever believes in a particular Providence must acknowledge that the Events of States are governed by the Almighty and I am sure the Hand of God has been with us[.] It is true as the Jews were in such a State of Ignorance as to be unable to make any Laws for themselves God did prescribe a Set of Laws for them such as would be sufficient for their Government; that his wise purposes in bringing abt. the Redemption of man by his Son Jesus Christ might be fully answered but he left the Execution of those laws to the people themselves.” *Ibid.*, iv.

<sup>53</sup> Parker to Lee, Apr. 27, 1776, 2r. Parker’s wording (“God has expressly declared his displeasure with the Jews for asking a King”) is highly reminiscent of Milton’s own, as translated in the 1692 English version of the *Defense*: “God frequently protests that he was extremely displeas’d with them for asking a King”; Milton, *A Defence of the People of England* (London, 1692), 48. The Latin reads as follows: “Passim enim testatur Deus valde sibi displicuisse quod regem petissent”; Milton, *Defensio*, 66. Paine does not incorporate this language into *Common Sense*, so it is possible that Parker had direct access to Milton’s text.

<sup>54</sup> Parker to Lee, Apr. 27, 1776, 2v.

the Judges out of the (apparently) false belief that their commands “came from God” and states further that it is impossible to determine “what kind of Government” this really was.<sup>55</sup> More importantly, Parker also offers a competing account of why God was displeased with the Israelites when they instituted monarchy. In Egypt, he explains, the Israelites had been afflicted with “most abject Slavery.” God had redeemed them from bondage, and it was because he wished them to remain free men that he forbade them to establish a monarchy: “He knew that all felicity would be at an end and their Slavery under a King would be as great as whilst they lived in Egypt.” A critical portion of the text is missing here, but it seems as if Parker is trying to argue that God rejected monarchy on standard neo-Roman grounds: while it might be possible to imagine a nonarbitrary monarchy, in practice kings tend to turn into tyrants, and subjects into slaves.<sup>56</sup>

This, of course, had been the argument of Foster, Langdon, and Williams, but none of these writers (as we have seen) had taken the view that monarchy was therefore a sin and illicit in all circumstances. Indeed, they had reasoned in precisely the opposite direction: since one can perfectly well institute a nonarbitrary monarchy, it followed for them that kingly government in itself cannot be regarded as illicit—and that the Israelites did not sin in asking for a king per se. The fact that monarchs often come to wield arbitrary, discretionary power simply gives us good prudential grounds for preferring republican government and explains why God himself had initially instituted such a regime among his chosen people. Likewise, the argument that God in 1 Samuel 8 was merely expressing his concern that Israelite kings would ape the idolatrous customs of the heathens had always been invoked by those (like Cato himself) who wished to *deny* the conclusion that the Israelites sinned in asking for a king per se (the sin, on this account, was simply to have asked for the wrong sort of king—one like those of “the other nations”).<sup>57</sup> What we find in Parker’s letter, in other words, is an improvisatory attempt to match Paine’s conclusion with several very different premises. Parker cannot quite make up his mind whether monarchy is a sin because it is inherently idolatrous (that is, because the Lord is a “jealous God”), because it tends to promote idolatry, or because it threatens slavery (or for some combination of these

<sup>55</sup> For “a kind of republic,” see Paine, *Common Sense*, 30; for “Wretches,” see Parker to Lee, 1v. Paine also insisted that “the will of the Almighty” was indeed “declared by Gideon and the prophet Samuel”; see Paine, *Common Sense*, 30.

<sup>56</sup> Parker to Lee, Apr. 27, 1776, 1v (quotations). Quite a lot hangs on Parker’s precise reason for stating that God “knew” that the Israelites would be slaves under their kings. Is this because God simply foresaw that the Israelite kings would become tyrants, or because God “knows” that kings inevitably become tyrants. The latter would amount to the claim that there is no such thing (at least over time) as a nonarbitrary monarchy—and that this is why God regards all monarchies as sinful.

<sup>57</sup> 1 Sam. 8:4.

reasons).<sup>58</sup> Paine's pamphlet and the responses that it generated had forced him to wrestle with these issues, but the results, as he himself recognized, were rather inconclusive.

For many of Parker's countrymen, in contrast, the matter was far more straightforward. By the end of 1776, a host of colonial writers and ministers had come forward to defend Paine's argument unambiguously and in its entirety. In a sermon preached on September 12, Peter Whitney declared that "when the people of Israel foolishly and impiously asked God to give them a king," God begged them to "withdraw their petition, and desire rather to continue as they were." Yet, "they notwithstanding, persisted in their demand, and God gave them a king, but in his anger, and as a great scourge and curse to them." Whitney's verdict on this episode simply replicates Paine's discussion of the inherently idolatrous character of monarchical government, complete with direct quotations from *Common Sense* itself:

It is a natural inference from sacred story, and from what has been said above, that kingly government is not agreeable to the divine will, and is often a very great evil. The will of God as made known by Gideon; and the prophet Samuel expressly disapproves of government by kings. "Near three thousand years passed away from the Mosaic account of the creation, *before* the Jews under a national delusion, asked a king.—'Till then their form of government (except in extraordinary cases where the Almighty interposed) was a kind of republic administered by a judge, and the elders of the tribes. Kings they had none, and it was held sinful to acknowledge any being under that title but the Lord of hosts. And when a man seriously reflects on the idolatrous homage which is paid to the persons of kings, he need not wonder that the Almighty, ever jealous of his honor, should disapprove a form of government which so impiously invades the prerogative of heaven." No form of government but kingly or monarchical, is an invasion of God's prerogative; this is.

"The most high over all the earth," Whitney concludes, "gave kings at first, to the Jews (as he sends war) in anger, and as a judgment, and it may be affirmed, that upon the whole, they have been a scourge to the inhabitants of the earth ever since." "We in these States," Whitney concludes, "are now evidently under the frowns of heaven for our many and great transgressions: it is to be hoped we shall not 'add to our sins, this evil to ask *us* a king.'"<sup>59</sup>

<sup>58</sup> Parker to Lee, Apr. 27, 1776, iv (quotation).

<sup>59</sup> Whitney, *American Independence Vindicated* ("when the people," 11, "It is a natural inference," 43–44, "The most high," 44–45).

Whitney's view was endorsed the following month in the "Instructions to Delegates" published by the Committee for Charlotte County, Virginia. Having renounced their allegiance to George III, the citizens of the county were now committed to "taking the *God* of Heaven to be our King."<sup>60</sup> A sermon preached in Boston by Benjamin Hichborn took the same line: "I am inclined to think, that the great founder of societies has caused the curse of infatuating ambition, and relentless cruelty, to be entailed on those whose vanity may lead them to assume *his* prerogative among any of his people as they are cantoned about in the world, and to prevent mankind from paying that adoration and respect to the most dignified mortal, which is due only to *infinite wisdom and goodness*, in the direction of *almighty power*, and therefore that he alone is fit to be a monarch."<sup>61</sup> Nor did the passing of the years diminish Paine's grip on the political imagination of British Americans. In 1778, the poet Philip Freneau echoed *Common Sense* in verse:

To recommend what monarchies have done,  
 They bring, for witness, David and his son;  
 How one was brave, the other just and wise;  
 And hence our plain Republics they despise;  
 But mark how oft, to gratify their pride,  
 The people suffered, and the people died;  
 Though one was wise, and one Goliath slew,  
*Kings are the choicest curse that man e'er knew!*<sup>62</sup>

<sup>60</sup> "Instructions to Delegates for Charlotte County, Virginia," Apr. 23, 1776, in *American Archives: Fourth Series*, 5: 1035.

<sup>61</sup> Benjamin Hichborn, "Oration Delivered at Boston, March 5, 1777," in *Principles and Acts of the Revolution in America*. . . , ed. Hezekiah Niles (Baltimore, 1882), 27 (quotation). Also see Cosmopolitan, "Letter X," in *American Archives: Fourth Series*, 5: 1172. For further endorsements of Paine's argument in 1776, see for example *The People the Best Governors; or, A Plan of Government Founded on the Just Principles of Natural Freedom* (n.p., 1776); "Extract of a Letter from Philadelphia to a Gentleman in England," Mar. 12, 1776, in *American Archives: Fourth Series*, 5: 186–88; Samuel West, *A Sermon Preached Before the Honorable Council, and the Honourable House of Representatives, of the Colony of Massachusetts-Bay, in New-England. May 29th, 1776*. . . (Boston, 1776); William Drayton, "Judge Drayton's Charge to the Grand Jury of Charleston, South-Carolina," Apr. 23, 1776, in *American Archives: Fourth Series*, 5: 1031; Salus Populi, "To the People of North-America on the Different Forms of Government," 1776, in *American Archives: Fourth Series*, 5: 180–83. Even John Adams seems to have been swept up momentarily in this discourse; see, for example, Adams to William Tudor, Feb. 27, 1777, in Taylor, Lint, and Walker, *Papers of John Adams*, 4: 94: "I hope We shall e'er long renounce some of our Monarchical Corruptions, and become Republicans in Principle in Sentiment, in feeling and in Practice. In Republican Governments the Majesty is all in the Laws. They only are to be adored." Also see Adams to Congress, July 23, 1780, *ibid.*, 10: 27; "The total and absolute suppression of the Tumults in London . . . has now given them [the Ministry] such Exultation and Confidence, that the People of America will dethrone the Congress and like the Israelites demand a King."

<sup>62</sup> Philip Freneau, "America Independent; And Her Everlasting Deliverance from British Tyranny and Oppression," in *Poems Written and Published During the American*

Joseph Huntington of Connecticut offered much the same account in *A Discourse, Adapted to the Present Day*. “The infinitely wise and good Being,” he begins, “has given us the sum and substance of the most perfect form of civil government in his word. . . . I mean that ancient plan of civil policy, delineated for the chosen tribes of Israel.” In that divinely authorized constitution, “we find no king, no despot, no emperor, no tyrant, no perpetual dictator allowed of.” Quite the contrary, the “tribes of Israel” had “by divine appointment a general congress,” (as Huntington later clarified, “I mean the Sanhedrim or seventy elders”) “with a president at their head; Moses was the first, Joshua succeeded him, so on till the days of Samuel, when the constitution was subverted.” Huntington insists that “here God has marked out that form of civil government which is agreeable to his own will.” Each people is free to adapt this basic structure to its own needs and requirements, “but thus much in general God has plainly taught us, viz. that no king, no monarch, no tyrant, or despot, ought ever to be admitted to rule over his people, or any people under heaven; and hence, when Israel rejected that glorious form of government, and would have a king to govern them, God expressly declares *they rejected him*.”<sup>63</sup>

John Murray of Newburyport, Massachusetts, returned to this theme in his sermon celebrating the Peace of Paris and the birth of the new United States in 1784. “Now hail thy Deliverer-God. Worship without fear of man,” he exhorts his audience. “This day, invite him to the crown of America—proclaim him King of the land.”<sup>64</sup> Such a coronation, Murray

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*Revolutionary War*. . . . (Philadelphia, 1809), 1: 241. See also Benjamin Rush, writing to John Adams while the latter was posted to the French court: “While you are *gazed* at for your American-manufactured principles, and *gazing* at the folly and pageantry of animals in the shape of men cringing at the feet of an animal called a king, I shall be secluded from the noise and corruption of the times”; Benjamin Rush to John Adams, Jan. 22, 1778, in L. H. Butterfield, ed., *Letters of Benjamin Rush* (Princeton, N.J., 1951), 1: 192.

<sup>63</sup> Joseph Huntington, *A Discourse, Adapted to the Present Day, on the Health and Happiness, or Misery and Ruin, of the Body Politic, In Similitude to that of the Natural Body* (Hartford, Conn., 1781), 8–11 (“The infinitely wise,” 8, “we find no king,” 8–9, “tribes of Israel,” 10, “but thus much,” 11). See also Samuel Cooper, *A Sermon preached Before His Excellency John Hancock, Esq. . . . October 25, 1780. Being the Day of the Commencement of the Constitution and Inauguration of the New Government* (Boston, 1780). For the Hebrew republic as a constitutional model in revolutionary America, see Eran Shalev, “‘A Perfect Republic’: The Mosaic Constitution in Revolutionary New England, 1775–1788,” *New England Quarterly* 82, no. 2 (June 2009): 235–63. See also Shalev, *American Zion*, 50–83.

<sup>64</sup> John Murray, *Jerubbaal; or, Tyranny’s grove Destroyed, and the Altar of Liberty Finished*. . . . December 11, 1783. *On the Occasion of the Public Thanksgiving for Peace*. . . . (Newburyport, 1784), 7 (quotation). This is a direct echo of Paine: “But where, says some, is the King of America? I’ll tell you. Friend, he reigns above, and doth not make havoc of mankind like the Royal Brute of Britain. Yet that we may not appear to be defective even in earthly honors, let a day be solemnly set apart for proclaiming the charter; let it be

goes on to explain, has been made possible by the extraordinary virtue and piety of the Americans and their leaders. In the Hebrew republic of old, as Paine had recounted, Gideon was invited to become king, but he recognized that “the reins of kingly authority become no other hands than those of the all-perfect Sovereign of the universe.” Only God “is fit to sit Monarch on a throne—before him only every knee should bow—at his feet should sceptered mortals cast their crowns—there should they lay them down—to resume and wear them no more for ever—and he who refuses this rightful homage to the only Supreme, deserves to be treated as a tyrant among men, and a rebel against God.” Why should Americans expect any less of their own greatest general? “Are not we the children of Israel too—a professing covenant-people, in a land peculiarly privileged with gospel-light?” Indeed we are, and though George Washington was never offered a crown—because, for Americans, “the idea of a human monarchy is too absurd in itself”—if he had been, he surely would have replied in ringing tones that “the *Lord* alone shall be king of *America*.”<sup>65</sup>

brought forth placed on the divine law, the word of God; let a crown be placed thereon, by which the world may know, that so far as we approve of monarchy, that in America The Law Is King. For as in absolute governments the King is law, so in free countries the law *ought* to be King; and there ought to be no other. But lest any ill use should afterwards arise, let the crown at the conclusion of the ceremony be demolished, and scattered among the people whose right it is”; Paine, *Common Sense*, 48–49.

<sup>65</sup> Murray, *Jerubbaal*, 21 (“the reins of kingly”), 32 (“Are not we”), 42 (“the idea of a human”), 44 (“the *Lord* alone”). This language continued to appear during the debates over ratification. See, for example, Camillus, [Philadelphia] *Pennsylvania Packet, and Daily Advertiser*, June 13, 1787 (orig. pub. in the [Boston] *Independent Chronicle*). The author attacks proponents of the new Constitution as those who “raved about monarchy, as if we were ripe for it; and as if we were willing to take from the plough-tail or dram shop, some vociferous committee-man, and to array him in royal purple, with all the splendor of a King of the Gypsies . . . our king, whenever Providence in its wrath shall send us one, will be a blockhead or a rascal” (note the use of Hosea). See Camillus, *Pennsylvania Packet*, June 13, 1787, [2]. Compare Mercy Otis Warren’s characterization of the Constitution’s opponents: “They deprecate discord and civil convulsions, but they are not yet generally prepared, with the ungrateful Israelites, to ask a King, nor are their spirits sufficiently broken to yield the best of their olive grounds to his servants, and to see their sons appointed to run before his chariots”; A Columbian Patriot [Warren], *Observations on the New Constitution, and on the Fæderal and State Conventions* (Boston, 1788), 17. See also Speeches by Robert Livingston and Melancthon Smith to the New York Ratifying Convention, in *The Debates in the Several State Conventions, on the Adoption of the Federal Constitution*, ed. Jonathan Elliot (Washington, D.C., 1836), 2: 210, 223–26; Agrippa, Letter 17, in *Essays on the Constitution of the United States, Published during Its Discussion by the People, 1787–1788*, ed. Paul Leicester Ford (New York, 1892), 111. See also Thomas Jefferson to James Madison, Mar. 15, 1789, in Julian P. Boyd, ed., *The Papers of Thomas Jefferson* (Princeton, N.J., 1958), 14: 661: “I know there are some among us who would now establish a monarchy. But they are inconsiderable in number and weight of character. The rising race are all republicans. We were educated in royalism: no wonder if some of us retain that idolatry still. Our young people are educated in republicanism. An apostasy from that to royalism is unprecedented and impossible.”

The document reproduced below thus bears witness to a fateful shift in the character of colonial political thought. Paine's *Common Sense* fueled an abrupt republican turn in 1776 by reintroducing into Anglophone political discourse a particular *kind* of republican theory: one grounded in the Hebraizing conviction that it is idolatrous to assign any human being the title and dignity of a king. This theory was both more and less radical than its neo-Roman rival: more radical, in that it denied the legitimacy of all monarchies, however limited; less radical, in that it left open the possibility of an extremely powerful chief magistrate, so long as he was not called king. Parker's letter to Lee represents a very early, sympathetic attempt to grapple with the implications of Paine's scriptural argument—one that plainly sought to leave some room in the case against monarchy for the neo-Roman preoccupation with discretionary power. But the force of Paine's distinctive new brand of antimonarchism proved difficult for contemporaries to resist. Lee himself, after all, seems to have detected no dissonance whatsoever between the two great political interventions that he was simultaneously considering during the week of April 27, 1776: Paine's Hebraizing demonstration that "monarchy is reprobated by the Almighty," as defended by his friend Richard Parker, and Adams's insistence that "there should be a third Branch [of the legislature] which for the Sake of preserving old Style and Titles, you may call a Governor whom I would invest with a Negative upon the other Branches of the Legislature and also with the whole Executive Power."<sup>66</sup> It was of course perfectly possible to be worried both about the idolatrous pretensions of royal dignity and about the enslaving effects of discretionary power.<sup>67</sup> But by so profoundly altering the focus of the debate, Paine and his many acolytes made it possible for Americans in the following decade to reconcile republicanism with prerogative.

<sup>66</sup> For "monarchy is reprobated," see Parker to Lee, Apr. 27, 1776, 1r. For "there should be," see Adams to William Hooper, Mar. 27, 1776, concerning the manuscript "Thoughts on Government," in Taylor, Lint, and Walker, *Papers of John Adams*, ser. 3, 4: 73–78 (quotation 4: 76). Adams interestingly distinguishes the negative voice from "most of those Badges of Domination call'd Prerogatives."

<sup>67</sup> On this view, the absence of discretionary power in any single person is a necessary but not sufficient condition of legitimate government in a free state. Paine himself rejected the king's "negative voice" on these grounds and remained a fierce opponent of prerogative power in the executive for the rest of his life. It is therefore deeply ironic that he himself inadvertently made it possible for Americans to reconceptualize republicanism in such a way as to render it compatible with prerogative. See Paine, *Common Sense*, 44–45.



*Richard Parker to Richard Henry Lee, April 27, 1776*<sup>68</sup>

[1r] Dear Sir

Since my last nothing very material has happened with us or at least I have heard very little news our papers never coming to hand altho Purdie<sup>69</sup> and the other printers have been expressly ordered to send them to Fredericksburg for our Rider. A Tender came last Week to Hobbs Hole and took a new England man loaded with grain & flower from the Warf, an Alarm was given and the Malitias of Essex and Richmond pursued them in Vessels they retook the prize and brought her back; the Tender escaped tho pursued with in three miles of Urbanna, Anegro<sup>70</sup> fellow belonging to Walker who was skipper of his boat was killed but no other damage done to our men. We have a Report which I believe to be true tho it may be improper to propagate it unless fully confirmed, That young Mr. Wormeley<sup>71</sup> is under close Confinement in Williamsburg he was taken in a tender going to Dunmore<sup>72</sup> Charles Neilson & John Grymes<sup>73</sup> were also taken in another Tender carrying provisions to that Monster If this news be true I doubt not they will meet with their deserts. Since I wrote the above piece of news it has been confirmed so that except that he has a guard over him (it may be depended upon) and not in close confinement.<sup>74</sup>

<sup>68</sup> I am grateful to Joshua Ehrlich for his assistance in transcribing the text. The letter is written on a single sheet of paper, 15 inches by approximately 9.25 inches, which has been folded in half. The paper is torn at the bottom, with the result that two lines of text have been almost completely lost on each of the first three pages (1r, 1v, 2r). Original spelling and orthography have been retained throughout. Parker's excisions from the text are recorded in the notes (to the extent that they are decipherable). Conjectures and editorial insertions are marked with brackets. All superscript has been brought down to the line. Richard Parker to Richard Henry Lee, Apr. 27, 1776, *Lee Family Papers*, MSS 38-112, box 6 (January–November 1776), Albert and Shirley Small Special Collections Library, University of Virginia, Charlottesville, Va.

<sup>69</sup> Alexander Purdie, publisher of the *Virginia Gazette* (one of three newspapers of that name).

<sup>70</sup> That is, "A negro."

<sup>71</sup> Ralph Wormeley Jr., a prominent Middlesex County loyalist. His letter to fellow loyalist John Randolph Grymes of Apr. 4, 1776 was intercepted and presented to Maj. Gen. Charles Lee, who ordered the detention of both men (as well as that of Charles Neilson, who was identified as a loyalist in the opening line of the letter). See Scribner and Tarter, *Revolutionary Virginia, The Road to Independence*, 6: 325–32.

<sup>72</sup> John Murray, fourth Earl Dunmore, royal governor of Virginia.

<sup>73</sup> Charles Neilson and John Randolph Grymes were both prominent Middlesex County loyalists. The following text is excised after "Grymes": ~~who married Wormeley's Sister.~~

<sup>74</sup> The parentheses have been added. The phrase within the parentheses appears between two lines in the manuscript. It is not clear where the author wanted it to be inserted.

I am astonished we hear nothing from Quebec<sup>75</sup> Our Success of it will be of the utmost Consequence to our Cause

I observe the Pennsylvania Papers are filled with the controversy about Independance and think the writers have rather left the Question What matters it to us at present whether Monarchy is reprobated by the Almighty or not, It will be time enough to consider what kind of Government is best suited for America when we have determined our selves independant; indeed every man who wishes to be free will be forming Opinions relative to the form of Government And those Opinions it would do well to communicate but the present contest between Cato & Cassandra<sup>76</sup> should be of the Expediency or Inexpediency of Independence However if you will give me leave I will shew you my Sentiments of Monarchical Government as established amongst the Jews My thoughts are not well connected as my Avocations so frequently take me off from the Subject that the chain is often broke

It . . . not be amiss for the [judgment] . . . this . . . [Iv] most abject Slavery not less content with it or in a greater State of Ignorance [nay] by no means so ignorant as numbers of our Slaves here, their whole history shews it; that they were Heathens no one will deny for what few religious rights they had were from the Egyptians of course they had no form of Government until they arrived in the Land of promise and it was left to them by their Lawgiver Moses They never gave themselves the trouble to reflect on the Nature of Government and it was sufficient for such a set of Wretches to obey the dictates of their Judges<sup>77</sup> especially as they believed every ordinance came from God<sup>78</sup> under what kind of Government they really did live in the time of the Judges it is extremely difficult to if not impossible to judge for as to calling it a Theocracy it is talking Nonsense because every State in the Universe is equally a Theocracy<sup>79</sup> Whoever

<sup>75</sup> The Continental army was laying siege to Quebec. The siege would be broken the following month.

<sup>76</sup> Parker's reference to the letters of "Cassandra" (James Cannon) is rather surprising, in that these did not attack the institution of monarchy per se. Unlike Paine, Cannon argued simply that America ought not to be governed by a British monarch. See "Cassandra to Cato," in *American Archives: Fourth Series*, 5: 41–43, 431–34, 921–26.

<sup>77</sup> Note that Parker's description of the rule of the Judges is quite different from Paine's. Parker describes the Israelites of that time as "Wretches" who obeyed the "dictates" of the Judges out of the (apparently) false belief that their commands "came from God"; he further states that it is impossible to determine "what kind of Government" this really was. On Paine's telling, in contrast, Israel under the Judges appears far more favorably as "a kind of Republic, administered by a judge and the elders of the tribes." Paine also writes that "the will of the Almighty" was indeed "declared by Gideon and the prophet Samuel"; Paine, *Common Sense*, 30.

<sup>78</sup> What their form

<sup>79</sup> Parker is here rejecting Josephus's celebrated analysis of the Israelite *politeia*. See Josephus, *Contra Apionem*, 2: 163–68.

believes in a particular Providence must acknowledge that the Events of States are governed by the Almighty and I am sure the Hand of God has been with us It is true as the Jews were in such a State of Ignorance as to be unable to make any Laws for themselves God did prescribe a Set of Laws for them such as would be sufficient for their Government; that his wise purposes in bringing abt. the Redemption of man by his Son Jesus Christ might be fully answered but he left the Execution of those laws to the people themselves. He was well acquainted with their Ignorance he knew them fond of the Customs of the Egyptians and that they would seek every opportunity to return to them and his laws were calculated to keep them separate from those as well as other Heathens those paid divine honors to their Kings and he as himself declares being a jealous God took every means to prevent them from falling into the same Error knowing that a person placed so far above the level of the people<sup>80</sup> would lead them to whatever he pleased He knew that all felicity would be at an end and their Slavery under a King would be as great as whilst they lived in Egypt. How then must the Almighty resent this demanding a Monarch to reign over them Had they have had . . . to have formed . . . Government. . . [2r] It was not particularly with Saul but with all their Kings Look through the whole catalogue of Kings (a very long one) and you will find few very few but what were a curse to them The much admired King David†<sup>81</sup> was as great a Curse to them as any other What constant Wars was he engaged in during his whole life and what a punishment did he bring on them for no appearance of a fault in them the Loss of three score and ten thousand men purely for his own disobedience of the Commands of God or his own pride or folly. Can it be thought that the Almighty would have been so unmerciful to his people if it had not have been to shew them the impropriety of having a King for whose Trespasses they were to suffer. God had expressly declared to them long before they asked a King that they would do it and that he would punish them<sup>82</sup> with the Kings they should set over them see the 28th Cap Deuteronomy to the 37th verse. Hosea in the 13th Chapter 11th verse says "I gave thee a King in mine Anger and took him away in my wrath"<sup>83</sup> In short god was displeased with their demanding a King and was determined they should suffer for his Crimes that they did suffer constantly for their Kings faults will be seen by any person who will give himself the trouble to read their History whilst governed by Kings.

<sup>80</sup> This phrasing seems to echo Paine's attack on "the exalting of one man so greatly above the rest"; Paine, *Common Sense*, 30.

<sup>81</sup> An annotation by a later hand was added at the bottom of this paragraph with an insertion marker placed here. The insertion reads "† The character of David is much misunderstood. He was indeed a sinner; but he was the humblest + sincerest of penitents."

<sup>82</sup> for the Offenses of their

<sup>83</sup> There is a sketch that resembles a small pointing hand in the left-hand margin of the letter. It is pointed at this quotation.

Cato thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it “When thou<sup>84</sup> art come into the land which the Lord thy God giveth thee, and shalt say I will set a King over me &c And then asks does not this smell strong of Monarchy and even of Hereditary Monarchy? I answer that God has expressly declared his displeasure with the Jews for asking a King; but he knew long before they did demand one that they would do it; and he only tells them if they should be so foolish as to do it what sort they should choose & declares how he ought to conduct himself<sup>85</sup> by which Conduct he should<sup>86</sup> obtain his favor; It was necessary for the purposes of the Almighty [mentioned] before that . . . subsist as a people a certain time . . . punish . . . [2v] their days in the Kingdom shall be prolonged. It is pity Cato has not the Candor to compare the Scriptures, a crime he accuses Common Sense of.<sup>87</sup> Cato gives a plain proof that he has a good deal of Priest craft, Is he not a scotch clergyman?<sup>88</sup> I should have proceeded a little farther but am just called off and indeed I fear you are fully tired with what I have wrote farewell & be assured I am with the greatest Esteem

Your most affectionate friend  
Richd. Parker  
April 27th 1776

It is to be observed that Hoshea the last King of Israel together with the whole people except Judah which was governed by other Kings was then in Captivity. The fate of Judah was prolonged a few years upon Acct. of the good Reign of Hezekiah But it was but a short time before that Kingdom was destroyed & the whole people Captives to the Babylonians Thus we see as God gave them a King in his Anger he now took him away in his Wrath and suffered his people to be punished<sup>89</sup> by reducing them to Slavery in a strange Land If Monarchy was not a Curse to the Jews, let Cato say.<sup>90</sup>

<sup>84</sup> shalt

<sup>85</sup> themselves

<sup>86</sup> shall

<sup>87</sup> “Cato” had written of Paine that “he has not the candour to compare Scripture with Scripture; nor does he give a single passage complete, and connected with the parts necessary to explain it,—a clear proof that other craft may be employed as well as King-craft and Priest-craft, in ‘withholding the Scripture from the people,’ even in Protestant countries”; Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 841.

<sup>88</sup> William Smith was born in Aberdeen, Scotland, and was an Episcopal priest.

<sup>89</sup> with

<sup>90</sup> A sketch of a small pointing hand has been placed in the left-hand margin next to the beginning of this paragraph.

no. 351

*Originals*

letters, addresses &c

official + private

R Parker

Jews<sup>91</sup>

<sup>91</sup> "Originals/letters, addresses &c/official + private/R Parker/Jews" appears sideways at the bottom of the final page, apparently in Lee's handwriting.

“scripture . . . into his service” and convincing a “religious people” conversant with “the history of the Jews” that God regarded the institution of kingship as sinful and illicit.<sup>2</sup>

Paine’s earliest critics agreed fully with these assessments. The author of an anonymous reply to *Common Sense*, published in Dublin in 1776, blisteringly described how Paine “ransack[s] the holy scriptures, for texts against kingly government, and with a faculty of perverting sacred truths to the worst of purposes, peculiar to gentlemen of his disposition, quotes the example of the Jews.”<sup>3</sup> This critic revealingly chose a line of Shakespeare for his pamphlet’s epigraph: “The Devil can cite Scripture for his purpose.”<sup>4</sup> A second early antagonist, writing under the pseudonym “Rationalis,” likewise assailed Paine’s “scripture quotations, which he has so carefully garbled to answer his purpose,” while a third charged that Paine had “pervert[ed] the Scripture” in claiming that “monarchy . . . (meaning, probably, the institution of Monarchy,) ‘is ranked in Scripture as one of the sins of the Jews, for which a curse in reserve is denounced against them.’”<sup>5</sup>

Paine’s scriptural argument and the debate that it provoked have recently been receiving more attention from historians. But one important intervention in this debate seems to have gone entirely unnoticed. It appears in a lengthy letter written by Richard Parker of Virginia to his close friend Richard Henry Lee in April 1776. Parker’s letter, which survives in the Lee Family Papers, contains one of the most detailed contemporary commentaries on Paine’s biblical argument against monarchy, as well as a crucially important characterization of the pamphlet debate over *Common Sense*. It has never been published and, to my knowledge, has only been discussed once before, in a three-sentence précis written thirty years ago.<sup>6</sup>

<sup>2</sup> David Ramsay, *The History of the American Revolution*, ed. Lester H. Cohen (Indianapolis, Ind., 1990), 1: 315.

<sup>3</sup> *Reason: In Answer to a Pamphlet Entitled, Common Sense* (Dublin, 1776), 7.

<sup>4</sup> The epigraph reads in full: “Mark ye this, / The Devil can cite Scripture for his purpose, / An evil soul, producing holy witness, / Is like a villain with a smiling cheek, / A goody apple rotten at the Heart’ Shakesp.” See Shakespeare, *Merchant of Venice* act 1, sc. 3. The verse is based on the temptation of Jesus, as recounted in Matt. 4:5–10 and Luke 4:9–13.

<sup>5</sup> Candidus [James Chalmers], *Plain Truth: Addressed to the Inhabitants of America*. . . (Philadelphia, 1776), 72 (“scripture quotations”); the letters of “Rationalis” were appended to Chalmers’s “Candidus” letters. Cato [Rev. William Smith], “To the People of Pennsylvania—Letter 6,” Philadelphia, Apr. 13, 1776, in *American Archives: Fourth Series*, ed. Peter Force (Washington, D.C., 1844), 5: 839 (“pervert[ed] the Scripture”); Smith’s “Cato” letters were reprinted in Connecticut, Virginia, and New York, among other places. See Nathan R. Perl-Rosenthal, “The ‘divine right of republics’: Hebraic Republicanism and the Debate over Kingless Government in Revolutionary America,” *William and Mary Quarterly*, 3d ser., 66, no. 3 (July 2009): 535–64, esp. 557.

<sup>6</sup> For Parker’s letter, see Richard Parker to Richard Henry Lee, Apr. 27, 1776, *Lee Family Papers*, MSS 38–112, box 6 (January–November 1776), Albert and Shirley Small Special Collections Library, University of Virginia, Charlottesville, Va. A full transcription of this letter appears on 808–12. See also Paul P. Hoffman, ed., *Lee Family Papers*,

Parker's letter, reproduced at the end of this article, illuminates the depth and reach of the Hebraizing defense of republican government in 1776.

DESPITE PETER WHITNEY'S INSISTENCE that the "divine disapprobation of a form of government by kings" was one of the "new truths" that had only recently emerged from "the eagerness of controversy" in 1776, several of Paine's opponents recognized that the scriptural argument against monarchy featured in *Common Sense* was not in fact new.<sup>7</sup> In deploying it, they observed, Paine was reopening a long-dormant seventeenth-century debate. One of his English respondents noted that "his scripture politics are obsolete and superannuated in these countries by an hundred years."<sup>8</sup> Good whigs, according to a prominent American critic, "desired to leave Scripture out of the institution of modern Governments. It might be well for the author of *Common Sense* to follow the example in his future works, without stirring up an old dispute, of which our fathers were long since wearied." This "old dispute" concerning the divine acceptability of monarchy, the author continued, had animated the likes of Hugo Grotius and Algernon Sidney; it had concerned the proper interpretation of a crucial biblical text, Deuteronomy 17, and had sent seventeenth-century theorists in search of how "the *Jews* commonly understood this chapter."<sup>9</sup> A third critic likewise

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1742–1795, Jan. 1, 1770–Dec. 31, 1776, microfilm reel 2, A3 (Charlottesville, Va., 1966). Jack Rakove miraculously remembered that he had encountered this letter over thirty years ago and sent me looking for it. Without his initial suggestion, I would certainly never have found it. For the short précis of Parker's letter, see Robert L. Scribner and Brent Tarter, eds., *Revolutionary Virginia, The Road to Independence* (Richmond, Va., 1981), 6: 285. The letter has also been referenced without comment on two further occasions. See Pauline Maier, *From Resistance to Revolution: Colonial Radicals and the Development of American Opposition to Britain, 1765–1776* (New York, 1972), 292 n. 31; Albert H. Tillson Jr., *Accommodating Revolutions: Virginia's Northern Neck in an Era of Transformation, 1760–1810* (Charlottesville, Va., 2010), 367 n. 60. The first paragraph of the letter, which discusses recent naval activity, was excerpted in an 1858 publication, "Selections and Excerpts from the Lee Papers," *Southern Literary Messenger: Devoted to Every Department of Literature, and the Fine Arts* 27, no. 5 (November 1858): 324–32, esp. 326; and then again in William Bell Clark, ed., *Naval Documents of the American Revolution* (Washington, D.C., 1969), 4: 1288.

<sup>7</sup> Whitney, *American Independence Vindicated*, 45n (quotations).

<sup>8</sup> Sir Brooke Boothby, *Observations on the Appeal from the New to the Old Whigs, and on Mr. Paine's Rights of Man: In Two Parts* (London, 1792), 99. Boothby characterizes Paine's scriptural argument against monarchy as "such monstrous nonsense as might, for what I know, be suited to the fanatics of Boston, where witchcraft was in great vogue in the beginning of this century, but here will excite nothing but contempt." See *ibid.*, 99. After challenging Paine's reading of 1 Sam. 8, Boothby then adds that "in truth, such stuff is no otherwise worthy of notice, except to shew the low arts to which this mountebank has recourse, to adapt his drugs to people of all sorts. Provided he can overturn, he cares not whether it be by the hand of philosophy or superstition, and it is nothing to him which of the two possess themselves of the ruined edifice." See *ibid.*, 100.

<sup>9</sup> See Cato, "Letter 6," in *American Archives: Fourth Series*, 5: 843 ("desired to leave"), 841 ("commonly understood").

insisted on the seventeenth-century provenance of Paine's argument, dating it to "that period, to which the soul of our author yearns, the death of Charles I. England groaned under the most cruel tyranny of a government, truly military, neither existing by law, or the choice of the people, but erected by those who in *the name of the Lord*, committed crimes, till then unheard of." "We have from English history," the author explained, "sufficient proof, that saints of his disposition, tho' more eager to grasp at power than any other set of men, have a thousand times recited the same texts, by which he attempts to level all distinctions. Oliver Cromwell, the father of them, knew so well their aversion to the name of king, that he would never assume it, tho' he exercised a power despotic as the Persian Sophi."<sup>10</sup> But the most precise genealogy of Paine's argument in *Common Sense* comes to us from the man himself. Late in life, John Adams recalled a conversation that he had with Paine about the pamphlet in 1776: "I told him further, that his Reasoning from the Old Testament was ridiculous, and I could hardly think him sincere. At this he laughed, and said he had taken his Ideas in that part from John Milton: and then expressed a Contempt of the Old Testament and indeed of the Bible at large, which surprized me."<sup>11</sup>

However reluctant we might be to credit Adams's retrospective testimony about Paine's early religious views (the temptation to project Paine's later deism onto his younger self may well have proved irresistible), his claim about the Miltonic origins of Paine's scriptural argument against monarchy is worth taking seriously—not least because it is obviously correct. The section of *Common Sense* entitled "Of Monarchy and Hereditary Succession" is indeed a straightforward paraphrase of Milton's argument in the *Pro populo anglicano defensio* of 1651. In this text, Milton had turned to a radical tradition of rabbinic biblical commentary in order to explain why God became angry with the Israelites when they requested a king in 1 Samuel 8, despite his apparent acceptance of kingly government in Deuteronomy 17. Rejecting the traditional view that God had disapproved only of the *sort* of king that his people had requested, Milton argued instead that the Israelites had sinned in asking for a king *of any sort*, because monarchy per se is an instance of the sin of idolatry.<sup>12</sup> The wisest rabbis,

<sup>10</sup> *Reason: In Answer to a Pamphlet Entitled, Common Sense*, 20 ("that period, to which the soul"), 9 ("We have from English history").

<sup>11</sup> L. H. Butterfield, ed., *Diary and Autobiography of John Adams* (Cambridge, Mass., 1961), 3: 333 (quotation). A supporter of Paine likewise agreed that "in the celebrated writings of Thomas Paine, there is not a political maxim which is not to be found in the works of Sydney [*sic*], Harrington, Milton, and Buchanan"; see Henry Yorke, *These are the Times that Try Men's Souls! A Letter Addressed to John Frost, a Prisoner in Newgate* (London, 1793), 20.

<sup>12</sup> The crucial verses in Deuteronomy 17 read as follows (in the King James version): "When thou art come unto the land which the Lord thy God giveth thee, and



he explained, “deny that their forefathers ought to have acknowledged any king other than God, although one was given to them as a punishment. I follow the opinion of these rabbis.”<sup>13</sup> On Milton’s telling, “God indeed gives evidence throughout of his great displeasure at their [the Israelites’] request for a king—thus in [1 Sam. 8] verse 7: ‘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 wherewith they have forsaken me, and served other gods.’” “The meaning,” he continues, “is that it is a form of idolatry to ask for a king, who demands that he be worshipped and granted honors like those of a god.”<sup>14</sup> God accordingly punished the people by granting their sinful request: “I gave thee a king in mine anger and took him away in my wrath” (Hosea 13:11). The Israelites would endure great suffering under their kings, until at last they were led into captivity. In making this argument, Milton ushered in a new kind of republican political theory, which quickly became ubiquitous among defenders of the English commonwealth in the 1650s.<sup>15</sup>

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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.” See Deut. 17:14–15. This reading is drawn from the Midrash to Deuteronomy (*Devarim Rabbah*), which Milton knew through an intermediary source: Wilhelm Schickard, *Mishpat ha-Melekh, Jus Regium Hebraeorum* (1625). See Eric Nelson, *The Hebrew Republic: Jewish Sources and the Transformation of European Political Thought* (Cambridge, Mass., 2010), 35–44.

<sup>13</sup> “Ut omnes autem videant te nullo modo ex Hebraeorum scriptis id probare, quod probandum hoc capite suscepas, esse ex magistris tuâ sponte confiteris, qui negant alium suis majoribus regem agnoscendum fuisse prater Deum, datum autem in poenam fuisse. Quorum ego in sententiam pedibus eo.” See Milton, *Pro populo anglicano defensio* (London, 1651), 62 (quotation translated by author). See also Don M. Wolfe, ed., *Complete Prose Works of John Milton* (New Haven, Conn., 1966), 4: 1, 366.

<sup>14</sup> See Milton, *Pro populo anglicano defensio*, in Nelson, *Hebrew Republic*, 42–43 (“God indeed gives,” 42–43; “The meaning,” 43).

<sup>15</sup> See Nelson, *Hebrew Republic*, 23–56; Eric Nelson, “‘Talmudical Commonwealthmen’ and the Rise of Republican Exclusivism,” *Historical Journal* 50, no. 4 (December 2007): 809–35. My argument that Paine was reviving a seventeenth-century Hebraizing form of “exclusivist” republican theory has since been taken up by Nathan Perl-Rosenthal, who has applied it to the newspaper debate over *Common Sense*. I am deeply indebted to his essay. See Perl-Rosenthal, *WMQ* 66: 535–64. For Paine’s use of the Israelite example in his polemical writings, see also David Wootton, “Introduction: The Republican Tradition: From Commonwealth to Common Sense,” *Republicanism, Liberty, and Commercial Society, 1649–1776*, ed. Wootton (Stanford, Calif., 1994), esp. 26–41; Maria Teresa Pichetto, “La ‘Respublica Hebraeorum’ nella rivoluzione americana,” *Il pensiero politico* 35, no. 3 (2002): 481–500, esp. 497–500. A. Owen Aldridge’s skepticism about Paine’s claim to have taken his argument from Milton strikes me as unfounded, not least because he maintains (incorrectly) that Milton never composed a “complete version of the episode” (i.e., of “the appointing of a king over the Israelites”). See Aldridge, *Thomas Paine’s American Ideology* (Cranbury, N.J., 1984), 98. Winthrop D. Jordan, in contrast, finds the attribution entirely plausible. See Jordan, “Familial Politics: Thomas Paine and the Killing of the King, 1776,” *Journal of American History*

This Hebraizing doctrine was very different indeed from the heavily Roman theory of free states that had animated parliamentarians in the 1640s. For neo-Roman theorists, the great worry was *discretionary power*. A free man, they argued, must be *sui iuris*, governed by his own right. He must not be dependent on the will of another, which these writers took to mean (based on a freestanding set of claims about representation) that he must be governed only by laws made by a popular assembly, and not by the “arbitrary will” of a single person.<sup>16</sup> On this account, kingship is by no means a necessary institution (neo-Roman defenses of republican government were quite common throughout the early modern period), but it is an entirely permissible one, so long as the monarch is a pure “executive”—entrusted with the task of enforcing law, but invested with no prerogative powers by which he may *make* law (particularly the “negative voice”) or govern subjects without law.<sup>17</sup> For Hebraizing theorists such as Milton, who embraced what has been called an “exclusivist” commitment to republican government, the great worry was instead the *status of kingship*, not the particular powers traditionally wielded by kings (it is worth recalling that Milton himself was surprisingly amenable to government by “a single person” under the Protectorate).<sup>18</sup> In assigning a

60, no. 2 (September 1973): 294–308, esp. 302. See also Stephen Newman, “A Note on *Common Sense* and Christian Eschatology,” *Political Theory* 6, no. 1 (February 1978): 101–8.

<sup>16</sup> The classic account of this discourse remains Quentin Skinner, *Liberty before Liberalism* (Cambridge, 1998). See also Skinner, *Hobbes and Republican Liberty* (Cambridge, 2008); Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford, 1997).

<sup>17</sup> English republicans of the neo-Roman stripe argued simply that republics (understood here as kingless regimes) were preferable to monarchies, in that they minimized the danger of political dependence by preventing the accumulation of excessive power in individual men. These theorists worried that even a purely “executive” monarchy was likely in practice to degenerate into “arbitrary” rule—but they fully conceded the possibility, if not the robustness, of a monarchical “free state.” See, for example, “An Act for the Abolishing of the Kingly Office in England and Ireland, and the Dominions thereunto Belonging,” Mar. 17, 1648/9, in C. H. Firth and R. S. Rait, eds., *Acts and Ordinances of the Interregnum, 1642–1660*, ed. (London, 1911), 2: 18–20. For the Roman sources of this view, see, for example, Cicero, *De officiis*, 1:64–65; Sallust, *Bellum Catilinae*, 6–7; Tacitus, *Historiae*, 1: 1; Tacitus, *Annales*, 1: 1–3.

<sup>18</sup> See Blair Worden, *Literature and Politics in Cromwellian England: John Milton, Andrew Marvell, Marchamont Nedham* (Oxford, 2007), 256–88 (“single person,” 256). The phrase “single person” derives from the text of the “Act for the abolishing the Kingly Office,” cited above, and was famously used in the Declaration of Parliament of May 6, 1659, announcing the end of the Protectorate. In that text England was said to be a “Commonwealth . . . without a single Person, Kingship, or House of Peers.” See *Journal of the House of Commons* (London, 1813), 7: 644–46 (quotation, 7: 645). For a discussion of “republican exclusivism,” in addition to my own work cited above, see James Hankins, “Exclusivist Republicanism and the Non-Monarchical Republic,” *Political Theory* 38, no. 4 (August 2010): 452–82. For a second important seventeenth-century defense of republi-

human being the title and dignity of a king, they argued, we rebel against our heavenly King and bow down instead to an idol of flesh and blood. As John Cook put it in *Monarchy, No Creature of God's Making*, "whether the kings be good men or bad, I will punish the people sayes the Lord, so long as they have any kings; it is not a government of my ordination, kings are the peoples Idols, creatures of their own making."<sup>19</sup> We can put the contrast between these two positions as follows: the neo-Roman theory anathematized prerogative while remaining agnostic about kings; the Hebraizing exclusivist theory anathematized kings while remaining agnostic about prerogative.

In the aftermath of the Glorious Revolution, whigs emphatically rejected the Hebraizing view, as well as the biblical exegesis upon which it was based. They offered instead a straightforward neo-Roman reading of 1 Samuel 8, according to which the Israelites had sinned, not in asking for a king, but in asking for a king with sweeping prerogative powers. This whig reading was given its classic formulation in Roger Acherley's *The Britannic Constitution*. Acherley begins by addressing those seventeenth-century authors whose "Notions are Confined to the *Jewish* Oeconomy, As if the Mode of the Monarchical Government, and the Succession to the Crown, instituted in that One Single Nation, was to be the *Pattern* for all other Kingdoms, And that all other Institutions which differ from it, are *Unwarrantable*." "These writers," he reports, "have read the Nature and Manner of the *Original Constitution* of that Kingdom, which in the First Book of *Samuel* is Accurately Described" (that is, in 1 Samuel 8:11–19, where Samuel describes the abuses that will be committed by Israel's kings) and have concluded from it that monarchical government is inherently arbitrary. But this, Acherley insists, is to commit a grave error. The Israelites could have chosen the free and limited monarchy that God

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can exclusivism, see Algernon Sidney, *Court Maxims*, ed. Hans W. Blom, Eco Haitisma Mulier, and Ronald Janse (Cambridge, 1996), 65; Sidney, *Discourses Concerning Government*, ed. Thomas G. West (Indianapolis, Ind., 1996), 338.

<sup>19</sup> Cook, *Monarchy, No Creature of God's Making*, 93 (quotation). It is important to recognize that, like Milton before him (and Sidney after), Cook was not always consistent on this point. Just a few pages after his unqualified endorsement of the view that monarchy per se is idolatry, he writes instead that "it is not the name of a King but the boundlesse power which I argue against (though the Romans for the insolence of *Tarquin* would not endure the name) if any people shall place the Legislative power in Parliamentary authority and give unto one man the Title of King for their better correspondency with foraigne Kingdomes, with no more power to hurt the people, then the Duke of *Venice* or the Duke of *Genoa* have; such a government may be Iust and Rationall, but domination is a sweet morsel"; *ibid.*, 53. For a similar inconsistency in Milton's later pamphlets, see, for example, Wolfe, *Complete Prose* (New Haven, Conn., 1980), 7: 377–78. The point is not that these authors were always consistent, but, rather, that each of them formulated an extensive, detailed defense of the exclusivist position—one that eighteenth-century Americans would rediscover in 1776.

desired for them, but instead they “rejected God” by demanding arbitrary kings: “The State they were desiring to enter into, That appeared in this View, That if they would have a King like All the Nations (of which *Egypt* was one) Then they must be in the like Subjection and *Slavery*, as the People of those Nations were; which differed not from the *Bondage* that was *Egyptian*. Whereas if they had Desired a King to Protect and Defend their Liberties and Properties, the Request had been Commendable.” Samuel “was therefore Amaz’d at this People’s Importunity, not only to reject the Greatest Blessings God could Give, or they Enjoy, *viz Liberty and Property*, but to return again unto *Slavery*,” and he accordingly warned the Israelites “that the Power of such a King as they Desired, *viz Of a King like all the Nations about them*, would be *Arbitrary*, And that the Liberty of their Persons, and the Property of their Estates, would necessarily fall under his Absolute Will and Disposal, after the Manner they had formerly been in *Egypt* . . . such a King would have in him the whole *Legislative and Judicial Power*, and that his *Arbitrary Will and Pleasure* would be the *Law or Measure* by which his Government would be Administered.” For Acherley, the Israelites had sinned in asking for a monarch who would combine executive, legislative, and judicial power—one who would govern by his “Arbitrary Will and Pleasure.”<sup>20</sup> Once again, it was discretionary power, not the kingly office or title, that God was said to despise.

To the extent that British North Americans discussed biblical monarchy at all during the first twelve years of the imperial crisis, it was simply to affirm this traditional understanding. God permitted each people to choose its form of government, and he had no objection whatsoever to the institution of limited monarchy. All participants in the pamphlet wars leading up to the Revolution could endorse this formulation (although it must be stressed that pamphlets of the 1760s and early 1770s tended to ignore scripture altogether).<sup>21</sup> Indeed, as the crisis escalated in 1775, even the very small number of colonial writers and ministers who began to offer a republican reading of 1 Samuel 8 did so while continuing to insist upon the legitimacy and divine permissibility of monarchy. They followed their

<sup>20</sup> See Roger Acherley, *The Britannic Constitution; or, The Fundamental Form of Government in Britain*. . . . (London, 1727), 6 (“These writers”), 7 (“that the Power of such”), 9 (“Arbitrary Will and Pleasure”). For an earlier statement, see *The Judgment of Whole Kingdoms and Nations, Concerning the Rights, Power, and Prerogative of Kings, and the Rights, Priviledges, and Properties of the People*. . . ., 6th ed. (London, 1710), esp. 28–41.

<sup>21</sup> Even those patriots of the early 1770s who defended an expansive conception of the royal prerogative could accept the whig understanding of 1 Sam. 8. They were claiming, after all, that the ancient prerogatives of the crown were fully “legal” and did not threaten enslavement to anyone’s “arbitrary will.” See Eric Nelson, “Patriot Royalism: The Stuart Monarchy in American Political Thought, 1769–75,” *WMQ* 68, no. 4 (October 2011): 533–72.

parliamentarian predecessors in arguing simply that republican government would offer the best protection against arbitrary, discretionary power—that it would rescue them once and for all from the dangers of encroaching prerogative. Their writings from this twelve-month period therefore provide a fascinating glimpse of a road not taken, of what the republican turn might have looked like had Paine not published his pamphlet.

In his *Short Essay on Civil Government*, the Connecticut minister Dan Foster offered the incendiary argument that “England was never more happy before, nor much more since, than after the head of the first [*sic*] Stuart was severed from his body, and while it was under the protectorship of Oliver Cromwell.” Yet, for all of its radicalism, his defense of the English republic resolutely shunned exclusivism. “A people,” he insisted, have an “inherent right to appoint and constitute a king supreme and all subordinate civil officers and rulers over them, for their civil good, liberty, protection, peace and safety.” Foster accepted the Roman conceit that men are born “*sui iuris*”—independent of the will of others—and that it is contrary to reason for them to surrender their liberty when establishing civil society. Those who designed England’s “ancient constitution” had understood this perfectly: “Caesar and Tacitus describe the antient Britons to have been a fierce people; zealous of liberty: a free people; not like the Gauls, governed by laws made by great men; but by the people.” These ancient free men, like their German forebears, had preferred political regimes in which “the people had the principle authority.” Yet, notwithstanding this fact, “they often elected a Prince or a King; sometimes a General whom we call Duke, from the Latin word *Dux*. But the power of these chiefs descended entirely on the community, or people; so that it was always a mixed democracy. In other parts . . . the King’s [*sic*] reigned with more power; yet not to the detriment of liberty; their royalty was limited by laws and the reason of things.” The chief requirement of good government is the preservation of liberty, which in turn requires the absence of arbitrary, discretionary power in the chief magistrate. For this reason, Foster insists on the total elimination of the royal prerogative: war, peace, and trade must all be governed by the “consenting voice and suffrage of the people personally, or by representation,” and a king ought to be deposed immediately if he “will not give the royal assent to bills which have passed the states, or parliament.”<sup>22</sup>

<sup>22</sup> Dan Foster, *A Short Essay on Civil Government, The Substance of Six Sermons, Preached in Windsor, Second Society, October 1774* (Hartford, Conn., 1775), 71 (“England was never”), 14 (“A people”), 16 (“*sui iuris*”), 23 (“ancient constitution”), 24 (“the people had the principle”), 50 (“consenting voice”), 70 (“will not give”). This last argument was a favorite of parliamentarian writers in the 1640s. They focused on the wording of the coronation oath sworn by Edward II (and allegedly sworn by Charles I), in which the king promised “corroborare justas leges et consuetudines quas vulgus eligerit.” If

So long as these conditions are met, Foster is prepared to acknowledge the legitimacy (if not the desirability) of monarchy, and he grounds his view in a striking reading of 1 Samuel 8:

And now they [the Israelites] manifest their desire of a King, one who should rule according to right and equity; and pray his assistance to constitute and set one over them, to judge, rule and govern them, as was customary in all other nations.

Samuel intimates his displeasure at their request of a King; fearing they did not pay that respect to Jehovah which they ought; and from the lord he shews them the manner of the King who should reign over them; how he would conduct with them, their families and inheritances, and what would be the maxims of that government which he would exercise over the people, in the course of his reign. Notwithstanding all this, the people persisted in their request of a King, and still continued their petition. And though perhaps the circumstances attending Israel's request at this time, and their obstinacy in it, after the prophets remonstrances against it, were not to be commended, the Lord so far overlooked this, that he commanded Samuel to hearken to, and gratify the people, by accomplishing their desire in constituting a King to rule and govern them.<sup>23</sup>

On Foster's interpretation, the Israelites had asked for the right sort of king after all: one who would "rule according to right and equity." What they failed to appreciate is that, in practice, monarchs tend to become tyrannical: "the maxims of that government which [Saul] would exercise over the people" were, Samuel realized, to be very different indeed from the ones endorsed by the people themselves when they asked for a king. It would therefore have been far better for them to retain their republican constitution, the safest possible bulwark against enslavement.<sup>24</sup>

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one (mis)construed the final verb to express the future perfect indicative, rather than the perfect subjunctive tense, it seemed to commit the monarch to give his assent to any laws that "the people shall choose"—meaning that, although all bills formally had to receive the assent of the sovereign in order to become law, the king was in fact required to give his assent to all bills chosen by the people (which is to say, enacted by the House of Commons). There was thus no true negative voice. See, for example, Henry Parker, *Observations upon Some of His Majesties Late Answers and Expresses* (London, 1642), 5; William Prynne, *The Sovereign Power of Parliaments and Kingdomes. . . .* (London, 1643), 65–68. For the Latin text of the oath, see Conal Condren, *Argument and Authority in Early Modern England: The Presupposition of Oaths and Offices* (Cambridge, 2006), 254–68.

<sup>23</sup> Foster, *A Short Essay*, 4.

<sup>24</sup> See also the essay reprinted from the *London Evening Post*, June 30, 1774, in the [New-London] *Connecticut Gazette, and the Universal Intelligencer*, Oct. 7, 1774, [1]:

Nonetheless, God acceded to their request because he regarded it as perfectly permissible for a people to institute monarchy.

Harvard College's president, Samuel Langdon, offered more or less the same view in a 1775 sermon, *Government Corrupted by Vice*. "The Jewish government," he observed, "according to the original constitution which was divinely established, if considered merely in a civil view, was a perfect Republic," and "the civil Polity of Israel is doubtless an excellent general model, allowing for some peculiarities; at least some principal laws and orders of it may be copied, to great advantage, in more modern establishments."<sup>25</sup> Indeed, in one extraordinary passage, Langdon came quite close to endorsing the Miltonic position: "And let them who cry up *the divine right of Kings* consider, that the only form of government which had a proper claim to a divine establishment was so far from including the idea of a King, that it was a high crime for Israel to ask to be in this respect like other nations; and when they were gratified, it was rather as a just punishment of their folly . . . than as a divine recommendation of kingly authority."<sup>26</sup> Yet Langdon insisted at the same time that "every nation, when able and agreed, has a right to set up over themselves any form of government which to them may appear most conducive to their common welfare." Monarchy remains perfectly permissible, so long as one guards against "the many artifices to stretch the prerogatives of the crown beyond all constitutional bounds, and make the king an absolute monarch, while the people are deluded with a mere phantom of liberty."<sup>27</sup> While it may have been seditious for the Israelites to ask for a human king (because they lived under a republican constitution established for them by God), it was no sin for anyone else to do so. The Salem, Massachusetts, minister Samuel Williams agreed in his own 1775 sermon, *A Discourse on*

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"Power long entrusted either to single persons, or to bodies of men, generally increases itself so greatly as to become subversive of the intentions, and dangerous to the rights of those who delegated it. Kings are but men, are subject to all the passions and frailties of human nature, and consequently are too prompt to grasp at arbitrary power, and to wish to make all things bend and submit to their will & pleasure."

<sup>25</sup> Samuel Langdon, *Government Corrupted by Vice, and Recovered by Righteousness*. . . (Watertown, Mass., 1775), 11–12 ("The Jewish government," 11, "the civil Polity," 12). For a discussion of Langdon's sermon in the context of a broader turn toward the model of the "Jewish republic" among New England ministers, see Harry S. Stout, *The New England Soul: Preaching and Religious Culture in Colonial New England* (1986; repr., Oxford, 2012), 301–5.

<sup>26</sup> Langdon, *Government Corrupted by Vice*, 12. Langdon's argument is in fact subtly, but importantly, different from Milton's: he is claiming that the Israelites sinned in asking for a king because kingship was not part of the divinely constituted government under which they lived—not because it is inherently sinful for a people to institute monarchy. The Israelite sin was therefore that of sedition. This view draws on a tradition of exegesis originating with Josephus. See Josephus, *Contra Apionem*, 2: 163–68.

<sup>27</sup> Langdon, *Government Corrupted by Vice*, 16.

*the Love of Our Country*, declaring that “infinite wisdom had seen fit to put that people [Israel] under a more excellent form of government, than any nation has ever had. God himself was their King. And they might have been long happy under a government, in which, the Ruler of the world condescended himself to execute the office of Chief-Magistrate. But such was their impiety and folly, that in many instances they greatly abused and perverted the privileges they were favoured with.”<sup>28</sup> As a result, they soon found themselves in Babylonian exile, under “the arbitrary will of a proud, cruel, despotic monarch.”<sup>29</sup> For Williams, republican government may well be the most “excellent” known to man, but monarchy remains permissible so long as it is not “arbitrary” and “despotic.”<sup>30</sup>

Seen in the context of these discussions, Paine’s *Common Sense* emerges as a transformative intervention. Rejecting over a century of whig biblical exegesis, Paine unambiguously returned in January 1776 to Milton and the Hebraic exclusivists of the 1650s. His argument in the section “Of Monarchy and Hereditary Succession” reads as follows:

Government by kings was first introduced into the world by the Heathens, from whom the children of Israel copied the custom. It was the most prosperous invention the Devil ever set on foot for the promotion of idolatry. The Heathens paid divine honors to their deceased kings, and the Christian world hath improved on the plan by doing the same to their living ones. How impious is the title of sacred majesty applied to a worm, who in the midst of his splendor is crumbling into dust!

As the exalting one man so greatly above the rest cannot be justified on the equal rights of nature, so neither can it be

<sup>28</sup> Samuel Williams, *A Discourse on the Love of Our Country; Delivered on a Day of Thanksgiving, December 15, 1774* (Salem, Mass., 1775), 5–6 (quotation, 6). This reading was drawn from Josephus, *Contra Apionem*, 2: 163–68. See Josephus, *The Life. Against Apion*, ed. and trans. H. St. J. Thackeray (Cambridge, Mass., 1926). For an important endorsement, see Theodore Beza, *De iure magistratum* (1574), in Julian Franklin, ed., *Constitutionalism and Resistance in the Sixteenth Century: Three Treatises by Hotman, Beza, and Mornay* (New York, 1969), 116.

<sup>29</sup> Williams, *Discourse on the Love*, 6.

<sup>30</sup> See also “The Monitor, No. XII,” *New York Journal; or, The General Advertiser*, Jan. 25, 1776, [1]. The author goes so far as to attribute to loyalists “an idolatrous veneration for the king and parliament, more especially for the former,” and laments that “the imaginations of men are exceedingly prone to deify and worship them [i.e., kings]; though, to the great misfortune of mankind, they are more commonly fiends, than angels.” But he immediately adds that, notwithstanding all of this, “it is noble and generous to love, to admire a virtuous prince.” See also “An Oration on Arbitrary Power, delivered by one of the Candidates for a second degree at the late Commencement held at Princeton, in New-Jersey, September 27, 1775,” *Connecticut Gazette; and the Universal Intelligencer*, Dec. 22, 1775, [1].



defended on the authority of scripture; for the will of the Almighty as declared by Gideon, and the prophet Samuel, expressly disapproves of government by kings. . . .

Near three thousand years passed away, from the Mosaic account of the creation, till the Jews under a national delusion requested a king. Till then their form of government (except in extraordinary cases, where the Almighty interposed) was a kind of republic administered by a judge and the elders of the tribes. Kings they had none, and it was held sinful to acknowledge any being under that title but the Lord of Hosts. And when a man seriously reflects on the idolatrous homage which is paid to the persons of kings, he need not wonder that the Almighty, ever jealous of his honor, should disapprove a form of government which so impiously invades the prerogative of heaven.<sup>31</sup>

For Paine, as for Milton before him, the Israelites sinned in asking for a king per se: “monarchy is ranked in scripture as one of the sins of the Jews, for which a curse in reserve is denounced against them.” “These portions of scripture,” he announces, “are direct and positive. They admit of no equivocal construction.” The issue was not the sort of king for which the Israelites asked—an arbitrary king whose prerogatives would enslave them—or that they asked for one despite being under God’s unique, providential government at the time. On the contrary, they sinned because it is inherently idolatrous to assign any human being the title and status of king. “The Almighty,” on Paine’s account, “hath here entered his protest against monarchical government,” and when the Israelites later entreated Gideon to become their king, the judge and prophet “denieth their right” to establish a monarchy and accordingly “charges them with disaffection to their proper Sovereign, the King of Heaven.”<sup>32</sup>

<sup>31</sup> Thomas Paine, *Common Sense, the Rights of Man, and other Essential Writings of Thomas Paine* (New York, 1984), 29–32. Paine explicitly glosses 1 Sam. 8 in the Miltonic manner on page 31. Important discussions of Paine and his pamphlet include Jordan, *Journal of American History*, 60; Bernard Bailyn, “The Most Uncommon Pamphlet of the American Revolution: *Common Sense*,” *Magazine of History* 25, no. 1 (December 1973): 36–41; Eric Foner, *Tom Paine and Revolutionary America* (New York, 1976); Aldridge, *Thomas Paine’s American Ideology*; Jack Fruchtman Jr., *Thomas Paine and the Religion of Nature* (Baltimore, 1993); Fruchtman, *Thomas Paine: Apostle of Freedom* (New York, 1994); Edward Larkin, *Thomas Paine and the Literature of Revolution* (Cambridge, 2005); Nichole Eustace, *Passion Is the Gale: Emotion, Power, and the Coming of the American Revolution* (Chapel Hill, N.C., 2008); Fruchtman, *The Political Philosophy of Thomas Paine* (Baltimore, 2009). As Perl-Rosenthal points out in his important essay, none of these sources addresses the Hebraic origins of Paine’s argument.

<sup>32</sup> Paine, *Common Sense*, 30–32 (“monarchy is ranked,” 30, “These portions of scripture,” 32, “denieth their right,” 30–31). Paine’s discussion of the Gideon episode likewise follows Milton; Wolfe, *Complete Prose*, 4: 1, 370. For an antecedent to Paine, see A Republican, “For the Massachusetts Spy. . . .” [Boston] *Massachusetts Spy*, Apr. 8,

Paine's opponents (not all of them loyalists) fully recognized the radicalism of this position, as well as its tendency to shift the focus of conversation away from potentially enslaving kingly *powers* and toward the alleged evils of the very *title* of king. Two critics in particular, Charles Inglis ("An American") and the Reverend William Smith ("Cato"), answered him at length on this issue in the Pennsylvania newspapers in the early months of 1776, and their responses have recently been the subject of an article in this journal by Nathan Perl-Rosenthal.<sup>33</sup>

Other readers, however, were far more receptive to Paine's use of scripture, among them Richard Parker. Parker was Lee's neighbor in Westmoreland County and often served as his trusted agent in both financial and political matters. Originally employed as king's attorney, he joined the patriot movement quite early on. In 1766, Lee deputized Parker to arrange the meeting that enacted the Leedstown Resolutions (Parker also chaired the meeting and signed the document), and Parker likewise became a member of the county's Committee of Safety in 1775–76. It was also Parker who implemented Lee's scheme of extracting rents from his numerous tenants in tobacco rather than paper money—thus precipitating a scandal that Lee's opponents would use to have him removed from Congress in 1777 (he was accused of contributing to the depreciation of Virginia's currency).<sup>34</sup> Parker was eventually appointed a judge of the General Court in 1788 and, later, of the first Court of Appeals. His letter to Lee about biblical monarchy, dated April 27, arrived at a time when Lee was actively soliciting opinions from his friends on the future constitutional form of the American colonies. John Adams, for one, had sent Lee a sketch

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1773. The author acknowledges the legitimacy of limited kingly government (in this he is unlike Paine), but nonetheless cites Milton in attacking the "trappings of monarchy" and claims that "every man of sense and independency must give the preference to a well constructed Republic." He continues as follows: "I am not peculiar in my notion of Kings or monarchical governments; besides all the antients who adjudged them tyrants; besides the Jewish people whom God, in his wrath plagued with a vengeance by giving them a King; besides these, moderns innumerable are on my side" (quotations, [1]).

<sup>33</sup> It is important to recognize, however, that some continued to defend the more orthodox position of Foster, Langdon, and Williams even after 1776. See, for example, James Dana, *A Sermon, Preached before the General Assembly of the State of Connecticut, at Hartford, on the Day of the Anniversary Election, May 13, 1779* (Hartford, Conn., 1779), esp. 15–18. For Inglis and Smith, see Perl-Rosenthal, *WMQ* 66: 535–64.

<sup>34</sup> For Parker's friendship with Lee, see, e.g., James Curtis Ballagh, ed., *The Letters of Richard Henry Lee* (New York, 1911), 1: 32–34, 42, 127, 297 n. 1, 299; John Carter Matthews and Sarah deGraffenried Robertson, eds., "The Leedstown Resolutions," *Northern Neck of Virginia Historical Magazine* 16, no. 1 (December 1966): 1491–506; Jack P. Greene, ed., *The Diary of Colonel Landon Carter of Sabine Hall, 1752–1778* (Richmond, Va., 1987), 2: 1006–7. For the rent extraction scandal, see Paul Chadwick Bowers, "Richard Henry Lee and the Continental Congress: 1774–1779" (Ph.D. diss., Duke University, 1964), 223–46.

of what later became his *Thoughts on Government* in November 1775, which Lee subsequently arranged to have published in both New York and Virginia—he “insisted upon it So much,” Adams reported to Francis Dana, “that it could not be decently refused.”<sup>35</sup> (Lee also composed his own “hand bill,” advancing a position very much like Adams’s, in the early months of 1776).<sup>36</sup> His letter to Patrick Henry of April 20, extolling Adams’s work and enclosing a copy of the published pamphlet, was written just before he would have received Parker’s letter (no reply from Lee appears to have survived).<sup>37</sup>

Lee, like Adams, utterly rejected Paine’s unicameralism, but he was otherwise known to be an enthusiastic acolyte; fellow Virginian Landon Carter described him as “a prodigious Admirer, if not partly a writer in the Pamphlet *Common Sense*.”<sup>38</sup> Parker evidently shared Lee’s admiration for the pamphlet and wrote to his friend to offer an account of the newspaper debate that Paine’s arguments had provoked. After providing a short description of recent naval activity off the Virginia coast, as well as an account of the detention of three prominent loyalists, Parker turned to the subject at hand: “I observe the Pennsylvania [*sic*] Papers are filled with the controversy about Independance and think the writers have rather left the Question What matters it to us at present whether Monarchy is reprobated by the Almighty or not.” In other words, Parker was observing that, while the controversy may have begun as a debate about “the Expediency or Inexpediency of Independance”—that is, about whether George III had irreparably forfeited the allegiance of his American subjects—it had quickly turned into a scriptural debate over the theological permissibility of monarchy itself. As Parker went on to explain, Paine had written extensively about “Monarchical Government as established amongst the Jews” and had argued that “god was displeased with their demanding a King and was

<sup>35</sup> John Adams to Francis Dana, Aug. 16, 1776, in Robert J. Taylor, Gregg L. Lint, and Celeste Walker, eds., *Papers of John Adams*, ser. 3 (Cambridge, Mass., 1979), 4: 466.

<sup>36</sup> John E. Selby, “Richard Henry Lee, John Adams, and the Virginia Constitution of 1776,” *Virginia Magazine of History and Biography* 84, no. 4 (October 1976): 387–400.

<sup>37</sup> Richard Henry Lee to Patrick Henry, Apr. 20, 1776, in Ballagh, *Letters of Richard Henry Lee*, 1: 179–80. See also Butterfield, *Diary and Autobiography of John Adams*, 3: 333; Bowers, “Richard Henry Lee and the Continental Congress: 1774–1779,” 168–73; Oliver Perry Chitwood, *Richard Henry Lee: Statesman of the Revolution* (Morgantown, W.Va., 1967), 94–95; John Adams to Richard Henry Lee, Nov. 15, 1775, in Taylor, Lint, and Walker, *Papers of John Adams*, 3: 307–8.

<sup>38</sup> Greene, *Diary of Colonel Landon Carter of Sabine Hall*, 2: 1007, 1049–50. Lee himself appears to have been thinking about the analogy between monarchy and idolatry as early as November 1775. In a letter to Catharine Macaulay, he wrote that “as a good *Christian* properly attached to your native Country, I am sure you must be pleased to hear, that North America is not fallen, nor likely to fall down before the *Images* that the King hath set up”; Lee to Macaulay, Nov. 29, 1775, in Ballagh, *Letters of Richard Henry Lee*, 1: 160.

determined they should suffer for his Crimes.”<sup>39</sup> In contrast, “Cato [the Reverend William Smith of Philadelphia] thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it.”<sup>40</sup>

This characterization of Cato’s argument is perfectly accurate. Smith regarded it as self-evident that Paine had “pervert[ed] the Scripture” in claiming that “monarchy . . . (meaning, probably, the institution of Monarchy,) ‘is ranked in Scripture as one of the sins of the *Jews*, for which a curse in reserve is denounced against them.’” But he recognized that, in “a country in which (*God* be thanked) the Scriptures are read, and regarded with that reverence which is due to a revelation from Heaven,” the argument of *Common Sense* could not safely be ignored. Smith therefore resolved “to rescue out of our author’s hands that portion of the sacred history which he has converted into a libel against the civil Constitution of *Great Britain*; and show in what sense the passage has been universally received, as well by the *Jews* themselves as by commentators, venerable for their piety and learning, in every Christian country.” He begins by reminding his readers that “the *Jews* were long privileged with a peculiar form of Government, called a Theocracy, under which the ‘Almighty either stirred up some person, by an immediate signification of his will, to be their Judge, or, when there was none, ruled their proceedings himself, by Urim and Thummim.’” When the Israelites requested a human king, they sinned first and foremost in “rejecting the divine Government” under which they had prospered. But they sinned further in desiring “a King to judge them like all the nations,” since “all the nations which they knew, were ruled by Kings, whose arbitrary will stood in the place of law; and it appears also that the *Jews*, since the day that they were brought out of *Egypt*, had still retained a particular hankering after the customs of that country.” God therefore “not only signifies his displeasure against all such arbitrary rulers, but against every people who would impiously and foolishly prefer such a Government to one immediately under himself, where, in his providence, he might think fit to appoint such an one.”<sup>41</sup>

Yet Paine had dared to argue that “the Almighty hath here entered his protest against Monarchical Government.” First, Smith answers that “the Almighty would have as strongly expressed his displeasure against the *Jews*, had they rejected his Government for one of their own appointment, whether it had been monarchical or democratical—to be administered

<sup>39</sup> Parker to Lee, Apr. 27, 1776, 1r (“I observe”), 2r (“god was displeased”).

<sup>40</sup> Parker to Lee, Apr. 27, 1776, 2r (quotation). See Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 839.

<sup>41</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 839–40 (“pervert[ed] the Scripture,” 5: 839, “the *Jews* were long,” 5: 840). Cato’s letters were reprinted in Connecticut, Virginia, and New York, among other places. See Perl-Rosenthal, *WMQ* 66: 557.

by one man or a thousand men.” But Paine errs most spectacularly in assuming that, when Samuel described the horrors that would be perpetrated by Israelite kings (1 Samuel 8:11–18), the prophet meant to “extend his protest against all future Monarchical Governments, such as were to subsist some thousands of years afterward, however limited and mixed, particularly that of *Great Britain*, (which must certainly be our author’s meaning, or he proves nothing to his purpose;).” This, for Smith, is patently absurd: citing “[Roger] Acherley, in his *Britannick Constitutions*,” he insists that “the particular case of the *Jews* cannot be applied to any other nation in this instance, as none else were ever in similar circumstances.”<sup>42</sup>

In order to buttress this conclusion, he turns to the Hebrew text itself, as well as to the tradition of Jewish commentary upon it. First comes “the celebrated *Grotius*,” who “tells us that *Samuel*, in this passage, does not speak of what our author calls the ‘general manner of Kings,’ or the just and honest right of a King to do such things; because his right is otherwise described elsewhere, as shall be shown. The prophet only speaks of such a right as the Kings round about *Israel* had acquired, which was not a true, right; for such is not the signification of the original word *Mishpat*; but such an action as (being founded in might and violence) hath the *effectum juris*, or comes in the place of right.” Grotius, along with Sidney (who is here transfigured into a respectable whig), is then said to be “well warranted in this interpretation, not only by the *Hebrew* text, but other clear passages of Scripture, and particularly the seventeenth chapter of *Deuteronomy*, where, with the approbation of Heaven, the duty of a good King is described and limited.” Smith proceeds to summarize the rabbinic debate over this passage, as it had inflected the seventeenth-century controversy over monarchy:

The *Jews* commonly understood this chapter as containing an absolute promise from Heaven of a Royal Government, and a sufficient authority for the request made to *Samuel* more than three hundred years afterwards. Others understood it conditionally,—that if they did reject the Divine Government,

<sup>42</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 840 (quotations). Paine directly answered Cato’s claim that Samuel had not meant to “extend his protest” to monarchy as such in his third “Forester” letter (Letter 3), also printed in the *Pennsylvania Gazette*, Apr. 24, 1776: “The Scripture institutes no particular form of Government, but it enters a protest against the Monarchal form; and a negation on one thing, where two only are offered, and one must be chosen, amounts to an affirmative on the other. Monarchal Government was first set up by the Heathens, and the Almighty permitted it to the *Jews* as a punishment. ‘I gave them a King in mine anger.’—Hosea xiii, 11.” “Letter 3—To Cato,” in *American Archives: Fourth Series*, 5: 1018. Smith’s citation of the *Britannick Constitution* refers to Acherley, *The Britannick Constitution*, 6–9.

and set up one of their own appointment, *God* would permit them; but their King should be chosen in the manner, and with the qualifications in that chapter described. All this, however, they disregarded when they asked an arbitrary King, like those of their neighbouring nations; and therefore, it is demonstratively certain that *Samuel*, in entering his protest against such Kings, did not protest against Kings or Monarchical Governments generally. Either this remark is true, or one part of Scripture is a direct contradiction to the other.<sup>43</sup>

The rabbis of the Talmud (here simply “the *Jews*”), unlike the rabbis cited by Milton, had derived from Deuteronomy 17 an “absolute promise” of monarchy—that is, an affirmative commandment to ask for a king.<sup>44</sup> Others, on Smith’s account, had construed the text to embody a permission to establish a virtuous and lawful monarchy. Both readings converged in insisting that the Israelites had sinned only in asking for the wrong sort of king. Smith conveniently neglects to mention that another group of rabbis, along with their seventeenth-century expositors, had taken precisely Paine’s view of the matter.

For Smith, as for the rest of Paine’s critics in 1776, the Hebraizing argument of *Common Sense* was most dangerous because it encouraged colonial readers to become anxious about precisely the wrong things—to pursue shadow over substance. So long as their chief magistrate was not called king, they would feel that the appropriate political principles had been satisfied fully; they would not fret at all about the sweeping prerogative powers that their suitably re-christened governors might come to wield. Tyrannical wolves would masquerade as republican sheep. “The popular leaders who overturned the Monarchy in the last age,” Smith reminds his readers, “were not themselves friends to Republicks. They only

<sup>43</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 841 (quotations). See Hugo Grotius, *Hugonis Grotii Annotationes in Vetus Testamentum*, ed. Georg Johann Ludwig Vogel (Halle, Germany, 1775), 1: 215; Hugo Grotius, *Hugonis Grotii De iure belli ac pacis libri tres* (Amsterdam, 1650), 1: 4.7.

<sup>44</sup> Babylonian Talmud: Sanhedrin 20b. The majority opinion in the Talmud, attributed to Rabbi Yehudah, reads as follows: “there were three commandments that Israel were obligated to fulfill once they had entered the land: appointing a king, exterminating the offspring of Amalek, and building the temple.” Isidore Epstein and Maurice Simon, eds., *Soncino Hebrew-English Edition of the Babylonian Talmud*, 30 vols. (London, 1994). This reading became ubiquitous among Protestant defenders of monarchy. Claude de Saumaise (Salmasius), for example, simply reproduced the Talmudic gloss in his *Defensio regia* (1649): “Tradunt Iudaeorum magistri, tria injuncta fuisse Israelitis quae facere eos oporteret postquam introducti essent in terram sanctam, *regem sibi constituere, excindere Amalechitas, templum exstruere*.” See C. L. Salmasii *Defensio pro Carolo I* (Cambridge, 1684), 63.

made use of the name to procure the favour of the people; and whenever, by such means, they had mounted to the proper height, each of them, in his turn, began to kick the people from him as a ladder then useless." The embodiment of this danger was Cromwell:

*Cromwell* exercised the power of a King, and of the most absolute King, under the specious name of a Protector. The instrument of Republican Government, which he had at first extolled as the most perfect work of human invention, he began (as soon as he thought his authority sufficiently established) to represent as "a rotten plank, upon which no man could trust himself without sinking." He had his eyes fixed upon the Crown; but when he procured an offer of it, from a packed Parliament, his courage failed him. He had outwitted himself by his own hypocrisy, and, in his way to power, had thrown such an odium upon the name of the King, that his own family, apprehensive he would be murdered the moment the diadem should touch his brow, persuaded him to decline that honour.<sup>45</sup>

The Miltonic argument revived by Paine threatened to make a fetish out of "the name of the King," delivering the colonists instead into the arbitrary power of a non-monarchical tyrant.<sup>46</sup> True "Republicks" are defined by the absence of discretionary power in any single person, not by the lack of an allegedly idolatrous title. "The harm," as another critic had put it, "lay not in the four Letters K,I,N,G."<sup>47</sup>

Parker himself thought that this debate should be postponed until after "we have determined our selves independant," but he nonetheless proceeded in his letter to Lee to endorse and then elaborately defend Paine's conclusion that God is an enemy to monarchical government.<sup>48</sup> His intervention is significant for two reasons. First, it provides valuable

<sup>45</sup> Cato, "Letter 8—To the People of Pennsylvania," in *American Archives: Fourth Series*, 5: 1050 (quotations).

<sup>46</sup> Virtually all of Paine's early critics likewise offered this argument. See, for example, *Reason: In Answer to a Pamphlet Entitled, Common Sense*, 9–13 (quotation, 9).

<sup>47</sup> Cato, "Letter 8," in *American Archives: Fourth Series*, 5: 1050 ("Republicks"); A Late Member of the Continental Congress, *The True Merits of a Late Treatise, Printed in America, Intituled Common Sense*. . . (London, 1776), 14–16 ("The harm," 16).

<sup>48</sup> Parker to Lee, Apr. 27, 1776, 1r (quotation); Parker rather surprisingly indicts both "Cato & Cassandra" for turning what should be a debate about "the Expediency or Inexpediency of Independance" into one about the divine permissibility of monarchy (ibid.). In fact, while Cato (William Smith) did indeed focus on refuting Paine's scriptural argument, Cassandra (James Cannon) spent no time attacking the institution of monarchy per se. Unlike Paine, the latter argued simply that America ought not to be governed by a British monarch. See Cassandra to Cato, in *American Archives: Fourth Series*, 5: 41–43, 431–34, 921–26.

evidence about the reach of Paine's Hebraizing argument in 1776 and beyond. Scholars have usually located the scriptural case against monarchy exclusively in a set of sermons delivered by New England ministers.<sup>49</sup> But Parker was an Anglican Virginia planter and he addressed his meditation on Paine's argument to a fellow member of the tidewater gentry. His letter therefore offers support for Ramsay's claim that Paine's scriptural argument found a receptive audience throughout the colonies, not merely in Congregational strongholds. Parker's analysis is also compelling insofar as it represents the attempt of an educated observer—whose thoughts, as he confesses, “are not well connected as my Avocations so frequently take me off from the Subject that the chain is often broke”—to take the measure of Paine's Hebraizing case against monarchy and explore its relation to the more traditional, neo-Roman reading of the biblical text.<sup>50</sup> Parker was evidently unwilling at this stage to choose between them.

On the one hand, his letter includes an unmistakable paraphrase of Paine's central argument: the heathen nations surrounding the Jews, Parker writes, had “paid divine honors to their Kings” (this is a direct quotation from Paine) and the Lord, “being a jealous God took every means to prevent them from falling into the same Error knowing that a person placed so far above the level of the people would lead them to whatever he pleased.”<sup>51</sup> Notice that, even here, Parker has either misconstrued or intentionally deviated from Paine's position in a subtle, but important, respect. Paine had argued that monarchy *itself* is an instance of the sin of idolatry, whereas Parker seems to be arguing instead that monarchs (who are not intrinsically idols) will frequently prevail upon the people to worship them in an idolatrous fashion. But it had been the strict equation of monarchy and idolatry that allowed Paine to reach his radical conclusion in *Common Sense*, namely, that the God of scripture classifies monarchy in all its forms as a sin. And this, after all, is the conclusion that Parker wants to defend against Cato's critique: the Israelites, Parker explains, chose to institute kingship against God's express wishes, and the subsequent depredations of Israel's kings provide evidence of the Lord's great anger: “Can it be thought that the Almighty would have been so unmerciful to his people if it had not have been to shew them the impropriety of having

<sup>49</sup> See, for example, Eran Shalev, *American Zion: The Old Testament as a Political Text from the Revolution to the Civil War* (New Haven, Conn., 2013), 57–69; Stout, *New England Soul*, 301–5; Perl-Rosenthal, *WMQ* 66: 553–54, 560. Perl-Rosenthal rightly doubts that, in light of Ramsay's testimony, it is plausible to suppose that this discourse was confined to a group of New England ministers, but he is unable to offer examples of its use elsewhere.

<sup>50</sup> Parker to Lee, Apr. 27, 1776, 1r (quotation).

<sup>51</sup> Parker to Lee, Apr. 27, 1776, iv. This phrasing seems to echo Paine's attack on “the exalting [of] one man so greatly above the rest”; Paine, *Common Sense*, 30.



a King for whose Trespasses they were to suffer”? After all, “God had expressly declared to them long before they asked a King that they would do it and that he would punish them with the Kings they should set over them see the 28th Cap Deuteronomy to the 37th verse. Hosea in the 13th Chapter 11th verse says ‘I gave thee a King in mine Anger and took him away in my wrath[.]’ In short god was displeased with their demanding a King and was determined they should suffer for his Crimes.”<sup>52</sup> To be sure, “Cato thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it.” Does not Deuteronomy 17, Cato had asked, “smell strong of Monarchy and even of Hereditary Monarchy?” Parker answers that “God has expressly declared his displeasure with the Jews for asking a King; but he knew long before they did demand one that they would do it; and he only tells them if they should be so foolish as to do it what sort they should choose & declares how he ought to conduct himself by which Conduct he should obtain his favor.”<sup>53</sup> “It is [a] pity,” Parker concludes, that “Cato has not the Candor to compare the Scriptures, a crime he accuses Common Sense of.”<sup>54</sup>

Parker thus fully embraces Paine’s view that God is an “enemy” to monarchical government and that kingship in all its forms is sin—and he likewise offers a glancing, somewhat muddled endorsement of the claim that monarchy is sinful insofar as it is idolatrous. But Parker simultaneously runs a set of arguments that are very different from Paine’s. To begin with, whereas Paine (like Langdon and Williams before him) had favorably described the original Israelite constitution as “a kind of republic, administered by a judge and the elders of the tribes,” Parker dismisses the pre-monarchical Israelites as “Wretches” who obeyed the “dictates” of

<sup>52</sup> Parker to Lee, Apr. 27, 1776, 2r. Parker interestingly rejected the Josephan account of Israelite theocracy: “as to calling it [Israelite government before Saul] a Theocracy it is talking Nonsense because every State in the Universe is equally a Theocracy[.] Whoever believes in a particular Providence must acknowledge that the Events of States are governed by the Almighty and I am sure the Hand of God has been with us[.] It is true as the Jews were in such a State of Ignorance as to be unable to make any Laws for themselves God did prescribe a Set of Laws for them such as would be sufficient for their Government; that his wise purposes in bringing abt. the Redemption of man by his Son Jesus Christ might be fully answered but he left the Execution of those laws to the people themselves.” *Ibid.*, iv.

<sup>53</sup> Parker to Lee, Apr. 27, 1776, 2r. Parker’s wording (“God has expressly declared his displeasure with the Jews for asking a King”) is highly reminiscent of Milton’s own, as translated in the 1692 English version of the *Defense*: “God frequently protests that he was extremely displeas’d with them for asking a King”; Milton, *A Defence of the People of England* (London, 1692), 48. The Latin reads as follows: “Passim enim testatur Deus valde sibi displicuisse quod regem petissent”; Milton, *Defensio*, 66. Paine does not incorporate this language into *Common Sense*, so it is possible that Parker had direct access to Milton’s text.

<sup>54</sup> Parker to Lee, Apr. 27, 1776, 2v.

the Judges out of the (apparently) false belief that their commands “came from God” and states further that it is impossible to determine “what kind of Government” this really was.<sup>55</sup> More importantly, Parker also offers a competing account of why God was displeased with the Israelites when they instituted monarchy. In Egypt, he explains, the Israelites had been afflicted with “most abject Slavery.” God had redeemed them from bondage, and it was because he wished them to remain free men that he forbade them to establish a monarchy: “He knew that all felicity would be at an end and their Slavery under a King would be as great as whilst they lived in Egypt.” A critical portion of the text is missing here, but it seems as if Parker is trying to argue that God rejected monarchy on standard neo-Roman grounds: while it might be possible to imagine a nonarbitrary monarchy, in practice kings tend to turn into tyrants, and subjects into slaves.<sup>56</sup>

This, of course, had been the argument of Foster, Langdon, and Williams, but none of these writers (as we have seen) had taken the view that monarchy was therefore a sin and illicit in all circumstances. Indeed, they had reasoned in precisely the opposite direction: since one can perfectly well institute a nonarbitrary monarchy, it followed for them that kingly government in itself cannot be regarded as illicit—and that the Israelites did not sin in asking for a king per se. The fact that monarchs often come to wield arbitrary, discretionary power simply gives us good prudential grounds for preferring republican government and explains why God himself had initially instituted such a regime among his chosen people. Likewise, the argument that God in 1 Samuel 8 was merely expressing his concern that Israelite kings would ape the idolatrous customs of the heathens had always been invoked by those (like Cato himself) who wished to *deny* the conclusion that the Israelites sinned in asking for a king per se (the sin, on this account, was simply to have asked for the wrong sort of king—one like those of “the other nations”).<sup>57</sup> What we find in Parker’s letter, in other words, is an improvisatory attempt to match Paine’s conclusion with several very different premises. Parker cannot quite make up his mind whether monarchy is a sin because it is inherently idolatrous (that is, because the Lord is a “jealous God”), because it tends to promote idolatry, or because it threatens slavery (or for some combination of these

<sup>55</sup> For “a kind of republic,” see Paine, *Common Sense*, 30; for “Wretches,” see Parker to Lee, 1v. Paine also insisted that “the will of the Almighty” was indeed “declared by Gideon and the prophet Samuel”; see Paine, *Common Sense*, 30.

<sup>56</sup> Parker to Lee, Apr. 27, 1776, 1v (quotations). Quite a lot hangs on Parker’s precise reason for stating that God “knew” that the Israelites would be slaves under their kings. Is this because God simply foresaw that the Israelite kings would become tyrants, or because God “knows” that kings inevitably become tyrants. The latter would amount to the claim that there is no such thing (at least over time) as a nonarbitrary monarchy—and that this is why God regards all monarchies as sinful.

<sup>57</sup> 1 Sam. 8:4.

reasons).<sup>58</sup> Paine's pamphlet and the responses that it generated had forced him to wrestle with these issues, but the results, as he himself recognized, were rather inconclusive.

For many of Parker's countrymen, in contrast, the matter was far more straightforward. By the end of 1776, a host of colonial writers and ministers had come forward to defend Paine's argument unambiguously and in its entirety. In a sermon preached on September 12, Peter Whitney declared that "when the people of Israel foolishly and impiously asked God to give them a king," God begged them to "withdraw their petition, and desire rather to continue as they were." Yet, "they notwithstanding, persisted in their demand, and God gave them a king, but in his anger, and as a great scourge and curse to them." Whitney's verdict on this episode simply replicates Paine's discussion of the inherently idolatrous character of monarchical government, complete with direct quotations from *Common Sense* itself:

It is a natural inference from sacred story, and from what has been said above, that kingly government is not agreeable to the divine will, and is often a very great evil. The will of God as made known by Gideon; and the prophet Samuel expressly disapproves of government by kings. "Near three thousand years passed away from the Mosaic account of the creation, *before* the Jews under a national delusion, asked a king.—'Till then their form of government (except in extraordinary cases where the Almighty interposed) was a kind of republic administered by a judge, and the elders of the tribes. Kings they had none, and it was held sinful to acknowledge any being under that title but the Lord of hosts. And when a man seriously reflects on the idolatrous homage which is paid to the persons of kings, he need not wonder that the Almighty, ever jealous of his honor, should disapprove a form of government which so impiously invades the prerogative of heaven." No form of government but kingly or monarchical, is an invasion of God's prerogative; this is.

"The most high over all the earth," Whitney concludes, "gave kings at first, to the Jews (as he sends war) in anger, and as a judgment, and it may be affirmed, that upon the whole, they have been a scourge to the inhabitants of the earth ever since." "We in these States," Whitney concludes, "are now evidently under the frowns of heaven for our many and great transgressions: it is to be hoped we shall not 'add to our sins, this evil to ask *us* a king.'"<sup>59</sup>

<sup>58</sup> Parker to Lee, Apr. 27, 1776, iv (quotation).

<sup>59</sup> Whitney, *American Independence Vindicated* ("when the people," 11, "It is a natural inference," 43–44, "The most high," 44–45).

Whitney's view was endorsed the following month in the "Instructions to Delegates" published by the Committee for Charlotte County, Virginia. Having renounced their allegiance to George III, the citizens of the county were now committed to "taking the *God* of Heaven to be our King."<sup>60</sup> A sermon preached in Boston by Benjamin Hichborn took the same line: "I am inclined to think, that the great founder of societies has caused the curse of infatuating ambition, and relentless cruelty, to be entailed on those whose vanity may lead them to assume *his* prerogative among any of his people as they are cantoned about in the world, and to prevent mankind from paying that adoration and respect to the most dignified mortal, which is due only to *infinite wisdom and goodness*, in the direction of *almighty power*, and therefore that he alone is fit to be a monarch."<sup>61</sup> Nor did the passing of the years diminish Paine's grip on the political imagination of British Americans. In 1778, the poet Philip Freneau echoed *Common Sense* in verse:

To recommend what monarchies have done,  
 They bring, for witness, David and his son;  
 How one was brave, the other just and wise;  
 And hence our plain Republics they despise;  
 But mark how oft, to gratify their pride,  
 The people suffered, and the people died;  
 Though one was wise, and one Goliath slew,  
*Kings are the choicest curse that man e'er knew!*<sup>62</sup>

<sup>60</sup> "Instructions to Delegates for Charlotte County, Virginia," Apr. 23, 1776, in *American Archives: Fourth Series*, 5: 1035.

<sup>61</sup> Benjamin Hichborn, "Oration Delivered at Boston, March 5, 1777," in *Principles and Acts of the Revolution in America*. . . , ed. Hezekiah Niles (Baltimore, 1882), 27 (quotation). Also see Cosmopolitan, "Letter X," in *American Archives: Fourth Series*, 5: 1172. For further endorsements of Paine's argument in 1776, see for example *The People the Best Governors; or, A Plan of Government Founded on the Just Principles of Natural Freedom* (n.p., 1776); "Extract of a Letter from Philadelphia to a Gentleman in England," Mar. 12, 1776, in *American Archives: Fourth Series*, 5: 186–88; Samuel West, *A Sermon Preached Before the Honorable Council, and the Honourable House of Representatives, of the Colony of Massachusetts-Bay, in New-England. May 29th, 1776*. . . (Boston, 1776); William Drayton, "Judge Drayton's Charge to the Grand Jury of Charleston, South-Carolina," Apr. 23, 1776, in *American Archives: Fourth Series*, 5: 1031; Salus Populi, "To the People of North-America on the Different Forms of Government," 1776, in *American Archives: Fourth Series*, 5: 180–83. Even John Adams seems to have been swept up momentarily in this discourse; see, for example, Adams to William Tudor, Feb. 27, 1777, in Taylor, Lint, and Walker, *Papers of John Adams*, 4: 94: "I hope We shall e'er long renounce some of our Monarchical Corruptions, and become Republicans in Principle in Sentiment, in feeling and in Practice. In Republican Governments the Majesty is all in the Laws. They only are to be adored." Also see Adams to Congress, July 23, 1780, *ibid.*, 10: 27; "The total and absolute suppression of the Tumults in London . . . has now given them [the Ministry] such Exultation and Confidence, that the People of America will dethrone the Congress and like the Israelites demand a King."

<sup>62</sup> Philip Freneau, "America Independent; And Her Everlasting Deliverance from British Tyranny and Oppression," in *Poems Written and Published During the American*

Joseph Huntington of Connecticut offered much the same account in *A Discourse, Adapted to the Present Day*. “The infinitely wise and good Being,” he begins, “has given us the sum and substance of the most perfect form of civil government in his word. . . . I mean that ancient plan of civil policy, delineated for the chosen tribes of Israel.” In that divinely authorized constitution, “we find no king, no despot, no emperor, no tyrant, no perpetual dictator allowed of.” Quite the contrary, the “tribes of Israel” had “by divine appointment a general congress,” (as Huntington later clarified, “I mean the Sanhedrim or seventy elders”) “with a president at their head; Moses was the first, Joshua succeeded him, so on till the days of Samuel, when the constitution was subverted.” Huntington insists that “here God has marked out that form of civil government which is agreeable to his own will.” Each people is free to adapt this basic structure to its own needs and requirements, “but thus much in general God has plainly taught us, viz. that no king, no monarch, no tyrant, or despot, ought ever to be admitted to rule over his people, or any people under heaven; and hence, when Israel rejected that glorious form of government, and would have a king to govern them, God expressly declares *they rejected him*.”<sup>63</sup>

John Murray of Newburyport, Massachusetts, returned to this theme in his sermon celebrating the Peace of Paris and the birth of the new United States in 1784. “Now hail thy Deliverer-God. Worship without fear of man,” he exhorts his audience. “This day, invite him to the crown of America—proclaim him King of the land.”<sup>64</sup> Such a coronation, Murray

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*Revolutionary War*. . . . (Philadelphia, 1809), 1: 241. See also Benjamin Rush, writing to John Adams while the latter was posted to the French court: “While you are *gazed* at for your American-manufactured principles, and *gazing* at the folly and pageantry of animals in the shape of men cringing at the feet of an animal called a king, I shall be secluded from the noise and corruption of the times”; Benjamin Rush to John Adams, Jan. 22, 1778, in L. H. Butterfield, ed., *Letters of Benjamin Rush* (Princeton, N.J., 1951), 1: 192.

<sup>63</sup> Joseph Huntington, *A Discourse, Adapted to the Present Day, on the Health and Happiness, or Misery and Ruin, of the Body Politic, In Similitude to that of the Natural Body* (Hartford, Conn., 1781), 8–11 (“The infinitely wise,” 8, “we find no king,” 8–9, “tribes of Israel,” 10, “but thus much,” 11). See also Samuel Cooper, *A Sermon preached Before His Excellency John Hancock, Esq. . . . October 25, 1780. Being the Day of the Commencement of the Constitution and Inauguration of the New Government* (Boston, 1780). For the Hebrew republic as a constitutional model in revolutionary America, see Eran Shalev, “‘A Perfect Republic’: The Mosaic Constitution in Revolutionary New England, 1775–1788,” *New England Quarterly* 82, no. 2 (June 2009): 235–63. See also Shalev, *American Zion*, 50–83.

<sup>64</sup> John Murray, *Jerubbaal; or, Tyranny’s grove Destroyed, and the Altar of Liberty Finished*. . . . December 11, 1783. *On the Occasion of the Public Thanksgiving for Peace*. . . . (Newburyport, 1784), 7 (quotation). This is a direct echo of Paine: “But where, says some, is the King of America? I’ll tell you. Friend, he reigns above, and doth not make havoc of mankind like the Royal Brute of Britain. Yet that we may not appear to be defective even in earthly honors, let a day be solemnly set apart for proclaiming the charter; let it be

goes on to explain, has been made possible by the extraordinary virtue and piety of the Americans and their leaders. In the Hebrew republic of old, as Paine had recounted, Gideon was invited to become king, but he recognized that “the reins of kingly authority become no other hands than those of the all-perfect Sovereign of the universe.” Only God “is fit to sit Monarch on a throne—before him only every knee should bow—at his feet should sceptered mortals cast their crowns—there should they lay them down—to resume and wear them no more for ever—and he who refuses this rightful homage to the only Supreme, deserves to be treated as a tyrant among men, and a rebel against God.” Why should Americans expect any less of their own greatest general? “Are not we the children of Israel too—a professing covenant-people, in a land peculiarly privileged with gospel-light?” Indeed we are, and though George Washington was never offered a crown—because, for Americans, “the idea of a human monarchy is too absurd in itself”—if he had been, he surely would have replied in ringing tones that “the *Lord* alone shall be king of *America*.”<sup>65</sup>

brought forth placed on the divine law, the word of God; let a crown be placed thereon, by which the world may know, that so far as we approve of monarchy, that in America The Law Is King. For as in absolute governments the King is law, so in free countries the law *ought* to be King; and there ought to be no other. But lest any ill use should afterwards arise, let the crown at the conclusion of the ceremony be demolished, and scattered among the people whose right it is”; Paine, *Common Sense*, 48–49.

<sup>65</sup> Murray, *Jerubbaal*, 21 (“the reins of kingly”), 32 (“Are not we”), 42 (“the idea of a human”), 44 (“the *Lord* alone”). This language continued to appear during the debates over ratification. See, for example, Camillus, [Philadelphia] *Pennsylvania Packet, and Daily Advertiser*, June 13, 1787 (orig. pub. in the [Boston] *Independent Chronicle*). The author attacks proponents of the new Constitution as those who “raved about monarchy, as if we were ripe for it; and as if we were willing to take from the plough-tail or dram shop, some vociferous committee-man, and to array him in royal purple, with all the splendor of a King of the Gypsies . . . our king, whenever Providence in its wrath shall send us one, will be a blockhead or a rascal” (note the use of Hosea). See Camillus, *Pennsylvania Packet*, June 13, 1787, [2]. Compare Mercy Otis Warren’s characterization of the Constitution’s opponents: “They deprecate discord and civil convulsions, but they are not yet generally prepared, with the ungrateful Israelites, to ask a King, nor are their spirits sufficiently broken to yield the best of their olive grounds to his servants, and to see their sons appointed to run before his chariots”; A Columbian Patriot [Warren], *Observations on the New Constitution, and on the Federal and State Conventions* (Boston, 1788), 17. See also Speeches by Robert Livingston and Melancthon Smith to the New York Ratifying Convention, in *The Debates in the Several State Conventions, on the Adoption of the Federal Constitution*, ed. Jonathan Elliot (Washington, D.C., 1836), 2: 210, 223–26; Agrippa, Letter 17, in *Essays on the Constitution of the United States, Published during Its Discussion by the People, 1787–1788*, ed. Paul Leicester Ford (New York, 1892), 111. See also Thomas Jefferson to James Madison, Mar. 15, 1789, in Julian P. Boyd, ed., *The Papers of Thomas Jefferson* (Princeton, N.J., 1958), 14: 661: “I know there are some among us who would now establish a monarchy. But they are inconsiderable in number and weight of character. The rising race are all republicans. We were educated in royalism: no wonder if some of us retain that idolatry still. Our young people are educated in republicanism. An apostasy from that to royalism is unprecedented and impossible.”

The document reproduced below thus bears witness to a fateful shift in the character of colonial political thought. Paine's *Common Sense* fueled an abrupt republican turn in 1776 by reintroducing into Anglophone political discourse a particular *kind* of republican theory: one grounded in the Hebraizing conviction that it is idolatrous to assign any human being the title and dignity of a king. This theory was both more and less radical than its neo-Roman rival: more radical, in that it denied the legitimacy of all monarchies, however limited; less radical, in that it left open the possibility of an extremely powerful chief magistrate, so long as he was not called king. Parker's letter to Lee represents a very early, sympathetic attempt to grapple with the implications of Paine's scriptural argument—one that plainly sought to leave some room in the case against monarchy for the neo-Roman preoccupation with discretionary power. But the force of Paine's distinctive new brand of antimonarchism proved difficult for contemporaries to resist. Lee himself, after all, seems to have detected no dissonance whatsoever between the two great political interventions that he was simultaneously considering during the week of April 27, 1776: Paine's Hebraizing demonstration that "monarchy is reprobated by the Almighty," as defended by his friend Richard Parker, and Adams's insistence that "there should be a third Branch [of the legislature] which for the Sake of preserving old Style and Titles, you may call a Governor whom I would invest with a Negative upon the other Branches of the Legislature and also with the whole Executive Power."<sup>66</sup> It was of course perfectly possible to be worried both about the idolatrous pretensions of royal dignity and about the enslaving effects of discretionary power.<sup>67</sup> But by so profoundly altering the focus of the debate, Paine and his many acolytes made it possible for Americans in the following decade to reconcile republicanism with prerogative.

<sup>66</sup> For "monarchy is reprobated," see Parker to Lee, Apr. 27, 1776, 1r. For "there should be," see Adams to William Hooper, Mar. 27, 1776, concerning the manuscript "Thoughts on Government," in Taylor, Lint, and Walker, *Papers of John Adams*, ser. 3, 4: 73–78 (quotation 4: 76). Adams interestingly distinguishes the negative voice from "most of those Badges of Domination call'd Prerogatives."

<sup>67</sup> On this view, the absence of discretionary power in any single person is a necessary but not sufficient condition of legitimate government in a free state. Paine himself rejected the king's "negative voice" on these grounds and remained a fierce opponent of prerogative power in the executive for the rest of his life. It is therefore deeply ironic that he himself inadvertently made it possible for Americans to reconceptualize republicanism in such a way as to render it compatible with prerogative. See Paine, *Common Sense*, 44–45.

*Richard Parker to Richard Henry Lee, April 27, 1776*<sup>68</sup>

[1r] Dear Sir

Since my last nothing very material has happened with us or at least I have heard very little news our papers never coming to hand altho Purdie<sup>69</sup> and the other printers have been expressly ordered to send them to Fredericksburg for our Rider. A Tender came last Week to Hobbs Hole and took a new England man loaded with grain & flower from the Warf, an Alarm was given and the Malitias of Essex and Richmond pursued them in Vessels they retook the prize and brought her back; the Tender escaped tho pursued with in three miles of Urbanna, Anegro<sup>70</sup> fellow belonging to Walker who was skipper of his boat was killed but no other damage done to our men. We have a Report which I believe to be true tho it may be improper to propagate it unless fully confirmed, That young Mr. Wormeley<sup>71</sup> is under close Confinement in Williamsburg he was taken in a tender going to Dunmore<sup>72</sup> Charles Neilson & John Grymes<sup>73</sup> were also taken in another Tender carrying provisions to that Monster If this news be true I doubt not they will meet with their deserts. Since I wrote the above piece of news it has been confirmed so that except that he has a guard over him (it may be depended upon) and not in close confinement.<sup>74</sup>

<sup>68</sup> I am grateful to Joshua Ehrlich for his assistance in transcribing the text. The letter is written on a single sheet of paper, 15 inches by approximately 9.25 inches, which has been folded in half. The paper is torn at the bottom, with the result that two lines of text have been almost completely lost on each of the first three pages (1r, 1v, 2r). Original spelling and orthography have been retained throughout. Parker's excisions from the text are recorded in the notes (to the extent that they are decipherable). Conjectures and editorial insertions are marked with brackets. All superscript has been brought down to the line. Richard Parker to Richard Henry Lee, Apr. 27, 1776, *Lee Family Papers*, MSS 38-112, box 6 (January–November 1776), Albert and Shirley Small Special Collections Library, University of Virginia, Charlottesville, Va.

<sup>69</sup> Alexander Purdie, publisher of the *Virginia Gazette* (one of three newspapers of that name).

<sup>70</sup> That is, "A negro."

<sup>71</sup> Ralph Wormeley Jr., a prominent Middlesex County loyalist. His letter to fellow loyalist John Randolph Grymes of Apr. 4, 1776 was intercepted and presented to Maj. Gen. Charles Lee, who ordered the detention of both men (as well as that of Charles Neilson, who was identified as a loyalist in the opening line of the letter). See Scribner and Tarter, *Revolutionary Virginia, The Road to Independence*, 6: 325–32.

<sup>72</sup> John Murray, fourth Earl Dunmore, royal governor of Virginia.

<sup>73</sup> Charles Neilson and John Randolph Grymes were both prominent Middlesex County loyalists. The following text is excised after "Grymes": ~~who married Wormeley's Sister.~~

<sup>74</sup> The parentheses have been added. The phrase within the parentheses appears between two lines in the manuscript. It is not clear where the author wanted it to be inserted.



I am astonished we hear nothing from Quebec<sup>75</sup> Our Success of it will be of the utmost Consequence to our Cause

I observe the Pennsylvania Papers are filled with the controversy about Independance and think the writers have rather left the Question What matters it to us at present whether Monarchy is reprobated by the Almighty or not, It will be time enough to consider what kind of Government is best suited for America when we have determined our selves independant; indeed every man who wishes to be free will be forming Opinions relative to the form of Government And those Opinions it would do well to communicate but the present contest between Cato & Cassandra<sup>76</sup> should be of the Expediency or Inexpediency of Independence However if you will give me leave I will shew you my Sentiments of Monarchical Government as established amongst the Jews My thoughts are not well connected as my Avocations so frequently take me off from the Subject that the chain is often broke

It . . . not be amiss for the [judgment] . . . this . . . [Iv] most abject Slavery not less content with it or in a greater State of Ignorance [nay] by no means so ignorant as numbers of our Slaves here, their whole history shews it; that they were Heathens no one will deny for what few religious rights they had were from the Egyptians of course they had no form of Government until they arrived in the Land of promise and it was left to them by their Lawgiver Moses They never gave themselves the trouble to reflect on the Nature of Government and it was sufficient for such a set of Wretches to obey the dictates of their Judges<sup>77</sup> especially as they believed every ordinance came from God<sup>78</sup> under what kind of Government they really did live in the time of the Judges it is extremely difficult to if not impossible to judge for as to calling it a Theocracy it is talking Nonsense because every State in the Universe is equally a Theocracy<sup>79</sup> Whoever

<sup>75</sup> The Continental army was laying siege to Quebec. The siege would be broken the following month.

<sup>76</sup> Parker's reference to the letters of "Cassandra" (James Cannon) is rather surprising, in that these did not attack the institution of monarchy per se. Unlike Paine, Cannon argued simply that America ought not to be governed by a British monarch. See "Cassandra to Cato," in *American Archives: Fourth Series*, 5: 41–43, 431–34, 921–26.

<sup>77</sup> Note that Parker's description of the rule of the Judges is quite different from Paine's. Parker describes the Israelites of that time as "Wretches" who obeyed the "dictates" of the Judges out of the (apparently) false belief that their commands "came from God"; he further states that it is impossible to determine "what kind of Government" this really was. On Paine's telling, in contrast, Israel under the Judges appears far more favorably as "a kind of Republic, administered by a judge and the elders of the tribes." Paine also writes that "the will of the Almighty" was indeed "declared by Gideon and the prophet Samuel"; Paine, *Common Sense*, 30.

<sup>78</sup> What their form

<sup>79</sup> Parker is here rejecting Josephus's celebrated analysis of the Israelite *politeia*. See Josephus, *Contra Apionem*, 2: 163–68.

believes in a particular Providence must acknowledge that the Events of States are governed by the Almighty and I am sure the Hand of God has been with us It is true as the Jews were in such a State of Ignorance as to be unable to make any Laws for themselves God did prescribe a Set of Laws for them such as would be sufficient for their Government; that his wise purposes in bringing abt. the Redemption of man by his Son Jesus Christ might be fully answered but he left the Execution of those laws to the people themselves. He was well acquainted with their Ignorance he knew them fond of the Customs of the Egyptians and that they would seek every opportunity to return to them and his laws were calculated to keep them separate from those as well as other Heathens those paid divine honors to their Kings and he as himself declares being a jealous God took every means to prevent them from falling into the same Error knowing that a person placed so far above the level of the people<sup>80</sup> would lead them to whatever he pleased He knew that all felicity would be at an end and their Slavery under a King would be as great as whilst they lived in Egypt. How then must the Almighty resent this demanding a Monarch to reign over them Had they have had . . . to have formed . . . Government. . . [2r] It was not particularly with Saul but with all their Kings Look through the whole catalogue of Kings (a very long one) and you will find few very few but what were a curse to them The much admired King David†<sup>81</sup> was as great a Curse to them as any other What constant Wars was he engaged in during his whole life and what a punishment did he bring on them for no appearance of a fault in them the Loss of three score and ten thousand men purely for his own disobedience of the Commands of God or his own pride or folly. Can it be thought that the Almighty would have been so unmerciful to his people if it had not have been to shew them the impropriety of having a King for whose Trespasses they were to suffer. God had expressly declared to them long before they asked a King that they would do it and that he would punish them<sup>82</sup> with the Kings they should set over them see the 28th Cap Deuteronomy to the 37th verse. Hosea in the 13th Chapter 11th verse says "I gave thee a King in mine Anger and took him away in my wrath"<sup>83</sup> In short god was displeased with their demanding a King and was determined they should suffer for his Crimes that they did suffer constantly for their Kings faults will be seen by any person who will give himself the trouble to read their History whilst governed by Kings.

<sup>80</sup> This phrasing seems to echo Paine's attack on "the exalting of one man so greatly above the rest"; Paine, *Common Sense*, 30.

<sup>81</sup> An annotation by a later hand was added at the bottom of this paragraph with an insertion marker placed here. The insertion reads "† The character of David is much misunderstood. He was indeed a sinner; but he was the humblest + sincerest of penitents."

<sup>82</sup> for the Offenses of their

<sup>83</sup> There is a sketch that resembles a small pointing hand in the left-hand margin of the letter. It is pointed at this quotation.

Cato thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it “When thou<sup>84</sup> art come into the land which the Lord thy God giveth thee, and shalt say I will set a King over me &c And then asks does not this smell strong of Monarchy and even of Hereditary Monarchy? I answer that God has expressly declared his displeasure with the Jews for asking a King; but he knew long before they did demand one that they would do it; and he only tells them if they should be so foolish as to do it what sort they should choose & declares how he ought to conduct himself<sup>85</sup> by which Conduct he should<sup>86</sup> obtain his favor; It was necessary for the purposes of the Almighty [mentioned] before that . . . subsist as a people a certain time . . . punish . . . [2v] their days in the Kingdom shall be prolonged. It is pity Cato has not the Candor to compare the Scriptures, a crime he accuses Common Sense of.<sup>87</sup> Cato gives a plain proof that he has a good deal of Priest craft, Is he not a scotch clergyman?<sup>88</sup> I should have proceeded a little farther but am just called off and indeed I fear you are fully tired with what I have wrote farewell & be assured I am with the greatest Esteem

Your most affectionate friend  
Richd. Parker  
April 27th 1776

It is to be observed that Hoshea the last King of Israel together with the whole people except Judah which was governed by other Kings was then in Captivity. The fate of Judah was prolonged a few years upon Acct. of the good Reign of Hezekiah But it was but a short time before that Kingdom was destroyed & the whole people Captives to the Babylonians Thus we see as God gave them a King in his Anger he now took him away in his Wrath and suffered his people to be punished<sup>89</sup> by reducing them to Slavery in a strange Land If Monarchy was not a Curse to the Jews, let Cato say.<sup>90</sup>

<sup>84</sup> shalt

<sup>85</sup> themselves

<sup>86</sup> shall

<sup>87</sup> “Cato” had written of Paine that “he has not the candour to compare Scripture with Scripture; nor does he give a single passage complete, and connected with the parts necessary to explain it,—a clear proof that other craft may be employed as well as King-craft and Priest-craft, in ‘withholding the Scripture from the people,’ even in Protestant countries”; Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 841.

<sup>88</sup> William Smith was born in Aberdeen, Scotland, and was an Episcopal priest.

<sup>89</sup> with

<sup>90</sup> A sketch of a small pointing hand has been placed in the left-hand margin next to the beginning of this paragraph.

no. 351

*Originals*

letters, addresses &c

official + private

R Parker

Jews<sup>91</sup>

<sup>91</sup> "Originals/letters, addresses &c/official + private/R Parker/Jews" appears sideways at the bottom of the final page, apparently in Lee's handwriting.

Parker's letter, reproduced at the end of this article, illuminates the depth and reach of the Hebraizing defense of republican government in 1776.

DESPITE PETER WHITNEY'S INSISTENCE that the "divine disapprobation of a form of government by kings" was one of the "new truths" that had only recently emerged from "the eagerness of controversy" in 1776, several of Paine's opponents recognized that the scriptural argument against monarchy featured in *Common Sense* was not in fact new.<sup>7</sup> In deploying it, they observed, Paine was reopening a long-dormant seventeenth-century debate. One of his English respondents noted that "his scripture politics are obsolete and superannuated in these countries by an hundred years."<sup>8</sup> Good whigs, according to a prominent American critic, "desired to leave Scripture out of the institution of modern Governments. It might be well for the author of *Common Sense* to follow the example in his future works, without stirring up an old dispute, of which our fathers were long since wearied." This "old dispute" concerning the divine acceptability of monarchy, the author continued, had animated the likes of Hugo Grotius and Algernon Sidney; it had concerned the proper interpretation of a crucial biblical text, Deuteronomy 17, and had sent seventeenth-century theorists in search of how "the *Jews* commonly understood this chapter."<sup>9</sup> A third critic likewise

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1742–1795, Jan. 1, 1770–Dec. 31, 1776, microfilm reel 2, A3 (Charlottesville, Va., 1966). Jack Rakove miraculously remembered that he had encountered this letter over thirty years ago and sent me looking for it. Without his initial suggestion, I would certainly never have found it. For the short précis of Parker's letter, see Robert L. Scribner and Brent Tarter, eds., *Revolutionary Virginia, The Road to Independence* (Richmond, Va., 1981), 6: 285. The letter has also been referenced without comment on two further occasions. See Pauline Maier, *From Resistance to Revolution: Colonial Radicals and the Development of American Opposition to Britain, 1765–1776* (New York, 1972), 292 n. 31; Albert H. Tillson Jr., *Accommodating Revolutions: Virginia's Northern Neck in an Era of Transformation, 1760–1810* (Charlottesville, Va., 2010), 367 n. 60. The first paragraph of the letter, which discusses recent naval activity, was excerpted in an 1858 publication, "Selections and Excerpts from the Lee Papers," *Southern Literary Messenger: Devoted to Every Department of Literature, and the Fine Arts* 27, no. 5 (November 1858): 324–32, esp. 326; and then again in William Bell Clark, ed., *Naval Documents of the American Revolution* (Washington, D.C., 1969), 4: 1288.

<sup>7</sup> Whitney, *American Independence Vindicated*, 45n (quotations).

<sup>8</sup> Sir Brooke Boothby, *Observations on the Appeal from the New to the Old Whigs, and on Mr. Paine's Rights of Man: In Two Parts* (London, 1792), 99. Boothby characterizes Paine's scriptural argument against monarchy as "such monstrous nonsense as might, for what I know, be suited to the fanatics of Boston, where witchcraft was in great vogue in the beginning of this century, but here will excite nothing but contempt." See *ibid.*, 99. After challenging Paine's reading of 1 Sam. 8, Boothby then adds that "in truth, such stuff is no otherwise worthy of notice, except to shew the low arts to which this mountebank has recourse, to adapt his drugs to people of all sorts. Provided he can *overturn*, he cares not whether it be by the hand of philosophy or superstition, and it is nothing to him which of the two possess themselves of the ruined edifice." See *ibid.*, 100.

<sup>9</sup> See Cato, "Letter 6," in *American Archives: Fourth Series*, 5: 843 ("desired to leave"), 841 ("commonly understood").

insisted on the seventeenth-century provenance of Paine's argument, dating it to "that period, to which the soul of our author yearns, the death of Charles I. England groaned under the most cruel tyranny of a government, truly military, neither existing by law, or the choice of the people, but erected by those who in *the name of the Lord*, committed crimes, till then unheard of." "We have from English history," the author explained, "sufficient proof, that saints of his disposition, tho' more eager to grasp at power than any other set of men, have a thousand times recited the same texts, by which he attempts to level all distinctions. Oliver Cromwell, the father of them, knew so well their aversion to the name of king, that he would never assume it, tho' he exercised a power despotic as the Persian Sophi."<sup>10</sup> But the most precise genealogy of Paine's argument in *Common Sense* comes to us from the man himself. Late in life, John Adams recalled a conversation that he had with Paine about the pamphlet in 1776: "I told him further, that his Reasoning from the Old Testament was ridiculous, and I could hardly think him sincere. At this he laughed, and said he had taken his Ideas in that part from John Milton: and then expressed a Contempt of the Old Testament and indeed of the Bible at large, which surprized me."<sup>11</sup>

However reluctant we might be to credit Adams's retrospective testimony about Paine's early religious views (the temptation to project Paine's later deism onto his younger self may well have proved irresistible), his claim about the Miltonic origins of Paine's scriptural argument against monarchy is worth taking seriously—not least because it is obviously correct. The section of *Common Sense* entitled "Of Monarchy and Hereditary Succession" is indeed a straightforward paraphrase of Milton's argument in the *Pro populo anglicano defensio* of 1651. In this text, Milton had turned to a radical tradition of rabbinic biblical commentary in order to explain why God became angry with the Israelites when they requested a king in 1 Samuel 8, despite his apparent acceptance of kingly government in Deuteronomy 17. Rejecting the traditional view that God had disapproved only of the *sort* of king that his people had requested, Milton argued instead that the Israelites had sinned in asking for a king *of any sort*, because monarchy per se is an instance of the sin of idolatry.<sup>12</sup> The wisest rabbis,

<sup>10</sup> *Reason: In Answer to a Pamphlet Entitled, Common Sense*, 20 ("that period, to which the soul"), 9 ("We have from English history").

<sup>11</sup> L. H. Butterfield, ed., *Diary and Autobiography of John Adams* (Cambridge, Mass., 1961), 3: 333 (quotation). A supporter of Paine likewise agreed that "in the celebrated writings of Thomas Paine, there is not a political maxim which is not to be found in the works of Sydney [*sic*], Harrington, Milton, and Buchanan"; see Henry Yorke, *These are the Times that Try Men's Souls! A Letter Addressed to John Frost, a Prisoner in Newgate* (London, 1793), 20.

<sup>12</sup> The crucial verses in Deuteronomy 17 read as follows (in the King James version): "When thou art come unto the land which the Lord thy God giveth thee, and

he explained, “deny that their forefathers ought to have acknowledged any king other than God, although one was given to them as a punishment. I follow the opinion of these rabbis.”<sup>13</sup> On Milton’s telling, “God indeed gives evidence throughout of his great displeasure at their [the Israelites’] request for a king—thus in [1 Sam. 8] verse 7: ‘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 wherewith they have forsaken me, and served other gods.’” “The meaning,” he continues, “is that it is a form of idolatry to ask for a king, who demands that he be worshipped and granted honors like those of a god.”<sup>14</sup> God accordingly punished the people by granting their sinful request: “I gave thee a king in mine anger and took him away in my wrath” (Hosea 13:11). The Israelites would endure great suffering under their kings, until at last they were led into captivity. In making this argument, Milton ushered in a new kind of republican political theory, which quickly became ubiquitous among defenders of the English commonwealth in the 1650s.<sup>15</sup>

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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.” See Deut. 17:14–15. This reading is drawn from the Midrash to Deuteronomy (*Devarim Rabbah*), which Milton knew through an intermediary source: Wilhelm Schickard, *Mishpat ha-Melekh, Jus Regium Hebraeorum* (1625). See Eric Nelson, *The Hebrew Republic: Jewish Sources and the Transformation of European Political Thought* (Cambridge, Mass., 2010), 35–44.

<sup>13</sup> “Ut omnes autem videant te nullo modo ex Hebraeorum scriptis id probare, quod probandum hoc capite susceperas, esse ex magistris tuâ sponte confiteris, qui negant alium suis majoribus regem agnoscendum fuisse prater Deum, datum autem in poenam fuisse. Quorum ego in sententiam pedibus eo.” See Milton, *Pro populo anglicano defensio* (London, 1651), 62 (quotation translated by author). See also Don M. Wolfe, ed., *Complete Prose Works of John Milton* (New Haven, Conn., 1966), 4: 1, 366.

<sup>14</sup> See Milton, *Pro populo anglicano defensio*, in Nelson, *Hebrew Republic*, 42–43 (“God indeed gives,” 42–43; “The meaning,” 43).

<sup>15</sup> See Nelson, *Hebrew Republic*, 23–56; Eric Nelson, “‘Talmudical Commonwealthmen’ and the Rise of Republican Exclusivism,” *Historical Journal* 50, no. 4 (December 2007): 809–35. My argument that Paine was reviving a seventeenth-century Hebraizing form of “exclusivist” republican theory has since been taken up by Nathan Perl-Rosenthal, who has applied it to the newspaper debate over *Common Sense*. I am deeply indebted to his essay. See Perl-Rosenthal, *WMQ* 66: 535–64. For Paine’s use of the Israelite example in his polemical writings, see also David Wootton, “Introduction: The Republican Tradition: From Commonwealth to Common Sense,” *Republicanism, Liberty, and Commercial Society, 1649–1776*, ed. Wootton (Stanford, Calif., 1994), esp. 26–41; Maria Teresa Pichetto, “La ‘Respublica Hebraeorum’ nella rivoluzione americana,” *Il pensiero politico* 35, no. 3 (2002): 481–500, esp. 497–500. A. Owen Aldridge’s skepticism about Paine’s claim to have taken his argument from Milton strikes me as unfounded, not least because he maintains (incorrectly) that Milton never composed a “complete version of the episode” (i.e., of “the appointing of a king over the Israelites”). See Aldridge, *Thomas Paine’s American Ideology* (Cranbury, N.J., 1984), 98. Winthrop D. Jordan, in contrast, finds the attribution entirely plausible. See Jordan, “Familial Politics: Thomas Paine and the Killing of the King, 1776,” *Journal of American History*

This Hebraizing doctrine was very different indeed from the heavily Roman theory of free states that had animated parliamentarians in the 1640s. For neo-Roman theorists, the great worry was *discretionary power*. A free man, they argued, must be *sui iuris*, governed by his own right. He must not be dependent on the will of another, which these writers took to mean (based on a freestanding set of claims about representation) that he must be governed only by laws made by a popular assembly, and not by the “arbitrary will” of a single person.<sup>16</sup> On this account, kingship is by no means a necessary institution (neo-Roman defenses of republican government were quite common throughout the early modern period), but it is an entirely permissible one, so long as the monarch is a pure “executive”—entrusted with the task of enforcing law, but invested with no prerogative powers by which he may *make* law (particularly the “negative voice”) or govern subjects without law.<sup>17</sup> For Hebraizing theorists such as Milton, who embraced what has been called an “exclusivist” commitment to republican government, the great worry was instead the *status of kingship*, not the particular powers traditionally wielded by kings (it is worth recalling that Milton himself was surprisingly amenable to government by “a single person” under the Protectorate).<sup>18</sup> In assigning a

60, no. 2 (September 1973): 294–308, esp. 302. See also Stephen Newman, “A Note on *Common Sense* and Christian Eschatology,” *Political Theory* 6, no. 1 (February 1978): 101–8.

<sup>16</sup> The classic account of this discourse remains Quentin Skinner, *Liberty before Liberalism* (Cambridge, 1998). See also Skinner, *Hobbes and Republican Liberty* (Cambridge, 2008); Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford, 1997).

<sup>17</sup> English republicans of the neo-Roman stripe argued simply that republics (understood here as kingless regimes) were preferable to monarchies, in that they minimized the danger of political dependence by preventing the accumulation of excessive power in individual men. These theorists worried that even a purely “executive” monarchy was likely in practice to degenerate into “arbitrary” rule—but they fully conceded the possibility, if not the robustness, of a monarchical “free state.” See, for example, “An Act for the Abolishing of the Kingly Office in England and Ireland, and the Dominions thereunto Belonging,” Mar. 17, 1648/9, in C. H. Firth and R. S. Rait, eds., *Acts and Ordinances of the Interregnum, 1642–1660*, ed. (London, 1911), 2: 18–20. For the Roman sources of this view, see, for example, Cicero, *De officiis*, 1:64–65; Sallust, *Bellum Catilinae*, 6–7; Tacitus, *Historiae*, 1: 1; Tacitus, *Annales*, 1: 1–3.

<sup>18</sup> See Blair Worden, *Literature and Politics in Cromwellian England: John Milton, Andrew Marvell, Marchamont Nedham* (Oxford, 2007), 256–88 (“single person,” 256). The phrase “single person” derives from the text of the “Act for the abolishing the Kingly Office,” cited above, and was famously used in the Declaration of Parliament of May 6, 1659, announcing the end of the Protectorate. In that text England was said to be a “Commonwealth . . . without a single Person, Kingship, or House of Peers.” See *Journal of the House of Commons* (London, 1813), 7: 644–46 (quotation, 7: 645). For a discussion of “republican exclusivism,” in addition to my own work cited above, see James Hankins, “Exclusivist Republicanism and the Non-Monarchical Republic,” *Political Theory* 38, no. 4 (August 2010): 452–82. For a second important seventeenth-century defense of republi-



human being the title and dignity of a king, they argued, we rebel against our heavenly King and bow down instead to an idol of flesh and blood. As John Cook put it in *Monarchy, No Creature of God's Making*, "whether the kings be good men or bad, I will punish the people sayes the Lord, so long as they have any kings; it is not a government of my ordination, kings are the peoples Idols, creatures of their own making."<sup>19</sup> We can put the contrast between these two positions as follows: the neo-Roman theory anathematized prerogative while remaining agnostic about kings; the Hebraizing exclusivist theory anathematized kings while remaining agnostic about prerogative.

In the aftermath of the Glorious Revolution, whigs emphatically rejected the Hebraizing view, as well as the biblical exegesis upon which it was based. They offered instead a straightforward neo-Roman reading of 1 Samuel 8, according to which the Israelites had sinned, not in asking for a king, but in asking for a king with sweeping prerogative powers. This whig reading was given its classic formulation in Roger Acherley's *The Britannic Constitution*. Acherley begins by addressing those seventeenth-century authors whose "Notions are Confined to the *Jewish* Oeconomy, As if the Mode of the Monarchical Government, and the Succession to the Crown, instituted in that One Single Nation, was to be the *Pattern* for all other Kingdoms, And that all other Institutions which differ from it, are *Unwarrantable*." "These writers," he reports, "have read the Nature and Manner of the *Original Constitution* of that Kingdom, which in the First Book of *Samuel* is Accurately Described" (that is, in 1 Samuel 8:11–19, where Samuel describes the abuses that will be committed by Israel's kings) and have concluded from it that monarchical government is inherently arbitrary. But this, Acherley insists, is to commit a grave error. The Israelites could have chosen the free and limited monarchy that God

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can exclusivism, see Algernon Sidney, *Court Maxims*, ed. Hans W. Blom, Eco Haitisma Mulier, and Ronald Janse (Cambridge, 1996), 65; Sidney, *Discourses Concerning Government*, ed. Thomas G. West (Indianapolis, Ind., 1996), 338.

<sup>19</sup> Cook, *Monarchy, No Creature of God's Making*, 93 (quotation). It is important to recognize that, like Milton before him (and Sidney after), Cook was not always consistent on this point. Just a few pages after his unqualified endorsement of the view that monarchy per se is idolatry, he writes instead that "it is not the name of a King but the boundlesse power which I argue against (though the Romans for the insolence of *Tarquin* would not endure the name) if any people shall place the Legislative power in Parliamentary authority and give unto one man the Title of King for their better correspondency with foraigne Kingdomes, with no more power to hurt the people, then the Duke of *Venice* or the Duke of *Genoa* have; such a government may be Iust and Rationall, but domination is a sweet morsel"; *ibid.*, 53. For a similar inconsistency in Milton's later pamphlets, see, for example, Wolfe, *Complete Prose* (New Haven, Conn., 1980), 7: 377–78. The point is not that these authors were always consistent, but, rather, that each of them formulated an extensive, detailed defense of the exclusivist position—one that eighteenth-century Americans would rediscover in 1776.

desired for them, but instead they “rejected God” by demanding arbitrary kings: “The State they were desiring to enter into, That appeared in this View, That if they would have a King like All the Nations (of which *Egypt* was one) Then they must be in the like Subjection and *Slavery*, as the People of those Nations were; which differed not from the *Bondage* that was *Egyptian*. Whereas if they had Desired a King to Protect and Defend their Liberties and Properties, the Request had been Commendable.” Samuel “was therefore Amaz’d at this People’s Importunity, not only to reject the Greatest Blessings God could Give, or they Enjoy, *viz Liberty and Property*, but to return again unto *Slavery*,” and he accordingly warned the Israelites “that the Power of such a King as they Desired, *viz Of a King like all the Nations about them*, would be *Arbitrary*, And that the Liberty of their Persons, and the Property of their Estates, would necessarily fall under his Absolute Will and Disposal, after the Manner they had formerly been in *Egypt* . . . such a King would have in him the whole *Legislative and Judicial Power*, and that his *Arbitrary Will and Pleasure* would be the *Law or Measure* by which his Government would be Administered.” For Acherley, the Israelites had sinned in asking for a monarch who would combine executive, legislative, and judicial power—one who would govern by his “Arbitrary Will and Pleasure.”<sup>20</sup> Once again, it was discretionary power, not the kingly office or title, that God was said to despise.

To the extent that British North Americans discussed biblical monarchy at all during the first twelve years of the imperial crisis, it was simply to affirm this traditional understanding. God permitted each people to choose its form of government, and he had no objection whatsoever to the institution of limited monarchy. All participants in the pamphlet wars leading up to the Revolution could endorse this formulation (although it must be stressed that pamphlets of the 1760s and early 1770s tended to ignore scripture altogether).<sup>21</sup> Indeed, as the crisis escalated in 1775, even the very small number of colonial writers and ministers who began to offer a republican reading of 1 Samuel 8 did so while continuing to insist upon the legitimacy and divine permissibility of monarchy. They followed their

<sup>20</sup> See Roger Acherley, *The Britannic Constitution; or, The Fundamental Form of Government in Britain*. . . . (London, 1727), 6 (“These writers”), 7 (“that the Power of such”), 9 (“Arbitrary Will and Pleasure”). For an earlier statement, see *The Judgment of Whole Kingdoms and Nations, Concerning the Rights, Power, and Prerogative of Kings, and the Rights, Priviledges, and Properties of the People*. . . ., 6th ed. (London, 1710), esp. 28–41.

<sup>21</sup> Even those patriots of the early 1770s who defended an expansive conception of the royal prerogative could accept the whig understanding of 1 Sam. 8. They were claiming, after all, that the ancient prerogatives of the crown were fully “legal” and did not threaten enslavement to anyone’s “arbitrary will.” See Eric Nelson, “Patriot Royalism: The Stuart Monarchy in American Political Thought, 1769–75,” *WMQ* 68, no. 4 (October 2011): 533–72.

parliamentarian predecessors in arguing simply that republican government would offer the best protection against arbitrary, discretionary power—that it would rescue them once and for all from the dangers of encroaching prerogative. Their writings from this twelve-month period therefore provide a fascinating glimpse of a road not taken, of what the republican turn might have looked like had Paine not published his pamphlet.

In his *Short Essay on Civil Government*, the Connecticut minister Dan Foster offered the incendiary argument that “England was never more happy before, nor much more since, than after the head of the first [*sic*] Stuart was severed from his body, and while it was under the protectorship of Oliver Cromwell.” Yet, for all of its radicalism, his defense of the English republic resolutely shunned exclusivism. “A people,” he insisted, have an “inherent right to appoint and constitute a king supreme and all subordinate civil officers and rulers over them, for their civil good, liberty, protection, peace and safety.” Foster accepted the Roman conceit that men are born “*sui iuris*”—independent of the will of others—and that it is contrary to reason for them to surrender their liberty when establishing civil society. Those who designed England’s “ancient constitution” had understood this perfectly: “Caesar and Tacitus describe the antient Britons to have been a fierce people; zealous of liberty: a free people; not like the Gauls, governed by laws made by great men; but by the people.” These ancient free men, like their German forebears, had preferred political regimes in which “the people had the principle authority.” Yet, notwithstanding this fact, “they often elected a Prince or a King; sometimes a General whom we call Duke, from the Latin word *Dux*. But the power of these chiefs descended entirely on the community, or people; so that it was always a mixed democracy. In other parts . . . the King’s [*sic*] reigned with more power; yet not to the detriment of liberty; their royalty was limited by laws and the reason of things.” The chief requirement of good government is the preservation of liberty, which in turn requires the absence of arbitrary, discretionary power in the chief magistrate. For this reason, Foster insists on the total elimination of the royal prerogative: war, peace, and trade must all be governed by the “consenting voice and suffrage of the people personally, or by representation,” and a king ought to be deposed immediately if he “will not give the royal assent to bills which have passed the states, or parliament.”<sup>22</sup>

<sup>22</sup> Dan Foster, *A Short Essay on Civil Government, The Substance of Six Sermons, Preached in Windsor, Second Society, October 1774* (Hartford, Conn., 1775), 71 (“England was never”), 14 (“A people”), 16 (“*sui iuris*”), 23 (“ancient constitution”), 24 (“the people had the principle”), 50 (“consenting voice”), 70 (“will not give”). This last argument was a favorite of parliamentarian writers in the 1640s. They focused on the wording of the coronation oath sworn by Edward II (and allegedly sworn by Charles I), in which the king promised “corroborare justas leges et consuetudines quas vulgus eligerit.” If

So long as these conditions are met, Foster is prepared to acknowledge the legitimacy (if not the desirability) of monarchy, and he grounds his view in a striking reading of 1 Samuel 8:

And now they [the Israelites] manifest their desire of a King, one who should rule according to right and equity; and pray his assistance to constitute and set one over them, to judge, rule and govern them, as was customary in all other nations.

Samuel intimates his displeasure at their request of a King; fearing they did not pay that respect to Jehovah which they ought; and from the lord he shews them the manner of the King who should reign over them; how he would conduct with them, their families and inheritances, and what would be the maxims of that government which he would exercise over the people, in the course of his reign. Notwithstanding all this, the people persisted in their request of a King, and still continued their petition. And though perhaps the circumstances attending Israel's request at this time, and their obstinacy in it, after the prophets remonstrances against it, were not to be commended, the Lord so far overlooked this, that he commanded Samuel to hearken to, and gratify the people, by accomplishing their desire in constituting a King to rule and govern them.<sup>23</sup>

On Foster's interpretation, the Israelites had asked for the right sort of king after all: one who would "rule according to right and equity." What they failed to appreciate is that, in practice, monarchs tend to become tyrannical: "the maxims of that government which [Saul] would exercise over the people" were, Samuel realized, to be very different indeed from the ones endorsed by the people themselves when they asked for a king. It would therefore have been far better for them to retain their republican constitution, the safest possible bulwark against enslavement.<sup>24</sup>

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one (mis)construed the final verb to express the future perfect indicative, rather than the perfect subjunctive tense, it seemed to commit the monarch to give his assent to any laws that "the people shall choose"—meaning that, although all bills formally had to receive the assent of the sovereign in order to become law, the king was in fact required to give his assent to all bills chosen by the people (which is to say, enacted by the House of Commons). There was thus no true negative voice. See, for example, Henry Parker, *Observations upon Some of His Majesties Late Answers and Expresses* (London, 1642), 5; William Prynne, *The Sovereign Power of Parliaments and Kingdomes. . . .* (London, 1643), 65–68. For the Latin text of the oath, see Conal Condren, *Argument and Authority in Early Modern England: The Presupposition of Oaths and Offices* (Cambridge, 2006), 254–68.

<sup>23</sup> Foster, *A Short Essay*, 4.

<sup>24</sup> See also the essay reprinted from the *London Evening Post*, June 30, 1774, in the [New-London] *Connecticut Gazette, and the Universal Intelligencer*, Oct. 7, 1774, [1]:

Nonetheless, God acceded to their request because he regarded it as perfectly permissible for a people to institute monarchy.

Harvard College's president, Samuel Langdon, offered more or less the same view in a 1775 sermon, *Government Corrupted by Vice*. "The Jewish government," he observed, "according to the original constitution which was divinely established, if considered merely in a civil view, was a perfect Republic," and "the civil Polity of Israel is doubtless an excellent general model, allowing for some peculiarities; at least some principal laws and orders of it may be copied, to great advantage, in more modern establishments."<sup>25</sup> Indeed, in one extraordinary passage, Langdon came quite close to endorsing the Miltonic position: "And let them who cry up *the divine right of Kings* consider, that the only form of government which had a proper claim to a divine establishment was so far from including the idea of a King, that it was a high crime for Israel to ask to be in this respect like other nations; and when they were gratified, it was rather as a just punishment of their folly . . . than as a divine recommendation of kingly authority."<sup>26</sup> Yet Langdon insisted at the same time that "every nation, when able and agreed, has a right to set up over themselves any form of government which to them may appear most conducive to their common welfare." Monarchy remains perfectly permissible, so long as one guards against "the many artifices to stretch the prerogatives of the crown beyond all constitutional bounds, and make the king an absolute monarch, while the people are deluded with a mere phantom of liberty."<sup>27</sup> While it may have been seditious for the Israelites to ask for a human king (because they lived under a republican constitution established for them by God), it was no sin for anyone else to do so. The Salem, Massachusetts, minister Samuel Williams agreed in his own 1775 sermon, *A Discourse on*

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"Power long entrusted either to single persons, or to bodies of men, generally increases itself so greatly as to become subversive of the intentions, and dangerous to the rights of those who delegated it. Kings are but men, are subject to all the passions and frailties of human nature, and consequently are too prompt to grasp at arbitrary power, and to wish to make all things bend and submit to their will & pleasure."

<sup>25</sup> Samuel Langdon, *Government Corrupted by Vice, and Recovered by Righteousness*. . . (Watertown, Mass., 1775), 11–12 ("The Jewish government," 11, "the civil Polity," 12). For a discussion of Langdon's sermon in the context of a broader turn toward the model of the "Jewish republic" among New England ministers, see Harry S. Stout, *The New England Soul: Preaching and Religious Culture in Colonial New England* (1986; repr., Oxford, 2012), 301–5.

<sup>26</sup> Langdon, *Government Corrupted by Vice*, 12. Langdon's argument is in fact subtly, but importantly, different from Milton's: he is claiming that the Israelites sinned in asking for a king because kingship was not part of the divinely constituted government under which they lived—not because it is inherently sinful for a people to institute monarchy. The Israelite sin was therefore that of sedition. This view draws on a tradition of exegesis originating with Josephus. See Josephus, *Contra Apionem*, 2: 163–68.

<sup>27</sup> Langdon, *Government Corrupted by Vice*, 16.

*the Love of Our Country*, declaring that “infinite wisdom had seen fit to put that people [Israel] under a more excellent form of government, than any nation has ever had. God himself was their King. And they might have been long happy under a government, in which, the Ruler of the world condescended himself to execute the office of Chief-Magistrate. But such was their impiety and folly, that in many instances they greatly abused and perverted the privileges they were favoured with.”<sup>28</sup> As a result, they soon found themselves in Babylonian exile, under “the arbitrary will of a proud, cruel, despotic monarch.”<sup>29</sup> For Williams, republican government may well be the most “excellent” known to man, but monarchy remains permissible so long as it is not “arbitrary” and “despotic.”<sup>30</sup>

Seen in the context of these discussions, Paine’s *Common Sense* emerges as a transformative intervention. Rejecting over a century of whig biblical exegesis, Paine unambiguously returned in January 1776 to Milton and the Hebraic exclusivists of the 1650s. His argument in the section “Of Monarchy and Hereditary Succession” reads as follows:

Government by kings was first introduced into the world by the Heathens, from whom the children of Israel copied the custom. It was the most prosperous invention the Devil ever set on foot for the promotion of idolatry. The Heathens paid divine honors to their deceased kings, and the Christian world hath improved on the plan by doing the same to their living ones. How impious is the title of sacred majesty applied to a worm, who in the midst of his splendor is crumbling into dust!

As the exalting one man so greatly above the rest cannot be justified on the equal rights of nature, so neither can it be

<sup>28</sup> Samuel Williams, *A Discourse on the Love of Our Country; Delivered on a Day of Thanksgiving, December 15, 1774* (Salem, Mass., 1775), 5–6 (quotation, 6). This reading was drawn from Josephus, *Contra Apionem*, 2: 163–68. See Josephus, *The Life. Against Apion*, ed. and trans. H. St. J. Thackeray (Cambridge, Mass., 1926). For an important endorsement, see Theodore Beza, *De iure magistratum* (1574), in Julian Franklin, ed., *Constitutionalism and Resistance in the Sixteenth Century: Three Treatises by Hotman, Beza, and Mornay* (New York, 1969), 116.

<sup>29</sup> Williams, *Discourse on the Love*, 6.

<sup>30</sup> See also “The Monitor, No. XII,” *New York Journal; or, The General Advertiser*, Jan. 25, 1776, [1]. The author goes so far as to attribute to loyalists “an idolatrous veneration for the king and parliament, more especially for the former,” and laments that “the imaginations of men are exceedingly prone to deify and worship them [i.e., kings]; though, to the great misfortune of mankind, they are more commonly fiends, than angels.” But he immediately adds that, notwithstanding all of this, “it is noble and generous to love, to admire a virtuous prince.” See also “An Oration on Arbitrary Power, delivered by one of the Candidates for a second degree at the late Commencement held at Princeton, in New-Jersey, September 27, 1775,” *Connecticut Gazette; and the Universal Intelligencer*, Dec. 22, 1775, [1].

defended on the authority of scripture; for the will of the Almighty as declared by Gideon, and the prophet Samuel, expressly disapproves of government by kings. . . .

Near three thousand years passed away, from the Mosaic account of the creation, till the Jews under a national delusion requested a king. Till then their form of government (except in extraordinary cases, where the Almighty interposed) was a kind of republic administered by a judge and the elders of the tribes. Kings they had none, and it was held sinful to acknowledge any being under that title but the Lord of Hosts. And when a man seriously reflects on the idolatrous homage which is paid to the persons of kings, he need not wonder that the Almighty, ever jealous of his honor, should disapprove a form of government which so impiously invades the prerogative of heaven.<sup>31</sup>

For Paine, as for Milton before him, the Israelites sinned in asking for a king per se: “monarchy is ranked in scripture as one of the sins of the Jews, for which a curse in reserve is denounced against them.” “These portions of scripture,” he announces, “are direct and positive. They admit of no equivocal construction.” The issue was not the sort of king for which the Israelites asked—an arbitrary king whose prerogatives would enslave them—or that they asked for one despite being under God’s unique, providential government at the time. On the contrary, they sinned because it is inherently idolatrous to assign any human being the title and status of king. “The Almighty,” on Paine’s account, “hath here entered his protest against monarchical government,” and when the Israelites later entreated Gideon to become their king, the judge and prophet “denieth their right” to establish a monarchy and accordingly “charges them with disaffection to their proper Sovereign, the King of Heaven.”<sup>32</sup>

<sup>31</sup> Thomas Paine, *Common Sense, the Rights of Man, and other Essential Writings of Thomas Paine* (New York, 1984), 29–32. Paine explicitly glosses 1 Sam. 8 in the Miltonic manner on page 31. Important discussions of Paine and his pamphlet include Jordan, *Journal of American History*, 60; Bernard Bailyn, “The Most Uncommon Pamphlet of the American Revolution: *Common Sense*,” *Magazine of History* 25, no. 1 (December 1973): 36–41; Eric Foner, *Tom Paine and Revolutionary America* (New York, 1976); Aldridge, *Thomas Paine’s American Ideology*; Jack Fruchtman Jr., *Thomas Paine and the Religion of Nature* (Baltimore, 1993); Fruchtman, *Thomas Paine: Apostle of Freedom* (New York, 1994); Edward Larkin, *Thomas Paine and the Literature of Revolution* (Cambridge, 2005); Nichole Eustace, *Passion Is the Gale: Emotion, Power, and the Coming of the American Revolution* (Chapel Hill, N.C., 2008); Fruchtman, *The Political Philosophy of Thomas Paine* (Baltimore, 2009). As Perl-Rosenthal points out in his important essay, none of these sources addresses the Hebraic origins of Paine’s argument.

<sup>32</sup> Paine, *Common Sense*, 30–32 (“monarchy is ranked,” 30, “These portions of scripture,” 32, “denieth their right,” 30–31). Paine’s discussion of the Gideon episode likewise follows Milton; Wolfe, *Complete Prose*, 4: 1, 370. For an antecedent to Paine, see A Republican, “For the Massachusetts Spy. . . .” [Boston] *Massachusetts Spy*, Apr. 8,

Paine's opponents (not all of them loyalists) fully recognized the radicalism of this position, as well as its tendency to shift the focus of conversation away from potentially enslaving kingly *powers* and toward the alleged evils of the very *title* of king. Two critics in particular, Charles Inglis ("An American") and the Reverend William Smith ("Cato"), answered him at length on this issue in the Pennsylvania newspapers in the early months of 1776, and their responses have recently been the subject of an article in this journal by Nathan Perl-Rosenthal.<sup>33</sup>

Other readers, however, were far more receptive to Paine's use of scripture, among them Richard Parker. Parker was Lee's neighbor in Westmoreland County and often served as his trusted agent in both financial and political matters. Originally employed as king's attorney, he joined the patriot movement quite early on. In 1766, Lee deputized Parker to arrange the meeting that enacted the Leedstown Resolutions (Parker also chaired the meeting and signed the document), and Parker likewise became a member of the county's Committee of Safety in 1775–76. It was also Parker who implemented Lee's scheme of extracting rents from his numerous tenants in tobacco rather than paper money—thus precipitating a scandal that Lee's opponents would use to have him removed from Congress in 1777 (he was accused of contributing to the depreciation of Virginia's currency).<sup>34</sup> Parker was eventually appointed a judge of the General Court in 1788 and, later, of the first Court of Appeals. His letter to Lee about biblical monarchy, dated April 27, arrived at a time when Lee was actively soliciting opinions from his friends on the future constitutional form of the American colonies. John Adams, for one, had sent Lee a sketch

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1773. The author acknowledges the legitimacy of limited kingly government (in this he is unlike Paine), but nonetheless cites Milton in attacking the "trappings of monarchy" and claims that "every man of sense and independency must give the preference to a well constructed Republic." He continues as follows: "I am not peculiar in my notion of Kings or monarchical governments; besides all the antients who adjudged them tyrants; besides the Jewish people whom God, in his wrath plagued with a vengeance by giving them a King; besides these, moderns innumerable are on my side" (quotations, [1]).

<sup>33</sup> It is important to recognize, however, that some continued to defend the more orthodox position of Foster, Langdon, and Williams even after 1776. See, for example, James Dana, *A Sermon, Preached before the General Assembly of the State of Connecticut, at Hartford, on the Day of the Anniversary Election, May 13, 1779* (Hartford, Conn., 1779), esp. 15–18. For Inglis and Smith, see Perl-Rosenthal, *WMQ* 66: 535–64.

<sup>34</sup> For Parker's friendship with Lee, see, e.g., James Curtis Ballagh, ed., *The Letters of Richard Henry Lee* (New York, 1911), 1: 32–34, 42, 127, 297 n. 1, 299; John Carter Matthews and Sarah deGraffenried Robertson, eds., "The Leedstown Resolutions," *Northern Neck of Virginia Historical Magazine* 16, no. 1 (December 1966): 1491–506; Jack P. Greene, ed., *The Diary of Colonel Landon Carter of Sabine Hall, 1752–1778* (Richmond, Va., 1987), 2: 1006–7. For the rent extraction scandal, see Paul Chadwick Bowers, "Richard Henry Lee and the Continental Congress: 1774–1779" (Ph.D. diss., Duke University, 1964), 223–46.



of what later became his *Thoughts on Government* in November 1775, which Lee subsequently arranged to have published in both New York and Virginia—he “insisted upon it So much,” Adams reported to Francis Dana, “that it could not be decently refused.”<sup>35</sup> (Lee also composed his own “hand bill,” advancing a position very much like Adams’s, in the early months of 1776).<sup>36</sup> His letter to Patrick Henry of April 20, extolling Adams’s work and enclosing a copy of the published pamphlet, was written just before he would have received Parker’s letter (no reply from Lee appears to have survived).<sup>37</sup>

Lee, like Adams, utterly rejected Paine’s unicameralism, but he was otherwise known to be an enthusiastic acolyte; fellow Virginian Landon Carter described him as “a prodigious Admirer, if not partly a writer in the Pamphlet *Common Sense*.”<sup>38</sup> Parker evidently shared Lee’s admiration for the pamphlet and wrote to his friend to offer an account of the newspaper debate that Paine’s arguments had provoked. After providing a short description of recent naval activity off the Virginia coast, as well as an account of the detention of three prominent loyalists, Parker turned to the subject at hand: “I observe the Pennsylvania [*sic*] Papers are filled with the controversy about Independance and think the writers have rather left the Question What matters it to us at present whether Monarchy is reprobated by the Almighty or not.” In other words, Parker was observing that, while the controversy may have begun as a debate about “the Expediency or Inexpediency of Independance”—that is, about whether George III had irreparably forfeited the allegiance of his American subjects—it had quickly turned into a scriptural debate over the theological permissibility of monarchy itself. As Parker went on to explain, Paine had written extensively about “Monarchical Government as established amongst the Jews” and had argued that “god was displeased with their demanding a King and was

<sup>35</sup> John Adams to Francis Dana, Aug. 16, 1776, in Robert J. Taylor, Gregg L. Lint, and Celeste Walker, eds., *Papers of John Adams*, ser. 3 (Cambridge, Mass., 1979), 4: 466.

<sup>36</sup> John E. Selby, “Richard Henry Lee, John Adams, and the Virginia Constitution of 1776,” *Virginia Magazine of History and Biography* 84, no. 4 (October 1976): 387–400.

<sup>37</sup> Richard Henry Lee to Patrick Henry, Apr. 20, 1776, in Ballagh, *Letters of Richard Henry Lee*, 1: 179–80. See also Butterfield, *Diary and Autobiography of John Adams*, 3: 333; Bowers, “Richard Henry Lee and the Continental Congress: 1774–1779,” 168–73; Oliver Perry Chitwood, *Richard Henry Lee: Statesman of the Revolution* (Morgantown, W.Va., 1967), 94–95; John Adams to Richard Henry Lee, Nov. 15, 1775, in Taylor, Lint, and Walker, *Papers of John Adams*, 3: 307–8.

<sup>38</sup> Greene, *Diary of Colonel Landon Carter of Sabine Hall*, 2: 1007, 1049–50. Lee himself appears to have been thinking about the analogy between monarchy and idolatry as early as November 1775. In a letter to Catharine Macaulay, he wrote that “as a good *Christian* properly attached to your native Country, I am sure you must be pleased to hear, that North America is not fallen, nor likely to fall down before the *Images* that the King hath set up”; Lee to Macaulay, Nov. 29, 1775, in Ballagh, *Letters of Richard Henry Lee*, 1: 160.

determined they should suffer for his Crimes.”<sup>39</sup> In contrast, “Cato [the Reverend William Smith of Philadelphia] thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it.”<sup>40</sup>

This characterization of Cato’s argument is perfectly accurate. Smith regarded it as self-evident that Paine had “pervert[ed] the Scripture” in claiming that “monarchy . . . (meaning, probably, the institution of Monarchy,) ‘is ranked in Scripture as one of the sins of the *Jews*, for which a curse in reserve is denounced against them.’” But he recognized that, in “a country in which (*God* be thanked) the Scriptures are read, and regarded with that reverence which is due to a revelation from Heaven,” the argument of *Common Sense* could not safely be ignored. Smith therefore resolved “to rescue out of our author’s hands that portion of the sacred history which he has converted into a libel against the civil Constitution of *Great Britain*; and show in what sense the passage has been universally received, as well by the *Jews* themselves as by commentators, venerable for their piety and learning, in every Christian country.” He begins by reminding his readers that “the *Jews* were long privileged with a peculiar form of Government, called a Theocracy, under which the ‘Almighty either stirred up some person, by an immediate signification of his will, to be their Judge, or, when there was none, ruled their proceedings himself, by Urim and Thummim.’” When the Israelites requested a human king, they sinned first and foremost in “rejecting the divine Government” under which they had prospered. But they sinned further in desiring “a King to judge them like all the nations,” since “all the nations which they knew, were ruled by Kings, whose arbitrary will stood in the place of law; and it appears also that the *Jews*, since the day that they were brought out of *Egypt*, had still retained a particular hankering after the customs of that country.” God therefore “not only signifies his displeasure against all such arbitrary rulers, but against every people who would impiously and foolishly prefer such a Government to one immediately under himself, where, in his providence, he might think fit to appoint such an one.”<sup>41</sup>

Yet Paine had dared to argue that “the Almighty hath here entered his protest against Monarchical Government.” First, Smith answers that “the Almighty would have as strongly expressed his displeasure against the *Jews*, had they rejected his Government for one of their own appointment, whether it had been monarchical or democratical—to be administered

<sup>39</sup> Parker to Lee, Apr. 27, 1776, 1r (“I observe”), 2r (“god was displeased”).

<sup>40</sup> Parker to Lee, Apr. 27, 1776, 2r (quotation). See Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 839.

<sup>41</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 839–40 (“pervert[ed] the Scripture,” 5: 839, “the *Jews* were long,” 5: 840). Cato’s letters were reprinted in Connecticut, Virginia, and New York, among other places. See Perl-Rosenthal, *WMQ* 66: 557.

by one man or a thousand men.” But Paine errs most spectacularly in assuming that, when Samuel described the horrors that would be perpetrated by Israelite kings (1 Samuel 8:11–18), the prophet meant to “extend his protest against all future Monarchical Governments, such as were to subsist some thousands of years afterward, however limited and mixed, particularly that of *Great Britain*, (which must certainly be our author’s meaning, or he proves nothing to his purpose;).” This, for Smith, is patently absurd: citing “[Roger] Acherley, in his *Britannick Constitutions*,” he insists that “the particular case of the *Jews* cannot be applied to any other nation in this instance, as none else were ever in similar circumstances.”<sup>42</sup>

In order to buttress this conclusion, he turns to the Hebrew text itself, as well as to the tradition of Jewish commentary upon it. First comes “the celebrated *Grotius*,” who “tells us that *Samuel*, in this passage, does not speak of what our author calls the ‘general manner of Kings,’ or the just and honest right of a King to do such things; because his right is otherwise described elsewhere, as shall be shown. The prophet only speaks of such a right as the Kings round about *Israel* had acquired, which was not a true, right; for such is not the signification of the original word *Mishpat*; but such an action as (being founded in might and violence) hath the *effectum juris*, or comes in the place of right.” Grotius, along with Sidney (who is here transfigured into a respectable whig), is then said to be “well warranted in this interpretation, not only by the *Hebrew* text, but other clear passages of Scripture, and particularly the seventeenth chapter of *Deuteronomy*, where, with the approbation of Heaven, the duty of a good King is described and limited.” Smith proceeds to summarize the rabbinic debate over this passage, as it had inflected the seventeenth-century controversy over monarchy:

The *Jews* commonly understood this chapter as containing an absolute promise from Heaven of a Royal Government, and a sufficient authority for the request made to *Samuel* more than three hundred years afterwards. Others understood it conditionally,—that if they did reject the Divine Government,

<sup>42</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 840 (quotations). Paine directly answered Cato’s claim that Samuel had not meant to “extend his protest” to monarchy as such in his third “Forester” letter (Letter 3), also printed in the *Pennsylvania Gazette*, Apr. 24, 1776: “The Scripture institutes no particular form of Government, but it enters a protest against the Monarchal form; and a negation on one thing, where two only are offered, and one must be chosen, amounts to an affirmative on the other. Monarchal Government was first set up by the Heathens, and the Almighty permitted it to the *Jews* as a punishment. ‘I gave them a King in mine anger.’—Hosea xiii, 11.” “Letter 3—To Cato,” in *American Archives: Fourth Series*, 5: 1018. Smith’s citation of the *Britannick Constitution* refers to Acherley, *The Britannick Constitution*, 6–9.

and set up one of their own appointment, *God* would permit them; but their King should be chosen in the manner, and with the qualifications in that chapter described. All this, however, they disregarded when they asked an arbitrary King, like those of their neighbouring nations; and therefore, it is demonstratively certain that *Samuel*, in entering his protest against such Kings, did not protest against Kings or Monarchical Governments generally. Either this remark is true, or one part of Scripture is a direct contradiction to the other.<sup>43</sup>

The rabbis of the Talmud (here simply “the *Jews*”), unlike the rabbis cited by Milton, had derived from Deuteronomy 17 an “absolute promise” of monarchy—that is, an affirmative commandment to ask for a king.<sup>44</sup> Others, on Smith’s account, had construed the text to embody a permission to establish a virtuous and lawful monarchy. Both readings converged in insisting that the Israelites had sinned only in asking for the wrong sort of king. Smith conveniently neglects to mention that another group of rabbis, along with their seventeenth-century expositors, had taken precisely Paine’s view of the matter.

For Smith, as for the rest of Paine’s critics in 1776, the Hebraizing argument of *Common Sense* was most dangerous because it encouraged colonial readers to become anxious about precisely the wrong things—to pursue shadow over substance. So long as their chief magistrate was not called king, they would feel that the appropriate political principles had been satisfied fully; they would not fret at all about the sweeping prerogative powers that their suitably re-christened governors might come to wield. Tyrannical wolves would masquerade as republican sheep. “The popular leaders who overturned the Monarchy in the last age,” Smith reminds his readers, “were not themselves friends to Republicks. They only

<sup>43</sup> Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 841 (quotations). See Hugo Grotius, *Hugonis Grotii Annotationes in Vetus Testamentum*, ed. Georg Johann Ludwig Vogel (Halle, Germany, 1775), 1: 215; Hugo Grotius, *Hugonis Grotii De iure belli ac pacis libri tres* (Amsterdam, 1650), 1: 4.7.

<sup>44</sup> Babylonian Talmud: Sanhedrin 20b. The majority opinion in the Talmud, attributed to Rabbi Yehudah, reads as follows: “there were three commandments that Israel were obligated to fulfill once they had entered the land: appointing a king, exterminating the offspring of Amalek, and building the temple.” Isidore Epstein and Maurice Simon, eds., *Soncino Hebrew-English Edition of the Babylonian Talmud*, 30 vols. (London, 1994). This reading became ubiquitous among Protestant defenders of monarchy. Claude de Saumaise (Salmasius), for example, simply reproduced the Talmudic gloss in his *Defensio regia* (1649): “Tradunt Iudaeorum magistri, tria injuncta fuisse Israelitis quae facere eos oporteret postquam introducti essent in terram sanctam, *regem sibi constituere, excindere Amalechitas, templum exstruere*.” See C. L. Salmasii *Defensio pro Carolo I* (Cambridge, 1684), 63.

made use of the name to procure the favour of the people; and whenever, by such means, they had mounted to the proper height, each of them, in his turn, began to kick the people from him as a ladder then useless." The embodiment of this danger was Cromwell:

*Cromwell* exercised the power of a King, and of the most absolute King, under the specious name of a Protector. The instrument of Republican Government, which he had at first extolled as the most perfect work of human invention, he began (as soon as he thought his authority sufficiently established) to represent as "a rotten plank, upon which no man could trust himself without sinking." He had his eyes fixed upon the Crown; but when he procured an offer of it, from a packed Parliament, his courage failed him. He had outwitted himself by his own hypocrisy, and, in his way to power, had thrown such an odium upon the name of the King, that his own family, apprehensive he would be murdered the moment the diadem should touch his brow, persuaded him to decline that honour.<sup>45</sup>

The Miltonic argument revived by Paine threatened to make a fetish out of "the name of the King," delivering the colonists instead into the arbitrary power of a non-monarchical tyrant.<sup>46</sup> True "Republicks" are defined by the absence of discretionary power in any single person, not by the lack of an allegedly idolatrous title. "The harm," as another critic had put it, "lay not in the four Letters K,I,N,G."<sup>47</sup>

Parker himself thought that this debate should be postponed until after "we have determined our selves independant," but he nonetheless proceeded in his letter to Lee to endorse and then elaborately defend Paine's conclusion that God is an enemy to monarchical government.<sup>48</sup> His intervention is significant for two reasons. First, it provides valuable

<sup>45</sup> Cato, "Letter 8—To the People of Pennsylvania," in *American Archives: Fourth Series*, 5: 1050 (quotations).

<sup>46</sup> Virtually all of Paine's early critics likewise offered this argument. See, for example, *Reason: In Answer to a Pamphlet Entitled, Common Sense*, 9–13 (quotation, 9).

<sup>47</sup> Cato, "Letter 8," in *American Archives: Fourth Series*, 5: 1050 ("Republicks"); A Late Member of the Continental Congress, *The True Merits of a Late Treatise, Printed in America, Intituled Common Sense*. . . (London, 1776), 14–16 ("The harm," 16).

<sup>48</sup> Parker to Lee, Apr. 27, 1776, 1r (quotation); Parker rather surprisingly indicts both "Cato & Cassandra" for turning what should be a debate about "the Expediency or Inexpediency of Independance" into one about the divine permissibility of monarchy (ibid.). In fact, while Cato (William Smith) did indeed focus on refuting Paine's scriptural argument, Cassandra (James Cannon) spent no time attacking the institution of monarchy per se. Unlike Paine, the latter argued simply that America ought not to be governed by a British monarch. See Cassandra to Cato, in *American Archives: Fourth Series*, 5: 41–43, 431–34, 921–26.

evidence about the reach of Paine's Hebraizing argument in 1776 and beyond. Scholars have usually located the scriptural case against monarchy exclusively in a set of sermons delivered by New England ministers.<sup>49</sup> But Parker was an Anglican Virginia planter and he addressed his meditation on Paine's argument to a fellow member of the tidewater gentry. His letter therefore offers support for Ramsay's claim that Paine's scriptural argument found a receptive audience throughout the colonies, not merely in Congregational strongholds. Parker's analysis is also compelling insofar as it represents the attempt of an educated observer—whose thoughts, as he confesses, “are not well connected as my Avocations so frequently take me off from the Subject that the chain is often broke”—to take the measure of Paine's Hebraizing case against monarchy and explore its relation to the more traditional, neo-Roman reading of the biblical text.<sup>50</sup> Parker was evidently unwilling at this stage to choose between them.

On the one hand, his letter includes an unmistakable paraphrase of Paine's central argument: the heathen nations surrounding the Jews, Parker writes, had “paid divine honors to their Kings” (this is a direct quotation from Paine) and the Lord, “being a jealous God took every means to prevent them from falling into the same Error knowing that a person placed so far above the level of the people would lead them to whatever he pleased.”<sup>51</sup> Notice that, even here, Parker has either misconstrued or intentionally deviated from Paine's position in a subtle, but important, respect. Paine had argued that monarchy *itself* is an instance of the sin of idolatry, whereas Parker seems to be arguing instead that monarchs (who are not intrinsically idols) will frequently prevail upon the people to worship them in an idolatrous fashion. But it had been the strict equation of monarchy and idolatry that allowed Paine to reach his radical conclusion in *Common Sense*, namely, that the God of scripture classifies monarchy in all its forms as a sin. And this, after all, is the conclusion that Parker wants to defend against Cato's critique: the Israelites, Parker explains, chose to institute kingship against God's express wishes, and the subsequent depredations of Israel's kings provide evidence of the Lord's great anger: “Can it be thought that the Almighty would have been so unmerciful to his people if it had not have been to shew them the impropriety of having

<sup>49</sup> See, for example, Eran Shalev, *American Zion: The Old Testament as a Political Text from the Revolution to the Civil War* (New Haven, Conn., 2013), 57–69; Stout, *New England Soul*, 301–5; Perl-Rosenthal, *WMQ* 66: 553–54, 560. Perl-Rosenthal rightly doubts that, in light of Ramsay's testimony, it is plausible to suppose that this discourse was confined to a group of New England ministers, but he is unable to offer examples of its use elsewhere.

<sup>50</sup> Parker to Lee, Apr. 27, 1776, 1r (quotation).

<sup>51</sup> Parker to Lee, Apr. 27, 1776, iv. This phrasing seems to echo Paine's attack on “the exalting [of] one man so greatly above the rest”; Paine, *Common Sense*, 30.

a King for whose Trespasses they were to suffer”? After all, “God had expressly declared to them long before they asked a King that they would do it and that he would punish them with the Kings they should set over them see the 28th Cap Deuteronomy to the 37th verse. Hosea in the 13th Chapter 11th verse says ‘I gave thee a King in mine Anger and took him away in my wrath[.]’ In short god was displeased with their demanding a King and was determined they should suffer for his Crimes.”<sup>52</sup> To be sure, “Cato thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it.” Does not Deuteronomy 17, Cato had asked, “smell strong of Monarchy and even of Hereditary Monarchy?” Parker answers that “God has expressly declared his displeasure with the Jews for asking a King; but he knew long before they did demand one that they would do it; and he only tells them if they should be so foolish as to do it what sort they should choose & declares how he ought to conduct himself by which Conduct he should obtain his favor.”<sup>53</sup> “It is [a] pity,” Parker concludes, that “Cato has not the Candor to compare the Scriptures, a crime he accuses Common Sense of.”<sup>54</sup>

Parker thus fully embraces Paine’s view that God is an “enemy” to monarchical government and that kingship in all its forms is sin—and he likewise offers a glancing, somewhat muddled endorsement of the claim that monarchy is sinful insofar as it is idolatrous. But Parker simultaneously runs a set of arguments that are very different from Paine’s. To begin with, whereas Paine (like Langdon and Williams before him) had favorably described the original Israelite constitution as “a kind of republic, administered by a judge and the elders of the tribes,” Parker dismisses the pre-monarchical Israelites as “Wretches” who obeyed the “dictates” of

<sup>52</sup> Parker to Lee, Apr. 27, 1776, 2r. Parker interestingly rejected the Josephan account of Israelite theocracy: “as to calling it [Israelite government before Saul] a Theocracy it is talking Nonsense because every State in the Universe is equally a Theocracy[.] Whoever believes in a particular Providence must acknowledge that the Events of States are governed by the Almighty and I am sure the Hand of God has been with us[.] It is true as the Jews were in such a State of Ignorance as to be unable to make any Laws for themselves God did prescribe a Set of Laws for them such as would be sufficient for their Government; that his wise purposes in bringing abt. the Redemption of man by his Son Jesus Christ might be fully answered but he left the Execution of those laws to the people themselves.” *Ibid.*, iv.

<sup>53</sup> Parker to Lee, Apr. 27, 1776, 2r. Parker’s wording (“God has expressly declared his displeasure with the Jews for asking a King”) is highly reminiscent of Milton’s own, as translated in the 1692 English version of the *Defense*: “God frequently protests that he was extremely displeas’d with them for asking a King”; Milton, *A Defence of the People of England* (London, 1692), 48. The Latin reads as follows: “Passim enim testatur Deus valde sibi displicuisse quod regem petissent”; Milton, *Defensio*, 66. Paine does not incorporate this language into *Common Sense*, so it is possible that Parker had direct access to Milton’s text.

<sup>54</sup> Parker to Lee, Apr. 27, 1776, 2v.

the Judges out of the (apparently) false belief that their commands “came from God” and states further that it is impossible to determine “what kind of Government” this really was.<sup>55</sup> More importantly, Parker also offers a competing account of why God was displeased with the Israelites when they instituted monarchy. In Egypt, he explains, the Israelites had been afflicted with “most abject Slavery.” God had redeemed them from bondage, and it was because he wished them to remain free men that he forbade them to establish a monarchy: “He knew that all felicity would be at an end and their Slavery under a King would be as great as whilst they lived in Egypt.” A critical portion of the text is missing here, but it seems as if Parker is trying to argue that God rejected monarchy on standard neo-Roman grounds: while it might be possible to imagine a nonarbitrary monarchy, in practice kings tend to turn into tyrants, and subjects into slaves.<sup>56</sup>

This, of course, had been the argument of Foster, Langdon, and Williams, but none of these writers (as we have seen) had taken the view that monarchy was therefore a sin and illicit in all circumstances. Indeed, they had reasoned in precisely the opposite direction: since one can perfectly well institute a nonarbitrary monarchy, it followed for them that kingly government in itself cannot be regarded as illicit—and that the Israelites did not sin in asking for a king per se. The fact that monarchs often come to wield arbitrary, discretionary power simply gives us good prudential grounds for preferring republican government and explains why God himself had initially instituted such a regime among his chosen people. Likewise, the argument that God in 1 Samuel 8 was merely expressing his concern that Israelite kings would ape the idolatrous customs of the heathens had always been invoked by those (like Cato himself) who wished to *deny* the conclusion that the Israelites sinned in asking for a king per se (the sin, on this account, was simply to have asked for the wrong sort of king—one like those of “the other nations”).<sup>57</sup> What we find in Parker’s letter, in other words, is an improvisatory attempt to match Paine’s conclusion with several very different premises. Parker cannot quite make up his mind whether monarchy is a sin because it is inherently idolatrous (that is, because the Lord is a “jealous God”), because it tends to promote idolatry, or because it threatens slavery (or for some combination of these

<sup>55</sup> For “a kind of republic,” see Paine, *Common Sense*, 30; for “Wretches,” see Parker to Lee, 1v. Paine also insisted that “the will of the Almighty” was indeed “declared by Gideon and the prophet Samuel”; see Paine, *Common Sense*, 30.

<sup>56</sup> Parker to Lee, Apr. 27, 1776, 1v (quotations). Quite a lot hangs on Parker’s precise reason for stating that God “knew” that the Israelites would be slaves under their kings. Is this because God simply foresaw that the Israelite kings would become tyrants, or because God “knows” that kings inevitably become tyrants. The latter would amount to the claim that there is no such thing (at least over time) as a nonarbitrary monarchy—and that this is why God regards all monarchies as sinful.

<sup>57</sup> 1 Sam. 8:4.



reasons).<sup>58</sup> Paine's pamphlet and the responses that it generated had forced him to wrestle with these issues, but the results, as he himself recognized, were rather inconclusive.

For many of Parker's countrymen, in contrast, the matter was far more straightforward. By the end of 1776, a host of colonial writers and ministers had come forward to defend Paine's argument unambiguously and in its entirety. In a sermon preached on September 12, Peter Whitney declared that "when the people of Israel foolishly and impiously asked God to give them a king," God begged them to "withdraw their petition, and desire rather to continue as they were." Yet, "they notwithstanding, persisted in their demand, and God gave them a king, but in his anger, and as a great scourge and curse to them." Whitney's verdict on this episode simply replicates Paine's discussion of the inherently idolatrous character of monarchical government, complete with direct quotations from *Common Sense* itself:

It is a natural inference from sacred story, and from what has been said above, that kingly government is not agreeable to the divine will, and is often a very great evil. The will of God as made known by Gideon; and the prophet Samuel expressly disapproves of government by kings. "Near three thousand years passed away from the Mosaic account of the creation, *before* the Jews under a national delusion, asked a king.—'Till then their form of government (except in extraordinary cases where the Almighty interposed) was a kind of republic administered by a judge, and the elders of the tribes. Kings they had none, and it was held sinful to acknowledge any being under that title but the Lord of hosts. And when a man seriously reflects on the idolatrous homage which is paid to the persons of kings, he need not wonder that the Almighty, ever jealous of his honor, should disapprove a form of government which so impiously invades the prerogative of heaven." No form of government but kingly or monarchical, is an invasion of God's prerogative; this is.

"The most high over all the earth," Whitney concludes, "gave kings at first, to the Jews (as he sends war) in anger, and as a judgment, and it may be affirmed, that upon the whole, they have been a scourge to the inhabitants of the earth ever since." "We in these States," Whitney concludes, "are now evidently under the frowns of heaven for our many and great transgressions: it is to be hoped we shall not 'add to our sins, this evil to ask *us* a king.'" <sup>59</sup>

<sup>58</sup> Parker to Lee, Apr. 27, 1776, iv (quotation).

<sup>59</sup> Whitney, *American Independence Vindicated* ("when the people," 11, "It is a natural inference," 43–44, "The most high," 44–45).

Whitney's view was endorsed the following month in the "Instructions to Delegates" published by the Committee for Charlotte County, Virginia. Having renounced their allegiance to George III, the citizens of the county were now committed to "taking the *God* of Heaven to be our King."<sup>60</sup> A sermon preached in Boston by Benjamin Hichborn took the same line: "I am inclined to think, that the great founder of societies has caused the curse of infatuating ambition, and relentless cruelty, to be entailed on those whose vanity may lead them to assume *his* prerogative among any of his people as they are cantoned about in the world, and to prevent mankind from paying that adoration and respect to the most dignified mortal, which is due only to *infinite wisdom and goodness*, in the direction of *almighty power*, and therefore that he alone is fit to be a monarch."<sup>61</sup> Nor did the passing of the years diminish Paine's grip on the political imagination of British Americans. In 1778, the poet Philip Freneau echoed *Common Sense* in verse:

To recommend what monarchies have done,  
 They bring, for witness, David and his son;  
 How one was brave, the other just and wise;  
 And hence our plain Republics they despise;  
 But mark how oft, to gratify their pride,  
 The people suffered, and the people died;  
 Though one was wise, and one Goliath slew,  
*Kings are the choicest curse that man e'er knew!*<sup>62</sup>

<sup>60</sup> "Instructions to Delegates for Charlotte County, Virginia," Apr. 23, 1776, in *American Archives: Fourth Series*, 5: 1035.

<sup>61</sup> Benjamin Hichborn, "Oration Delivered at Boston, March 5, 1777," in *Principles and Acts of the Revolution in America*. . . , ed. Hezekiah Niles (Baltimore, 1882), 27 (quotation). Also see Cosmopolitan, "Letter X," in *American Archives: Fourth Series*, 5: 1172. For further endorsements of Paine's argument in 1776, see for example *The People the Best Governors; or, A Plan of Government Founded on the Just Principles of Natural Freedom* (n.p., 1776); "Extract of a Letter from Philadelphia to a Gentleman in England," Mar. 12, 1776, in *American Archives: Fourth Series*, 5: 186–88; Samuel West, *A Sermon Preached Before the Honorable Council, and the Honourable House of Representatives, of the Colony of Massachusetts-Bay, in New-England. May 29th, 1776*. . . (Boston, 1776); William Drayton, "Judge Drayton's Charge to the Grand Jury of Charleston, South-Carolina," Apr. 23, 1776, in *American Archives: Fourth Series*, 5: 1031; Salus Populi, "To the People of North-America on the Different Forms of Government," 1776, in *American Archives: Fourth Series*, 5: 180–83. Even John Adams seems to have been swept up momentarily in this discourse; see, for example, Adams to William Tudor, Feb. 27, 1777, in Taylor, Lint, and Walker, *Papers of John Adams*, 4: 94: "I hope We shall e'er long renounce some of our Monarchical Corruptions, and become Republicans in Principle in Sentiment, in feeling and in Practice. In Republican Governments the Majesty is all in the Laws. They only are to be adored." Also see Adams to Congress, July 23, 1780, *ibid.*, 10: 27; "The total and absolute suppression of the Tumults in London . . . has now given them [the Ministry] such Exultation and Confidence, that the People of America will dethrone the Congress and like the Israelites demand a King."

<sup>62</sup> Philip Freneau, "America Independent; And Her Everlasting Deliverance from British Tyranny and Oppression," in *Poems Written and Published During the American*

Joseph Huntington of Connecticut offered much the same account in *A Discourse, Adapted to the Present Day*. “The infinitely wise and good Being,” he begins, “has given us the sum and substance of the most perfect form of civil government in his word. . . . I mean that ancient plan of civil policy, delineated for the chosen tribes of Israel.” In that divinely authorized constitution, “we find no king, no despot, no emperor, no tyrant, no perpetual dictator allowed of.” Quite the contrary, the “tribes of Israel” had “by divine appointment a general congress,” (as Huntington later clarified, “I mean the Sanhedrim or seventy elders”) “with a president at their head; Moses was the first, Joshua succeeded him, so on till the days of Samuel, when the constitution was subverted.” Huntington insists that “here God has marked out that form of civil government which is agreeable to his own will.” Each people is free to adapt this basic structure to its own needs and requirements, “but thus much in general God has plainly taught us, viz. that no king, no monarch, no tyrant, or despot, ought ever to be admitted to rule over his people, or any people under heaven; and hence, when Israel rejected that glorious form of government, and would have a king to govern them, God expressly declares *they rejected him*.”<sup>63</sup>

John Murray of Newburyport, Massachusetts, returned to this theme in his sermon celebrating the Peace of Paris and the birth of the new United States in 1784. “Now hail thy Deliverer-God. Worship without fear of man,” he exhorts his audience. “This day, invite him to the crown of America—proclaim him King of the land.”<sup>64</sup> Such a coronation, Murray

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*Revolutionary War*. . . . (Philadelphia, 1809), 1: 241. See also Benjamin Rush, writing to John Adams while the latter was posted to the French court: “While you are *gazed* at for your American-manufactured principles, and *gazing* at the folly and pageantry of animals in the shape of men cringing at the feet of an animal called a king, I shall be secluded from the noise and corruption of the times”; Benjamin Rush to John Adams, Jan. 22, 1778, in L. H. Butterfield, ed., *Letters of Benjamin Rush* (Princeton, N.J., 1951), 1: 192.

<sup>63</sup> Joseph Huntington, *A Discourse, Adapted to the Present Day, on the Health and Happiness, or Misery and Ruin, of the Body Politic, In Similitude to that of the Natural Body* (Hartford, Conn., 1781), 8–11 (“The infinitely wise,” 8, “we find no king,” 8–9, “tribes of Israel,” 10, “but thus much,” 11). See also Samuel Cooper, *A Sermon preached Before His Excellency John Hancock, Esq. . . . October 25, 1780. Being the Day of the Commencement of the Constitution and Inauguration of the New Government* (Boston, 1780). For the Hebrew republic as a constitutional model in revolutionary America, see Eran Shalev, “‘A Perfect Republic’: The Mosaic Constitution in Revolutionary New England, 1775–1788,” *New England Quarterly* 82, no. 2 (June 2009): 235–63. See also Shalev, *American Zion*, 50–83.

<sup>64</sup> John Murray, *Jerubbaal; or, Tyranny’s grove Destroyed, and the Altar of Liberty Finished*. . . . December 11, 1783. *On the Occasion of the Public Thanksgiving for Peace*. . . . (Newburyport, 1784), 7 (quotation). This is a direct echo of Paine: “But where, says some, is the King of America? I’ll tell you. Friend, he reigns above, and doth not make havoc of mankind like the Royal Brute of Britain. Yet that we may not appear to be defective even in earthly honors, let a day be solemnly set apart for proclaiming the charter; let it be

goes on to explain, has been made possible by the extraordinary virtue and piety of the Americans and their leaders. In the Hebrew republic of old, as Paine had recounted, Gideon was invited to become king, but he recognized that “the reins of kingly authority become no other hands than those of the all-perfect Sovereign of the universe.” Only God “is fit to sit Monarch on a throne—before him only every knee should bow—at his feet should sceptered mortals cast their crowns—there should they lay them down—to resume and wear them no more for ever—and he who refuses this rightful homage to the only Supreme, deserves to be treated as a tyrant among men, and a rebel against God.” Why should Americans expect any less of their own greatest general? “Are not we the children of Israel too—a professing covenant-people, in a land peculiarly privileged with gospel-light?” Indeed we are, and though George Washington was never offered a crown—because, for Americans, “the idea of a human monarchy is too absurd in itself”—if he had been, he surely would have replied in ringing tones that “the *Lord* alone shall be king of *America*.”<sup>65</sup>

brought forth placed on the divine law, the word of God; let a crown be placed thereon, by which the world may know, that so far as we approve of monarchy, that in America The Law Is King. For as in absolute governments the King is law, so in free countries the law *ought* to be King; and there ought to be no other. But lest any ill use should afterwards arise, let the crown at the conclusion of the ceremony be demolished, and scattered among the people whose right it is”; Paine, *Common Sense*, 48–49.

<sup>65</sup> Murray, *Jerubbaal*, 21 (“the reins of kingly”), 32 (“Are not we”), 42 (“the idea of a human”), 44 (“the *Lord* alone”). This language continued to appear during the debates over ratification. See, for example, Camillus, [Philadelphia] *Pennsylvania Packet, and Daily Advertiser*, June 13, 1787 (orig. pub. in the [Boston] *Independent Chronicle*). The author attacks proponents of the new Constitution as those who “raved about monarchy, as if we were ripe for it; and as if we were willing to take from the plough-tail or dram shop, some vociferous committee-man, and to array him in royal purple, with all the splendor of a King of the Gypsies . . . our king, whenever Providence in its wrath shall send us one, will be a blockhead or a rascal” (note the use of Hosea). See Camillus, *Pennsylvania Packet*, June 13, 1787, [2]. Compare Mercy Otis Warren’s characterization of the Constitution’s opponents: “They deprecate discord and civil convulsions, but they are not yet generally prepared, with the ungrateful Israelites, to ask a King, nor are their spirits sufficiently broken to yield the best of their olive grounds to his servants, and to see their sons appointed to run before his chariots”; A Columbian Patriot [Warren], *Observations on the New Constitution, and on the Fæderal and State Conventions* (Boston, 1788), 17. See also Speeches by Robert Livingston and Melancthon Smith to the New York Ratifying Convention, in *The Debates in the Several State Conventions, on the Adoption of the Federal Constitution*, ed. Jonathan Elliot (Washington, D.C., 1836), 2: 210, 223–26; Agrippa, Letter 17, in *Essays on the Constitution of the United States, Published during Its Discussion by the People, 1787–1788*, ed. Paul Leicester Ford (New York, 1892), 111. See also Thomas Jefferson to James Madison, Mar. 15, 1789, in Julian P. Boyd, ed., *The Papers of Thomas Jefferson* (Princeton, N.J., 1958), 14: 661: “I know there are some among us who would now establish a monarchy. But they are inconsiderable in number and weight of character. The rising race are all republicans. We were educated in royalism: no wonder if some of us retain that idolatry still. Our young people are educated in republicanism. An apostasy from that to royalism is unprecedented and impossible.”

The document reproduced below thus bears witness to a fateful shift in the character of colonial political thought. Paine's *Common Sense* fueled an abrupt republican turn in 1776 by reintroducing into Anglophone political discourse a particular *kind* of republican theory: one grounded in the Hebraizing conviction that it is idolatrous to assign any human being the title and dignity of a king. This theory was both more and less radical than its neo-Roman rival: more radical, in that it denied the legitimacy of all monarchies, however limited; less radical, in that it left open the possibility of an extremely powerful chief magistrate, so long as he was not called king. Parker's letter to Lee represents a very early, sympathetic attempt to grapple with the implications of Paine's scriptural argument—one that plainly sought to leave some room in the case against monarchy for the neo-Roman preoccupation with discretionary power. But the force of Paine's distinctive new brand of antimonarchism proved difficult for contemporaries to resist. Lee himself, after all, seems to have detected no dissonance whatsoever between the two great political interventions that he was simultaneously considering during the week of April 27, 1776: Paine's Hebraizing demonstration that "monarchy is reprobated by the Almighty," as defended by his friend Richard Parker, and Adams's insistence that "there should be a third Branch [of the legislature] which for the Sake of preserving old Style and Titles, you may call a Governor whom I would invest with a Negative upon the other Branches of the Legislature and also with the whole Executive Power."<sup>66</sup> It was of course perfectly possible to be worried both about the idolatrous pretensions of royal dignity and about the enslaving effects of discretionary power.<sup>67</sup> But by so profoundly altering the focus of the debate, Paine and his many acolytes made it possible for Americans in the following decade to reconcile republicanism with prerogative.

<sup>66</sup> For "monarchy is reprobated," see Parker to Lee, Apr. 27, 1776, 1r. For "there should be," see Adams to William Hooper, Mar. 27, 1776, concerning the manuscript "Thoughts on Government," in Taylor, Lint, and Walker, *Papers of John Adams*, ser. 3, 4: 73–78 (quotation 4: 76). Adams interestingly distinguishes the negative voice from "most of those Badges of Domination call'd Prerogatives."

<sup>67</sup> On this view, the absence of discretionary power in any single person is a necessary but not sufficient condition of legitimate government in a free state. Paine himself rejected the king's "negative voice" on these grounds and remained a fierce opponent of prerogative power in the executive for the rest of his life. It is therefore deeply ironic that he himself inadvertently made it possible for Americans to reconceptualize republicanism in such a way as to render it compatible with prerogative. See Paine, *Common Sense*, 44–45.

*Richard Parker to Richard Henry Lee, April 27, 1776*<sup>68</sup>

[1r] Dear Sir

Since my last nothing very material has happened with us or at least I have heard very little news our papers never coming to hand altho Purdie<sup>69</sup> and the other printers have been expressly ordered to send them to Fredericksburg for our Rider. A Tender came last Week to Hobbs Hole and took a new England man loaded with grain & flower from the Warf, an Alarm was given and the Malitias of Essex and Richmond pursued them in Vessels they retook the prize and brought her back; the Tender escaped tho pursued with in three miles of Urbanna, Anegro<sup>70</sup> fellow belonging to Walker who was skipper of his boat was killed but no other damage done to our men. We have a Report which I believe to be true tho it may be improper to propagate it unless fully confirmed, That young Mr. Wormeley<sup>71</sup> is under close Confinement in Williamsburg he was taken in a tender going to Dunmore<sup>72</sup> Charles Neilson & John Grymes<sup>73</sup> were also taken in another Tender carrying provisions to that Monster If this news be true I doubt not they will meet with their deserts. Since I wrote the above piece of news it has been confirmed so that except that he has a guard over him (it may be depended upon) and not in close confinement.<sup>74</sup>

<sup>68</sup> I am grateful to Joshua Ehrlich for his assistance in transcribing the text. The letter is written on a single sheet of paper, 15 inches by approximately 9.25 inches, which has been folded in half. The paper is torn at the bottom, with the result that two lines of text have been almost completely lost on each of the first three pages (1r, 1v, 2r). Original spelling and orthography have been retained throughout. Parker's excisions from the text are recorded in the notes (to the extent that they are decipherable). Conjectures and editorial insertions are marked with brackets. All superscript has been brought down to the line. Richard Parker to Richard Henry Lee, Apr. 27, 1776, *Lee Family Papers*, MSS 38-112, box 6 (January–November 1776), Albert and Shirley Small Special Collections Library, University of Virginia, Charlottesville, Va.

<sup>69</sup> Alexander Purdie, publisher of the *Virginia Gazette* (one of three newspapers of that name).

<sup>70</sup> That is, "A negro."

<sup>71</sup> Ralph Wormeley Jr., a prominent Middlesex County loyalist. His letter to fellow loyalist John Randolph Grymes of Apr. 4, 1776 was intercepted and presented to Maj. Gen. Charles Lee, who ordered the detention of both men (as well as that of Charles Neilson, who was identified as a loyalist in the opening line of the letter). See Scribner and Tarter, *Revolutionary Virginia, The Road to Independence*, 6: 325–32.

<sup>72</sup> John Murray, fourth Earl Dunmore, royal governor of Virginia.

<sup>73</sup> Charles Neilson and John Randolph Grymes were both prominent Middlesex County loyalists. The following text is excised after "Grymes": ~~who married Wormeley's Sister.~~

<sup>74</sup> The parentheses have been added. The phrase within the parentheses appears between two lines in the manuscript. It is not clear where the author wanted it to be inserted.

I am astonished we hear nothing from Quebec<sup>75</sup> Our Success of it will be of the utmost Consequence to our Cause

I observe the Pennsylvania Papers are filled with the controversy about Independance and think the writers have rather left the Question What matters it to us at present whether Monarchy is reprobated by the Almighty or not, It will be time enough to consider what kind of Government is best suited for America when we have determined our selves independant; indeed every man who wishes to be free will be forming Opinions relative to the form of Government And those Opinions it would do well to communicate but the present contest between Cato & Cassandra<sup>76</sup> should be of the Expediency or Inexpediency of Independence However if you will give me leave I will shew you my Sentiments of Monarchical Government as established amongst the Jews My thoughts are not well connected as my Avocations so frequently take me off from the Subject that the chain is often broke

It . . . not be amiss for the [judgment] . . . this . . . [Iv] most abject Slavery not less content with it or in a greater State of Ignorance [nay] by no means so ignorant as numbers of our Slaves here, their whole history shews it; that they were Heathens no one will deny for what few religious rights they had were from the Egyptians of course they had no form of Government until they arrived in the Land of promise and it was left to them by their Lawgiver Moses They never gave themselves the trouble to reflect on the Nature of Government and it was sufficient for such a set of Wretches to obey the dictates of their Judges<sup>77</sup> especially as they believed every ordinance came from God<sup>78</sup> under what kind of Government they really did live in the time of the Judges it is extremely difficult to if not impossible to judge for as to calling it a Theocracy it is talking Nonsense because every State in the Universe is equally a Theocracy<sup>79</sup> Whoever

<sup>75</sup> The Continental army was laying siege to Quebec. The siege would be broken the following month.

<sup>76</sup> Parker's reference to the letters of "Cassandra" (James Cannon) is rather surprising, in that these did not attack the institution of monarchy per se. Unlike Paine, Cannon argued simply that America ought not to be governed by a British monarch. See "Cassandra to Cato," in *American Archives: Fourth Series*, 5: 41–43, 431–34, 921–26.

<sup>77</sup> Note that Parker's description of the rule of the Judges is quite different from Paine's. Parker describes the Israelites of that time as "Wretches" who obeyed the "dictates" of the Judges out of the (apparently) false belief that their commands "came from God"; he further states that it is impossible to determine "what kind of Government" this really was. On Paine's telling, in contrast, Israel under the Judges appears far more favorably as "a kind of Republic, administered by a judge and the elders of the tribes." Paine also writes that "the will of the Almighty" was indeed "declared by Gideon and the prophet Samuel"; Paine, *Common Sense*, 30.

<sup>78</sup> ~~What their form~~

<sup>79</sup> Parker is here rejecting Josephus's celebrated analysis of the Israelite *politeia*. See Josephus, *Contra Apionem*, 2: 163–68.

believes in a particular Providence must acknowledge that the Events of States are governed by the Almighty and I am sure the Hand of God has been with us It is true as the Jews were in such a State of Ignorance as to be unable to make any Laws for themselves God did prescribe a Set of Laws for them such as would be sufficient for their Government; that his wise purposes in bringing abt. the Redemption of man by his Son Jesus Christ might be fully answered but he left the Execution of those laws to the people themselves. He was well acquainted with their Ignorance he knew them fond of the Customs of the Egyptians and that they would seek every opportunity to return to them and his laws were calculated to keep them separate from those as well as other Heathens those paid divine honors to their Kings and he as himself declares being a jealous God took every means to prevent them from falling into the same Error knowing that a person placed so far above the level of the people<sup>80</sup> would lead them to whatever he pleased He knew that all felicity would be at an end and their Slavery under a King would be as great as whilst they lived in Egypt. How then must the Almighty resent this demanding a Monarch to reign over them Had they have had . . . to have formed . . . Government. . . [2r] It was not particularly with Saul but with all their Kings Look through the whole catalogue of Kings (a very long one) and you will find few very few but what were a curse to them The much admired King David†<sup>81</sup> was as great a Curse to them as any other What constant Wars was he engaged in during his whole life and what a punishment did he bring on them for no appearance of a fault in them the Loss of three score and ten thousand men purely for his own disobedience of the Commands of God or his own pride or folly. Can it be thought that the Almighty would have been so unmerciful to his people if it had not have been to shew them the impropriety of having a King for whose Trespasses they were to suffer. God had expressly declared to them long before they asked a King that they would do it and that he would punish them<sup>82</sup> with the Kings they should set over them see the 28th Cap Deuteronomy to the 37th verse. Hosea in the 13th Chapter 11th verse says "I gave thee a King in mine Anger and took him away in my wrath"<sup>83</sup> In short god was displeased with their demanding a King and was determined they should suffer for his Crimes that they did suffer constantly for their Kings faults will be seen by any person who will give himself the trouble to read their History whilst governed by Kings.

<sup>80</sup> This phrasing seems to echo Paine's attack on "the exalting of one man so greatly above the rest"; Paine, *Common Sense*, 30.

<sup>81</sup> An annotation by a later hand was added at the bottom of this paragraph with an insertion marker placed here. The insertion reads "† The character of David is much misunderstood. He was indeed a sinner; but he was the humblest + sincerest of penitents."

<sup>82</sup> for the Offenses of their

<sup>83</sup> There is a sketch that resembles a small pointing hand in the left-hand margin of the letter. It is pointed at this quotation.



Cato thinks he has refuted Common Sense by—producing a few texts of Scripture to shew God was no enemy to monarchical Government but rather approved of it “When thou<sup>84</sup> art come into the land which the Lord thy God giveth thee, and shalt say I will set a King over me &c And then asks does not this smell strong of Monarchy and even of Hereditary Monarchy? I answer that God has expressly declared his displeasure with the Jews for asking a King; but he knew long before they did demand one that they would do it; and he only tells them if they should be so foolish as to do it what sort they should choose & declares how he ought to conduct himself<sup>85</sup> by which Conduct he should<sup>86</sup> obtain his favor; It was necessary for the purposes of the Almighty [mentioned] before that . . . subsist as a people a certain time . . . punish . . . [2v] their days in the Kingdom shall be prolonged. It is pity Cato has not the Candor to compare the Scriptures, a crime he accuses Common Sense of.<sup>87</sup> Cato gives a plain proof that he has a good deal of Priest craft, Is he not a scotch clergyman?<sup>88</sup> I should have proceeded a little farther but am just called off and indeed I fear you are fully tired with what I have wrote farewell & be assured I am with the greatest Esteem

Your most affectionate friend  
Richd. Parker  
April 27th 1776

It is to be observed that Hoshea the last King of Israel together with the whole people except Judah which was governed by other Kings was then in Captivity. The fate of Judah was prolonged a few years upon Acct. of the good Reign of Hezekiah But it was but a short time before that Kingdom was destroyed & the whole people Captives to the Babylonians Thus we see as God gave them a King in his Anger he now took him away in his Wrath and suffered his people to be punished<sup>89</sup> by reducing them to Slavery in a strange Land If Monarchy was not a Curse to the Jews, let Cato say.<sup>90</sup>

<sup>84</sup> shalt

<sup>85</sup> themselves

<sup>86</sup> shall

<sup>87</sup> “Cato” had written of Paine that “he has not the candour to compare Scripture with Scripture; nor does he give a single passage complete, and connected with the parts necessary to explain it,—a clear proof that other craft may be employed as well as King-craft and Priest-craft, in ‘withholding the Scripture from the people,’ even in Protestant countries”; Cato, “Letter 6,” in *American Archives: Fourth Series*, 5: 841.

<sup>88</sup> William Smith was born in Aberdeen, Scotland, and was an Episcopal priest.

<sup>89</sup> with

<sup>90</sup> A sketch of a small pointing hand has been placed in the left-hand margin next to the beginning of this paragraph.

no. 351

*Originals*

letters, addresses &c

official + private

R Parker

Jews<sup>91</sup>

<sup>91</sup> "Originals/letters, addresses &c/official + private/R Parker/Jews" appears sideways at the bottom of the final page, apparently in Lee's handwriting.