

Cambridge University Press

978-0-521-28547-6 - John Locke and the Theory of Sovereignty: Mixed Monarchy and the Right of Resistance in the Political Thought of the English Revolution

Julian H. Franklin

Index

[More information](#)

Index



- abdication, constructive, 101–3
 Act of Continuance, 8n
 after-condescent grace, 36, 40
Agreement of the People, 125
 Allen, J. W., 1n, 22n
 Althusius, Johannes, 5n, 67n, 69
 Answer of June 4, 1642, 23
 Answer to Charles, May 19, 1642, 15
Answer to the Nineteen Propositions, 24–5
Antimachiavel (Gentillet), 5n
 Arnisaeus, Henning, 132–4
 Ascham, Anthony, 62n, 68n
 Ashley, Maurice, 120n
 Atwood, William, 114–16, 134n
 Fundamental Constitution of the English Government, The, 105–8, 113
 authority, *see* sovereignty
- Ball, William, 125n, 126n
 Barclay, William, 132–5
 Baxter, Richard, 56, 58, 61, 88, 127, 128–129
 Behrens, B., 91n
 Benert, Richard R., 6n
 Besold, Christopher, 46n, 67–8
 Beza, Theodore, 64n
Bibliotheca Politica (Tytrell), 109–11, 114
 Bill of Exclusion, 90
 Bill of Rights, 118
 Blackstone, William, 111–12, 116–17
 Bodin, Jean, 4n, 5n, 65
 Bridge, William, 33–9, 45, 46, 49n
 Buchanan, George, 3n
 De jure regni apud Scotos, 3n
 History of Scotland, The, 3n
 Burnet, Gilbert, 103n, 113, 121
 Enquiry into Measures of Submission . . .,
 An, 98–9, 131, 133, 135
 and Locke, 131–5
 Burroughs, Jeremiah, 33–9, 45, 49
- Cavalier Parliament, 89–90
 Charles I, 7–117 *passim*
 Charles II, 56–97 *passim*
 Cherry, George, 101n
- Cicero, 69
 civil wars (English), 1, 7, 10, 54–5, 57
 Clarendon, Edward Hyde, first Earl of, 12n, 13, 51n
 Clarke, Edward, 121
 commonwealth, 69–71
 Commonwealth, 33, 49, 50, 56–7
 defect of consent in, 50–1, 55
 oath of allegiance, 61
 community, 62, 80, 93
 Lawson on nature of, 69–75
 Locke's theory of, 125
 locus of real majesty in, 1–3, 7, 22–3, 26, 29, 44–5, 48, 64–7, 71n, 78, 91, 93n, 94, 97–8, 116
 power reverts to, on dissolution, 79, 107–8, 111
 right of resistance in, 30–1, 45, 83–4, 132
 right to reconstitute government, 1, 42, 105, 107–8, 125
Conscience Puzzled, 129, 130
 constitution
 mixed, 1, 3, 22, 28–9, 30n, 39, 43, 46n, 59–60, 116; conflict in, 68; dissolution under, 77–9, 122n; in England, 24–5, 92; independence of chief executive in, 75, 92–3, 123–4; real and personal majesty in, 69; resistance in, 44, 53, 98, 114, 123, 124; right of final judgment in, 48, 94
 United States, 123–4
 Venetian, 27
 constitutional reform, 117–23
 Convention Parliament, 99–105, 109, 111, 113, 120, 121, 123n
 Blackstone on, 116–17
 Whigs favored institutional changes in, 117–18
 should be larger, 119, 122
 courts, 74–5, 117, 121–3
 Cranston, Maurice, 113n, 121n, 131n
 Cromwell, Oliver, 51, 58, 60

Cambridge University Press

978-0-521-28547-6 - John Locke and the Theory of Sovereignty: Mixed Monarchy and the Right of Resistance in the Political Thought of the English Revolution

Julian H. Franklin

Index

[More information](#)*Index*

- Dalrymple, John, 101n
De jure regni apud Scotos (Buchanan), 3n
 Declaration of Rights, 118n
 deposition
 immunity of king from, 35–6
 right of, 1–3, 7, 10–11, 51, 96–7, 115, 116; in Parliament, 15, 17, 20–1, 27–28, 30–3, 50
 as sinful, 37
 D'Ewes, Simonds, 12n
 Digges, Dudley, 38, 39n
 dissolution, 53, 64, 74–5, 78–80, 88, 89, 99–100, 108, 116
 grounds for, 97
 Lawson's theory of, 100, 122n; adapted by Locke, 93; dating of, 121–30
 on supposition of vacancy, 105–8, 110
 treated in Convention Parliament, 102–5
 Dunn, John, 123n, 126n
 dynastic continuity, 100, 101, 102
- Eaton, Samuel, 19, 20–1, 51–2, 128n
 Edie, Caroline A., 91n
 Edward II, 32
 Engagement, 61, 62
Enquiry into Measures of Submission, An (Burnet), 98–9, 131, 133, 135
 Estates, 2–7, 18–19, 28–9, 78
Examination of the Political Part of Mr. Hobbes his Leviathan, An (Lawson), 87
- Ferne, Henry, 28, 30, 34–40, 44, 47, 49n
 Filmer, Sir Robert, 89, 94, 96n, 114
 Firth, C. H., 120n
 forfeiture, theory of, 97–102, 103–4n, 132, 133
Francogallia (Hotman), 4n
Fuller Answer, A (Herle), 28–31, 47n
Fundamental Constitution of the English Government, The (Atwood), 105–8
 Furlly, Benjamin, 121
- Gee, Edward, 51–2, 63n, 69n, 128n, 129n
 Gierke, Otto von, 67n
 Glorious Revolution, 88, 99
 Goodwin, John, 125n
 Grotius, Hugo, 46, 68, 132, 133
 Gwyn, W. B., 123n
- Harrison, John, 113n
 Herle, Charles, 30n, 33, 43, 44n
Fuller Answer, A, 28–31, 47n
 Hexter, Jack, 10n
 Hill, Christopher, 9n
History of Scotland, The (Buchanan), 3n
 Hobbes, Thomas, 106
Leviathan, 71n, 87
- Hooker, Richard, 88n
 Hotham, John, 19–20
 Hotman, François, 5n
Francogallia, 4n
 House of Commons, 8–9, 75–6
 purge of, 10, 50, 55, 58
 and revolution of 1649, 49–50, 60
 ultimate juridical authority in Commonwealth, 50
 House of Lords, 8–9, 75–6
 abolished in revolution of 1649, 50
 Howard, Robert, 104n
 Humble Petition and Advice, 60
 Hunton, Philip, 3n, 33–5, 39–48, 68n, 94n, 96n, 114, 129n
Treatise on Monarchy, 39
Vindication of the Treatise on Monarchy, A, 39
 Hyde, Edward, *see* Clarendon
- Independents, 49–51, 55–6n, 57, 58, 61n, 81, 82, 125n
 individual, 62–4, 80, 94
 right of resistance in, 2–3, 42, 62–3, 94, 96
 right of submission, 84–5
 Interregnum, 13, 58, 63, 82
- James II, 97–117 *passim*
 Jones, J. E., 90n
 judges, tenure of, 117–18, 122
 judgment, final, locus of, 25, 29, 45–6, 48, 50, 67–8, 94
 Judson, Margaret A., 22n, 26n
 'just party,' 80–3, 85
- Kenyon, J. P., 111n
- king
 assent to legislation, 12–14, 26–7, 43, 76–7, 90
 authority of, 3–6, 14–15, 23, 28, 29, 33–5, 39, 64–6, 76–7, 92–3, 97–8
 can do no wrong, 11, 20, 27–8, 32, 95, 98
 independence of, 7, 11, 21, 26, 33, 43–44, 49, 75, 91, 116
 restraint of power, 24, 26, 35, 40, 65, 68, 117–18
 separation of power from person, 11, 17–21, 27–8, 90
 supremacy of, 34–7, 92–3
 see also deposition
- kinship
 creation of, 2, 23, 31, 35, 39
 Whigs' view of, 114–15
- Laslett, Peter, 113n
 law, fundamental, 15, 29, 65–6, 68, 73, 92
 Lawson, George, 53–86, 87–8, 114, 123, 124

Cambridge University Press

978-0-521-28547-6 - John Locke and the Theory of Sovereignty: Mixed Monarchy and the Right of Resistance in the Political Thought of the English Revolution

Julian H. Franklin

Index

[More information](#)

Index

- Examination of the Political Part of Mr. Hobbes his Leviathan*, An, 87
- Politica sacra et civilis*, 53–4, 87, 88, 89
theory of dissolution, dating of, 127–130
- leges imperii*, see law, fundamental
- legislative authority, 12–14, 17, 43, 76–7, 93, 131–5
- Letter to a Friend, advising in this Extraordinary Juncture*, A, 108, 119, 120
- Levellers, 58, 125–6
- Lex, Rex* (Rutherford), 30n, 126n
- Littleton, Edward, 18n
- Locke, John, 91, 113–14, 117
and Burnet, 131–5
favored constitutional reform, 121–123
'Of the Dissolution of Government,' 1, 97, 134
'Of Tyranny,' 94
'On the Subordination of Powers in a Commonwealth,' 91
Second Treatise, 1, 89, 90, 91, 113, 117, 122, 123, 131
secrecy of, 113, 122n
transmitted Lawson's theory of sovereignty, 88–126
Two Treatises of Government, 106–7, 109, 113, 125, 132
- Long Parliament, 8, 10
- Love, Christopher, 56
- Macaulay, Thomas Babington, 118n
- Maclean, A. H., 53n, 89
- Marasco, Linda, 63n, 130n
- Mary Stuart, 100, 101
- Mesnard, Pierre, 2n
- Militia Ordinance, 11–17, 45, 46, 117, 122
- monarchomach theory, 1–7, 23, 31, 34, 64–5
- monarchy, 5, 23
abolished in England in revolution of 1649, 50
absolute, 34–5, 36n, 65, 67, 72n, 132
limited, 3, 22, 39, 40–1; final judgment in, 94–5n; real and personal majesty in, 69
mixed, see constitution, mixed
- Mordaunt, Charles, 121
- Nelson, John, 90n
- Nottingham, Earl of, 102–4, 115n
- oaths, 34, 90, 96n, 98
- Observations upon Some of His Majesty's Late Answers and Expresses* (Parker), 22–8
- Ogg, David, 90n
- Overton, Robert, 125n
- 'paper war,' 10, 11, 21
- Parker, Henry, 30–1n, 33, 34, 88n, 125n
Observations upon Some of His Majesty's Late Answers and Expresses, 22–8
Political Catechism, A, 47n
- Parliament, 12, 23, 78–9, 81–2
final judgment in, 14, 17–18, 25–6, 29–30, 45–6
legislative authority in, 12–19
personal power in, 64–5
right of deposition, 15, 17, 20–2, 27–8, 30–3, 50
right to supply a vacancy on throne, 115n, 116
supremacy of, 7–11, 24–5, 27, 28–33, 38, 45, 49n, 52, 90, 91–2, 116
see also House of Commons; House of Lords
- Patriarcha non Monarcha* (Tyrrell), 114
- people, see community
- personal majesty, 64–9, 71–4, 77–8, 79, 88n, 94, 124–5
- Pocock, J. G. A., 56n, 89n
- Pole, J. R., 26n
- Politica sacra et civilis* (Lawson), 53–4, 69, 87, 88, 89, 129
- Political Catechism*, A (Parker), 47n
- posse comitatus*, 46–7
- posse regni*, 47, 49n
- power
constituent, see real majesty
ordinary, see personal majesty
ownership and use of, 64–7, 69
royal, see king, authority of
- Presbyterians, 50–1, 52, 55–8, 61–3, 81
- Pride, Colonel, 50
purge, 81
- Proposals Humbly Offered to the Lords and Commons* . . . , 100–1, 122n
- Protectorate, 55, 60, 87
- Prynne, William, 32–3, 34, 76
Sovereign Power of Parliaments and Kingdoms, The, 31–3
- Pufendorf, Samuel, 5n, 92, 93n, 106, 107
- real majesty, 64–9, 71, 72–3, 77–8, 79–80, 85, 88n, 94, 124
- religious toleration, 54, 57–8, 118, 122
- Reliquiae Baxterianae* (Sylvester), 88n
- resistance
force in, 47, 95; see also revolution; war
individual, 2–3, 42, 62–3, 94, 96
legitimacy of, 33, 37–8, 40, 46–7, 49, 51, 55
in limited monarchy, 41
Locke's theory of, 89, 93–8, 112
in mixed constitution, 1, 44, 48–9, 53, 114, 123, 124
right of, 1–3, 7, 20, 22, 45, 68, 83–4;
see also community, right of resistance

Cambridge University Press

978-0-521-28547-6 - John Locke and the Theory of Sovereignty: Mixed Monarchy and the Right of Resistance in the Political Thought of the English Revolution

Julian H. Franklin

Index

[More information](#)*Index*

- resistance—*cont.***
 as sinful, 28, 34, 37, 43
 Whigs on, 89–91
Restoration, 63, 88
revolution, 2, 9, 29–30, 42, 51, 68, 95n,
 97; *see also* resistance; war
 Revolution of 1649, 49–50, 60
 Richard II, 32
 Richter, Melvin, 72n
Right of Magistrates (Beza), 64n
 Roots, Ivan, 60n
 Rous, Francis, 62n, 68n
 royalists, 6–7, 23
 Rump, 33, 50–1, 58, 82
- sacrosanctity**, 10, 19, 21, 22, 33–6, 37, 43,
 49, 51, 52, 68n
 Salmon, J. H. M., 22n, 66n, 67n, 133n
salus rei publicae, 15, 20, 29–30
 Sanderson, Robert, 14–15, 18–19
 Sawyer, Sir Robert, 103–4
 Scots, 56–7
Second Treatise (Locke), 1, 89, 90, 91, 113,
 117, 122, 123, 131
 self-defense, *see* resistance
 Schochet, Gordon, 89n
 Shaftesbury, Anthony Ashley Cooper,
 first Earl of, 96n
 Sheringham, Robert, 37n
 Sidney, Algernon, 91
 Skinner, Quentin, 2n, 63n
 Solemn League and Covenant of 1643,
 54
 Somers, John, 118
*Sovereign Power of Parliaments and King-
 doms*, *The* (Prynne), 31–3
sovereignty, 3–5, 34, 35, 45, 49, 50, 55n,
 100
 as basis for constitutional reform, 118–
 120
 in community, 1–3, 7, 22–3, 26, 29,
 44–5, 48, 64–7, 71n, 78, 91, 93n, 94,
 97–8, 116
 distinct from personal power, 64, 94,
 124–5
 in final judgment, 25–6, 29, 94–5
 locus of, 40, 41–2, 43–4
 in mixed constitution, 22, 77–8
 ownership and use of, 64–7, 69
 in Parliament, 11, 14–17, 25–6, 31–2,
 51
 royal, 11, 23, 35–6, 43–4, 75
 theory of, 1–3, 7, 15, 39, 69, 87–9,
 123–5
see also personal majesty; real majesty
 Stuart dynasty, 59, 61
 submission, *see* surrender, right of
 succession, law of, 56, 114, 116
 surrender, right of, 61–2, 83–5
- Theodosius**, 5n
 Thirty Years' War (Germany), 57
 toleration, *see* religious toleration
 Tories, 101–2
Treatise on Monarchy (Hunton), 39, 46
 Triennial Act, 8n, 117, 121
Two Treatises of Government (Locke), 106–
 107, 109, 113, 125, 132
 tyranny, 4, 37, 94–6, 132, 134
 Tyrrell, James, 91–6, 109
Bibliotheca Politica, 109–11, 113, 114
Patriarcha non Monarcha, 114
- usurpation**, 61–2, 83–6
- vacancy**, theory of, 102–12, 114–16
 van Limborch, Philip, 131
 veto, royal, 4, 13, 32, 92, 120, 122
 Vile, M. J. C., 123n
Vindication of the Treatise on Monarchy, *A*,
 (Hunton), 39, 46
Vindiciae contra tyrannos, 2n, 6n, 24n, 64n
 Vote of No Addresses, 10, 81
- Wallace**, John M., 63n
 war, right of, 7, 46; *see also* resistance;
 revolution
 Weston, Corinne C., 25n
 Whigs, 88, 89–91, 98, 102, 111, 113–20
 rejected Locke's theory of dissolution,
 1, 105, 109–10
 Wildman, John, 119, 120, 121
 William of Orange, 98–100, 102, 118,
 123n
- Zagorin**, Peter, 125n