

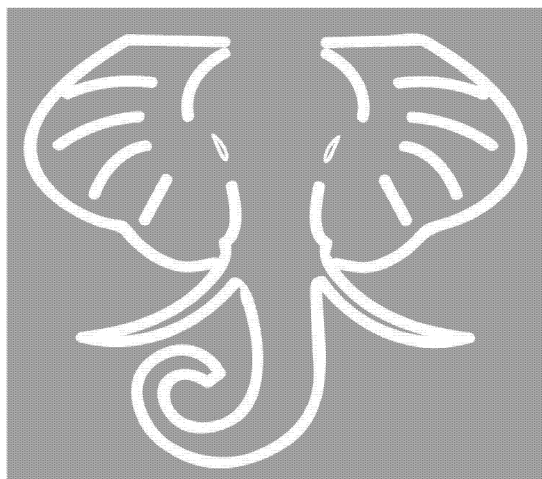
**Hobbes's Leviathan; Harrington's Ocean; Famous pamphlets [A.D. 1644 to A.D. 1795] With introductions by Henry Morley ...**

Hobbes, Thomas, 1588-1679.

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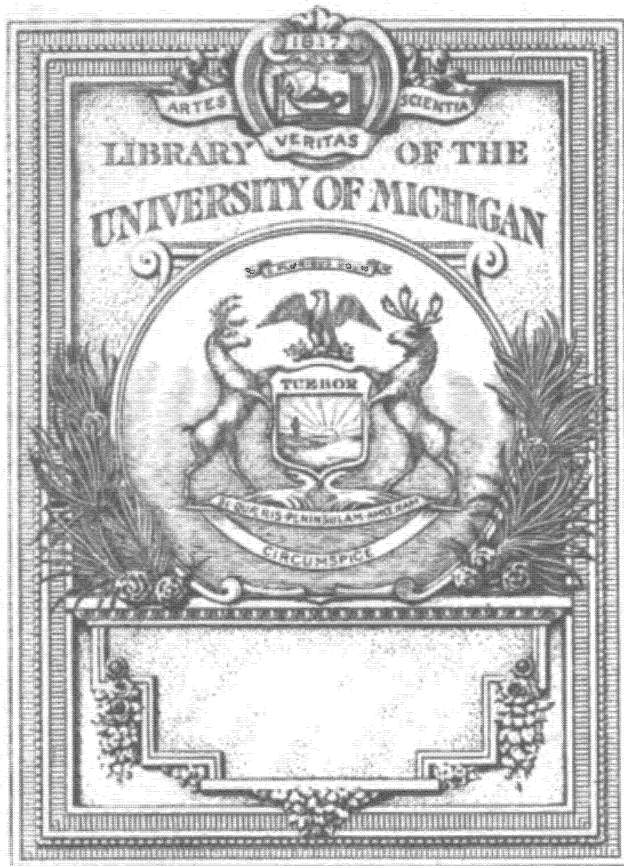


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HOBBS'S LEVIATHAN  
HARRINGTON'S OCEANA  
FAMOUS PAMPHLETS





HOBBS'S LEVIATHAN  
HARRINGTON'S OCEANA  
FAMOUS PAMPHLETS

[A.D. 1644 TO A.D. 1795]

*WITH INTRODUCTIONS BY HENRY MORLEY*

LL D., PROFESSOR OF ENGLISH LITERATURE AT  
UNIVERSITY COLLEGE, LONDON

LONDON  
GEORGE ROUTLEDGE AND SONS  
BROADWAY, LUDGATE HILL  
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## INTRODUCTION.



**THOMAS HOBBS**, who lived into his ninety-second year, was born in April, 1588, the year of the Spanish Armada, and died on the 4th of December, 1679, within ten years of the English Revolution. The whole series of events that raised the question of the limit of authority within a State, and made it the foremost question of his day in England, lay within the limits of his actual life, after he had passed the age of seventeen. He studied philosophically the Civil Wars of the reign of Charles I., and expressed calmly in his books what seemed to him to be the argument for a royal authority entirely free from popular control. He summed up his argument in the "Leviathan," which was first published in 1651, when the experiment of a Commonwealth was being tried; and he returned to the battle with his "Behemoth" after failure of the Commonwealth and Restoration of the Stuarts. If he could have maintained his vigorous life but for another nine years, and become a centenarian, he would have seen the problem practically solved in a way not dreamt of in his philosophy.

Hobbes published his "Leviathan" at that age of sixty-three, mystically composed of seven times nine, which was said to form in a man's life the grand climacteric. He published it for instruction of the people at large in the philosophic rudiments of government, which, as he reasoned them, established as the best safeguard of national prosperity the absolute rule of a King. The political philosopher who followed him, and laid down principles of government that served as interpretation of the spirit of the English Revolution, was John Locke, whose "Two Treatises on Civil Government," are in another volume of this Library.

Thomas Hobbes, son of a clergyman at Malmesbury, was from his earliest years an energetic student. He fastened so vigorously upon Greek and Latin, that as a school-boy he translated the whole "Medea" of Euripides into Latin verse.

In the year of the death of Queen Elizabeth, Hobbes, aged fifteen, went to Oxford and entered to Magdalene Hall. After five years of study there, he became, at the age of twenty, tutor to William Lord Cavendish, whose father, Lord Hardwicke was

created Earl of Devonshire. This appointment may be said to have fixed his worldly fortunes. His association with the family remained unbroken; he was tutor and household friend to three generations of the Earls of Devonshire, and many memorials of him are still to be found at Chatsworth.

With the young Lord Cavendish, Hobbes travelled to France and Italy in 1610. At home, Bacon and Ben Jonson were among his friends. In the first year of the reign of Charles I. Hobbes's first patron died, and the son, whom he had trained, died two years afterwards, in 1628. It was in 1628, before his pupil's death, that Hobbes, at the age of forty, published his first book, a Translation of Thucydides; in the revision of which he had help from Ben Jonson. It was dedicated to Sir William Cavendish as Baron of Hardwicke and Earl of Devonshire. Hobbes's bias towards an absolute monarchy suggested to him this translation, because he thought that inasmuch as it is the principal and proper work of History to instruct and enable men, by the knowledge of actions past, to bear themselves prudently in the present and providently towards the future, this particular History of Thucydides was useful, because the Historian showed the evils of democracy, and indicated preference of the Government of Athens, "both when Peisistratus reigned (saving that it was an usurped power), and when in the beginning of the war it was democratical in name, but in effect monarchical under Pericles. So that it seemeth, that as he was of regal descent, so he best approved of the regal government." We note habitually in true literature the harmonious relation of all parts of a man's work to what may be called the motive of his public life, and the fit relation of that also to some chief feature in the life of his own time.

The death of William Cavendish, not long after his attainment of the Earldom, left Hobbes free for a short time, and he went to France as tutor to the son of Sir Gervase Clifton, but he was recalled to Chatsworth by the Dowager Countess to take charge of the son who was now Earl of Devonshire, and he was but a boy of thirteen. With him Hobbes went again to Italy and France, made the acquaintance of Gassendi and Descartes, and fastened with fresh ardour on philosophy and mathematics.

Hobbes endeavoured to base all that he could, and more than he could, upon mathematical principles. Philosophy is concerned, he said, with the perfect knowledge of truth in all matters whatsoever. "Now, look how many sorts of things there are which properly fall within the cognizance of human reason, into so many branches does the tree of philosophy divide itself. . . . For treating of figures, it is called geometry; of motion, physic; of

natural right, morals; put all together, and they make up philosophy. . . . And truly the geometricians have very admirably performed their part. For whatsoever assistance doth accrue to the life of man, whether from the observation of the heavens or from the description of the earth; from the notation of times, or from the remotest experiments of navigation; finally, whatsoever things they are in which this present age doth differ from the rude simpleness of antiquity, we must acknowledge to be a debt, which we owe merely to geometry. If the moral philosophers had as happily discharged their duty, I know not what could have been added by human industry to the completion of that happiness which is consistent with human life. For were the nature of human actions as distinctly known as the nature of quantity in geometrical figures, the strength of avarice and ambition, which is sustained by the erroneous opinions of the vulgar as touching the nature of right and wrong, would presently faint and languish; and mankind should enjoy such an immortal peace, that unless it were for habitation, on supposition that the earth should grow too narrow for her inhabitants, there would hardly be left any pretence for war." But sword and pen were still restlessly busy; and Hobbes, speculating on the controversies of his time, sought to bring within the bounds of exact science the problem of man in society.

In 1642 Hobbes began the publication of his *Philosophical Rudiments concerning Government and Society*, with a Latin *Treatise on the Citizen*, of which only a few copies were then printed for friends. There was no full publication of it until the second edition appeared in 1647. In 1647 Hobbes was appointed mathematical tutor to the Prince, afterwards Charles II. In 1650 he published treatises on *Human Nature* and on the *Body Politic*. In 1651 he summed up his teaching in the "*Leviathan*," which he caused to be written on vellum for presentation to Prince Charles.

Those parts of "*Leviathan*" that touched religion provoked the bitterest controversy; and to one opponent, Dr. Bramhall, Bishop of Derry, Hobbes wrote an answer, in 1652, which he published in 1654, "*Of Liberty and Necessity*, wherein all Controversy concerning Predestination, Election, Free Will, Grace, Merits, Reprobation, &c., is fully decided and cleared." It would have been a fortunate book if it had fulfilled the promise of its title. Prince Charles himself was turned against Hobbes by the objection that his argument excluded divine right in kings.

In 1653 Hobbes left France, returned to England, and lived in peace under Cromwell. At the Restoration he received a pension from Charles II. He still lived happily at Chatsworth, remaining unmarried. In the morning he would visit his patrons and their

guests, then retire to his own room ; at one o'clock dine alone, and after dinner blow clouds of tobacco over his papers as he worked out his philosophy. He made more use of his brains than of his bookshelves, thought for himself, and said that if he read as much as other men he should have been as ignorant as they. He was at his best when working with his pipe for sole companion. He did not bear contradiction very patiently ; and in 1655, when he entered into a mathematical controversy with John Wallis, the Savilian Professor of Geometry at Oxford, and the precursor of Newton, he found more than his match, not only in geometry, but also in controversial skill. In 1668 Hobbes published his collected works at Amsterdam. In 1675 he published a translation of the Iliad and Odyssey into English verse. His "Behemoth : The History of the Civil Wars of England, and of the Councils and Artifices by which they were carried on, from the year 1640 to the year 1660," was published in 1679, the year of his death.

Of his writing upon what constitutes a State, Hobbes said : " I was studying Philosophy for my mind sake, and I had gathered together its first elements in all kinds ; and having digested them into three sections by degrees, I thought to have written them, so as in the first I would have treated of Body and its general properties ; in the second, of Man and his special faculties and affections ; in the third, of Civil Government and the duties of subjects. Wherefore the first section would have contained the First Philosophy, and certain elements of Physic ; in it we would have considered the reasons of Time, Place, Cause, Power, Relation, Proportion, Quantity, Figure and Motion. In the second we would have been conversant about Imagination, Memory, Intellect, Ratiocination, Appetite, Will, Good and Evil, Honest and Dishonest. . . . Whilst I contrive, order, pensively and slowly compose these matters (for I do only reason, I dispute not) ; it so happens in the interim, that my country, some few years before the Civil Wars did rage, was boiling hot with questions concerning the rights of dominion, and the obedience due from subjects, the true forerunners of an approaching war ; and was the cause which, all those other matters deferred, ripened and plucked from me this third part. Therefore it happens that what was last in order, is yet come forth first in time. And the rather because I saw that, grounded on its own principles sufficiently known by experience, it would not stand in need of the former sections. Yet I have not made it out of a desire of praise : although if I had, I might have defended myself with this fair excuse, that very few do things laudably, who are not affected with commendation."

H. M.

*January, 1885.*

TO MY MOST HONOURED FRIEND  
MR. FRANCIS GODOLPHIN,  
OF GODOLPHIN.

HONOURED SIR,

YOUR most worthy brother, Mr. SIDNEY GODOLPHIN, when he lived, was pleased to think my studies something, and otherwise to oblige me, as you know, with real testimonies of his good opinion, great in themselves, and the greater for the worthiness of his person. For there is not any virtue that disposeth a man, either to the service of God or to the service of his country, to civil society or private friendship, that did not manifestly appear in his conversation, not as acquired by necessity, or affected upon occasion, but inherent, and shining in a generous constitution of his nature. Therefore, in honour and gratitude to him, and with devotion to yourself, I humbly dedicate unto you this my Discourse of Commonwealth. I know not how the world will receive it, nor how it may reflect on those that shall seem to favour it. For in a way beset with those that contend, on one side for too great liberty, and on the other side for too much authority, 'tis hard to pass between the points of both unwounded. But yet, methinks, the endeavour to advance the civil power, should not be by the civil power condemned; nor private men, by reprehending it, declare they think that power too great. Besides, I speak not of the men, but, in the abstract, of the seat of power (like to those simple and impartial creatures in the Roman Capitol, that with their noise defended those within it, not because they were they, but there), offending none, I think, but those without, or such within, if there be any such, as favour them. That which perhaps may most offend, are certain texts of Holy Scripture, alleged by me to other purpose than ordinarily they use to be by others. But I have done it with due submission, and also, in order to my subject, necessarily; for they are the outworks of the enemy, from whence they impugn the civil power. If, notwithstanding this, you find my labour generally decried, you may be pleased to excuse yourself, and say, I am a man that love my own opinions, and think all true I say, that I honoured your brother, and honour you, and have presumed on that, to assume the title, without your knowledge, of being, as I am,

SIR,

Your most humble,  
and most obedient Servant,

THOMAS HOBBS.

*Paris, April 16, 1651.*





## THE INTRODUCTION.

---

NATURE, the art whereby God hath made and governs the world, is by the "art" of man, as in many other things, so in this also imitated, that it can make an artificial animal. For seeing life is but a motion of limbs, the beginning whereof is in some principal part within; why may we not say, that all "automata" (engines that move themselves by springs and wheels as doth a watch) have an artificial life? For what is the "heart," but a "spring;" and the "nerves," but so many "strings;" and the "joints," but so many "wheels," giving motion to the whole body, such as was intended by the artificer? "Art" goes yet further, imitating that rational and most excellent work of nature, "man." For by art is created that great "Leviathan" called a "Commonwealth," or "State," in Latin *Civitas*, which is but an artificial man; though of greater stature and strength than the natural, for whose protection and defence it was intended; and in which the "sovereignty" is an artificial "soul," as giving life and motion to the whole body; the "magistrates," and other "officers" of judicature and execution, artificial "joints;" "reward" and "punishment," by which fastened to the seat of the sovereignty every joint and member is moved to perform his duty, are the "nerves," that do the same in the body natural; the "wealth" and "riches" of all the particular members, are the "strength;" *salus populi*, the "people's safety," its "business;" "counsellors," by whom all things needful for it to know are suggested unto it, are the "memory;" "equity," and "laws," an artificial "reason" and "will;" "concord," "health;" "sedition," "sickness;" and "civil war," "death." Lastly, the "pacts" and "covenants," by which the parts of this body politic were at first made, set together, and united, resemble that "fiat," or the "let us make man," pronounced by God in the creation.

To describe the nature of this artificial man, I will consider—

First, the "matter" thereof, and the "artificer;" both which is "man."

Secondly, "how," and by what "covenants" it is made; what are the "rights" and just "power" or "authority" of a "sovereign;" and what it is that "preserveth" or "dissolveth" it.

Thirdly, what is a "Christian commonwealth."

Lastly, what is the "kingdom of darkness."

Concerning the first, there is a saying much usurped of late, that "wisdom" is acquired, not by reading of "books," but of "men." Consequently whereunto, those persons, that for the most part can give no other proof of being wise, take great delight to show what they think they have read in men, by uncharitable censures of one another behind their backs. But there is another saying not of late understood, by which they might learn truly to read one another, if they would take the pains; that is, *nosce teipsum*, "read thyself:" which was not meant, as it is now used, to countenance, either the barbarous state of men in power, towards their inferiors; or to encourage men of low degree, to a saucy behaviour towards their betters; but to teach us, that for the similitude of the thoughts and passions of one man, to the thoughts and passions of another, whosoever looketh into himself, and considereth what he doth, when he does "think," "opine," "reason," "hope," "fear," &c., and upon what grounds; he shall thereby read and know what are the thoughts and passions of all other men upon the like occasions. I say the similitude of "passions," which are the same in all men, "desire," "fear," "hope," &c.; not the similitude of the "objects" of the passions, which are the things "desired," "feared," "hoped," &c.: for these the constitution individual, and particular education, do so vary, and they are so easy to be kept from our knowledge, that the characters of man's heart, blotted and confounded as they are with dissembling, lying, counterfeiting, and erroneous doctrines, are legible only to Him that searcheth hearts. And though by men's actions we do discover their design sometimes; yet to do it without comparing them with our own, and distinguishing all circumstances, by which the case may come to be altered, is to decipher without a key, and be for the most part deceived, by too much trust, or by too much diffidence; as he that reads, is himself a good or evil man.

But let one man read another by his actions never so perfectly, it serves him only with his acquaintance, which are but few. He that is to govern a whole nation, must read in himself, not this or that particular man; but mankind: which though it be hard to do, harder than to learn any language or science; yet when I shall have set down my own reading orderly, and perspicuously, the pains left another, will be only to consider, if he also find not the same in himself. For this kind of doctrine admitteth no other demonstration.

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LEVIATHAN,  
OR THE MATTER, FORM, AND POWER OF A  
COMMONWEALTH,  
*ECCLESIASTICAL AND CIVIL.*

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PART I.—OF MAN.

CHAPTER I.

*Of Sense.*

CONCERNING the thoughts of man, I will consider them first singly, and afterwards in train, or dependence upon one another. Singly, they are every one a "representation" or "appearance" of some quality, or other accident of a body without us, which is commonly called an "object." Which object worketh on the eyes, ears, and other parts of a man's body; and by diversity of working, produceth diversity of appearances.

The original of them all, is that which we call "sense," for there is no conception in a man's mind, which hath not at first, totally or by parts, been begotten upon the organs of sense. The rest are derived from that original.

To know the natural cause of sense, is not very necessary to the business now in hand; and I have elsewhere written of the same at large. Nevertheless, to fill each part of my present method, I will briefly deliver the same in this place.

The cause of sense, is the external body, or object, which presseth the organ proper to each sense, either immediately, as in the taste and touch; or mediately, as in seeing, hearing, and smelling; which pressure, by the mediation of the nerves, and other strings and membranes of the body, continued inwards to the brain and heart, causeth there a resistance, or counter-pressure, or endeavour of the heart to deliver itself, which endeavour, because "outward," seemeth to be some matter without. And this "seeming," or "fancy," is that which men call "sense;" and consisteth, as to the eye, in a "light," or "colour figured;" to the ear, in a "sound;" to the nostril, in an "odour;" to the tongue and palate, in a "savour;" and to the rest of the body, in "heat," "cold," "hardness," "softness," and such other qualities as we discern by "feeling." All which qualities called "sensible," are in the object, that causeth them, but so man several motions of the matter, by which it presseth our organs diversely

Neither in us that are pressed, are they anything else, but divers motions ; for motion produceth nothing but motion. But their appearance to us is fancy, the same waking, that dreaming. And as pressing, rubbing, or striking the eye, makes us fancy a light ; and pressing the ear, produceth a din ; so do the bodies also we see, or hear, produce the same by their strong, though unobserved action. For if those colours and sounds were in the bodies, or objects that cause them, they could not be severed from them, as by glasses, and in echoes by reflection, we see they are ; where we know the thing we see is in one place, the appearance in another. And though at some certain distance the real and very object seem invested with the fancy it begets in us ; yet still the object is one thing, the image or fancy is another. So that sense, in all cases, is nothing else but original fancy, is caused, as I have said, by the pressure, that is, by the motion, of external things upon our eyes, ears, and other organs thereunto ordained.

But the philosophy schools, through all the universities of Christendom, grounded upon certain texts of Aristotle, teach another doctrine, and say, for the cause of "vision," that the thing seen, sendeth forth on every side a "visible species," in English, a "visible show," "apparition," or "aspect," or "a being seen ;" the receiving whereof into the eye, is "seeing." And for the cause of "hearing," that the thing heard, sendeth forth an "audible species," that is, an "audible aspect," or "audible being seen," which entering at the ear, maketh "hearing." Nay, for the cause of "understanding" also, they say the thing understood, sendeth forth an "intelligible species," that is, an "intelligible being seen," which, coming into the understanding, makes us understand. I say not this, as disproving the use of universities ; but because I am to speak hereafter of their office in a commonwealth, I must let you see on all occasions by the way, what things would be amended in them ; amongst which the frequency of insignificant speech is one.

## CHAPTER II.

### *Of Imagination.*

THAT when a thing lies still, unless somewhat else stir it, it will lie still for ever, is a truth that no man doubts of. But that when a thing is in motion, it will eternally be in motion, unless somewhat else stay it, though the reason be the same, namely, that nothing can change itself, is not so easily assented to. For men measure, not only other men, but all other things, by themselves ; and because they find themselves subject after motion to pain, and lassitude, think everything else grows weary of motion, and seeks repose of its own accord ; little considering, whether it be not some other motion, wherein that desire of rest they find in themselves, consisteth. From hence it is, that the schools say, heavy bodies fall downwards, out of an appetite to rest, and to conserve their nature in that place which is most proper for them ; ascribing appetite, and knowledge of what is good for their conservation, which is more than man has, to things inanimate, absurdly.

When a body is once in motion, it moveth, unless something else hinder it, eternally ; and whatsoever hindreth it, cannot in an instant, but in time, and by degrees, quite extinguish it ; and, as we see in the water, though the wind cease, the waves give not over rolling for a long time after : so also it happeneth in that motion, which is made in the internal parts of a man, then, when he sees, dreams, &c. For after the object is removed, or the eye shut, we still retain an image of the thing seen, though more obscure

than when we see it. And this is it, the Latins call "imagination," from the image made in seeing; and apply the same, though improperly, to all the other senses. But the Greeks call it "fancy;" which signifies "appearance," and is as proper to one sense, as to another. "Imagination," therefore, is nothing but "decaying sense;" and is found in men, and many other living creatures, as well sleeping, as waking.

The decay of sense in men waking, is not the decay of the motion made in sense; but an obscuring of it, in such manner as the light of the sun obscureth the light of the stars; which stars do no less exercise their virtue, by which they are visible, in the day than in the night. But because amongst many strokes, which our eyes, ears, and other organs receive from external bodies, the predominant only is sensible; therefore, the light of the sun being predominant, we are not affected with the action of the stars. And any object being removed from our eyes, though the impression it made in us remain, yet other objects more present succeeding, and working on us, the imagination of the past is obscured and made weak, as the voice of a man is in the noise of the day. From whence it followeth, that the longer the time is, after the sight or sense of any object, the weaker is the imagination. For the continual change of man's body destroys in time the parts which in sense were moved: so that distance of time, and of place, hath one and the same effect in us. For as at a great distance of place, that which we look at appears dim, and without distinction of the smaller parts; and as voices grow weak and inarticulate; so also, after great distance of time, our imagination of the past is weak; and we lose, for example, of cities we have seen, many particular streets, and of actions, many particular circumstances. This "decaying sense," when we would express the thing itself, I mean "fancy" itself, we call "imagination," as I said before: but when we would express the decay, and signify that the sense is fading, old, and past, it is called "memory." So that imagination and memory are but one thing, which for divers considerations hath divers names.

Much memory, or memory of many things, is called "experience." Again, imagination being only of those things which have been formerly perceived by sense, either all at once, or by parts at several times; the former, which is the imagining the whole object as it was presented to the sense, is "simple" imagination, as when one imagineth a man, or horse, which he hath seen before. The other is "compounded;" as when, from the sight of a man at one time, and of a horse at another, we conceive in our mind a Centaur. So when a man compoundeth the image of his own person with the image of the actions of another man, as when a man imagines himself a Hercules or an Alexander, which happeneth often to them that are much taken with reading of romances, it is a compound imagination, and properly but a fiction of the mind. There be also other imaginations that rise in men, though waking, from the great impression made in sense: as from gazing upon the sun, the impression leaves an image of the sun before our eyes a long time after; and from being long and vehemently attent upon geometrical figures, a man shall in the dark, though awake, have the images of lines and angles before his eyes; which kind of fancy hath no particular name, as being a thing that doth not commonly fall into men's discourse.

The imaginations of them that sleep are those we call "dreams." And these also, as also all other imaginations, have been before, either totally or by parcels, in the sense. And because in sense, the brain and nerves, which are the necessary organs of sense, are so benumbed in sleep as not easily to be moved by the action of external objects, there can happen in sleep no imagination, and therefore no dream, but what proceeds from the agitation of the inward parts of man's body; which inward parts, for the

connection they have with the brain, and other organs, when they be distempered, do keep the same in motion ; whereby the imaginations there formerly made, appear as if a man were waking ; saving that the organs of sense being now benumbed, so as there is no new object, which can master and obscure them with a more vigorous impression, a dream must needs be more clear, in this silence of sense, than our waking thoughts. And hence it cometh to pass, that it is a hard matter, and by many thought impossible, to distinguish exactly between sense and dreaming. For my part, when I consider that in dreams I do not often nor constantly think of the same persons, places, objects, and actions, that I do waking ; nor remember so long a train of coherent thoughts, dreaming, as at other times ; and because waking I often observe the absurdity of dreams, but never dream of the absurdities of my waking thoughts ; I am well satisfied, that, being awake, I know I dream not, though when I dream I think myself awake.

And seeing dreams are caused by the distemper of some of the inward parts of the body, divers distempers must needs cause different dreams. And hence it is that lying cold breedeth dreams of fear, and raiseth the thought and image of some fearful object, the motion from the brain to the inner parts and from the inner parts to the brain being reciprocal ; and that as anger causeth heat in some parts of the body when we are awake, so when we sleep the overheating of the same parts causeth anger, and raiseth up in the brain the imagination of an enemy. In the same manner, as natural kindness, when we are awake, causeth desire, and desire makes heat in certain other parts of the body ; so also too much heat in those parts, while we sleep, raiseth in the brain an imagination of some kindness shown. In sum, our dreams are the reverse of our waking imaginations ; the motion when we are awake beginning at one end, and when we dream at another.

The most difficult discerning of a man's dream, from his waking thoughts, is then, when by some accident we observe not that we have slept : which is easy to happen to a man full of fearful thoughts, and whose conscience is much troubled ; and that sleepeth, without the circumstances of going to bed or putting off his clothes, as one that noddeth in a chair. For he that taketh pains, and industriously lays himself to sleep, in case any uncouth and exorbitant fancy come unto him, cannot easily think it other than a dream. We read of Marcus Brutus (one that had his life given him by Julius Cæsar, and was also his favourite, and notwithstanding murdered him), how at Philippi, the night before he gave battle to Augustus Cæsar, he saw a fearful apparition, which is commonly related by historians as a vision ; but considering the circumstances, one may easily judge to have been but a short dream. For sitting in his tent, pensive and troubled with the horror of his rash act, it was not hard for him, slumbering in the cold, to dream of that which most affrighted him ; which fear, as by degrees it made him wake, so also it must needs make the apparition by degrees to vanish ; and having no assurance that he slept, he could have no cause to think it a dream, or anything but a vision. And this is no very rare accident ; for even they that be perfectly awake, if they be timorous and superstitious, possessed with fearful tales, and alone in the dark, are subject to the like fancies, and believe they see spirits and dead men's ghosts walking in churchyards ; whereas it is either their fancy only, or else the knavery of such persons as make use of such superstitious fear, to pass disguised in the night, to places they would not be known to haunt.

From this ignorance of how to distinguish dreams, and other strong fancies, from vision and sense, did arise the greatest part of the religion of the Gentiles in time past, that worshipped satyrs, fawns, nymphs, and the like ; and now-a-days the opinion that rude people have of fairies, ghosts,



and goblins, and of the power of witches. For as for witches, I think not that their witchcraft is any real power ; but yet that they are justly punished, for the false belief they have that they can do such mischief, joined with their purpose to do it if they can ; their trade being nearer to a new religion than to a craft or science. And for fairies, and walking ghosts, the opinion of them has, I think, been on purpose either taught or not confuted, to keep in credit the use of exorcism, of crosses, of holy water, and other such inventions of ghostly men. Nevertheless, there is no doubt but God can make unnatural apparitions ; but that He does it so often, as men need to fear such things, more than they fear the stay or change of the course of nature, which He also can stay, and change, is no point of Christian faith. But evil men, under pretext that God can do any thing, are so bold as to say any thing when it serves their turn, though they think it untrue ; it is the part of a wise man to believe them no farther than right reason makes that which they say appear credible. If this superstitious fear of spirits were taken away, and with it, prognostics from dreams, false prophecies, and many other things depending thereon, by which crafty ambitious persons abuse the simple people, men would be much more fitted than they are for civil obedience.

And this ought to be the work of the schools : but they rather nourish such doctrine. For, not knowing what imagination or the senses are, what they receive, they teach : some saying that imaginations rise of themselves, and have no cause ; others that they rise most commonly from the will ; and that good thoughts are blown (inspired) into a man by God, and evil thoughts by the devil ; or that good thoughts are poured (infused) into a man by God, and evil ones by the devil. Some say the senses receive the species of things, and deliver them to the common sense ; and the common sense delivers them over to the fancy, and the fancy to the memory, and the memory to the judgment, like handing of things from one to another, with many words making nothing understood.

The imagination that is raised in man, or any other creature indued with the faculty of imagining, by words, or other voluntary signs, is that we generally call "understanding ;" and is common to man and beast. For a dog by custom will understand the call, or the rating of his master ; and so will many other beasts. That understanding which is peculiar to man, is the understanding not only his will, but his conceptions and thoughts, by the sequel and contexture of the names of things into affirmations, negations, and other forms of speech ; and of this kind of understanding I shall speak hereafter.

### CHAPTER III.

#### *Of the Consequence or Train of Imaginations.*

By "consequence," or "train" of thoughts, I understand that succession of one thought to another, which is called, to distinguish it from discourse in words, "mental discourse."

When a man thinketh on anything whatsoever, his next thought after, is not altogether so casual as it seems to be. Not every thought to every thought succeeds indifferently. But as we have no imagination, whereof we have not formerly had sense, in whole, or in parts ; so we have no transition from one imagination to another, whereof we never had the like before in our senses. The reason whereof is this. All fancies are motions within us, relics of those made in the sense : and those motions that immediately succeeded one another in the sense, continue also together after

sense : insomuch as the former coming again to take place, and be predominant, the latter followeth, by coherence of the matter moved, in such manner, as water upon a plane table is drawn which way any one part of it is guided by the finger. But because in sense, to one and the same thing perceived, sometimes one thing, sometimes another succeedeth, it comes to pass in time, that in the imagining of anything, there is no certainty what we shall imagine next ; only this is certain, it shall be something that succeeded the same before, at one time or another.

This train of thoughts, or mental discourse, is of two sorts. The first is "unguided," "without design," and inconstant ; wherein there is no passionate thought, to govern and direct those that follow, to itself, as the end and scope of some desire, or other passion : in which case the thoughts are said to wander, and seem impertinent one to another, as in a dream. Such are commonly the thoughts of men, that are not only without company, but also without care of anything ; though even then their thoughts are as busy as at other times, but without harmony ; as the sound which a lute out of tune would yield to any man ; or in tune, to one that could not play. And yet in this wild ranging of the mind, a man may oft-times perceive the way of it, and the dependence of one thought upon another. For in a discourse of our present civil war, what could seem more impertinent, than to ask, as one did, what was the value of a Roman penny ? Yet the coherence to me was manifest enough. For the thought of the war, introduced the thought of the delivering up the king to his enemies ; the thought of that, brought in the thought of the delivering up of Christ ; and that again the thought of the thirty pence, which was the price of that treason ; and thence easily followed that malicious question ; and all this in a moment of time ; for thought is quick.

The second is more constant ; as being "regulated" by some desire, and design. For the impression made by such things as we desire, or fear, is strong, and permanent, or, if it cease for a time, of quick return : so strong it is sometimes, as to hinder and break our sleep. From desire, ariseth the thought of some means we have seen produce the like of that which we aim at ; and from the thought of that, the thought of means to that mean ; and so continually, till we come to some beginning within our own power. And because the end, by the greatness of the impression, comes often to mind, in case our thoughts begin to wander, they are quickly again reduced into the way : which observed by one of the seven wise men, made him give men this precept, which is now worn out, *Respice finem* ; that is to say, in all your actions, look often upon what you would have, as the thing that directs all your thoughts in the way to attain it.

The train of regulated thoughts is of two kinds ; one, when of an effect imagined we seek the causes, or means that produce it : and this is common to man and beast. The other is, when imagining anything whatsoever, we seek all the possible effects, that can by it be produced ; that is to say, we imagine what we can do with it, when we have it. Of which I have not at any time seen any sign, but in man only ; for this is a curiosity hardly incident to the nature of any living creature that has no other passion but sensual, such as are hunger, thirst, lust, and anger. In sum, the discourse of the mind, when it is governed by design, is nothing but "seeking," or the faculty of invention, which the Latins called *sagacitas*, and *solertia* ; a hunting out of the causes, of some effect, present or past ; or of the effects, of some present or past cause. Sometimes a man seeks what he hath lost ; and from that place, and time, wherein he misses it, his mind runs back, from place to place, and time to time, to find where, and when he had it ; that is to say, to find some certain, and limited time and place, in which to begin a method of seeking. Again, from thence, his thoughts

run over the same places and times, to find what action, or other occasion might make him lose it. This we call "remembrance," or calling to mind : the Latins call it "reminiscentia," as it were a "re-conning" of our former actions.

Sometimes a man knows a place determinate, within the compass whereof he is to seek ; and then his thoughts run over all the parts thereof, in the same manner as one would sweep a room, to find a jewel ; or as a spaniel ranges the field, till he find a scent ; or as a man should run over the alphabet, to start a rhyme.

Sometimes a man desires to know the event of an action ; and then he thinketh of some like action past, and the events thereof one after another ; supposing like events will follow like actions. As he that foresees what will become of a criminal, reckons what he has seen follow on the like crime before ; having this order of thoughts, the crime, the officer, the prison, the judge, and the gallows. Which kind of thoughts is called "foresight," and "prudence," or "providence ;" and sometimes "wisdom ;" though such conjecture, through the difficulty of observing all circumstances, be very fallacious. But this is certain ; by how much one man has more experience of things past, than another, by so much also he is more prudent, and his expectations the seldomer fail him. The "present" only has a being in nature ; things "past" have a being in the memory only, but things to "come" have no being at all ; the "future" being but a fiction of the mind, applying the sequels of actions past, to the actions that are present ; which with most certainty is done by him that has most experience, but not with certainty enough. And though it be called prudence, when the event answereth our expectation ; yet in its own nature, it is but presumption. For the foresight of things to come, which is providence, belongs only to him by whose will they are to come. From him only, and supernaturally, proceeds prophecy. The best prophet naturally is the best guesser ; and the best guesser, he that is most versed and studied in the matters he guesses at : for he hath most "signs" to guess by.

A "sign" is the evident antecedent of the consequent ; and contrarily, the consequent of the antecedent, when the like consequences have been observed before : and the oftener they have been observed, the less uncertain is the sign. And therefore he that has most experience in any kind of business, has most signs, whereby to guess at the future time ; and consequently is the most prudent : and so much more prudent than he that is new in that kind of business, as not to be equalled by any advantage of natural and extemporary wit : though perhaps many young men think the contrary.

Nevertheless it is not prudence that distinguisheth man from beast. There be beasts, that at a year old observe more, and pursue that which is for their good, more prudently, than a child can do at ten.

As prudence is a "presumption" of the "future," contracted from the "experience" of time "past : " so there is a presumption of things past taken from other things, not future, but past also. For he that hath seen by what courses and degrees a flourishing state hath first come into civil war, and then to ruin ; upon the sight of the ruins of any other state, will guess, the like war, and the like courses have been there also. But this conjecture has the same uncertainty almost with the conjecture of the future ; both being grounded only upon experience.

There is no other act of man's mind, that I can remember, naturally planted in him, so-as to need no other thing, to the exercise of it, but to be born a man, and live with the use of his five senses. Those other faculties of which I shall speak by and by, and which seem proper to man only, are acquired and increased by study and industry ; and of most men learned by

instruction, and discipline ; and proceed all from the invention of words, and speech. For besides sense, and thoughts, and the train of thoughts, the mind of man has no other motion ; though by the help of speech, and method, the same faculties may be improved to such a height, as to distinguish men from all other living creatures.

Whatsoever we imagine is "finite." Therefore there is no idea, or conception of any thing we call "infinite." No man can have in his mind an image of infinite magnitude ; nor conceive infinite swiftness, infinite time, or infinite force, or infinite power. When we say any thing is infinite, we signify only that we are not able to conceive the ends, and bounds of the things named ; having no conception of the thing, but of our own inability. And therefore the name of God is used, not to make us conceive him, for he is incomprehensible ; and his greatness, and power are unconceivable ; but that we may honour him. Also because, whatsoever, as I said before, we conceive, has been perceived first by sense, either all at once, or by parts ; a man can have no thought, representing any thing, not subject to sense. No man therefore can conceive any thing, but he must conceive it in some place ; and indued with some determinate magnitude ; and which may be divided into parts ; nor that any thing is all in this place, and all in another place at the same time ; nor that two, or more things can be in one, and the same place at once : for none of these things ever have, nor can be incident to sense ; but are absurd speeches, taken upon credit, without any signification at all, from deceived philosophers, and deceived, or deceiving schoolmen,

#### CHAPTER IV.

##### *Of Speech.*

THE invention of "printing," though ingenious, compared with the invention of "letters," is no great matter. But who was the first that found the use of letters, is not known. He that first brought them into Greece, men say was Cadmus, the son of Agenor, king of Phœnicia. A profitable invention for continuing the memory of time past, and the conjunction of mankind, dispersed into so many, and distant regions of the earth : and withal difficult, as proceeding from a watchful observation of the divers motions of the tongue, palate, lips, and other organs of speech ; whereby to make as many differences of characters, to remember them. But the most noble and profitable invention of all other, was that of "speech," consisting of "names" or "appellations," and their connection ; whereby men register their thoughts ; recall them when they are past ; and also declare them one to another for mutual utility and conversation ; without which, there had been amongst men, neither commonwealth, nor society, nor contract, nor peace, no more than amongst lions, bears, and wolves. The first author of "speech" was God himself, that instructed Adam how to name such creatures as he presented to his sight ; for the Scripture goeth no further in this matter. But this was sufficient to direct him to add more names, as the experience and use of the creatures should give him occasion ; and to join them in such manner by degrees, as to make himself understood ; and so by succession of time, so much language might be gotten, as he had found use for ; though not so copious, as an orator or philosopher has need of : for I do not find any thing in the Scripture, out of which, directly or by consequence, can be gathered, that Adam was taught the names of all figures, numbers, measures, colours, sounds, fancies, relations

much less the names of words and speech, as "general," "special," "affirmative," "negative," "interrogative," "optative," "infinitive," all which are useful; and least of all, of "entity," "intentionality," "quiddity," and other insignificant words of the school.

But all this language gotten, and augmented by Adam and his posterity, was again lost at the Tower of Babel, when, by the hand of God, every man was stricken, for his rebellion, with an oblivion of his former language. And being hereby forced to disperse themselves into several parts of the world, it must needs be, that the diversity of tongues that now is, proceeded by degrees from them, in such manner, as need, the mother of all inventions, taught them; and in tract of time grew everywhere more copious.

The general use of speech, is to transfer our mental discourse, into verbal; or the train of our thoughts, into a train of words; and that for two commodities, whereof one is the registering of the consequences of our thoughts; which being apt to slip out of our memory, and put us to a new labour, may again be recalled, by such words as they were marked by. So that the first use of names is to serve for "marks," or "notes" of remembrance. Another is, when many use the same words, to signify, by their connection and order, one to another, what they conceive, or think of each matter; and also what they desire, fear, or have any other passion for. And for this use they are called "signs." Special uses of speech are these; first, to register, what by cogitation, we find to be the cause of any thing, present or past; and what we find things present or past may produce, or effect; which in sum, is acquiring of arts. Secondly, to show to others that knowledge which we have attained, which is, to counsel and teach one another. Thirdly, to make known to others our wills and purposes, that we may have the mutual help of one another. Fourthly, to please and delight ourselves and others, by playing with our words, for pleasure or ornament, innocently.

To these uses, there are also four correspondent abuses. First, when men register their thoughts wrong, by the inconstancy of the signification of their words; by which they register for their conception, that which they never conceived, and so deceive themselves. Secondly, when they use words metaphorically; that is, in other sense than that they are ordained for; and thereby deceive others. Thirdly, by words, when they declare that to be their will, which is not. Fourthly, when they use them to grieve one another; for seeing Nature hath armed living creatures, some with teeth, some with horns, and some with hands, to grieve an enemy, it is but an abuse of speech, to grieve him with the tongue, unless it be one whom we are obliged to govern; and then it is not to grieve, but to correct and amend.

The manner how speech serveth to the remembrance of the consequence of causes and effects, consisteth in the imposing of "names," and the "connection" of them.

Of names, some are "proper," and singular to one only thing, as "Peter," "John," "this man," "this tree;" and some are "common" to many things, "man," "horse," "tree;" every of which, though but one name, is nevertheless the name of divers particular things; in respect of all which together, it is called an "universal"; there being nothing in the world universal but names; for the things named, are every one of them individual and singular.

One universal name is imposed on many things, for their similitude in some quality, or other accident; and whereas a proper name bringeth to mind one thing only, universals recall any one of those many.

And of names universal, some are of more, and some of less extent; the larger comprehending the less large; and some again of equal extent, comprehending each other reciprocally. As for example: the name "body"

is of larger signification than the word "man," and comprehendeth it ; and the names "man" and "rational," are of equal extent, comprehending mutually one another. But here we must take notice, that by a name is not always understood, as in grammar, one only word ; but sometimes, by circumlocution, many words together. For all these words, "he that in his actions observeth the laws of his country," make but one name, equivalent to this one word, "just."

By this imposition of names, some of larger, some of stricter signification, we turn the reckoning of the consequences of things imagined in the mind, into a reckoning of the consequences of appellations. For example: a man that hath no use of speech at all, such as is born and remains perfectly deaf and dumb, if he set before his eyes a triangle, and by it two right angles, such as are the corners of a square figure, he may, by meditation, compare and find, that the three angles of that triangle, are equal to those two right angles that stand by it. But if another triangle be shown him, different in shape from the former, he cannot know, without a new labour, whether the three angles of that also be equal to the same. But he that hath the use of words, when he observes, that such equality was consequent, not to the length of the sides, nor to any other particular thing in his triangle ; but only to this, that the sides were straight, and the angles three ; and that that was all, for which he named it a triangle ; will boldly conclude universally, that such equality of angles is in all triangles whatsoever ; and register his invention in these general terms, "every triangle hath its three angles equal to two right angles." And thus the consequence found in one particular, comes to be registered and remembered, as a universal rule, and discharges our mental reckoning, of time and place, and delivers us from all labour of the mind, saving the first, and makes that which was found true "here," and "now," to be true in "all times" and "places."

But the use of words in registering our thoughts is in nothing so evident as in numbering. A natural fool that could never learn by heart the order of numeral words, as "one," "two," and "three," may observe every stroke of the clock, and nod to it, or say "one," "one," "one," but can never know what hour it strikes. And it seems, there was a time when those names of number were not in use ; and men were fain to apply their fingers of one or both hands, to those things they desired to keep account of ; and that thence it proceeded, that now our numeral words are but ten, in any nation, and in some but five ; and then they begin again. And he that can tell ten, if he recite them out of order, will lose himself, and not know when he has done. Much less will he be able to add, and subtract, and perform all other operations of arithmetic. So that without words there is no possibility of reckoning of numbers ; much less of magnitudes, of swiftness, of force, and other things, the reckonings whereof are necessary to the being, or well-being of mankind.

When two names are joined together into a consequence, or affirmation, as thus, "a man is a living creature ;" or thus, "if he be a man, he is a living creature ;" if the latter name, "living creature," signify all that the former name "man" signifieth, then the affirmation, or consequence, is "true ;" otherwise "false." For "true" and "false" are attributes of speech, not of things. And where speech is not, there is neither "truth" nor "falsehood ;" "error" there may be, as when we expect that which shall not be, or suspect what has not been ; but in neither case can a man be charged with untruth.

Seeing then that truth consisteth in the right ordering of names in our affirmations, a man that seeketh precise truth had need to remember what every name he uses stands for, and to place it accordingly, or else he will find himself entangled in words, as a bird in lime twigs, the more he strug-

gles the more belimed. And therefore in geometry, which is the only science that it hath pleased God hitherto to bestow on mankind, men begin at settling the significations of their words ; which settling of significations they call "definitions," and place them in the beginning of their reckoning.

By this it appears how necessary it is for any man that aspires to true knowledge, to examine the definitions of former authors ; and either to correct them, where they are negligently set down, or to make them himself. For the errors of definitions multiply themselves according as the reckoning proceeds, and lead men into absurdities, which at last they see, but cannot avoid, without reckoning anew from the beginning, in which lies the foundation of their errors. From whence it happens, that they which trust to books do as they that cast up many little sums into a greater, without considering whether those little sums were rightly cast up or not ; and at last finding the error visible, and not mistrusting their first grounds, know not which way to clear themselves, but spend time in fluttering over their books ; as birds that entering by the chimney, and finding themselves enclosed in a chamber, flutter at the false light of a glass window, for want of wit to consider which way they came in. So that in the right definition of names lies the first use of speech ; which is the acquisition of science : and in wrong, or no definitions, lies the first abuse ; from which proceed all false and senseless tenets ; which make those men that take their instruction from the authority of books, and not from their own meditation, to be as much below the condition of ignorant men, as men endued with true science are above it. For between true science and erroneous doctrines, ignorance is in the middle. Natural sense and imagination are not subject to absurdity. Nature itself cannot err ; and as men abound in copiousness of language, so they become more wise, or more mad than ordinary. Nor is it possible without letters for any man to become either excellently wise, or, unless his memory be hurt by disease or ill constitution of organs, excellently foolish. For words are wise men's counters, they do but reckon by them ; but they are the money of fools, that value them by the authority of an Aristotle, a Cicero, or a Thomas, or any other doctor whatsoever, if but a man.

"Subject to names," is whatsoever can enter into or be considered in an account, and be added one to another to make a sum, or subtracted one from another and leave a remainder. The Latins called accounts of money *rationes*, and accounting *ratiocinatio* ; and that which we in bills or books of account call "items," they call *nomina*, that is "names ;" and thence it seems to proceed, that they extended the word "ratio" to the faculty of reckoning in all other things. The Greeks have but one word, *λόγος*, for both "speech" and "reason ;" not that they thought there was no speech without reason, but no reasoning without speech : and the act of reasoning they called "syllogism," which signifieth summing up of the consequences of one saying to another. And because the same thing may enter into account for divers accidents, their names are, to show that diversity, diversely wrested and diversified. This diversity of names may be reduced to four general heads.

First, a thing may enter into account for "matter" or "body ;" as "living," "sensible," "rational," "hot," "cold," "moved," "quiet ;" with all which names the word "matter" or "body," is understood ; all such being names of matter.

Secondly, it may enter into account, or be considered, for some accident or quality which we conceive to be in it ; as for "being moved," for "being so long," for "being hot," &c. ; and then, of the name of the thing itself, by a little change or wresting, we make a name for that accident, which we consider ; and for "living" put into the account "life ;" for "moved," "motion ;" for "hot," "heat ;" for "long," "length," and the like : and

all such names are the names of the accidents and properties by which one matter and body is distinguished from another. These are called "names abstract," because severed, not from matter, but from the account of matter.

Thirdly, we bring into account the properties of our own bodies, whereby we make such distinction ; as when anything is seen by us, we reckon not the thing itself, but the sight, the colour, the idea of it in the fancy : and when anything is heard, we reckon it not, but the hearing or sound only, which is our fancy or conception of it by the ear ; and such are names of fancies.

Fourthly, we bring into account, consider, and give names, to "names" themselves, and to "speeches : " for "general," "universal," "special," "equivocal," are names of names. And "affirmation," "interrogation," "commandment," "narration," "syllogism," "sermon," "oration," and many other such, are names of speeches. And this is all the variety of names "positive ;" which are put to mark somewhat which is in Nature, or may be feigned by the mind of man, as bodies that are, or may be conceived to be ; or of bodies, the properties that are, or may be feigned to be ; or words and speech.

There be also other names, called "negative," which are notes to signify that a word is not the name of the thing in question ; as these words, "nothing," "no man," "infinite," "indocible," "three want four," and the like ; which are nevertheless of use in reckoning, or in correcting of reckoning, and call to mind our past cogitations, though they be not names of anything, because they make us refuse to admit of names not rightly used.

All other names are but insignificant sounds ; and those of two sorts. One when they are new, and yet their meaning not explained by definition ; whereof there have been abundance coined by schoolmen, and puzzled philosophers.

Another, when men make a name of two names, whose significations are contradictory and inconsistent ; as this name, an "incorporeal body," or, which is all one, an "incorporeal substance," and a great number more. For whensoever any affirmation is false, the two names of which it is composed, put together and made one, signify nothing at all. For example, if it be a false affirmation to say "a quadrangle is round," the word "round quadrangle" signifies nothing, but is a mere sound. So likewise, if it be false to say that virtue can be poured, or blown up and down, the words "inpoured virtue," "inblown virtue," are as absurd and insignificant as a "round quadrangle." And therefore you shall hardly meet with a senseless and insignificant word, that is not made up of some Latin or Greek names. A Frenchman seldom hears our Saviour called by the name of *parole*, but by the name of *verbe* often ; yet *verbe* and *parole* differ no more, but that one is Latin, the other French.

When a man, upon the hearing of any speech, hath those thoughts which the words of that speech and their connection were ordained and constituted to signify, then he is said to understand it : "understanding" being nothing else but conception caused by speech. And therefore if speech be peculiar to man, as for aught I know it is, then is understanding peculiar to him also. And therefore of absurd and false affirmations, in case they be universal, there can be no understanding ; though many think they understand them, when they do but repeat the words softly, or con them in their mind.

What kinds of speeches signify the appetites, aversions, and passions of man's mind ; and of their use and abuse, I shall speak when I have spoken of the passions.



The names of such things as affect us, that is, which please and displease us, because all men be not alike affected with the same thing, nor the same man at all times, are in the common discourses of men of "inconstant" signification. For seeing all names are imposed to signify our conceptions, and all our affections are but conceptions, when we conceive the same things differently, we can hardly avoid different naming of them. For though the nature of that we conceive, be the same; yet the diversity of our reception of it, in respect of different constitutions of body, and prejudices of opinion, gives everything a tincture of our different passions. And therefore in reasoning a man must take heed of words; which besides the signification of what we imagine, of their nature, have a signification also of the nature, disposition, and interest of the speaker; such as are the names of virtues and vices; for one man calleth "wisdom," what another calleth "fear;" and one "cruelty," what another "justice;" one "prodigality," what another "magnanimity;" and one "gravity," what another "stupidity," &c. And therefore such names can never be true grounds of any ratiocination. No more can metaphors, and tropes of speech; but these are less dangerous, because they profess their inconstancy; which the other do not.

## CHAPTER V.

*Of Reason and Science.*

WHEN a man "reasoneth," he does nothing else but conceive a sum total, from "addition" of parcels; or conceive a remainder, from "subtraction" of one sum from another; which, if it be done by words, is conceiving of the consequence of the names of all the parts, to the name of the whole; or from the names of the whole and one part, to the name of the other part. And though in some things, as in numbers, besides adding and subtracting, men name other operations, as "multiplying" and "dividing," yet they are the same; for multiplication is but adding together of things equal; and division but subtracting of one thing, as often as we can. These operations are not incident to numbers only, but to all manner of things that can be added together, and taken one out of another. For as arithmeticians teach to add and subtract in "numbers," so the geometers teach the same in "lines," "figures," solid and superficial, "angles," "proportions," "times," degrees of "swiftness," "force," "power," and the like; the logicians teach the same in "consequences of words," adding together two "names" to make an "affirmation," and two "affirmations" to make a "syllogism;" and "many syllogisms" to make a "demonstration;" and from the "sum," or "conclusion" of a "syllogism," they subtract one "proposition" to find the other. Writers of politics add together "actions" to find men's "duties;" and lawyers "laws" and "facts," to find what is "right" and "wrong" in the actions of private men. In sum, in what matter soever there is place for "addition" and "subtraction," there also is place for "reason;" and where these have no place, there "reason" has nothing at all to do.

Out of all which we may define, that is to say determine, what that is, which is meant by this word "reason," when we reckon it amongst the faculties of the mind. For "reason," in this sense, is nothing but "reckoning," that is adding and subtracting, of the consequences of general names agreed upon for the "marking" and "signifying" of our thoughts; I say "marking" them when we reckon by ourselves, and "signifying," when we demonstrate or approve our reckonings to other men.

And, as in arithmetic, unpractised men must, and professors themselves may often, err, and cast up false ; so also in any other subject of reasoning, the ablest, most attentive, and most practised men may deceive themselves, and infer false conclusions ; not but that reason itself is always right reason, as well as arithmetic is a certain and infallible art : but no one man's reason, nor the reason of any one number of men, makes the certainty ; no more than an account is therefore well cast up, because a great many men have unanimously approved it. And therefore, as when there is a controversy in an account, the parties must by their own accord set up, for right reason, the reason of some arbitrator, or judge, to whose sentence they will both stand, or their controversy must either come to blows, or be undecided, for want of a right reason constituted by Nature ; so is it also in all debates of what kind soever. And when men that think themselves wiser than all others, clamour and demand right reason for judge, yet seek no more, but that things should be determined by no other men's reason but their own, it is as intolerable in the society of men, as it is in play after trump is turned, to use for trump on every occasion, that suit whereof they have most in their hand. For they do nothing else, that will have every of their passions, as it comes to bear sway in them, to be taken for right reason, and that in their own controversies : bewraying their want of right reason, by the claim they lay to it.

The use and end of reason is not the finding of the sum and truth of one, or a few consequences, remote from the first definitions, and settled significations of names, but to begin at these, and proceed from one consequence to another. For there can be no certainty of the last conclusion, without a certainty of all those affirmations and negations on which it was grounded and inferred. As when a master of a family, in taking an account, casteth up the sums of all the bills of expense into one sum, and not regarding how each bill is summed up by those that give them in account, nor what it is he pays for, he advantages himself no more than if he allowed the account in gross, trusting to every of the accountants' skill and honesty : so also in reasoning of all other things, he that takes up conclusions on the trust of authors, and doth not fetch them from the first items in every reckoning, which are the significations of names settled by definitions, loses his labour, and does not know anything, but only believeth.

When a man reckons without the use of words, which may be done in particular things, as when upon the sight of any one thing, we conjecture what was likely to have preceded, or is likely to follow upon it ; if that which he thought likely to follow, follows not, or that which he thought likely to have preceded it, hath not preceded it, this is called "error ;" to which even the most prudent men are subject. But when we reason in words of general signification, and fall upon a general inference which is false, though it be commonly called "error," it is indeed an "absurdity," or senseless speech. For error is but a deception, in presuming that something is past, or to come ; of which, though it were not past, or not to come, yet there was no impossibility discoverable. But when we make a general assertion, unless it be a true one, the possibility of it is inconceivable. And words whereby we conceive nothing but the sound, are those we call "absurd," "insignificant," and "nonsense." And therefore if a man should talk to me of a "round quadrangle ;" or, "accidents of bread in cheese ;" or, "immaterial substances ;" or of "a free subject ;" "a free will ;" or any "free," but free from being hindered by opposition, I should not say he were in an error, but that his words were without meaning, that is to say, absurd.

I have said before, in the second chapter, that a man did excel all other animals in this faculty, that when he conceived anything whatsoever, he

was apt to inquire the consequences of it, and what effects he could do with it. And now I add this other degree of the same excellence, that he can by words reduce the consequences he finds to general rules, called "theorems," or "aphorisms;" that is, he can reason, or reckon, not only in number, but in all other things, whereof one may be added unto, or subtracted from another.

But this privilege is allayed by another; and that is, by the privilege of absurdity; to which no living creature is subject, but man only. And of men, those are of all most subject to it, that profess philosophy. For it is most true that Cicero saith of them somewhere; that there can be nothing so absurd, but may be found in the books of philosophers. And the reason is manifest. For there is not one of them that begins his ratiocination from the definitions, or explications of the names they are to use; which is a method that hath been used only in geometry; whose conclusions have thereby been made indisputable.

I. The first cause of absurd conclusions I ascribe to the want of method; in that they begin not their ratiocination from definitions; that is, from settled significations of their words; as if they could cast account, without knowing the value of the numeral words "one," "two," and "three."

And whereas all bodies enter into account upon divers considerations, which I have mentioned in the precedent chapter; these considerations being diversely named, divers absurdities proceed from the confusion, and unfit connection of their names into assertions. And therefore,

II. The second cause of absurd assertions, I ascribe to the giving of names of "bodies" to "accidents;" or of "accidents" to "bodies;" as they do that say, "faith is infused," or "inspired;" when nothing can be "poured" or "breathed" into anything, but body; and that "extension" is "body;" that "phantasms" are "spirits," &c.

III. The third I ascribe to the giving of the names of the "accidents" of "bodies without us," to the "accidents" of our "own bodies;" as they do that say, "the colour is in the body;" "the sound is in the air," &c.

IV. The fourth, to the giving of the names of "bodies" to "names," or "speeches;" as they do that say, that "there be things universal;" that "a living creature is genus," or "a general thing," &c.

V. The fifth, to the giving of the names of "accidents" to "names" and "speeches;" as they do that say, "the nature of a thing is its definition; a man's command is his will;" and the like.

VI. The sixth, to the use of metaphors, tropes, and other rhetorical figures, instead of words proper. For though it be lawful to say, for example, in common speech, "the way goeth, or leadeth hither or thither;" "the proverb says this or that," whereas ways cannot go, nor proverbs speak; yet in reckoning, and seeking of truth, such speeches are not to be admitted.

VII. The seventh, to names that signify nothing; but are taken up and learned by rote from the schools, as "hypostatical," "transubstantiate," "consubstantiate," "eternal-now," and the like canting of schoolmen.

To him that can avoid these things it is not easy to fall into any absurdity, unless it be by the length of an account; wherein he may perhaps forget what went before. For all men by nature reason alike, and well, when they have good principles. For who is so stupid, as both to mistake in geometry, and also to persist in it, when another detects his error to him?

By this it appears that reason is not, as sense and memory, born with us; nor gotten by experience only, as prudence is; but attained by industry; first in apt imposing of names; and secondly by getting a good and orderly method in proceeding from the elements, which are names, to assertions made by connection of one of them to another; and so to syllogisms, which

are the connections of one assertion to another, till we come to a knowledge of all the consequences of names appertaining to the subject in hand ; and that is it, men call "science." And whereas sense and memory are but knowledge of fact, which is a thing past and irrevocable. "Science" is the knowledge of consequences, and dependence of one fact upon another : by which, out of that we can presently do, we know how to do something else when we will, or the like another time ; because when we see how anything comes about, upon what causes, and by what manner ; when the like causes come into our power, we see how to make it produce the like effects.

Children therefore are not endued with reason at all, till they have attained the use of speech ; but are called reasonable creatures, for the possibility apparent of having the use of reason in time to come. And the most part of men, though they have the use of reasoning a little way, as in numbering to some degree ; yet it serves them to little use in common life ; in which they govern themselves, some better, some worse, according to their differences of experience, quickness of memory, and inclinations to several ends ; but specially according to good or evil fortune, and the errors of one another. For as for "science," or certain rules of their actions, they are so far from it, that they know not what it is. Geometry they have thought conjuring : but for other sciences, they who have not been taught the beginnings and some progress in them, that they may see how they be acquired and generated, are in this point like children, that having no thought of generation, are made believe by the women that their brothers and sisters are not born, but found in the garden.

But yet they that have no "science," are in better and nobler condition, with their natural prudence ; than men, that by mis-reasoning, or by trusting them that reason wrong, fall upon false and absurd general rules. For ignorance of causes, and of rules, does not set men so far out of their way, as relying on false rules, and taking for causes of what they aspire to, those that are not so, but rather causes of the contrary.

To conclude, the light of human minds is perspicuous words, but by exact definitions first snuffed, and purged from ambiguity ; "reason" is the "pace ;" increase of "science," the "way ;" and the benefit of mankind, the "end." And, on the contrary, metaphors, and senseless and ambiguous words, are like *ignes fatui* ; and reasoning upon them is wandering amongst innumerable absurdities : and their end, contention and sedition, or contempt.

As much experience, is "prudence ;" so, is much science "sapience." For though we usually have one name of wisdom for them both, yet the Latins did always distinguish between *prudentia* and *sapientia* ; ascribing the former to experience, the latter to science. But to make their difference appear more clearly, let us suppose one man endued with an excellent natural use and dexterity in handling his arms ; and another to have added to that dexterity, an acquired science, of where he can offend, or be offended by his adversary, in every possible posture or guard : the ability of the former, would be to the ability of the latter, as prudence to sapience ; both useful ; but the latter infallible. But they that trusting only to the authority of books, follow the blind blindly, are like him that, trusting to the false rules of a master of fence, ventures presumptuously upon an adversary, that either kills or disgraces him.

The signs of science are, some certain and infallible ; some, uncertain. Certain, when he that pretendeth the science of anything, can teach the same ; that is to say, demonstrate the truth thereof perspicuously to another ; uncertain, when only some particular events answer to his pretence, and upon many occasions prove so as he says they must. Signs

of prudence are all uncertain; because to observe by experience, and remember all circumstances that may alter the success, is impossible. But in any business, whereof a man has not infallible science to proceed by; to forsake his own natural judgment, and be guided by general sentences read in authors, and subject to many exceptions, is a sign of folly, and generally scorned by the name of pedantry. And even of those men themselves, that in councils of the commonwealth love to show their reading of politics and history, very few do it in their domestic affairs, where their particular interest is concerned; having prudence enough for their private affairs; but in public they study more the reputation of their own wit, than the success of another's business.

## CHAPTER VI.

*Of the Interior Beginnings of Voluntary Motions; commonly called the Passions; and the Speeches by which they are expressed.*

THERE be in animals, two sorts of "motions" peculiar to them: one called "vital;" begun in generation, and continued without interruption through their whole life; such as are the "course" of the "blood," the "pulse," the "breathing," the "concoction, nutrition, excretion," &c., to which motions there needs no help of imagination: the other is "animal motion," otherwise called "voluntary motion;" as to "go," to "speak," to "move" any of our limbs, in such manner as is first fancied in our minds. That sense is motion in the organs and interior parts of man's body, caused by the action of the things we see, hear, &c.; and that fancy is but the relics of the same motion, remaining after sense, has been already seen in the first and second chapters. And because "going," "speaking," and the like voluntary motions, depend always upon a precedent thought of "whither," "which way," and "what;" it is evident, that the imagination is the first internal beginning of all voluntary motion. And although unstudied men do not conceive any motion at all to be there, where the thing moved is invisible; or the space it is moved in is, for the shortness of it, insensible; yet that doth not hinder, but that such motions are. For let a space be never so little, that which is moved over a greater space, whereof that little one is part, must first be moved over that. These small beginnings of motion, within the body of man, before they appear in walking, speaking, striking, and other visible actions, are commonly called "endeavour."

This endeavour, when it is toward something which causes it, is called "appetite," or "desire;" the latter, being the general name; and the other oftentimes restrained to signify the desire of food, namely "hunger" and "thirst." And when the endeavour is fromward something, it is generally called "aversion." These words, "appetite" and "aversion," we have from the Latins; and they both of them signify the motions, one of approaching, the other of retiring. So also do the Greek words for the same, which are *ὄρησις* and *ἀφορμησις*. For Nature itself does often press upon men those truths, which afterwards, when they look for somewhat beyond Nature, they stumble at. For the schools find in mere appetite to go, or move, no actual motion at all: but because some motion they must acknowledge, they call it metaphorical motion; which is but an absurd speech: for though words may be called metaphorical, bodies and motions cannot.

That which men desire, they are also said to "love:" and to "hate" those things for which they have aversion. So that desire and love are the same thing; save that by desire, we always signify the absence of the

object ; by love most commonly the presence of the same. So also by aversion, we signify the absence ; and by hate, the presence of the object.

Of appetites and aversions, some are born with men ; as appetite of food, appetite of excretion, and exoneration, which may also and more properly be called aversions, from somewhat they feel in their bodies ; and some other appetites, not many. The rest, which are appetites of particular things, proceed from experience, and trial of their effects upon themselves or other men. For of things we know not at all, or believe not to be, we can have no further desire than to taste and try. But aversion we have for things, not only which we know have hurt us, but also that we do not know whether they will hurt us, or not.

Those things which we neither desire, nor hate, we are said to "contemn ;" "contempt" being nothing else but an immobility, or contumacy of the heart, in resisting the action of certain things ; and proceeding from that the heart is already moved otherwise, by other more potent objects ; or from want of experience of them.

And because the constitution of a man's body is in continual mutation, it is impossible that all the same things should always cause in him the same appetites and aversions : much less can all men consent, in the desire of almost any one and the same object.

But whatsoever is the object of any man's appetite or desire, that is it which he for his part calleth "good ;" and the object of his hate and aversion, "evil ;" and of his contempt, "vile" and "inconsiderable." For these words of good, evil, and contemptible, are ever used with relation to the person that useth them : there being nothing simply and absolutely so ; nor any common rule of good and evil, to be taken from the nature of the objects themselves ; but from the person of the man, where there is no commonwealth ; or, in a commonwealth, from the person that representeth it ; or from an arbitrator or judge, whom men disagreeing shall by consent set up, and make his sentence the rule thereof.

The Latin tongue has two words, whose significations approach to those of good and evil ; but are not precisely the same ; and those are *pulchrum* and *turpe*. Whereof the former signifies that, which by some apparent signs promiseth good ; and the latter, that which promiseth evil. But in our tongue we have not so general names to express them by. But for *pulchrum* we say in some things, "fair ;" in others, "beautiful," or "handsome," or "gallant," or "honourable," or "comely," or "amiable ;" and for *turpe*, "foul," "deformed," "ugly," "base," "nauseous," and the like, as the subject shall require ; all which words, in their proper places, signify nothing else but the "mien," or countenance, that promiseth good and evil. So that of good there be three kinds ; good in the promise, that is *pulchrum* : good in effect, as the end desired, which is called *jucundum*, "delightful ;" and good as the means, which is called *utile*, "profitable ;" and as many of evil : for "evil" in promise, is that they call *turpe* ; evil in effect, and end, is *molestum*, "unpleasant," "troublesome ;" and evil in the means, *inutile*, "unprofitable," "hurtful."

As, in sense, that which is really within us, is, as I have said before, only motion, caused by the action of external objects, but in appearance ; to the sight, light and colour ; to the ear, sound ; to the nostril, odour, &c. : so, when the action of the same object is continued from the eyes, ears, and other organs to the heart, the real effect there is nothing but motion, or endeavour ; which consisteth in appetite, or aversion, to or from the object moving. But the appearance, or sense of that motion, is that we either call "delight," or "trouble of mind."

This motion, which is called appetite, and for the appearance of it "delight," and "pleasure," seemeth to be a corroboration of vital motion, and

2 help thereunto ; and therefore such things as caused delight, were not improperly called *juvanda*, à *juvando*, from helping or fortifying ; and the contrary *molesta*, "offensive," from hindering, and troubling the motion vital.

"Pleasure" therefore, or "delight," is the apparence, or sense of good ; and "molestation," or "displeasure," the apparence, or sense of evil. And consequently all appetite, desire, and love, is accompanied with some delight more or less ; and all hatred and aversion, with more or less displeasure and offence.

Of pleasures or delights, some arise from the sense of an object present ; and those may be called "pleasure of sense ;" the word "sensual," as it is used by those only that condemn them, having no place till there be laws. Of this kind are all operations and exonerations of the body ; as also all that is pleasant, in the "sight," "hearing," "smell," "taste," or "touch." Others arise from the expectation, that proceeds from foresight of the end, or consequence of things ; whether those things in the sense please or displease. And these are "pleasures of the mind" of him that draweth those consequences, and are generally called "joy." In the like manner, displeasures are some in the sense, and called "pain ;" others in the expectation of consequences, and are called "grief."

These simple passions called "appetite," "desire," "love," "aversion," "hate," "joy," and "grief," have their names for divers considerations diversified. As first, when they one succeed another, they are diversely called from the opinion men have of the likelihood of attaining what they desire. Secondly, from the object loved or hated. Thirdly, from the consideration of many of them together. Fourthly, from the alteration or succession itself.

For "appetite," with an opinion of attaining, is called "hope."

The same, without such opinion, "despair."

"Aversion," with opinion of "hurt" from the object, "fear."

The same, with hope of avoiding that hurt by resistance, "courage."

Sudden "courage," "anger."

Constant "hope," "confidence" of ourselves.

Constant "despair," "diffidence" of ourselves.

"Anger" for great hurt done to another, when we conceive the same to be done by injury, "indignation."

"Desire" of good to another, "benevolence," "good will," "charity."

If to man generally, "good-nature."

"Desire" of riches, "covetousness ;" a name used always in signification of blame ; because men contending for them, are displeased with one another attaining them ; though the desire in itself, be to be blamed, or allowed, according to the means by which these riches are sought.

"Desire" of office, or precedence, "ambition:" a name used also in the worse sense, for the reason before mentioned.

"Desire" of things that conduce but a little to our ends, and fear of things that are but of little hindrance, "pusillanimity."

"Contempt" of little helps and hindrances, "magnanimity."

"Magnanimity," in danger of death or wounds, "valour," "fortitude."

"Magnanimity" in the use of riches, "liberality."

"Pusillanimity" in the same, "wretchedness," "miserableness," or "parsimony ;" as it is liked or disliked.

"Love" of persons for society, "kindness."

"Love" of persons for pleasing the sense only, "natural lust."

"Love" of the same, acquired from rumination, that is, imagination of pleasure past, "luxury."

"Love" of one singularly, with desire to be singularly beloved, "the

passion of love." The same, with fear that the love is not mutual, "jealousy."

"Desire," by doing hurt to another, to make him condemn some fact of his own, "revengefulness."

"Desire" to know why, and how, "curiosity;" such as is in no living creature but "man:" so that man is distinguished, not only by his reason, but also by this singular passion from other "animals;" in whom the appetite of food, and other pleasures of sense, by predominance, take away the care of knowing causes; which is a lust of the mind, that by a perseverance of delight in the continual and indefatigable generation of knowledge, exceedeth the short vehemence of any carnal pleasure.

"Fear" of power invisible, feigned by the mind, or imagined from tales publicly allowed, "religion;" not allowed "superstition." And when the power imagined, is truly such as we imagine, "true religion."

"Fear," without the apprehension of why, or what, "panic terror," called so from the fables that make Pan the author of them; whereas in truth, there is always in him that so feareth, first, some apprehension of the cause, though the rest run away by example, every one supposing his fellow to know why. And therefore this passion happens to none but in a throng, or multitude of people.

"Joy," from apprehension of novelty, "admiration;" proper to man, because it excites the appetite of knowing the cause.

"Joy," arising from imagination of a man's own power and ability, is that exultation of the mind which is called "glorying;" which if grounded upon the experience of his own former actions, is the same with "confidence:" but if grounded on the flattery of others, or only supposed by himself, for delight in the consequences of it, is called "vain-glory:" which name is properly given; because a well-grounded "confidence" begetteth attempt; whereas the supposing of power does not, and is therefore rightly called "vain."

"Grief," from opinion of want of power, is called "dejection" of mind.

The "vain-glory" which consisteth in the feigning or supposing of abilities in ourselves, which we know are not, is most incident to young men, and nourished by the histories or fictions of gallant persons; and is corrected oftentimes by age, and employment.

"Sudden glory," is the passion which maketh those "grimaces" called "laughter;" and is caused either by some sudden act of their own, that pleaseth them; or by the apprehension of some deformed thing in another, by comparison whereof they suddenly applaud themselves. And it is incident most to them, that are conscious of the fewest abilities in themselves; who are forced to keep themselves in their own favour, by observing the imperfections of other men. And therefore much laughter at the defects of others, is a sign of pusillanimity. For of great minds, one of the proper works is, to help and free others from scorn; and compare themselves only with the most able.

On the contrary, "sudden dejection," is the passion that causeth "weeping;" and is caused by such accidents, as suddenly take away some vehement hope, or some prop of their power: and they are most subject to it, that rely principally on helps external, such as are women and children. Therefore some weep for the loss of friends; others for their unkindness; others for the sudden stop made to their thoughts of revenge, by reconciliation. But in all cases, both laughter, and weeping, are sudden motions; custom taking them both away. For no man laughs at old jests; or weeps for an old calamity.

"Grief," for the discovery of some defect of ability, is "shame," or the passion that discovereth itself in "blushing:" and consisteth in the appre-



hension of something dishonourable; and in young men is a sign of the love of good reputation, and commendable: in old men it is a sign of the same; but because it comes too late, not commendable.

The "contempt" of good reputation is called "impudence."

"Grief," for the calamity of another, is "pity;" and ariseth from the imagination that the like calamity may befall himself; and therefore is called also "compassion," and in the phrase of this present time a "fellow-feeling:" and therefore for calamity arriving from great wickedness, the best men have the least pity; and for the same calamity, those hate pity, that think themselves least obnoxious to the same.

"Contempt," or little sense of the calamity of others, is that which men call "cruelty;" proceeding from security of their own fortune. For, that any man should take pleasure in other men's great harms, without other end of his own, I do not conceive it possible.

"Grief," for the success of a competitor in wealth, honour, or other good, if it be joined with endeavour to enforce our own abilities to equal or exceed him, is called "emulation;" but joined with endeavour to supplant, or hinder a competitor, "envy."

When in the mind of man, appetites, and aversions, hopes, and fears, concerning one and the same thing, arise alternately; and divers good and evil consequences of the doing, or omitting the thing propounded, come successively into our thoughts; so that sometimes we have an appetite to it; sometimes an aversion from it; sometimes hope to be able to do it; sometimes despair, or fear to attempt it; the whole sum of desires, aversions, hopes and fears continued till the thing be either done, or thought impossible, is that we call "deliberation."

Therefore of things past, there is no "deliberation;" because manifestly impossible to be changed: nor of things known to be impossible, or thought so; because men know, or think, such deliberation vain. But of things impossible, which we think possible, we may deliberate; not knowing it is in vain. And it is called "deliberation;" because 'it is a putting an end to the "liberty" we had of doing or omitting according to our own appetite, or aversion.

This alternate succession of appetites, aversions, hopes and fears, is no less in other living creatures than in man: and therefore beasts also deliberate.

Every "deliberation" is then said to "end," when that whereof they deliberate, is either done or thought impossible; because till then we retain the liberty of doing or omitting, according to our appetite, or aversion.

In "deliberation," the last appetite, or aversion, immediately adhering to the action, or to the omission thereof, is that we call the "will;" the act, not the faculty, of "willing." And beasts that have "deliberation," must necessarily also have "will." The definition of the "will," given commonly by the schools, that it is a "rational appetite," is not good. For if it were, then could there be no voluntary act against reason. For a "voluntary act" is that which proceedeth from the "will," and no other. But if instead of a rational appetite, we shall say an appetite resulting from a precedent deliberation, then the definition is the same that I have given here. Will, therefore, is the last appetite in deliberating. And though we say in common discourse, a man had a will once to do a thing, that nevertheless he forbore to do; yet that is properly but an inclination, which makes no action voluntary; because the action depends not of it, but of the last inclination or appetite. For if the intervenient appetites, make any action voluntary; then by the same reason, all intervenient aversions should make the same action involuntary; and so one and the same action should be both voluntary and involuntary.

By this it is manifest, that not only actions that have their beginning from covetousness, ambition, lust, or other appetites to the thing propounded ; but also those that have their beginning from aversion, or fear of those consequences that follow the omission, are "voluntary actions."

The forms of speech by which the passions are expressed, are partly the same, and partly different from those, by which we express our thoughts. And first, generally all passions may be expressed "indicatively ;" as "I love," "I fear," "I joy," "I deliberate," "I will," "I command : " but some of them have particular expressions by themselves, which nevertheless are not affirmations, unless it be when they serve to make other inferences, besides that of the passion they proceed from. Deliberation is expressed "subjunctively ;" which is a speech proper to signify suppositions, with their consequences : as, "if this be done, then this will follow ;" and differs not from the language of reasoning, save that reasoning is in general words ; but deliberation for the most part is of particulars. The language of desire, and aversion, is "imperative ;" as "do this," "forbear that ;" which when the party is obliged to do, or forbear, is "command ;" otherwise "prayer ;" or else "counsel." The language of vain-glory, of indignation, pity and revengefulness, "optative : " but of the desire to know, there is a peculiar expression, called "interrogative ;" as, "what is it," "when shall it," "how is it done," and "why so ?" other language of the passions I find none : for cursing, swearing, reviling, and the like, do not signify as speech ; but as the actions of a tongue accustomed.

These forms of speech, I say, are expressions, or voluntary significations of our passions : but certain signs they be not ; because they may be used arbitrarily, whether they that use them have such passions or not. The best signs of passions present, are either in the countenance, motions of the body, actions, and ends, or aims, which we otherwise know the man to have.

And because in deliberation, the appetites, and aversions, are raised by foresight of the good and evil consequences, and sequels of the action whereof we deliberate ; the good or evil effect thereof dependeth on the foresight of a long chain of consequences, of which very seldom any man is able to see to the end. But for so far as a man seeth, if the good in those consequences be greater than the evil, the whole chain is that which writers call "apparent," or "seeming good." And contrarily, when the evil exceedeth the good, the whole is "apparent," or "seeming evil : " so that he who hath by experience, or reason, the greatest and surest prospect of consequences, deliberates best himself ; and is able when he will, to give the best counsel unto others.

"Continual success" in obtaining those things which a man from time to time desireth, that is to say, continual prospering, is that men call "felicity ;" I mean the felicity of this life. For there is no such thing as perpetual tranquility of mind, while we live here ; because life itself is but motion, and can never be without desire, nor without fear, no more than without sense. What kind of felicity God hath ordained to them that devoutly honour Him, a man shall no sooner know, than enjoy ; being joys, that now are as incomprehensible as the word of school-men "beatifical vision" is unintelligible.

The form of speech whereby men signify their opinion of the goodness of anything, is "praise." That whereby they signify the power and greatness of anything, is "magnifying." And that whereby they signify the opinion they have of a man's felicity, is by the Greeks called *μακαρισμός*, for which we have no name in our tongue. And thus much is sufficient for the present purpose, to have been said of the "passions."

## CHAPTER VII.

*Of the Ends, or Resolutions of Discourse.*

OF all "discourse," governed by desire of knowledge, there is at last an "end," either by attaining, or by giving over. And in the chain of discourse, wheresoever it be interrupted, there is an end for that time.

If the discourse be merely mental, it consisteth of thoughts that the thing will be, and will not be; or that it has been, and has not been, alternately. So that wheresoever you break off the chain of a man's discourse, you leave him in a presumption of "it will be," or, "it will not be;" or, "it has been," or, "has not been." All which is "opinion." And that which is alternate appetite, in deliberating concerning good and evil; the same is alternate opinion, in the enquiry of the truth of "past," and "future." And as the last appetite in deliberation, is called the "will," so the last opinion in search of the truth of past, and future, is called the "judgment," or "resolute" and "final sentence" of him that "discourseth." And as the whole chain of appetites alternate, in the question of good, or bad, is called "deliberation;" so the whole chain of opinions alternate, in the question of true, or false, is called "doubt."

No discourse whatsoever can end in absolute knowledge of fact, past or to come. For, as for the knowledge of fact, it is originally sense; and ever after, memory. And for the knowledge of consequence, which I have said before is called science, it is not absolute, but conditional. No man can know by discourse, that this or that is, has been, or will be; which is to know absolutely; but only, that if this be, that is; if this has been, that has been; if this shall be, that shall be; which is to know conditionally; and that not the consequence of one thing to another, but of one name of a thing to another name of the same thing.

And therefore, when the discourse is put into speech, and begins with the definitions of words, and proceeds by connection of the same into general affirmations, and of these again into syllogisms; the end or last sum is called the conclusion, and the thought of the mind by it signified, is that conditional knowledge, or knowledge of the consequence of words, which is commonly called "science." But if the first ground of such discourse, be not definitions; or if the definitions be not rightly joined together into syllogisms, then the end or conclusion, is again "opinion," namely of the truth of somewhat said, though sometimes in absurd and senseless words, without possibility of being understood. When two or more men know of one and the same fact, they are said to be "conscious" of it one to another; which is as much as to know it together. And because such are fittest witnesses of the facts of one another, or of a third: it was, and ever will be, reputed a very evil act, for any man to speak against his "conscience:" or to corrupt or force another so to do: insomuch that the plea of conscience has been always hearkened unto very diligently in all times. Afterwards, men made use of the same word metaphorically, for the knowledge of their own secret facts, and secret thoughts; and therefore it is rhetorically said, that the conscience is a thousand witnesses. And last of all, men vehemently in love with their own new opinions, though never so absurd, and obstinately bent to maintain them, gave those their opinions also that revered name of conscience, as if they would have it seem unlawful to change or speak against them; and so pretend to know they are true, when they know at most, but that they think so.

When a man's discourse beginneth not at definitions, it beginneth either

at some other contemplation of his own, and then it is still called opinion ; or it beginneth at some saying of another, of whose ability to know the truth, and of whose honesty in not deceiving, he doubteth not : and then the discourse is not so much concerning the thing, as the person ; and the resolution is called " belief," and " faith : " " faith," in the man, " belief," both of the man, and of the truth of what he says. So that in belief are two opinions ; one of the saying of the man, the other of his virtue. To " have faith in," or " trust to," or " believe a man," signify the same thing ; namely, an opinion of the veracity of the man : but to " believe what is said," signifieth only an opinion of the truth of the saying. But we are to observe that this phrase, " I believe in," as also the Latin, *credo in*, and the Greek, *πιστεύω εις*, are never used but in the writings of divines. Instead of them, in other writings are put, " I believe him," " I trust him ; " " I have faith in him ; " " I rely on him ; " and in Latin *credo illi, fido illi* : and in Greek, *πιστεύω αυτω* : and that this singularity of the ecclesiastic use of the word hath raised many disputes about the right object of the Christian faith.

But by " believing in," as it is in the creed, is meant, not trust in the person : but confession and acknowledgment of the doctrine. For not only Christians, but all manner of men do so believe in God, as to hold all for truth they hear him say, whether they understand it or not ; which is all the faith and trust can possibly be had in any person whatsoever : but they do not all believe the doctrine of the creed.

From whence we may infer, that when we believe any saying whatsoever it be, to be true, from arguments taken, not from the thing itself, or from the principles of natural reason, but from the authority and good opinion we have of him that hath said it ; then is the speaker, or person we believe in, or trust in, and whose word we take, the object of our faith, and the honour done in believing, is done to him only. And consequently, when we believe that the Scriptures are the word of God, having no immediate revelation from God Himself, our belief, faith, and trust is in the Church, whose word we take, and acquiesce therein. And they that believe that which a prophet relates unto them in the name of God, take the word of the prophet, do honour to him, and in him trust, and believe, touching the truth of what he relateth, whether he be a true or a false prophet. And so it is also with all other history. For if I should not believe all that is written by historians of the glorious acts of Alexander or Cæsar, I do not think the ghost of Alexander or Cæsar had any just cause to be offended, or anybody else, but the historian. If Livy say the gods made once a cow speak, and we believe it not, we distrust not God therein, but Livy. So that it is evident, that whatsoever we believe, upon no other reason than what is drawn from authority of men only, and their writings, whether they be sent from God or not, is faith in men only.

## CHAPTER VIII.

*Of the Virtues commonly called Intellectual, and their contrary Defects.*

VIRTUE generally, in all sorts of subjects, is somewhat that is valued for eminence, and consisteth in comparison. For if all things were equal in all men, nothing would be prized. And by " virtues intellectual," are always understood such abilities of the mind as men praise, value, and desire should be in themselves ; and go commonly under the name of a " good

wit ;” though the same word “wit” be used also to distinguish one certain ability from the rest.

These “virtues” are of two sorts, “natural,” and “acquired.” By natural, I mean not that which a man hath from his birth: for that is nothing else but sense; wherein men differ so little one from another, and from brute beasts, as it is not to be reckoned amongst virtues. But I mean that “wit” which is gotten by use only and experience; without method, culture, or instruction. This “natural wit” consisteth principally in two things, “celerity of imagining,” that is, swift succession of one thought to another, and steady direction to some approved end. On the contrary, a slow imagination maketh that defect, or fault of the mind which is commonly called “dulness,” “stupidity,” and sometimes by other names that signify slowness of motion, or difficulty to be moved.

And this difference of quickness, is caused by the difference of men’s passions; that love and dislike, some one thing, some another: and therefore some men’s thoughts run one way, some another; and are held to, and observe differently the things that pass through their imagination. And whereas in this succession of men’s thoughts, there is nothing to observe in the things they think on, but either in what they be “like one another,” or in what they be “unlike,” or “what they serve for,” or “how they serve to such a purpose;” those that observe their similitudes, in case they be such as are but rarely observed by others, are said to have a “good wit;” by which, in this occasion, is meant a “good fancy.” But they that observe their differences and dissimilitudes: which is called “distinguishing,” and “discerning,” and “judging” between thing and thing; in case such discerning be not easy, are said to have a “good judgment:” and particularly in matter of conversation and business; wherein times, places, and persons are to be discerned, this virtue is called “discretion.” The former, that is, fancy, without the help of judgment, is not commended as a virtue: but the latter, which is judgment, and discretion, is commended for itself, without [the help of fancy. Besides the discretion of times, places, and persons, necessary to a good fancy, there is required also an often application of his thoughts to their end; that is to say, to some use to be made of them. This done; he that hath this virtue, will be easily fitted with similitudes that will please, not only by illustrations of his discourse, and adorning it with new and apt metaphors; but also, by the rarity of their invention. But without steadiness, and direction to some end, a great fancy is one kind of madness; such as they have, that entering into any discourse, are snatched from their purpose by everything that comes in their thought, into so many and so long digressions, and parentheses, that they utterly lose themselves: which kind of folly I know no particular name for; but the cause of it is, sometimes want of experience; whereby that seemeth to a man new and rare, which doth not so to others, sometimes pusillanimity; by which that seems great to him, which other men think a trifle: and whatsoever is new, or great, and therefore thought fit to be told, withdraws a man by degrees from the intended way of his discourse.

In a good poem, whether it be “epic,” or “dramatic;” as also in “sonnets,” “epigrams,” and other pieces, both judgment and fancy are required; but the fancy must be more eminent; because they please for the extravagancy; but ought not to displease by indiscretion.

In a good history, the judgment must be eminent; because the goodness consisteth in the method, in the truth, and in the choice of the actions that are most profitable to be known. Fancy has no place, but only in adorning the style.

In orations of praise, and in invectives, the fancy is predominant; because the design is not truth, but to honour or dishonour; which is done by noble

or by vile comparisons. The judgment does but suggest what circumstances make an action laudable, or culpable.

In hortatives, and pleadings, as truth or disguise serveth best to the design in hand ; so is the judgment or the fancy most required.

In demonstration, in counsel, and all rigorous search of truth, judgment does all, except sometimes the understanding have need to be opened by some apt similitude ; and then there is so much use of fancy. But for metaphors, they are in this case utterly excluded. For seeing they openly profess deceit ; to admit them into counsel or reasoning were manifest folly.

And in any discourse whatsoever, if the defect of discretion be apparent, how extravagant soever the fancy be, the whole discourse will be taken for a sign of want of wit ; and so will it never when the discretion is manifest, though the fancy be never so ordinary.

The secret thoughts of a man run over all things, holy, profane, clean, obscene, grave and light, without shame, or blame ; which verbal discourse cannot do, farther than the judgment shall approve of the time, place, and persons. An anatomist or a physician may speak, or write his judgment of unclean things ; because it is not to please, but profit : but for another man to write his extravagant and pleasant fancies of the same, is as if a man, from being tumbled into the dirt, should come and present himself before good company. And it is the want of discretion that makes the difference. Again, in professed remissness of mind, and familiar company, a man may play with the sounds and equivocal significations of words ; and that many times with encounters of extraordinary fancy : but in a sermon, or in public, or before persons unknown, or whom we ought to reverence, there is no gingling of words that will not be accounted folly : and the difference is only in the want of discretion. So that where wit is wanting, it is not fancy that is wanting, but discretion. Judgment therefore without fancy is wit, but fancy without judgment, not.

When the thoughts of a man, that has a design in hand, running over a multitude of things, observes how they conduce to that design ; or what design they may conduce unto ; if his observations be such as are not easy, or usual, this wit of his is called "prudence ;" and depends on much experience, and memory of the like things and their consequences heretofore. In which there is not so much difference of men, as there is in their fancies and judgment ; because the experience of men equal in age, is not much unequal as to the quantity ; but lies in different occasions ; every one having his private designs. To govern well a family and a kingdom, are not different degrees of prudence ; but different sorts of business ; no more than to draw a picture in little, or as great, or greater than the life, are different degrees of art. A plain husbandman is more prudent in affairs of his own house, than a privy-councillor in the affairs of another mar.

To prudence, if you add the use of unjust or dishonest means, such as usually are prompted to men by fear, or want ; you have that crooked wisdom which is called "craft ;" which is a sign of pusillanimity. For magnanimity is contempt of unjust or dishonest helps. And that which the Latins call *versutia*, translated into English, "shifting," and is a putting off of a present danger or incommodity, by engaging into a greater, as when a man robs one to pay another, is but a shorter-sighted craft, called *versutia*, from *versura*, which signifies taking money at usury for the present payment of interest.

As for "acquired wit," I mean acquired by method and instruction, there is none but reason ; which is grounded on the right use of speech, and produceth the sciences. But of reason and science I have already spoken, in the fifth and sixth chapters.

The causes of this difference of wits, are in the passions ; and the difference of passions proceedeth, partly from the different constitution of the body, and partly from different education. For if the difference proceeded from the temper of the brain, and the organs of sense, either exterior or interior, there would be no less difference of men in their sight, hearing, or other senses, than in their fancies and discretions. It proceeds therefore from the passions ; which are different, not only from the difference of men's complexions ; but also from their difference of customs, and education.

The passions that most of all cause the difference of wit, are principally, the more or less desire of power, of riches, of knowledge, and of honour. All which may be reduced to the first, that is, desire of power. For riches, knowledge, and honour, are but several sorts of power.

And therefore, a man who has no great passion for any of these things ; but is, as men term it, indifferent ; though he may be so far a good man, as to be free from giving offence ; yet he cannot possibly have either a great fancy, or much judgment. For the thoughts are to the desires, as scouts, and spies, to range abroad, and find the way to the things desired : all steadiness of the mind's motion, and all quickness of the same, proceeding from thence : for as to have no desire, is to be dead : so to have weak passions, is dulness ; and to have passions indifferently for everything, "giddiness," and "distraction ;" and to have stronger and more vehement passions for anything, than is ordinarily seen in others, is that which men call "madness."

Whereof there be almost as many kinds, as of the passions themselves. Sometimes the extraordinary and extravagant passion, proceedeth from the evil constitution of the organs of the body, or harm done them ; and sometimes the hurt and indisposition of the organs, is caused by the vehemence, or long continuance of the passion. But in both cases the madness is of one and the same nature.

The passion, whose violence, or continuance, maketh madness, is either great "vain-glory ;" which is commonly called "pride," and "self-conceit ;" or great "dejection" of mind.

Pride, subjecteth a man to anger, the excess whereof is the madness called "rage" and "fury." And thus it comes to pass that excessive desire of revenge, when it becomes habitual, hurteth the organs, and becomes rage : that excessive love, with jealousy, becomes also rage : excessive opinion of a man's own self, for divine inspiration, for wisdom, learning, form and the like, becomes distraction and giddiness : the same, joined with envy, rage : vehement opinion of the truth of anything, contradicted by others, rage.

Dejection subjects a man to causeless fears ; which is a madness, commonly called "melancholy ;" apparent also in divers manners ; as in haunting of solitudes and graves ; in superstitious behaviour ; and in fearing, some one, some another particular thing. In sum, all passions that produce strange and unusual behaviour, are called by the general name of madness. But of the several kinds of madness, he that would take the pains, might enrol a legion. And if the excesses be madness, there is no doubt but the passions themselves, when they tend to evil, are degrees of the same.

For example, though the effect of folly, in them that are possessed of an opinion of being inspired, be not visible always in one man, by any very extravagant action, that proceedeth from such passion ; yet, when many of them conspire together, the rage of the whole multitude, is visible enough. For what argument of madness can there be greater, than to clamour, strike, and throw stones at our best friends ? Yet this is somewhat less than such a multitude will do. For they will clamour, fight against, and destroy those, by whom all their lifetime before they have been protected, and

secured from injury. And if this be madness in the multitude, it is the same in every particular man. For as in the midst of the sea, though a man perceive no sound of that part of the water next him, yet he is well assured, that part contributes as much to the roaring of the sea, as any other part of the same quantity ; so also, though we perceive no great unquietness in one or two men, yet we may be well assured, that their singular passions, are parts of the seditious roaring of a troubled nation. And if there were nothing else that bewrayed their madness, yet that very arrogating such inspiration to themselves, is argument enough. If some man in Bedlam should entertain you with sober discourse ; and you desire in taking leave, to know what he were, that you might another time requite his civility ; and he should tell you, he were God the Father ; I think you need expect no extravagant action for argument of his madness.

This opinion of inspiration, called commonly, private spirit, begins very often, from some lucky finding of an error generally held by others ; and not knowing, or not remembering, by what conduct of reason, they came to so singular a truth (as they think it, though it be many times an untruth they light on) they presently admire themselves, as being in the special grace of God Almighty, who hath revealed the same to them supernaturally, by his Spirit.

Again, that madness is nothing else, but too much appearing passion, may be gathered out of the effects of wine, which are the same with those of the evil disposition of the organs. For the variety of behaviour in men that have drunk too much, is the same with that of madmen : some of them raging, others loving, others laughing, all extravagantly, but according to their several domineering passions : for the effect of the wine, does but remove dissimulation, and take from them the sight of the deformity of their passions. For, I believe, the most sober men, when they walk alone without care and employment of the mind, would be unwilling the vanity and extravagance of their thoughts at that time should be publicly seen ; which is a confession, that passions unguided, are for the most part mere madness.

The opinions of the world, both in ancient and later ages, concerning the cause of madness, have been two. Some deriving them from the passions ; some from demons, or spirits, either good or bad, which they thought might enter into a man, possess him, and move his organs in such strange and uncouth manner, as madmen use to do. The former sort, therefore, called such men madmen : but the latter called them sometimes "demoniacs," that is, possessed with spirits ; sometimes *enur gumeni*, that is, agitated or moved with spirits ; and now in Italy they are called, not only *pazzi*, madmen ; but also *spiritati*, men possessed.

There was once a great conflux of people in Abdera, a city of the Greeks, at the acting of the tragedy of "Andromeda," upon an extreme hot day ; whereupon, a great many of the spectators falling into fevers had this accident from the heat, and from the tragedy together, that they did nothing but pronounce iambics, with the names of Perseus and Andromeda ; which, together with the fever, was cured by the coming on of winter ; and this madness was thought to proceed from the passion imprinted by the tragedy. Likewise there reigned a fit of madness in another Grecian city, which seized only the young maidens, and caused many of them to hang themselves. This was by most then thought an act of the devil. But one that suspected that contempt of life in them might proceed from some passion of the mind, and supposing that they did not condemn also their honour, gave counsel to the magistrates to strip such as so hanged themselves, and let them hang out naked. This, the story says, cured that madness. But on the other side, the same Grecians did often ascribe madness to the



operation of Eumenides, or Furies ; and sometimes of Ceres, Phœbus, and other gods ; so much did men attribute to phantasms, as to think them ærial living bodies, and generally to call them spirits. And as the Romans in this held the same opinion with the Greeks, so also did the Jews ; for they call madmen prophets, or, according as they thought the spirits good or bad, demoniacs : and some of them called both prophets and demoniacs, madmen ; and some called the same man both demoniac and madman. But for the Gentiles it is no wonder, because diseases and health, vices and virtues, and many natural accidents, were with them termed and worshipped as demons. So that a man was to understand by demon, as well sometimes an ague as a devil. But for the Jews to have such opinion is somewhat strange. For neither Moses nor Abraham pretended to prophesy by possession of a spirit ; but from the voice of God ; or by a vision or dream ; nor is there anything in his law, moral or ceremonial, by which they were taught, there was any such enthusiasm, or any possession. When God is said (Numb. xi. 25) to take from the spirit that was in Moses, and give to the seventy elders, the Spirit of God (taking it for the substance of God) is not divided. The Scriptures, by the Spirit of God in man, mean a man's spirit, inclined to godliness. And where it is said (Exod. xxiii. 8) "whom I have filled with the spirit of wisdom to make garments for Aaron," is not meant a spirit put into them that can make garments, but the wisdom of their own spirits in that kind of work. In the like sense, the spirit of man, when it produceth unclean actions, is ordinarily called an unclean spirit, and so other spirits, though not always, yet as often as the virtue or vice so styled, is extraordinary and eminent. Neither did the other prophets of the Old Testament pretend enthusiasm ; or, that God spake in them ; but to them, by voice, vision, or dream ; and the "burthen of the Lord" was not possession, but command. How then could the Jews fall into this opinion of possession ? I can imagine no reason, but that which is common to all men, namely, the want of curiosity to search natural causes : and their placing felicity in the acquisition of the gross pleasures of the senses, and the things that most immediately conduce thereto. For they that see any strange and unusual ability, or defect in a man's mind, unless they see withal, from what cause it may probably proceed, can hardly think it natural ; and if not natural, they must needs think it supernatural ; and then what can it be, but that either God or the devil is in him ? And hence it came to pass, when our Saviour (Mark iii. 21) was compassed about with the multitude, those of the house doubted he was mad, and went out to hold him : but the Scribes said he had Beelzebub, and that was it by which he cast out devils ; as if the greater madman had awed the lesser ; and that (John x. 20) some said, "he hath a devil, and is mad ;" whereas others holding him for a prophet, said "these are not the words of one that hath a devil." So in the Old Testament he that came to anoint Jehu (2 Kings ix. 11) was a prophet ; but some of the company asked Jehu "what came that madman for ?" So that in sum, it is manifest, that whosoever behaved himself in extraordinary manner, was thought by the Jews to be possessed either with a good or evil spirit, except by the Sadducees, who erred so far on the other hand as not to believe there were at all any spirits, which is very near to direct atheism ; and thereby perhaps the more provoked others, to term such men demoniacs, rather than madmen.

But why then does our Saviour proceed in the curing of them, as if they were possessed ; and not as if they were mad ? To which I can give no other kind of answer, but that which is given to those that urge the Scripture in like manner against the opinion of the motion of the earth. The Scripture was written to show unto men the kingdom of God, and to

prepare their minds to become his obedient subjects; leaving the world, and the philosophy thereof, to the disputation of men, for the exercising of their natural reason. Whether the earth's or sun's motion make the day, and night; or whether the exorbitant actions of men, proceed from passion, or from the devil, so we worship him not, it is all one, as to our obedience, and subjection to God Almighty; which is the thing for which the Scripture was written. As for that our Saviour speaketh to the disease, as to a person; it is the usual phrase of all that cure by words only, as Christ did, and enchanters pretend to do, whether they speak to a devil or not. For is not Christ also said (Matt. viii. 26) to have rebuked the winds? Is not He said also (Luke iv. 39) to rebuke a fever? Yet this does not argue that a fever is a devil. And whereas many of the devils are said to confess Christ; it is not necessary to interpret those places otherwise, than that those madmen confessed Him. And whereas our Saviour (Matt. xii. 43) speaketh of an unclean spirit, that having gone out of a man, wandereth through dry places, seeking rest, and finding none, and returning into the same man, with seven other spirits worse than himself; it is manifestly a parable, alluding to a man, that after a little endeavour to quit his lusts, is vanquished by the strength of them; and becomes seven times worse than he was. So that I see nothing at all in the Scripture, that requireth a belief that demoniacs were any other thing but madmen.

There is yet another fault in the discourses of some men; which may also be numbered amongst the sorts of madness; namely, that abuse of words, whereof I have spoken before in the fifth chapter, by the name of absurdity. And that is, when men speak such words, as put together, have in them no signification at all; but are fallen upon by some, through misunderstanding of the words they have received, and repeat by rote; by others from intention to deceive by obscurity. And this is incident to none but those, that converse in questions of matters incomprehensible, as the schoolmen; or in questions of abstruse philosophy. The common sort of men seldom speak insignificantly, and are therefore by those other egregious persons counted idiots. But to be assured their words are without anything correspondent to them in the mind, there would need some examples; which if any man require, let him take a schoolman in his hands and see if he can translate any one chapter concerning any difficult point, as the Trinity; the Deity; the nature of Christ; transubstantiation; free-will, &c., into any of the modern tongues, so as to make the same intelligible; or into any tolerable Latin, such as they were acquainted withal, that lived when the Latin tongue was vulgar. What is the meaning of these words, "The first cause does not necessarily inflow anything into the second, by force of the essential subordination of the second causes, by which it may help it to work?" They are the translation of the title of the sixth chapter of Suarez' first book, "Of the concurrence, motion, and help of God." When men write whole volumes of such stuff, are they not mad, or intend to make others so? And particularly, in the question of transubstantiation; where after certain words spoken; they that say, the *whiteness*, *roundness*, *magnitude*, *quality*, *corruptibility*, all which are incorporeal, &c., go out of the wafer, into the body of our blessed Saviour, do they not make those "nesses," "tudes," and "ties," to be so many spirits possessing his body? For by spirits, they mean always things, that being incorporeal, are nevertheless movable from one place to another. So that this kind of absurdity, may rightly be numbered amongst the many sorts of madness; and all the time that guided by clear thoughts of their worldly lust, they forbear disputing, or writing thus, but lucid intervals. And thus much of the virtues and defects intellectual.

## CHAPTER IX.

*Of the Several Subjects of Knowledge.*

THERE are of "knowledge" two kinds; whereof one is "knowledge of fact:" the other "knowledge of the consequence of one affirmation to another." The former is nothing else but sense and memory, and is "absolute knowledge;" as when we see a fact doing, or remember it done: and this is the knowledge required in a witness. The latter is called "science," and is "conditional;" as when we know that, "if the figure shown be a circle, then any straight line through the centre shall divide it into two equal parts." And this is the knowledge required in a philosopher, that is to say, of him that pretends to reasoning.

The register of "knowledge of fact" is called "history." Whereof there be two sorts: one called "natural history;" which is the history of such facts, or effects of Nature, as have no dependence on man's "will;" such as are the histories of "metals," "plants," "animals," "regions," and the like. The other is "civil history;" which is the history of the voluntary actions of men in commonwealths.

The registers of science, are such "books" as contain the "demonstrations" of consequences of one affirmation to another; and are commonly called "books of philosophy;" whereof the sorts are many, according to the diversity of the matter; and may be divided in such manner as I have divided them in the following table (pp. 46, 47).

## CHAPTER X.

*Of Power, Worth, Dignity, Honour, and Worthiness.*

THE "power of a man," to take it universally, is his present means; to obtain some future apparent good: and is either "original" or "instrumental."

"Natural power," is the eminence of the faculties of body or mind; as extraordinary strength, form, prudence, arts, eloquence, liberality, nobility. "Instrumental" are those powers, which acquired by these, or by fortune, are means and instruments to acquire more: as riches, reputation, friends, and the secret working of God, which men call good luck. For the nature of power is in this point like to fame, increasing as it proceeds; or like the motion of heavy bodies, which the further they go, make still the more haste.

The greatest of human powers, is that which is compounded of the powers of most men, united by consent, in one person, natural or civil, that has the use of all their powers depending on his will; such as is the power of a commonwealth: or depending on the wills of each particular; such as is the power of a faction or of divers factions leagued. Therefore to have servants, is power; to have friends, is power: for they are strengths united.

Also riches joined with liberality, is power; because it procureth friends, and servants; without liberality, not so; because in this case they defend not; but expose men to envy, as a prey.

SCIENCE,  
that is,  
knowledge  
of conse-  
quences ;  
which is  
called also  
PHILOSOPHY.

Consequences  
from the  
accidents of  
bodies na-  
tural ; which  
is called NA-  
TURAL PHI-  
LOSOPHY.

PHYSICS  
or conse-  
quences  
from *qua-  
lities*.

Conse-  
quences  
from the  
qualities  
of bodies  
*perma-  
nent*.

Consequences from the accidents common to  
all bodies natural ; which are *quantity* and  
*motion* . . . . .

Consequences from the qualities  
of bodies *transient*, such as  
sometimes appear, sometimes  
vanish, *Meteorology* . . . .

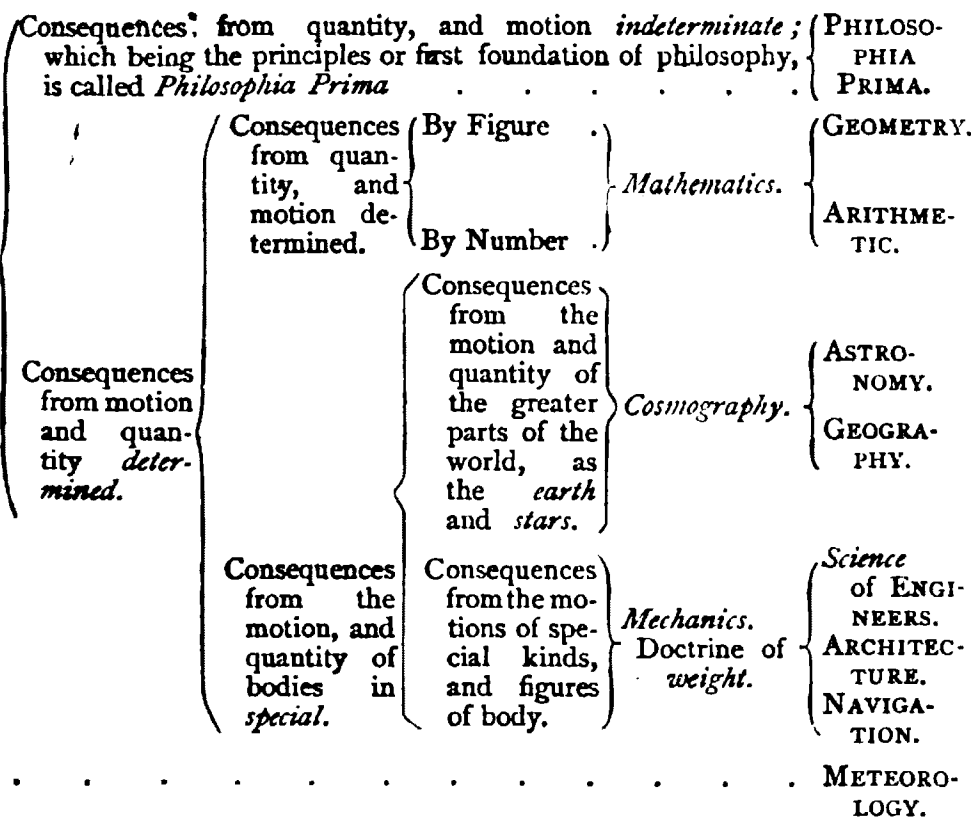
Consequences from  
the qualities of the  
*stars*.

Consequences of the  
qualities from *liqui*  
bodies, that fill the  
space between the  
stars ; such as are  
the *air*, or sub-  
stances ethereal.

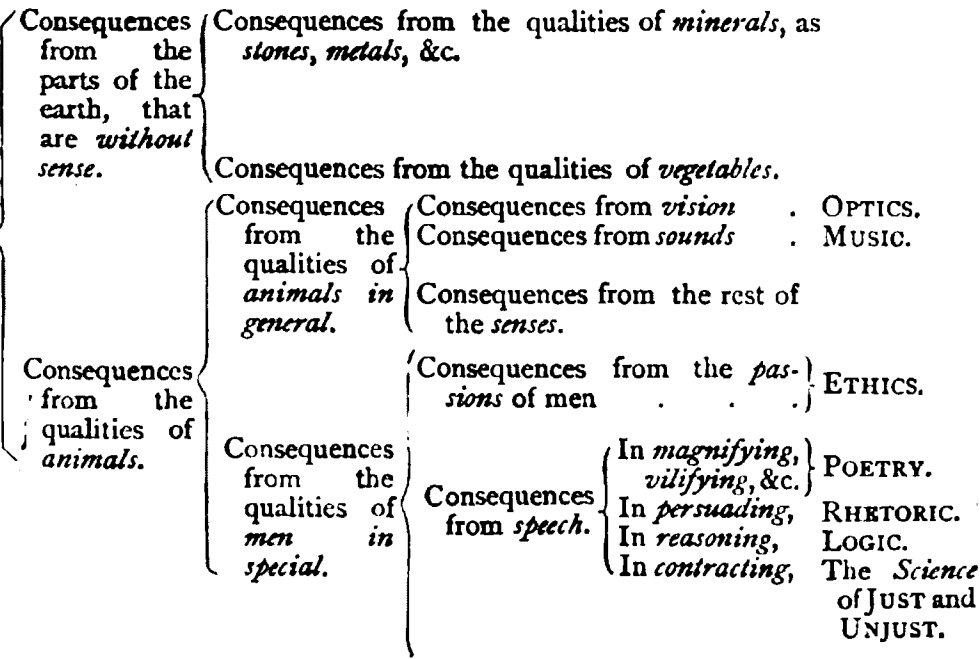
Consequences from  
the qualities of *bo-  
dies terrestrial*.

Consequences  
from the  
accidents of  
*politic* bo-  
dies ; which  
is called PO-  
LITICS, and  
CIVIL PHI-  
LOSOPHY.

1. Of consequences from the *institution* of  
COMMONWEALTHS, to the *rights* and *duties*  
of the *body politic* or *sovereign*.
2. Of consequences from the same, to the  
*duty* and *right* of the *subjects*.



Consequences from the <i>light</i> of the stars. Out of this, and the motion of the sun, is made the science of . . .	SCIOGRAPHY.
Consequences from the <i>influences</i> of the stars . . .	ASTROLOGY.



Reputation of power, is power ; because it draweth with it the adherence of those that need protection.

So is reputation of love of a man's country, called popularity, for the same reason.

Also, what quality soever maketh a man beloved, or feared of many ; or the reputation of such quality, is power ; because it is a means to have the assistance and service of many.

Good success is power ; because it maketh reputation of wisdom, or good fortune ; which makes men either fear him, or rely on him.

Affability of men already in power, is increase of power ; because it gaineth love.

Reputation of prudence in the conduct of peace or war, is power ; because to prudent men, we commit the government of ourselves, more willingly than to others.

Nobility is power, not in all places, but only in those commonwealths where it has privileges : for in such privileges, consisteth their power.

Eloquence is power, because it is seeming prudence.

Form is power ; because being a promise of good, it recommendeth men to the favour of women and strangers.

The sciences are small power ; because not eminent ; and therefore, not acknowledged in any man ; nor are at all, but in a few, and in them, but of a few things. For science is of that nature, as none can understand it to be, but such as in a good measure have attained it.

Arts of public use, as fortification, making of engines, and other instruments of war ; because they confer to defence and victory, are power : and though the true mother of them be science, namely the mathematics ; yet, because they are brought into the light by the hand of the artificer, they be esteemed, the midwife passing with the vulgar for the mother, as his issue.

The "value," or "worth" of a man, is as of all other things, his price ; that is to say, so much as would be given for the use of his power : and therefore is not absolute ; but a thing dependent on the need and judgment of another. An able conductor of soldiers, is of great price in time of war present, or imminent ; but in peace not so. A learned and uncorrupt judge, is much worth in time of peace ; but not so much in war. And as in other things, so in men, not the seller, but the buyer determines the price. For let a man, as most men do, rate themselves at the highest value they can ; yet their true value is no more than it is esteemed by others.

The manifestation of the value we set on one another, is that which is commonly called honouring, and dishonouring. To value a man at a high rate, is to "honour" him ; at a low rate, is to "dishonour" him. But high, and low, in this case, is to be understood by comparison to the rate that each man setteth on himself.

The public worth of a man, which is the value set on him by the commonwealth, is that which men commonly call "dignity." And this value of him by the commonwealth, is understood, by offices of command, judicature, public employment ; or by names and titles, introduced for distinction of such value.

To pray to another, for aid of any kind, is "to honour ;" because a sign we have an opinion he has power to help ; and the more difficult the aid is, the more is the honour.

To obey, is to honour, because no man obeys them whom they think have no power to help, or hurt them. And consequently to disobey, is to "dishonour."

To give great gifts to a man, is to honour him ; because it is buying of protection, and acknowledging of power. To give little gifts, is to

dishonour ; because it is but alms, and signifies an opinion of the need of small helps.

To be sedulous in promoting another's good, also to flatter, is to honour ; as a sign we seek his protection or aid. To neglect, is to dishonour.

To give way or place to another, in any commodity, is to honour ; being a confession of greater power. To arrogate, is to dishonour.

To show any sign of love, or fear of another, is to honour ; for both to love, and to fear, is to value. To contemn, or less to love or fear than he expects, is to dishonour ; for it is undervaluing.

To praise, magnify, or call happy, is to honour ; because nothing but goodness, power, and felicity is valued. To revile, mock, or pity, is to dishonour.

To speak to another with consideration, to appear before him with decency, and humility, is to honour him ; as signs of fear to offend. To speak to him rashly, to do anything before him obscenely, slovenly, impudently, is to dishonour.

To believe, to trust, to rely on another, is to honour him ; sign of opinion of his virtue and power. To distrust, or not believe, is to dishonour.

To hearken to a man's counsel, or discourse, of what kind soever, is to honour ; as a sign we think him wise, or eloquent, or witty. To sleep, or go forth, or talk the while, is to dishonour.

To do those things to another, which he takes for signs of honour, or which the law or custom makes so, is to honour ; because in approving the honour done by others, he acknowledgeth the power which others acknowledge. To refuse to do them, is to dishonour.

To agree with in opinion, is to honour ; as being a sign of approving his judgment and wisdom. To dissent, is dishonour, and an upbraiding of error ; and if the dissent be in many things, of folly.

To imitate, is to honour ; for it is vehemently to approve. To imitate one's enemy, is to dishonour.

To honour those another honours, is to honour him ; as a sign of approbation of his judgment. To honour his enemies, is to dishonour him.

To employ in counsel, or in actions of difficulty, is to honour ; as a sign of opinion of his wisdom, or other power. To deny employment in the same cases, to those that seek it, is to dishonour.

All these ways of honouring, are natural ; and as well within as without commonwealths. But in commonwealths, where he, or they that have the supreme authority, can make whatsoever they please to stand for signs of honour, there be other honours.

A sovereign doth honour a subject, with whatsoever title, or office, or employment, or action, that he himself will have taken for a sign of his will to honour him.

The king of Persia honoured Mordecai, when he appointed he should be conducted through the streets in the king's garment, upon one of the king's horses, with a crown on his head, and a prince before him, proclaiming, " Thus shall it be done to him that the king will honour." And yet another king of Persia, or the same another time, to one that demanded for some great service, to wear one of the king's robes, gave him leave so to do ; but with this addition, that he should wear it as the king's fool ; and then it was dishonour. So that of civil honour, the fountain is in the person of the commonwealth, and dependeth on the will of the sovereign ; and is therefore temporary, and called " civil honour ;" such as magistracy offices, titles ; and in some places, coats and scutcheons painted : and men honour such as have them, as having so many signs of favour in the commonwealth ; which favour is power.

“Honourable” is whatsoever possession, action, or quality, is an argument and sign of power.

And therefore to be honoured, loved, or feared of many, is honourable ; as arguments of power. To be honoured of few or none, “dishonourable.”

Dominion and victory is honourable ; because acquired by power ; and servitude, for need, or fear, is dishonourable.

Good fortune, if lasting, honourable ; as a sign of the favour of God. Ill fortune, and losses, dishonourable. Riches are honourable ; for they are power. Poverty, dishonourable. Magnanimity, liberality, hope, courage, confidence, are honourable ; for they proceed from the conscience of power. Pusillanimity, parsimony, fear, diffidence, are dishonourable.

Timely resolution, or determination of what a man is to do, is honourable ; as being the contempt of small difficulties and dangers. And irresolution, dishonourable ; as a sign of too much valuing of little impediments, and little advantages : for when a man has weighed things as long as the time permits, and resolves not, the difference of weight is but little ; and therefore if he resolve not, he overvalues little things, which is pusillanimity,

All actions and speeches that proceed, or seem to proceed, from much experience, science, discretion, or wit, are honourable ; for all these are powers. Actions, or words that proceed from error, ignorance, or folly, dishonourable.

Gravity, as far forth as it seems to proceed from a mind employed on something else, is honourable ; because employment is a sign of power. But if it seem to proceed from a purpose to appear grave, it is dishonourable. For the gravity of the former, is like the steadiness of a ship laden with merchandize ; but of the latter, like the steadiness of a ship ballasted with sand, and other trash.

To be conspicuous, that is to say, to be known, for wealth, office, great actions, or any eminent good, is honourable ; as a sign of the power for which he is conspicuous. On the contrary, obscurity is dishonourable.

To be descended from conspicuous parents, is honourable ; because they the more easily attain the aids and friends of their ancestors. On the contrary, to be descended from obscure parentage, is dishonourable.

Actions proceeding from equity, joined with loss, are honourable ; as signs of magnanimity : for magnanimity is a sign of power. On the contrary, craft, shifting, neglect of equity, is dishonourable.

Covetousness of great riches, and ambition of great honours, are honourable ; as signs of power to obtain them. Covetousness, and ambition, of little gains or preferments, is dishonourable.

Nor does it alter the case of honour, whether an action, so it be great and difficult, and consequently a sign of much power, be just or unjust : for honour consisteth only in the opinion of power. Therefore the ancient heathen did not think they dishonoured, but greatly honoured the gods, when they introduced them in their poems, committing rapes, thefts, and other great but unjust, or unclean acts : insomuch as nothing is so much celebrated in Jupiter, as his adulteries ; nor in Mercury, as his frauds and thefts : of whose praises, in a hymn of Homer, the greatest is this, that being born in the morning, he had invented music at noon, and before night, stolen away the cattle of Apollo from his herdsmen.

Also amongst men, till there were constituted great commonwealths, it was thought no dishonour to be a pirate, or a highway thief ; but rather a lawful trade, not only amongst the Greeks, but also amongst all other nations, as is manifest by the histories of ancient time. And at this day, in this part of the world, private duels are and always will be honourable, though unlawful, till such time as there shall be honour ordained for them



that refuse, and ignominy for them that make the challenge. For duels also are many times effects of courage ; and the ground of courage is always strength or skill, which are power ; though for the most part they be effects of rash speaking, and of the fear of dishonour, in one or both the combatants ; who engaged by rashness, are driven into the lists to avoid disgrace.

Scutcheons, and coats of arms hereditary, where they have any eminent privileges, are honourable ; otherwise not : for their power consisteth either in such privileges, or in riches, or some such thing as is equally honoured in other men. This kind of honour, commonly called gentry, hath been derived from the ancient Germans. For there never was any such thing known, where the German customs were unknown. Nor is it now anywhere in use, where the Germans have not inhabited. The ancient Greek commanders, when they went to war, had their shields painted with such devices as they pleased ; insomuch that an unpainted buckler was a sign of poverty, and of a common soldier ; but they transmitted not the inheritance of them. The Romans transmitted the marks of their families : but they were the images, not the devices of their ancestors. Amongst the people of Asia, Africa, and America, there is not, nor was ever, any such thing. The Germans only had that custom ; from whom it has been derived into England, France, Spain, and Italy, when in great numbers they either aided the Romans, or made their own conquests in these western parts of the world.

For Germany, being anciently, as all other countries in their beginnings, divided amongst an infinite number of little lords, or masters of families, that continually had wars one with another ; those masters, or lords, principally to the end they might, when they were covered with arms, be known by their followers ; and partly for ornament, both painted their armour, or their scutcheon, or coat, with the picture of some beast, or other thing, and also put some eminent and visible mark upon the crest of their helmets. And this ornament both of the arms, and crest, descended by inheritance to their children ; to the eldest pure, and to the rest with some note of diversity, such as the old master, that is to say in Dutch, the "Here-alt" thought fit. But when many such families, joined together, made a greater monarchy, this duty of the Herealt, to distinguish scutcheons, was made a private office apart. And the issue of these lords is the great and ancient gentry ; which for the most part bear living creatures, noted for courage and rapine ; or castles, battlements, belts, weapons, bars, palisadoes, and other notes of war ; nothing being then in honour but virtue military. Afterwards, not only kings, but popular commonwealths, gave divers manners of scutcheons, to such as went forth to the war, or returned from it, for encouragement, or recompense to their service. All which, by an observing reader, may be found in such ancient histories, Greek and Latin, as make mention of the German nation and manners in their times.

Titles of "honour," such as are duke, count, marquis, and baron, are honourable ; as signifying the value set upon them by the sovereign power of the commonwealth : which titles, were in old time titles of office and command, derived some from the Romans, some from the Germans and French : dukes, in Latin "duces," being generals in war : counts, "comites," such as bear the general company out of friendship, and were left to govern and defend places conquered and pacified : marquises, "marchiones," were counts that governed the marches, or bounds of the empire. Which titles of duke, count, and marquis, came into the empire about the time of Constantine the Great, from the customs of the German "militia." But baron seems to have been a title of the Gauls, and signifies a great man ; such as were the king's or prince's men, whom they employed in war about their persons ; and seems to be derived from "vir," to "ber," and "bar," that

signified the same in the language of the Gauls, that "vir" in Latin; and thence to "bero," and "baro," so that such men were called "berones," and after "barones;" and, in Spanish, "varones." But he that would know more particularly the original of titles of honour, may find it, as I have done this, in Mr. Selden's most excellent treatise of that subject. In process of time these offices of honour, by occasion of trouble, and for reasons of good and peaceable government, were turned into mere titles: serving for the most part, to distinguish the precedence, place, and order of subjects in the commonwealth: and men were made dukes, counts, marquises, and barons of places, wherein they had neither possession nor command: and other titles also were devised to the same end.

"Worthiness," is a thing different from the worth or value of a man: and also from his merit, or desert, and consisteth in a particular power, or ability for that, whereof he is said to be worthy: which particular ability is usually named "fitness," or "aptitude."

For he is worthiest to be a commander, to be a judge, or to have any other charge, that is best fitted, with the qualities required to the well discharging of it: and worthiest of riches, that has the qualities most requisite for the well using of them: any of which qualities being absent, one may nevertheless be a worthy man, and valuable for something else. Again, a man may be worthy of riches, office, and employment, and nevertheless can plead no right to have it before another; and therefore cannot be said to merit or deserve it. For merit presupposeth a right, and that the thing deserved is due by promise: of which I shall say more hereafter, when I shall speak of contracts.

## CHAPTER XI.

### *Of the Difference of Manners.*

By manners I mean not here decency of behaviour; as how one should salute another, or how a man should wash his mouth, or pick his teeth before company, and such other points of the "small morals;" but those qualities of mankind that concern their living together in peace and unity. To which end we are to consider that the felicity of this life consisteth not in the repose of a mind satisfied. For there is no such *finis ultimus*, utmost aim, nor *summum bonum*, greatest good, as is spoken of in the books of the old moral philosophers. Nor can a man any more live, whose desires are at an end, than he whose senses and imaginations are at a stand. Felicity is a continual progress of the desire, from one object to another, the attaining of the former being still but the way to the latter. The cause whereof is that the object of man's desire is not to enjoy once only, and for one instant of time, but to assure for ever the way of his future desire. And therefore the voluntary actions and inclinations of all men, tend not only to the procuring, but also to the assuring of a contented life; and differ only in the way which ariseth partly from the diversity of passions in divers men; and partly from the difference of the knowledge or opinion each one has of the causes which produce the effect desired.

So that in the first place, I put for a general inclination of all mankind, a perpetual and restless desire of power after power, that ceaseth only in death. And the cause of this is not always that a man hopes for a more intensive delight than he has already attained to, or that he cannot be content with a moderate power; but because he cannot assure the power and

means to live well, which he hath present, without the acquisition of more. And from hence it is that kings, whose power is greatest, turn their endeavours to the assuring it at home by laws, or abroad by wars; and when that is done, there succeedeth a new desire; in some, of fame from new conquest; in others, of ease and sensual pleasure; in others, of admiration, or being flattered for excellence in some art, or other ability of the mind.

Competition of riches, honour, command, or other power, inclineth to contention, enmity, and war; because the way of one competitor, to the attaining of his desire, is to kill, subdue, supplant, or repel the other. Particularly, competition of praise, inclineth to a reverence of antiquity. For men contend with the living, not with the dead; to these ascribing more than due, that they may obscure the glory of the other.

Desire of ease, and sensual delight, disposeth men to obey a common power, because by such desires a man doth abandon the protection that might be hoped for from his own industry and labour. Fear of death, and wounds, disposeth to the same, and for the same reason. On the contrary, needy men, and hardy, not contented with their present condition, as also all men that are ambitious of military command, are inclined to continue the causes of war; and to stir up trouble and sedition, for there is no honour military but by war, nor any such hope to mend an ill game, as by causing a new shuffle.

Desire of knowledge, and arts of peace, inclineth men to obey a common power: for such desire, containeth a desire of leisure; and consequently protection from some other power than their own.

Desire of praise, disposeth to laudable actions, such as please them whose judgment they value; for of those men whom we contemn, we contemn also the praises. Desire of fame after death does the same. And though after death, there be no sense of the praise given us on earth, as being joys, that are either swallowed up in the unspeakable joys of Heaven, or extinguished in the extreme torments of hell: yet is not such fame vain; because men have a present delight therein, from the foresight of it, and of the benefit that may redound thereby to their posterity: which though they now see not, yet they imagine; and anything that is pleasure to the sense, the same also is pleasure in the imagination.

To have received from one, to whom we think ourselves equal, greater benefits than there is hope to requite, disposeth to counterfeit love; but really secret hatred; and puts a man into the estate of a desperate debtor, that in declining the sight of his creditor, tacitly wishes him there, where he might never see him more. For benefits oblige, and obligation is thralldom; and unrequitable obligation perpetual thralldom; which is to one's equal, hateful. But to have received benefits from one, whom we acknowledge for superior, inclines to love; because the obligation is no new depression: and cheerful acceptance, which men call "gratitude," is such an honour done to the obliger, as is taken generally for retribution. Also to receive benefits, though from an equal, or inferior, as long as there is hope of requital, disposeth to love: for in the intention of the receiver, the obligation is of aid and service mutual; from whence proceedeth an emulation of who shall exceed in benefiting; the most noble and profitable contention possible; wherein the victor is pleased with his victory, and the other revenged by confessing it.

To have done more hurt to a man, than he can or is willing to expiate, inclineth the doer to hate the sufferer. For he must expect revenge, or forgiveness; both which are hateful.

Fear of oppression, disposeth a man to anticipate, or to seek aid by society: for there is no other way by which a man can secure his life and liberty.

Men that distrust their own subtlety, are, in tumult and sedition, better disposed for victory, than they that suppose themselves wise, or crafty. For these love to consult, the other, fearing to be circumvented, to strike first. And in sedition, men being always in the precincts of battle, to hold together, and use all advantages of force, is a better stratagem, than any that can proceed from subtlety of wit.

Vain-glorious men, such as without being conscious to themselves of great sufficiency, delight in supposing themselves gallant men, are inclined only to ostentation ; but not to attempt : because when danger or difficulty appears, they look for nothing but to have their insufficiency discovered.

Vain-glorious men, such as estimate their sufficiency by the flattery of other men, or the fortune of some precedent action, without assured ground of hope from the true knowledge of themselves, are inclined to rash engaging ; and in the approach of danger, or difficulty, to retire if they can : because not seeing the way of safety, they will rather hazard their honour, which may be salved with an excuse ; than their lives, for which no salve is sufficient.

Men that have a strong opinion of their own wisdom in matter of government, are disposed to ambition. Because without public employment in council or magistracy, the honour of their wisdom is lost. And therefore eloquent speakers are inclined to ambition ; for eloquence seemeth wisdom, both to themselves and others.

Pusillanimity disposeth men to irresolution, and consequently to lose the occasions, and fittest opportunities of action. For after men have been in deliberation till the time of action approach, if it be not then manifest what is best to be done, it is a sign, the difference of motives, the one way and the other, are not great : therefore not to resolve then, is to lose the occasion by weighing of trifles ; which is pusillanimity.

Fragality, though in poor men a virtue, maketh a man unapt to achieve such actions as require the strength of many men at once : for it weakeneth their endeavour, which is to be nourished and kept in vigour by reward.

Eloquence, with flattery, disposeth men to confide in them that have it ; because the former is seeming wisdom, the latter seeming kindness. Add to them military reputation, and it disposeth men to adhere, and subject themselves to those men that have them. The two former having given them caution against danger from him ; the latter gives them caution against danger from others.

Want of science, that is, ignorance of causes, disposeth, or rather constraineth a man to rely on the advice and authority of others. For all men whom the truth concerns, if they rely not on their own, must rely on the opinion of some other, whom they think wiser than themselves, and see not why he should deceive them.

Ignorance of the signification of words, which is want of understanding, disposeth men to take on trust, not only the truth they know not ; but also the errors ; and which is more, the nonsense of them they trust : for neither error nor nonsense, can without a perfect understanding of words, be detected.

From the same it proceedeth, that men give different names to one and the same thing, from the difference of their own passions : as they that approve a private opinion, call it opinion ; but they that dislike it, heresy : and yet heresy signifies no more than private opinion ; but has only a greater tincture of choler.

From the same also it proceedeth, that men cannot distinguish, without study and great understanding, between one action of many men, and many actions of one multitude ; as for example, between one action of all the senators of Rome in killing Cataline, and the many actions of a number of

senators in killing Cæsar; and therefore are disposed to take for the action of the people, that which is a multitude of actions done by a multitude of men, led perhaps by the persuasion of one.

Ignorance of the causes, and original constitution of right, equity, law, and justice, disposeth a man to make custom and example the rule of his actions; in such manner, as to think that unjust which it hath been the custom to punish; and that just, of the impunity and approbation whereof they can produce an example, or, as the lawyers which only use this false measure of justice barbarously call it, a precedent; like little children, that have no other rule of good and evil manners, but the correction they receive from their parents and masters; save that children are constant to their rule, whereas, men are not so; because grown old, and stubborn, they appeal from custom to reason, and from reason to custom, as it serves their turn; receding from custom when their interest requires it, and setting themselves against reason, as oft as reason is against them: which is the cause, that the doctrine of right and wrong is perpetually disputed, both by the pen and the sword: whereas the doctrine of lines, and figures, is not so; because men care not, in that subject, what be truth, as a thing that crosses no man's ambition, profit or lust. For I doubt not, but if it had been a thing contrary to any man's right of dominion, or to the interest of men that have dominion, "that the three angles of a triangle, should be equal to two angles of a square;" that doctrine should have been, if not disputed, yet by the burning of all books of geometry, suppressed, as far as he whom it concerned was able.

Ignorance of remote causes, disposeth men to attribute all events to the causes immediate, and instrumental; for these are all the causes they perceive. And hence it comes to pass, that in all places, men that are grieved with payments to the public, discharge their anger upon the publicans, that is to say, farmers, collectors, and other officers of the public revenue; and adhere to such as find fault with the public government; and thereby, when they have engaged themselves beyond hope of justification, fall also upon the supreme authority, for fear of punishment, or shame of receiving pardon.

Ignorance of natural causes, disposeth a man to credulity, so as to believe many times impossibilities: for such know nothing to the contrary, but that they may be true; being unable to detect the impossibility. And credulity, because men like to be hearkened unto in company, disposeth them to lying: so that ignorance itself without malice, is able to make a man both to believe lies, and tell them; and sometimes also to invent them.

Anxiety for the future time, disposeth men to inquire into the causes of things: because the knowledge of them maketh men the better able to order the present to their best advantage.

Curiosity, or love of the knowledge of causes, draws a man from the consideration of the effect, to seek the cause; and again, the cause of that cause; till of necessity he must come to this thought at last, that there is some cause, whereof there is no former cause, but is eternal; which is it men call God. So that it is impossible to make any profound inquiry into natural causes, without being inclined thereby to believe there is one God eternal; though they cannot have any idea of Him in their mind, answerable to His nature. For as a man that is born blind, hearing men talk of warming themselves by the fire, and being brought to warm himself by the same, may easily conceive, and assure himself, there is somewhat there, which men call "fire," and is the cause of the heat he feels; but cannot imagine what it is like; nor have an idea of it in his mind, such as they have that see it: so also by the visible things in this world, and their admirable order, a man may conceive there is a

cause of them, which men call God ; and yet not have an idea or image of Him in his mind.

And they that make little or no inquiry into the natural causes of things, yet from the fear that proceeds from the ignorance itself, of what it is that hath the power to do them much good or harm, are inclined to suppose, and feign unto themselves, several kinds of powers invisible ; and to stand in awe of their own imaginations ; and in time of distress to invoke them ; as also in the time of an expected good success, to give them thanks ; making the creatures of their own fancy, their gods. By which means it hath come to pass, that from the innumerable variety of fancy, men have created in the world innumerable sorts of gods. And this fear of things invisible, is the natural seed of that, which every one in himself calleth religion ; and in them that worship, or fear that power otherwise than they do, superstition.

And this seed of religion, having been observed by many ; some of those that have observed it, have been inclined thereby to nourish, dress, and form it into laws ; and to add to it of their own invention, any opinion of the causes of future events, by which they thought they should be best able to govern others, and make unto themselves the greatest use of their powers.

## CHAPTER XII.

### *Of Religion.*

SEEING there are no signs, nor fruit of "religion," but in man only ; there is no cause to doubt, but that the seed of "religion" is also only in man ; and consisteth in some peculiar quality, or at least in some eminent degree thereof, not to be found in any other living creatures.

And first, it is peculiar to the nature of man, to be inquisitive into the causes of the events they see, some more, some less ; but all men so much, as to be curious in the search of the causes of their own good and evil fortune.

Secondly, upon the sight of anything that hath a beginning, to think also it had a cause, which determined the same to begin, then when it did, rather than sooner or later.

Thirdly, whereas there is no other felicity of beasts, but the enjoying of their quotidian food, ease, and lusts ; as having little or no foresight of the time to come, for want of observation, and memory of the order, consequence, and dependence of the things they see ; man observeth how one event hath been produced by another ; and remembereth in them antecedence and consequence ; and when he cannot assure himself of the true causes of things, (for the causes of good and evil fortune for the most part are invisible,) he supposes causes of them, either such as his own fancy suggesteth ; or trusteth the authority of other men, such as he thinks to be his friends, and wiser than himself.

The two first make anxiety. For being assured that there be causes of all things that have arrived hitherto, or shall arrive hereafter, it is impossible for a man, who continually endeavoureth to secure himself against the evil he fears, and procure the good he desireth, not to be in a perpetual solicitude of the time to come ; so that every man, especially those that are over-provident, are in a state like to that of Prometheus. For as Prometheus, which, interpreted, is "the prudent man," was bound to the hill Caucasus, a place of large prospect, where an eagle feeding on his liver,

devoured in the day, as much as was repaired in the night : so that man, which looks too far before him in the care of future time, hath his heart all the day long gnawed on by fear of death, poverty, or other calamity, and has no repose, nor pause of his anxiety, but in sleep.

This perpetual fear, always accompanying mankind in the ignorance of causes, as it were in the dark, must needs have for object something. And therefore when there is nothing to be seen, there is nothing to accuse, either of their good or evil fortune, but some "power," or agent "invisible," in which sense perhaps it was, that some of the old poets said, that the gods were at first created by human fear : which spoken of the gods, that is to say, of the many gods of the Gentiles, is very true. But the acknowledging of one God, eternal, infinite, and omnipotent, may more easily be derived, from the desire men have to know the causes of natural bodies, and their several virtues and operations, than from the fear of what was to befall them in time to come. For he that from any effect he seeth come to pass, should reason to the next and immediate cause thereof, and from thence to the cause of that cause, and plunge himself profoundly in the pursuit of causes, shall at last come to this, that there must be, as even the heathen philosophers confessed, one first mover ; that is, a first and an eternal cause of all things, which is that which men mean by the name of God, and all this without thought of their fortune ; the solicitude whereof both inclines to fear, and hinders them from the search of the causes of other things, and thereby gives occasion of feigning of as many gods as there be men that feign them.

And for the matter or substance of the invisible agents so fancied, they could not by natural cogitation fall upon any other conceit, but that it was the same with that of the soul of man ; and that the soul of man was of the same substance with that which appeareth in a dream to one that sleepeth ; or in a looking-glass, to one that is awake ; which, men not knowing that such apparitions are nothing else, but creatures of the fancy, think to be real and external substances, and therefore call them ghosts : as the Latins called them *imagines* and *umbrae*, and thought them spirits, that is, thin aerial bodies, and those invisible agents which they feared to be like them, save that they appear and vanish when they please. But the opinion that such spirits were incorporeal, or immaterial, could never enter into the mind of any man by nature ; because, though men may put together words of contradictory signification, as "spirit," and "incorporeal," yet they can never have the imagination of anything answering to them : and therefore, men that by their own meditation arrive to the acknowledgment of one infinite, omnipotent, and eternal God, chuse rather to confess He is incomprehensible, and above their understanding, than to define His nature by "spirit incorporeal," and then confess their definition to be unintelligible ; or, if they give Him such a title, it is not "dogmatically" with intention to make the divine nature understood ; but "superstitiously," to honour him with attributes, of significations as remote as they can from the grossness of bodies visible.

Then for the way by which they think these invisible agents wrought their effects ; that is to say, what immediate causes they used, in bringing things to pass, men that know not what it is that we call "causing," that is, almost all men, have no other rule to guess by, but by observing and remembering what they have seen to precede the like effect at some other time, or times before, without seeing between the antecedent and subsequent event, any dependence or connection at all : and therefore from the like things past, they expect the like things to come ; and hope for good or evil luck, superstitiously, from things that have no part at all in the causing of it : as the Athenians did for their war at Lepanto, demand another

Phormio ; the Pompeian faction for their war in Africa, another Scipio ; and others have done in divers other occasions since. In like manner they attribute their fortune to a stander-by, to a lucky or unlucky place, to words spoken, especially if the name of God be amongst them ; as charming and conjuring, the-liturgie of witches ; inasmuch as to believe, they have power to turn a stone into bread, bread into a man, or anything into anything.

Thirdly, for the worship which naturally men exhibit to powers invisible, it can be no other, but such expressions of their reverence, as they would use towards men ; gifts, petitions, thanks, submission of body, considerate addresses, sober behaviour, premeditated words, swearing, that is, assuring one another of their promises, by invoking them. Beyond that reason suggesteth nothing ; but leaves them either to rest there ; or for further ceremonies, to rely on those they believe to be wiser than themselves.

Lastly, concerning how these invisible powers declare to men the things which shall hereafter come to pass, especially concerning their good or evil fortune in general, or good or ill success in any particular undertaking, men are naturally at a stand ; save that using to conjecture of the time to come, by the time past, they are very apt, not only to take casual things, after one or two encounters, for prognostics of the like encounter ever after, but also to believe the like prognostics from other men, of whom they have once conceived a good opinion.

And in these four things, opinion of ghosts, ignorance of second causes, devotion towards what men fear, and taking of things casual for prognostics, consisteth the natural seed of " religion ; " which by reason of the different fancies, judgments, and passions of several men, hath grown up into ceremonies so different, that those which are used by one man, are for the most part ridiculous to another.

For these seeds have received culture from two sorts of men. One sort have been they that have nourished and ordered them, according to their own invention. The other have done it, by God's commandment and direction : but both sorts have done it, with a purpose to make those men that relied on them, the more apt to obedience, laws, peace, charity, and civil society. So that the religion of the former sort is a part of human politics ; and teacheth part of the duty which earthly kings require of their subjects. And the religion of the latter sort is divine politics ; and containeth precepts to those that have yielded themselves subjects in the kingdom of God. Of the former sort were all the founders of commonwealths, and the lawgivers of the Gentiles : of the latter sort, were Abraham, Moses, and our blessed Saviour ; by whom have been derived unto us the laws of the kingdom of God.

And for that part of religion, which consisteth in opinions concerning the nature of powers invisible, there is almost nothing that has a name, that has not been esteemed amongst the Gentiles, in one place or another, a god, or devil ; or by their poets feigned to be inanimated, inhabited, or possessed by some spirit or other.

The unformed matter of the world, was a god by the name of Chaos.

The heaven, the ocean, the planets, the fire, the earth, the winds, were so many gods.

Men, women, a bird, a crocodile, a calf, a dog, a snake, an onion, a leek, were deified. Besides that, they filled almost all places with spirits called " demons ; " the plains, with Pan and Panises, or Satyrs ; the woods, with Fauns, and Nymphs ; the sea, with Tritons, and other Nymphs ; every river and fountain, with a ghost of his name, and with Nymphs ; every house with its " Lares, " or familiars ; every man with his " Genius : " hell with ghosts, and spiritual officers, as Charon, Cerberus, and the Furies ; and in the night-time, all places with " larvæ, " " lemures, " ghosts of men



deceased, and a whole kingdom of fairies and bugbears. They have also ascribed divinity, and built temples to mere accidents and qualities ; such as are time, night, day, peace, concord, love, contention, virtue, honour, health, rust, fever, and the like ; which when they prayed for, or against, they prayed to, as if there were ghosts of those names hanging over their heads, and letting fall, or withholding that good or evil, for or against which they prayed. They invoked also their own wit, by the name of Muses ; their own ignorance, by the name of Fortune ; their own lusts by the name of Cupid ; their own rage, by the name of Furies ; their own privy members, by the name of Priapus ; and attributed their pollutions to Incubi and Succubæ : insomuch as there was nothing, which a poet could introduce as a person in his poem, which they did not make either a “ god,” or a “ devil.”

The same authors of the religion of the Gentiles, observing the second ground for religion, which is men’s ignorance of causes ; and thereby their aptness to attribute their fortune to causes, on which there was no dependence at all apparent, took occasion to obtrude on their ignorance, instead of second causes, a kind of second and ministerial gods ; ascribing the cause of fecundity to Venus ; the cause of arts, to Apollo ; of subtlety and craft, to Mercury ; of tempests and storms, to Æolus ; and of other effects, to other gods ; insomuch as there was amongst the heathen almost as great variety of gods as of business.

And to the worship, which naturally men conceived fit to be used towards their gods, namely, oblations, prayers, thanks, and the rest formerly named ; the same legislators of the Gentiles have added their images, both in picture and sculpture ; that the more ignorant sort, that is to say, the most part or generality of the people, thinking the gods for whose representation they were made, were really included, and as it were housed within them, might so much the more stand in fear of them : and endowed them with lands, and houses, and officers, and revenues, set apart from all other human uses ; that is, consecrated, and made holy to those their idols ; as fountains, groves, woods, mountains, and whole islands ; and have attributed to them, not only the shapes, some of men, some of beasts, and some of monsters ; but also the faculties and passions of men and beasts : as sense, speech, sex, lust, generation, and this not only by mixing one with another, to propagate the kind of gods, but also by mixing with men and women, to begot mongrel gods, and but inmates of heaven, as Bacchus, Hercules, and others ; besides anger, revenge, and other passions, of living creatures, and the actions proceeding from them, as fraud, theft, adultery, sodomy, and any vice that may be taken for an effect of power, or a cause of pleasure ; and all such vices, as amongst men are taken to be against law, rather than against honour.

Lastly, to the prognostics of time to come ; which are naturally but conjectures upon experience of time past ; and supernaturally, divine revelation ; the same authors of the religion of the Gentiles, partly upon pretended experience, partly upon pretended revelation, have added innumerable other superstitious ways of divination ; and made men believe they could find their fortunes, sometimes in the ambiguous or senseless answers of the priests at Delphi, Delos, Ammon, and other famous oracles ; which answers were made ambiguous by design, to own the event both ways ; or absurd, by the intoxicating vapour of the place, which is very frequent in sulphurous caverns : sometimes in the leaves of the Sybils ; of whose prophecies, like those perhaps of Nostradamus (for the fragments now extant seem to be the invention of later times), there were some books in reputation in the time of the Roman Republic : sometimes in the insignificant speeches of madmen, supposed to be possessed with a divine spirit, which

possession they called enthusiasm ; and these kinds of foretelling events were accounted theomancy, or prophecy : sometimes in the aspect of the stars at their nativity ; which was called horoscopy, and esteemed a part of judiciary astrology : sometimes in their own hopes and fears, called thumomancy, or presage : sometimes in the prediction of witches, that pretended conference with the dead : which is called necromancy, conjuring, and witchcraft ; and is but juggling and confederate knavery : sometimes in the casual flight or feeding of birds ; called augury : sometimes in the entrails of a sacrificed beast ; which was " aruspicina : " sometimes in dreams ; sometimes in croaking of ravens, or chattering of birds ; sometimes in the lineaments of the face ; which was called metoposcopy ; or by palmistry in the lines of the hand ; in casual words, called " omina : " sometimes in monsters, or unusual accidents ; as eclipses, comets, rare meteors, earthquakes, inundations, uncouth births, and the like, which they called " portenta," and " ostenta," because they thought them to portend or foreshow some great calamity to come ; sometimes, in mere lottery, as cross and pile, counting holes in a sieve ; dipping of verses in Homer, and Virgil ; and innumerable other such vain conceits. So easy are men to be drawn to believe anything, from such men as have gotten credit with them ; and can with gentleness and dexterity take hold of their fear and ignorance.

And therefore the first founders and legislators of commonwealths among the Gentiles, whose ends were only to keep the people in obedience and peace, have in all places taken care ; first, to imprint in their minds a belief, that those precepts which they gave concerning religion, might not be thought to proceed from their own device, but from the dictates of some god, or other spirit ; or else that they themselves were of a higher nature than mere mortals, that their laws might the more easily be received : so Numa Pompilius pretended to receive the ceremonies he instituted amongst the Romans, from the nymph Egeria : and the first king and founder of the kingdom of Peru, pretended himself and his wife to be the children of the Sun ; and Mahomet, to set up his new religion, pretended to have conferences with the Holy Ghost, in form of a dove. Secondly, they have had a care to make it believed, that the same things were displeasing to the gods which were forbidden by the laws. Thirdly, to prescribe ceremonies, supplications, sacrifices, and festivals, by which they were to believe, the anger of the gods might be appeased ; and that ill success in war, great contagions of sickness, earthquakes, and each man's private misery, came from the anger of the gods, and their anger from the neglect of their worship, or the forgetting or mistaking some point of the ceremonies required. And though amongst the ancient Romans, men were not forbidden to deny that which in the poets is written of the pains and pleasures after this life ; which divers of great authority and gravity in that state have in their harangues openly derided ; yet that belief was always more cherished than the contrary.

And by these, and such other institutions, they obtained in order to their end, which was the peace of the commonwealth, that the common people in their misfortunes, laying the fault on neglect, or error in their ceremonies or on their own disobedience to the laws, were the less apt to mutiny against their governors ; and being entertained with the pomp and pastime of festivals, and public games, made in honour of the gods, needed nothing else but bread to keep them from discontent, murmuring, and commotion against the state. And therefore the Romans, that had conquered the greatest part of the then known world, made no scruple of tolerating any religion whatsoever in the city of Rome itself ; unless it had something in it that could not consist with their civil government ; nor do we read that any religion was there forbidden, but that of the Jews ; who, being the

peculiar kingdom of God, thought it unlawful to acknowledge subjection to any mortal king or state whatsoever. And thus you see how the religion of the Gentiles was part of their policy.

But where God Himself, by supernatural revelation, planted religion; there He also made to Himself a peculiar kingdom; and gave laws not only of behaviour towards Himself, but also towards one another; and thereby in the kingdom of God, the policy, and laws civil, are a part of religion; and therefore the distinction of temporal and spiritual domination, hath there no place. It is true that God is king of all the earth; yet may He be king of a peculiar and chosen nation. For there is no more incongruity therein, than that he that hath the general command of the whole army, should have withal a peculiar regiment, or company of his own. God is king of all the earth by His power; but of His chosen people He is king by covenant. But to speak more largely of the kingdom of God, both by nature and covenant, I have in the following discourse assigned another place (chapter xxxv.).

From the propagation of religion, it is not hard to understand the causes of the resolution of the same into its first seeds, or principles; which are only an opinion of a deity, and powers invisible and supernatural; that can never be so abolished out of human nature, but that new religions may again be made to spring out of them, by the culture of such men as for such purpose are in reputation.

For seeing all formed religion, is founded at first upon the faith which a multitude hath in some one person, whom they believe not only to be a wise man, and to labour to procure their happiness, but also to be a holy man, to whom God Himself vouchsafeth to declare His will supernaturally; it followeth necessarily, when they that have the government of religion, shall come to have either the wisdom of those men, their sincerity, or their love suspected; or when they shall be unable to show any probable token of divine revelation; that the religion which they desire to uphold, must be suspected likewise; and, without the fear of the civil sword, contradicted and rejected.

That which taketh away the reputation of wisdom, in him that formeth a religion, or addeth to it when it is already formed, is the enjoining of a belief of contradictories; for both parts of a contradiction cannot possibly be true; and therefore to enjoin the belief of them, is an argument of ignorance; which detects the author in that; and discredits him in all things else he shall propound as from revelation supernatural; which revelation a man may indeed have of many things above, but of nothing against natural reason.

That which taketh away the reputation of sincerity, is the doing or saying of such things, as appear to be signs, that what they require other men to believe is not believed by themselves; all which doings or sayings are therefore called scandalous, because they be stumbling-blocks, that make men to fall in the way of religion; as injustice, cruelty, profaneness, avarice, and luxury. For who can believe that he that doth ordinarily such actions as proceed from any of these roots, believeth there is any such invisible power to be feared, as he affrighteth other men withal for lesser faults?

That which taketh away the reputation of love, is the being detected of private ends; as when the belief they require of others, conduceth or seemeth to conduce to the acquiring of dominion, riches, dignity, or secure pleasure, to themselves only, or specially. For that which men reap benefit by to themselves, they are thought to do for their own sakes, and not for love of others.

Lastly, the testimony that men can render of divine calling, can be no

other than the operation of miracles ; or true prophecy, which also is a miracle ; or extraordinary felicity. And therefore, to those points of religion, which have been received from them that did such miracles ; those that are added by such as approve not their calling by some miracle, obtain no greater belief than what the custom and laws of the places, in which they be educated, have wrought into them. For as in natural things, men of judgment require natural signs and arguments ; so in supernatural things, they require signs supernatural, which are miracles, before they consent inwardly, and from their hearts.

All which causes of the weakening of men's faith, do manifestly appear in the examples following. First, we have the example of the children of Israel ; who when Moses, that had approved his calling to them by miracles, and by the happy conduct of them out of Egypt, was absent but forty days, revolted from the worship of the true God, recommended to them by him ; and setting up (Exod. xxxiii. 1, 2) a golden calf for their god, relapsed into the idolatry of the Egyptians ; from whom they had been so lately delivered. And again, after Moses, Aaron, Joshua, and that generation which had seen the great works of God in Israel (Judges ii. 11) were dead ; another generation arose, and served Baal. So that miracles failing, faith also failed.

Again, when the sons of Samuel (1 Sam. viii. 3) being constituted by their father judges in Bersabee, received bribes, and judged unjustly, the people of Israel refused any more to have God to be their king, in other manner than He was king of other people ; and therefore cried out to Samuel, to choose them a king after the manner of the nations. So that justice failing, faith also failed : insomuch, as they deposed their God from reigning over them.

And whereas in the planting of Christian religion, the oracles ceased in all parts of the Roman empire, and the number of Christians increased wonderfully every day, and in every place, by the preaching of the Apostles and Evangelists ; a great part of that success may reasonably be attributed to the contempt into which the priests of the Gentiles of that time had brought themselves by their uncleanness, avarice, and juggling between princes. Also the religion of the Church of Rome, was partly for the same cause abolished in England, and many other parts of Christendom, insomuch, as the failing of virtue in the pastors, maketh faith fail in the people : and partly from bringing of the philosophy and doctrine of Aristotle into religion, by the schoolmen ; from whence there arose so many contradictions and absurdities, as brought the clergy into a reputation both of ignorance and of fraudulent intention ; and inclined people to revolt from them, either against the will of their own princes, as in France and Holland ; or with their will, as in England.

Lastly, amongst the points by the Church of Rome declared necessary for salvation, there be so many, manifestly to the advantage of the Pope, and of his spiritual subjects, residing in the territories of other Christian princes, that were it not for the mutual emulation of those princes, they might without war or trouble, exclude all foreign authority, as easily as it had been excluded in England. For who is there that does not see to whose benefit it conduceth, to have it believed that a king hath not his authority from Christ, unless a bishop crown him ? That a king, if he be a priest, cannot marry ? That whether a prince be born in lawful marriage, or not, must be judged by authority from Rome ? That subjects may be freed from their allegiance, if by the Court of Rome the king be judged an heretic ? That a king, as Chilperic of France, may be deposed by a pope, as Pope Zachary. for no cause ; and his kingdom given to one of his subjects ? That the clergy and regulars, in what country soever, shall be exempt from

the jurisdiction of their king in cases criminal? Or who does not see, to whose profit redound the fees of private masses, and vales of purgatory; with other signs of private interest, enough to mortify the most lively faith, if, as I said, the civil magistrate and custom did not more sustain it, than any opinion they have of the sanctity, wisdom, or probity of their teachers? So that I may attribute all the changes of religion in the world to one and the same cause; and that is, displeasing priests; and those not only amongst Catholics, but even in that Church that hath presumed most of reformation.

### CHAPTER XIII.

#### *Of the Natural Condition of Mankind as concerning their Felicity and Misery.*

NATURE hath made men so equal, in the faculties of the body and mind; as that though there be found one man sometimes manifestly stronger in body, or of quicker mind than another, yet when all is reckoned together, the difference between man and man, is not so considerable, as that one man can thereupon claim to himself any benefit, to which another may not pretend, as well as he. For as to the strength of body, the weakest has strength enough to kill the strongest, either by secret machination, or by confederacy with others, that are in the same danger with himself.

And as to the faculties of the mind, setting aside the arts grounded upon words, and especially that skill of proceeding upon general and infallible rules, called science; which very few have, and but in few things; as being not a native faculty, born with us; nor attained, as prudence, while we look after somewhat else, I find yet a greater equality amongst men than that of strength. For prudence is but experience; which equal time, equally bestows on all men, in those things they equally apply themselves unto. That which may perhaps make such equality incredible, is but a vain conceit of one's own wisdom, which almost all men think they have in a greater degree than the vulgar; that is, than all men but themselves, and a few others, whom by fame or for concurring with themselves, they approve. For such is the nature of men, that howsoever they may acknowledge many others to be more witty, or more eloquent, or more learned; yet they will hardly believe there be many so wise as themselves; for they see their own wit at hand, and other men's at a distance. But this proveth rather that men are in that point equal, than unequal. For there is not ordinarily a greater sign of the equal distribution of anything, than that every man is contented with his share.

From this equality of ability, ariseth equality of hope in the attaining of our ends. And therefore if any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies; and in the way to their end, which is principally their own conservation, and sometimes their delectation only, endeavour to destroy or subdue one another. And from hence it comes to pass, that where an invader hath no more to fear than another man's single power; if one plant, sow, build, or possess a convenient seat, others may probably be expected to come prepared with forces united, to dispossess and deprive him, not only of the fruit of his labour, but also of his life or liberty. And the invader again is in the like danger of another.

And from this diffidence of one another, there is no way for any man to secure himself, so reasonable, as anticipation; that is, by force, or wiles, to master the persons of all men he can, so long, till he see no other power

great enough to endanger him : and this is no more than his own conservation requireth, and is generally allowed. Also because there be some, that taking pleasure in contemplating their own power in the acts of conquest, which they pursue farther than their security requires ; if others, that otherwise would be glad to be at ease within modest bounds, should not by invasion increase their power, they would not be able, long time, by standing only on their defence, to subsist. And by consequence, such augmentation of dominion over men being necessary to a man's conservation, it ought to be allowed him.

Again, men have no pleasure, but on the contrary a great deal of grief, in keeping company, where there is no power able to overawe them all. For every man looketh that his companion should value him, at the same rate he sets upon himself : and upon all signs of contempt, or undervaluing, naturally endeavours, as far as he dares, (which amongst them that have no common power to keep them in quiet, is far enough to make them destroy each other,) to extort a greater value from his contemners, by damage ; and from others, by the example.

So that in the nature of man, we find three principal causes of quarrel. First, competition ; secondly, diffidence ; thirdly, glory.

The first, maketh men invade for gain ; the second, for safety ; and the third, for reputation. The first use violence, to make themselves masters of other men's persons, wives, children, and cattle ; the second, to defend them ; the third, for trifles, as a word, a smile, a different opinion, and any other sign of undervalue, either direct in their persons, or by reflection in their kindred, their friends, their nation, their profession, or their name.

Hereby it is manifest, that during the time men live without a common power to keep them all in awe, they are in that condition which is called war ; and such a war, as is of every man, against every man. For "war" consisteth not in battle only, or the act of fighting ; but in a tract of time, wherein the will to contend by battle is sufficiently known : and therefore the notion of "time" is to be considered in the nature of war, as it is in the nature of weather. For as the nature of foul weather lieth not in a shower or two of rain, but in an inclination thereto of many days together ; so the nature of war consisteth not in actual fighting, but in the known disposition thereto during all the time there is no assurance to the contrary. All other time is "peace."

Whatsoever therefore is consequent to a time of war, where every man is enemy to every man, the same is consequent to the time wherein men live without other security than what their own strength and their own invention shall furnish them withal. In such condition there is no place for industry, because the fruit thereof is uncertain, and consequently no culture of the earth ; no navigation, nor use of the commodities that may be imported by sea ; no commodious building ; no instruments of moving and removing such things as require much force ; no knowledge of the face of the earth ; no account of time ; no arts ; no letters ; no society ; and, which is worse of all, continual fear and danger of violent death ; and the life of man, solitary, poor, nasty, brutish, and short.

It may seem strange to some man, that has not well weighed these things, that Nature should thus dissociate, and render men apt to invade and destroy one another ; and he may therefore, not trusting to this inference, made from the passions, desire perhaps to have the same confirmed by experience. Let him therefore consider with himself, when taking a journey, he arms himself, and seeks to go well accompanied ; when going to sleep, he locks his doors ; when even in his house, he locks his chests ; and this when he knows there be laws, and public officers, armed, to revenge all

injuries shall be done him ; what opinion he has of his fellow-subjects, when he rides armed ; of his fellow-citizens, when he locks his doors ; and of his children and servants, when he locks his chests. Does he not there as much accuse mankind by his actions as I do by my words ? But neither of us accuse man's nature in it. The desires and other passions of man are in themselves no sin. No more are the actions that proceed from those passions, till they know a law that forbids them ; which till laws be made they cannot know, nor can any law be made till they have agreed upon the person that shall make it.

It may peradventure be thought there was never such a time nor condition of war as this ; and I believe it was never generally so, over all the world, but there are many places where they live so now. For the savage people in many places of America, except the government of small families, the concord whereof dependeth on natural lust, have no government at all, and live at this day in that brutish manner, as I said before. Howsoever, it may be perceived what manner of life there would be, where there were no common power to fear, by the manner of life which men that have formerly lived under a peaceful government, use to degenerate into in a civil war.

But though there had never been any time, wherein particular men were in a condition of war one against another ; yet in all times, kings, and persons of sovereign authority, because of their independency, are in continual jealousies, and in the state and posture of gladiators ; having their weapons pointing, and their eyes fixed on one another ; that is, their forts, garrisons, and guns upon the frontiers of their kingdoms ; and continual spies upon their neighbours ; which is a posture of war. But because they uphold thereby the industry of their subjects ; there does not follow from it that misery which accompanies the liberty of particular men.

To this war of every man, against every man, this also is consequent ; that nothing can be unjust. The notions of right and wrong, justice and injustice, have there no place. Where there is no common power, there is no law : where no law, no injustice. Force and fraud, are in war the two cardinal virtues. Justice and injustice are none of the faculties neither of the body nor mind. If they were, they might be in a man that were alone in the world, as well as his senses, and passions. They are qualities that relate to men in society, not in solitude. It is consequent also to the same condition, that there be no propriety, no dominion, no "mine" and "thine" distinct ; but only that to be every man's, that he can get ; and for so long, as he can keep it. And thus much for the ill condition, which man by mere nature is actually placed in ; though with a possibility to come out of it, consisting partly in the passions, partly in his reason.

The passions that incline men to peace, are fear of death ; desire of such things as are necessary to commodious living ; and a hope by their industry to obtain them. And reason suggesteth convenient articles of peace, upon which men may be drawn to agreement. These articles are they which otherwise are called the Laws of Nature : whereof I shall speak more particularly, in the two following chapters.

#### CHAPTER XIV.

##### *Of the First and Second Natural Laws, and of Contracts.*

"THE right of Nature," which writers commonly call *jus naturale*, is the liberty each man hath, to use his own power, as he will himself, for the preservation of his own nature ; that is to say, of his own life ; and conse-

quently, of doing anything, which in his own judgment and reason he shall conceive to be the aptest means thereunto.

By "liberty," is understood, according to the proper signification of the word, the absence of external impediments: which impediments may oft take away part of a man's power to do what he would; but cannot hinder him from using the power left him, according as his judgment and reason shall dictate to him.

A "law of Nature," *lex naturalis*, is a precept or general rule, found out by reason, by which a man is forbidden to do that which is destructive of his life, or taketh away the means of preserving the same; and to omit that, by which he thinketh it may be best preserved. For though they that speak of this subject, use to confound *jus* and *lex*, "right" and "law:" yet they ought to be distinguished; because "right," consisteth in liberty to do, or to forbear; whereas "law," determineth and bindeth to one of them; so that law and right differ as much as obligation and liberty; which in one and the same matter are inconsistent.

And because the condition of man, as hath been declared in the precedent chapter, is a condition of war of every one against every one; in which case every one is governed by his own reason; and there is nothing he can make use of, that may not be a help unto him, in preserving his life against his enemies; it followeth, that in such a condition, every man has a right to everything; even to one another's body. And therefore, as long as this natural right of every man to everything endureth, there can be no security to any man, how strong or wise soever he be, of living out the time, which Nature ordinarily alloweth men to live. And consequently it is a precept, or general rule of reason, "that every man ought to endeavour peace, as far as he has hope of obtaining it; and when he cannot obtain it, that he may seek, and use, all helps, and advantages of war." The first branch of which rule, containeth the first, and fundamental law of Nature; which is, "to seek peace, and follow it." The second, the sum of the right of Nature: which is, "by all means we can, to defend ourselves."

From this fundamental law of Nature, by which men are commanded to endeavour peace, is derived this second law; "that a man be willing, when others are so too, as far-forth, as for peace, and defence of himself he shall think it necessary, to lay down this right to all things; and be contented with so much liberty against other men, as he would allow other men against himself." For as long as every man holdeth this right, of doing anything he liketh; so long are all men in the condition of war. But if other men will not lay down their right, as well as he; then there is no reason for any one to divest himself of his: for that were to expose himself to prey, which no man is bound to, rather than to dispose himself to peace. This is that law of the Gospel; "whatsoever you require that others should do to you, that do ye to them." And that law of all men, *quod tibi fieri non vis, alteri ne feceris*.

To "lay down" a man's "right" to anything, is to "divest" himself of the "liberty," of hindering another of the benefit of his own right to the same. For he that renounceth, or passeth away his right, giveth not to any other man a right which he had not before; because there is nothing to which every man had not right by Nature: but only standeth out of his way, that he may enjoy his own original right, without hindrance from him; not without hindrance from another. So that the effect which redoundeth to one man, by another man's defect of right, is but so much diminution of impediments to the use of his own right original.

Right is laid aside, either by simply renouncing it; or by transferring it to another. By "simply renouncing;" when he cares not to whom the benefit thereof redoundeth. By "transferring;" when he intendeth the



benefit thereof to some certain person or persons. And when a man hath in either manner abandoned, or granted away his right ; then is he said to be "obliged," or "bound," not to hinder those, to whom such right is granted, or abandoned, from the benefit of it : and that he "ought," and it is his "duty," not to make void that voluntary act of his own : and that such hindrance is "injustice," and "injury," as being *sine jure* ; the right being before renounced, or transferred. So that "injury," or "injustice," in the controversies of the world, is somewhat like to that, which in the disputations of scholars is called "absurdity." For as it is there called an absurdity, to contradict what one maintained in the beginning : so in the world it is called injustice and injury voluntarily to undo that from the beginning he had voluntarily done. The way by which a man either simply renounceth, or transferreth his right, is a declaration, or signification, by some voluntary and sufficient sign, or signs, that he doth so renounce, or transfer ; or hath so renounced, or transferred the same, to him that accepteth it. And these signs are either words only, or actions only ; or, as it happeneth most often, both words and actions. And the same are the "bonds," by which men are bound, and obliged : bonds, that have their strength, not from their own nature, for nothing is more easily broken than a man's word, but from fear of some evil consequence upon the rupture.

Whensoever a man transferreth his right, or renounceth it, it is either in consideration of some right reciprocally transferred to himself ; or for some other good he hopeth for thereby. For it is a voluntary act : and of the voluntary acts of every man, the object is some "good to himself." And therefore there be some rights, which no man can be understood by any words, or other signs, to have abandoned or transferred. As first a man cannot lay down the right of resisting them that assault him by force, to take away his life ; because he cannot be understood to aim thereby at any good to himself. The same may be said of wounds, and chains, and imprisonment ; both because there is no benefit consequent to such patience ; as there is to the patience of suffering another to be wounded, or imprisoned ; as also because a man cannot tell, when he seeth men proceed against him by violence, whether they intend his death or not. And lastly the motive and end for which this renouncing, and transferring of right is introduced, is nothing else but the security of a man's person, in his life, and in the means of so preserving life, as not to be weary of it. And therefore if a man by words, or other signs, seem to despoil himself of the end, for which those signs were intended ; he is not to be understood as if he meant it, or that it was his will ; but that he was ignorant of how such words and actions were to be interpreted.

The mutual transferring of right, is that which men call "contract."

There is difference between transferring of right to the thing ; and transferring, or tradition, that is delivery of the thing itself. For the thing may be delivered together with the translation of the right ; as in buying and selling with ready money ; or exchange of goods, or lands ; and it may be delivered some time after.

Again, one of the contractors may deliver the thing contracted for on his part, and leave the other to perform his part at some determinate time after, and in the meantime be trusted ; and then the contract on his part is called "pact," or "covenant : " or both parts may contract now, to perform hereafter ; in which cases, he that is to perform in time to come, being trusted, his performance is called "keeping of promise," or faith ; and the failing of performance, if it be voluntary, "violation of faith."

When the transferring of right, is not mutual : but one of the parties transferreth, in hope to gain thereby friendship, or service from another, or from his friends ; or in hope to gain the reputation of charity, or mag-

nanimity, or to deliver his mind from the pain of compassion ; or in hope of reward in heaven ; this is not contract, but “ gift,” “ free gift,” “ grace,” which words signify one and the same thing.

Signs of contract, are either “ express,” or “ by inference.” Express, are words spoken with understanding of what they signify ; and such words are either of the time “ present,” or “ past ;” as, “ I give,” “ I grant,” “ I have given,” “ I have granted,” “ I will that this be yours ;” or of the future, as, “ I will give,” “ I will grant ;” which words of the future are called “ promise.”

Signs by inference are sometimes the consequence of words ; sometimes the consequence of silence ; sometimes the consequence of actions ; sometimes the consequence of forbearing an action : and generally a sign by inference, of any contract, is whatsoever sufficiently argues the will of the contractor.

Words alone, if they be of the time to come, and contain a bare promise, are an insufficient sign of a free gift, and therefore not obligatory. For if they be of the time to come, as “ to-morrow I will give,” they are a sign I have not given yet, and consequently that my right is not transferred, but remaineth till I transfer it by some other act. But if the words be of the time present, or past, as, “ I have given,” or, “ do give to be delivered to-morrow,” then is my to-morrow’s right given away to-day ; and that by the virtue of the words, though there were no other argument of my will. And there is a great difference in the signification of these words, *volo hoc tuum esse cras*, and *cras dabo* ; that is, between “ I will that this be thine to-morrow,” and, “ I will give it thee to-morrow :” for the word “ I will,” in the former manner of speech, signifies an act of the will present ; but in the latter, it signifies a promise of an act of the will to come : and therefore the former words, being of the present, transfer a future right ; the latter, that be of the future, transfer nothing. But if there be other signs of the will to transfer a right, besides words, then, though the gift be free, yet may the right be understood to pass by words of the future : as if a man propound a prize to him that comes first to the end of a race, the gift is free ; and though the words be of the future, yet the right passeth : for if he would not have his words so be understood, he should not have let them run.

In contracts, the right passeth, not only where the words are of the time present, or past, but also where they are of the future : because all contract is mutual translation, or change of right ; and therefore he that promiseth only, because he hath already received the benefit for which he promiseth, is to be understood as if he intended the right should pass : for unless he had been content to have his words so understood, the other would not have performed his part first. And for that cause, in buying and selling, and other acts of contracts, a promise is equivalent to a covenant ; and therefore obligatory.

He that performeth first in the case of a contract, is said to “ merit ” that which he is to receive by the performance of the other ; and he hath it as “ due.” Also when a prize is propounded to many, which is to be given to him only that winneth ; or money is thrown amongst many, to be enjoyed by them that catch it ; though this be a free gift ; yet so to win, or so to catch, is to “ merit,” and to have it as “ due.” For the right is transferred in the propounding of the prize, and in throwing down the money ; though it be not determined to whom, but by the event of the contention. But there is between these two sorts of merit, this difference, that in contract, I merit by virtue of my own power, and the contractor’s need ; but in this case of free gift, I am enabled to merit only by the benignity of the giver : in contract, I merit at the contractor’s hand that he should depart with his right ; in this case of gift, I merit not that the giver should part

with his right ; but that when he has parted with it, it should be mine, rather than another's. And this I think to be the meaning of that distinction of the schools, between *meritum congrui*, and *meritum condigni*. For God Almighty, having promised Paradise to those men, hoodwinked with carnal desires, that can walk through this world according to the precepts and limits prescribed by Him ; they say, he that shall so walk, shall merit Paradise *ex congruo*. But because no man can demand a right to it, by his own righteousness, or any other power in himself, but by the free grace of God only ; they say, no man can merit Paradise *ex condigno*. This I say, I think is the meaning of that distinction ; but because disputers do not agree upon the signification of their own terms of art, longer than it serves their turn ; I will not affirm anything of their meaning : only this I say ; when a gift is given indefinitely, as a prize to be contended for, he that winneth meriteth, and may claim the prize as due.

If a covenant be made, wherein neither of the parties perform presently, but trust one another ; in the condition of mere nature, which is a condition of war of every man against every man, upon any reasonable suspicion, it is void ; but if there be a common power set over them both, with right and force sufficient to compel performance, it is not void. For he that performeth first, has no assurance the other will perform after ; because the bonds of words are too weak to bridle men's ambition, avarice, anger, and other passions, without the fear of some coercive power ; which in the condition of mere nature, where all men are equal, and judges of the justness of their own fears, cannot possibly be supposed. And therefore he which performeth first, does but betray himself to his enemy ; contrary to the right, he can never abandon, of defending his life and means of living.

But in a civil estate, where there is a power set up to constrain those that would otherwise violate their faith, that fear is no more reasonable, and for that cause, he which by the covenant is to perform first, is obliged so to do.

The cause of fear, which maketh such a covenant invalid, must be always something arising after the covenant made ; as some new fact, or other sign of the will not to perform : else it cannot make the covenant void. For that which could not hinder a man from promising, ought not to be admitted as a hindrance of performing.

He that transferreth any right, transferreth the means of enjoying it, as far as lieth in his power. As he that selleth land, is understood to transfer the herbage, and whatsoever grows upon it : nor can he that sells a mill turn away the stream that drives it. And they that give to a man the right of government in sovereignty, are understood to give him the right of levying money to maintain soldiers ; and of appointing magistrates for the administration of justice.

To make covenants with brute beasts, is impossible ; because not understanding our speech, they understand not, nor accept of any translation of right ; nor can translate any right to another : and without mutual acceptance, there is no covenant.

To make covenant with God, is impossible, but by mediation of such as God speaketh to, either by revelation supernatural, or by His lieutenants that govern under Him, and in His name : for otherwise we know not whether our covenants be accepted, or not. And therefore they that vow anything contrary to any law of Nature, vow in vain ; as being a thing unjust to pay such vow. And if it be a thing commanded by the law of Nature, it is not the vow, but the law that binds them.

The matter, or subject of a covenant, is always something that falleth under deliberation ; for to covenant is an act of the will ; that is to say, an act, and the last act of deliberation ; and is therefore always understood to

be something to come ; and which is judged possible for him that covenanteth to perform.

And therefore, to promise that which is known to be impossible, is no covenant. But if that prove impossible afterwards, which before was thought possible, the covenant is valid, and bindeth, though not to the thing itself, yet to the value ; or, if that also be impossible, to the unfeigned endeavour of performing as much as is possible : for to more no man can be obliged.

Men are freed of their covenants two ways ; by performing, or by being forgiven. For performance is the natural end of obligation ; and forgiveness the restitution of liberty ; as being a retransferring of that right, in which the obligation consisted.

Covenants entered into by fear, in the condition of mere nature, are obligatory. For example, if I covenant to pay a ransom, or service for my life, to an enemy, I am bound by it, for it is a contract, wherein one receiveth the benefit of life ; the other is to receive money, or service for it ; and consequently, where no other law, as in the condition of mere nature, forbiddeth the performance, the covenant is valid. Therefore prisoners of war, if trusted with the payment of their ransom, are obliged to pay it : and if a weaker prince make a disadvantageous peace with a stronger, for fear, he is bound to keep it ; unless, as hath been said before, there ariseth some new and just cause of fear, to renew the war. And even in commonwealths, if I be forced to redeem myself from a thief by promising him money, I am bound to pay it, till the civil law discharge me. For whatsoever I may lawfully do without obligation, the same I may lawfully covenant to do through fear, and what I lawfully covenant, I cannot lawfully break.

A former covenant makes void a later. For a man that hath passed away his right to one man to-day, hath it not to pass to-morrow to another, and therefore the later promise passeth no right, but is null.

A covenant not to defend myself from force, by force, is always void. For, as I have shown before, no man can transfer, or lay down his right to save himself from death, wounds, and imprisonment, the avoiding whereof is the only end of laying down any right ; and therefore the promise of not resisting force, in no covenant transferreth any right, nor is obliging. For though a man may covenant thus, "unless I do so, or so, kill me," he cannot covenant thus, "unless I do so, or so, I will not resist you when you come to kill me." For man by nature chooseth the lesser evil, which is danger of death in resisting, rather than the greater, which is certain and present death in not resisting. And this is granted to be true by all men, in that they lead criminals to execution and prison, with armed men, notwithstanding that such criminals have consented to the law by which they are condemned.

A covenant to accuse oneself, without assurance of pardon, is likewise invalid. For in the condition of nature, where every man is judge, there is no place for accusation : and in the civil state, the accusation is followed with punishment ; which being force, a man is not obliged not to resist. The same is also true of the accusation of those by whose condemnation a man falls into misery ; as of a father, wife, or benefactor. For the testimony of such an accuser, if it be not willingly given, is presumed to be corrupted by nature, and therefore not to be received : and where a man's testimony is not to be credited, he is not bound to give it. Also accusations upon torture, are not to be reputed as testimonies. For torture is to be used but as means of conjecture and light, in the further examination and search of truth ; and what is in that case confessed, tendeth to the ease of him that is tortured, not to the informing of the torturers, and therefore

ought not to have the credit of a sufficient testimony ; for whether he deliver himself by true or false accusation, he does it by the right of preserving his own life.

The force of words being, as I have formerly noted, too weak to hold men to the performance of their covenants ; there are in man's nature but two imaginable helps to strengthen it. And those are either a fear of the consequence of breaking their word, or a glory or pride in appearing not to need to break it. This latter is a generosity too rarely found to be presumed on, especially in the pursuers of wealth, command, or sensual pleasure, which are the greatest part of mankind. The passion to be reckoned upon is fear ; whereof there be two very general objects : one, the power of spirits invisible ; the other, the power of those men they shall therein offend. Of these two, though the former be the greater power, yet the fear of the latter is commonly the greater fear. The fear of the former is in every man his own religion, which hath place in the nature of man before civil society. The latter hath not so, at least not place enough to keep men to their promises ; because in the condition of mere nature, the inequality of power is not discerned, but by the event of battle. So that before the time of civil society, or in the interruption thereof by war, there is nothing can strengthen a covenant of peace agreed on, against the temptations of avarice, ambition, lust, or other strong desire, but the fear of that invisible power, which they every one worship as God, and fear as a revenger of their perfidy. All therefore that can be done between two men not subject to civil power, is to put one another to swear by the God he feareth, which "swearing," or "oath," is "a form of speech, added to a promise ; by which he that promiseth, signifieth, that unless he perform, he renounceth the mercy of his God, or calleth to Him for vengeance on himself." Such was the heathen form, "Let Jupiter kill me else, as I kill this beast." So is our form, "I shall do thus, and thus, so help me God." And this, with the rites and ceremonies, which every one useth in his own religion, that the fear of breaking faith might be the greater.

By this it appears, that an oath taken according to any other form, or rite, than his that sweareth, is in vain ; and no oath : and that there is no swearing by anything which the swearer thinks not God. For though men have sometimes used to swear by their kings, for fear, or flattery ; yet they would have it thereby understood, they attributed to them divine honour. And that swearing unnecessarily by God, is but profaning of His name : and swearing by other things, as men do in common discourse, is not swearing, but an impious custom, gotten by too much vehemence of talking.

It appears also, that the oath adds nothing to the obligation. For a covenant, if lawful, binds in the sight of God, without the oath, as much as with it : if unlawful, bindeth not at all ; though it be confirmed with an oath.

## CHAPTER XV.

### *Of other Laws of Nature.*

**FROM** that law of Nature, by which we are obliged to transfer to another, such rights, as being retained, hinder the peace of mankind, there followeth a third ; which is this, "that men perform their covenants made ;" without which, covenants are in vain, and but empty words ; and the right of all men to all things remaining, we are still in the condition of war.

And in this law of Nature consisteth the fountain and original of "justice." For where no covenant hath preceded, there hath no right been transferred, and every man has right to everything; and consequently, no action can be unjust. But when a covenant is made, then to break it is "unjust:" and the definition of "injustice," is no other than "the not performance of covenant." And whatsoever is not unjust, is "just."

But because covenants of mutual trust, where there is a fear of not performance on either part, as hath been said in the former chapter, are invalid; though the original of justice be the making of covenants; yet injustice actually there can be none, till the cause of such fear be taken away; which while men are in the natural condition of war, cannot be done. Therefore before the names of just and unjust can have place, there must be some coercive power, to compel men equally to the performance of their covenants, by the terror of some punishment, greater than the benefit they expect by the breach of their covenant; and to make good that propriety, which by mutual contract men acquire, in recompense of the universal right they abandon: and such power there is none before the erection of a commonwealth. And this is also to be gathered out of the ordinary definition of justice in the schools: for they say, that "justice is the constant will of giving to every man his own." And therefore where there is no "own," that is no propriety, there is no injustice; and where there is no coercive power erected, that is, where there is no commonwealth, there is no propriety; all men having right to all things: therefore where there is no commonwealth, there nothing is unjust. So that the nature of justice, consisteth in keeping of valid covenants: but the validity of covenants begins not but with the constitution of a civil power, sufficient to compel men to keep them; and then it is also that propriety begins.

The fool hath said in his heart, there is no such thing as justice; and sometimes also with his tongue; seriously alleging, that every man's conservation, and contentment, being committed to his own care, there could be no reason why every man might not do what he thought conduced thereunto: and therefore also to make, or not make; keep, or not keep covenants, was not against reason, when it conduced to one's benefit. He does not therein deny, that there be covenants; and that they are sometimes broken, sometimes kept; and that such breach of them may be called injustice, and the observance of them justice; but he questioneth, whether injustice, taking away the fear of God, for the same fool hath said in his heart there is no God, may not sometimes stand with that reason, which dictateth to every man his own good; and particularly then, when it conduceth to such a benefit, as shall put a man in a condition to neglect not only the dispraise, and revilings, but also the power of other men. The kingdom of God is gotten by violence; but what if it could be gotten by unjust violence? were it against reason so to get it, when it is impossible to receive hurt by it? and if it be not against reason, it is not against justice; or else justice is not to be approved for good. From such reasoning as this, successful wickedness hath obtained the name of virtue; and some that in all other things have disallowed the violation of faith; yet have allowed it, when it is for the getting of a kingdom. And the heathen that believed that Saturn was deposed by his son Jupiter, believed nevertheless the same Jupiter to be the avenger of injustice; somewhat like to a piece of law in Coke's "Commentaries on Littleton;" where he says, if the right heir of the crown be attainted of treason; yet the crown shall descend to him, and *eo instante* the attainder be void: from which instances a man will be very prone to infer, that when the heir apparent of a kingdom shall kill him that is in possession, though his father; you may call it injustice, or by what other name you will; yet it can never be against

reason, seeing all the voluntary actions of men tend to the benefit of themselves; and those actions are most reasonable, that conduce most to their ends. This specious reasoning is nevertheless false.

For the question is not of promises mutual, where there is no security of performance on either side; as when there is no civil power erected over the parties promising; for such promises are no covenants: but either where one of the parties has performed already; or where there is a power to make him perform; there is the question whether it be against reason, that is, against the benefit of the other to perform, or not. And I say it is not against reason. For the manifestation whereof, we are to consider; first, that when a man doth a thing, which notwithstanding anything can be foreseen and reckoned on, tendeth to his own destruction, howsoever some accident which he could not expect, arriving may turn it to his benefit; yet such events do not make it reasonably or wisely done. Secondly, that in a condition of war, wherein every man to every man, for want of a common power to keep them all in awe, is an enemy, there is no man who can hope by his own strength, or wit, to defend himself from destruction, without the help of confederates; where every one expects the same defence by the confederation, that any one else does: and therefore he which declares he thinks it reason to deceive those that help him, can in reason expect no other means of safety than what can be had from his own single power. He therefore that breaketh his covenant, and consequently declareth that he thinks he may with reason do so, cannot be received into any society, that unite themselves for peace and defence, but by the error of them that receive him; nor when he is received, be retained in it, without seeing the danger of their error; which errors a man cannot reasonably reckon upon as the means of his security; and therefore if he be left, or cast out of society, he perisheth; and if he live in society, it is by the errors of other men, which he could not foresee, nor reckon upon; and consequently against the reason of his preservation; and so, as all men that contribute not to his destruction, forbear him only out of ignorance of what is good for themselves.

As for the instance of gaining the secure and perpetual felicity of heaven, by any way, it is frivolous: there being but one way imaginable; and that is not breaking, but keeping of covenant.

And for the other instance of attaining sovereignty by rebellion; it is manifest, that though the event follow, yet because it cannot reasonably be expected, but rather the contrary; and because by gaining it so, others are taught to gain the same in like manner, the attempt thereof is against reason. Justice therefore, that is to say, keeping of covenant, is a rule of reason, by which we are forbidden to do anything destructive to our life; and consequently a law of Nature.

There be some that proceed further; and will not have the law of Nature to be those rules which conduce to the preservation of man's life on earth; but to the attaining of an eternal felicity after death; to which they think the breach of government may conduce; and consequently be just and reasonable; such are they that think it a work of merit to kill, or depose, or rebel against the sovereign power constituted over them by their own consent. But because there is no natural knowledge of man's estate after death; much less of the reward that is then to be given to breach of faith; but only a belief grounded upon other men's saying, that they know it supernaturally, or that they know those that knew them, that knew others, that knew it supernaturally; breach of faith cannot be called a precept of reason, or nature.

Others, that allow for a law of Nature the keeping of faith, do nevertheless make exception of certain persons; as heretics, and such as use not to perform their covenant to others: and this also is against reason. For if

any fault of a man be sufficient to discharge our covenant made ; the same ought in reason to have been sufficient to have hindered the making of it.

The names of just, and unjust, when they are attributed to men, signify one thing ; and when they are attributed to actions, another. When they are attributed to men, they signify conformity, or inconformity of manners, to reason. But when they are attributed to actions they signify the conformity or inconformity to reason, not of manners or manner of life, but of particular actions. A just man, therefore, is he that taketh all the care he can that his actions may be all just, and an unjust man is he that neglecteth it. And such men are more often in our language styled by the names of righteous and unrighteous than just and unjust, though the meaning be the same. Therefore, a righteous man does not lose that title by one or a few unjust actions that proceed from sudden passion or mistake of things or persons ; nor does an unrighteous man lose his character for such actions as he does, or forbears to do, for fear, because his will is not framed by the justice, but by the apparent benefit of what he is to do. That which gives to human actions the relish of justice is a certain nobleness or gallantness of courage, rarely found, by which a man scorns to be beholden, for the contentment of his life, to fraud or breach of promise. This justice of the manners is that which is meant, where justice is called a virtue, and injustice a vice.

But the justice of actions denominates men, not just, but "guiltless ;" and the injustice of the same, which is also called injury, gives them but the name of "guilty."

Again, the injustice of manners is the disposition or aptitude to do injury ; and is injustice before it proceeds to act, and without supposing any individual person injured. But the injustice of an action, that is to say injury, supposeth an individual person injured, namely, him to whom the covenant was made ; and therefore many times the injury is received by one man when the damage redoundeth to another. As when the master commandeth his servant to give money to a stranger : if it be not done, the injury is done to the master, whom he had before covenanted to obey ; but the damage redoundeth to the stranger, to whom he had no obligation, and therefore could not injure him. And so also in commonwealths. Private men may remit to one another their debts, but not robberies or other violences, whereby they are endamaged, because the detaining of debt is an injury to themselves, but robbery and violence are injuries to the person of the commonwealth.

Whatsoever is done to a man, conformable to his own will signified to the doer, is no injury to him. For if he that doeth it, hath not passed away his original right to do what he please. by some antecedent covenant, there is no breach of covenant ; and therefore no injury done him. And if he have, then his will to have it done being signified, is a release of that covenant ; and so again there is no injury done him.

Justice of actions, is by writers divided into "commutative," and "distributive : " and the former they say consisteth in proportion arithmetical ; the latter in proportion geometrical. Commutative, therefore, they place in the equality of value of the things contracted for ; and distributive, in the distribution of equal benefit, to men of equal merit. As if it were injustice to sell dearer than we buy ; or to give more to a man than he merits. The value of all things contracted for, is measured by the appetite of the contractors : and therefore the just value is that which they be contented to give. And merit, besides that which is by covenant, where the performance on one part, meriteth the performance of the other part, and falls under justice commutative, not distributive, is not due by justice ; but is rewarded of grace only. And therefore this distinction, in the sense wherein



it useth to be expounded, is not right. To speak properly, commutative justice is the justice of a contractor ; that is, a performance of covenant, in buying and selling ; hiring, and letting to hire ; lending, and borrowing ; exchanging, bartering, and other acts of contract.

And distributive justice, the justice of an arbitrator ; that is to say, the act of defining what is just. Wherein, being trusted by them that make him arbitrator, if he perform his trust, he is said to distribute to every man his own : and this is indeed just distribution, and may be called, though improperly, distributive justice ; but more properly equity ; which also is a law of Nature, as shall be shown in due place.

As justice dependeth on antecedent covenant ; so does "gratitude" depend on antecedent grace ; that is to say, antecedent free gift : and is the fourth law of Nature ; which may be conceived in this form, "that a man which receiveth benefit from another of mere grace, endeavour that he which giveth it, have no reasonable cause to repent him of his good will." For no man giveth, but with intention of good to himself ; because gift is voluntary ; and of all voluntary acts, the object is to every man his own good ; of which if men see they shall be frustrated, there will be no beginning of benevolence, or trust, nor consequently of mutual help ; nor of reconciliation of one man to another ; and therefore they are to remain still in the condition of "war," which is contrary to the first and fundamental law of Nature, which commandeth men to "seek peace." The breach of this law, is called "ingratitude," and hath the same relation to grace that injustice hath to obligation by covenant.

A fifth law of Nature, is "complaisance : " that is to say, "that every man strive to accommodate himself to the rest." For the understanding whereof, we may consider, that there is in men's aptness to society, a diversity of nature, rising from their diversity of affections ; not unlike to that we see in stones brought together for building of an edifice. For as that stone which by the asperity, and irregularity of figure, takes more room from others than itself fills ; and for the hardness, cannot be easily made plain, and thereby hindereth the building, is by the builders cast away as unprofitable and troublesome : so also, a man that by asperity of nature, will strive to retain those things which to himself are superfluous, and to others necessary ; and for the stubbornness of his passions, cannot be corrected, is to be left, or cast out of society, as cumbersome thereunto. For seeing every man, not only by right, but also by necessity of nature, is supposed to endeavour all he can, to obtain that which is necessary for his conservation ; he that shall oppose himself against it, for things superfluous, is guilty of the war that thereupon is to follow ; and therefore doth that which is contrary to the fundamental law of Nature, which commandeth "to seek peace." The observers of this law, may be called "sociable," the Latins call them *commodi* ; the contrary, "stubborn," "insociable," "froward," "intractable."

A sixth law of Nature is this, "that upon caution of the future time, a man ought to pardon the offences past of them that repenting, desire it." For "pardon" is nothing but granting of peace ; which though granted to them that persevere in their hostility, be not peace, but fear ; yet not granted to them that give caution of the future time, is sign of an aversion to peace ; and therefore contrary to the law of Nature.

A seventh is, "that in revenges," that is, retribution of evil for evil. "men look not at the greatness of the evil past, but the greatness of the good to follow." Whereby we are forbidden to inflict punishment with any other design, than for correction of the offender, or direction of others. For this law is consequent to the next before it, that commandeth pardon, upon security of the future time. Besides, revenge, without respect to the

example and profit to come, is a triumph or glorying in the hurt of another, tending to no end ; for the end is always somewhat to come ; and glorying to no end, is vain-glory, and contrary to reason, and to hurt without reason, tendeth to the introduction of war ; which is against the law of Nature ; and is commonly stiled by the name of "cruelty."

And because all signs of hatred, or contempt, provoke to fight ; insomuch as most men choose rather to hazard their life than not to be revenged ; we may in the eighth place, for a law of Nature, set down this precept, "that no man by deed, word, countenance, or gesture, declare hatred or contempt of another." The breach of which law is commonly called "contumely."

The question who is the better man, has no place in the condition of mere nature ; where, as has been shown before, all men are equal. The inequality that now is, has been introduced by the laws civil. I know that Aristotle in the first book of his "Politics," for a foundation of his doctrine, maketh men by nature, some more worthy to command, meaning the wiser sort, such as he thought himself to be for his philosophy ; others to serve, meaning those that had strong bodies, but were not philosophers as he ; as if master and servant were not introduced by consent of men, but by difference of wit ; which is not only against reason, but also against experience. For there are very few so foolish, that had not rather govern themselves than be governed by others : nor when the wise in their own conceit, contend by force with them who distrust their own wisdom, do they always, or often, or almost at any time, get the victory. If Nature therefore have made men equal, that equality is to be acknowledged : or if Nature have made men unequal ; yet because men that think themselves equal, will not enter into conditions of peace, but upon equal terms, such equality must be admitted. And therefore for the ninth law of Nature, I put this, "that every man acknowledge another for his equal by nature." The breach of this precept is "pride."

On this law dependeth another, "that at the entrance into conditions of peace, no man require to reserve to himself any right which he is not content should be reserved to every one of the rest." As it is necessary for all men that seek peace to lay down certain rights of nature ; that is to say, not to have liberty to do all they list : so is it necessary for man's life to retain some, as right to govern their own bodies ; enjoy air, water, motion, ways to go from place to place ; and all things else, without which a man cannot live, or not live well. If in this case, at the making of peace, men require for themselves that which they would not have to be granted to others, they do contrary to the precedent law, that commandeth the acknowledgment of natural equality, and therefore also against the law of Nature. The observers of this law are those we call "modest," and the breakers "arrogant" men. The Greeks call the violation of this law *πλεονεξία* ; that is, a desire of more than their share.

Also if "a man be trusted to judge between man and man," it is a precept of the law of Nature, "that he deal equally between them." For without that, the controversies of men cannot be determined but by war. He therefore that is partial in judgment, doth what in him lies, to deter men from the use of judges and arbitrators ; and consequently, against the fundamental law of Nature, is the cause of war.

The observance of this law, from the equal distribution to each man, of that which in reason belongeth to him, is called "equity," and as I have said before, distributive justice : the violation, "acceptation of persons," *προσωποληψία*.

And from this followeth another law, "that such things as cannot be divided, be enjoyed in common, if it can be ; and if the quantity of the thing permit, without stint ; otherwise proportionably to the number of

them that have right." For otherwise the distribution is unequal, and contrary to equity.

But some things there be that can neither be divided nor enjoyed in common. Then, the law of Nature, which prescribeth equity, requireth "that the entire right, or else, making the use alternate, the first possession, be determined by lot." For equal distribution is of the law of Nature, and other means of equal distribution cannot be imagined.

Of "lots" there be two sorts, "arbitrary," and "natural." Arbitrary is that which is agreed on by the competitors: natural, is either "primogeniture," which the Greeks call *κληρονομία*, which signifies "given by lot," or "first seizure."

And therefore those things which cannot be enjoyed in common, nor divided, ought to be adjudged to the first possessor; and in some cases to the first born, as acquired by lot.

It is also a law of Nature, "that all men that mediate peace, be allowed safe conduct." For the law that commandeth peace, as the end, commandeth intercession, as the "means;" and to intercession the means is safe conduct.

And because, though men be never so willing to observe these laws, there may nevertheless arise questions concerning a man's action; first, whether it were done, or not done; secondly, if done, whether against the law, or not against the law; the former whereof, is called a question "of fact;" the latter a question "of right," therefore unless the parties to the question covenant mutually to stand to the sentence of another, they are as far from peace as ever. This other to whose sentence they submit is called an "arbitrator." And therefore it is of the law of Nature, "that they that are at controversy, submit their right to the judgment of an arbitrator."

And seeing every man is presumed to do all things in order to his own benefit, no man is a fit arbitrator in his own cause; and if he were never so fit; yet equity allowing to each party equal benefit, if one be admitted to be judge, the other is to be admitted also; and so the controversy, that is, the cause of war, remains against the law of Nature.

For the same reason no man in any cause ought to be received for arbitrator, to whom greater profit, or honour, or pleasure apparently ariseth out of the victory of one party than of the other: for he hath taken, though an unavoidable bribe, yet a bribe; and no man can be obliged to trust him. And thus also the controversy, and the condition of war remaineth, contrary to the law of Nature.

And in a controversy of "fact," the judge being to give no more credit to one than to the other, if there be no other arguments, must give credit to a third; or to a third and fourth; or more: for else the question is undecided, and left to force, contrary to the law of Nature.

These are the laws of Nature, dictating peace, for a means of the conservation of men in multitudes; and which only concern the doctrine of civil society. There be other things tending to the destruction of particular men; as drunkenness, and all other parts of intemperance; which may therefore also be reckoned amongst those things which the law of Nature hath forbidden; but are not necessary to be mentioned, nor are pertinent enough to this place.

And though this may seem too subtle a deduction of the laws of Nature, to be taken notice of by all men; whereof the most part are too busy in getting food, and the rest too negligent to understand; yet to leave all men inexcusable, they have been contracted into one easy sum, intelligible even to the meanest capacity; and that is, "Do not that to another, which thou wouldst not have done to thyself;" which showeth him that he has no

more to go in learning the laws of Nature, but when weighing the actions of other men with his own, they seem too heavy, he put them into the other part of the balance, and his own into their place, that his own passions and self-love may add nothing to the weight; and then there is none of these laws of Nature that will not appear unto him very reasonable.

The laws of Nature oblige *in foro interno*; that is to say, they bind to a desire they should take place: but *in foro externo*; that is, to the putting them in act, not always. For he that should be modest, and tractable, and perform all he promises, in such time and place where no man else should do so, should but make himself a prey to others, and procure his own certain ruin, contrary to the ground of all laws of Nature, which tend to Nature's preservation. And again, he that having sufficient security, that others shall observe the same laws towards him, observes them not himself, seeketh not peace, but war; and consequently the destruction of his nature by violence.

And whatsoever laws bind *in foro interno*, may be broken, not only by a fact contrary to the law, but also by a fact according to it, in case a man think it contrary. For though his action in this case be according to the law, yet his purpose was against the law; which, where the obligation is *in foro interno*, is a breach.

The laws of Nature are immutable and eternal; for injustice, ingratitude, arrogance, pride, iniquity, acception of persons, and the rest, can never be made lawful. For it can never be that war shall preserve life, and peace destroy it.

The same laws, because they oblige only to a desire and endeavour, I mean an unfeigned and constant endeavour, are easy to be observed. For in that they require nothing but endeavour, he that endeavoureth their performance, fulfilleth them; and he that fulfilleth the law, is just.

And the science of them is the true and only moral philosophy. For moral philosophy is nothing else but the science of what is "good" and "evil," in the conversation and society of mankind. "Good" and "evil" are names that signify our appetites, and aversions; which in different tempers, customs, and doctrines of men, are different: and divers men, differ not only in their judgment, on the senses of what is pleasant and unpleasant to the taste, smell, hearing, touch, and sight; but also of what is conformable or disagreeable to reason, in the actions of common life. Nay, the same man, in divers times, differs from himself; and one time praiseth, that is, calleth good, what another time he dispraiseth, and calleth evil: from whence arise disputes, controversies, and at last war. And therefore so long as a man is in the condition of mere nature, which is a condition of war, as private appetite is the measure of good and evil: and consequently all men agree on this, that peace is good, and therefore also the way or means of peace, which, as I have showed before, are "justice," "gratitude," "modesty," "equity," "mercy," and the rest of the laws of Nature, are good; that is to say, "moral virtues;" and their contrary "vices," evil. Now the science of virtue and vice is moral philosophy; and therefore the true doctrine of the laws of Nature, is the true moral philosophy. But the writers of moral philosophy, though they acknowledge the same virtues and vices; yet not seeing wherein consisted their goodness; nor that they come to be praised, as the means of peaceable, sociable, and comfortable living, place them in a mediocrity of passions: as if not the cause, but the degree of daring, made fortitude; or not the cause, but the quantity of a gift, made liberality.

These dictates of reason, men used to call by the name of laws, but improperly: for they are but conclusions, or theorems concerning what conduceth to the conservation and defence of themselves; whereas law,

properly, is the word of him that by right hath command over others. But yet if we consider the same theorems, as delivered in the word of God, that by right commandeth all things; then are they properly called laws.

## CHAPTER XVI.

*Of Persons, Authors, and Things Personated.*

A PERSON is he, "whose words or actions are considered, either as his own, or as representing the words or actions of another man, or of any other thing, to whom they are attributed, whether truly or by fiction." I

When they are considered as his own, then is he called a "natural person:" and when they are considered as representing the words and actions of another, then is he a "feigned" or "artificial person."

The word person is Latin: instead whereof the Greeks have *πρόσωπον*, which signifies the "face," as *persona* in Latin signifies the "disguise," or "outward appearance" of a man, counterfeited on the stage; and sometimes more particularly that part of it, which disguiseth the face, as a mask or vizard: and from the stage, hath been translated to any representer of speech and action, as well in tribunals as theatres. So that a "person," is the same that an "actor" is, both on the stage and in common conversation; and to "personate," is to "act," or "represent" himself or another; and he that acteth another, is said to bear his person, or act in his name; in which sense Cicero useth it where he says, *Unus sustineo tres personas; mei, adversarii, et judicis*: I bear three persons: my own, my adversary's, and the judge's; and is called in divers occasions, diversely; as a "representer," or "representative," a "lieutenant," a "vicar," an "attorney," a "deputy," a "procurator," an "actor," and the like.

Of persons artificial, some have their words and actions "owned" by those whom they represent. And then the person is the "actor;" and he that owneth his words and actions, is the "author:" in which case the actor acteth by authority. For that which in speaking of goods and possessions is called an "owner," and in Latin *dominus*, in Greek *κύριος* speaking of actions, is called author. And as the right of possession, is called dominion; so the right of doing any action, is called "authority." So that by authority, is always understood a right of doing any act; and "done by authority," done by commission, or licence from him whose right it is.

From hence it followeth, that when the actor maketh a covenant by authority, he bindeth thereby the author, no less than if he had made it himself; and no less subjecteth him to all the consequences of the same. And therefore all that hath been said formerly (chap. xiv.) of the nature of covenants between man and man in their natural capacity, is true also when they are made by their actors, representers, or procurators, that have authority from them, so far forth as is in their commission, but no further.

And therefore he that maketh a covenant with the actor or representer, not knowing the authority he hath, doth it at his own peril. For no man is obliged by a covenant whereof he is not author; nor consequently by a covenant made against or beside the authority he gave.

When the actor doth anything against the law of Nature by command of the author, if he be obliged by former covenant to obey him, not he but the author breaketh the law of Nature; for though the action be against the

law of Nature, yet it is not his : but contrarily, to refuse to do it, is against the law of Nature, that forbiddeth breach of covenant.

And he that maketh a covenant with the author by mediation of the actor, not knowing what authority he hath, but only takes his word, in case such authority be not made manifest unto him upon demand, is no longer obliged, for the covenant made with the author is not valid without his counter-assurance. But if he that so covenanteth knew beforehand he was to expect no other assurance than the actor's word, then is the covenant valid, because the actor in this case maketh himself the author. And therefore, as when the authority is evident, the covenant obligeth the author, not the actor ; so when the authority is feigned, it obligeth the actor only, there being no author but himself.

There are few things that are incapable of being represented by fiction. Inanimate things, as a church, an hospital, a bridge, may be personated by a rector, master, or overseer. But things inanimate cannot be authors, nor therefore give authority to their actors ; yet the actors may have authority to procure their maintenance, given them by those that are owners or governors of those things. And therefore such things cannot be personated before there be some state of civil government.

Likewise children, fools, and madmen, that have no use of reason, may be personated by guardians or curators ; but can be no authors, during that time, of any action done by them longer than, when they shall recover the use of reason, they shall judge the same reasonable. Yet during the folly, he that hath right of governing them may give authority to the guardian. But this again has no place but in a state civil, because before such estate there is no dominion of persons.

An idol, or mere figment of the brain, may be personated, as were the gods of the heathen, which, by such officers as the state appointed, were personated, and held possessions, and other goods and rights, which men from time to time dedicated and consecrated unto them. But idols cannot be authors, for an idol is nothing. The authority proceeded from the state ; and therefore, before introduction of civil government, the gods of the heathen could not be personated.

The true God may be personated. As He was, first, by Moses ; who governed the Israelites, that were not his, but God's people, not in his own name, with *hoc dicit Moses* ; but in God's name, with *hoc dicit Dominus*. Secondly, by the Son of man, His own Son, our blessed Saviour Jesus Christ, that came to reduce the Jews, and induce all nations into the kingdom of His Father, not as of Himself, but as sent from His Father. And thirdly, by the Holy Ghost or Comforter, speaking and working in the Apostles ; which Holy Ghost was a Comforter that came not of Himself ; but was sent, and proceeded from them both.

A multitude of men are made "one" person, when they are by one man or one person represented ; so that it be done with the consent of every one of that multitude in particular. For it is the "unity" of the representer, not the "unity" of the represented, that maketh the person "one." And it is the representer that beareth the person, and but one person : and "unity" cannot otherwise be understood in multitude.

And because the multitude naturally is not "one," but "many," they cannot be understood for one ; but many authors, of every thing their representative saith, or doth in their name ; every man giving their common representer authority from himself in particular, and owning all the actions the representer doth, in case they give him authority without stint : otherwise, when they limit him in what and how far he shall represent them, none of them owneth more than they gave him commission to act.

And if the representative consist of many men, the voice of the greater

number must be considered as the voice of them all. For if the lesser number pronounce, for example, in the affirmative, and the greater in the negative, there will be negatives more than enough to destroy the affirmatives; and thereby the excess of negatives, standing uncontradicted, are the only voice the representative hath.

And a representative of even number, especially when the number is not great, whereby the contradictory voices are oftentimes equal, is therefore oftentimes mute and incapable of action. Yet in some cases contradictory voices equal in number may determine a question; as in condemning, or absolving, equality of votes, even in that they condemn not, do absolve; but not on the contrary condemn, in that they absolve not. For when a cause is heard, not to condemn is to absolve: but on the contrary, to say that not absolving, is condemning, is not true. The like it is in a deliberation of executing presently, or deferring till another time: for when the voices are equal, the not decreeing execution is a decree of dilation.

Or if the number be odd, as three or more, men or assemblies; whereof every one has by a negative voice authority to take away the effect of all the affirmative voices of the rest, this number is no representative; because by the diversity of opinions, and interests of men, it becomes oftentimes, and in cases of the greatest consequence, a mute person, and unapt, as for many things else, so for the government of a multitude, especially in time of war.

Of authors there be two sorts. The first simply so called; which I have before defined to be him, that owneth the action of another simply. The second is he that owneth an action or covenant of another conditionally; that is to say, he undertaketh to do it if the other doth it not at or before a certain time. And these authors conditional, are generally called "sureties," in Latin, *fidejussores*, and *sponsores*; and particularly for debt, *prædes*; and for appearance before a judge, or magistrate, *vades*.

## PART II.—OF COMMONWEALTH.

### CHAPTER XVII.

#### *Of the Causes, Generation, and Definition of a Commonwealth.*

THE final cause, end, or design of men, who naturally love liberty, and dominion over others, in the introduction of that restraint upon themselves, in which we see them live in commonwealths, is the foresight of their own preservation, and of a more contented life thereby; that is to say, of getting themselves out from that miserable condition of war, which is necessarily consequent, as hath been shown in chapter xiii., to the natural passions of men, when there is no visible power to keep them in awe, and tie them by fear of punishment to the performance of their covenants, and observation of those laws of Nature set down in the fourteenth and fifteenth chapters.

For the laws of Nature, as "justice," "equity," "modesty," "mercy," and, in sum, "doing to others, as we would be done to," of themselves, without the terror of some power, to cause them to be observed, are contrary to our natural passions, that carry us to partiality, pride, revenge, and the like. And covenants, without the sword, are but words, and of no strength to secure a man at all. Therefore notwithstanding the laws of Nature, which every one hath then kept, when he has the will to keep them, when he can do it safely, if there be no power erected, or not great enough for our security; every man will, and may lawfully rely on his own strength and art, for caution against all other men. And in all places, where men have lived by small families, to rob and spoil one another, has been a trade, and so far from being reputed against the law of Nature, that the greater spoils they gained, the greater was their honour; and men observed no other laws therein, but the laws of honour; that is, to abstain from cruelty, leaving to men their lives, and instruments of husbandry. And as small families did then; so now do cities and kingdoms, which are but greater families, for their own security, enlarge their dominions, upon all pretences of danger, and fear of invasion, or assistance that may be given to invaders, and endeavour as much as they can, to subdue, or weaken their neighbours, by open force and secret arts, for want of other caution, justly; and are remembered for it in after ages with honour.

Nor is it the joining together of a small number of men, that gives them this security; because in small numbers, small additions on the one side or the other, make the advantage of strength so great, as is sufficient to carry the victory; and therefore gives encouragement to an invasion. The multitude sufficient to confide in for our security, is not determined by any certain number, but by comparison with the enemy we fear; and is then sufficient, when the odds of the enemy is not of so visible and conspicuous moment, to determine the event of war, as to move him to attempt.

And be there never so great a multitude; yet if their actions be directed according to their particular judgments and particular appetites, they can



expect thereby no defence, nor protection, neither against a common enemy, nor against the injuries of one another. For being distracted in opinions concerning the best use and application of their strength, they do not help but hinder one another ; and reduce their strength by mutual opposition to nothing : whereby they are easily, not only subdued by a very few that agree together ; but also when there is no common enemy, they make war upon each other, for their particular interests. For if we could suppose a great multitude of men to consent in the observation of justice, and other laws of Nature, without a common power to keep them all in awe ; we might as well suppose all mankind to do the same ; and then there neither would be, nor need to be any civil government or commonwealth at all ; because there would be peace without subjection.

Nor is it enough for the security, which men desire should last all the time of their life, that they be governed and directed by one judgment, for a limited time : as in one battle, or one war. For though they obtain a victory by their unanimous endeavour against a foreign enemy ; yet afterwards, when either they have no common enemy, or he that by one part is held for an enemy, is by another part held for a friend, they must needs by the difference of their interests dissolve, and fall again into a war amongst themselves.

It is true that certain living creatures, as bees and ants, live sociably one with another, which are therefore by Aristotle numbered amongst political creatures ; and yet have no other direction, than their particular judgments and appetites ; nor speech, whereby one of them can signify to another, what he thinks expedient for the common benefit : and therefore some man may perhaps desire to know, why mankind cannot do the same. To which I answer,

First, that men are continually in competition for honour and dignity, which these creatures are not ; and consequently amongst men there ariseth on that ground, envy and hatred, and finally war ; but amongst these not so.

Secondly, that amongst these creatures, the common good differeth not from the private ; and being by nature inclined to their private, they procure thereby the common benefit. But man, whose joy consisteth in comparing himself with other men, can relish nothing but what is eminent.

Thirdly, that these creatures, having not, as man, the use of reason, do not see, nor think they see any fault, in the administration of their common business ; whereas amongst men, there are very many that think themselves wiser, and abler to govern the public, better than the rest ; and these strive to reform and innovate, one this way, another that way ; and thereby bring it into distraction and civil war.

Fourthly, that these creatures, though they have some use of voice, in making known to one another their desires and other affections ; yet they want that art of words, by which some men can represent to others that which is good in the likeness of evil ; and evil in the likeness of good ; and augment or diminish the apparent greatness of good and evil ; discontenting men, and troubling their peace at their pleasure.

Fifthly, irrational creatures cannot distinguish between "injury" and "damage ;" and therefore as long as they be at ease, they are not offended with their fellows : whereas man is then most troublesome, when he is most at ease ; for then it is that he loves to show his wisdom, and control the actions of them that govern the commonwealth.

Lastly, the agreement of these creatures is natural ; that of men is by covenant only, which is artificial : and therefore it is no wonder if there be somewhat else required, besides covenant, to make their agreement constant and lasting ; which is a common power, to keep them in awe, and to direct their actions to the common benefit.

The only way to erect such a common power, as may be able to defend them from the invasion of foreigners, and the injuries of one another, and thereby to secure them in such sort, as that by their own industry, and by the fruits of the earth, they may nourish themselves and live contentedly, is, to confer all their power and strength upon one man, or upon one assembly of men, that may reduce all their wills, by plurality of voices, unto one will : which is as much as to say, to appoint one man, or assembly of men, to bear their person ; and every one to own, and acknowledge himself to be author of whatsoever he that so beareth their person, shall act, or cause to be acted, in those things which concern the common peace and safety ; and therein to submit their wills, every one to his will, and their judgments, to his judgment. This is more than consent, or concord ; it is a real unity of them all, in one and the same person, made by covenant of every man with every man, in such manner, as if every man should say to every man, " I authorize and give up my right of governing myself, to this man, or to this assembly of men, on this condition, that thou give up thy right to him, and authorize all his actions in like manner." This done, the multitude so united in one person is called a "commonwealth," in Latin *civitas*. This is the generation of that great "leviathan," or rather, to speak more reverently, of that "mortal god," to which we owe under the "immortal God," our peace and defence. For by this authority, given him by every particular man in the commonwealth, he hath the use of so much power and strength conferred on him, that by terror thereof, he is enabled to perform the wills of them all, to peace at home, and mutual aid against their enemies abroad. And in him consisteth the essence of the commonwealth ; which, to define it, is "one person, of whose acts a great multitude, by mutual covenants one with another, have made themselves every one the author, to the end he may use the strength and means of them all, as he shall think expedient, for their peace and common defence."

And he that carrieth this person is called "sovereign," and said to have "sovereign power ;" and every one besides, his "subject."

The attaining to this sovereign power is by two ways. One, by natural force ; as when a man maketh his children to submit themselves, and their children, to his government, as being able to destroy them if they refuse ; or by war subdueth his enemies to his will, giving them their lives on that condition. The other is, when men agree amongst themselves to submit to some man, or assembly of men, voluntarily, on confidence to be protected by him against all others. This latter may be called a political commonwealth, or commonwealth by "institution ;" and the former, a commonwealth by "acquisition." And first, I shall speak of a commonwealth by institution.

## CHAPTER XVIII.

### *Of the Rights of Sovereigns by Institution.*

A "COMMONWEALTH" is said to be "instituted," when a "multitude" of men do agree, and "covenant, every one, with every one," that to whatsoever "man," or "assembly of men," shall be given by the major part, the "right" to "present" the person of them all, that is to say, to be their "representative ;" every one, as well he that "voted for it," as he that "voted against it," shall "authorize" all the actions and judgments, of that man, or assembly of men, in the same manner, as if they were his own, to the end, to live peaceably amongst themselves, and be protected against other men.

From this institution of a commonwealth are derived all the "rights" and "faculties" of him, or them, on whom sovereign power is conferred by the consent of the people assembled.

First, because they covenant, it is to be understood, they are not obliged by former covenant to anything repugnant hereunto. And consequently they that have already instituted a commonwealth, being thereby bound by covenant, to own the actions and judgments of one, cannot lawfully make a new covenant, amongst themselves, to be obedient to any other, in any thing whatsoever, without his permission. And therefore, they that are subjects to a monarch, cannot without his leave cast off monarchy, and return to the confusion of a disunited multitude; nor transfer their person from him that beareth it, to another man, or other assembly of men: for they are bound, every man to every man, to own, and be reputed author of all, that he that already is their sovereign, shall do, and judge fit to be done: so that any one man dissenting, all the rest should break their covenant made to that man, which is injustice: and they have also every man given the sovereignty to him that beareth their person; and therefore if they depose him, they take from him that which is his own, and so again it is injustice. Besides, if he that attempteth to depose his sovereign, be killed, or punished by him for such attempt, he is author of his own punishment, as being by the institution, author of all his sovereign shall do: and because it is injustice for a man to do anything for which he may be punished by his own authority, he is also upon that title unjust. And whereas some men have pretended for their disobedience to their sovereign, a new covenant, made not with men, but with God; this also is unjust: for there is no covenant with God but by mediation of somebody that representeth God's person; which none doth but God's lieutenant, who hath the sovereignty under God. But this pretence of covenant with God, is so evident a lie, even in the pretenders' own consciences, that it is not only an act of an unjust, but also of a vile and unmanly disposition.

Secondly, because the right of bearing the person of them all, is given to him they make sovereign, by covenant only of one to another, and not of him to any of them; there can happen no breach of covenant on the part of the sovereign: and consequently none of his subjects, by any pretence of forfeiture, can be freed from his subjection. That he which is made sovereign maketh no covenant with his subjects beforehand, is manifest; because either he must make it with the whole multitude, as one party to the covenant; or he must make a several covenant with every man. With the whole, as one party, it is impossible; because as yet they are not one person; and if he make so many several covenants as there be men, those covenants after he hath the sovereignty are void; because what act soever can be pretended by any one of them for breach thereof, is the act both of himself and of all the rest, because done in the person and by the right of every one of them in particular. Besides, if any one or more of them, pretend a breach of the covenant made by the sovereign at his institution; and others, or one other of his subjects, or himself alone, pretend there was no such breach, there is in this case no judge to decide the controversy; it returns therefore to the sword again; and every man recovereth the right of protecting himself by his own strength, contrary to the design they had in the institution. It is therefore in vain to grant sovereignty by way of precedent covenant. The opinion that any monarch receiveth his power by covenant, that is to say, on condition, proceedeth from want of understanding this easy truth, that covenants being but words and breath, have no force to oblige, contain, constrain, or protect any man, but what it has from the public sword; that is, from the united hands of that man, or assembly of men that hath the sovereignty, and whose actions are avouched

by them all, and performed by the strength of them all, in him united. But when an assembly of men is made sovereign; then no man imagineth any such covenant to have passed in the institution; for no man is so dull as to say, for example, the people of Rome made a covenant with the Romans, to hold the sovereignty on such or such conditions; which not performed, the Romans might lawfully depose the Roman people. That men see not the reason to be alike in a monarchy, and in a popular government, proceedeth from the ambition of some, that are kinder to the government of an assembly, whereof they may hope to participate, than of monarchy, which they despair to enjoy.

Thirdly, because the major part hath by consenting voices declared a sovereign; he that dissented must now consent with the rest; that is, be contented to avow all the actions he shall do, or else justly be destroyed by the rest. For if he voluntarily entered into the congregation of them that were assembled, he sufficiently declared thereby his will, and therefore tacitly covenanted to stand to what the major part should ordain: and therefore if he refuse to stand thereto, or make protestation against any of their decrees, he does contrary to his covenant, and therefore unjustly. And whether he be of the congregation or not; and whether his consent be asked or not, he must either submit to their decrees, or be left in the condition of war he was in before; wherein he might without injustice be destroyed by any man whatsoever.

Fourthly, because every subject is by this institution author of all the actions and judgments of the sovereign instituted, it follows, that whatsoever he doth it can be no injury to any of his subjects, nor ought he to be by any of them accused of injustice. For he that doth anything by authority from another doth therein no injury to him by whose authority he acteth: but by this institution of a commonwealth every particular man is author of all the sovereign doth; and consequently, he that complaineth of injury from his sovereign complaineth of that whereof he himself is author, and therefore ought not to accuse any man but himself; no, nor himself of injury; because to do injury to one's self is impossible. It is true that they that have sovereign power may commit iniquity, but not injustice or injury in the proper signification.

Fifthly, and consequently to that which was said last, no man that hath sovereign power can justly be put to death, or otherwise in any manner by his subjects punished. For seeing every subject is author of the actions of his sovereign, he punisheth another for the actions committed by himself.

And because the end of this institution is the peace and defence of them all; and whosoever has right to the end has right to the means; it belongeth of right to whatsoever man or assembly that hath the sovereignty to be judge both of the means of peace and defence, and also of the hindrances and disturbances of the same, and to do whatsoever he shall think necessary to be done, both beforehand, for the preserving of peace and security, by prevention of discord at home and hostility from abroad; and, when peace and security are lost, for the recovery of the same. And therefore,

Sixthly, it is annexed to the sovereignty to be judge of what opinions and doctrines are averse and what conducing to peace; and consequently, on what occasions, how far, and what men are to be trusted withal, in speaking to multitudes of people, and who shall examine the doctrines of all books before they be published. For the actions of men proceed from their opinions, and in the well governing of opinions consisteth the well-governing of men's actions, in order to their peace and concord. And though in matter of doctrine nothing ought to be regarded but the truth; yet this is not repugnant to regulating the same by peace. For doctrine repug-

nant to peace can be no more true than peace and concord can be against the law of Nature. It is true that in a commonwealth, where, by the negligence or unskilfulness of governors and teachers, false doctrines are by time generally received ; the contrary truths may be generally offensive. Yet the most sudden and rough bursting in of a new truth that can be, does never break the peace, but only sometimes awake the war. For those men that are so remissly governed, that they dare take up arms to defend or introduce an opinion, are still in war ; and their condition not peace, but only a cessation of arms for fear of one another ; and they live, as it were, in the precincts of battle continually. It belongeth therefore to him that hath the sovereign power to be judge, or constitute all judges of opinions and doctrines, as a thing necessary to peace, thereby to prevent discord and civil war.

Seventhly, is annexed to the sovereignty, the whole power of prescribing the rules, whereby every man may know what goods he may enjoy, and what actions he may do, without being molested by any of his fellow-subjects ; and this is it men call "propriety." For before constitution of sovereign power, as hath already been shown, all men had right to all things, which necessarily causeth war : and therefore this propriety, being necessary to peace, and depending on sovereign power, is the act of that power, in order to the public peace. These rules of propriety, or *meum* and *tuum*, and of "good," "evil," "lawful," and "unlawful" in the actions of subjects, are the civil laws ; that is to say, the laws of each commonwealth in particular ; though the name of civil law be now restrained to the ancient civil laws of the city of Rome, which being the head of a great part of the world, her laws at that time were in these parts the civil law.

Eighthly, is annexed to the sovereignty, the right of judicature ; that is to say, of hearing and deciding all controversies, which may arise concerning law, either civil or natural, or concerning fact. For without the decision of controversies, there is no protection of one subject against the injuries of another ; the laws concerning *meum* and *tuum* are in vain, and to every man remaineth, from the natural and necessary appetite of his own conservation, the right of protecting himself by his private strength, which is the condition of war, and contrary to the end for which every commonwealth is instituted.

Ninthly, is annexed to the sovereignty, the right of making war and peace with other nations and commonwealths ; that is to say, of judging when it is for the public good, and how great forces are to be assembled, armed, and paid for that end ; and to levy money upon the subjects to defray the expenses thereof. For the power by which the people are to be defended consisteth in their armies, and the strength of an army, in the union of their strength under one command, which command the sovereign instituted, therefore hath ; because the command of the "militia," without other institution, maketh him that hath it sovereign. And therefore whosoever is made general of an army, he that hath the sovereign power is always generalissimo.

Tenthly, is annexed to the sovereignty, the choosing of all counsellors, ministers, magistrates, and officers, both in peace and war. For seeing the sovereign is charged with the end, which is the common peace and defence, he is understood to have power to use such means as he shall think most fit for his discharge.

Eleventhly, to the sovereign is committed the power of rewarding with riches or honour, and of punishing with corporal or pecuniary punishment, or with ignominy, every subject according to the law he hath formerly made ; or if there be no law made, according as he shall judge most to

conduce to the encouraging of men to serve the commonwealth, or deterring of them from doing disservice to the same.

Lastly, considering what value men are naturally apt to set upon themselves ; what respect they look for from others ; and how little they value other men ; from whence continually arise amongst them, emulation, quarrels, factions, and at last war, to the destroying of one another, and diminution of their strength against a common enemy ; it is necessary that there be laws of honour, and a public rate of the worth of such men as have deserved, or are able to deserve well of the commonwealth ; and that there be force in the hands of some or other, to put those laws in execution. But it hath already been shown, that not only the whole "militia," or forces of the commonwealth ; but also the judicature of all controversies, is annexed to the sovereignty. To the sovereign therefore it belongeth also to give titles of honour ; and to appoint what order of place and dignity each man shall hold ; and what signs of respect, in public or private meetings, they shall give to one another.

These are the rights, which make the essence of sovereignty ; and which are the marks whereby a man may discern in what man, or assembly of men, the sovereign power is placed and resideth. For these are incommunicable, and inseparable. The power to coin money ; to dispose of the estate and persons of infant heirs ; to have pre-emption in markets ; and all other statute prerogatives, may be transferred by the sovereign ; and yet the power to protect his subjects be retained. But if he transfer the "militia," he retains the judicature in vain, for want of execution of the laws : or if he grant away the power of raising money, the "militia" is in vain ; or if he give away the government of doctrines, men will be frightened into rebellion with the fear of spirits. And so if we consider any one of the said rights, we shall presently see, that the holding of all the rest will produce no effect, in the conservation of peace and justice, the end for which all commonwealths are instituted. And this division is it, whereof it is said, "a kingdom divided in itself cannot stand:" for unless this division precede, division into opposite armies can never happen. If there had not first been an opinion received of the greatest part of England, that these powers were divided between the King, and the Lords, and the House of Commons, the people had never been divided and fallen into this civil war ; first between those that disagreed in politics ; and after between the dissenters about the liberty of religion ; which have so instructed men in this point of sovereign right, that there be few now in England that do not see that these rights are inseparable, and will be so generally acknowledged at the next return of peace ; and so continue, till their miseries are forgotten ; and no longer, except the vulgar be better taught than they have hitherto been.

And because they are essential and inseparable rights, it follows necessarily, that in whatsoever words any of them seem to be granted away, yet if the sovereign power itself be not in direct terms renounced, and the name of sovereign no more given by the grantees to him that grants them, the grant is void : for when he has granted all he can, if we grant back the sovereignty, all is restored, as inseparably annexed thereunto.

This great authority being indivisible, and inseparably annexed to the sovereignty, there is little ground for the opinion of them that say of sovereign kings, though they be *singulis majores*, of greater power than every one of their subjects, yet they be *universis minores*, of less power than them all together. For if by "all together," they mean not the collective body as one person, then "all together," and "every one," signify the same ; and the speech is absurd. But if by "all together," they understand them as one person, which person the sovereign bears, then the power of all

together, is the same with the sovereign's power ; and so again the speech is absurd : which absurdity they see well enough, when the sovereignty is in an assembly of the people ; but in a monarch they see it not ; and yet the power of sovereignty is the same in whomsoever it be placed.

And as the power, so also the honour of the sovereign, ought to be greater, than that of any, or all the subjects. For in the sovereignty is the fountain of honour. The dignities of lord, earl, duke, and prince are his creatures. As in the presence of the master, the servants are equal, and without any honour at all ; so are the subjects in the presence of the sovereign. And though they shine some more, some less, when they are out of his sight ; yet in his presence, they shine no more than the stars in the presence of the sun.

But a man may here object, that the condition of subjects is very miserable ; as being obnoxious to the lusts, and other irregular passions of him or them that have so unlimited a power in their hands. And commonly they that live under a monarch, think it the fault of monarchy ; and they that live under the government of democracy, or other sovereign assembly, attribute all the inconvenience to that form of commonwealth ; whereas the power in all forms, if they be perfect enough to protect them, is the same : not considering that the state of man can never be without some incommodity or other ; and that the greatest, that in any form of government can possibly happen to the people in general, is scarce sensible, in respect of the miseries, and horrible calamities, that accompany a civil war, or that dissolute condition of masterless men, without subjection to laws, and a coercive power to tie their hands from rapine and revenge : nor considering that the greatest pressure of sovereign governors proceedeth not from any delight, or profit they can expect in the damage or weakening of their subjects, in whose vigour consisteth their own strength and glory ; but in the restiveness of themselves, that unwillingly contributing to their own defence, make it necessary for their governors to draw from them what they can in time of peace, that they may have means on any emergent occasion, or sudden need, to resist, or take advantage on their enemies. For all men are by nature provided of notable multiplying glasses, that is their passions and self-love, through which every little payment appeareth a great grievance ; but are destitute of those prospective glasses, namely, moral and civil science, to see afar off the miseries that hang over them, and cannot without such payments be avoided.

## CHAPTER XIX.

### *Of the Several Kinds of Commonwealth by Institution, and of Succession to the Sovereign Power.*

THE difference of commonwealths consisteth in the difference of the sovereign, or the person representative of all and every one of the multitude. And because the sovereignty is either in one man, or in an assembly of more than one ; and into that assembly either every man hath right to enter, or not every one, but certain men distinguished from the rest ; it is manifest, there can be but three kinds of commonwealth. For the representative must needs be one man, or more : and if more, then it is the assembly of all, or but of a part. When the representative is one man, then is the commonwealth a "monarchy : " when an assembly of all that will come together, then it is a "democracy," or popular commonwealth : when an assembly of a part only, then it is called an "aristocracy." Other kind of

commonwealth there can be none : for either one or more, or all, must have the sovereign power, which I have shown to be indivisible, entire.

There be other names of government in the histories and books of policy, as "tyranny," and "oligarchy:" but they are not the names of other forms of government, but of the same forms disliked. For they that are discontented under "monarchy," call it "tyranny;" and they that are displeas'd with "aristocracy," call it "oligarchy:" so also they which find themselves griev'd under a "democracy," call it "anarchy," which signifies want of government; and yet I think no man believes that want of government is any new kind of government: nor by the same reason ought they to believe that the government is of one kind when they like it, and another when they dislike it, or are oppress'd by the governors.

It is manifest, that men who are in absolute liberty may, if they please, give authority to one man to represent them every one; as well as give such authority to any assembly of men whatsoever; and consequently may subject themselves, if they think good, to a monarch as absolutely as to any other representative. Therefore, where there is already erected a sovereign power, there can be no other representative of the same people, but only to certain particular ends, by the sovereign limited. For that were to erect two sovereigns; and every man to have his person represented by two actors, that by opposing one another, must needs divide that power, which, if men will live in peace, is indivisible, and thereby reduce the multitude into the condition of war, contrary to the end for which all sovereignty is instituted. And therefore as it is absurd to think that a sovereign assembly, inviting the people of their dominion to send up their deputies, with power to make known their advice, or desires, should therefore hold such deputies rather than themselves, for the absolute representatives of the people: so it is absurd also to think the same in a monarchy. And I know not how this so manifest a truth should of late be so little observed; that in a monarchy, he that had the sovereignty from a descent of six hundred years, was alone called sovereign, had the title of Majesty from every one of his subjects, and was unquestionably taken by them for their king, was notwithstanding never considered as their representative; the name without contradiction passing for the title of those men, which at his command were sent up by the people to carry their petitions, and give him, if he permitted it, their advice. Which may serve as an admonition, for those that are the true and absolute representative of a people, to instruct men in the nature of that office, and to take heed how they admit of any other general representation upon any occasion whatsoever, if they mean to discharge the trust committed to them.

The difference between these three kinds of commonwealth, consisteth not in the difference of power; but in the difference of convenience, or aptitude to produce the peace and security of the people; for which end they were instituted. And to compare monarchy with the other two, we may observe; first, that whosoever beareth the person of the people, or is one of that assembly that bears it, beareth also his own natural person. And though he be careful in his politic person to procure the common interest; yet he is more or no less careful to procure the private good of himself, his family, kindred, and friends; and for the most part, if the public interest chance to cross the private, he prefers the private: for the passions of men are commonly more potent than their reason. From whence it follows, that where the public and private interest are most closely united, there is the public most advanced. Now in monarchy, the private interest is the same with the public. The riches, power, and honour of a monarch, arise only from the riches, strength, and reputation of his subjects. For no king can be rich, nor glorious, nor secure, whose



subjects are either poor, or contemptible, or too weak through want or dissension, to maintain a war against their enemies : whereas in a democracy, or aristocracy, the public prosperity confers not so much to the private fortune of one that is corrupt, or ambitious, as doth many times a perfidious advice, a treacherous action, or a civil war.

Secondly, that a monarch receiveth counsel of whom, when, and where he pleaseath ; and consequently may hear the opinion of men versed in the matter about which he deliberates, of what rank or quality soever, and as long before the time of action, and with as much secrecy, as he will. But when a sovereign assembly has need of counsel, none are admitted but such as have a right thereto from the beginning ; which for the most part are of those who have been versed more in the acquisition of wealth than of knowledge ; and are to give their advice in long discourses, which may and do commonly excite men to action, but not govern them in it. For the "understanding" is by the flame of the passions, never enlightened, but dazzled. Nor is there any place, or time, wherein an assembly can receive counsel with secrecy, because of their own multitude.

Thirdly, that the resolutions of a monarch, are subject to no other inconstancy, than that of human nature ; but in assemblies, besides that of Nature, there ariseth an inconstancy from the number. For the absence of a few, that would have the resolution once taken, continue firm, which may happen by security, negligence, or private impediments, or the diligent appearance of a few of the contrary opinion, undoes to-day all that was concluded yesterday.

Fourthly, that a monarch cannot disagree with himself, out of envy or interest ; but an assembly may ; and that to such a height, as may produce a civil war.

Fifthly, that in monarchy there is this inconvenience ; that any subject, by the power of one man, for the enriching of a favourite or flatterer, may be deprived of all he possesseth ; which I confess is a great and inevitable inconvenience. But the same may as well happen, where the sovereign power is an assembly : for their power is the same ; and they are as subject to evil counsel, and to be seduced by orators, as a monarch by flatterers ; and becoming one another's flatterers, serve one another's covetousness and ambition by turns. And whereas the favourites of monarchs are few, and they have none else to advance but their own kindred ; the favourites of an assembly are many ; and the kindred much more numerous than of any monarch. Besides there is no favourite of a monarch, which cannot as well succour his friends as hurt his enemies ; but orators, that is to say, favourites of sovereign assemblies, though they have great power to hurt, have little to save. For to accuse, requires less eloquence, such is man's nature, than to excuse ; and condemnation, than absolution more resembles justice.

Sixthly, that it is an inconvenience in monarchy, that the sovereignty may descend upon an infant, or one that cannot discern between good and evil : and consisteth in this, that the use of his power, must be in the hand of another man, or of some assembly of men, which are to govern by his right, and in his name ; as curators and protectors of his person and authority. But to say there is inconvenience in putting the use of the sovereign power into the hand of a man, or an assembly of men ; is to say that all government is more inconvenient than confusion and civil war. And therefore all the danger that can be pretended, must arise from the contention of those, that for an office of so great honour and profit, may become competitors. To make it appear that this inconvenience proceedeth not from that form of government we call monarchy, we are to consider that the precedent monarch hath appointed who shall have the tuition of his

infant successor, either expressly by testament, or tacitly, by not controlling the custom in that case received : and then such inconvenience, if it happen, is to be attributed, not to the monarchy, but to the ambition and injustice of the subjects ; which in all kinds of government, where the people are not well instructed in their duty and the rights of sovereignty, is the same. Or else the precedent monarch hath not at all taken order for such tuition ; and then the law of Nature hath provided this sufficient rule, that the tuition shall be in him that hath, by nature, most interest in the preservation of the authority of the infant, and to whom least benefit can accrue by his death or diminution. For seeing every man by nature seeketh his own benefit, and promotion ; to put an infant into the power of those that can promote themselves by his destruction, or damage, is not tuition, but treachery. So that sufficient provision being taken against all just quarrel about the government under a child, if any contention arise to the disturbance of the public peace, it is not to be attributed to the form of monarchy, but to the ambition of subjects, and ignorance of their duty. On the other side, there is no great commonwealth, the sovereignty whereof is in a great assembly, which is not, as to consultations of peace and war, and making of laws, in the same condition as if the government were in a child. For as a child wants the judgment to dissent from counsel given him, and is thereby necessitated to take the advice of them, or him, to whom he is committed : so an assembly wanteth the liberty to dissent from the counsel of the major part, be it good or bad. And as a child has need of a tutor, or protector, to preserve his person and authority : so also, in great commonwealths, the sovereign assembly, in all great dangers and troubles, have need of *custodes libertatis* ; that is of dictators, or protectors of their authority ; which are as much as temporary monarchs, to whom for a time they may commit the entire exercise of their power ; and have, at the end of that time, been oftener deprived thereof than infant kings, by their protectors, regents, or any other tutors.

Though the kinds of sovereignty be, as I have now shown, but three : that is to say, monarchy, where one man has it ; or democracy, where the general assembly of subjects hath it ; or aristocracy, where it is in an assembly of certain persons nominated, or otherwise distinguished from the rest : yet he that shall consider the particular commonwealths that have been, and are in the world, will not perhaps easily reduce them to three, and may thereby be inclined to think there be other forms, arising from these mingled together. As for example, elective kingdoms ; where kings have the sovereign power put into their hands for a time ; or kingdoms wherein the king hath a power limited : which governments are nevertheless, by most writers, called monarchy. Likewise if a popular, or aristocratical commonwealth subdue an enemy's country, and govern the same, by a president, procurator, or other magistrate : this may seem perhaps at first sight, to be a democratical, or aristocratical government. But it is not so. For elective kings are not sovereigns, but ministers of the sovereign ; nor limited kings, sovereigns, but ministers of them that have the sovereign power : nor are those provinces which are in subjection to a democracy or aristocracy of another commonwealth, democratically or aristocratically governed, but monarchically.

And first, concerning an elective king, whose power is limited to his life, as it is in many places of Christendom at this day ; or to certain years or months, as the dictator's power amongst the Romans ; if he have right to appoint his successor, he is no more elective but hereditary. But if he have no power to elect his successor, then there is some other man, or assembly known, which after his decease may elect anew ; or else the commonwealth dieth and dissolveth with him, and returneth to the condition of war. If it be

known who have the power to give the sovereignty after his death, it is known also that the sovereignty was in them before ; for none have right to give that which they have not right to possess, and keep to themselves if they think good. But if there be none that can give the sovereignty after the decease of him that was first elected, then has he power, nay, he is obliged by the law of Nature, to provide, by establishing his successor, to keep those that had trusted him with the government from relapsing into the miserable condition of civil war. And consequently he was, when elected, a sovereign absolute.

Secondly, that king whose power is limited, is not superior to him or them that have the power to limit it ; and he that is not superior is not supreme, that is to say, not sovereign. The sovereignty therefore was always in that assembly which had the right to limit him ; and by consequence the government not monarchy, but either democracy or aristocracy ; as of old time in Sparta, where the kings had a privilege to lead their armies ; but the sovereignty was in the Ephori.

Thirdly, whereas heretofore the Roman people governed the land of Judea, for example, by a president ; yet was not Judea therefore a democracy ; because they were not governed by any assembly into the which any of them had right to enter ; nor an aristocracy ; because they were not governed by any assembly, into the which any man could enter by their election : but they were governed by one person, which, though as to the people of Rome, was an assembly of the people, or democracy ; yet as to the people of Judea, which had no right at all of participating in the government, was a monarch. For though where the people are governed by an assembly, chosen by themselves out of their own number, the government is called a democracy or aristocracy ; yet when they are governed by an assembly not of their own choosing, it is a monarchy ; not of "one" man, over another man ; but of one people, over another people.

Of all these forms of government, the matter being mortal, so that not only monarchs but also whole assemblies die, it is necessary, for the conservation of the peace of men, that as there was order taken for an artificial man, so there be order also taken for an artificial eternity of life : without which, men that are governed by an assembly should return into the condition of war in every age ; and they that are governed by one man, as soon as their governor dieth. This artificial eternity is that which men call the right of "succession."

There is no perfect form of government where the disposing of the succession is not in the present sovereign. For if it be in any other particular man or private assembly, it is in a person subject, and may be assumed by the sovereign at his pleasure ; and consequently the right is in himself. And if it be no particular man, but left to a new choice, then is the commonwealth dissolved, and the right is in him that can get it ; contrary to the intention of them that did institute the commonwealth, for their perpetual, and not temporary security.

In a democracy, the whole assembly cannot fail, unless the multitude that are to be governed fail. And therefore questions of the right of succession have in that form of government no place at all.

In an aristocracy, when any of the assembly dieth, the election of another into his room belongeth to the assembly, as the sovereign, to whom belongeth the choosing of all counsellors and officers. For that which the representative doth, as actor, every one of the subjects doth, as author. And though the sovereign assembly may give power to others, to elect new men for supply of their court ; yet it is still by their authority that the election is made ; and by the same it may, when the public shall require it, be recalled.

The greatest difficulty about the right of succession is in monarchy : and the difficulty ariseth from this, that at first sight, it is not manifest who is

to appoint the successor; nor many times, who it is whom he hath appointed. For in both these cases there is required a more exact ratiocination, than every man is accustomed to use. As to the question, who shall appoint the successor, of a monarch that hath the sovereign authority; that is to say, who shall determine of the right of inheritance, (for elective kings and princes have not the sovereign power in propriety, but in use only,) we are to consider that either he that is in possession has right to dispose of the succession, or else that right is again in the dissolved multitude. For the death of him that hath the sovereign power in propriety, leaves the multitude without any sovereign at all; that is, without any representative in whom they should be united, and be capable of doing any one action at all: and therefore they are incapable of election of any new monarch; every man having equal right to submit himself to such as he thinks best able to protect him; or if he can, protect himself by his own sword; which is a return to confusion, and to the condition of a war of every man against every man, contrary to the end for which monarchy had its first institution. Therefore it is manifest, that by the institution of monarchy, the disposing of the successor is always left to the judgment and will of the present possessor.

And for the question which may arise sometimes, who it is that the monarch in possession hath designed to the succession and inheritance of his power; it is determined by his express words and testament, or by other tacit signs sufficient.

By express words, or testament, when it is declared by him in his lifetime, *viva voce*, or by writing, as the first emperors of Rome declared who should be their heirs. For the word heir does not of itself imply the children, or nearest kindred of a man; but whomsoever a man shall any way declare he would have to succeed him in his estate. If therefore a monarch declare expressly, that such a man shall be his heir, either by word or writing, then is that man immediately after the decease of his predecessor, invested in the right of being monarch.

But where testament and express words are wanting, other natural signs of the will are to be followed, whereof the one is custom. And therefore where the custom is, that the next of kindred absolutely succeedeth, there also the next of kindred hath right to the succession; for that if the will of him that was in possession had been otherwise, he might easily have declared the same in his lifetime. And likewise where the custom is, that the next of the male kindred succeedeth, there also the right of succession is in the next of the kindred male, for the same reason. And so it is if the custom were to advance the female. For whatsoever custom a man may by a word control, and does not, it is a natural sign he would have that custom stand.

But where neither custom nor testament hath preceded, there it is to be understood, first, that a monarch's will is, that the government remain monarchical; because he hath approved that government in himself. Secondly, that a child of his own, male or female, be preferred before any other; because men are presumed to be more inclined by nature to advance their own children than the children of other men; and of their own, rather a male than a female; because men are naturally fitter than women for actions of labour and danger. Thirdly, where his own issue faileth, rather a brother than a stranger; and so still the nearer in blood, rather than the more remote; because it is always presumed that the nearer of kin is the nearer in affection; and it is evident that a man receives always, by reflection, the most honour from the greatness of his nearest kindred.

But if it be lawful for a monarch to dispose of the succession by words of contract, or testament, men may perhaps object a great inconvenience; for

he may sell, or give his right of governing to a stranger ; which, because strangers, that is, men not used to live under the same government, nor speaking the same language, do commonly undervalue one another, may turn to the oppression of his subjects ; which is indeed a great inconvenience : but it proceedeth not necessarily from the subjection to a stranger's government, but from the unskilfulness of the governors, ignorant of the true rules of politics. And therefore the Romans when they had subdued many nations, to make their government digestible, were wont to take away that grievance, as much as they thought necessary, by giving sometimes to whole nations, and sometimes to principal men of every nation they conquered, not only the privileges, but also the name of Romans ; and took many of them into the senate, and offices of charge, even in the Roman city. And this was it our most wise king, king James, aimed at, in endeavouring the union of his two realms of England and Scotland, which if he could have obtained, had in all likelihood prevented the civil wars, which make both those kingdoms, at this present, miserable. It is not therefore any injury to the people for a monarch to dispose of the succession by will ; though by the fault of many princes, it hath been sometimes found inconvenient. Of the lawfulness of it, this also is an argument, that whatsoever inconvenience can arrive by giving a kingdom to a stranger, may arrive also by so marrying with strangers, as the right of succession may descend upon them : yet this by all men is accounted lawful.

## CHAPTER XX.

### *Of Dominion Paternal, and Despotical.*

**A COMMONWEALTH** "by acquisition," is that, where the sovereign power is acquired by force ; and it is acquired by force when men singly, or many together by plurality of voices, for fear of death, or bonds, do authorize all the actions of that man, or assembly, that hath their lives and liberty in his power.

And this kind of dominion, or sovereignty, differeth from sovereignty by institution only in this, that men who choose their sovereign do it for fear of one another, and not of him whom they institute : but in this case, they subject themselves to him they are afraid of. In both cases they do it for fear : which is to be noted by them that hold all such covenants as proceed from fear of death or violence, void : which if it were true, no man, in any kind of commonwealth, could be obliged to obedience. It is true, that in a commonwealth once instituted, or acquired, promises proceeding from fear of death or violence, are no covenants, nor obliging, when the thing promised is contrary to the laws ; but the reason is not because it was made upon fear, but because he that promiseth hath no right in the thing promised. Also, when he may lawfully perform, and doth not, it is not the invalidity of the covenant that absolveth him, but the sentence of the sovereign. Otherwise, whensoever a man lawfully promiseth, he unlawfully breaketh : but when the sovereign, who is the actor, acquitteth him, then he is acquitted by him that extorted the promise, as by the author of such absolution.

But the rights and consequences of sovereignty, are the same in both. His power cannot, without his consent, be transferred to another ; he cannot forfeit it : he cannot be accused by any of his subjects of injury : he cannot be punished by them : he is judge of what is necessary for peace ; and

judge of doctrines : he is sole legislator ; and supreme judge of controversies ; and of the times, and occasions of war, and peace : to him it belongeth to choose magistrates, counsellors, commanders, and all other officers and ministers ; and to determine of rewards and punishments, honour, and order. The reasons whereof, are the same which are alleged in the precedent chapter, for the same rights and consequences of sovereignty by institution.

Dominion is acquired two ways ; by generation and by conquest. The right of dominion by generation is that, which the parent hath over his children, and is called "paternal." And is not so derived from the generation, as if therefore the parent had dominion over his child because he begat him ; but from the child's consent, either express, or by other sufficient arguments declared. For as to the generation, God hath ordained to man a helper ; and there be always two that are equally parents : the dominion therefore over the child should belong equally to both ; and he be equally subject to both, which is impossible, for no man can obey two masters. And whereas some have attributed the dominion to the man only, as being of the more excellent sex ; they misreckon in it. For there is not always that difference of strength or prudence between the man and the woman, as that the right can be determined without war. In commonwealths, this controversy is decided by the civil law ; and for the most part, but not always, the sentence is in favour of the father ; because for the most part commonwealths have been erected by the fathers, not by the mothers of families. But the question lieth now in the state of mere nature ; where there are supposed no laws of matrimony ; no laws for the education of children ; but the law of Nature, and the natural inclination of the sexes, one to another, and to their children. In this condition of mere nature, either the parents between themselves dispose of the dominion over the child by contract ; or do not dispose thereof at all. If they dispose thereof, the right passeth according to the contract. We find in history that the Amazons contracted with the men of the neighbouring countries, to whom they had recourse for issue, that the issue male should be sent back, but the female remain with themselves : so that the dominion of the females was in the mother.

If there be no contract, the dominion is in the mother. For in the condition of mere nature, where there are no matrimonial laws, it cannot be known who is the father, unless it be declared by the mother : and therefore the right of dominion over the child dependeth on her will, and is consequently hers. Again, seeing the infant is first in the power of the mother, so as she may either nourish or expose it ; if she nourish it, it oweth its life to the mother ; and is therefore obliged to obey her, rather than any other ; and by consequence the dominion over it is hers. But if she expose it, and another find and nourish it, the dominion is in him that nourisheth it. For it ought to obey him by whom it is preserved ; because preservation of life being the end, for which one man becomes subject to another, every man is supposed to promise obedience to him, in whose power it is to save, or destroy him.

If the mother be the father's subject, the child is in the father's power : and if the father be the mother's subject, as when a sovereign queen marieth one of her subjects, the child is subject to the mother ; because the father also is her subject.

If a man and woman, monarchs of two several kingdoms, have a child, and contract concerning who shall have the dominion of him, the right of the dominion passeth by the contract. If they contract not, the dominion followeth the dominion of the place of his residence. For the sovereign of each country hath dominion over all that reside therein.

He that hath the dominion over the child, hath dominion also over the children of the child ; and over their children's children. For he that hath dominion over the person of a man, hath dominion over all that is his ; without which, dominion were but a title, without the effect.

The right of succession to paternal dominion, proceedeth in the same manner as doth the right of succession of monarchy ; of which I have already sufficiently spoken in the precedent chapter.

Dominion acquired by conquest, or victory in war, is that which some writers call "despotic," from *Δεσπότης*, which signifieth a "lord," or "master ;" and is the dominion of the master over his servant. And this dominion is then acquired to the victor, when the vanquished, to avoid the present stroke of death, covenanteth either in express words, or by other sufficient signs of the will, that so long as his life and the liberty of his body is allowed him, the victor shall have the use thereof, at his pleasure. And after such covenant made, the vanquished is a "servant," and not before : for by the word "servant," whether it be derived from *servire*, to serve, or from *servare*, to save, which I leave to grammarians to dispute, is not meant a captive, which is kept in prison or bonds, till the owner of him that took him, or bought him of one that did, shall consider what to do with him : for such men, commonly called slaves, have no obligation at all ; but may break their bonds or the prison ; and kill, or carry away captive their master, justly : but one, that being taken, hath corporal liberty allowed him ; and upon promise not to run away, nor to do violence to his master, is trusted by him.

It is not therefore the victory that giveth the right of dominion over the vanquished, but his own covenant. Nor is he obliged because he is conquered ; that is to say, beaten and taken, or put to flight ; but because he cometh in and submitteth to the victor ; nor is the victor obliged by an enemy's rendering himself without promise of life, to spare him for this his yielding to discretion, which obliges not the victor longer than in his own discretion he shall think fit.

And that which men do when they demand, as it is now called, "quarter," which the Greeks called *Zwypia*, "taking alive," is to evade the present fury of the victor by submission, and to compound for their life with ransom, or service ; and therefore he that hath quarter, hath not his life given, but deferred till farther deliberation ; for it is not a yielding on condition of life, but to discretion. And then only is his life in security, and his service due, when the victor hath trusted him with his corporal liberty. For slaves that work in prisons, or fetters, do it not of duty, but to avoid the cruelty of their taskmasters.

The master of the servant is master also of all he hath, and may exact the use thereof, that is to say, of his goods, of his labour, of his servants, and of his children, so often as he shall think fit. For he holdeth his life of his master by the covenant of obedience ; that is, of owning and authorizing whatsoever the master shall do. And in case the master, if he refuse, kill him, or cast him into bonds, or otherwise punish him for his disobedience, he is himself the author of the same, and cannot accuse him of injury.

In sum, the rights and consequences of both "paternal" and "despotic" dominion, are the very same with those of a sovereign by institution ; and for the same reasons : which reasons are set down in the precedent chapter. So that for a man that is monarch of divers nations, whereof he hath in one the sovereignty by institution of the people assembled, and in another by conquest, that is by the submission of each particular, to avoid death or bonds ; to demand of one nation more than of the other from the title of conquest, as being a conquered nation, is an act of

ignorance of the rights of sovereignty ; for the sovereign is absolute over both alike, or else there is no sovereignty at all ; and so every man may lawfully protect himself, if he can, with his own sword, which is the condition of war.

By this it appears that a great family, if it be not part of some commonwealth, is of itself, as to the rights of sovereignty, a little monarchy ; whether that family consist of a man and his children, or of a man and his servants ; or of a man, and his children and servants together, wherein the father or master is the sovereign. But yet a family is not properly a commonwealth, unless it be of that power by its own number, or by other opportunities, as not to be subdued without the hazard of war. For where a number of men are manifestly too weak to defend themselves united, every one may use his own reason in time of danger to save his own life, either by flight or by submission to the enemy, as he shall think best ; in the same manner as a very small company of soldiers, surprised by an army, may cast down their arms and demand quarter, or run away, rather than be put to the sword. And thus much shall suffice concerning what I find by speculation, and deduction of sovereign rights, from the nature, need, and designs of men, in erecting of commonwealths, and putting themselves under monarchs, or assemblies entrusted with power enough for their protection.

Let us now consider what the Scripture teacheth in the same point. To Moses, the children of Israel say thus : " Speak thou to us, and we will hear thee ; but let not God speak to us, lest we die " (Exod. xx. 19). This is absolute obedience to Moses. Concerning the right of kings, God Himself by the mouth of Samuel, saith (1 Sam. viii. 11, 12, &c.) : " This shall be the right of the king you will have to reign over you. He shall take your sons, and set them to drive his chariots, and to be his horsemen, and to run before his chariots ; and gather in his harvest ; and to make his engines of war, and instruments of his chariots ; and shall take your daughters to make perfumes, to be his cooks, and bakers. He shall take your fields, your vineyards, and your olive yards, and give them to his servants. He shall take the tithe of your corn and wine, and give it to the men of his chamber, and to his other servants. He shall take your manservants and your maidservants, and the choice of your youth, and employ them in his business. He shall take the tithe of your flocks, and you shall be his servants." This is absolute power, and summed up in the last words, " you shall be his servants." Again, when the people heard what power their king was to have, yet they consented thereto, and say thus (verse 10) : " We will be as all other nations, and our king shall judge our causes, and go before us, to conduct our wars." Here is confirmed the right that sovereigns have both to the " militia " and to all " judicature ; " in which is contained as absolute power as one man can possibly transfer to another. Again, the prayer of king Solomon to God was this (1 Kings iii. 9) : " Give to thy servant understanding, to judge thy people, and to discern between good and evil." It belongeth therefore to the sovereign to be " judge," and to prescribe the rules of " discerning good " and " evil ; " which rules are laws ; and therefore in him is the legislative power. Saul sought the life of David ; yet when it was in his power to slay Saul, and his servants would have done it, David forbid them, saying (1 Sam. xxiv. 6) : " God forbid I should do such an act against my lord, the anointed of God." For obedience of servants St. Paul saith (Col. iii. 22) : " Servants obey your masters in all things ; " and (Col. iii. 20) : " Children obey your parents in all things." There is simple obedience in those that are subject to paternal or despotical dominion. Again (Matt. xxiii. 2, 3) : " The Scribes and Pharisees sit in Moses' chair, and therefore all that they shall bid you



observe, that observe and do." There again is simple obedience. And St. Paul (Titus iii. 2): "Warn them that they subject themselves to princes, and to those that are in authority, and obey them." This obedience is also simple. Lastly, our Saviour Himself acknowledges, that men ought to pay such taxes as are by kings imposed, where he says, "Give to Cæsar that which is Cæsar's;" and paid such taxes Himself. And that the king's word is sufficient to take anything from any subject, when there is need; and that the king is judge of that need, for He Himself, as king of the Jews, commanded His disciples to take the ass, and ass's colt, to carry Him into Jerusalem, saying (Matt. xxi. 2, 3): "Go into the village over against you, and you shall find a she-ass tied, and her colt with her; untie them, and bring them to me. And if any man ask you what you mean by it, say the Lord hath need of them: and they will let them go." They will not ask whether His necessity be a sufficient title; nor whether He be judge of that necessity; but acquiesce in the will of the Lord.

To these places may be added also that of Genesis (iii. 5): "Ye shall be as gods, knowing good and evil." And (verse 11): "Who told thee that thou wast naked? hast thou eaten of the tree, of which I commanded thee thou shouldest not eat?" For the cognizance or judicature of "good" and "evil," being forbidden by the name of the fruit of the tree of knowledge, as a trial of Adam's obedience; the devil to inflame the ambition of the woman, to whom that fruit already seemed beautiful, told her that by tasting it they should be as gods, knowing "good" and "evil." Whereupon having both eaten, they did indeed take upon them God's office, which is judicature of good and evil; but acquired no new ability to distinguish between them aright. And whereas it is said, that having eaten, they saw they were naked; no man hath so interpreted that place, as if they had been formerly blind, and saw not their own skins: the meaning is plain, that it was then they first judged their nakedness, wherein it was God's will to create them, to be uncomely; and by being ashamed, did tacitly censure God Himself. And thereupon God saith: "Hast thou eaten, &c.," as if He should say, doest thou that owest me obedience, take upon thee to judge of my commandments? Whereby it is clearly, though allegorically, signified that the commands of them that have the right to command, are not by their subjects to be censured nor disputed.

So that it appeareth plainly, to my understanding, both from reason and Scripture, that the sovereign power, whether placed in one man, as in monarchy, or in one assembly of men, as in popular and aristocratical commonwealths, is as great as possibly men can be imagined to make it. And though of so unlimited a power, men may fancy many evil consequences, yet the consequences of the want of it, which is perpetual war of every man against his neighbour, are much worse. The condition of man in this life shall never be without inconveniences; but there happeneth in no commonwealth any great inconvenience but what proceeds from the subject's disobedience, and breach of those covenants, from which the commonwealth has its being. And whosoever thinking sovereign power too great, will seek to make it less, must subject himself to the power that can limit it; that is to say, to a greater.

The greatest objection is, that of the practice; when men ask where and when such power has by subjects been acknowledged. But one may ask them again, when or where has there been a kingdom long free from sedition and civil war. In those nations whose commonwealths have been long-lived, and not being destroyed but by foreign war, the subjects never did dispute of the sovereign power. But howsoever, an argument from the practice of men, that have not sifted to the bottom, and with exact reason

weighed the causes and nature of commonwealths, and suffer daily those miseries that proceed from the ignorance thereof, is invalid. For though in all places of the world men should lay the foundation of their houses on the sand, it could not thence be inferred that so it ought to be. The skill of making and maintaining commonwealths, consisteth in certain rules, as doth arithmetic and geometry; not, as tennis-play, on practice only: which rules neither poor men have the leisure, nor men that have had the leisure, have hitherto had the curiosity, or the method to find out.

## CHAPTER XXI

### *Of the Liberty of Subjects.*

**LIBERTY**, or "freedom," signifieth, properly, the absence of opposition; by opposition, I mean external impediments of motion; and may be applied no less to irrational and inanimate creatures than to rational. For whatsoever is so tied, or environed, as it cannot move but within a certain space, which space is determined by the opposition of some external body, we say it hath not liberty to go further. And so of all living creatures whilst they are imprisoned, or restrained, with walls or chains; and of the water whilst it is kept in by banks or vessels, that otherwise would spread itself into a larger space, we use to say, they are not at liberty to move in such manner, as without those external impediments they would. But when the impediment of motion is in the constitution of the thing itself, we use not to say, it wants the liberty, but the power to move; as when a stone lieth still, or a man is fastened to his bed by sickness.

And according to this proper and generally received meaning of the word, a "freeman, is he, that in those things, which by his strength and wit he is able to do, is not hindered to do what he has a will to." But when the words "free," and "liberty," are applied to anything but "bodies," they are abused; for that which is not subject to motion, is not subject to impediment; and therefore, when it is said for example, the way is free, no liberty of the way is signified, but of those that walk in it without stop. And when we say a gift is free, there is not meant any liberty of the gift, but of the giver, that was not bound by any law or covenant to give it. So when we "speak freely," it is not the liberty of voice, or pronunciation, but of the man, whom no law hath obliged to speak otherwise than he did. Lastly, from the use of the word "free-will," no liberty can be inferred of the will, desire, or inclination, but the liberty of the man; which consisteth in this, that he finds no stop, in doing what he has the will, desire, or inclination to do.

Fear and liberty are consistent; as when a man throweth his goods into the sea for "fear" the ship should sink, he doth it nevertheless very willingly, and may refuse to do it if he will: it is therefore the action of one that was "free;" so a man sometimes pays his debt, only for "fear" of imprisonment, which because nobody hindered him from detaining, was the action of a man at "liberty." And generally all actions which men do in commonwealths, for "fear" of the law, are actions which the doers had "liberty" to omit.

"Liberty" and "necessity" are consistent, as in the water that hath not only "liberty," but a "necessity" of descending by the channel; so likewise in the actions which men voluntarily do: which, because they proceed from their will, proceed from "liberty;" and yet, because every act of

man's will, and every desire and inclination proceedeth from some cause, and that from another cause, in a continual chain, whose first link is in the hand of God the first of all causes, proceed from "necessity." So that to him that could see the connection of those causes, the "necessity" of all men's voluntary actions would appear manifest. And therefore God, that seeth and disposeth all things, seeth also that the "liberty" of man in doing what he will, is accompanied with the "necessity" of doing that which God will, and no more nor less. For though men may do many things which God does not command, nor is therefore author of them; yet they can have no passion, nor appetite to anything, of which appetite God's will is not the cause. And did not His will assure the "necessity" of man's will, and consequently of all that on man's will dependeth, the "liberty" of men would be a contradiction, and impediment to the omnipotence and "liberty" of God. And this shall suffice, as to the matter in hand, of that natural "liberty," which only is properly called "liberty."

But as men, for the attaining of peace, and conservation of themselves thereby, have made an artificial man, which we call a commonwealth; so also have they made artificial chains, called "civil laws," which they themselves, by mutual covenants, have fastened at one end, to the lips of that man, or assembly, to whom they have given the sovereign power; and at the other end to their own ears. These bonds, in their own nature but weak, may nevertheless be made to hold, by the danger, though not by the difficulty of breaking them.

In relation to these bonds only it is, that I am to speak now, of the "liberty" of "subjects." For seeing there is no commonwealth in the world, wherein there be rules enough set down for the regulating of all the actions and words of men, as being a thing impossible; it followeth necessarily, that in all kinds of actions by the laws pretermitted, men have the liberty of doing what their own reasons shall suggest, for the most profitable to themselves. For if we take liberty in the proper sense, for corporal liberty; that is to say, freedom from chains and prison; it were very absurd for men to clamour as they do for the liberty they so manifestly enjoy. Again, if we take liberty for an exemption from laws, it is no less absurd for men to demand as they do that liberty by which all other men may be masters of their lives. And yet, as absurd as it is, this is it they demand; not knowing that the laws are of no power to protect them, without a sword in the hands of a man, or men, to cause those laws to be put in execution. The liberty of a subject lieth therefore only in those things which in regulating their actions, the sovereign hath pretermitted: such as is the liberty to buy and sell, and otherwise contract with one another; to choose their own abode, their own diet, their own trade of life, and institute their children as they themselves think fit; and the like.

Nevertheless we are not to understand, that by such liberty, the sovereign power of life and death is either abolished or limited. For it has been already shown, that nothing the sovereign representative can do to a subject, on what pretence soever, can properly be called injustice or injury; because every subject is author of every act the sovereign doth; so that he never wanteth right to anything, otherwise than as he himself is the subject of God, and bound thereby to observe the laws of Nature. And therefore it may, and doth often happen in commonwealths, that a subject may be put to death by the command of the sovereign power; and yet neither do the other wrong: as when Jephtha caused his daughter to be sacrificed; in which, and the like cases, he that so dieth, had liberty to do the action, for which he is nevertheless without injury put to death. And the same holdeth also in a sovereign prince that putteth to death an innocent subject.

For though the action be against the law of Nature, as being contrary to equity, as was the killing of Uriah, by David ; yet it was not an injury to Uriah, but to God. Not to Uriah, because the right to do what he pleased was given him by Uriah himself : and yet to God, because David was God's subject, and prohibited all iniquity by the law of Nature : which distinction, David himself, when he repented the fact, evidently confirmed, saying, " To thee only have I sinned." In the same manner the people of Athens, when they banished the most potent of their commonwealth for ten years, thought they committed no injustice ; and yet they never questioned what crime he had done ; but what hurt he would do : nay they commanded the banishment of they knew not whom ; and every citizen bringing his oyster-shell into the market-place, written with the name of him he desired should be banished, without actually accusing him, sometimes banished an Aristides, for his reputation of justice ; and sometimes a scurrilous jester, as Hyperbolus, to make a jest of it. And yet a man cannot say, the sovereign people of Athens wanted right to banish them ; or an Athenian the liberty to jest or to be just.

The liberty, whereof there is so frequent and honourable mention in the histories and philosophy of the ancient Greeks and Romans, and in the writings and discourse of those that from them have received all their learning in the politics, is not the liberty of particular men ; but the liberty of the commonwealth : which is the same with that which every man then should have, if there were no civil laws, nor commonwealth at all. And the effects of it also be the same. For as amongst masterless men there is perpetual war, of every man against his neighbour ; no inheritance, to transmit to the son, nor to expect from the father ; no propriety of goods, or lands ; no security ; but a full and absolute liberty in every particular man : so in states and commonwealths not dependent on one another, every commonwealth, not every man, has an absolute liberty to do what it shall judge, that is to say, what that man, or assembly that representeth it, shall judge most conducing to their benefit. But withal, they live in the condition of a perpetual war, and upon the confines of battle, with their frontiers armed, and cannons planted against their neighbours round about. The Athenians and Romans were free ; that is, free commonwealths : not that any particular men had the liberty to resist their own representative ; but that their representative had the liberty to resist, or invade other people. There is written on the turrets of the city of Lucca, in great characters, at this day, the word " Libertas ;" yet no man can thence infer, that a particular man has more liberty, or immunity from the service of the commonwealth there, than in Constantinople. Whether a commonwealth be monarchical, or popular, the freedom is still the same.

But it is an easy thing for men to be deceived by the specious name of liberty ; and for want of judgment to distinguish, mistake that for their private inheritance and birthright, which is the right of the public only. And when the same error is confirmed by the authority of men in reputation for their writings on this subject, it is no wonder if it produce sedition, and change of government. In these western parts of the world, we are made to receive our opinions concerning the institution and rights of commonwealths, from Aristotle, Cicero, and other men, Greeks and Romans, that living under popular states, derived those rights, not from the principles of Nature, but transcribed them into their books, out of the practice of their own commonwealths, which were popular ; as the grammarians describe the rules of language out of the practice of the time ; or the rules of poetry out of the poems of Homer and Virgil. And because the Athenians were taught to keep them from desire of changing their government, that they were free men, and all that lived under monarchy were slaves ; therefore Aristotle

put it down in his "Politics" (lib. 6, cap. ii.): "In democracy, 'liberty' is to be supposed: for it is commonly held, that no man is 'free' in any other government." And as Aristotle, so Cicero and other writers have grounded their civil doctrine on the opinions of the Romans, who were taught to hate monarchy, at first, by them that having deposed their sovereign, shared amongst them the sovereignty of Rome; and afterwards by their successors. And by reading of these Greek and Latin authors, men from their childhood have gotten a habit, under a false show of liberty, of favouring tumults, and of licentious controlling the actions of their sovereigns, and again of controlling those controllers; with the effusion of so much blood, as I think I may truly say, there was never anything so dearly bought as these western parts have bought the learning of the Greek and Latin tongues.

To come now to the particulars of the true liberty of a subject; that is to say, what are the things, which though commanded by the sovereign, he may nevertheless, without injustice, refuse to do; we are to consider what rights we pass away, when we make a commonwealth; or, which is all one, what liberty we deny ourselves, by owning all the actions, without exception, of the man, or assembly, we make our sovereign. For in the act of our "submission," consisteth both our "obligation," and our "liberty;" which must therefore be inferred by arguments taken from thence; there being no obligation on any man, which ariseth not from some act of his own; for all men equally, are by Nature free. And because such arguments must either be drawn from the express words, I "authorize all his actions," or from the intention of him that submitteth himself to his power, which intention is to be understood by the end for which he so submitteth; the obligation and liberty of the subject, is to be derived, either from those words, or others equivalent; or else from the end of the institution of sovereignty, namely, the peace of the subjects within themselves, and their defence against a common enemy.

First therefore, seeing sovereignty by institution, is by covenant of every one to every one; and sovereignty by acquisition, by covenants of the vanquished to the victor, or child to the parent; it is manifest, that every subject has liberty in all those things, the right whereof cannot by covenant be transferred. I have shown before in the 14th chapter, that covenants, not to defend a man's own body, are void. Therefore,

If the sovereign command a man, though justly condemned, to kill, wound, or maim himself; or not to resist those that assault him; or to abstain from the use of food, air, medicine, or any other thing, without which he cannot live; yet hath that man the liberty to disobey.

If a man be interrogated by the sovereign, or his authority, concerning a crime done by himself, he is not bound, without assurance of pardon, to confess it; because no man, as I have shown in the same chapter, can be obliged by covenant to accuse himself.

Again, the consent of a subject to sovereign power, is contained in these words, "I authorize, or take upon me, all his actions;" in which there is no restriction at all, of his own former natural liberty: for by allowing me to "kill me," I am not bound to kill myself when he commands me. It is one thing to say, "kill me, or my fellow, if you please;" another thing to say, "I will kill myself, or my fellow." It followeth therefore, that

No man is bound by the words themselves, either to kill himself, or any other man; and consequently, that the obligation a man may sometimes owe, upon the command of the sovereign to execute any dangerous dishonourable office, dependeth not on the words of our submission; but on the intention, which is to be understood by the end thereof.

When therefore our refusal to obey, frustrates the end for which the sovereignty was ordained ; then there is no liberty to refuse : otherwise there is.

Upon this ground, a man that is commanded as a soldier to fight against the enemy, though his sovereign have right enough to punish his refusal with death, may nevertheless in many cases refuse, without injustice ; as when he substituteth a sufficient soldier in his place : for in this case he deserteth not the service of the commonwealth. And there is allowance to be made for natural timorousness ; not only to women, of whom no such dangerous duty is expected, but also to men of feminine courage. When armies fight, there is on one side, or both, a running away ; yet when they do it not out of treachery, but fear, they are not esteemed to do it unjustly, but dishonourably. For the same reason, to avoid battle, is not injustice, but cowardice. But he that enrolleth himself a soldier, or taketh impressed money, taketh away the excuse of a timorous nature ; and is obliged, not only to go to the battle, but also not to run from it, without his captain's leave. And when the defence of the commonwealth requireth at once the help of all that are able to bear arms, every one is obliged ; because otherwise the institution of the commonwealth, which they have not the purpose or courage to preserve, was in vain.

To resist the sword of the commonwealth in defence of another man, guilty or innocent, no man hath liberty ; because such liberty takes away from the sovereign the means of protecting us ; and is therefore destructive of the very essence of government. But in case a great many men together have already resisted the sovereign power unjustly, or committed some capital crime for which every one of them expecteth death, whether have they not the liberty then to join together, and assist and defend one another ? Certainly they have ; for they but defend their lives, which the guilty man may as well do as the innocent. There was indeed injustice in the first breach of their duty ; their bearing of arms subsequent to it, though it be to maintain what they have done, is no new unjust act. And if it be only to defend their persons, it is not unjust at all. But the offer of pardon taketh from them to whom it is offered the plea of self-defence, and maketh their perseverance in assisting or defending the rest unlawful.

As for other liberties, they depend on the silence of the law. In cases where the sovereign has prescribed no rule, there the subject hath the liberty to do, or forbear, according to his own discretion. And therefore such liberty is in some places more, and in some less ; and in some times more, in other times less, according as they that have the sovereignty shall think most convenient. As for example, there was a time when, in England, a man might enter into his own land, and dispossess such as wrongfully possessed it, by force. But in aftertimes, that liberty of forcible entry was taken away by a statute made by the king in parliament. And in some places of the world, men have the liberty of many wives ; in other places such liberty is not allowed.

If a subject have a controversy with his sovereign, of debt, or of right of possession of lands or goods, or concerning any service required at his hands, or concerning any penalty, corporal or pecuniary, grounded on a precedent law ; he hath the same liberty to sue for his right as if it were against a subject, and before such judges as are appointed by the sovereign. For seeing the sovereign demandeth by force of a former law, and not by virtue of his power ; he declareth thereby that he requireth no more than shall appear to be due by that law. The suit therefore is not contrary to the will of the sovereign ; and consequently the subject hath the liberty to demand the hearing of his cause ; and sentence, according to that law. But if he demand, or take anything by pretence of his power there lieth

in that case, no action of law : for all that is done by him in virtue of his power, is done by the authority of every subject, and consequently he that brings an action against the sovereign, brings it against himself.

If a monarch, or sovereign assembly, grant a liberty to all or any of his subjects, which grant standing, he is disabled to provide for their safety, the grant is void, unless he directly renounce or transfer the sovereignty to another. For in that he might openly, if it had been his will, and in plain terms, have renounced or transferred it, and did not ; it is to be understood it was not his will, but that the grant proceeded from ignorance of the repugnancy between such a liberty and the sovereign power, and therefore the sovereignty is still retained ; and consequently all those powers, which are necessary to the exercising thereof ; such as are the power of war and peace, of judicature, of appointing officers and councillors, of levying money, and the rest named in the 18th chapter.

The obligation of subjects to the sovereign is understood to last as long, and no longer, than the power lasteth by which he is able to protect them. For the right men have by nature to protect themselves, when none else can protect them, can by no covenant be relinquished. The sovereignty is the soul of the commonwealth, which once departed from the body, the members do no more receive their motion from it. The end of obedience is protection, which, wheresoever a man seeth it, either in his own or in another's sword, nature applieth his obedience to it, and his endeavour to maintain it. And though sovereignty, in the intention of them that make it, be immortal, yet is it in its own nature not only subject to violent death by foreign war, but also, through the ignorance and passions of men, it hath in it, from the very institution, many seeds of a natural mortality, by intestine discord.

If a subject be taken prisoner in war, or his person, or his means of life be within the guards of the enemy, and hath his life and corporal liberty given him on condition to be subject to the victor, he hath liberty to accept the condition ; and having accepted it, is the subject of him that took him, because he had no other way to preserve himself. The case is the same, if he be detained on the same terms, in a foreign country. But if a man be held in prison, or bonds, or is not trusted with the liberty of his body, he cannot be understood to be bound by covenant to subjection ; and therefore may, if he can, make his escape by any means whatsoever.

If a monarch shall relinquish the sovereignty, both for himself and his heirs, his subjects return to the absolute libert of nature ; because, though nature may declare who are his sons, and who are the nearest of his kin, yet it dependeth on his own will, as hath been said in the precedent chapter, who shall be his heir. If therefore he will have no heir, there is no sovereignty, nor subjection. The case is the same if he die without known kindred, and without declaration of his heir. For then there can no heir be known, and consequently no subjection be due.

If the sovereign banish his subject, during the banishment he is not subject. But he that is sent on a message, or hath leave to travel, is still subject ; but it is, by contract between sovereigns, not by virtue of the covenant of subjection. For whosoever entereth into another's dominion, is subject to all the laws thereof, unless he have a privilege by the amity of the sovereigns, or by special license.

If a monarch subdued by war render himself subject to the victor, his subjects are delivered from their former obligation, and become obliged to the victor. But if he be held prisoner, or have not the liberty of his own body, he is not understood to have given away the right of sovereignty ; and therefore his subjects are obliged to yield obedience to the magistrates formerly placed, governing not in their own name, but in his. For, his

right remaining, the question is only of the administration ; that is to say, of the magistrates and officers, which, if we have not means to name, he is supposed to approve those which he himself had formerly appointed.

## CHAPTER XXII.

### *Of Systems Subject, Political, and Private.*

HAVING spoken of the generation, form, and power of a commonwealth, I am in order to speak next of the parts thereof. And first of systems which resemble the similar parts, or muscles of a body natural. By "systems," I understand any numbers of men joined in one interest, or one business. Of which, some are "regular," and some "irregular." "Regular" are those where one man, or assembly of men, is constituted representative of the whole number. All other are "irregular."

Of regular some are "absolute" and "independent," subject to none but their own representative: such are only commonwealths; of which I have spoken already in the five last precedent chapters. Others are dependent; that is to say, subordinate to some sovereign power, to which every one, as also their representative is "subject."

Of systems subordinate, some are "political," and some "private." "Political," otherwise called "bodies politic," and "persons in law," are those which are made by authority from the sovereign power of the commonwealth. "Private," are those which are constituted by subjects amongst themselves, or by authority from a stranger. For no authority derived from foreign power within the dominion of another, is public there, but private.

And of private systems, some are "lawful:" some "unlawful." "Lawful," are those which are allowed by the commonwealth: all other are "unlawful." "Irregular" systems are those which having no representative, consist only in concourse of people: which if not forbidden by the commonwealth, nor made on evil design, such as are conflux of people to markets, or shows, or any other harmless end, are lawful. But when the intention is evil, or (if the number be considerable) unknown, they are unlawful.

In bodies politic, the power of the representative is always limited: and that which prescribeth the limits thereof, is the power sovereign. For power unlimited is absolute sovereignty. And the sovereign in every commonwealth is the absolute representative of all the subjects; and therefore no other can be representative of any part of them, but so far forth as he shall give leave. And to give leave to a body politic of subjects, to have an absolute representative to all intents and purposes, were to abandon the government of so much of the commonwealth, and to divide the dominion contrary to their peace and defence; which the sovereign cannot be understood to do by any grant that does not plainly and directly discharge them of their subjection. For consequences of words, are not the signs of his will, when other consequences are signs of the contrary; but rather signs of error and misreckoning; to which all mankind is too prone.

The bounds of that power, which is given to the representative of a body politic, are to be taken notice of from two things. One is their writ, or letters from the sovereign: the other is the law of the commonwealth.

For though in the institution or acquisition of a commonwealth, which is independent, there needs no writing, because the power of the representative has there no other bounds, but such as are set out by the unwritten law of



Nature; yet in subordinate bodies, there are such diversities of limitation necessary concerning their businesses, times, and places, as can neither be remembered without letters, nor taken notice of, unless such letters be patent, that they may be read to them, and withal sealed, or testified, with the seals, or other permanent signs of the authority sovereign.

And because such limitation is not always easy, or perhaps possible to be described in writing; the ordinary laws, common to all subjects, must determine what the representative may lawfully do in all cases where the letters themselves are silent. And therefore,

In a body politic, if the representative be one man, whatsoever he does in the person of the body which is not warranted in his letters, nor by the laws, is his own act, and not the act of the body, nor of any other member thereof besides himself; because further than his letters, or the law's limit, he representeth no man's person, but his own. But what he does according to these is the act of every one: for the act of the sovereign every one is author, because he is their representative unlimited; and the act of him that recedes not from the letters of the sovereign, is the act of the sovereign, and therefore every member of the body is author of it.

But if the representative be an assembly, whatsoever that assembly shall decree, not warranted by their letters or the laws, is the act of the assembly or body politic, and the act of every one by whose vote the decree was made; but not the act of any man that being present voted to the contrary; nor of any man absent, unless he voted it by procuracy. It is the act of the assembly, because voted by the major part; and if it be a crime, the assembly may be punished, as far forth as it is capable, as by dissolution or forfeiture of their letters (which is to such artificial and fictitious bodies capital), or, if the assembly have a common stock, wherein none of the innocent members have propriety, by pecuniary mulct. For from corporal penalties Nature hath exempted all bodies politic. But they that gave not their vote are therefore innocent, because the assembly cannot represent any man in things unwarranted by their letters, and consequently are not involved in their votes.

If the person of the body politic, being in one man, borrow money of a stranger, that is, of one that is not of the same body (for no letters need limit borrowing, seeing it is left to men's own inclinations to limit lending), the debt is the representative's. For if he should have authority from his letters to make the members pay what he borroweth, he should have by consequence the sovereignty of them; and therefore the grant were either void, as proceeding from error, commonly incident to human nature, and an insufficient sign of the will of the granter; or if it be avowed by him, then is the representer sovereign, and falleth not under the present question, which is only of bodies subordinate. No member therefore is obliged to pay the debt so borrowed, but the representative himself; because he that lendeth it, being a stranger to the letters and to the qualification of the body, understandeth those only for his debtors that are engaged; and seeing the representer can engage himself and none else, has him only for debtor, who must therefore pay him out of the common stock, if there be any, or, if there be none, out of his own estate.

If he come into debt by contract or mulct, the case is the same.

But when the representative is an assembly, and the debt to a stranger, all they, and only they, are responsible for the debt that gave their votes to the borrowing of it, or to the contract that made it due, or to the fact for which the mulct was imposed; because every one in voting did engage himself for the payment; for he that is author of the borrowing is obliged to the payment, even of the whole debt, though when paid by any one, he be discharged.

But if the debt be to one of the assembly, the assembly only is obliged to the payment out of their common stock, if they have any : for having liberty of vote, if he vote the money shall be borrowed, he votes it shall be paid ; if he vote it shall not be borrowed, or be absent, yet because in lending he voteth the borrowing, he contradicteth his former vote, and is obliged by the latter, and becomes both borrower and lender, and consequently cannot demand payment from any particular man, but from the common treasure only ; which failing he hath no remedy nor complaint, but against himself, that being privy to the acts of the assembly, and to their means to pay, and not being enforced, did nevertheless through his own folly lend his money.

It is manifest by this, that in bodies politic subordinate, and subject to a sovereign power, it is sometimes not only lawful, but expedient, for a particular man to make open protestation against the decrees of the representative assembly, and cause their dissent to be registered, or to take witness of it ; because otherwise they may be obliged to pay debts contracted, and be responsible for crimes committed by other men. But in a sovereign assembly, that liberty is taken away, both because he that protesteth there denies their sovereignty ; and also because whatsoever is commanded by the sovereign power, is as to the subject, though not so always in the sight of God, justified by the command : for of such command every subject is the author.

The variety of bodies politic, is almost infinite : for they are not only distinguished by the several affairs, for which they are constituted, wherein there is an unspeakable diversity ; but also by the times, places, and numbers, subject to many limitations. And as to their affairs, some are ordained for government ; as first, the government of a province, may be committed to an assembly of men, wherein all resolutions shall depend on the votes of the major part ; and then this assembly is a body politic, and their power limited by commission. This word province signifies a charge, or care of business, which he whose business it is, committeth to another man, to be administered for, and under him ; and therefore when in one commonwealth there be divers countries, that have their laws distinct one from another, or are far distant in place, the administration of the government being committed to divers persons, those countries where the sovereign is not resident, but governs by commission, are called provinces. But of the government of a province, by an assembly residing in the province itself, there be few examples. The Romans, who had the sovereignty of many provinces, yet governed them always by presidents and prætors ; and not by assemblies, as they governed the city of Rome, and territories adjacent. In like manner, when there were colonies sent from England, to plant Virginia and Sommer Islands, though the governments of them here were committed to assemblies in London, yet did those assemblies never commit the government under them to any assembly there, but did to each plantation send one governor. For though every man, where he can be present by nature, desires to participate of government ; yet where they cannot be present, they are by nature also inclined to commit the government of their common interest rather to a monarchical than a popular form of government : which is also evident in those men that have great private estates ; who when they are unwilling to take the pains of administering the business that belongs to them, choose rather to trust one servant, than an assembly either of their friends or servants. But howsoever it be in fact, yet we may suppose the government of a province or colony committed to an assembly : and when it is, that which in this place I have to say, is this ; that whatsoever debt is by that assembly contracted ; or whatsoever unlawful act is decreed, is the act only of those that assented, and

not of any that dissented, or were absent, for the reasons before alleged. Also that an assembly residing out of the bounds of that colony whereof they have the government, cannot execute any power over the persons or goods of any of the colony, to seize on them for debt, or other duty, in any place without the colony itself, as having no jurisdiction, nor authority elsewhere, but are left to the remedy which the law of the place alloweth them. And though the assembly have right to impose a mulct upon any of their members that shall break the laws they make; yet out of the colony itself, they have no right to execute the same. And that which is said here of the rights of an assembly, for the government of a province or a colony, is applicable also to an assembly for the government of a town, an university, or a college, or a church, or for any other government over the persons of men.

And generally, in all bodies politic, if any particular member conceive himself injured by the body itself, the cognizance of his cause belongeth to the sovereign, and those the sovereign hath ordained for judges in such causes, or shall ordain for that particular cause; and not to the body itself. For the whole body is in this case his fellow-subject, which in a sovereign assembly is otherwise: for there, if the sovereign be not judge, though in his own cause, there can be no judge at all.

In a body politic, for the well ordering of foreign traffic, the most commodious representative is an assembly of all the members; that is to say, such a one, as every one that adventureth his money, may be present at all the deliberations and resolutions of the body, if they will themselves. For proof whereof, we are to consider the end, for which men that are merchants, and may buy and sell, export and import their merchandize, according to their own discretions, do nevertheless bind themselves up in one corporation. It is true, there be few merchants, that with the merchandize they buy at home, can freight a ship, to export it; or with that they buy abroad, to bring it home; and have therefore need to join together in one society; where every man may either participate of the gain, according to the proportion of his adventure; or take his own, and sell what he transports, or imports, at such prices as he thinks fit. But this is no body politic, there being no common representative to oblige them to any other law than that which is common to all other subjects. The end of their incorporating, is to make their gain the greater; which is done two ways; by sole buying and sole selling, both at home and abroad. So that to grant to a company of merchants to be a corporation, or body politic, is to grant them a double monopoly, whereof one is to be sole buyers; another to be sole sellers. For when there is a company incorporate for any particular foreign country, they only export the commodities vendible in that country; which is sole buying at home and sole selling abroad. For at home there is but one buyer and abroad but one that selleth: both which is gainful to the merchant, because thereby they buy at home at lower and sell abroad at higher rates: and abroad there is but one buyer of foreign merchandize and but one that sells them at home; both which again are gainful to the adventurers.

Of this double monopoly one part is disadvantageous to the people at home, the other to foreigners. For at home by their sole exportation they set what price they please on the husbandry and handiworks of the people; and by the sole importation, what price they please on all foreign commodities the people have need of; both which are ill for the people. On the contrary, by the sole selling of the native commodities abroad, and sole buying the foreign commodities upon the place, they raise the price of those, and abate the price of these, to the disadvantage of the foreigner; for where but one selleth, the merchandize is the dearer; and where but one

buyeth, the cheaper. Such corporations therefore are no other than monopolies; though they would be very profitable for a commonwealth, if being bound up into one body in foreign markets they were at liberty at home, every man to buy and sell at what price he could.

The end of these bodies of merchants being not a common benefit to the whole body, which have in this case no common stock, but what is deducted out of the particular adventures, for building, buying, victualling and manning of ships, but the particular gain of every adventurer, it is reason that every one be acquainted with the employment of his own; that is, that every one be of the assembly, that shall have the power to order the same; and be acquainted with their accounts. And therefore the representative of such a body must be an assembly, where every member of the body may be present at the consultations, if he will.

If a body politic of merchants contract a debt to a stranger by the act of their representative assembly, every member is liable by himself for the whole. For a stranger can take no notice of their private laws, but considereth them as so many particular men, obliged every one to the whole payment, till payment made by one dischargeth all the rest: but if the debt be to one of the company, the creditor is debtor for the whole to himself, and cannot therefore demand his debt, but only from the common stock, if there be any.

If the commonwealth impose a tax upon the body, it is understood to be laid upon every member proportionably to his particular adventure in the company. For there is in this case no other common stock, but what is made of their particular adventures.

If a mulct be laid upon the body for some unlawful act, they only are liable by whose votes the act was decreed, or by whose assistance it was executed; for in none of the rest is there any other crime but being of the body; which if a crime, because the body was ordained by the authority of the commonwealth, is not his.

If one of the members be indebted to the body, he may be sued by the body; but his goods cannot be taken, nor his person imprisoned by the authority of the body; but only by authority of the commonwealth: for if they can do it by their own authority, they can by their own authority give judgment that the debt is due; which is as much as to be judge in their own cause.

Those bodies made for the government of men, or of traffic, be either perpetual, or for a time prescribed by writing. But there be bodies also whose times are limited, and that only by the nature of their business. For example, if a sovereign monarch, or a sovereign assembly, shall think fit to give command to the towns, and other several parts of their territory, to send to him their deputies, to inform him of the condition and necessities of the subjects, or to advise with him for the making of good laws, or for any other cause, as with one person representing the whole country, such deputies, having a place and time of meeting assigned them, are there, and at that time, a body politic, representing every subject of that dominion; but it is only for such matters as shall be propounded unto them by that man, or assembly, that by the sovereign authority sent for them; and when it shall be declared that nothing more shall be propounded, nor debated by them, the body is dissolved. For if they were the absolute representatives of the people, then were it the sovereign assembly; and so there would be two sovereign assemblies, or two sovereigns, over the same people; which cannot consist with their peace. And therefore where there is once a sovereignty, there can be no absolute representation of the people, but by it. And for the limits of how far such a body shall represent the whole people, they are set forth in the writing by which they were sent for. For the

people cannot choose their deputies to other intent than is in the writing directed to them from their sovereign expressed.

Private bodies regular and lawful, are those that are constituted without letters, or other written authority, saving the laws common to all other subjects. And because they be united in one person representative, they are held for regular ; such as are all families, in which the father or master ordereth the whole family. For he obligeth his children and servants, as far as the law permitteth, though not further, because none of them are bound to obedience in those actions, which the law hath forbidden to be done. In all other actions, during the time they are under domestic government, they are subject to their fathers and masters, as to their immediate sovereigns. For the father and master, being before the institution of commonwealth, absolute sovereigns in their own families, they lose afterward no more of their authority than the law of the commonwealth taketh from them.

Private bodies regular, but unlawful, are those that unite themselves into one person representative, without any public authority at all : such as are the corporations of beggars, thieves and gipsies, the better to order their trade of begging and stealing ; and the corporations of men, that by authority from any foreign person, unite themselves in another's dominion, for the easier propagation of doctrines, and for making a party against the power of the commonwealth.

Irregular systems, in their nature but leagues, or sometimes mere concourse of people, without union to any particular design, not by obligation of one to another, but proceeding only from a similitude of wills and inclinations, become lawful or unlawful according to the lawfulness or unlawfulness of every particular man's design therein : and his design is to be understood by the occasion.

The leagues of subjects, because leagues are commonly made for mutual defence, are in a commonwealth, which is no more than a league of all the subjects together, for the most part unnecessary, and savour of unlawful design ; and are for that cause unlawful, and go commonly by the name of factions, or conspiracies. For a league being a connection of men by covenants, if there be no power given to any one man or assembly, as in the condition of mere nature, to compel them to performance, is so long only valid, as there ariseth no just cause of distrust : and therefore leagues between commonwealths, over whom there is no human power established, to keep them all in awe, are not only lawful, but also profitable for the time they last. But leagues of the subjects of one and the same commonwealth, where every one may obtain his right by means of the sovereign power, are unnecessary to the maintaining of peace and justice, and, in case the design of them be evil or unknown to the commonwealth, unlawful. For all uniting of strength by private men, is, if for evil intent, unjust ; if for intent unknown, dangerous to the public, and unjustly concealed.

If the sovereign power be in a great assembly, and a number of men, part of the assembly, without authority consult apart, to contrive the guidance of the rest ; this is a faction, or conspiracy unlawful, as being a fraudulent seducing of the assembly for their particular interest. But if he, whose private interest is to be debated and judged in the assembly, make as many friends as he can ; in him it is no injustice ; because in this case he is no part of the assembly. And though he hire such friends with money, unless there be an express law against it, yet it is not injustice. For sometimes, as men's manners are, justice cannot be had without money ; and every man may think his own cause just, till it be heard and judged.

In all commonwealths, if private men entertain more servants than the government of his estate, and lawful employment he has for them requires, it is faction, and unlawful. For having the protection of the common-

wealth, he needeth not the defence of private force. And whereas in nations not thoroughly civilized, several numerous families have lived in continual hostility, and invaded one another with private force; yet it is evident enough that they have done unjustly, or else they had no commonwealth.

And as factions for kindred, so also factions for government of religion, as of Papists, Protestants, &c., or of state, as patricians and plebeians of old time in Rome, and of aristocraticals and democraticals of old time in Greece, are unjust, as being contrary to the peace and safety of the people, and a taking of the sword out of the hand of the sovereign.

Concourse of people is an irregular system, the lawfulness or unlawfulness whereof dependeth on the occasion, and on the number of them that are assembled. If the occasion be lawful and manifest, the concourse is lawful, as the usual meeting of men at church, or at a public show, in usual numbers; for if the numbers be extraordinarily great, the occasion is not evident; and consequently he that cannot render a particular and good account of his being amongst them, is to be judged conscious of an unlawful and tumultuous design. It may be lawful for a thousand men to join to a petition to be delivered to a judge or magistrate, yet if a thousand men come to present it, it is a tumultuous assembly, because there needs but one or two for that purpose. But in such cases as these, it is not a set number that makes the assembly unlawful, but such a number as the present officers are not able to suppress and bring to justice.

When an unusual number of men assemble against a man whom they accuse, the assembly is an unlawful tumult; because they may deliver their accusation to the magistrate by a few, or by one man. Such was the case of St. Paul at Ephesus, where Demetrius and a great number of other men brought two of Paul's companions before the magistrate, saying with one voice "Great is Diana of the Ephesians," which was their way of demanding justice against them for teaching the people such doctrine as was against their religion and trade. The occasion here, considering the laws of that people, was just, yet was their assembly judged unlawful, and the magistrate reprehended them for it in these words (Acts xix. 38-40): "If Demetrius and the other workmen can accuse any man of anything, there be pleas and deputies, let them accuse one another. And if you have any other thing to demand, your case may be judged in an assembly lawfully called. For we are in danger to be accused for this day's sedition; because there is no cause by which any man can render any reason of this concourse of people." Where he calleth an assembly whereof men can give no just account, a sedition, and such as they could not answer for. And this is all I shall say concerning "systems" and assemblies of people, which may be compared, as I said, to the similar parts of man's body, such as be lawful, to the muscles; such as are unlawful, to wens, boils, and apostemes, engendered by the unnatural conflux of evil humours.

## CHAPTER XXIII.

### *Of the Public Ministers of Sovereign Power.*

IN the last chapter I have spoken of the similar parts of a commonwealth: in this I shall speak of the parts organical, which are public ministers.

A "public minister" is he that by the sovereign, whether a monarch or an assembly, is employed in any affairs with authority to represent in the

employment the person of the commonwealth. And whereas every man, or assembly that hath sovereignty, representeth two persons, or, as the more common phrase is, has two capacities, one natural and another politic; as a monarch hath the person not only of the commonwealth, but also of a man, and a sovereign assembly hath the person not only of the commonwealth, but also of the assembly: they that be servants to them in their natural capacity are not public ministers; but those only that serve them in the administration of the public business. And therefore neither ushers, nor sergeants, nor other officers that wait on the assembly for no other purpose but for the commodity of the men assembled in an aristocracy, or democracy; nor stewards, chamberlains, cofferers, or any other officers of the household of a monarch, are public ministers in a monarchy.

Of public ministers, some have charge committed to them of a general administration, either of the whole dominion, or of a part thereof. Of the whole, as to a protector, or regent, may be committed by the predecessor of an infant king, during his minority, the whole administration of his kingdom. In which case every subject is so far obliged to obedience, as the ordinances he shall make and the commands he shall give be in the king's name, and not inconsistent with his sovereign power. Of a part, or province; as when either a monarch, or a sovereign assembly, shall give the general charge thereof to a governor, lieutenant, prefect, or viceroy: and in this case also, every one of that province is obliged to all he shall do in the name of the sovereign, and that not incompatible with the sovereign's right. For such protectors, viceroys, and governors, have no other right, but what depends on the sovereign's will; and no commission that can be given them, can be interpreted for a declaration of the will to transfer the sovereignty, without express and perspicuous words to that purpose. And this kind of public ministers resembleth the nerves and tendons that move the several limbs of a body natural.

Others have special administration; that is to say, charges of some special business, either at home or abroad: as at home, first, for the economy of a commonwealth, they that have authority concerning the "treasure," as tributes, impositions, rents, fines, or whatsoever public revenue, to collect, receive, issue, or take the accounts thereof, are public ministers: ministers, because they serve the person representative, and can do nothing against his command, nor without his authority: public, because they serve him in his political capacity.

Secondly, they that have authority concerning the "militia;" to have the custody of arms, forts, ports; to levy, pay, or conduct soldiers; or to provide for any necessary thing for the use of war, either by land or sea, are public ministers. But a soldier without command, though he fight for the commonwealth, does not therefore represent the person of it; because there is none to represent it to. For every one that hath command, represents it to them only whom he commandeth.

They also that have authority to teach, or to enable others to teach the people their duty to the sovereign power, and instruct them in the knowledge of what is just and unjust, thereby to render them more apt to live in godliness, and in peace amongst themselves, and resist the public enemy, are public ministers: ministers in that they do it not by their own authority, but by another's; and public, because they do it, or should do it, by no authority but that of the sovereign. The monarch, or the sovereign assembly only hath immediate authority from God, to teach and instruct the people; and no man but the sovereign receiveth his power *Dei gratiâ* simply; that is to say, from the favour of none but God: all other receive theirs from the favour and providence of God, and their sovereigns; as in a monarchy *Dei gratiâ et regis*; or *Dei providentiâ et voluntate regis*.

They also to whom jurisdiction is given, are public ministers. For in their seats of justice they represent the person of the sovereign ; and their sentence, is his sentence : for, as hath been before declared, all judicature is essentially annexed to the sovereignty ; and therefore all other judges are but ministers of him or them that have the sovereign power. And as controversies are of two sorts, namely of "fact" and of "law ;" so are judgments, some of fact, some of law : and consequently in the same controversy there may be two judges, one of fact, another of law.

And in both these controversies there may arise a controversy between the party judged and the judge ; which because they be both subjects to the sovereign, ought in equity to be judged by men agreed on by consent of both ; for no man can be judge in his own cause. But the sovereign is already agreed on for judge by them both, and is therefore either to hear the cause and determine it himself, or appoint for judge such as they shall both agree on. And this agreement is then understood to be made between them divers ways ; as first, if the defendant be allowed to except against such of his judges whose interest maketh him suspect them (for as to the complainant, he hath already chosen his own judge), those which he excepteth not against are judges he himself agrees on. Secondly, if he appeal to any other judge, he can appeal no further ; for his appeal is his choice. Thirdly, if he appeal to the sovereign himself, and he by himself, or by delegates which the parties shall agree on, give sentence, that sentence is final ; for the defendant is judged by his own judges, that is to say, by himself.

These properties of just and rational judicature considered, I cannot forbear to observe the excellent constitution of the courts of justice established both for Common and also for Public Pleas in England. By Common Pleas, I mean those where both the complainant and defendant are subject ; and by public, which are also called Pleas of the Crown, those where the complainant is the sovereign. For whereas there were two orders of men, whereof one was Lords, the other Commons ; the Lords had this privilege, to have for judges in all capital crimes none but Lords ; and of them as many as would be present ; which being ever acknowledged as a privilege of favour, their judges were none but such as they had themselves desired. And in all controversies, every subject (as also in civil controversies the Lords) had for judges men of the country where the matter in controversy lay ; against which he might make his exceptions, till at last twelve men without exception being agreed on, they were judged by those twelve. So that having his own judges, there could be nothing alleged by the party why the sentence should not be final. These public persons, with authority from the sovereign power, either to instruct or judge the people, are such members of the commonwealth as may fitly be compared to the organs of voice in a body natural.

Public ministers are also all those that have authority from the sovereign to procure the execution of judgments given ; to publish the sovereign's commands ; to suppress tumults ; to apprehend and imprison malefactors ; and other acts tending to the conservation of the peace. For every act they do by such authority is the act of the commonwealth ; and their service, answerable to that of the hands, in a body natural.

Public ministers abroad are those that represent the person of their own sovereign to foreign states. Such are ambassadors, messengers, agents, and heralds, sent by public authority and on public business.

But such as are sent by authority only of some private party of a troubled state, though they be received, are neither public nor private ministers of the commonwealth ; because none of their actions have the commonwealth for author. Likewise, an ambassador sent from a prince to congratulate,



condole, or to assist at a solemnity; though the authority be public, yet because the business is private, and belonging to him in his natural capacity, is a private person. Also if a man be sent into another country secretly to explore their counsels and strength, though both the authority and the business be public, yet because there is none to take notice of any person in him but his own, he is but a private minister; but yet a minister of the commonwealth, and may be compared to an eye in the body natural. And those that are appointed to receive the petitions or other informations of the people, and are as it were the public ear, are public ministers, and represent their sovereign in that office.

Neither a councillor, nor a council of state, if we consider it with no authority of judicature or command, but only of giving advice to the sovereign when it is required, or of offering it when it is not required, is a public person. For the advice is addressed to the sovereign only, whose person cannot in his own presence be represented to him by another. But a body of councillors are never without some other authority, either of judicature, or of immediate administration: as in a monarchy, they represent the monarch in delivering his commands to the public ministers: in a democracy, the council or senate propounds the result of their deliberations to the people, as a council; but when they appoint judges, or hear causes, or give audience to ambassadors, it is in the quality of a minister of the people: and in an aristocracy, the council of state is the sovereign assembly itself; and gives counsel to none but themselves.

## CHAPTER XXIV.

### *Of the Nutrition and Procreation of a Commonwealth.*

THE "nutrition" of a commonwealth consisteth in the "plenty" and "distribution" of "materials" conducing to life; in "concoction," or "preparation;" and, when concocted, in the "conveyance" of it, by convenient conduits, to the public use.

As for the plenty of matter, it is a thing limited by Nature to those commodities which from the two breasts of our common mother, land and sea, God usually either freely giveth, or for labour selleth to mankind.

For the matter of this nutriment, consisting in animals, vegetables, and minerals, God hath freely laid them before us, in or near to the face of the earth; so as there needeth no more but the labour and industry of receiving them. Insomuch as plenty dependeth, next to God's favour, merely on the labour and industry of men.

This matter, commonly called commodities, is partly "native," and partly "foreign;" "native," that which is to be had within the territory of the commonwealth; "foreign," that which is imported from without. And because there is no territory under the dominion of one commonwealth, except it be of very vast extent, that produceth all things needful for the maintenance and motion of the whole body; and few that produce not something more than necessary; the superfluous commodities to be had within, become no more superfluous, but supply these wants at home, by importation of that which may be had abroad, either by exchange, or by just war, or by labour. For a man's labour also is a commodity exchangeable for benefit, as well as any other thing; and there have been commonwealths that having no more territory than hath served them for habitation, have

nevertheless not only maintained, but also increased their power, partly by the labour of trading from one place to another, and partly by selling the manufactures whereof the materials were brought in from other places.

The distribution of the materials of this nourishment, is the constitution of "mine," and "thine," and "his;" that is to say, in one word "propriety;" and belongeth in all kinds of commonwealth to the sovereign power. For where there is no commonwealth there is, as hath been already shown, a perpetual war of every man against his neighbour; and therefore everything is his that getteth it, and keepeth it by force; which is neither "propriety" nor "community;" but "uncertainty." Which is so evident, that even Cicero, a passionate defender of liberty, in a public pleading, attributeth all propriety to the law civil. "Let the civil law," saith he, "be once abandoned, or but negligently guarded, not to say oppressed, and there is nothing, that any man can be sure to receive from his ancestor, or leave to his children." And again, "Take away the civil law, and no man knows what is his own, and what another man's." Seeing therefore the introduction of "propriety" is an effect of commonwealth, which can do nothing but by the person that represents it, it is the act only of the sovereign; and consisteth in the laws, which none can make that have not the sovereign power. And this they well knew of old, who called that *Nóμος*, that is to say, "distribution," which we call law; and defined justice, by "distributing" to every man "his own."

In this distribution, the first law is for division of the land itself: wherein the sovereign assigneth to every man a portion, according as he, and not according as any subject, or any number of them, shall judge agreeable to equity, and the common good. The children of Israel were a commonwealth in the wilderness; but wanted the commodities of the earth, till they were masters of the Land of Promise; which afterwards was divided amongst them, not by their own discretion, but by the discretion of Eleazar the Priest and Joshua their General, who, when there were twelve tribes, making them thirteen by subdivision of the tribe of Joseph, made nevertheless but twelve portions of the land; and ordained for the tribe of Levi no land; but assigned them the tenth part of the whole fruits; which division was therefore arbitrary. And though a people coming into possession of a land by war, do not always exterminate the ancient inhabitants, as did the Jews, but leave to many, or most, or all of them their estates; yet it is manifest they hold them afterwards, as of the victors' distribution; as the people of England held all theirs of William the Conqueror.

From whence we may collect, that the propriety which a subject hath in his lands, consisteth in a right to exclude all other subjects from the use of them; and not to exclude their sovereign, be it an assembly or a monarch. For seeing the sovereign, that is to say, the commonwealth, whose person he representeth, is understood to do nothing but in order to the common peace and security, this distribution of lands is to be understood as done in order to the same: and consequently, whatsoever distribution he shall make in prejudice thereof, is contrary to the will of every subject that committed his peace and safety to his discretion and conscience; and therefore by the will of every one of them, it is to be reputed void. It is true that a sovereign monarch, or the greater part of a sovereign assembly, may ordain the doing of many things in pursuit of their passions, contrary to their own consciences, which is a breach of trust and of the law of Nature; but this is not enough to authorize any subject, either to make war upon, or so much as to accuse of injustice, or any way to speak evil of their sovereign; because they have authorized all his actions, and in bestowing the sovereign power, made them their own. But in what cases the commands of

sovereigns are contrary to equity and the law of Nature, is to be considered hereafter in another place.

In the distribution of land, the commonwealth itself, may be conceived to have a portion, and possess and improve the same by their representative; and that such portion may be made sufficient to sustain the whole expense to the common peace and defence necessarily required. Which were very true, if there could be any representative conceived free from human passions and infirmities. But the nature of men being as it is, the setting forth of public land, or of any certain revenue for the commonwealth, is in vain; and tendeth to the dissolution of government, and to the condition of mere nature and war, as soon as ever the sovereign power falleth into the hands of a monarch, or of an assembly, that are either too negligent of money, or too hazardous in engaging the public stock into a long or costly war. Commonwealths can endure no diet: for seeing their expense is not limited by their own appetite, but by external accidents and the appetites of their neighbours, the public riches cannot be limited by other limits than those which the emergent occasions shall require. And whereas in England, there were by the Conqueror divers lands reserved to his own use, besides forests and chases, either for his recreation, or preservation of woods, and divers services reserved on the land he gave his subjects; yet it seems they were not reserved for his maintenance in his public, but in his natural capacity. For he and his successors did for all that lay arbitrary taxes on all subjects' land, when they judged it necessary. Or if those public lands and services were ordained as a sufficient maintenance of the commonwealth, it was contrary to the scope of the institution; being, as it appeared by those ensuing taxes, insufficient, and, as it appears by the late small revenue of the crown, subject to alienation and diminution. It is therefore in vain to assign a portion to the commonwealth; which may sell, or give it away; and does sell and give it away, when it is done by their representative.

As the distribution of lands at home; so also to assign in what places, and for what commodities, the subject shall traffic abroad, belongeth to the sovereign. For if it did belong to private persons to use their own discretion therein, some of them would be drawn for gain, both to furnish the enemy with means to hurt the commonwealth and hurt it themselves, by importing such things, as pleasing men's appetites, be nevertheless noxious, or at least unprofitable to them. And therefore it belongeth to the commonwealth, that is, to the sovereign only, to approve or disapprove both of the places and matter of foreign traffic.

Further, seeing it is not enough to the sustentation of a commonwealth, that every man have a propriety in a portion of land, or in some few commodities, or a natural property in some useful art, and there is no art in the world, but is necessary either for the being or well-being almost of every particular man; it is necessary that men distribute that which they can spare, and transfer their propriety therein, mutually one to another by exchange and mutual contract. And therefore it belongeth to the commonwealth, that is to say, to the sovereign, to appoint in what manner all kinds of contract between subjects, as buying, selling, exchanging, borrowing, lending, letting and taking to hire, are to be made; and by what words and signs they shall be understood for valid. And for the matter and distribution of the nourishment, to the several members of the commonwealth, thus much, considering the model of the whole work, is sufficient.

By concoction I understand the reducing of all commodities which are not presently consumed, but reserved for nourishment in time to come, to something of equal value, and withal so portable as not to hinder the motion of men from place to place; to the end a man may have in what

place soever such nourishment as the place affordeth. And this is nothing else but gold, and silver, and money. For gold and silver, being, as it happens, almost in all countries of the world highly valued, is a commodious measure of the value of all things else between nations; and money, of what matter soever coined by the sovereign of a commonwealth, is a sufficient measure of the value of all things else between the subjects of that commonwealth. By the means of which measures all commodities, movable and immovable, are made to accompany a man to all places of his resort, within and without the place of his ordinary residence; and the same passeth from man to man within the commonwealth; and goes round about, nourishing as it passeth every part thereof; insomuch as this concoction is as it were the sanguification of the commonwealth; for natural blood is in like manner made of the fruits of the earth, and circulating, nourisheth by the way every member of the body of man.

And because silver and gold have their value from the matter itself, they have first this privilege, that the value of them cannot be altered by the power of one, nor of a few commonwealths, as being a common measure of the commodities of all places. But base money may easily be enhanced or abased. Secondly, they have the privilege to make commonwealths move, and stretch out their arms, when need is, into foreign countries, and supply, not only private subjects that travel, but also whole armies with provision. But that coin, which is not considerable for the matter, but for the stamp of the place, being unable to endure change of air, hath its effect at home only; where also it is subject to the change of laws, and thereby to have the value diminished, to the prejudice many times of those that have it.

The conduits and ways by which it is conveyed to the public use, are of two sorts: one, that conveyeth it to the public coffers; the other, that issueth the same out again for public payments. Of the first sort, are collectors, receivers, and treasurers; of the second are the treasurers again, and the officers appointed for payment of several public or private ministers. And in this also, the artificial man maintains his resemblance with the natural; whose veins receiving the blood from the several parts of the body, carry it to the heart, where being made vital, the heart by the arteries sends it out again, to enliven, and enable for motion all the members of the same.

The procreation or children of a commonwealth are those we call "plantations," or "colonies," which are numbers of men sent out from the commonwealth, under a conductor or governor, to inhabit a foreign country, either formerly void of inhabitants, or made void then by war. And when a colony is settled, they are either a commonwealth of themselves, discharged of their subjection to their sovereign that sent them, as hath been done by many commonwealths of ancient time, in which case the commonwealth from which they went was called their metropolis or mother, and requires no more of them, than fathers require of the children whom they emancipate and make free from their domestic government, which is honour and friendship; or else they remain united to their metropolis, as were the colonies of the people of Rome; and then they are no commonwealths themselves, but provinces, and parts of the commonwealth that sent them. So that the right of colonies, saving honour and league with their metropolis, dependeth wholly on their license or letters, by which their sovereign authorized them to plant.

## CHAPTER XXV.

*Of Counsel.*

How fallacious it is to judge of the nature of things by the ordinary and inconstant use of words, appeareth in nothing more than in the confusion of counsels and commands, arising from the imperative manner of speaking in them both, and in many other occasions besides. For the words "do this," are the words not only of him that commandeth, but also of him that giveth counsel, and of him that exhorteth; and yet there are but few that see not that these are very different things, or that cannot distinguish between them when they perceive who it is that speaketh, and to whom the speech is directed, and upon what occasion. But finding those phrases in men's writings, and being not able or not willing to enter into a consideration of the circumstances, they mistake sometimes the precepts of counsellors for the precepts of them that command; and sometimes the contrary, according as it best agreeth with the conclusions they would infer, or the actions they approve. To avoid which mistakes, and render to those terms of commanding, counselling, and exhorting their proper and distinct significations, I define them thus.

"Command" is, where a man saith "do this," or "do not this," without expecting other reason than the will of him that says it. From this it followeth manifestly, that he that commandeth, pretendeth thereby his own benefit: for the reason of his command is his own will only, and the proper object of every man's will, is some good to himself.

"Counsel," is where a man saith, "do," or "do not this," and deduceth his reasons from the benefit that arriveth by it to him to whom he saith it. And from this it is evident, that he that giveth counsel, pretendeth only, whatsoever he intendeth, the good of him to whom he giveth it.

Therefore between counsel and command, one great difference is, that command is directed to a man's own benefit; and counsel to the benefit of another man. And from this ariseth another difference, that a man may be obliged to do what he is commanded; as when he hath covenanted to obey: but he cannot be obliged to do as he is counselled, because the hurt of not following it, is his own; or if he should covenant to follow it, then is the counsel turned into the nature of a command. A third difference between them is, that no man can pretend a right to be of another man's counsel; because he is not to pretend benefit by it to himself: but to demand right to counsel another, argues a will to know his designs, or to gain some other good to himself: which, as I said before, is of every man's will the proper object.

This also is incident to the nature of counsel; that whatsoever it be, he that asketh it, cannot in equity accuse or punish it: for to ask counsel of another, is to permit him to give such counsel as he shall think best; and consequently, he that giveth counsel to his sovereign, whether a monarch, or an assembly, when he asketh it, cannot in equity be punished for it, whether the same be conformable to the opinion of the most, or not, so it be to the proposition in debate. For if the sense of the assembly can be taken notice of, before the debate be ended, they should neither ask nor take any further counsel; for the sense of the assembly is the resolution of the debate, and end of all deliberation. And generally he that demandeth counsel, is author of it; and therefore cannot punish it; and what the sovereign cannot, no man else can. But if one subject giveth counsel to another, to do anything contrary to the laws, whether that counsel

proceed from evil intention, or from ignorance only, it is punishable by the commonwealth ; because ignorance of the law is no good excuse, where every man is bound to take notice of the laws to which he is subject.

“Exhortation” and “dehortation” is counsel, accompanied with signs in him that giveth it, of vehement desire to have it followed : or to say it more briefly, “counsel vehemently pressed.” For he that exhorteth, doth not deduce the consequences of what he adviseth to be done, and tie himself therein to the rigour of true reasoning ; but encourages him he counselleth to action : as he that dehorteth, deterreth him from it. And therefore they have in their speeches, a regard to the common passions and opinions of men, in deducing their reasons ; and make use of similitudes, metaphors, examples, and other tools of oratory, to persuade their hearers of the utility, honour, or justice of following their advice.

From whence may be inferred, first, that exhortation and dehortation is directed to the good of him that giveth the counsel, not of him that asketh it, which is contrary to the duty of a counsellor ; who, by the definition of counsel, ought to regard not his own benefit, but his whom he adviseth. And that he directeth his counsel to his own benefit, is manifest enough, by the long and vehement urging, or by the artificial giving thereof ; which being not required of him, and consequently proceeding from his own occasions, is directed principally to his own benefit, and but accidentally to the good of him that is counselled, or not at all.

Secondly, that the use of exhortation and dehortation lieth only where a man is to speak to a multitude ; because when the speech is addressed to one, he may interrupt him, and examine his reasons more rigorously than can be done in a multitude ; which are too many to enter into dispute and dialogue with him that speaketh indifferently to them all at once.

Thirdly, that they that exhort and dehort, where they are required to give counsel, are corrupt counsellors, and as it were bribed by their own interest. For though the counsel they give be never so good ; yet he that gives it, is no more a good counsellor than he that giveth a just sentence for a reward is a just judge. But where a man may lawfully command, as a father in his family, or a leader in an army, his exhortations and dehortations are not only lawful, but also necessary and laudable. But then they are no more counsels but commands ; which when they are for execution of sour labour, sometimes necessity and always humanity requireth to be sweetened in the delivery by encouragement, and in the tune and phrase of counsel, rather than in harsher language of command.

Examples of the difference between command and counsel we may take from the forms of speech that express them in Holy Scripture. “Have no other gods but me ;” “make to thyself no graven image ;” “take not God’s name in vain ;” “sanctify the Sabbath ;” “honour thy parents ;” “kill not ;” “steal not,” &c., are commands ; because the reason for which we are to obey them is drawn from the will of God our king, whom we are obliged to obey. But these words, “Sell all thou hast ; give it to the poor ; and follow me,” are counsel ; because the reason for which we are to do so, is drawn from our own benefit ; which is this, that we shall have “treasure in heaven.” These words, “Go into the village over against you, and you shall find an ass tied, and her colt ; loose her, and bring her to me,” are a command ; for the reason of their fact is drawn from the will of their Master : but these words, “Repent and be baptized in the name of Jesus,” are counsel ; because the reason why we should so do, tendeth not to any benefit of God Almighty, who shall still be king in what manner soever we rebel ; but of ourselves, who have no other means of avoiding the punishment hanging over us for our sins.

As the difference of counsel from command hath been now deduced from

the nature of counsel, consisting in a deducing of the benefit, or hurt that may arise to him that is to be counselled, by the necessary or probable consequences of the action he propoundeth : so may also the differences between "apt" and "inept" counsellors be derived from the same. For experience, being but memory of the consequences of like actions formerly observed, and counsel but the speech whereby that experience is made known to another ; the virtues and defects of counsel are the same with the virtues and defects intellectual : and to the person of a commonwealth, his counsellors serve him in the place of memory and mental discourse. But with this resemblance of the commonwealth to a natural man, there is one dissimilitude joined of great importance ; which is, that a natural man receiveth his experience from the natural objects of sense, which work upon him without passion or interest of their own ; whereas they that give counsel to the representative person of a commonwealth may have, and have often their particular ends and passions, that render their counsels always suspected, and many times unfaithful. And therefore we may set down for the first condition of a good counsellor, "that his ends and interests be not inconsistent with the ends and interests of him he counselleth."

Secondly, because the office of a counsellor, when an action comes into deliberation, is to make manifest the consequences of it, in such manner as he that is counselled may be truly and evidently informed ; he ought to propound his advice in such form of speech as may make the truth most evidently appear ; that is to say, with as firm ratiocination, as significant and proper language, and as briefly as the evidence will permit. And therefore "rash and unevident inferences," such as are fetched only from examples or authority of books, and are not arguments of what is good or evil, but witnesses of fact or of opinion ; "obscure, confused, and ambiguous expressions, also all metaphorical speeches, tending to the stirring up of passions," (because such reasoning and such expressions are useful only to deceive, or to lead him we counsel towards other ends than his own,) "are repugnant to the office of a counsellor."

Thirdly, because the ability of counselling proceedeth from experience and long study ; and no man is presumed to have experience in all those things that to the administration of a great commonwealth are necessary to be known, "no man is presumed to be a good counsellor, but in such business as he hath not only been much versed in, but hath also much meditated on, and considered." For seeing the business of a commonwealth is this, to preserve the people in peace at home, and defend them against foreign invasion, we shall find it requires great knowledge of the disposition of mankind, of the rights of government, and of the nature of equity, law, justice, and honour, not to be attained without study ; and of the strength, commodities, places, both of their own country, and their neighbours ; as also of the inclinations and designs of all nations that may any way annoy them. And this is not attained to without much experience. Of which things, not only the whole sum, but every one of the particulars requires the age and observation of a man in years, and of more than ordinary study. The wit required for counsel, as I have said before (chap. viii.), is judgment. And the differences of men in that point come from different education, of some to one kind of study or business, and of others to another. When for the doing of anything there be infallible rules, as in engines and edifices, the rules of geometry, all the experience of the world cannot equal his counsel that has learnt or found out the rule. And when there is no such rule, he that hath most experience in that particular kind of business has therein the best judgment, and is the best counsellor.

Fourthly, to be able to give counsel to a commonwealth, in a business that hath reference to another commonwealth, "it is necessary to be

acquainted with the intelligences, and letters" that come from thence, "and with all the records of treaties, and other transactions of state" between them; which none can do, but such as the representative shall think fit. By which we may see, that they who are not called to counsel, can have no good counsel in such cases to obtrude.

Fifthly, supposing the number of counsellors equal, a man is better counselled by hearing them apart than in an assembly; and that for many causes. First, in hearing them apart you have the advice of every man; but in an assembly many of them deliver their advice with "aye," or "no," or with their hands or feet, not moved by their own sense, but by the eloquence of another, or for fear of displeasing some that have spoken, or the whole assembly, by contradiction; or for fear of appearing duller in apprehension than those that have applauded the contrary opinion. Secondly, in an assembly of many, there cannot choose but be some whose interests are contrary to that of the public; and these their interests make passionate, and passion eloquent, and eloquence draws others into the same advice. For the passions of men, which asunder are moderate, as the heat of one brand; in an assembly are like many brands, that inflame one another, especially when they blow one another with orations, to the setting of the commonwealth on fire, under pretence of counselling it. Thirdly, in hearing every man apart, one may examine, when there is need, the truth or probability of his reasons, and of the grounds of the advice he gives, by frequent interruptions and objections; which cannot be done in an assembly, where in every difficult question a man is rather astonished and dazzled with the variety of discourse upon it, than informed of the course he ought to take. Besides, there cannot be an assembly of many called together for advice, wherein there be not some that have the ambition to be thought eloquent, and also learned in the politics; and give not their advice with care of the business propounded, but of the applause of their motley orations, made of the divers coloured threads or shreds of authors; which is an impertinence at least, that takes away the time of serious consultation, and in the secret way of counselling apart, is easily avoided. Fourthly, in deliberations that ought to be kept secret, whereof there be many occasions in public business, the counsels of many, and especially in assemblies, are dangerous; and therefore great assemblies are necessitated to commit such affairs to lesser numbers, and of such persons as are most versed, and in whose fidelity they have most confidence.

To conclude, who is there that so far approves the taking of counsel from a great assembly of counsellors, that wisheth for, or would accept of their pains, when there is a question of marrying his children, disposing of his lands, governing his household, or managing his private estate, especially if there be amongst them such as wish not his prosperity? A man that doth his business by the help of many and prudent counsellors, with every one consulting apart in his proper element, does it best, as he that useth able seconds at tennis-play, placed in their proper stations. He does next best that useth his own judgment only, as he that has no second at all. But he that is carried up and down to his business in a framed counsel, which cannot move but by the plurality of consenting opinions, the execution whereof is commonly, out of envy or interest, retarded by the part dissenting, does it worst of all, and like one that is carried to the ball, though by good players, yet in a wheelbarrow or other frame, heavy of itself, and retarded also by the inconcurrent judgments and endeavours of them that drive it; and so much the more, as they be more that set their hands to it; and most of all, when there is one, or more amongst them, that desire to have him lose. And though it be true that many eyes see more than one; yet it is not to be understood of many counsellors, but then



only when the final resolution is in one man. Otherwise, because many eyes see the same thing in divers lines, and are apt to look asquint towards their private benefit ; they that desire not to miss their mark, though they look about with two eyes, yet they never aim but with one ; and therefore no great popular commonwealth was ever kept up but either by a foreign enemy that united them, or by the reputation of some eminent man amongst them, or by the secret counsel of a few, or by the mutual fear of equal factions, and not by the open consultations of the assembly. And as for very little commonwealths, be they popular or monarchical, there is no human wisdom can uphold them longer than the jealousy lasteth of their potent neighbours.

## CHAPTER XXVI.

*Of Civil Laws.*

By "civil laws," I understand the laws that men are therefore bound to observe, because they are members, not of this or that commonwealth in particular, but of a commonwealth. For the knowledge of particular laws belongeth to them that profess the study of the laws of their several countries ; but the knowledge of civil law in general to any man. The ancient law of Rome was called their "civil law," from the word *civitas*, which signifies a commonwealth : and those countries which having been under the Roman empire, and governed by that law, retain still such part thereof as they think fit, call that part the civil law, to distinguish it from the rest of their own civil laws. But that is not it I intend to speak of here ; my design being not to show what is law here and there ; but what is law ; as Plato, Aristotle, Cicero, and divers others have done, without taking upon them the profession of the study of the law.

And first it is manifest, that the law in general is not counsel, but command ; nor a command of any man to any man ; but only of him, whose command is addressed to one formerly obliged to obey him. And as for civil law, it addeth only the name of the person commanding, which is *persona civitatis*, the person of the commonwealth.

Which considered, I define civil law in this manner. " 'Civil law,' is to every subject, those rules, which the commonwealth hath commanded him, by word, writing, or other sufficient sign of the will, to make use of, for the distinction of right and wrong ; that is to say, of what is contrary and what is not contrary to the rule."

In which definition, there is nothing that is not at first sight evident. For every man seeth, that some laws are addressed to all the subjects in general ; some to particular provinces ; some to particular vocations ; and some to particular men ; and are therefore laws to every of those to whom the command is directed, and to none else. As also, that laws are the rules of just and unjust ; nothing being reputed unjust that is not contrary to some law. Likewise, that none can make laws but the commonwealth ; because our subjection is to the commonwealth only : and that commands are to be signified by sufficient signs ; because a man knows not otherwise how to obey them. And therefore, whatsoever can from this definition by necessary consequence be deduced, ought to be acknowledged for truth. Now I deduce from it this that followeth.

I. The legislator in all commonwealths, is only the sovereign, be he one man, as in a monarchy, or one assembly of men, as in a democracy, or aristocracy. For the legislator is he that maketh the law. And the commonwealth only prescribes and commandeth the observation of those

rules, which we call law: therefore the commonwealth is the legislator. But the commonwealth is no person, nor has capacity to do anything, but by the representative, that is, the sovereign; and therefore the sovereign is the sole legislator. For the same reason, none can abrogate a law made, but the sovereign; because a law is not abrogated, but by another law, that forbiddeth it to be put in execution.

2. The sovereign of a commonwealth, be it an assembly or one man, is not subject to the civil laws. For having power to make and repeal laws, he may when he pleaseth free himself from that subjection, by repealing those laws that trouble him and making of new; and consequently he was free before. For he is free, that can be free when he will: nor is it possible for any person to be bound to himself; because he that can bind, can release; and thererore he that is bound to himself only, is not bound.

3. When long use obtaineth the authority of a law, it is not the length of time that maketh the authority, but the will of the sovereign signified by his silence, for silence is sometimes an argument of consent; and it is no longer law, than the sovereign shall be silent therein. And therefore if the sovereign shall have a question of right grounded, not upon his present will, but upon the laws formerly made; the length of time shall bring no prejudice to his right; but the question shall be judged by equity. For many unjust actions and unjust sentences go uncontrolled a longer time than any man can remember. And our lawyers account no customs law but such as are reasonable, and that evil customs are to be abolished. But the judgment of what is reasonable and of what is to be abolished belongeth to him that maketh the law, which is the sovereign assembly or monarch.

4. The law of Nature and the civil law, contain each other, and are of equal extent. For the laws of Nature, which consist in equity, justice, gratitude, and other moral virtues on these depending, in the condition of mere nature, as I have said before in the end of the fifteenth chapter, are not properly laws, but qualities that dispose men to peace and obedience. When a commonwealth is once settled, then are they actually laws, and not before; as being then the commands of the commonwealth; and therefore also civil laws: for it is the sovereign power that obliges men to obey them. For in the differences of private men, to declare what is equity, what is justice, and what is moral virtue, and to make them binding, there is need of the ordinances of sovereign power, and punishments to be ordained for such as shall break them; which ordinances are therefore part of the civil law. The law of Nature therefore is a part of the civil law in all commonwealths of the world. Reciprocally also, the civil law is a part of the dictates of Nature. For justice, that is to say, performance of covenant, and giving to every man his own, is a dictate of the law of Nature. But every subject in a commonwealth hath covenanted to obey the civil law; either one with another, as when they assemble to make a common representative, or with the representative itself one by one, when subdued by the sword they promise obedience, that they may receive life; and therefore obedience to the civil law is part also of the law of Nature. Civil and natural law are not different kinds, but different parts of law; whereof one part being written, is called civil, the other unwritten, natural. But the right of nature, that is, the natural liberty of man, may by the civil law be abridged and restrained: nay, the end of making laws is no other but such restraint; without the which there cannot possibly be any peace. And law was brought into the world for nothing else but to limit the natural liberty of particular men, in such manner as they might not hurt, but assist one another, and join together against a common enemy.

5. If the sovereign of one commonwealth subdue a people that have lived

under other written laws, and afterwards govern them by the same laws by which they were governed before ; yet those laws are the civil laws of the victor, and not of the vanquished commonwealth. For the legislator is he, not by whose authority the laws were first made, but by whose authority they now continue to be laws. And therefore where there be divers provinces within the dominion of a commonwealth, and in those provinces diversity of laws, which commonly are called the customs of each several province, we are not to understand that such customs have their force only from length of time ; but that they were anciently laws written, or otherwise made known, for the constitutions and statutes of their sovereigns ; and are now laws, not by virtue of the prescription of time, but by the constitutions of their present sovereigns. But if an unwritten law, in all the provinces of a dominion, shall be generally observed, and no iniquity appear in the use thereof ; that law can be no other but a law of Nature, equally obliging all mankind.

6. Seeing then all laws, written and unwritten, have their authority and force from the will of the commonwealth, that is to say, from the will of the representative, which in a monarchy is the monarch, and in other commonwealths the sovereign assembly ; a man may wonder from whence proceed such opinions as are found in the books of lawyers of eminence in several commonwealths, directly or by consequence making the legislative power depend on private men, or subordinate judges. As for example, "that the common law hath no controller but the parliament ;" which is true only where a parliament has the sovereign power, and cannot be assembled nor dissolved but by their own discretion. For if there be a right in any else to dissolve them, there is a right also to control them, and consequently to control their controllings. And if there be no such right, then the controller of laws is not *parliamentum*, but *rex in parlamento*. And where a parliament is sovereign, if it should assemble never so many or so wise men from the countries subject to them, for whatsoever cause ; yet there is no man will believe that such an assembly hath thereby acquired to themselves a legislative power. "Item" that the two arms of a commonwealth, are "force and justice ; the first whereof is in the king, the other deposited in the hands of the parliament." As if a commonwealth could consist, where the force were in any hand, which justice had not the authority to command and govern.

7. That law can never be against reason our lawyers are agreed ; and that not the letter that is every construction of it, but that which is according to the intention of the legislator, is the law. And it is true, but the doubt is of whose reason it is that shall be received for law. It is not meant of any private reason, for then there would be as much contradiction in the laws as there is in the schools ; nor yet, as Sir Edward Coke makes it, an "artificial perfection of reason, gotten by long study, observation, and experience," as his was. For it is possible long study may increase and confirm erroneous sentences, and where men build on false grounds, the more they build the greater is the ruin : and of those that study and observe with equal time and diligence, the reason and resolutions are, and must remain, discordant, and therefore it is not that *juris prudentia* or wisdom of subordinate judges ; but the reason of this our artificial man the commonwealth, and his command that maketh law : and the commonwealth being in their representative but one person, there cannot easily arise any contradiction in the laws ; and when there doth, the same reason is able, by interpretation or alteration, to take it away. In all courts of justice, the sovereign, which is the person of the commonwealth, is he that judgeth ; the subordinate judge ought to have regard to the reason which moved his sovereign to make such law that his sentence may be according

thereunto, which then is his sovereign's sentence, otherwise it is his own, and an unjust one.

8. From this that the law is a command, and a command consisteth in declaration or manifestation of the will of him that commandeth, by voice, writing, or some other sufficient argument of the same, we may understand that the command of the commonwealth is law only to those that have means to take notice of it. Over natural fools, children, or madmen, there is no law, no more than over brute beasts, nor are they capable of the title of just or unjust ; because they had never power to make any covenant, or to understand the consequences thereof, and consequently never took upon them to authorize the actions of any sovereign, as they must do that make to themselves a commonwealth. And as those from whom nature or accident hath taken away the notice of all laws in general ; so also every man from whom any accident, not proceeding from his own default, hath taken away the means to take notice of any particular law, is excused if he observe it not, and, to speak properly, that law is no law to him. It is therefore necessary to consider in this place what arguments and signs be sufficient for the knowledge of what is the law, that is to say, what is the will of the sovereign as well in monarchies as in other forms of government.

And first, if it be a law that obliges all the subjects without exception, and is not written, nor otherwise published in such places as they may take notice thereof, it is a law of Nature. For whatsoever men are to take knowledge of for law, not upon other men's words, but every one from his own reason, must be such as is agreeable to the reason of all men ; which no law can be, but the law of Nature. The laws of Nature therefore need not any publishing, nor proclamation ; as being contained in this one sentence, approved by all the world, "Do not that to another, which thou thinkest unreasonable to be done by another to thyself."

Secondly, if it be a law that obliges only some condition of men, or one particular man, and be not written, nor published by word, then also it is a law of Nature ; and known by the same arguments and signs that distinguish those in such a condition from other subjects. For whatsoever law is not written, or some way published by him that makes it law, can be known no way, but by the reason of him that is to obey it ; and is therefore also a law not only civil, but natural. For example, if the sovereign employ a public minister, without written instructions what to do ; he is obliged to take for instructions the dictates of reason ; as if he make a judge, the judge is to take notice that his sentence ought to be according to the reason of his sovereign, which being always understood to be equity, he is bound to it by the law of Nature : or if an ambassador, he is, in all things not contained in his written instructions, to take for instruction that which reason dictates to be most conducing to his sovereign's interest ; and so of all other ministers of the sovereignty, public and private. All which instructions of natural reason may be comprehended under one name of "fidelity ;" which is a branch of natural justice.

The law of Nature excepted, it belongeth to the essence of all other laws, to be made known, to every man that shall be obliged to obey them, either by word, or writing, or some other act, known to proceed from the sovereign authority. For the will of another cannot be understood, but by his own word, or act, or by conjecture taken from his scope and purpose ; which in the person of the commonwealth is to be supposed always consonant to equity and reason. And in ancient time, before letters were in common use, the laws were many times put into verse ; that the rude people taking pleasure in singing or reciting them, might the more easily retain them in memory. And for the same reason Solomon (Prov. vii. 3) adviseth a man to bind the ten commandments upon his ten fingers. And

for the law which Moses gave to the people of Israel at the renewing of the covenant (Deut. xi. 19), he biddeth them to teach it their children, by discoursing of it both at home and upon the way ; at going to bed, and at rising from bed ; and to write it upon the posts and doors of their houses ; and (Deut. xxxi. 12) to assemble the people, man, woman, and child, to hear it read.

Nor is it enough the law be written and published ; but also that there be manifest signs that it proceedeth from the will of the sovereign. For private men, when they have, or think they have, force enough to secure their unjust designs, and convoy them safely to their ambitious ends, may publish for laws what they please, without or against the legislative authority. There is therefore requisite, not only a declaration of the law, but also sufficient signs of the author and authority. The author or legislator is supposed in every commonwealth to be evident, because he is the sovereign, who having been constituted by the consent of every one, is supposed by every one to be sufficiently known. And though the ignorance and security of men be such, for the most part, as that when the memory of the first constitution of their commonwealth is worn out, they do not consider by whose power they used to be defended against their enemies, and to have their industry protected, and to be righted when injury is done them ; yet because no man that considers, can make question of it, no excuse can be derived from the ignorance of where the sovereignty is placed. And it is a dictate of natural reason, and consequently an evident law of Nature, that no man ought to weaken that power, the protection whereof he hath himself demanded, or wittingly received against others. Therefore of who is sovereign, no man, but by his own fault (whatsoever evil men suggest), can make any doubt. The difficulty consisteth in the evidence of the authority derived from him ; the removing whereof dependeth on the knowledge of the public registers, public counsels, public ministers, and public seals ; by which all laws are sufficiently verified ; verified, I say, not authorized : for the verification is but the testimony and record, not the authority of the law ; which consisteth in the command of the sovereign only.

If therefore a man have a question of injury, depending on the law of Nature ; that is to say, on common equity ; the sentence of the judge, that by commission hath authority to take cognizance of such causes, is a sufficient verification of the law of Nature in that individual case. For though the advice of one that professeth the study of the law be useful for the avoiding of contention ; yet it is but advice : it is the judge must tell men what is law, upon the hearing of the controversy.

But when the question is of injury, or crime, upon a written law ; every man by recourse to the registers, by himself or others, may, if he will, be sufficiently informed, before he do such injury, or commit the crime, whether it be an injury or not : nay, he ought to do so : for when a man doubts whether the act he goeth about be just or unjust ; and may inform himself, if he will ; the doing is unlawful. In like manner, he that supposeth himself injured, in a case determined by the written law, which he may, by himself or others, see and consider ; if he complain before he consults with the law, he does unjustly, and bewrayeth a disposition rather to vex other men than to demand his own right.

If the question be of obedience to a public officer ; to have seen his commission, with the public seal, and heard it read ; or to have had the means to be informed of it, if a man would, is a sufficient verification of his authority. For every man is obliged to do his best endeavour to inform himself of all written laws, that may concern his own future actions.

The legislator known ; and the laws, either by writing or by the light of

Nature, sufficiently published ; there wanteth yet another very material circumstance to make them obligatory. For it is not the letter, but the intendment or meaning, that is to say, the authentic interpretation of the law (which is the sense of the legislator), in which the nature of the law consisteth ; and therefore the interpretation of all laws dependeth on the authority sovereign ; and the interpreters can be none but those which the sovereign, to whom only the subject oweth obedience, shall appoint. For else, by the craft of an interpreter, the law may be made to bear a sense contrary to that of the sovereign, by which means the interpreter becomes the legislator.

All laws, written and unwritten, have need of interpretation. The unwritten law of Nature, though it be easy to such as, without partiality and passion, make use of their natural reason, and therefore leaves the violators thereof without excuse ; yet considering there be very few, perhaps none, that in some cases are not blinded by self-love or some other passion, it is now become of all laws the most obscure, and has consequently the greatest need of able interpreters. The written laws, if they be short, are easily misinterpreted, from the divers significations of a word or two : if long, they be more obscure by the divers significations of many words : insomuch as no written law, delivered in few or many words, can be well understood, without a perfect understanding of the final causes for which the law was made, the knowledge of which final causes is in the legislator. To him therefore there cannot be any knot in the law insoluble ; either by finding out the ends, to undo it by ; or else by making what ends he will, as Alexander did with his sword in the Gordian knot, by the legislative power, which no other interpreter can do.

The interpretation of the laws of Nature in a commonwealth dependeth not on the books of moral philosophy. The authority of writers, without the authority of the commonwealth, maketh not their opinions law, be they never so true. That which I have written in this treatise concerning the moral virtues, and of their necessity for the procuring and maintaining peace, though it be evident truth, is not therefore presently law ; but because in all commonwealths in the world it is part of the civil law. For though it be naturally reasonable, yet it is by the sovereign power that it is law : otherwise, it were a great error to call the laws of Nature unwritten law ; whereof we see so many volumes published, and in them so many contradictions of one another and of themselves.

The interpretation of the law of Nature, is the sentence of the judge constituted by the sovereign authority, to hear and determine such controversies as depend thereon ; and consisteth in the application of the law to the present case. For in the act of judicature, the judge doth no more but consider whether the demand of the party be consonant to natural reason and equity ; and the sentence he giveth is therefore the interpretation of the law of Nature ; which interpretation is authentic ; not because it is his private sentence ; but because he giveth it by authority of the sovereign, whereby it becomes the sovereign's sentence, which is law for that time, to the parties pleading.

But because there is no judge subordinate, nor sovereign, but may err in a judgment of equity ; if afterward in another like case he find it more consonant to equity to give a contrary sentence, he is obliged to do it. No man's error becomes his own law ; nor obliges him to persist in it. Neither, for the same reason, becomes it a law to other judges, though sworn to follow it. For though a wrong sentence given by authority of the sovereign, if he know and allow it, in such laws as are mutable, be a constitution of a new law, in cases in which every little circumstance is the same ; yet in laws immutable, such as are the laws of Nature, they are no

laws to the same or other judges, in the like cases for ever after. Princes succeed one another ; and one judge passeth, another cometh ; nay, heaven and earth shall pass ; but not one tittle of the law of Nature shall pass ; for it is the eternal law of God. Therefore all the sentences of precedent judges that have ever been, cannot altogether make a law contrary to natural equity : nor any examples of former judges, can warrant an unreasonable sentence, or discharge the present judge of the trouble of studying what is equity, in the case he is to judge, from the principles of his own natural reason. For example sake, it is against the law of Nature "to punish the innocent ;" and innocent is he that acquitteth himself judicially, and is acknowledged for innocent by the judge. Put the case now, that a man is accused of a capital crime, and seeing the power and malice of some enemy, and the frequent corruption and partiality of judges, runneth away for fear of the event, and afterwards is taken, and brought to a legal trial, and maketh it sufficiently appear he was not guilty of the crime, and being thereof acquitted, is nevertheless condemned to lose his goods ; this is a manifest condemnation of the innocent. I say therefore that there is no place in the world, where this can be an interpretation of a law of Nature, or be made a law by the sentences of precedent judges, that had done the same. For he that judged it first, judged unjustly ; and no injustice can be a pattern of judgment to succeeding judges. A written law may forbid innocent men to fly, and they may be punished for flying : but that flying for fear of injury should be taken for presumption of guilt, after a man is already absolved of the crime judicially, is contrary to the nature of a presumption, which hath no place after judgment given. Yet this is set down by a great lawyer for the common law of England. "If a man," saith he, "that is innocent, be accused of felony, and for fear flyeth for the same ; albeit he judicially acquitteth himself of the felony ; yet if it be found that he fled for the felony, he shall notwithstanding, his innocency, forfeit all his goods, chattels, debts, and duties. For as to the forfeiture of them, the law will admit no proof against the presumption in law, grounded upon his flight." Here you see "an innocent man judicially acquitted, notwithstanding his innocency," when no written law forbade him to fly, after his acquittal, "upon a presumption in law," condemned to lose all the goods he hath. If the law ground upon his flight a presumption of the fact, which was capital, the sentence ought to have been capital : if the presumption were not of the fact, for what then ought he to lose his goods ? This therefore is no law of England ; nor is the condemnation grounded upon a presumption of law, but upon the presumption of the judges. It is also against law, to say that proof shall be admitted against a presumption of law. For all judges, sovereign and subordinate, if they refuse to hear proof, refuse to do justice : for though the sentence be just, yet the judges that condemn without hearing the proofs offered, are unjust judges ; and their presumption is but prejudice ; which no man ought to bring with him to the seat of justice, whatsoever precedent judgments or examples he shall pretend to follow. There be other things of this nature, wherein men's judgments have been perverted, by trusting to precedents : but this is enough to show, that though the sentence of the judge be a law to the party pleading, yet it is no law to any judge that shall succeed him in that office.

In like manner, when question is of the meaning of written laws, he is not the interpreter of them, that writeth a commentary upon them. For commentaries are commonly more subject to cavil than the text ; and therefore need other commentaries ; and so there will be no end of such interpretation. And therefore unless there be an interpreter authorized by the sovereign, from which the subordinate judges are not to recede, the interpreter can be no other than the ordinary judges, in the same manner as

they are in cases of the unwritten law ; and their sentences are to be taken by them that plead for laws in that particular case ; but not to bind other judges in like cases to give like judgments. For a judge may err in the interpretation even of written laws ; but no error of a subordinate judge can change the law, which is the general sentence of the sovereign.

In written laws, men use to make a difference between the letter and the sentence of the law : and when by the letter is meant whatsoever can be gathered by the bare words, it is well distinguished. For the significations of almost all words are either in themselves, or in the metaphorical use of them, ambiguous ; and may be drawn in argument, to make many senses ; but there is only one sense of the law. But if by the letter be meant the literal sense, then the letter and the sentence or intention of the law, is all one. For the literal sense is that which the legislator intended should by the letter of the law be signified. Now the intention of the legislator is always supposed to be equity : for it were a great contumely for a judge to think otherwise of the sovereign. He ought therefore, if the word of the law do not fully authorize a reasonable sentence, to supply it with the law of Nature ; or if the case be difficult, to respite judgment till he have received more ample authority. For example, a written law ordaineth that he which is thrust out of his house by force shall be restored by force : it happens that a man by negligence leaves his house empty, and returning is kept out by force, in which case there is no special law ordained. It is evident that this case is contained in the same law : for else there is no remedy for him at all ; which is to be supposed against the intention of the legislator. Again, the word of the law commandeth to judge according to the evidence : a man is accused falsely of a fact, which the judge himself saw done by another, and not by him that is accused. In this case neither shall the letter of the law be followed to the condemnation of the innocent, nor shall the judge give sentence against the evidence of the witnesses ; because the letter of the law is to the contrary ; but procure of the sovereign that another be made judge, and himself witness. So that the incommmodity that follows the bare words of a written law may lead him to the intention of the law, whereby to interpret the same the better ; though no incommmodity can warrant a sentence against the law. For every judge of right and wrong is not judge of what is commodious or incommodious to the commonwealth.

The abilities required in a good interpreter of the law, that is to say, in a good judge, are not the same with those of an advocate ; namely, the study of the laws. For a judge, as he ought to take notice of the fact from none but the witnesses ; so also he ought to take notice of the law from nothing but the statutes and constitutions of the sovereign, alleged in the pleading, or declared to him by some that have authority from the sovereign power to declare them ; and need not take care beforehand what he shall judge ; for it shall be given him what he shall say concerning the fact, by witnesses ; and what he shall say in point of law, from those that shall in their pleadings show it, and by authority interpret it upon the place. The Lords of parliament in England were judges, and most difficult causes have been heard and determined by them ; yet few of them were much versed in the study of the laws, and fewer had made profession of them ; and though they consulted with lawyers, that were appointed to be present there for that purpose, yet they alone had the authority of giving sentence. In like manner, in the ordinary trials of right, twelve men of the common people are the judges, and give sentence, not only of the fact, but of the right ; and pronounce simply for the complainant, or for the defendant ; that is to say, are judges, not only of the fact, but also of the right : and in a question of crime, not only determine whether done, or not done ; but also whether it



be "murder," "homicide," "felony," "assault," and the like, which are determinations of law: but because they are not supposed to know the law of themselves, there is one that hath authority to inform them of it, in the particular case they are to judge of. But yet if they judge not according to that he tells them, they are not subject thereby to any penalty; unless it be made appear that they did it against their consciences, or had been corrupted by reward.

The things that make a good judge or good interpreter of the laws are, first, "a right understanding" of that principal law of Nature called "equity," which depending not on the reading of other men's writings, but on the goodness of a man's own natural reason and meditation, is presumed to be in those most that have had most leisure, and had the most inclination to meditate thereon. Secondly, "contempt of unnecessary riches and preferments." Thirdly, "to be able in judgment to divest himself of all fear, anger, hatred, love, and compassion." Fourthly, and lastly, "patience to hear, diligent attention in hearing, and memory to retain, digest and apply what he hath heard."

The difference and division of the laws has been made in divers manners, according to the different methods of those men that have written of them. For it is a thing that dependeth not on nature, but on the scope of the writer, and is subservient to every man's proper method. In the Institutions of Justinian, we find seven sorts of civil laws.

1. The "edicts," "constitutions," and "epistles of the prince," that is, of the emperor, because the whole power of the people was in him. Like these are the proclamations of the kings of England.

2. "The decrees of the whole people of Rome," comprehending the senate, when they were put to the question by the "senate." These were laws at first by the virtue of the sovereign power residing in the people; and such of them as by the emperors were not abrogated, remained laws by the authority imperial. For all laws that bind are understood to be laws by his authority that has power to repeal them. Somewhat like to these laws are the acts of parliament in England.

3. "The decrees of the common people," excluding the senate, when they were put to the question by the "tribune" of the people. For such of them as were not abrogated by the emperors remained laws by the authority imperial. Like to these were the orders of the House of Commons in England.

4. *Senatus consulta*, the "orders of the senate;" because when the people of Rome grew so numerous as it was inconvenient to assemble them; it was thought fit by the emperor that men should consult the senate, instead of the people; and these have some resemblance with the acts of council.

5. "The edicts of prætors," and in some cases of "ædiles;" such as are the chief justices in the courts of England.

6. *Responsa prudentum*, which were the sentences and opinion of those lawyers to whom the emperor gave authority to interpret the law, and to give answer to such as in matter of law demanded their advice; which answers, the judges in giving judgment were obliged by the constitutions of the emperor to observe, and should be like the reports of cases judged, if other judges be by the law of England bound to observe them. For the judges of the common law of England are not properly judges, but *juris consulti*, of whom the judges, who are either the Lords, or twelve men of the country, are in point of law to ask advice.

7. Also "unwritten customs," which in their own nature are an imitation of law, by the tacit consent of the emperor, in case they be not contrary to the law of Nature, are very laws.

Another division of laws is into "natural" and "positive." "Natural" are those which have been laws from all eternity; and are called not only "natural" but also "moral" laws; consisting in the moral virtues, as justice, equity, and all habits of the mind that conduce to peace and charity, of which I have already spoken in the fourteenth and fifteenth chapters.

"Positive" are those which have not been from eternity; but have been made laws by the will of those that have had the sovereign power over others; and are either written or made known to men by some other argument of the will of their legislator.

Again, of positive laws some are "human," some "divine;" and of human positive laws some are "distributive," some "penal." "Distributive" are those that determine the rights of the subjects, declaring to every man what it is by which he acquireth and holdeth a propriety in lands or goods, and a right or liberty of action: and these speak to all the subjects. "Penal" are those which declare what penalty shall be inflicted on those that violate the law; and speak to the ministers and officers ordained for execution. For though every one ought to be informed of the punishments ordained beforehand for their transgression, nevertheless the command is not addressed to the delinquent, who cannot be supposed will faithfully punish himself, but to public ministers appointed to see the penalty executed. And these penal laws are for the most part written together with the laws distributive; and are sometimes called judgments. For all laws are general judgments, or sentences of the legislator; as also every particular judgment is a law to him whose case is judged.

"Divine positive laws" (for natural laws being eternal and universal are all divine) are those which being the commandments of God, not from all eternity, nor universally addressed to all men, but only to a certain people, or to certain persons, are declared for such by those whom God hath authorized to declare them. But this authority of man to declare what be these positive laws of God, how can it be known? God may command a man by a supernatural way to deliver laws to other men. But because it is of the essence of law, that he who is to be obliged be assured of the authority of him that declareth it, which we cannot naturally take notice to be from God, "how can a man without supernatural revelation be assured of the revelation received by the declarer?" and "how can he be bound to obey them?" For the first question, how a man can be assured of the revelation of another, without a revelation particularly to himself, it is evidently impossible. For though a man may be induced to believe such revelation from the miracles they see him do, or from seeing the extraordinary sanctity of his life, or from seeing the extraordinary wisdom or extraordinary felicity of his actions, all which are marks of God's extraordinary favour; yet they are not assured evidences of special revelation. Miracles are marvellous works; but that which is marvellous to one, may not be so to another. Sanctity may be feigned; and the visible felicities of this world are most often the work of God by natural and ordinary causes. And therefore no man can infallibly know by natural reason that another has had a supernatural revelation of God's will, but only a belief; every one, as the signs thereof shall appear greater or lesser, a firmer or a weaker belief.

But for the second, how can he be bound to obey them; it is not so hard. For if the law declared be not against the law of Nature, which is undoubtedly God's law, and he undertake to obey it, he is bound by his own act; bound I say to obey it, but not bound to believe it: for men's belief and interior cogitations are not subject to the commands, but only to the operation of God, ordinary or extraordinary. Faith of supernatural law

is not a fulfilling, but only an assenting to the same ; and not a duty that we exhibit to God, but a gift which God freely giveth to whom He pleaseth ; as also unbelief is not a breach of any of His laws ; but a rejection of them all, except the laws natural. But this that I say, will be made yet clearer by the examples and testimonies concerning this point in Holy Scripture. The covenant God made with Abraham, in a supernatural manner, was thus (Gen. xvii. 10) : “ This is the covenant which thou shalt observe between me and thee, and thy seed after thee.” Abraham’s seed had not this revelation, nor were yet in being ; yet they are a party to the covenant, and bound to obey what Abraham should declare to them for God’s law ; which they could not be, but in virtue of the obedience they owed to their parents ; who, if they be subject to no other earthly power, as here in the case of Abraham, have sovereign power over their children and servants. Again, where God saith to Abraham, “ In thee shall all nations of the earth be blessed ; for I know thou wilt command thy children, and thy house after thee, to keep the way of the Lord, and to observe righteousness and judgment,” it is manifest, the obedience of his family, who had no revelation, depended on their former obligation to obey their sovereign. At Mount Sinai Moses only went up to God ; the people were forbidden to approach on pain of death ; yet they were bound to obey all that Moses declared to them for God’s law. Upon what ground, but on this submission of their own, “ Speak thou to us and we will hear thee ; but let not God speak to us, lest we die ? ” By which two places it sufficiently appeareth, that in a commonwealth, a subject that has no certain and assured revelation particularly to himself concerning the will of God, is to obey for such the command of the commonwealth : for if men were at liberty to take for God’s commandments their own dreams and fancies, or the dreams and fancies of private men ; scarce two men would agree upon what is God’s commandment ; and yet in respect of them, every man would despise the commandments of the commonwealth. I conclude therefore, that in all things not contrary to the moral law, that is to say, to the law of Nature, all subjects are bound to obey that for divine law, which is declared to be so by the laws of the commonwealth. Which also is evident to any man’s reason ; for whatsoever is not against the law of Nature, may be made law in the name of them that have the sovereign power ; and there is no reason men should be the less obliged by it, when it is propounded in the name of God. Besides, there is no place in the world where men are permitted to pretend other commandments of God than are declared for such by the commonwealth. Christian states punish those that revolt from the Christian religion, and all other states those that set up any religion by them forbidden. For in whatsoever is not regulated by the commonwealth, it is equity, which is the law of Nature, and therefore an eternal law of God, that every man equally enjoy his liberty.

There is also another distinction of laws into “ fundamental ” and “ not fundamental ; ” but I could never see in any author what a fundamental law signifieth. Nevertheless one may very reasonably distinguish laws in that manner.

For a fundamental law in every commonwealth is that, which being taken away, the commonwealth faileth and is utterly dissolved ; as a building whose foundation is destroyed. And therefore a fundamental law is that, by which subjects are bound to uphold whatsoever power is given to the sovereign, whether a monarch or a sovereign assembly, without which the commonwealth cannot stand ; such as is the power of war and peace, of judicature, of election of officers, and of doing whatsoever he shall think necessary for the public good. Not fundamental is that, the abrogating whereof draweth not with it the dissolution of the commonwealth ; such as

are the laws concerning controversies between subject and subject. Thus much of the division of laws.

I find the words *lex civilis* and *jus civile*, that is to say "law" and "right civil," promiscuously used for the same thing, even in the most learned authors; which nevertheless ought not to be so. For "right" is "liberty," namely that liberty which the civil law leaves us: but "civil law" is an "obligation," and takes from us the liberty which the law of Nature gave us. Nature gave a right to every man to secure himself by his own strength, and to invade a suspected neighbour, by way of prevention: but the civil law takes away that liberty, in all cases where the protection of the law may be safely stayed for. Insomuch as *lex* and *jus* are as different as "obligation" and "liberty."

Likewise "laws" and "charters" are taken promiscuously for the same thing. Yet charters are donations of the sovereign; and not laws, but exemptions from law. The phrase of a law is, *jubeo, injungo*, "I command" and "enjoin:" the phrase of a charter is, *dedi, concessi*, "I have given," "I have granted:" but what is given or granted to a man is not forced upon him by a law. A law may be made to bind all the subjects of a commonwealth: a liberty or charter is only to one man, or some one part of the people. For to say all the people of a commonwealth have liberty in any case whatsoever, is to say, that in such case there hath been no law made; or else having been made, is now abrogated.

## CHAPTER XXVII.

### *Of Crimes, Excuses, and Extenuations.*

A SIN, is not only a transgression of a law, but also any contempt of the legislator. For such contempt is a breach of all his laws at once. And therefore may consist, not only in the "commission" of a fact, or in speaking of words by the laws forbidden, or in the "omission" of what the law commandeth, but also in the "intention," or purpose to transgress. For the purpose to break the law is some degree of contempt of him to whom it belongeth to see it executed. To be delighted in the imagination only of being possessed of another man's goods, servants, or wife, without any intention to take them from him by force or fraud, is no breach of the law, that saith, "Thou shalt not covet:" nor is the pleasure a man may have in imagining or dreaming of the death of him, from whose life he expecteth nothing but damage and displeasure, a sin; but the resolving to put some act in execution that tendeth thereto. For to be pleased in the fiction of that which would please a man if it were real, is a passion so adherent to the nature both of man and every other living creature, as to make it a sin, were to make sin of being a man. The consideration of this has made me think them too severe, both to themselves and others, that maintain that the first motions of the mind, though checked with the fear of God, be sins. But I confess it is safer to err on that hand than on the other.

A "crime," is a sin, consisting in the committing, by deed or word, of that which the law forbiddeth, or the omission of what it hath commanded. So that every crime is a sin; but not every sin a crime. To intend to steal, or kill, is a sin, though it never appear in word or fact: for God that seeth the thoughts of man, can lay it to his charge: but till it appear by something done, or said, by which the intention may be argued by a

human judge, it hath not the name of crime : which distinction the Greeks observed in the word *ἀμαρτημα*, and *ἔγκλημα*, or *διττα* ; whereof the former, which is translated "sin," signifieth any swerving from the law whatsoever ; but the two latter, which are translated "crime," signify that sin only, whereof one man may accuse another. But of intentions, which never appear by any outward act, there is no place for human accusation. In like manner the Latins by *peccatum*, which is "sin," signify all manner of deviation from the law ; but by *crimen*, which word they derive from *cerno*, which signifies "to perceive," they mean only such sins as may be made appear before a judge ; and therefore are not mere intentions.

From this relation of sin to the law, and of crime to the civil law, may be inferred, first, that where law ceaseth, sin ceaseth. But because the law of Nature is eternal, violation of covenants, ingratitude, arrogance, and all facts contrary to any moral virtue, can never cease to be sin. Secondly, that the civil law ceasing, crimes cease : for there being no other law remaining but that of nature, there is no place for accusation ; every man being his own judge, and accused only by his own conscience, and cleared by the uprightness of his own intention. When therefore his intention is right, his fact is no sin : if otherwise, his fact is sin ; but not crime. Thirdly, that when the sovereign power ceaseth, crime also ceaseth ; for where there is no such power, there is no protection to be had from the law ; and therefore every one may protect himself by his own power : for no man in the institution of sovereign power can be supposed to give away the right of preserving his own body ; for the safety whereof all sovereignty was ordained. But this is to be understood only of those that have not themselves contributed to the taking away of the power that protected them ; for that was a crime from the beginning.

The source of every crime is some defect of the understanding, or some error in reasoning, or some sudden force of the passions. Defect in the understanding is "ignorance ;" in reasoning, "erroneous opinion." Again, ignorance is of three sorts ; of the "law," and of the "sovereign," and of the "penalty." Ignorance of the law of Nature excuseth no man, because every man that hath attained to the use of reason is supposed to know he ought not to do to another what he would not have done to himself. Therefore into what place soever a man shall come, if he do anything contrary to that law, it is a crime. If a man come from the Indies hither, and persuade men here to receive a new religion, or teach them anything that tendeth to disobedience of the laws of this country, though he be never so well persuaded of the truth of what he teacheth, he commits a crime, and may be justly punished for the same, not only because his doctrine is false, but also because he does that which he would not approve in another, namely, that coming from hence, he should endeavour to alter the religion there. But ignorance of the civil law, shall excuse a man in a strange country till it be declared to him, because till then no civil law is binding.

In the like manner, if the civil law of a man's own country be not so sufficiently declared as he may know it if he will, nor the action against the law of Nature, the ignorance is a good excuse : in other cases ignorance of the civil law excuseth not.

Ignorance of the sovereign power in the place of a men's ordinary residence excuseth him not, because he ought to take notice of the power by which he hath been protected there.

Ignorance of the penalty, where the law is declared, excuseth no man ; or in breaking the law, which, without a fear of penalty to follow, were of a law, but vain words, he undergoeth the penalty, though he know not that it is ; because whosoever voluntarily doth any action, accepteth all

the known consequences of it ; but punishment is a known consequence of the violation of the laws in every commonwealth, which punishment, if it be determined already by the law, he is subject to that ; if not, then he is subject to arbitrary punishment. For it is reason that he which does injury without other limitation than that of his own will, should suffer punishment without other limitation than that of his will whose law is thereby violated.

But when a penalty is either annexed to the crime in the law itself, or hath been usually inflicted in the like cases ; there the delinquent is excused from a greater penalty. For the punishment foreknown, if not great enough to deter men from the action, is an invitation to it : because when men compare the benefit of their injustice with the harm of their punishment, by necessity of nature they choose that which appeareth best for themselves ; and therefore when they are punished more than the law had formerly determined, or more than others were punished for the same crime ; it is the law that tempted and deceiveth them.

No law, made after a fact done, can make it a crime : because if the fact be against the law of Nature, the law was before the fact ; and a positive law cannot be taken notice of, before it be made ; and therefore cannot be obligatory. But when the law that forbiddeth a fact, is made before the fact be done ; yet he that doth the fact, is liable to the penalty ordained after, in case no lesser penalty were made known before, neither by writing, nor by example, for the reason immediately before alleged.

From defect in reasoning, that is to say, from error, men are prone to violate the laws three ways. First, by presumption of false principles : as when men, from having observed how in all places and in all ages, unjust actions have been authorized, by the force and victories of those who have committed them ; and that potent men, breaking through the cobweb laws of their country, the weaker sort and those that have failed in their enterprises, have been esteemed the only criminals ; have thereupon taken for principles, and grounds of their reasoning, " that justice is but a vain word : that whatsoever a man can get by his own industry and hazard, is his own : that the practice of all nations cannot be unjust : that examples of former times are good arguments of doing the like again ; " and many more of that kind ; which being granted, no act in itself can be a crime, but must be made so, not by the law, but by the success of them that commit it ; and the same fact be virtuous or vicious, as fortune pleaseth ; so that what Marius makes a crime, Sylla shall make meritorious, and Cæsar, the same laws standing, turn again into a crime, to the perpetual disturbance of the peace of the commonwealth.

Secondly, by false teachers, that either misinterpret the law of Nature, making it thereby repugnant to the law civil ; or by teaching for laws, such doctrines of their own, or traditions of former times, as are inconsistent with the duty of a subject.

Thirdly, by erroneous inferences from true principles ; which happens commonly to men that are hasty and precipitate in concluding, and resolving what to do ; such as are they, that have both a great opinion of their own understanding, and believe that things of this nature require not time and study, but only common experience, and a good natural wit ; whereof no man thinks himself unprovided : whereas the knowledge of right and wrong, which is no less difficult, there is no man will pretend to, without great and long study. And of those defects in reasoning, there is none that can excuse, though some of them may extenuate, a crime in any man, that pretendeth to the administration of his own private business ; much less in them that undertake a public charge ; because they pretend to the reason, upon the want whereof they would ground their excuse.

Of the passions that most frequently are the causes of crime, one is vain-glory, or a foolish over-rating of their own worth; as if difference of worth were an effect of their wit, or riches, or blood, or some other natural quality, not depending on the will of those that have the sovereign authority. From whence proceedeth a presumption that the punishments ordained by the laws, and extended generally to all subjects, ought not to be inflicted on them with the same rigour they are inflicted on poor, obscure, and simple men, comprehended under the name of the "vulgar."

Therefore it happeneth commonly, that such as value themselves by the greatness of their wealth, adventure on crimes, upon hope of escaping punishment, by corrupting public justice, or obtaining pardon by money, or other rewards.

And that such as have multitude of potent kindred, and popular men, that have gained reputation amongst the multitude, take courage to violate the laws, from a hope of oppressing the power to whom it belongeth to put them in execution.

And that such as have a great and false opinion of their own wisdom, take upon them to reprehend the actions and call in question the authority of them that govern, and so to unsettle the laws with their public discourse, as that nothing shall be a crime, but what their own designs require should be so. It happeneth also to the same men, to be prone to all such crimes, as consist in craft, and in deceiving of their neighbours; because they think their designs are too subtle to be perceived. These I say are effects of a false presumption of their own wisdom. For of them that are the first movers in the disturbance of commonwealth, which can never happen without a civil war, very few are left alive long enough to see their new designs established: so that the benefit of their crimes redoundeth to posterity, and such as would least have wished it: which argues they were not so wise as they thought they were. And those that deceive upon hope of not being observed, do commonly deceive themselves, the darkness in which they believe they lie hidden being nothing else but their own blindness; and are no wiser than children, that think all hid by hiding their own eyes.

And generally all vain-glorious men, unless they be withal timorous, are subject to anger; as being more prone than others to interpret for contempt the ordinary liberty of conversation: and there are few crimes that may not be produced by anger.

As for the passions of hate, lust, ambition, and covetousness, what crimes they are apt to produce, is so obvious to every man's experience and understanding, as there needeth nothing to be said of them, saving that they are infirmities, so annexed to the nature, both of man and all other living creatures, as that their effects cannot be hindered but by extraordinary use of reason, or a constant severity in punishing them. For in those things men hate, they find a continual and unavoidable molestation; whereby either a man's patience must be everlasting, or he must be eased by removing the power of that which molesteth him. The former is difficult; the latter is many times impossible, without some violation of the law. Ambition and covetousness are passions also that are perpetually incumbent and pressing; whereas reason is not perpetually present to resist them: and therefore whensoever the hope of impunity appears, their effects proceed. And for lust, what it wants in the lasting, it hath in the vehemence, which sufficeth to weigh down the apprehension of all easy or uncertain punishments.

Of all passions, that which inclineth men least to break the laws, is fear. Nay, excepting some generous natures, it is the only thing, when there is appearance of profit or pleasure by breaking the laws, that makes men

keep them. And yet in many cases a crime may be committed through fear.

For not every fear justifies the action it produceth, but the fear only of corporeal hurt, which we call "bodily fear," and from which a man cannot see how to be delivered but by the action. A man is assaulted, fears present death, from which he sees not how to escape but by wounding him that assaulteth him : if he wound him to death, this is no crime, because no man is supposed at the making of a commonwealth to have abandoned the defence of his life or limbs, where the law cannot arrive time enough to his assistance. But to kill a man, because from his actions, or his threatenings, I may argue he will kill me when he can, seeing I have time and means to demand protection from the sovereign power, is a crime. Again, a man receives words of disgrace or some little injuries, for which they that made the laws had assigned no punishment, nor thought it worthy of a man that hath the use of reason to take notice of, and is afraid, unless he revenge it, he shall fall into contempt, and consequently be obnoxious to the like injuries from others ; and to avoid this, breaks the law, and protects himself for the future by the terror of his private revenge. This is a crime ; for the hurt is not corporeal, but fantastical, and, though in this corner of the world, made sensible by a custom not many years since begun, amongst young and vain men, so light, as a gallant man, and one that is assured of his own courage, cannot take notice of. Also a man may stand in fear of spirits, either through his own superstition, or through too much credit given to other men, that tell him of strange dreams and visions, and thereby be made believe they will hurt him for doing or omitting divers things, which nevertheless to do, or omit, is contrary to the laws ; and that which is so done, or omitted, is not to be excused by this fear : but is a crime. For, as I have shown before in the second chapter, dreams be naturally but the fancies remaining in sleep, after the impressions our senses had formerly received waking ; and when men are by any accident unassured they have slept, seem to be real visions ; and therefore he that presumes to break the law upon his own or another's dream, or pretended vision, or upon other fancy of the power of invisible spirits, than is permitted by the commonwealth, leaveth the law of Nature, which is a certain offence, and followeth the imagery of his own or another private man's brain, which he can never know whether it signifieth anything or nothing, nor whether he that tells his dream say true or lie ; which if every private man should have leave to do, as they must by the law of Nature, if any one have it, there could no law be made to hold, and so all commonwealth would be dissolved.

From these different sources of crimes, it appears already, that all crimes are not, as the Stoics of old time maintained, of the same allay. There is place, not only for "excuse," by which that which seemed a crime is proved to be none at all ; but also for "extenuation," by which the crime, that seemed great, is made less. For though all crimes do equally deserve the name of injustice, as all deviation from a straight line is equally crookedness, which the Stoics rightly observed : yet it does not follow that all crimes are equally unjust, no more than that all crooked lines are equally crooked : which the Stoics not observing, held it as great a crime to kill a hen, against the law, as to kill one's father.

That which totally excuseth a fact, and takes away from it the nature of a crime, can be none but that which at the same time taketh away the obligation of the law. For the fact committed once against the law, if he that committed it be obliged to the law, can be no other than a crime.

The want of means to know the law totally excuseth. For the law whereof a man has no means to inform himself, is not obligatory. But the want of diligence to inquire shall not be considered as a want of means ;



*nor shall any man, that pretendeth to reason enough for the government of his own affairs, be supposed to want means to know the laws of Nature ; because they are known by the reason he pretends to : only children and madmen are excused from offences against the law natural.*

Where a man is captive, or in the power of the enemy (and he is then in the power of the enemy when his person or his means of living is so), if it be without his own fault, the obligation of the law ceaseth ; because he must obey the enemy or die ; and consequently such obedience is no crime : for no man is obliged, when the protection of the law faileth, not to protect himself by the best means he can.

If a man, by the terror of present death, be compelled to do a fact against the law, he is totally excused ; because no law can oblige a man to abandon his own preservation. And supposing such a law were obligatory, yet a man would reason thus : " If I do it not, I die presently ; if I do it, I die afterwards ; therefore by doing it, there is time of life gained." Nature therefore compels him to the fact.

When a man is destitute of food, or other thing necessary for his life, and cannot preserve himself any other way but by some fact against the law ; as if in a great famine he take the food by force or stealth, which he cannot obtain for money nor charity ; or in defence of his life snatch away another man's sword ; he is totally excused, for the reason next before alleged.

Again, facts done against the law by the authority of another, are by that authority excused against the author ; because no man ought to accuse his own fact in another that is but his instrument : but it is not excused against a third person thereby injured ; because in the violation of the law, both the author and actor are criminals. From hence it followeth that when that man or assembly, that hath the sovereign power, commandeth a man to do that which is contrary to a former law, the doing of it is totally excused : for he ought not to condemn it himself, because he is the author ; and what cannot justly be condemned by the sovereign, cannot justly be punished by any other. Besides, when the sovereign commandeth anything to be done against his own former law, the command, as to that particular fact, is an abrogation of the law.

If that man, or assembly that hath the sovereign power, disclaim any right essential to the sovereignty, whereby there accrueth to the subject any liberty inconsistent with the sovereign power, that is to say, with the very being of a commonwealth, if the subject shall refuse to obey the command in anything contrary to the liberty granted, this is nevertheless a sin, and contrary to the duty of the subject : for he ought to take notice of what is inconsistent with the sovereignty, because it was erected by his own consent and for his own defence ; and that such liberty as is inconsistent with it was granted through ignorance of the evil consequence thereof. But if he not only disobey, but also resist a public minister in the execution of it, then it is a crime, because he might have been righted, without any breach of the peace, upon complaint.

The degrees of crime are taken on divers scales, and measured, first, by the malignity of the source or cause ; secondly, by the contagion of the example ; thirdly, by the mischief of the effect ; and fourthly, by the concurrence of times, places, and persons.

The same fact done against the law, if it proceed from presumption of strength, riches, or friends to resist those that are to execute the law, is a greater crime than if it proceed from hope of not being discovered, or of escape by flight : for presumption of impunity by force is a root from whence springeth, at all times, and upon all temptations, a contempt of all laws ; whereas, in the latter case, the apprehension of danger that makes a

man fly, renders him more obedient for the future. A crime which we know to be so, is greater than the same crime proceeding from a false persuasion that it is lawful; for he that committeth it against his own conscience, presumeth on his force or other power, which encourages him to commit the same again: but he that doth it by error, after the error is shown him, is conformable to the law.

He whose error proceeds from the authority of a teacher, or an interpreter of the law publicly authorized, is not so faulty as he whose error proceedeth from a peremptory pursuit of his own principles and reasoning; for what is taught by one that teacheth by public authority, the commonwealth teacheth, and hath a resemblance of law till the same authority controlleth it; and in all crimes that contain not in them a denial of the sovereign power, nor are against an evident law, excuseth totally: whereas he that groundeth his actions on his private judgment, ought, according to the rectitude or error thereof, to stand or fall.

The same fact, if it have been constantly punished in other men, is a greater crime than if there have been many precedent examples of impunity. For those examples are so many hopes of impunity, given by the sovereign himself; and because he which furnishes a man with such a hope and presumption of mercy, as encourageth him to offend, hath his part in the offence, he cannot reasonably charge the offender with the whole.

A crime arising from a sudden passion is not so great as when the same ariseth from long meditation; for in the former case there is a place for extenuation, in the common infirmity of human nature; but he that doth it with premeditation, has used circumspection, and cast his eye on the law, on the punishment, and on the consequence thereof to human society; all which, in committing the crime, he hath contemned and postponed to his own appetite. But there is no suddenness of passion sufficient for a total excuse: for all the time between the first knowing of the law and the commission of the fact, shall be taken for a time of deliberation: because he ought by meditation of the law to rectify the irregularity of his passions.

Where the law is publicly, and with assiduity, before all the people read and interpreted, a fact done against it is a greater crime than where men are left without such instruction, to inquire of it with difficulty, uncertainty, and interruption of their callings, and be informed by private men; for in this case part of the fault is discharged upon common infirmity; but, in the former, there is apparent negligence, which is not without some contempt of the sovereign power.

Those facts which the law expressly condemneth, but the lawmaker by other manifest signs of his will tacitly approveth, are less crimes than the same facts condemned both by the law and lawmaker. For seeing the will of the lawmaker is a law, there appear in this case two contradictory laws; which would totally excuse, if men were bound to take notice of the sovereign's approbation by other arguments than are expressed by his command. But because there are punishments consequent, not only to the transgression of his law, but also to the observing of it, he is in part a cause of the transgression, and therefore cannot reasonably impute the whole crime to the delinquent. For example, the law condemneth duels; the punishment is made capital. On the contrary part, he that refuseth duel is subject to contempt and scorn, without remedy; and sometimes by the sovereign himself thought unworthy to have any charge or preferment in war. If thereupon he accept duel, considering all men lawfully endeavour to obtain the good opinion of them that have the sovereign power, he ought not in reason to be rigorously punished, seeing part of the fault may be discharged on the punisher; which I say, not as wishing liberty of private

revenges or any other kind of disobedience, but a care in governors not to countenance anything obliquely which directly they forbid. The examples of princes, to those that see them, are, and ever have been, more potent to govern their actions than the laws themselves. And though it be our duty to do, not what they do, but what they say, yet will that duty never be performed till it please God to give men an extraordinary and supernatural grace to follow that precept.

Again, if we compare crimes by the mischief of their effects ; first, the same fact, when it redounds to the damage of many, is greater than when it redounds to the hurt of few ; and therefore, when a fact hurteth, not only in the present, but also, by example, in the future, it is a greater crime than if it hurt only in the present : for the former is a fertile crime, and multiplies to the hurt of many ; the latter is barren. To maintain doctrines contrary to the religion established in the commonwealth, is a greater fault in an authorized preacher than in a private person ; so also is it to live profanely, incontinently, or do any irreligious act whatsoever. Likewise in a professor of the law, to maintain any point, or do any act that tendeth to the weakening of the sovereign power, is a greater crime than in another man. Also in a man that hath such reputation for wisdom as that his counsels are followed or his actions imitated by many, his fact against the law is a greater crime than the same fact in another : for such men not only commit crime, but teach it for law to all other men. And generally all crimes are the greater by the scandal they give : that is to say, by becoming stumbling-blocks to the weak, that look not so much upon the way they go in, as upon the light that other men carry before them.

Also facts of hostility against the present state of the commonwealth, are greater crimes than the same acts done to private men : for the damage extends itself to all : such are the betraying of the strengths or revealing of the secrets of the commonwealth to an enemy ; also all attempts upon the representative of the commonwealth, be it a monarch or an assembly ; and all endeavours by word, or deed, to diminish the authority of the same, either in the present time or in succession : which crimes the Latins understand by *crimina læsæ majestatis*, and consist in design, or act, contrary to a fundamental law.

Likewise those crimes, which render judgments of no effect, are greater crimes than injuries done to one or a few persons ; as to receive money to give false judgment or testimony, is a greater crime than otherwise to deceive a man of the like, or a greater sum ; because not only he has wrong that falls by such judgments ; but all judgments are rendered useless, and occasion ministered to force and private revenges.

Also robbery, and depecculation of the public treasure or revenues, is a greater crime than the robbing or defrauding of a private man ; because to rob the public, is to rob many at once.

Also the counterfeit usurpation of public ministry, the counterfeiting of public seals or public coin, than counterfeiting of a private man's person or his seal ; because the fraud thereof extendeth to the damage of many.

Of facts against the law, done to private men, the greater crime is that where the damage, in the common opinion of men, is most sensible, and therefore

To kill against the law, is a greater crime, than any other injury, life preserved.

And to kill with torment, greater than simply to kill.

And mutilation of a limb, greater than the spoiling a man of his goods.

And the spoiling a man of his goods by terror of death or wounds, than by clandestine surreption.

And by clandestine surreption, than by consent fraudulently obtained.

And the violation of chastity by force, greater than by flattery.

And of a woman married, than of a woman not married.

For all these things are commonly so valued; though some men are more, and some less, sensible of the same offence. But the law regardeth not the particular, but the general inclination of mankind.

And therefore the offence men take, from contumely, in words or gesture, when they produce no other harm than the present grief of him that is reproached, hath been neglected in the laws of the Greeks, Romans, and other both ancient and modern commonwealths; supposing the true cause of such grief to consist, not in the contumely, which takes no hold upon men conscious of their own virtue, but in the pusillanimity of him that is offended by it.

Also a crime against a private man is much aggravated by the person, time, and place. For to kill one's parent, is a greater crime than to kill another: for the parent ought to have the honour of a sovereign, though he surrendered his power to the civil law; because he had it originally by nature. And to rob a poor man, is a greater crime than to rob a rich man; because it is to the poor a more sensible damage.

And a crime committed in the time or place appointed for devotion is greater than if committed at another time or place: for it proceeds from a greater contempt of the law.

Many other cases of aggravation and extenuation might be added: but by these I have set down, it is obvious to every man to take the altitude of any other crime proposed.

Lastly, because in almost all crimes there is an injury done not only to some private men, but also to the commonwealth, the same crime, when the accusation is in the name of the commonwealth, is called public crime: and when in the name of a private man, a private crime; and the pleas according thereunto called public, *judicia publica*, Pleas of the Crown, or Private Pleas. As in an accusation of murder, if the accuser be a private man, the plea is a Private Plea; if the accuser be the sovereign, the plea is a Public Plea.

## CHAPTER XXVIII.

### *Of Punishments and Rewards.*

A PUNISHMENT "is an evil inflicted by public authority on him that hath done or omitted that which is judged by the same authority to be a transgression of the law; to the end that the will of men may thereby the better be disposed to obedience."

Before I infer anything from this definition, there is a question to be answered of much importance; which is, by what door the right or authority of punishing in any case came in. For by that which has been said before, no man is supposed bound by covenant, not to resist violence; and consequently it cannot be intended that he gave any right to another to lay violent hands upon his person. In the making of a commonwealth, every man giveth away the right of defending another, but not of defending himself. Also he obligeth himself to assist him that hath the sovereignty in the punishing of another; but of himself not. But to covenant to assist the sovereign in doing hurt to another, unless he that so covenanteth have a right to do it himself, is not to give him a right to punish. It is manifest therefore that the right which the commonwealth, that is, he or they that represent it, hath to punish is not grounded on any concession or gift of the subjects.

But I have also showed formerly, that before the institution of commonwealth every man had a right to everything, and to do whatsoever he thought necessary to his own preservation; subduing, hurting, or killing any man in order thereunto. And this is the foundation of that right of punishing which is exercised in every commonwealth. For the subjects did not give the sovereign that right; but only in laying down theirs, strengthened him to use his own, as he should think fit, for the preservation of them all: so that it was not given, but left to him, and to him only; and (excepting the limits set him by natural law) as entire as in the condition of mere nature, and of war of every one against his neighbour.

From the definition of punishment, I infer, first, that neither private revenges, nor injuries of private men, can properly be styled punishment; because they proceed not from public authority.

Secondly, that to be neglected, and unpreferred by the public favour, is not a punishment; because no new evil is thereby on any man inflicted; he is only left in the estate he was in before.

Thirdly, that the evil inflicted by public authority, without precedent public condemnation, is not to be styled by the name of punishment, but of an hostile act; because the fact for which a man is punished, ought first to be judged by public authority, to be a transgression of the law.

Fourthly, that the evil inflicted by usurped power, and judges without authority from the sovereign, is not punishment, but an act of hostility; because the acts of power usurped have not for author the person condemned, and therefore are not acts of public authority.

Fifthly, that all evil which is inflicted without intention, or possibility of disposing the delinquent, or, by his example, other men, to obey the laws, is not punishment, but an act of hostility; because without such an end, no hurt done is contained under that name.

Sixthly, whereas to certain actions there be annexed by nature, divers hurtful consequences; as when a man in assaulting another is himself slain or wounded; or when he falleth into sickness by the doing of some unlawful act; such hurt, though in respect of God, who is the author of nature, it may be said to be inflicted, and therefore a punishment divine; yet it is not contained in the name of punishment in respect of men, because it is not inflicted by the authority of man.

Seventhly, if the harm inflicted be less than the benefit or contentment that naturally followeth the crime committed, that harm is not within the definition; and is rather the price, or redemption, than the punishment of a crime: because it is of the nature of punishment to have for end the disposing of men to obey the law; which end, if it be less than the benefit of the transgression, it attaineth not, but worketh a contrary effect.

Eighthly, if a punishment be determined and prescribed in the law itself, and after the crime committed, there be a greater punishment inflicted, the excess is not punishment, but an act of hostility. For seeing the aim of punishment is not a revenge, but terror; and the terror of a great punishment unknown, is taken away by the declaration of a less, the unexpected addition is no part of the punishment. But where there is no punishment at all determined by the law, there whatsoever is inflicted hath the nature of punishment. For he that goes about the violation of a law, wherein no penalty is determined, expecteth an indeterminate, that is to say, an arbitrary punishment.

Ninthly, harm inflicted for a fact done before there was a law that forbade it, is not punishment, but an act of hostility: for before the law, there is no transgression of the law: but punishment supposeth a fact judged, to have been transgression of the law; therefore harm inflicted before the law made, is not punishment, but an act of hostility.

Tenthly, hurt inflicted on the representative of the commonwealth, is not punishment, but an act of hostility ; because it is of the nature of punishment to be inflicted by public authority, which is the authority only of the representative itself.

Lastly, harm inflicted upon one that is a declared enemy, falls not under the name of punishment : because seeing they were either never subject to the law, and therefore cannot transgress it ; or having been subject to it, and professing to be no longer so, by consequence deny they can transgress it, all the harms that can be done them, must be taken as acts of hostility. But in declared hostility, all infliction of evil is lawful. From whence it followeth, that if a subject shall by fact, or word, wittingly and deliberately deny the authority of the representative of the commonwealth (whatsoever penalty hath been formerly ordained for treason), he may lawfully be made to suffer whatsoever the representative will. For in denying subjection, he denies such punishment as by the law hath been ordained ; and therefore suffers as an enemy of the commonwealth ; that is, according to the will of the representative. For the punishments set down in the law, are to subjects, not to enemies ; such as are they, that having been by their own acts subjects, deliberately revolting, deny the sovereign power.

The first and most general distribution of punishments, is into "divine" and "human." Of the former I shall have occasion to speak in a more convenient place hereafter.

"Human," are those punishments that be inflicted by the commandment of man ; and are either "corporal," or "pecuniary," or "ignominy," or "imprisonment," or "exile," or mixed of these.

"Corporal punishment" is that which is inflicted on the body directly, and according to the intention of him that inflicteth it : such as are stripes, or wounds, or deprivation of such pleasures of the body as were before lawfully enjoyed.

And of these, some be "capital," some "less" than "capital." Capital, is the infliction of death ; and that either simply or with torment. Less than capital, are stripes, wounds, chains, and any other corporal pain, not in its own nature mortal. For if upon the infliction of a punishment death follow not in the intention of the inflictor, the punishment is not to be esteemed capital, though the harm prove mortal by an accident not to be foreseen ; in which case death is not inflicted, but hastened.

"Pecuniary punishment," is that which consisteth not only in the deprivation of a sum of money, but also of lands, or any other goods which are usually bought and sold for money. And in case the law, that ordaineth such a punishment, be made with design to gather money from such as shall transgress the same, it is not properly a punishment, but the price of privilege and exemption from the law, which doth not absolutely forbid the fact, but only to those that are not able to pay the money : except where the law is natural, or part of religion ; for in that case it is not an exemption from the law, but a transgression of it. As where a law exacteth a pecuniary mulct, of them that take the name of God in vain, the payment of the mulct is not the price of a dispensation to swear, but the punishment of the transgression of a law indispensable. In like manner if the law impose a sum of money to be paid to him that has been injured ; this is but a satisfaction for the hurt done him ; and extinguisheth the accusation of the party injured, not the crime of the offender.

"Ignominy," is the infliction of such evil as is made dishonourable ; or the deprivation of such good as is made honourable by the commonwealth. For there be some things honourable by nature ; as the effects of courage, magnanimity, strength, wisdom, and other abilities of body and mind : others made honourable by the commonwealth ; as badges, titles, offices, or

any other singular mark of the sovereign's favour. The former, though they may fail by nature or accident, cannot be taken away by a law; and therefore the loss of them is not punishment. But the latter may be taken away by the public authority that made them honourable, and are properly punishments: such are degrading men condemned of their badges, titles, and offices; or declaring them incapable of the like in time to come.

"Imprisonment," is when a man is by public authority deprived of liberty, and may happen from two divers ends, whereof one is the safe custody of a man accused, the other is the inflicting of pain on a man condemned. The former is not punishment, because no man is supposed to be punished before he be judicially heard and declared guilty. And therefore whatsoever hurt a man is made to suffer by bonds, or restraint, before his cause be heard, over and above that which is necessary to assure his custody, is against the law of Nature. But the latter is punishment, because evil, and inflicted by public authority, for somewhat that has by the same authority been judged a transgression of the law. Under this word imprisonment, I comprehend all restraint of motion, caused by an external obstacle, be it a house, which is called by the general name of a prison, or an island, as when men are said to be confined to it, or a place where men are set to work, as in old time men have been condemned to quarries, and in these times to galleys; or be it a chain or any other such impediment.

"Exile" (banishment) is when a man is for a crime condemned to depart out of the dominion of the commonwealth, or out of a certain part thereof, and during a prefixed time, or for ever, not to return into it; and seemeth not in its own nature, without other circumstances, to be a punishment; but rather an escape, or a public commandment to avoid punishment by flight. And Cicero says, there was never any such punishment ordained in the city of Rome; but calls it a refuge of men in danger. For if a man banished, be nevertheless permitted to enjoy his goods, and the revenue of his lands, the mere change of air is no punishment, nor does it tend to that benefit of the commonwealth, for which all punishments are ordained, that is to say, to the forming of men's wills to the observation of the law; but many times to the damage of the commonwealth. For a banished man is a lawful enemy of the commonwealth that banished him, as being no more a member of the same. But if he be withal deprived of his lands or goods, then the punishment lieth not in the exile, but is to be reckoned amongst punishments pecuniary.

All punishments of innocent subjects, be they great or little, are against the law of Nature; for punishment is only for transgression of the law, and therefore there can be no punishment of the innocent. It is therefore a violation, first, of that law of Nature which forbiddeth all men in their revenges to look at anything but some future good, for there can arrive no good to the commonwealth by punishing the innocent. Secondly, of that which forbiddeth ingratitude: for seeing all sovereign power is originally given by the consent of every one of the subjects, to the end they should as long as they are obedient be protected thereby: the punishment of the innocent is a rendering of evil for good. And thirdly, of the law that commandeth equity, that is to say, an equal distribution of justice, which in punishing the innocent is not observed.

But the infliction of what evil soever, on an innocent man that is not a subject, if it be for the benefit of the commonwealth, and without violation of any former covenant, is no breach of the law of Nature. For all men that are not subjects, are either enemies, or else they have ceased from being so by some precedent covenants. But against enemies, whom the commonwealth judgeth capable to do them hurt, it is lawful by the original

right of Nature to make war; wherein the sword judgeth not, nor doth the victor make distinction of nocent and innocent, as to the time past, nor has other respect of mercy than as it conduceth to the good of his own people. And upon this ground it is that also in subjects who deliberately deny the authority of the commonwealth established, the vengeance is lawfully extended, not only to the fathers, but also to the third and fourth generation not yet in being, and consequently innocent of the fact for which they are afflicted: because the nature of this offence consisteth in the renouncing of subjection, which is a relapse into the condition of war, commonly called rebellion, and they that so offend, suffer not as subjects, but as enemies. For "rebellion" is but war renewed.

"Reward" is either of "gift" or by "contract." When by contract, it is called "salary" and "wages;" which is benefit due for service performed or promised. When of gift, it is benefit proceeding from the "grace" of them that bestow it, to encourage or enable men to do them service. And therefore when the sovereign of a commonwealth appointeth a salary to any public office, he that receiveth it is bound in justice to perform his office; otherwise, he is bound only in honour to acknowledgment, and an endeavour of requital. For though men have no lawful remedy, when they be commanded to quit their private business, to serve the public, without reward or salary; yet they are not bound thereto, by the law of Nature, nor by the institution of the commonwealth, unless the service cannot otherwise be done; because it is supposed the sovereign may make use of all their means, insomuch as the most common soldier may demand the wages of his warfare as a debt.

The benefit which a sovereign bestoweth on a subject, for fear of some power and ability he hath to do hurt to the commonwealth, are not properly rewards; for they are not salaries; because there is in this case no contract supposed, every man being obliged already not to do the commonwealth disservice: nor are they graces, because they be extorted by fear, which ought not to be incident to the sovereign power: but are rather sacrifices, which the sovereign, considered in his natural person, and not in the person of the commonwealth, makes, for the appeasing the discontent of him he thinks more potent than himself; and encourage not to obedience, but on the contrary, to the continuance and increasing of further extortion.

And whereas some salaries are certain, and proceed from the public treasure; and others uncertain and casual, proceeding from the execution of the office for which the salary is ordained; the latter is in some cases hurtful to the commonwealth; as in the case of judicature. For where the benefit of the judges and ministers of a court of justice ariseth from the multitude of causes that are brought to their cognizance, there must needs follow two inconveniences: one, is the nourishing of suits; for the more suits, the greater benefit: and another that depends on that, which is contention about jurisdiction, each court drawing to itself as many causes as it can. But in offices of execution there are not those inconveniences; because their employment cannot be increased by any endeavour of their own. And thus much shall suffice for the nature of punishment and reward; which are, as it were, the nerves and tendons that move the limbs and joints of a commonwealth.

Hitherto I have set forth the nature of man, whose pride and other passions have compelled him to submit himself to government: together with the great power of his governor, whom I compared to "Leviathan," taking that comparison out of the two last verses of the one-and-fortieth of Job; where God, having set forth the great power of "Leviathan," calleth him king of the proud. "There is nothing," saith he, "on earth



to be compared with him. He is made so as not to be afraid. He seeth every high thing below him ; and is king of all the children of pride." But because he is mortal, and subject to decay, as all other earthly creatures are ; and because there is that in heaven, though not on earth, that he should stand in fear of, and whose laws he ought to obey ; I shall in the next following chapter speak of his diseases, and the causes of his mortality ; and of what laws of Nature he is bound to obey.

## CHAPTER XXIX.

### *Of those Things that Weaken, or tend to the Dissolution of a Commonwealth.*

THOUGH nothing can be immortal which mortals make, yet if men had the use of reason they pretend to, their commonwealths might be secured, at least from perishing by internal diseases. For by the nature of their institution, they are designed to live as long as mankind, or as the laws of Nature or as justice itself, which gives them life. Therefore when they come to be dissolved, not by external violence, but intestine disorder, the fault is not in men, as they are the "matter;" but as they are the "makers," and orderers of them. For men, as they become at last weary of irregular jostling and hewing one another, and desire with all their hearts to conform themselves into one firm and lasting edifice : so for want, both of the art of making fit laws, to square their actions by, and also of humility and patience, to suffer the rude and cumbersome points of their present greatness to be taken off, they cannot without the help of a very able architect, be compiled into any other than a crazy building, such as hardly lasting out their own time, must assuredly fall upon the heads of their posterity.

Amongst the "infirmities" therefore of a commonwealth, I will reckon in the first place, those that arise from an imperfect institution, and resemble the diseases of a natural body, which proceed from a defectuous procreation.

Of which this is one, "that a man to obtain a kingdom, is sometimes content with less power, than to the peace and defence of the commonwealth is necessarily required." From whence it cometh to pass, that when the exercise of the power laid by is for the public safety to be resumed, it hath the resemblance of an unjust act ; which disposeth great numbers of men, when occasion is presented, to rebel ; in the same manner as the bodies of children, gotten by diseased parents, are subject either to untimely death, or to purge the ill quality, derived from their vicious conception, by breaking out into boils and scabs. And when kings deny themselves some such necessary power, it is not always, though sometimes, out of ignorance of what is necessary to the office they undertake ; but many times out of a hope to recover the same again at their pleasure. Wherein they reason not well ; because such as will hold them to their promises, shall be maintained against them by foreign commonwealths ; who in order to the good of their own subjects let slip few occasions to "weaken" the estate of their neighbours. So was Thomas Becket, Archbishop of Canterbury, supported against Henry the Second, by the Pope ; the subjection of ecclesiastics to the commonwealth, having been dispensed with by William the Conqueror at his reception, when he took an oath not to infringe the liberty of the Church. And so were the barons, whose power was by William Rufus, to have their help in transferring the succession from his elder brother to

himself, increased to a degree inconsistent with the sovereign power, maintained in their rebellion against king John, by the French.

Nor does this happen in monarchy only. For whereas the style of the ancient Roman commonwealth was "the senate and people of Rome," neither senate nor people pretended to the whole power; which first caused the seditions of Tiberius Gracchus, Caius Gracchus, Lucius Saturninus, and others; and afterwards the wars between the senate and the people, under Marius and Sylla; and again under Pompey and Cæsar, to the extinction of their democracy, and the setting up of monarchy.

The people of Athens bound themselves but from one only action; which was, that no man on pain of death should propound the renewing of the war for the island of Salamis; and yet thereby, if Solon had not caused to be given out he was mad, and afterwards in gesture and habit of a madman, and in verse, propounded it to the people that flocked about him, they had had an enemy perpetually in readiness, even at the gates of their city; such damage or shifts are all commonwealths forced to, that have their power so little limited.

In the second place, I observe the "diseases" of a commonwealth, that proceed from the poison of seditious doctrines, whereof one is, "That every private man is judge of good and evil actions." This is true in the condition of mere nature, where there are no civil laws; and also under civil government, in such cases as are not determined by the law. But otherwise, it is manifest, that the measure of good and evil actions, is the civil law; and the judge the legislator, who is always representative of the commonwealth. From this false doctrine, men are disposed to debate with themselves and dispute the commands of the commonwealth; and afterwards to obey or disobey them, as in their private judgments they shall think fit; whereby the commonwealth is distracted and "weakened."

Another doctrine repugnant to civil society, is, that "whatsoever a man does against his conscience is sin;" and it dependeth on the presumption of making himself judge of good and evil. For a man's conscience and his judgment is the same thing, and as the judgment, so also the conscience may be erroneous. Therefore, though he that is subject to no civil law, sinneth in all he does against his conscience, because he has no other rule to follow but his own reason; yet it is not so with him that lives in a commonwealth; because the law is the public conscience, by which he hath already undertaken to be guided. Otherwise in such diversity, as there is of private consciences, which are but private opinions, the commonwealth must needs be distracted, and no man dare to obey the sovereign power, further than it shall seem good in his own eyes.

It hath been also commonly taught, "that faith and sanctity, are not to be attained by study and reason, but by supernatural inspiration or infusion." Which granted, I see not why any man should render a reason of his faith; or why every Christian should not be also a prophet; or why any man should take the law of his country rather than his own inspiration for the rule of his action. And thus we fall again in the fault of taking upon us to judge of good and evil; or to make judges of it, such private men as pretend to be supernaturally inspired, to the dissolution of all civil government. Faith comes by hearing, and hearing by those accidents which guide us into the presence of them that speak to us; which accidents are all contrived by God Almighty; and yet are not supernatural, but only, for the great number of them that concur to every effect, unobservable. Faith and sanctity are indeed not very frequent; but yet they are not miracles, but brought to pass by education, discipline, correction, and other natural ways, by which God worketh them in His elect, at such times as He thinketh fit. And these three opinions, pernicious to peace and government, have

in this part of the world, proceeded chiefly from the tongues and pens of unlearned divines, who joining the words of Holy Scripture together, otherwise than is agreeable to reason, do what they can to make men think that sanctity and natural reason cannot stand together.

A fourth opinion, repugnant to the nature of a commonwealth, is this, "that he that hath the sovereign power is subject to the civil laws." It is true, that sovereigns are all subject to the laws of Nature; because such laws be divine, and cannot by any man or commonwealth be abrogated. But to those laws which the sovereign himself, that is, which the commonwealth maketh, he is not subject. For to be subject to laws is to be subject to the commonwealth, that is to the sovereign representative, that is to himself; which is not subjection, but freedom from the laws. Which error, because it setteth the laws above the sovereign, setteth also a judge above him and a power to punish him; which is to make a new sovereign; and again for the same reason a third, to punish the second; and so continually without end, to the confusion and dissolution of the commonwealth.

A fifth doctrine that tendeth to the dissolution of a commonwealth is, "that every private man has an absolute propriety in his goods; such as excludeth the right of the sovereign." Every man has indeed a propriety that excludes the right of every other subject: and he has it only from the sovereign power; without the protection whereof every other man should have equal right to the same. But if the right of the sovereign also be excluded, he cannot perform the office they have put him into; which is, to defend them both from foreign enemies, and from the injuries of one another; and consequently there is no longer a commonwealth.

And if the propriety of subjects exclude not the right of the sovereign representative to their goods; much less to their offices of judicature or execution, in which they represent the sovereign himself.

There is a sixth doctrine plainly and directly against the essence of a commonwealth; and it is this, "that the sovereign power may be divided." For what is it to divide the power of a commonwealth, but to dissolve it; for powers divided mutually destroy each other. And for these doctrines men are chiefly beholding to some of those that making profession of the laws, endeavour to make them depend upon their own learning, and not upon the legislative power.

And as false doctrine, so also oftentimes the example of different government in a neighbouring nation, disposeth men to alteration of the form already settled. So the people of the Jews were stirred up to reject God, and to call upon the prophet Samuel for a king after the manner of the nations: so also the lesser cities of Greece were continually disturbed with seditions of the aristocratical and democratical factions; one part of almost every commonwealth desiring to imitate the Lacedemonians; the other the Athenians. And I doubt not but many men have been contented to see the late troubles in England out of an imitation of the Low Countries; supposing there needed no more to grow rich than to change, as they had done, the form of their government. For the constitution of man's nature is of itself subject to desire novelty. When therefore they are provoked to the same by the neighbourhood also of those that have been enriched by it, it is almost impossible for them not to be content with those that solicit them to change; and love the first beginnings, though they be grieved with the continuance of disorder; like hot bloods, that having gotten the itch, tear themselves with their own nails, till they can endure the smart no longer.

And as to rebellion in particular against monarchy; one of the most frequent causes of it is the reading of the books of policy and histories of the ancient Greeks and Romans; from which young men, and all others

that are unprovided of the antidote of solid reason, receiving a strong and delightful impression of the great exploits of war, achieved by the conductors of their armies, receive withal a pleasing idea of all they have done besides ; and imagine their great prosperity, not to have proceeded from the emulation of particular men, but from the virtue of their popular form of government : not considering the frequent seditions, and civil wars, produced by the imperfection of their policy. From the reading, I say, of such books, men have undertaken to kill their kings, because the Greek and Latin writers, in their books and discourses of policy, make it lawful and laudable for any man so to do ; provided, before he do it, he call him tyrant. For they say not "regicide," that is, killing a king, but "tyrannicide," that is, killing of a tyrant is lawful. From the same books, they that live under a monarch conceive an opinion, that the subjects in a popular commonwealth enjoy liberty ; but that in a monarchy they are all slaves. I say, they that live under a monarchy conceive such an opinion ; not they that live under a popular government : for they find no such matter. In sum, I cannot imagine how anything can be more prejudicial to a monarchy than the allowing of such books to be publicly read, without present applying such correctives of discreet masters, as are fit to take away their venom : which venom I will not doubt to compare to the biting of a mad dog, which is a disease the physicians call "hydrophobia," or "fear of water." For as he that is so bitten has a continual torment of thirst, and yet abhorreth water ; and is in such an estate, as if the poison endeavoured to convert him into a dog : so when a monarchy is once bitten to the quick by those democratical writers, that continually snarl at that estate ; it wanteth nothing more than a strong monarch, which nevertheless out of a certain "tyrannophobia," or fear of being strongly governed, when they have him, they abhor.

As there have been doctors that hold there be three souls in a man ; so there be also that think there may be more souls, that is, more sovereigns, than one in a commonwealth ; and set up a "supremacy" against the "sovereignty ;" "canons" against "laws ;" and a "ghostly authority" against the "civil ;" working on men's minds with words and distinctions, that of themselves signify nothing, but bewray by their obscurity ; that there walketh, as some think, invisibly another kingdom, as it were a kingdom of fairies, in the dark. Now seeing it is manifest that the civil power and the power of the commonwealth is the same thing ; and that supremacy, and the power of making canons, and granting faculties, implieth a commonwealth ; it followeth that where one is sovereign, another supreme ; where one can make laws, and another make canons ; there must needs be two commonwealths, of one and the same subjects ; which is a kingdom divided in itself, and cannot stand. For notwithstanding the insignificant distinction of "temporal" and "ghostly," they are still two kingdoms, and every subject is subject to two masters. For seeing the "ghostly" power challengeth the right to declare what is sin, it challengeth by consequence to declare what is law, sin being nothing but the transgression of the law ; and again, the civil power challenging to declare what is law, every subject must obey two masters, who both will have their commands be observed as law ; which is impossible. Or, if it be but one kingdom, either the "civil," which is the power of the commonwealth, must be subordinate to the "ghostly," and then there is no sovereignty but the "ghostly ;" or the "ghostly" must be subordinate to the "temporal," and then there is no "supremacy" but the "temporal." When therefore these two powers oppose one another, the commonwealth cannot but be in great danger of civil war and dissolution. For the "civil" authority being more visible, and standing in the clearer light of natural reason, cannot choose but draw

to it in all times a very considerable part of the people: and the "spiritual," though it stand in the darkness of school distinctions, and hard words, yet because the fear of darkness and ghosts is greater than other fears, cannot want a party sufficient to trouble, and sometimes to destroy a commonwealth. And this is a disease which may not unfitly be compared to the epilepsy, or falling sickness, which the Jews took to be one kind of possession by spirits, in the body natural. For as in this disease, there is an unnatural spirit, or wind in the head that obstructeth the roots of the nerves, and moving them violently, taketh away the motion which naturally they should have from the power of the soul in the brain, and thereby causeth violent and irregular motions which men call convulsions in the parts; insomuch that he that is seized therewith, falleth down sometimes into the water, and sometimes into the fire, as a man deprived of his senses; so also in the body politic, when the spiritual power moveth the members of a commonwealth, by the terror of punishments and hope of rewards, which are the nerves of it, otherwise than by the civil power, which is the soul of the commonwealth, they ought to be moved; and by strange and hard words suffocate their understanding, it must needs thereby distract the people, and either overwhelm the commonwealth with oppression, or cast it into the fire of a civil war.

Sometimes also in the merely civil government, there be more than one soul; as when the power of levying money, which is the nutritive faculty, has depended on a general assembly; the power of conduct and command, which is the motive faculty, on one man; and the power of making laws, which is the rational faculty, on the accidental consent, not only of those two, but also of a third; this endangereth the commonwealth, sometimes for want of consent to good laws, but most often for want of such nourishment as is necessary to life and motion. For although few perceive that such government is not government, but division of the commonwealth into three factions, and call it mixed monarchy; yet the truth is that it is not one independent commonwealth, but three independent factions; nor one representative person, but three. In the kingdom of God, there may be three persons independent, without breach of unity in God that reigneth; but where men reign that be subject to diversity of opinions, it cannot be so. And therefore if the king bear the person of the people, and the general assembly bear also the person of the people, and another assembly bear the person of a part of the people, they are not one person, nor one sovereign, but three persons, and three sovereigns.

To what disease in the natural body of man I may exactly compare this irregularity of a commonwealth, I know not. But I have seen a man, that had another man growing out of his side, with a head, arms, breast and stomach of his own; if he had had another man growing out of his other side, the comparison might then have been exact.

Hitherto I have named such diseases of a commonwealth as are of the greatest and most present danger. There be other not so great, which nevertheless are not unfit to be observed. As first, the difficulty of raising money for the necessary uses of the commonwealth, especially in the approach of war. This difficulty ariseth from the opinion that every subject hath a propriety in his lands and goods, exclusive of the sovereign's right to the use of the same. From whence it cometh to pass that the sovereign power, which foreseeeth the necessities and dangers of the commonwealth, finding the passage of money to the public treasury obstructed by the tenacity of the people, whereas it ought to extend itself to encounter and prevent such dangers in their beginnings, contracteth itself as long as it can, and when it cannot longer, struggles with the people by stratagems of law, to obtain little sums, which not sufficing, he is fain at last violently to open

the way for present supply, or perish ; and being put often to these extremities, at last reduceth the people to their due temper, or else the commonwealth must perish. Insomuch as we may compare this distemper very aptly to an ague, wherein, the fleshy parts being congealed, or by venomous matter obstructed, the veins which by their natural course empty themselves into the heart, are not, as they ought to be, supplied from the arteries, whereby there succeedeth at first a cold contraction and trembling of the limbs ; and afterward a hot and strong endeavour of the heart, to force a passage for the blood ; and before it can do that, contenteth itself with the small refreshments of such things as cool for a time, till, if nature be strong enough, it break at last the contumacy of the parts obstructed, and dissipateth the venom into sweat ; or, if nature be too weak, the patient dieth.

Again, there is sometimes in a commonwealth, a disease which resembleth the pleurisy ; and that is, when the treasure of the commonwealth, flowing out of its due course, is gathered together in too much abundance, in one or a few private men, by monopolies or by farms of the public revenues ; in the same manner as the blood in a pleurisy, getting into the membrane of the breast, breedeth there inflammation, accompanied with a fever and painful stitches.

Also the popularity of a potent subject, unless the commonwealth have very good caution of his fidelity, is a dangerous disease ; because the people which should receive their motion from the authority of the sovereign, by the flattery and by the reputation of an ambitious man are drawn away from their obedience to the laws, to follow a man, of whose virtues and designs they have no knowledge. And this is commonly of more danger in a popular government than in a monarchy ; because an army is of so great force and multitude, as it may easily be made believe they are the people. By this means it was that Julius Cæsar, who was set up by the people against the senate, having won to himself the affections of his army, made himself master both of senate and people. And this proceeding of popular and ambitious men, is plain rebellion ; and may be resembled to the effects of witchcraft.

Another infirmity of a commonwealth is the immoderate greatness of a town, when it is able to furnish out of its own circuit the number and expense of a great army : as also the great number of corporations ; which are as it were many lesser commonwealths in the bowels of a greater, like worms in the entrails of a natural man. To which may be added the liberty of disputing against absolute power, by pretenders to political prudence ; which though bred for the most part in the lees of the people, yet animated by false doctrines, are perpetually meddling with the fundamental laws, to the molestation of the commonwealth ; like the little worms, which physicians call *ascarides*.

We may further add, the insatiable appetite, or *βουλιμια*, of enlarging dominion ; with the incurable "wounds" thereby many times received from the enemy ; and the "wens" of ununited conquests, which are many times a burthen, and with less danger lost than kept : as also the "lethargy" of ease and "consumption" of riot and vain expense.

Lastly, when in a war, foreign or intestine, the enemies get a final victory ; so as, the forces of the commonwealth keeping the field no longer, there is no further protection of subjects in their loyalty ; then is the commonwealth "dissolved," and every man at liberty to protect himself by such courses as his own discretion shall suggest unto him. For the sovereign is the public soul, giving life and motion to the commonwealth ; which expiring, the members are governed by it no more, than the carcase of a man, by his departed, though immortal soul. For though the right of a

sovereign monarch cannot be extinguished by the act of another; yet the obligation of the members may. For he that wants protection may seek it anywhere; and when he hath it, is obliged, without fraudulent pretence of having submitted himself out of fear, to protect his protection as long as he is able. But when the power of an assembly is once suppressed, the right of the same perisheth utterly; because the assembly itself is extinct; and consequently there is no possibility for the sovereignty to re-enter.

## CHAPTER XXX.

*Of the Office of the Sovereign Representative.*

THE office of the sovereign, be it a monarch or an assembly, consisteth in the end for which he was trusted with the sovereign power, namely, the procuration of "the safety of the people;" to which he is obliged by the law of Nature, and to render an account thereof to God, the author of that law, and to none but Him. But by safety here, is not meant a bare preservation, but also all other contentments of life, which every man by lawful industry, without danger or hurt to the commonwealth, shall acquire to himself.

And this is intended should be done, not by care applied to individuals, further than their protection from injuries when they shall complain; but by a general providence contained in public instruction, both of doctrine and example; and in the making and executing of good laws, to which individual persons may apply their own cases.

And because, if the essential rights of sovereignty, specified before in the eighteenth chapter, be taken away, the commonwealth is thereby dissolved, and every man returneth into the condition and calamity of a war with every other man, which is the greatest evil that can happen in this life; it is the office of the sovereign to maintain those rights entire; and consequently against his duty, first, to transfer to another, or to lay from himself any of them. For he that deserteth the means, deserteth the ends; and he deserteth the means, that being the sovereign, acknowledgeth himself subject to the civil laws; and renounceth the power of supreme judicature, or of making war or peace by his own authority; or of judging of the necessities of the commonwealth; or of levying money and soldiers, when, and as much as in his own conscience he shall judge necessary; or of making officers, and ministers both of war and peace; or of appointing teachers, and examining what doctrines are conformable or contrary to the defence, peace, and good of the people. Secondly, it is against his duty to let the people be ignorant, or misinformed of the grounds and reasons of those his essential rights; because thereby men are easy to be seduced, and drawn to resist him, when the commonwealth shall require their use and exercise.

And the grounds of these rights have the rather need to be diligently and truly taught; because they cannot be maintained by any civil law, or terror of legal punishment. For a civil law that shall forbid rebellion, (and such is all resistance to the essential rights of the sovereignty,) is not, as a civil law, any obligation, but by virtue only of the law of Nature, that forbiddeth the violation of faith: which natural obligation, if men know not, they cannot know the right of any law the sovereign maketh. And for the punishment, they take it but for an act of hostility; which when they think they have strength enough, they will endeavour by acts of hostility to avoid.

As I have heard some say, that justice is but a word, without substance ; and that whatsoever a man can by force or art acquire to himself, not only in the condition of war, but also in a commonwealth, is his own, which I have already showed to be false : so there be also that maintain, that there are no grounds, nor principles of reason, to sustain those essential rights which make sovereignty absolute. For if there were, they would have been found out in some place or other ; whereas we see there has not hitherto been any commonwealth, where those rights have been acknowledged or challenged. Wherein they argue as ill, as if the savage people of America should deny there were any grounds, or principles of reason, so to build a house as to last as long as the materials, because they never yet saw any so well built. Time and industry produce every day new knowledge. And as the art of well building is derived from principles of reason, observed by industrious men, that had long studied the nature of materials, and the divers effects of figure and proportion, long after mankind began, though poorly, to build ; so, long time after men have begun to constitute commonwealths, imperfect, and apt to relapse into disorder, there may principles of reason be found out, by industrious meditation, to make their constitution, excepting by external violence, everlasting. And such are those which I have in this discourse set forth : which whether they come not into the sight of those that have power to make use of them, or be neglected by them, or not, concerneth my particular interests, at this day, very little. But supposing that these of mine are not such principles of reason ; yet I am sure they are principles from authority of Scripture ; as I shall make it appear, when I shall come to speak of the kingdom of God, administered by Moses, over the Jews, His peculiar people by covenant.

But they say again, that though the principles be right, yet common people are not of capacity enough to be made to understand them. I should be glad that the rich and potent subjects of a kingdom, or those that are accounted the most learned, were no less incapable than they. But all men know that the obstructions to this kind of doctrine proceed, not so much from the difficulty of the matter as from the interest of them that are to learn. Potent men digest hardly anything that setteth up a power to bridle their affections ; and learned men anything that discovereth their errors, and thereby lesseneth their authority : whereas the common people's minds, unless they be tainted with dependence on the potent, or scribbled over with the opinions of their doctors, are like clean paper, fit to receive whatsoever by public authority shall be imprinted in them. Shall whole nations be brought to "acquiesce" in the great mysteries of the Christian religion, which are above reason, and millions of men be made believe that the same body may be in innumerable places at one and the same time, which is against reason ; and shall not men be able, by their teaching and preaching, protected by the law, to make that received which is so consonant to reason, that any unprejudicated man needs no more to learn it than to hear it ? I conclude therefore that in the instruction of the people in the essential rights which are the natural and fundamental laws of sovereignty there is no difficulty, whilst a sovereign has his power entire, but what proceeds from his own fault, or the fault of those whom he trusteth in the administration of the commonwealth ; and consequently it is his duty to cause them so to be instructed ; and not only his duty, but his benefit also, and security against the danger that may arrive to himself in his natural person from rebellion.

And to descend to particulars, the people are to be taught, first, that they ought not to be in love with any form of government they see in their neighbour nations more than with their own, nor whatsoever present prosperity they behold in nations that are otherwise governed than they, to



desire change. For the prosperity of a people ruled by an aristocratical or democratical assembly, cometh not from aristocracy nor from democracy, but from the obedience and concord of the subjects: nor do the people flourish in a monarchy because one man has the right to rule them, but because they obey him. Take away in any kind of state the obedience, and consequently the concord of the people, and they shall not only not flourish, but in short time be dissolved. And they that go about by disobedience to do no more than reform the commonwealth, shall find they do thereby destroy it; like the foolish daughters of Peleus, in the fable; which desiring to renew the youth of their decrepid father, did by the counsel of Medea cut him in pieces, and boil him, together with strange herbs, but made not of him a new man. This desire of change is like the breach of the first of God's commandments: for there God says, *Non habebis Deos alienos*; Thou shalt not have the gods of other nations; and in another place concerning "kings," that they are "gods."

Secondly, they are to be taught that they ought not to be led with admiration of the virtue of any of their fellow-subjects, how high soever he stand, or how conspicuously soever he shine in the commonwealth; nor of any assembly, except the sovereign assembly, so as to defer to them any obedience, or honour, appropriate to the sovereign only, whom, in their particular stations, they represent; nor to receive any influence from them, but such as is conveyed by them from the sovereign authority. For that sovereign cannot be imagined to love his people as he ought, that is not jealous of them, but suffers them by the flattery of popular men to be seduced from their loyalty, as they have often been, not only secretly, but openly, so as to proclaim marriage with them *in facie ecclesie* by preachers, and by publishing the same in the open streets, which may fitly be compared to the violation of the second of the ten commandments.

Thirdly, in consequence to this, they ought to be informed how great a fault it is to speak evil of the sovereign representative, whether one man, or an assembly of men; or to argue and dispute his power, or any way to use his name irreverently, whereby he may be brought into contempt with his people, and their obedience, in which the safety of the commonwealth consisteth, slackened. Which doctrine the third commandment by resemblance pointeth to.

Fourthly, seeing people cannot be taught this, nor when it is taught, remember it, nor after one generation past, so much as know in whom the sovereign power is placed, without setting apart from their ordinary labour, some certain times, in which they may attend those that are appointed to instruct them; it is necessary that some such times be determined, wherein they may assemble together, and, after prayers and praises given to God, the Sovereign of sovereigns, hear those their duties told them, and the positive laws, such as generally concern them all, read and expounded, and be put in mind of the authority that maketh them laws. To this end had the Jews every seventh day a sabbath, in which the law was read and expounded; and in the solemnity whereof they were put in mind that their king was God; that having created the world in six days, He rested the seventh day; and by their resting on it from their labour, that that God was their king, which redeemed them from their servile and painful labour in Egypt, and gave them a time, after they had rejoiced in God, to take joy also in themselves by lawful recreation. So that the first table of the commandments is spent all in setting down the sum of God's absolute power, not only as God, but as king by pact in peculiar of the Jews; and may therefore give light to those that have sovereign power conferred on them by the consent of men, to see what doctrine they ought to teach their subjects.

And because the first instruction of children dependeth on the care of their parents, it is necessary that they should be obedient to them whilst they are under their tuition ; and not only so, but that also afterwards, as gratitude requireth, they acknowledge the benefit of their education by external signs of honour. To which end they are to be taught that originally the father of every man was also his sovereign lord, with power over him of life and death ; and that the fathers of families, when by instituting a commonwealth, they resigned that absolute power, yet it was never intended they should lose the honour due unto them for their education. For to relinquish such right was not necessary to the institution of sovereign power ; nor would there be any reason why any man should desire to have children, or take the care to nourish and instruct them, if they were afterwards to have no other benefit from them than from other men. And this accordeth with the fifth commandment.

Again, every sovereign ought to cause justice to be taught, which, consisting in taking from no man what is his, is as much as to say, to cause men to be taught not to deprive their neighbours, by violence or fraud, of anything which by the sovereign authority is theirs. Of things held in propriety, those that are dearest to a man are his own life and limbs ; and in the next degree, in most men, those that concern conjugal affection ; and after them, riches and means of living. Therefore the people are to be taught to abstain from violence to one another's person, by private revenges ; from violation of conjugal honour ; and from forcible rapine and fraudulent surreption of one another's goods. For which purpose also it is necessary they be showed the evil consequences of false judgment, by corruption either of judges or witnesses, whereby the distinction of propriety is taken away, and justice becomes of no effect : all which things are intimated in the sixth, seventh, eighth, and ninth commandments.

Lastly, they are to be taught that not only the unjust facts, but the designs and intentions to do them, though by accident hindered, are injustice ; which consisteth in the pravity of the will, as well as in the irregularity of the act. And this is the intention of the tenth commandment, and the sum of the second table ; which is reduced all to this one commandment of mutual charity, "thou shalt love thy neighbour as thyself:" as the sum of the first table is reduced to "the love of God ;" whom they had then newly received as their king.

As for the means and conduits, by which the people may receive this instruction, we are to search by what means so many opinions, contrary to the peace of mankind, upon weak and false principles, have nevertheless been so deeply rooted in them. I mean those which I have in the precedent chapter specified : as that men shall judge of what is lawful and unlawful, not by the law itself, but by their own consciences ; that is to say, by their own private judgments : that subjects sin in obeying the commands of the commonwealth, unless they themselves have first judged them to be lawful : that their propriety in their riches is such, as to exclude the dominion which the commonwealth hath over the same : that it is lawful for subjects to kill such as they call tyrants : that the sovereign power may be divided, and the like ; which come to be instilled into the people by this means. They whom necessity or covetousness keepeth attent on their trades and labour ; and they, on the other side, whom superfluity or sloth carrieth after their sensual pleasures ; which two sorts of men take up the greatest part of mankind ; being diverted from the deep meditation, which the learning of truth, not only in the matter of natural justice, but also of all other sciences necessarily requireth, receive the notions of their duty, chiefly from divines in the pulpit, and partly from such of their neighbours or familiar acquaintance, as having the faculty of discoursing readily and plausibly, seem wiser

and better learned in cases of law and conscience, than themselves. And the divines and such others as make show of learning, derive their knowledge from the universities, and from the schools of law, or from the books, which by men, eminent in those schools and universities, have been published. It is therefore manifest that the instruction of the people dependeth wholly on the right teaching of youth in the universities. But are not, may some man say, the universities of England learned enough already to do that? or is it you will undertake to teach the universities? Hard questions. Yet to the first I doubt not to answer; that till towards the latter end of Henry the Eighth, the power of the Pope was always upheld against the power of the commonwealth, principally by the universities; and that the doctrines maintained by so many preachers against the sovereign power of the king, and by so many lawyers and others that had their education there, is a sufficient argument, that though the universities were not authors of those false doctrines, yet they knew not how to plant the true. For in such a contradiction of opinions, it is most certain that they have not been sufficiently instructed; and it is no wonder if they yet retain a relish of that subtle liquor, wherewith they were first seasoned, against the civil authority. But to the latter question it is not fit nor needful for me to say either aye or no: for any man that sees what I am doing, may easily perceive what I think.

The safety of the people requireth further, from him or them that have the sovereign power, that justice be equally administered to all degrees of people; that is, that as well the rich and mighty, as poor and obscure persons, may be righted of the injuries done them; so as the great may have no greater hope of impunity, when they do violence, dishonour, or any injury to the meaner sort, than when one of these does the like to one of them: for in this consisteth equity; to which, as being a precept of the law of Nature, a sovereign is as much subject as any of the meanest of his people. All breaches of the law are offences against the commonwealth: but there be some that are also against private persons. Those that concern the commonwealth only may without breach of equity be pardoned, for every man may pardon what is done against himself, according to his own discretion. But an offence against a private man cannot in equity be pardoned, without the consent of him that is injured, or reasonable satisfaction.

The inequality of subjects proceedeth from the acts of sovereign power; and therefore has no more place in the presence of the sovereign, that is to say, in a court of justice, than the inequality between kings and their subjects, in the presence of the King of kings. The honour of great persons is to be valued for their beneficence and the aids they give to men of inferior rank, or not at all. And the violences, oppressions, and injuries they do, are not extenuated, but aggravated by the greatness of their persons; because they have least need to commit them. The consequences of this partiality towards the great, proceed in this manner. Impunity maketh insolence; insolence, hatred; and hatred, an endeavour to pull down all oppressing and contumelious greatness, though with the ruin of the commonwealth.

To equal justice appertaineth also the equal imposition of taxes; the equality whereof dependeth not on the equality of riches, but on the equality of the debt that every man oweth to the commonwealth for his defence. It is not enough for a man to labour for the maintenance of his life; but also to fight, if need be, for the securing of his labour. They must either do as the Jews did after their return from captivity, in re-edifying the temple, build with one hand, and hold the sword in the other; or else they must hire others to fight for them. For the impositions that are laid on the people by

the sovereign power, are nothing else but the wages due to them that hold the public sword to defend private men in the exercise of their several trades and callings. Seeing then the benefit that every one receiveth thereby, is the enjoyment of life, which is equally dear to poor and rich; the debt which a poor man oweth them that defend his life, is the same which a rich man oweth for the defence of his; saving that the rich, who have the service of the poor, may be debtors not only for their own persons but for many more. Which considered, the equality of imposition, consisteth rather in the equality of that which is consumed than of the riches of the persons that consume the same. For what reason is there that he which laboureth much, and sparing the fruits of his labour, consumeth little, should be more charged than he that living idly, getteth little, and spendeth all he gets; seeing the one hath no more protection from the commonwealth than the other? But when the impositions are laid upon those things which men consume, every man payeth equally for what he useth: nor is the commonwealth defrauded by the luxurious waste of private men.

And whereas many men, by accident inevitable, become unable to maintain themselves by their labour; they ought not to be left to the charity of private persons; but to be provided for, as far forth as the necessities of nature require by the laws of the commonwealth. For as it is uncharitableness in any man to neglect the impotent; so it is in the sovereign of a commonwealth to expose them to the hazard of such uncertain charity.

But for such as have strong bodies, the case is otherwise: they are to be forced to work: and to avoid the excuse of not finding employment, there ought to be such laws as may encourage all manner of arts, as navigation, agriculture, fishing, and all manner of manufacture that requires labour. The multitude of poor and yet strong people still increasing, they are to be transplanted into countries not sufficiently inhabited: where nevertheless, they are not to exterminate those they find there; but constrain them to inhabit closer together, and not to range a great deal of ground to snatch what they find; but to court each little plot with art and labour, to give them their sustenance in due season. And when all the world is overcharged with inhabitants, then the last remedy of all is war; which provideth for every man, by victory or death.

To the care of the sovereign belongeth the making of good laws. But what is a good law? By a good law I mean not a just law, for no law can be unjust. The law is made by the sovereign power, and all that is done by such power is warranted and owned by every one of the people; and that which every man will have so, no man can say is unjust. It is in the laws of a commonwealth as in the laws of gaming: whatsoever the gamesters all agree on, is injustice to none of them. A good law is that which is "needful" for the "good of the people," and withal "perspicuous."

For the use of laws, which are but rules authorized, is not to bind the people from all voluntary actions; but to direct and keep them in such a motion as not to hurt themselves by their own impetuous desires, rashness, or indiscretion; as hedges are set, not to stop travellers, but to keep them in their way. And therefore a law that is not needful, having not the true end of a law, is not good. A law may be conceived to be good, when it is for the benefit of the sovereign; though it be not necessary for the people; but it is not so. For the good of the sovereign and people cannot be separated. It is a weak sovereign that has weak subjects; and a weak people, whose sovereign wanteth power to rule them at his will. Unnecessary laws are not good laws; but traps for money: which where the right of sovereign power is acknowledged, are superfluous; and where it is not acknowledged, insufficient to defend the people.

The perspicuity consisteth not so much in the words of the law itself, as in a declaration of the causes and motives for which it was made. That is it that shows the meaning of the legislator ; and the meaning of the legislator known, the law is more easily understood by few than many words. For all words are subject to ambiguity ; and therefore multiplication of words in the body of the law is multiplication of ambiguity : besides it seems to imply, by too much diligence, that whosoever can evade the words, is without the compass of the law. And this is a cause of many unnecessary processes. For when I consider how short were the laws of ancient times, and how they grew by degrees still longer, methinks I see a contention between the penners and pleaders of the law ; the former seeking to circumscribe the latter, and the latter to evade their circumscriptions, and that the pleaders have got the victory. It belongeth therefore to the office of a legislator (such as is in all commonwealths the supreme representative, be it one man or an assembly) to make the reason perspicuous why the law was made ; and the body of the law itself as short, but in as proper and significant terms, as may be.

It belongeth also to the office of the sovereign to make a right application of punishments and rewards. And seeing the end of punishing is not revenge and discharge of choler ; but correction either of the offender or of others by his example ; the severest punishments are to be inflicted for those crimes that are of most danger to the public ; such as are those which proceed from malice to the government established ; those that spring from contempt of justice ; those that provoke indignation in the multitude ; and those, which unpunished, seem authorized, as when they are committed by sons, servants, or favourites of men in authority. For indignation carrieth men not only against the actors and authors of injustice ; but against all power that is likely to protect them ; as in the case of Tarquin ; when for the insolent act of one of his sons, he was driven out of Rome, and the monarchy itself dissolved. But crimes of infirmity, such as are those which proceed from great provocation, from great fear, great need, or from ignorance whether the fact be a great crime or not, there is place many times for lenity, without prejudice to the commonwealth ; and lenity, when there is such place for it, is required by the law of Nature. The punishment of the leaders and teachers in a commotion, not the poor seduced people, when they are punished, can profit the commonwealth by their example. To be severe to the people, is to punish that ignorance which may in great part be imputed to the sovereign, whose fault it was that they were no better instructed.

In like manner it belongeth to the office and duty of the sovereign, to apply his rewards always so, as there may arise from them benefit to the commonwealth ; wherein consisteth their use and end ; and is then done, when they that have well served the commonwealth, are with as little expense of the common treasure as is possible, so well recompensed as others thereby may be encouraged, both to serve the same as faithfully as they can, and to study the arts by which they may be enabled to do it better. To buy with money, or preferment, from a popular ambitious subject, to be quiet and desist from making ill impressions in the minds of the people, has nothing of the nature of reward ; (which is ordained not for disservice, but for service past ;) nor a sign of gratitude, but of fear ; nor does it tend to the benefit, but to the damage of the public. It is a contention with ambition, like that of Hercules with the monster Hydra, which having many heads, for every one that was vanquished, there grew up three. For in like manner, when the stubbornness of one popular man is overcome with reward, there arise many more by the example, that do the same mischief in hope of like benefit : and as all sorts of manufacture, so also malice

increaseth by being vendible. And though sometimes a civil war may be deferred by such ways as that, yet the danger grows still the greater, and the public ruin more assured. It is therefore against the duty of the sovereign, to whom the public safety is committed, to reward those that aspire to greatness by disturbing the peace of their country, and not rather to oppose the beginnings of such men with a little danger, than after a longer time with greater.

Another business of the sovereign, is to choose good counsellors; I mean such, whose advice he is to take in the government of the commonwealth. For this word counsel, *consilium*, corrupted from *considium*, is of a large signification, and comprehendeth all assemblies of men that sit together, not only to deliberate what is to be done hereafter, but also to judge of facts past, and of law for the present. I take it here in the first sense only: and in this sense, there is no choice of counsel, neither in a democracy nor aristocracy; because the persons counselling are members of the person counselled. The choice of counsellors therefore is proper to monarchy; in which, the sovereign that endeavoureth not to make choice of those that in every kind are the most able, dischargeth not his office as he ought to do. The most able counsellors are they that have least hope of benefit by giving evil counsel, and most knowledge of those things that conduce to the peace and defence of the commonwealth. It is a hard matter to know who expecteth benefit from public troubles; but the signs that guide to a just suspicion is the soothing of the people in their unreasonable or irremediable grievances, by men whose estates are not sufficient to discharge their accustomed expenses, and may easily be observed by any one whom it concerns to know it. But to know who has most knowledge of the public affairs, is yet harder; and they that know them, need them a great deal the less. For to know who knows the rules almost of any art, is a great degree of the knowledge of the same art; because no man can be assured of the truth of another's rules, but he that is first taught to understand them. But the best signs of knowledge of any art, are, much conversing in it, and constant good effects of it. Good counsel comes not by lot, nor by inheritance; and therefore there is no more reason to expect good advice from the rich or noble, in matter of state, than in delineating the dimensions of a fortress; unless we shall think there needs no method in the study of the politics, as there does in the study of geometry, but only to be lookers-on; which is not so. For the politics is the harder study of the two. Whereas in these parts of Europe, it hath been taken for a right of certain persons, to have place in the highest council of state by inheritance; it is derived from the conquests of the ancient Germans; wherein many absolute lords joining together to conquer other nations, would not enter into the confederacy, without such privileges as might be marks of difference in time following, between their posterity and the posterity of their subjects; which privileges being inconsistent with the sovereign power, by the favour of the sovereign, they may seem to keep; but contending for them as their right, they must needs by degrees let them go, and have at last no further honour than adhereth naturally to their abilities.

And how able soever be the counsellors in any affair, the benefit of their counsel is greater when they give every one his advice and the reasons of it apart, than when they do it in an assembly, by way of orations; and when they have premeditated, than when they speak on the sudden; both because they have more time to survey the consequences of action, and are less subject to be carried away to contradiction, through envy, emulation, or other passions arising from the difference of opinion.

The best counsel in those things that concern not other nations, but only the ease and benefit the subjects may enjoy, by laws that look only inward,

is to be taken from the general informations and complaints of the people of each province, who are best acquainted with their own wants, and ought therefore, when they demand nothing in derogation of the essential rights of sovereignty, to be diligently taken notice of. For without those essential rights, as I have often before said, the commonwealth cannot at all subsist.

A commander of an army in chief, if he be not popular, shall not be beloved nor feared as he ought to be by his army, and consequently cannot perform that office with good success. He must therefore be industrious, valiant, affable, liberal, and fortunate, that he may gain an opinion both of sufficiency, and of loving his soldiers. This is popularity, and breeds in the soldiers both desire and courage to recommend themselves to his favour, and protects the severity of the general in punishing, when need is, the mutinous or negligent soldiers. But this love of soldiers, if caution be not given of the commander's fidelity, is a dangerous thing to sovereign power; especially when it is in the hands of an assembly not popular. It belongeth therefore to the safety of the people, both that they be good conductors and faithful subjects to whom the sovereign commits his armies.

But when the sovereign himself is popular; that is, revered and beloved of his people, there is no danger at all from the popularity of a subject. For soldiers are never so generally unjust as to side with their captain, though they love him, against their sovereign, when they love not only his person, but also his cause. And therefore those who by violence have at any time suppressed the power of their lawful sovereign, before they could settle themselves in his place, have been always put to the trouble of contriving their titles, to save the people from the shame of receiving them. To have a known right to sovereign power is so popular a quality, as he that has it needs no more, for his own part, to turn the hearts of his subjects to him, but that they see him able absolutely to govern his own family; nor, on the part of his enemies, but a disbanding of their armies. For the greatest and most active part of mankind has never hitherto been well contented with the present.

Concerning the offices of one sovereign to another, which are comprehended in that law, which is commonly called the "law of nations," I need not say anything in this place, because the law of nations, and the law of Nature, is the same thing. And every sovereign hath the same right, in procuring the safety of his people, that any particular man can have in procuring the safety of his own body. And the same law that dictateth to men that have no civil government, what they ought to do, and what to avoid in regard of one another, dictateth the same to commonwealths, that is, to the consciences of sovereign princes and sovereign assemblies; there being no court of natural justice but in the conscience only: where not man, but God reigneth; whose laws, such of them as oblige all mankind in respect of God, as He is the author of Nature, are "natural;" and in respect of the same God, as He is King of kings, are "laws." But of the kingdom of God, as King of kings, and as King also of a peculiar people, I shall speak in the rest of this discourse.

## CHAPTER XXXI.

*Of the Kingdom of God by Nature.*

THAT the condition of mere nature, that is to say, of absolute liberty, such as is theirs that neither are sovereigns nor subjects, is anarchy and the condition of war : that the precepts by which men are guided to avoid that condition are the laws of Nature : that a commonwealth, without sovereign power, is but a word without substance, and cannot stand : that subjects owe to sovereigns simple obedience, in all things wherein their obedience is not repugnant to the laws of God, I have sufficiently proved in that which I have already written. There wants only, for the entire knowledge of civil duty, to know what are those laws of God. For without that a man knows not, when he is commanded anything by the civil power, whether it be contrary to the law of God or not : and so, either by too much civil obedience, offends the Divine Majesty ; or through fear of offending God, transgresses the commandments of the commonwealth. To avoid both these rocks, it is necessary to know what are the laws divine. And seeing the knowledge of all law dependeth on the knowledge of the sovereign power, I shall say something, in that which followeth, of the " Kingdom of God."

"God is king, let the earth rejoice," saith the Psalmist (xcvii. 1). And again (Psalm xcix. 1) : "God is king, though the nations be angry ; and he that sitteth on the cherubims, though the earth be moved." Whether men will or not, they must be subject always to the divine power. By denying the existence or providence of God, men may shake off their ease, but not their yoke. But to call this power of God, which extendeth itself not only to man, but also to beasts and plants and bodies inanimate, by the name of kingdom, is but a metaphorical use of the word. For he only is properly said to reign that governs his subjects by his word, and by promise of rewards to those that obey it, and by threatening them with punishment that obey it not. Subjects therefore in the kingdom of God are not bodies inanimate nor creatures irrational ; because they understand no precepts as His : nor atheists, nor they that believe not that God has any care of the actions of mankind ; because they acknowledge no word for His, nor have hope of His rewards or fear of His threatenings. They therefore that believe there is a God that governeth the world, and hath given precepts, and propounded rewards and punishments to mankind, are God's subjects ; all the rest are to be understood as enemies.

To rule by words, requires that such words be manifestly made known, for else they are no laws : for to the nature of laws belongeth a sufficient and clear promulgation, such as may take away the excuse of ignorance ; which in the laws of men is but of one only kind, and that is, proclamation or promulgation by the voice of man. But God declareth His laws three ways : by the dictates of "natural reason," by "revelation," and by the "voice" of some "man," to whom by the operation of miracles he procureth credit with the rest. From hence there ariseth a triple word of God, "rational," "sensible," and "prophetic:" to which correspondeth a triple hearing, "right reason," "sense supernatural," and "faith." As for sense supernatural, which consisteth in revelation or inspiration, there have not been any universal laws so given, because God speaketh not in that manner but to particular persons, and to divers men divers things.

From the difference between the other two kinds of God's word, "rational"



and "prophetic," there may be attributed to God a twofold kingdom, "natural" and "prophetic:" natural, wherein He governeth as many of mankind as acknowledge His providence by the natural dictates of right reason; and prophetic, wherein having chosen out one peculiar nation, the Jews, for His subjects, He governed them, and none but them, not only by natural reason, but by positive laws, which He gave them by the mouths of His holy prophets. Of the natural kingdom of God I intend to speak in this chapter.

The right of nature, whereby God reigneth over men, and punisheth those that break His laws, is to be derived not from His creating them, as if He required obedience as of gratitude for His benefits, but from His "irresistible power." I have formerly shown how the sovereign right ariseth from pact: to show how the same right may arise from nature, requires no more but to show in what case it is never taken away. Seeing all men by nature had right to all things, they had right every one to reign over all the rest. But because this right could not be obtained by force, it concerned the safety of every one, laying by that right, to set up men, with sovereign authority, by common consent, to rule and defend them: whereas if there had been any man of power irresistible, there had been no reason why he should not by that power have ruled and defended both himself and them, according to his own discretion. To those therefore whose power is irresistible, the dominion of all men adhereth naturally by their excellence of power; and consequently it is from that power that the kingdom over men, and the right of afflicting men at His pleasure, belongeth naturally to God Almighty; not as Creator and gracious, but as omnipotent. And though punishment be due for sin only, because by that word is understood affliction for sin; yet the right of afflicting is not always derived from men's sin, but from God's power.

This question, "why evil men often prosper, and good men suffer adversity," has been much disputed by the ancient, and is the same with this of ours, "by what right God dispenseth the prosperities and adversities of this life;" and is of that difficulty, as it hath shaken the faith not only of the vulgar, but of philosophers, and which is more, of the saints, concerning the Divine Providence. "How good," saith David (Psalm lxxiii. 1, 2, 3) "is the God of Israel to those that are upright in heart; and yet my feet were almost gone, my treadings had well-nigh slipt: for I was grieved at the wicked, when I saw the ungodly in such prosperity." And Job, how earnestly does he expostulate with God for the many afflictions he suffered, notwithstanding his righteousness? This question in the case of Job is decided by God Himself, not by arguments derived from Job's sin, but His own power. For whereas the friends of Job drew their arguments from his affliction to his sin, and he defended himself by the conscience of his innocence, God Himself taketh up the matter, and having justified the affliction by arguments drawn from His power, such as this (Job xxxviii. 4), "Where wast thou when I laid the foundations of the earth?" and the like, both approved Job's innocence, and reprov'd the erroneous doctrine of his friends. Conformable to this doctrine is the sentence of our Saviour, concerning the man that was born blind, in these words: "Neither hath this man sinned, nor his fathers: but that the works of God might be made manifest in him." And though it be said, "that death entered into the world by sin" (by which is meant, that if Adam had never sinned, he had never died, that is, never suffered any separation of his soul from his body), it follows not thence, that God could not justly have afflicted him, though he had not sinned, as well as He afflicteth other living creatures that cannot sin.

Having spoken of the right of God's sovereignty, as grounded only on

nature ; we are to consider next, what are the Divine laws, or dictates of natural reason ; which laws concern either the natural duties of one man to another, or the honour naturally due to our Divine Soversign. The first are the same laws of Nature, of which I have spoken already in the fourteenth and fifteenth chapters of this treatise ; namely, equity, justice, mercy, humility, and the rest of the moral virtues. It remaineth therefore that we consider what precepts are dictated to men, by their natural reason only, without other word of God, touching the honour and worship of the Divine Majesty.

Honour consisteth in the inward thought and opinion of the power and goodness of another ; and therefore to honour God, is to think as highly of His power and goodness as is possible. And of that opinion, the external signs appearing in the words and actions of men are called "worship ;" which is one part of that which the Latins understand by the word *cultus*. For *cultus* signifieth properly and constantly that labour which a man bestows on anything, with a purpose to make benefit by it. Now those things whereof we make benefit, are either subject to us, and the profit they yield followeth the labour we bestow upon them, as a natural effect ; or they are not subject to us, but answer our labour, according to their own wills. In the first sense the labour bestowed on the earth is called "culture ;" and the education of children, a "culture" of their minds. In the second sense, where men's wills are to be wrought to our purpose, not by force, but by complaisance, it signifieth as much as courting, that is, a winning of favour by good offices ; as by praises, by acknowledging their power, and by whatsoever is pleasing to them from whom we look for any benefit. And this is properly "worship : " in which sense *Publicola* is understood for a worshipper of the people ; and *cultus Dei*, for the worship of God.

From internal honour, consisting in the opinion of power and goodness, arise three passions ; "love," which hath reference to goodness ; and "hope," and "fear," that relate to power : and three parts of external worship ; "praise," "magnifying," and "blessing : " the subject of praise being goodness ; the subject of magnifying and blessing being power, and the effect thereof felicity. Praise and magnifying are signified both by words and actions : by words, when we say a man is good or great : by actions, when we thank him for his bounty, and obey his power. The opinion of the happiness of another can only be expressed by words.

There be some signs of honour, both in attributes and actions, that be naturally so ; as amongst attributes, "good," "just," "liberal," and the like ; and amongst actions, "prayers," "thanks," and "obedience." Others are so by institution, or custom of men ; and in some times and places are honourable ; in others, dishonourable ; in others, indifferent : such as are the gestures in salutation, prayer, and thanksgiving, in different times and places, differently used. The former is "natural ;" the latter "arbitrary" worship.

And of arbitrary worship, there be two differences ; for sometimes it is a "command," sometimes "voluntary" worship : commanded, when it is such as he requireth who is worshipped ; free, when it is such as the worshipper thinks fit. When it is commanded, not the words, or gesture, but the obedience is the worship. But when free, the worship consists in the opinion of the beholders : for if to them the words or actions by which we intend honour, seem ridiculous, and tending to contumely, they are no worship, because no signs of honour ; and no signs of honour, because a sign is not a sign to him that giveth it, but to him to whom it is made, that is, to the spectator.

Again, there is a "public" and a "private" worship. Public, is the

worship that a commonwealth performeth, as one person. Private, is that which a private person exhibiteth. Public, in respect of the whole commonwealth, is free ; but in respect of particular men, it is not so. Private, is in secret free ; but in the sight of the multitude, it is never without some restraint, either from the laws, or from the opinion of men ; which is contrary to the nature of liberty.

The end of worship amongst men is power. For where a man seeth another worshipped, he supposeth him powerful, and is the readier to obey him ; which makes his power greater. But God has no ends : the worship we do Him proceeds from our duty, and is directed according to our capacity, by those rules of honour that reason dictateth to be done by the weak to the more potent men, in hope of benefit, for fear of damage, or in thankfulness for good already received from them.

That we may know what worship of God is taught us by the light of Nature, I will begin with His attributes. Where, first, it is manifest, we ought to attribute to Him "existence." For no man can have the will to honour that which he thinks not to have any being,

Secondly, that those philosophers who said the world, or the soul of the world, was God, spake unworthily of Him ; and denied His existence. For by God is understood the cause of the world ; and to say the world is God is to say there is no cause of it, that is, no God.

Thirdly, to say the world was not created, but eternal, seeing that which is eternal has no cause, is to deny there is a God.

Fourthly, that they who attributing, as they think, ease to God, take from Him the care of mankind ; take from Him his honour : for it takes away men's love, and fear of Him ; which is the root of honour.

Fifthly, in those things that signify greatness and power ; to say He is "finite," is not to honour Him ; for it is not a sign of the will to honour God, to attribute to Him less than we can ; and finite, is less than we can ; because to finite, it is easy to add more.

Therefore to attribute "figure" to Him is not honour ; for all figure is finite :

Nor to say we conceive, and imagine, or have an "idea" of Him, in our mind : for whatsoever we conceive is finite :

Nor to attribute to Him "parts," or "totality ;" which are the attributes only of things finite :

Nor to say He is in this or that "place ;" for whatsoever is in place, is bounded, and finite :

Nor that He is "moved," or "resteth ;" for both these attributes ascribe to Him place :

Nor that there be more gods than one ; because it implies them all finite : for there cannot be more than one infinite :

Nor to ascribe to Him, (unless metaphorically, meaning not the passion but the effect,) passions that partake of grief ; as "repentance," "anger," "mercy ;" or of want ; as "appetite," "hope," "desire ;" or of any passive faculty ; for passion is power limited by somewhat else.

And therefore when we ascribe to God a "will," it is not to be understood, as that of man, for a "rational appetite ;" but as the power by which He effecteth everything.

Likewise when we attribute to Him "sight," and other acts of sense ; as also "knowledge," and "understanding ;" which in us is nothing else but a tumult of the mind, raised by external things that press the organical parts of man's body ; for there is no such thing in God ; and being things that depend on natural causes, cannot be attributed to Him.

He that will attribute to God nothing but what is warranted by natural reason, must either use such negative attributes as "infinite," "eternal,"

“incomprehensible;” or superlatives, as “most high,” “most great,” and the like; or indefinite, as “good,” “just,” “holy,” “creator;” and in such sense, as if He meant not to declare what He is, (for that were to circumscribe Him within the limits of our fancy,) but how much we admire Him, and how ready we would be to obey Him; which is a sign of humility, and of a will to honour Him as much as we can. For there is but one name to signify our conception of His nature, and that is, “I am:” and but one name of His relation to us, and that is, “God;” in which is contained Father, King, and Lord.

Concerning the actions of divine worship, it is a most general precept of reason, that they be signs of the intention to honour God; such as are, first, “prayers.” For not the carvers, when they made images, were thought to make them gods; but the people that “prayed” to them.

Secondly, “thanksgiving;” which differeth from prayer in divine worship, no otherwise than that prayers precede, and thanks succeed the benefit; the end, both of the one and the other, being to acknowledge God for author of all benefits, as well past as future.

Thirdly, “gifts,” that is to say “sacrifices” and “oblations,” if they be of the best, are signs of honour: for they are thanksgivings.

Fourthly, “not to swear by any but God,” is naturally a sign of honour: for it is a confession that God only knoweth the heart; and that no man’s wit or strength can protect a man against God’s vengeance on the perjured.

Fifthly, it is a part of rational worship to speak considerately of God; for it argues a fear of Him, and fear is a confession of His power. Hence followeth that the name of God is not to be used rashly, and to no purpose; for that is as much as in vain: and it is to no purpose, unless it be by way of oath, and by order of the commonwealth, to make judgments certain; or between commonwealths, to avoid war. And that disputing of God’s nature is contrary to His honour: for it is supposed that in this natural kingdom of God, there is no other way to know anything but by natural reason, that is, from the principles of natural science; which are so far from teaching us anything of God’s nature, as they cannot teach us our own nature, nor the nature of the smallest creature living. And therefore, when men out of the principles of natural reason, dispute of the attributes of God, they but dishonour Him: for in the attributes which we give to God, we are not to consider the signification of philosophical truth; but the signification of pious intention, to do Him the greatest honour we are able. From the want of which consideration, have proceeded the volumes of disputation about the nature of God, that tend not to His honour, but to the honour of our own wits and learning; and are nothing else but inconsiderate and vain abuses of His sacred name.

Sixthly, in “prayers,” “thanksgivings,” “offerings,” and “sacrifices,” it is a dictate of natural reason that they be every one in his kind the best, and most significant of honour. As for example, that prayers and thanksgiving, be made in words and phrases, not sudden, nor light, nor plebeian; but beautiful, and well composed. For else we do not God as much honour as we can. And therefore the heathens did absurdly, to worship images for gods: but their doing it in verse, and with music, both of voice and instruments, was reasonable. Also that the beasts they offered in sacrifice, and the gifts they offered, and their actions in worshipping, were full of submission, and commemorative of benefits received, was according to reason, as proceeding from an intention to honour Him.

Seventhly, reason directeth not only to worship God in secret; but also, and especially, in public, and in the sight of men. For without that, that which in honour is most acceptable, the procuring others to honour Him, is lost.

Lastly, obedience to His laws, that is, in this case to the laws of Nature, is the greatest worship of all. For as obedience is more acceptable to God than sacrifice; so also to set light by His commandments, is the greatest of all contumelies. And these are the laws of that divine worship, which natural reason dictateth to private men.

But seeing a commonwealth is but one person, it ought also to exhibit to God but one worship; which then it doth, when it commandeth it to be exhibited by private men, publicly. And this is public worship; the property whereof is to be "uniform:" for those actions that are done differently, by different men, cannot be said to be a public worship. And therefore, where many sorts of worship be allowed, proceeding from the different religions of private men, it cannot be said there is any public worship, nor that the commonwealth is of any religion at all.

And because words, and consequently the attributes of God, have their signification by agreement and constitution of men, those attributes are to be held significative of honour, that men intend shall so be; and whatsoever may be done by the wills of particular men, where there is no law but reason, may be done by the will of the commonwealth, by laws civil. And because a commonwealth hath no will, nor makes no laws, but those that are made by the will of him or them that have the sovereign power; it followeth that those attributes which the sovereign ordaineth, in the worship of God, for signs of honour, ought to be taken and used for such, by private men in their public worship.

But because not all actions are signs by constitution, but some are naturally signs of honour, others of contumely; these latter, which are those that men are ashamed to do in the sight of them they reverence, cannot be made by human power a part of divine worship; nor the former, such as are decent, modest, humble behaviour, ever be separated from it. But whereas there be an infinite number of actions and gestures of an indifferent nature; such of them as the commonwealth shall ordain to be publicly and universally in use, as signs of honour, and part of God's worship, are to be taken and used for such by the subjects. And that which is said in the Scripture, "It is better to obey God than man," hath place in the kingdom of God by pact, and not by nature.

Having thus briefly spoken of the natural kingdom of God and His natural laws, I will add only to this chapter a short declaration of His natural punishments. There is no action of man in this life that is not the beginning of so long a chain of consequences, as no human providence is high enough to give a man a prospect to the end. And in this chain, there are linked together both pleasing and displeasing events; in such manner, as he that will do anything for his pleasure, must engage himself to suffer all the pains annexed to it; and these pains are the natural punishments of those actions which are the beginning of more harm than good. And hereby it comes to pass, that intemperance is naturally punished with diseases; rashness, with mischances; injustice, with the violence of enemies: pride, with ruin; cowardice, with oppression: negligent government of princes, with rebellion; and rebellion, with slaughter. For seeing punishments are consequent to the breach of laws; natural punishments must be naturally consequent to the breach of the laws of Nature; and therefore follow them as their natural, not arbitrary effects.

And thus far concerning the constitution, nature, and right of sovereigns, and concerning the duty of subjects, derived from the principles of natural reason. And now, considering how different this doctrine is from the practice of the greatest part of the world, especially of these western parts, that have received their moral learning from Rome and Athens; and how much depth of moral philosophy is required, in them that

have the administration of the sovereign power ; I am at the point of believing this my labour as useless as the commonwealth of Plato. For he also is of opinion that it is impossible for the disorders of state, and change of governments by civil war, ever to be taken away, till sovereigns be philosophers. But when I consider again, that the science of natural justice is the only science necessary for sovereigns and their principal ministers ; and that they need not be charged with the sciences mathematical, as by Plato they are, farther than by good laws to encourage men to the study of them ; and that neither Plato, nor any other philosopher hitherto, hath put into order, and sufficiently or probably proved all the theorems of moral doctrine, that men may learn thereby, both how to govern and how to obey ; I recover some hope, that one time or other, this writing of mine may fall into the hands of a sovereign, who will consider it himself (for it is short, and I think clear), without the help of any interested, or envious interpreter ; and by the exercise of entire sovereignty, in protecting the public teaching of it, convert this truth of speculation into the utility of practice.

## PART III.—OF A CHRISTIAN COMMONWEALTH.

### CHAPTER XXXII.

#### *Of the Principles of Christian Politics.*

I HAVE derived the rights of sovereign power, and the duty of subjects, hitherto from the principles of Nature only; such as experience has found true, or consent concerning the use of words has made so, that is to say, from the nature of men, known to us by experience, and from definitions of such words as are essential to all political reasoning universally agreed on. But in that I am next to handle, which is the nature and rights of a "Christian Commonwealth," whereof there dependeth much upon supernatural revelations of the will of God; the ground of my discourse must be, not only the natural word of God, but also the prophetic.

Nevertheless we are not to renounce our senses and experience; nor that which is the undoubted word of God, our natural reason. For they are the talents which He hath put into our hands to negotiate, till the coming again of our blessed Saviour; and therefore not to be folded up in the napkin of an implicit faith, but employed in the purchase of justice, peace, and true religion. For though there be many things in God's word above reason; that it is to say, which cannot by natural reason be either demonstrated or confuted; yet there is nothing contrary to it; but when it seemeth so, the fault is either in our unskillful interpretation, or erroneous ratiocination.

Therefore when anything therein written is too hard for our examination, we are bidden to captivate our understanding to the words; and not to labour in sifting out a philosophical truth by logic of such mysteries as are not comprehensible, nor fall under any rule of natural science. For it is with the mysteries of our religion as with wholesome pills for the sick, which, swallowed whole, have the virtue to cure; but chewed, are for the most part cast up again without effect.

But by the captivity of our understanding, is not meant a submission of the intellectual faculty to the opinion of any other man; but of the will to obedience, where obedience is due. For sense, memory, understanding, reason, and opinion are not in our power to change; but always and necessarily such as the things we see, hear, and consider suggest unto us; and therefore are not effects of our will, but our will of them. We then captivate our understanding and reason when we forbear contradiction; when we so speak, as by lawful authority we are commanded, and when we live accordingly, which, in sum, is trust and faith reposed in him that speaketh, though the mind be incapable of any notion at all from the words spoken.

When God speaketh to man, it must be either immediately; or by medi-

ation of another man, to whom He had formerly spoken by himself immediately. How God speaketh to a man immediately, may be understood by those well enough, to whom He hath so spoken: but how the same should be understood by another, is hard, if not impossible to know. For if a man pretend to me, that God hath spoken to him supernaturally and immediately, and I make doubt of it, I cannot easily perceive what argument he can produce to oblige me to believe it. It is true, that if he be my sovereign, he may oblige me to obedience, so as not by act or word to declare I believe him not; but not to think any otherwise than my reason persuades me. But if one that hath not such authority over me, should pretend the same, there is nothing that exacteth either belief or obedience.

For to say that God hath spoken to him in the Holy Scripture, is not to say God hath spoken to him immediately, but by mediation of the prophets, or of the apostles, or of the church, in such manner as He speaks to all other Christian men. To say He hath spoken to him in a dream, is no more than to say he dreamed that God spake to him; which is not of force to win belief from any man, that knows dreams are for the most part natural, and may proceed from former thoughts; and such dreams as that, from self-conceit, and foolish arrogance, and false opinion of a man's own godliness, or other virtue, by which he thinks he hath merited the favour of extraordinary revelation. To say he hath seen a vision, or heard a voice, is to say that he hath dreamed between sleeping and waking; for in such manner a man doth many times naturally take his dream for a vision as not having well observed his own slumbering. To say he speaks by supernatural inspiration, is to say he finds an ardent desire to speak, or some strong opinion of himself, for which he can allege no natural and sufficient reason. So that though God Almighty can speak to a man by dreams, visions, voice, and inspiration; yet He obliges no man to believe He hath so done to him that pretends it; who, being a man, may err, and, which is more, may lie.

How then can he, to whom God hath never revealed His will immediately, saving by the way of natural reason, know when he is to obey or not to obey his word, delivered by him that says he is a prophet? Of four hundred prophets, of whom the king of Israel asked counsel concerning the war he made against Ramoth Gilead (1 Kings xxii.), only Micaiah was a true one. The prophet that was sent to prophesy against the altar set up by Jeroboam (1 Kings xiii.), though a true prophet, and that by two miracles done in his presence, appears to be a prophet sent from God, was yet deceived by another old prophet, that persuaded him as from the mouth of God, to eat and drink with him. If one prophet deceive another, what certainty is there of knowing the will of God, by other way than that of reason? To which I answer out of the Holy Scripture, that there be two marks, by which together, not asunder, a true prophet is to be known. One is the doing of miracles; the other is the not teaching any other religion than that which is already established. Asunder, I say, neither of these is sufficient. "If a prophet rise amongst you, or a dreamer of dreams, and shall pretend the doing of a miracle, and the miracle come to pass; if he say, Let us follow strange gods, which thou has not known, thou shalt not hearken to him. &c. But that prophet and dreamer of dreams shall be put to death, because he hath spoken to you to revolt from the Lord your God." (Deut. xiii. 1-5.) In which words two things are to be observed; first, that God will not have miracles alone serve for arguments, to approve the prophet's calling; but, as it is in the third verse, for an experiment of the constancy of our adherence to Himself. For the works of the Egyptian sorcerers, though not so great as those of Moses, yet were great miracles. Secondly, that how great soever the miracle be, yet if it tend to stir up revolt against



the king, or him that governeth by the king's authority, he that doth such miracle is not to be considered otherwise than as sent to make trial of their allegiance. For these words, "revolt from the Lord your God," are in this place equivalent to "revolt from your king." For they had made God their king by pact at the foot of Mount Sinai; who ruled them by Moses only; for he only spake with God, and from time to time declared God's commandments to the people. In like manner, after our Saviour Christ had made His disciples acknowledge Him for the Messiah, (that is to say, for God's anointed, whom the nation of the Jews daily expected for their king, but refused when He came,) He omitted not to advertise them of the danger of miracles. "There shall arise," saith he, "false Christs, and false prophets, and shalt do great wonders and miracles, even to the seducing, if it were possible, of the very elect." (Matt. xxiv. 24.) By which it appears that false prophets may have the power of miracles; yet are we not to take their doctrine for God's word. St. Paul says farther to the Galatians (Gal. i. 8), that "if himself, or an angel from heaven preach another gospel to them, than he had preached, let him be accursed." That gospel was that Christ was King; so that all preaching against the power of the king received, in consequence to these words, is by St. Paul accursed. For his speech is addressed to those, who by his preaching had already received Jesus for the Christ, that is to say, for King of the Jews.

And as miracles, without preaching that doctrine which God hath established; so preaching the true doctrine, without the doing of miracles, is an insufficient argument of immediate revelation. For if a man that teacheth not false doctrine, should pretend to be a prophet without showing any miracle, he is never the more to be regarded for his pretence, as is evident by Deut. xviii. 21, 22: "If thou say in thy heart, How shall we know that the word (of the prophet) is not that which the Lord hath spoken? when the prophet shall have spoken in the name of the Lord, that which shall not come to pass, that is the word which the Lord hath not spoken, but the prophet has spoken it out of the pride of his own heart, fear him not." But a man may here again ask, when the prophet hath foretold a thing, how shall we know whether it will come to pass or not? For he may foretell it as a thing to arrive after a certain long time, longer than the time of man's life; or indefinitely, that it will come to pass one time or other: in which case this mark of a prophet is unuseful; and therefore the miracles that oblige us to believe a prophet, ought to be confirmed by an immediate, or a not long deferred event. So that it is manifest, that the teaching of the religion which God hath established, and the showing of a present miracle, joined together, were the only marks whereby the Scripture would have a true prophet, that is to say, immediate revelation, to be acknowledged; neither of them being singly sufficient to oblige any other man to regard what he saith.

Seeing therefore miracles now cease, we have no sign left whereby to acknowledge the pretended revelations or inspirations of any private man; nor obligation to give ear to any doctrine, farther than it is conformable to the Holy Scriptures, which since the time of our Saviour, supply the place, and sufficiently recompense the want of all other prophecy; and from which, by wise and learned interpretation, and careful ratiocination, all rules and precepts necessary to the knowledge of our duty both to God and man, without enthusiasm or supernatural inspiration, may easily be deduced. And this Scripture is it, out of which I am to take the principles of my discourse, concerning the rights of those that are the supreme governors on earth of Christian commonwealths: and of the duty of Christian subjects towards their sovereigns. And to that end, I shall speak in the next chapter, of the books, writers, scope and authority of the Bible.

## CHAPTER XXXIII.

*Of the Number, Antiquity, Scope, Authority, and Interpreters of the Books of Holy Scripture.*

By the Books of Holy "Scripture," are understood those which ought to be the "canon," that is to say, the rules of Christian life.

And because all rules of life, which men are in conscience bound to observe, are laws; the question of the Scripture is the question of what is law throughout all Christendom, both natural and civil. For though it be not determined in Scripture what laws every Christian king shall constitute in his own dominions; yet it is determined what laws he shall not constitute. Seeing therefore I have already proved that sovereigns in their own dominions are the sole legislators, those books only are canonical, that is, law, in every nation, which are established for such by the sovereign authority. It is true, that God is the sovereign of all sovereigns; and therefore when He speaks to any subject, He ought to be obeyed, whatsoever any earthly potentate command to the contrary. But the question is not of obedience to God, but of "when" and "what" God hath said; not to subjects that have no supernatural revelation, cannot be known, but by that natural reason which guideth them for the obtaining of peace and justice, to obey the authority of their several commonwealths, that is to say, of their lawful sovereigns. According to this obligation, I can acknowledge no other books of the Old Testament to be Holy Scripture, but those which have been commanded to be acknowledged for such by the authority of the Church of England. What books these are, is sufficiently known without a catalogue of them here; and they are the same that are acknowledged by St. Jerome, who holdeth the rest, namely, the Wisdom of Solomon, Ecclesiasticus, Judith, Tobias, the first and the second of Maccabees, (though he had seen the first in Hebrew,) and the third and fourth of Esdras, for Apocrypha. Of the canonical, Josephus, a learned Jew, that wrote in the time of the Emperor Domitian, reckoneth "twenty-two," making the number agree with the Hebrew alphabet. St. Jerome does the same, though they reckon them in different manner. For Josephus numbers "five" Books of Moses, "thirteen" of Prophets that writ the history of their own times, (which how it agrees with the prophets' writings contained in the Bible we shall see hereafter,) and "four" of "hymns" and moral precepts. But St. Jerome reckons "five" books of Moses, "eight" of Prophets, and "nine" of other Holy Writ, which he calls of *ἀγιόγραφα*. The Septuagint, who were seventy learned men of the Jews, sent for by Ptolemy, king of Egypt, to translate the Jewish law out of the Hebrew into the Greek, have left us no other for Holy Scripture in the Greek tongue, but the same that are received in the Church of England.

As for the Books of the New Testament, they are equally acknowledged for canon by all Christian churches, and by all sects of Christians, that admit any books at all for canonical.

Who were the original writers of the several Books of Holy Scripture, has not been made evident by any sufficient testimony of other history, which is the only proof of matter of fact; nor can be, by any argument of natural reason: for reason serves only to convince the truth, not of fact, but of consequence. The light therefore that must guide us in this question, must be that which is held out unto us from the books themselves; and this

light, though it show us not the writer of every book, yet it is not unuseful to give us knowledge of the time wherein they were written.

And first, for the Pentateuch, it is not argument enough that they were written by Moses, because they are called the five Books of Moses; no more than these titles, the Book of Joshua, the Book of Judges, the Book of Ruth, and the Books of the Kings, are arguments sufficient to prove that they were written by Joshua, by the Judges, by Ruth, and by the Kings. For in titles of books, the subject is marked as often as the writer. The history of Livy denotes the writer, but the history of Scanderberg is denominated from the subject. We read in the last chapter of Deuteronomy (verse 6), concerning the sepulchre of Moses, "that no man knoweth of his sepulchre to this day," that is, to the day wherein those words were written. It is therefore manifest, that those words were written after his interment. For it were a strange interpretation to say Moses spake of his own sepulchre, though by prophecy, that it was not found to that day wherein he was yet living. But it may perhaps be alleged, that the last chapter only, not the whole Pentateuch, was written by some other man, but the rest not. Let us therefore consider that which we find in the Book of Genesis (xii. 6), "And Abraham passed through the land to the place of Sichem, unto the plains of Moreh, and the Canaanite was then in the land;" which must needs be the words of one that wrote when the Canaanite was not in the land; and consequently, not of Moses, who died before he came into it. Likewise (Numbers xxi. 14) the writer citeth another more ancient book, entitled, "The Book of the Wars of the Lord," wherein were registered the acts of Moses at the Red Sea and at the brook of Arnon. It is therefore sufficiently evident, that the five Books of Moses were written after his time, though how long after it be not so manifest.

But though Moses did not compile those books entirely, and in the form we have them, yet he wrote all that which he is there said to have written: as for example, the Volume of the Law, which is contained, as it seemeth, in the xith of Deuteronomy, and the following chapters to the xxviii, which was also commanded to be written on stones, in their entry into the land of Canaan. And this also did Moses himself write (Deut. xxxi. 9, 10), and delivered to the priests and elders of Israel, to be read every seventh year to all Israel, at their assembling in the Feast of Tabernacles. And this is that law which God commanded, that their kings, when they should have established that form of government, should take a copy of from the priests and Levites: and which Moses commanded the priests and Levites to lay in the side of the ark (Deut. xxxi. 26); and the same which having been lost, was long time after found again by Hilkiah, and sent to king Josias (2 Kings xxii. 8), who causing it to be read to the people (2 Kings xxiii. 1, 2, 3), renewed the covenant between God and them.

That the Book of Joshua was also written long after the time of Joshua, may be gathered out of many places of the book itself. Joshua had set up twelve stones in the midst of Jordan, for a monument to their passage; of which the writer saith thus: "They are there unto this day" (Josh. iv. 9); for "unto this day" is a phrase that signifieth a time past, beyond the memory of man. In like manner, upon the saying of the Lord that He had rolled off from the people the reproach of Egypt, the writer saith, "The place is called Gilgal unto this day" (Josh. v. 9); which to have said in the time of Joshua had been improper. So also the name of the valley of Achor, from the trouble that Achan raised in the camp, the writer saith, "remaineth unto this day" (Josh. vii. 26); which must needs be therefore long after the time of Joshua. Arguments of this kind there be many other, as Josh. viii. 29; xiii. 13; xiv. 14; xv. 63.

The same is manifest by like arguments of the Book of Judges (chap. i. 21, 26 ; vi. 24 ; x. 4 ; xv. 19 ; xvii. 6), and Ruth (i. 1) ; but especially Judges (xviii. 30), where it is said that "Jonathan and his sons were priests to the tribe of Dan, until the day of the captivity of the land."

That the Books of Samuel were also written after his own time there are the like arguments (1 Sam. v. 5 ; vii. 13, 15 ; xxvii. 6, and xxx. 25), where, after David had adjudged equal part of the spoils to them that guarded the ammunition with them that fought, the writer saith, "He made it a statute and an ordinance to Israel to this day." Again, when David, displeased that the Lord had slain Uzzah, for putting out his hand to sustain the ark, called the place Perez-Uzzah, the writer saith (2 Sam. vi. 8), it is called so "to this day:" the time therefore of the writing of that book must be long after the time of the fact ; that is, long after the time of David.

As for the two books of the Kings, and the two books of the Chronicles, besides the places which mention such monuments, as the writer saith, remained till his own days ; such as are 1 Kings ix. 13 ; ix. 21 ; x. 12 ; xii. 19 ; 2 Kings ii. 22 ; viii. 22 ; x. 27 ; xiv. 7 ; xvi. 6 ; xvii. 23 ; xvii. 34 ; xvii. 41 ; and 1 Chron. iv. 41 ; v. 26 ; it is argument sufficient they were written after the captivity in Babylon, that the history of them is continued till that time. For the facts registered are always more ancient than the register ; and much more ancient than such books as make mention of and quote the register ; as these books do in divers places, referring the reader to the Chronicles of the Kings of Judah, to the Chronicles of the Kings of Israel, to the Books of the prophet Samuel, of the prophet Nathan, of the prophet Ahijah ; to the Vision of Jehdo, to the books of the prophet Serveiah, and of the prophet Addo.

The books of Ezra and Nehemiah were written certainly after their return from captivity ; because their return, the re-edification of the walls and houses of Jerusalem, the renovation of the covenant, and ordination of their policy, are therein contained.

The history of Queen Esther is of the time of the captivity ; and therefore the writer must have been of the same time, or after it.

The book of Job hath no mark in it of the time wherein it was written ; and though it appear sufficiently (Ezekiel xiv. 14, and James v. 11) that he was no feigned person ; yet the book itself seemeth not to be a history, but a treatise concerning a question in ancient time much disputed, "why wicked men have often prospered in this world, and good men have been afflicted ;" and this is the more probable, because from the beginning to the third verse of the third chapter, where the complaint of Job beginneth, the Hebrew is, as St. Jerome testifieth, in prose ; and from thence to the sixth verse of the last chapter, in hexameter verses ; and the rest of that chapter again in prose. So that the dispute is all in verse ; and the prose is added but as a preface in the beginning, and an epilogue in the end. But verse is no usual style of such, as either are themselves in great pain, as Job ; or of such as come to comfort them, as his friends ; but in philosophy, especially moral philosophy, in ancient time frequent.

The Psalms were written the most part by David, for the use of the quire. To these are added some songs of Moses, and other holy men ; and some of them after the return from the captivity, as the 137th and the 126th, whereby it is manifest that the Psalter was compiled, and put into the form it now hath, after the return of the Jews from Babylon.

The Proverbs, being a collection of wise and godly sayings, partly of Solomon, partly of Agur, the son of Jakeh, and partly of the mother of king Lemuel ; cannot probably be thought to have been collected by Solomon, rather than by Agur or the mother of Lemuel ; and that, though

the sentences be theirs, yet the collection or compiling them into this one book was the work of some other godly man that lived after them all.

The books of Ecclesiastes and the Canticles have nothing that was not Solomon's except it be the titles or inscriptions. For The Words of the Preacher, the son of David, king in Jerusalem; and The Song of Songs, which is Solomon's, seem to have been made for distinction's sake, then, when the books of Scripture were gathered into one body of the law; to the end, that not the doctrine only, but the authors also might be extant.

Of the prophets, the most ancient are Zephaniah, Jonah, Amos, Hosea, Isaiah, and Michah, who lived in the time of Amaziah, and Azariah, otherwise Ozias, kings of Judah. But the book of Jonah is not properly a register of his prophecy; for that is contained in these few words, "Forty days and Nineveh shall be destroyed;" but a history or narration of his frowardness and disputing God's commandments; so that there is small probability he should be the author, seeing he is the subject of it. But the book of Amos is his prophecy.

Jeremiah, Obadiah, Nahum, and Habakkuk prophesied in the time of Josiah.

Ezekiel, Daniel, Haggai, and Zechariah, in the captivity.

When Joel and Malachi prophesied, is not evident by their writings. But considering the inscriptions, or titles of their books, it is manifest enough that the whole Scripture of the Old Testament was set forth in the form we have it after the return of the Jews from their captivity in Babylon, and before the time of Ptolemæus Philadelphus, that caused it to be translated into Greek by seventy men, which were sent him out of Judea for that purpose. And if the books of Apocrypha, which are recommended to us by the church, though not for canonical, yet for profitable books for our instruction, may in this point be credited, the Scripture was set forth in the form we have it in, by Esdras: as may appear by that which he himself saith, in the second book (chapter xiv. verse 21, 22, &c.), where speaking to God, he saith thus: "Thy law is burnt; therefore no man knoweth the things which thou hast done, or the works that are to begin. But if I have found grace before thee, send down the holy spirit into me, and I shall write all that hath been done in the world, since the beginning, which were written in thy law, that men may find thy path, and that they which will live in the latter day, may live." And verse 45: "And it came to pass when the forty days were fulfilled, that the highest spake, saying, The first that thou hast written, publish openly, that the worthy and unworthy may read it; but keep the seventy last, that thou mayest deliver them only to such as be wise among the people." And thus much concerning the time of the writing of the books of the Old Testament.

The writers of the New Testament lived all in less than an age after Christ's ascension, and had all of them seen our Saviour, or been His disciples, except St. Paul and St. Luke; and consequently whatsoever was written by them is as ancient as the time of the apostles. But the time wherein the books of the New Testament were received and acknowledged by the church to be of their writing, is not altogether so ancient. For, as the books of the Old Testament are derived to us, from no other time than that of Esdras, who by the direction of God's spirit retrieved them, when they were lost; those of the New Testament, of which the copies were not many, nor could easily be all in any one private man's hand, cannot be derived from a higher time than that wherein the governors of the church collected, approved, and recommended them to us, as the writings of those apostles and disciples, under whose names they go. The first enumeration

of all the books, both of the Old and New Testament, is in the canons of the apostles supposed to be collected by Clement, the first (after St. Peter) bishop of Rome. But because that is but supposed, and by many questioned, the Council of Laodicea is the first we know that recommended the Bible to the then Christian churches, for the writings of the prophets and apostles : and this Council was held in the 364th year after Christ. At which time, though ambition had so far prevailed on the great doctors of the church as no more to esteem emperors, though Christian, for the shepherds of the people, but for sheep ; and emperors not Christian, for wolves ; and endeavoured to pass their doctrine, not for counsel and information as preachers, but for laws as absolute governors ; and thought such frauds as tended to make the people the more obedient to Christian doctrine, to be pious ; yet I am persuaded they did not therefore falsify the Scriptures, though the copies of the books of the New Testament were in the hands only of the ecclesiastics, because if they had had an intention so to do, they would surely have made them more favourable to their power over Christian princes and civil sovereignty than they are. I see not therefore any reason to doubt but that the Old and New Testament, as we have them now, are the true registers of those things which were done and said by the prophets and apostles. And so perhaps are some of those books which are called Apocrypha, and left out of the canon, not for inconformity of doctrine with the rest, but only because they are not found in the Hebrew. For after the conquest of Asia by Alexander the Great, there were few learned Jews that were not perfect in the Greek tongue. For the seventy interpreters that converted the Bible into Greek, were all of them Hebrews ; and we have extant the works of Philo and Josephus, both Jews, written by them eloquently in Greek. But it is not the writer, but the authority of the church that maketh the book canonical. And although these books were written by divers men, yet it is manifest the writers were all endued with one and the same spirit, in that they conspire to one and the same end, which is setting forth of the rights of the kingdom of God, the Father, Son, and Holy Ghost. For the book of Genesis deriveth the genealogy of God's people, from the creation of the world to the going into Egypt ; the other four books of Moses contain the election of God for their king, and the laws which He prescribed for their government ; the books of Joshua, Judges, Ruth, and Samuel, to the time of Saul, describe the acts of God's people, till the time they cast off God's yoke and called for a king, after the manner of their neighbour nations. The rest of the history of the Old Testament derives the succession of the line of David to the captivity, out of which line was to spring the restorer of the kingdom of God, even our blessed Saviour God the Son, whose coming was foretold in the books of the prophets, after whom the Evangelists write His life and actions, and His claim to the kingdom, whilst He lived on earth : and lastly, the Acts and Epistles of the Apostles, declare the coming of God, the Holy Ghost, and the authority He left with them and their successors for the direction of the Jews, and for the invitation of the Gentiles. In sum, the histories and the prophecies of the Old Testament, and the gospels and epistles of the New Testament, have had one and the same scope to convert men to the obedience of God : I. in Moses and the Priests ; II. in the man Christ ; and III. in the Apostles and the successors to apostolical power. For these three at several times did represent the person of God ; Moses and his successors, the High Priests, and Kings of Judah, in the Old Testament : Christ himself, in the time He lived on earth ; and the Apostles, and their successors, from the day of Pentecost, when the Holy Ghost descended on them, to this day.

It is a question much disputed between the divers sects of Christian religion, "from whence the Scriptures derive their authority;" which question is also propounded sometimes in other terms, as, "how we know them to be the word of God, or why we believe them to be so:" and the difficulty of resolving it, ariseth chiefly from the improperness of the words wherein the question itself is couched. For it is believed on all hands, that the first and original "author" of them is God; and consequently the question disputed, is not that. Again, it is manifest, that none can know they are God's word (though all true Christians believe it), but those to whom God himself hath revealed it supernaturally; and therefore the question is not rightly moved, of our "knowledge" of it. Lastly, when the question is propounded of our "belief;" because some are moved to believe for one, and others for other reasons; there can be rendered no one general answer for them all. The question truly stated is, "by what authority they are made law."

As far as they differ not from the laws of Nature there is no doubt but they are the law of God, and carry their authority with them, legible to all men that have the use of natural reason: but this is no other authority, than that of all other moral doctrine consonant to reason; the dictates whereof are laws, not "made," but "eternal."

If they be made law by God himself, they are of the nature of written law, which are laws to them only to whom God hath so sufficiently published them, as no man can excuse himself, by saying he knew not they were His.

He therefore to whom God hath not supernaturally revealed that they are His, nor that those that published them were sent by Him, is not obliged to obey them, by any authority, but his, whose commands have already the force of laws; that is to say, by any other authority than that of the commonwealth, residing in the sovereign, who only has the legislative power. Again, if it be not the legislative authority of the commonwealth, that giveth them the force of laws, it must be some other authority derived from God, either private or public: if private, it obliges only him to whom in particular God hath been pleased to reveal it. For if every man should be obliged to take for God's law what particular men, on pretence of private inspiration or revelation, should obtrude upon him, in such a number of men, that out of pride and ignorance, take their own dreams, and extravagant fancies, and madness, for testimonies of God's spirit; or out of ambition, pretend to such divine testimonies, falsely, and contrary to their own consciences, it were impossible that any divine law should be acknowledged. If public, it is the authority of the "commonwealth," or of the "church." But the church, if it be one person, is the same thing with a commonwealth of Christians; called a "commonwealth," because it consisteth of men united in one person, their sovereign; and a "church," because it consisteth in Christian men, united in one Christian sovereign. But if the church be not one person, then it hath no authority at all: it can neither command, nor do any action at all; nor is capable of having any power, or right to anything: nor has any will, reason nor voice; for all these qualities are personal. Now if the whole number of Christians be not contained in one commonwealth, they are not one person; nor is there an universal church that hath any authority over them; and therefore the Scriptures are not made laws, by the universal church: or if it be one commonwealth, then all Christian monarchs and states are private persons, and subject to be judged, deposed, and punished by an universal sovereign of all Christendom. So that the question of the authority of the Scriptures, is reduced to this, "whether Christian kings, and the sovereign assemblies in Christian commonwealths, be absolute in their own territories, im-

mediately under God ; or subject to one vicar of Christ, constituted of the universal church ; to be judged, condemned, deposed, and put to death, as he shall think expedient, or necessary for the common good.

Which question cannot be resolved without a more particular consideration of the Kingdom of God ; from whence also we are to judge of the authority of interpreting the Scripture. For whosoever hath a lawful power over any writing, to make it law, hath the power also to approve, or disapprove, the interpretation of the same.

#### CHAPTER XXXIV.

##### *Of the Signification of Spirit, Angel, and Inspiration in the Books of Holy Scripture.*

SEEKING the foundation of all true ratiocination is the constant signification of words ; which in the doctrine following, dependeth not, as in natural science, on the will of the writer, nor, as in common conversation, on vulgar use, but on the sense they carry in the Scripture ; it is necessary, before I proceed any further, to determine, out of the Bible, the meaning of such words, as by their ambiguity may render what I am to infer upon them, obscure or disputable. I will begin with the words "body" and "spirit," which in the language of the schools are termed, "substances," "corporeal," and "incorporeal."

The word "body," in the most general acceptation, signifieth that which filleth or occupieth some certain room, or imagined place ; and dependeth not on the imagination, but is a real part of that we call the "universe." For the "universe" being the aggregate of all bodies, there is no real part thereof that is not also "body ;" nor anything properly a "body," that is not also part of that aggregate of all "bodies," the "universe." The same also, because bodies are subject to change, that is to say, to variety of appearance to the sense of living creatures, is called "substance," that is to say, "subject" to various accidents : as sometimes to be moved ; sometimes to stand still ; and to seem to our senses sometimes hot, sometimes cold, sometimes of one colour, smell, taste, or sound, sometimes of another. And this diversity of seeming, produced by the diversity of the operation of bodies on the organs of our sense, we attribute to alterations of the bodies that operate, and call them "accidents" of those bodies. And according to this acceptation of the word, "substance" and "body" signify the same thing ; and therefore "substance incorporeal" are words, which when they are joined together, destroy one another, as if a man should say an "incorporeal body."

But in the sense of common people, not all the universe is called body, but only such parts thereof as they can discern by the sense of feeling, to resist their force, or by the sense of their eyes, to hinder them from a farther prospect. Therefore in the common language of men, "air" and "aerial substances," use not to be taken for "bodies," but (as often as men are sensible of their effects) are called "wind," or "breath," or (because the same are called in the Latin *spiritus*) "spirits ;" as when they call that aerial substance, which in the body of any living creature gives it life and motion, "vital" and "animal spirits." But for those idols of the brain, which represent bodies to us where they are not, as in a looking-glass, in a dream, or to a distempered brain waking, they are, as the apostle saith generally of all idols, nothing ; nothing at all, I say, there where they seem to be ; and in the brain itself, nothing but tumult, proceeding either



from the action of the objects, or from the disorderly agitation of the organs of our sense. And men that are otherwise employed than to search into their causes, know not of themselves what to call them; and may therefore easily be persuaded, by those whose knowledge they much reverence, some to call them "bodies," and think them made of air compacted by a power supernatural, because the sight judges them corporeal; and some to call them "spirits," because the sense of touch discerneth nothing in the place where they appear, to resist their fingers: so that the proper signification of "spirit" in common speech, is either a subtle, fluid, and invisible body, or a ghost, or other idol or phantasm of the imagination. But for metaphorical significations, there be many: for sometimes it is taken for disposition or inclination of the mind; as when for the disposition to control the sayings of other men, we say "a spirit of contradiction;" for a disposition to uncleanness, "an unclean spirit;" for perverseness, "a froward spirit;" for sullenness, "a dumb spirit;" and for inclination to godliness and God's service, "the Spirit of God:" sometimes for any eminent ability or extraordinary passion, or disease of the mind, as when "great wisdom" is called "the spirit of wisdom;" and "madmen" are said to be "possessed with a spirit."

Other significations of "spirit" I find nowhere any; and where none of these can satisfy the sense of that word in Scripture, the place falleth not under human understanding; and our faith therein consisteth not in our opinion, but in our submission; as in all places where God is said to be a "Spirit," or where by the "Spirit of God" is meant God himself. For the nature of God is incomprehensible; that is to say, we understand nothing of "what He is," but only "that He is;" and therefore the attribures we give Him are not to tell one another "what He is," nor to signify our opinion of His nature, but our desire to honour Him with such names as we conceive most honourable amongst ourselves.

Gen. i. 2: "The Spirit of God moved upon the face of the waters." Here if by the "Spirit of God" be meant God himself, then is "motion" attributed to God, and consequently "place," which are intelligible only of bodies, and not of substances incorporeal; and so the place is above our understanding, that can conceive nothing moved that changes not place, or that has not dimension; and whatsoever has dimension is body. But the meaning of those words is best understood by the like place (Gen. viii. 1), where when the earth was covered with waters, as in the beginning, God intending to abate them, and again to discover the dry land, useth the like words, "I will bring my Spirit upon the earth, and the waters shall be diminished," in which place, by "Spirit" is understood a wind, that is an air or "spirit moved," which might be called, as in the former place, the "Spirit of God," because it was God's work.

Gen. xli. 38: Pharaoh calleth the Wisdom of Joseph, the "Spirit of God." For Joseph having advised him to look out a wise and discreet man, and to set him over the land of Egypt, he saith thus, "Can we find such a man as this is, in whom is the Spirit of God?" And Exod. xxviii. 3: "Thou shalt speak," saith God, "to all the wise-hearted, whom I have filled with the spirit of wisdom, to make Aaron garments, to consecrate him;" where extraordinary understanding, though but in making garments, as being the "gift" of God, is called the "Spirit of God." The same is found again, Exod. xxxi. 3, 4, 5, 6; and xxxv. 31. And Isaiah xi. 2, 3, where the prophet, speaking of the Messiah, saith, "The Spirit of the Lord shall abide upon him, the spirit of wisdom and understanding, the spirit of counsel and fortitude, and the spirit of the fear of the Lord." Where manifestly is meant, not so many ghosts, but so many eminent graces that God would give him.

In the book of Judges, an extraordinary zeal and courage in the defence of God's people, is called the "Spirit" of God; as when it excited Othniel, Gideon, Jephtha, and Samson to deliver them from servitude: Judges iii. 10; vi. 24; xi. 29; xiii. 25; xiv. 6, 19. And of Saul, upon the news of the insolence of the Ammonites towards the men of Jabesh Gilead, it is said (1 Sam. xi. 6) that "the Spirit of God came upon Saul, and his anger," (or, as it is in the Latin, "his fury") "was kindled greatly." Where it is not probable was meant a ghost, but an extraordinary "zeal" to punish the cruelty of the Ammonites. In like manner by the "Spirit" of God, that came upon Saul, when he was amongst the prophets that praised God in songs and music (1 Sam. xix. 23), is to be understood, not a ghost, but an unexpected and sudden "zeal" to join with them in their devotion.

The false prophet Zedekiah saith to Micaiah (1 Kings xxii. 24), "which way went the Spirit of the Lord from me to speak to thee?" Which cannot be understood of a ghost; for Micaiah declared before the kings of Israel and Judah the event of the battle, as from a "vision," and not as from a "spirit" speaking in him.

In the same manner it appeareth in the books of the Prophets, that though they spake by the "spirit" of God, that is to say, by a special grace of prediction; yet their knowledge of the future was not by a ghost within them, but by some supernatural "dream" or "vision."

Gen. ii. 7, it is said, "God made man of the dust of the earth, and breathed into his nostrils (*spiraculum vite*) the breath of life, and man was made a living soul." There the "breath of life" inspired by God signifies no more, but that God gave him life; and (Job xxvii. 3), "as long as the Spirit of God is in my nostrils," is no more than to say, "as long as I live." So in Ezek. i. 20, "the spirit of life was in the wheels," is equivalent to, "the wheels were alive." And (Ezek. ii. 2), "the Spirit entered into me, and set me on my feet," that is, "I recovered my vital strength;" not that any ghost or incorporeal substance entered into, and possessed his body.

In the xith chap. of Numbers, v. 17, "I will take," saith God, "of the Spirit, which is upon thee, and will put it upon them, and they shall bear the burthen of the people with thee;" that is, upon the seventy elders: whereupon two of the seventy are said to prophesy in the camp; of whom some complained, and Joshua desired Moses to forbid them; which Moses would not do. Whereby it appears, that Joshua knew not that they had received authority so to do, and prophesied according to the mind of Moses, that is to say, by a "spirit," or "authority" subordinate to his own.

In the like sense we read (Deut. xxxiv. 9), that "Joshua was full of the spirit of wisdom, because Moses had laid his hands upon him:" that is, because he was "ordained" by Moses to prosecute the work he had himself begun, namely, the bringing of God's people into the promised land, but prevented by death, could not finish.

In the like sense it is said (Rom. viii. 9), "If any man have not the Spirit of Christ, he is none of His;" not meaning thereby the "ghost" of Christ, but a "submission" to His doctrine. As also (1 John iv. 2), "Hereby you shall know the Spirit of God; every spirit that confesseth that Jesus Christ is come in the flesh, is of God;" by which is meant the spirit of unfeigned Christianity, or "submission," to that main article of Christian faith, that Jesus is the Christ; which cannot be interpreted of a ghost.

Likewise these words (Luke iv. 1), "And Jesus full of the Holy Ghost," (that is, as it is expressed, Matt. iv. 1, and Mark i. 12, "of the Holy Spirit,") may be understood for "zeal" to do the work for which He was sent by God the Father; but to interpret it of a ghost, is to say that God himself, for so our Saviour was, was filled with God; which is very im-

proper and insignificant. How we came to translate "spirits" by the word "ghosts," which signifieth nothing, neither in heaven nor earth, but the imaginary inhabitants of man's brain, I examiue not : but this I say, the word "spirit" in the text signifieth no such thing, but either properly a real "substance," or metaphorically, some extraordinary "ability" or "affection" of the mind, or of the body.

The disciples of Christ, seeing Him walking upon the sea (Matt. xiv. 26, and Mark vi. 49), supposed Him to be a "spirit," meaning thereby an aërial "body," and not a phantasm; for it is said they all saw Him; which cannot be understood of the delusions of the brain, (which are not common to many at once, as visible bodies are; but singular, because of the differences of fancies), but of bodies only. In like manner, where He was taken for a "spirit," by the same apostles (Luke xxiv. 37): so also (Acts xii. 15), when St. Peter was delivered out of prison, it would not be believed; but when the maid said he was at the door, they said it was his "angel;" by which must be meant a corporeal substance, or we must say, the disciples themselves did follow the common opinion of both Jews and Gentiles, that some such apparitions were not imaginary, but real, and such as needed not the fancy of man for their existence. These the Jews called "spirits," and "angels," good or bad; as the Greeks call the same by the name of "demons." And some such apparitions may be real and substantial; that is to say, subtle bodies, which God can form by the same power by which He formed all things, and make use of, as of ministers and messengers, that is to say, angels, to declare His will, and execute the same when He pleaseth, in extraordinary and supernatural manner. But when He hath so formed them, they are substances endued with dimensions, and take up room, and can be moved from place to place, which is peculiar to bodies; and therefore are not ghosts "incorporeal," that is to say, ghosts that are in "no place;" that is to say, that are "nowhere;" that is to say, that seeming to be "somewhat," are "nothing." But if corporeal be taken in the most vulgar manner, for such substances as are perceptible by our external senses; then is substance incorporeal, a thing not imaginary, but real; namely, a thin substance invisible, but that hath the same dimensions that are in grosser bodies.

By the name of "angel," is signified generally, a "messenger;" and most often a "messenger of God;" and by a messenger of God is signified, anything that makes known His extraordinary presence; that is to say, the extraordinary manifestation of His power, especially by a dream or vision.

Concerning the creation of "angels," there is nothing delivered in the Scriptures. That they are spirits, is often repeated: but by the name of spirit, is signified both in Scripture and vulgarly, both amongst Jews and Gentiles, sometimes thin bodies: as the air, the wind, the spirits vital and animal of living creatures; and sometimes the images that rise in the fancy in dreams and visions; which are not real substances, nor last any longer than the dream or vision they appear in; which apparitions, though no real substances, but accidents of the brain; yet when God raiseth them supernaturally, to signify His will, they are not improperly termed God's messengers, that is to say, His "angels."

And as the Gentiles did vulgarly conceive the imagery of the brain for things really subsistent without them, and not dependent on the fancy, and out of them framed their opinions of "demons," good and evil; which because they seemed to subsist really, they called "substances;" and, because they could not feel them with their hands, "incorporeal:" so also the Jews upon the same ground, without anything in the Old Testament that constrained them thereunto, had generally an opinion, except the sect of the Sadducees, that those apparitions which it pleased God

sometimes to produce in the fancy of men, for His own service, and therefore called them His "angels," were substances, not dependent on the fancy, but permanent creatures of God; whereof those which they thought were good to them, they esteemed the "angels of God," and those they thought would hurt them, they called "evil angels," or evil spirits. Such as was the spirit of Python, and the spirits of madmen, of lunatics, and epileptics, for they esteemed such as were troubled with such diseases, "demoniacs."

But if we consider the places of the Old Testament where angels are mentioned, we shall find that in most of them, there can nothing else be understood by the word "angel," but some image raised, supernaturally, in the fancy to signify the presence of God in the execution of some supernatural work; and therefore in the rest, where their nature is not expressed, it may be understood in the same manner.

For we read (Gen. xvi.) that the same apparition is called, not only an "angel," but "God," where that which (verse 7) is called the "angel" of the Lord, in the tenth verse, saith to Agar, "I will multiply thy seed exceedingly;" that is, speaketh in the person of God. Neither was this apparition a fancy figured, but a voice. By which it is manifest that "angel" signifieth there nothing but "God" himself, that caused Agar supernaturally to apprehend a voice from heaven; or rather, nothing else but a voice supernatural, testifying God's special presence there. Why therefore may not the angels that appeared to Lot, and are called (Gen. xix. 12) "men;" and to whom, though they were two, Lot speaketh (verse 18) as but to one, and that one as God, (for the words are, "Lot said unto them, Oh, not so, my Lord,") be understood of images of men, supernaturally formed in the fancy, as well as before by angel was understood a fancied voice? When the angel called to Abraham out of heaven to stay his hand (Gen. xxii. 11) from slaying Isaac, there was no apparition, but a voice; which nevertheless was called properly enough a messenger or "angel" of God, because it declared God's will supernaturally, and saves the labour of supposing any permanent ghosts. The angels which Jacob saw on the ladder of Heaven (Gen. xxviii. 12) were a vision of his sleep, therefore only fancy and a dream; yet being supernatural, and signs of God's special presence, those apparitions are not improperly called "angels." The same is to be understood (Gen. xxxi. 11) where Jacob saith thus, "The Angel of the Lord appeared to me in my sleep." For an apparition made to a man in his sleep, is that which all men call a dream, whether such dream be natural or supernatural; and that which there Jacob called an "angel," was God himself, for the same angel saith (verse 13), "I am the God of Bethel."

Also (Exod. xiv. 19) the angel that went before the army of Israel to the Red Sea, and then came behind it, is (verse 24) the Lord himself; and He appeared, not in the form of a beautiful man, but in form (Exod. xiii. 21), by day, of a "pillar of cloud," and, by night, in form of a "pillar of fire;" and yet this pillar was all the apparition and "angel" promised to Moses (Exod. xxxiii. 2) for the army's guide: for this cloudy pillar (Exod. xxxiii. 9) is said to have descended, and stood at the door of the Tabernacle, and to have talked with Moses.

There you see motion and speech, which are commonly attributed to angels, attributed to a cloud, because the cloud served as a sign of God's presence; and was no less an angel, than if it had had the form of a man, or child of never so great beauty; or wings, as usually they are painted, for the false instruction of common people. For it is not the shape; but their use that makes them angels. But their use is to be significations of God's presence in supernatural operations; as when Moses (Exod. xxxiii. 14)

had desired God to go along with the camp, as He had done always before the making of the golden calf, God did not answer, "I will go," nor "I will send an angel in my stead;" but thus, "My presence shall go with thee."

To mention all the places of the Old Testament where the name of angel is found would be too long. Therefore to comprehend them all at once, I say, there is no text in that part of the Old Testament, which the Church of England holdeth for canonical, from which we can conclude there is or hath been created, any permanent thing, understood by the name of "spirit" or "angel," that hath not quantity; and that may not be by the understanding divided; that is to say, considered by parts; so as one part may be in one place, and the next part in the next place to it; and in sum, which is not (taking body for that which is somewhat or somewhere) corporeal; but in every place, the sense will bear the interpretation of angel, for messenger; as John Baptist is called an angel, and Christ the Angel of the Covenant; and as, according to the same analogy, the dove and the fiery tongues, in that they were signs of God's special presence, might also be called angels. Though we find in Daniel two names of angels, Gabriel and Michael; yet it is clear out of the text itself (Dan. xii. 1) that by Michael is meant Christ, not as an angel, but as a prince: and that Gabriel, as the like apparitions made to other holy men in their sleep, was nothing but a supernatural phantasm, by which it seemed to Daniel, in his dream, that two saints being in talk, one of them said to the other, "Gabriel, let us make this man understand his vision:" for God needeth not to distinguish His celestial servants by names, which are useful only to the short memories of mortals. Nor in the New Testament is there any place, out of which it can be proved that angels, except when they are put for such men as God hath made the messengers and ministers of his word or works, are things permanent, and withal incorporeal. That they are permanent, may be gathered from the words of our Saviour himself (Matt. xxv. 41), where He saith, it shall be said to the wicked in the last day, "Go ye cursed into everlasting fire prepared for the devil and his angels:" which place is manifest for the permanence of evil angels (unless we might think the name of devil and his angels may be understood of the Church's adversaries and their ministers); but then it is repugnant to their immateriality; because everlasting fire is no punishment to impatible substances, such as are all things incorporeal. Angels therefore are not thence proved to be incorporeal. In like manner where St. Paul says (1 Cor. vi. 3), "Know ye not that we shall judge the angels?" and (2 Pet. ii. 4), "For if God spared not the angels that sinned, but cast them down into hell;" and (Jude i. 6), "And the angels that kept not their first estate, but left their own habitation, He hath reserved in everlasting chains under darkness unto the judgment of the last day:" though it prove the permanence of angelical nature, it confirmeth also their materiality. And (Matt. xxii. 30), "In the resurrection men do neither marry nor give in marriage, but are as the angels of God in heaven:" but in the resurrection men shall be permanent and not incorporeal; so therefore also are the angels.

There be divers other places out of which may be drawn the like conclusion. To men that understand the signification of these words, "substance" and "incorporeal;" as "incorporeal" is taken, not for subtle body, but for "not body;" they imply a contradiction: insomuch as to say, an angel or spirit is in that sense an incorporeal substance, is to say in effect, there is no angel nor spirit at all. Considering therefore the signification of the word "angel" in the Old Testament, and the nature of dreams and visions that happen to men by the ordinary way of nature, I was inclined to this opinion, that angels were nothing but supernatural

apparitions of the fancy, raised by the special and extraordinary operation of God, thereby to make His presence and commandments known to mankind, and chiefly to His own people. But the many places of the New Testament, and our Saviour's own words, and in such texts, wherein is no suspicion of corruption of the Scripture, have extorted from my feeble reason an acknowledgment and belief that there be also angels substantial and permanent. But to believe they be in no place, that is to say, nowhere, that is to say, nothing, as they, though indirectly, say that will have them incorporeal, cannot by Scripture be evinced.

On the signification of the word "spirit," dependeth that of the word "inspiration;" which must either be taken properly; and then it is nothing but the blowing into a man some thin and subtle air or wind, in such manner as a man filleth a bladder with his breath; or if spirits be not corporeal, but have their existence only in the fancy, it is nothing but the blowing in of a phantasm; which is improper to say, and impossible; for phantasms are not, but only seem to be, somewhat. That word therefore is used in the Scripture metaphorically only: as (Gen. ii. 7) where it is said that God "inspired" into man the breath of life, no more is meant than that God gave unto him vital motion. For we are not to think that God made first a living breath and then blew it into Adam after he was made, whether that breath were real or seeming; but only as it is (Acts xvii. 25), "that He gave him life and breath;" that is, made him a living creature. And where it is said (2 Tim. iii. 16), "All Scripture is given by inspiration from God," speaking there of the Scripture of the Old Testament, it is an easy metaphor to signify that God inclined the spirit or mind of those writers to write that which should be useful, in teaching, reprovng, correcting, and instructing men in the way of righteous living. But where St. Peter (2 Pet. i. 21) saith, that "Prophecy came not in old time by the will of man, but the holy men of God spake as they were moved by the Holy Spirit," by the Holy Spirit is meant the voice of God in a dream or vision supernatural, which is not "inspiration." Nor, when our Saviour breathing on His disciples, said, "Receive the Holy Spirit," was that breath the Spirit, but a sign of the spiritual graces He gave unto them. And though it be said of many, and of our Saviour himself, that He was full of the Holy Spirit; yet that fulness is not to be understood for "infusion" of the substance of God, but for accumulation of His gifts, such as are the gift of sanctity of life, of tongues, and the like, whether attained supernaturally or by study and industry; for in all cases they are the gifts of God. So likewise where God says (Joel ii. 28), "I will pour out my Spirit upon all flesh, and your sons and your daughters shall prophesy, your old men shall dream dreams, and your young men shall see visions," we are not to understand it in the proper sense, as if His Spirit were like water, subject to effusion or infusion; but as if God had promised to give them prophetic dreams and visions. For the proper use of the word "infused," in speaking of the graces of God, is an abuse of it; for those graces are virtues, not bodies to be carried hither and thither, and to be poured into men as into barrels.

In the same manner, to take "inspiration" in the proper sense, or to say that good "spirits" entered into men to make them prophesy, or evil "spirits" into those that became phrenetic, lunatic, or epileptic, is not to take the word in the sense of the Scripture; for the Spirit there is taken for the power of God, working by causes to us unknown. As also (Acts ii. 2) the wind, that is there said to fill the house wherein the apostles were assembled on the day of Pentecost, is not to be understood for the "Holy Spirit," which is the Deity itself; but for an external sign of God's special working on their hearts, to effect in them the internal graces and holy virtues He thought requisite for the performance of their apostleship.

## CHAPTER XXXV.

*Of the Signification in Scripture of Kingdom of God, of Holy, Sacred, and Sacrament.*

THE "Kingdom of God," in the writings of divines, and specially in sermons and treatises of devotion, is taken most commonly for eternal felicity, after this life, in the highest heaven, which they also call the kingdom of glory; and sometimes for the earnest of that felicity, sanctification, which they term the kingdom of grace; but never for the monarchy, that is to say, the sovereign power of God over any subjects acquired by their own consent, which is the proper signification of kingdom.

To the contrary, I find the "kingdom of God" to signify, in most places of Scripture, a "kingdom properly so named," constituted by the votes of the people of Israel in peculiar manner; wherein they chose God for their king by covenant made with Him, upon God's promising them the possession of the land of Canaan; and but seldom metaphorically; and then it is taken for "dominion over sin;" (and only in the New Testament;) because such a dominion as that, every subject shall have in the kingdom of God, and without prejudice to the sovereign.

From the very creation, God not only reigned over all men "naturally" by His might; but also had "peculiar" subjects, whom He commanded by a voice, as one man speaketh to another. In which manner He "reigned" over Adam, and gave him commandment to abstain from the tree of cognizance of good and evil; which when he obeyed not, but tasting thereof, took upon him to be as God, judging between good and evil, not by his Creator's commandment, but by his own sense, his punishment was a privation of the estate of eternal life, wherein God had at first created him; and afterwards God punished his posterity for their vices, all but eight persons, with an universal deluge; and in these eight did consist the then "kingdom of God."

After this it pleased God to speak to Abraham, and (Gen. xvii. 7, 8) to make a covenant with him in these words, "I will establish my covenant between me, and thee, and thy seed after thee in their generations, for an everlasting covenant, to be a God to thee, and to thy seed after thee; and I will give unto thee, and to thy seed after thee, the land wherein thou art a stranger, all the land of Canaan for an everlasting possession." In this covenant "Abraham promiseth for himself and his posterity, to obey as God, the Lord that spake to him; and God on His part promiseth to Abraham the land of Canaan for an everlasting possession." And for a memorial, and a token of this covenant, He ordaineth (Gen. xvii. 11) the "sacrament of circumcision." This is it which is called the "old covenant" or "testament;" and containeth a contract between God and Abraham; by which Abraham obligeth himself, and his posterity, in a peculiar manner to be subject to God's positive law; for to the law moral he was obliged before, as by an oath of allegiance. And though the name of "King" be not yet given to God, nor of "kingdom" to Abraham and his seed: yet the thing is the same; namely, an institution by pact, of God's peculiar sovereignty over the seed of Abraham; which in the renewing of the same covenant by Moses, at Mount Sinai, is expressly called a peculiar "kingdom of God" over the Jews: and it is of Abraham, not of Moses, St. Paul saith (Rom. iv. 11) that he is the "father of the faithful;" that is, of those that are loyal, and do not violate their allegiance sworn to God, then by circumcision, and afterwards in the "new covenant" by baptism.

This covenant at the foot of Mount Sinai, was renewed by Moses (Exod. xix. 5), where the Lord commandeth Moses to speak to the people in this manner : " If you will obey my voice indeed, and keep my covenant, then ye shall be a peculiar people to me, for all the earth is mine ; and ye shall be unto me a sacerdotal kingdom, and an holy nation." For a " peculiar people," the vulgar Latin hath *peculium de cunctis populis*: the English translation, made in the beginning of the reign of King James, hath a " peculiar treasure unto me above all nations ;" and the Geneva French, " the most precious jewel of all nations." But the truest translation is the first, because it is confirmed by St. Paul himself (Tit. ii. 14), where he saith, alluding to that place, that our blessed Saviour " gave himself for us, that He might purify us to himself a peculiar," that is, an extraordinary, " people ;" for the word is in the Greek *περιούσιος*, which is opposed commonly to the word *ἐπιούσιος* ; and as this signifieth " ordinary," " quotidian," or, as in the Lord's Prayer, " of daily use ;" so the other signifieth that which is " overplus," and " stored up," and " enjoyed in a special manner ;" which the Latins call *peculium* : and this meaning of the place is confirmed by the reason God rendereth of it, which followeth immediately, in that He addeth, " For all the earth is mine," as if He should say, " All the nations of the world are mine ; but it is not so that you are mine, but in a special manner ; for they are all mine, by reason of my power ; but you shall be mine, by your own consent and covenant ;" which is an addition to His ordinary title, to all nations.

The same is again confirmed in express words in the same text, " Ye shall be to me a sacerdotal kingdom, and an holy nation." The vulgar Latin hath it, *regnum sacerdotale*, to which agreeth the translation of that place (1 Pet. ii. 9), *Sacerdotium regale*, " a regal priesthood ;" as also the institution itself, by which no man might enter into the *sanctum sanctorum*, that is to say, no man might inquire God's will immediately of God himself, but only the high priest. The English translation before mentioned, following that of Geneva, has " a kingdom of priests ;" which is either meant of the succession of one high priest after another, or else it accordeth not with St. Peter, nor with the exercise of the high priesthood ; for there was never any but the high priest only, that was to inform the people of God's will ; nor any convocation of priests ever allowed to enter into the *sanctum sanctorum*.

Again, the title of a " holy nation " confirms the same ; for " holy " signifies that which is God's by special, not by general right. All the earth, as is said in the text, is God's ; but all the earth is not called " holy," but that only which is set apart for His especial service, as was the nation of the Jews. It is therefore manifest enough by this one place, that by the " kingdom of God," is properly meant a commonwealth, instituted by the consent of those which were to be subject thereto, for their civil government, and the regulating of their behaviour, not only towards God their king, but also towards one another in point of justice, and toward other nations both in peace and war ; which properly was a kingdom wherein God was king, and the high priest was to be, after the death of Moses, his sole viceroy or lieutenant.

But there be many other places that clearly prove the same. As first (1 Sam. viii. 7), when the Elders of Israel, grieved with the corruption of the sons of Samuel, demanded a king, Samuel displeased therewith, prayed unto the Lord, and the Lord answering said unto him, " Harken unto the voice of the people, for they have not rejected thee, but they have rejected me, that I should not reign over them." Out of which it is evident that God himself was then their king ; and Samuel did not command the people, but only delivered to them that which God from time to time appointed him.



Again (1 Sam. xii. 12), where Samuel saith to the people, "When ye saw that Nahash, king of the children of Ammon, came against you, ye said unto me, Nay, but a king shall reign over us; when the Lord your God was your king." It is manifest that God was their king, and governed the civil state of their commonwealth.

And after the Israelites had rejected God, the prophets did foretell His restitution; as (Isaiah xxiv. 23), "Then the moon shall be confounded, and the sun ashamed, when the Lord of hosts shall reign in Mount Zion and in Jerusalem;" where He speaketh expressly of his reign in Zion and Jerusalem; that is, on earth. And (Micah iv. 7), "And the Lord shall reign over them in Mount Zion;" this Mount Zion is in Jerusalem, upon the earth. And (Ezek. xx. 33), "As I live, saith the Lord God, surely with a mighty hand, and a stretched out arm, and with fury poured out, I will rule over you;" and (verse 37), "I will cause you to pass under the rod, and I will bring you into the bond of the covenant;" that is, I will reign over you, and make you to stand to that covenant which you made with me by Moses, and brake in your rebellion against me in the days of Samuel, and in your election of another king.

And in the New Testament the angel Gabriel saith of our Saviour (Luke i. 32, 33), "He shall be great, and be called the Son of the Most High, and the Lord shall give unto Him the throne of His father David; and He shall reign over the house of Jacob for ever; and of His kingdom there shall be no end." This is also a kingdom upon earth; for the claim whereof, as an enemy to Cæsar, He was put to death; the title of His cross was, "Jesus of Nazareth, King of the Jews;" He was crowned in scorn with a crown of thorns; and for the proclaiming of Him it is said of the disciples (Acts xvii. 7), "That they did all of them contrary to the decrees of Cæsar, saying there was another king, one Jesus." The kingdom therefore of God is a real, not a metaphorical kingdom; and so taken, not only in the Old Testament but in the New; when we say, "For thine is the kingdom, the power, and glory," it is to be understood of God's kingdom, by force of our covenant, not by the right of God's power; for such a kingdom God always hath; so that it were superfluous to say in our prayer, "Thy kingdom come," unless it be meant of the restoration of that kingdom of God by Christ, which by revolt of the Israelites had been interrupted in the election of Saul. Nor had it been proper to say, "The kingdom of heaven is at hand;" or to pray, "Thy kingdom come," if it had still continued.

There be so many other places that confirm this interpretation, that it were a wonder there is no greater notice taken of it, but that it gives too much light to Christian kings to see their right of ecclesiastical government. This they have observed, that instead of a "sacerdotal kingdom," translate, "a kingdom of priests;" for they may as well translate a "royal priesthood," as it is in St. Peter, into a "priesthood of kings." And whereas, for a "peculiar people," they put a "precious jewel," or "treasure," a man might as well call the special regiment, or company of a general, the general's precious jewel, or his treasure.

In short, the kingdom of God is a civil kingdom; which consisted, first, in the obligation of the people of Israel to those laws, which Moses should bring unto them from Mount Sinai; and which afterwards the high priest for the time being, should deliver to them from before the cherubims in the *sanctum sanctorum*; and which kingdom having been cast off in the election of Saul, the prophets foretold, should be restored by Christ; and the restoration whereof we daily pray for, when we say in the Lord's Prayer, "Thy kingdom come;" and the right whereof we acknowledge, when we add, "For thine is the kingdom, the power, and glory, for ever and ever,

Amen ;" and the proclaiming whereof, was the preaching of the apostles ; and to which men are prepared, by the teachers of the Gospel ; to embrace which Gospel, that is to say, to promise obedience to God's government, is to be in the "kingdom of grace," because God hath *gratis* given to such the power to be the subjects, that is children, of God hereafter, when Christ shall come in majesty to judge the world, and actually to govern His own people, which is called "the kingdom of glory." If the kingdom of God, called also the kingdom of heaven, from the gloriousness and admirable height of that throne, were not a kingdom which God by His lieutenants, or vicars, who deliver His commandments to the people, did exercise on earth ; there would not have been so much contention and war about who it is by whom God speaketh to us ; neither would many priests have troubled themselves with spiritual jurisdiction, nor any king have denied it them.

Out of this literal interpretation of the "kingdom of God," ariseth also the true interpretation of the word "holy." For it is a word, which in God's kingdom answereth to that, which men in their kingdoms use to call "public," or the "king's."

The king of any country is the "public" person, or representative of all his own subjects. And God the king of Israel was the "Holy One" of Israel. The nation which is subject to one earthly sovereign, is the nation of that sovereign, that is, of the public person. So the Jews, who were God's nation, were called (Exod. xix. 6) "a holy nation." For by "holy," is always understood either God himself, or that which is God's in propriety ; as by public is always meant, either the person of the commonwealth itself, or something that is so the commonwealth's, as no private person can claim any propriety therein.

Therefore the Sabbath, God's day, is a "holy day ;" the temple, God's house, "a holy house ;" sacrifices, tithes, and offerings, God's tribute, "holy duties ;" priests, prophets, and anointed kings, under Christ, God's ministers, "holy men ;" the celestial ministering spirits, God's messengers, "holy angels ;" and the like : and wheresoever the word "holy" is taken properly, there is still something signified of propriety, gotten by consent. In saying, "Hallowed be thy name," we do but pray to God for grace to keep the first commandment, of "having no other gods but Him." Mankind is God's nation in propriety : but the Jews only were a "holy nation." Why, but because they became His propriety by covenant ?

And the word "profane" is usually taken in the Scripture for the same with "common ;" and consequently their contraries, "holy" and "proper," in the kingdom of God, must be the same also. But figuratively, those men also are called "holy," that led such godly lives, as if they had forsaken all worldly designs, and wholly devoted and given themselves to God. In the proper sense, that which is made "holy" by God's appropriating or separating it to His own use, is said to be "sanctified" by God, as the seventh day in the fourth commandment ; and as the elect in the New Testament were said to be "sanctified" when they were endued with the spirit of godliness. And that which is made "holy" by the dedication of men, and given to God, so as to be used only in His public service, is called also "sacred," and said to be consecrated, as temples, and other houses of public prayer, and their utensils, priests, and ministers, victims, offerings, and the external matter of sacraments.

Of "holiness" there be degrees : for of those things that are set apart for the service of God, there may be some set apart again for a nearer and more especial service. The whole nation of the Israelites were a people holy to God ; yet the tribe of Levi was amongst the Israelites a holy tribe ; and amongst the Levites, the priests were yet more holy ; and amongst the

priests, the high priest was the most holy. So the land of Judaea was the Holy Land; but the holy city wherein God was to be worshipped, was more holy; and again the Temple more holy than the city, and the *sanctum sanctorum* more holy than the rest of the Temple.

A "sacrament," is a separation of some visible thing from common use; and a consecration of it to God's service, for a sign either of our admission into the kingdom of God, to be of the number of His peculiar people, or for a commemoration of the same. In the Old Testament, the sign of admission was "circumcision;" in the New Testament, "baptism." The commemoration of it in the Old Testament was the "eating," at a certain time which was anniversary of the "Paschal Lamb;" by which they were put in mind of the night wherein they were delivered out of their bondage in Egypt; and in the New Testament, the celebrating of the "Lord's Supper;" by which we are put in mind of our deliverance from the bondage of sin, by our blessed Saviour's death upon the cross. The sacraments of "admission," are but once to be used, because there needs but one "admission;" but because we have need of being often put in mind of our deliverance, and of our allegiance, the sacraments of "commemoration" have need to be reiterated. And these are the principal sacraments, and as it were the solemn oaths we make of our allegiance. There be also other consecrations, that may be called sacraments, as the word implieth only consecration to God's service; but as it implies an oath, or promise of allegiance to God, there were no other in the Old Testament, but "circumcision," and the "passover;" nor are there any other in the New Testament, but "baptism" and the "Lord's Supper."

## CHAPTER XXXVI.

### *Of the Word of God, and of Prophets.*

WHEN there is mention of the "word of God," or of "man," it doth not signify a part of speech, such as grammarians call a noun or a verb, or any simple voice, without a contexture with other words to make it significative; but a perfect speech or discourse, whereby the speaker "affirmeth," "denieth," "commandeth," "promiseth," "threateneth," "wisheth," or "interrogateth." In which sense it is not *vocabulum*, that signifies a "word;" but *sermo* (in Greek *λόγος*), that is, some "speech," "discourse," or "saying."

Again, if we say the "word of God," or of "man," it may be understood sometimes of the speaker; as the words that God hath spoken, or that a man hath spoken; in which sense, when we say the Gospel of St. Matthew, we understand St. Matthew to be] the writer of it, and sometimes of the subject; in which sense when we read in the Bible, "the words of the days of the kings of Israel, or Judah," it is meant that the acts that were done in those days were the subject of those words; and in the Greek which, in the Scripture, retaineth many Hebraisms, by the word of God is oftentimes meant, not that which is spoken by God, but concerning God, and His government; that is to say, the doctrine of religion: insomuch as it is all one, to say *λόγος Θεοῦ*, and *theologia*; which is, that doctrine which we usually call "divinity," as is manifest by the places following (Acts xiii. 46), "Then Paul and Barnabas waxed bold, and said, it was necessary that the word of God should first have been spoken to you, but seeing you put it from you, and judge yourselves unworthy of everlasting life, lo, we

turn to the Gentiles." That which is here called the word of God, was the doctrine of Christian religion ; as it appears evidently by that which goes before. And (Acts v. 20) where it is said to the apostles by an angel, "Go stand and speak in the Temple, all the words of this life ;" by the words of this life, is meant the doctrine of the Gospel ; as is evident by what they did in the Temple, and is expressed in the last verse of the same chapter, "Daily in the Temple, and in every house they ceased not to teach and preach Christ Jesus ;" in which place it is manifest that Jesus Christ was the subject of this "word of life ;" or, which is all one, the subject of the "words of this life eternal," that our Saviour offered them. So (Acts xv. 7) the word of God is called "the word of the Gospel," because it containeth the doctrine of the kingdom of Christ ; and the same word (Rom. x. 8, 9) is called "the word of faith ;" that is, as is there expressed, the doctrine of Christ come, and raised from the dead. Also (Matt. xiii. 19), "When any one heareth the word of the kingdom," that is, the doctrine of the kingdom taught by Christ. Again, the same word is said (Acts xii. 24) "to grow and to be multiplied ;" which is to understand of the evangelical doctrine is easy, but of the voice or speech of God, hard and strange. In the same sense (1 Tim. iv. 1) the "doctrine of devils" signifieth not the words of any devil, but the doctrine of heathen men concerning "demons," and those phantasms which they worshipped as gods.

Considering these two significations of the "word of God," as it is taken in Scripture, it is manifest in this latter sense, where it is taken for the doctrine of Christian religion, that the whole Scripture is the word of God : but in the former sense, not so. For example, though these words, "I am the Lord thy God," &c., to the end of the Ten Commandments, were spoken by God to Moses ; yet the preface, "God spake these words and said," is to be understood for the words of him that wrote the holy history. The "word of God," as it is taken for that which He hath spoken, is understood sometimes "properly," sometimes "metaphorically." "Properly," as the words He hath spoken to His prophets : "metaphorically," for His wisdom, power, and eternal decree, in making the world ; in which sense, those fiats, "Let there be light," "Let there be a firmament," "Let us make man," &c. (Gen. i.), are the word of God. And in the same sense it is said (John i. 3), "All things were made by it, and without it was nothing made that was made : " and (Heb. i. 3), "He upholdeth all things by the word of His power ;" that is, by the power of His word ; that is, by His power : and (Heb. xi. 3), "The worlds were framed by the word of God ;" and many other places to the same sense : as also amongst the Latins, the name of "fate," which signifieth properly "the word spoken," is taken in the same sense.

Secondly, for the effect of His word ; that is to say, for the thing itself, which by His word is affirmed, commanded, threatened, or promised ; as (Psalm cv. 19) where Joseph is said to have been kept in prison "till his word was come ;" that is, till that was come to pass which he had foretold to Pharaoh's butler (Gen. xl. 13) concerning his being restored to his office : for there, "by his word was come," is meant, the thing itself was come to pass. So also (1 Kings xviii. 36) Elijah saith to God, "I have done all these thy words," instead of, "I have done all these things at thy word," or commandment ; and (Jer. xvii. 15), "Where is the word of the Lord" is put for "Where is the evil he threatened." And (Ezek. xii. 28), "There shall none of my words be prolonged any more:" by "words" are understood those "things" which God promised to His people. And in the New Testament (Matt. xxii. 35), "Heaven and earth shall pass away, but my words shall not pass away ;" that is, there is nothing that I have promised or foretold that shall not come to pass. And in this sense it is

that St. John the Evangelist, and I think St. John only, calleth our Saviour himself as in the flesh "the word of God," as (John i. 14) "the word was made flesh;" that is to say, the word or promise that Christ should come into the world; "who in the beginning was with God;" that is to say, it was in the purpose of God the Father to send God the Son into the world to enlighten men in the way of eternal life; but it was not till then put in execution and actually incarnate. So that our Saviour is there called the "word," not because He was the promise, but the thing promised. They that taking occasion from this place do commonly call Him the verb of God, do but render the text more obscure. They might as well term Him the noun of God: for as by "noun," so also by "verb," men understand nothing but a part of speech, a voice, a sound, that neither affirms, nor denies, nor commands, nor promiseth, nor is any substance corporeal or spiritual; and therefore it cannot be said to be either God or man; whereas our Saviour is both. And this "word," which St. John in his gospel saith was with God, is (in his first Epistle, verse 1) called the "word of life;" and (verse 2) "the eternal life, which was with the Father." So that He can be in no other sense called the "word" than in that wherein He is called eternal life; that is, "He that hath procured us eternal life" by His coming in the flesh. So also (Apocalypse xix. 13) the apostle, speaking of Christ clothed in a garment dipped in blood, saith, His name is "the word of God;" which is to be understood as if He had said His name had been "He that was come, according to the purpose of God from the beginning, and according to His word and promises delivered by the prophets." So that there is nothing here of the incarnation of a word, but of the incarnation of God the Son, therefore called "the word," because His incarnation was the performance of the promise; in like manner as the Holy Ghost is called (Acts i. 4; Luke xxiv. 49) "the promise."

There are also places of the Scripture, where, by the "word of God," is signified such words as are consonant to reason and equity, though spoken sometimes neither by prophet, nor by a holy man. For Pharaoh-Necho was an idolater; yet his words to the good king Josiah, in which he advised him by messengers, not to oppose him in his march against Charchemish, are said to have proceeded from the mouth of God; and Josiah, not hearkening to them, was slain in the battle; as is to be read (2 Chron. xxxv. 21, 22, 23). It is true, that as the same history is related in the first book of Esdras, not Pharaoh, but Jeremiah, spake these words to Josiah, from the mouth of the Lord. But we are to give credit to the canonical Scripture, whatsoever be written in the Apocrypha.

The "word of God," is then also to be taken for the dictates of reason and equity, when the same is said in the Scriptures to be written in man's heart; as Psalm xxxvii. 31; Jer. xxxi. 33; Deut. xxx. 11, 14, and many other like places.

The name of "prophet" signifieth in Scripture, sometimes "prolocutor;" that is, he that speaketh from God to man, or from man to God: and sometimes "predictor," or a foreteller of things to come: and sometimes one that speaketh incoherently, as men that are distracted. It is most frequently used in the sense of speaking from God to the people. So Moses, Samuel, Elijah, Isaiah, Jeremiah, and others were "prophets." And in this sense the high priest was a "prophet," for he only went into the *sanctum sanctorum* to inquire of God; and was to declare His answer to the people. And therefore when Caiaphas said it was expedient that one man should die for the people, St. John saith (chapter xi. 51) that "He spake not this of himself, but being high priest that year, he prophesied that one man should die for the nation." Also they that in Christian con-

gregations taught the people (1 Cor. xiv. 3), are said to prophesy. In the like sense it is that God saith to Moses (Exod. iv. 16) concerning Aaron, "He shall be thy spokesman to the people; and he shall be to thee a mouth, and thou shalt be to him instead of God;" that which here is "spokesman," is (Exod. vii. 1) interpreted prophet; "See," saith God, "I have made thee a god to Pharaoh, and Aaron thy brother shall be thy prophet." In the sense of speaking from man to God, Abraham is called a prophet (Gen. xx. 7), where God in a dream speaketh to Abimelech in this manner, "Now therefore restore the man his wife, for he is a prophet, and shall pray for thee:" whereby may be also gathered that the name of prophet may be given, not improperly, to them that in Christian churches have a calling to say public prayers for the congregation. In the same sense, the prophets that came down from the high place, or hill of God, with a psaltery and a tabret, and a pipe, and a harp (1 Sam. x. 5, 6, and 10), Saul amongst them, are said to prophesy, in that they praised God in that manner publicly. In the like sense is Miriam (Exod. xv. 20) called a prophetess. So is it also to be taken (1 Cor. xi. 4, 5), where St. Paul saith, "Every man that prayeth or prophesieth with his head covered, &c., and every woman that prayeth or prophesieth with her head uncovered;" for prophesy in that place signifieth no more but praising God in psalms and holy songs; which women might do in the church, though it were not lawful for them to speak to the congregation. And in this signification it is that the poets of the heathen, that composed hymns and other sorts of poems in the honour of their gods, were called *vates*, prophets; as is well enough known by all that are versed in the books of the Gentiles, and as is evident (Tit. i. 12), where St. Paul saith of the Cretians, that a prophet of their own said they were liars; not that St. Paul held their poets for prophets, but acknowledgeth that the word prophet was commonly used to signify them that celebrated the honour of God in verse.

When by prophesy is meant prediction, or foretelling of future contingence; not only they were prophets, who were God's spokesmen, and foretold those things to others which God had foretold to them; but also all those impostors that pretend, by help of familiar spirits, or by superstitious divination of events past, from false causes to foretell the like events in time to come; of which, as I have declared already in the twelfth chapter of this discourse, there be many kinds, who gain in the opinion of the common sort of men a greater reputation of prophesy, by one casual event that may be but wrested to their purpose, that can be lost again by never so many failings. Prophesy is not an art, nor, when it is taken for prediction, a constant vocation; but an extraordinary and temporary employment from God, most often of good men, but sometimes also of the wicked. The woman of Endor, who is said to have had a familiar spirit, and thereby to have raised a phantasm of Samuel, and foretold Saul his death, was not therefore a prophetess, for neither had she any science, whereby she could raise such a phantasm, nor does it appear that God commanded the raising of it; but only guided that imposture to be a means of Saul's terror and discouragement, and by consequent, of the discomfiture by which he fell. And for incoherent speech it was amongst the Gentiles taken for one sort of prophecy, because the prophets of their oracles, intoxicated with a spirit or vapour from the cave of the Pythian oracle at Delphi, were for the time really mad, and spake like madmen; of whose loose words a sense might be made to fit any event, in such sort, as all bodies are said to be made of *materia prima*. In Scripture I find it also so taken (1 Sam. xviii. 10) in these words, "And the evil spirit came upon Saul, and he prophesied in the midst of the house."

And although there be so many significations in Scripture of the word

“prophet ;” yet is that the most frequent, in which it is taken for him, to whom God speaketh immediately that which the prophet is to say from Him, to some other man, or to the people. And hereupon a question may be asked, in what manner God speaketh to such a prophet. Can it, may some say, be properly said that God hath voice and language, when it cannot be properly said He hath a tongue or other organs as a man? The prophet David argueth thus (Psalm xciv. 9), “Shall He that made the eye, not see? or He that made the ear, not hear?” But this may be spoken, not as usually, to signify God’s nature, but to signify our intention to honour Him. For to “see” and “hear,” are honourable attributes, and may be given to God to declare, as far as our capacity can conceive, His almighty power. But if it were to be taken in the strict and proper sense, one might argue from His making of all other parts of man’s body, that He had also the same use of them which we have ; which would be many of them so uncomely as it would be the greatest contumely in the world to ascribe them to Him. Therefore we are to interpret God’s speaking to men immediately, for that way, whatsoever it be, by which God makes them understand His will. And the ways whereby He doth this are many, and to be sought only in the Holy Scripture ; where though many times it be said that God spake to this and that person, without declaring in what manner ; yet there be again many places that deliver also the signs by which they were to acknowledge His presence and commandment ; and by these may be understood how He spake to many of the rest.

In what manner God spake to Adam, and Eve, and Cain, and Noah, is not expressed : nor how He spake to Abraham, till such time as he came out of his own country to Sichem, in the land of Canaan ; and then (Gen. xii. 7) God is said to have “appeared” to him. So there is one way whereby God made His presence manifest ; that is, by an “apparition” or “vision.” And again (Gen. xv. 1), “The word of the Lord came to Abraham, in a vision,” that is to say, somewhat as a sign of God’s presence, appeared as God’s messenger to speak to him. Again, the Lord appeared to Abraham (Gen. xviii. 1) by an apparition of three angels, and to Abimelech (Gen. xx. 3) in a dream ; to Lot (Gen. xix. 1) by an apparition of two angels ; and to Agar (Gen. xxi. 17) by the apparition of one angel ; and to Abraham again (Gen. xxii. 11) by the apparition of a voice from heaven ; and (Gen. xxvi. 24) to Isaac in the night, that is, in his sleep, or by dream ; and to Jacob (Gen. xxviii. 12) in a dream, that is to say, as are the words of the text, “Jacob dreamed that he saw a ladder,” &c. ; and (Gen. xxxii. 1) in a vision of angels ; and to Moses (Exod. iii. 2) in the apparition of a flame of fire out of the midst of a bush. And after the time of Moses, where the manner how God spake immediately to man in the Old Testament is expressed, He spake always by a vision, or by a dream : as to Gideon, Samuel, Elisha, Elisha, Isaiah, Ezekiel, and the rest of the prophets ; and often in the New Testament, as to Joseph, to St. Peter, to St. Paul, and to St. John the Evangelist in the Apocalypse.

Only to Moses He spake in a more extraordinary manner in Mount Sinai, and in the Tabernacle ; and to the high priest in the Tabernacle, and in the *sanctum sanctorum* of the Temple. But Moses, and after him the high priests, were prophets of a more eminent place and degree in God’s favour ; and God himself in express words declareth, that to other prophets He spake in dreams and visions, but to His servant Moses, in such a manner as a man speaketh to his friend. The words are these (Numb. xii. 6, 7, 8), “If there be a prophet among you, I the Lord will make myself known to him in a vision, and will speak unto him in a dream. My servant Moses is not so, who is faithful in all my house ; with him I will speak mouth to mouth, even apparently, not in dark speeches ; and the similitude of the

Lord shall he behold." And (Exod. xxxiii. 11), "The Lord spake to Moses face to face, as a man speaketh to his friend." And yet this speaking of God to Moses, was by mediation of an angel, or angels, as appears expressly, Acts vii. 35 and 53, and Gal. iii. 19; and was therefore a vision, though a more clear vision than was given to other prophets. And conformable hereunto, where God saith (Deut. xiii. 1), "If there arise amongst you a prophet, or dreamer of dreams," the latter word is but the interpretation of the former. And (Joel ii. 28), "Your sons and your daughters shall prophesy; your old men shall dream dreams, and your young men shall see visions;" where again the word "prophesy" is expounded by "dream" and "vision." And in the same manner it was that God spake to Solomon, promising him wisdom, riches, and honour; for the text saith (1 Kings iii. 15), "And Solomon awoke, and behold it was a dream;" so that generally the prophets extraordinary in the Old Testament took notice of the word of God no otherwise than from their dreams or visions; that is to say, from the imaginations which they had in their sleep, or in an extasy: which imaginations in every true prophet were supernatural; but in false prophets were either natural or feigned.

The same prophets were nevertheless said to speak by the spirit; as (Zech. vii. 12); where the prophet speaking of the Jews, saith, "They made their hearts hard as adamant, lest they should hear the law, and the words which the Lord of hosts hath sent in His Spirit by the former prophets." By which it is manifest, that speaking by the "spirit," or "inspiration," was not a particular manner of God's speaking, different from vision, when they that were said to speak by the Spirit were extraordinary prophets, such as for every new message were to have a peculiar commission, or which is all one, a new dream or vision.

Of prophets, that were so by a perpetual calling in the Old Testament, some were "supreme," and some "subordinate:" supreme were first: Moses; and after him the high priests, every one for his time, as long as the priesthood was royal; and after the people of the Jews had rejected God, that He should no more reign over them, those kings which submitted themselves to God's government, were also His chief prophets, and the high priest's office became ministerial. And when God was to be consulted, they put on the holy vestments, and inquired of the Lord as the king commanded them, and were deprived of their office when the king thought fit. For king Saul (1 Sam. xiii. 9) commanded the burnt-offering to be brought, and (1 Sam. xiv. 18) he commands the priests to bring the ark near him; and (verse 19) again to let it alone, because he saw an advantage upon his enemies. And in the same chapter (verse 37) Saul asketh counsel of God. In like manner king David, after his being anointed, though before he had possession of the kingdom, is said to "inquire of the Lord" (1 Sam. xxiii. 2) whether he should fight against the Philistines at Keilah: and (verse 9) David commandeth the priest to bring him the ephod, to inquire whether he should stay in Keilah or not. And king Solomon (1 Kings ii. 27) took the priesthood from Abiathar and gave it (verse 35) to Zadok. Therefore Moses, and the high priests, and the pious kings, who inquired of God on all extraordinary occasions how they were to carry themselves, or what event they were to have, were all sovereign prophets. But in what manner God spake unto them is not manifest. To say that when Moses went up to God in Mount Sinai, it was a dream or vision, such as other prophets had, is contrary to that distinction which God made between Moses and other prophets (Numb. xii. 6, 7, 8). To say God spake or appeared as He is in His own nature, is to deny His infiniteness, invisibility, incomprehensibility. To say He spake by inspiration, or infusion of the Holy Spirit, as the Holy Spirit signifieth the Deity, is to make Moses equal with Christ, in whom



only the Godhead (as St. Paul speaketh, Col. ii. 9) dwelleth bodily. And lastly, to say He spake by the Holy Spirit, as it signifieth the graces or gifts of the Holy Spirit, is to attribute nothing to Him supernatural. For God disposeth men to piety, justice, mercy, truth, faith, and all manner of virtue, both moral and intellectual, by doctrine, example, and by several occasions, natural and ordinary.

And as these ways cannot be applied to God in His speaking to Moses at Mount Sinai; so also they cannot be applied to Him in His speaking to the high priests from the mercy seat. Therefore in what manner God spake to those sovereign prophets of the Old Testament, whose office it was to inquire of Him, is not intelligible. In the time of the New Testament, there was no sovereign prophet but our Saviour, who was both God that spake, and the prophet to whom He spake.

To subordinate prophets of perpetual calling, I find not any place that proveth God spake to them supernaturally; but only in such manner as naturally He inclineth men to piety, to belief, to righteousness, and to other virtues all other Christian men. Which way, though it consist in constitution, instruction, education, and the occasions and invitements men have to Christian virtues, yet it is truly attributed to the operation of the Spirit of God, or Holy Spirit, which we in our language call the Holy Ghost; for there is no good inclination that is not of the operation of God. But these operations are not always supernatural. When therefore a prophet is said to speak in the spirit, or by the Spirit of God, we are to understand no more but that he speaks according to God's will, declared by the supreme prophet. For the most common acceptation of the word spirit, is in the signification of a man's intention, mind, or disposition.

In the time of Moses, there were seventy men besides himself that "prophesied" in the camp of the Israelites. In what manner God spake to them, is declared in Numbers, chap. xi. verse 25: "The Lord came down in a cloud, and spake unto Moses, and took of the spirit that was upon him, and gave it to the seventy elders. And it came to pass, when the spirit rested upon them, they prophesied and did not cease." By which it is manifest, first, that their prophesying to the people was subservient and subordinate to the prophesying of Moses; for that God took of the spirit of Moses, to put upon them; so that they prophesied as Moses would have them: otherwise they had not been suffered to prophesy at all. For there was (verse 27) a complaint made against them to Moses; and Joshua would have Moses to have forbidden them; which he did not, but said to Joshua, "be not jealous in my behalf." Secondly, that the spirit of God in that place signifieth nothing but the mind and disposition to obey and assist Moses in the administration of the government. For if it were meant they had the substantial spirit of God; that is, the divine nature, inspired into them, then they had it in no less manner than Christ himself, in whom only the spirit of God dwelt bodily. It is meant therefore of the gift and grace of God, that guided them to co-operate with Moses; from whom their spirit was derived. And it appeareth (Numb. xi. 16) that they were such as Moses himself should appoint for elders and officers of the people: for the words are, "Gather unto me seventy men, whom thou knowest to be elders and officers of the people:" where, "thou knowest," is the same with "thou appointest," or "hast appointed to be such." For we are told before (Exod. xviii. 24) that Moses following the counsel of Jethro, his father-in-law, did appoint judges and officers over the people, such as feared God; and of these were those seventy, whom God, by putting upon them Moses' spirit, inclined to aid Moses in the administration of the kingdom: and in this sense the spirit of God is said (1 Sam. xvi. 13, 14) presently upon the anointing of David, to have come upon

David, and left Saul ; God giving His graces to him He chose to govern His people, and taking them away from him He rejected. So that by the spirit is meant inclination to God's service ; and not any supernatural revelation.

God spake also many times by the event of lots ; which were ordered by such as He had put in authority over His people. So we read that God manifested by the lots which Saul caused to be drawn (1 Sam. xiv. 43) the fault that Jonathan had committed, in eating a honey-comb, contrary to the oath taken by the people. And (Josh xviii. 10) God divided the land of Canaan amongst the Israelites, by the "lots that Joshua did cast before the Lord in Shiloh." In the same manner it seemeth to be, that God discovered (Joshua vii. 15, &c.) the crime of Achan. And these are the ways whereby God declared His will in the old Testament.

All which ways He used also in the New Testament. To the Virgin Mary, by a vision of an angel : to Joseph in a dream : again, to Paul, in the way to Damascus, in a vision of our Saviour : and to Peter in the vision of a sheet let down from heaven, with divers sorts of flesh ; of clean, and unclean beasts ; and in prison, by vision of an angel : and to all the apostles, and writers of the New Testament, by the graces of His spirit ; and to the apostles again, at the choosing of Matthias in the place of Judas Iscariot, by lot.

Seeing then, all prophecy supposeth vision, or dream (which two, when they be natural, are the same), or some especial gift of God so rarely observed in mankind as to be admired where observed ; and seeing as well such gifts, as the most extraordinary dreams and visions, may proceed from God, not only by his supernatural and immediate, but also by His natural operation, and by mediation of second causes ; there is need of reason and judgment to discern between natural and supernatural gifts, and between natural and supernatural visions or dreams. And consequently men had need to be very circumspect and wary, in obeying the voice of man, that pretending himself to be a prophet, requires us to obey God in that way, which he in God's name telleth us to be the way to happiness. For he that pretends to teach men the way of so great felicity, pretends to govern them ; that is to say, to rule and reign over them ; which is a thing that all men naturally desire, and is therefore worthy to be suspected of ambition and imposture ; and consequently, ought to be examined and tried by every man, before he yield them obedience ; unless he have yielded it them already, in the institution of a commonwealth ; as when the prophet is the civil sovereign, or by the civil sovereign authorized. And if this examination of prophets and spirits were not allowed to every one of the people, it had been to no purpose to set out the marks by which every man might be able to distinguish between those whom they ought, and those whom they ought not to follow. Seeing therefore such marks are set out (Deut. xiii. 1, &c.) to know a prophet by ; and (1 John iv. 1, &c.) to know a spirit by : and seeing there is so much prophesying in the Old Testament, and so much preaching in the New Testament, against prophets ; and so much greater a number ordinarily of false phophets, than of true : every one is to beware of obeying their directions, at their own peril. And first, that there were many more false than true prophets, appears by this, that when Ahab (1 Kings xxii.) consulted four hundred prophets, they were all false impostors, but only one Micaiah. And a little before the time of the captivity, the prophets were generally liars. "The prophets (saith the Lord, by Jeremiah, chap. xiv. 14) prophesy lies in my name. I sent them not, neither have I commanded them, nor spake unto them ; they prophesy to you a false vision, a thing of nought, and the deceit of their heart." Insomuch as God commanded the people by the mouth of the prophet Jeremiah (chap. xxiii. 16) not to obey them : "Thus saith the Lord of hosts, hearken not unto the words of the prophets, that prophesy to

you. They make you vain, they speak a vision of their own heart, and not out of the mouth of the Lord."

Seeing then there was in the time of the Old Testament such quarrels amongst the visionary prophets, one contesting with another, and asking, "When departed the Spirit from me to go to thee?" as between Micaiah and the rest of the four hundred; and such giving of the lie to one another (as in Jerem. xiv. 14), and such controversies in the New Testament at this day, amongst the spiritual prophets; every man then was and now is bound to make use of his natural reason, to apply to all prophecy those rules which God hath given us to discern the true from false. Of which rules, in the Old Testament, one was, conformable doctrine to that which Moses the sovereign prophet had taught them; and the other, the miraculous power of foretelling what God would bring to pass, as I have already showed out of Deut. xiii. 1, &c. And in the New Testament there was but one only mark; and that was the preaching of this doctrine, "that Jesus is the Christ," that is, king of the Jews, promised in the Old Testament. Whosoever denied that article, he was a false prophet, whatsoever miracles he might seem to work; and he that taught it was a true prophet. For St. John (1 Epist. iv. 2, &c.), speaking expressly of the means to examine spirits, whether they be of God, or not; after he had told them that there would arise false prophets, saith thus: "Hereby know ye the Spirit of God. Every spirit that confesseth that Jesus Christ is come in the flesh, is of God;" that is, is approved and allowed as a prophet of God: not that he is a godly man, or one of the elect, for this, that he confesseth, professeth, or preacheth Jesus to be the Christ; but for that he is a prophet avowed. For God sometimes speaketh by prophets, whose persons He hath not accepted; as He did by Balaam; and as He foretold Saul of his death, by the Witch of Endor. Again in the next verse, "Every spirit that confesseth not that Jesus Christ is come in the flesh, is not of Christ; and this is the spirit of Antichrist." So that the rule is perfect on both sides; that he is a true prophet, which preacheth the Messiah already come, in the person of Jesus; and he a false one that denieth Him come, and looketh for Him in some future impostor, that shall take upon him that honour falsely, whom the apostle there properly calleth Antichrist. Every man therefore ought to consider who is the sovereign prophet; that is to say, who it is that is God's vicegerent on earth; and hath next under God, the authority of governing Christian men; and to observe for a rule that doctrine, which in the name of God, He hath commanded to be taught; and thereby to examine and try out the truth of those doctrines which pretended prophets, with miracle, or without, shall at any time advance: and if they find it contrary to that rule, to do as they did that came to Moses and complained that there were some that prophesied in the camp, whose authority so to do they doubted of; and leave to the sovereign, as they did to Moses, to uphold or to forbid them, as he should see cause; and if he disavow them, then no more to obey their voice; or if he approve them, then to obey them, as men to whom God hath given a part of the spirit of their sovereign. For when Christian men take not their Christian sovereign for God's prophet, they must either take their own dreams for the prophecy they mean to be governed by, and the tumour of their own hearts for the Spirit of God, or they must suffer themselves to be led by some strange prince; or by some of their fellow-subjects, that can bewitch them, by slander of the government, into rebellion, without other miracle to confirm their calling than sometimes an extraordinary success and impunity; and by this means destroying all laws, both divine and human, reduce all order, government, and society to the first chaos of violence and civil war.

## CHAPTER XXXVII.

*Of Miracles, and their Use.*

BY "miracles" are signified the admirable works of God : and therefore they are also called "wonders." And because they are for the most part done for a signification of His commandment, in such occasions, as without them, men are apt to doubt, (following their private natural reasoning,) what He hath commanded, and what not, they are commonly, in Holy Scripture, called "signs," in the same sense as they are called by the Latins *ostenta* and *portenta*, from showing and fore-signifying that which the Almighty is about to bring to pass.

To understand therefore what is a miracle, we must first understand what works they are which men wonder at and call admirable. And there be but two things which make men wonder at any event: the one is, if it be strange, that is to say, such as the like of it hath never, or very rarely, been produced : the other is, if when it is produced, we cannot imagine it to have been done by natural means, but only by the immediate hand of God. But when we see some possible, natural cause of it, how rarely soever the like has been done, or if the like have been often done, how impossible soever it be to imagine a natural means thereof, we no more wonder nor esteem it for a miracle.

Therefore, if a horse or cow should speak, it were a miracle ; because both the thing is strange, and the natural cause difficult to imagine. So also were it to see a strange deviation of Nature, in the production of some new shape of a living creature. But when a man, or other animal, engenders his like, though we know no more how this is done than the other ; yet because it is usual, it is no miracle. In like manner, if a man be metamorphosed into a stone, or into a pillar, it is a miracle ; because strange : but if a piece of wood be so changed ; because we see it often, it is no miracle ; and yet we know no more by what operation of God the one is brought to pass than the other.

The first rainbow that was seen in the world was a miracle, because the first ; and consequently strange ; and served for a sign from God, placed in heaven, to assure His people there should be no more any universal destruction of the world by water. But at this day, because they are frequent, they are not miracles, neither to them that know their natural causes, nor to them who know them not. Again, there be many rare works produced by the art of man : yet when we know they are done, because thereby we know also the means how they are done, we count them not for miracles, because not wrought by the immediate hand of God, but of human industry.

Furthermore, seeing admiration and wonder are consequent to the knowledge and experience wherewith men are endued, some more, some less ; it followeth that the same thing may be a miracle to one and not to another. And thence it is that ignorant and superstitious men make great wonders of those works which other men, knowing to proceed from Nature (which is not the immediate, but the ordinary work of God), admire not at all : as when eclipses of the sun and moon have been taken for supernatural works by the common people ; when nevertheless there were others who could from their natural causes have foretold the very hour they should arrive : or as when a man, by confederacy and secret intelligence, getting knowledge of the private actions of an ignorant, unwary man, thereby tells him what he has done in former times ; it seems to him a miraculous thing ;

but amongst wise and cautelous men such miracles as those cannot easily be done.

Again, it belongeth to the nature of a miracle that it be wrought for the procuring of credit to God's messengers, ministers, and prophets, that thereby men may know they are called, sent, and employed by God, and thereby be the better inclined to obey them. And therefore, though the creation of the world, and after that the destruction of all living creatures in the universal deluge, were admirable works; yet because they were not done to procure credit to any prophet or other minister of God, they use not to be called miracles. For how admirable soever any work be, the admiration consisteth not in that it could be done; because men naturally believe the Almighty can do all things; but because He does it at the prayer or word of a man. But the works of God in Egypt, by the hand of Moses, were properly miracles; because they were done with intention to make the people of Israel believe that Moses came unto them, not out of any design of his own interest, but as sent from God. Therefore, after God had commanded him to deliver the Israelites from the Egyptian bondage, when he said (Exod. iv. 1), "They will not believe me, but will say, the Lord hath not appeared unto me," God gave him power to turn the rod he had in his hand into a serpent, and again to return it into a rod; and by putting his hand into his bosom, to make it leprous; and again by putting it out, to make it whole; to make the children of Israel believe (as it is verse 5) that the God of their fathers had appeared unto him: and if that were not enough, He gave him power to turn their waters into blood. And when he had done these miracles before the people, it is said (verse 31) that "they believed him." Nevertheless, for fear of Pharaoh, they durst not yet obey him. Therefore, the other works which were done to plague Pharaoh and the Egyptians, tended all to make the Israelites believe in Moses, and were properly miracles. In like manner, if we consider all the miracles done by the hand of Moses, and all the rest of the prophets, till the captivity; and those of our Saviour, and His apostles afterwards; we shall find, their end was always to beget or confirm belief, that they came not of their own motion, but were sent by God. We may farther observe in Scripture, that the end of miracles was to beget belief, not universally in all men, elect and reprobate, but in the elect only; that is to say, in such as God had determined should become His subjects. For those miraculous plagues of Egypt had not for their end the conversion of Pharaoh; for God had told Moses before that He would harden the heart of Pharaoh, that he should not let the people go: and when he let them go at last, not the miracles persuaded him, but the plagues forced him to it. So also of our Saviour, it is written (Matt. xiii. 58), that He wrought not many miracles in His own country because of their unbelief; and (in Mark vi. 5) instead of "He wrought not many," it is "He could work none." It was not because He wanted power, which to say, were blasphemy against God; nor that the end of miracles was not to convert incredulous men to Christ; for the end of all the miracles of Moses, of the prophets, of our Saviour, and of His apostles was to add men to the church; but it was because the end of their miracles was to add to the church, not all men, but such as should be saved; that is to say, such as God had elected. Seeing therefore our Saviour was sent from His Father, He could not use His power in the conversion of those whom His Father had rejected. They that expounding this place of St. Mark say that this word, "He could not," is put for "He would not," do it without example in the Greek tongue: where "would not," is put sometimes for "could not," in things inanimate, that have no will; but "could not" for "would not" never: and thereby lay a stumbling-block before weak Christians; as if Christ could do no miracles but amongst the credulous.

From that which I have here set down of the nature and use of a miracle, we may define it thus : “ a miracle is a work of God (besides His operation by the way of Nature, ordained in the creation) done, for the making manifest to His elect the mission of an extraordinary minister for their salvation.”

And from this definition we may infer : first, that in all miracles the work done is not the effect of any virtue in the prophet, because it is the effect of the immediate hand of God : that is to say, God hath done it, without using the prophet therein as a subordinate cause.

Secondly, that no devil, angel, or other created spirit, can do a miracle. For it must either be by virtue of some natural science, or by incantation, that is, by virtue of words. For if the enchanters do it by their own power independent, there is some power that proceedeth not from God, which all men deny ; and if they do it by power given them, then is the work not from the immediate hand of God, but natural, and consequently no miracle.

There be some texts of Scripture that seem to attribute the power of working wonders equal to some of those immediate miracles wrought by God himself, to certain arts of magic and incantation. As for example, when we read that after the rod of Moses being cast on the ground became a serpent (Exod. vii. 11), “ the magicians of Egypt did the like by their enchantments :” and that after Moses had turned the waters of the Egyptian streams, rivers, ponds, and pools of water into blood (Exod. vii. 22), “ the magicians did so likewise with their enchantments ;” and that after Moses had by the power of God brought frogs upon the land (Exod. viii. 7), “ the magicians also did so with their enchantments, and brought up frogs upon the land of Egypt ;” will not a man be apt to attribute miracles to enchantments ; that is to say, to the efficacy of the sound of words ; and think the same very well proved out of this, and other such places ? And yet there is no place of Scripture that telleth us what an enchantment is. If therefore enchantment be not, as many think it, a working of strange effects by spells and words ; but imposture and delusion, wrought by ordinary means, and so far from supernatural, as the impostors need not the study so much as of natural causes, but the ordinary ignorance, stupidity, and superstition of mankind, to do them ; those texts that seem to countenance the power of magic, witchcraft, and enchantment, must needs have another sense than at first sight they seem to bear.

For it is evident enough that words have no effect but on those that understand them ; and then they have no other but to signify the intentions or passions of them that speak ; and thereby produce hope, fear, or other passions or conceptions in the hearer. Therefore when a rod seemeth a serpent, or the waters blood, or any other miracle seemeth done by enchantment ; if it be not to the edification of God’s people, not the rod, nor the water, nor any other thing is enchanted ; that is to say, wrought upon by the words, but the spectator. So that all the miracle consisteth in this, that the enchanter has deceived a man ; which is no miracle, but a very easy matter to do.

For such is the ignorance and aptitude to error generally of all men, but especially of them that have not much knowledge of natural causes, and of the nature and interests of men ; as by innumerable and easy tricks to be abused. What opinion of miraculous power, before it was known there was a science of the course of the stars, might a man have gained, that should have told the people this hour or day the sun should be darkened ? A juggler by the handling of his goblets and other trinkets, if it were not now ordinarily practised, would be thought to do his wonders by the power at least of the devil. A man that hath practised to speak by drawing in of his breath (which kind of men in ancient time were called

*ventriloqui*), and so make the weakness of his voice seem to proceed, not from the weak impulsion of the organs of speech, but from distance of place, is able to make very many men believe it is a voice from Heaven, whatsoever he please to tell them. And for a crafty man that hath inquired into the secrets and familiar confessions that one man ordinarily maketh to another of his actions and adventures past, to tell them him again is no hard matter; and yet there be many that by such means as that obtain the reputation of being conjurers. But it is too long a business to reckon up the several sorts of those men, which the Greeks called *θαυματοουργοι*, that is to say, workers of things wonderful: and yet these do all they do by their own single dexterity. But if we look upon the impostures wrought by confederacy, there is nothing how impossible soever to be done that is impossible to be believed. For two men conspiring, one to seem lame, the other to cure him with a charm, will deceive many; but many conspiring, one to seem lame, another so to cure him, and all the rest to bear witness, will deceive many more.

In this aptitude of mankind to give too hasty belief to pretended miracles, there can be no better, nor I think any other caution, than that which God hath prescribed, first by Moses, as I have said before in the precedent chapter, in the beginning of the xiiiith and end of the xviiiith of Deuteronomy; that we take not any for prophets that teach any other religion than that which God's lieutenant, which at that time was Moses, hath established; nor any, though he teach the same religion, whose prediction we do not see come to pass. Moses therefore in his time, and Aaron and his successors in their times, and the sovereign governor of God's people, next under God himself, that is to say, the head of the Church, in all times, are to be consulted, what doctrine he hath established, before we give credit to a pretended miracle or prophet. And when that is done, the thing they pretend to be a miracle, we must both see it done, and use all means possible to consider, whether it be really done; and not only so, but whether it be such as no man can do the like by his natural power, but that it requires the immediate hand of God. And in this also we must have recourse to God's lieutenant, to whom in all doubtful cases we have submitted our private judgments. For example: if a man pretend, after certain words spoken over a piece of bread, that presently God hath made it not bread, but a god or a man, or both, and nevertheless it looketh still as like bread as ever it did: there is no reason for any man to think it really done, nor consequently to fear him, till he inquire of God, by His vicar or lieutenant, whether it be done or not. If he say not, then followeth that which Moses saith (Deut. xviii. 22), "he hath spoken it presumptuously, thou shalt not fear him." If he say it is done, then he is not to contradict it. So also if we see not, but only hear tell of a miracle, we are to consult the lawful Church; that is to say, the lawful head thereof, how far we are to give credit to the relators of it. And this is chiefly the case of men that in these days live under Christian sovereigns. For in these times I do not know one man that ever saw any such wondrous work, done by the charm, or at the word, or prayer of a man, that a man endued but with a mediocrity of reason would think supernatural: and the question is no more whether what we see done be a miracle; whether the miracle we hear or read of were a real work, and not the act of a tongue or pen; but in plain terms, whether the report be true or a lie. In which question we are not every one to make our own private reason or conscience, but the public reason, that is, the reason of God's supreme lieutenant, judge; and indeed we have made him judge already, if we have given him a sovereign power to do all that is necessary for our peace and defence. A private man has always the liberty, because thought is free, to believe or not believe in his heart those acts that have been given out for

miracles, according as he shall see what benefit can accrue by men's belief, to those that pretend or countenance them, and thereby conjecture whether they be miracles or lies. But when it comes to confession of that faith, the private reason must submit to the public; that is to say, to God's lieutenant. But who is this lieutenant of God, and head of the Church, shall be considered in its proper place hereafter.

## CHAPTER XXXVIII.

### *Of the Signification in Scripture of Eternal Life, Hell, Salvation, the World to Come, and Redemption.*

THE maintenance of civil society depending on justice, and justice on the power of life and death, and other less rewards and punishments, residing in them that have the sovereignty of the commonwealth; it is impossible a commonwealth should stand, where any other than the sovereign hath a power of giving greater rewards than life, and of inflicting greater punishments than death. Now seeing "eternal life" is a greater reward than the "life present;" and "eternal torment" a greater punishment than the "death of nature;" it is a thing worthy to be well considered of all men that desire, by obeying authority, to avoid the calamities of confusion and civil war, what is meant in Holy Scripture by "life eternal," and "torment eternal;" and for what offences and against whom committed, men are to be "eternally tormented;" and for what actions they are to obtain "eternal life."

And first we find that Adam was created in such a condition of life, as had he not broken the commandment of God, he had enjoyed it in the paradise of Eden everlastingly. For there was the "tree of life," whereof he was so long allowed to eat, as he should forbear to eat of the tree of knowledge of good and evil; which was not allowed him. And therefore as soon as he had eaten of it, God thrust him out of paradise (Gen. iii. 22), "lest he should put forth his hand, and take also of the tree of life and live for ever." By which it seemeth to me (with submission nevertheless both in this, and in all questions whereof the determination dependeth on the Scriptures, to the interpretation of the Bible authorized by the commonwealth, whose subject I am), that Adam, if he had not sinned, had had an eternal life on earth, and that mortality entered upon himself and his posterity by his first sin. Not that actual death then entered; for Adam then could never have had children; whereas he lived long after, and saw a numerous posterity ere he died. But where it is said (Gen. ii. 17), "In the day that thou eatest thereof, thou shalt surely die," it must needs be meant of his mortality and certitude of death. Seeing then eternal life was lost by Adam's forfeiture in committing sin, he that should cancel that forfeiture was to recover thereby that life again. Now Jesus Christ hath satisfied for the sins of all that believe in Him; and therefore recovered to all believers that eternal life which was lost by the sin of Adam. And in this sense it is that the comparison of St. Paul holdeth (Rom. v. 18, 19), "As by the offence of one, judgment came upon all men to condemnation, even so by the righteousness of one the free gift came upon all men to the justification of life;" which is again (I Cor. xv. 21, 22) more perspicuously delivered in these words: "For since by man came death, by man came also the resurrection of the dead. For as in Adam all die, even so in Christ shall all be made alive."

Concerning the place wherein men shall enjoy that eternal life which



Christ hath obtained for them, the texts next before alleged seem to make it on earth. For if as in Adam all die, that is, have forfeited paradise and eternal life on earth, even so in Christ all shall be made alive; then all men shall be made to live on earth, for else the comparison were not proper. Hereunto seemeth to agree that of the Psalmist (Psalm cxxxiii. 3), "upon Zion God commanded the blessing, even life for evermore;" for Zion is in Jerusalem upon earth; as also that of St. John (Rev. ii. 7), "To him that overcometh I will give to eat of the tree of life, which is in the midst of the paradise of God." This was the tree of Adam's eternal life; but his life was to have been on earth. The same seemeth to be confirmed again by St. John (Rev. xxi. 2), where he saith, "I John saw the holy city, new Jerusalem, coming down from God out of heaven, prepared as a bride adorned for her husband:" and again (verse 10) to the same effect; as if he should say, the new "Jerusalem," the paradise of God, at the coming again of Christ, should come down to God's people from heaven, and not they go up to it from earth. And this differs nothing from that which the two men in white clothing, that is the two angels, said to the apostles that were looking upon Christ ascending (Acts i. 11), "This same Jesus, who is taken upon from you into heaven, shall so come as you have seen Him go up into heaven." Which soundeth as if they had said He should come down to govern them under His Father eternally here, and not to take them up to govern them in heaven; and is conformable to the restoration of the kingdom of God instituted under Moses, which was a political government of the Jews on earth. Again, that saying of our Saviour (Matt. xxii. 30), "that in the resurrection they neither marry, nor are given in marriage, but are as the angels of God in heaven," is a description of an eternal life, resembling that which we lost in Adam in the point of marriage. For seeing Adam and Eve, if they had not sinned, had lived on earth eternally in their individual persons; it is manifest they should not continually have procreated their kind; for if immortals should have generated as mankind doth now, the earth in a small time would not have been able to afford them place to stand on. The Jews that asked our Saviour the question, whose wife the woman that had married many brothers should be in the resurrection, knew not what were the consequences of life eternal: and therefore our Saviour puts them in mind of this consequence of immortality; that there shall be no generation, and consequently no marriage, no more than there is marriage or generation among the angels. The comparison between that eternal life which Adam lost, and our Saviour by His victory over death hath recovered, holdeth also in this; that as Adam lost eternal life by his sin, and yet lived after it for a time, so the faithful Christian hath recovered eternal life by Christ's passion, though he die a natural death, and remain dead for a time, namely, till the resurrection. For as death is reckoned from the condemnation of Adam, not from the execution; so life is reckoned from the absolution, not from the resurrection of them that are elected in Christ.

That the place wherein men are to live eternally, after the resurrection, is the heavens (meaning by heaven, those parts of the world which are the most remote from earth, as where the stars are, or above the stars, in another higher heaven, called *caelum empyreum*, whereof there is no mention in Scripture, nor ground in reason), is not easily to be drawn from any text that I can find. By the Kingdom of Heaven is meant the kingdom of the King that dwelleth in heaven; and His kingdom was the people of Israel, whom He ruled by the prophets, His lieutenants; first Moses, and after him Eleazar, and the sovereign priests, till in the days of Samuel they rebelled, and would have a mortal man for their king, after the manner of other nations. And when our Saviour Christ, by the preaching of His

ministers, shall have persuaded the Jews to return, and called the Gentiles to His obedience, then shall there be a new kingdom of heaven; because our king shall then be God, whose "throne" is heaven: without any necessity evident in the Scripture, that man shall ascend to his happiness any higher than God's "footstool" the earth. On the contrary, we find written (John iii. 13) that "no man hath ascended into heaven, but He that came down from heaven, even the Son of man, that is in heaven." Where I observe by the way, that these words are not, as those which go immediately before, the words of our Saviour, but of St. John himself; for Christ was then not in heaven, but upon the earth. The like is said of David (Acts ii. 34), where St. Peter, to prove the ascension of Christ, using the words of the Psalmist (Psalm xvi. 10), "Thou wilt not leave my soul in hell, nor suffer thine holy one to see corruption," saith they were spoken not of David but of Christ; and to prove it addeth this reason, "For David is not ascended into heaven." But to this a man may easily answer and say, that though their bodies were not to ascend till the general day of judgment, yet their souls were in heaven as soon as they were departed from their bodies; which also seemeth to be confirmed by the words of our Saviour (Luke xx. 37, 38), who proving the resurrection out of the words of Moses, saith thus, "That the dead are raised, even Moses showed at the bush, when he calleth the Lord the God of Abraham, and the God of Isaac, and the God of Jacob. For He is not a God of the dead, but of the living; for they all live to Him." But if these words be to be understood only of the immortality of the soul, they prove not at all that which our Saviour intended to prove, which was the resurrection of the body, that is to say, the immortality of the man. Therefore our Saviour meaneth that those patriarchs were immortal; not by a property consequent to the essence and nature of mankind; but by the will of God, that was pleased of His mere grace to bestow "eternal life" upon the faithful. And though at that time the patriarchs and many other faithful men were "dead," yet as it is in the text, they "lived to God;" that is, they were written in the Book of Life with them that were absolved of their sins, and ordained to life eternal at the resurrection. That the soul of man is in its own nature eternal, and a living creature independent on the body, or that any mere man is immortal otherwise than by the resurrection in the last day, except Enoch and Elias, is a doctrine not apparent in Scripture. The whole of the xivth chapter of Job, which is the speech not of his friends, but of himself, is a complaint of this mortality of nature; and yet no contradiction of the immortality at the resurrection. "There is hope of a tree," saith he (verse 7), "if it be cast down. Though the root thereof wax old, and the stock thereof die in the ground, yet when it scenteth the water it will bud, and bring forth boughs like a plant. But man dieth and wasteth away, yea, man giveth up the ghost, and where is he?" And (verse 12), "Man lieth down and riseth not, till the heavens be no more." But when is it that the heavens shall be no more? St. Peter tells us that it is at the general resurrection. For in his second Epistle, chap. iii. verse 7, he saith that "the heavens and the earth that are now, are reserved unto fire against the day of judgment, and perdition of ungodly men;" and (verse 12), "looking for, and hasting to the coming of God, wherein the heavens shall be on fire and shall be dissolved, and the elements shall melt with fervent heat. Nevertheless we according to the promise look for new heavens and a new earth, wherein dwelleth righteousness." Therefore where Job saith "man riseth not till the heavens be no more;" it is all one as if he had said the immortal life (and soul and life in the Scripture do usually signify the same thing) beginneth not in man till the resurrection and day of judgment; and hath for cause, not his specific nature and generation, but the promise. For St. Peter

says, not "We look for new heavens and a new earth from nature," but "from promise."

Lastly, seeing it hath been already proved out of divers evident places of Scripture, in chap. xxxv. of this book, that the kingdom of God is a civil commonwealth, where God himself is sovereign, by virtue first of the "old," and since of the "new" covenant, wherein He reigneth by His vicar or lieutenant; the same places do therefore also prove, that after the coming again of our Saviour in His majesty and glory, to reign actually and eternally, the kingdom of God is to be on earth. But because this doctrine, though proved out of places of Scripture not few nor obscure, will appear to most men a novelty, I do but propound it; maintaining nothing in this, or any other paradox of religion; but attending the end of that dispute of the sword, concerning the authority, not yet amongst my countrymen decided, by which all sorts of doctrine are to be approved or rejected; and whose commands, both in speech and writing, whatsoever be the opinions of private men, must by all men, that mean to be protected by their laws, be obeyed. For the points of doctrine concerning the kingdom of God have so great influence on the kingdom of man, as not to be determined but by them that under God have the sovereign power.

As the kingdom of God, and eternal life, so also God's enemies, and their torments after judgment, appear by the Scripture to have their place on earth. The name of the place, where all men remain till the resurrection, that were either buried or swallowed up of the earth, is usually called in Scripture by words that signify "under ground;" which the Latins read generally *infernus* and *inferni*, and the Greek *ἀδης*, that is to say, a place where men cannot see; and containeth as well the grave as any other deeper place. But for the place of the damned after the resurrection, it is not determined, neither in the Old nor New Testament, by any note of situation; but only by the company: as that it shall be where such wicked men were, as God in former times, in extraordinary and miraculous manner, had destroyed from off the face of the earth: as for example, that they are in Inferno, in Tartarus, or in the bottomless pit; because Corah, Dathan, and Abiron, were swallowed up alive into the earth. Not that the writers of the Scripture would have us believe there could be in the globe of the earth, which is not only finite, but also, compared to the height of the stars, of no considerable magnitude, a pit without a bottom, that is, a hole of infinite depth, such as the Greeks in their "demonology" (that is to say, in their doctrine concerning "demons"), and after them the Romans, called Tartarus; of which Virgil (*Æn.* vi. 578, 559) says,

Bis patet in præceps tantum, tenditque sub umbras,  
Quantus ad ætherium cœli suspectus Olympum :

for that is a thing the proportion of earth to heaven cannot bear: but that we should believe them there, indefinitely, where those men are on whom God inflicted that exemplary punishment.

Again, because those mighty men of the earth, that lived in the time of Noah before the flood, (which the Greeks called "heroes," and the Scripture "giants," and both say were begotten by copulation of the children of God with the children of men,) were for their wicked life destroyed by the general deluge; the place of the damned is therefore also sometimes marked out by the company of those deceased giants; as Proverbs xxi. 16, "The man that wandereth out of the way of understanding shall remain in the congregation of the giants:" and Job xxvi. 5, "Behold the giants groan under water, and they that dwell with them." Here the place of the damned is under the water. And Isaiah xiv. 9, "Hell is troubled how to meet thee (that is, the king of Babylon) and will displace the giants for

thee : " and here again the place of the damned, if the sense be literal, is to be under water. Thirdly, because the cities of Sodom and Gomorrah, by the extraordinary wrath of God, were consumed for their wickedness with fire and brimstone, and together with them the country about made a stinking bituminous lake : the place of the damned is sometimes expressed by fire, and a fiery lake, as in the Apocalypse xxi. 8, " But the timorous, incredulous, and abominable, and murderers, and whoremongers, and sorcerers, and idolaters, and all liars, shall have their part in the lake that burneth with fire and brimstone, which is the second death." So that it is manifest, that hell fire, which is here expressed by metaphor from the real fire of Sodom, signifieth not any certain kind or place of torment ; but is to be taken indefinitely for destruction, as it is in Rev. xx. 14, where it is said, that " death and hell were cast into the lake of fire ; " that is to say, were abolished and destroyed ; as if after the day of judgment there shall be no more dying, nor no more going into hell ; that is, no more going to Hades, (from which word perhaps our word Hell is derived,) which is the same with no more dying.

Fourthly, from the plague of darkness inflicted on the Egyptians, of which it is written (Exod. x. 23), " They saw not one another, neither rose any man from his place for three days ; but all the children of Israel had light in their dwellings ; " the place of the wicked after judgment, is called " utter darkness," or, as it is in the original, " darkness without." And so it is expressed (Matt. xxii. 13) where the king commanded his servants, " to bind hand and foot the man that had not on his wedding garment, and to cast him out," *eis τὸ σκοτος τὸ ἑξώτερον*, " into external darkness," or " darkness without : " which though translated " utter darkness," does not signify " how great," but " where " that darkness is to be ; namely, " without the habitation " of God's elect.

Lastly, whereas there was a place near Jerusalem, called the Valley of the Children of Hinnon ; in a part whereof, called Tophet, the Jews had committed most grievous idolatry, sacrificing their children to the idol Moloch ; and wherein also God had afflicted his enemies with most grievous punishments ; and wherein Josiah had burned the priests of Moloch upon their own altars, as appeareth at large in the 2nd of Kings, chap. xxiii. ; the place served afterwards to receive the filth and garbage which was carried thither out of the city ; and there used to be fires made from time to time to purify the air, and take away the stench of carrion. From this abominable place, the Jews used ever after to call the place of the damned by the name of Gehenna, or Valley of Hinnon. And this Gehenna is that word which is usually now translated " hell ; " and from the fires from time to time there burning, we have the notion of " everlasting " and " unquenchable fire."

Seeing now there is none that so interprets the Scripture, as that after the day of judgment, the wicked are all eternally to be punished in the Valley of Hinnon ; or that they shall so rise again, as to be ever after under ground or under water ; or that after the resurrection they shall no more see one another, nor stir from one place to another : it followeth, methinks, very necessarily, that that which is thus said concerning hell fire is spoken metaphorically ; and that therefore there is a proper sense to be inquired after (for of all metaphors there is some real ground that may be expressed in proper words), both of the " place of hell," and the nature of " hellish torments," and " tormentors."

And first for the tormentors, we have their nature and properties, exactly and properly delivered by the names of the Enemy, or Satan ; the Accuser, or Diabolus ; the Destroyer, or Abaddon. Which significant names, Satan, Devil, Abaddon, set not forth to us any individual

person, as proper names use to do; but only an office, or quality; and are therefore appellatives; which ought not to have been left untranslated, as they are in the Latin and modern Bibles; because thereby they seem to be proper names of "demons;" and men are the more easily seduced to believe the doctrine of devils; which at that time was the religion of the Gentiles, and contrary to that of Moses and of Christ.

And because by the Enemy, the Accuser, and Destroyer, is meant the enemy of them that shall be in the kingdom of God; therefore if the kingdom of God after the resurrection be upon the earth, as in the former chapter I have shown by Scripture it seems to be, the Enemy and his kingdom must be on earth also. For so also was it, in the time before the Jews had deposed God. For God's kingdom was in Palestine; and the nations round about, were the kingdoms of the Enemy; and consequently by Satan is meant any earthly enemy of the Church.

The torments of hell, are expressed sometimes, by "weeping and gnashing of teeth," as Matt. viii. 12. Sometimes by "the worm of conscience;" as Isaiah lxvi. 24, and Mark ix. 44, 46, 48: sometimes, by fire, as in the place now quoted, "where the worm dieth not, and the fire is not quenched," and many places beside: sometimes by "shame and contempt," as Dan. xii. 2, "And many of them that sleep in the dust of the earth, shall awake; some to everlasting life; and some to shame, and everlasting contempt." All which places design metaphorically a grief and discontent of mind, from the sight of that eternal felicity in others, which they themselves through their own incredulity and disobedience have lost. And because such felicity in others, is not sensible but by comparison with their own actual miseries; it followeth that they are to suffer such bodily pains and calamities, as are incident to those, who not only live under evil and cruel governors, but have also for enemy the eternal king of the saints, God Almighty. And amongst these bodily pains, is to be reckoned also to every one of the wicked a second death. For though the Scripture be clear for an universal resurrection; yet we do not read, that to any of the reprobate is promised an eternal life. For whereas St. Paul (1 Cor. xv. 42, 43) to the question concerning what bodies men shall rise with again, saith, that "The body is sown in corruption, and is raised in incorruption; it is sown in dishonour, it is raised in glory; it is sown in weakness, it is raised in power." Glory and power cannot be applied to the bodies of the wicked: nor can the name of "second death" be applied to those that can never die but once: and although in metaphorical speech, a calamitous life everlasting may be called an everlasting death, yet it cannot well be understood of a "second death."

The fire prepared for the wicked, is an everlasting fire: that is to say, the estate wherein no man can be without torture, both of body and mind, after the resurrection, shall endure for ever; and in that sense the fire shall be unquenchable, and the torments everlasting: but it cannot thence be inferred, that he who shall be cast into that fire, or be tormented with those torments, shall endure and resist them so as to be eternally burnt and tortured, and yet never be destroyed, nor die. And though there be many places that affirm everlasting fire and torments, into which men may be cast successively one after another as long as the world lasts, yet I find none that affirm there shall be an eternal life therein of any individual person; but to the contrary, an everlasting death, which is the second death. (Rev. xx. 13, 14), "For after death and the grave shall have delivered up the dead which were in them, and every man be judged according to his works; death and the grave shall also be cast into the lake of fire. This is the second death." Whereby it is evident that there is to

be a second death of every one that shall be condemned at the day of judgment, after which he shall die no more.

The joys of life eternal are in Scripture comprehended all under the name "Salvation," or "being saved." To be saved is to be secured, either respectively against special evils, or absolutely against all evils, comprehending want, sickness, and death itself. And because man was created in a condition immortal, not subject to corruption, and consequently to nothing that tendeth to the dissolution of his nature; and fell from that happiness by the sin of Adam; it followeth, that to be "saved" from sin, is to be saved from all the evil and calamities that sin hath brought upon us. And therefore in the Holy Scripture, remission of sin, and salvation from death and misery, is the same thing, as it appears by the words of our Saviour, who having cured a man sick of the palsy by saying (Matt. ix. 2), "Son be of good cheer, thy sins be forgiven thee;" and knowing that the Scribes took for blasphemy that a man should pretend to forgive sins, asked them (verse 5) "whether it were easier to say, Thy sins be forgiven thee, or, Arise and walk;" signifying thereby, that it was all one, as to the saving of the sick, to say, "Thy sins are forgiven," and "Arise and walk;" and that He used that form of speech only to show He had the power to forgive sins. And it is besides evident in reason, that since death and misery were the punishments of sin, the discharge of sin must also be a discharge of death and misery; that is to say, salvation absolute, such as the faithful are to enjoy after the day of judgment, by the power and favour of Jesus Christ, who for that cause is called our "Saviour."

Concerning particular salvations, such as are understood (1 Sam. xiv. 39), "as the Lord liveth that saveth Israel," that is, from their temporary enemies, and (2 Sam. xxii. 3), "Thou art my Saviour, thou savest me from violence;" and (2 Kings xiii. 5), "God gave the Israelites a Saviour, and so they were delivered from the hand of the Assyrians," and the like, I need say nothing; there being neither difficulty nor interest to corrupt the interpretation of texts of that kind.

But concerning the general salvation, because it must be in the kingdom of heaven, there is great difficulty concerning the place. On one side, by "kingdom," which is an estate ordained by men for their perpetual security against enemies and want, it seemeth that this salvation should be on earth. For by salvation is set forth unto us a glorious reign of our king, by conquest; not a safety by escape: and therefore there where we look for salvation, we must look also for triumph; and before triumph, for victory; and before victory, for battle; which cannot well be supposed shall be in heaven. But how good soever this reason may be, I will not trust to it, without very evident places of Scripture. The state of salvation is described at large (Isaiah xxxiii. 20, 21, 22, 23, 24):

"Look upon Zion, the city of our solemnities; thine eyes shall see Jerusalem a quiet habitation, a tabernacle that shall not be taken down; not one of the stakes thereof shall ever be removed, neither shall any of the cords thereof be broken.

"But there the glorious Lord will be unto us a place of broad rivers and streams; wherein shall go no galley with oars, neither shall gallant ship pass thereby.

"For the Lord is our Judge, the Lord is our lawgiver, the Lord is our king, he will save us.

"Thy tacklings are loosed; they could not well strengthen their mast; they could not spread the sail: then is the prey of a great spoil divided; the lame take the prey:

"And the inhabitant shall not say, I am sick; the people that shall dwell therein, shall be forgiven their iniquity."

In which words we have the place from whence salvation is to proceed, "Jerusalem, a quiet habitation;" the eternity of it, "a tabernacle that shall not be taken down," &c. ; the Saviour of it, "the Lord, their Judge, their lawgiver, their king, He will save us;" the salvation, "the Lord shall be to them as a broad moat of swift waters," &c. ; the condition of their enemies, "their tacklings are loose, their masts weak, the lame shall take the spoil of them;" the condition of the saved, "the inhabitant shall not say, I am sick:" and lastly, all this is comprehended in forgiveness of sin. "the people that dwell therein shall be forgiven their iniquity." By which it is evident, that salvation shall be on earth, then, when God shall reign, at the coming again of Christ, in Jerusalem; and from Jerusalem shall proceed the salvation of the Gentiles that shall be received into God's kingdom: as is also more expressly declared by the same prophet (Isaiah lxvi. 20, 21), "And they (that is the Gentiles who had any Jew in bondage) shall bring all your brethren, for an offering to the Lord, out of all nations, upon horses, and in chariots, and in litters, and upon mules, and upon swift beasts, to my holy mountain, Jerusalem, saith the Lord, as the children of Israel bring an offering in a clean vessel into the house of the Lord. And I will also take of them for priests and for Levites, saith the Lord." Whereby it is manifest, that the chief seat of God's kingdom, which is the place from whence the salvation of us that were Gentiles shall proceed, shall be Jerusalem: and the same is also confirmed by our Saviour in His discourse with the woman of Samaria, concerning the place of God's worship; to whom He saith (John iv. 22), that the Samaritans worshipped they knew not what, but the Jews worshipped what they knew, "for salvation is of the Jews" (*ex Judæis*, that is, begins at the Jews): as if He should say, you worship God, but know not by whom He will save you, as we do, that know it shall be by one of the tribe of Judah; a Jew, not a Samaritan. And therefore also the woman not impertinently answered Him again, "We know the Messiah shall come." So that which our Saviour saith, "Salvation is from the Jews," is the same that Paul says (Rom. i. 16, 17), "The gospel is the power of God to salvation to every one that believeth: to the Jew first, and also to the Greek. For therein is the righteousness of God revealed from faith to faith;" from the faith of the Jew to the faith of the Gentile. In the like sense the prophet Joel describing the day of Judgment (chap. ii. 50, 31), that God would "show wonders in heaven, and in earth, blood and fire, and pillars of smoke; the sun shall be turned to darkness, and the moon into blood, before the great and terrible day of the Lord come;" he addeth (verse 32), "and it shall come to pass that whosoever shall call upon the name of the Lord shall be saved. For in Mount Zion and in Jerusalem shall be salvation." And Obadiah (verse 17) saith the same: "Upon Mount Zion shall be deliverance; and there shall be holiness, and the house of Jacob shall possess their possessions," that is the possessions of the "heathen," which "possessions" he expresseth more particularly in the following verses, by the Mount of Esau, the land of the Philistines, the fields of Ephraim, of Samaria, Gilead, and the cities of the south; and concludes with these words, "the kingdom shall be the Lord's." All these places are for salvation and the kingdom of God, after the day of judgment upon earth. On the other side, I have not found any text that can probably be drawn to prove any ascension of the saints into heaven; that is to say, into any *calum empyreum*, or other ethereal region, saving that it is called the kingdom of Heaven: which name it may have, because God, that was King of the Jews, governed them by His commands, sent to Moses by angels from heaven; and after the revolt, sent His Son from heaven to reduce them to their obedience; and shall send Him thence again to rule both them and all other faithful men, from the day of judgment, everlasting;

or from that, that the throne of this our great King is in heaven ; whereas the earth is but His footstool. But that the subjects of God should have any place as high as His throne, or higher than His footstool, it seemeth not suitable to the dignity of a king, nor can I find any evident text for it in Holy Scripture.

From this that hath been said of the kingdom of God, and of salvation, it is not hard to interpret what is meant by the "world to come." There are three worlds mentioned in Scripture, the "old world," the "present world," and the "world to come." Of the first, St. Peter speaks (2 Pet. ii. 5), "If God spared not the old world, but saved Noah, the eighth person, a preacher of righteousness, bringing the flood upon the world of the ungodly," &c. So the "first world" was from Adam to the general flood. Of the present world, our Saviour speaks (John xviii. 36), "My kingdom is not of this world." For He came only to teach men the way of salvation, and to renew the kingdom of His Father, by His doctrine. Of the world to come, St. Peter speaks (2 Pet. iii. 13), "Nevertheless we according to His promise look for new heavens, and a new earth." This is that "world" wherein Christ, coming down from heaven in the clouds, with great power and glory, shall send His angels, and shall gather together His elect from the four winds, and from the uttermost parts of the earth, and thenceforth reign over them under His Father, everlastingly.

"Salvation" of a sinner supposeth a precedent "redemption ;" for he that is once guilty of sin is obnoxious to the penalty of the same ; and must pay, or some other for him, such a ransom as he that is offended, and has him in his power, shall require. And seeing the person offended is Almighty God, in whose power are all things ; such ransom is to be paid before salvation can be acquired, as God hath been pleased to require. By this ransom is not intended a satisfaction for sin equivalent to the offence, which no sinner for himself, nor righteous man, can ever be able to make for another the damage a man does to another, he may make amends for by restitution or recompense ; but sin cannot be taken away by recompense ; for that were to make the liberty to sin a thing vendible. But sins may be pardoned to the repentant, either *gratis*, or upon such penalty as God is pleased to accept. That which God usually accepted in the Old Testament was some sacrifice or oblation. To forgive sin is not an act of injustice, though the punishment have been threatened. Even amongst men, though the promise of good bind the promiser ; yet threats, that is to say, promises of evil, bind them not, much less shall they bind God, who is infinitely more merciful than men. Our Saviour Christ therefore to "redeem" us, did not in that sense satisfy for the sins of men, as that His death, of its own virtue, could make it unjust in God to punish sinners with eternal death ; but did make that sacrifice and oblation of himself at his first coming, which God was pleased to require for the salvation at His second coming, of such as in the meantime should repent and believe in Him. And though this act of our "redemption" be not always in Scripture called a "sacrifice," and "oblation," but sometimes a "price ;" yet by "price" we are not to understand anything by the value whereof He could claim right to a pardon for us from His offended Father ; but that price which God the Father was pleased in mercy to demand.



## CHAPTER XXXIX.

*Of the Signification in Scripture of the word Church.*

THE word Church (*Ecclesia*) signifieth in the books of Holy Scripture divers things. Sometimes, though not often, it is taken for "God's house," that is to say, for a temple wherein Christians assembled to perform holy duties publicly, as (1 Cor. xiv. 34), "Let your women keep silence in the Churches." But this is metaphorically put for the congregation there assembled, and hath been since used for the edifice itself, to distinguish between the temples of Christians and idolaters. The Temple of Jerusalem was "God's house," and the house of prayer; and so is any edifice dedicated by Christians to the worship of Christ, "Christ's house;" and therefore the Greek fathers call it *Κυριακή*, "the Lord's house;" and thence in our language it came to be called "kyrke" and "church."

Church, when not taken for a house, signifieth the same that *ecclesia* signified in the Grecian commonwealth, that is to say, a congregation or an assembly of citizens called forth to hear the magistrate speak unto them; and which in the commonwealth of Rome was called *concio*; as he that spake was called *ecclesiastes* and *concionator*. And when they were called forth by lawful authority (Acts xix. 39), it was *Ecclesia legitima*, a "lawful Church," *ενομος ἐκκλησία*. But when they were excited by tumultuous and seditious clamour, then it was a confused Church, *ἐκκλησία συγκεχυμένη*.

It is taken also sometimes for the men that have right to be of the congregation though not actually assembled, that is to say, for the whole multitude of Christian men, how far soever they be dispersed: as (Acts viii. 3), where it is said that "Saul made havoc of the Church;" and in this sense is Christ said to be the head of the Church. And sometimes for a certain part of Christians, as (Col. iv. 15), "Salute the Church that is in his house." Sometimes also for the elect only, as (Eph. v. 27), "A glorious Church, without spot, or wrinkle, holy, and without blemish;" which is meant of the "Church triumphant" or "Church to come." Sometimes, for a congregation assembled of professors of Christianity, whether their profession be true or counterfeit, as it is understood (Matt. xviii. 17), where it is said, "Tell it to the Church; and if he neglect to hear the Church, let him be to thee as a Gentile, or publican."

And in this last sense only it is that the "Church" can be taken for one person, that is to say, that it can be said to have power to will, to pronounce, to command, to be obeyed, to make laws, or to do any other action whatsoever. For without authority from a lawful congregation, whatsoever act be done in a concourse of people, it is the particular act of every one of those that were present, and gave their aid to the performance of it, and not the act of them all in gross, as of one body, much less the act of them that were absent, or, that being present, were not willing it should be done. According to this sense, I define a "Church" to be "a company of men professing Christian religion, united in the person of one sovereign, at whose command they ought to assemble, and without whose authority they ought not to assemble." And because in all commonwealths that assembly, which is without warrant from the civil sovereign, is unlawful, that Church also which is assembled in any commonwealth that hath forbidden them to assemble, is an unlawful assembly.

It followeth also that there is on earth no such universal Church, as all Christians are bound to obey; because there is no power on earth to which

all other commonwealths are subject. There are Christians in the dominions of several princes and states, but every one of them is subject to that commonwealth whereof he is himself a member ; and consequently, cannot be subject to the commands of any other person. And therefore a Church, such a one as is capable to command, to judge, absolve, condemn, or do any other act, is the same thing with a civil commonwealth, consisting of Christian men ; and is called a "civil state," for that the subjects of it are "men ;" and a "Church," for that the subjects thereof are "Christians." "Temporal" and "spiritual" government are but two words brought into the world to make men see double, and mistake their "lawful sovereign." It is true that the bodies of the faithful, after the resurrection, shall be not only spiritual but eternal ; but in this life they are gross and corruptible. There is therefore no other government in this life, neither of state, nor religion, but temporal ; nor teaching of any doctrine, lawful to any subject, which the governor both of the state and of the religion forbiddeth to be taught. And that governor must be one ; or else there must needs follow faction and civil war in the commonwealth between the "Church" and "State ;" between "spiritualists" and "temporalists ;" between the "sword of justice," and the "shield of faith : " and, which is more, in every Christian man's own breast, between the "Christian" and the "man." The doctors of the Church are called pastors ; so also are civil sovereigns. But if pastors be not subordinate one to another, so as that there may be one chief pastor, men will be taught contrary doctrines, whereof both may be, and one must be false. Who that one chief pastor is, according to the law of Nature, hath been already shown ; namely, that it is the civil sovereign ; and to whom the Scripture hath assigned that office we shall see in the chapters following.

## CHAPTER XL.

### *Of the Rights of the Kingdom of God, in Abraham, Moses, the High Priests, and the Kings of Judah.*

THE father of the faithful, and first in the kingdom of God by covenant, was Abraham. For with him was the covenant first made, wherein he obliged himself and his seed after him, to acknowledge and obey the commands of God ; not only such as he could take notice of (as moral laws), by the light of Nature, but also such as God should in special manner deliver to him by dreams and visions. For as to the moral law, they were already obliged, and needed not have been contracted withal by promise of the land of Canaan. Nor was there any contract that could add to or strengthen the obligation by which both they and all men else were bound naturally to obey God Almighty : and therefore the covenant which Abraham made with God was to take for the commandment of God, that which in the name of God was commanded him in a dream or vision ; and to deliver it to his family, and cause them to observe the same.

In this contract of God with Abraham we may observe three points of important consequence in the government of God's people. First, that at the making of this covenant, God spake only to Abraham ; and therefore contracted not with any of his family, or seed, otherwise than as their wills, which make the essence of all covenants, were before the contract involved in the will of Abraham, who was therefore supposed to have had a lawful power to make them perform all that he covenanted for them. According whereunto (Gen. xviii. 18, 19), God saith, "All the nations of the earth

shall be blessed in him ; for I know him that he will command his children and his household after him, and they shall keep the way of the Lord." From whence may be concluded this first point, that they to whom God hath not spoken immediately are to receive the positive commandments of God from their sovereign, as the family and seed of Abraham did from Abraham their father, and lord, and civil sovereign. And consequently in every commonwealth they who have no supernatural revelation to the contrary, ought to obey the laws of their own sovereign in the external acts and profession of religion. As for the inward "thought" and "belief" of men, which human governors can take no notice of (for God only knoweth the heart), they are not voluntary, nor the effect of the laws, but of the unrevealed will and of the power of God, and consequently fall not under obligation.

From whence proceedeth another point, that it was not unlawful for Abraham, when any of his subjects should pretend private vision or spirit, or other revelation from God, for the countenancing of any doctrine which Abraham should forbid, or when they followed or adhered to any such pretender to punish them : and consequently that it is lawful now for the sovereign to punish any man that shall oppose his private spirit against the laws : for he hath the same place in the commonwealth that Abraham had in his own family.

There ariseth also from the same a third point ; that as none but Abraham in his family, so none but the sovereign in a Christian commonwealth can take notice what is, or what is not, the word of God. For God spake only to Abraham ; and it was he only that was able to know what God said, and to interpret the same to his family ; and therefore also they that have the place of Abraham in a commonwealth, are the only interpreters of what God hath spoken.

The same covenant was renewed with Isaac, and afterwards with Jacob ; but afterwards no more till the Israelites were freed from the Egyptians, and arrived at the foot of Mount Sinai ; and then it was renewed by Moses (as I have said before, chap. xxxv.), in such manner as they became from that time forward the peculiar kingdom of God ; whose lieutenant was Moses, for his own time ; and the succession to that office was settled upon Aaron, and his heirs after him, to be to God a sacerdotal kingdom for ever.

By this constitution a kingdom is acquired to God. But seeing Moses had no authority to govern the Israelites, as a successor to the right of Abraham, because he could not claim it by inheritance ; it appeareth not as yet that the people were obliged to take him for God's lieutenant longer than they believed that God spake unto him. And therefore his authority, notwithstanding the covenant they made with God, depended yet merely upon the opinion they had of his sanctity, and of the reality of his conferences with God, and the verity of his miracles : which opinion coming to change, they were no more obliged to take anything for the law of God, which he propounded to them in God's name. We are therefore to consider what other ground there was of their obligation to obey him. For it could not be the commandment of God that could oblige them ; because God spake not to them immediately, but by the mediation of Moses himself ; and our Saviour saith of himself (John v. 31), "If I bear witness of myself, my witness is not true : " much less if Moses bear witness of himself, especially in a claim of kingly power over God's people, ought his testimony to be received. His authority therefore, as the authority of all other princes, must be grounded on the consent of the people, and their promise to obey him. And so it was ; for "the people" (Exod. xx. 18, 19), "when they saw the thunderings, and the lightnings, and the noise of the trumpets, and the mountain smoking, removed, and stood afar off. And they said

unto Moses, Speak thou with us and we will hear, but let not God speak with us lest we die." Here was their promise of obedience; and by this it was they obliged themselves to obey whatsoever he should deliver unto them for the commandment of God.

And notwithstanding the covenant constituted a sacerdotal kingdom, that is to say, a kingdom hereditary to Aaron; yet that is to be understood of the succession after Moses should be dead. For whosoever ordereth and establisheth the policy, as first founder of a commonwealth, be it monarchy, aristocracy, or democracy, must needs have sovereign power over the people all the while he is doing of it. And that Moses had that power all his own time is evidently affirmed in the Scripture. First in the text last before cited, because the people promised obedience, not to Aaron, but to him. Secondly (Exod xxiv. 1, 2), "And God said unto Moses, Come up unto the Lord, thou and Aaron, Nadab and Abihu, and seventy of the elders of Israel. And Moses alone shall come near the Lord, but they shall not come nigh, neither shall the people go up with him." By which it is plain, that Moses, who was alone called up to God (and not Aaron, nor the other priests, nor the seventy elders, nor the people who were forbidden to come up), was alone he that represented to the Israelites the person of God, that is to say, was their sole sovereign under God. And though afterwards it be said (verses 9, 10), "Then went up Moses and Aaron, Nadab and Abihu, and seventy of the elders of Israel, and they saw the God of Israel, and there was under his feet, as it were a paved work of a sapphire stone," &c. ; yet this was not till after Moses had been with God before, and had brought to the people the words which God had said to him. He only went for the business of the people; the others as the nobles of his retinue, were admitted for honour to that special grace, which was not allowed to the people; which was, as in the verse after appeareth, to see God and live, "God laid not his hand upon them, they saw God and did eat and drink," that is, did live: but did not carry any commandment from Him to the people. Again, it is everywhere said "the Lord spake unto Moses," as in all other occasions of government, so also in the ordering of the ceremonies of religion, contained in chapters xxv., xxvi., xxvii., xxviii., xxix., xxx. and xxxi. of Exodus, and throughout Leviticus: to Aaron seldom. The calf that Aaron made, Moses threw into the fire. Lastly, the question of the authority of Aaron, by occasion of his and Miriam's mutiny against Moses, was (Numb. xii.) judged by God himself for Moses. So also in the question between Moses and the people, who had the right of governing the people, when Corah, Dathan, and Abiram, and two hundred and fifty princes of the assembly "gathered themselves together (Numb xvi. 3) against Moses and against Aaron, and said unto them, Ye take too much upon you, seeing all the congregation are holy, every one of them, and the Lord is amongst them, why lift you up yourselves above the congregation of the Lord?" God caused the earth to swallow Corah, Dathan, and Abiram, with their wives and children, alive, and consumed those two hundred and fifty princes with fire. Therefore neither Aaron, nor the people, nor any aristocracy of the chief princes of the people, but Moses alone had next under God the sovereignty over the Israelites: and that not only in causes of civil policy, but also of religion: for Moses only spake with God, and therefore only could tell the people what it was that God required at their hands. No man upon pain of death might be so presumptuous as to approach the mountain where God talked with Moses. "Thou shalt set bounds" (saith the Lord, Exod. xix. 12) "to the people round about, and say, Take heed to yourselves that you go not up into the mount, or touch the border of it; whosoever toucheth the mount shall surely be put to death." And again (verse 12), "Go down,

charge the people, lest they break through unto the Lord to gaze." Out of which we may conclude that whosoever in a Christian commonwealth holdeth the place of Moses, is the sole messenger of God, and interpreter of His commandments. And according hereunto, no man ought in the interpretation of the Scripture to proceed further than the bounds which are set by their several sovereigns. For the Scriptures, since God now speaketh in them, are the Mount Sinai; the bounds whereof are the laws of them that represent God's person on earth. To look upon them, and therein to behold the wondrous works of God and learn to fear Him, is allowed; but to interpret them, that is, to pry into what God saith to him whom he appointeth to govern under him, and make themselves judges whether he govern as God commandeth him or not, is to transgress the bounds God hath set us, and to gaze upon God irreverently.

There was no prophet in the time of Moses, nor pretender to the spirit of God, but such as Moses had approved and authorized. For there were in his time but seventy men that are said to prophesy by the spirit of God, and these were all of Moses his election; concerning whom God said to Moses (Numb. xi. 16), "Gather to me seventy of the elders of Israel, whom thou knowest to be the elders of the people." To these God imparted His spirit; but it was not a different spirit from that of Moses; for it is said (verse 25), "God came down in a cloud, and took of the spirit that was upon Moses, and gave it to the seventy elders." But as I have shown before (chap. xxxvi.) by "spirit" is understood the "mind;" so that the sense of the place is no other than this, that God endued them with a mind conformable and subordinate to that of Moses, that they might prophesy, that is to say, speak to the people in God's name, in such manner, as to set forward, as ministers of Moses and by his authority, such doctrine as was agreeable to Moses his doctrine. For they were but ministers; and when two of them prophesied in the camp, it was thought a new and unlawful thing; and as it is in verses 27 and 28 of the same chapter, they were accused of it, and Joshua advised Moses to forbid them, as not knowing that it was by Moses his spirit that they prophesied. By which it is manifest that no subject ought to pretend to prophesy, or to the spirit, in opposition to the doctrine established by him whom God hath set in the place of Moses.

Aaron being dead, and after him also Moses, the kingdom, as being a sacerdotal kingdom, descended by virtue of the covenant to Aaron's son, Eleazar the high priest: and God declared him, next under himself, for sovereign, at the same time that He appointed Joshua for the general of their army. For thus God saith expressly (Numb. xxvii. 21) concerning Joshua: "He shall stand before Eleazar the priest, who shall ask counsel for him before the Lord; at his word shall they go out, and at his word they shall come in, both he, and all the children of Israel with him." Therefore the supreme power of making war and peace was in the priest. The supreme power of judicature belonged also to the high priest: for the Book of the Law was in their keeping; and the priests and Levites only were the subordinate judges in causes civil, as appears in Deut. xvii. 8, 9, 10. And for the manner of God's worship, there was never doubt made but that the high priest till the time of Saul had the supreme authority. Therefore the civil and ecclesiastical power were both joined together in one and the same person, the high priest; and ought to be so, in whosoever governeth by divine right, that is, by authority immediate from God.

After the death of Joshua, till the time of Saul, the time between is noted frequently in the Book of Judges, "That there was in those days no king in Israel;" and sometimes with this addition, that "every man did that which was right in his own eyes." By which is to be understood that

where it is said, "there was no king," is meant, "there was no sovereign power" in Israel. And so it was, if we consider the act and exercise of such power. For after the death of Joshua and Eleazar, "there arose another generation (Judges ii. 10, 11) that knew not the Lord, nor the works which He had done for Israel, but did evil in the sight of the Lord, and served Baalim." And the Jews had that quality which St. Paul noteth, "to look for a sign," not only before they would submit themselves to the government of Moses, but also after they had obliged themselves by their submission. Whereas signs and miracles had for end to procure faith, not to keep men from violating it, when they have once given it; for to that men are obliged by the law of Nature. But if we consider not the exercise, but the right of governing, the sovereign power was still in the high priest. Therefore whatsoever obedience was yielded to any of the judges, who were men chosen by God extraordinarily to save His rebellious subjects out of the hands of the enemy, it cannot be drawn into argument against the right the high priest had to the sovereign power, in all matters both of policy and religion. And neither the judges nor Samuel himself had an ordinary, but an extraordinary calling to the government; and were obeyed by the Israelites, not out of duty, but out of reverence to their favour with God, appearing in their wisdom, courage, or felicity. Hitherto therefore the right of regulating both the policy and the religion were inseparable.

To the judges succeeded kings: and whereas before, all authority, both in religion and policy, was in the high priest; so now it was all in the king. For the sovereignty over the people, which was before, not only by virtue of the divine power, but also by a particular pact of the Israelites, in God, and next under Him, in the high priest, as His vicegerent on earth, was cast off by the people, with the consent of God himself. For when they said to Samuel (1 Sam. viii. 5), "Make us a king to judge us like all the nations," they signified that they would no more be governed by the commands that should be laid upon them by the priest, in the name of God: but by one that should command them in the same manner that all other nations were commanded; and consequently in deposing the high priest of royal authority, they deposed that peculiar government of God. And yet God consented to it, saying to Samuel (1 Sam. viii. 7), "Hearken unto the voice of the people, in all that they shall say unto thee; for they have not rejected thee, but they have rejected me, that I should not reign over them." Having therefore rejected God, in whose right the priests governed, there was no authority left to the priests, but such as the king was pleased to allow them; which was more or less, according as the kings were good or evil. And for the government of civil affairs, it is manifest it was all in the hands of the king. For in the same chapter (verse 20) they say, "they will be like all the nations; that their king shall be their judge, and go before them, and fight their battles;" that is, he shall have the whole authority both in peace and war. In which is contained also the ordering of religion: for there was no other word of God in that time, by which to regulate religion but the law of Moses, which was their civil law. Besides, we read (1 Kings ii. 27), that "Solomon thrust out Abiathar from being priest before the Lord:" he had therefore authority over the high priest, as over any other subject; which is a great mark of supremacy in religion. And we read also (1 Kings viii.), that he dedicated the temple; that he blessed the people; and that he himself in person made that excellent prayer, used in the consecration of all churches and houses of prayer; which is another great mark of supremacy in religion. Again, we read (2 Kings xxii.), that when there was question concerning the Book of the Law found in the temple, the same was not decided by the high priest.

but Josiah sent both him and others to inquire concerning it of Huldah, the prophetess ; which is another mark of supremacy in religion. Lastly, we read (1 Chron. xxvi. 30), that David made Hashabiah and his brethren, Hebronites, officers of Israel among them westward, "in all their business of the Lord, and in the service of the king." Likewise (verse 32) that he made other Hebronites "rulers over the Reubenites, the Gadites, and the half tribe of Manasseh" (these were the rest of Israel that dwelt beyond Jordan), "for every matter pertaining to God, and affairs of the king." Is not this full power, both "temporal" and "spiritual," as they call it that would divide it? To conclude; from the first institution of God's kingdom to the captivity, the supremacy of religion was in the same hand with that of the civil sovereignty; and the priest's office after the election of Saul, was not magisterial but ministerial.

Notwithstanding the government both in policy and religion, were joined, first in the high priests, and afterwards in the kings, so far forth as concerned the right; yet it appeareth by the same holy history, that the people understood it not: but there being amongst them a great part, and probably the greatest part, that no longer than they saw great miracles, or, what is equivalent to a miracle, great abilities, or great felicity in the enterprises of their governors, gave sufficient credit either to the fame of Moses or to the colloquies between God and the priests; they took occasion as oft as their governors displeased them, by blaming sometimes the policy, sometimes the religion, to change the government or revolt from their obedience at their pleasure: and from thence proceeded from time to time the civil troubles, divisions, and calamities of the nation. As for example, after the death of Eleazar and Joshua, the next generation which had not seen the wonders of God, but were left to their own weak reason, not knowing themselves obliged by the covenant of a sacerdotal kingdom, regarded no more the commandment of the priest nor any law of Moses, but did every man that which was right in his own eyes, and obeyed in civil affairs such men as from time to time they thought able to deliver them from the neighbour nations that oppressed them; and consulted not with God, as they ought to do, but with such men or women as they guessed to be prophets by their predictions of things to come; and though they had an idol in their chapel, yet if they had a Levite for their chaplain, they made account they worshipped the God of Israel.

And afterwards when they demanded a king after the manner of the nations; yet it was not with a design to depart from the worship of God their king; but despairing of the justice of the sons of Samuel, they would have a king to judge them in civil actions; but not that they would allow their king to change the religion which they thought was recommended to them by Moses. So that they always kept in store a pretext, either of justice or religion, to discharge themselves of their obedience, whensoever they had hope to prevail. Samuel was displeased with the people, for that they desired a king; for God was their king already, and Samuel had but an authority under Him; yet did Samuel, when Saul observed not his counsel, in destroying Agag as God had commanded, anoint another king, namely David, to take the succession from his heirs. Rehoboam was no idolater; but when the people thought him an oppressor, that civil pretence carried from him ten tribes to Jeroboam an idolater. And generally through the whole history of the kings, as well of Judah as of Israel, there were prophets that always controlled the kings, for transgressing the religion; and sometimes also for errors of state; as Jehosaphat was re-proved (2 Chron. xix. 2) by the prophet Jehu, for aiding the king of Israel against the Syrians; and Hezekiah, by Isaiah (xxxix. 3-7), for showing his treasures to the ambassadors of Babylon. By all which it appeareth, that

though the power both of state and religion were in the kings; yet none of them were uncontrolled in the use of it, but such as were gracious for their own natural abilities or felicities. So that from the practice of those times, there can no argument be drawn, that the right of supremacy in religion was not in the kings, unless we place it in the prophets, and conclude that because Hezekiah praying to the Lord before the cherubims, was not answered from thence, nor then, but afterwards by the prophet Isaiah, therefore Isaiah was supreme head of the Church; or because Josiah consulted Huldah the prophetess, concerning the Book of the Law, that therefore neither he nor the high priest, but Huldah the prophetess, had the supreme authority in matter of religion; which I think is not the opinion of any doctor.

During the captivity, the Jews had no commonwealth at all: and after their return, though they renewed their covenant with God, yet there was no promise made of obedience, neither to Esdras, nor to any other: and presently after, they became subjects to the Greeks, from whose customs and demonology, and from the doctrine of the Cabalists, their religion became much corrupted: in such sort as nothing can be gathered from their confusion, both in state and religion, concerning the supremacy in either. And therefore so far forth as concerneth the Old Testament, we may conclude that whosoever had the sovereignty of the commonwealth amongst the Jews, the same had also the supreme authority in matter of God's external worship, and represented God's person; that is, the person of God the Father; though he were not called by the name of Father, till such time as He sent into the world His Son Jesus Christ, to redeem mankind from their sins, and bring them into His everlasting kingdom, to be saved for evermore. Of which we are to speak in the chapter following.

## CHAPTER XLI.

### *Of the Office of Our Blessed Saviour.*

WE find in Holy Scripture three parts of the office of the Messiah. the first of a "Redeemer" or "Saviour;" the second of a "pastor," "counsellor," or "teacher," that is, of a prophet sent from God to convert such as God hath elected to salvation: the third of a "king," an "eternal king," but under His Father, as Moses and the high priests were in their several times. And to these three parts are correspondent three times. For our redemption He wrought at His first coming, by the sacrifice wherein He offered up himself for our sins upon the cross: our conversion He wrought partly then in His own person, and partly worketh now by His ministers, and will continue to work till His coming again. And after His coming again, shall begin that His glorious reign over His elect, which is to last eternally.

To the office of a Redeemer, that is, of one that payeth the ransom of sin, which ransom is death, it appertaineth, that He was sacrificed, and thereby bare upon His own head and carried away from us our iniquities, in such sort as God had required. Not that the death of one man, though without sin, can satisfy for the offences of all men, in the rigour of justice. but in the mercy of God, that ordained such sacrifices for sin, as He was pleased in His mercy to accept. In the old law (as we may read, Levit. xvi.) the Lord required that there should, every year once, be made an atonement for the sins of all Israel, both priests and others; for the doing



whereof, Aaron alone was to sacrifice for himself and the priests a young bullock ; and for the rest of the people he was to receive from them two young goats, of which he was to "sacrifice" one ; but as for the other, which was the "scape-goat," he was to lay his hands on the head thereof, and by a confession of the iniquities of the people, to lay them all on that head, and then by some opportune man, to cause the goat to be led into the wilderness, and there to "escape," and carry away with him the iniquities of the people. As the sacrifice of the one goat was a sufficient, because an acceptable, price for the ransom of all Israel ; so the death of the Messiah is a sufficient price for the sins of all mankind, because there was no more required. Our Saviour Christ's sufferings seem to be here figured, as clearly as in the oblation of Isaac, or in any other type of Him in the Old Testament. He was both the sacrificed goat, and the scape-goat ; "He was oppressed, and He was afflicted (Isaiah liii. 7) ; He opened not His mouth ; He is brought as a Lamb to the slaughter, and as a sheep is dumb before the shearer, so He opened not His mouth : " here He is the "sacrificed goat." "He hath borne our griefs (verse 4), and carried our sorrows : " and again (verse 6), "the Lord hath laid upon Him the iniquities of us all : " and so He is the "scape-goat." "He was cut off from the land of the living (verse 8) for the transgression of my people ; " there again He is the "sacrificed goat." And again (verse 11), "He shall bear their sins : " He is the "scape-goat." Thus is the Lamb of God equivalent to both those goats ; sacrificed, in that He died ; and escaping, in His resurrection ; being raised opportunely by His Father, and removed from the habitation of men in His ascension.

For as much therefore as he that "redeemeth" hath no title to the "thing redeemed," before "the redemption" and ransom paid ; and this ransom was the death of the Redeemer ; it is manifest that our Saviour, as man, was not king of those that He redeemed before He suffered death ; that is, during that time He conversed bodily on the earth. I say, He was not then king in present, by virtue of the pact, which the faithful make with Him in baptism. Nevertheless, by the renewing of their pact with God in baptism, they were obliged to obey Him for king, under His Father, whensoever He should be pleased to take the kingdom upon Him. According whereunto, our Saviour himself expressly saith (John xviii. 36), "My kingdom is not of this world." Now seeing the Scripture maketh mention but of two worlds ; this that is now, and shall remain unto the day of judgment, which is therefore also called the "last day ; " and that which shall be after the day of judgment, when there shall be a new heaven and a new earth : the kingdom of Christ is not to begin till the general resurrection. And that is it which our Saviour saith (Matt. xvi. 27), "The Son of man shall come in the glory of His Father, with His angels ; and then He shall reward every man according to his works." To reward every man according to his works is to execute the office of a king ; and this is not to be till He come in the glory of His Father, with His angels. When our Saviour saith (Matt. xxiii. 2, 3), "The Scribes and Pharisees sit in Moses' seat ; all therefore whatsoever they bid you do, that observe and do ; " He declared plainly, that He ascribed kingly power, for that time, not to himself, but to them. And so He doth also, where He saith (Luke xii. 14), "Who made me a judge or divider over you ? " And (John xii. 47), "I came not to judge the world, but to save the world." And yet our Saviour came into this world that He might be a king and a judge in the world to come : for He was the Messiah, that is, the Christ, that is, the anointed priest, and the sovereign prophet of God ; that is to say, He was to have all the power that was in Moses the prophet, in the high priests that succeeded Moses, and in the kings that succeeded the priests. And

St. John says expressly (chap. v. verse 22), "the Father judgeth no man, but hath committed judgment to the Son." And this is not repugnant to that other place, "I came not to judge the world:" for this is spoken of the world present, the other of the world to come: as also where it is said that at the second coming of Christ (Matt. xix. 28), "Ye that have followed me in the regeneration, when the Son of man shall sit in the throne of His glory, ye shall also sit on twelve thrones, judging the twelve tribes of Israel."

If then Christ, whilst He was on earth, had no kingdom in this world, to what end was His first coming? It was to restore unto God by a new covenant, the kingdom, which being His by the old covenant, had been cut off by the rebellion of the Israelites in the election of Saul. Which to do, He was to preach unto them that He was the Messiah, that is, the king promised to them by the prophets; and to offer himself in sacrifice for the sins of them that should by faith submit themselves thereto; and in case the nation generally should refuse Him, to call to His obedience such as should believe in Him amongst the Gentiles. So that there are two parts of our Saviour's office during His abode upon the earth: one to proclaim himself the Christ, and another by teaching and by working of miracles, to persuade and prepare men to live so as to be worthy of the immortality believers were to enjoy, at such time as He should come in majesty to take possession of His Father's kingdom. And therefore it is that the time of His preaching is often by himself called the "regeneration;" which is not properly a kingdom, and thereby a warrant to deny obedience to the magistrates that then were; for He commanded to obey those that sat then in Moses' chair, and to pay tribute to Cæsar, but only an earnest of the kingdom of God that was to come, to those to whom God had given the grace to be His disciples, and to believe in Him; for which cause the godly are said to be already in the "kingdom of grace," as naturalized in that heavenly kingdom.

Hitherto, therefore, there is nothing done or taught by Christ that tendeth to the diminution of the civil right of the Jews or of Cæsar. For as touching the commonwealth which then was amongst the Jews, both they that bare rule amongst them, and they that were governed, did all expect the Messiah and kingdom of God; which they could not have done if their laws had forbidden Him, when He came, to manifest and declare himself. Seeing therefore He did nothing but by preaching and miracles go about to prove himself to be that Messiah, He did therein nothing against their laws. The kingdom He claimed was to be in another world: He taught all men to obey in the meantime them that sat in Moses' seat: He allowed them to give Cæsar his tribute, and refused to take upon himself to be a judge. How then could His words or actions be seditious, or tend to the overthrow of their then civil government? But God having determined His sacrifice for the reduction of His elect to their former covenanted obedience, for the means, whereby He would bring the same to effect, made use of their malice and ingratitude. Nor was it contrary to the laws of Cæsar. For though Pilate himself, to gratify the Jews, delivered Him to be crucified; yet before he did so he pronounced openly that he found no fault in Him: and put for title of His condemnation, not as the Jews required, "that He pretended to be king;" but simply, "that He was king of the Jews;" and notwithstanding their clamour, refused to alter it: saying, "What I have written, I have written."

As for the third part of His office, which was to be "king," I have already shown that His kingdom was not to begin till the resurrection. But then He shall be king, not only as God, in which sense He is king already, and ever shall be, of all the earth, in virtue of His omnipotence: but also peculiarly of His own elect, by virtue of the pact they make with

Him in their baptism. And therefore it is that our Saviour saith (Matt. xix. 28) that His apostles should sit upon twelve thrones, judging the twelve tribes of Israel, "When the Son of man shall sit in the throne of His glory:" whereby He signified that He should reign then in His human nature; and Matt. (xvi. 27), "The Son of man shall come in the glory of His Father, with His angels, and then He shall reward every man according to his works." The same we may read (Mark xiii. 26, and xiv. 62); and more expressly for the time (Luke xxii. 29, 30), "I appoint unto you a kingdom, as my Father hath appointed to me, that you may eat and drink at my table in my kingdom, and sit on thrones judging the twelve tribes of Israel." By which it is manifest that the kingdom of Christ appointed to Him by His Father is not to be before the Son of man shall come in glory, and make His apostles judges of the twelve tribes of Israel. But a man may here ask, seeing there is no marriage in the kingdom of heaven, whether men shall then eat and drink? What eating therefore is meant in this place? This is expounded by our Saviour (John vi. 27), where He saith, "Labour not for the meat which perisheth, but for that meat which endureth unto everlasting life, which the Son of man shall give you." So that by eating at Christ's table is meant the eating of the tree of life; that is to say, the enjoying of immortality, in the kingdom of the Son of man. By which places and many more, it is evident that our Saviour's kingdom is to be exercised by Him in His human nature.

Again, He is to be king then, no otherwise than as subordinate or vicegerent of God the Father, as Moses was in the wilderness; and as the high priests were before the reign of Saul; and as the kings were after it. For it is one of the prophecies concerning Christ, that He should be like, in office, to Moses: "I will raise them up a prophet," saith the Lord (Deut. xviii. 18), "from amongst their brethren, like unto thee, and will put my words into his mouth;" and this similitude with Moses is also apparent in the actions of our Saviour himself, whilst He was conversant on earth. For as Moses chose twelve princes of the tribes to govern under him; so did our Saviour choose twelve apostles, who shall sit on twelve thrones, and judge the twelve tribes of Israel. And as Moses authorized seventy elders to receive the Spirit of God, and to prophesy to the people, that is, as I have said before, to speak unto them in the name of God; so our Saviour also ordained seventy disciples to preach His kingdom and salvation to all nations. And as when a complaint was made to Moses against those of the seventy that prophesied in the camp of Israel, he justified them in it, as being subservient therein to his government; so also our Saviour, when St. John complained to Him of a certain man that cast out devils in His name, justified him therein, saying (Luke ix. 50), "Forbid him not, for he that is not against us, is on our part."

Again, our Saviour resembled Moses in the institution of "sacraments," both of "admission" into the kingdom of God, and of "commemoration" of his deliverance of His elect from their miserable condition. As the children of Israel had for sacrament of their reception into the kingdom of God, before the time of Moses, the rite of "circumcision," which rite having been omitted in the wilderness, was again restored as soon as they came into the Land of Promise; so also the Jews, before the coming of our Saviour, had a rite of "baptizing," that is, of washing with water all those that being Gentiles embraced the God of Israel. This rite St. John the Baptist used in the reception of all them that gave their names to the Christ, whom he preached to be already come into the world; and our Saviour instituted the same for a sacrament to be taken by all that believed in Him. From what cause the rite of baptism first proceeded, is not expressed formally in the Scripture; but it may be probably thought to be

an imitation of the law of Moses concerning leprosy; wherein the leprous man was commanded to be kept out of the camp of Israel for a certain time; after which time being judged by the priest to be clean, he was admitted into the camp after a solemn washing. And this may therefore be a type of the washing in baptism; wherein such men as are cleansed of the leprosy of sin by faith, are received into the Church with the solemnity of baptism. There is another conjecture, drawn from the ceremonies of the Gentiles, in a certain case that rarely happens: and that is, when a man that was thought dead chanced to recover, other men made scruple to converse with him, as they would do to converse with a ghost, unless he were received again into the number of men by washing, as children new-born were washed from the uncleanness of their nativity; which was a kind of new birth. This ceremony of the Greeks, in the time that Judæa was under the dominion of Alexander and the Greeks his successors, may probably enough have crept into the religion of the Jews. But seeing it is not likely our Saviour would countenance a heathen rite, it is most likely it proceeded from the legal ceremony of washing after leprosy. And for the other sacrament of eating the "Paschal lamb," it is manifestly imitated in the sacrament of the "Lord's Supper;" in which the breaking of the bread, and the pouring out of the wine, do keep in memory our deliverance from the misery of sin, by Christ's passion, as the eating of the Paschal lamb kept in memory the deliverance of the Jews out of the bondage of Egypt. Seeing therefore the authority of Moses was but subordinate, and he but a lieutenant of God; it followeth that Christ, whose authority as man was to be like that of Moses, was no more but subordinate to the authority of his Father. The same is more expressly signified, by that that He teacheth us to pray, "Our Father, let thy kingdom come;" and "For thine is the kingdom, the power, and the glory;" and by that it is said, that "He shall come in the glory of His Father;" and by that which St. Paul saith (1 Cor. xv. 24), "then cometh the end, when He shall have delivered up the kingdom to God, even the Father;" and by many other most express places.

Our Saviour, therefore, both in teaching and reigning, representeth, as Moses did, the person of God; which God from that time forward, but not before, is called the Father; and being still one and the same substance, is one person as represented by Moses, and another person as represented by His Son the Christ. For "person" being a relative to a "representer," it is consequent to plurality of representers, that there be a plurality of persons, though of one and the same substance.

## CHAPTER XLII.

### *Of Power Ecclesiastical.*

FOR the understanding of "power ecclesiastical," what, and in whom it is, we are to distinguish the time from the ascension of our Saviour into two parts; one before the conversion of kings, and men endued with sovereign civil power; the other after their conversion. For it was long after the ascension, before any king or civil sovereign embraced and publicly allowed the teaching of Christian religion.

And for the time between, it is manifest that the "power ecclesiastical" was in the apostles; and after them in such as were by them ordained to preach the Gospel, and to convert men to Christianity, and to direct them

that were converted in the way of salvation ; and after these, the power was delivered again to others by these ordained, and this was done by imposition of hands upon such as were ordained ; by which was signified the giving of the Holy Spirit, or Spirit of God, to those whom they ordained ministers of God, to advance His kingdom. So that imposition of hands was nothing else but the seal of their commission to preach Christ, and teach His doctrine ; and the giving of the Holy Ghost by that ceremony of imposition of hands, was an imitation of that which Moses did. For Moses used the same ceremony to his minister Joshua, as we read (Deut. xxxiv. 9), "And Joshua the son of Nun was full of the spirit of wisdom, for Moses had laid his hands upon him." Our Saviour therefore, between His resurrection and ascension, gave His spirit to the apostles ; first, by "breathing on them, and saying" (John xx. 22), "Receive ye the Holy Spirit ;" and after His ascension (Acts ii. 2, 3), by sending down upon them "a mighty wind, and cloven tongues of fire ;" and not by imposition of hands, as neither did God lay His hands on Moses ; and His apostles afterwards transmitted the same spirit by imposition of hands as Moses did to Joshua. So that it is manifest hereby in whom the power ecclesiastical continually remained, in those first times where there was not any Christian commonwealth ; namely, in them that received the same from the apostles, by successive laying on of hands.

Here we have the person of God born now the third time. For as Moses and the high priests were God's representative in the Old Testament ; and our Saviour himself, as man, during his abode on earth ; so the Holy Ghost, that is to say, the apostles and their successors, in the office of preaching and teaching that had received the Holy Spirit, have represented him ever since. But a person, as I have shown before (chap. xiii.), is he that is represented, as often as he is represented ; and therefore God, who has been represented, that is personated, thrice, may properly enough be said to be three persons ; though neither the word "Person," nor "Trinity," be ascribed to him in the Bible. St. John, indeed (1 Epist. v. 7) saith, "There be three that bear witness in heaven, the Father, the Word, and the Holy Spirit ; and these three are One." But this disagreeeth not, but accordeth fitly with three persons in the proper signification of persons ; which is that which is represented by another. For so God the Father, as represented by Moses, is one person ; and as represented by His Son, another person ; and as represented by the apostles, and by the doctors that taught by authority from them derived, is a third person ; and yet every person here, is the person of one and the same God. But a man may here ask, what it was whereof these three bear witness. St. John therefore tells us (verse 11) that they bear witness that "God hath given us eternal life in His Son." Again, if it should be asked, wherein that testimony appeareth, the answer is easy ; for He hath testified the same by the miracles He wrought, first by Moses ; secondly, by His Son himself : and lastly by His apostles that had received the Holy Spirit ; all which in their times represented the person of God, and either prophesied or preached Jesus Christ. And as for the apostles, it was the character of the apostleship, in the twelve first and great apostles, to bear witness of His resurrection ; as appeareth expressly (Acts i. 21, 22), where St. Peter, when a new apostle was to be chosen in the place of Judas Iscariot, useth these words, "Of these men which have companied with us all the time that the Lord Jesus went in and out amongst us, beginning at the baptism of John, unto that same day that He was taken up from us, must one be ordained to be a witness with us of His resurrection : " which words interpret the "bearing of witness" mentioned by St. John. There is in the same place mentioned another Trinity of witnesses in earth. For (1 John v. 8) he saith, "there are

three that bear witness in earth, the Spirit, and the water, and the blood, and these three agree in one :” that is to say, the graces of God’s spirit, and the two sacraments, baptism and the Lord’s Supper, which all agree in one testimony to assure the consciences of believers of eternal life ; of which testimony he saith (verse 10), “ He that believeth on the Son of man hath the witness in himself.” In this Trinity on earth, the unity is not of the thing ; for the Spirit, the water, and the blood, are not the same substance, though they give the same testimony : but in the Trinity of heaven, the persons are the persons of one and the same God, though represented in three different times and occasions. To conclude, the doctrine of the Trinity, as far as can be gathered directly from the Scripture, is in substance this, that the God who is always one and the same, was the person represented by Moses ; the person represented by his Son incarnate ; and the person represented by the apostles. As represented by the apostles, the Holy Spirit, by which they spake, is God ; as represented by His Son that was God and man, the Son is that God ; as represented by Moses and the high priests, the Father, that is to say, the Father of our Lord Jesus Christ, is that God. From whence we may gather the reason why those names “ Father,” “ Son,” and “ Holy Spirit,” in the signification of the Godhead, are never used in the Old Testament : for they are persons, that is, they have their names from representing ; which could not be, till divers men had represented God’s person in ruling or in directing under Him.

Thus we see how the power ecclesiastical was left by our Saviour to the apostles ; and how they were, to the end they might the better exercise that power, endued with the Holy Spirit, which is therefore called sometimes in the New Testament *paracletus*, which signifieth an “ assister,” or one called to for help, though it be commonly translated a “ comforter.” Let us now consider the power itself, what it was, and over whom.

Cardinal Bellarmine, in his third general controversy, hath handled a great many questions concerning the ecclesiastical power of the Pope of Rome ; and begins with this, whether it ought to be monarchical, aristocratical, or democratical : all which sorts of power are sovereign and coercive. If now it should appear that there is no coercive power left them by our Saviour, but only a power to proclaim the kingdom of Christ, and to persuade men to submit themselves thereunto, and by precepts and good counsel to teach them that have submitted what they are to do that they may be received into the kingdom of God when it comes ; and that the apostles and other ministers of the Gospel are our schoolmasters, and not our commanders, and their precepts not laws but wholesome counsels : then were all that dispute in vain.

I have shown already, in the last chapter, that the kingdom of Christ is not of this world : therefore neither can His ministers, unless they be kings, require obedience in His name. For if the supreme king have not his regal power in this world, by what authority can obedience be required to his officers ? “ As my Father sent me,” so saith our Saviour (John xx. 21), “ I send you.” But our Saviour was sent to persuade the Jews to return to, and to invite the Gentiles to receive, the kingdom of His Father, and not to reign in majesty, no not as His Father’s lieutenant, till the day of judgment.

The time between the ascension and the general resurrection is called, not a reigning, but a regeneration ; that is, a preparation of men for the second and glorious coming of Christ at the day of judgment ; as appeareth by the words of our Saviour (Matt. xix. 28), “ You that have followed me in the regeneration, when the Son of man shall sit in the throne of His glory, you shall also sit upon twelve thrones ;” and of St. Paul (Ephes. vi. 15), “ Having your feet shod with the preparation of the gospel of peace.”

And is compared by our Saviour to fishing, that is, to winning men to obedience, not by coercion and punishing, but by persuasion: and therefore He said not to His apostles He would make them so many Nimrods, "hunters of men;" but "fishers of men." It is compared also to leaven, to sowing of seed, and to the multiplication of a grain of mustard-seed; by all which compulsion is excluded; and consequently there can in that time be no actual reigning. The work of Christ's ministers is evangelization; that is, a proclamation of Christ, and a preparation for His second coming, as the evangelization of John the Baptist was a preparation to His first coming.

Again, the office of Christ's ministers in this world is to make men believe and have faith in Christ; but faith hath no relation to nor dependence at all upon compulsion or commandment; but only upon certainty or probability of arguments drawn from reason, or from something men believe already. Therefore the ministers of Christ in this world have no power, by that title, to punish any man for not believing or for contradicting what they say; they have, I say, no power by that title of Christ's ministers to punish such; but if they have sovereign civil power by politic institution, then they may indeed lawfully punish any contradiction to their laws whatsoever: and St. Paul, of himself and other the then preachers of the Gospel, saith in express words (2 Cor. i. 24), "We have no dominion over your faith, but are helpers of your joy."

Another argument, that the ministers of Christ in this present world have no right of commanding, may be drawn from the lawful authority which Christ hath left to all princes, as well Christians as infidels. St. Paul saith (Col. iii. 20), "Children, obey your parents in all things; for this is well pleasing to the Lord;" and (verse 20), "Servants, obey in all things your masters according to the flesh; not with eye-service, as men-pleasers, but in singleness of heart, as fearing the Lord;" this is spoken to them whose masters were infidels; and yet they are bidden to obey them "in all things." And again, concerning obedience to princes (Rom. xiii., the first six verses), exhorting "to be subject to the higher powers," he saith, "that all power is ordained of God;" and "that we ought to be subject to them, not only for fear of incurring their wrath, but also for conscience sake." And St. Peter (1 Epistle ii. 13, 14, 15), "Submit yourselves to every ordinance of man, for the Lord's sake, whether it be to the king, as supreme; or unto governors, as to them that be sent by him for the punishment of evil doers, and for the praise of them that do well; for so is the will of God." And again St. Paul (Titus iii. 1), "Put men in mind to be subject to principalities and powers, and to obey magistrates." These princes and powers, whereof St. Peter and St. Paul here speak, were all infidels: much more therefore we are to observe those Christians, whom God hath ordained to have sovereign power over us. How then can we be obliged to obey any minister of Christ, if he should command us to do anything contrary to the command of the king, or other sovereign representant of the commonwealth whereof we are members, and by whom we look to be protected? It is therefore manifest that Christ hath not left to His ministers in this world, unless they be also endued with civil authority, any authority to command other men.

But what, may some object, if a king, or a senate, or other sovereign person forbid us to believe in Christ? To this I answer that such forbidding is of no effect; because belief and unbelief never follow men's commands. Faith is a gift of God, which man can neither give nor take away by promise of rewards, or menaces of torture. And if it be further asked, what if we be commanded by our lawful prince to say with our tongue, we believe not; must we obey such command? Profession with the tongue is but an external thing, and no more (than any other gesture

whereby we signify our obedience ; and wherein a Christian, holding firmly in his heart the faith of Christ, hath the same liberty which the prophet Elisha allowed to Naaman the Syrian. Naaman was converted in his heart to the God of Israel ; for he saith (2 Kings v. 17, 18), "Thy servant will henceforth offer neither burnt-offering nor sacrifice unto other gods, but unto the Lord. In this thing the Lord pardon thy servant, that when my master goeth into the house of Rimmon to worship there, and he leaneth on my hand, and I bow myself in the house of Rimmon : when I bow down myself in the house of Rimmon, the Lord pardon thy servant in this thing." This the prophet approved, and bid him "Go in peace." Here Naaman believed in his heart ; but by bowing before the idol Rimmon, he denied the true God in effect, as much as if he had done it with his lips. But then what shall we answer to our Saviour's saying (Matt. x. 33), "Whosoever denieth me before men, I will deny him before my Father which is in heaven?" This we may say, that whatsoever a subject, as Naaman was, is compelled to do in obedience to his sovereign, and doth it not in order to his own mind, but in order to the laws of his country, that action is not his, but his sovereign's, nor is it he that in this case denieth Christ before men, but his governor, and the law of his country. If any man shall accuse this doctrine, as repugnant to true and unfeigned Christianity, I ask him, in case there should be a subject in any Christian commonwealth, that should be inwardly in his heart of the Mahomedan religion, whether if his sovereign command him to be present at the divine service of the Christian church, and that on pain of death, he think that Mahomedan obliged in conscience to suffer death for that cause, rather than obey that command of his lawful prince. If he say, he ought rather to suffer death, then he authorizeth all private men to disobey their princes in maintenance of their religion, true or false ; if he say, he ought to be obedient, then he alloweth to himself that which he denieth to another, contrary to the words of our Saviour (Luke vi. 31), "Whatsoever you would that men should do unto you, that do ye unto them ;" and contrary to the law of Nature, which is the indubitable everlasting law of God, "Do not to another, that which thou wouldest not he should do unto thee."

But what then shall we say of all those martyrs we read of in the history of the Church, that they have needlessly cast away their lives ? For answer hereunto, we are to distinguish the persons that have been for that cause put to death : whereof some have received a calling to preach, and profess the kingdom of Christ openly ; others have had no such calling, nor more has been required of them than their own faith. The former sort, if they have been put to death for bearing witness to this point, that Jesus Christ is risen from the dead, were true martyrs ; for a "martyr" is (to give the true definition of the word) a witness of the resurrection of Jesus the Messiah ; which none can be but those that conversed with Him on earth, and saw Him after He was risen : for a witness must have seen what he testifieth, or else his testimony is not good. And that none but such can properly be called martyrs of Christ, is manifest out of the words of St. Peter (Acts i. 21, 22), "Wherefore of these men which have companied with us all the time that the Lord Jesus went in and out amongst us, beginning from the baptism of John unto that same day He was taken up from us, must one be ordained to be a martyr" (that is a witness) "with us of His resurrection" where we may observe, that he which is to be a witness of the truth of the resurrection of Christ, that is to say, of the truth of this fundamental article of Christian religion, that Jesus was the Christ, must be some disciple that conversed with Him, and saw Him before and after His resurrection ; and consequently must be one of His original disciples : whereas they which were not so, can witness no more but that their antecessors said it, and are



therefore but witnesses of other men's testimony; and are but second martyrs, or martyrs of Christ's witnesses.

He, that to maintain every doctrine which he himself draweth out of the history of our Saviour's life, and of the acts or epistles of the apostles, or which he believeth upon the authority of a private man, will oppose the laws and authority of the civil state, is very far from being a martyr of Christ, or a martyr of His martyrs. It is one article only, which to die for, meriteth so honourable a name: and that article is this, that "Jesus is the Christ;" that is to say, He that hath redeemed us, and shall come again to give us salvation and eternal life in His glorious kingdom. To die for every tenet that serveth the ambition or profit of the clergy, is not required; nor is it the death of the witness, but the testimony itself that makes the martyr: for the word signifieth nothing else but the man that beareth witness, whether he be put to death for his testimony or not.

Also he that is not sent to preach this fundamental article, but taketh it upon him of his private authority, though he be a witness, and consequently a martyr, either primary of Christ, or secondary of His apostles, disciples, or their successors; yet is he not obliged to suffer death for that cause; because being not called thereto, it is not required at his hands; nor ought he to complain if he loseth the reward he expecteth from those that never set him on work. None therefore can be a martyr, neither of the first nor second degree, that have not a warrant to preach Christ come in the flesh; that is to say, none but such as are sent to the conversion of infidels. For no man is a witness to him that already believeth, and therefore needs no witness; but to them that deny, or doubt, or have not heard it. Christ sent His apostles and His seventy disciples, with authority to preach; He sent not all that believed. And He sent them to unbelievers; "I send you," saith He (Matt. x. 16), "as sheep amongst wolves;" not as sheep to other sheep.

Lastly, the points of their commission, as they are expressly set down in the G. spel, contain, none of them, any authority over the congregation.

We have first (Matt. x. 6, 7), that the twelve apostles were sent "to the lost sheep of the house of Israel," and commanded to preach "that the kingdom of God was at hand." Now preaching, in the original, is that act which a crier, herald, or other officer useth to do publicly in proclaiming of a king. But a crier hath not right to command any man. And (Luke x. 2) the seventy disciples are sent out as "labourers, not as lords of the harvest;" and are bidden (verse 9) to say, "The kingdom of God is come nigh unto you;" and by kingdom here is meant, not the kingdom of grace, but the kingdom of glory; for they are bidden (verses 11, 12) to denounce it to those cities which shall not receive them, as a threatening, "that it shall be more tolerable in that day for Sodom than for such a city." And (Matt. xx. 28) our Saviour telleth His disciples, that sought priority of place, their office was to minister, "even as the Son of man came, not to be ministered unto, but to minister." Preachers therefore have not magisterial, but ministerial power: "Be not called masters," saith our Saviour (Matt. xxiii. 10), "for one is your master, even Christ."

Another point of their commission is, to "Teach all nations;" as it is in St. Matt. xxviii. 19, or as in St. Mark xvi. 15, "Go into all the world, and preach the gospel to every creature." Teaching therefore and preaching is the same thing. For they that proclaim the coming of a king, must withal make known by what right he cometh, if they mean men shall submit themselves unto him: as St. Paul did to the Jews of Thessalonica, when (Acts xvii. 2, 3) "three Sabbath days he reasoned with them out of the Scriptures, opening and alleging that Christ must needs have suffered, and risen again from the dead, and that this Jesus is Christ." But to teach

out of the Old Testament that Jesus was Christ, that is to say, king, and risen from the dead, is not to say that men are bound, after they believe it, to obey those that tell them so against the laws and commands of their sovereigns; but that they shall do wisely to expect the coming of Christ hereafter, in patience and faith, with obedience to their present magistrates.

Another point of their commission is, to "baptize, in the name of the Father, and of the Son, and of the Holy Ghost." What is baptism? Dipping into water. But what is it to dip a man into the water in the name of anything? The meaning of these words of baptism is this. He that is baptized, is dipped or washed, as a sign of becoming a new man, and a loyal subject to that God, whose person was represented in old time by Moses and the high priests, when He reigned over the Jews; and to Jesus Christ His Son, God and Man, that hath redeemed us, and shall in His human nature represent His Father's person in His eternal kingdom after the resurrection; and to acknowledge the doctrine of the apostles, who, assisted by the Spirit of the Father and of the Son, were left for guides to bring us into that kingdom, to be the only and assured way thereunto. This being our promise in baptism: and the authority of earthly sovereigns being not to be put down till the day of judgment; for that is expressly affirmed by St. Paul (1 Cor. xv. 22, 23, 24), where he saith, "As in Adam all die, so in Christ all shall be made alive. But every man in his own order, Christ the first fruits, afterward they that are Christ's at His coming; then cometh the end, when He shall have delivered up the kingdom to God, even the Father, when He shall have put down all rule, and all authority and power;" it is manifest that we do not in baptism constitute over us another authority, by which our external actions are to be governed in this life; but promise to take the doctrine of the apostles for our direction in the way to life eternal.

The power of "remission and retention of sins," called also the power of "loosing" and "binding," and sometimes the "keys of the kingdom of heaven," is a consequence of the authority to baptize, or refuse to baptize. For baptism is the sacrament of allegiance of them that are to be received into the kingdom of God; that is to say, into eternal life; that is to say, to remission of sin: for as eternal life was lost by the committing, so it is recovered by the remitting of men's sins. The end of baptism is remission of sins: and therefore St. Peter, when they that were converted by his sermon on the day of Pentecost, asked what they were to do, advised them (Acts ii. 38) "to repent, and be baptized in the name of Jesus, for the remission of sins." And therefore, seeing to baptize is to declare the reception of men into God's kingdom; and to refuse to baptize is to declare their exclusion; it followeth, that the power to declare them cast out, or retained in it, was given to the same apostles, and their substitutes and successors. And therefore after our Saviour had breathed upon them, saying (John xx. 22), "Receive the Holy Ghost," He addeth in the next verse, "Whose soever sins ye remit, they are remitted unto them; and whose soever sins ye retain, they are retained." By which words, is not granted an authority to forgive or retain sins, simply and absolutely, as God forgiveth or retaineth them, who knoweth the heart of man, and truth of his penitence and conversion; but conditionally, to the penitent: and this forgiveness or absolution, in case the absolved have but a feigned repentance, is thereby, without other act or sentence of the absolved, made void, and hath no effect at all to salvation, but on the contrary to the aggravation of his sin. Therefore the apostles and their successors are to follow but the outward marks of repentance; which appearing, they have no authority to deny absolution; and if they appear not, they have no authority to absolve. The same also is to be observed in baptism: for to

a converted Jew, or Gentile, the apostles had not the power to deny baptism; nor to grant it to the unpenitent. But seeing no man is able to discern the truth of another man's repentance, further than by external marks, taken from his words and actions, which are subject to hypocrisy; another question will arise, who it is that is constituted judge of those marks? And this question is decided by our Saviour himself; "if thy brother," saith he (Matt. xviii. 15, 16, 17), "shall trespass against thee, go and tell him his fault, between thee and him alone; if he shall hear thee, thou hast gained thy brother. But if he will not hear thee, then take with thee one or two more. And if he shall neglect to hear them, tell it unto the Church; but if he neglect to hear the Church, let him be unto thee as an heathen man and a publican." By which it is manifest that the judgment concerning the truth of repentance, belonged not to any one man, but to the Church, that is, to the assembly of the faithful, or to them that have authority to be their representant. But besides the judgment, there is necessary also the pronouncing of sentence. And this belonged always to the apostle, or some pastor of the Church, as prolocutor; and of this our Saviour speaketh in the 18th verse, "Whatsoever ye shall bind on earth, shall be bound in heaven; and whatsoever ye shall loose on earth, shall be loosed in heaven." And conformable hereunto was the practice of St. Paul (1 Cor. v. 3, 4, 5), where he saith, "For I verily, as absent in body, but present in spirit, have determined already, as though I were present, concerning him that hath so done this deed; in the name of our Lord Jesus Christ, when ye are gathered together, and my spirit, with the power of our Lord Jesus Christ, to deliver such a one to Satan;" that is to say, to cast him out of the Church, as a man whose sins are not forgiven. Paul here pronounceth the sentence; but the assembly was first to hear the cause, for St. Paul was absent, and by consequence to condemn him. But in the same chapter (verses 11, 12), the judgment in such a case is more expressly attributed to the assembly: "But now I have written unto you, not to keep company, if any man that is called a brother be a fornicator, &c., with such a one, no not to eat. For what have I to do to judge them that are without? Do not ye judge them that are within?" The sentence therefore by which a man was put out of the Church, was pronounced by the apostle or pastor; but the judgment concerning the merit of the cause, was in the Church; that is to say, as the times were before the conversion of kings, and men that had sovereign authority in the commonwealth, the assembly of the Christians dwelling in the same city: as in Corinth, in the assembly of the Christians of Corinth.

This part of the power of the keys, by which men were thrust out from the kingdom of God, is that which is called "excommunication;" and to "excommunicate," is in the original, *ἀποκινῶν τοὺς*, "to cast out of the synagogue;" that is, out of the place of divine service; a word drawn from the custom of the Jews, to cast out of their synagogues such as they thought, in manners or doctrine, contagious, as lepers were by the law of Moses separated from the congregation of Israel, till such time as they should be by the priest pronounced clean.

The use and effect of excommunication, whilst it was not yet strengthened with the civil power, was no more than that they who were not excommunicate were to avoid the company of them that were. It was not enough to repute them as heathen, that never had been Christians; for with such they might eat and drink; which with excommunicate persons they might not do; as appeareth by the words of St. Paul (1 Cor. v. 9, 10, &c.), where he telleth them, he had formerly forbidden them to "company with fornicators;" but, because that could not be without going out of the world, he restraineth it to such fornicators, and otherwise vicious persons, as were

of the brethren; "with such a one," he saith, they ought not to keep company, "no not to eat." And this is no more than our Saviour saith (Matt. xviii. 17), "Let him be to thee as a heathen, and as a publican." For publicans, which signifieth farmers and receivers of the revenue of the commonwealth, were so hated and detested by the Jews that were to pay it, as that "publican" and "sinner" were taken amongst them for the same thing: insomuch, as when our Saviour accepted the invitation of Zacchæus a publican; though it were to convert him, yet it was objected to Him as a crime. And therefore, when our Saviour to "heathen" added "publican," He did forbid them to eat with a man excommunicate.

As for keeping them out of their synagogues, or places of assembly, they had no power to do it, but that of the owner of the place, whether he were Christian or heathen. And because all places are by right in the dominion of the commonwealth; as well he that was excommunicated as he that never was baptized, might enter into them by commission from the civil magistrate; as Paul before his conversion entered into their synagogues at Damascus (Acts ix. 2), to apprehend Christians, men and women, and to carry them bound to Jerusalem, by commission from the high priest.

By which it appears that upon a Christian that should become an apostate, in a place where the civil power did persecute, or not assist the Church, the effect of excommunication had nothing in it, neither of damage in this world, nor of terror: not of terror, because of their unbelief; nor of damage, because they are returned thereby into the favour of the world; and in the world to come were to be in no worse estate than they which never had believed. The damage redounded rather to the Church, by provocation of them they cast out, to a freer execution of their malice.

Excommunication therefore had its effect only upon those that believed that Jesus Christ was to come again in glory, to reign over and to judge both the quick and the dead, and should therefore re-use entrance into His kingdom to those whose sins were retained, that is, to those that were excommunicated by the Church. And thence it is that St. Paul callieth excommunication a delivery of the excommunicate person to Satan. For without the kingdom of Christ, all other kingdoms, after judgment, are comprehended in the kingdom of Satan. This is it that the faithful stood in fear of as long as they stood excommunicate, that is to say, in an estate wherein their sins were not forgiven. Whereby we may understand that excommunication, in the time that Christian religion was not authorized by the civil power, was used only for a correction of manners, not of errors in opinion; for it is a punishment whereof none could be sensible but such as believed, and expected the coming again of our Saviour to judge the world; and they who so believed needed no other opinion, but only uprightness of life to be saved.

There lieth excommunication for injustice: as (Matt. xviii.), "If thy brother offend thee, tell it him privately;" then with witnesses; lastly, tell the Church; and then if he obey not, "Let him be to thee as an heathen man and a publican." And there lieth excommunication for a scandalous life, as (I Cor. v. 11), "If any man that is called a brother, be a fornicator, or covetous, or an idolater, or a drunkard, or an extortioner, with such a one ye are not to eat." But to excommunicate a man that held this foundation, that "Jesus was the Christ," for difference of opinion in other points, by which that foundation was not destroyed, there appeareth no authority in the Scripture, nor example in the apostles. There is indeed in St. Paul (Titus iii. 10), a text that seemeth to be to the contrary: "A man that is an heretic, after the first and second admonition, reject." For an "heretic" is he that being a member of the Church, teacheth new rhe-

less some private opinion, which the Church has forbidden ; and such a one, St. Paul adviseth Titus, after the first and second admonition, to "reject." But to "reject," in this place, is not to "excommunicate" the man ; but to "give over admonishing him, to let him alone, to set by disputing with him," as one that is to be convinced only by himself. The same apostle saith (2 Tim. ii. 23), "Foolish and unlearned questions avoid ;" the word "avoid" in this place, and "reject" in the former, is the same in the original, *παραιρῶ* ; but foolish questions may be set by without excommunication. And again (Titus iii. 9), "Avoid foolish questions," where the original *περιτῶσαο* ("set them by") is equivalent to the former word "reject." There is no other place that can so much as colourably be drawn to countenance the casting out of the Church faithful men, such as believed the foundation, only for a singular superstructure of their own, proceeding perhaps from a good and pious conscience. But on the contrary, all such places as command avoiding such disputes are written for a lesson to pastors, such as Timothy and Titus were, not to make new articles of faith, by determining every small controversy which oblige men to a needless burthen of conscience, or provoke them to break the union of the Church. Which lesson the apostles themselves observed well. St. Peter and St. Paul, though their controversy were great, as we may read in Gal. ii. 11, yet they did not cast one another out of the Church. Nevertheless, during the apostles' times, there were other pastors that observed it not ; as Diotrophes (3 John, 9, &c.), who cast out of the Church such as St. John himself thought fit to be received into it, out of a pride he took in pre-eminence. So early it was that vain-glory and ambition had found entrance into the Church of Christ.

That a man be liable to excommunication, there be many conditions requisite ; as first, that he be a member of some commonalty, that is to say, of some lawful assembly, that is to say, of some Christian Church, that hath power to judge of the cause for which he is to be excommunicated. For where there is no community, there can be no excommunication ; nor where there is no power to judge, can there be any power to give sentence.

From hence it followeth that one Church cannot be excommunicated by another : for either they have equal power to excommunicate each other, in which case excommunication is not discipline, nor an act of authority, but schism, and dissolution of charity ; or one is so subordinate to the other, as that they both have but one voice ; and then they be but one Church ; and the part excommunicated is no more a Church, but a dissolute number of individual persons.

And because the sentence of excommunication importeth an advice not to keep company, nor so much as to eat with him that is excommunicate, if a sovereign prince or assembly be excommunicate, the sentence is of no effect. For all subjects are bound to be in the company and presence of their own sovereign, when he requireth it by the law of Nature ; nor can they lawfully either expel him from any place of his own dominion, whether profane or holy ; nor go out of his dominion without his leave ; much less, if he call them to that honour, refuse to eat with him. And as to other princes and states, because they are not parts of one and the same congregation, they need not any other sentence to keep them from keeping company with the state excommunicate : for the very institution, as it uniteth many men into one community, so it dissociateth one community from another : so that excommunication is not needful for keeping kings and states asunder ; nor has any further effect than is in the nature of policy itself, unless it be to instigate princes to war upon one another.

Nor is the excommunication of a Christian subject that obeyeth the laws of his own sovereign, whether Christian or heathen, of any effect. For if we

believe that "Jesus is the Christ, he hath the Spirit of God" (1 John v. 1); "and God dwelleth in him, and he in God" (1 John iv. 15). But he that hath the spirit of God; he that dwelleth in God; he in whom God dwelleth, can receive no harm by the excommunication of men. Therefore, he that believeth Jesus to be the Christ, is free from all the dangers threatened to persons excommunicate. He that believeth it not, is no Christian. Therefore a true and unfeigned Christian is not liable to excommunication: nor he also that is a professed Christian, till his hypocrisy appear in his manners, that is, till his behaviour be contrary to the law of his sovereign, which is the rule of manners, and which Christ and His apostles have commanded us to be subject to. For the Church cannot judge of manners but by external actions, which actions can never be unlawful but when they are against the law of the commonwealth.

If a man's father, or mother, or master be excommunicate, yet are not the children forbidden to keep them company, nor to eat with them: for that were, for the most part, to oblige them not to eat at all, for want of means to get food; and to authorize them to disobey their parents and masters, contrary to the precepts of the apostles.

In sum, the power of excommunication cannot be extended further than to the end for which the apostles and pastors of the Church have their commission from our Saviour; which is not only to rule by command and co-action, but by teaching and direction of men in the way of salvation in the world to come. And as a master in any science may abandon his scholar, when he obstinately neglecteth the practice of his rules; but not accuse him of injustice, because he was never bound to obey him: so a teacher of Christian doctrine may abandon his disciples that obstinately continue in an unchristian life; but he cannot say they do him wrong, because they are not obliged to obey him. For to a teacher that shall so complain may be applied the answer of God to Samuel in the like place (1 Sam. viii. 7), "They have not rejected thee, but me." Excommunication therefore, when it wanteth the assistance of the civil power, as it doth, when a Christian state or prince is excommunicate by a foreign authority, is without effect; and consequently ought to be without terror. The name of *Fulmen excommunicationis*, that is, "the thunderbolt of excommunication," proceeded from an imagination of the Bishop of Rome, which first used it, that he was king of kings; as the heathen made Jupiter king of the gods, and assigned him, in their poems and pictures, a thunderbolt, wherewith to subdue and punish the giants that should dare to deny his power. Which imagination was grounded on two errors; one, that the kingdom of Christ is of this world, contrary to our Saviour's own words (John xviii. 36), "My kingdom is not of this world;" the other, that he is Christ's vicar, not only over his own subjects, but over all the Christians of the world; whereof there is no ground in Scripture, and the contrary shall be proved in its due place.

St. Paul coming to Thessalonica, where was a synagogue of the Jews (Acts xvii. 2, 3), "as his manner was, went in unto them, and three Sabbath days reasoned with them out of the Scriptures, opening and alleging that Christ must needs have suffered and risen again from the dead; and that this Jesus whom he preached was the Christ." The Scriptures here mentioned were the Scriptures of the Jews, that is, the Old Testament. The men, to whom he was to prove that Jesus was the Christ and risen again from the dead, were also Jews, and did believe already that they were the word of God. Hereupon (as it is in verse 4) some of them believed, and (as it is in verse 5) some believed not. What was the reason, when they all believed the Scripture, that they did not all believe alike; but that some approved, others disapproved the interpretation of St. Paul that cited them; and every one interpreted them to himself? It was this: St. Paul

came to them without any legal commission, and in the manner of one that would not command, but persuade; which he must needs do either by miracles, as Moses did to the Israelites in Egypt, that they might see his authority in God's works; or by reasoning from the already received Scripture, that they might see the truth of his doctrine in God's word. But whosoever persuadeth by reasoning from principles written, maketh him to whom he speaketh judge both of the meaning of those principles, and also of the force of his inferences upon them. If these Jews of Thessalonica were not, who else was the judge of what St. Paul alleged out of Scripture? If St. Paul, what needed he to quote any places to prove his doctrine? It had been enough to have said, I find it so in Scripture, that is to say, in your laws, of which I am interpreter, as sent by Christ. The interpreter therefore of the Scripture, to whose interpretation the Jews of Thessalonica were bound to stand, could be none: every one might believe or not believe, according as the allegation seemed to himself to be agreeable or not agreeable to the meaning of the places alleged. And generally in all cases of the world, he that pretendeth any proof maketh judge of his proof him to whom he addresseth his speech. And as to the case of the Jews in particular, they were bound by express words (Deut. xvii.) to receive the determination of all hard questions from the priests and judges of Israel for the time being. But this is to be understood of the Jews that were yet unconverted.

For the conversion of the Gentiles there was no use of alleging the Scriptures, which they believed not. The apostles therefore laboured by reason to confute their idolatry; and that done, to persuade them to the faith of Christ by their testimony of His life and resurrection. So that there could not yet be any controversy concerning the authority to interpret Scripture, seeing no man was obliged, during his infidelity, to follow any man's interpretation of any Scripture, except his sovereign's interpretation of the laws of his country.

Let us now consider the conversion itself, and see what there was therein that could be cause of such an obligation. Men were converted to no other thing than to the belief of that which the apostles preached: and the apostles preached nothing but that Jesus was the Christ, that is to say, the king that was to save them, and reign over them eternally in the world to come; and consequently that He was not dead, but risen again from the dead, and gone up into heaven, and should come again one day to judge the world (which also should rise again to be judged), and reward every man according to his works. None of them preached that himself, or any other apostle, was such an interpreter of the Scripture, as all that became Christians ought to take their interpretation for law. For to interpret the laws is part of the administration of a present kingdom; which the apostles had not. They prayed then, and all other pastors ever since, "let thy kingdom come;" and exhorted their converts to obey their then ethnic princes. The New Testament was not yet published in one body. Every of the evangelists was interpreter of his own gospel; and every apostle of his own epistle; and of the Old Testament our Saviour himself saith to the Jews (John v. 39), "Search the Scriptures; for in them ye think to have eternal life, and they are they that testify of me." If He had not meant they should interpret them, He would not have bidden them take thence the proof of His being the Christ: He would either have interpreted them himself, or referred them to the interpretation of the priests.

When a difficulty arose, the apostles and elders of the Church assembled themselves together, and determined what should be preached and taught, and how they should interpret the Scriptures to the people; but took not from the people the liberty to read and interpret them to themselves. The

apostles sent divers letters to the Churches, and other writings for their instruction; which had been in vain if they had not allowed them to interpret, that is, to consider the meaning of them. And as it was in the apostles' time, it must be till such time as there should be pastors that could authorize an interpreter, whose interpretation should generally be stood to: but that could not be till kings were pastors, or pastors kings.

There be two senses, wherein a writing may be said to be "canonical;" for "canon" signifieth a "rule;" and a rule is a precept, by which a man is guided and directed in any action whatsoever. Such precepts, though given by a teacher to his disciple, or a counsellor to his friend, without power to compel him to observe them, are nevertheless canons; because they are rules. But when they are given by one, whom he that receiveth them is bound to obey, then are those canons, not only rules, but laws. The question therefore here, is of the power to make the Scriptures, which are the rules of Christian faith, laws.

That part of the Scripture which was first law, was the Ten Commandments written in two tables of stone, and delivered by God himself to Moses; and by Moses made known to the people. Before that time there was no written law of God, who as yet having not chosen any people to be His peculiar kingdom, had given no law to men, but the law of Nature, that is to say, the precepts of natural reason written in every man's own heart. Of these two tables, the first containeth the law of sovereignty; 1. That they should not obey nor honour the gods of other nations, in these words: *Non habebis deos alienos coram me*, that is, "thou shalt not have for gods, the gods that other nations worship, but only me;" whereby they were forbidden to obey or honour as their king and governor, any other god than Him that spake unto them then by Moses, and afterwards by the high priest. 2. That they "should not make any image to represent Him," that is to say, they were not to choose to themselves, neither in heaven, nor in earth, any representative of their own fancying, but obey Moses and Aaron, whom He had appointed to that office. 3. That "they should not take the name of God in vain;" that is, they should not speak rashly of their king, nor dispute his right, nor the commissions of Moses and Aaron, His lieutenants. 4. That "they should every seventh day abstain from their ordinary labour," and employ that time in doing Him public honour. The second table containeth the duty of one man towards another, as "to honour parents," "not to kill," "not to commit adultery," "not to steal," "not to corrupt judgment by false witness," and finally, "not so much as to design in their heart the doing of any injury one to another." The question now is, who it was that gave to these written tables the obligatory force of laws. There is no doubt but they were made laws by God himself; but because a law obliges not, nor is law to any, but to them that acknowledge it to be the act of the sovereign; how could the people of Israel, that were forbidden to approach the mountain to hear what God said to Moses, be obliged to obedience to all those laws which Moses propounded to them? Some of them were indeed the laws of Nature, as all the second table; and therefore to be acknowledged for God's laws; not to the Israelites alone, but to all people; but of those that were peculiar to the Israelites, as those of the first table, the question remains; saying that they had obliged themselves, presently after the propounding of them to obey Moses, in these words (Exod. xx. 19), "Speak thou to us, and we will hear thee; but let not God speak to us, lest we die." It was therefore only Moses then, and after him the high priest, whom, by Moses, God declared should administer this His peculiar kingdom, that had on earth the power to make this short Scripture of the Decalogue to be law in the commonwealth of Israel. But



Moses and Aaron, and the succeeding high priests, were the civil sovereigns. Therefore hitherto, the canonizing or making the Scripture law, belonged to the civil sovereign.

The judicial law, that is to say, the laws that God prescribed to the magistrates of Israel for the rule of their administration of justice, and of the sentences or judgments they should pronounce in pleas between man and man; and the Levitical law, that is to say, the rule that God prescribed touching the rites and ceremonies of the priests and Levites, were all delivered to them by Moses only; and therefore also became laws, by virtue of the same promise of obedience to Moses. Whether these laws were then written, or not written, but dictated to the people by Moses, after his being forty days with God in the Mount, by word of mouth, is not expressed in the text; but they were all positive laws, and equivalent to Holy Scripture, and made canonical by Moses the civil sovereign.

After the Israelites were come into the plains of Moab over against Jericho, and ready to enter into the Land of Promise, Moses to the former laws added divers others; which therefore are called Deuteronomy; that is, "second laws." And are (as it is written Deut. xxix. 1), "the words of a covenant which the Lord commanded Moses to make with the children of Israel, besides the covenant which He made with them in Horeb. For having explained those former laws, in the beginning of the Book of Deuteronomy, he addeth others, that begin at the xiith chapter, and continue to the end of the xxvith of the same book. This law (Deut. xxvii. 3) they were commanded to write upon great stones plastered over, at their passing over Jordan: this law also was written by Moses himself in a book, and delivered into the hands of the "priests and to the elders of Israel" (Deut. xxxi. 9), and commanded (verse 26), "to be put in the side of the ark;" for in the ark itself was nothing but the "Ten Commandments." This was the law which Moses (Deut. xvii. 18) commanded the kings of Israel should keep a copy of; and this is the law, which having been long time lost, was found again in the temple in the time of Josiah, and by his authority received for the law of God. But both Moses at the writing, and Josiah at the recovery thereof, had both of them the civil sovereignty. Hitherto therefore the power of making Scripture canonical, was in the civil sovereign.

Besides this Book of the Law, there was no other book, from the time of Moses till after the Captivity, received amongst the Jews for the law of God. For the prophets, except a few, lived in the time of the Captivity itself; and the rest lived but a little before it; and were so far from having their prophecies generally received for laws, as that their persons were persecuted, partly by false prophets, and partly by the kings which were seduced by them. And this book itself, which was confirmed by Josiah for the law of God, and with it all the history of the works of God, was lost in the Captivity and sack of the city of Jerusalem, as appears by that of 2 Esdras xiv. 21, "thy law is burnt; therefore no man knoweth the things that are done of thee, or the works that shall begin." And before the Captivity, between the time when the law was lost (which is not mentioned in the Scripture, but may probably be thought to be the time of Rehoboam, when (1 Kings xiv. 26) Shishak, king of Egypt, took the spoil of the temple), and the time of Josiah when it was found again, they had no written word of God, but ruled according to their own discretion, or by the direction of such as each of them esteemed prophets.

From hence we may infer that the Scriptures of the Old Testament, which we have at this day, were not canonical nor a law unto the Jews, till the renovation of their covenant with God at their return from the Captivity, and restoration of their commonwealth under Esdras. But from that time

forward they were accounted the law of the Jews, and for such translated into Greek by seventy elders of Judea, and put into the library of Ptolemy at Alexandria, and approved for the word of God. Now seeing Esdras was the high priest, and the high priest was their civil sovereign, it is manifest that the Scriptures were never made laws, but by the sovereign civil power.

By the writings of the fathers that lived in the time before that the Christian religion was received, and authorized by Constantine the emperor, we may find that the books we now have of the New Testament were held by the Christians of that time, except a few (in respect of whose paucity the rest were called the Catholic Church, and others heretics), for the dictates of the Holy Ghost, and consequently for the canon or rule of faith: such was the reverence and opinion they had of their teachers; as generally the reverence that the disciples bear to their first masters in all manner of doctrine they receive from them is not small. Therefore there is no doubt but when St. Paul wrote to the Churches he had converted, or any other apostle or disciple of Christ, to those which had then embraced Christ; they received those their writings for the true Christian doctrine. But in that time, when not the power and authority of the teacher, but the faith of the hearer, caused them to receive it, it was not the apostles that made their own writings canonical, but every convert made them so to himself.

But the question here is not what any Christian made a law or canon to himself, which he might again reject by the same right he received it; but what was so made a canon to them, as without injustice they could not do anything contrary thereunto. That the New Testament should in this sense be canonical, that is to say a law, in any place where the law of the commonwealth had not made it so, is contrary to the nature of a law. For a law, as has been already shown, is the commandment of that man or assembly, to whom we have given sovereign authority to make such rules for the direction of our actions as he shall think fit, and to punish us when we do anything contrary to the same. When therefore any other man shall offer unto us any other rules, which the sovereign ruler hath not prescribed, they are but counsel and advice; which, whether good or bad, he that is counselled may without injustice refuse to observe; and when contrary to the laws already established, without injustice cannot observe how good soever he conceiveth it to be. I say he cannot in this case observe the same in his actions, nor in his discourse with other men; though he may without blame believe his private teachers, and wish he had the liberty to practise their advice, and that it were publicly received for law. For internal faith is in its own nature invisible, and consequently exempted from all human jurisdiction; whereas the words and actions that proceed from it, as breaches of our civil obedience, are injustice both before God and man. Seeing then our Saviour hath denied His kingdom to be in this world, seeing He had said He came not to judge, but to save the world, He hath not subjected us to other laws than those of the commonwealth; that is, the Jews to the law of Moses, which he saith (Matt. v. 17), He came not to destroy, but to fulfil; and other nations to the laws of their several sovereigns, and all men to the laws of Nature; the observing whereof both He himself and His apostles have in their teaching recommended to us as a necessary condition of being admitted by Him in the last day into His eternal kingdom, wherein shall be protection and life everlasting. Seeing then our Saviour and His apostles left not new laws to oblige us in this world, but new doctrine to prepare us for the next; the books of the New Testament, which contain that doctrine, until obedience to them was commanded by them that God had given power to on earth to be legislators,

were not obligatory canons, that is laws, but only good and safe advice for the direction of sinners in the way to salvation, which every man might take and refuse at his own peril without injustice.

Again, our Saviour Christ's commission to His apostles and disciples was to proclaim His kingdom, not present, but to come; and to teach all nations, and to baptize them that should believe; and to enter into the houses of them that should receive them, and where they were not received, to shake off the dust of their feet against them; but not to call for fire from heaven to destroy them, nor to compel them to obedience by the sword. In all which there is nothing of power, but of persuasion. He sent them out as sheep unto wolves, not as kings to their subjects. They had not in commission to make laws; but to obey, and teach obedience to laws made; and consequently they could not make their writings obligatory canons without the help of the sovereign civil power. And therefore the Scripture of the New Testament is there only law where the lawful civil power hath made it so. And there also the king, or sovereign, maketh it a law to himself; by which he subjecteth himself, not to the doctor or apostle that converted him, but to God himself and His Son Jesus Christ, as immediately as did the apostles themselves.

That which may seem to give the New Testament, in respect of those that have embraced Christian doctrine, the force of laws, in the times and places of persecution, is the decrees they made amongst themselves in their synod. For we read (Acts xv. 28) the style of the council of the apostles, the elders, and the whole Church, in this manner: "It seemed good to the Holy Ghost, and to us, to lay upon you no greater burthen than these necessary things," &c.; which is a style that signifieth a power to lay a burthen on them that had received their doctrine. Now "to lay a burthen on another," seemeth the same as "to oblige;" and therefore the acts of that council were laws to the then Christians. Nevertheless, they were no more laws than are these other precepts, "repent;" "be baptized;" "keep the commandments;" "believe the gospel;" "come unto me;" "sell all that thou hast;" "give it to the poor;" and "follow me;" which are not commands, but invitations and callings of men to Christianity, like that of Isaiah lv. 1, "Ho every man that thirsteth, come ye to the waters, come, and buy wine and milk without money." For first, the apostles' power was no other than that of our Saviour, to invite men to embrace the kingdom of God; which they themselves acknowledged for a kingdom, not present, but to come; and they that have no kingdom can make no laws. And secondly, if their acts of council were laws, they could not without sin be disobeyed. But we read not anywhere that they who received not the doctrine of Christ did therein sin; but that they died in their sins; that is, that their sins against the laws to which they owed obedience were not pardoned. And those laws were the laws of Nature, and the civil laws of the state, whereto every Christian man had by pact submitted himself. And therefore by the burthen which the apostles might lay on such as they had converted are not to be understood laws, but conditions proposed to those that sought salvation; which they might accept or refuse at their own peril, without a new sin, though not without the hazard of being condemned and excluded out of the kingdom of God for their sins past. And therefore of infidels, St. John saith not, the wrath of God shall "come" upon them, but (John iii. 36) "the wrath of God remaineth upon them;" and not that they shall be condemned, but that John iii. 18) "they are condemned already." Nor can it be conceived that the benefit of faith "is remission of sins," unless we conceive withal that the damage of infidelity "is the retention of the same sins."

But to what end is it, may some man ask, that the apostles, and other

pastors of the Church after their time, should meet together to agree upon what doctrine should be taught, both for faith and manners, if no man were obliged to observe their decrees? To this may be answered, that the apostles and elders of that council were obliged even by their entrance into it, to teach the doctrine therein concluded and decreed to be taught, so far forth, as no precedent law, to which they were obliged to yield obedience, was to the contrary; but not that all other Christians should be obliged to observe what they taught. For though they might deliberate what each of them should teach; yet they could not deliberate what others should do, unless their assembly had had a legislative power; which none could have but civil sovereigns. For though God be the sovereign of all the world, we are not bound to take for His law whatsoever is propounded by every man in His name; nor anything contrary to the civil law, which God hath expressly commanded us to obey.

Seeing then the acts of council of the apostles were then no laws, but counsels; much less are laws the acts of any other doctors or council since, if assembled without the authority of the civil sovereign. And consequently, the Books of the New Testament, though most perfect rules of Christian doctrine, could not be made laws by any other authority than that of kings or sovereign assemblies.

The first council, that made the Scriptures we now have canon, is not extant: for that collection of the canons of the apostles, attributed to Clemens, the first bishop of Rome after St. Peter, is subject to question. For though the canonical books be there reckoned up; yet these words, *sint vobis omnibus clericis et laicis libri venerandi*, &c., contain a distinction of clergy and laity, that was not in use so near St. Peter's time. The first council for settling the canonical Scripture that is extant, is that of Laodicea (Can. lix.), which forbids the reading of other books than those in the Churches; which is a mandate that is not addressed to every Christian, but to those only that had authority to read anything publicly in the Church, that is, to ecclesiastics only.

Of ecclesiastical officers in the time of the apostles, some were magisterial, some ministerial. Magisterial were the offices of the preaching of the gospel of the kingdom of God to infidels; of administering the sacraments, and divine service; and of teaching the rules of faith and manners to those that were converted. Ministerial was the office of deacons, that is, of them that were appointed to the administration of the secular necessities of the Church, at such time as they lived upon a common stock of money raised out of the voluntary contributions of the faithful.

Amongst the officers magisterial, the first and principal were the apostles; whereof there were at first but twelve; and these were chosen and constituted by our Saviour himself; and their office was not only to preach, teach, and baptize, but also to be martyrs, witnesses of our Saviour's resurrection. This testimony was the special and essential mark, whereby the apostleship was distinguished from other magistracy ecclesiastical, as being necessary for an apostle, either to have seen our Saviour after His resurrection, or to have conversed with Him before, and seen His works and other arguments of His divinity, whereby they might be taken for sufficient witnesses. And therefore at the election of a new apostle in the place of Judas Iscariot, St. Peter saith (Acts i. 21, 22), "Of these men that have companied with us, all the time that the Lord Jesus went in and out amongst us, beginning from the baptism of John unto that same day that He was taken up from us, must one be ordained to be a witness with us of His resurrection:" where by this word "must," is implied a necessary property of an apostle, to have companied with the first and prime apostles, in the time that our Saviour manifested himself in the flesh.

The first apostle of those which were not constituted by Christ in the time He was upon the earth, was Matthias, chosen in this manner. There were assembled together in Jerusalem about one hundred and twenty Christians (Acts i. 15). These (verse 23) appointed two, Joseph the Just and Matthias, and caused lots to be drawn; "and (verse 26) the lot fell on Matthias, and he was numbered with the apostles." So that here we see the ordination of this apostle was the act of the congregation, and not of St. Peter nor of the eleven, otherwise than as members of the assembly.

After him there was never any other apostle ordained, but Paul and Barnabas; which was done as we read (Acts xiii. 1, 2, 3) in this manner. "There were in the Church that was at Antioch, certain prophets and teachers; as Barnabas, and Simeon that was called Niger, and Lucius of Cyrene, and Manaen; which had been brought up with Herod the Tetrarch, and Saul. As they ministered unto the Lord, and fasted, the Holy Ghost said, Separate me Barnabas and Saul for the work whereunto I have called them. And when they had fasted and prayed, and laid their hands on them, they sent them away."

By which it is manifest that though they were called by the Holy Ghost, their calling was declared unto them and their mission authorized by the particular Church of Antioch. And that this their calling was to the apostleship, is apparent by that, that they are both called (Acts xiv. 14) apostles: and that it was by virtue of this act of the Church of Antioch that they were apostles, St. Paul declareth plainly (Rom. i. 1), in that he useth the word, which the Holy Ghost used at his calling: for he styleth himself "An apostle separated unto the gospel of God;" alluding to the words of the Holy Ghost, "Separate me, Barnabas and Saul," &c. But seeing the work of an apostle was to be a witness of the resurrection of Christ, a man may here ask, how St. Paul, that conversed not with our Saviour before His passion, could know He was risen? To which is easily answered, that our Saviour himself appeared to him in the way to Damascus, from heaven, after His ascension; "and chose him for a vessel to bear His name before the Gentiles, and kings, and children of Israel:" and consequently, having seen the Lord after His passion, he was a competent witness of His resurrection. And as for Barnabas, he was a disciple before the passion. It is therefore evident that Paul and Barnabas were apostles; and yet chosen and authorized, not by the first apostles alone, but by the Church of Antioch; as Matthias was chosen and authorized by the Church of Jerusalem.

"Bishop," a word formed in our language out of the Greek *Επισκοπος*, signifieth an overseer or superintendent of any business, and particularly a pastor or shepherd; and thence by metaphor was taken, not only amongst the Jews that were originally shepherds, but also amongst the heathen. to signify the office of a king, or any other rule or guide of people, whether he ruled by laws or doctrine. And so the apostles were the first Christian bishops, instituted by Christ himself: in which sense the apostleship of Judas is called (Acts i. 20) "his bishopric." And afterwards, when there were constituted elders in the Christian Churches, with charge to guide Christ's flock by their doctrine and advice; these elders were also called bishops. Timothy was an elder (which word "elder," in the New Testament, is a name of office, as well as of age); yet he was also a bishop. And bishops were then content with the title of elders. Nay, St. John himself, the apostle beloved of our Lord, beginneth his second Epistle with these words, "The elder to the elect lady." By which it is evident that "bishop," "pastor," "elder," "doctor," that is to say, "teacher," were but so many divers names of the same office in the time of the apostles; for there was then no government by coercion, but only by doctrine and persuading. The kingdom

of God was yet to come, in a new world : so that there could be no authority to compel in any Church, till the commonwealth had embraced the Christian faith : and consequently no diversity of authority, though there were diversity of employments.

Besides these magisterial employments in the Church, namely, apostles, bishops, elders, pastors, and doctors, whose calling was to proclaim Christ to the Jews and infidels, and to direct and to teach those that believed, we read in the New Testament of no other. For by the names of "evangelists" and "prophets" is not signified any office, but several gifts, by which several men were profitable to the Church : as evangelists, by writing the life and acts of our Saviour; such as were St. Matthew and St. John apostles, and St. Mark and St. Luke disciples, and whosoever else wrote of that subject (as St. Thomas and St. Barnabas are said to have done, though the Church have not received the books that have gone under their names) : and as prophets, by the gift of interpreting the Old Testament, and sometimes by declaring their special revelations to the Church. For neither these gifts, nor the gifts of languages, nor the gift of casting out devils, nor of curing other diseases, nor anything else, did make an officer in the Church, save only the due calling and election to the charge of teaching.

As the apostles, Matthias, Paul, and Barnabas, were not made by our Saviour himself, but were elected by the Church, that is, by the assembly of Christians; namely, Matthias by the Church of Jerusalem, and Paul and Barnabas by the Church of Antioch; so were also the "presbyters" and "pastors" in other cities, elected by the Churches of those cities. For proof whereof let us consider, first, how St. Paul proceeded in the ordination of presbyters, in the cities where he had converted men to the Christian faith, immediately after he and Barnabas had received their apostleship. We read (Acts xiv. 23) that "they ordained elders in every Church;" which at first sight may be taken for an argument, that they themselves chose, and gave them their authority; but if we consider the original text, it will be manifest that they were authorized and chosen by the assembly of the Christians of each city. For the words there are, *χειροτονήσαντες αυτοίς πρεσβυτέρους κατ' ἐκκλησίαν*, that is, "when they had ordained them elders by the holding up of hands in every congregation." Now it is well enough known, that in all those cities the manner of choosing magistrates and officers was by plurality of suffrages; and, because the ordinary way of distinguishing the affirmative votes from the negatives was by holding up of hands, to ordain an officer in any of the cities, was no more but to bring the people together, to elect them by plurality of votes, whether it were by plurality of elevated hands, or by plurality of voices, or plurality of balls, or beans, or small stones, of which every man cast in one, into a vessel marked for the affirmative or negative; for divers cities had divers customs in that point. It was therefore the assembly that elected their own elders: the apostles were only presidents of the assembly, to call them together for such election, and to pronounce them elected, and to give them the benediction which now is called consecration. And for this cause, they that were presidents of the assemblies, as in the absence of the apostles the elders were, were called *προεστῶτες*, and in Latin *antistites*; which words signify the principal person of the assembly, whose office was to number the votes, and to declare thereby who was chosen; and where the votes were equal, to decide the matter in question by adding his own; which is the office of a president in council. And, because all the Churches had their presbyters ordained in the same manner, where the word is "constitute" (as Titus i. 5), *ἵνα καταστήσης κατὰ πόλιν πρεσβυτέρους*, "For this cause left I thee in Crete, that thou shouldst constitute elders in every city," we are to understand the same thing, namely, that he should call the faithful

together, and ordain them presbyters by plurality of suffrages. It had been a strange thing, if in a town, where men perhaps had never seen any magistrate otherwise chosen than by an assembly, those of the town becoming Christians should so much as have thought on any other way of election of their teachers and guides, that is to say, of their presbyters (otherwise called bishops), than this of plurality of suffrages, intimated by St. Paul (Acts xiv. 23) in the word *χειροτονήσαντες*. Nor was there ever any choosing of bishops before the emperors found it necessary to regulate them, in order to the keeping of the peace amongst them, but by the assemblies of the Christians in every several town.

The same is also confirmed by the continual practice, even to this day, in the election of the bishops of Rome. For if the bishop of any place had the right of choosing another to the succession of the pastoral office, in any city, at such times as he went from thence to plant the same in another place; much more had he had the right to appoint his successors in that place in which he last resided and died; and we find not that ever any bishop of Rome appointed his successor. For they were a long time chosen by the people, as we may see by the sedition raised about the election between Damasus and Ursicinus, which Ammianus Marcellinus saith was so great, that Juventius the præfect, unable to keep the peace between them, was forced to go out of the city; and that there were above an hundred men found dead upon that occasion in the church itself. And though they afterwards were chosen, first, by the whole clergy of Rome, and afterwards by the cardinals, yet never any was appointed to the succession by his predecessor. If therefore they pretended no right to appoint their own successors, I think I may reasonably conclude they had no right to appoint the successors of other bishops without receiving some new power, which none could take from the Church to bestow on them, but such as had a lawful authority, not only to teach, but to command the Church, which none could do but the civil sovereign.

The word "minister," in the original *Διάκονος*, signifieth one that voluntarily doth the business of another man, and differeth from a servant only in this, that servants are obliged by their condition to do what is commanded them; whereas ministers are obliged only by their undertaking, and bound therefore to no more than that they have undertaken; so that both they that teach the word of God, and they that administer the secular affairs of the Church, are both ministers, but they are ministers of different persons. For the pastors of the Church called (Acts vi. 4) "the ministers of the word," are ministers of Christ, whose word it is; but the ministry of a deacon, which is called (verse 2 of the same chapter) "serving of tables," is a service done to the Church or congregation: so that neither any one man, nor the whole Church, could ever of their pastor say, he was their minister: but of a deacon, whether the charge he undertook were to serve tables, or distribute maintenance to the Christians, when they lived in each city on a common stock or upon collections, as in the first times, or to take a care of the house of prayer, or of the revenue, or other worldly business of the Church, the whole congregation might properly call him their minister.

For their employment as deacons was to serve the congregation; though upon occasion they omitted not to preach the gospel, and maintain the doctrine of Christ, every one according to his gifts, as St. Stephen did; and both to preach and baptize, as Philip did. For that Philip, which (Acts viii. 5) preached the gospel at Samaria, and (verse 38) baptized the eunuch, was Philip the deacon, not Philip the apostle. For it is manifest (verse 1) that when Philip preached in Samaria, the apostles were at Jerusalem, and (verse 14) "when they heard that Samaria had received

the word of God, sent Peter and John to them ;" by imposition of whose hands, they that were baptized (verse 15), received, which before by the baptism of Philip they had not received, the Holy Ghost. For it was necessary for the conferring of the Holy Ghost, that their baptism should be administered or confirmed by a minister of the word, not by a minister of the Church. And therefore to confirm the baptism of those that Philip the deacon had baptized, the apostles sent out of their own number from Jerusalem to Samaria, Peter and John ; who conferred on them that before were but baptized, those graces that were signs of the Holy Spirit, which at that time did accompany all true believers ; which what they were may be understood by that which St. Mark saith (chap. xvi. 17), "these signs follow them that believe in my name ; they shall cast out devils ; they shall speak with new tongues ; they shall take up serpents ; and if they drink any deadly thing, it shall not hurt them ; they shall lay hands on the sick, and they shall recover." This to do, was it that Philip could not give ; but the apostles could, and as appears by this place, effectually did to every man that truly believed and was by a minister of Christ himself baptized : which power either Christ's ministers in this age cannot confer, or else there are very few true believers, or Christ hath very few ministers.

That the first deacons were chosen not by the apostles, but by a congregation of the disciples, that is, of Christian men of all sorts, is manifest out of Acts vi., where we read that the "Twelve," after the number of disciples was multiplied, called them together, and having told them that it was not fit that the apostles should leave the word of God and serve tables, said unto them (verse 3), "Brethren, look you out among you seven men of honest report, full of the Holy Ghost and of wisdom, whom we may appoint over this business." Here it is manifest, that though the apostles declared them elected ; yet the congregation chose them ; which also (verse 5) is more expressly said, where it is written, that "the saying pleased the whole multitude, and they chose seven," &c.

Under the Old Testament, the tribe of Levi were only capable of the priesthood, and other inferior offices of the Church. The land was divided amongst the other tribes, Levi excepted, which by the subdivision of the tribe of Joseph into Ephraim and Manasseh, were still twelve. To the tribe of Levi were assigned certain cities for their habitation, with the suburbs for their cattle : but for their portion, they were to have the tenth of the fruits of the land of their brethren. Again, the priests for their maintenance had the tenth of that tenth, together with part of the oblations and sacrifices. For God had said to Aaron (Numb. xviii. 20), "Thou shalt have no inheritance in their land ; neither shalt thou have any part amongst them ; I am thy part and thine inheritance amongst the children of Israel." For God being then king, and having constituted the tribe of Levi to be His public ministers, He allowed them for their maintenance the public revenue, that is to say, the part that God had reserved to himself ; which were tithes and offerings : and that is it which is meant, where God saith, "I am thine inheritance." And therefore to the Levites might not untruly be attributed the name of "clergy," from κληρος, which signifieth lot or inheritance ; not that they were heirs of the kingdom of God more than other ; but that God's inheritance was their maintenance. Now seeing in this time God himself was their king, and Moses, Aaron, and the succeeding high priests were His lieutenants ; it is manifest that the right of tithes and offerings was constituted by the civil power.

After their rejection of God in the demanding of a king, they enjoyed still the same revenue ; but the right thereof was derived from that, that the kings did never take it from them : for the public revenue was at the



disposing of him that was the public person; and that, till the Captivity, was the king. And again, after the return from the Captivity, they paid their tithes as before to the priest. Hitherto therefore Church livings were determined by the civil sovereign.

Of the maintenance of our Saviour and His apostles, we read only they had a purse, which was carried by Judas Iscariot; and that of the apostles, such as were fishermen did sometimes use their trade; and that when our Saviour sent the twelve apostles to preach, He forbid them (Matt. x. 9, 10) "to carry gold and silver and brass in their purses, for that the workman is worthy of his hire." By which it is probable, their ordinary maintenance was not unsuitable to their employment; for their employment was (verse 8) "freely to give, because they had freely received;" and their maintenance was the "free gift" of those that believed the good tidings they carried about of the coming of the Messiah their Saviour. To which we may add, that which was contributed out of gratitude by such as our Saviour had healed of diseases; of which are mentioned (Luke viii. 2, 3), "Certain women which had been healed of evil spirits and infirmities; Mary Magdalen, out of whom went seven devils; and Joanna the wife of Chuza, Herod's steward, and Susanna, and many others, which ministered unto Him of their substance."

After our Saviour's ascension, the Christians of every city lived in common (Acts iv. 34, 35) upon the money which was made of the sale of their lands and possessions, and laid down at the feet of the apostles, of good will, not of duty; for, "whilst the land remained," saith St. Peter to Ananias (Acts v. 4), "was it not thine? and after it was sold, was it not in thy power?" which showeth he needed not have saved his land nor his money by lying, as not being bound to contribute anything at all unless he had pleased. And as in the time of the apostles, so also all the time downward till after Constantine the Great, we shall find that the maintenance of the bishops and pastors of the Christian Church was nothing but the voluntary contribution of them that had embraced their doctrine. There was yet no mention of tithes: but such was in the time of Constantine and his sons the affection of Christians to their pastors, as Ammianus Marcellinus saith, describing the sedition of Damasus and Ursicinus about the bishopric, that it was worth their contention, in that the bishops of those times, by the liberality of their flock, and especially of matrons, lived splendidly, were carried in coaches, and were sumptuous in their fare and apparel.

But here may some ask, whether the pastors were then bound to live upon voluntary contribution, as upon alms; "For who," saith St. Paul (1 Cor. ix. 7), "goeth to war at his own charges? or who feedeth a flock, and eateth not of the milk of the flock?" And again (verse 13), "Do ye not know that they which minister about holy things, live of the things of the temple; and they which wait at the altar, partake with the altar;" that is to say, have part of that which is offered at the altar for their maintenance? And then he concludeth (verse 14), "Even so hath the Lord appointed, that they which preach the gospel should live of the gospel." From which place may be inferred indeed that the pastors of the Church ought to be maintained by their flocks; but not that the pastors were to determine either the quantity or the kind of their own allowance, and be, as it were, their own carvers. Their allowance must needs therefore be determined either by the gratitude and liberality of every particular man of their flock, or by the whole congregation. By the whole congregation it could not be, because their acts were then no laws; therefore the maintenance of pastors before emperors and civil sovereigns had made laws to settle it, was nothing but benevolence. They that served at the altar lived on what was offered. So may the pastors also take what is offered them by their flock;

but not exact what is not offered. In what court should they sue for it, who had no tribunals? Or, if they had arbitrators amongst themselves, who should execute their judgments when they had no power to arm their officers? It remaineth, therefore, that there could be no certain maintenance assigned to any pastors of the Church but by the whole congregation; and then only when their decrees should have the force, not only of "canons," but also of "laws;" which laws could not be made but by emperors, kings, or other civil sovereigns. The right of tithes in Moses' law could not be applied to the then ministers of the gospel; because Moses and the high priests were the civil sovereigns of the people under God, whose kingdom amongst the Jews was present; whereas the kingdom of God by Christ is yet to come.

Hitherto hath been shown what the pastors of the Church are; what are the points of their commission, as that they were to preach, to teach, to baptize, to be presidents in their several congregations; what is ecclesiastical censure, viz., excommunication, that is to say, in those places where Christianity was forbidden by the civil laws, a putting of themselves out of the company of the excommunicate, and where Christianity was by the civil law commanded, a putting the excommunicate out of the congregations of Christians; who elected the pastors and ministers of the Church, that it was the congregation; who consecrated and blessed them, that it was the pastor; what was their due revenue, that it was none but their own possessions, and their own labour, and the voluntary contributions of devout and grateful Christians. We are to consider now what office in the Church those persons have, who being civil sovereigns, have embraced also the Christian faith.

And first, we are to remember, that the right of judging what doctrines are fit for peace, and to be taught the subjects, is in all commonwealths inseparably annexed, as hath been already proved (chapter xviii.), to the sovereign power civil, whether it be in one man, or in one assembly of men. For it is evident to the meanest capacity that men's actions are derived from the opinions they have of the good or evil, which from those actions redound unto themselves: and consequently, men that are once possessed of an opinion, that their obedience to the sovereign power will be more hurtful to them than their disobedience, will disobey the laws, and thereby overthrow the commonwealth, and introduce confusion and civil war; for the avoiding whereof, all civil government was ordained. And therefore in all commonwealths of the heathen, the sovereigns have had the name of pastors of the people, because there was no subject that could lawfully teach the people, but by their permission and authority.

This right of the heathen kings cannot be thought taken from them by their conversion to the faith of Christ; who never ordained that kings, for believing in Him, should be deposed, that is, subjected to any but himself. or, which is all one, be deprived of the power necessary for the conservation of peace amongst their subjects, and for their defence against foreign enemies. And therefore Christian kings are still the supreme pastors of their people, and have power to ordain what pastors they please, to teach the Church, that is, to teach the people committed to their charge.

Again, let the right of choosing them be, as before the conversion of kings in the Church; for so it was in the time of the apostles themselves, as hath been shown already in this chapter; even so also the right will be in the civil sovereign, Christian. For in that he is a Christian, he allows the teaching; and in that he is the sovereign, which is as much as to say, the Church by representation, the teachers he elects are elected by the Church. And when an assembly of Christians choose their pastor in a Christian commonwealth, it is the sovereign that electeth him, because it is done by

his authority ; in the same manner, as when a town choose their mayor, it is the act of him that hath the sovereign power : for every act done, is the act of him, without whose consent it is invalid. And therefore whatsoever examples may be drawn out of history concerning the election of pastors by the people, or by the clergy, they are no arguments against the right of any civil sovereign, because they that clected them did it by his authority.

Seeing then in every Christian commonwealth, the civil sovereign is the supreme pastor, to whose charge the whole flock of his subjects is committed, and consequently that it is by his authority that all other pastors are made, and have power to teach, and perform all other pastoral offices ; it followeth also, that it is from the civil sovereign that all other pastors derive their right of teaching, preaching, and other functions pertaining to that office, and that they are but his ministers ; in the same manner as the magistrates of towns, judges in courts of justice, and commanders of armies, are all but ministers of him that is the magistrate of the whole commonwealth, judge of all causes, and commander of the whole militia, which is always the civil sovereign. And the reason hereof is not because they that teach, but because they that are to learn, are his subjects. For let it be supposed that a Christian king commit the authority of ordaining pastors in his dominions to another king, as divers Christian kings allow that power to the Pope ; he doth not thereby constitute a pastor over himself, nor a sovereign pastor over his people ; for that were to deprive himself of the civil power ; which, depending on the opinion men have of their duty to him and the fear they have of punishment in another world, would depend also on the skill and loyalty of doctors, who are no less subject, not only to ambition, but also to ignorance, than any other sort of men. So that where a stranger hath authority to appoint teachers, it is given him by the sovereign in whose dominions he teacheth. Christian doctors are our schoolmasters to Christianity ; but kings are fathers of families, and may receive schoolmasters for their subjects from the recommendation of a stranger, but not from the command ; especially when the ill teaching them shall redound to the great and manifest profit of him that recommends them : nor can they be obliged to retain them, longer than it is for the public good ; the care of which they stand so long charged withal, as they retain any other essential right of the sovereignty.

If a man therefore should ask a pastor, in the execution of his office, as the chief priests and elders of the people (Matt. xxi. 23) asked our Saviour, "By what authority doest thou these things, and who gave thee this authority?" he can make no other just answer, but that he doth it by the authority of the commonwealth, given him by the king, or assembly that representeth it. All pastors, except the supreme, execute their charges in the right, that is, by the authority of the civil sovereign, that is, *jure civili*. But the king, and every other sovereign, executeth his office of supreme pastor by immediate authority from God, that is to say, in "God's right" or *jure divino*. And therefore none but kings can put into their titles a mark of their submission to God only, *Dei gratiâ rex*, &c. Bishops ought to say in the beginning of their mandates, "By the favour of the King's Majesty, bishop of such a diocese;" or as civil ministers, "in His Majesty's name." For in saying, *Divinâ providentiâ*, which is the same with *Dei gratiâ*, though disguised, they deny to have received their authority from the civil state ; and slyly slip off the collar of their civil subjection, contrary to the unity and defence of the commonwealth.

But if every Christian sovereign be the supreme pastor of his own subjects, it seemeth that he hath also the authority not only to preach, which perhaps no man will deny, but also to baptize and to administer the sacra-

ment of the Lord's Supper, and to consecrate both temples and pastors to God's service, which most men deny; partly because they use not to do it, and partly because the administration of sacraments, and consecration of persons and places to holy uses, requireth the imposition of such men's hands as by the like imposition successively from the time of the apostles have been ordained to the like ministry. For proof therefore that Christian kings have power to baptize, and to consecrate, I am to render a reason, both why they use not to do it, and how, without the ordinary ceremony of imposition of hands, they are made capable of doing it when they will.

There is no doubt but any king, in case he were skilful in the sciences, might by the same right of his office read lectures of them himself, by which he authorizeth others to read them in the universities. Nevertheless, because the care of the sum of the business of the commonwealth taketh up his whole time, it were not convenient for him to apply himself in person to that particular. A king may also, if he please, sit in judgment to hear and determine all manner of causes, as well as give others authority to do it in his name; but that the charge that lieth upon him of command and government, constrain him to be continually at the helm, and to commit the ministerial offices to others under him. In the like manner our Saviour, who surely had power to baptize, baptized none (John iv. 2) himself, but sent His apostles and disciples to baptize. So also St. Paul, by the necessity of preaching in divers and far distant places, baptized few; amongst all the Corinthians he baptized only (1 Cor. i. 14, 16) Crispus, Gaius, and Stephanas, and the reason was (1 Cor. i. 17) because his principal charge was to preach. Whereby it is manifest that the greater charge, such as is the government of the Church, is a dispensation for the less. The reason therefore why Christian kings use not to baptize is evident, and the same for which at this day there are few baptized by bishops, and by the Pope fewer.

And as concerning imposition of hands, whether it be needful for the authorizing of a king to baptize and consecrate, we may consider thus:

Imposition of hands was a most ancient public ceremony amongst the Jews, by which was designed and made certain the person or other thing intended in a man's prayer, blessing, sacrifice, consecration, condemnation, or other speech. So Jacob, in blessing the children of Joseph (Gen. xlviii. 14), "laid his right hand on Ephraim the younger, and his left hand on Manasseh the first-born;" and this he did "wittingly" (though they were so presented to him by Joseph, as he was forced in doing it to stretch out his arms across), to design to whom he intended the greater blessing. So also in the sacrificing of the burnt-offering, Aaron is commanded (Exod. xxix. 10) "to lay his hands on the head of the bullock;" and (verse 15) "to lay his hand on the head of the ram." The same is also said again (Levit. i. 4, and viii. 14). Likewise Moses, when he ordained Joshua to be captain of the Israelites, that is, consecrated him to God's service (Numb. xxvii. 23), "laid his hands upon him and gave him his charge," designing and rendering certain who it was they were to obey in war. And in the consecration of the Levites (Numb. viii. 10), God commanded that "the children of Israel should put their hands upon the Levites." And in the condemnation of him that had blasphemed the Lord (Levit. xxiv. 14), God commanded that "all that heard him should lay their hands on his head, and that all the congregation should stone him." And why should they only that heard him lay their hands upon him, and not rather a priest, Levite, or other minister of justice, but that none else were able to design and to demonstrate to the eyes of the congregation who it was that had blasphemed and ought to die? And to design a man or any other thing by

the hand to the eye, is less subject to mistake than when it is done to the ear by a name.

And so much was this ceremony observed, that in blessing the whole congregation at once, which cannot be done by laying on of hands, yet Aaron (Levit. ix. 22) "did lift up his hands toward the people when he blessed them." And we read also of the like ceremony of consecration of temples amongst the heathen, as that the priest laid his hands on some post of the temple, all the while he was uttering the words of consecration. So natural it is to design any individual thing, rather by the hand, to assure the eyes, than by words to inform the ear, in matters of God's public service.

This ceremony was not therefore new in our Saviour's time. For Jairus (Mark v. 23), whose daughter was sick, besought our Saviour not to heal her, but "to lay His hands upon her that she might be healed." And (Matt. xix. 13), "they brought unto Him little children that He should put His hands on them and pray."

According to this ancient rite, the apostles, and presbyters, and the presbytery itself, laid hands on them whom they ordained pastors, and withal prayed for them that they might receive the Holy Ghost; and that not only once, but sometimes oftener, when a new occasion was presented: but the end was still the same, namely a punctual and religious designation of the person, ordained either to the pastoral charge in general, or to a particular mission. So (Acts vi. 6). "The apostles prayed, and laid their hands" on the seven deacons; which was done, not to give them the Holy Ghost (for they were full of the Holy Ghost before they were chosen, as appeareth immediately before, verse 3), but to design them to that office. And after Philip the deacon had converted certain persons in Samaria, Peter and John went down (Acts viii. 17), "and laid their hands on them, and they received the Holy Ghost." And not only an apostle, but a presbyter had this power: for St. Paul adviseth Timothy (1 Tim. v. 22), "lay hands suddenly on no man;" that is, design no man rashly to the office of a pastor. The whole pre-bytery laid their hands on Timothy, as we read 1 Tim. iv. 14: but this is to be understood, as that some did it by the appointment of the presbytery, and most likely their *προεστῶς*, or prolocutor, which it may be was St. Paul himself. For in his second Epistle to Timothy, chap. i. 6, he saith to him, "Stir up the gift of God, which is in thee by the laying on of my hands:" where note by the way, that by the Holy Ghost, is not meant the third person in the Trinity, but the gifts necessary to the pastoral office. We read also, that St. Paul had imposition of hands twice; once from Ananias at Damascus (Acts ix. 17, 18), at the time of his baptism; and again (Acts xiii. 3) at Antioch, when he was first sent out to preach. The use then of this ceremony, considered in the ordination of pastors, was to design the person to whom they gave such power. But if there had been then any Christian that had had the power of teaching before; the baptizing of him, that is, the making him a Christian, had given him no new power, but had only caused him to preach true doctrine, that is, to use his power aright; and therefore the imposition of hands had been unnecessary; baptism itself had been sufficient. But every sovereign, before Christianity, had the power of teaching, and ordaining teachers; and therefore Christianity gave them no new right, but only directed them in the way of teaching truth; and consequently they needed no imposition of hands, besides that which is done in baptism, to authorize them to exercise any part of the pastoral function, as namely, to baptize and consecrate. And in the Old Testament, though the priest only had right to consecrate, during the time that the sovereignty was in the high priest; yet it was not so when the sovereignty was in the king. For we read (1 Kings

viii.) that Solomon blessed the people, consecrated the Temple, and pronounced that public prayer which is the pattern now for consecration of all Christian churches and chapels: whereby it appears, he had not only the right of ecclesiastical government, but also of exercising ecclesiastical functions.

From this consolidation of the right politic and ecclesiastic in Christian sovereigns, it is evident, they have all manner of power over their subjects, that can be given to man, for the government of men's external actions, both in policy and religion; and may make such laws as themselves shall judge fittest, for the government of their own subjects, both as they are the commonwealth, and as they are the Church; for both State and Church are the same men.

If they please, therefore, they may, as many Christian kings now do, commit the government of their subjects in matters of religion to the Pope; but then the Pope is in that point subordinate to them, and exerciseth that charge in another's dominion *jure civili*, in the right of the civil sovereign; not *jure divino*, in God's right; and may therefore be discharged of that office, when the sovereign, for the good of his subjects, shall think it necessary. They may also, if they please, commit the care of religion to one supreme pastor, or to an assembly of pastors; and give them what power over the Church, or one over another, they think most convenient; and what titles of honour, as of archbishops, bishops, priests, or pre-byters, they will; and make such laws for their maintenance, either by tithes or otherwise, as they please, so they do it out of a sincere conscience. of which God only is the judge. It is the civil sovereign that is to appoint judges and interpreters of the canonical Scriptures; for it is he that maketh them laws. It is he also that giveth strength to excommunications; which but for such laws and punishments, as may humble obstinate libertines, and reduce them to union with the rest of the Church, would be contemned. In sum, he hath the supreme power in all causes, as well ecclesiastical as civil, as far as concerneth actions and words, for those only are known and may be accused; and of that which cannot be accused, there is no judge at all but God, that knoweth the heart. And these rights are incident to all sovereigns, whether monarchs or assemblies: for they that are the representants of a Christian people, are representants of the Church: for a Church and a commonwealth of Christian people are the same thing.

Though this that I have here said, and in other places of this book, seem clear enough for the asserting of the supreme ecclesiastical power to Christian sovereigns; yet because the Pope of Rome's challenge to that power universally hath been maintained chiefly, and, I think, as strongly as is possible, by Cardinal Bellarmine, in his controversy, *De Summo Pontifice*; I have thought it necessary, as briefly as I can, to examine the grounds and strength of his discourse.

Of five books he hath written of this subject, the first containeth three questions: one, which is simply the best government, "Monarchy," "Aristocracy," or "Democracy;" and concludeth for neither, but for a government mixed of all three: another, which of these is the best government of the Church; and concludeth for the mixed, but which should most partipate of monarchy; the third, whether in this mixed monarchy St. Peter had the place of monarch. Concerning his first conclusion, I have already sufficiently proved (chapter xviii.) that all governments which men are bound to obey are simple and absolute. In monarchy there is but one man supreme; and all other men that have any kind of power in the state have it by his commission, during his pleasure, and execute it in his name: and in aristocracy and democracy but one supreme assembly, with the same power that in monarchy belongeth to the monarch, which is not a

mixed but an absolute sovereignty. And of the three sorts which is the best is not to be disputed, where any one of them is already established; but the present ought always to be preferred, maintained, and accounted best; because it is against both the law of Nature and the divine positive law to do anything tending to the subversion thereof. Besides, it maketh nothing to the power of any pastor, unless he have the civil sovereignty, what kind of government is the best; because their calling is not to govern men by commandment but to teach them, and persuade them by arguments, and leave it to them to consider whether they shall embrace or reject the doctrine taught. For monarchy, aristocracy, and democracy, do mark out unto us three sorts of sovereigns, not of pastors; or, as we may say, three sorts of masters of families, not three sorts of schoolmasters for their children.

And therefore the second conclusion, concerning the best form of government of the Church, is nothing to the question of the Pope's power without his own dominions. For in all other commonwealths his power, if he have any at all, is that of the schoolmaster only, and not of the master of the family.

For the third conclusion, which is, that St. Peter was monarch of the Church, he bringeth for his chief argument the place of St. Matthew (chap. xvi. 18, 19), "Thou art Peter, and upon this rock I will build my Church," &c. "And I will give thee the keys of heaven; whatsoever thou shalt bind on earth, shall be bound in heaven, and whatsoever thou shalt loose on earth, shall be loosed in heaven." Which place, well considered, proveth no more, but that the Church of Christ hath for foundation one only article; namely, that which Peter in the name of all the apostles professing, gave occasion to our Saviour to speak the words here cited. Which that we may clearly understand, we are to consider that our Saviour preached by himself, by John the Baptist, and by His apostles, nothing but this article of faith, "that He was the Christ;" all other articles requiring faith no otherwise than as founded on that. John began first (Matt. iii. 2), preaching only this, "the kingdom of God is at hand." Then our Saviour himself (Matt. iv. 17) preached the same: and to His twelve apostles, when He gave them their commission (Matt. x. 7), there is no mention of preaching any other article but that. This was the fundamental article, that is the foundation of the Church's faith. Afterwards the apostles being returned to Him, He (Matt. xvi. 13) asketh them all, not Peter only, "who men said He was;" and they answered that "some said He was John the Baptist, some Elias, and others Jeremiah, or one of the prophets." Then (verse 15) He asked them all again, not Peter only, "Whom say ye that I am?" Therefore St. Peter answered for them all, "Thou art Christ, the Son of the living God;" which I said is the foundation of the faith of the whole Church; from which our Saviour takes the occasion of saying, "upon this stone I will build my Church:" by which it is manifest, that by the foundation-stone of the Church was meant the fundamental article of the Church's faith. But why then, will some object, doth our Saviour interpose these words, "thou art Peter?" If the original of this text had been rigidly translated, the reason would easily have appeared. We are therefore to consider, that the apostle Simon was surnamed, "Stone," which is the signification of the Syriac word "Cephas," and of the Greek word Πέτρος. Our Saviour therefore, after the confession of that fundamental article, alluding to His name, said (as if it were in English) thus, "Thou art 'stone,' and upon this stone I will build my Church:" which is as much as to say, this article, that "I am the Christ," is the foundation of all the faith I require in those that are to be members of my Church. Neither is this allusion to a name an unusual thing in common speech. But it had been a strange and obscure speech if our Saviour,

intending to build His Church on the person of St. Peter, had said, "Thou art a stone, and upon this stone I will build my Church;" when it was so obvious, without ambiguity, to have said, "I will build my Church on thee:" and yet there had been still the same allusion to His name.

And for the following words, "I will give thee the keys of heaven," &c., it is no more than what our Saviour gave also to all the rest of His disciples (Matt. xviii. 18), "Whatsoever ye shall bind on earth, shall be bound in heaven: and whatsoever ye shall loose on earth, shall be loosed in heaven." But howsoever this be interpreted, there is no doubt but the power here granted belongs to all supreme pastors; such as are all Christian civil sovereigns in their own dominions. Inasmuch, as if St. Peter, or our Saviour himself, had converted any of them to believe Him, and to acknowledge His kingdom; yet, because His kingdom is not of this world, He had left the supreme care of converting His subjects to none but him; or else He must have deprived him of the sovereignty, to which the right of teaching is inseparably annexed. And thus much in refutation of his first book, wherein he would prove St. Peter to have been the monarch universal of the Church, that is to say, of all the Christians in the world.

The second book hath two conclusions: one, that St. Peter was bishop of Rome, and there died; the other, that the Popes of Rome are his successors. Both which have been disputed by others. But supposing them true; yet if by Bishop of Rome, be understood either the monarch of the Church, or the supreme pastor of it: not Silvester, but Constantine, who was the first Christian emperor, was that bishop; and as Constantine, so all other Christian emperors were of right supreme bishops of the Roman empire. I say of the Roman empire, not of all Christendom, for other Christian sovereigns had the same right in their several territories, as to an office essentially adherent to their sovereignty. Which shall serve for answer to his second book.

In the third book he handleth the question, whether the Pope be Antichrist? For my part, I see no argument that proves he is so, in that sense the Scripture useth the name; nor will I take any argument from the quality of Antichrist to contradict the authority he exerciseth, or hath heretofore exercised in the dominions of any other prince or state.

It is evident that the prophets of the Old Testament foretold, and the Jews expected a Messiah, that is, a Christ, that should re-establish amongst them the kingdom of God, which had been rejected by them in the time of Samuel, when they required a king after the manner of other nations. This expectation of theirs made them obnoxious to the imposture of all such as had both the ambition to attempt the attaining of the kingdom, and the heart to deceive the people by counterfeit miracles, by hypocritical life, or by orations and doctrine plausible. Our Saviour, therefore, and His apostles, forewarned men of false prophets and of false Christs. False Christs are such as pretend to be the "Christ," but are not, and are called properly "Antichrists;" in such sense, as when there happeneth a schism in the Church, by the election of two popes, the one calleth the other "Antipapa," or the false Pope. And therefore Antichrist in the proper signification hath two essential marks; one, that he denieth Jesus to be Christ; and another that he professeth himself to be Christ. The first mark is set down by St. John in his first Epistle, iv. 3. "Every spirit that confesseth not that Jesus Christ is come in the flesh, is not of God; and this is the spirit of Antichrist." The other mark is expressed in the words of our Saviour (Matt. xxiv. 5), "many shall come in my name, saying, I am Christ;" and again (verse 23), "If any man shall say unto you, lo! here is Christ, and there is Christ, believe it not." And therefore Antichrist must be a false Christ; that is, some one of them



that shall pretend themselves to be Christ. And out of these two marks, "to deny Jesus to be the Christ," and "to affirm himself to be the Christ," it followeth, that he must also be an "adversary of Jesus the true Christ," which is another usual signification of the word Antichrist. But of these many Antichrists, there is one special one, ὁ Ἀντίχριστος, "the Antichrist," or "Antichrist" definitely, as one certain person, not indefinitely "an Antichrist." Now, seeing the Pope of Rome neither pretendeth himself, nor denieth Jesus to be the Christ, I perceive not how he can be called Antichrist: by which word is not meant, one that falsely pretendeth to be "his lieutenant" or "vicar-general," but to be "He." There is also some mark of the time of this special Antichrist, as (Matt. xxiv. 15). when that abominable destroyer spoken of by Daniel (Dan. ix. 27) shall stand in the holy place, and such tribulation as was not since the beginning of the world, nor ever shall be again, insomuch as if it were to last long (Matt. xxiv. 22) "no flesh could be saved; but for the elect's sake those days shall be shortened," made fewer. But that tribulation is not yet come; for it is to be followed immediately (verse 29) by a darkening of the sun and moon, a falling of the stars, a concussion of the heavens, and the glorious coming again of our Saviour in the clouds. And therefore "the Antichrist" is not yet come; whereas, many Popes are both come and gone. It is true, the Pope, in taking upon him to give laws to all Christian kings and nations, usurpeth a kingdom in this world, which Christ took not on Him; but he doth it not "as Christ," but as "for Christ," wherein there is nothing of "the Antichrist."

In the fourth book, to prove the Pope to be the supreme judge in all questions of faith and manners, "which is as much as to be the absolute monarch of all Christians in the world," he bringeth three propositions: the first, that his judgments are infallible: the second, that he can make very laws, and punish those that observe them not: the third, that our Saviour conferred all jurisdiction ecclesiastical on the Pope of Rome.

For the infallibility of his judgments, he allegeth the Scriptures: and first, that of Luke xxii. 31, 32: "Simon, Simon, Satan hath desired you, that he may sift you as wheat; but I have prayed for thee, that thy faith fail not; and when thou art converted, strengthen thy brethren." This, according to Bellarmine's exposition, is, that Christ gave here to Simon Peter two privileges: one, that neither his faith should fail, nor the faith of any of his successors: the other, that neither he, nor any of his successors, should ever define any point concerning faith or manners erroneously, or contrary to the definition of a former Pope: which is a strange and very much strained interpretation. But he that with attention readeth that chapter, shall find there is no place in the whole Scripture that maketh more against the Pope's authority than this very place. The Priests and Scribes seeking to kill our Saviour at the Passover, and Judas possessed with a resolution to betray Him, and the day of killing the Passover being come, our Saviour celebrated the same with His apostles, which He said, till the kingdom of God was come He would do no more; and withal told them that one of them was to betray Him. Hereupon they questioned which of them it should be; and withal, seeing the next Passover their Master would celebrate should be when He was king, entered into a contention who should then be the greatest man. Our Saviour therefore told them that the kings of the nations had dominion over their subjects, and are called by a name in Hebrew, that signifies bountiful; "but I cannot be so to you, you must endeavour to serve one another; I ordain you a kingdom, but it is such as my Father hath ordained me; a kingdom that I am now to purchase with my blood, and not to possess till my second coming; then ye shall eat and drink at my table, and sit on thrones judging the twelve tribes of Israel."

And then addressing himself to St. Peter, He saith : " Simon, Simon, Satan seeks, by suggesting a present domination, to weaken your faith of the future ; but I have prayed for thee, that thy faith shall not fail ; thou therefore note this, being converted, and understanding my kingdom as of another world, confirm the same faith in thy brethren." To which St. Peter answered, as one that no more expected any authority in this world, " Lord, I am ready to go with thee, not only to prison, but to death." Whereby it is manifest St. Peter had not only no jurisdiction given him in this world, but a charge to teach all the other apostles that they also should have none. And for the infallibility of St. Peter's sentence definitive in matter of faith, there is no more to be attributed to it out of this text than that Peter should continue in the belief of this point, namely, that Christ should come again and possess the kingdom at the day of judgment, which was not given by this text to all his successors ; for we see they claim it in the world that now is.

The second place is that of Matt. xvi. 18, " Thou art Peter, and upon this rock I will build my Church, and the gates of hell shall not prevail against it." By which, as I have already shown in this chapter, is proved no more, than that the gates of hell shall not prevail against the confession of Peter, which gave occasion to that speech ; namely this, that " Jesus is Christ the Son of God."

The third text is John xxi. 16, 17 : " Feed my sheep ;" which contains no more but a commission of teaching. And if we grant the rest of the apostles to be contained in that name of " sheep ;" then it is the supreme power of teaching : but it was only for the time that there were no Christian sovereigns already possessed of that supremacy. But I have already proved that Christian sovereigns are in their own dominions the supreme pastors, and instituted thereto, by virtue of their being baptized, though without other imposition of hands. For such imposition, being a ceremony of designing the person, is needless, when he is already designed to the power of teaching what doctrine he will, by his institution to an absolute power over his subjects. For as I have proved before, sovereigns are supreme teachers, in general, by their office ; and therefore oblige themselves, by their baptism, to teach the doctrine of Christ : and when they suffer others to teach their people, they do it at the peril of their own souls ; for it is at the hands of the heads of families that God will require the account of the instruction of His children and servants. It is of Abraham himself, not of a hireling, that God saith (Gen. xviii. 19), " I know him that he will command his children, and his household after him, that they keep the way of the Lord, and do justice and judgment.

The fourth place is that of Exod. xxviii. 30 : " Thou shalt put in the breast-plate of judgment, the Urim and the Thummim : " which he saith is interpreted by the Septuagint *δηλωσω και αληθειαν* ; that is, " evidence and truth ;" and thence concludeth, God hath given evidence and truth, which is almost infallibility, to the high priest. But be it evidence and truth itself that was given ; or be it but admonition to the priest to endeavour to inform himself clearly, and give judgment uprightly ; yet in that it was given to the high priest, it was given to the civil sovereign ; (for such next under God was the high priest in the commonwealth of Israel) ; and is an argument for evidence and truth, that is, for the ecclesiastical supremacy of civil sovereigns over their own subjects, against the pretended power of the Pope. These are all the texts he bringeth for the infallibility of the judgment of the Pope in point of faith.

For the infallibility of his judgment concerning manners, he bringeth one text, which is that of John xvi. 13 : " When the Spirit of truth is come, he will lead you into all truth : " where, saith he, by " all truth," is meant, at

least "all truth necessary to salvation." But with this mitigation, he attributeth no more infallibility to the Pope, than to any man that professeth Christianity and is not to be damned. For if any man err in any point, wherein not to err is necessary to salvation, it is impossible he should be saved; for that only is necessary to salvation, without which to be saved is impossible. What points these are, I shall declare out of the Scripture in the chapter following. In this place I say no more, but that though it were granted, the Pope could not possibly teach any error at all, yet doth not this entitle him to any jurisdiction in the dominions of another prince; unless we shall also say, a man is obliged in conscience to set on work upon all occasions the best workman, even then also when he hath formerly promised his work to another.

Besides the text, he argueth from reason, thus. If the Pope could err in necessities, then Christ hath not sufficiently provided for the Church's salvation; because He hath commanded her to follow the Pope's directions. But this reason is invalid, unless he show when and where Christ commanded that, or took at all any notice of a Pope. Nay, granting whatsoever was given to St. Peter was given to the Pope; yet seeing there is in the Scripture no command to any man to obey St. Peter, no man can be just that obeyeth him when his commands are contrary to those of his lawful sovereign.

Lastly, it hath not been declared by the Church, nor by the Pope himself, that he is the civil sovereign of all the Christians in the world; and therefore all Christians are not bound to acknowledge his jurisdiction in point of manners. For the civil sovereignty, and supreme judicature in controversies of manners, are the same thing: and the makers of civil laws, are not only declarers, but also makers of the justice and injustice of actions; there being nothing in men's manners that makes them righteous or unrighteous, but their conformity with the law of the sovereign. And therefore, when the Pope challengeth supremacy in controversies of manners, he teacheth men to disobey the civil sovereign; which is an erroneous doctrine, contrary to the many precepts of our Saviour and His apostles, delivered to us in the Scripture.

To prove the Pope has power to make laws, he allegeth many places; as first (Deut. xvii. 12), "The man that will do presumptuously, and will not hearken unto the priest, that standeth to minister there before the Lord thy God, or unto the judge, even that man shall die; and thou shalt put away the evil from Israel." For answer whereunto, we are to remember that the high priest, next and immediately under God, was the civil sovereign; and all judges were to be constituted by him. The words alleged sound therefore thus: "The man that will presume to disobey the civil sovereign for the time being, or any of his officers in the execution of their places, that man shall die," &c.: which is clearly for the civil sovereignty, against the universal power of the Pope.

Secondly, he allegeth that of Matt. xvi. 19, "Whatsoever ye shall bind," &c., and interpreteth it for such "binding" as is attributed (Matt. xxiii. 4) to the Scribes and Pharisees, "They bind heavy burthens, and grievous to be borne, and lay them on men's shoulders;" by which is meant, he says, making of laws; and concludes thence that the Pope can make laws. But this also maketh only for the legislative power of civil sovereigns. For the Scribes and Pharisees sat in Moses' chair; but Moses next under God was sovereign of the people of Israel: and therefore our Saviour commanded them to do all that they should say, but not all that they should do: that is, to obey their laws, but not follow their example.

The third place is John xxi. 16, "Feed my sheep;" which is not a power to make laws, but a command to teach. Making laws belongs to

the lord of the family ; who by his own discretion chooseth his chaplain, as also a schoolmaster to teach his children.

The fourth place (John xx. 21) is against him. The words are, "As my Father sent me, so send I you." But our Saviour was sent to redeem by His death such as should believe, and by His own and His apostles' preaching, to prepare them for their entrance into His kingdom ; which He himself saith, is not of this world, and hath taught us to pray for the coming of it hereafter, though He refused (Acts i. 6, 7) to tell His apostles when it should come ; and in which when it comes, the twelve apostles shall sit on twelve thrones, every one perhaps as high as that of St. Peter, to judge the twelve tribes of Israel. Seeing then God the Father sent not our Saviour to make laws in this present world, we may conclude from the text, that neither did our Saviour send St. Peter to make laws here, but to persuade men to expect His second coming with a steadfast faith ; and in the meantime, if subjects, to obey their princes ; and if princes, both to believe it themselves, and to do their best to make their subjects do the same ; which is the office of a bishop. Therefore this place maketh most strongly for the joining of the ecclesiastical supremacy to the civil sovereignty, contrary to that which Cardinal Bellarmine allegeth it for.

The fifth place is Acts xv. 28, 29, "It hath seemed good to the Holy Spirit and to us, to lay upon you no greater burthen, than these necessary things, that ye abstain from meats offered to idols, and from blood, and from things strangled, and from fornication." Here he notes the word "laying of burthens" for the legislative power. But who is there, that reading this text, can say this style of the apostles may not as properly be used in giving counsel as in making laws ? The style of a law is, "we command : " but, "we think good," is the ordinary style of them that but give advice ; and they lay a burthen that give advice, though it be conditional, that is, if they to whom they give it, will attain their ends ; and such is the burthen of abstaining from things strangled, and from blood ; not absolute, but in case they will not err. I have shown before (chapter xxv) that law is distinguished from counsel in this, that the reason of a law is taken from the design and benefit of him that prescribeth it ; but the reason of a counsel, from the design and benefit of him to whom the counsel is given. But here the apostles aim only at the benefit of the converted Gentiles, namely, their salvation ; not at their own benefit, for having done their endeavour, they shall have their reward, whether they be obeyed or not. And therefore the acts of this council were not laws, but counsels.

The sixth place is that of Rom. xiii., "Let every soul be subject to the higher powers, for there is no power but of God ;" which is meant, he saith, not only of secular, but also of ecclesiastical princes. To which I answer, first, that there are no ecclesiastical princes but those that are also civil sovereigns ; and their principalities exceed not the compass of their civil sovereignty ; without those bounds, though they may be received for doctors, they cannot be acknowledged for princes. For if the apostle had meant we should be subject both to our own princes, and also to the Pope, he had taught us a doctrine which Christ himself hath told us is impossible, namely, "to serve two masters." And though the apostle says in another place (2 Cor. xiii. 10), "I write these things being absent, lest being present I should use sharpness, according to the power which the Lord hath given me ;" it is not, that he challenged a power either to put to death, imprison, banish, whip, or fine any of them, which are punishments ; but only to excommunicate, which, without the civil power, is no more but a leaving of their company, and having no more to do with them than with a heathen man or a publican ; which in many occasions might be a greater pain to the excommunicant than to the excommunicate.

The seventh place is 1 Cor. iv. 21, "Shall I come unto you with a rod, or in love, and the spirit of lenity?" But here again it is not the power of a magistrate to punish offenders, that is meant by a rod; but only the power of excommunication, which is not in its own nature a punishment, but only a denouncing of punishment, that Christ shall inflict when He shall be in possession of His kingdom, at the day of judgment. Nor then also shall it be properly a punishment, as upon a subject that hath broken the law; but a revenge, as upon an enemy or revolter, that denieth the right of our Saviour to the kingdom. And therefore this proveth not the legislative power of any bishop that has not also the civil power.

The eighth place is 1 Tim. iii. 2, "A bishop must be the husband of but one wife, vigilant, sober," &c.; which he saith was a law. I thought that none could make a law in the Church but the monarch of the Church, St. Peter. But suppose this precept made by the authority of St. Peter, yet I see no reason why to call it a law rather than an advice, seeing Timothy was not a subject but a disciple of St. Paul; nor the flock under the charge of Timothy, his subjects in the kingdom, but his scholars in the school of Christ. If all the precepts he giveth Timothy be laws, why is not this also a law (1 Tim. v. 23), "Drink no longer water, but use a little wine for thy health's sake?" And why are not also the precepts of good physicians so many laws, but that it is not the imperative manner of speaking, but an absolute subjection to a person, that maketh his precepts laws?

In like manner, the ninth place (1 Tim. v. 19), "Against an elder receive not an accusation, but before two or three witnesses," is a wise precept, but not a law.

The tenth place is Luke x. 16, "He that heareth you, heareth me; and he that despiseth you, despiseth me." And there is no doubt but he that despiseth the counsel of those that are sent by Christ, despiseth the counsel of Christ himself. But who are those now that are sent by Christ but such as are ordained pastors by lawful authority? And who are lawfully ordained that are not ordained by the sovereign pastor? And who is ordained by the sovereign pastor in a Christian commonwealth that is not ordained by the authority of the sovereign thereof? Out of this place therefore it followeth, that he which heareth his sovereign, being a Christian, heareth Christ; and he that despiseth the doctrine which his king, being a Christian, authorizeth, despiseth the doctrine of Christ: which is not that which Bellarmine intendeth here to prove, but the contrary. But all this is nothing to a law. Nay more, a Christian king, as a pastor and teacher of his subjects, makes not thereby his doctrines laws. He cannot oblige men to believe, though as a civil sovereign he may make laws suitable to his doctrine, which may oblige men to certain actions, and sometimes to such as they would not otherwise do, and which he ought not to command; and yet when they are commanded they are laws; and the external actions done in obedience to them, without the inward appropriation, are the actions of the sovereign, and not of the subject, which is in that case but as an instrument, without any motion of his own at all; because God hath commanded to obey them.

The eleventh is every place where the apostle for counsel putteth some word by which men use to signify command; or calleth the following of his counsel by the name of obedience. And therefore they are alleged out of 1 Cor. xi. 2: "I commend you for keeping my precepts as I delivered them to you." The Greek is, "I commend you for keeping those things I delivered to you as I delivered them." Which is far from signifying that they were laws, or anything else, but good counsel. And that of 1 Thess. iv. 2: "You know what commandments we gave you:" where the Greek word is *παραγγελίας ἐδώκαμεν*, equivalent to *παρεδώκαμεν*, "what we

delivered to you," as in the place next before alleged, which does not prove the traditions of the apostles to be any more than counsels; though as is said in the 8th verse, "he that despiseth them, despiseth not man, but God." For our Saviour himself came not to judge, that is, to be king in this world, but to sacrifice himself for sinners, and leave doctors in His Church to lead, not to drive men to Christ, who never accepteth forced actions (which is all the law produceth), but the inward conversion of the heart; which is not the work of laws, but of counsel and doctrine.

And that of 2 Thess. iii. 14, "If any man obey not our word by this epistle, note that man, and have no company with him, that he may be ashamed:" where from the word "obey," he would infer that this epistle was a law to the Thessalonians. The epistles of the emperors were indeed laws. If therefore the epistle of St. Paul were also a law, they were to obey two masters. But the word "obey," as it is in the Greek *ὑπακούει*, signifieth "hearkening to" or "putting in practice," not only that which is commanded by him that has right to punish, but also that which is delivered in a way of counsel for our good; and therefore St. Paul does not bid kill him that disobeys; nor beat, nor imprison, nor amerce him, which legislators may all do; but avoid his company, that he may be ashamed: whereby it is evident it was not the empire of an apostle, but his reputation amongst the faithful, which the Christians stood in awe of.

The last place is that of Heb. xiii. 17, "Obey your leaders, and submit yourselves to them; for they watch for your souls, as they that must give account:" and here also is intended by obedience a following of their counsel. For the reason of our obedience is not drawn from the will and command of our pastors, but from our own benefit, as being the salvation of our souls; they watch for, and not for the exaltation of their own power and authority. If it were meant here, that all they teach were laws, then not only the Pope, but every pastor in his parish, should have legislative power. Again, they that are bound to obey their pastors, have no power to examine their commands. What then shall we say to St. John, who bids us (1 Epistle iv. 1), "Not to believe every spirit, but to try the spirits whether they are of God; because many false prophets are gone out into the world?" It is therefore manifest that we may dispute the doctrine of our pastors; but no man can dispute a law. The commands of civil sovereigns are on all sides granted to be laws: if any else can make a law besides himself, all commonwealth, and consequently all peace and justice must cease; which is contrary to all laws both divine and human. Nothing therefore can be drawn from these, or any other places of Scripture, to prove the decrees of the Pope, where he has not also the civil sovereignty, to be laws.

The last point he would prove is this, "That our Saviour Christ has committed ecclesiastical jurisdiction immediately to none but the Pope." Wherein he handleth not the question of supremacy between the Pope and Christian kings, but between the Pope and other bishops. And first, he says, it is agreed that the jurisdiction of bishops is at least in the general *de jure divino*, that is, in the right of God; for which he alleges St. Paul (Eph. iv. 11), where he says that Christ, after His ascension into heaven, "gave gifts to men, some apostles, some prophets, and some evangelists, and some pastors, and some teachers;" and thence infers they have indeed their jurisdiction in God's right; but will not grant they have it immediately from God, but derived through the Pope. But if a man may be said to have his jurisdiction *de jure divino*, and yet not immediately; what lawful jurisdiction, though but civil, is there in a Christian commonwealth that is not also *de jure divino*? For Christian kings have their civil power from God immediately; and the magistrates under him exercise their several

charges in virtue of his commission; wherein that which they do is no less *de jure divino mediato*, than that which the bishops do in virtue of the Pope's ordination. All lawful power is of God, immediately in the supreme governor, and mediately in those that have authority under him: so that either he must grant every constable in the state to hold his office in the right of God; or he must not hold that any bishop holds his so, besides the Pope himself.

But this whole dispute, whether Christ left the jurisdiction to the Pope only, or to other bishops also, if considered out of those places where the Pope has the civil sovereignty, is a contention *de lana caprina*: for none of them, where they are not sovereigns, has any jurisdiction at all. For jurisdiction is the power of hearing and determining causes between man and man: and can belong to none but him that hath the power to prescribe the rules of right and wrong; that is, to make laws; and with the sword of justice to compel men to obey his decisions, pronounced either by himself or by the judges he ordaineth thereto; which none can lawfully do but the civil sovereign.

Therefore when he allegeth out of chapter vi. of Luke, that our Saviour called His disciples together, and chose twelve of them, which He named apostles, he proveth that He elected them (all, except Matthias, Paul, and Barnabas), and gave them power and command to preach, but not to judge of causes between man and man: for that is a power which He refused to take upon himself, saying, "Who made me a judge, or a divider, amongst you?" and in another place, "My kingdom is not of this world." But he that hath not the power to hear and determine causes between man and man, cannot be said to have any jurisdiction at all. And yet this hinders not, but that our Saviour gave them power to preach and baptize in all parts of the world, supposing they were not by their own lawful sovereign forbidden: for to our own sovereigns Christ himself, and His apostles, have in sundry places expressly commanded us in all things to be obedient.

The arguments by which he would prove that bishops receive their jurisdiction from the Pope (seeing the Pope in the dominions of other princes hath no jurisdiction himself) are all in vain. Yet because they prove, on the contrary, that all bishops receive jurisdiction, when they have it, from their civil sovereigns, I will not omit the recital of them.

The first is from chapter xi. of Numbers, where Moses not being able alone to undergo the whole burthen of administering the affairs of the people of Israel, God commanded him to choose seventy elders, and took part of the spirit of Moses to put it upon those seventy elders: by which is understood, not that God weakened the spirit of Moses; for that had not eased him at all; but that they had all of them their authority from him, wherein he doth truly and ingenuously interpret that place. But seeing Moses had the entire sovereignty in the commonwealth of the Jews, it is manifest that it is thereby signified that they had their authority from the civil sovereign: and therefore that place proveth that bishops in every Christian commonwealth have their authority from the civil sovereign; and from the Pope in his own territories only, and not in the territories of any other state.

The second argument, is from the nature of monarchy; wherein all authority is in one man, and in others by derivation from him. But the government of the Church, he says, is monarchical. This also makes for Christian monarchs. For they are really monarchs of their own people; that is, of their own Church; for the Church is the same thing with a Christian people; whereas the power of the Pope, though he were St. Peter, is neither monarchy, nor hath anything of "archical," nor "cratical," but only of "didactical;" for God accepteth not a forced, but a willing obedience.

The third is from that the "see" of St. Peter is called by St. Cyprian, the "head," the "source," the "root," the "sun," from whence the authority of bishops is derived. But by the law of Nature, which is a better principle of right and wrong than the word of any doctor that is but a man, the civil sovereign in every commonwealth is the "head," the "source," the "root," and the "sun," from which all jurisdiction is derived. And therefore the jurisdiction of bishops is derived from the civil sovereign.

The fourth is taken from the inequality of their jurisdictions. For if God, saith he, had given it them immediately, He had given as well equality of jurisdiction as of order; but we see, some are bishops but of one town, some of a hundred towns, and some of many whole provinces; which differences were not determined by the command of God. Their jurisdiction therefore is not of God, but of man; and one has a greater, another a less, as it pleaseth the Prince of the Church. Which argument, if he had proved before, that the Pope had an universal jurisdiction over all Christians, had been for his purpose. But seeing that hath not been proved, and that it is notoriously known, the large jurisdiction of the Pope was given him by those that had it, that is, by the emperors of Rome (for the patriarch of Constantinople, upon the same title, namely, of being bishop of the capital city of the empire, and seat of the emperor, claimed to be equal to him), it followeth, that all other bishops have their jurisdiction from the sovereigns of the place wherein they exercise the same. And as for that cause they have not their authority *de jure divino*; so neither hath the Pope his *de jure divino*, except only where he is also the civil sovereign.

His fifth argument is this: "If bishops have their jurisdiction immediately from God, the Pope could not take it from them, for he can do nothing contrary to God's ordination," and this consequence is good, and well proved. "But," saith he, "the Pope can do this, and has done it." This also is granted, so he do it in his own dominions, or in the dominions of any other prince that hath given him that power; but not universally in right of the popedom, for that power belongeth to every Christian sovereign within the bounds of his own empire, and is inseparable from the sovereignty. Before the people of Israel had, by the commandment of God to Samuel, set over themselves a king, after the manner of other nations, the high priest had the civil government, and none but he could make or depose an inferior priest. But that power was afterwards in the king, as may be proved by this same argument of Bellarmine; for if the priest be the high priest, or any other had his jurisdiction immediately from God, then the king could not take it from him, "for he could do nothing contrary to God's ordinance." But it is certain that king Solomon (1 Kings ii. 26, 27) deprived Abiathar the high priest of his office, and placed Zadok (verse 35) in his room. Kings therefore may in like manner ordain and deprive bishops, as they shall think fit for the well-governing of their subjects.

His sixth argument is this: if bishops have their jurisdiction *de jure divino*, that is, "immediately from God," they that maintain it should bring some word of God to prove it; but they can bring none. The argument is good; I have therefore nothing to say against it. But it is an argument no less good to prove the Pope himself to have no jurisdiction in the dominion of any other prince.

Lastly, he bringeth for argument the testimony of two popes, Innocent and Leo; and I doubt not he might have alleged with as good reason, the testimonies of all the popes almost since St. Peter. For considering the love of power naturally implanted in mankind, whosoever were made Pope he would be tempted to uphold the same opinion. Nevertheless, they



should therein but do, as Innocent and Leo did, bear witness of themselves, and therefore their witness should not be good.

In the fifth book he hath four conclusions. The first is, "that the Pope is not lord of all the world;" the second, "that the Pope is not the lord of all the Christian world;" the third, "that the Pope without his own territory, has not any temporal jurisdiction 'directly.'" These three conclusions are easily granted. The fourth is, "that the Pope has, in the dominions of other princes, the supreme temporal power 'indirectly,'" which is denied; unless he mean by "indirectly," that he has gotten it by indirect means, then is that also granted. But I understand that when he saith he hath it "indirectly," he means that such temporal jurisdiction belongeth to him of right, but that this right is but a consequence of his pastoral authority, the which he could not exercise unless he have the other with it; and therefore to the pastoral power, which he calls spiritual, the supreme power civil is necessarily annexed; and that thereby he hath a right to change kingdoms, giving them to one and taking them from another, when he shall think it conduces to the salvation of souls.

Before I come to consider the arguments by which he would prove this doctrine, it will not be amiss to lay open the consequences of it; that princes and states that have the civil sovereignty in their several commonwealths may bethink themselves, whether it be convenient for them, and conducing to the good of their subjects, of whom they are to give an account at the day of judgment, to admit the same.

When it is said the Pope hath not, in the territories of other states, the supreme civil power "directly," we are to understand he doth not challenge it, as other civil sovereigns do, from the original submission thereto of those that are to be governed. For it is evident, and has already been sufficiently in this treatise demonstrated, that the right of all sovereigns is derived originally from the consent of every one of those that are to be governed; whether they that choose him do it for their common defence against an enemy, as when they agree amongst themselves to appoint a man or an assembly of men to protect them; or whether they do it to save their lives, by submission to a conquering enemy. The Pope therefore when he disclaimeth the supreme civil power over other states "directly," denieth no more, but that his right cometh to him by that way; he ceaseth not for all that to claim it another way, and that is, without the consent of them that are to be governed, by a right given him by God, which he calleth "indirectly" in his assumption to the papacy. But by what way soever he pretend, the power is the same; and he may, if it be granted to be his right, depose princes and states as often as it is for the salvation of souls, that is, as often as he will: for he claimeth also the sole power to judge whether it be to the salvation of men's souls or not. And this is the doctrine not only that Bellarmine here, and many other doctors teach in their sermons and books, but also that some councils have decreed, and the Popes have accordingly, when the occasion hath served them, put in practice. For the fourth council of Lateran, held under Pope Innocent the Third, in the third chapter *De Hæreticis*, hath this canon: "If a king, at the Pope's admonition, do not purge his kingdom of heretics, and being excommunicate for the same, make not satisfaction within a year, his subjects are absolved of their obedience." And the practice hereof hath been seen on divers occasions; as in the deposing of Chilperic, king of France; in the translation of the Roman empire to Charlemagne; in the oppression of John, king of England; in transferring the kingdom of Navarre; and of late years, in the league against Henry the Third of France, and in many more occurrences. I think there be few princes that consider not this as unjust and inconvenient; but I wish they would all resolve to be kings or

subjects. Men cannot serve two masters. They ought therefore to ease them, either by holding the reins of government wholly in their own hands; or by wholly delivering them into the hands of the Pope; that such men as are willing to be obedient, may be protected in their obedience. For this distinction of temporal and spiritual power is but words. Power is 'as really divided and as dangerously to all purposes, by sharing with another "indirect" power, as with a "direct" one. But to come now to his arguments.

The first is this, "The civil power is subject to the spiritual: therefore he that hath the supreme power spiritual, hath right to command temporal princes, and dispose of their temporals in order to the spiritual." As for the distinction of temporal and spiritual, let us consider in what sense it may be said intelligibly, that the temporal or civil power is subject to the spiritual. There be but two ways that those words can be made sense. For when we say, one power is subject to another power, the meaning either is, that he which hath the one, is subject to him that hath the other; or that the one power is to the other, as the means to the end. For we cannot understand that one power hath power over another power; or that one power can have right or command over another. For subjection, command, right, and power, are accidents, not of powers, but of persons. One power may be subordinate to another, as the art of a saddler to the art of a rider. If then it be granted, that the civil government be ordained as a means to bring us to a spiritual felicity; yet it does not follow, that if a king have the civil power, and the Pope the spiritual, that therefore the king is bound to obey the Pope, more than every saddler is bound to obey every rider. Therefore as from subordination of an art, cannot be inferred the subjection of the professor; so from the subordination of a government cannot be inferred the subjection of the governor. When therefore he saith, the civil power is subject to the spiritual, his meaning is, that the civil sovereign is subject to the spiritual sovereign. And the argument stands thus, "The civil sovereign is subject to the spiritual; therefore the spiritual prince may command temporal princes." Where the conclusion is the same with the antecedent he should have proved. But to prove it, he allegeth first, this reason: "Kings and Popes, clergy and laity, make but one commonwealth; that is to say, but one Church: and in all bodies the members depend one upon another: but things spiritual depend not on things temporal: therefore temporal depend on spiritual, and therefore are subject to them." In which argumentation there be two gross errors: one is, that all Christian kings, popes, clergy, and all other Christian men, make but one commonwealth. For it is evident that France is one commonwealth, Spain another, and Venice a third, &c. And these consist of Christians; and therefore also are several bodies of Christians; that is to say, several Churches: and their several sovereigns represent them, whereby they are capable of commanding and obeying, of doing and suffering, as a natural man; which no general or universal Church is, till it have a representant; which it hath not on earth: for if it had, there is no doubt but that all Christendom were one commonwealth, whose sovereign were that representant, both in things spiritual and temporal. And the Pope, to make himself this representant, wanteth three things that our Saviour hath not given him, to "command," and to "judge," and to "punish," otherwise than, by excommunication, to run from those that will not learn of him. For though the Pope were Christ's only vicar, yet he cannot exercise his government, till our Saviour's second coming: and then also it is not the Pope, but St. Peter himself with the other apostles, that are to be judges of the world.

The other error in this his first argument is, that he says, the members of

every commonwealth, as of a natural body, depend one of another. It is true, they cohere together, but they depend only on the sovereign, which is the soul of the commonwealth; which failing, the commonwealth is dissolved into a civil war, no one man so much as cohering to another for want of a common dependence on a known sovereign; just as the members of the natural body dissolve into earth for want of a soul to hold them together. Therefore there is nothing in this similitude from whence to infer a dependence of the laity on the clergy, or of the temporal officers on the spiritual; but of both on the civil sovereign; which ought indeed to direct his civil commands to the salvation of souls; but is not therefore subject to any but God himself. And thus you see the laboured fallacy of the first argument to deceive such men as distinguish not between the subordination of actions in the way to the end; and the subjection of persons one to another in the administration of the means. For to every end the means are determined by Nature, or by God himself supernaturally; but the power to make men use the means is in every nation resigned by the law of Nature, which forbiddeth men to violate their faith given to the civil sovereign.

His second argument is this: "Every commonwealth, because it is supposed to be perfect and sufficient in itself, may command any other commonwealth not subject to it, and force it to change the administration of the government; nay, depose the prince, and set another in his room, if it cannot otherwise defend itself against the injuries he goes about to do them: much more may a spiritual commonwealth command a temporal one to change the administration of their government, and may depose princes, and institute others, when they cannot otherwise defend the spiritual good."

That a commonwealth, to defend itself against injuries, may lawfully do all that he hath here said, is very true; and hath already in that which hath gone before been sufficiently demonstrated. And if it were also true, that there is now in this world a spiritual commonwealth, distinct from a civil commonwealth, then might the prince thereof, upon injury done him, or upon want of caution that injury be not done him in time to come, repair and secure himself by war; which is, in sum, deposing, killing, or subduing, or doing any act of hostility. But by the same reason, it would be no less lawful for a civil sovereign, upon the like injuries done, or feared, to make war upon the spiritual sovereign; which I believe is more than Cardinal Bellarmine would have inferred from his own proposition.

But spiritual commonwealth there is none in this world: for it is the same thing with the kingdom of Christ, which He himself saith is not of this world; but shall be in the next world at the resurrection, when they that have lived justly, and believed that He was the Christ shall, though they died "natural" bodies, rise "spiritual" bodies: and then it is that our Saviour shall judge the world, and conquer His adversaries, and make a spiritual commonwealth. In the meantime, seeing there are no men on earth whose bodies are spiritual, there can be no spiritual commonwealth amongst men that are yet in the flesh; unless we call preachers, that have commission to teach, and prepare men for their reception into the kingdom of Christ at the resurrection, a commonwealth; which I have proved already to be none.

The third argument is this: "It is not lawful for Christians to tolerate an infidel or heretical king, in case he endeavour to draw them to his heresy or infidelity. But to judge whether a king draw his subjects to heresy or not belongeth to the Pope. Therefore hath the Pope right to determine whether the prince be to be deposed or not deposed."

To this I answer, that both these assertions are false. For Christians, or men of what religion soever, if they tolerate not their king, whatsoever law

he maketh, though it be concerning religion, do violate their faith, contrary to the divine law, both "natural" and "positive:" nor is there any judge of heresy amongst subjects, but their own civil sovereign. For "heresy is nothing else but a private opinion obstinately maintained, contrary to the opinion which the public person, that is to say, the representant of the commonwealth, hath commanded to be taught." By which it is manifest, that an opinion publicly appointed to be taught, cannot be heresy; nor the sovereign princes that authorize them, heretics. For heretics are none but private men, that stubbornly defend some doctrine prohibited by their lawful sovereigns.

But to prove that Christians are not to tolerate infidel or heretical kings, he allegeth a place in Deut. xvii. 15, where God forbiddeth the Jews, when they shall set a king over themselves, to choose a stranger: and from thence inferreth that it is unlawful for a Christian to choose a king that is not a Christian. And it is true, that he that is a Christian, that is, he that hath already obliged himself to receive our Saviour, when He shall come, for his king, shall tempt God too much in choosing for king in this world one that he knoweth will endeavour, both by terror and persuasion, to make him violate his faith. But it is, saith he, the same danger to choose one that is not a Christian for king, and not to depose him when he is chosen. To this I say, the question is not of the danger of not deposing, but of the justice of deposing him. To choose him, may in some cases be unjust; but to depose him when he is chosen is in no case just. For it is always violation of faith, and consequently against the law of Nature, which is the eternal law of God. Nor do we read that any such doctrine was accounted Christian in the time of the apostles; nor in the time of the Roman emperors, till the Popes had the civil sovereignty of Rome. But to this he hath replied, that the Christians of old deposed not Nero, nor Diocletian, nor Julian, nor Valens an Arian, for this cause only, that they wanted temporal forces. Perhaps so. But did our Saviour, who for calling for might have had twelve legions of immortal, invulnerable angels to assist Him, want forces to depose Cæsar, or at least Pilate, that unjustly, without finding fault in Him, delivered Him to the Jews to be crucified? Or if the apostles wanted temporal forces to depose Nero, was it therefore necessary for them, in their epistles to the new-made Christians, to teach them, as they did, to obey the powers constituted over them, whereof Nero in that time was one, and that they ought to obey them, not for fear of their wrath, but for conscience sake? Shall we say they did not only obey, but also teach what they meant not, for want of strength? It is not therefore for want of strength, but for conscience sake, that Christians are to tolerate their heathen princes, or princes (for I cannot call any one whose doctrine is the public doctrine an heretic) that authorize the teaching of an error. And whereas for the temporal power of the Pope, he allegeth further, that St. Paul (1 Cor. vi.) appointed judges under the heathen princes of those times, such as were not ordained by those princes; it is not true. For St. Paul does but advise them to take some of their brethren to compound their differences as arbitrators, rather than to go to law one with another before the heathen judges; which is a wholesome precept, and full of charity, fit to be practised also in the best Christian commonwealths. And for the danger that may arise to religion, by the subjects tolerating of a heathen, or an erring prince, it is a point of which a subject is no competent judge; or if he be, the Pope's temporal subjects may judge also of the Pope's doctrine. For every Christian prince, as I have formerly proved, is no less supreme pastor of his own subjects than the Pope of his.

The fourth argument is taken from the baptism of kings; wherein that they may be made Christians, they submit their sceptres to Christ; and

promise to keep and defend the Christian faith. This is true; for Christian kings are no more but Christ's subjects: but they may, for all that, be the Pope's fellows; for they are supreme pastors of their own subjects: and the Pope is no more but king and pastor, even in Rome itself.

The fifth argument is drawn from the words spoken by our Saviour, "Feed my sheep;" by which was given all power necessary for a pastor; as the power to chase away wolves, such as are heretics; the power to shut up rams if they be mad, or push at the other sheep with their horns, such as are evil, though Christian kings; and power to give the flock convenient food. From whence he inferreth that St. Peter had these three powers given him by Christ. To which I answer, that the last of these powers is no more than the power, or rather command, to teach. For the first, which is to chase away wolves, that is, heretics, the place he quoteth is (Matt. vii. 15), "Beware of false prophets, which come to you in sheep's clothing, but inwardly are ravening wolves." But neither are heretics false prophets, or at all prophets: nor, admitting heretics for the wolves there meant, were the apostles commanded to kill them, or if they were kings, to depose them; but to beware of, fly, and avoid them: nor was it to St. Peter, nor to any of the apostles, but to the multitude of the Jews that followed him into the mountain, men for the most part not yet converted, that he gave this counsel, to beware of false prophets: which, therefore, if it confer a power of chasing away kings, was given, not only to private men, but to men that were not at all Christians. And as to the power of separating, and shutting up of furious rams, by which he meaneth Christian kings that refuse to submit themselves to the Roman pastor, our Saviour refused to take upon Him that power in this world himself, but advised to let the corn and tares grow up together till the day of judgment: much less did He give it to St. Peter, or can St. Peter give it to the Popes. St. Peter and all other pastors are bidden to esteem those Christians that disobey the Church, that is, that disobey the Christian sovereign, as heathen men, and as publicans. Seeing then, men challenge to the Pope no authority over heathen princes, they ought to challenge none over those that are to be esteemed as heathen.

But from the power to teach only, he inferreth also a coercive power in the Pope, over kings. The pastor, saith he, must give his flock convenient food: therefore the Pope may, and ought to compel kings to do their duty. Out of which it followeth that the Pope as pastor of Christian men, is king of kings: which all Christian kings ought indeed either to confess, or else they ought to take upon themselves the supreme pastoral charge, every one in his own dominion.

His sixth and last argument is from examples. To which I answer, first, that examples prove nothing: secondly, that the examples he allegeth make not so much as a probability of right. The fact of Jehoiada, in killing Athaliah (2 Kings xi.), was either by the authority of king Joash, or it was a horrible crime in the high priest, which ever after the election of king Saul was a mere subject. The fact of St. Ambrose in excommunicating Theodosius the emperor, if it were true he did so, was a capital crime. And for the Popes, Gregory I., Gregory II., Zachary, and Leo III, their judgments are void, as given in their own cause; and the acts done by them conformably to this doctrine, are the greatest crimes, especially that of Zachary, that are incident to human nature. And thus much of Power Ecclesiastical; wherein I had been more brief, forbearing to examine these arguments of Bellarmine, if they had been his as a private man, and not as the champion of the Papacy against all other Christian Princes and States.

## CHAPTER XLIII.

*Of what is necessary for a Man's Reception into the Kingdom of Heaven.*

THE most frequent pretext of sedition, and civil war, in Christian commonwealths, hath a long time proceeded from a difficulty, not yet sufficiently resolved, of obeying at once both God and man, then when their commandments are one contrary to the other. It is manifest enough, that when a man receiveth two contrary commands, and knows that one of them is God's, he ought to obey that, and not the other, though it be the command even of his lawful sovereign (whether a monarch, or a sovereign assembly), or the command of his father. The difficulty therefore consisteth in this, that men, when they are commanded in the name of God, know not in divers cases, whether the command be from God, or whether he that commandeth do but abuse God's name for some private ends of his own. For as there were in the Church of the Jews, many false prophets, that sought reputation with the people, by feigned dreams and visions; so there have been in all times in the Church of Christ, false teachers, that seek reputation with the people, by fantastical and false doctrines; and by such reputation (as is the nature of ambition), to govern them for their private benefit.

But this difficulty of obeying both God and the civil sovereign on earth, to those that can distinguish between what is "necessary," and what is not "necessary for their reception into the kingdom of God," is of no moment. For if the command of the civil sovereign be such, as that it may be obeyed without the forfeiture of life eternal; not to obey it is unjust; and the precept of the apostle takes place: "Servants obey your masters in all things;" and "Children obey your parents in all things;" and the precept of our Saviour, "The Scribes and Pharisees sit in Moses' chair; all therefore they shall say, that observe and do." But if the command be such as cannot be obeyed, without being damned to eternal death; then it were madness to obey it, and the counsel of our Saviour takes place (Matt. x. 28), "Fear not those that kill the body, but cannot kill the soul." All men therefore that would avoid, both the punishments that are to be in this world inflicted, for disobedience to their earthly sovereign, and those that shall be inflicted in the world to come, for disobedience to God, have need be taught to distinguish well between what is, and what is not necessary to eternal salvation.

All that is "necessary to salvation," is contained in two virtues, "faith in Christ," and "obedience to laws." The latter of these, if it were perfect, were enough to us. But because we are all guilty of disobedience to God's law, not only originally in Adam, but also actually by our own transgressions, there is required at our hands now, not only "obedience" for the rest of our time, but also a "remission of sins" for the time past; which remission is the reward of our faith in Christ. That nothing else is necessarily required to salvation, is manifest from this, that the kingdom of heaven is shut to none but to sinners; that is to say, to the disobedient, or transgressors of the law; nor to them, in case they repent, and believe all the articles of Christian faith necessary to salvation.

The obedience required at our hands by God, that accepteth in all our actions the will for the deed, is a serious endeavour to obey Him; and is called also by all such names as signify that endeavour. And therefore obedience is sometimes called by the names of "charity" and "love," because they imply a will to obey; and our Saviour himself maketh our

love to God, and to one another, a fulfilling of the whole law : and sometimes by the name of "righteousness;" for righteousness is but the will to give to every one his own; that is to say, the will to obey the laws: and sometimes by the name of "repentance;" because to repent implieth a turning away from sin, which is the same with the return of the will to obedience. Whosoever therefore unfeignedly desireth to fulfil the commandments of God, or repenteth him truly of his transgressions, or that loveth God with all his heart, and his neighbour as himself, hath all the obedience necessary to his reception into the kingdom of God, For if God should require perfect innocence, there could no flesh be saved.

But what commandments are those that God hath given us? Are all those laws which were given to the Jews by the hand of Moses the commandments of God? If they be, why are not Christians taught to obey them? If they be not, what others are so, besides the law of Nature? For our Saviour Christ hath not given us new laws, but counsel to observe those we are subject to; that is to say, the laws of Nature and the laws of our several sovereigns: nor did He make any new law to the Jews in His sermon on the Mount, but only expounded the law of Moses, to which they were subject before. The laws of God therefore are none but the laws of Nature, whereof the principal is, that we should not violate our faith, that is, a commandment to obey our civil sovereigns, which we constituted over us by mutual pact one with another. And this law of God, that commandeth obedience to the law civil, commandeth by consequence obedience to all the precepts of the Bible; which, as I have proved in the precedent chapter, is there only law, where the civils overign hath made it so; and in other places, but counsel; which a man at his own peril may without injustice refuse to obey.

Knowing now what is the obedience necessary to salvation, and to whom it is due; we are to consider next concerning faith, whom, and why we believe; and what are the articles or points necessary to be believed by them that shall be saved. And first, for the person whom we believe, because it is impossible to believe any person before we know what he saith, it is necessary he be one that we have heard speak. The person, therefore, whom Abraham, Isaac, Jacob, Moses, and the prophets, believed, was God himself that spake unto them supernaturally: and the person whom the apostles and disciples that conversed with Christ believed, was our Saviour himself. But of them, to whom neither God the Father, nor our Saviour, ever spake, it cannot be said that the person whom they believed was God. They believed the apostles, and after them the pastors and doctors of the Church, that recommended to their faith the history of the Old and New Testament: so that the faith of Christians ever since our Saviour's time hath had for foundation, first, the reputation of their pastors, and afterward the authority of those that made the Old and New Testament to be received for the rule of faith; which none could do but Christian sovereigns; who are therefore the supreme pastors, and the only persons whom Christians now hear speak from God; except such as God speaketh to in these days supernaturally. But because there be many false prophets "gone out into the world," other men are to examine such spirits, as St. John adviseth us (1st Epistle iv. 1), "whether they be of God or not." And therefore, seeing the examination of doctrines belongeth to the supreme pastor, the person, which all they that have no special revelation are to believe, is, in every commonwealth, the supreme pastor, that is to say, the civil sovereign.

The causes why men believe any Christian doctrine are various. For faith is the gift of God; and He worketh it in each several man by such ways as it seemeth good unto himself. The most ordinary immediate cause of our belief, concerning any point of Christian faith, is, that we

believe the Bible to be the word of God. But why we believe the Bible to be the word of God is much disputed, as all questions must needs be, that are not well stated. For they make not the question to be, "why we believe it," but, "how we know it;" as if "believing" and "knowing" were all one. And thence while one side ground their knowledge upon the infallibility of the Church, and the other side, on the testimony of the private spirit, neither side concludeth what it pretends. For how shall a man know the infallibility of the Church, but by knowing first the infallibility of the Scripture? Or how shall a man know his own private spirit to be other than a belief, grounded upon the authority and arguments of his teachers, or upon a presumption of his own gifts? Besides, there is nothing in the Scripture from which can be inferred the infallibility of the Church; much less of any particular Church; and least of all, the infallibility of any particular man.

It is manifest therefore that Christian men do not know, but only believe the Scripture to be the word of God; and that the means of making them believe, which God is pleased to afford men ordinarily, is according to the way of Nature, that is to say, from their teachers. It is the doctrine of St. Paul concerning Christian faith in general (Rom. x. 17), "faith cometh by hearing," that is, by hearing our lawful pastors. He saith also (verses 14, 15, of the same chapter), "How shall they believe in Him of whom they have not heard? and how shall they hear without a preacher? and how shall they preach, except they be sent?" Whereby it is evident that the ordinary cause of believing that the Scriptures are the word of God, is the same with the cause of the believing of all other articles of our faith, namely, the hearing of those that are by the law allowed and appointed to teach us, as our parents in their houses, and our pastors in the churches. Which also is made more manifest by experience. For what other cause can there be assigned why, in Christian commonwealths, all men either believe, or at least profess the Scripture to be the word of God, and in other commonwealths scarce any; but that in Christian commonwealths they are taught it from their infancy; and in other places they are taught otherwise?

But if teaching be the cause of faith, why do not all believe? It is certain therefore that faith is the gift of God, and He giveth it to whom He will. Nevertheless, because to them to whom He giveth it, He giveth it by the means of teachers, the immediate cause of faith is hearing. In a school, where many are taught, and some profit, others profit not, the cause of learning in them that profit is the master; yet it cannot be thence inferred that learning is not the gift of God. All good things proceed from God; yet cannot all that have them say they are inspired; for that implies a gift supernatural, and the immediate hand of God, which he that pretends to, pretends to be a prophet, and is subject to the examination of the Church.

But whether men "know," or "believe," or "grant" the Scriptures to be the word of God; if out of such places of them as are without obscurity I shall show what articles of faith are necessary, and only necessary for salvation, those men must needs "know," "believe," or "grant" the same.

The *unum necessarium*, only article of faith, which the Scripture maketh simply necessary to salvation, is this, that "Jesus is the Christ." By the name of "Christ" is understood the king, which God had before promised by the prophets of the Old Testament to send into the world, to reign (over the Jews, and over such of other nations as should believe in Him), under himself eternally; and to give them that eternal life which was lost by the sin of Adam. Which when I have proved out of Scripture, I will further show when and in what sense some other articles may be also called "necessary."

For proof that the belief of this article, "Jesus is the Christ," is all the



faith required to salvation, my first argument shall be from the scope of the Evangelists, which was by the description of the life of our Saviour, to establish that one article, "Jesus is the Christ." The sum of St. Matthew's Gospel is this, that Jesus was of the stock of David, born of a Virgin: which are the marks of the true Christ: that the Magi came to worship Him as King of the Jews: that Herod for the same cause sought to kill Him: that John the Baptist proclaimed Him: that He preached by himself and His apostles that He was that king: that He taught the law, not as a Scribe, but as a man of authority: that He cured diseases by His word only, and did many other miracles, which were foretold the Christ should do: that He was saluted king when He entered into Jerusalem: that He forewarned them to beware of all others that should pretend to be Christ: that He was taken, accused, and put to death, for saying He was king: that the cause of His condemnation written on the cross was, JESUS OF NAZARETH, THE KING OF THE JEWS. All which tend to no other end than this, that men should believe that "Jesus is the Christ." Such therefore was the scope of St. Matthew's Gospel. But the scope of all the Evangelists, as may appear by reading them, was the same. Therefore the scope of the whole gospel was the establishing of that only article. And St. John expressly makes it his conclusion (John xx. 31), "These things are written, that you may know that Jesus is the Christ, the Son of the living God."

My second argument is taken from the subjects of the sermons of the apostles, both whilst our Saviour lived on earth, and after His ascension. The apostles, in our Saviour's time, were sent (Luke ix. 2) "to preach the kingdom of God." For neither there nor Matt. x. 7 giveth He any commission to them other than this, "As ye go, preach, saying, the kingdom of heaven is at hand;" that is, that Jesus is the "Messiah," the "Christ," the "King" which was to come. That their preaching also after His ascension was the same, is manifest out of Acts xvii. 6, 7, "They drew," saith St. Luke, "Jason and certain brethren unto the rulers of the city, crying, These that have turned the world upside down are come hither also, whom Jason hath received; and these all do contrary to the decrees of Cæsar, saying, that there is another King, one Jesus." And out of the second and third verses of the same chapter, where it is said that St. Paul, "as his manner was, went in unto them; and three Sabbath days reasoned with them out of the Scriptures; opening and alleging that Christ must needs have suffered, and risen again from the dead, and that this Jesus, whom he preached, is Christ."

The third argument is from those places of Scripture, by which all the faith required to salvation is declared to be easy. For if an inward assent of the mind to all the doctrines concerning Christian faith now taught, whereof the greatest part are disputed, were necessary to salvation, there would be nothing in the world so hard as to be a Christian. The thief upon the cross, though repenting, could not have been saved for saying, "Lord remember me when thou comest into thy kingdom;" by which he testified no belief of any other article but this, that "Jesus was the king." Nor could it be said (as it is, Matt. xi. 30), that "Christ's yoke is easy, and His burthen light;" nor that "little children believe in Him," as it is Matt. xviii. 6. Nor could St. Paul have said (1 Cor. i. 21), "It pleased God by the foolishness of preaching, to save them that believe." Nor could St. Paul himself have been saved, much less have been so great a doctor of the Church so suddenly, that never perhaps thought of transubstantiation nor purgatory, nor many other articles now obtruded.

The fourth argument is taken from places express, and such as receive no controversy of interpretation; as first, John v. 39: "Search the Scriptures,

for in them ye think ye have eternal life ; and they are they that testify of me." Our Saviour here speaketh of the Scriptures only of the Old Testament : for the Jews at that time could not search the Scriptures of the New Testament, which were not written. But the Old Testament hath nothing of Christ but the marks by which men might know Him when He came : as that He should descend from David, be born at Bethlehem, and of a Virgin ; do great miracles, and the like. Therefore to believe that this Jesus was He, was sufficient to eternal life ; but more than sufficient is not necessary, and consequently no other article is required. Again (John xi. 26), " Whosoever liveth and believeth in me, shall not die eternally." Therefore to believe in Christ is faith sufficient to eternal life ; and consequently no more faith than that is necessary. But to believe in Jesus, and to believe that Jesus is the Christ, is all one, as appeareth in the verses immediately following. For when our Saviour (verse 26) had said to Martha, " Believest thou this ? " she answereth (verse 27), " Yea, Lord, I believe that thou art the Christ, the Son of God, which should come into the world." Therefore this article alone is faith sufficient to life eternal ; and more than sufficient is not necessary. Thirdly (John xx. 31) : " These things are written that ye might believe, that Jesus is the Christ, the Son of God, and that believing ye might have life through His name." There, to believe that " Jesus is the Christ," is faith sufficient to the obtaining of life ; and therefore no other article is necessary. Fourthly 1 (John iv. 2), " Every spirit that confesseth that Jesus Christ is come in the flesh, is of God." And 1 John v. 1 : " Whosoever believeth that Jesus is the Christ, is born of God." And verse 5, " Who is he that overcometh the world, but he that believeth that Jesus is the Son of God ? " Fifthly (Acts viii. 36, 37), " See," saith the eunuch, " here is water, what doth hinder me to be baptized ? And Philip said, If thou believest with all thy heart, thou mayst. And he answered and said, I believe that Jesus Christ is the Son of God." Therefore this article believed " Jesus is the Christ," is sufficient to baptism, that is to say, to our reception into the kingdom of God, and by consequence, only necessary. And generally in all places where our Saviour saith to any man, " Thy faith hath saved thee," the cause He saith it, is some confession, which directly, or by consequence, implieth a belief that " Jesus is the Christ."

The last argument is from the places where this article is made the foundation of faith : for he that holdeth the foundation shall be saved. Which places are first, Matt. xxiv. 23, 24 : " If any man shall say unto you, Lo here is Christ, or there, believe it not ; for there shall arise false Christs and false prophets, and shall show great signs and wonders," &c. Here we see this article, " Jesus is the Christ," must be held, though he that shall teach the contrary should do great miracles. The second place is, Gal. i. 8 : " Though we, or an angel from heaven, preach any other gospel unto you, than that we have preached unto you, let him be accursed." But the gospel which Paul and the other apostles preached, was only this article, that " Jesus is the Christ ; " therefore for the belief of this article, we are to reject the authority of an angel from heaven ; much more of any mortal man, if he teach the contrary. This is therefore the fundamental article of Christian faith. A third place is (1 John iv. 1, 2), " Beloved, believe not every spirit ; hereby ye shall know the Spirit of God ; every spirit that confesseth that Jesus Christ is come in the flesh, is of God." By which it is evident that this article is the measure and rule by which to estimate and examine all other articles ; and is therefore only fundamental. A fourth is, Matt. xvi. 16, 18, where after St. Peter had professed this article, saying to our Saviour, " Thou art Christ the Son of the living God," our Saviour answered, " Thou art Peter, and upon this rock I will build my Church ; "

from whence I infer that this article is that on which all other doctrines of the Church are built, as on their foundation. A fifth is (1 Cor. iii. 11, 12, &c.), "Other foundation can no man lay, than that which is laid, Jesus is the Christ. Now if any man build upon this foundation, gold, silver, precious stones, wood, hay, stubble; every man's work shall be made manifest; for the day shall declare it, because it shall be revealed by fire, and the fire shall try every man's work of what sort it is. If any man's work abide, which he hath built thereupon, he shall receive a reward. If any man's work shall be burnt, he shall suffer loss; but he himself shall be saved, yet so as by fire." Which words, being partly plain and easy to understand, and partly allegorical and difficult; out of that which is plain may be inferred, that pastors that teach this foundation, that "Jesus is the Christ," though they draw from it false consequences, which all men are sometimes subject to, they may nevertheless be saved; much more that they may be saved, who being no pastors, but hearers, believe that which is by their lawful pastors taught them. Therefore the belief of this article is sufficient; and by consequence, there is no other article of faith necessarily required to salvation.

Now for the part which is allegorical, as "that the fire shall try every man's work," and that "they shall be saved, but so as by fire," or "through fire" (for the original is *διὰ πυρός*), it maketh nothing against this conclusion which I have drawn from the other words, that are plain. Nevertheless, because upon this place there hath been an argument taken, to prove the fire of purgatory, I will also here offer you my conjecture concerning the meaning of this trial of doctrines, and saving of men as by fire. The apostle here seemeth to allude to the words of the prophet Zechariah (xiii. 8, 9), who speaking of the restoration of the kingdom of God, saith thus: "Two parts therein shall be cut off, and die, but the third shall be left therein; and I will bring the third part through the fire, and will refine them as silver is refined, and will try them as gold is tried; they shall call on the name of the Lord, and I will hear them." The day of judgment is the day of the restoration of the kingdom of God; and at that day it is, that St. Peter tells us (2 Pet. iii. 7, 10, 12) shall be the conflagration of the world, wherein the wicked shall perish; but the remnant which God will save, shall pass through that fire unhurt, and be therein (as silver and gold are refined by the fire from their dross) tried, and refined from their idolatry, and be made to call upon the name of the true God. Alluding whereto, St. Paul here saith, that "the day," that is, the day of judgment, the great day of our Saviour's coming to restore the kingdom of God in Israel, shall try every man's doctrine, by judging which are gold, silver, precious stones, wood, hay, stubble; and then they that have built false consequences on the true foundation, shall see their doctrines condemned; nevertheless they themselves shall be saved, and pass unhurt through this universal fire, and live eternally, to call upon the name of the true and only God. In which sense there is nothing that accordeth not with the rest of Holy Scripture, or any glimpse of the fire of purgatory.

But a man may here ask, whether it be not as necessary to salvation, to believe, that God is omnipotent; Creator of the world; that Jesus Christ is risen; and that all men else shall rise again from the dead at the last day; as to believe that "Jesus is the Christ." To which I answer, they are: and so are many more articles: but they are such as are contained in this one, and may be deduced from it, with more or less difficulty. For who is there that does not see that they who believe Jesus to be the Son of the God of Israel, and that the Israelites had for God the Omnipotent Creator of all things, do therein also believe that God is the Omnipotent

Creator of all things? Or how can a man believe that Jesus is the king that shall reign eternally, unless he believe Him also risen again from the dead? For a dead man cannot exercise the office of a king. In sum, he that holdeth this foundation, "Jesus is the Christ," holdeth expressly all that he seeth rightly deduced from it, and implicitly all that is consequent thereunto, though he have not skill enough to discern the consequence. And therefore it holdeth still good, that the belief of this one article is sufficient faith to obtain remission of sins to the "penitent," and consequently to bring them into the kingdom of heaven.

Now that I have shown that all the obedience required to salvation consisteth in the will to obey the law of God, that is to say, in repentance; and all the faith required to the same is comprehended in the belief of this article, "Jesus is the Christ;" I will further allege those places of the Gospel that prove that all that is necessary to salvation is contained in both these joined together. The men to whom St. Peter preached on the day of Pentecost, next after the ascension of our Saviour, asked him and the rest of the apostles, saying (Acts ii. 37), "Men and brethren, what shall we do?" To whom St. Peter answered (in the next verse), "Repent, and be baptized every one of you, for the remission of sins, and ye shall receive the gift of the Holy Ghost." Therefore repentance and baptism, that is, believing that "Jesus is the Christ," is all that is necessary to salvation. Again, our Saviour being asked by a certain ruler (Luke xviii. 18), "What shall I do to inherit eternal life?" answered (verse 20), "Thou knowest the commandments, do not commit adultery, do not kill, do not steal, do not bear false witness, honour thy father and thy mother." Which when he said he had observed, our Saviour added (verse 22), "Sell all thou hast, give it to the poor, and come and follow me:" which was as much as to say, Rely on me that am the king. Therefore to fulfil the law, and to believe that Jesus is the king, is all that is required to bring a man to eternal life. Thirdly, St. Paul saith (Rom. i. 17), "The just shall live by faith;" not every one, but the "just;" therefore "faith" and "justice" (that is, the "will to be just," or "repentance") are all that is necessary to life eternal. And (Mark i. 15) our Saviour preached, saying, "The time is fulfilled, and the kingdom of God is at hand, repent and believe the evangile," that is, the good news that the Christ was come. Therefore, to repent, and to believe that Jesus is the Christ, is all that is required to salvation.

Seeing then it is necessary that faith and obedience, implied in the word repentance, do both concur to our salvation; the question by which of the two we are justified, is impertinently disputed. Nevertheless, it will not be impertinent to make manifest in what manner each of them contributes thereunto; and in what sense it is said, that we are to be justified by the one, and by the other. And first, if by righteousness be understood the justice of the works themselves, there is no man that can be saved; for there is none that hath not transgressed the law of God. And therefore when we are said to be justified by works, it is to be understood of the will, which God doth always accept for the work itself, as well in good as in evil men. And in this sense only it is that a man is called "just" or "unjust;" and that his justice justifies him, that is, gives him the title, in God's acceptation, of "just;" and renders him capable of "living by his faith," which before he was not. So that justice justifies in that sense in which to "justify" is the same as that to "denominate a man just;" and not in the signification of discharging the law; whereby the punishment of his sins should be unjust.

But a man is then also said to be justified when his plea, though in itself insufficient, is accepted; as when we plead our will, our endeavour to fulfil

the law, and repent us of our failings, and God accepteth it for the performance itself. And because God accepteth not the will for the deed, but only in the faithful; it is therefore faith that makes good our plea; and in this sense it is that faith only justifies. So that "faith" and "obedience" are both necessary to salvation; yet in several senses each of them is said to justify.

Having thus shown what is necessary to salvation, it is not hard to reconcile our obedience to God with our obedience to the civil sovereign; who is either Christian or infidel. If he be a Christian, he alloweth the belief of this article, that "Jesus is the Christ;" and of all the articles that are contained in, or are by evident consequence deduced from it: which is all the faith necessary to salvation. And because he is a sovereign, he requireth obedience to all his own, that is, to all the civil laws; in which also are contained all the laws of Nature, that is, all the laws of God: for besides the laws of Nature, and the laws of the Church, which are part of the civil law (for the Church that can make laws is the commonwealth), there be no other laws divine. Whosoever therefore obeyeth his Christian sovereign, is not thereby hindered, neither from believing, nor from obeying God. But suppose that a Christian king should from this foundation "Jesus is the Christ," draw some false consequences, that is to say, make some superstructions of hay or stubble, and command the teaching of the same; yet seeing St. Paul says he shall be saved; much more shall he be saved, that teacheth them by his command; and much more yet, he that teaches not, but only believes his lawful teacher. And in case a subject be forbidden by the civil sovereign to profess some of those his opinions, upon what just ground can he disobey? Christian kings may err in deducing a consequence, but who shall judge? Shall a private man judge, when the question is of his own obedience? Or shall any man judge but he that is appointed thereto by the Church, that is, by the civil sovereign that representeth it? Or if the Pope, or an apostle judge, may he not err in deducing of a consequence? Did not one of the two, St. Peter or St. Paul, err in a superstructure, when St. Paul withstood St. Peter to his face? There can therefore be no contradiction between the laws of God and the laws of a Christian commonwealth.

And when the civil sovereign is an infidel, every one of his own subjects that resisteth him, sinneth against the laws of God (for such are the laws of Nature), and rejecteth the counsel of the apostles, that admonisheth all Christians to obey their princes, and all children and servants to obey their parents and masters in all things. And for their "faith," it is internal and invisible; they have the license that Naaman had, and need not put themselves into danger for it. But if they do, they ought to expect their reward in heaven, and not complain of their lawful sovereign; much less make war upon him. For he that is not glad of any just occasion of martyrdom, has not the faith he professeth, but pretends it only, to set some colour upon his own contumacy. But what infidel king is so unreasonable, as knowing he has a subject, that waiteth for the second coming of Christ, after the present world shall be burnt, and intendeth then to obey him (which is the intent of believing that Jesus is the Christ), and in the meantime thinketh himself bound to obey the laws of that infidel king (which all Christians are obliged in conscience to do), to put to death or to persecute such a subject?

And thus much shall suffice concerning the kingdom of God and policy ecclesiastical. Wherein I pretend not to advance any position of my own, but only to show what are the consequences that seem to me deducible from the principles of Christian politics (which are the Holy Scriptures), in con-

firmation of the power of civil sovereigns, and the duty of their subjects. And in the allegation of Scripture I have endeavoured to avoid such texts as are of obscure or controverted interpretation ; and to allege none, but in such sense as is most plain and agreeable to the harmony and scope of the whole Bible ; which was written for the re-establishment of the kingdom of God in Christ. For it is not the bare words, but the scope of the writer, that giveth the true light by which any writing is to be interpreted ; and they that insist upon single texts, without considering the main design, can derive nothing from them clearly ; but rather by casting atoms of Scripture, as dust before men's eyes, make everything more obscure than it is ; an ordinary artifice of those that seek not the truth, but their own advantage.

## PART IV.—OF THE KINGDOM OF DARKNESS.

### CHAPTER XLIV.

#### *Of Spiritual Darkness, from Misinterpretation of Scripture.*

BESIDES these sovereign powers, "divine" and "human," of which I have hitherto discoursed, there is mention in Scripture of another power, namely (Eph. vi. 12), that of "the rulers of the darkness of this world;" (Matt. xii. 26), "the kingdom of Satan;" and (Matt. ix. 34), "the principality of Beelzebub over demons," that is to say, over phantasms that appear in the air: for which cause Satan is also called (Eph. ii. 2), "the prince of the power of the air;" and, because he ruleth in the darkness of this world (John xvi. 11), "the prince of this world;" and in consequence hereunto, they who are under his dominion, in opposition to the faithful (who are the "children of the light"), are called the "children of darkness." For seeing Beelzebub is prince of phantasms, inhabitants of his dominion of air and darkness, the children of darkness, and these demons, phantasms, or spirits of illusion, signify allegorically the same thing. This considered, the kingdom of darkness, as it is set forth in these and other places of the Scripture, is nothing else but a "confederacy of deceivers, that to obtain dominion over men in this present world endeavour by dark and erroneous doctrines to extinguish in them the light both of Nature and of the Gospel, and so to disprepare them for the kingdom of God to come."

As men that are utterly deprived from their nativity of the light of the bodily eye have no idea at all of any such light; and no man conceives in his imagination any greater light than he hath at some time or other perceived by his outward senses: so also is it of the light of the Gospel, and of the light of the understanding, that no man can conceive there is any greater degree of it than that which he hath already attained unto. And from hence it comes to pass that men have no other means to acknowledge their own darkness but only by reasoning from the unforeseen mischances that befall them in their ways. The darkest part of the kingdom of Satan is that which is without the Church of God; that is to say, amongst them that believe not in Jesus Christ. But we cannot say that therefore the Church enjoyeth, as the land of Goshen, all the light which to the performance of the work enjoined us by God is necessary. Whence comes it that in Christendom there has been, almost from the time of the apostles, such justling of one another out of their places, both by foreign and civil war; such stumbling at every little asperity of their own fortune, and every little eminence of that of other men, and such diversity of ways in running to the same mark, "felicity," if it be not night amongst us, or at least a mist? We are therefore yet in the dark.

The enemy has been here in the night of our natural ignorance, and sown the tares of spiritual errors ; and that, first, by abusing and putting out the light of the Scriptures : for we err, not knowing the Scriptures. Secondly, by introducing the demonology of the heathen poets, that is to say, their fabulous doctrine concerning demons, which are but idols, or phantasms of the brain, without any real nature of their own, distinct from human fancy ; such as are dead men's ghosts, and fairies, and other matter of old wives' tales. Thirdly, by mixing with the Scripture divers relics of the religion, and much of the vain and erroneous philosophy of the Greeks, especially of Aristotle. Fourthly, by mingling with both these, false or uncertain traditions, and feigned or uncertain history. And so we come to err, "by giving heed to seducing spirits," and the demonology of such "as speak lies in hypocrisy ;" or as it is in the original (1 Tim. iv. 1, 2), "of those that play the part of liars, with a seared conscience," that is, contrary to their own knowledge. Concerning the first of these, which is the seducing of men, by the abuse of Scripture, I intend to speak briefly in this chapter.

The greatest and main abuse of Scripture, and to which almost the rest are either consequent or subservient, is the wresting of it, to prove that the kingdom of God, mentioned so often in the Scripture, is the present Church, or multitude of Christian men now living, or that being dead, are to rise again at the last day : whereas the kingdom of God was first instituted by the ministry of Moses, over the Jews only ; who were therefore called His peculiar people ; and ceased afterward, in the election of Saul, when they refused to be governed by God any more, and demanded a king after the manner of the nations ; which God himself consented unto, as I have more at large proved before in chapter xxxv. After that time, there was no other kingdom of God in the world, by any pact or otherwise, than He ever was, is, and shall be king of all men, and of all creatures, as governing according to His will, by His infinite power. Nevertheless, He promised by His prophets to restore this His government to them again, when the time He hath in His secret counsel appointed for it shall be fully come, and when they shall turn unto Him by repentance and amendment of life. And not only so, but He invited the Gentiles to come in and enjoy the happiness of His reign, on the same conditions of conversion and repentance ; and He promised also to send His Son into the world, to expiate the sins of them all by His death, and to prepare them by His doctrine to receive Him at His second coming. Which second coming not yet being, the kingdom of God is not yet come, and we are not now under any other kings by pact, but our civil sovereigns ; saving only, that Christian men are already in the kingdom of grace, inasmuch as they have already the promise of being received at His coming again.

Consequent to this error, that the present Church is Christ's kingdom, there ought to be some one man, or assembly, by whose mouth our Saviour, now in heaven, speaketh, giveth law, and which representeth His person to all Christians : or divers men, or divers assemblies, that do the same to divers parts of Christendom. This power regal under Christ, being challenged, universally by the Pope, and in particular commonwealths by assemblies of the pastors of the place (when the Scripture gives it to none but to civil sovereigns), comes to be so passionately disputed, that it putteth out the light of Nature, and causeth so great a darkness in men's understanding, that they see not who it is to whom they have engaged their obedience.

Consequent to this claim of the Pope to be vicar-general of Christ in the present Church (supposed to be that kingdom of His to which we are



addressed in the Gospel), is the doctrine, that it is necessary for a Christian king to receive his crown by a bishop; as if it were from that ceremony that he derives the clause of *Dei gratiâ* in his title; and that then only he is made king by the favour of God, when he is crowned by the authority of God's universal vicegerent on earth; and that every bishop, whosoever be his sovereign, taketh at his consecration an oath of absolute obedience to the Pope. Consequent to the same, is the doctrine of the fourth Council of Lateran, held under Pope Innocent the Third (chap. iii. *De Hereticis*), "that if a king at the Pope's admonition, do not purge his kingdom of heresies, and being excommunicate for the same, do not give satisfaction within a year, his subjects are absolved of the bond of their obedience." Where, by heresies are understood all opinions which the Church of Rome hath forbidden to be maintained. And by this means, as often as there is any repugnancy between the political designs of the Pope, and other Christian princes, as there is very often, there ariseth such a mist amongst their subjects, that they know not a stranger that thrusteth himself into the throne of their lawful prince, from him whom they had themselves placed there; and in this darkness of mind are made to fight one against another, without discerning their enemies from their friends, under the conduct of another man's ambition.

From the same opinion, that the present Church is the kingdom of God, it proceeds that pastors, deacons, and all other ministers of the Church, take the name to themselves of the "clergy;" giving to other Christians the name of "laity," that is, simply "people." For clergy signifies those whose maintenance is that revenue, which God having reserved to himself during His reign over the Israelites, assigned to the tribe of Levi (who were to be His public ministers, and had no portion of land set them out to live on as their brethren), to be their inheritance. The Pope therefore, pretending the present Church to be, as the realm of Israel, the kingdom of God, challenging to himself and his subordinate ministers the like revenue, as the inheritance of God, the name of clergy was suitable to that claim. And thence it is that tithes and other tributes paid to the Levites, as God's right, amongst the Israelites, have a long time been demanded, and taken of Christians, by ecclesiastics, *jure divino*, that is, in God's right. By which means the people everywhere were obliged to a double tribute; one to the state, another to the clergy; whereof, that to the clergy, being the tenth of their revenue, is double to that which a king of Athens, and esteemed a tyrant, exacted of his subjects for the defraying of all public charges: for he demanded no more but the twentieth part, and yet abundantly maintained therewith the commonwealth. And in the kingdom of the Jews, during the sacerdotal reign of God, the tithes and offerings were the whole public revenue.

From the same mistaking of the present Church for the kingdom of God, came in the distinction between the "civil" and the "canon" laws: the civil law being the acts of "sovereigns" in their own dominions, and the canon law being the acts of the Pope in the same dominion. Which canons, though they were but canons, that is, "rules propounded," and but voluntarily received by Christian princes, till the translation of the empire to Charlemagne, yet afterwards, as the power of the Pope increased, became "rules commanded," and the emperors themselves, to avoid greater mischiefs, which the people blinded might be led into, were forced to let them pass for laws.

From hence it is, that in all dominions where the Pope's ecclesiastical power is entirely received, Jews, Turks, and Gentiles, are in the Roman Church tolerated in their religion, as far forth, as in the exercise and profession thereof they offend not against the civil power: whereas in a

Christian, though a stranger, not to be of the Roman religion, is capital ; because the Pope pretendeth that all Christians are his subjects. For otherwise it were as much against the law of nations to persecute a Christian stranger, for professing the religion of his own country, as an infidel ; or rather more, inasmuch as they that are not against Christ, are with Him.

From the same it is, that in every Christian state there are certain men that are exempt, by ecclesiastical liberty, from the tributes and from the tribunals of the civil state ; for so are the secular clergy, besides monks and friars, which in many places bear so great a proportion to the common people, as if need were, there might be raised out of them alone an army, sufficient for any war the Church militant should employ them in, against their own or other princes.

A second general abuse of Scripture, is the turning of consecration into conjuration, or enchantment. To "consecrate" is, in Scripture, to offer, give, or dedicate, in pious and decent language and gesture, a man, or any other thing to God, by separating of it from common use ; that is to say, to sanctify, or make it God's, and to be used only by those whom God hath appointed to be His public ministers (as I have already proved at large in the xxxvth chapter), and thereby to change, not the thing consecrated, but only the use of it, from being profane and common, to be holy, and peculiar to God's service. But when by such words, the nature or quality of the thing itself is pretended to be changed, it is not consecration, but either an extraordinary work of God, or a vain and impious conjuration. But seeing, for the frequency of pretending the change of nature in their consecrations, it cannot be esteemed a work extraordinary, it is no other than a "conjuration" or "incantation," whereby they would have men to believe an alteration of Nature that is not, contrary to the testimony of man's sight, and of all the rest of his senses. As for example, when the priest, instead of consecrating bread and wine to God's peculiar service in the sacrament of the Lord's Supper (which is but a separation of it from the common use, to signify, that is, to put men in mind of their redemption, by the passion of Christ, whose body was broken, and blood shed upon the cross for our transgressions), pretends, that by saying of the words of our Saviour, "This is my body," and "This is my blood," the nature of bread is no more there, but His very body ; notwithstanding there appeareth not to the sight, or other sense of the receiver, anything that appeared not before the consecration. The Egyptian conjurers, that are said to have turned their rods to serpents, and the water into blood, are thought but to have deluded the senses of the spectators by a false show of things, yet are esteemed enchanters. But what should we have thought of them, if there had appeared in their rods nothing like a serpent, and in the water enchanted nothing like blood, nor like anything else but water, but that they had faced down the king, that they were serpents that looked like rods, and that it was blood that seemed water ? That had been both enchantment and lying. And yet in this daily act of the priest they do the very same, by turning the holy words into the manner of a charm, which produceth nothing new to the sense ; but they face us down, that it hath turned the bread into a man ; nay more, into a God ; and require men to worship it, as if it were our Saviour himself present God and man, and thereby to commit most gross idolatry. For if it be enough to excuse it of idolatry, to say it is no more bread, but God ; why should not the same excuse serve the Egyptians, in case they had the faces to say, the leeks and onions they worshipped were not very leeks and onions, but a divinity under their "species," or likeness. The words, "This is my body," are equivalent to these, "this signifies,"

or "represents my body;" and it is an ordinary figure of speech: but to take it literally is an abuse; nor though so taken, can it extend any further than to the bread which Christ himself with His own hands consecrated. For He never said that of what bread soever, any priest whatsoever should say, "This is my body," or "This is Christ's body," the same should presently be transubstantiated. Nor did the Church of Rome ever establish this transubstantiation till the time of Innocent the Third; which was not above 500 years ago, when the power of Popes was at the highest, and the darkness of the time grown so great, as men discerned not the bread that was given them to eat, especially when it was stamped with the figure of Christ upon the cross, as if they would have men believe it were transubstantiated, not only into the body of Christ, but also into the wood of His cross, and that they did eat both together in the sacrament.

The like incantation, instead of consecration, is used also in the sacrament of baptism: where the abuse of God's name in each several person, and in the whole Trinity, with the sign of the cross at each name, maketh up the charm. At first, when they make the holy water, the priest saith, "I conjure thee, thou creature of water, in the name of God the Father Almighty, and in the name of Jesus Christ His only Son our Lord, and in virtue of the Holy Ghost, that thou become conjured water, to drive away all the powers of the enemy, and to eradicate and supplant the enemy," &c. And the same in the benediction of the salt to be mingled with it: "That thou become conjured salt, that all phantasms and knavery of the devil's fraud may fly and depart from the place wherein thou art sprinkled; and every unclean spirit be conjured by Him that shall come to judge the quick and the dead." The same in the benediction of the oil: "That all the power of the enemy, all the host of the devil, all assaults and phantasms of Satan, may be driven away by this creature of oil." And for the infant that is to be baptized, he is subject to many charms: first, at the church door the priest blows thrice in the child's face, and says: "Go out of him, unclean spirit, and give place to the Holy Ghost the Comforter." As if all children, till blown on by the priest, were demoniacs. Again, before his entrance into the church, he saith as before, "I conjure thee, &c., to go out, and depart from this servant of God." And again the same exorcism is repeated once more before he be baptized. These, and some other incantations, are those that are used instead of benedictions and consecrations, in administration of the sacraments of baptism and the Lord's Supper; wherein everything that serveth to those holy uses, except the unhallowed spittle of the priest, hath some set form of exorcism.

Nor are the other rites, as of marriage, of extreme unction, of visitation of the sick, of consecrating churches and churchyards, and the like, exempt from charms; inasmuch as there is in them the use of enchanted oil and water, with the abuse of the cross, and of the holy word of David, *asperges me Domine hyssopo*, as things of efficacy to drive away phantasms and imaginary spirits.

Another general error is from the misinterpretation of the words "eternal life," "everlasting death," and the "second death." For though we read plainly in Holy Scripture that God created Adam in an estate of living for ever, which was conditional, that is to say, if he disobeyed not His commandment; which was not essential to human nature, but consequent to the virtue of the tree of life; whereof he had liberty to eat, as long as he had not sinned; and that he was thrust out of Paradise after he had sinned, lest he should eat thereof, and live for ever; and that Christ's Passion is a discharge of sin to all that believe on Him; and by consequence, a restitution of eternal life to all the faithful, and to them only: yet the doctrine is

now, and hath been a long time far otherwise ; namely, that every man hath eternity of life by nature, inasmuch as his soul is immortal. So that the flaming sword at the entrance of Paradise, though it hinder a man from coming to the tree of life, hinders him not from the immortality which God took from him for his sin ; nor makes him to need the sacrificing of Christ, for the recovering of the same ; and consequently, not only the faithful and righteous, but also the wicked and the heathen, shall enjoy eternal life, without any death at all ; much less a second, and everlasting death. To salve this, it is said, that by second and everlasting death, is meant a second, and everlasting life, but in torments ; a figure never used but in this very case.

All which doctrine is founded only on some of the obscurer places of the New Testament ; which nevertheless, the whole scope of the Scripture considered, are clear enough in a different sense, and unnecessary to the Christian faith. For supposing that when a man dies, there remaineth nothing of him but his carcass ; cannot God, that raised inanimated dust and clay into a living creature by His word, as easily raise a dead carcass to life again, and continue him alive for ever, or make him die again, by another word ? The "soul" in Scripture, signifieth always, either the life or the living creature ; and the body and soul jointly, the "body alive." In the fifth day of the creation, God said : Let the waters produce *reptile anima viventis*, the creeping thing that hath in it a living soul ; the English translate it, "that hath life." And again, God created whales, *et omnem animam viventem* ; which in the English is, "every living creature." And likewise of man, God made him of the dust of the earth, and breathed in his face the breath of life, *et factus est homo in animam viventem*, that is, "and man was made a living creature." And after Noah came out of the ark, God saith, He will no more smite *omnem animam viventem*, that is, "every living creature." And (Deut. xii. 23), "Eat not the blood, for the blood is the soul ;" that is, "the life." From which places, if by "soul" were meant a "substance incorporeal," with an existence separated from the body, it might as well be inferred of any other living creature as of man. But that the souls of the faithful, are not of their own nature, but by God's special grace, to remain in their bodies, from the resurrection to all eternity, I have already, I think, sufficiently proved out of the Scriptures, in chapter xxxviii. And for the places of the New Testament, where it is said that any man shall be cast body and soul into hell fire, it is no more than body and life ; that is to say, they shall be cast alive into the perpetual fire of Gehenna.

This window it is that gives entrance to the dark doctrine, first, of eternal torments ; and afterwards of purgatory, and consequently of the walking abroad, especially in places consecrated, solitary, or dark, of the ghosts of men deceased ; and thereby to the pretences of exorcism and conjuration of phantasms ; as also of invocation of men dead ; and to the doctrine of indulgences, that is to say, of exemption for a time, or for ever, from the fire of purgatory, wherein these incorporeal substances are pretended by burning to be cleansed, and made fit for heaven. For men being generally possessed before the time of our Saviour, by contagion of the demonology of the Greeks, or an opinion that the souls of men were substances distinct from their bodies, and therefore that when the body was dead, the soul of every man, whether godly or wicked, must subsist somewhere by virtue of its own nature, without acknowledging therein any supernatural gift of God ; the doctors of the Church doubted a long time, what was the place which they were to abide in, till they should be reunited to their bodies in the resurrection ; supposing for a while, they lay under the altars ; but afterwards the Church of Rome found it more profitable to build for them this place of

purgatory ; which by some other Churches in this latter age has been demolished.

Let us now consider what texts of Scripture seem most to confirm these three general errors, I have here touched. As for those which Cardinal Bellarmine hath alleged, for the present kingdom of God administered by the Pope, than which there are none that make a better show of proof ; I have already answered them ; and made it evident that the kingdom of God, instituted by Moses, ended in the election of Saul ; after which time the priest of his own authority never deposed any king. That which the high priest did to Athaliah, was not done in his own right, but in the right of the young king Joash her son ; but Solomon in his own right deposed the high priest Abiathar, and set up another in his place. The most difficult place to answer, of all those that can be brought to prove the kingdom of God by Christ is already in this world, is alleged, not by Bellarmine, nor any other of the Church of Rome ; but by Beza, that will have it to begin from the resurrection of Christ. But whether he intend thereby to entitle the presbytery to the supreme power ecclesiastical in the commonwealth of Geneva, and consequently to every presbytery in every other commonwealth, or to princes, and other civil sovereigns, I do not know. For the presbytery hath challenged the power to excommunicate their own kings, and to be the supreme moderators in religion, in the places where they have that form of Church-government, no less than the Pope challengeth it universally.

The words are (Mark ix. 1), " Verily I say unto you, that there be some of them that stand here, which shall not taste of death, till they have seen the kingdom of God come with power." Which words, if taken grammatically, make it certain that either some of those men that stood by Christ at that time, are yet alive ; or else, that the kingdom of God must be now in this present world. And then there is another place more difficult. For when the apostles, after our Saviour's resurrection, and immediately before His ascension, asked our Saviour, saying (Acts i. 6), " Wilt thou at this time restore again the kingdom to Israel ?" He answered them, " It is not for you to know the times and the seasons, which the Father hath put in His own power ; but ye shall receive power by the coming of the Holy Ghost upon you, and ye shall be my (martyrs) witnesses both in Jerusalem, and in all Judea, and in Samaria, and unto the uttermost part of the earth." Which is as much as to say, " My kingdom is not yet come, nor shall you foreknow when it shall come ; for it shall come as a thief in the night ; but I will send you the Holy Ghost, and by Him you shall have power to bear witness to all the world, by your preaching of my resurrection, and the works I have done, and the doctrine I have taught, that they may believe in me, and expect eternal life, at my coming again." How does this agree with the coming of Christ's kingdom at the resurrection ? And that which St. Paul says (1 Thess. i. 9, 10), " That they turned from idols, to serve the living and true God, and to wait for his Son from heaven ;" where to wait for his Son from heaven, is to wait for His coming to be king in power ; which were not necessary if His kingdom had been then present. Again, if the kingdom of God began, as Beza on that place (Mark ix. 1) would have it, at the resurrection, what reason is there for Christians ever since the resurrection to say in their prayers, " Let thy kingdom come ?" It is therefore manifest, that the words of St. Mark are not so to be interpreted. There be some of them that stand here, saith our Saviour, that shall not taste of death till they have seen the kingdom of God come in power. If then this kingdom were to come at the resurrection of Christ, why is it said, " some of them," rather than " all ?" For they all lived till after Christ was risen.

But they that require an exact interpretation of this text, let them

interpret first the like words of our Saviour to St. Peter, concerning St. John (chap. xxi. 22), "If I will that he tarry till I come, what is that to thee?" upon which was grounded a report that he should not die. Nevertheless the truth of that report was neither confirmed, as well grounded; nor refuted, as ill grounded on those words; but left as a saying not understood. The same difficulty is also in the place of St. Mark. And if it be lawful to conjecture at their meaning, by that which immediately follows, both here and in St. Luke, where the same is again repeated, it is not improbable to say they have relation to the Transfiguration, which is described in the verses immediately following: where it is said, that "after six days Jesus taketh with him Peter, and James, and John" (not all, but some of His disciples), "and leadeth them up into a high mountain apart by themselves, and was transfigured before them: and His raiment became shining, exceeding white as snow; so as no fuller on earth can white them: and there appeared unto them, Elias with Moses, and they were talking with Jesus," &c. So that they saw Christ in glory and majesty, as He is to come; insomuch as "they were sore afraid." And thus the promise of our Saviour was accomplished by way of "vision." For it was a vision, as may probably be inferred out of St. Luke, that reciteth the same story (chap. ix. 28, &c.), and saith, that Peter and they that were with him, were heavy with sleep: but most certainly out of Matt. xvii. 9, where the same is again related; for our Saviour charged them, saying, "Tell no man the vision until the Son of man be risen from the dead." Howsoever it be, yet there can from thence be taken no argument to prove that the kingdom of God taketh beginning till the day of judgment.

As for some other texts, to prove the Pope's power over civil sovereigns (besides those of Bellarmine), as that the two swords that Christ and His apostles had amongst them, were the spiritual and the temporal sword, which they say St. Peter had given him by Christ; and that of the two luminaries, the greater signifies the Pope, and the lesser the king, one might as well infer out of the first verse of the Bible, that by heaven is meant the Pope, and by earth the king. Which is not arguing from Scripture, but a wanton insulting over princes, that came in fashion after the time the Popes were grown so secure of their greatness, as to contain all Christian kings, and treading on the necks of emperors, to mock both them and the Scripture, in the words of Psalm xci. 13, "Thou shalt tread upon the lion and the adder; the young lion and the dragon thou shalt trample under thy feet."

As for the rights of consecration, though they depend for the most part upon the discretion and judgment of the governors of the Church, and not upon the Scriptures; yet those governors are obliged to such direction as the nature of the action itself requireth, as that the ceremonies, words, and gestures, be doth decent and significant, or at least conformable to the action. When Moses consecrated the tabernacle, the altar, and the vessels belonging to them (Exod. xl. 9), he anointed them with the oil which God had commanded to be made for that purpose: and they were holy; there was nothing exorcised to drive away phantasms. The same Moses, the civil sovereign of Israel, when he consecrated Aaron, the high priest, and his sons, did wash them with water, not exorcised water, put their garments upon them, and anointed them with oil; and they were sanctified to minister unto the Lord in the priest's office; which was a simple and decent cleansing, and adorning them, before he presented them to God, to be His servants. When king Solomon, the civil sovereign of Israel, consecrated the temple he had built (1 Kings viii.), he stood before all the congregation of Israel, and having blessed them, he gave thanks to God, for putting into the heart of his father to build it; and for giving to himself the grace to

accomplish the same : and then prayed unto Him, first, to accept that house, though it were not suitable to His infinite greatness, and to hear the prayers of His servants that should pray therein ; or, if they were absent, towards it ; and lastly, he offered a sacrifice of peace-offering, and the house was dedicated. Here was no procession ; the king stood still in his first place ; no exorcised water ; no *Asperges me*, nor other impertinent application of words spoken upon another occasion ; but a decent and rational speech, and such as in making to God a present of his new-built house, was most conformable to the occasion.

We read not that St. John did exorcise the water of Jordan ; nor Philip the water of the river wherein he baptized the eunuch ; nor that any pastor in the time of the apostles, did take his spittle, and put it to the nose of the person to be baptized, and say, *In odorem suavitatis*, that is, "for a sweet savour unto the Lord ;" wherein neither the ceremony of spittle, for the uncleanness ; nor the application of that Scripture for the levity, can by any authority of man be justified.

To prove that the soul separated from the body liveth eternally, not only the souls of the elect, by especial grace, and restoration of the eternal life which Adam lost by sin, and our Saviour restored by the sacrifice of himself to the faithful ; but also the souls of reprobates, as a property naturally consequent to the essence of mankind, without other grace of God but that which is universally given to all mankind ; there are divers places, which at the first sight seem sufficiently to serve the turn : but such, as when I compare them with that which I have before (chapter xxxviii.) alleged out of the xvth of Job, seem to me much more subject to a diverse interpretation than the words of Job.

And first there are the words of Solomon (Eccles. xii. 7), "Then shall the dust return to dust, as it was, and the spirit shall return to God that gave it." Which may bear well enough, if there be no other text directly against it, this interpretation that God only knows, but man not, what becomes of a man's spirit when he exireth ; and the same Solomon, in the same book (chapter iii. 20, 21), delivereth the same sentence in the same sense I have given it. His words are : "All go" (man and beast) "to the same place ; all are of the dust, and all turn to dust again ; who knoweth that the spirit of man goeth upward, and that the spirit of the beast goeth downward to the earth ?" That is, none knows but God ; nor is it an unusual phrase to say of things we understand not, "God knows what," and "God knows where." That of (Gen. v. 24) "Enoch walked with God, and he was not ; for God took him ;" which is expounded (Heb. xi. 5), "He was translated, that he should not die ; and was not found, because God had translated him. For before his translation, he had this testimony, that he pleased God ;" making as much for the immortality of the body as of the soul, proveth that this his translation was peculiar to them that please God ; not common to them with the wicked, and depending on grace, not on nature. But on the contrary, what interpretation shall we give besides the literal sense, of the words of Solomon (Eccles. iii. 19), "That which befalleth the sons of men, befalleth beasts ; even one thing befalleth them ; as the one dieth, so doth the other ; yea, they have all one breath" (one spirit) ; "so that a man hath no pre-eminence above a beast, for all is vanity." By the literal sense, here is no natural immortality of the soul ; nor yet any repugnancy with the life eternal which the elect shall enjoy by grace. And (Eccles. iv. 3), "Better is he that hath not yet been, than both they ;" that is than they that live, or have lived ; which, if the soul of all them that have lived were immortal, were a hard saying ; for then to have an immortal soul, were worse than to have no soul at all. And again (chapter ix 5), "The living know they shall die, but the dead know

not anything ;" that is, naturally, and before the resurrection of the body.

Another place which seems to make for a natural immortality of the soul, is that where our Saviour saith that Abraham, Isaac, and Jacob are living : but this is spoken of the promise of God, and of their certitude to rise again, not of a life then actual ; and in the same sense that God said to Adam, that on the day he should eat of the forbidden fruit, he should certainly die ; from that time forward he was a dead man by sentence ; but not by execution, till almost a thousand years after. So Abraham, Isaac, and Jacob were alive by promise, then, when Christ spake ; but are not actually till the resurrection. And the history of Dives and Lazarus makes nothing against this, if we take it, as it is, for a parable.

But there be other places of the New Testament where an immortality seemeth to be directly attributed to the wicked. For it is evident that they shall all rise to judgment. And it is said besides in many places, that they shall go into "everlasting fire, everlasting torments, everlasting punishments ; and that the worm of conscience never dieth ;" and all this is comprehended in the word "everlasting death," which is ordinarily interpreted "everlasting life in torments." And yet I can find nowhere that any man shall live in torments everlastingly. Also, it seemeth hard to say, that God, who is the Father of mercies ; that doth in heaven and earth all that He will ; that hath the hearts of all men in His disposing ; that worketh in men both to do and to will ; and without whose free gift a man hath neither inclination to good, nor repentance of evil, should punish men's transgressions without any end of time, and with all the extremity of torture that men can imagine, and more. We are therefore to consider what the meaning is of "everlasting fire," and other the like phrases of Scripture.

I have showed already that the kingdom of God by Christ beginneth at the day of judgment : that in that day the faithful shall rise again, with glorious and spiritual bodies, and be His subjects in that His kingdom, which shall be eternal : that they shall neither marry, nor be given in marriage, nor eat and drink, as they did in their natural bodies ; but live for ever in their individual persons, without the specific eternity of generation : and that the reprobates also shall rise again, to receive punishments for their sins : as also, that those of the elect, which shall be alive in their earthly bodies at that day, shall have their bodies suddenly changed, and made spiritual and immortal. But that the bodies of the reprobate, who make the kingdom of Satan, shall also be glorious or spiritual bodies, or that they shall be as the angels of God, neither eating, nor drinking, nor engendering ; or that their life shall be eternal in their individual persons, as the life of every faithful man is, or as the life of Adam had been if he had not sinned, there is no place of Scripture to prove it ; save only these places concerning eternal torments ; which may otherwise be interpreted.

From whence may be inferred that as the elect after the resurrection shall be restored to the estate wherein Adam was before he had sinned ; so the reprobate shall be in the estate that Adam and his posterity were in after the sin committed ; saving that God promised a Redeemer to Adam, and such of his seed as should trust in Him, and repent ; but not to them that should die in their sins, as do the reprobate.

These things considered, the texts that mention "eternal fire," "eternal torments," or "the worm that never dieth," contradict not the doctrine of a second and everlasting death, in the proper and natural sense of the word "death." The fire, or torments prepared for the wicked in Gehenna, Tophet, or in what place soever, may continue for ever ; and there may never want wicked men to be tormented in them ; though not every nor



any one eternally. For the wicked being left in the estate they were in after Adam's sin, may at the resurrection live as they did, marry, and give in marriage, and have gross and corruptible bodies, as all mankind now have; and consequently may engender perpetually, after the resurrection, as they did before: for there is no place in Scripture to the contrary. For St. Paul, speaking of the resurrection (1 Cor. xv.) understandeth it only of the resurrection to life eternal; and not the resurrection to punishment. And of the first, he saith, that the body is "sown in corruption, raised in incorruption; sown in dishonour, raised in honour; sown in weakness, raised in power; sown a natural body, raised a spiritual body." There is no such thing can be said of the bodies of them that rise to punishment. So also our Saviour, when He speaketh of the nature of man after the resurrection, meaneth the resurrection to life eternal, not to punishment. The text is (Luke xx. verses 34, 35, 36) a fertile text: "The children of this world marry, and are given in marriage; but they that shall be counted worthy to obtain that world, and the resurrection from the dead, neither marry, nor are given in marriage: neither can they die any more; for they are equal to the angels, and are the children of God, being the children of the resurrection." The children of this world, that are in the estate which Adam left them in, shall marry, and be given in marriage; that is, corrupt, and generate successively: which is an immortality of the kind, but not of the persons of men: they are not worthy to be counted amongst them that shall obtain the next world, and an absolute resurrection from the dead; but only a short time, as inmates of that world; and to the end only to receive condign punishment for their contumacy. The elect are the only children of the resurrection: that is to say, the sole heirs of eternal life: they only can die no more, it is they that are equal to the angels, and that are the children of God: and not the reprobate. To the reprobate there remaineth after the resurrection a "second" and "eternal" death: between which resurrection, and their second and eternal death, is but a time of punishment and torment; and to last by succession of sinners thereunto, as long as the kind of man by propagation shall endure; which is eternally.

Upon this doctrine of the natural eternity of separated souls is founded, as I said, the doctrine of purgatory. For supposing eternal life by grace only, there is no life but the life of the body; and no immortality till the resurrection. The texts for purgatory alleged by Bellarmine out of the canonical Scripture of the Old Testament are, first, the fasting of David for Saul and Jonathan, mentioned 2 Sam. i. 12; and again, 2 Sam. iii. 35, for the death of Abner. This fasting of David, he saith, was for the obtaining of something for them at God's hands, after their death: because after he had fasted to procure the recovery of his own child, as soon as he knew it was dead, he called for meat. Seeing then the soul hath an existence separate from the body, and nothing can be obtained by men's fasting for the souls that are already either in heaven or hell, it followeth that there be some souls of dead men, that are neither in heaven nor in hell; and therefore they must be in some third place, which must be purgatory. And thus with hard straining, he has wrested those places to the proof of a purgatory; whereas it is manifest that the ceremonies of mourning and fasting, when they are used for the death of men, whose life was not profitable to the mourners, they are used for honour's sake to their persons; and when it is done for the death of them by whose life the mourners had benefit, it proceeds from their particular damage. And so David honoured Saul and Abner with his fasting; and in the death of his own child, recomforted himself by receiving his ordinary food.

In the other places which he allegeth out of the Old Testament, there is not so much as any show or colour of proof. He brings in every text

wherein there is the word "anger," or "fire," or "burning," or "purging," or "cleansing," in case any of the fathers have but in a sermon rhetorically applied it to the doctrine of purgatory, already believed. The first verse of Psalm xxxvii: "O Lord, rebuke me not in thy wrath, nor chasten me in thy hot displeasure;" what were this to purgatory, if Augustine had not applied the "wrath" to the fire of hell, and the "displeasure" to that of purgatory? And what is it to purgatory, that of Psalm lxvi. 12, "We went through fire and water, and thou broughtest us to a moist place;" and other the like texts, with which the doctors of those times intended to adorn or extend their sermons, or commentaries, haled to their purposes by force of wit?

But he allegeth other places of the New Testament, that are not so easy to be answered. And first that of Matt. xii. 32: "Whosoever speaketh a word against the Son of man, it shall be forgiven him; but whosoever speaketh against the Holy Ghost, it shall not be forgiven him, neither in this world, nor in the world to come:" where he will have purgatory to be the world to come, wherein some sins may be forgiven, which in this world were not forgiven: notwithstanding that it is manifest, there are but three worlds; one from the creation to the flood, which was destroyed by water, and is called in Scripture "the old world;" another from the flood to the day of judgment, which is "the present world," and shall be destroyed by fire: and the third, which shall be from the day of judgment forward, everlasting, which is called "the world to come;" and in which it is agreed by all, there shall be no purgatory, and therefore the world to come and purgatory are inconsistent. But what then can be the meaning of those our Saviour's words? I confess they are very hardly to be reconciled with all the doctrines now unanimously received: nor is it any shame to confess the profoundness of the Scripture to be too great to be sounded by the shortness of human understanding. Nevertheless, I may propound such things to the consideration of more learned divines, as the text itself suggesteth. And first, seeing to speak against the Holy Ghost, as being the third person of the Trinity, is to speak against the Church, in which the Holy Ghost resideth; it seemeth the comparison is made between the easiness of our Saviour, in bearing with offences done to Him while He himself taught the world, that is, when He was on earth, and the severity of the pastors after Him, against those which should deny their authority, which was from the Holy Ghost. As if He should say, you that deny my power; nay, you that shall crucify me, shall be pardoned by me, as often as you turn unto me by repentance: but if you deny the power of them that teach you hereafter, by virtue of the Holy Ghost, they shall be inexorable, and shall not forgive you, but persecute you in this world, and leave you without absolution (though you turn to me, unless you turn also to them), to the punishments, as much as lies in them, of the world to come. And so the words may be taken as a prophecy, or prediction concerning the times, as they have long been in the Christian Church. Or if this be not the meaning (for I am not peremptory in such difficult places), perhaps there may be places left after the resurrection for the repentance of some sinners. And there is also another place that seemeth to agree therewith. For considering the words of St. Paul (1 Cor. xv. 29), "What shall they do which are baptized for the dead, if the dead rise not at all? why also are they baptized for the dead?" a man may probably infer, as some have done, that in St. Paul's time there was a custom, by receiving baptism for the dead (as men that now believe, are sureties and undertakers for the faith of infants, that are not capable of believing), to undertake for the persons of their deceased friends, that they should be ready to obey, and receive our Saviour for their king, at His coming again; and then the forgiveness

of sins in the world to come, has no need of a purgatory. But in both these interpretations there is so much of paradox, that I trust not to them; but propound them to those that are thoroughly versed in the Scripture, to inquire if there be no clearer place that contradicts them. Only of thus much, I see evident Scripture to persuade me that there is neither the word nor the thing of purgatory, neither in this, nor any other text; nor anything that can prove a necessity of a place for the soul without the body; neither for the soul of Lazarus during the four days he was dead; nor for the souls of them which the Roman Church pretend to be tormented now in purgatory. For God, that could give a life to a piece of clay, hath the same power to give life again to a dead man, and renew his inanimate and rotten carcass into a glorious, spiritual, and immortal body.

Another place is that of 1 Cor. iii., where it is said, that they which build stubble, hay, &c., on the true foundation, their work shall perish; but "they themselves shall be saved, but as through fire:" this fire, he will have to be the fire of purgatory. The words, as I have said before, are an allusion to those of Zech. xiii. 9, where he saith, "I will bring the third part through the fire, and refine them as silver is refined, and will try them as gold is tried:" which is spoken of the coming of the Messiah in power and glory; that is, at the day of judgment, and conflagration of the present world, wherein the elect shall not be consumed, but be refined; that is, depose their erroneous doctrines and traditions, and have them as it were singed off; and shall afterwards call upon the name of the true God. In like manner, the apostle saith of them, that holding this foundation, "Jesus is the Christ," shall build thereon some other doctrines that be erroneous, that they shall not be consumed in that fire which reneweth the world, but shall pass through it to salvation; but so as to see and relinquish their former errors. The builders, are the "pastors;" the foundation, that "Jesus is the Christ;" the stubble and hay, "false consequences drawn from it through ignorance, or frailty;" the gold, silver, and precious stones, are their "true doctrines;" and their refining or purging, the "relinquishing of their errors." In all which there is no colour at all for the burning of incorporeal, that is to say, impatible souls.

A third place is that of 1 Cor. xv. 29, before mentioned, concerning baptism for the dead: out of which he concludeth, first, that prayers for the dead are not unprofitable; and out of that, that there is a fire of purgatory: but neither of them rightly. For of many interpretations of the word baptism, he approveth this in the first place, that by baptism is meant, metaphorically, a baptism of penance; and that men are in this sense baptized, when they fast, and pray, and give alms: and so, baptism for the dead, and prayer for the dead, is the same thing. But this is a metaphor, of which there is no example, neither in the Scripture nor in any other use of language; and which is also discordant to the harmony and scope of the Scripture. The word baptism is used (Mark x. 38, and Luke xii. 50), for being dipped in one's own blood, as Christ was upon the cross, and as most of the apostles were, for giving testimony of Him. But it is hard to say that prayer, fasting, and alms have any similitude with dipping. The same is used also Matt. iii. 11 (which seemeth to make somewhat for purgatory) for a purging with fire. But it is evident the fire and purging here mentioned is the same whereof the prophet Zechariah speaketh (chapter xiii. 9), "I will bring the third part through the fire, and will refine them," &c. And St. Peter after him (1 Epistle i. 7), "That the trial of your faith, which is much more precious than of gold that perisheth, though it be tried with fire, might be found unto praise, and honour, and glory at the appearing of Jesus Christ;" and St. Paul (1 Cor. iii. 13), "The fire shall try every man's

work of what sort it is." But St. Peter and St. Paul speak of the fire that shall be at the second appearing of Christ; and the prophet Zechariah of the day of judgment. And therefore this place of St. Matthew may be interpreted of the same; and then there will be no necessity of the fire of purgatory.

Another interpretation of baptism for the dead is that which I have before mentioned, which he preferreth to the second place of probability: and thence also he inferreth the utility of prayer for the dead. For if after the resurrection, such as have not heard of Christ, or not believed in Him, may be received into Christ's kingdom, it is not in vain, after their death, that their friends should pray for them, till they should be risen. But granting that God, at the prayers of the faithful, may convert unto Him some of those that have not heard Christ preached, and consequently cannot have rejected Christ, and that the charity of men in that point cannot be blamed; yet this concludeth nothing for purgatory; because to rise from death to life is one thing; to rise from purgatory to life is another; as being a rising from life to life, from a life in torments to a life in joy.

A fourth place is that of Matt. v. 25, 26: "Agree with thine adversary quickly, whilst thou art in the way with him, lest at any time the adversary deliver thee to the judge, and the judge deliver thee to the officer, and thou be cast into prison: verily I say unto thee, thou shalt by no means come out thence, till thou hast paid the uttermost farthing." In which allegory, the offender is the "sinner;" both the adversary and the judge is "God;" the way is this "life;" the prison is the "grave;" the officer, "death;" from which the sinner shall not rise again to life eternal, but to a second death, till he have paid the utmost farthing, or Christ pay it for him by His passion, which is a full ransom for all manner of sins, as well lesser sins as greater crimes; both being made by the passion of Christ equally venial.

The fifth place is that of Matt. v. 22: "Whosoever is angry with his brother without a cause, shall be guilty in judgment: and whosoever shall say to his brother, Raca, shall be guilty in the council: but whosoever shall say, thou fool, shall be guilty to hell fire." From which words he inferreth three sorts of sins and three sorts of punishments; and that none of those sins but the last shall be punished with hell fire; and consequently, that after this life there is punishment of lesser sins in purgatory. Of which inference there is no colour in any interpretation that hath yet been given of them. Shall there be a distinction after this life of courts of justice, as there was amongst the Jews in our Saviour's time, to hear and determine divers sorts of crimes, as the judges and the council? Shall not all judicature appertain to Christ and His apostles? To understand therefore this text, we are not to consider it solitarily, but jointly with the words precedent and subsequent. Our Saviour in this chapter interpreteth the law of Moses; which the Jews thought was then fulfilled when they had not transgressed the grammatical sense thereof, howsoever they had transgressed against the sentence or meaning of the legislator. Therefore whereas they thought the sixth commandment was not broken but by killing a man: nor the seventh but when a man lay with a woman not his wife; our Saviour tells them the inward anger of a man against his brother, if it be without just cause, is homicide. You have heard, saith He, the law of Moses, "Thou shalt not kill," and that "Whosoever shall kill, shall be condemned before the judges," or before the session of the Seventy: but I say unto you to be angry with one's brother without cause, or to say unto him "Raca" or "Fool," is homicide, and shall be punished at the day of judgment and session of Christ and His apostles with hell fire. So that those words were not used to distinguish between divers crimes, and divers courts of

justice, and divers punishments ; but to tax the distinction between sin and sin, which the Jews drew not from the difference of the will in obeying God, but from the difference of their temporal courts of justice ; and to show them that he that had the will to hurt his brother, though the effect appear but in reviling, or not at all, shall be cast into hell fire, by the judges and by the session, which shall be the same, not different, courts at the day of judgment. This considered, what can be drawn from this text to maintain purgatory I cannot imagine.

The sixth place is Luke xvi. 9 : " Make ye friends of the unrighteous Mammon ; that when ye fail, they may receive you into everlasting tabernacles." This he alleges to prove invocation of saints departed. But the sense is plain, that we should make friends with our riches of the poor ; and thereby obtain their prayers whilst they live. " He that giveth to the poor, lendeth to the Lord."

The seventh is Luke xxiii. 42 : " Lord, remember me, when thou comest into thy kingdom." Therefore, saith he, there is remission of sins after this life. But the consequence is not good. Our Saviour then forgave him ; and at His coming again in glory will remember to raise him again to life eternal.

The eighth is Acts ii. 24, where St. Peter saith of Christ, " that God had raised Him up, and loosed the pains of death, because it was not possible He should be holden of it : " which he interprets to be a descent of Christ into purgatory, to loose some souls there from their torments : whereas it is manifest that it was Christ that was loosed ; it was He that could not be holden of death or the grave ; and not the souls in purgatory. But if that which Beza says, in his notes on this place, be well observed, there is none that will not see, that instead of " pains " it should be " bands ; " and then there is no further cause to seek for purgatory in this text.

## CHAPTER XLV.

### *Of Demonology, and other Relics of the Religion of the Gentiles.*

THE impression made on the organs of sight by lucid bodies, either in one direct line or in many lines, reflected from opaque, or refracted in the passage through diaphanous bodies, produceth in living creatures, in whom God hath placed such organs, an imagination of the object, from whence the impression proceedeth ; which imagination is called " sight ; " and seemeth not to be a mere imagination, but the body itself without us ; in the same manner, as when a man violently presseth his eye, there appears to him a light without and before him, which no man perceiveth but himself ; because there is indeed no such thing without him, but only a motion in the interior organs, pressing by resistance outward, that makes him think so. And the motion made by this pressure, continuing after the object which caused it is removed, is that we call " imagination " and " memory ; " and, in sleep, and sometimes in great distemper of the organs by sickness or violence, a " dream ; " of which things I have already spoken briefly in the second and third chapters.

This nature of sight having never been discovered by the ancient pretenders to natural knowledge ; much less by those that consider not things so remote, as that knowledge is, from their present use ; it was hard for men to conceive of those images in the fancy and in the sense, otherwise than of things really without us : which some, because they vanish away.

they know not whither nor how, will have to be absolutely incorporeal, that is to say, immaterial, or forms without matter ; colour and figure, without any coloured or figured body ; and that they can put on airy bodies as a garment, to make them visible when they will to our bodily eyes ; and others say, are bodies and living creatures, but made of air, or other more subtle and ethereal matter, which is, then, when they will be seen, condensed. But both of them agree on one general appellation of them, "demons." As if the dead of whom they dreamed were not inhabitants of their own brain, but of the air, or of heaven, or hell ; not phantasms, but ghosts ; with just as much reason as if one should say, he saw his own ghost in a looking-glass, or the ghosts of the stars in a river ; or call the ordinary apparition of the sun, of the quantity of about a foot, the "demon," or ghost of that great sun that enlighteneth the whole visible world : and by that means have feared them, as things of an unknown, that is, of an unlimited power to do them good or harm ; and consequently, given occasion to the governors of the heathen commonwealths to regulate this their fear, by establishing that "demonology" (in which the poets, as principal priests of the heathen religion, were especially employed or revered), to the public peace, and to the obedience of subjects necessary thereunto, and to make some of them good "demons," and others evil ; the one as a spur to the observance, the other as reins to withhold them from the violation of the laws.

What kind of things they were, to whom they attributed the name of "demons," appeareth partly in the genealogy of their gods, written by Hesiod, one of the most ancient poets of the Grecians ; and partly in other histories ; of which I have observed some few before, in the twelfth chapter of this discourse.

The Grecians, by their colonies and conquests, communicated their language and writings into Asia, Egypt, and Italy ; and therein, by necessary consequence their "demonology," or, as St. Paul calls it (1 Tim. iv. 1), "their doctrines of devils." And by that means the contagion was derived also to the Jews, both of Judea and Alexandria, and other parts, whereinto they were dispersed. But the name of "demon" they did not, as the Grecians, attribute to spirits both good and evil ; but to the evil only : and to the good "demons" they gave the name of the spirit of God ; and esteemed those into whose bodies they entered to be prophets. In sum, all singularity, if good, they attributed to the spirit of God ; and if evil, to some "demon," but a *κακοδαίμων*, an evil "demon," that is a "devil." And therefore, they called "demoniacs," that is "possessed by the devil," such as we call madmen or lunatics ; or such as had the falling sickness, or that spoke anything which they, for want of understanding, thought absurd. As also of an unclean person in a notorious degree, they used to say he had an unclean spirit ; of a dumb man, that he had a dumb devil ; and of John the Baptist (Matt. xi. 18), for the singularity of his fasting, that he had a devil ; and of our Saviour, because He said, he that keepeth His sayings should not see death *in aeternum* (John viii. 52), "Now we know thou hast a devil ; Abraham is dead, and the prophets are dead : " and again, because He said (John vii. 20), "They went about to kill Him," the people answered, "Thou hast a devil ; who goeth about to kill thee ? " Whereby it is manifest that the Jews had the same opinions concerning phantasms, namely, that they were not phantasms, that is, idols of the brain, but things real and independent on the fancy.

Which doctrine, if it be not true, why, may some say, did not our Saviour contradict it, and teach the contrary ? Nay, why does He use on divers occasions such forms of speech as seem to confirm it ? To this I answer, that first, where Christ saith (Luke xxiv. 39), "A spirit hath not flesh and

bone," though He show that there be spirits, yet He denies not that they are bodies. And where St. Paul says (1 Cor. xv. 44), "we shall rise spiritual bodies," he acknowledgeth the nature of spirits, but that they are bodily spirits; which is not difficult to understand. For air and many other things are bodies, though not flesh and bone, or any other gross body to be discerned by the eye. But when our Saviour speaketh to the devil, and commandeth him to go out of a man, if by the devil He meant a disease, as frenzy, or lunacy, or a corporeal spirit, is not the speech improper? Can diseases hear? Or can there be a corporeal spirit in a body of flesh and bone, full already of vital and animal spirits? Are there not therefore spirits that neither have bodies, nor are mere imaginations? To the first I answer, that the addressing of our Saviour's command to the madness or lunacy He cureth, is no more improper than was His rebuking of the fever, or of the wind and sea; for neither do these hear; or than was the command of God, to the light, to the firmament, to the sun, and stars, when He commanded them to be; for they could not hear before they had a being. But those speeches are not improper, because they signify the power of God's word; no more therefore is it improper to command madness, or lunacy, under the appellation of devils by which they were then commonly understood, to depart out of a man's body. To the second, concerning their being incorporeal, I have not yet observed any place of Scripture, from whence it can be gathered that any man was ever possessed with any other corporeal spirit, but that of his own, by which his body is naturally moved.

Our Saviour, immediately after the Holy Ghost descended upon Him in the form of a dove, is said by St. Matthew (chapter iv. 1) to have been "led up by the Spirit into the wilderness;" and the same is recited (Luke iv. 1) in these words, "Jesus being full of the Holy Ghost, was led in the Spirit into the wilderness;" whereby it is evident that by "Spirit" there is meant the Holy Ghost. This cannot be interpreted for a possession; for Christ and the Holy Ghost are but one and the same substance; which is no possession of one substance or body by another. And whereas in the verses following He is said "to have been taken up by the devil into the holy city, and set upon a pinnacle of the temple," shall we conclude thence that He was possessed of the devil, or carried thither by violence? And again, "carried thence by the devil into an exceeding high mountain, who showed Him thence all the kingdoms of the world:" wherein we are not to believe He was either possessed, or forced by the devil; nor that any mountain is high enough, according to the literal sense, to show Him one whole hemisphere. What then can be the meaning of this place, other than that He went of himself into the wilderness; and that this carrying of Him up and down from the wilderness to the city, and from thence into a mountain, was a vision? Conformable whereunto is also the phrase of St. Luke, that He was led into the wilderness, not "by," but "in," the Spirit; whereas, concerning His being taken up into the mountain, and unto the pinnacle of the temple, he speaketh as St. Matthew doth: which suiteth with the nature of a vision.

Again, where St. Luke (chap. xxii. 3, 4) says of Judas Iscariot, that "Satan entered into him, and thereupon that he went and communed with the chief priests and captains, how he might betray Christ unto them;" it may be answered, that by the entering of Satan, that is the "enemy," into him, is meant, the hostile and traitorous intention of selling his Lord and Master. For as by the Holy Ghost is frequently in Scripture understood, the graces and good inclinations given by the Holy Ghost; so by the entering of Satan may be understood the wicked cogitations and designs of the adversaries of Christ and His disciples. For as it is hard to say

that the devil was entered into Judas, before he had any such hostile design ; so it is impertinent to say he was first Christ's enemy in his heart, and that the devil entered into him afterwards. Therefore the entering of Satan, and his wicked purpose, was one and the same thing.

But if there be no immaterial spirit or any possession of men's bodies by any spirit corporeal, it may again be asked, why our Saviour and His apostles did not teach the people so ; and in such clear words, as they might no more doubt thereof. But such questions as these are more curious than necessary for a Christian man's salvation. Men may as well ask why Christ, that could have given to all men faith, piety, and all manner of moral virtues, gave it to some only, and not to all ; and why He left the search of natural causes and sciences to the natural reason and industry of men, and did not reveal it to all, or any man supernaturally ; and many other such questions. Of which nevertheless there may be alleged probable and pious reasons. For as God, when He brought the Israelites into the Land of Promise, did not secure them therein, by subduing all the nations round about them ; but left many of them, as thorns in their sides, to awaken from time to time their piety and industry : so our Saviour, in conducting us toward His heavenly kingdom, did not destroy all the difficulties of natural questions ; but left them to exercise our industry and reason ; the scope of His preaching being only to show us this plain and direct way to salvation, namely, the belief of this article, "that He was the Christ, the Son of the living God, sent into the world to sacrifice himself for our sins, and at His coming again, gloriously to reign over His elect, and to save them from their enemies eternally." To which the opinion of possession by spirits, or phantasms, is no impediment in the way ; though it be to some an occasion of going out of the way, and to follow their own inventions. If we require of the Scripture an account of all questions which may be raised to trouble us in the performance of God's commands, we may as well complain of Moses for not having set down the time of the creation of such spirits, as well as of the creation of the earth and sea, and of men and beasts. To conclude, I find in Scripture that there be angels and spirits, good and evil ; but not that they are incorporeal, as are the apparitions men see in the dark, or in a dream or vision : which the Latins call *spectra*, and took for "demons." And I find that there are spirits corporeal, though subtle and invisible ; but not that any man's body was possessed or inhabited by them ; and that the bodies of the saints shall be such, namely, spiritual bodies, as St. Paul calls them.

Nevertheless, the contrary doctrine, namely, that there be incorporeal spirits, hath hitherto so prevailed in the Church, that the use of exorcism, that is to say, of ejection of devils by conjuration, is thereupon built ; and, though rarely and faintly practised, is not yet totally given over. That there were many demoniacs in the primitive Church, and few madmen, and other such singular diseases ; whereas in these times we hear of, and see many madmen, and few demoniacs, proceeds not from the change of nature, but of names. But how it comes to pass that whereas heretofore the apostles, and after them for a time the pastors of the Church, did cure those singular diseases, which now they are not seen to do ; as likewise, why it is not in the power of every true believer now to do all that the faithful did then, that is to say, as we read (Mark xvi. 17, 18), "in Christ's name to cast out devils, to speak with new tongues, to take up serpents, to drink deadly poison without harm-taking, and to cure the sick by the laying on of their hands," and all this without other words, but "in the name of Jesus," is another question. And it is probable that those extraordinary gifts were given to the Church, for no longer a time than men trusted wholly to Christ, and looked for their felicity only in His kingdom to come ; and conse-



quently that, when they sought authority and riches, and trusted to their own subtlety for a kingdom of this world, these supernatural gifts of God were again taken from them.

Another relic of Gentilism is, the "worship of images," neither instituted by Moses in the Old, nor by Christ in the New Testament; nor yet brought in from the Gentiles; but left amongst them after they had given their names to Christ. Before our Saviour preached, it was the general religion of the Gentiles to worship for gods those appearances that remain in the brain from the impression of external bodies upon the organs of their senses, which are commonly called "ideas," "idols," "phantasms," "conceits," as being representations of those external bodies which cause them, and have nothing in them of reality, no more than there is in the things that seem to stand before us in a dream. And this is the reason why St. Paul says (1 Cor. viii. 4) "we know that an idol is nothing;" not that he thought that an image of metal, stone, or wood, was nothing; but that the thing which they honoured or feared in the image, and held for a god, was a mere figment, without place, habitation, motion, or existence, but in the motions of the brain. And the worship of these with divine honour, is that which is in the Scripture called idolatry, and rebellion against God. For God being King of the Jews, and His lieutenant being first Moses, and afterward the high priest; if the people had been permitted to worship and pray to images, which are representations of their own fancies, they had had no further dependence on the true God, of whom there can be no similitude; nor on His prime ministers, Moses and the high priests; but every man had governed himself according to his own appetite, to the utter eversion of the commonwealth, and their own destruction for want of union. And therefore the first law of God was, "They should not take for gods *Alienos Deos*, that is, "the gods of other nations, but that only true God, who vouchsafed to commune with Moses, and by him to give them laws and directions, for their peace, and for their salvation from their enemies." And the second was, that "they should not make to themselves any image to worship, of their own invention." For it is the same deposing of a king, to submit to another king, whether he be set up by a neighbour nation or by ourselves.

The places of Scripture pretended to countenance the setting up of images, to worship them; or to set them up at all in the places where God is worshipped, are first, two examples; one of the cherubims over the ark of God; the other of the brazen serpent. Secondly, some texts whereby we are commanded to worship certain creatures for their relation to God; as to worship His footstool. And lastly, some other texts, by which is authorized a religious honouring of holy things. But before I examine the force of those places, to prove that which is pretended, I must first explain what is to be understood by "worshipping," and what by "images" and "idols."

I have already shown in the xxth chapter of this discourse, that to honour, is to value highly the power of any person: and that such value is measured by our comparing him with others. But because there is nothing to be compared with God in power; we honour Him not, but dishonour Him by any value less than infinite. And thus honour is properly of its own nature, secret and internal in the heart. But the inward thoughts of men, which appear outwardly in their words and actions, are the signs of our honouring, and these go by the name of "worship;" in Latin, *cultus*. Therefore, to pray to, to swear by, to obey, to be diligent and officious in serving: in sum, all words and actions that betoken fear to offend, or desire to please, is "worship," whether those words and actions be sincere or feigned; and because they appear as signs of honouring, are ordinarily also called "honour."

The worship we exhibit to those we esteem to be but men, as to kings.

and men in authority, is "civil worship;" but the worship we exhibit to that which we think to be God, whatsoever the words, ceremonies, gestures, or other actions be, is "divine worship." To fall prostrate before a king, in him that thinks him but a man, is but civil worship; and he that putteth off his hat in the church for this cause, that he thinketh it the house of God, worshippeth with divine worship. They that seek the distinction of divine and civil worship, not in the intention of the worshipper, but in the words *δουλεία* and *λατρεία*, deceive themselves. For whereas there be two sorts of servants: that sort, which is of those that are absolutely in the power of their masters, as slaves taken in war, and their issue, whose bodies are not in their own power (their lives depending on the will of their masters, in such manner as to forfeit them upon the least disobedience), and that are bought and sold as beasts, were called *δουλοι*, that is, properly slaves, and their service *δουλεία*: the other, which is of those that serve (for hire, or in hope of benefit from their masters) voluntarily, are called *θήτες*; that is, domestic servants, to whose service the masters have no further right than is contained in the covenants made betwixt them. These two kinds of servants have thus much common to them both, that their labour is appointed them by another; and the word *λάτρις*, is the general name of both, signifying him that worketh for another, whether as a slave or a voluntary servant. So that *λατρεία* signifieth generally all service: but *δουλεία* the service of bondmen only, and the condition of slavery: and both are used in Scripture (to signify our service of God) promiscuously: *δουλεία*, because we are God's slaves; *λατρεία*, because we serve Him. And in all kinds of service is contained, not only obedience, but also worship; that is, such actions, gestures, and words, as signify "honour."

An "image," in the most strict signification of the word, is the resemblance of something visible; in which sense the fantastical forms, apparitions, or seemings of visible bodies to the sight, are only "images," such as are the show of a man, or other thing in the water, by reflection or refraction; or of the sun or stars by direct vision in the air; which are nothing real in the things seen, nor in the place where they seem to be; nor are their magnitudes and figures the same with that of the object; but changeable, by the variation of the organs of sight, or by glasses, and are present oftentimes in our imagination and in our dreams, when the object is absent; or changed into other colours and shapes, as things that depend only upon the fancy. And these are the "images" which are originally and most properly called "ideas" and "idols," and derived from the language of the Grecians, with whom the word *εἶδω* signifieth "to see." They also are called "phantasms," which is in the same language "apparitions." And from these images it is that one of the faculties of man's nature is called the "imagination." And from hence it is manifest that there neither is, nor can be, any image made of a thing invisible.

It is also evident that there can be no images of a thing infinite: for all the images and phantasms that are made by the impression of things visible, are figured; but figure is a quantity every way determined. And therefore there can be no image of God; nor of the soul of man; nor of spirits; but only of bodies visible; that is, bodies that have light in themselves, or are by such enlightened.

And whereas a man can fancy shapes he never saw; making up a figure out of the parts of divers creatures; as the poets make their centaurs, chimeras; and other monsters never seen: so can he also give matter to those shapes, and make them in wood, clay, or metal. And these are also called images, not for the resemblance of any corporeal thing, but for the resemblance of some fantastical inhabitants of the brain of the maker. But in these idols as they are originally in the brain, and as they are painted,

carved, moulded, or moulten in matter, there is a similitude of the one to the other, for which the material body made by art may be said to be the image of the fantastical idol made by Nature.

But in a larger use of the word image, is contained also any representation of one thing by another. So an earthly sovereign may be called the image of God: and an inferior magistrate, the image of an earthly sovereign. And many times in the idolatry of the Gentiles there was little regard to the similitude of their material idol to the idol in their fancy, and yet it was called the image of it. For a stone unhewn has been set up for Neptune, and divers other shapes far different from the shapes they conceived of their gods. And at this day we see many images of the Virgin Mary, and other Saints, unlike one another, and without correspondence to any one man's fancy; and yet serve well enough for the purpose they were erected for; which was no more but by the names only, to represent the persons mentioned in the history; to which every man applieth a mental image of his own making, or none at all. And thus an image in the largest sense, is either the resemblance or the representation of some thing visible; or both together, as it happeneth for the most part.

But the name of idol is extended yet further in Scripture, to signify also the sun, or a star, or any other creature, visible or invisible, when they are worshipped for gods.

Having shown what is "worship," and what an "image;" I will now put them together, and examine what that "idolatry" is, which is forbidden in the second commandment, and other places of the Scripture.

To worship an image, is voluntarily to do those external acts which are signs of honouring either the matter of the image, which is wood, stone, metal, or some other visible creature; or the phantasm of the brain, for the resemblance, or representation whereof, the matter was formed and figured; or both together, as one animate body, composed of the matter and the phantasm, as of a body and soul.

To be uncovered, before a man of power and authority, or before the throne of a prince, or in such other places as he ordaineth to that purpose in his absence, is to worship that man or prince with civil worship; as being a sign, not of honouring the stool or place, but the person; and is not idolatry. But if he that doth it, should suppose the soul of the prince to be in the stool, or should present a petition to the stool, it were divine worship, and idolatry.

To pray to a king for such things as he is able to do for us, though we prostrate ourselves before him, is but civil worship; because we acknowledge no other power in him but human: but voluntarily to pray unto him for fair weather, or for anything which God only can do for us, is divine worship and idolatry. On the other side, if a king compel a man to it by the terror of death, or other great corporal punishment, it is not idolatry: for the worship which the sovereign commandeth to be done unto himself by the terror of his laws, is not a sign that he that obeyeth him does inwardly honour him as a god, but that he is desirous to save himself from death or from a miserable life; and that which is not a sign of internal honour, is no worship; and therefore no idolatry. Neither can it be said, that he that does it, scandalizeth or layeth any stumbling-block before his brother; because how wise or learned soever he be that worshippeth in that manner, another man cannot from thence argue that he approveth it; but that he doth it for fear; and that it is not his act, but the act of his sovereign.

To worship God, in some peculiar place, or turning a man's face towards an image, or determinate place, is not to worship or honour the place or image; but to acknowledge it holy, that is to say, to acknowledge the image, or the place to be set apart from common use. For that is the

meaning of the word "holy;" which implies no new quality in the place or image, but only a new relation by appropriation to God; and therefore is not idolatry; no more than it was idolatry to worship God before the brazen serpent; or for the Jews, when they were out of their own country, to turn their faces, when they prayed, towards the temple of Jerusalem; or for Moses to put off his shoes when he was before the flaming bush, the ground appertaining to Mount Sinai, which place God had chosen to appear in, and to give His laws to the people of Israel, and was therefore holy ground, not by inherent sanctity, but by separation to God's use; or for Christians to worship in the churches, which are once solemnly dedicated to God for that purpose, by the authority of the king, or other true representant of the Church. But to worship God, as inanimating or inhabiting such image or place; that is to say, in infinite substance in a finite place, is idolatry: for such finite gods are but idols of the brain, nothing real; and are commonly called in the Scripture by the names of "vanity," and "lies," and "nothing." Also to worship God, not as inanimating or present in the place or image: but to the end to be put in mind of Him, or of some works of His, in case the place or image be dedicated or set up by private authority, and not by the authority of them that are our sovereign pastors, is idolatry. For the commandment is, "thou shalt not make to thyself any graven image." God commanded Moses to set up the brazen serpent; he did not make it to himself; it was not therefore against the commandment. But the making of the golden calf by Aaron and the people, as being done without authority from God, was idolatry; not only because they held it for God, but also because they made it for a religious use, without warrant either from God their sovereign, or from Moses, that was His lieutenant.

The Gentiles worshipped for gods, Jupiter and others; that living, were men perhaps that had done great and glorious acts: and for the children of God, divers men and women, supposing them gotten between an immortal deity and a mortal man. This was idolatry, because they made them so to themselves, having no authority from God, neither in His eternal law of reason, nor in His positive and revealed will. But though our Saviour was a man, whom we also believe to be God immortal and the Son of God, yet this is no idolatry: because we build not that belief upon our own fancy, or judgment, but upon the word of God revealed in the Scriptures. And for the adoration of the Eucharist, if the words of Christ, "this is my body," signify "that he himself, and the seeming bread in his hand, and not only so, but that all the seeming morsels of bread that have ever since been, and any time hereafter shall be consecrated by priests, be so many Christ's bodies, and yet all of them but one body;" then is that no idolatry, because it is authorized by our Saviour: but if that text does not signify that (for there is no other that can be alleged for it), then, because it is a worship of human institution, it is idolatry. For it is not enough to say, God can transubstantiate the bread into Christ's body: for the Gentiles also held God to be omnipotent, and might upon that ground no less excuse their idolatry, by pretending as well as others a transubstantiation of their wood and stone into God Almighty.

Whereas there be, that pretend divine inspiration to be the supernatural entering of the Holy Ghost into a man, and not an acquisition of God's graces, by doctrine and study; I think they are in a very dangerous dilemma. For if they worship not the man whom they believe to be so inspired, they fall into impiety; as not adoring God's supernatural presence. And again, if they worship him, they commit idolatry; for the apostles would never permit themselves to be so worshipped. Therefore the safest way is to believe, that by the descending of the dove upon the

apostles ; and by Christ's breathing on them, when He gave them the Holy Ghost ; and by the giving of it by imposition of hands, are understood the signs which God has been pleased to use, or ordain to be used, of His promise to assist those persons in their study to preach His kingdom, and in their conversation, that it might not be scandalous, but edifying to others.

Besides the idolatrous worship of images, there is also a scandalous worship of them ; which is also a sin, but not idolatry. For "idolatry" is to worship by signs of an internal and real honour ; but "scandalous worship," is but seeming worship, and may sometimes be joined with an inward and hearty detestation, both of the image and of the fantastical "demon" or idol, to which it is dedicated ; and proceed only from the fear of death, or other grievous punishment ; and is nevertheless a sin in them that so worship, in case they be men whose actions are looked at by others as lights to guide them by ; because following their ways, they cannot but stumble, and fall in the way of religion ; whereas the example of those we regard not, works not on us at all, but leaves us to our own diligence and caution ; and consequently are no causes of our falling.

If therefore a pastor lawfully called to teach and direct others, or any other of whose knowledge there is a great opinion, do external honour to an idol for fear, unless he make his fear and unwillingness to it as evident as the worship, he scandalizeth his brother, by seeming to approve idolatry. For his brother arguing from the action of his teacher, or of him whose knowledge he esteemeth great, concludes it to be lawful in itself. And this scandal is sin, and a "scandal given." But if one being no pastor, nor of eminent reputation for knowledge in Christian doctrine, do the same, and another follow him, this is no scandal given ; for he had no cause to follow such example, but is a pretence of scandal, which he taketh of himself for an excuse before men. For an unlearned man that is in the power of an idolatrous king or state, if commanded on pain of death to worship before an idol, he detesteth the idol in his heart, he doth well ; though if he had the fortitude to suffer death rather than worship it, he should do better. But if a pastor, who as Christ's messenger has undertaken to teach Christ's doctrine to all nations, should do the same, it were not only a sinful scandal in respect of other Christian men's consciences, but a perfidious forsaking of his charge.

The sum of that which I have said hitherto concerning the worship of images is this, that he that worshippeth in an image, or any creature, either the matter thereof, or any fancy of his own, which he thinketh to dwell in it ; or both together ; or believeth that such things hear his prayers, or see his devotions, without ears or eyes, committeth idolatry : and he that counterfeiteth such worship for fear of punishment, if he be a man whose example hath power amongst his brethren, committeth a sin. But he that worshippeth the Creator of the world before such an image, or in such a place as he hath not made, or chosen of himself, but taken from the commandment of God's word, as the Jews did in worshipping God before the cherubims, and before the brazen serpent for a time, and in, or towards the Temple of Jerusalem, which was also but for a time, committeth not idolatry.

Now for the worship of saints and images, and relics, and other things at this day practised in the Church of Rome, I say they are not allowed by the Word of God, nor brought into the Church of Rome from the doctrine there taught ; but partly left in it at the first conversion of the Gentiles ; and afterwards countenanced and confirmed, and augmented by the bishops of Rome.

As for the proofs alleged out of Scripture, namely, those examples of images appointed by God to be set up ; they were not set up for the people or any

man to worship, but that they should worship God himself before them ; as before the cherubims over the ark, and the brazen serpent. For we read not that the priest or any other did worship the cherubims ; but contrarily we read (2 Kings xviii. 4) that Hezekiah brake in pieces the brazen serpent which Moses had set up, because the people burnt incense to it. Besides, those examples are not put for our imitation, that we also should set up images, under pretence of worshipping God before them ; because the words of the second commandment, "Thou shalt not make to thyself any graven image," &c., distinguish between the images that God commanded to be set up, and those which we set up to ourselves. And therefore from the cherubims or brazen serpent, to the images of man's devising ; and from the worship commanded by God, to the will-worship of men, the argument is not good. This also is to be considered, that as Hezekiah brake in pieces the brazen serpent, because the Jews did worship it, to the end they should do so no more ; so also Christian sovereigns ought to break down the images which their subjects have been accustomed to worship, that there be no more occasion of such idolatry. For at this day, the ignorant people, where images are worshipped, do really believe there is a divine power in the images ; and are told by their pastors that some of them have spoken ; and have bled ; and that miracles have been done by them ; which they apprehend as done by the saint, which they think either is the image itself, or in it. The Israelites, when they worshipped the calf, did think they worshipped the God that brought them out of Egypt ; and yet it was idolatry, because they thought the calf either was that God, or had him in his belly. And though some man may think it impossible for people to be so stupid as to think the image to be God, or a saint ; or to worship it in that notion ; yet it is manifest in Scripture to the contrary ; where when the golden calf was made, the people said (Exod. xxxii. 4), "These are thy gods, O Israel ;" and where the images of Laban (Gen. xxxi. 30) are called his gods. And we see daily by experience in all sorts of people, that such men as study nothing but their food and ease, are content to believe any absurdity, rather than to trouble themselves to examine it ; holding their faith as it were by entail unalienable, except by an express and new law.

But they infer from some other places, that it is lawful to paint angels, and also God himself : as from God's walking in the garden ; from Jacob's seeing God at the top of the ladder ; and from other visions, and dreams. But visions and dreams, whether natural or supernatural, are but phantasms : and he that painteth an image of any of them, maketh not an image of God, but of his own phantasm, which is making of an idol. I say not, that to draw a picture after a fancy is a sin ; but when it is drawn, to hold it for a representation of God, is against the second commandment ; and can be of no use but to worship. And the same may be said of the images of angels, and of men dead ; unless as monuments of friends, or of men worthy remembrance. For such use of an image is not worship of the image ; but a civil honouring of the person, not that is, but that was. But when it is done to the image which we make of a saint, for no other reason but that we think he heareth our prayers, and is pleased with the honour we do him, when dead, and without sense, we attribute to him more than human power ; and therefore it is idolatry.

Seeing therefore there is no authority, neither in the law of Moses nor in the Gospel, for the religious worship of images, or other representations of God, which men set up to themselves ; or for the worship of the image of any creature in heaven or earth, or under the earth : and whereas Christian kings, who are living representants of God, are not to be worshipped by their subjects, by any act that signifieth a greater esteem of his power than the nature of mortal man is capable of ; it cannot be imagined that the

religious worship now in use was brought into the Church by misunderstanding of the Scripture. It resteth therefore, that it was left in it, by not destroying the images themselves, in the conversion of the Gentiles that worshipped them.

The cause whereof, was the immoderate esteem and prices set upon the workmanship of them, which made the owners, though converted from worshipping them as they had done religiously for demons, to retain them still in their houses, upon pretence of doing it in the honour of Christ, of the Virgin Mary, and of the apostles, and other the pastors of the primitive Church; as being easy, by giving them new names, to make that an image of the Virgin Mary, and of her Son our Saviour, which before perhaps was called the image of Venus and Cupid; and so of a Jupiter to make a Barnabas, and of Mercury a Paul, and the like. And as worldly ambition creeping by degrees into the pastors, drew them to an endeavour of pleasing the new-made Christians; and also to a liking of this kind of honour, which they also might hope for after their decease, as well as those that had already gained it: so the worshipping of the images of Christ and His apostles grew more and more idolatrous; save that somewhat after the time of Constantine, divers emperors and bishops, and general councils, observed and opposed the unlawfulness thereof; but too late or too weakly.

The canonizing of saints is another relic of Gentilism: it is neither a misunderstanding of Scripture, nor a new invention of the Roman Church, but a custom as ancient as the commonwealth of Rome itself. The first that ever was canonized at Rome was Romulus, and that upon the narration of Julius Proculus, that swore before the senate he spake with him after his death, and was assured by him he dwelt in heaven, and was there called Quirinus, and would be propitious to the state of their new city: and thereupon the senate gave "public testimony" of his sanctity. Julius Cæsar, and other emperors after him, had the like "testimony;" that is, were canonized for saints; for by such testimony is "canonization" now defined; and is the same with the *ἀποθέωσις* of the heathen.

It is also from the Roman heathen that the Popes have received the name and power of Pontifex Maximus. This was the name of him that in the ancient commonwealth of Rome had the supreme authority under the senate and people, of regulating all ceremonies and doctrines concerning their religion; and when Augustus Cæsar changed the state into a monarchy, he took to himself no more but this office, that of tribune of the people, that is to say, the supreme power both in state and religion; and the succeeding emperors enjoyed the same. But when the emperor Constantine lived, who was the first that professed and authorized Christian religion, it was consonant to his profession, to cause religion to be regulated, under his authority, by the Bishop of Rome; though it do not appear they had so soon the name of Pontifex; but rather, that the succeeding bishops took it of themselves, to countenance the power they exercised over the bishops of the Roman provinces. For it is not any privilege of St. Peter, but the privilege of the city of Rome, which the emperors were always willing to uphold, that gave them such authority over other bishops; as may be evidently seen by that, that the Bishop of Constantinople, when the emperor made that city the seat of the empire, pretended to be equal to the Bishop of Rome; though at last, not without contention, the Pope carried it, and became the Pontifex Maximus; but in right only of the emperor; and not without the bounds of the empire; nor anywhere, after the emperor had lost his power in Rome; though it were the Pope himself that took his power from him. From whence we may by the way observe, that there is no place for the superiority of the Pope over other bishops, except in the territories whereof he is himself the civil sovereign, and where the

emperor having sovereign power civil, hath expressly chosen the Pope for the chief pastor under himself, of his Christian subjects.

The carrying about of images in "procession," is another relic of the religion of the Greeks and Romans. For they also carried their idols from place to place, in a kind of chariot, which was peculiarly dedicated to that use, which the Latins called *thensa*, and *vehiculum Deorum*; and the image was placed in a frame or shrine, which they called *ferculum*: and that which they called *pompa* is the same that now is named "procession." According whereunto, amongst the divine honours which were given to Julius Cæsar by the senate, this was one, that in the pomp, or procession, at the Circæan games, he should have *thensam et ferculum*, a sacred chariot and a shrine; which was as much as to be carried up and down as a god: just as at this day the Popes are carried by Switzers under a canopy.

To these processions also belonged the bearing of burning torches and candles, before the images of the gods, both amongst the Greeks and Romans. For afterwards the emperors of Rome received the same honour; as we read of Caligula, that at his reception to the empire, he was carried from Misenum to Rome, in the midst of a throng of people, the ways beset with altars, and beasts for sacrifice, and burning "torches:" and of Caracalla, that was received into Alexandria with incense, and with casting of flowers, and *δαδούχιας*, that is, with torches; for *δαδούχοι* were they that amongst the Greeks carried torches lighted in the processions of their gods. And in process of time, the devout but ignorant people did many times honour their bishops with the light pomp of wax candles, and the images of our Saviour and the saints, constantly, in the church itself. And thus came in the use of wax candles; and was also established by some of the ancient councils.

The heathens had also their *aqua lustralis*, that is to say, "holy water." The Church of Rome imitates them also in their "holy days." They had their *bacchanalia*; and we have our "wakes," answering to them; they their *saturnalia*, and we our "carnivals," and Shrove Tuesday's liberty of servants: they their procession of Priapus; we our fetching in, erection, and dancing about May-poles; and dancing is one kind of worship: they had their procession called *Ambarvalia*; and we our procession about the fields in the Rogation Week. Nor do I think that these are all the ceremonies that have been left in the Church, from the first conversion of the Gentiles; but they are all that I can for the present call to mind; and if a man would well observe that which is delivered in the histories, concerning the religious rites of the Greeks and Romans, I doubt not but he might find many more of these old empty bottles of Gentilism, which the doctors of the Roman Church, either by negligence or ambition, have filled up again with the new wine of Christianity, that will not fail in time to break them.

## CHAPTER XLVI.

### *Of Darkness from Vain Philosophy and Fabulous Traditions.*

BY "Philosophy" is understood "the knowledge acquired by reasoning, from the manner of the generation of anything, to the properties: or from the properties, to some possible way of generation of the same; to the end to be able to produce, as far as matter and human force permit, such effects as human life requireth." So the geometrician, from the construction of figures, findeth out many properties thereof; and from the properties, new



ways of their construction, by reasoning ; to the end to be able to measure land and water ; and for infinite other uses. So the astronomer, from the rising, setting, and moving of the sun and stars, in divers parts of the heavens, findeth out the causes of day and night, and of the different seasons of the year ; whereby he keepeth an account of time ; and the like of other sciences.

By which definition it is evident that we are not to account as any part thereof that original knowledge called experience, in which consisteth prudence ; because it is not attained by reasoning, but found as well in brute beasts as in man ; and is but a memory of successions of events in times past, wherein the omission of every little circumstance altering the effect, frustrateth the expectation of the most prudent : whereas nothing is produced by reasoning aright, but general, eternal, and immutable truth.

Nor are we therefore to give that name to any false conclusions : for he that reasoneth aright in words he understandeth, can never conclude an error :

Nor to that which any man knows by supernatural revelation ; because it is not acquired by reasoning :

Nor that which is gotten by reasoning from the authority of books ; because it is not by reasoning from the cause to the effect, nor from the effect to the cause ; and is not knowledge but faith.

The faculty of reasoning being consequent to the use of speech, it was not possible but that there should have been some general truths found out by reasoning, as ancient almost as language itself. The savages of America are not without some good moral sentences ; also they have a little arithmetic, to add, and divide in numbers not too great : but they are not, therefore, philosophers. For as there were plants of corn and wine in small quantity dispersed in the fields and woods, before men knew their virtue, or made use of them for their nourishment, or planted them apart in fields and vineyards ; in which time they fed on acorns and drank water ; so also there have been divers true, general, and profitable speculations from the beginning ; as being the natural plants of human reason. But they were at first but few in number ; men lived upon gross experience, there was no method ; that is to say, no sowing, nor planting of knowledge by itself, apart from the weeds, and common plants of error and conjecture. And the cause of it being the want of leisure from procuring the necessities of life, and defending themselves against their neighbours, it was impossible, till the erecting of great commonwealths, it should be otherwise. "Leisure" is the mother of "philosophy," and "Commonwealth" the mother of "peace" and "leisure." Where first were great and flourishing cities, there was first the study of "philosophy." The Gymnosophists of India, the Magi of Persia, and the Priests of Chaldea and Egypt, are counted the most ancient philosophers ; and those countries were the most ancient of kingdoms. "Philosophy" was not risen to the Grecians, and other people of the west, whose "commonwealths," no greater perhaps than Lucca or Geneva, had never "peace," but when their fears of one another were equal ; nor the "leisure" to observe anything but one another. At length, when war had united many of these Grecian lesser cities into fewer and greater, then began "seven men," of several parts of Greece, to get the reputation of being "wise ;" some of them for "moral" and "politic" sentences, and others for the learning of the Chaldeans and Egyptians, which was "astronomy" and "geometry." But we hear not yet of any "schools" of "philosophy."

After the Athenians, by the overthrow of the Persian armies, had gotten the dominion of the sea ; and thereby of all the islands and maritime cities of the Archipelago, as well of Asia as Europe ; and were grown weakly ;

they that had no employment, neither at home nor abroad, had little else to employ themselves in, but either (as St. Luke says, Acts xvii. 21) "in telling and hearing news," or in discoursing of "philosophy" publicly to the youth of the city. Every master took some place for that purpose. Plato, in certain public walks called Academia, from one Academus: Aristotle in the walk of the temple of Pan, called Lyceum: others in the Stoa, or covered walk, wherein the merchants' goods were brought to land: others in other places; where they spent the time of their leisure in teaching or in disputing of their opinions: and some in any place where they could get the youth of the city together to hear them talk. And this was it which Carneades also did at Rome, when he was ambassador: which caused Cato to advise the senate to dispatch him quickly, for fear of corrupting the manners of the young men, that delighted to hear him speak, as they thought, fine things.

From this it was that the place where any of them taught and disputed was called *schola*, which in their tongue signifieth "leisure;" and their disputations, *diatribæ*, that is to say, "passing of the time." Also the philosophers themselves had the name of their sects, some of them from these their schools: for they that followed Plato's doctrine were called Academics; the followers of Aristotle Peripatetics, from the walk he taught in; and those that Zeno taught Stoics, from the Stoa; as if we should denominate men from Moorfields, from Paul's Church, and from the Exchange, because they meet there often to prate and loiter.

Nevertheless, men were so much taken with this custom that in time it spread itself over all Europe and the best part of Africa; so as there were schools publicly erected and maintained, for lectures and disputations, almost in every commonwealth.

There were also schools, anciently, both before and after the time of our Saviour, amongst the Jews; but they were schools of their law. For though they were called "synagogues," that is to say, congregations of the people; yet, inasmuch as the law was every Sabbath-day read, expounded, and disputed in them, they differed not in nature, but in name only, from public schools; and were not only in Jerusalem, but in every city of the Gentiles where the Jews inhabited. There was such a school at Damascus, wherinto Paul entered to persecute. There were others at Antioch, Iconium, and Thessalonica, wherinto he entered to dispute: and such was the synagogue of the Libertines, Cyrenians, Alexandrians, Cilicians, and those of Asia; that is to say, the school of Libertines, and of Jews that were strangers in Jerusalem; and of this school they were that disputed (Acts vi. 9) with St. Stephen.

But what has been the utility of those schools? What science is there at this day acquired by their reading and disputings? That we have of geometry, which is the mother of all natural science, we are not indebted for it to the schools. Plato, that was the best philosopher of the Greeks, forbade entrance into his school to all that were not already in some measure geometricians. There were many that studied that science to the great advantage of mankind: but there is no mention of their schools; nor was there any sect of geometricians; nor did they then pass under the name of philosophers. The natural philosophy of those schools was rather a dream than science, and set forth in senseless and insignificant language; which cannot be avoided by those that will teach philosophy without having first attained great knowledge in geometry. For Nature worketh by motion; the ways and degrees whereof cannot be known, without the knowledge of the proportions and properties of lines and figures. Their moral philosophy is but a description of their own passions. For the rule of manners, without civil government, is the law of Nature; and in it the law civil, that deter-

mineth what is "honest" and "dishonest," what is "just" and "unjust," and generally what is "good" and "evil." Whereas they make the rules of "good" and "bad" by their own "liking" and "disliking:" by which means, in so great diversity of taste, there is nothing generally agreed on; but every one doth, as far as he dares, whatsoever seemeth good in his own eyes, to the subversion of commonwealth. Their "logic," which should be the method of reasoning, is nothing else but captious of words, and inventions how to puzzle such as should go about to pose them. To conclude, there is nothing so absurd that the old philosophers, as Cicero saith (who was one of them), have not some of them maintained. And I believe that scarce anything can be more absurdly said in natural philosophy than that which now is called "Aristotle's Metaphysics;" nor more repugnant to government than much of that he hath said in his "Politics;" nor more ignorantly than a great part of his "Ethics."

The school of the Jews was originally a school of the Law of Moses, who commanded (Deut. xxxi. 10) that at the end of every seventh year, at the Feast of the Tabernacles, it should be read to all the people, that they might hear and learn it. Therefore the reading of the Law, which was in use after the Captivity, every Sabbath-day, ought to have had no other end but the acquainting of the people with the Commandments which they were to obey, and to expound unto them the writings of the prophets. But it is manifest, by the many reprehensions of them by our Saviour, that they corrupted the text of the Law with their false commentaries and vain traditions; and so little understood the prophets, that they did neither acknowledge Christ, nor the works He did, of which the prophets prophesied. So that by their lectures and disputations in their synagogues, they turned the doctrine of their Law into a fantastical kind of philosophy, concerning the incomprehensible nature of God and of spirits; which they compounded of the vain philosophy and theology of the Grecians, mingled with their own fancies, drawn from the obscurer places of the Scripture, and which might most easily be wrested to their purpose; and from the fabulous traditions of their ancestors.

That which is now called an University, is a joining together, and an incorporation under one government of many public schools in one and the same town or city. In which, the principal schools were ordained for the three professions, that is to say, of the Roman religion, of the Roman law, and of the art of medicine. And for the study of philosophy, it hath no otherwise place than as a handmaid to the Roman religion: and since the authority of Aristotle is only current there, that study is not properly philosophy (the nature whereof dependeth not on authors), but "Aristotelity." And for geometry, till of very late time it had no place at all; as being subservient to nothing but rigid truth. And if any man, by the ingenuity of his own nature, had attained to any degree of perfection therein, he was commonly thought a magician, and his art diabolical.

Now to descend to the particular tenets of vain philosophy, derived to the Universities, and thence into the Church, partly from Aristotle, partly from blindness of understanding; I shall first consider their principles. There is a certain *philosophia prima*, on which all other philosophy ought to depend; and consisteth, principally, in right limiting of the significations of such appellations or names as are of all others the most universal; which limitations serve to avoid ambiguity and equivocation in reasoning; and are commonly called definitions; such as are the definitions of body, time, place, matter, form, essence, subject, substance, accident, power, act, finite, infinite, quantity, quality, motion, action, passion, and divers others, necessary to the explaining of a man's conceptions concerning the nature and generation of bodies. The explication, that is, the settling of the

meaning, of which, and the like terms, is commonly in the schools called "metaphysics;" as being a part of the philosophy of Aristotle, which hath that for title. But it is in another sense; for there it signifieth as much as "books written or placed after his natural philosophy:" but the schools take them for "books of supernatural philosophy;" for the word "metaphysics" will bear both these senses. And indeed that which is there written is for the most part so far from the possibility of being understood, and so repugnant to natural reason, that whosoever thinketh there is anything to be understood by it, must needs think it supernatural.

From these metaphysics, which are mingled with the Scripture to make school divinity, we are told there be in the world certain essences separated from bodies, which they call "abstract essences," and "substantial forms." For the interpreting of which jargon, there is need of somewhat more than ordinary attention in this place. Also I ask pardon of those that are not used to this kind of discourse, for applying myself to those that are. The world (I mean not the earth only, that denominates the lovers of it "worldly men," but the "universe," that is, the whole mass of all things that are), is corporeal, that is to say, body; and hath the dimensions of magnitude, namely, length, breadth, and depth: also every part of body is likewise body, and hath the like dimensions; and consequently every part of the universe is body, and that which is not body is no part of the universe: and because the universe is all, that which is no part of it is "nothing;" and consequently "nowhere." Nor does it follow from hence that spirits are "nothing:" for they have dimensions, and are therefore really "bodies;" though that name in common speech be given to such bodies only as are visible, or palpable; that is, that have some degree of opacity. But for spirits, they call them incorporeal; which is a name of more honour, and may therefore with more piety be attributed to God himself; in whom we consider not what attribute expresseth best His nature, which is incomprehensible; but what best expresseth our desire to honour Him.

To know now upon what grounds they say there be "essences abstract," or "substantial forms," we are to consider what those words do properly signify. The use of words is to register to ourselves, and make manifest to others, the thoughts and conceptions of our minds. Of which words, some are the names of the things conceived; as the names of all sorts of bodies, that work upon the senses and leave an impression in the imagination. Others are the names of the imaginations themselves; that is to say, of those ideas or mental images we have of all things we see, or remember. And others again are names of names; or of different sorts of speech: as "universal," "plural," "singular," are the names of names; and "definition," "affirmation," "negation," "true," "false," "syllogism," "interrogation," "promise," "covenant," are the names of certain forms of speech. Others serve to show the consequence or repugnance of one name to another; as when one saith, "a man is a body," he intendeth that the name of "body" is necessarily consequent to the name of "man;" as being but several names of the same thing, "man;" which consequence is signified by coupling them together with the word "is." And as we use the verb "is," so the Latins use their verb "est," and the Greeks their *ἔστι* through all its declinations. Whether all other nations of the world have in their several languages a word that answereth to it, or not, I cannot tell; but I am sure they have not need of it. For the placing of two names in order may serve to signify their consequence, if it were the custom (for custom is it that gives words their force), as well as the words "is," or "be," or "are," and the like.

And if it were so, that there were a language without any verb answerable to "est," or "is," or "be;" yet the men that used it would be not a jot the

less capable of inferring, concluding, and of all kind of reasoning, than were the Greeks and Latins. But what then would become of these terms of "entity," "essential," "essentiality," that are derived from it, and of many more that depend on these, applied as most commonly they are? They are therefore no names of things; but signs, by which we make known that we conceive the consequence of one name or attribute to another: as when we say, "a man is a living body," we mean not that the "man" is one thing, the "living body" another, and the "is" or "being" a third; but that the "man" and the "living body" is the same thing; because the consequence, "if he be a man, he is a living body," is a true consequence, signified by that word "is." Therefore, "to be a body," "to walk," "to be speaking," "to live," "to see," and the like infinitives; also "corporeity," "walking," "speaking," "life," "sight," and the like, that signify just the same, are the names of "nothing;" as I have elsewhere more amply expressed.

But to what purpose, may some men say, is such subtlety in a work of this nature, where I pretend to nothing but what is necessary to the doctrine of government and obedience? It is to this purpose that men may no longer suffer themselves to be abused by them that by this doctrine of "separated essences," built on the vain philosophy of Aristotle, would fright them from obeying the laws of their country, with empty names; as men fright birds from the corn with an empty doublet, a hat, and a crooked stick. For it is upon this ground that when a man is dead and buried, they say his soul, that is his life, can walk separated from his body, and is seen by night amongst the graves. Upon the same ground they say that the figure, and colour, and taste of a piece of bread has a being there where they say there is no bread. And upon the same ground they say that faith, and wisdom, and other virtues, are sometimes "poured" into a man, sometimes "blown" into him from heaven, as if the virtuous and their virtues could be asunder; and a great many other things that serve to lessen the dependence of subjects on the sovereign power of their country. For who will endeavour to obey the laws, if he expect obedience to be poured or blown into him? Or who will not obey a priest that can make God, rather than his sovereign, nay, than God himself? Or who, that is in fear of ghosts, will not bear great respect to those that can make the holy water that drives them from him? And this shall suffice for an example of the errors which are brought into the Church from the "entities" and "essences" of Aristotle, which it may be he knew to be false philosophy, but writ it as a thing consonant to and corroborative of their religion, and fearing the fate of Socrates.

Being once fallen into this error of "separated essences," they are thereby necessarily involved in many other absurdities that follow it. For seeing they will have these forms to be real, they are obliged to assign them "some place." But because they hold them incorporeal, without all dimension of quantity, and all men know that place is dimension, and not to be filled but by that which is corporeal, they are driven to uphold their credit with a distinction, that they are not indeed anywhere "circumscriptivè," but "definitivè," which terms being mere words, and in this occasion insignificant, pass only in Latin, that the vanity of them may be concealed. For the circumscription of a thing is nothing else but the determination or defining of its place; and so both the terms of the distinction are the same. And in particular, of the essence of a man, which, they say, is his soul, they affirm it to be all of it in his little finger, and all of it in every other part, how small soever, of his body, and yet no more soul in the whole body than in any one of those parts. Can any man think that God is served with such absurdities? And yet all this is necessary to believe to those that will believe the existence of an incorporeal soul separated from the body.

And when they come to give account how an incorporeal substance can be capable of pain, and be tormented in the fire of hell or purgatory, they have nothing at all to answer, but that it cannot be known how fire can burn souls.

Again, whereas motion is change of place, and incorporeal substances are not capable of place, they are troubled to make it seem possible how a soul can go hence, without the body, to heaven, hell, or purgatory; and how the ghosts of men, and I may add of their clothes which they appear in, can walk by night in churches, churchyards, and other places of sepulture. To which I know not what they can answer, unless they will say they walk "definitivè," not "circumscriptivè," or "spiritually," not "temporally," for such egregious distinctions are equally applicable to any difficulty whatsoever.

For the meaning of "eternity," they will not have it to be an endless succession of time, for then they should not be able to render a reason how God's will, and pre-ordaining of things to come, should not be before His prescience of the same, as the efficient cause before the effect, or agent before the action; nor of many other their bold opinions concerning the incomprehensible nature of God. But they will teach us that eternity is the standing still of the present time, a *nunc-stans*, as the schools call it; which neither they nor any else understand, no more than they would a *hic-stans* for an infinite greatness of place.

And whereas men divide a body in their thought, by numbering parts of it and, in numbering those parts, number also the parts of the place it filled; it cannot be, but in making many parts, we make also many places of those parts: whereby there cannot be conceived in the mind of any man, more or fewer parts than there are places for: yet they will have us believe that by the almighty power of God, one body may be at one and the same time in many places; and many bodies at one and the same time in one place; as if it were an acknowledgment of the Divine Power to say, that which is, is not: or that which has been, has not been. And these are but a small part of the incongruities they are forced to, from their disputing philosophically, instead of admiring and adoring of the divine and incomprehensible nature; whose attributes cannot signify what He is, but ought to signify our desire to honour Him with the best appellations we can think on. But they that venture to reason of His nature from these attributes of honour, losing their understanding in the very first attempt, fall from one inconvenience into another, without end, and without number; in the same manner, as when a man ignorant of the ceremonies of court, coming into the presence of a greater person than he is used to speak to, and stumbling at his entrance, to save himself from falling, lets slip his cloak; to recover his cloak, lets fall his hat; and with one disorder after another, discovers his astonishment and rusticity.

Then for "physics," that is, the knowledge of the subordinate and secondary causes of natural events; they render none at all, but empty words. If you desire to know why some kind of bodies sink naturally downwards toward the earth, and others go naturally from it, the schools will tell you out of Aristotle, that the bodies that sink downwards are "heavy," and that this heaviness is it that causes them to descend. But if you ask what they mean by "heaviness," they will define it to be an endeavour to go to the centre of the earth. So that the cause why things sink downward, is an endeavour to be below; which is as much as to say, that bodies descend, or ascend, because they do. Or they will tell you the centre of the earth is the place of rest, and conservation for heavy things; and therefore they endeavour to be there: as if stones and metals had a desire, or could discern the place they would be at, as man does; or loved

rest, as man does not ; or that a piece of glass were less safe in the window than falling into the street.

If we would know why the same body seems greater, without adding to it, one time than another, they say, when it seems less, it is "condensed ;" when greater, "rarified." What is that "condensed," and "rarified ?" Condensed is when there is in the very same matter, less quantity than before, and rarified, when more. As if there could be matter that had not some determined quantity ; when quantity is nothing else but the determination of matter ; that is to say, of body, by which we say, one body is greater or lesser than another, by thus or thus much. Or as if a body were made without any quantity at all, and that afterwards more or less were put into it, according as it is intended the body should be more or less dense.

For the cause of the soul of man, they say, *creatur infundendo*, and *creando infunditur* : that is, "it is created by pouring it in," and "poured in by creation."

For the cause of sense, an ubiquity of "species ;" that is, of the "shows" or "apparitions" of objects ; which when they be apparitions to the eye, is "sight ;" when to the ear, "hearing ;" to the palate, "taste ;" to the nostril, "smelling ;" and to the rest of the body, "feeling."

For cause of the will, to do any particular action, which is called *volitio*, they assign the faculty, that is to say, the capacity in general, that men have to will sometimes one thing, sometimes another, which is called *voluntas* ; making the "power" the cause of the "act." As if one should assign for cause of the good or evil acts of men, their ability to do them.

And in many occasions they put for cause of natural events their own ignorance ; but disguised in other words : as when they say, fortune is the cause of things contingent ; that is, of things whereof they know no cause : and as when they attribute many effects to "occult qualities ;" that is, qualities not known to them ; and therefore also, as they think, to no man else. And to "sympathy," "antipathy," "antiperistasis," "specifical qualities," and other like terms, which signify neither the agent that produceth them, nor the operation by which they are produced.

If such "metaphysics" and "physics" as this, be not "vain philosophy," there was never any ; nor needed St. Paul to give us warning to avoid it.

And for their moral and civil philosophy, it hath the same, or greater absurdities. If a man do an action of injustice, that is to say, an action contrary to the law, God they say is the prime cause of the law, and also the prime cause of that, and all other actions ; but no cause at all of the injustice ; which is the inconformity of the action to the law. This is vain philosophy. A man might as well say, that one man maketh both a straight line and a crooked, and another maketh their incongruity. And such is the philosophy of all men that resolve of their conclusions, before they know their premises ; pretending to comprehend that which is incomprehensible ; and of attributes of honour to make attributes of nature ; as this distinction was made to maintain the doctrine of free-will, that is, of a will of man not subject to the will of God.

Aristotle, and other heathen philosophers, define good and evil by the appetite of men ; and well enough, as long as we consider them governed every one by his own law ; for in the condition of men that have no other law but their own appetites, there can be no general rule of good and evil actions. But in a commonwealth this measure is false : not the appetite of private men, but the law, which is the will and appetite of the state, is the measure. And yet is this doctrine still practised ; and men judge the goodness or wickedness of their own, and of other men's actions, and of the

actions of the commonwealth itself, by their own passions; and no man calleth good or evil, but that which is so in his own eyes, without any regard at all to the public laws; except only monks and friars, that are bound by vow to that simple obedience to their superior, to which every subject ought to think himself bound by the law of Nature to the civil sovereign. And this private measure of good, is a doctrine, not only vain, but also pernicious to the public state.

It is also vain and false philosophy, to say the work of marriage is repugnant to chastity, or continence, and by consequence to make them moral vices; as they do, that pretend chastity, and continence, for the ground of denying marriage to the clergy. For they confess it is no more but a constitution of the Church, that requireth in those holy orders that continually attend the altar and administration of the Eucharist, a continual abstinence from women, under the name of continual chastity, continence, and purity. Therefore they call the lawful use of wives, want of chastity and continence; and so make marriage a sin, or at least a thing so impure and unclean, as to render a man unfit for the altar. If the law were made because the use of wives is incontinence, and contrary to chastity, then all marriage is vice: if because it is a thing too impure and unclean, for a man consecrated to God; much more should other natural, necessary, and daily works which all men do, render men unworthy to be priests, because they are more unclean.

But the secret foundation of this prohibition of marriage of priests is not likely to have been laid so slightly, as upon such errors in moral philosophy; nor yet upon the preference of single life, to the estate of matrimony; which proceeded from the wisdom of St. Paul, who perceived how inconvenient a thing it was for those that in those times of persecution were preachers of the Gospel, and forced to fly from one country to another, to be clogged with the care of wife and children; but upon the design of the Popes, and priests of after times, to make themselves the clergy, that is to say, sole heirs of the kingdom of God in this world; to which it was necessary to take from them the use of marriage; because our Saviour saith, that at the coming of His kingdom the children of God "shall neither marry, nor be given in marriage, but shall be as the angels in heaven;" that is to say, spiritual. Seeing then they had taken on them the name of spiritual, to have allowed themselves, when there was no need, the propriety of wives, had been an incongruity.

From Aristotle's civil philosophy, they have learned to call all manner of commonwealths but the popular (such as was at that time the state of Athens), tyranny. All kings they called tyrants; and the aristocracy of the thirty governors set up there by the Lacedemonians that subdued them, the thirty tyrants. As also to call the condition of the people under the democracy, "liberty." "A tyrant" originally signified no more simply, but a "monarch." But when afterwards in most part of Greece that kind of government was abolished, the name began to signify, not only the thing it did before, but with it the hatred which the popular states bare towards it. As also the name of king became odious after the deposing of the kings in Rome, as being a thing natural to all men, to conceive some great fault to be signified in any attribute that is given in despite, and to a great enemy. And when the same men shall be displeased with those that have the administration of the democracy, or aristocracy, they are not to seek for disgraceful names to express their anger in; but call readily the one "anarchy," and the other "oligarchy," or the "tyranny of a few." And that which offendeth the people is no other thing, but that they are governed, not as every one of them would himself, but as the public representant, be it one man, or an assembly of men, thinks fit; that is, by an



**arbitrary government:** for which they give evil names to their superiors; never knowing, till perhaps a little after a civil war, that without such arbitrary government such war must be perpetual; and that it is men and arms, not words and promises, that make the force and power of the laws.

And therefore this is another error of Aristotle's politics, that in a well-ordered commonwealth, not men should govern, but the laws. What man, that has his natural senses, though he can neither write nor read, does not find himself governed by them he fears, and believes can kill or hurt him when he obeyeth not? Or that believes the law can hurt him; that is, words and paper, without the hands and swords of men? And this is of the number of pernicious errors: for they induce men, as oft as they like not their governors, to adhere to those that call them tyrants, and to think it lawful to raise war against them: and yet they are many times cherished from the pulpit, by the clergy.

There is another error in their civil philosophy, which they never learned of Aristotle, nor Cicero, nor any other of the heathen, to extend the power of the law, which is the rule of actions only, to the very thoughts and consciences of men, by examination, and "inquisition" of what they hold, notwithstanding the conformity of their speech and actions. By which, men are either punished for answering the truth of their thoughts, or constrained to answer an untruth for fear of punishment. It is true, that the civil magistrate, intending to employ a minister in the charge of teaching, may inquire of him, if he be content to preach such and such doctrines; and in case of refusal, may deny him the employment. But to force him to accuse himself of opinions, when his actions are not by law forbidden, is against the law of Nature; and especially in them who teach that a man shall be damned to eternal and extreme torments, if he die in a false opinion concerning an article of the Christian faith. For who is there, that knowing there is so great danger in an error, whom the natural care of himself compelleth not to hazard his soul upon his own judgment, rather than that of any other man that is unconcerned in his damnation?

For a private man, without the authority of the commonwealth, that is to say, without permission from the representant thereof, to interpret the law by his own spirit, is another error in the politics; but not drawn from Aristotle nor from any other of the heathen philosophers. For none of them deny, but that in the power of making laws is comprehended also the power of explaining them when there is need. And are not the Scriptures, in all places where they are law, made law by the authority of the commonwealth, and consequently a part of the civil law?

Of the same kind it is also, when any but the sovereign restraineth in any man that power which the commonwealth hath not restrained; as they do, that impropriate the preaching of the Gospel to one certain order of men, where the laws have left it free. If the state give me leave to preach, or teach; that is, if it forbid me not, no man can forbid me. If I find myself amongst the idolaters of America, shall I that am a Christian, though not in orders, think it a sin to preach Jesus Christ, till I have received orders from Rome? Or when I have preached, shall not I answer their doubts, and expound the Scriptures to them; that is, shall I not teach? But for this may some say, as also for administering to them the sacraments, the necessity shall be esteemed for a sufficient mission; which is true: but this is true also, that for whatsoever a dispensation is due for the necessity, for the same there needs no dispensation, when there is no law that forbids it. Therefore to deny these functions to those to whom the civil sovereign hath not denied them, is a taking away of a lawful liberty, which is contrary to the doctrine of civil government.

More examples of vain philosophy, brought into religion by the doctors

of school divinity, might be produced; but other men may if they please observe them of themselves. I shall only add this, that the writings of school divines, are nothing else for the most part but insignificant trains of strange and barbarous words, or words otherwise used, than in the common use of the Latin tongue; such as would pose Cicero, and Varro, and all the grammarians of ancient Rome. Which if any man would see proved, let him, as I have said once before, see whether he can translate any school divine into any of the modern tongues, as French, English, or any other copious language: for that which cannot in most of these be made intelligible, is not intelligible in the Latin. Which insignificancy of language, though I cannot note it for false philosophy; yet it hath a quality, not only to hide the truth, but also to make men think they have it, and desist from further search.

Lastly, for the errors brought in from false or uncertain history, what is all the legend of fictitious miracles, in the lives of the saints; and all the histories of apparitions and ghosts, alleged by the doctors of the Roman Church, to make good their doctrines of hell and purgatory, the power of exorcism, and other doctrines which have no warrant, neither in reason, nor Scripture; as also all those traditions which they call the unwritten word of God: but old wives' fables? Whereof, though they find dispersed somewhat in the writings of the ancient fathers; yet those fathers were men that might too easily believe false reports; and the producing of their opinions for testimony of the truth of what they believed, hath no other force with them that, according to the counsel of St. John (1 Epist. iv. 1), examine spirits, than in all things that concern the power of the Roman Church (the abuse whereof either they suspected not, or had benefit by it), to discredit their testimony, in respect of too rash belief of reports; which the most sincere men, without great knowledge of natural causes, such as the fathers were, are commonly the most subject to. For naturally, the best men are the least suspicious of fraudulent purposes. Gregory the Pope and St. Bernard have somewhat of apparitions of ghosts, that said they were in purgatory; and so has our Rede: but nowhere, I believe, but by report from others. But if they, or any other, relate any such stories of their own knowledge, they shall not thereby confirm the more such vain reports; but discover their own infirmity, or fraud.

With the introduction of false, we may join also the suppression of true philosophy, by such men, as neither by lawful authority nor sufficient study, are competent judges of the truth. Our own navigations make manifest, and all men learned in human sciences now acknowledge, there are antipodes: and every day it appeareth more and more that years and days are determined by motions of the earth. Nevertheless, men that have in their writings but supposed such doctrine, as an occasion to lay open the reasons for and against it, have been punished for it by authority ecclesiastical. But what reason is there for it? Is it because such opinions are contrary to true religion? That cannot be, if they be true. Let therefore the truth be first examined by competent judges, or confuted by them that pretend to know the contrary. Is it because they be contrary to the religion established? Let them be silenced by the laws of those to whom the teachers of them are subject; that is, by the laws civil. For disobedience may lawfully be punished in them that against the laws teach even true philosophy. Is it because they tend to disorder in government, as countenancing rebellion or sedition? Then let them be silenced, and the teachers punished by virtue of his power to whom the care of the public quiet is committed; which is the authority civil. For whatsoever power ecclesiastics take upon themselves (in any place where they are subject to the state), in their own right, though they call it God's right, is but usurpation.

## CHAPTER XLVII.

*Of the Benefit that proceedeth from such Darkness, and to whom it accrueeth.*

CICERO maketh honourable mention of one of the Cassii, a severe judge amongst the Romans, for a custom he had, in criminal causes, when the testimony of the witnesses was not sufficient, to ask the accusers, *cui bono*; that is to say, what profit, honour, or other contentment the accused obtained or expected by the fact. For amongst presumptions, there is none that so evidently declareth the author as doth the benefit of the action. By the same rule I intend in this place to examine who they may be that have possessed the people so long in this part of Christendom with these doctrines, contrary to the peaceable societies of mankind.

And first, to this error, "that the present Church, now militant on earth, is the kingdom of God" (that is, the kingdom of glory, or the land of promise; not the kingdom of grace, which is but a promise of the land), are annexed these worldly benefits; first, that the pastors and teachers of the Church are entitled thereby, as God's public ministers, to a right of governing the Church; and consequently, because the Church and commonwealth are the same persons, to be rectors and governors of the commonwealth. By this title it is that the Pope prevailed with the subjects of all Christian princes to believe that to disobey him was to disobey Christ himself; and in all differences between him and other princes (charmed with the word "power spiritual"), to abandon their lawful sovereigns; which is in effect an universal monarchy over all Christendom. For though they were first invested in the right of being supreme teachers of Christian doctrine, by and under Christian emperors, within the limits of the Roman empire, as is acknowledged by themselves, by the title of Pontifex Maximus, who was an officer subject to the civil state; yet, after the empire was divided and dissolved, it was not hard to obtrude upon the people already subjected to them, another title, namely, the right of St. Peter, not only to save entire their pretended power, but also to extend the same over the same Christian provinces, though no more united in the empire of Rome. This benefit of an universal monarchy (considering the desire of men to bear rule), is a sufficient presumption that the Popes that pretended to it, and for a long time enjoyed it, were the authors of the doctrine by which it was obtained, namely, that the Church now on earth is the kingdom of Christ. For that granted, it must be understood that Christ hath some lieutenant amongst us, by whom we are to be told what are His commandments.

After that certain Churches had renounced this universal power of the Pope, one would expect in reason that the civil sovereigns in all those Churches should have recovered so much of it, as before they had unadvisedly let it go, was their own right, and in their own hands. And in England it was so in effect; saving that they, by whom the kings administered the government of religion by maintaining their employment to be in God's right, seemed to usurp, if not a supremacy, yet an independency on the civil power, and they but seemed to usurp it, inasmuch as they acknowledged a right in the king to deprive them of the exercise of their functions at his pleasure.

But in those places where the presbytery took that office, though many other doctrines of the Church of Rome were forbidden to be taught, yet this doctrine, that the kingdom of Christ is already come, and that it began at

the resurrection of our Saviour, was still retained. But *cui bono?* What profit did they expect from it? The same which the Popes expected: to have a sovereign power over the people. For what is it for men to excommunicate their lawful king, but to keep him from all places of God's public service in his own kingdom, and with force to resist him when he with force endeavoureth to correct them? Or what is it, without authority from the civil sovereign, to excommunicate any person, but to take from him his lawful liberty, that is, to usurp an unlawful power over their brethren? The authors therefore of this darkness in religion are the Roman and the presbyterian clergy.

To this head I refer also all those doctrines that serve them to keep the possession of this spiritual sovereignty after it is gotten. As first, that the "Pope in his public capacity cannot err." For who is there, that believing this to be true, will not readily obey him in whatsoever he commands?

Secondly, that all other bishops, in what commonwealth soever, have not their right, neither immediately from God, nor mediately from their civil sovereigns, but from the Pope, is a doctrine by which there comes to be in every Christian commonwealth many potent men (for so are bishops), that have their dependence on the Pope, and owe obedience to him, though he be a foreign prince; by which means he is able, as he hath done many times, to raise a civil war against the state that submits not itself to be governed accordingly to his pleasure and interest.

Thirdly, the exemption of these, and of all other priests, and of all monks and friars, from the power of the civil laws. For by this means there is a great part of every commonwealth that enjoy the benefit of the laws, and are protected by the power of the civil state, which nevertheless pay no part of the public expense; nor are liable to the penalties, as other subjects, due to their crimes; and consequently, stand not in fear of any man but the Pope; and adhere to him only, to uphold his universal monarchy.

Fourthly, the giving to their priests, which is no more in the New Testament but presbyters, that is, elders, the name of *sacerdotes*, that is, sacrificers, which was the title of the civil sovereign, and his public ministers, amongst the Jews, whilst God was their king. Also, the making the Lord's Supper a sacrifice, serveth to make the people believe the Pope hath the same power over all Christians that Moses and Aaron had over the Jews; that is to say, all power, both civil and ecclesiastical, as the high priest then had.

Fifthly, the teaching that matrimony is a sacrament, giveth to the clergy the judging of the lawfulness of marriages; and thereby, of what children are legitimate; and consequently, of the right of succession to hereditary kingdoms.

Sixthly, the denial of marriage to priests, serveth to assure this power of the Pope over kings. For if a king be a priest he cannot marry, and transmit his kingdom to his posterity; if he be not a priest, then the Pope pretendeth this authority ecclesiastical over him, and over his people.

Seventhly, from auricular confession, they obtain for the assurance of their power, better intelligence of the designs of princes and great persons in the civil state, than these can have of the designs of the estate ecclesiastical.

Eighthly, by the canonization of saints, and declaring who are martyrs, they assure their power, in that they induce simple men into an obstinacy against the laws and commands of their civil sovereigns even to death, if by the Pope's excommunication they be declared heretics or enemies to the Church; that is, as they interpret it to the Pope.

Ninthly, they assure the same by the power they ascribe to every priest,

of making Christ ; and by the power of ordaining penance ; and of remitting and retaining of sins.

Tenthly, by the doctrine of purgatory, of justification by external works, and of indulgences, the clergy is enriched.

Eleventhly, by their demonology, and the use of exorcism, and other things appertaining thereto, they keep, or think they keep, the people more in awe of their power.

Lastly, the metaphysics, ethics, and politics of Aristotle, the frivolous distinctions, barbarous terms, and obscure language of the schoolmen, taught in the universities, which have been all erected and regulated by the Pope's authority, serve them to keep these errors from being detected, and to make men mistake the *ignis fatuus* of vain philosophy for the light of the Gospel.

To these, if they sufficed not, might be added other of their dark doctrines, the profit whereof redoundeth manifestly to the setting up of an unlawful power over the lawful sovereigns of Christian people ; or for the sustaining of the same, when it is set up ; or to the worldly riches, honour, and authority of those that sustain it. And therefore by the aforesaid rule of *cui bono* we may justly pronounce for the authors of all this spiritual darkness, the Pope and Roman clergy, and all those besides that endeavour to settle in the minds of men this erroneous doctrine that the Church now on earth is that kingdom of God mentioned in the Old and New Testament.

But the emperors, and other Christian sovereigns, under whose government these errors, and the like encroachments of ecclesiastics upon their office, at first crept in, to the disturbance of their possessions and of the tranquillity of their subjects, though they suffered the same for want of foresight of the sequel, and of insight into the designs of their teachers, may nevertheless be esteemed accessories to their own and the public damage. For without their authority there could at first no seditious doctrine have been publicly preached. I say they might have hindered the same in the beginning : but when the people were once possessed by those spiritual men there was no human remedy to be applied, that any man could invent. And for the remedies that God should provide, who never faileth in His good time to destroy all the machinations of men against the truth, we are to attend His good pleasure, that suffereth many times the prosperity of His enemies, together with their ambition, to grow to such a height as the violence thereof openeth the eyes, which the wariness of their predecessors had before sealed up, and makes men by too much grasping let go all, as Peter's net was broken by the struggling of too great a multitude of fishes ; whereas the impatience of those that strive to resist such encroachment before their subjects' eyes were opened, did but increase the power they resisted. I do not therefore blame the emperor Frederick for holding the stirrup to our countryman Pope Adrian ; for such was the disposition of his subjects then, as if he had not done it, he was not likely to have succeeded in the empire. But I blame those that in the beginning, when their power was entire, by suffering such doctrines to be forged in the universities of their own dominions, have holden the stirrup to all the succeeding Popes, whilst they mounted into the thrones of all Christian sovereigns, to ride and tire both them and their people at their pleasure.

But as the inventions of men are woven, so also are they unravelled out ; the way is the same, but the order is inverted. The web begins at the first elements of power, which are wisdom, humility, sincerity, and other virtues of the Apostles, whom the people, converted, obeyed out of reverence, not by obligation. Their consciences were free, and their words and actions subject to none but the civil power. Afterwards the presbyters, as the

flocks of Christ increased, assembling to consider what they should teach, and thereby obliging themselves to teach nothing against the decrees of their assemblies, made it to be thought the people were thereby obliged to follow their doctrine, and when they refused, refused to keep them company (that was then called excommunication), not as being infidels, but as being disobedient : and this was the first knot upon their liberty. And the number of presbyters increasing, the presbyters of the chief city or province got themselves an authority over the parochial presbyters, and appropriated to themselves the names of bishops : and this was a second knot on Christian liberty. Lastly, the Bishop of Rome, in regard of the imperial city, took upon him an authority (partly by the wills of the emperors themselves, and by the title of Pontifex Maximus, and at last when the emperors were grown weak by the privileges of St. Peter), over all other bishops of the empire : which was the third and last knot, and the whole "synthesis" and "construction" of the pontifical power.

And therefore the "analysis," or "resolution," is by the same way ; but beginneth with the knot that was last tied ; as we may see in the dissolution of the præterpolitical Church government in England. First, the power of the Popes was dissolved totally by Queen Elizabeth ; and the bishops, who before exercised their functions in right of the Pope, did afterwards exercise the same in right of the Queen and her successors ; though by retaining the phrase of *jure divino*, they were thought to demand it by immediate right from God : and so was untied the third knot. After this, the presbyterians, lately in England obtained the putting down of episcopacy : and so was the second knot dissolved. And almost at the same time the power was taken also from the presbyterians : and so we are reduced to the independency of the primitive Christians, to follow Paul, or Cephas, or Apollo, every man as he liketh best : which, if it be without contention, and without measuring the doctrine of Christ, by our affection to the person of His minister (the fault which the apostle reprehended in the Corinthians), is perhaps the best. First, because there ought to be no power over the consciences of men, but of the Word itself, working faith in every one, not always according to the purpose of them that plant and water, but of God himself, that giveth the increase. And secondly, because it is unreasonable in them, who teach there is such danger in every little error, to require of a man endued with reason of his own, to follow the reason of any other man, or of the most voices of any other men, which is little better than to venture his salvation at cross and pile. Nor ought those teachers to be displeas'd with this loss of their ancient authority. For there is none should know better than they, that power is preserved by the same virtues by which it is acquired : that is to say, by wisdom, humility, clearness of doctrine, and sincerity of conversation ; and not by suppression of the natural sciences, and of the morality of natural reason ; nor by obscure language ; nor by arrogating to themselves more knowledge than they make appear ; nor by pious frauds ; nor by such other faults, as in the pastors of God's Church are not only faults, but also scandals, apt to make men stumble one time or other upon the suppression of their authority.

But after this doctrine, "that the Church now militant is the kingdom of God spoken of in the Old and New Testament," was received in the world ; the ambition, and canvassing for the offices that belong thereunto, and especially for that great office of being Christ's lieutenant, and the pomp of them that obtained therein the principal public charges, became by degrees so evident, that they lost the inward reverence due to the pastoral function : insomuch as the wisest men of them that had any power in the civil state, needed nothing but the authority of their princes

to deny them any further obedience. For, from the time that the Bishop of Rome had gotten to be acknowledged for bishop universal, by pretence of succession to St. Peter, their whole hierarchy, or kingdom of darkness, may be compared not unfitly to the "kingdom of fairies;" that is, to the old wives' fables in England concerning "ghosts" and "spirits," and the feats they play in the night. And if a man consider the original of this great ecclesiastical dominion, he will easily perceive that the Papacy is no other than the "ghost" of the deceased "Roman empire," sitting crowned upon the grave thereof. For so did the Papacy start up on a sudden out of the ruins of that heathen power.

The "language" also which they use, both in the churches and in their public acts, being Latin, which is not commonly used by any nation now in the world, what is it but the "ghost" of the old "Roman language."

The "fairies," in what nation soever they converse, have but one universal king, which some poets of ours call king Oberon; but the Scripture calls Beelzebub, prince of "demons." The "ecclesiastics" likewise, in whose dominions soever they be found, acknowledge but one universal king, the Pope.

The "ecclesiastics" are "spiritual" men and "ghostly" fathers. The fairies are "spirits" and "ghosts." "Fairies" and "ghosts" inhabit darkness, solitudes, and graves. The "ecclesiastics" walk in obscurity of doctrine, in monasteries, churches, and churchyards.

The "ecclesiastics" have their cathedral churches, which, in what town soever they be erected, by virtue of holy water and certain charms called exorcisms, have the power to make those towns cities, that is to say, seats of empire. The "fairies" also have their enchanted castles and certain gigantic ghosts, that domineer over the regions round about them.

The "fairies" are not to be seized on, and brought to answer for the hurt they do. So also the "ecclesiastics" vanish away from the tribunals of civil justice.

The "ecclesiastics" take from young men the use of reason, by certain charms compounded of metaphysics, and miracles, and traditions, and abused Scripture, whereby they are good for nothing else but to execute what they command them. The "fairies" likewise are said to take young children out of their cradles, and to change them into natural fools, which common people do therefore call "elves," and are apt to mischief.

In what shop, or operatory, the fairies make their enchantment, the old wives have not determined. But the operatories of the "clergy" are well enough known to be the universities, that received their discipline from authority pontifical.

When the "fairies" are displeased with anybody, they are said to send their elves to pinch them. The "ecclesiastics," when they are displeased with any civil state, make also their elves, that is, superstitious, enchanted subjects, to pinch their princes, by preaching sedition; or one prince enchanted with promises, to pinch another.

The "fairies" marry not; but there be amongst them *incubi*, that have copulation with flesh and blood. The "priests" also marry not.

The "ecclesiastics" take the cream of the land, by donations of ignorant men, that stand in awe of them, and by tithes. So also it is in the fable of "fairies," that they enter into the dairies, and feast upon the cream, which they skim from the milk.

What kind of money is current in the kingdom of "fairies" is not recorded in the story. But the "ecclesiastics" in their receipts accept of the same money that we do; though when they are to make any payment, it is in canonizations, indulgences, and masses.

To this, and such like resemblances between the Papacy and the kingdom of "fairies," may be added this, that as the "fairies" have no existence but in the fancies of ignorant people, rising from the traditions of old wives, or old poets : so the spiritual power of the Pope, without the bounds of his own civil dominion, consisteth only in the fear that seduced people stand in, of their excommunications ; upon hearing of false miracles, false traditions, and false interpretations of the Scripture.

It was not, therefore, a very difficult matter for Henry VIII. by his exorcism ; nor for Queen Elizabeth by hers, to cast them out. But who knows that this spirit of Rome, now gone out, and walking by missions through the dry places of China, Japan, and the Indies, that yield him little fruit, may not return, or rather an assembly of spirits worse than he, enter, and inhabit this clean swept house, and make the end thereof worse than the beginning ? For it is not the Roman clergy only, that pretends the kingdom of God to be of this world, and thereby to have a power therein, distinct from that of the civil state. And this is all I had a design to say concerning the doctrine of the "Politics." Which when I have reviewed, I shall willingly expose it to the censure of my country.



## A REVIEW, AND CONCLUSION.

FROM the contrariety of some of the natural faculties of the mind, one to another, as also of one passion to another, and from their reference to conversation, there has been an argument taken, to infer an impossibility that any one man should be sufficiently disposed to all sorts of civil duty. The severity of judgment, they say, makes men censorious, and unapt to pardon the errors and infirmities of other men: and on the other side, celerity of fancy, makes the thoughts less steady than is necessary to discern exactly between right and wrong. Again, in all deliberations, and in all pleadings, the faculty of solid reasoning is necessary; for without it, the resolutions of men are rash, and their sentences unjust: and yet if there be not powerful eloquence, which procureth attention and consent, the effect of reason will be little. But these are contrary faculties, the former being grounded upon principles of truth, the other upon opinions already received, true or false; and upon the passions and interests of men, which are different and mutable.

And amongst the passions, "courage" (by which I mean the contempt of wounds, and violent death) inclineth men to private revenges, and sometimes to endeavour the unsettling of the public peace; and "timorousness," many times disposeth to the desertion of the public defence. Both these, they say, cannot stand together in the same person.

And to consider the contrariety of men's opinions and manners in general, it is, they say, impossible to entertain a constant civil amity with all those with whom the business of the world constrains us to converse; which business consisteth almost in nothing else but a perpetual contention for honour, riches, and authority.

To which I answer, that these are indeed great difficulties, but not impossibilities; for by education and discipline, they may be, and are sometimes reconciled. Judgment and fancy may have place in the same man; but by turns, as the end which he aimeth at requireth. As the Israelites in Egypt were sometimes fastened to their labour of making bricks, and other times were ranging abroad to gather straw; so also may the judgment sometimes be fixed upon one certain consideration, and the fancy at another time wandering about the world. So also reason and eloquence, though not perhaps in the natural sciences, yet in the moral, may stand very well together. For wheresoever there is place for adorning and preferring of error, there is much more place for adorning and preferring of truth, if they have it to adorn. Nor is there any repugnancy between fearing the laws, and not fearing a public enemy; nor between abstaining from injury, and pardoning it in others. There is therefore no such inconsistency of human nature, with civil duties, as some think. I have known clearness of judgment, and largeness of fancy; strength of reason, and graceful elocution; a courage for the war, and a fear for the laws, and all eminently in one man; and that was my most noble and honoured friend, Mr. Sidney Godolphin; who hating no man, nor hated of any, was unfortunately slain

in the beginning of the late civil war, in the public quarrel, by an undiscerned and an undiscerning hand.

To the Laws of Nature, declared in chapter xv., I would have this added, "that every man is bound by Nature as much as in him lieth, to protect in war the authority by which he is himself protected in time of peace." For he that pretendeth a right of Nature to preserve his own body, cannot pretend a right of Nature to destroy him, by whose strength he is preserved : it is a manifest contradiction of himself. And though this law may be drawn by consequence, from some of those that are there already mentioned ; yet the times require to have it inculcated, and remembered.

And because I find by divers English books lately printed, that the civil wars have not yet sufficiently taught men in what point of time it is, that a subject becomes obliged to the conqueror ; nor what is conquest ; nor how it comes about, that it obliges men to obey his laws : therefore for further satisfaction of men therein, I say, the point of time, wherein a man becomes subject to a conqueror, is that point, wherein having liberty to submit to him, he consenteth, either by express words, or by other sufficient sign, to be his subject. When it is that a man hath the liberty to submit, I have showed before in the end of chapter xxi. ; namely, that for him that hath no obligation to his former sovereign but that of an ordinary subject, it is then, when the means of his life are within the guards and garrisons of the enemy ; for it is then that he hath no longer protection from him, but is protected by the adverse party for his contribution. Seeing therefore such contribution is everywhere, as a thing inevitable, notwithstanding it be an assistance to the enemy, esteemed lawful ; a total submission, which is but an assistance to the enemy, cannot be esteemed unlawful. Besides, if a man consider that they who submit, assist the enemy but with part of their estates, whereas they that refuse, assist him with the whole, there is no reason to call their submission, or composition, an assistance ; but rather a detriment to the enemy. But if a man, besides the obligation of a subject, hath taken upon him a new obligation of a soldier, then he hath not the liberty to submit to a new power, as long as the old one keeps the field, and giveth him means of subsistence, either in his armies, or garrisons : for in this case, he cannot complain of want of protection and means to live as a soldier. But when that also fails, a soldier also may seek his protection wheresoever he has most hope to have it ; and may lawfully submit himself to his new master. And so much for the time when he may do it lawfully, if he will. If therefore he do it, he is undoubtedly bound to be a true subject : for a contract lawfully made, cannot lawfully be broken.

By this also a man may understand, when it is, that men may be said to be conquered ; and in what the nature of conquest, and the right of a conqueror consisteth : for this submission in itself implieth them all. Conquest, is not the victory itself ; but the acquisition, by victory, of a right over the persons of men. He therefore that is slain, is overcome, but not conquered : he that is taken and put into prison or chains, is not conquered, though overcome ; for he is still an enemy, and may save himself if he can : but he that upon promise of obedience hath his life and liberty allowed him, is then conquered, and a subject ; and not before. The Romans used to say that their general had "pacified" such a "province," that is to say, the English, "conquered" it ; and that the country was "pacified" by victory, when the people of it had promised *imperata facere*, that is, "to do what the Roman people commanded them:" this was to be conquered. But this promise may be either express or tacit : express, by promise ; tacit, by other signs. As for example, a man that hath not been called to

make such an express promise, because he is one whose power perhaps is not considerable ; yet if he live under their protection openly, he is understood to submit himself to the government : but if he live there secretly, he is liable to anything that may be done to a spy and enemy of the state. I say not he does any injustice ; for acts of open hostility bear not that name ; but that he may be justly put to death. Likewise, if a man, when his country is conquered, be out of it, he is not conquered, nor subject : but if at his return he submit to the government, he is bound to obey it. So that "conquest," to define it, is the acquiring of the right of sovereignty by victory. Which right is acquired in the people's submission, by which they contract with the victor, promising obedience, for life and liberty.

In chapter xxix. I have set down for one of the causes of the dissolutions of commonwealths, their imperfect generation, consisting in the want of an absolute and arbitrary legislative power ; for want whereof the civil sovereign is fain to handle the sword of justice unconstantly, and as if it were too hot for him to hold. One reason whereof, which I have not there mentioned, is this, that they will all of them justify the war, by which their power was at first gotten, and whereon, as they think, their right dependeth, and not on the possession. As if, for example, the right of the kings of England did depend on the goodness of the cause of William the Conqueror, and upon their lineal and directest descent from him ; by which means there would perhaps be no tie of the subjects' obedience to their sovereign at this day in all the world : wherein, whilst they needlessly think to justify them-selves, they justify all the successful rebellions that ambition shall at any time raise against them and their successors. Therefore I put down for one of the most effectual seeds of the death of any state, that the conquerors require not only a submission of men's actions to them for the future, but also an approbation of all their actions past ; when there is scarce a commonwealth in the world, whose beginnings can in conscience be justified.

And because the name of tyranny signifieth nothing more nor less than the name of sovereignty, be it in one or many men, saving that they that use the former word are understood to be angry with them they call tyrants ; I think the toleration of a professed hatred of tyranny, is a toleration of hatred to commonwealth in general, and another evil seed, not differing much from the former. For to the justification of the cause of a conqueror the reproach of the cause of the conquered, is for the most part necessary : but neither of them necessary for the obligation of the conquered. And thus much I have thought fit to say upon the review of the first and second part of this discourse.

In chapter xxxv. I have sufficiently declared out of the Scripture, that in the commonwealth of the Jews, God himself was made the sovereign, by pact with the people ; who were therefore called His "peculiar people," to distinguish them from the rest of the world, over whom God reigned not by their consent, but by His own power : and that in this kingdom Moses was God's lieutenant on earth ; and that it was he that told them what laws God appointed them to be ruled by. But I have omitted to set down who were the officers appointed to do execution ; especially in capital punishments ; not then thinking it a matter of so necessary consideration, as I find it since. We know that generally in all commonwealths, the execution of corporal punishments, was either put upon the guards, or other soldiers of the sovereign power ; or given to those, in whom want of means, contempt of honour, and hardness of heart, concurred, to make them sue for such an office. But amongst the Israelites it was a positive law of God their sovereign, that he that was convicted of a capital crime, should be

stoned to death by the people; and that the witnesses should cast the first stone, and after the witnesses, then the rest of the people. This was a law that designed who were to be the executioners; but not that any one should throw a stone at him before conviction and sentence, where the congregation was judge. The witnesses were nevertheless to be heard before they proceeded to execution, unless the fact were committed in the presence of the congregation itself, or in sight of the lawful judges; for then there needed no other witnesses but the judges themselves. Nevertheless, this manner of proceeding being not thoroughly understood, hath given occasion to a dangerous opinion, that any man may kill another, in some cases, by a right of zeal; as if the executions done upon offenders in the kingdom of God in old time, proceeded not from the sovereign command, but from the authority of private zeal: which, if we consider the texts that seem to favour it, is quite contrary.

First, where the Levites fell upon the people, that had made and worshipped the golden calf, and slew three thousand of them; it was by the commandment of Moses, from the mouth of God; as is manifest, Exod. xxxii. 27. And when the son of a woman of Israel had blasphemed God, they that heard it, did not kill him, but brought him before Moses, who put him under custody, till God should give sentence against him; as appears, Levit. xxiv. 11, 12. Again (Numb. xxv. 6, 7), when Phinehas killed Zimri and Cosbi, it was not by right of private zeal: their crime was committed in the sight of the assembly; there needed no witness; the law was known, and he the heir-apparent to the sovereignty; and, which is the principal point, the lawfulness of his act depended wholly upon a subsequent ratification by Moses, whereof he had no cause to doubt. And this presumption of a future ratification, is sometimes necessary to the safety of a commonwealth; as in a sudden rebellion, any man that can suppress it by his own power in the country where it begins, without express law or commission, may lawfully do it, and provide to have it ratified or pardoned, whilst it is in doing, or after it is done. Also (Numb. xxxv. 30), it is expressly said, "Whosoever shall kill the murderer, shall kill him upon the word of witnesses:" but witnesses suppose a formal judicature, and consequently condemn that pretence of *jus zelotarum*. The law of Moses concerning him that enticeth to idolatry, that is to say, in the kingdom of God to a renouncing of his allegiance (Deut. xiii. 8, 9), forbids to conceal him, and commands the accuser to cause him to be put to death, and to cast the first stone at him; but not to kill him before he be condemned. And (Deut. xvii. 4, 5, 6, 7) the process against idolatry is exactly set down; for God there speaketh to the people, as judge, and commandeth them, when a man is accused of idolatry, to inquire diligently of the fact, and finding it true, then to stone him; but still the hand of the witness throweth the first stone. This is not private zeal, but public condemnation. In like manner, when a father hath a rebellious son, the law is (Deut. xxi. 18-21), that he shall bring him before the judges of the town, and all the people of the town shall stone him. Lastly, by pretence of these laws it was that St. Stephen was stoned, and not by pretence of private zeal: for before he was carried away to execution he had pleaded his cause before the high priest. There is nothing in all this, nor in any other part of the Bible, to countenance executions by private zeal; which being oftentimes but a conjunction of ignorance and passion, is against both the justice and peace of a commonwealth.

In chapter xxxvi. I have said that it is not declared in what manner God spake supernaturally to Moses: nor that He spake not to him sometimes by dreams and visions, and by a supernatural voice, as to other prophets: for the manner how He spake unto him from the mercy-seat, is

expressly set down (Numb. vii. 89) in these words: "From that time forward, when Moses entered into the tabernacle of the congregation to speak with God, he heard a voice which spake unto him from over the mercy-seat, which is over the ark of the testimony; from between the cherubims He spake unto him." But it is not declared in what consisteth the pre-eminence of the manner of God's speaking to Moses, above that of His speaking to other prophets, as to Samuel and to Abraham, to whom He also spake by a voice (that is, by vision), unless the difference consist in the clearness of the vision. For "face to face," and "mouth to mouth," cannot be literally understood of the infiniteness and incomprehensibility of the Divine nature.

And as to the whole doctrine, I see not yet, but the principles of it are true and proper, and the ratiocination solid. For I ground the civil right of sovereigns, and both the duty and liberty of subjects, upon the known natural inclinations of mankind, and upon the articles of the law of Nature; of which no man, that pretends but reason enough to govern his private family, ought to be ignorant. And for the power ecclesiastical of the same sovereigns, I ground it on such texts as are both evident in themselves and consonant to the scope of the whole Scripture. And therefore am persuaded, that he that shall read it with a purpose only to be informed, shall be informed by it. But for those that by writing, or public discourse, or by their eminent actions, have already engaged themselves to the maintaining of contrary opinions, they will not be so easily satisfied. For in such cases, it is natural for men, at one and the same time, both to proceed in reading, and to lose their attention, in the search of objections to that they had read before. Of which in a time wherein the interests of men are changed (seeing much of that doctrine which serveth to the establishing of a new government, must needs be contrary to that which conduced to the dissolution of the old), there cannot choose but be very many.

In that part which treateth of a Christian commonwealth there are some new doctrines which, it may be, in a state where the contrary were already fully determined, were a fault for a subject without leave to divulge, as being an usurpation of the place of a teacher. But in this time, that men call not only for peace, but also for truth, to offer such doctrines as I think true, and that manifestly tend to peace and loyalty, to the consideration of those that are yet in deliberation, is no more but to offer new wine to be put into new casks, that both may be preserved together. And I suppose, that then, when novelty can breed no trouble nor disorder in a state, men are not generally so much inclined to the reverence of antiquity, as to prefer ancient errors before new and well-proved truth.

There is nothing I distrust more than my elocution, which nevertheless I am confident, excepting the mischances of the press, is not obscure. That I have neglected the ornament of quoting ancient poets, orators, and philosophers, contrary to the custom of late time, whether I have done well or ill in it, proceedeth from my judgment, grounded on many reasons. For first, all truth of doctrine dependeth either upon "reason" or upon Scripture, both which give credit to many, but never receive it from any writer. Secondly, the matters in question are not of "fact," but of "right," wherein there is no place for "witnesses." There is scarce any of those old writers, that contradicteth not sometimes both himself and others; which makes their testimonies insufficient. Fourthly, such opinions as are taken only upon credit of antiquity, are not intrinsically the judgment of those that cite them, but words that pass, like gaping, from mouth to mouth. Fifthly, it is many times with a fraudulent design that men stick their corrupt doctrine with the cloves of other men's wit. Sixthly, I find not that the ancients they cite took it for an ornament, to do the like with those

that wrote before them. Seventhly, it is an argument of indigestion, when Greek and Latin sentences unchewed come up again, as they use to do, unchanged. Lastly, though I reverence those men of ancient time, that either have written truth perspicuously, or set us in a better way to find it out ourselves: yet to the antiquity itself I think nothing due. For if we will reverence the age, the present is the oldest. If the antiquity of the writer, I am not sure, that generally they to whom such honour is given, were more ancient when they wrote than I am that am writing. But if it be well considered, the praise of ancient authors proceeds not from the reverence of the dead, but from the competition and mutual envy of the living.

To conclude, there is nothing in this whole discourse, nor in that I writ before of the same subject in Latin, as far as I can perceive, contrary either to the Word of God, or to good manners; or to the disturbance of the public tranquillity. Therefore I think it may be profitably printed, and more profitably taught in the universities, in case they also think so, to whom the judgment of the same belongeth. For seeing the universities are the fountains of civil and moral doctrine, from whence the preachers and the gentry, drawing such water as they find, use to sprinkle the same (both from the pulpit and in their conversation) upon the people, there ought certainly to be great care taken to have it pure, both from the venom of heathen politicians, and from the incantation of deceiving spirits. And by that means the most men, knowing their duties, will be the less subject to serve the ambition of a few discontented persons in their purposes against the state, and be the less grieved with the contributions necessary for their peace and defence; and the governors themselves have the less cause to maintain at the common charge any greater army than is necessary to make good the public liberty against the invasions and encroachments of foreign enemies.

And thus I have brought to an end my Discourse of Civil and Ecclesiastical Government, occasioned by the disorders of the present time, without partiality, without application, and without other design than to set before men's eyes the mutual relation between protection and obedience: of which the condition of human nature and the laws divine, both natural and positive, require an inviolable observation. And though in the revolution of states there can be no very good constellation for truths of this nature to be born under (as having an angry aspect from the dissolvers of an old government, and seeing but the backs of them that erect a new), yet I cannot think it will be condemned at this time either by the public judge of doctrine, or by any that desires the continuance of public peace. And in this hope I return to my interrupted speculation of bodies natural, wherein, if God give me health to finish it, I hope the novelty will as much please, as in the doctrine of this artificial body it useth to offend. For such truth as opposeth no man's profit nor pleasure is to all men welcome.

THE END.

**HARRINGTON'S OCEANA**





## INTRODUCTION.

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**JAMES HARRINGTON**, eldest son of Sir Sapcotes Harrington of Exton, in Rutlandshire, was born in the reign of James the First, in January 1611, five years before the death of Shakespeare. He was two or three years younger than John Milton. His great-grandfather was Sir James Harrington, who married Lucy, daughter of Sir William Sidney, lived with her to their golden wedding-day, and had eighteen children, through whom he counted himself, before his death, patriarch in a family that in his own time produced eight Dukes, three Marquises, seventy Earls, twenty-seven Viscounts, and thirty-six Barons, sixteen of them all being Knights of the Garter. James Harrington's ideal of a Commonwealth was the design, therefore, of a man in many ways connected with the chief nobility of England.

Sir Sapcotes Harrington married twice, and had by each of his wives two sons and two daughters. James Harrington was eldest son by the first marriage, which was to Jane, daughter of Sir William Samuel of Upton, in Northamptonshire. James Harrington's brother became a merchant; of his half-brothers, one went to sea, the other became a captain in the army.

As a child, James Harrington was studious, and so sedate that it was said playfully of him, he rather kept his parents and teachers in awe than needed correction; but in after-life his quick wit made him full of playfulness in conversation. In 1629 he entered Trinity College, Oxford, as a Gentleman Commoner. There he had for tutor William Chillingworth, a Fellow of the College, who after conversion to the Church of Rome had reasoned his way back into Protestant opinions. Chillingworth became a famous champion of Protestantism in the question between the Churches, although many Protestants attacked him as unsound because he would not accept the Athanasian Creed and had some other reservations.

Harrington prepared himself for foreign travel by study of modern languages, but before he went abroad, and while he was still under age, his father died and he succeeded to his patrimony. The socage tenure of his estate gave him free choice of his own guardian, and he chose his mother's mother, Lady Samuel.

He then began the season of travel which usually followed studies at the University, a part of his training to which he had looked forward with especial interest. He went first to Holland, which had been in Queen Elizabeth's time the battle-ground of civil and religious liberty. Before he left England he used to say that he knew of Monarchy, Anarchy, Aristocracy, Democracy, Oligarchy, only as hard words to be looked for in a Dictionary. But his interest in problems of Government began to be awakened while he was among the Dutch. He served in the regiment of Lord Craven, and afterwards in that of Sir Robert Stone; was much at the Hague; became familiar with the Court of the Prince of Orange, and with King James's daughter, the Queen of Bohemia, who, with her husband the Prince Elector, was then a fugitive to Holland. Lord Harrington, who had once acted as governor to the Princess, and won her affection, was James Harrington's uncle, and she now cordially welcomed the

young student of life, for his uncle's sake and for his own pleasantness of outward wit and inward gravity of thought. Harrington was taken with him by the exiled and plundered Prince Elector, when he paid a visit to the Court of Denmark, and he was entrusted afterwards with the chief care of the Prince's affairs in England.

From Holland, James Harrington passed through Flanders into France, and thence to Italy. When he came back to England, some courtiers who were with him in Rome told Charles the First that Harrington had been too squeamish at the Pope's consecration of wax lights, in refusing to obtain a light, as others did, by kissing His Holiness's toe. The king told Harrington that he might have complied with a custom which only signified respect to a temporal prince. But His Majesty was satisfied with the reply, that having had the honour to kiss His Majesty's hand, he thought it beneath him to kiss any other Prince's foot.

Of all places in Italy, Venice pleased Harrington best. He was deeply interested in the Venetian form of government, and his observations bore fruit in many suggestions for the administration of the Commonwealth of Oceana.

After his return to England, being of age, James Harrington cared actively for the interests of his younger brothers and sisters. It was he who made his brother William a merchant. William Harrington thrived, and for his ingenuity in matters of construction he was afterwards made one of the Fellows of the newly formed Royal Society. He took pains over the training of his sisters, making no difference between sisters and half-sisters, and treating his step-mother as a mother. He filled his home with loving-kindness, and was most liberal in giving help to friends. When he was told that he often threw away his bounty on ungrateful persons, he playfully told his advisers they were mercenary and that he saw they sold their gifts, since they expected so great a return as gratitude.

James Harrington's bent was for the study of life, and he made no active suit for Court employment. But he went to Court, where Charles the First liked him, and admitted him as one of his Privy Chamber Extraordinary, in which character he went with the king in his first expedition against the Scots.

Because Charles the First knew him and liked him, and because he had shown himself no partisan of either side in the Civil War, though he was known to be inclined, in the way of abstract opinion, towards a form of government that was not Monarchy, the Commissioners appointed in 1646 to bring Charles from Newcastle named Harrington as one of the king's attendants. The king was pleased, and Harrington was appointed a groom of the bedchamber at Holmby. He followed faithfully the fortunes of the fallen king, never saying even to the king himself a word in contradiction of his own principles of liberty, and finding nothing in his principles or in his temper that should prevent him from paying honour to his sovereign, and seeking to secure for him a happy issue out of his afflictions. Antony à Wood says that "His Majesty loved Harrington's company, and finding him to be an ingenious man, chose rather to converse with him than with others of his chamber: they had often discourses concerning Government; but when they happened to talk of a Commonwealth the king seemed not to endure it."

Harrington used all the influence he had with those in whose power the king was, to prevent the urging of avoidable questions that would stand in the way of such a treaty as they professed to seek during the king's imprisonment at Carisbrooke. Harrington's friendly interventions on the king's behalf before the Parliament Commissioners at Newport caused him, indeed, to be suspected; and when the king was removed from Carisbrooke to Hurst Castle, Harrington was not allowed to remain in his service. But afterwards, when King Charles was being taken to Windsor, Harrington got leave to bid him farewell at the door of his carriage. As he was about to kneel, the king took him by the hand and pulled him in. For a few days he was left with the king, but an oath was required of him that he would not assist in, or conceal knowledge of any attempt to procure, the king's escape. He would not take the oath; and was this time not only dismissed from the king's service but himself imprisoned, until

Treton obtained his release. Before the king's death, Harrington found his way to him again, and he was among those who were with Charles the First upon the scaffold.

After the king's execution, Harrington was for some time secluded in his study. Monarchy was gone; some form of Commonwealth was to be established; and he set to work upon the writing of *Oceana*, calmly to show what form of Government, since men were free to choose, to him seemed best.

He based his work on an opinion he had formed that the troubles of the time were not due wholly to the intemperance of faction, the misgovernment of a king, or the stubbornness of a people, but to change in the balance of property; and he laid the foundations of his Commonwealth in the opinion that Empire follows the Balance of Property. Then he showed the Commonwealth of *Oceana* in action, with safeguards against future shiftings of that balance, and with a popular government in which all offices were filled by men chosen by ballot, who should hold office for a limited term. Thus there was to be a constant flow of new blood through the political system, and the representative was to be kept true as a reflection of the public mind.

The Commonwealth of *Oceana* was England. Harrington called Scotland *Marpesia*; and Ireland, *Panopæa*. London he called *Emporium*; the Thames, *Halcionia*; Westminster, *Hiera*; Westminster Hall, *Pantheon*. The Palace of St. James was *Alma*; Hampton Court, *Convallium*; Windsor, *Mount Celia*. By *Hemisua*, Harrington meant the river Trent. Past sovereigns of England he renamed for *Oceana*. William the Conqueror became *Turbo*; King John, *Adoxus*; Richard II., *Dicotome*; Henry VII., *Panurgus*; Henry VIII., *Coraunus*; Elizabeth, *Parthenia*; James I., *Morpheus*. He referred to Hobbes as *Leviathan*; and to Francis Bacon as *Verulamius*. Oliver Cromwell he renamed *Olphaus Megaletor*.

Harrington's book was seized while printing, and carried to Whitehall. Harrington went to Cromwell's daughter, Lady Claypole, played with her three-year-old child while waiting for her, and said to her, when she came and found him with her little girl upon his lap, "Madam, you have come in the nick of time, for I was just about to steal this pretty lady." "Why should you?" "Why shouldn't I, unless you cause your father to restore a child of mine that he has stolen?" It was only, he said, a kind of political romance; so far from any treason against her father that he hoped she would let him know it was to be dedicated to him. So the book was restored; and it was published in the time of Cromwell's Commonwealth, in the year 1656.

This treatise, which had its origin in the most direct pressure of the problem of Government upon the minds of men, continues the course of thought on which Machiavelli's "Prince" had formed one famous station; and Hobbes's "Leviathan," published only five years before "*Oceana*," had been another. "The Prince" and "Leviathan," as well as the later writings upon Civil Government, by Filmer and Locke, are already contained in this Library.

"*Oceana*," when published, was widely read and actively attacked. One opponent of its doctrines was Dr. Henry Ferne, afterwards Bishop of Chester. Another was Matthew Wren, eldest son to the Bishop of Ely. He was one of those who met for scientific research at the house of Dr. Wilkins, and had, said Harrington, "an excellent faculty of magnifying a louse, and diminishing a Commonwealth."

In 1659, Harrington published an abridgment of his *Oceana* as "The Art of Lawgiving," in three books. Other pieces followed, in which he defended or developed his opinions. He again urged them when Cromwell's Commonwealth was in its death-throes. Then he fell back upon argument at nightly meetings of a Rota Club which met in the New Palace Yard, Westminster. Milton's old pupil, Cyriac Skinner, was one of its members; and its elections were by ballot, with rotation in the tenure of all offices. The club was put an end to at the Restoration, when Harrington retired to his study and amused himself by putting his System of Politics into the form of Aphorisms.

On the 28th of December 1661 James Harrington, then fifty years old, was

arrested and carried to the Tower as a traitor. His Aphorisms were on his desk, and as they also were to be carried off, he asked only that they might first be stitched together in their proper order. Why he was arrested, he was not told. One of his sisters pleaded in vain to the king. He was falsely accused of complicity in an imaginary plot, of which nothing could be made by its investigators. No heed was paid to the frank denials of a man of the sincerest nature, who never had concealed his thoughts or actions. "Why," he was asked, at his first examination by Lord Lauderdale, who was one of his kinsmen, "Why did he, as a private man, meddle with politics? What had a private man to do with Government?" His answer was, "My lord, there is not any public person, nor any magistrate, that has written on Politics, worth a button. All they that have been excellent in this way have been private men, as private men, my lord, as myself. There is Plato, there is Aristotle, there is Livy, there is Machiavel. My lord, I can sun up Aristotle's Politics in a very few words: he says, there is the Barbarous Monarchy—such a one where the people have no votes in making the laws; he says, there is the Heroic Monarchy—such a one where the people have their votes in making the laws; and then, he says, there is Democracy; and affirms that a man cannot be said to have liberty but in a Democracy only." Lord Lauderdale here showing impatience, Harrington added: "I say Aristotle says so. I have not said so much. And under what prince was it? Was it not under Alexander, the greatest prince then in the world? I beseech you, my lord, did Alexander hang up Aristotle; did he molest him? Livy, for a Commonwealth, is one of the fullest authors; did not he write under Augustus Cæsar? Did Cæsar hang up Livy; did he molest him? Machiavel, what a Commonwealthsman was he? but he wrote under the Medici when they were princes in Florence: did they hang up Machiavel; or did they molest him? I have done no otherwise than as the greatest politicians: the king will do no otherwise than as the greatest princes."

That was too much to hope, even in a dream, of the low-minded Charles the Second. Harrington could not obtain even the show of justice in a public trial. He was kept five months an untried prisoner in the Tower, only sheltered from daily brutalities by bribe to the lieutenant. When his Habeas Corpus had been moved for, it was at first flatly refused; and when it had been granted, Harrington was smuggled away from the Tower between one and two o'clock in the morning, and carried on board a ship that took him to closer imprisonment on St. Nicholas Island, opposite Plymouth. There his health suffered seriously, and his family obtained his removal to imprisonment in Plymouth by giving a bond of £5000 as sureties against his escape. In Plymouth, Harrington suffered from scurvy, and at last he became insane.

When he had been made a complete wreck in body and in mind, his gracious Majesty restored Harrington to his family. He never recovered health, but still occupied himself much with his pen; writing, among other things, a serious argument to prove that they were themselves mad who thought him so.

In those last days of his shattered life James Harrington married an old friend of the family, a witty lady, daughter of Sir Marmaduke Dorrell, of Buckinghamshire. Gout was added to his troubles; then he was palsied; and he died at Westminster, at the age of sixty-six, on the 11th of September 1677. He was buried in St. Margaret's Church, by the grave of Sir Walter Raleigh, on the south side of the altar.

H. M.

August 1887.

THE  
COMMONWEALTH OF OCEANA.

TO HIS HIGHNESS  
THE LORD PROTECTOR  
OF THE  
COMMONWEALTH OF ENGLAND, SCOTLAND,  
AND IRELAND.

. . . . Quid rides? mutato nomine, de te  
Fabula narratur.—HORAT.



## THE ORDER OF THE WORK.

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OCEANA is saluted by the panegyrist after this manner : " O the most blest and fortunate of all countries, Oceana ! how deservedly has Nature with the bounties of heaven and earth endued thee ! Thy ever fruitful womb not closed with ice, nor dissolved by the raging star ; where Ceres and Bacchus are perpetual twins : thy woods are not the harbour of devouring beasts, nor thy continual verdure the ambush of serpents, but the food of innumerable herds and flocks presenting thee, their shepherdess, with distended dugs or golden fleeces. The wings of thy night involve thee not in the horror of darkness, but have still some white feather ; and thy day is (that for which we esteem life) the longest." But this ecstasy of Pliny, as is observed by Rertius, seems to allude as well to Marpesia and Panopea, now provinces of this commonwealth, as to Oceana itself.

To speak of the people in each of these countries. This of Oceana, for so soft a one, is the most martial in the whole world. " Let States that aim at greatness," says Verulamius, " take heed how their nobility and gentlemen multiply too fast, for that makes the common subject grow to be a peasant and base swain driven out of heart, and in effect but a gentleman's labourer ; just as you may see in coppice woods, if you leave the staddels too thick, you shall never have clean underwood, but shrubs and bushes ; so in countries, if the gentlemen be too many, the commons will be base ; and you will bring it to that at last, that not the hundreth poll will be fit for a helmet, specially as to the infantry, which is the nerve of an army, and so there will be great population and little strength. This of which I speak has

been nowhere better seen than by comparing of Oceana and France, whereof Oceana, though far less in territory and population, has been nevertheless an overmatch, in regard the middle people of Oceana make good soldiers, which the peasants in France do not." In which words Verulamius, as Machiavel has done before him, harps much upon a string which he has not perfectly tuned, and that is, the balance of dominion or property : as it follows more plainly, in his praise "of the profound and admirable device of Panurgus, king of Oceana, in making farms and houses of husbandry of a standard ; that is, maintained with such a proportion of land to them, as may breed a subject to live in convenient plenty, and no servile condition, and to keep the plough in the hand of the owners, and not mere hirelings. And thus indeed," says he, "you shall attain to Virgil's character which he gives of ancient Italy."

But the tillage bringing up a good soldiery, brings up a good commonwealth ; which the author in the praise of Panurgus did not mind, nor Panurgus in deserving that praise ; for where the owner of the plough comes to have the sword too, he will use it in defence of his own ; whence it has happened that the people of Oceana, in proportion to their property, have been always free. And the genius of this nation has ever had some resemblance with that of ancient Italy, which was wholly addicted to commonwealths, and where Rome came to make the greatest account of her rustic tribes, and to call her consuls from the plough ; for in the way of parliaments, which was the government of this realm, men of country lives have been still entrusted with the greatest affairs, and the people have constantly had an aversion to the ways of the court. Ambition, loving to be gay, and to fawn, has been a gallantry looked upon as having something in it of the livery ; and husbandry, or the country way of life, though of a grosser spinning, as the best stuff of a commonwealth, according to Aristotle, such a one being the most obstinate assertress of her liberty, and the least subject to innovation or turbulency. Wherefore till the foundations, as will be hereafter shown, were removed, this people was observed to be the least subject to shakings and turbulency of any ; whereas commonwealths, upon which the city life has had the stronger influence, as Athens, have seldom or never been quiet, but at the best are found to have injured their own business by overdoing it. Whence the



urban tribes of Rome, consisting of the *Turba forensis*, and libertines that had received their freedom by manumission, were of no reputation in comparison of the rustics. It is true, that with Venice it may seem to be otherwise, in regard the gentlemen (for so are all such called as have a right to that government), are wholly addicted to the city life; but then the *Turba forensis*, the secretaries, Cittadini, with the rest of the populace, are wholly excluded. Otherwise a commonwealth consisting but of one city would doubtless be stormy, in regard that ambition would be every man's trade; but where it consists of a country, the plough in the hands of the owner finds him a better calling, and produces the most innocent and steady genius of a commonwealth, such as is that of Oceana.

Marpesia, being the northern part of the same island, is the dry nurse of a populous and hardy nation, but where the staddels have been formerly too thick; whence their courage answered not their hardiness, except in the nobility, who governed that country much after the manner of Poland, but that the king was not elective till the people received their liberty; the yoke of the nobility being broken by the commonwealth of Oceana, which in grateful return is thereby provided with an inexhaustible magazine of auxiliaries.

Panopea, the soft mother of a slothful and pusillanimous people, is a neighbour island, anciently subjected by the arms of Oceana; since almost depopulated for shaking the yoke, and at length replanted with a new race. But, through what virtues of the soil, or vice of the air soever it be, they come still to degenerate. Wherefore seeing it is neither likely to yield men fit for arms, nor necessary it should, it had been the interest of Oceana so to have disposed of this province, being both rich in the nature of the soil, and full of commodious ports for trade, that it might have been ordered for the best in relation to her purse, which in my opinion, if it had been thought upon in time, might have been best done by planting it with Jews, allowing them their own rites and laws; for that would have brought them suddenly from all parts of the world, and in sufficient numbers. And though the Jews be now altogether for merchandise, yet in the land of Canaan (except since their exile from whence they have not been landlords) they were altogether for agriculture; and there is no cause why a man should doubt,

but having a fruitful country, and excellent ports too, they would be good at both. Panopea, well peopled, would be worth a matter of four millions dry rents ; that is, besides the advantage of the agriculture and trade, which, with a nation of that industry, comes at least to as much more. Wherefore Panopea, being farmed out to the Jews and their heirs for ever, for the pay of a provincial army to protect them during the term of seven years, and for two millions annual revenue from that time forward, besides the customs, which would pay the provincial army, would have been a bargain of such advantage, both to them and this commonwealth, as is not to be found otherwise by either. To receive the Jews after any other manner into a commonwealth were to maim it ; for they of all nations never incorporate, but taking up the room of a limb, are of no use or office to the body, while they suck the nourishment which would sustain a natural and useful member.

If Panopea had been so disposed of, that knapsack, with the Marpesian auxiliary, had been an inestimable treasure ; the situation of these countries being islands (as appears by Venice how advantageous such a one is to the like government) seems to have been designed by God for a commonwealth. And yet that, through the straitness of the place and defect of proper arms, can be no more than a commonwealth for preservation ; whereas this, reduced to the like government, is a commonwealth for increase, and upon the mightiest foundation that any has been laid from the beginning of the world to this day.

" Illam arctâ capiens Neptunus compede stringit :  
Hanc autem glaucis captus complectitur ulnis."

The sea gives law to the growth of Venice, but the growth of Oceana gives law to the sea.

These countries, having been anciently distinct and hostile kingdoms, came by Morpheus the Marpesian, who succeeded by hereditary right to the crown of Oceana, not only to be joined under one head, but to be cast, as it were by a charm, into that profound sleep, which, broken at length by the trumpet of civil war, has produced those effects that have given occasion to the ensuing discourse, divided into four parts.

# OCEANA.



- I. THE PRELIMINARIES, SHOWING THE PRINCIPLES OF GOVERNMENT.
- II. THE COUNCIL OF LEGISLATORS, SHOWING THE ART OF MAKING  
A COMMONWEALTH.
- III. THE MODEL OF THE COMMONWEALTH OF OCEANA, SHOWING  
THE EFFECT OF SUCH AN ART.
- IV. THE COROLLARY, SHOWING SOME CONSEQUENCES OF SUCH A  
GOVERNMENT.

## I. THE PRELIMINARIES.

SHOWING THE PRINCIPLES OF GOVERNMENT.

JANOTTI, the most excellent describer of the commonwealth of Venice, divides the whole series of government into two times or periods : the one ending with the liberty of Rome, which was the course or empire, as I may call it, of ancient prudence, first discovered to mankind by God Himself in the fabric of the commonwealth of Israel, and afterwards picked out of His footsteps in Nature, and unanimously followed by the Greeks and Romans; the other beginning with the arms of Cæsar, which, extinguishing liberty, were the transition of ancient into modern prudence, introduced by those inundations of Huns, Goths, Vandals, Lombards, Saxons, which, breaking the Roman empire, deformed the whole face of the world with those ill features of government, which at this time are become far worse in these Western parts, except Venice, which, escaping the hands of the Barbarians by virtue of its impregnable situation, has had its

eye fixed upon ancient prudence, and is attained to a perfection even beyond the copy.

Relation being had to these two times, government (to define it *de jure*, or according to ancient prudence) is an art whereby a civil society of men is instituted and preserved upon the foundation of common right or interest ; or, to follow Aristotle and Livy, it is the empire of laws, and not of men.

And government (to define it *de facto*, or according to modern prudence) is an art whereby some man, or some few men, subject a city or a nation, and rule it according to his or their private interest ; which, because the laws in such cases are made according to the interest of a man, or of some few families, may be said to be the empire of men, and not of laws.

The former kind is that which Machiavel (whose books are neglected) is the only politician that has gone about to retrieve ; and that Leviathan (who would have his book imposed upon the universities) goes about to destroy. For "it is," says he, "another error of Aristotle's politics that in a well-ordered commonwealth not men should govern, but the laws. What man that has his natural senses, though he can neither write nor read, does not find himself governed by them he fears, and believes can kill or hurt him when he obeys not? Or, who believes that the law can hurt him, which is but words and paper, without the hands and swords of men?" I confess that the magistrate upon his bench is that to the law which a gunner upon his platform is to his cannon. Nevertheless, I should not dare to argue with a man of any ingenuity after this manner. A whole army, though they can neither write nor read, are not afraid of a platform, which they know is but earth or stone ; nor of a cannon, which, without a hand to give fire to it, is but cold iron ; therefore a whole army is afraid of one man. But of this kind is the ratiocination of Leviathan, as I shall show in divers places that come in my way, throughout his whole politics, or worse ; as where he says, "Of Aristotle and of Cicero, of the Greeks, and of the Romans, who lived under popular States, that they derived those rights not from the principles of Nature, but transcribed them into their books out of the practice of their own commonwealths, as grammarians describe the rules of language out of poets." Which is as if a man should tell famous Harvey that he transcribed his circulation of the blood

not out of the principles of Nature, but out of the anatomy of this or that body.

To go on therefore with his preliminary discourse, I shall divide it, according to the two definitions of government relating to Janotti's two times, in two parts. The first, treating of the principles of government in general, and according to the ancients ; the second, treating of the late governments of Oceana in particular, and in that of modern prudence.

Government, according to the ancients, and their learned disciple Machiavel, the only politician of later ages, is of three kinds : the government of one man, or of the better sort, or of the whole people ; which, by their more learned names, are called monarchy, aristocracy, and democracy. These they hold, through their proneness to degenerate, to be all evil. For whereas they that govern should govern according to reason, if they govern according to passion they do that which they should not do. Wherefore, as reason and passion are two things, so government by reason is one thing, and the corruption of government by passion is another thing, but not always another government : as a body that is alive is one thing, and a body that is dead is another thing, but not always another creature, though the corruption of one comes at length to be the generation of another. The corruption then of monarchy is called tyranny ; that of aristocracy, oligarchy ; and that of democracy, anarchy. But legislators, having found these three governments at the best to be naught, have invented another, consisting of a mixture of them all, which only is good. This is the doctrine of the ancients.

But Leviathan is positive that they are all deceived, and that there is no other government in Nature than one of the three ; as also that the flesh of them cannot stink, the names of their corruptions being but the names of men's fancies, which will be understood when we are shown which of them was *Senatus Populusque Romanus*.

To go my own way, and yet to follow the ancients, the principles of government are twofold : internal, or the goods of the mind ; and external, or the goods of fortune. The goods of the mind are natural or acquired virtues, as wisdom, prudence, and courage, &c. The goods of fortune are riches. There be goods also of the body, as health, beauty, strength ; but these

are not to be brought into account upon this score, because if a man or an army acquires victory or empire, it is more from their discipline, arms, and courage than from their natural health, beauty, or strength, in regard that a people conquered may have more of natural strength, beauty and health, and yet find little remedy. The principles of government then are in the goods of the mind, or in the goods of fortune. To the goods of the mind answers authority ; to the goods of fortune, power or empire. Wherefore Leviathan, though he be right where he says that "riches are power," is mistaken where he says that "prudence, or the reputation of prudence, is power ;" for the learning or prudence of a man is no more power than the learning or prudence of a book or author, which is properly authority. A learned writer may have authority though he has no power ; and a foolish magistrate may have power, though he has otherwise no esteem or authority. The difference of these two is observed by Livy in Evander, of whom he says that he governed rather by the authority of others than by his own power.

To begin with riches, in regard that men are hung upon these, not of choice as upon the other, but of necessity and by the teeth ; forasmuch as he who wants bread is his servant that will feed him, if a man thus feeds a whole people, they are under his empire.

Empire is of two kinds, domestic and national, or foreign and provincial.

Domestic empire is founded upon dominion.

Dominion is property, real or personal ; that is to say, in lands, or in money and goods.

Lands, or the parts and parcels of a territory, are held by the proprietor or proprietors, lord or lords of it, in some proportion ; and such (except it be in a city that has little or no land, and whose revenue is in trade) as is the proportion or balance of dominion or property in land, such is the nature of the empire.

If one man be sole landlord of a territory, or overbalance the people, for example, three parts in four, he is Grand Seigneur ; for so the Turk is called from his property, and his empire is absolute monarchy.

If the few or a nobility, or a nobility with the clergy, be landlords, or overbalance the people to the like proportion, it makes

the Gothic balance (to be shown at large in the second part of this discourse), and the empire is mixed monarchy, as that of Spain, Poland, and late of Oceana.

And if the whole people be landlords, or hold the lands so divided among them that no one man, or number of men, within the compass of the few or aristocracy, overbalance them, the empire (without the interposition of force) is a commonwealth.

If force be interposed in any of these three cases, it must either frame the government to the foundation, or the foundation to the government; or holding the government not according to the balance, it is not natural, but violent; and therefore if it be at the devotion of a prince, it is tyranny; if at the devotion of the few, oligarchy; or if in the power of the people, anarchy. Each of which confusions, the balance standing otherwise, is but of short continuance, because against the nature of the balance, which, not destroyed, destroys that which opposes it.

But there be certain other confusions, which, being rooted in the balance, are of longer continuance, and of worse consequence; as, first, where a nobility holds half the property, or about that proportion, and the people the other half; in which case, without altering the balance there is no remedy but the one must eat out the other, as the people did the nobility in Athens, and the nobility the people in Rome. Secondly, when a prince holds about half the dominion, and the people the other half (which was the case of the Roman emperors, planted partly upon their military colonies, and partly upon the senate and the people), the government becomes a very shambles, both of the princes and the people. Somewhat of this nature are certain governments at this day, which are said to subsist by confusion. In this case, to fix the balance, is to entail misery; but in the three former, not to fix it, is to lose the government. Wherefore it being unlawful in Turkey that any should possess land but the Grand Seignior, the balance is fixed by the law, and that empire firm. Nor, though the kings often sell; was the throne of Oceana known to shake, until the statute of alienations broke the pillars, by giving way to the nobility to sell their estates. While Lacedemon held to the division of land made by Lycurgus, it was immovable; but, breaking that, could stand no longer. This kind of law fixing the balance in lands is called

Agrarian, and was first introduced by God himself, who divided the land of Canaan to His people by lots, and is of such virtue, that wherever it has held that government has not altered, except by consent; as in that unparalleled example of the people of Israel, when being in liberty they would needs choose a king. But without an Agrarian law, government, whether monarchical, aristocratical, or popular, has no long lease.

As for dominion, personal or in money, it may now and then stir up a Melius or a Manlius, which, if the commonwealth be not provided with some kind of dictatorian power, may be dangerous, though it has been seldom or never successful; because to property producing empire, it is required that it should have some certain root or foothold, which, except in land, it cannot have, being otherwise as it were upon the wing.

Nevertheless, in such cities as subsist mostly by trade, and have little or no land, as Holland and Genoa, the balance of treasure may be equal to that of land in the cases mentioned.

But Leviathan, though he seems to skew at antiquity, following his furious master Carneades, has caught hold of the public sword, to which he reduces all manner and matter of government; as, where he affirms this opinion [that any monarch receives his power by covenant, that is to say, upon conditions] “to proceed from the not understanding this easy truth, that covenants being but words and breath, have no power to oblige, contain, constrain, or protect any man, but what they have from the public sword.” But as he said of the law, that without this sword it is but paper, so he might have thought of this sword, that without a hand it is but cold iron. The hand which holds this sword is the militia of a nation; and the militia of a nation is either an army in the field, or ready for the field upon occasion. But an army is a beast that has a great belly, and must be fed: wherefore this will come to what pastures you have, and what pastures you have will come to the balance of property, without which the public sword is but a name or mere spitfrog. Wherefore, to set that which Leviathan says of arms and of contracts a little straighter, he that can graze this beast with the great belly, as the Turk does his Timariots, may well deride him that imagines he received his power by covenant, or



is obliged to any such toy : it being in this case only that covenants are but words and breath. But if the property of the nobility, stocked with their tenants and retainers, be the pasture of that beast, the ox knows his master's crib ; and it is impossible for a king in such a constitution to reign otherwise than by covenant ; or if he break it, it is words that come to blows.

“ But,” says he, “ when an assembly of men is made sovereign, then no man imagines any such covenant to have part in the institution.” But what was that by Publicola of appeal to the people, or that whereby the people had their tribunes ? “ Fie,” says he, “ nobody is so dull as to say that the people of Rome made a covenant with the Romans, to hold the sovereignty on such or such conditions, which, not performed, the Romans might depose the Roman people.” In which there be several remarkable things ; for he holds the commonwealth of Rome to have consisted of one assembly, whereas it consisted of the senate and the people ; that they were not upon covenant, whereas every law enacted by them was a covenant between them ; that the one assembly was made sovereign, whereas the people, who only were sovereign, were such from the beginning, as appears by the ancient style of their covenants or laws—“ The senate has resolved, the people have decreed ;” that a council being made sovereign, cannot be made such upon conditions, whereas the Decemvirs being a council that was made sovereign, was made such upon conditions ; that all conditions or covenants making a sovereign, the sovereign being made, are void ; whence it must follow that, the Decemviri being made, were ever after the lawful government of Rome, and that it was unlawful for the commonwealth of Rome to depose the Decemvirs ; as also that Cicero, if he wrote otherwise out of his commonwealth, did not write out of nature. But to come to others that see more of this balance.

You have Aristotle full of it in divers places, especially where he says, that “ immoderate wealth, as where one man or the few have greater possessions than the equality or the frame of the commonwealth will bear, is an occasion of sedition, which ends for the greater part in monarchy ; and that for this cause the ostracism has been received in divers places, as in Argos and Athens. But that it were better to prevent the growth in the

beginning, than, when it has got head, to seek the remedy of such an evil."

Machiavel has missed it very narrowly and more dangerously ; for, not fully perceiving that if a commonwealth be galled by the gentry it is by their overbalance, he speaks of the gentry as hostile to popular governments, and of popular governments as hostile to the gentry ; and makes us believe that the people in such are so enraged against them, that where they meet a gentleman they kill him : which can never be proved by any one example, unless in civil war, seeing that even in Switzerland the gentry are not only safe, but in honour. But the balance, as I have laid it down, though unseen by Machiavel, is that which interprets him, and that which he confirms by his judgment in many others as well as in this place, where he concludes, "That he who will go about to make a commonwealth where there be many gentlemen, unless he first destroys them, undertakes an impossibility. And that he who goes about to introduce monarchy where the condition of the people is equal, shall never bring it to pass, unless he cull out such of them as are the most turbulent and ambitious, and make them gentlemen or noblemen, not in name but in effect ; that is, by enriching them with lands, castles and treasures, that may gain them power among the rest, and bring in the rest to dependence upon themselves, to the end that, they maintaining their ambition by the prince, the prince may maintain his power by them."

Wherefore, as in this place I agree with Machiavel, that a nobility or gentry, overbalancing a popular government, is the utter bane and destruction of it ; so I shall show in another, that a nobility or gentry, in a popular government, not overbalancing it, is the very life and soul of it.

By what has been said, it should seem that we may lay aside further disputes of the public sword, or of the right of the militia ; which, be the government what it will, or let it change how it can, is inseparable from the overbalance in dominion : nor, if otherwise stated by the law or custom (as in the commonwealth of Rome, where the people having the sword, the nobility came to have the overbalance), avails it to any other end than destruction. For as a building swaying from the foundation must fall, so it fares with the law swaying from reason, and the militia from the balance of dominion. And thus much

for the balance of national or domestic empire, which is in dominion.

The balance of foreign or provincial empire is of a contrary nature. A man may as well say that it is unlawful for him who has made a fair and honest purchase to have tenants, as for a government that has made a just progress and enlargement of itself to have provinces. But how a province may be justly acquired appertains to another place. In this I am to show no more than how or upon what kind of balance it is to be held; in order whereto I shall first show upon what kind of balance it is not to be held. It has been said, that national or independent empire, of what kind soever, is to be exercised by them that have the proper balance of dominion in the nation; wherefore provincial or dependent empire is not to be exercised by them that have the balance of dominion in the province, because that would bring the government from provincial and dependent to national and independent. Absolute monarchy, as that of the Turks, neither plants its people at home nor abroad, otherwise than as tenants for life or at will; wherefore its national and provincial government is all one. But in governments that admit the citizen or subject to dominion in lands, the richest are they that share most of the power at home; whereas the richest among the provincials, though native subjects, or citizens that have been transplanted, are least admitted to the government abroad; for men, like flowers or roots being transplanted, take after the soil wherein they grow. Wherefore the commonwealth of Rome, by planting colonies of its citizens within the bounds of Italy, took the best way of propagating itself, and naturalizing the country; whereas if it had planted such colonies without the bounds of Italy, it would have alienated the citizens, and given a root to liberty abroad, that might have sprung up foreign or savage, and hostile to her: wherefore it never made any such dispersion of itself and its strength, till it was under the yoke of the Emperors, who, disburdening themselves of the people, as having less apprehension of what they could do abroad than at home, took a contrary course.

The Mamalukes (which, till any man show me the contrary, I shall presume to have been a commonwealth consisting of an army, whereof the common soldier was the people, the commission officer the senate, and the general the prince) were

foreigners, and by nation Circassians, that governed Egypt, wherefore these never durst plant themselves upon dominion, which growing naturally up into the national interest, must have dissolved the foreign yoke in that province.

The like in some sort may be said of Venice, the government whereof is usually mistaken ; for Venice, though it does not take in the people, never excluded them. This commonwealth, the orders whereof are the most democratical or popular of all others, in regard of the exquisite rotation of the senate, at the first institution took in the whole people ; they that now live under the government without participation of it, are such as have since either voluntarily chosen so to do, or were subdued by arms. Wherefore the subject of Venice is governed by provinces, and the balance of dominion not standing, as has been said, with provincial government ; as the Mamalukes durst not cast their government upon this balance in their provinces, lest the national interest should have rooted out the foreign, so neither dare the Venetians take in their subjects upon this balance, lest the foreign interest should root out the national (which is that of the three thousand now governing), and by diffusing the commonwealth throughout her territories, lose the advantage of her situation, by which in great part it subsists. And such also is the government of the Spaniard in the Indies, to which he deutes natives of his own country, not admitting the Creoles to the government of those provinces, though descended from Spaniards.

But if a prince or a commonwealth may hold a territory that is foreign in this, it may be asked why he may not hold one that is native in the like manner ? To which I answer, because he can hold a foreign by a native territory, but not a native by a foreign ; and as hitherto I have shown what is not the provincial balance, so by this answer it may appear what it is, namely, the overbalance of a native territory to a foreign ; for as one country balances itself by the distribution of property according to the proportion of the same, so one country overbalances another by advantage of divers kinds. For example, the commonwealth of Rome overbalanced her provinces by the vigour of a more excellent government opposed to a crazier ; or by a more exquisite militia opposed to one inferior in courage or discipline. The like was that of the Mamalukes, being a hardy

people, to the Egyptians that were a soft one. And the balance of situation is in this kind of wonderful effect ; seeing the king of Denmark, being none of the most potent princes, is able at the Sound to take toll of the greatest ; and as this king, by the advantage of the land, can make the sea tributary, so Venice, by the advantage of the sea, in whose arms she is impregnable, can make the land to feed her Gulf. For the colonies in the Indies, they are yet babes that cannot live without sucking the breasts of their mother cities, but such as I mistake if when they come of age they do not wean themselves ; which causes me to wonder at princes that delight to be exhausted in that way. And so much for the principles of power, whether national or provincial, domestic or foreign ; being such as are external, and founded in the goods of fortune.

I come to the principles of authority, which are internal, and founded upon the goods of the mind. These the legislator that can unite in his government with those of fortune, comes nearest to the work of God, whose government consists of heaven and earth ; which was said by Plato, though in different words, as, when princes should be philosophers, or philosophers princes, the world would be happy. And says Solomon : “ There is an evil which I have seen under the sun, which proceeds from the ruler [enimvero neque nobilem, neque ingenuum, nec libertinum quidem armis præponere, regia utilitas est]. Folly is set in great dignity, and the rich [either in virtue and wisdom, in the goods of the mind, or those of fortune upon that balance which gives them a sense of the national interest] sit in low places. I have seen servants upon horses, and princes walking as servants upon the earth.” Sad complaints, that the principles of power and of authority, the goods of the mind and of fortune, do not meet and twine in the wreath or crown of empire ! Wherefore, if we have anything of piety or of prudence, let us raise ourselves out of the mire of private interest to the contemplation of virtue, and put a hand to the removal of “ this evil from under the sun ;” this evil against which no government that is not secured can be good ; this evil from which the government that is secure must be perfect. Solomon tells us, that the cause of it is from the ruler, from those principles of power, which, balanced upon earthly trash, exclude the heavenly treasures of virtue, and that influence of it upon government which is authority. We have

wandered the earth to find out the balance of power ; but to find out that of authority we must ascend, as I said, nearer heaven, or to the image of God, which is the soul of man.

The soul of man (whose life or motion is perpetual contemplation or thought) is the mistress of two potent rivals, the one reason, the other passion, that are in continual suit ; and, according as she gives up her will to these or either of them, is the felicity or misery which man partakes in this mortal life.

For, as whatever was passion in the contemplation of a man, being brought forth by his will into action, is vice and the bondage of sin ; so whatever was reason in the contemplation of a man, being brought forth by his will into action, is virtue and the freedom of soul.

Again, as those actions of a man that were sin acquire to himself repentance or shame, and affect others with scorn or pity, so those actions of a man that are virtue acquire to himself honour, and upon others authority.

Now government is no other than the soul of a nation or city : wherefore that which was reason in the debate of a commonwealth being brought forth by the result, must be virtue ; and forasmuch as the soul of a city or nation is the sovereign power, her virtue must be law. But the government whose law is virtue, and whose virtue is law, is the same whose empire is authority, and whose authority is empire.

Again, if the liberty of a man consists in the empire of his reason, the absence whereof would betray him to the bondage of his passions, then the liberty of a commonwealth consists in the empire of her laws, the absence whereof would betray her to the lust of tyrants. And these I conceive to be the principles upon which Aristotle and Livy (injuriously accused by Leviathan for not writing out of Nature) have grounded their assertion, "that a commonwealth is an empire of laws and not of men." But they must not carry it so. "For," says he, "the liberty, whereof there is so frequent and honourable mention in the histories and philosophy of the ancient Greeks and Romans, and the writings and discourses of those that from them have received all their learning in the politics, is not the liberty of particular men, but the liberty of the commonwealth." He might as well have said that the estates of particular men in a

commonwealth are not the riches of particular men, but the riches of the commonwealth ; for equality of estates causes equality of power, and equality of power is the liberty, not only of the commonwealth, but of every man. But sure a man would never be thus irreverent with the greatest authors, and positive against all antiquity, without some certain demonstration of truth—and what is it ? Why, “there is written on the turrets of the city of Lucca in great characters at this day the word LIBERTAS ; yet no man can thence infer that a particular man has more liberty or immunity from the service of the commonwealth there than in Constantinople. Whether a commonwealth be monarchical or popular, the freedom is the same.” The mountain has brought forth, and we have a little equivocation ! For to say that a Lucchese has no more liberty or immunity from the laws of Lucca than a Turk has from those of Constantinople ; and to say that a Lucchese has no more liberty or immunity by the laws of Lucca, than a Turk has by those of Constantinople, are pretty different speeches. The first may be said of all governments alike ; the second scarce of any two ; much less of these, seeing it is known that, whereas the greatest Bashaw is a tenant, as well of his head as of his estate, at the will of his lord, the meanest Lucchese that has land is a freeholder of both, and not to be controlled but by the law, and that framed by every private man to no other end (or they may thank themselves) than to protect the liberty of every private man, which by that means comes to be the liberty of the commonwealth.

But seeing they that make the laws in commonwealths are but men, the main question seems to be, how a commonwealth comes to be an empire of laws, and not of men ? Or how the debate or result of a commonwealth is so sure to be according to reason ; seeing they who debate, and they who resolve, be but men ? “And as often as reason is against a man, so often will a man be against reason.”

This is thought to be a shrewd saying, but will do no harm ; for be it so that reason is nothing but interest, there be divers interests, and so divers reasons.

As first, There is private reason, which is the interest of a private man.

Secondly, There is reason of State, which is the interest (or

error, as was said by Solomon) of the ruler or rulers, that is to say, of the prince, of the nobility, or of the people.

Thirdly, There is that reason, which is the interest of mankind, or of the whole. "Now if we see even in those natural agents that want sense, that as in themselves they have a law which directs them in the means whereby they tend to their own perfection, so likewise that another law there is, which touches them as they are sociable parts united into one body, a law which binds them each to serve to others' good, and all to prefer the good of the whole, before whatsoever their own particular ; as when stones, or heavy things, forsake their ordinary wont or centre, and fly upwards, as if they heard themselves commanded to let go the good they privately wish, and to relieve the present distress of Nature in common." There is a common right, law of Nature, or interest of the whole, which is more excellent, and so acknowledged to be by the agents themselves, than the right or interest of the parts only. "Wherefore, though it may be truly said that the creatures are naturally carried forth to their proper utility or profit, that ought not to be taken in too general a sense ; seeing divers of them abstain from their own profit, either in regard of those of the same kind, or at least of their young."

Mankind then must either be less just than the creature, or acknowledge also his common interest to be common right. And if reason be nothing else but interest, and the interest of mankind be the right interest, then the reason of mankind must be right reason. Now compute well ; for if the interest of popular government come the nearest to the interest of mankind, then the reason of popular government must come the nearest to right reason.

But it may be said that the difficulty remains yet ; for be the interest of popular government right reason, a man does not look upon reason as it is right or wrong in itself, but as it makes for him or against him. Wherefore, unless you can show such orders of a government as, like those of God in Nature, shall be able to constrain this or that creature to shake off that inclination which is more peculiar to it, and take up that which regards the common good or interest, all this is to no more end than to persuade every man in a popular government not to carve himself of that which he desires most, but to be



mannerly at the public table, and give the best from himself to decency and the common interest. But that such orders may be established as may, nay must, give the upper hand in all cases to common right or interest, notwithstanding the nearness of that which sticks to every man in private, and this in a way of equal certainty and facility, is known even to girls, being no other than those that are of common practice with them in divers cases. For example, two of them have a cake yet undivided, which was given between them : that each of them therefore might have that which is due, "divide," says one to the other, "and I will choose ; or let me divide, and you shall choose." If this be but once agreed upon, it is enough ; for the dividant, dividing-unequally, loses, in regard that the other takes the better half ; wherefore she divides equally, and so both have right. "O the depth of the wisdom of God !" and yet "by the mouths of babes and sucklings has He set forth His strength ;" that which great philosophers are disputing upon in vain, is brought to light by two harmless girls, even the whole mystery of a commonwealth, which lies only in dividing and choosing. Nor has God (if His works in Nature be understood) left so much to mankind to dispute upon as who shall divide and who choose, but distributed them for ever into two orders, whereof the one has the natural right of dividing, and the other of choosing. For example :

A commonwealth is but a civil society of men : let us take any number of men (as twenty) and immediately make a commonwealth. Twenty men (if they be not all idiots, perhaps if they be) can never come so together but there will be such a difference in them, that about a third will be wiser, or at least less foolish than all the rest ; these upon acquaintance, though it be but small, will be discovered, and, as stags that have the largest heads, lead the herd ; for while the six, discoursing and arguing one with another, show the eminence of their parts, the fourteen discover things that they never thought on ; or are cleared in divers truths which had formerly perplexed them. Wherefore, in matter of common concernment, difficulty, or danger, they hang upon their lips, as children upon their fathers ; and the influence thus acquired by the six, the eminence of whose parts are found to be a stay and comfort to the fourteen, is the authority of the fathers. Wherefore this can be no other than a

natural aristocracy diffused by God throughout the whole body of mankind to this end and purpose ; and therefore such as the people have not only a natural but a positive obligation to make use of as their guides ; as where the people of Israel are commanded to "take wise men, and understanding, and known among their tribes, to be made rulers over them." The six then approved of, as in the present case, are the senate, not by hereditary right, or in regard of the greatness of their estates only, which would tend to such power as might force or draw the people, but by election for their excellent parts, which tends to the advancement of the influence of their virtue or authority that leads the people. Wherefore the office of the senate is not to be commanders, but counsellors of the people ; and that which is proper to counsellors is first to debate, and afterward to give advice in the business whereupon they have debated, whence the degrees of the senate are never laws, nor so called ; and these being maturely framed, it is their duty to propose in the case to the people. Wherefore the senate is no more than the debate of the commonwealth. But to debate, is to discern or put a difference between things that, being alike, are not the same ; or it is separating and weighing this reason against that, and that reason against this, which is dividing.

The senate then having divided, who shall choose ? Ask the girls : for if she that divided must have chosen also, it had been little worse for the other in case she had not divided at all, but kept the whole cake to herself, in regard that being to choose too she divided accordingly. Wherefore if the senate have any farther power than to divide, the commonwealth can never be equal. But in a commonwealth consisting of a single council, there is no other to choose than that which divided ; whence it is, that such a council fails not to scramble—that is, to be factious, there being no other dividing of the cake in that case but among themselves.

Nor is there any remedy but to have another council to choose. The wisdom of the few may be the light of mankind ; but the interest of the few is not the profit of mankind, nor of a commonwealth. Wherefore, seeing we have granted interest to be reason, they must not choose lest it put out their light. But as the council dividing consists of the wisdom of the commonwealth, so the assembly or council choosing should consist of the interest

of the commonwealth : as the wisdom of the commonwealth is in the aristocracy, so the interest of the commonwealth is in the whole body of the people. And whereas this, in case the commonwealth consist of a whole nation, is too unwieldy a body to be assembled, this council is to consist of such a representative as may be equal, and so constituted, as can never contract any other interest than that of the whole people ; the manner whereof, being such as is best shown by exemplification, I remit to the model. But in the present case, the six dividing, and the fourteen choosing, must of necessity take in the whole interest of the twenty.

Dividing and choosing in the language of a commonwealth is debating and resolving ; and whatsoever, upon debate of the senate, is proposed to the people, and resolved by them, is enacted by the authority of the fathers, and by the power of the people, which concurring, make a law.

But the law being made, says Leviathan, "is but words and paper without the hands and swords of men ;" wherefore as these two orders of a commonwealth, namely, the senate and the people, are legislative, so of necessity there must be a third to be executive of the laws made, and this is the magistracy ; in which order, with the rest being wrought up by art, the commonwealth consists of "the senate proposing, the people resolving, and the magistracy executing ;" whereby partaking of the aristocracy as in the senate, of the democracy as in the people, and of monarchy as in the magistracy, it is complete. Now there being no other commonwealth but this in art or Nature, it is no wonder if Machiavel has shown us that the ancients held this only to be good ; but it seems strange to me that they should hold that there could be any other : for if there be such a thing as pure monarchy, yet that there should be such a one as pure aristocracy, or pure democracy, is not in my understanding. But the magistracy, both in number and function, is different in different commonwealths. Nevertheless there is one condition of it that must be the same in every one, or it dissolves the commonwealth where it is wanting. And this is no less than that, as the hand of the magistrate is the executive power of the law, so the head of the magistrate is answerable to the people, that his execution be according to the law ; by which Leviathan may see that the hand or sword that executes the law is in it and not above it.

Now whether I have rightly transcribed these principles of a commonwealth out of Nature, I shall appeal to God and to the world. To God in the fabric of the commonwealth of Israel, and to the world in the universal series of ancient prudence. But in regard the same commonwealths will be opened at large in the Council of Legislators, I shall touch them for the present but slightly, beginning with that of Israel.

The commonwealth of Israel consisted of the senate, the people, and the magistracy.

The people by their first division, which was genealogical, were contained under their thirteen tribes, houses, or families; whereof the firstborn in each was prince of his tribe, and had the leading of it : the tribe of Levi only being set apart to serve at the altar, had no other prince but the high-priest. In their second division they were divided locally by their Agrarian, or the distribution of the land of Canaan to them by lot, the tithe of all remaining to Levi ; whence, according to their local division, the tribes are reckoned but twelve.

The assemblies of the people thus divided were methodically gathered by trumpets to the congegation ; which was, it should seem, of two sorts. For if it were called with one trumpet only, the princes of the tribes and the elders only assembled ; but if it were called with two, the whole people gathered themselves to the congregation, for so it is rendered by the English ; but in the Greek it is called *Ecclesia*, or the Church of God, and by the Talmudist, the great Synagogue. The word *Ecclesia* was also anciently and properly used for the civil congregations, or assemblies of the people in Athens, Lacedemon, and Ephesus, where it is so called in Scripture, though it be otherwise rendered by the translators, not much as I conceive to their commendation, seeing by that means they have lost us a good lesson, the Apostles borrowing that name for their spiritual congregations, to the end that we might see they intended the government of the church to be democratical or popular, as is also plain in the rest of their constitutions.

The church or congregation of the people of Israel assembled in a military manner, and had the result of the commonwealth, or the power of confirming all their laws, though proposed even by God himself ; as where they make Him king, and where they reject or depose Him as civil magistrate and elect Saul. It

is manifest, that He gives no such example to a legislator in a popular government as to deny or evade the power of the people, which were a contradiction ; but though He deservedly blames the ingratitude of the people in that action, He commands Samuel, being next under himself supreme magistrate, “to hearken to their voice” (for where the suffrage of the people goes for nothing, it is no commonwealth), and comforts him, saying, “They have not rejected thee, but they have rejected Me that I should not reign over them.” But to reject Him that He should not reign over them, was as civil magistrate to depose Him. The power therefore which the people had to depose even God himself as He was civil magistrate, leaves little doubt but that they had power to have rejected any of those laws confirmed by them throughout the Scripture, which, to omit the several parcels, are generally contained under two heads : those that were made by covenant with the people in the land of Moab, and those which were made by covenant with the people in Horeb ; which two, I think, amount to the whole body of the Israelitish laws. But if all and every one of the laws of Israel being proposed by God, were no otherwise enacted than by covenant with the people, then that only which was resolved by the people of Israel was their law ; and so the result of that commonwealth was in the people. Nor had the people the result only in matter of law, but the power in some cases of judicature ; as also the right of levying war, cognizance in matter of religion, and the election of their magistrates, as the judge or dictator, the king, the prince : which functions were exercised by the *Synagoga magna*, or congregation of Israel, not always in one manner, for sometimes they were performed by the suffrage of the people, *vivâ voce*, sometimes by the lot only, and at others by the ballot, or by a mixture of the lot with the suffrage, as in the case of Eldad and Medad, which I shall open with the senate.

The senate of Israel, called in the Old Testament the seventy elders, and in the New the Sanhedrim (which word is usually translated the council), was appointed by God, and consisted of seventy elders besides Moses, which were at first elected by the people, but in what manner is rather intimated than shown. Nevertheless, because I cannot otherwise understand the passage concerning Eldad and Medad, of whom it is said “that they were of them that were written, but went not up to the

tabernacle," then with the Talmudists I conceive that Eldad and Medad had the suffrage of the tribes, and so were written as competitors for magistracy ; but coming afterwards to the lot, failed of it, and therefore went not up to the tabernacle, or place of confirmation by God, or to the session-house of the senate, with the seventy upon whom the lot fell to be senators ; for the session-house of the Sanhedrim was first in the court of the tabernacle and afterwards in that of the Temple, where it came to be called the stone chamber or pavement. If this were the ballot of Israel, that of Venice is the same transposed ; for in Venice the competitor is chosen as it were by the lot, in regard that the electors are so made, and the magistrate is chosen by the "suffrage of the great council or assembly of the people." But the Sanhedrim of Israel being thus constituted, Moses, for his time, and after him his successor, sat in the midst of it as prince or archon, and at his left hand the orator or father of the senate ; the rest, or the bench, coming round with either horn like a crescent, had a scribe attending upon the tip of it.

This senate, in regard the legislator of Israel was infallible, and the laws given by God such as were not fit to be altered by men, is much different in the exercise of their power from all other senates, except that of the Areopagists in Athens, which also was little more than a supreme judicatory ; for it will hardly, as I conceive, be found that the Sanhedrim proposed to the people till the return of the children of Israel out of captivity under Esdras, at which time there was a new law made—namely, for a kind of excommunication, or rather banishment, which had never been before in Israel. Nevertheless it is not to be thought that the Sanhedrim had not always that right, which from the time of Esdras is more frequently exercised, of proposing to the people, but that they forebore it in regard of the fulness and infallibility of the law already made, whereby it was needless. Wherefore the function of this council, which is very rare in a senate, was executive, and consisted in the administration of the law made ; and whereas the council itself is often understood in Scripture by the priest and the Levite, there is no more in that save only that the priests and the Levites, who otherwise had no power at all, being in the younger years of this commonwealth, those that were best studied in the laws were the most frequently elected into the Sanhedrim. For the courts,

consisting of three-and-twenty elders sitting in the gates of every city, and the triumvirates of judges constituted almost in every village, which were parts of the executive magistracy subordinate to the Sanhedrim, I shall take them at better leisure, and in the larger discourse; but these being that part of this commonwealth which was instituted by Moses upon the advice of Jethro the priest of Midian (as I conceive a heathen), are to me a sufficient warrant even from God himself who confirmed them, to make further use of human prudence, wherever I find it bearing a testimony to itself, whether in heathen commonwealths or others; and the rather, because so it is, that we who have the holy Scriptures, and in them the original of a commonwealth, made by the same hand that made the world, are either altogether blind or negligent of it; while the heathens have all written theirs, as if they had had no other copy; as, to be more brief in the present account of that which you shall have more at large hereafter:

Athens consisted of the senate of the Bean proposing, of the church or assembly of the people resolving, and too often debating, which was the ruin of it; as also of the senate of the Areopagists, the nine archons, with divers other magistrates, executing.

Lacedemon consisted of the senate proposing, of the church or congregation of the people resolving only, and never debating, which was the long life of it; and of the two kings, the court of the ephors, with divers other magistrates, executing.

Carthage consisted of the senate proposing and sometimes resolving too, of the people resolving and sometimes debating too, for which fault she was reprehended by Aristotle; and she had her suffetes, and her hundred men, with other magistrates, executing.

Rome consisted of the senate proposing, the concio or people resolving, and too often debating, which caused her storms; as also of the consuls, censors, ædiles, tribunes, prætors, quæstors and other magistrates, executing.

Venice consists of the senate or pregati proposing, and sometimes resolving too, of the great council or assembly of the people, in whom the result is constitutively; as also of the doge, the signory, the censors, the dieci, the quazancies, and other magistrates, executing.

The proceeding of the commonwealths of Switzerland and Holland is of a like nature, though after a more obscure manner; for the sovereignties, whether cantons, provinces, or cities, which are the people, send their deputies, commissioned and instructed by themselves (wherein they reserve the result in their own power), to the provincial or general convention, or senate, where the deputies debate, but have no other power of result than what was conferred upon them by the people, or is further conferred by the same upon further occasion. And for the executive part they have magistrates or judges in every canton, province or city, besides those which are more public, and relate to the league, as for adjusting controversies between one canton, province or city, and another, or the like between such persons as are not of the same canton, province or city.

But that we may observe a little further how the heathen politicians have written, not only out of Nature, but as it were out of Scripture: as in the commonwealth of Israel, God is said to have been king, so the commonwealth where the law is king, is said by Aristotle to be "the kingdom of God." And where by the lusts or passions of men a power is set above that of the law deriving from reason, which is the dictate of God, God in that sense is rejected or deposed that He should not reign over them, as He was in Israel. And yet Leviathan will have it, that "by reading of these Greek and Latin (he might as well in this sense have said Hebrew) authors, young men, and all others that are unprovided of the antidote of solid reason, receiving a strong and delightful impression of the great exploits of war achieved by the conductors of their armies, receive withal a pleasing idea of all they have done besides, and imagine their great prosperity not to have proceeded from the emulation of particular men, but from the virtue of their popular form of government, not considering the frequent seditions and civil wars produced by the imperfection of their polity." Where, first, the blame he lays to the heathen authors, is in his sense laid to the Scripture; and whereas he holds them to be young men, or men of no antidote that are of like opinions, it should seem that Machiavel, the sole retriever of this ancient prudence, is to his solid reason a beardless boy that has newly read Livy. And how solid his reason is, may appear where he grants the great prosperity of ancient commonwealths, which is to give up



the controversy. For such an effect must have some adequate cause, which to evade he insinuates that it was nothing else but the emulation of particular men, as if so great an emulation could have been generated without as great virtue, so great virtue without the best education, and best education without the best law, or the best laws any otherwise than by the excellency of their polity.

But if some of these commonwealths, as being less perfect in their polity than others, have been more seditious, it is not more an argument of the infirmity of this or that commonwealth in particular, than of the excellency of that kind of polity in general, which if they, that have not altogether reached, have nevertheless had greater prosperity, what would befall them that should reach?

In answer to which question let me invite Leviathan, who of all other governments gives the advantage to monarchy for perfection, to a better disquisition of it by these three assertions.

The first, That the perfection of government lies upon such a libration in the frame of it, that no man or men in or under it can have the interest, or having the interest, can have the power to disturb it with sedition.

The second, That monarchy, reaching the perfection of the kind, reaches not to the perfection of government, but must have some dangerous flaw in it.

The third, That popular government, reaching the perfection of the kind, reaches the perfection of government, and has no flaw in it.

The first assertion requires no proof.

For the proof of the second, monarchy, as has been shown, is of two kinds: the one by arms, the other by a nobility, and there is no other kind in art or Nature; for if there have been anciently some governments called kingdoms, as one of the Goths in Spain, and another of the Vandals in Africa, where the king ruled without a nobility, and by a council of the people only, it is expressly said by the authors that mention them that the kings were but the captains, and that the people not only gave them laws, but deposed them as often as they pleased. Nor is it possible in reason that it should be otherwise in like cases; wherefore these were either no monarchies, or had greater flaws in them than any other.

But for a monarchy by arms, as that of the Turk (which, of all models that ever were, comes up to the perfection of the kind), it is not in the wit or power of man to cure it of this dangerous flaw, that the Janizaries have frequent interest and perpetual power to raise sedition, and to tear the magistrate, even the prince himself, in pieces. Therefore the monarchy of Turkey is no perfect government.

And for a monarchy by nobility, as of late in Oceana (which of all other models before the declination of it came up to the perfection in that kind), it was not in the power or wit of man to cure it of that dangerous flaw ; that the nobility had frequent interest and perpetual power by their retainers and tenants to raise sedition ; and (whereas the Janizaries occasion this kind of calamity no sooner than they make an end of it) to levy a lasting war, to the vast effusion of blood, and that even upon occasions wherein the people, but for their dependence upon their lords, had no concernment, as in the feud of the Red and White. The like has been frequent in Spain, France, Germany, and other monarchies of this kind ; wherefore monarchy by a nobility is no perfect government.

For the proof of the third assertion : Leviathan yields it to me, that there is no other commonwealth but monarchical or popular ; wherefore if no monarchy be a perfect government, then either there is no perfect government, or it must be popular, for which kind of constitution I have something more to say than Leviathan has said or ever will be able to say for monarchy. As,

First, That it is the government that was never conquered by any monarch, from the beginning of the world to this day ; for if the commonwealths of Greece came under the yoke of the kings of Macedon, they were first broken by themselves.

Secondly, That it is the government that has frequently led mighty monarchs in triumph.

Thirdly, That it is the government, which, if it has been seditious, it has not been so from any imperfection in the kind, but in the particular constitution ; which, wherever the like has happened, must have been unequal.

Fourthly, That it is the government, which, if it has been anything near equal, was never seditious ; or let him show me what sedition has happened in Lacedemon or Venice.

Fifthly, That it is the government, which, attaining to perfect equality, has such a libration in the frame of it, that no man living can show which way any man or men, in or under it, can contract any such interest or power as should be able to disturb the commonwealth with sedition, wherefore an equal commonwealth is that only which is without flaw, and contains in it the full perfection of government. But to return.

By what has been shown in reason and experience, it may appear, that though commonwealths in general be governments of the senate proposing, the people resolving, and the magistracy executing, yet some are not so good at these orders as others, through some impediment or defect in the frame, balance, or capacity of them, according to which they are of divers kinds.

The first division of them is into such as are single, as Israel, Athens, Lacedemon, &c. ; and such as are by leagues, as those of the Acheans, Etolians, Lycians, Switz, and Hollanders.

The second (being Machiavel's) is into such as are for preservation, as Lacedemon and Venice, and such as are for increase, as Athens and Rome ; in which I can see no more than that the former takes in no more citizens than are necessary for defence, and the latter so many as are capable of increase.

The third division (unseen hitherto) is into equal and unequal, and this is the main point, especially as to domestic peace and tranquillity ; for to make a commonwealth unequal, is to divide it into parties, which sets them at perpetual variance, the one party endeavouring to preserve their eminence and inequality, and the other to attain to equality ; whence the people of Rome derived their perpetual strife with the nobility and senate. But in an equal commonwealth there can be no more strife than there can be overbalance in equal weights ; wherefore the commonwealth of Venice, being that which of all others is the most equal in the constitution, is that wherein there never happened any strife between the senate and the people.

An equal commonwealth is such a one as is equal both in the balance or foundation, and in the superstructure ; that is to say, in her Agrarian law, and in her rotation.

An equal Agrarian is a perpetual law, establishing and preserving the balance of dominion by such a distribution, that no one man or number of men, within the compass of the few or

aristocracy, can come to overpower the whole people by their possessions in lands.

As the Agrarian answers to the foundation, so does rotation to the superstructures.

Equal rotation is equal vicissitude in government, or succession to magistracy conferred for such convenient terms, enjoying equal vacations, as take in the whole body by parts, succeeding others, through the free election or suffrage of the people.

The contrary, whereunto is prolongation of magistracy, which, trashing the wheel of rotation, destroys the life or natural motion of a commonwealth.

The election or suffrage of the people is most free, where it is made or given in such a manner that it can neither oblige nor disoblige another, nor through fear of an enemy, or bashfulness towards a friend, impair a man's liberty.

Wherefore, says Cicero, the tablet or ballot of the people of Rome (who gave their votes by throwing tablets or little pieces of wood secretly into urns marked for the negative or affirmative) was a welcome constitution to the people, as that which, not impairing the assurance of their brows, increased the freedom of their judgment. I have not stood upon a more particular description of this ballot, because that of Venice exemplified in the model is of all others the most perfect.

An equal commonwealth (by that which has been said) is a government established upon an equal Agrarian, arising into the superstructures or three orders, the senate debating and proposing, the people resolving, and the magistracy executing, by an equal rotation through the suffrage of the people given by the ballot. For though rotation may be without the ballot, and the ballot without rotation, yet the ballot not only as to the ensuing model includes both, but is by far the most equal way; for which cause under the name of the ballot I shall hereafter understand both that and rotation too.

Now having reasoned the principles of an equal commonwealth, I should come to give an instance of such a one in experience, if I could find it; but if this work be of any value, it lies in that it is the first example of a commonwealth that is perfectly equal. For Venice, though it comes the nearest, yet is a commonwealth for preservation; and such a one, considering the paucity of citizens taken in, and the number not taken in, is

externally unequal ; and though every commonwealth that holds provinces must in that regard be such, yet not to that degree. Nevertheless, Venice internally, and for her capacity, is by far the most equal, though it has not, in my judgment, arrived at the full perfection of equality; both because her laws supplying the defect of an Agrarian, are not so clear nor effectual at the foundation, nor her superstructures, by the virtue of her ballot or rotation, exactly librated ; in regard that through the paucity of her citizens her greater magistracies are continually wheeled through a few hands, as is confessed by Janotti, where he says, that if a gentleman comes once to be *Savio di terra ferma*, it seldom happens that he fails from thenceforward to be adorned with some one of the greater magistracies, as *Savi di mare*, *Savi di terra ferma*, *Savi Grandi*, counsellors, those of the decemvirate or dictatorial council, the *aurogatori*, or censors, which require no vacation or interval. Wherefore if this in Venice, or that in Lacedemon, where the kings were hereditary, and the senators (though elected by the people) for life, cause no inequality (which is hard to be conceived) in a commonwealth for preservation, or such a one as consists of a few citizens ; yet is it manifest that it would cause a very great one in a commonwealth for increase, or consisting of the many, which, by engrossing the magistracies in a few hands, would be obstructed in their rotation.

But there be who say (and think it a strong objection) that, let a commonwealth be as equal as you can imagine, two or three men when all is done will govern it ; and there is that in it which, notwithstanding the pretended sufficiency of a popular State, amounts to a plain confession of the imbecility of that policy, and of the prerogative of monarchy ; forasmuch as popular governments in difficult cases have had recourse to dictatorial power, as in Rome.

To which I answer, that as truth is a spark to which objections are like bellows, so in this respect our commonwealth shines ; for the eminence acquired by suffrage of the people in a commonwealth, especially if it be popular and equal, can be ascended by no other steps than the universal acknowledgment of virtue : and where men excel in virtue, the commonwealth is stupid and unjust, if accordingly they do not excel in authority. Wherefore this is both the advantage of virtue, which has her due encouragement, and of the commonwealth, which has her due

services. These are the philosophers which Plato would have to be princes, the princes which Solomon would have to be mounted, and their steeds are those of authority, not empire; or, if they be buckled to the chariot of empire, as that of the dictatorial power, like the chariot of the sun, it is glorious for terms and vacations or intervals. And as a commonwealth is a government of laws and not of men, so is this the principality of virtue, and not of man; if that fail or set in one, it rises in another who is created his immediate successor. And this takes away that vanity from under the sun, which is an error proceeding more or less from all other rulers under heaven but an equal commonwealth.

These things considered, it will be convenient in this place to speak a word to such as go about to insinuate to the nobility or gentry a fear of the people, or to the people a fear of the nobility or gentry, as if their interests were destructive to each other; when indeed an army may as well consist of soldiers without officers, or of officers without soldiers, as a commonwealth, especially such a one as is capable of greatness, of a people without a gentry, or of a gentry without a people. Wherefore this, though not always so intended, as may appear by Machiavel, who else would be guilty, is a pernicious error. There is something first in the making of a commonwealth, then in the governing of it, and last of all in the leading of its armies, which, though there be great divines, great lawyers, great men in all professions, seems to be peculiar only to the genius of a gentleman. For so it is in the universal series of story, that if any man has founded a commonwealth, he was first a gentleman. Moses had his education by the daughter of Pharaoh; Theseus and Solon, of noble birth, were held by the Athenians worthy to be kings; Lycurgus was of the royal blood; Romulus and Numa princes; Brutus and Publicola patricians; the Gracchi, that lost their lives for the people of Rome and the restitution of that commonwealth, were the sons of a father adorned with two triumphs; and of Cornelia the daughter of Scipio, who being demanded in marriage by King Ptolemy, disdained to become the Queen of Egypt. And the most renowned Olphaus Megaletor, sole legislator, as you will see anon, of the commonwealth of Oceana, was derived from a noble family; nor will it be any occasion of scruple in this case, that Leviathan affirms

the politics to be no ancients than his book "De Cive." Such also as have got any fame in the civil government of a commonwealth, or by the leading of its armies, have been gentlemen; for so in all other respects were those plebeian magistrates elected by the people of Rome, being of known descents and of equal virtues, except only that they were excluded from the name by the usurpation of the patricians. Holland, through this defect at home, has borrowed princes for generals, and gentlemen of divers nations for commanders: and the Switzers, if they have any defect in this kind, rather lend their people to the colours of other princes, than make that noble use of them at home which should assert the liberty of mankind. For where there is not a nobility to hearten the people, they are slothful, regardless of the world, and of the public interest of liberty, as even those of Rome had been without their gentry: wherefore let the people embrace the gentry in peace, as the light of their eyes; and in war, as the trophy of their arms; and if Cornelia disdained to be Queen of Egypt, if a Roman consul looked down from his tribunal upon the greatest king, let the nobility love and cherish the people that afford them a throne so much higher in a commonwealth, in the acknowledgment of their virtue, than the crowns of monarchs.

But if the equality of a commonwealth consist in the equality first of the Agrarian, and next of the rotation, then the inequality of a commonwealth must consist in the absence or inequality of the Agrarian, or of the rotation, or of both.

Israel and Lacedemon, which commonwealths (as the people of this, in Josephus, claims kindred of that) have great resemblance, were each of them equal in their Agrarian, and unequal in their rotation, especially Israel, where the Sanhedrim or senate, first elected by the people, as appears by the words of Moses, took upon them ever after, without any precept of God, to substitute their successors by ordination; which having been there of civil use, as excommunication, community of goods, and other customs of the Essenes, who were many of them converted, came afterward to be introduced into the Christian church. And the election of the judge, *suffes*, or dictator, was irregular, both for the occasion, the term, and the vacation of that magistracy; as you find in the book of Judges, where it is often repeated, that in those days there was no king in Israel—that

is, no judge ; and in the first of Samuel, where Eli judged Israel forty years, and Samuel, all his life. In Lacedemon the election of the senate being by suffrage of the people, though for life, was not altogether so unequal, yet the hereditary right of kings, were it not for the Agrarian, had ruined her.

Athens and Rome were unequal as to their Agrarian, that of Athens being infirm, and this of Rome none at all ; for if it were more anciently carried it was never observed. Whence, by the time of Tiberius Gracchus, the nobility had almost eaten the people quite out of their lands, which they held in the occupation of tenants and servants, whereupon the remedy being too late, and too vehemently applied, that commonwealth was ruined.

These also were unequal in their rotation, but in a contrary manner. Athens, in regard that the senate (chosen at once by lot, not by suffrage, and changed every year, not in part, but in the whole) consisted not of the natural aristocracy, nor sitting long enough to understand or to be perfect in their office, had no sufficient authority to restrain the people from that perpetual turbulence in the end, which was their ruin, notwithstanding the efforts of Nicias, who did all a man could do to help it. But as Athens, by the headiness of the people, so Rome fell by the ambition of the nobility, through the want of an equal rotation ; which, if the people had got into the senate, and timely into the magistracies (whereof the former was always usurped by the patricians, and the latter for the most part) they had both carried and held their Agrarian, and that had rendered that commonwealth immovable.

But let a commonwealth be equal or unequal, it must consist, as has been shown by reason and all experience, of the three general orders ; that is to say, of the senate debating and proposing, of the people resolving, and of the magistracy executing. Wherefore I can never wonder enough at Leviathan, who, without any reason or example, will have it that a commonwealth consists of a single person, or of a single assembly ; nor can I sufficiently pity those "thousand gentlemen, whose minds, which otherwise would have wavered, he has framed [as is affirmed by himself] into a conscientious obedience [for so he is pleased to call it] of such a government."

But to finish this part of the discourse, which I intend for as



complete an epitome of ancient prudence, and in that of the whole art of politics, as I am able to frame in so short a time :

The two first orders, that is to say, the senate and the people, are legislative, whereunto answers that part of this science which by politicians is entitled "of laws ;" and the third order is executive, to which answers that part of the same science which is styled "of the frame and course of courts or judicatories." A word to each of these will be necessary.

And first for laws : they are either ecclesiastical or civil, such as concern religion or government.

Laws, ecclesiastical, or such as concern religion, according to the universal course of ancient prudence, are in the power of the magistrate ; but, according to the common practice of modern prudence, since the Papacy, torn out of his hands.

But, as a government pretending to liberty, and yet suppressing liberty of conscience (which, because religion not according to a man's conscience can to him be none at all, is the main), must be a contradiction, so a man that, pleading for the liberty of private conscience, refuses liberty to the national conscience, must be absurd.

A commonwealth is nothing else but the national conscience. And if the conviction of a man's private conscience produces his private religion, the conviction of the national conscience must produce a national religion. Whether this be well reasoned, as also whether these two may stand together, will best be shown by the examples of the ancient commonwealths taken in their order.

In that of Israel the government of the national religion appertained not to the Priests and Levites, otherwise than as they happened to be of the Sanhedrim or senate, to which they had no right at all but by election. It is in this capacity therefore that the people are commanded, under pain of death, "to hearken to them, and to do according to the sentence of the law which they should teach ;" but in Israel the law ecclesiastical and civil was the same, therefore the Sanhedrim, having the power of one, had the power of both. But as the national religion appertained to the jurisdiction of the Sanhedrim, so the liberty of conscience appertained, from the same date, and by the same right, to the prophets and their disciples ; as where it is said, "I will raise up a prophet, . . . and whoever will not hearken to My words which

he shall speak in My name, I will require it of him." The words relate to prophetic right, which was above all the orders of this commonwealth ; whence Elijah not only refused to obey the king, but destroyed his messengers with fire. And whereas it was not lawful by the national religion to sacrifice in any other place than the Temple, a prophet was his own temple, and might sacrifice where he would, as Elijah did in Mount Carmel. By this right John the Baptist and our Saviour, to whom it more particularly related, had their disciples, and taught the people, whence is derived our present right of gathered congregations ; wherefore the Christian religion grew up according to the orders of the commonwealth of Israel, and not against them. Nor was liberty of conscience infringed by this government, till the civil liberty of the same was lost, as under Herod, Pilate, and Tiberius, a three-piled tyranny.

To proceed, Athens preserved her religion, by the testimony of Paul, with great superstition : if Alcibiades, that atheistical fellow, had not showed them a pair of heels, they had shaven off his head for shaving their Mercuries, and making their gods look ridiculously upon them without beards. Nevertheless, if Paul reasoned with them, they loved news, for which he was the more welcome ; and if he converted Dionysius the Areopagite, that is, one of the senators, there followed neither any hurt to him, nor loss of honour to Dionysius. And for Rome, if Cicero, in his most excellent book "De Natura Deorum," overthrew the national religion of that commonwealth, he was never the farther from being consul. But there is a meanness and poorness in modern prudence, not only to the damage of civil government, but of religion itself ; for to make a man in matter of religion, which admits not of sensible demonstration (*jurare in verba magistri*), engage to believe no otherwise than is believed by my Lord Bishop, or Goodman Presbyter, is a pedantism that has made the sword to be a rod in the hands of schoolmasters ; by which means, whereas the Christian religion is the farthest of any from countenancing war, there never was a war of religion but since Christianity, for which we are beholden to the Pope ; for the Pope not giving liberty of conscience to princes and commonwealths, they cannot give that to their subjects which they have not themselves, whence both princes and subjects, either through his instigation or their

own disputes, have introduced that execrable custom, never known in the world before, of fighting for religion, and denying the magistrate to have any jurisdiction concerning it, whereas the magistrate's losing the power of religion loses the liberty of conscience, which in that case has nothing to protect it. But if the people be otherwise taught, it concerns them to look about them, and to distinguish between the shrieking of the lapwing and the voice of the turtle.

To come to civil laws : if they stand one way and the balance another, it is the case of a government which of necessity must be new modelled ; wherefore your lawyers, advising you upon the like occasions to fit your government to their laws, are no more to be regarded than your tailor if he should desire you to fit your body to his doublet. There is also danger in the plausible pretence of reforming the law, except the government be first good, in which case it is a good tree, and (trouble not yourselves overmuch) brings not forth evil fruit ; otherwise, if the tree be evil, you can never reform the fruit, or if a root that is naught bring forth fruit of this kind that seems to be good, take the more heed, for it is the ranker poison. It was nowise probable, if Augustus had not made excellent laws, that the bowels of Rome could have come to be so miserably eaten out by the tyranny of Tiberius and his successors. The best rule as to your laws in general is, that they be few. Rome, by the testimony of Cicero, was best governed under those of the twelve tables ; and by that of Tacitus, *Plurimæ leges, corruptissima respublica*. You will be told, that where the laws be few, they leave much to arbitrary power ; but where they be many, they leave more, the laws in this case, according to Justinian and the best lawyers, being as litigious as the suitors. Solon made few, Lycurgus fewer laws ; and commonwealths have the fewest at this day of all other governments.

Now to conclude this part with a word *de judiciis*, or of the constitution or ~~course of courts~~ ; it is a discourse not otherwise capable of being well managed but by particular examples, both the constitution and course of courts being divers in different governments, but best beyond compare in Venice, where they regard not so much the arbitrary power of their courts as the constitution of them, whereby that arbitrary power being altogether unable to retard or do hurt to business, produces and

must produce the quickest despatch, and the most righteous dictates of justice that are perhaps in human nature. The manner I shall not stand in this place to describe, because it is exemplified at large in the judicature of the people of Oceana. And thus much of ancient prudence, and the first branch of this preliminary discourse.

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### THE SECOND PART OF THE PRELIMINARIES.

IN the second part I shall endeavour to show the rise, progress, and declination of modern prudence.

The date of this kind of policy is to be computed, as was shown, from those inundations of Goths, Vandals, Huns, and Lombards that overwhelmed the Roman empire. But as there is no appearance in the bulk or constitution of modern prudence, that it should ever have been able to come up and grapple with the ancient, so something of necessity must have interposed whereby this came to be enervated, and that to receive strength and encouragement. And this was the execrable reign of the Roman emperors taking rise from (that *felix scelus*) the arms of Cæsar, in which storm the ship of the Roman commonwealth was forced to disburden itself of that precious freight, which never since could emerge or raise its head but in the Gulf of Venice.

It is said in Scripture, "Thy evil is of thyself, O Israel!" To which answers that of the moralists, "None is hurt but by himself," as also the whole matter of the politics; at present this example of the Romans, who, through a negligence committed in their Agrarian laws, let in the sink of luxury, and forfeited the inestimable treasure of liberty for themselves and their posterity.

Their Agrarian laws were such whereby their lands ought to have been divided among the people, either without mention of a colony, in which case they were not obliged to change their abode; or with mention and upon condition of a colony, in which case they were to change their abode, and leaving the city, to plant themselves upon the lands so assigned. The lands assigned, or that ought to have been assigned, in either of these ways, were of three kinds: such as were taken from the enemy and distributed to the people; or

such as were taken from the enemy, and under colour of being reserved to the public use, were through stealth possessed by the nobility ; or such as were bought with the public money to be distributed. Of the laws offered in these cases, those which divided the lands taken from the enemy, or purchased with the public money, never occasioned any dispute ; but such as drove at dispossessing the nobility of their usurpations, and dividing the common purchase of the sword among the people, were never touched but they caused earthquakes, nor could they ever be obtained by the people ; or being obtained, be observed by the nobility, who not only preserved their prey, but growing vastly rich upon it, bought the people by degrees quite out of those shares that had been conferred upon them. This the Gracchi coming too late to perceive, found the balance of the commonwealth to be lost ; but putting the people (when they had least force) by forcible means upon the recovery of it, did ill, seeing it neither could nor did tend to any more than to show them by worse effects that what the wisdom of their leaders had discovered was true. For, quite contrary to what has happened in Oceana, where, the balance falling to the people, they have overthrown the nobility, that nobility of Rome, under the conduct of Sylla, overthrew the people and the commonwealth ; seeing Sylla first introduced that new balance, which was the foundation of the succeeding monarchy, in the plantation of military colonies, instituted by his distribution of the conquered lands, not now of enemies, but of citizens, to forty-seven legions of his soldiers ; so that how he came to be perpetual dictator, or other magistrates to succeed him in like power, is no miracle.

These military colonies (in which manner succeeding emperors continued, as Augustus by the distribution of the veterans, whereby he had overcome Brutus and Cassius to plant their soldiery) consisted of such as I conceive were they that are called *militēs beneficiarii* ; in regard that the tenure of their lands was by way of benefices, that is, for life, and upon condition of duty or service in the war upon their own charge. These benefices Alexander Severus granted to the heirs of the incumbents, but upon the same conditions. And such was the dominion by which the Roman emperors gave their balance. But to the beneficiaries, as was no less than necessary for the

safety of the prince, a matter of eight thousand by the example of Augustus were added, which departed not from his sides, but were his perpetual guard, called Pretorian bands ; though these, according to the incurable flaw already observed in this kind of government, became the most frequent butchers of their lords that are to be found in story. Thus far the Roman monarchy is much the same with that at this day in Turkey, consisting of a camp and a horse-quarter ; a camp in regard of the Spahis and Janizaries, the perpetual guard of the prince, except they also chance to be liquorish after his blood ; and a horse-quarter in regard of the distribution of his whole land to tenants for life, upon condition of continual service, or as often as they shall be commanded at their own charge by timars, being a word which they say signifies benefices, that it shall save me a labour of opening the government.

But the fame of Mahomet and his prudence is especially founded in this, that whereas the Roman monarchy, except that of Israel, was the most imperfect, the Turkish is the most perfect that ever was. Which happened in that the Roman (as the Israelitish of the Sanhedrim and the congregation) had a mixture of the senate and the people ; and the Turkish is pure. And that this was pure, and the other mixed, happened not through the wisdom of the legislators, but the different genius of the nations ; the people of the Eastern parts, except the Israelites, which is to be attributed to their Agrarian, having been such as scarce ever knew any other condition than that of slavery ; and these of the Western having ever had such a relish of liberty, as through what despair soever could never be brought to stand still while the yoke was putting on their necks, but by being fed with some hopes of reserving to themselves some part of their freedom.

Wherefore Julius Cæsar (saith Suetonius) contented himself in naming half the magistrates, to leave the rest to the suffrage of the people. And Mæcenas, though he would not have Augustus to give the people their liberty, would not have him take it quite away. Whence this empire, being neither hawk nor buzzard, made a flight accordingly ; and the prince being perpetually tossed (having the avarice of the soldiery on this hand to satisfy upon the people, and the senate and the people on the other to be defended from the soldiery), seldom died any

other death than by one horn of this dilemma, as is noted more at large by Machiavel. But the Pretorian bands, those bestial executioners of their captain's tyranny upon others, and of their own upon him, having continued from the time of Augustus, were by Constantine the Great (incensed against them for taking part with his adversary Maxentius) removed from their strong garrison which they held in Rome, and distributed into divers provinces. The benefices of the soldiers that were hitherto held for life and upon duty, were by this prince made hereditary, so that the whole foundation whereupon this empire was first built being now removed, shows plainly that the emperors must long before this have found out some other way of support; and this was by stipendiating the Goths, a people that, deriving their roots from the northern parts of Germany, or out of Sweden, had, through their victories obtained against Domitian, long since spread their branches to so near a neighbourhood with the Roman territories that they began to overshadow them. For the emperors making use of them in their armies, as the French do at this day of the Switz, gave them that under the notion of a stipend, which they received as tribute, coming, if there were any default in the payment, so often to distrain for it, that in the time of Honorius they sacked Rome, and possessed themselves of Italy. And such was the transition of ancient into modern prudence, or that breach, which being followed in every part of the Roman empire with inundations of Vandals, Huns, Lombards, Franks, Saxons, overwhelmed ancient languages, learning, prudence, manners, cities, changing the names of rivers, countries, seas, mountains, and men; Camillus, Cæsar, and Pompey, being come to Edmund, Richard, and Geoffrey.

To open the groundwork or balance of these new politicians: "Feudum," says Calvin the lawyer, "is a Gothic word of divers significations; for it is taken either for war, or for a possession of conquered lands, distributed by the victor to such of his captains and soldiers as had merited in his wars, upon condition to acknowledge him to be their perpetual lord, and themselves to be his subjects."

Of these there were three kinds or orders: the first of nobility distinguished by the titles of dukes, marquises, earls, and these being gratified with the cities, castles, and villages of the con-

quered Italians, their feuds participated of royal dignity, and were called regalia, by which they had right to coin money, create magistrates, take toll, customs, confiscations, and the like.

Feuds of the second order were such as, with the consent of the king, were bestowed by these feudatory princes upon men of inferior quality, called their barons, on condition that next to the king they should defend the dignities and fortunes of their lords in arms.

The lowest order of feuds were such, as being conferred by those of the second order upon private men, whether noble or not noble, obliged them in the like duty to their superiors; these were called vavasors. And this is the Gothic balance, by which all the kingdoms this day in Christendom were at first erected; for which cause, if I had time, I should open in this place the empire of Germany, and the kingdoms of France, Spain, and Poland; but so much as has been said being sufficient for the discovery of the principles of modern prudence in general, I shall divide the remainder of my discourse, which is more particular, into three parts.

The first, showing the constitution of the late monarchy of Oceana.

The second, the dissolution of the same. And

The third, the generation of the present commonwealth.

The constitution of the late monarchy of Oceana is to be considered in relation to the different nations by whom it has been successively subdued and governed. The first of these were the Romans, the second the Teutons, the third the Scandians, and the fourth the Neustrians.

The government of the Romans, who held it as a province, I shall omit, because I am to speak of their provincial government in another place, only it is to be remembered here, that if we have given over running up and down naked, and with dappled hides, learned to write and read, and to be instructed with good arts, for all these we are beholden to the Romans, either immediately or mediately by the Teutons; for that the Teutons had the arts from no other hand is plain enough by their language, which has yet no word to signify either writing or reading, but what is derived from the Latin. Furthermore, by the help of these arts so learned, we have been capable of



that religion which we have long since received ; wherefore it seems to me that we ought not to detract from the memory of the Romans, by whose means we are, as it were, of beasts become men, and by whose means we might yet of obscure and ignorant men (if we thought not too well of ourselves) become a wise and a great people.

The Romans having governed Oceana provincially, the Teutons were the first that introduced the form of the late monarchy. To these succeeded the Scandians, of whom (because their reign was short, as also because they made little alteration in the government as to the form) I shall take no notice. But the Teutons going to work upon the Gothic balance, divided the whole nation into three sorts of feuds, that of ealdorman, that of king's thane, and that of middle thane.

When the kingdom was first divided into precincts will be as hard to show as when it began first to be governed ; it being impossible that there should be any government without some division. The division that was in use with the Teutons was by counties, and every county had either its ealdorman, or high reeve. The title of ealdorman came in time to eorl, or erl, and that of high reeve to high sheriff.

Earl of the shire or county denoted the king's thane, or tenant by grand sergeantry or knight's service, in chief or *in capite* ; his possessions were sometimes the whole territory from whence he had his denomination, that is, the whole county ; sometimes more than one county, and sometimes less, the remaining part being in the crown. He had also sometimes a third, or some other customary part of the profits of certain cities, boroughs, or other places within his earldom. For an example of the possessions of earls in ancient times, Ethelred had to him and his heirs the whole kingdom of Mercia, containing three or four counties ; and there were others that had little less.

King's thane was also an honorary title, to which he was qualified that had five hides of land held immediately of the king by service of personal attendance ; insomuch that if a churl or countryman had thriven to this proportion, having a church, a kitchen, a bellhouse (that is, a hall with a bell in it to call his family to dinner), a boroughgate with a seat (that is, a porch) of his own, and any distinct office in the king's court, then was he the king's thane. But the proportion of a hide land, otherwise

called *caruca*, or a plough land, is difficult to be understood, because it was not certain; nevertheless it is generally conceived to be so much as may be managed with one plough, and would yield the maintenance of the same, with the appurtenances in all kinds.

The middle thane was feudal, but not honorary; he was also called a vavisor, and his lands a vavasory, which held of some mesne lord, and not immediately of the king.

Possessions and their tenures, being of this nature, show the balance of the Teuton monarchy; wherein the riches of earls were so vast, that to arise from the balance of their dominion to their power, they were not only called *reguli*, or little kings, but were such indeed; their jurisdiction being of two sorts, either that which was exercised by them in the court of their countries, or in the high court of the kingdom.

In the territory denominating an earl, if it were all his own, the courts held, and the profits of that jurisdiction were to his own use and benefit. But if he had but some part of his county, then his jurisdiction and courts, saving perhaps in those possessions that were his own, were held by him to the king's use and benefit; that is, he commonly supplied the office which the sheriffs regularly executed in counties that had no earls, and whence they came to be called viscounts. The court of the county that had an earl was held by the earl and the bishop of the diocese, after the manner of the sheriffs' turns to this day; by which means both the ecclesiastical and temporal laws were given in charge together to the country. The causes of vavasors or vavasories appertained to the cognizance of this court, where wills were proved, judgment and execution given, cases criminal and civil determined.

The king's thanes had the like jurisdiction in their thane lands as lords in their manors, where they also kept courts.

Besides these in particular, both the earls and king's thanes, together with the bishops, abbots, and vavasors, or middle thanes, had in the high court or parliament in the kingdom a more public jurisdiction, consisting first of deliberative power for advising upon and assenting to new laws; secondly, of giving counsel in matters of state; and thirdly, of judicature upon suits and complaints. I shall not omit to enlighten the obscurity of these times, in which there is little to be found of a

methodical constitution of this high court, by the addition of an argument, which I conceive to bear a strong testimony to itself, though taken out of a late writing that conceals the author. "It is well known," says he, "that in every quarter of the realm a great many boroughs do yet send burgesses to the parliament which nevertheless be so anciently and so long since decayed and gone to nought, that they cannot be showed to have been of any reputation since the Conquest, much less to have obtained any such privilege by the grant of any succeeding king : wherefore these must have had this right by more ancient usage, and before the Conquest, they being unable now to show whence they derived it."

This argument, though there be more, I shall pitch upon as sufficient to prove: first, that the lower sort of the people had right to session in parliament during the time of the Teutons. Secondly, that they were qualified to the same by election in their boroughs, and, if knights of the shire, as no doubt they are, be as ancient in the countries. Thirdly, if it be a good argument to say, that the commons during the reign of the Teutons were elected into parliament because they are so now, and no man can show when this custom began ; I see not which way it should be an ill one to say that the commons during the reign of the Teutons constituted also a distinct house because they do so now, unless any man can show that they did ever sit in the same house with the lords. Wherefore to conclude this part, I conceive for these, and other reasons to be mentioned hereafter, that the parliament of the Teutons consisted of the king, the lords spiritual and temporal, and the commons of the nation, notwithstanding the style of divers acts of parliament, which runs, as that of Magna Charta, in the king's name only, seeing the same was nevertheless enacted by the king, peers, and commons of the land, as is testified in those words by a subsequent act.

The monarchy of the Teutons had stood in this posture about two hundred and twenty years ; when Turbo, duke of Neustria, making his claim to the crown of one of their kings that died childless, followed it with successful arms ; and being possessed of the kingdom, used it as conquered, distributing the earldoms, thane lands, bishoprics and prelacies of the whole realm among his Neustrians. From this time the earl came to be called

comes, consul, and dux, though consul and dux grew afterward out of use; the king's thanes came to be called barons, and their lands baronies; the middle thane holding still of a mesne lord, retained the name of vavator.

The earl or comes continued to have the third part of the pleas of the county paid to him by the sheriff or vice-comes, now a distinct officer in every county depending upon the king; saving that such earls as had their counties to their own use were now *counts palatin*, and had under the king regal jurisdiction; insomuch that they constituted their own sheriffs, granted pardons, and issued writs in their own names; nor did the king's writ of ordinary justice run in their dominions till a late statute, whereby much of this privilege was taken away.

For barons they came from henceforth to be in different times of three kinds: barons by their estates and tenures, barons by writ, and barons created by letters patent. From Turbo the first to Adoxus the seventh king from the Conquest, barons had their denomination from their possessions and tenures. And these were either spiritual or temporal; for not only the thane lands, but the possessions of bishops, as also of some twenty-six abbots, and two priors, were now erected into baronies, whence the lords spiritual that had suffrage in the Teuton parliament as spiritual lords came to have it in the Neustrian parliament as barons, and were made subject, which they had not formerly been, to knights' service in chief. Barony coming henceforth to signify all honorary possessions as well of earls as barons, and baronage to denote all kinds of lords as well spiritual as temporal having right to sit in parliament, the baronies in this sense were sometimes more, and sometimes fewer, but commonly about two hundred or two hundred and fifty, containing in them a matter of sixty thousand *feudi militum*, or knights' fees, whereof some twenty-eight thousand were in the clergy. It is ill luck that no man can tell what the land of a knight's fee, reckoned in some writs at £40 a year, and in others at ten, was certainly worth, for by such a help we might have exactly demonstrated the balance of this government. But, says Coke, it contained twelve plough lands, and that was thought to be the most certain account. But this again is extremely uncertain; for one plough out of some land that was fruitful might work more than ten out of some other

that was barren. Nevertheless, seeing it appears by Bracton, that of earldoms and baronies it was wont to be said that the whole kingdom was composed, as also that these, consisting of sixty thousand knights' fees, furnished sixty thousand men for the king's service, being the whole militia of this monarchy, it cannot be imagined that the vavatories or freeholds in the people amounted to any considerable proportion. Wherefore the balance and foundation of this government was in the sixty thousand knights' fees, and these being possessed by the two hundred and fifty lords, it was a government of the few, or of the nobility, wherein the people might also assemble, but could have no more than a mere name. And the clergy, holding a third of the whole nation, as is plain by the parliament roll, it is an absurdity (seeing the clergy of France came first through their riches to be a state of that kingdom) to acknowledge the people to have been a state of this realm, and not to allow it to the clergy, who were so much more weighty in the balance, which is that of all other whence a state or order in a government is denominated. Wherefore this monarchy consisted of the king, and of the three *ordines regni*, or estates, the lords spiritual and temporal, and the commons; it consisted of these I say as to the balance, though, during the reign of some of these kings, not as to the administration.

For the ambition of Turbo, and some of those that more immediately succeeded him, to be absolute princes, strove against the nature of their foundation, and, inasmuch as he had divided almost the whole realm among his Neustrians, with some encouragement for a while. But the Neustrians, while they were but foreign plants, having no security against the natives, but in growing up by their princes' sides, were no sooner well rooted in their vast dominions than they came up according to the infallible consequence of the balance domestic, and, contracting the national interest of the baronage, grew as fierce in the vindication of the ancient rights and liberties of the same, as if they had been always natives: whence, the kings being as obstinate on the one side for their absolute power, as these on the other for their immunities, grew certain wars, which took their denomination from the barons.

This fire about the middle of the reign of Adoxus began to break out. And whereas the predecessors of this king had divers

times been forced to summon councils resembling those of the Teutons, to which the lords only that were barons by dominion and tenure had hitherto repaired, Adoxus, seeing the effects of such dominion, began first not to call such as were barons by writ (for that was according to the practice of ancient times), but to call such by writs as were otherwise no barons ; by which means, striving to avoid the consequence of the balance, in coming unwillingly to set the government straight, he was the first that set it awry. For the barons in his reign, and his successors, having vindicated their ancient authority, restored the parliament with all the rights and privileges of the same, saving that from thenceforth the kings had found out a way whereby to help themselves against the mighty by creatures of their own, and such as had no other support but by their favour. By which means this government, being indeed the masterpiece of modern prudence, has been cried up to the skies, as the only invention whereby at once to maintain the sovereignty of a prince and the liberty of the people. Whereas, indeed, it has been no other than a wrestling match, wherein the nobility, as they have been stronger, have thrown the king, or the king, if he has been stronger, have thrown the nobility ; or the king, where he has had a nobility, and could bring them to his party, has thrown the people, as in France and Spain ; or the people, where they have had no nobility, or could get them to be of their party, have thrown the king, as in Holland, and of later times in Oceana. But they came not to this strength but by such approaches and degrees, as remain to be further opened. For whereas the barons by writ, as the sixty-four abbots and thirty-six priors that were so called, were but *pro tempore*, Dicotome, being the twelfth king from the Conquest, began to make barons by letters patent, with the addition of honorary pensions for the maintenance of their dignities to them and their heirs ; so that they were hands in the king's purse and had no shoulders for his throne. Of these, when the house of peers came once to be full, as will be seen hereafter, there was nothing more empty. But for the present, the throne having other supports, they did not hurt that so much as they did the king ; for the old barons, taking Dicotome's prodigality to such creatures so ill that they deposed him, got the trick of it, and never gave over setting up and pulling down their kings according to their various interests, and

that faction of the White and Red, into which they have been thenceforth divided, till Panurgus, the eighteenth king from the Conquest, was more by their favour than his right advanced to the crown. This king, through his natural subtlety, reflecting at once upon the greatness of their power, and the inconstancy of their favour, began to find another flaw in this kind of government, which is also noted by Machiavel—namely, that a throne supported by a nobility is not so hard to be ascended as kept warm. Wherefore his secret jealousy, lest the dissension of the nobility, as it brought him in might throw him out, made him travel in ways undiscovered by them, to ends as little foreseen by himself, while to establish his own safety, he, by mixing water with their wine, first began to open those sluices that have since overwhelmed not the king only but the throne. For whereas a nobility strikes not at the throne, without which they cannot subsist, but at some king that they do not like, popular power strikes through the king at the throne, as that which is incompatible with it. Now that Panurgus, in abating the power of the nobility, was the cause whence it came to fall into the hands of the people, appears by those several statutes that were made in his reign, as that for population, those against retainers, and that for alienations.

By the statute of population, all houses of husbandry that were used with twenty acres of ground and upwards, were to be maintained and kept up for ever with a competent proportion of land laid to them, and in nowise, as appears by a subsequent statute, to be severed. By which means the houses being kept up, did of necessity enforce dwellers; and the proportion of land to be tilled being kept up, did of necessity enforce the dweller not to be a beggar or cottager, but a man of some substance, that might keep hinds and servants and set the plough a-going. This did mightily concern, says the historian of that prince, the might and manhood of the kingdom, and in effect amortize a great part of the lands to the hold and possession of the yeomanry or middle people, who living not in a servile or indigent fashion, were much unlinked from dependence upon their lords, and living in a free and plentiful manner, became a more excellent infantry, but such a one upon which the lords had so little power, that from henceforth they may be computed to have been disarmed.

And as they lost their infantry after this manner, so their cavalry and commanders were cut off by the statute of retainers; for whereas it was the custom of the nobility to have younger brothers of good houses, mettled fellows, and such as were knowing in the feats of arms about them, they who were longer followed with so dangerous a train, escaped not such punishments as made them take up.

Henceforth the country lives and great tables of the nobility, which no longer nourished veins that would bleed for them, were fruitless and loathsome till they changed the air, and of princes became courtiers; where their revenues, never to have been exhausted by beef and mutton, were found narrow, whence followed racking of rents, and at length sale of lands, the riddance through the statute of alienations being rendered far more quick and facile than formerly it had been through the new invention of entails.

To this it happened that Coraunus, the successor of that king, dissolving the abbeyes, brought, with the declining state of the nobility, so vast a prey to the industry of the people, that the balance of the commonwealth was too apparently in the popular party to be unseen by the wise council of Queen Parthenia, who, converting her reign through the perpetual love tricks that passed between her and her people into a kind of romance, wholly neglected the nobility. And by these degrees came the house of commons to raise that head, which since has been so high and formidable to their princes that they have looked pale upon those assemblies. Nor was there anything now wanting to the destruction of the throne, but that the people, not apt to see their own strength, should be put to feel it; when a prince, as stiff in disputes as the nerve of monarchy was grown slack, received that unhappy encouragement from his clergy which became his utter ruin, while trusting more to their logic than the rough philosophy of his parliament, it came to an irreparable breach; for the house of peers, which alone had stood in this gap, now sinking down between the king and the commons, showed that Crassus was dead and the isthmus broken. But a monarchy, divested of its nobility, has no refuge under heaven but an army. Wherefore the dissolution of this government caused the war, not the war the dissolution of this government.



Of the king's success with his arms it is not necessary to give any further account, than that they proved as ineffectual as his nobility; but without a nobility or an army (as has been shown) there can be no monarchy. Wherefore what is there in Nature that can arise out of these ashes but a popular government, or a new monarchy to be erected by the victorious army?

To erect a monarchy, be it never so new, unless like Leviathan you can hang it, as the country-fellow speaks, by geometry (for what else is it to say, that every other man must give up his will to the will of this one man without any other foundation?), it must stand upon old principles—that is, upon a nobility or an army planted on a due balance of dominion. *Aut viam inveniam aut faciam*, was an adage of Cæsar; and there is no standing for a monarchy unless it finds this balance, or makes it. If it finds it, the work is done to its hand; for, where there is inequality of estates, there must be inequality of power; and where there is inequality of power, there can be no commonwealth. To make it, the sword must extirpate out of dominion all other roots of power, and plant an army upon that ground. An army may be planted nationally or provincially. To plant it nationally, it must be in one of the four ways mentioned, that is, either monarchically in part, as the Roman *beneficarii*; or monarchically, in the whole, as the Turkish Timariots; aristocratically, that is, by earls and barons, as the Neustrians were planted by Turbo; or democratically, that is, by equal lots, as the Israelitish army in the land of Canaan by Joshua. In every one of these ways there must not only be confiscations, but confiscations to such a proportion as may answer to the work intended.

Confiscation of a people that never fought against you, but whose arms you have borne, and in which you have been victorious, and this upon premeditation and in cold blood, I should have thought to be against any example in human nature, but for those alleged by Machiavel of Agathocles, and Oliveretto di Fermo; the former whereof being captain-general of the Syracusans, upon a day assembled the senate and the people, as if he had something to communicate with them, when at a sign given he cut the senators in pieces to a man, and all the richest of the people, by which means he came

to be king. The proceedings of Oliveretto, in making himself Prince of Fermo, were somewhat different in circumstances, but of the same nature. Nevertheless Catiline, who had a spirit equal to any of these in his intended mischief, could never bring the like to pass in Rome. The head of a small commonwealth, such a one as was that of Syracuse or Fermo, is easily brought to the block; but that a populous nation, such as Rome, had not such a one, was the grief of Nero. If Sylvia or Cæsar attained to be princes, it was by civil war, and such civil war as yielded rich spoils, there being a vast nobility to be confiscated; which also was the case in Oceana, when it yielded earth by earldoms and baronies to the Neustrian for the plantation of his new potentates. Where a conqueror finds the riches of a land in the hands of the few, the forfeitures are easy, and amount to vast advantage; but where the people have equal shares, the confiscation of many comes to little, and is not only dangerous but fruitless.

The Romans, in one of their defeats of the Volsci, found among the captives certain Tusculans, who, upon examination, confessed that the arms they bore were by command of their State; whereupon information being given to the senate by the general Camillus, he was forthwith commanded to march against Tusculum; which doing accordingly, he found the Tusculan fields full of husbandmen, that stirred not otherwise from the plough than to furnish his army with all kinds of accommodations and victuals. Drawing near to the city, he saw the gates wide open, the magistrates coming out in their gowns to salute and bid him welcome: entering, the shops were all at work, and open, the streets sounded with the noise of schoolboys at their books; there was no face of war. Whereupon Camillus, causing the senate to assemble, told them, that though the art was understood, yet had they at length found out the true arms whereby the Romans were most undoubtedly to be conquered, for which cause he would not anticipate the senate, to which he desired them forthwith to send, which they did accordingly; and their dictator with the rest of their ambassadors being found by the Roman senators as they went into the house standing sadly at the door, were sent for in as friends, and not as enemies; where the dictator having said, "If we have offended, the fault was not so great as is our penitence and your virtue," the

senate gave them peace forthwith, and soon after made the Tusculans citizens of Rome.

But putting the case, of which the world is not able to show an example, that the forfeiture of a populous nation, not conquered, but friends, and in cool blood, might be taken, your army must be planted in one of the ways mentioned. To plant it in the way of absolute monarchy, that is, upon feuds for life, such as the Timars, a country as large and fruitful as that of Greece, would afford you but sixteen thousand Timariots, for that is the most the Turk (being the best husband that ever was of this kind) makes of it at this day : and if Oceana, which is less in fruitfulness by one-half, and in extent by three parts, should have no greater a force, whoever breaks her in one battle, may be sure she shall never rise ; for such (as was noted by Machiavel) is the nature of the Turkish monarchy, if you break it in two battles, you have destroyed its whole militia, and the rest being all slaves, you hold it without any further resistance. Wherefore the erection of an absolute monarchy in Oceana, or in any other country that is no larger, without making it a certain prey to the first invader, is altogether impossible.

To plant by halves, as the Roman emperors did their beneficiaries, or military colonies, it must be either for life ; and this an army of Oceaners in their own country, especially having estates of inheritance, will never bear ; because such an army so planted is as well confiscated as the people ; nor had the Mamalukes been contented with such usage in Egypt, but that they were foreigners, and daring not to mix with the natives, it was of absolute necessity to their being.

Or planting them upon inheritance, whether aristocratically as the Neustrians, or democratically as the Israelites, they grow up by certain consequence into the national interest, and this, if they be planted popularly, comes to a commonwealth ; if by way of nobility, to a mixed monarchy, which of all other will be found to be the only kind of monarchy whereof this nation, or any other that is of no greater extent, has been or can be capable ; for if the Israelites, though their democratical balance, being fixed by their Agrarian, stood firm, be yet found to have elected kings, it was because, their territory lying open, they were perpetually invaded, and being perpetually invaded, turned themselves to anything which, through the want of experience,

they thought might be a remedy ; whence their mistake in election of their kings, under whom they gained nothing, but, on the contrary, lost all they had acquired by their commonwealth, both estates and liberties, is not only apparent, but without parallel. And if there have been, as was shown, a kingdom of the Goths in Spain, and of the Vandals in Asia, consisting of a single person and a parliament (taking a parliament to be a council of the people only, without a nobility), it is expressly said of those councils that they deposed their kings as often as they pleased ; nor can there be any other consequence of such a government, seeing where there is a council of the people they do never receive laws, but give them ; and a council giving laws to a single person, he has no means in the world whereby to be any more than a subordinate magistrate but force : in which case he is not a single person and a parliament, but a single person and an army, which army again must be planted as has been shown, or can be of no long continuance.

It is true, that the provincial balance being in nature quite contrary to the national, you are no way to plant a provincial army upon dominion. But then you must have a native territory in strength, situation, or government, able to overbalance the foreign, or you can never hold it. That an army should in any other case be long supported by a mere tax, is a mere fancy as void of all reason and experience as if a man should think to maintain such a one by robbing of orchards ; for a mere tax is but pulling of plum-trees, the roots whereof are in other men's grounds, who, suffering perpetual violence, come to hate the author of it ; and it is a maxim, that no prince that is hated by his people can be safe. Arms planted upon dominion extirpate enemies and make friends ; but maintained by a mere tax, have enemies that have roots, and friends that have none.

To conclude, Oceana, or any other nation of no greater extent, must have a competent nobility, or is altogether incapable of monarchy ; for where there is equality of estates, there must be equality of power, and where there is equality of power, there can be no monarchy.

To come then to the generation of the commonwealth. It has been shown how, through the ways and means used by Panurgus to abase the nobility, and so to mend that flaw which we have asserted to be incurable in this kind of constitution, he suffered

the balance to fall into the power of the people, and so broke the government ; but the balance being in the people, the commonwealth (though they do not see it) is already in the nature of them. There wants nothing else but time, which is slow and dangerous, or art, which would be more quick and secure, for the bringing those native arms, wherewithal they are found already, to resist, they know not how, everything that opposes them, to such maturity as may fix them upon their own strength and bottom.

But whereas this art is prudence, and that part of prudence which regards the present work is nothing else but the skill of raising such superstructures of government as are natural to the known foundations, they never mind the foundation, but through certain animosities, wherewith by striving one against another they are infected, or through freaks, by which, not regarding the course of things, nor how they conduce to their purpose, they are given to building in the air, come to be divided and subdivided into endless parties and factions, both civil and ecclesiastical, which, briefly to open, I shall first speak of the people in general, and then of their divisions.

A people, says Machiavel, that is corrupt, is not capable of a commonwealth. But in showing what a corrupt people is, he has either involved himself, or me ; nor can I otherwise come out of the labyrinth, than by saying, the balance altering a people, as to the foregoing government, must of necessity be corrupt ; but corruption in this sense signifies no more than that the corruption of one government, as in natural bodies, is the generation of another. Wherefore if the balance alters from monarchy, the corruption of the people in this case is that which makes them capable of a commonwealth. But whereas I am not ignorant that the corruption which he means is in manners, this also is from the balance. For the balance leading from monarchical into popular, abates the luxury of the nobility, and, enriching the people, brings the government from a more private to a more public interest ; which coming nearer, as has been shown, to justice and right reason, the people upon a like alteration is so far from such a corruption of manners as should render them incapable of a commonwealth, that of necessity they must thereby contract such a reformation of manners as will bear no other kind of government. On the other side,

where the balance changes from popular to oligarchical or monarchical, the public interest, with the reason and justice included in the same, becomes more private; luxury is introduced in the room of temperance, and servitude in that of freedom, which causes such a corruption of manners both in the nobility and people, as, by the example of Rome in the time of the Triumvirs, is more at large discovered by the author to have been altogether incapable of a commonwealth.

But the balance of Oceana changing quite contrary to that of Rome, the manners of the people were not thereby corrupted, but, on the contrary, adapted to a commonwealth. For differences of opinion in a people not rightly informed of their balance, or a division into parties (while there is not any common ligament of power sufficient to reconcile or hold them) is no sufficient proof of corruption. Nevertheless, seeing this must needs be matter of scandal and danger, it will not be amiss, in showing what were the parties, to show what were their errors.

The parties into which this nation was divided, were temporal, or spiritual; and the temporal parties were especially two, the one royalists, the other republicans, each of which asserted their different causes, either out of prudence or ignorance, out of interest or conscience.

For prudence, either that of the ancients is inferior to the modern, which we have hitherto been setting face to face, that any one may judge, or that of the royalist must be inferior to that of the commonwealthsman. And for interest, taking the commonwealthsman to have really intended the public, for otherwise he is a hypocrite and the worst of men, that of the royalist must of necessity have been more private. Wherefore, the whole dispute will come upon matter of conscience, and this, whether it be urged by the right of kings, the obligation of former laws, or of the oath of allegiance, is absolved by the balance.

For if the right of kings were as immediately derived from the breath of God as the life of man, yet this excludes not death and dissolution. But, that the dissolution of the late monarchy was as natural as the death of a man, has been already shown. Wherefore it remains with the royalists to discover by what reason or experience it is possible for a monarchy to stand upon a popular balance; or, the balance being popular, as well the

oath of allegiance, as all other monarchical laws, imply an impossibility, and are therefore void.

To the commonwealthsman I have no more to say, but that if he excludes any party, he is not truly such ; nor shall ever found a commonwealth upon the natural principle of the same, which is justice. And the royalist for having not opposed a commonwealth in Oceana, where the laws were so ambiguous that they might be eternally disputed and never reconciled, can neither be justly for that cause excluded from his full and equal share in the government ; nor prudently for this reason, that a commonwealth consisting of a party will be in perpetual labour of her own destruction : whence it was that the Romans, having conquered the Albans, incorporated them with equal right into the commonwealth. And if the royalists be "flesh of your flesh," and nearer of blood than were the Albans to the Romans, you being also both Christians, the argument is the stronger. Nevertheless there is no reason that a commonwealth should any more favour a party remaining in fixed opposition against it, than Brutus did his own sons. But if it fixes them upon that opposition, it is its own fault, not theirs ; and this is done by excluding them. Men that have equal possessions and the same security for their estates and their liberties that you have, have the same cause with you to defend both ; but if you will be trampling, they fight for liberty, though for monarchy ; and you for tyranny, though under the name of a commonwealth : the nature of orders in a government rightly instituted being void of all jealousy, because, let the parties which it embraces be what they will, its orders are such as they neither would resist if they could, nor could if they would, as has been partly already shown, and will appear more at large by the following model.

The parties that are spiritual are of more kinds than I need mention ; some for a national religion, and others for liberty of conscience, with such animosity on both sides, as if these two could not consist together, and of which I have already sufficiently spoken, to show that indeed the one cannot well subsist without the other. But they of all the rest are the most dangerous, who, holding that the saints must govern, go about to reduce the commonwealth to a party, as well for the reasons already shown, as that their pretences are against Scripture,

where the saints are commanded to submit to the higher powers, and to be subject to the ordinance of man. And that men, pretending under the notion of saints or religion to civil power, have hitherto never failed to dishonour that profession, the world is full of examples, whereof I shall confine myself at present only to a couple, the one of old, the other of new Rome.

In old Rome, the patricians or nobility pretending to be the godly party, were questioned by the people for engrossing all the magistracies of that commonwealth, and had nothing to say why they did so, but that magistracy required a kind of holiness which was not in the people ; at which the people were filled with such indignation as had come to cutting of throats, if the nobility had not immediately laid by the insolency of that plea ; which nevertheless when they had done, the people for a long time after continued to elect no other but patrician magistrates.

The example of new Rome in the rise and practice of the hierarchy (too well known to require any further illustration) is far more immodest.

This has been the course of Nature ; and when it has pleased or shall please God to introduce anything that is above the course of Nature, He will, as He has always done, confirm it by miracle ; for so in His prophecy of the reign of Christ upon earth He expressly promises, seeing that "the souls of them that were beheaded for Jesus, shall be seen to live and reign with Him ;" which will be an object of sense, the rather, because the rest of the dead are not to live again till the thousand years be finished. And it is not lawful for men to persuade us that a thing already is, though there be no such object of our sense, which God has told us shall not be till it be an object of our sense.

The saintship of a people as to government, consists in the election of magistrates fearing God, and hating covetousness, and not in their confining themselves, or being confined to men of this or that party or profession. It consists in making the most prudent and religious choice they can ; yet not in trusting to men, but, next God, to their own orders. "Give us good men, and they will make us good laws," is the maxim of a demagogue, and is (through the alteration which is commonly perceivable in men, when they have power to work their own wills) exceeding



fallible. But "give us good orders, and they will make us good men," is the maxim of a legislator, and the most infallible in the politics.

But these divisions (however there be some good men that look sadly on them) are trivial things; first as to the civil concern, because the government, whereof this nation is capable, being once seen, takes in all interests. And, secondly, as to the spiritual; because as the pretence of religion has always been turbulent in broken governments, so where the government has been sound and steady, religion has never shown itself with any other face than that of the natural sweetness and tranquillity; nor is there any reason why it should, wherefore the errors of the people are occasioned by their governors. If they be doubtful of the way, or wander from it, it is because their guides misled them; and the guides of the people are never so well qualified for leading by any virtue of their own, as by that of the government.

The government of Oceana (as it stood at the time whereof we discourse, consisting of one single council of the people, exclusively of the king and the lords) was called a parliament: nevertheless the parliaments of the Teutons and of the Neustrians consisted, as has been shown, of the king, lords and commons; wherefore this, under an old name, was a new thing: a parliament consisting of a single assembly elected by the people, and invested with the whole power of the government, without any covenants, conditions, or orders whatsoever. So new a thing, that neither ancient nor modern prudence can show any avowed example of the like. And there is scarce anything that seems to me so strange as that (whereas there was nothing more familiar with these councillors than to bring the Scripture to the house) there should not be a man of them that so much as offered to bring the house to the Scripture, wherein, as has been shown, is contained that original, whereof all the rest of the commonwealths seem to be copies. Certainly if Leviathan (who is surer of nothing than that a popular commonwealth consists but of one council) transcribed his doctrine out of this assembly, for him to except against Aristotle and Cicero for writing out of their own commonwealths was not so fair play; or if the parliament transcribed out of him, it had been an honour better due to Moses. But where one of them should

have an example but from the other, I cannot imagine, there being nothing of this kind that I can find in story, but the oligarchy of Athens, the thirty tyrants of the same, and the Roman decemvirs.

For the oligarchy, Thucydides tells us, that it was a senate or council of four hundred, pretending to a balancing council of the people consisting of five thousand, but not producing them ; wherein you have the definition of an oligarchy, which is a single council both debating and resolving, dividing and choosing, and what that must come to was shown by the example of the girls, and is apparent by the experience of all times ; wherefore the thirty set up by the Lacedemonians (when they had conquered Athens) are called tyrants by all authors, Leviathan only excepted, who will have them against all the world to have been an aristocracy, but for what reason I cannot imagine ; these also, as void of any balance, having been void of that which is essential to every commonwealth, whether aristocratical or popular ; except he be pleased with them, because that, according to the testimony of Xenophon, they killed more men in eight months than the Lacedemonians had done in ten years ; "oppressing the people [to use Sir Walter Raleigh's words] with all base and intolerable slavery."

The usurped government of the decemvirs in Rome was of the same kind. Wherefore in the fear of God let Christian legislators (setting the pattern given in the Mount on the one side, and these execrable examples on the other) know the right hand from the left ; and so much the rather, because those things which do not conduce to the good of the governed are fallacious, if they appear to be good for the governors. God, in chastising a people, is accustomed to burn his rod. The empire of these oligarchies was not so violent as short, nor did they fall upon the people, but in their own immediate ruin. A council without a balance is not a commonwealth, but an oligarchy ; and every oligarchy, except it be put to the defence of its wickedness or power against some outward danger, is factious. Wherefore the errors of the people being from their governors (which maxim in the politics bearing a sufficient testimony to itself, is also proved by Machiavel), if the people of Oceana have been factious, the cause is apparent, but what remedy ?

In answer to this question, I come now to the army, of which the most victorious captain and incomparable patriot, Olphaus Megaletor, was now general, who being a much greater master of that art whereof I have made a rough draft in these preliminaries, had such sad reflections upon the ways and proceedings of the parliament, as cast him upon books, and all other means of diversion, among which he happened on this place of Machiavel: "Thrice happy is that people which chances to have a man able to give them such a government at once, as without alteration may secure them of their liberties; seeing it was certain that Lacedemon, in observing the laws of Lycurgus, continued about eight hundred years without any dangerous tumult or corruption." My Lord General (as it is said of Themistocles, that he could not sleep for the glory obtained by Miltiades at the battle of Marathon) took so new and deep an impression at these words of the much greater glory of Lycurgus, that, being on this side assaulted with the emulation of his illustrious object, and on the other with the misery of the nation, which seemed (as it were ruined by his victory) to cast itself at his feet, he was almost wholly deprived of his natural rest, till the debate he had within himself came to a firm resolution, that the greatest advantages of a commonwealth are, first, that the legislator should be one man; and, secondly, that the government should be made all together, or at once. For the first, it is certain, says Machiavel, that a commonwealth is seldom or never well turned or constituted, except it has been the work of one man; for which cause a wise legislator, and one whose mind is firmly set, not upon private but the public interest, not upon his posterity but upon his country, may justly endeavour to get the sovereign power into his own hands, nor shall any man that is master of reason blame such extraordinary means as in that case will be necessary, the end proving no other than the constitution of a well-ordered commonwealth. The reason of this is demonstrable; for the ordinary means not failing, the commonwealth has no need of a legislator, but the ordinary means failing, there is no recourse to be had but to such as are extraordinary. And, whereas a book or a building has not been known to attain to its perfection if it has not had a sole author or architect, a commonwealth, as to the fabric of it, is of the like nature. And thus it may be made at once; in which

there be great advantages ; for a commonwealth made at once, takes security at the same time it lends money ; and trusts not itself to the faith of men, but launches immediately forth into the empire of laws, and, being set straight, brings the manners of its citizens to its rule, whence followed that uprightness which was in Lacedemon. But manners that are rooted in men, bow the tenderness of a commonwealth coming up by twigs to their bent ; whence followed the obliquity that was in Rome, and those perpetual repairs by the consuls' axes, and tribunes' hammers, which could never finish that commonwealth but in destruction.

My Lord General being clear in these points, and of the necessity of some other course than would be thought upon by the parliament, appointed a meeting of the army, where he spoke his sense agreeable to these preliminaries with such success to the soldiery, that the parliament was soon after deposed ; and he himself, in the great hall of the pantheon or palace of justice, situated in Emporium, the capital city, was created by the universal suffrage of the army, Lord Archon, or sole legislator of Oceana, upon which theatre you have, to conclude this piece, a person introduced, whose fame shall never draw its curtain.

The Lord Archon being created, fifty select persons to assist him, by labouring in the mines of ancient prudence, and bringing its hidden treasures to new light, were added, with the style also of legislators, and sat as a council, whereof he was the sole director and president.

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## II. THE COUNCIL OF LEGISLATORS.

OF this piece, being the greater half of the whole work, I shall be able at this time to give no farther account, than very briefly to show at what it aims.

My Lord Archon, in opening the council of legislators, made it appear how unsafe a thing it is to follow fancy in the fabric of a commonwealth ; and how necessary that the archives of ancient prudence should be ransacked before any councillor

should presume to offer any other matter in order to the work in hand, or towards the consideration to be had by the council upon a model of government. Wherefore he caused an urn to be brought, and every one of the councillors to draw a lot. By the lots as they were drawn,

<i>The Commonwealth of</i>	<i>Fell to</i>
ISRAEL . . . . .	Phosphorus de Auge.
ATHENS . . . . .	Navarchus de Paralo.
LACEDEMON . . . . .	Laco de Scytale.
CARTHAGE . . . . .	Mago de Syrtibus.
THE ACHEANS, ÆTOLIANS, AND LYCIANS . . . . .	Aratus de Isthmo.
THE SWITZ . . . . .	Alpester de Fulmine.
HOLLAND AND THE UNITED PROVINCES . . . . .	Glaucus de Ulna.
ROME . . . . .	Dolabella de Enyo.
VENICE . . . . .	Lynceus de Stella.

These contained in them all those excellencies whereof a commonwealth is capable ; so that to have added more had been to no purpose. Upon time given to the councillors, by their own studies and those of their friends, to prepare themselves, they were opened in the order, and by the persons mentioned at the council of legislators, and afterwards by order of the same were repeated at the council of the prytans to the people ; for in drawing of the lots, there were about a dozen of them inscribed with the letter P, whereby the councillors that drew them became prytans.

The prytans were a committee or council sitting in the great hall of Pantheon, to whom it was lawful for any man to offer anything in order to the fabric of the commonwealth ; for which cause, that they might not be oppressed by the throng, there was a rail about the table where they sat, and on each side of the same a pulpit ; that on the right hand for any man that would propose anything, and that on the left for any other that would oppose him. And all parties (being indemnified by proclamation of the Archon) were invited to dispute their own interests, or propose whatever they thought fit (in order to the future government) to the council of the prytans, who, having a guard of about two or three hundred men, lest the heat of dispute might break the peace, had the right of moderators, and

were to report from time to time such propositions or occurrences as they thought fit, to the council of legislators sitting more privately in the palace called Alma.

This was that which made the people (who were neither safely to be admitted, nor conveniently to be excluded in the framing of the commonwealth) verily believe, when it came forth, that it was no other than that whereof they themselves had been the makers.

Moreover, this council sat divers months after the publishing, and during the promulgation of the model to the people; by which means there is scarce anything was said or written for or against the said model but you shall have it with the next impression of this work, by way of oration addressed to and moderated by the prytans.

By this means the council of legislators had their necessary solitude and due aim in their greater work, as being acquainted from time to time with the pulse of the people, and yet without any manner of interruption or disturbance.

Wherefore every commonwealth in its place having been opened by due method, that is, first, by the people; secondly, by the senate; and, thirdly, by the magistracy; the council upon mature debate took such results or orders out of each, and out of every part of each of them, as upon opening the same they thought fit; which being put from time to time in writing by the clerk or secretary, there remained no more in the conclusion, than putting the orders so taken together, to view and examine them with a diligent eye, that it might be clearly discovered whether they did interfere, or could anywise come to interfere or jostle one with the other. For as such orders jostling, or coming to jostle one another, are the certain dissolution of the commonwealth, so, taken upon the proof of like experience, and neither jostling, nor showing which way they can possibly come to jostle one another, they make a perfect, and (for aught that in human prudence can be foreseen) an immortal commonwealth.

And such was the art whereby my Lord Archon (taking council of the commonwealth of Israel, as of Moses; and of the rest of the commonwealths, as of Jethro) framed the model of the commonwealth of Oceana.

### III. THE MODEL OF THE COMMONWEALTH OF OCEANA.

WHEREAS my Lord Archon, being from Moses and Lycurgus the first legislator that hitherto is found in history to have introduced or erected an entire commonwealth at once, happened, like them also, to be more intent upon putting the same into execution or action, than into writing; by which means the model came to be promulgated or published with more brevity and less illustration than is necessary for their understanding who have not been acquainted with the whole proceedings of the council of legislators, and of the prytans, where it was asserted and cleared from all objections and doubts: to the end that I may supply what was wanting in the promulgated epitome to a more full and perfect narrative of the whole, I shall rather take the commonwealth practically; and as it has now given an account of itself in some years' revolutions (as Dicearchus is said to have done that of Lacedemon, first transcribed by his hand some three or four hundred years after the institution), yet not omitting to add for proof to every order such debates and speeches of the legislators in their council, or at least such parts of them as may best discover the reason of the government; nor such ways and means as were used in the institution or rise of the building, not to be so well conceived, without some knowledge given of the engines wherewithal the mighty weight was moved. But through the entire omission of the council of legislators or workmen that squared every stone to this structure in the quarries of ancient prudence, the proof of the first part of this discourse will be lame, except I insert, as well for illustration as to avoid frequent repetition, three remarkable testimonies in this place.

The first is taken out of the commonwealth of Israel: "So Moses hearkened to the voice of Jethro, his father-in-law, and did all that he had said. And Moses chose able men out of all Israel, and made them heads over the people;" tribunes, as it is in the vulgar Latin; or phylarchs, that is, princes of the tribes, sitting upon twelve thrones, and judging the twelve tribes of Israel; and next to these he chose rulers of thousands, rulers of hundreds,

rulers of fifties, and rulers of tens, which were the steps and rise of this commonwealth from its foundation or root to its proper elevation or accomplishment in the Sanhedrim, and the congregation, already opened in the preliminaries.

The second is taken out of Lacedemon, as Lycurgus (for the greater impression of his institutions upon the minds of his citizens) pretended to have received the model of that commonwealth from the oracle of Apollo at Delphos, the words whereof are thus recorded by Plutarch in the life of that famous legislator : " When thou shalt have divided the people into tribes [which were six] and *obas* [which were five in every tribe], thou shalt constitute the senate, consisting, with the two kings, of thirty councillors, who, according as occasion requires, shall cause the congregation to be assembled between the bridge and the river Gnacion, where the senate shall propose to the people, and dismiss them without suffering them to debate." The *oba* were lineages into which every tribe was divided, and in each tribe there was another division containing all those of the same that were of military age ; which being called the *mora*, was subdivided into troops and companies that were kept in perpetual discipline under the command of a magistrate called the *polemarch*.

The third is taken out of the commonwealth of Rome, or those parts of it which are comprised in the first and second books of Livy, where the people, according to the institution by Romulus, are first divided into thirty *curias* or parishes, whereof he elected, by three out of each *curia*, the senate, which, from his reign to that of Servius Tullus, proposed to the parishes or parochial congregations ; and these being called the *comitia curiata*, had the election of the kings, the confirmation of their laws, and the last appeal in matters of judicature, as appears in the case of Horatius that killed his sister ; till, in the reign of Servius (for the other kings kept not to the institution of Romulus), the people being grown somewhat, the power of the *curiata* was for the greater part translated to the *centuriata comitia* instituted by this king, which distributed the people, according to the sense or valuation of their estates, into six classes, every one containing about forty centuries, divided into youth and elders ; the youth for field-service, the elders for the defence of their territory, all armed and under continual discipline, in which they assembled both



upon military and civil occasions. But when the senate proposed to the people, the horse only, whereof there were twelve centuries, consisting of the richest sort over and above those of the foot enumerated, were called with the first classes of the foot to the suffrage ; or if these accorded not, then the second classes were called to them, but seldom or never any of the rest. Wherefore the people, after the expulsion of the kings, growing impatient of this inequality, rested not till they had reduced the suffrage as it had been in the *comitia curiata* to the whole people again ; but in another way, that is to say, by the *comitia tributa*, which thereupon were instituted, being a council where the people in exigencies made laws without the senate, which laws were called *plebiscita*. This council is that in regard whereof Cicero and other great wits so frequently inveigh against the people, and sometimes even Livy, as at the first institution of it. To say the truth, it was a kind of anarchy, whereof the people could not be excusable, if there had not, through the courses taken by the senate, been otherwise a necessity that they must have seen the commonwealth run into oligarchy.

The manner how the *comitia curiata*, *centuriata* or *tributa* were called, during the time of the commonwealth, to the suffrage, was by lot : the *curia*, century, or tribe, whereon the first lot fell, being stiled *principium*, or the prerogative ; and the other *curiæ*, centuries or tribes, whereon the second, third, and fourth lots, &c., fell, the *jure vocatæ*. From henceforth not the first classes, as in the times of Servius, but the prerogative, whether *curia*, century, or tribe, came first to the suffrage, whose vote was called *omen prærogativum*, and seldom failed to be leading to the rest of the tribes. The *jure vocatæ*, in the order of their lots, came next : the manner of giving suffrage was, by casting wooden tablets, marked for the affirmative or the negative, into certain urns standing upon a scaffold, as they marched over it in files, which for the resemblance it bore was called the bridge. The candidate, or competitor, who had most suffrages in a *curia*, century, or tribe, was said to have that *curia*, century, or tribe ; and he who had most of the *curiæ*, centuries, or tribes, carried the magistracy.

These three places being premised, as such upon which there will be frequent reflection, I come to the narrative, divided into two parts, the first containing the institution, the second the

constitution of the commonwealth, in each whereof I shall distinguish the orders, as those which contain the whole model, from the rest of the discourse, which tends only to the explanation or proof of them.

In the institution or building of a commonwealth, the first work, as that of builders, can be no other than fitting and distributing the materials.

The materials of a commonwealth are the people, and the people of Oceana were distributed by casting them into certain divisions, regarding their quality, their age, their wealth, and the places of their residence or habitation, which was done by the ensuing orders.

The first order "distributes the people into freemen or citizens and servants, while such ; for if they attain to liberty, that is, to live of themselves, they are freemen or citizens."

This order needs no proof, in regard of the nature of servitude, which is inconsistent with freedom, or participation of government in a commonwealth.

The second order "distributes citizens into youth and elders (such as are from eighteen years of age to thirty, being accounted youth ; and such as are of thirty and upwards, elders), and establishes that the youth shall be the marching armies, and the elders the standing garrisons of this nation."

A commonwealth, whose arms are in the hands of her servants, had need be situated, as is elegantly said of Venice by Contarini, out of the reach of their clutches ; witness the danger run by that of Carthage in the rebellion of Spendius and Matho. But though a city, if one swallow makes a summer, may thus chance to be safe, yet shall it never be great ; for if Carthage or Venice acquired any fame in their arms, it is known to have happened through the mere virtue of their captains, and not of their orders ; wherefore Israel, Lacedemon, and Rome entailed their arms upon the prime of their citizens, divided, at least in Lacedemon and Rome, into youth and elders : the youth for the field, and the elders for defence of the territory.

The third order "distributes the citizens into horse and foot by the sense or valuation of their estates ; they who have above one hundred pounds a year in lands, goods, or monies, being obliged to be of the horse, and they who have under that sum, to be of the foot. But if a man has prodigally wasted and spent

his patrimony, he is neither capable of magistracy, office, or suffrage in the commonwealth."

Citizens are not only to defend the commonwealth, but according to their abilities, as the Romans under Servius Tullus (regard had to their estates), were some enrolled in the horse centuries, and others of the foot, with arms enjoined accordingly; nor could it be otherwise in the rest of the commonwealths, though out of historical remains, that are so much darker, it be not so clearly probable. And the necessary prerogative to be given by a commonwealth to estates, is in some measure in the nature of industry, and the use of it to the public. "The Roman people," says Julius Exuperantius, "were divided into classes, and taxed according to the value of their estates. All that were worth the sums appointed were employed in the wars; for they most eagerly contend for the victory, who fight for liberty in defence of their country and possessions. But the poorer sort were polled only for their heads (which was all they had), and kept in garrison at home in time of war; for these might betray the armies for bread, by reason of their poverty, which is the reason that Marius, to whom the care of the government ought not to have been committed, was the first that led them into the field;" and his success was accordingly. There is a mean in things; as exorbitant riches overthrow the balance of a commonwealth, so extreme poverty cannot hold it, nor is by any means to be trusted with it. The clause in the order concerning the prodigal is Athenian, and a very laudable one; for he that could not live upon his patrimony, if he comes to touch the public money, makes a commonwealth bankrupt.

The fourth order "distributes the people according to the places of their habitation, into parishes, hundreds, and tribes."

For except the people be methodically distributed, they cannot be methodically collected; but the being of a commonwealth consists in the methodical collection of the people: wherefore you have the Israelitish divisions into rulers of thousands, of hundreds, of fifties, and of tens; and of the whole commonwealth into tribes: the Laconic into *obas*, *moras*, and tribes; the Roman into tribes, centuries, and classes; and something there must of necessity be in every government of the like nature, as that in the late monarchy—by counties. But this being the only institution in Oceana, except that of the Agrarian,

which required any charge or included any difficulty, engages me to a more particular description of the manner how it was performed, as follows.

A thousand surveyors, commissioned and instructed by the Lord Archon and the council, being divided into two equal numbers, each under the inspection of two surveyors-general, were distributed into the northern and southern parts of the territory, divided by the river Hemisua, the whole whereof contains about ten thousand parishes, some ten of those being assigned to each surveyor; for as to this matter there needed no great exactness, it tending only, by showing whither every one was to repair and whereabouts to begin, to the more orderly carrying on of the work; the nature of their instructions otherwise regarding rather the number of the inhabitants than of the parishes. The surveyors, therefore, being every one furnished with a convenient proportion of urns, balls, and balloting-boxes—in the use whereof they had been formerly exercised—and now arriving each at his respective parishes, began with the people by teaching them their first lesson, which was the ballot; and though they found them in the beginning somewhat froward, as at toys, with which, while they were in expectation of greater matters from a council of legislators, they conceived themselves to be abused, they came within a little while to think them pretty sport, and at length such as might very soberly be used in good earnest; whereupon the surveyors began the institution included in

The first order, requiring, “That upon the first Monday next ensuing the last of December the bigger bell in every parish throughout the nation be rung at eight of the clock in the morning, and continue ringing for the space of one hour; and that all the elders of the parish respectively repair to the church before the bell has done ringing, where, dividing themselves into two equal numbers, or as near equal as may be, they shall take their places according to their dignities, if they be of divers qualities, and according to their seniority, if they be of the same, the one half on the one side, and the other half on the other, in the body of the church, which done, they shall make oath to the overseers of the parish for the time being [instead of these the surveyors were to officiate at the institution or first assembly] by holding up their hands, to make a fair

election according to the laws of the ballot, as they are hereafter explained, of such persons, amounting to a fifth part of their whole number, to be their deputies, and to exercise their power in manner hereafter explained, as they shall think in their consciences to be fittest for that trust, and will acquit themselves of it to the best advantage of the commonwealth. And oath being thus made, they shall proceed to election, if the elders of the parish amount to one thousand by the ballot of the tribe, as it is in due place explained, and if the elders of the parish amount to fifty or upwards, but within the number of one thousand, by the ballot of the hundred, as it is in due place explained. But, if the elders amount not to fifty, then they shall proceed to the ballot of the parish, as it is in this place and after this manner explained. The two overseers for the time being shall seat themselves at the upper end of the middle alley, with a table before them, their faces being towards the congregation, and the constable for the time being shall set an urn before the table, into which he shall put so many balls as there be elders present, whereof there shall be one that is gilded, the rest being white; and when the constable has shaken the urn, sufficiently to mix the balls, the overseers shall call the elders to the urn, who from each side of the church shall come up the middle alley in two files, every man passing by the urn, and drawing out one ball; which, if it be silver, he shall cast into a bowl standing at the foot of the urn, and return by the outward alley on his side to his place. But he who draws the golden ball is the proposer, and shall be seated between the overseers, where he shall begin in what order he pleases, and name such as, upon his oath already taken, he conceives fittest to be chosen, one by one, to the elders; and the party named shall withdraw while the congregation is balloting his name by the double box or boxes appointed and marked on the outward part, to show which side is affirmative and which negative, being carried by a boy or boys appointed by the overseers, to every one of the elders, who shall hold up a pellet made of linen rags between his finger and his thumb, and put it after such a manner into the box, as though no man can see into which side he puts it, yet any man may see that he puts in but one pellet or suffrage. And the suffrage of the congregation being thus given, shall be returned with the box or boxes to the overseers, who opening

the same, shall pour the affirmative balls into a white bowl standing upon the table on the right hand, to be numbered by the first overseer ; and the negative into a green bowl standing on the left hand, to be numbered by the second overseer ; and the suffrages being numbered, he who has the major part in the affirmative is one of the deputies of the parish, and when so many deputies are chosen as amount to a full fifth part of the whole number of the elders, the ballot for that time shall cease. The deputies being chosen are to be listed by the overseers in order as they were chosen, except only that such as are horse must be listed in the first place with the rest, proportionable to the number of the congregation, after this manner :

*Anno Domini.*

THE LIST OF THE FIRST MOVER.

A. A., Equestrian Order,	} of the parish of ——— in the hundred of ——— and the tribe of ——— which parish at the present election contains twenty elders, whereof one is of the horse or equestrian order.
1st Deputy.	
B. B., 2nd Deputy.	
C. C., 3rd Deputy.	
D. D., 4th Deputy.	
E. E., 5th Deputy.	

“ The first and second in the list are overseers by consequence ; the third is the constable, and the fourth and fifth are churchwardens ; the persons so chosen are deputies of the parish for the space of one year from their election, and no longer, nor may they be elected two years together. This list, being the *primum mobile*, or first mover of the commonwealth, is to be registered in a book diligently kept and preserved by the overseers, who are responsible in their places, for these and other duties to be hereafter mentioned, to the censors of the tribe ; and the congregation is to observe the present order, as they will answer the contrary to the phylarch, or prerogative troop of the tribe, which, in case of failure in the whole or any part of it, have power to fine them or any of them at discretion, but under an appeal to the parliament.”

For proof of this order ; first, in reason : it is with all politicians past dispute that paternal power is in the right of Nature ; and this is no other than the derivation of power from fathers of families as the natural root of a commonwealth. And for

experience, if it be otherwise in that of Holland, I know no other example of the like kind. In Israel, the sovereign power came clearly from the natural root, the elders of the whole people; and Rome was born, *comitiis curiatis*, in her parochial congregations, out of which Romulus first raised her senate, then all the rest of the orders of that commonwealth, which rose so high: for the depth of a commonwealth is the just height of it.

She raises up her head unto the skies,  
Near as her root unto the centre lies.

And if the commonwealth of Rome was born of thirty parishes, this of Oceana was born of ten thousand. But whereas mention in the birth of this is made of an equestrian order, it may startle such as know that the division of the people of Rome, at the institution of that commonwealth into orders, was the occasion of its ruin. The distinction of the patrician as an hereditary order from the very institution, engrossing all the magistracies, was indeed the destruction of Rome; but to a knight or one of the equestrian order, says Horace,

Si quadingentis sex septem millia desunt,  
Plebs eris.

By which it should seem that this order was not otherwise hereditary than a man's estate, nor did it give any claim to magistracy; wherefore you shall never find that it disquieted the commonwealth, nor does the name denote any more in Oceana than the duty of such a man's estate to the public.

But the surveyors, both in this place and in others, forasmuch as they could not observe all the circumstances of this order, especially that of the time of election, did for the first as well as they could; and, the elections being made and registered, took each of them copies of those lists which were within their allotments, which done they produced

The sixth order, directing, "In case a parson or vicar of a parish comes to be removed by death or by the censors, that the congregation of the parish assemble and depute one or two elders by the ballot, who upon the charge of the parish shall repair to one of the universities of this nation with a certificate signed by the overseers, and addressed to the Vice-Chancellor, which certificate, giving notice of the death or removal of the

parson or vicar, of the value of the parsonage or vicarage, and of the desire of the congregation to receive a probationer from that university, the Vice-Chancellor, upon the receipt thereof, shall call a convocation, and having made choice of a fit person, shall return him in due time to the parish, where the person so returned shall return the full fruits of the benefice or vicarage, and do the duty of the parson or vicar, for the space of one year, as probationer; and that being expired, the congregation of the elders shall put their probationer to the ballot, and if he attains not to two parts in three of the suffrage affirmative, he shall take his leave of the parish, and they shall send in like manner as before for another probationer; but if their probationer obtains two parts in three of the suffrage affirmative, he is then pastor of that parish. And the pastor of the parish shall pray with the congregation, preach the Word, and administer the sacraments to the same, according to the directory to be hereafter appointed by the parliament. Nevertheless such as are of gathered congregations, or from time to time shall join with any of them, are in nowise obliged to this way of electing their teachers, or to give their votes in this case, but wholly left to the liberty of their own consciences, and to that way of worship which they shall choose, being not Popish, Jewish, or idolatrous. And to the end they may be the better protected by the State in the exercise of the same, they are desired to make choice, and such manner as they best like, of certain magistrates in every one of their congregations, which we could wish might be four in each of them, to be auditors in cases of differences or distaste, if any through variety of opinions, that may be grievous or injurious to them, shall fall out. And such auditors or magistrates shall have power to examine the matter, and inform themselves, to the end that if they think it of sufficient weight, they may acquaint the phylarch with it, or introduce it into the council of religion; where all such causes as those magistrates introduce shall from time be heard and determined according to such laws as are or shall hereafter be provided by the parliament for the just defence of the liberty of conscience."

This order consists of three parts, the first restoring the power of ordination to the people, which, that it originally belongs to them, is clear, though not in English yet in Scripture, where the Apostles ordained elders by the holding up of hands



in every congregation, that is, by the suffrage of the people, which was also given in some of those cities by the ballot. And though it may be shown that the Apostles ordained some by the laying on of hands, it will not be shown that they did so in every congregation.

Excommunication, as not clearly provable out of the Scripture, being omitted, the second part of the order implies and establishes a national religion; for there be degrees of knowledge in divine things; true religion is not to be learnt without searching the Scripture; the Scriptures cannot be searched by us unless we have them to search; and if we have nothing else, or (which is all one) understand nothing else but a translation, we may be (as in the place alleged we have been) beguiled or misled by the translation, while we should be searching the true sense of the Scripture, which cannot be attained in a natural way (and a commonwealth is not to presume upon that which is supernatural) but by the knowledge of the original and of antiquity, acquired by our own studies, or those of some others, for even faith comes by hearing. Wherefore a commonwealth not making provision of men from time to time, knowing in the original languages wherein the Scriptures were written, and versed in those antiquities to which they so frequently relate, that the true sense of them depends in great part upon that knowledge, can never be secure that she shall not lose the Scripture, and by consequence her religion; which to preserve she must institute some method of this knowledge, and some use of such as have acquired it, which amounts to a national religion.

The commonwealth having thus performed her duty towards God, as a rational creature, by the best application of her reason to Scripture, and for the preservation of religion in the purity of the same, yet pretends not to infallibility, but comes in the third part of the order, establishing liberty of conscience according to the instructions given to her council of religion, to raise up her hands to heaven for further light; in which proceeding she follows that (as was shown in the preliminaries) of Israel, who, though her national religion was always a part of her civil law, gave to her prophets the upper hand of all her orders.

But the surveyors having now done with the parishes, took their leaves; so a parish is the first division of land occasioned by the first collection of the people of Oceana, whose func-

tion proper to that place is comprised in the six preceding orders.

The next step in the progress of the surveyors was to a meeting of the nearest of them, as their work lay, by twenties; where conferring their lists, and computing the deputies contained therein, as the number of them in parishes, being nearest neighbours, amounted to one hundred, or as even as might conveniently be brought with that account, they cast them and those parishes into the precinct which (be the deputies ever since more or fewer) is still called the hundred; and to every one of these precincts they appointed a certain place, being the most convenient town within the same, for the annual rendezvous; which done, each surveyor, returning to his hundred, and summoning the deputies contained in his lists to the rendezvous, they appeared and received

The seventh order, requiring, "That upon the first Monday next ensuing the last of January, the deputies of every parish annually assemble in arms at the rendezvous of the hundred, and there elect out of their number one justice of the peace, one juryman, one captain, one ensign of their troop or century, each of these out of the horse; and one juryman, one coroner, one high constable, out of the foot; the election to be made by the ballot in this manner. The jurymen for the time being are to be overseers of the ballot (instead of these, the surveyors are to officiate at the first assembly), and to look to the performance of the same according to what was directed in the ballot of the parishes, saving that the high constable setting forth the urn, shall have five several suits of gold balls, and one dozen of every suit; whereof the first shall be marked with the letter A, the second with the letter B, the third with C, the fourth with D, and the fifth with E: and of each of these suits he shall cast one ball into his hat, or into a little urn, and shaking the balls together, present them to the first overseer, who shall draw one, and the suit which is so drawn by the overseer shall be of use for that day, and no other; for example, if the overseer drew an A, the high constable shall put seven gold balls marked with the letter A into the urn, with so many silver ones as shall bring them even with the number of the deputies, who being sworn, as before, at the ballot of the parish to make a fair election, shall be called to the urn; and every man coming in

manner as was there shown, shall draw one ball, which if it be silver, he shall cast it into a bowl standing at the foot of the urn, and return to his place: but the first that draws a gold ball (showing it to the overseers, who if it has not the letter of the present ballot, have power to apprehend and punish him) is the first elector, the second the second elector, and so to the seventh; which order they are to observe in their function. The electors as they are drawn shall be placed upon the bench by the overseers, till the whole number be complete, and then be conducted, with the list of the officers to be chosen, into a place apart, where, being private, the first elector shall name a person to the first office in the list; and if the person so named, being balloted by the rest of the electors, attains not to the better half of the suffrages in the affirmative, the first elector shall continue nominating others, till one of them so nominated by him attains to the plurality of the suffrages in the affirmative, and be written first competitor to the first office. This done, the second elector shall observe in his turn the like order; and so the rest of the electors, naming competitors each to his respective office in the list, till one competitor be chosen to every office: and when one competitor is chosen to every office, the first elector shall begin again to name a second competitor to the first office, and the rest successively shall name to the rest of the offices till two competitors be chosen to every office; the like shall be repeated till three competitors be chosen to every office. And when three competitors are chosen to every office, the list shall be returned to the overseers, or such as the overseers, in case they or either of them happened to be electors, have substituted in his or their place or places; and the overseers or substitutes having caused the list to be read to the congregation, shall put the competitors, in order as they are written, to the ballot of the congregation; and the rest of the proceedings being carried on in the manner directed in the fifth order, that competitor, of the three written to each office, who has most of the suffrages above half in the affirmative, is the officer. The list being after this manner completed, shall be entered into a register, to be kept at the rendezvous of the hundred, under inspection of the magistrates of the same, after the manner following:

*Anno Domini.*

THE LIST OF THE NEBULOSA.

A. A., Equestrian Order, Justice of the Peace.	} of the hundred of ——— in the tribe of ——— which hundred consists at this election of 105 Deputies.
B. B., Equestrian Order, First Juryman.	
C. C., Equestrian Order, Captain of the Hundred.	
D. D., Equestrian Order, Ensign.	
E. E., Second Juryman.	
F. F., High Constable.	
G. G., Coroner.	

“The list being entered, the high constable shall take three copies of the same, whereof he shall presently return one to the lord high sheriff of the tribe, a second to the lord custos rotulorum, and a third to the censors; or these, through the want of such magistrates at the first muster, may be returned to the orator, to be appointed for that tribe. To the observation of all and every part of this order, the officers and deputies of the hundred are all and every of them obliged, as they will answer it to the phylarch, who has power, in case of failure in the whole or any part, to fine all or any of them so failing at discretion, or according to such laws as shall hereafter be provided in that case, but under an appeal to the parliament.”

There is little in this order worthy of any further account, but that it answers to the rulers of hundreds in Israel, to the *mora* or military part of the tribe in Lacedemon, and to the century in Rome. The jurymen, being two in a hundred, and so forty in a tribe, give the latitude allowed by the law for exceptions. And whereas the golden balls at this ballot begin to be marked with letters, whereof one is to be drawn immediately before it begins, this is to the end that the letter being unknown, men may be frustrated of tricks or foul play, whereas otherwise a man may bring a golden ball with him, and make as if he had drawn it out of the urn. The surveyors, when they had taken copies of these lists, had accomplished their work in the hundreds.

So a hundred is the second division of land occasioned by the second collection of the people, whose civil and military functions proper to this place are comprised in the foregoing order.

Having stated the hundreds, they met once again by twenties, where there was nothing more easy than to cast every twenty hundreds, as they lay most conveniently together, into one tribe; so the whole territory of Oceana, consisting of about ten thousand parishes, came to be cast into one thousand hundreds, and into fifty tribes. In every tribe at the place appointed for the annual rendezvous of the same, were then, or soon after, begun those buildings which are now called pavilions; each of them standing with one open side upon fair columns, like the porch of some ancient temple, and looking into a field capable of the muster of some four thousand men; before each pavilion stand three pillars sustaining urns for the ballot, that on the right hand equal in height to the brow of a horseman, being called the horse urn, that on the left hand, with bridges on either side to bring it equal in height with the brow of a footman, being called the foot urn, and the middle urn, with a bridge on the side towards the foot urn, the other side, as left for the horse, being without one; and here ended the whole work of the surveyors, who returned to the Lord Archon with this

## ACCOUNT OF THE CHARGE.

Imprimis, Urns, balls, and balloting-boxes for ten thousand parishes, the same being wooden ware . . . . .	£20,000
Item, Provisions of the like kind for a thousand hundreds . . . . .	3,000
Item, Urns and balls of metal, with balloting- boxes for fifty tribes . . . . .	2,000
Item, For erecting of fifty pavilions . . . . .	60,000
Item, Wages for four surveyors-general at £1000 a man . . . . .	4,000
Item, Wages for the rest of the surveyors, . being 1000, at £250 a man . . . . .	250,000
Sum total . . . . .	£339,000

This is no great matter of charge for the building of a commonwealth, in regard that it has cost (which was pleaded by the

surveyors) as much to rig a few ships. Nevertheless that proves not them to be honest, nor their account to be just ; but they had their money for once, though their reckoning be plainly guilty of a crime, to cost him his neck that commits it another time, it being impossible for a commonwealth (without an exact provision that it be not abused in this kind) to subsist ; for if no regard should be had of the charge (though that may go deep), yet the debauchery and corruption whereto, by negligence in accounts, it infallibly exposes its citizens, and thereby lessens the public faith, which is the nerve and ligament of government, ought to be prevented. But the surveyors being despatched, the Lord Archon was very curious in giving names to his tribes, which having caused to be written in scrolls cast into an urn, and presented to the councillors, each of them drew one, and was accordingly sent to the tribe in his lot, as orators of the same, a magistracy no otherwise instituted, than for once and *pro tempore*, to the end that the council upon so great an occasion might both congratulate with the tribes, and assist at the first muster in some things of necessity to be differently carried from the established administration and future course of the commonwealth.

The orators being arrived, every one as soon as might be, at the rendezvous of his tribe, gave notice to the hundreds, and summoned the muster, which appeared for the most part upon good horses, and already indifferently well armed ; as to instance in one for all, the tribe of Nubia, where Hermes de Caduceo, lord orator of the same, after a short salutation and a hearty welcome, applied himself to his business, which began with

The eighth order, requiring, " That the lord high sheriff as commander-in-chief, and the lord custos rotulorum as muster-master of the tribe (or the orator for the first muster), upon reception of the lists of their hundreds, returned to them by the high constables of the same, presently cause them to be cast up dividing the horse from the foot, and listing the horse by their names in troops, each troop containing about a hundred in number, to be inscribed, first, second or third troop, &c., according to the order agreed upon by the said magistrates ; which done, they shall list the foot in like manner, and inscribe the companies in like order. These lists upon the eve of the muster shall be delivered to certain trumpeters and drummers,

whereof there shall be fifteen of each sort (as well for the present as otherwise to be hereafter mentioned) stipendiated by the tribe. And the trumpeters and drummers shall be in the field before the pavilion, upon the day of the muster, so soon as it is light, where they shall stand every one with his list in his hand, at a due distance, placed according to the order of the list, the trumpeters with the lists of the horse on the right hand, and the drummers with the lists of the foot on the left hand; where having sounded a while, each of them shall begin to call and continue calling the names of the deputies, as they come into the field, till both the horse and foot be gathered by that means into their due order. The horse and foot being in order, the lord lieutenant of the tribe shall cast so many gold balls marked with the figures, 1, 2, 3, 4, &c., as there be troops of horse in the field, together with so many silver balls as there be companies, marked in the same manner, into a little urn, to which he shall call the captains; and the captains drawing the gold balls shall command the horse, and those that draw the silver the foot, each in the order of his lot. The like shall be done by the conductor at the same time for the ensigns at another urn; and they that draw the gold balls shall be cornets, the left ensigns."

This order may puzzle the reader, but tends to a wonderful speed of the muster, to which it would be a great matter to lose a day in ranging and marshalling, whereas by virtue of this the tribe is no sooner in the field than in battalia, nor sooner in battalia than called to the urns or the ballot by virtue of

The ninth order, "Whereby the censors (or the orator for the first muster) upon reception of the lists of the hundreds from the high constables, according as is directed by the seventh order, are to make their notes for the urns beforehand, with regard had to the lists of the magistrates, to be elected by the ensuing orders, that is to say, by the first list called the prime magnitude, six; and by the second called the galaxy, nine. Wherefore the censors are to put into the middle urn for the election of the first list twenty-four gold balls, with twenty-six blanks or silver balls, in all sixty; and into the side urns sixty gold balls, divided into each according to the different number of the horse and foot; that is to say, if the horse and the foot be equal, equally; and if the horse and the foot be unequal, unequally, by an arithmetical proportion. The like shall be done the second day of the

muster for the second list, except that the censors shall put into the middle urn thirty-six gold balls with twenty-four blanks, in all sixty ; and sixty gold balls into the side urns, divided respectively into the number of the horse and the foot ; and the gold balls in the side urns at either ballot are by the addition of blanks to be brought even with the number of the ballotants at either urn respectively. The censors having prepared their notes, as has been shown, and being come at the day appointed into the field, shall present a little urn to the lord high sheriff, who is to draw twice for the letters to be used that day, the one at the side urns, and the other at the middle. And the censors having fitted the urns accordingly, shall place themselves in certain movable seats or pulpits (to be kept for that use in the pavilion), the first censor before the horse urn, the second before the foot urn, the lord lieutenant doing the office of censor *pro tempore* at the middle urn ; where all and every one of them shall cause the laws of the ballot to be diligently observed, taking a special care that no man be suffered to come above once to the urn (whereof it more particularly concerns the sub-censors, that is to say, the overseers of every parish, to be careful, they being each in this regard responsible for their respective parishes) or to draw above one ball, which if it be gold, he is to present to the censor, who shall look upon the letter ; and if it be not that of the day, and of the respective urn, apprehend the party, who for this or any other like disorder is obnoxious to the phylarch."

This order being observed by the censors, it is not possible for the people, if they can but draw the balls, though they understand nothing at all of the ballot, to be out. To philosophize further upon this art, though there be nothing more rational, were not worth the while, because in writing it will be perplexed, and the first practice of it gives the demonstration ; whence it came to pass that the orator, after some needless pains in the explanation of the two foregoing orders, betaking himself to exemplify the same, found the work done to his hand, for the tribe, as eager upon a business of this nature, had retained one of the surveyors, out of whom (before the orator arrived) they had got the whole mystery by a stolen muster, at which in order to the ballot they had made certain magistrates *pro tempore*. Wherefore he found not only the pavilion (for



this time a tent) erected with three posts, supplying the place of pillars to the urns, but the urns being prepared with a just number of balls for the first ballot, to become the field, and the occasion very gallantly, with their covers made in the manner of helmets, open at either ear to give passage to the hands of the ballotants, and slanting with noble plumes to direct the march of the people. Wherefore he proceeded to

The tenth order, " Requiring of the deputies of the parishes, that upon every Monday next ensuing the last of February, they make their personal appearance, horse and foot in arms accordingly, at the rendezvous of the tribe, where, being in discipline, the horse upon the right, and the foot upon the left, before the pavilion, and having made oath by holding up their hands, upon the tender of it by the lord high sheriff, to make election without favour, and of such only as they shall judge fittest for the commonwealth, the conductor shall take three balls, the one inscribed with these words [outward files], another with these words [inward files], and the third with these [middle files], which balls he shall cast into a little urn, and present it to the lord high sheriff, who drawing one, shall give the words of command, as they are thereupon inscribed, and the ballot shall begin accordingly. For example, if the ball be inscribed middle files, the ballot shall begin by the middle, that is, the two files that are middle to the horse shall draw out first to the horse urn, and the two files that are middle to the foot shall draw out first to the foot urn, and be followed by all the rest of the files as they are next to them in order. The like shall be done by the inward, or by the outward files, in case they be first called. And the files, as every man has drawn his ball, if it be silver, shall begin at the urn to countermarch to their places, but he that has drawn a gold ball at a side urn, shall proceed to the middle urn, where if the balls he draws be silver he shall also countermarch; but if it be gold he shall take his place upon a form set cross the pavilion, with his face towards the lord high sheriff, who shall be seated in the middle of the pavilion, with certain clerks by him, one of which shall write down the names of every elector, that is, of every one that drew a gold ball at the middle urn, and in the order his ball was drawn,\* till the electors amount to six in number. And the first six electors, horse and foot promiscuously, are the

first order of electors ; the second six (still accounting them as they are drawn) the second order, the third six, the third order, and the fourth six, the fourth order of electors ; every elector having place in his order, according to the order wherein he was drawn. But so soon as the first order of electors is complete, the lord high sheriff shall send them with a copy of the following list, and a clerk that understands the ballot, immediately to a little tent standing before the pavilion in his eye, to which no other person but themselves, during the election, shall approach. The list shall be written in this manner :—

*Anno Domini.*

THE LIST OF THE PRIME MAGNITUDE ; OR, FIRST DAY'S ELECTION  
OF MAGISTRATES.

- |  |   |   |
|--|---|---|
| <ol style="list-style-type: none"> <li>1. The Lord High Sheriff,<br/>commander-in-chief</li> <li>2. Lord Lieutenant</li> <li>3. Lord Custos Rotulorum,<br/>mustermaster-general</li> <li>4. The Conductor, being<br/>quartermaster-general</li> <li>5. The First Censor</li> <li>6. The Second Censor</li> </ol> | } | <p>of the tribe of Nubia, containing at this present muster 700 horse, and 1500 foot, in all 22,000 deputies.</p> |
|--|---|---|

“And the electors of the first band or order, being six, shall each of them name to his respective magistracy in the left such as are not already elected in the hundreds, till one competitor be chosen to every magistracy in the list by the ballot of the electors of the first order, which done, the list with the competitors thereunto annexed shall be returned to the lord high sheriff by the clerk attending that order, but the electors shall keep their places ; for they have already given their suffrage, and may not enter into the ballot of the tribe. If there arises any dispute in an order of electors, one of the censors or sub-censors appointed by them in case they be electors, shall enter into the tent of that order, and that order shall stand to his judgment in the decision of the controversy. The like shall be done exactly by each other order of electors, being sent as they are drawn, each with another copy of the same list, into a distinct tent, till there be returned to the lord high sheriff four competitors to every magistracy in the list, that is to say,

one competitor elected to every office in every one of the four orders, which competitors the lord high sheriff shall cause to be pronounced or read by a crier to the congregation, and the congregation having heard the whole lists repeated, the names shall be put by the lord high sheriff to the tribe, one by one, beginning with the first competitor in the first order, thence proceeding to the first competitor in the second order, and so to the first in the third and fourth orders. And the suffrages being taken in boxes by boys (as has been already shown) shall be poured into the bowls standing before the censors, who shall be seated at each end of the table in the pavilion, the one numbering the affirmatives and the other the negatives, and he of the four competitors to the first magistracy that has most above half the suffrages of the tribe in the affirmative, is the first magistrate. The like is to be done successively by the rest of the competitors in their order. But because soon after the boxes are sent out for the first name, there be others sent out for the second, and so for the third, &c., by which means divers names are successively at one and the same time in balloting; the boy that carries a box shall sing or repeat continually the name of the competitor for whom that box is carrying, with that also of the magistracy to which he is proposed. A magistrate of the tribe happening to be an elector, may substitute any one of his own order to execute his other function. The magistrates of the prime magnitude being thus elected, shall receive the present charge of the tribe."

If it be objected against this order that the magistrates to be elected by it will be men of more inferior rank than those of the hundreds, in regard that those are chosen first, it may be remembered that so were the burgesses in the former government, nevertheless the knights of the shire were men of greater quality; and the election at the hundred is made by a council of electors, of whom less cannot be expected than the discretion of naming persons fittest for those capacities, with an eye upon these to be elected at the tribe. As for what may be objected in point of difficulty, it is demonstrable by the foregoing orders, that a man might bring ten thousand men, if there were occasion, with as much ease, and as suddenly to perform the ballot, as he can make five thousand men, drawing them out by double files, to march a quarter of a mile. But because at this ballot, to go

up and down the field, distributing the linen pellets to every man, with which he is to ballot or give suffrage, would lose a great deal of time, therefore a man's wife, his daughters, or others, make him his provision of pellets before the ballot, and he comes into the field with a matter of a score of them in his pocket. And now I have as good as done with the sport. The next is

The eleventh order, "Explaining the duties and functions of the magistrates contained in the list of the prime magnitude, and those of the hundreds, beginning with the lord high sheriff, who, over and above his more ancient offices, and those added by the former order, is the first magistrate of the phylarch, or prerogative troop. The lord lieutenant, over and above his duty mentioned, is commander-in-chief of the musters of the youth, and second magistrate of the phylarch. The *custos rotulorum* is to return the yearly muster-rolls of the tribe, as well that of the youth as of the elders, to the rolls in emporium, and is the third magistrate of the phylarch. The censors by themselves and their sub-censors, that is, the overseers of the parishes, are to see that the respective laws of the ballot be observed in all the popular assemblies of the tribe. They have power also to put such national ministers, as in preaching shall intermeddle with matters of government, out of their livings, except the party appeals to the phylarch, or to the council of religion, where in that case the censors shall prosecute. All and every one of these magistrates, together with the justices of peace, and the jurymen of the hundreds, amounting in the whole number to threescore and six, are the prerogative troop or phylarch of the tribe.

"The function of the phylarch or prerogative troop is fivefold.

"First, they are the council of the tribe, and as such to govern the musters of the same according to the foregoing orders, having cognizance of what has passed in the congregation or elections made in the parishes or the hundreds, with power to punish any undue practices, or variation from their respective rules and orders, under an appeal to the parliament. A marriage legitimately is to be pronounced by the parochial congregation, the muster of the hundred, or the phylarch. And if a tribe have a desire (which they are to express at the muster by their captains, every troop by his own) to petition the parliament

the phylarch, as the council, shall frame the petition in the pavilion, and propose it by clauses to the ballot of the whole tribe; and the clauses that shall be affirmed by the ballot of the tribe, and signed by the hands of the six magistrates of the prime magnitude, shall be received and esteemed by the parliament as the petition of the tribe, and no other.

“Secondly, The phylarch has power to call to their assistance what other troops of the tribe they please (be they elders or youth, whose discipline will be hereafter directed), and with these to receive the judges itinerant in their circuits, whom the magistrates of the phylarch shall assist upon the bench, and the juries elsewhere in their proper functions according to the more ancient laws and customs of this nation.

“Thirdly, The phylarch shall hold the court called the quarter sessions according to the ancient custom, and therein shall also hear causes in order to the protection of liberty of conscience, by such rules as are or shall hereafter be appointed by the parliament.

“Fourthly, All commissions issued into the tribes by the parliament, or by the chancery, are to be directed to the phylarch, or some of that troop, and executed by the same respectively.

“Fifthly, In the case of levies of money the parliament shall tax the phylarchs, the phylarchs shall tax the hundreds, the hundreds the parishes, and the parishes shall levy it upon themselves. The parishes having levied the tax-money accordingly, shall return it to the officers of the hundreds, the hundreds to the phylarchs, and the phylarchs to the Exchequer. But if a man has ten children living, he shall pay no taxes; if he has five living, he shall pay but half taxes; if he has been married three years, or be above twenty-five years of age, and has no child or children lawfully begotten, he shall pay double taxes. And if there happen to grow any dispute upon these or such other orders as shall or may hereto be added hereafter, the phylarchs shall judge the tribes, and the parliament shall judge the phylarchs. For the rest, if any man shall go about to introduce the right or power of debate into any popular council or congregation of this nation, the phylarch or any magistrate of the hundred, or of the tribe, shall cause him presently to be sent in custody to the council of war.”

The part of the order relating to the rolls in Emporium being of singular use, is not unworthy to be somewhat better opened. In what manner the lists of the parishes, hundreds, and tribes are made, has been shown in their respective orders, where, after the parties are elected, they give an account of the whole number of the elders or deputies in their respective assemblies or musters; the like for this part exactly is done by the youth in their discipline (to be hereafter shown) wherefore the lists of the parishes, youth and elders, being summed up, give the whole number of the people able to bear arms, and the lists of the tribes, youth and elders, being summed up, give the whole number of the people bearing arms. This account, being annually recorded by the master of the rolls, is called the "Pillar of Nilus," because the people, being the riches of the commonwealth, as they are found to rise or fall by the degrees of this pillar, like that river, give an account of the public harvest.

Thus much for the description of the first day's work at the muster, which happened (as has been shown) to be done as soon as said; for as in practice it is of small difficulty, so requires it not much time, seeing the great council of Venice, consisting of a like number, begins at twelve of the clock, and elects nine magistrates in one afternoon. But the tribe being dismissed for this night, repaired to their quarters, under the conduct of their new magistrates. The next morning returning to the field very early, the orator proceeded to

The twelfth order, "Directing the muster of the tribe in the second day's election, being that of the list called the *galaxy*; in which the censors shall prepare the urns according to the directions given in the ninth order for the second ballot; that is to say, with thirty-six gold balls in the middle urn, making four orders, and nine electors in every order, according to the number of the magistrates in the list of the *galaxy*, which is as follows:

- |           |   |                                |
|-----------|---|--------------------------------|
| 1. Knight | } | to be chosen out of the horse. |
| 2. Knight |   |                                |
| 3. Deputy | } | to be chosen out of the horse. |
| 4. Deputy |   |                                |
| 5. Deputy |   |                                |
| 6. Deputy | } | to be chosen out of the foot.  |
| 7. Deputy |   |                                |
| 8. Deputy |   |                                |
| 9. Deputy |   |                                |

“The rest of the ballot shall proceed exactly according to that of the first day. But, forasmuch as the commonwealth demands as well the fruits of a man’s body as of his mind, he that has not been married shall not be capable of these magistracies till he be married. If a deputy, already chosen to be an officer in the parish, in the hundred, or in the tribe, be afterwards chosen of the galaxy, it shall be lawful for him to delegate his office in the parish, in the hundred, or in the tribe, to any one of his own order being not already chosen into office. The knights and deputies being chosen, shall be brought to the head of the tribe by the lord high sheriff, who shall administer to them this oath : ‘Ye shall well and truly observe and keep the orders and customs of this commonwealth which the people have chosen.’ And if any of them shall refuse the oath, he shall be rejected, and that competitor which had the most voices next shall be called in his place, who, if he takes the oath, shall be entered in the list ; but if he also refuses the oath, he who had most voices next shall be called, and so till the number of nine out of those competitors which had most voices be sworn knights and deputies of the galaxy. [This clause, in regard of the late divisions, and to the end that no violence be offered to any man’s conscience, to be of force but for the first three years only.] The knights of the galaxy being elected and sworn, are to repair, by the Monday next ensuing to the last of March, to the pantheon or palace of justice, situated in the metropolis of this commonwealth (except the parliament, by reason of a contagious sickness, or some other occasion, has adjourned to another part of the nation), where they are to take their places in the senate, and continue in full power and commission as senators for the full term of three

years next ensuing the date of their election. The deputies of the galaxy are to repair by the same day (except as before excepted) to the halo situated in Emporium, where they are to be listed of the prerogative tribe, or equal representative of the people; and to continue in full power and commission as their deputies for the full term of three years next ensuing their election. But, forasmuch as the term of every magistracy or office in this commonwealth requires an equal vacation, a knight or deputy of the galaxy, having fulfilled his term of three years, shall not be re-elected into the same galaxy, or any other, till he has also fulfilled his three years' vacation."

Whoever shall rightly consider the foregoing orders, will be as little able to find how it is possible that a worshipful knight should declare himself in ale and beef worthy to serve his country, as how my lord high sheriff's honour, in case he were protected from the law, could play the knave. But though the foregoing orders, so far as they regard the constitution of the senate and the people, requiring no more as to an ordinary election than is therein explained, that is but one third part of their knights and deputies, are perfect; yet must we in this place, and as to the institution, of necessity erect a scaffold. For the commonwealth to the first creation of her councils in full number, required thrice as many as are eligible by the foregoing orders. Wherefore the orator, whose aid in this place was most necessary, rightly informing the people of the reason, stayed them two days longer at the muster, and took this course. One list, containing two knights and seven deputies, he caused to be chosen upon the second day; which list being called the first galaxy, qualified the parties elected of it with power for the term of one year and no longer: another list, containing two knights and seven deputies more, he caused to be chosen the third day, which list being called the second galaxy, qualified the parties elected of it with power for the term of two years and no longer. And upon the fourth day he chose the third galaxy, according as it is directed by the order, empowered for three years; which lists successively falling (like the signs or constellations of one hemisphere, which setting, cause those of the other to rise) cast the great orbs of this commonwealth into an annual, triennial, and perpetual revolution.

The business of the muster being thus happily finished,



Hermes de Caduceo, lord orator of the tribe of Nubia, being now put into her first rapture, caused one of the censor's pulpits to be planted in front of the squadron, and ascending into the same, spake after this manner :—

“ My Lords, the Magistrates and the People of the Tribe of Nubia.

“ We have this day solemnized the happy nuptials of the two greatest princes that are upon the earth or in Nature, arms and councils, in the mutual embraces whereof consists your whole commonwealth ; whose councils upon their perpetual wheelings, marches, and countermarches, create her armies, and whose armies with the golden volleys of the ballot at once create and salute her councils. There be those (such is the world at present) that think it ridiculous to see a nation exercising its civil functions in military discipline ; while they, committing their buff to their servants, come themselves to hold trenchards. For what avails it such as are unarmed, or (which is all one) whose education acquaints them not with the proper use of their swords, to be called citizens ? What were two or three thousand of you, though never so well affected to your country, but naked, to one troop of mercenary soldiers ? If they should come upon the field and say, ‘ Gentlemen, it is thought fit that such and such men should be chosen by you,’ where were your liberty ? or, ‘ Gentlemen, parliaments are exceeding good, but you are to have a little patience, these times are not so fit for them,’ where were your commonwealth ? What causes the monarchy of the Turks but servants in arms ? What was it that begot the glorious commonwealth of Rome but the sword in the hands of her citizens ? Wherefore my glad eyes salute the serenity and brightness of this day with a shower that shall not cloud it. Behold the army of Israel become a commonwealth, and the commonwealth of Israel remaining an army, with her rulers of tens and of fifties, her rulers of hundreds and thousands, drawing near (as this day throughout our happy fields) to the lot by her tribes, increased above threefold, and led up by her phylarchs or princes, to sit upon fifty thrones, judging the fifty tribes of Oceana ! Or, is it Athens, breaking from her iron sepulchre, where she has been so long trampled by hosts of Janizaries ? For certainly that is the voice of Theseus, having gathered his scattered Athenians into

one city. This freeborn nation lives not upon the dole or bounty of one man, but distributing her annual magistracies and honours with her own hand, is herself King People [at which the orator was a while interrupted with shouts, but at length proceeded]—Is it grave Lacedemon in her armed tribe, divided by her *obæ* and her *mora*, which appears to chide me that I teach the people to talk, or conceive such language as is dressed like a woman, to be a fit usher of the joys of liberty into the hearts of men? Is it Rome in her victorious arms (for so she held her *concio* or congregation) that congratulates with us, for finding out that which she could not hit on, and binding up her *comitia curiata*, *centuriata*, and *tributa*, in one inviolable league of union? Or is it the great council of incomparable Venice, bowling forth by the self-same ballot her immortal commonwealth? For, neither by reason nor by experience is it impossible that a commonwealth should be immortal; seeing the people being the materials, never die; and the form, which is motion, must, without opposition, be endless. The bowl which is thrown from your hand, if there be no rub, no impediment, shall never cease: for which cause the glorious luminaries that are the bowls of God, were once thrown for ever; and next these, those of Venice. But certainly, my lords, whatever these great examples may have shown us, we are the first that have shown to the world a commonwealth established in her rise upon fifty such towers, and so garrisoned as are the tribes of Oceana, containing a hundred thousand elders upon the annual list, and yet but an outguard; besides her marching armies to be equal in the discipline, and in the number of her youth.

“And forasmuch as sovereign power is a necessary but a formidable creature, not unlike the powder which (as you are soldiers) is at once your safety and your danger, being subject to take fire against you as well as for you, how well and securely is she by your galaxies so collected as to be in full force and vigour, and yet so distributed that it is impossible you should be blown up by your own magazine? Let them who will have it, that power if it be confined cannot be sovereign, tell us, whether our rivers do not enjoy a more secure and fruitful reign within their proper banks, than if it were lawful for them, in ravaging our harvests, to spill themselves? whether souls, not confined to their peculiar bodies, do govern them any more than those of

witches in their trances? whether power, not confined to the bounds of reason and virtue, has any other bounds than those of vice and passion? or if vice and passion be boundless, and reason and virtue have certain limits, on which of these thrones holy men should anoint their sovereign? But to blow away this dust, the sovereign power of a commonwealth is no more bounded, that is to say straitened, than that of a monarch; but is balanced. The eagle mounts not to her proper pitch, if she be bounded, nor is free, if she be not balanced. And lest a monarch should think he can reach further with his sceptre, the Roman eagle upon such a balance spread her wings from the ocean to Euphrates. Receive the sovereign power; you have received it, hold it fast, embrace it for ever in your shining arms. The virtue of the loadstone is not impaired or limited, but receives strength and nourishment, by being bound in iron. And so giving your lordships much joy, I take my leave of this tribe."

The orator descending, had the period of his speech made with a vast applause and exultation of the whole tribe, attending him for that night to his quarter, as the phylarch with some commanded troops did the next day to the frontiers of the tribe, where leave was taken on both sides with more tears than grief.

So a tribe is the third division of land occasioned by the third collection of the people, whose functions proper to that place are contained in the five foregoing orders.

The institution of the commonwealth was such as needed those props and scaffolds which may have troubled the reader; but I shall here take them away, and come to the constitution which stands by itself, and yields a clearer prospect.

The motions, by what has been already shown, are spherical; and spherical motions have their proper centre, for which cause (ere I proceed further) it will be necessary, for the better understanding of the whole, that I discover the centre whereupon the motions of this commonwealth are formed.

The centre, or basis of every government, is no other than the fundamental laws of the same.

Fundamental laws are such as state what it is that a man may call his own, that is to say, property; and what the means be whereby a man may enjoy his own, that is to say, protection.

The first is also called dominion, and the second empire or sovereign power, whereof this (as has been shown) is the natural product of the former : for such as is the balance of dominion in a nation, such is the nature of its empire.

Wherefore the fundamental laws of Oceana, or the centre of this commonwealth, are the Agrarian and the ballot : the Agrarian by the balance of dominion preserving equality in the root ; and the ballot by an equal rotation conveying it into the branch, or exercise of sovereign power, as, to begin with the former, appears by

The thirteenth order, "Constituting the Agrarian laws of Oceana, Marpesia, and Panopea, whereby it is ordained, first, for all such lands as are lying and being within the proper territories of Oceana, that every man who is at present possessed, or shall hereafter be possessed, of an estate in land exceeding the revenue of £2000 a year, and having more than one son, shall leave his lands either equally divided among them, in case the lands amount to above £2000 a year to each, or so near equally in case they come under, that the greater part or portion of the same remaining to the eldest exceed not the value of £2000 revenue. And no man, not in present possession of lands above the value of £2000 by the year, shall receive, enjoy (except by lawful inheritance), acquire, or purchase to himself lands within the said territories, amounting, with those already in his possession, above the said revenue. And if a man has a daughter, or daughters, except she be an heiress, or they be heiresses, he shall not leave or give to any one of them in marriage, or otherwise, for her portion, above the value of £1500 in lands, goods, and moneys. Nor shall any friend, kinsman, or kinswoman, add to her or their portion or portions that are so provided for, to make any one of them greater. Nor shall any man demand or have more in marriage with any woman. Nevertheless an heiress shall enjoy her lawful inheritance, and a widow, whatsoever the bounty or affection of her husband shall bequeath to her, to be divided in the first generation, wherein it is divisible according as has been shown.

"Secondly, For lands lying and being within the territories of Marpesia, the Agrarian shall hold in all parts as it is established in Oceana, except only in the standard or proportion of

estates in land, which shall be set for Marpesia, at five hundred pounds. And,

“Thirdly, For Panopea, the Agrarian shall hold in all parts, as in Oceana. And whosoever possessing above the proportion allowed by these laws, shall be lawfully convicted of the same, shall forfeit the overplus to the use of the State.”

Agrarian laws of all others have ever been the greatest bugbears, and so in the institution were these, at which time it was ridiculous to see how strange a fear appeared in everybody of that which, being good for all, could hurt nobody. But instead of the proof of this order, I shall out of those many debates that happened ere it could be passed, insert two speeches that were made at the council of legislators, the first by the right honourable Philautus de Garbo, a young man, being heir-apparent to a very noble family, and one of the councillors, who expressed himself as follows :—

“May it please your Highness, my Lord Archon of Oceana.

“If I did not, to my capacity, know from how profound a councillor I dissent, it would certainly be no hard task to make it as light as the day : first, That an Agrarian is altogether unnecessary. Secondly, That it is dangerous to a commonwealth. Thirdly, That it is insufficient to keep out monarchy. Fourthly, That it ruins families. Fifthly, That it destroys industry. And last of all, That though it were indeed of any good use, it will be a matter of such difficulty to introduce in this nation, and so to settle that it may be lasting, as is altogether invincible.

“First, That an Agrarian is unnecessary to a commonwealth, what clearer testimony can there be than that the commonwealths which are our contemporaries (Venice, to which your highness gives the upperhand of all antiquity, being one) have no such thing? And there can be no reason why they have it not, seeing it is in the sovereign power at any time to establish such an order, but that they need it not ; wherefore no wonder if Aristotle, who pretends to be a good commonwealthsman, has long since derided Phaleas, to whom it was attributed by the Greeks, for his invention.

“Secondly, That an Agrarian is dangerous to a commonwealth is affirmed upon no slight authority, seeing Machiavel is positive

that it was the dissension which happened about the Agrarian that caused the destruction of Rome ; nor do I think that it did much better in Lacedemon, as I shall show anon.

“ Thirdly, That it is insufficient to keep out monarchy cannot without impiety be denied, the holy Scriptures bearing witness that the commonwealth of Israel, notwithstanding her Agrarian, submitted her neck to the arbitrary yoke of her princes.

“ Fourthly, therefore, to come to my next assertion, That it is destructive to families : this also is so apparent, that it needs pity rather than proof. Why, alas, do you bind a nobility (which no generation shall deny to have been the first that freely sacrificed their blood to the ancient liberties of this people) on an unholy altar? Why are the people taught that their liberty, which, except our noble ancestors had been born, must have long since been buried, cannot now be born except we be buried? A commonwealth should have the innocence of the dove. Let us leave this purchase of her birth to the serpent, which eats itself out of the womb of its mother.

“ Fifthly, but it may be said, perhaps, That we are fallen from our first love, become proud and idle. It is certain, my lords, that the hand of God is not upon us for nothing. But take heed how you admit of such assaults and sallies upon men's estates, as may slacken the nerve of labour, and give others also reason to believe that their sweat is vain ; or else, whatsoever be pretended, your Agrarian (which is my fifth assertion) must indeed destroy industry. For, that so it did in Lacedemon is most apparent, as also that it could do no otherwise, where every man having his forty quarters of barley, with wine proportionable, supplied him out of his own lot by his labourer or helot ; and being confined in that to the scantling above which he might not live, there was not any such thing as a trade, or other art, except that of war, in exercise. Wherefore a Spartan, if he were not in arms, must sit and play with his fingers, whence ensued perpetual war, and, the estate of the city being as little capable of increase as that of the citizens, her inevitable ruin. Now what better ends you can propose to yourselves in the like ways, I do not so well see as I perceive that there may be worse ; for Lacedemon yet was free from civil war : but if you employ your citizens no better than she did, I cannot promise you that

you shall fare so well, because they are still desirous of war that hope that it may be profitable to them ; and the strongest security you can give of peace, is to make it gainful. Otherwise men will rather choose that whereby they may break your laws, than that whereby your laws may break them. Which I speak not so much in relation to the nobility or such as would be holding, as to the people or them that would be getting ; the passion in these being so much the stronger, as a man's felicity is weaker in the fruition of things, than in their prosecution and increase.

“ Truly, my lords, it is my fear, that by taking of more hands, and the best from industry, you will farther endamage it, than can be repaired by laying on a few, and the worst ; while the nobility must be forced to send their sons to the plough, and, as if this were not enough, to marry their daughters also to farmers.

“ Sixthly, but I do not see (to come to the last point) how it is possible that this thing should be brought about, to your good I mean, though it may to the destruction of many. For that the Agrarian of Israel, or that of Lacedemon, might stand, is no such miracle ; the lands, without any consideration of the former proprietor, being surveyed and cast into equal lots, which could neither be bought, nor sold, nor multiplied : so that they knew whereabouts to have a man. But in this nation no such division can be introduced, the lands being already in the hands of proprietors, and such whose estates lie very rarely together, but mixed one with another ; being also of tenures in nature so different, that as there is no experience that an Agrarian was ever introduced in such a case, so there is no appearance how or reason why it should : but that which is against reason and experience is impossible.”

The case of my Lord Philautus was the most concerned in the whole nation ; for he had four younger brothers, his father being yet living, to whom he was heir of ten thousand pounds a year. Wherefore being a man both of good parts and esteem, his words wrought both upon men's reason and passions, and had borne a stroke at the head of the business, if my Lord Archon had not interposed the buckler in this oration :—

“My Lords, the Legislators of Oceana.

“My Lord Philautus has made a thing which is easy to seem hard ; if the thanks were due to his eloquence, it would be worthy of less praise than that he owes it to his merit, and the love he has most deservedly purchased of all men : nor is it rationally to be feared that he who is so much beforehand in his private, should be in arrear in his public, capacity. Wherefore, my lord’s tenderness throughout his speech arising from no other principle than his solicitude lest the Agrarian should be hurtful to his country, it is no less than my duty to give the best satisfaction I am able to so good a patriot, taking every one of his doubts in the order proposed. And,

“First, Whereas my lord, upon observation of the modern commonwealths, is of opinion that an Agrarian is not necessary : it must be confessed that at the first sight of them there is some appearance favouring his assertion, but upon accidents of no precedent to us. For the commonwealths of Switzerland and Holland, I mean of those leagues, being situated in countries not alluring the inhabitants to wantonness, but obliging them to universal industry, have an implicit Agrarian in the nature of them : and being not obnoxious to a growing nobility (which, as long as their former monarchies had spread the wing over them, could either not at all be hatched, or was soon broken) are of no example to us, whose experience in this point has been to the contrary. But what if even in these governments there be indeed an explicit Agrarian ? For when the law commands an equal or near equal distribution of a man’s estate in land among his children, as it is done in those countries, a nobility cannot grow ; and so there needs no Agrarian, or rather there is one. And for the growth of the nobility in Venice (if so it be, for Machiavel observes in that republic, as a cause of it, a great mediocrity of estates) it is not a point that she is to fear, but might study, seeing she consists of nothing else but nobility ; by which, whatever their estates suck from the people, especially if it comes equally, is digested into the better blood of that commonwealth, which is all, or the greatest, benefit they can have by accumulation. For how unequal soever you will have them to be in their incomes, they have officers of the pomp, to bring them equal in expenses, or at least in the ostentation or show of them. And so unless the advantage of an estate



consists more in the measure than in the use of it, the authority of Venice does but enforce our Agrarian ; nor shall a man evade or elude the prudence of it, by the authority of any other commonwealth. For if a commonwealth has been introduced at once, as those of Israel and Lacedemon, you are certain to find her underlaid with this as the main foundation ; nor, if she is obliged more to fortune than prudence, has she raised her head without musing upon this matter, as appears by that of Athens, which through her defect in this point, says Aristotle, introduced her ostracism, as most of the democracies of Greece. But, not to restrain a fundamental of such latitude to any one kind of government, do we not yet see that if there be a sole landlord of a vast territory, he is the Turk ? that if a few landlords overbalance a populous country, they have store of servants ? that if a people be in an equal balance, they can have no lords ? that no government can otherwise be erected, than upon some one of these foundations ? that no one of these foundations (each being else apt to change into some other) can give any security to the government, unless it be fixed ? that through the want of this fixation, potent monarchy and commonwealths have fallen upon the heads of the people, and accompanied their own sad ruins with vast effusions of innocent blood ? Let the fame, as was the merit of the ancient nobility of this nation, be equal to or above what has been already said, or can be spoken, yet have we seen not only their glory, but that of a throne, the most indulgent to and least invasive for so many ages upon the liberty of a people that the world has known, through the mere want of fixing her foot by a proportionable Agrarian upon her proper foundation, to have fallen with such horror as has been a spectacle of astonishment to the whole earth. And were it well argued from one calamity, that we ought not to prevent another ? Nor is Aristotle so good a commonwealthsman for deriding the invention of Phaleas as in recollecting himself, where he says that democracies, when a less part of their citizens overtop the rest in wealth, degenerate into oligarchies and principalities ; and, which comes nearer to the present purpose, that the greater part of the nobility of Tarentum coming accidentally to be ruined, the government of the few came by consequence to be changed into that of the many.

“These things considered, I cannot see how an Agrarian, as to the fixation or security of a government, can be less than necessary. And if a cure be necessary, it excuses not the patient, his disease being otherwise desperate, that it is dangerous ; which was the case of Rome, not so stated by Machiavel, where he says, that the strife about the Agrarian caused the destruction of that commonwealth. As if when a senator was not rich (as Crassus held) except he could pay an army, that commonwealth could expect nothing but ruin whether in strife about the Agrarian, or without it. “Of late,” says Livy, “riches have introduced avarice, and voluptuous pleasures abounding, have through lust and luxury begot a desire of blasting and destroying all good orders.” If the greatest security of a commonwealth consists in being provided with the proper antidote against this poison, her greatest danger must be from the absence of an Agrarian, which is the whole truth of the Roman example. For the Laconic, I shall reserve the farther explication of it, as my lord also did, to another place ; and first see whether an Agrarian proportioned to a popular government be sufficient to keep out monarchy. My lord is for the negative, and fortified by the people of Israel electing a king. To which I say, that the action of the people therein expressed is a full answer to the objection of that example ; for the monarchy neither grew upon them, nor could, by reason of the Agrarian, possibly have invaded them, if they had not pulled it upon themselves by the election of a king. Which being an accident, the like whereof is not to be found in any other people so planted, nor in this till, as it is manifest, they were given up by God to infatuation (for says He to Samuel, ‘They have not rejected thee, but they have rejected Me, that I should not reign over them’), has something in it which is apparent, by what went before, to have been besides the course of Nature, and by what followed. For the king having no other foundation than the calamities of the people, so often beaten by their enemies, that despairing of themselves they were contented with any change, if he had peace as in the days of Solomon, left but a slippery throne to his successor, as appeared by Rehoboam. And the Agrarian, notwithstanding the monarchy thus introduced, so faithfully preserved the root of that commonwealth, that it shot forth oftener, and by intervals continued longer than any other

government, as may be computed from the institution of the same by Joshua, 1465 years before Christ, to the total dissolution of it, which happened in the reign of the Emperor Adrian, 135 years after the Incarnation. A people planted upon an equal Agrarian, and holding to it, if they part with their liberty, must do it upon goodwill, and make but a bad title of their bounty. As to instance yet further in that which is proposed by the present order to this nation, the standard whereof is at £2000 a year ; the whole territory of Oceana being divided by this proportion, amounts to five thousand lots. So the lands of Oceana being thus distributed, and bound to this distribution, can never fall to fewer than five thousand proprietors. But five thousand proprietors so seised will not agree to break the Agrarian, for that were to agree to rob one another ; nor to bring in a king, because they must maintain him, and can have no benefit by him ; nor to exclude the people, because they can have as little by that, and must spoil their militia. So the commonwealth continuing upon the balance proposed, though it should come into five thousand hands, can never alter, and that it should ever come into five thousand hands, is as improbable as anything in the world that is not altogether impossible.

“ My lord’s other considerations are more private ; as that this order destroys families ; which is as if one should lay the ruin of some ancient castle to the herbs which usually grow out of them, the destruction of those families being that indeed which naturally produced this order. For we do not now argue for that which we would have, but for that which we are already possessed of, as would appear if a note were but taken of all such as have at this day above £2000 a year in Oceana. If my lord should grant (and I will put it with the most) that they who are proprietors in land, exceeding this proportion, exceed not three hundred, with what brow can the interest of so few be balanced with that of the whole nation ? or rather, what interest have they to put in such a balance ? they would live as they had been accustomed to do ; who hinders them ? they would enjoy their estates ; who touches them ? they would dispose of what they have according to the interest of their families ; it is that which we desire. A man has one son, let him be called ; would he enjoy his father’s estate ? it is his, his son’s, and his son’s son’s after him. A man has five sons,

let them be called ; would they enjoy their father's estate ? It is divided among them ; for we have four votes for one in the same family, and therefore this must be the interest of the family, or the family knows not its own interest. If a man shall dispute otherwise, he must draw his arguments from custom and from greatness, which was the interest of the monarchy, not of the family ; and we are now a commonwealth. If the monarchy could not bear with such divisions because they tended to a commonwealth, neither can a commonwealth connive at such accumulations because they tend to a monarchy. If the monarchy might make bold with so many for the good of one, we may make bold with one for the good of so many, nay, for the good of all. My lords, it comes into my mind, that which upon occasion of the variety of parties enumerated in our late civil wars, was said by a friend of mine coming home from his travels, about the latter end of these troubles ; that he admired how it came to pass, that younger brothers, especially being so many more in number than their elder, did not unite as one man against a tyranny, the like whereof has not been exercised in any other nation. And truly, when I consider that our countrymen are none of the worst natured, I must confess I marvel much how it comes to pass that we should use our children as we do our puppies—take one, lay it in the lap, feed it with every good bit, and drown five ; nay, yet worse, forasmuch as the puppies are once drowned, whereas the children are left perpetually drowning. Really, my lords, it is a flinty custom ! and all this for his cruel ambition, that would raise himself a pillar, a golden pillar for his monument, though he has children, his own reviving flesh, and a kind of immortality. And this is that interest of a family, for which we are to think ill of a government that will not endure it. But quiet ourselves ; the land through which the river Nilus wanders in one stream, is barren ; but where it parts into seven, it multiplies its fertile shores by distributing, yet keeping and improving, such a propriety and nutrition, as is a prudent Agrarian to a well-ordered commonwealth.

“Nor (to come to the fifth assertion) is a political body rendered any fitter for industry by having one gouty and another withered leg, than a natural. It tends not to the improvement of merchandise that there be some who have no

need of their trading, and others that are not able to follow it. If confinement discourages industry, an estate in money is not confined, and lest industry should want whereupon to work, land is not engrossed or entailed upon any man, but remains at its devotion. I wonder whence the computation can arise, that this should discourage industry. Two thousand pounds a year a man may enjoy in Oceana, as much in Panopea, £500 in Marpesia; there be other plantations, and the commonwealth will have more. Who knows how far the arms of our Agrarian may extend themselves? and whether he that might have left a pillar, may not leave a temple of many pillars to his more pious memory? Where there is some measure in riches, a man may be rich, but if you will have them to be infinite, there will be no end of starving himself, and wanting what he has: and what pains does such a one take to be poor! Furthermore, if a man shall think that there may be an industry less greasy or more noble, and so cast his thoughts upon the commonwealth, he will have leisure for her, and she riches and honours for him; his sweat shall smell like Alexander's. My Lord Philautus is a young man who, enjoying his £10,000 a year, may keep a noble house in the old way, and have homely guests; and having but two, by the means proposed, may take the upper hand of his great ancestors; with reverence to whom, I may say, there has not been one of them would have disputed his place with a Roman consul. My lord, do not break my heart; the nobility shall go to no other ploughs than those which we call our consuls. But, says he, it having been so with Lacedemon, that neither the city nor the citizens were capable of increase, a blow was given by that Agrarian, which ruined both. And what are we concerned with that Agrarian, or that blow, while our citizens and our city (and that by our Agrarian) are both capable of increase? The Spartan, if he made a conquest, had no citizens to hold it; the Oceaner will have enow. The Spartan could have no trade; the Oceaner may have all. The Agrarian in Laconia, that it might bind on knapsacks, forbidding all other arts but that of war, could not make an army of above thirty thousand citizens. The Agrarian in Oceana, without interruption of traffic, provides us in the fifth part of the youth an annual source or fresh spring of one hundred thousand, besides our provincial auxiliaries, out of

which to draw marching armies ; and as many elders, not feeble, but men most of them in the flower of their age, and in arms for the defence of our territories. The Agrarian in Laconia banished money, this multiplies it ; that allowed a matter of twenty or thirty acres to a man, this two or three thousand ; there is no comparison between them. And yet I differ so much from my lord, or his opinion that the Agrarian was the ruin of Lacedemon, that I hold it no less than demonstrable to have been her main support. For if, banishing all other diversions, it could not make an army of above thirty thousand, then, letting in all other diversions, it must have broken that army. Wherefore Lysander, bringing in the golden spoils of Athens, irrecoverably ruined that commonwealth ; and is a warning to us, that in giving encouragement to industry, we also remember that covetousness is the root of all evil. And our Agrarian can never be the cause of those seditions threatened by my lord, but is the proper cure of them, as Lucan notes well in the state of Rome before the civil wars, which happened through the want of such an antidote.

“Why then are we mistaken, as if we intended not equal advantages in our commonwealth to either sex, because we would not have women’s fortunes consist in that metal which exposes them to cutpurses? If a man cuts my purse I may have him by the heels or by the neck for it ; whereas a man may cut a woman’s purse, and have her for his pains in fetters. How brutish, and much more than brutish, is that commonwealth which prefers the earth before the fruits of the womb? If the people be her treasure, the staff by which she is sustained and comforted, with what justice can she suffer them, by whom she is most enriched, to be for that cause the most impoverished? And yet we see the gifts of God, and the bounties of Heaven in fruitful families, through this wretched custom of marrying for money, become their insupportable grief and poverty. Nor falls this so heavy upon the lower sort, being better able to shift for themselves, as upon the nobility or gentry. For what avails it in this case, from whence their veins have derived their blood ; while they shall see the tallow of a chandler sooner converted into that beauty which is required in a bride? I appeal, whether my Lord Philautus or myself be the advocate of nobility ; against which, in the case proposed by me, there

would be nothing to hold the balance. And why is a woman, if she may have but £1500, undone? If she be unmarried, what nobleman allows his daughter in that case a greater revenue than so much money may command? And if she marry, no nobleman can give his daughter a greater portion than she has. Who is hurt in this case?—nay, who is not benefited? If the Agrarian gives us the sweat of our brows without diminution; if it prepares our table; if it makes our cup to overflow; and above all this, in providing for our children, anoints our heads with that oil which takes away the greatest of worldly cares; what man, that is not besotted with a covetousness as vain as endless, can imagine such a constitution to be his poverty? Seeing where no woman can be considerable for her portion, no portion will be considerable with a woman; and so his children will not only find better preferments without his brokage, but more freedom of their own affections. We are wonderful severe in laws, that they shall not marry without our consent, as if it were care and tenderness over them; but is it not lest we should not have the other £1000 with this son, or the other £100 a year more in jointure for that daughter? These, when we are crossed in them, are the sins for which we water our couch with tears, but not of penitence. Seeing whereas it is a mischief beyond any that we can do to our enemies, we persist to make nothing of breaking the affection of our children. But there is in this Agrarian a homage to pure and spotless love, the consequence whereof I will not give for all your romances. An alderman makes not his daughter a countess till he has given her £20,000, nor a romance a considerable mistress till she be a princess; these are characters of bastard love. But if our Agrarian excludes ambition and covetousness, we shall at length have the care of our own breed, in which we have been curious as to our dogs and horses. The marriage-bed will be truly legitimate, and the race of the commonwealth not spurious.

“But (*impar magnanimis ausis, imparque dolori*) I am hurled from all my hopes by my lord’s last assertion of impossibility, that the root from whence we imagine these fruits should be planted or thrive in this soil. And why? Because of the mixture of estates and variety of tenures. Nevertheless, there is yet extant in the Exchequer an old

survey of the whole nation ; wherefore such a thing is not impossible. Now if a new survey were taken at the present rates, and the law made that no man should hold hereafter above so much land as is valued therein at £2000 a year, it would amount to a good and sufficient Agrarian. It is true that there would remain some difficulty in the different kind of rents, and that it is a matter requiring not only more leisure than we have, but an authority which may be better able to bow men to a more general consent than is to be wrought out of them by such as are in our capacity. Wherefore, as to the manner, it is necessary that we refer it to the parliament ; but as to the matter, they cannot otherwise fix their government upon the right balance.

“ I shall conclude with a few words to some parts of the order, which my lord has omitted. As first to the consequences of the Agrarian to be settled in Marpesia, which irreparably breaks the aristocracy of that nation ; being of such a nature, as standing, it is not possible that you should govern. For while the people of that country are little better than the cattle of the nobility, you must not wonder if, according as these can make their markets with foreign princes, you find those to be driven upon your grounds. And if you be so tender, now you have it in your power, as not to hold a hand upon them that may prevent the slaughter which must otherwise ensue in like cases, the blood will lie at your door. But in holding such a hand upon them, you may settle the Agrarian ; and in settling the Agrarian, you give that people not only liberty, but lands ; which makes your protection necessary to their security ; and their contribution due to your protection, as to their own safety.

“ For the Agrarian of Panopea, it allowing such proportions of so good land, men that conceive themselves straitened by this in Oceana, will begin there to let themselves forth, where every citizen will in time have his villa. And there is no question, but the improvement of that country by this means must be far greater than it has been in the best of former times.

“ I have no more to say, but that in those ancient and heroic ages (when men thought that to be necessary which was virtuous) the nobility of Athens, having the people so much engaged in their debt that there remained no other question



among these than which of those should be king, no sooner heard Solon speak than they quitted their debts, and restored the commonwealth ; which ever after held a solemn and annual feast called the *Sisacthia*, or *Recision*, in memory of that action. Nor is this example the *phœnix*; for at the institution by *Lycurgus*, the nobility having estates (as ours here) in the lands of *Laconia*, upon no other valuable consideration than the commonwealth proposed by him, threw them up to be parcelled by his *Agrarian*. But now when no man is desired to throw up a farthing of his money, or a shovelful of his earth, and that all we can do is but to make a virtue of necessity, we are disputing whether we should have peace or war : for peace you cannot have without some government, nor any government without the proper balance. Wherefore if you will not fix this which you have, the rest is blood, for without blood you can bring in no other."

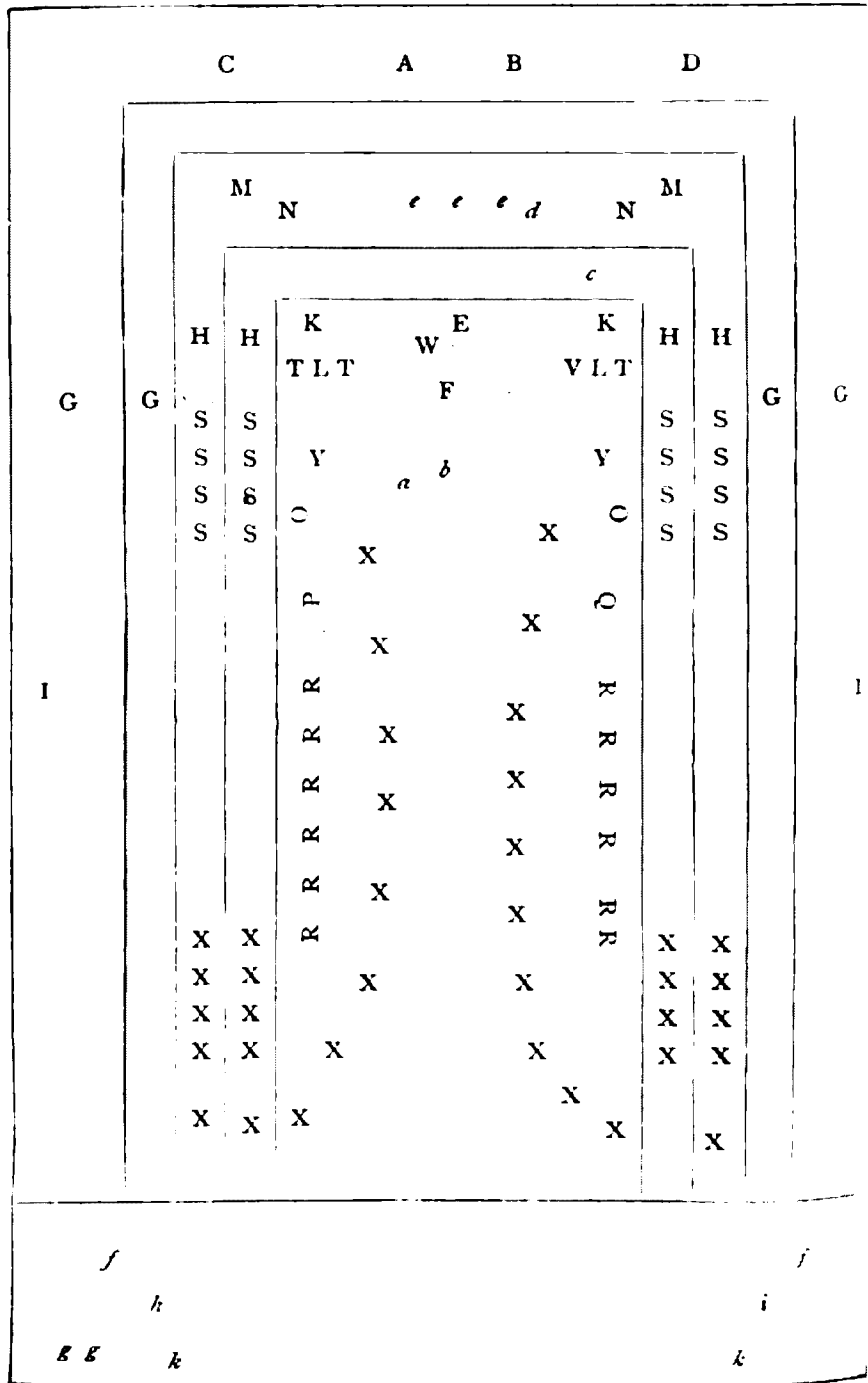
By these speeches made at the institution of the *Agrarian* you may perceive what were the grounds of it. The next is

The fourteenth order, "Constituting the ballot of *Venice*, as it is fitted by several alterations, and appointed to every assembly, to be the constant and only way of giving suffrage in this commonwealth, according to the following scheme." (See p. 118.)

I shall endeavour by the following figure to demonstrate the manner of the *Venetian* ballot (a thing as difficult in discourse or writing, as facile in practice) according to the use of it in *Oceana*. The whole figure represents the senate, containing, as to the house or form of sitting, a square and a half; the tribunal at the upper end being ascended by four steps. On the uppermost of these sit the magistrates that constitute the signory of the commonwealth, that is to say, A the *strategus*; B the orator; C the three commissioners of the great seal; D the three commissioners of the treasury, whereof one, E, exercises for the present the office of a censor at the middle urn F.

To the two upper steps of the tribunal answer GG GG, the two long benches next the wall on each side of the house; the outwardmost of which are equal in height to the uppermost step, and the innermost equal in height to the next. Of these four

THE MANNER AND USE OF THE BALLOT.



benches consists the first seat ; as the second seat consists in like manner of those four benches HH HH, which being next the floor, are equal in height to the two nethermost steps of the throne. So the whole house is distributed into two seats, each consisting of four benches.

This distribution causes not only the greater conveniency, as will be shown, to the senators in the exercise of their function at the ballot, but a greater grace to the aspect of the senate. In the middle of the outward benches stand I I, the chairs of the censors, those being their ordinary places, though upon occasion of the ballot they descend, and sit where they are shown by K K at each of the outward urns L L. Those M M that sit with their tables, and the bowls N N before them, upon the half-space or second step of the tribunal from the floor, are the clerks or secretaries of the house. Upon the short seats O O on the floor (which should have been represented by woolsacks) sit P, the two tribunes of the horse ; Q, the two tribunes of the foot ; and RR RR the judges, all which magistrates are assistants, but have no suffrage. This posture of the senate considered, the ballot is performed as follows :

First, whereas the gold balls are of several suits, and accordingly marked with several letters of the alphabet, a secretary presents a little urn (wherein there is one ball of every suit or mark) to the strategus and the orator ; and look what letter the strategus draws, the same and no other is to be used for that time in the middle urn F ; the like for the letter drawn by the orator is to be observed for the side urns L L, that is to say, if the strategus drew a ball with an A, all the gold balls in the middle urn for that day are marked with the letter A ; and if the orator drew a B, all the gold balls in the side urn for that day are marked with the letter B, which done immediately before the ballot, and so the letter unknown to the ballotants, they can use no fraud or juggling ; otherwise a man might carry a gold ball in his hand, and seem to have drawn it out of an urn. He that draws a gold ball at any urn, delivers it to the censor or assessor of that urn, who views the character, and allows accordingly of his lot.

The strategus and the orator having drawn for the letters, the urns are prepared accordingly by one of the commissioners and the two censors. The preparation of the urns is after this

manner. If the senate be to elect, for example, the list called the tropic of magistrates, which is this :

1. The Lord Strategus ;
2. The Lord Orator ;
3. The third Commissioner of the Great Seal ;
4. The third Commissioner of the Treasury ;
5. The first Censor ;
6. The second Censor ;

This list or schedule consists of six magistracies, and to every magistracy there are to be four competitors, that is, in all four-and-twenty competitors proposed to the house. They that are to propose the competitors are called electors, and no elector can propose above one competitor : wherefore for the proposing of four-and-twenty competitors you must have four-and-twenty electors ; and whereas the ballot consists of a lot and of a suffrage, the lot is for no other use than for the designation of electors ; and he that draws a gold ball at the middle urn is an elector. Now, as to have four-and-twenty competitors proposed, you must have four-and-twenty electors made, so to have four-and-twenty electors made by lot, you must have four-and-twenty gold balls in the middle urn ; and these (because otherwise it would be no lot) mixed with a competent number of blanks, or silver balls. Wherefore to the four-and-twenty gold balls cast six-and twenty silver ones, and those (reckoning the blanks with the prizes) make fifty balls in the middle urn. This done (because no man can come to the middle urn that has not first drawn a gold ball at one of the side urns) and to be sure that the prizes or gold balls in this urn be all drawn, there must come to it fifty persons ; therefore there must be in each of the side urns five-and-twenty gold balls, which in both come to fifty ; and to the end that every senator may have his lot, the gold balls in the side urns are to be made up with blanks equal to the number of the ballotants at either urn ; for example, the house consisting of three hundred senators, there must be in each of the side urns one hundred and twenty-five blank and twenty-five prizes, which come in both the side urns to three hundred balls. This is the whole mystery of preparing the urns, which the censors having skill to do accordingly, the rest of the ballot, whether the parties balloting understand it or no, must of

necessary consequence come right; and they can neither be out, nor fall into any confusion in the exercise of this art.

But the ballot, as I said, is of two parts, lot and suffrage, or the proposition and result. The lot determines who shall propose the competitors; and the result of the senate, which of the competitors shall be the magistrates. The whole, to begin with the lot, proceeds in this manner:—

The first secretary with an audible voice reads first the list of the magistrates to be chosen for the day, then the oath for fair election, at which the senators hold up their hands; which done, another secretary presents a little urn to the strategus, in which are four balls, each of them having one of these four inscriptions: "First seat at the upper end." "First seat at the lower end." "Second seat at the upper end." "Second seat at the lower end." And look which of them the strategus draws, the secretary pronouncing the inscription with a loud voice, the seat so called comes accordingly to the urns: this in the figure is the second seat at the upper end. The manner of their coming to the side urns is in double files, there being two holes in the cover of each side urn, by which means two may draw at once. The senators therefore SS SS are coming from the upper end of their seats HH HH to the side urns LL. The senators TT T are drawing. The senator V has drawn a gold ball at his side urn, and is going to the middle urn F, where the senator W, having done the like at the other side urn, is already drawing. But the senators XX XX having drawn blanks at their side urns, and thrown them into the bowls YY standing at the feet of the urns, are marching by the lower end into their seats again; the senator *a* having done the like at the middle urn, is also throwing his blank into the bowl *b*, and marching to his seat again: for a man by a prize at a side urn gains no more than right to come to the middle urn, where, if he draws a blank, his fortune at the side urn comes to nothing at all; wherefore he also returns to his place. But the senator *c* has had a prize at the middle urn, where the commissioner, having viewed his ball, and found the mark to be right, he marches up the steps to the seat of the electors, which is the form *d* set across the tribunal, where he places himself, according as he was drawn, with the other electors *e e e* drawn before him. These are not to look back, but sit with their faces

towards the signory or state, till their number amount to that of the magistrates to be that day chosen, which for the present, as was shown, are six : wherefore six electors being made, they are reckoned according as they were drawn : first, second, third, fourth, fifth, sixth, in their order ; and the first six that are chosen are the first order of electors.

The first order of electors being made, are conducted by a secretary, with a copy of the list to be chosen, out of the senate, and into a committee or council-chamber, being neither suffered by the way, nor in their room (till the ballot be ended), to have conference with any but themselves ; wherefore the secretary, having given them their oath that they shall make election according to the law and their conscience, delivers them the list, and seats himself at the lower end of the table with his pen and paper, while another secretary keeps the door.

By such time as the first order of electors are thus seated, the second order of electors is drawn, who, with a second copy of the same list, are conducted into another committee-chamber, by other secretaries performing the same office with the former.

The like exactly is done by the third and by the fourth orders (or hands, as the Venetians call them) of electors, by which means you have the four-and-twenty electors divided according to the four copies of the same list, by six, into four hands or orders ; and every one of these orders names one competitor to every magistracy in the list ; that is to say, the first elector names to the first magistracy, the second elector to the second magistracy, and so forth. But though the electors, as has been shown, are chosen by mere lot, yet the competitors by them named are not chosen by any lot, but by the suffrage of the whole order—for example, the first elector in the first order proposes a name to be Strategus, which name is balloted by himself and the other five electors ; and if the name so balloted attain not to above half the suffrages, it is laid aside, and the first elector names another to the same magistracy ; and so in case this also fails, another, till one he has named, whether it be himself, or some other, has attained to above half the suffrages in the affirmative ; and the name so attaining to above half the suffrages in the affirmative is written to the first magistracy in the list by the secretary ; which being done, the second elector of the first order, names to the second magistracy till one of his nomina-

ion be chosen to the same. The like is done by the rest of the electors of the first order, till one competitor be chosen, and written to every magistracy in their list. Now the second, third, and fourth orders of electors doing exactly after the same manner, it comes to pass that one competitor to every magistracy being chosen in each order, there be in all four competitors chosen to every magistracy.

If any controversy arises in an order of electors, one of the censors (these being at this game the groom-porters) is advertised by the secretary, who brings him in, and the electors disputing are bound to acquiesce in his sentence. For which cause it is that the censors do not ballot at the urns; the signory also abstains, lest it should deform the house: wherefore the blanks in the side urns are by so many the fewer. And so much for the lot, which is of the greater art but less consequence, because it concerns proposition only: but all (except the tribunes and the judges, which being but assistants have no suffrage) are to ballot at the result, to which I now come.

The four orders of electors having perfected their lists, the face of the house is changed: for the urns are taken away, and every senator and magistrate is seated in his proper place, saving the electors, who, having given their suffrages already, may not stir out of their chambers till the house have given theirs, and the rest of the ballot be performed; which follows in this manner:—

The four lists being presented by the secretaries of each council of electors to the signory, are first read, according to their order, to the house with an audible voice; and then the competitors are put to the ballot or suffrage of the whole senate in this manner: A A named to be strategus in the first order; whereupon eight ballotins or pages, such as are expressed by the figures *f f*, take eight of the boxes represented, though rudely, by the figures *g g*, and go four on the one, and four on the other side of the house, that is, one to every bench, signifying “A A named to be the strategus in the first order:” and every magistrate or senator (beginning by the strategus and the orator first) holds up a little pellet of linen, as the box passes, between his finger and his thumb, that men may see he has but one, and then puts it into the same. The box consisting in the inner part of two boxes, being painted on the

outside white and green, to distinguish the affirmative from the negative side, is so made that when your hand is in it, no man can see to which of the sides you put the suffrage, nor hear to which it falls, because the pellet being linen, makes no noise. The strategus and the orator having begun, all the rest do the like.

The ballotins having thus gathered the suffrages, bring them before the signory, in whose presence the outward boxes being opened, they take out the inner boxes, whereof the affirmative is white, and the negative green, and pour the white in the bowl N on the right hand, which is white also, and the green into the bowl N on the left, which is also green. These bowls or basins (better represented at the lower end of the figure by  $\bar{A} \bar{r}$ ) being upon this occasion set before the tables of the secretaries at the upper end N N, the white on the right hand, and the green on the left, the secretaries on each side number the balls, by which if they find that the affirmatives amount not to above one half, they write not the name that was balloted, but if they amount to above one half, they write it, adding the number of above half the suffrages to which it attained. The first name being written, or laid aside, the next that is put is B B named to be strategus in the second order ; the third C C, named to be strategus in the third order ; the fourth D D, named to be strategus in the fourth order. and he of these four competitors that has most above half in the affirmative, is the magistrate ; or if none of them attain to above half, the nomination for that magistracy is to be repeated by such new electors as shall be chosen at the next ballot. And so, as is exemplified in the first magistracy, proceeds the ballot of the rest ; first in the first, then in the second, and so in the third and fourth orders.

Now whereas it may happen that A A, for example, being named strategus in the first order, may also be named to the same or some one or more other magistracies in one or more of the other orders ; his name is first balloted where it is first written, that is to the more worthy magistracy, whereof if he misses, he is balloted as it comes in course for the next, and so for the rest, if he misses of that, as often as he is named.

And because to be named twice, or oftener, whether to the same or some other magistracy, is the stronger recommendation, the note must not fail to be given upon the name, at the proposition in this manner : A A named to be strategus in the



first, and in the second order, or A A named to be strategus in the first and the third, in the first and the fourth, &c. But if he be named to the same magistracy in the first, second, third, and fourth orders, he can have no competitor; wherefore attaining to above half the suffrages, he is the magistrate. Or thus: A A named to be strategus in the first, to be censor in the second, to be orator in the third, and to be commissioner of the seal in the fourth order, or the like in more or fewer orders, in which cases if he misses of the first magistracy, he is balloted to the second; if he misses of the second, to the third; and if he misses of the third, to the fourth.

The ballot not finished before sunset, though the election of the magistrates already chosen be good, voids the election of such competitors as being chosen are not yet furnished with magistracies, as if they had never been named (for this is no juggling-box, but an art that must see the sun), and the ballot for the remaining magistracies is to be repeated the next day by new orders of electors, and such competitors as by them shall be elected. And so in the like manner, if of all the names proposed to the same magistracy, no one of them attains to above half the suffrages in the affirmative.

The senatorian ballot of Oceana being thus described, those of the parish, of the hundred, and of the tribe, being so little different, that in this they are all contained, and by this may be easily understood, are yet fully described, and made plain enough before in the 5th, 6th, 7th, 8th, 9th, and 10th orders.

This, therefore, is the general order, whence those branches of the ballot, some whereof you have already seen, are derived; which, with those that follow, were all read and debated in this place at the institution. When my Lord Epimonus de Garrula, being one of the councillors, and having no further patience (though the rulers were composed by the agent of this commonwealth, residing for that purpose at Venice) than to hear the direction for the parishes, stood up and made way for himself in this manner:—

“ May it please your Highness, my Lord Archon,—

“ Under correction of Mr. Peregrin Spy, our very learned agent and intelligencer, I have seen the world a little, Venice, and (as gentlemen are permitted to do) the great council balloting.

And truly I must needs say, that it is for a dumb show the goodliest that I ever beheld with my eyes. You should have some would take it ill, as if the noble Venetians thought themselves too good to speak to strangers, but they observed them not so narrowly. The truth is, they have nothing to say to their acquaintance; or men that are in council sure would have tongues: for a council, and not a word spoken in it, is a contradiction. But there is such a pudder with their marching and countermarching, as, though never a one of them draw a sword, you would think they were training; which till I found that they did it only to entertain strangers, I came from among them as wise as I went thither. But in the parliament of Oceana you had no balls nor dancing, but sober conversation: a man might know and be known, show his parts, and improve them. And now if you take the advice of this same fellow, you will spoil all with his whimsies. Mr. Speaker—cry you mercy, my Lord Archon, I mean—set the wisest man of your house in the great council of Venice, and you will not know him from a fool. Whereas nothing is more certain than that flat and dull fellows in the judgment of all such as used to keep company with them before, upon election into our house, have immediately chitted like barley in the vat, where it acquires a new spirit, and flowed forth into language, that I am as confident as I am here, if there were not such as delight to abuse us, is far better than Tully's; or, let anybody but translate one of his orations, and speak it in the house, and see if everybody do not laugh at him. This is a great matter, Mr. Speaker: they do not cant it with your book-learning, your orbs, your centres, your prime magnitudes, and your nebulones, things I profess that would make a sober man run stark mad to hear them; while we, who should be considering the honour of our country, and that it goes now or never upon our hand, whether it shall be ridiculous to all the world, are going to nine-holes or trow madam for our business, like your dumb Venetian, whom this same Sir Politic your resident, that never saw him do any thing but make faces, would insinuate into you, at this distance, to have the only knack of state. Whereas if you should take the pains, as I have done, to look a little nearer, you would find these same wonderful things to be nothing else but mere natural fopperies, or *capriccios*, as they call them in Italian, even of the

meanest, of that nation. For, put the case you be travelling in Italy, ask your *contadino*, that is, the next country-fellow you meet, some question, and presently he ballots you an answer with a nod, which is affirmative; or a shake with his head, which is the negative box; or a shrug with his shoulder, which is the *bossolo di non sinceri*. Good! You will admire Sandys for telling you, that *grotta di cane* is a miracle: and I shall be laughed at, for assuring you, that it is nothing else but such a damp (continued by the neighbourhood of certain sulphur mines) as through accidental heat does sometimes happen in our coalpits. But ingratitude must not discourage an honest man from doing good. There is not, I say, such a tongue-tied generation under heaven as your Italian, that you should not wonder if he make signs. But our people must have something in their diurnals; we must ever and anon be telling them our minds; or if we be at it when we raise taxes, like those gentlemen with the finger and the thumb, they will swear that we are cutpurses. Come, I know what I have heard them say, when some men had money that wrought hard enough for it; and do you conceive they will be better pleased when they shall be told that upon like occasions you are at mumchance or stool-ball? I do not speak for myself; for though I shall always acknowledge that I got more by one year's sitting in the house than by my three years' travels, it was not of that kind. But I hate that this same Spy, for pretending to have played at billiards with the most serene commonwealth of Venice, should make such fools of us here, when I know that he must have had his intelligence from some corncutter upon the Rialto; for a noble Venetian would be hanged if he should keep such a fellow company. And yet if I do not think he has made you all dote, never trust me, my Lord Archon is sometimes in such strange raptures. Why, good my lord, let me be heard as well as your apple squire. Venice has fresh blood in her cheeks, I must confess, yet she is but an old lady. Nor has he picked her cabinet; these he sends you are none of her receipts, I can assure you; he bought them for a Julio at St. Mark's of a mountebank. She has no other wash, upon my knowledge, for that same envied complexion of hers but her marshes, being a little better scented, saving your presence, than a chamber-pot. My lords, I know what I say, but you will never have done with

it, that neither the great Turk, nor any of those little Turks her neighbours, have been able to spoil her ! Why you may as well wonder that weasels do not suck eggs in swans'-nests. Do you think that it has lain in the devotion of her beads ; which you that have puked so much at Popery, are now at length resolved shall consecrate M. Parson, and be dropped by every one of his congregation, while those same whimsical intelligences your surveyors (you will break my heart) give the turn to your *primum mobile* ! And so I think they will ; for you will find that money is the *primum mobile*, and they will turn you thus out of some three or four hundred thousand pounds : a pretty sum for urns and balls, for boxes and pills, which these same quacksalvers are to administer to the parishes ; and for what disease I marvel ! Or how does it work ? Out comes a constable, an overseer, and a churchwarden ! Mr Speaker, I am amazed ! ”

Never was there goose so stuck with lard as my Lord Epimonus's speech with laughter, the Archon having much ado to recover himself in such manner as might enable him to return these thanks :—

“ In your whole lives, my lords, were you never entertained with so much ingenuity, my Lord Epimonus having at once mended all the faults of travellers. For, first, whereas they are abominable liars, he has not told you (except some malicious body has misinformed him concerning poor Spy) one syllable of falsehood. And, secondly, whereas they never fail to give the upper hand in all their discourses to foreign nations, still jostling their own into the kennel, he bears an honour to his country that will not dissolve in Cephalonia, nor be corrupted with figs and melons, which I can assure you is no ordinary obligation ; and therefore hold it a matter of public concern, that we be no occasion of quenching my lord's affections, nor is there any such great matter between us, but, in my opinion, might be easily reconciled, for though that which my lord gained by sitting in the house, I steadfastly believe, as he can affirm, was got fairly, yet dare I not, nor do I think, that upon consideration he will promise so much for other gamesters, especially when they were at it so high, as he intimates *not* only to have been in use, but to be like enough to come about

again. Wherefore say I, let them throw with boxes, for unless we will be below the politics of an ordinary, there is no such bar to cogging. It is known to his lordship that our game is most at a throw, and that every cast of our dice is in our suffrages, nor will he deny that partiality in a suffrage is downright cogging. Now if the Venetian boxes be the most sovereign of all remedies against this same cogging, is it not a strange thing that they should be thrown first into the fire by a fair gamester? Men are naturally subject to all kinds of passions; some you have that are not able to withstand the brow of an enemy, and others that make nothing of this, are less proof against that of a friend. So that if your suffrage be barefaced, I dare say you shall not have one fair cast in twenty. But whatever a man's fortune be at the box, he neither knows whom to thank, nor whom to challenge. Wherefore (that my lord may have a charitable opinion of the choice affection which I confess to have, above all other beauties, for that of incomparable Venice) there is in this way of suffrage no less than a demonstration that it is the most pure, and the purity of the suffrage in a popular government is the health, if not the life of it, seeing the soul is no otherwise breathed into the sovereign power than by the suffrage of the people. Wherefore no wonder if Postellus be of opinion that this use of the ball is the very same with that of the bean in Athens, or that others, by the text concerning Eldad and Medad, derive it from the commonwealth of Israel. There is another thing, though not so material to us, that my lord will excuse me if I be not willing to yield, which is, that Venice subsists only by her situation. It is true that a man in time of war may be more secure from his enemies by being in a citadel, but not from his diseases; wherefore the first cause, if he lives long, is his good constitution, without which his citadel were to little purpose, and it is not otherwise with Venice."

With this speech of the Archon I conclude the proof of the Agrarian and the ballot, being the fundamental laws of this commonwealth, and come now from the centre to the circumferences or orbs, whereof some have been already shown; as how the parishes annually pour themselves into the hundreds, the hundreds into the tribes, and the tribes into the galaxies; the

annual galaxy of every tribe consisting of two knights and seven deputies, whereof the knights constitute the senate ; the deputies, the prerogative tribe, commonly called the people ; and the senate and people constitute the sovereign power or parliament of Oceana. Whereof to show what the parliament is, I must first open the senate, and then the prerogative tribe.

To begin with the senate, of which (as a man is differently represented by a picture drawer and by an anatomist) I shall first discover the face or aspect, and then the parts, with the use of them. Every Monday morning in the summer at seven, and in the winter at eight, the great bell in the clock-house at the pantheon begins, and continues ringing for the space of one hour ; in which time the magistrates of the senate, being attended according to their quality, with a respective number of the ballotins, doorkeepers and messengers, and having the ensigns of their magistracies borne before them, as the sword before the strategus, the mace before the orator, a mace with the seal before the commissioners of the chancery, the like with the purse before the commissioners of the treasury, and a silver wand, like those in use with the universities, before each of the censors, being chancellors of the same. These, with the knights, in all three hundred, assemble in the house or hall of the senate.

The house or hall of the senate being situated in the pantheon or palace of justice, is a room consisting of a square and a half. In the middle of the lower end is the door, at the upper end hangs a rich state overshadowing the greater part of a large throne, or half pace of two stages ; the first ascended by two steps from the floor, and the second about the middle rising two steps higher. Upon this stand two chairs, in that on the right hand sits the strategus, in the other the orator, adorned with scarlet robes, after the fashion that was used by the dukes in the aristocracy. At the right end of the upper stage stand three chairs, in which the three commissioners of the seal are placed ; and at the other end sit the three commissioners of the treasury, every one in a robe or habit like that of the earls. Of these magistrates of this upper stage consists the signory. At either end of the lower stage stands a little table, to which the secretaries of the senate are set with their tufted sleeves in the

habit of civil lawyers. To the four steps, whereby the two stages of the throne are ascended, answer four long benches, which successively deriving from every one of the steps, continue their respective height, and extend themselves by the side walls towards the lower end of the house, every bench being divided by numeral characters into the thirty-seven parts or places. Upon the upper benches sit the censors in the robes of barons ; the first in the middle of the right hand bench, and the second directly opposite to him on the other side. Upon the rest of the benches sit the knights, who, if they be called to the urns, distributing themselves by the figures, come in equal files, either by the first seat, which consists of the two upper benches on either side ; or by the second seat, consisting of the two lower benches on either side, beginning also at the upper or at the lower ends of the same, according to the lot whereby they are called ; for which end the benches are open, and are ended at either end with easy stairs and large passages. The rest of the ballot is conformable to that of the tribe ; the censors of the house sitting at the side urn, and the youngest magistrate of the signory at the middle, the urns being placed before the throne, and prepared according to the number of the magistrates to be at that time chosen by the rules already given to the censors of the tribes. But before the benches of the knights on either side stands one being shorter, and at the upper end of this sit the two tribunes of the horse. At the upper end of the other, the two tribunes of the foot in their arms, the rest of the benches being covered by the judges of the land in their robes. But these magistrates have no suffrage, nor the tribunes, though they derive their presence in the senate from the Romans, nor the judges, though they derive theirs from the ancient senate of Oceana. Every Monday this assembly sits of course ; at other times, if there be occasion, any magistrate of the house, by giving order for the bell, or by his lictor or ensign-bearer, calls a senate. And every magistrate or knight during his session has the title, place and honour of a duke, earl, baron, or knight respectively. And every one that has borne the same magistracy by his third session, has his respective place and title during the term of his life, which is all the honour conferred by this commonwealth, except upon

the master of the ceremonies, the master of the horse, and the king of the heralds, who are knights by their places. And thus you have the face of the senate, in which there is scarce any feature that is not Roman or Venetian ; nor do the horns of the crescent extend themselves much unlike those of the Sanhedrim, on either hand of the prince, and of the father of that senate. But upon beauty, in which every man has his fancy, we will not otherwise philosophize than to remember that there is something more than decency in the robe of a judge, that would not be well spared from the bench ; and that the gravest magistrate, to whom you can commit the sword of justice, will find a quickness in the spurs of honour, which, if they be not laid to virtue, will lay themselves to that which may rout a commonwealth.

To come from the face of the senate to the constitution and use of the parts : it is contained in the peculiar orders. And the orders which are peculiar to the senate, are either of election or instruction.

Elections in the senate are of three sorts : annual, biennial, and extraordinary.

Annual elections are performed by the schedule called the tropic ; and the tropic consists of two parts : the one containing the magistrates, and the other the councils to be yearly elected. The schedule or tropic of the magistrates is as follows in

The fifteenth order, requiring, " That upon every Monday next ensuing the last of March, the knights of the annual galaxies taking their places in the senate, be called the third region of the same ; and that the house having dismissed the first region, and received the third, proceed to election of the magistrates contained in the first part of the tropic, by the ensuing schedule :

The Lord Strategus,	}	Annual Magistrates.
The Lord Orator,		
The first Censor,		
The second Censor,		
The third Commissioner of the Seal,	}	Triennial Magistrates.
The third Commissioner of the Treasury,		

"The annual magistrates (provided that no one man bear



above one of those honours during the term of one session) may be elected out of any region. But the triennial magistrates may not be elected out of any other than the third region only, lest the term of their session expire before that of their honour; and (it being unlawful for a man to bear magistracy any longer than he is thereto qualified by the election of the people) cause a fraction in the rotation of this commonwealth.

“The strategus is first president of the senate, and general of the army, if it be commanded to march; in which case there shall be a second strategus elected to be first president of the senate, and general of the second army; and if this also be commanded to march, a third strategus shall be chosen, and so on, as long as the commonwealth sends forth armies.

“The lord orator is the second and more peculiar president of the senate to whom it appertains to keep the house to orders.

“The censors, whereof the first, by consequence of his election, is chancellor of the university of Clio, and the second of that of Calliope, are presidents of the council for religion and magistrates, to whom it belongs to keep the house to the order of the ballot. They are also inquisitors into the ways and means of acquiring magistracy, and have power to punish indirect proceedings in the same, by removing a knight or magistrate out of the house, under appeal to the senate.

“The commissioners of the seal being three, whereof the third is annually chosen out of the third region, are judges in chancery.

“The commissioners of the treasury being three, whereof the third is annually chosen out of the third region, are judges in the exchequer; and every magistrate of this schedule has right to propose to the senate.

“But the strategus with the six commissioners are the signory of this commonwealth, having right of session and suffrage in every council of the senate, and power either jointly or severally to propose in all or any of them.”

I have little in this order to observe and prove but that the strategus is the same honour both in name and thing that was borne, among others, by Philopemen and Aratus in the commonwealth of the Achæans; the like having been in use also with the Ætolians. The orator, called otherwise the speaker, is, with

small alteration, the same that had been of former use in this nation. These two, if you will, may be compared to the consuls in Rome, or the suffetes in Carthage, for their magistracy is scarce different.

The censors derive their power of removing a senator from those of Rome, the government of the ballot from those of Venice, and that of animadversion upon the *ambitus*, or canvass for magistracy, from both.

The signory, with the whole right and use of that magistracy to be hereafter more fully explained, is almost purely Venetian.

The second part of the tropic is directed by

The sixteenth order, "Whereby the constitution of the councils being four; that is to say, the council of state, the council of war, the council of religion, and the council of trade, is rendered conformable in their revolutions to that of the senate. As, first, by the annual election of five knights out of the first region of the senate into the council of state, consisting of fifteen knights, five in every region. Secondly, by the annual election of three knights out of the third region of the council of state, to be proposed by the provosts, and elected by that council, into the council of war, consisting of nine knights, three in every region, not excluded by this election from remaining members also of the council of state. The four tribunes of the people have right of session and suffrage in the council of war. Thirdly, by the annual election of four knights out of the third region of the senate into the council of religion, consisting of twelve knights, four in every region. Of this council the censor are presidents. Fourthly, by the annual election of four knights out of the third region of the senate into the council of trade consisting of twelve knights, four in every region. And each region, in every one of these councils thus constituted, shall weekly and interchangeably elect one provost whose magistracy shall continue for one week; nor shall he be re-elected into the same till every knight of that region in the same council has once borne the same magistracy. And the provosts being one in every region, three in every council, and twelve in all, beside their other capacities, shall assemble and be a council, or rather an academy, apart, to certain ends and purposes to be hereafter further explained with those of the rest of the councils."

This order is of no other use than the frame and turn of the councils, and yet of no small one ; for in motion consists life, and the motion of a commonwealth will never be current unless it be circular. Men that, like my Lord Epimonus, not enduring the resemblance of this kind of government to orbs and spheres, fall on physicking and purging it, do no more than is necessary ; for if it be not in rotation both as to persons and things, it will be very sick. The people of Rome, as to persons, if they had not been taken up by the wheel of magistracy, had overturned the chariot of the senate. And those of Lacedemon, as to things, had not been so quiet when the senate trashed their business, by encroaching upon the result, if by the institution of the ephors they had not brought it about again. So that if you allow not a commonwealth her rotation, in which consists her equality, you reduce her to a party, and then it is necessary that you be physicians indeed, or rather farriers ; for you will have strong patients, and such as must be haltered and cast, or yourselves may need bone-setters. Wherefore the councils of this commonwealth, both in regard of their elections, and, as will be shown, of their affairs, are uniform with the senate in their revolutions ; not as whirlpits to swallow, but to bite, and with the screws of their rotation to hold and turn a business (like the vice of a smith) to the hand of the workman. Without engines of which nature it is not possible for the senate, much less for the people, to be perfect artificers in a political capacity. But I shall not hold you longer from

The seventeenth order, "Directing biennial elections, or the constitution of the orb of ambassadors in ordinary, consisting of four residences, the revolution whereof is performed in eight years, and preserved through the election of one ambassador in two years by the ballot of the senate to repair to the court of France, and reside there for the term of two years ; and the term of two years being expired, to remove from thence to the court of Spain, there to continue for the space of two years, and thence to remove to the State of Venice, and after two years' residence in that city, to conclude with his residence at Constantinople for a like term of time, and so to return. A knight of the senate, or a deputy of the prerogative, may not be elected ambassador in ordinary, because a knight or deputy so

chosen must either lose his session, which would cause an unevenness in the motion of this commonwealth, or accumulate magistracy, which agrees not with equality of the same. Nor may any man be elected into this capacity that is above five-and-thirty years of age, lest the commonwealth lose the charge of his education, by being deprived at his return of the fruit of it, or else enjoy it not long through the defects of nature."

This order is the perspective of the commonwealth, whereby she foresees ; danger or the traffic, whereby she receives every two years the return of a statesman enriched with eight years' experience from the prime marts of negotiation in Europe. And so much for the elections in the senate that are ordinary ; such as are extraordinary follow in

The eighteenth order, "Appointing all elections upon emergent occasions, except that of the dictator, to be made by the scrutiny, or that kind of election whereby a council comes to be a fifth order of electors. For example, if there be occasion of an ambassador extraordinary, the provosts of the council of state, or any two of them, shall propose to the same, till one competitor be chosen by that council ; and the council having chosen a competitor, shall bring his name into the senate, which in the usual way shall choose four more competitors to the same magistracy ; and put them, with the competitor of the council, to the ballot of the house, by which he of the five that is chosen is said to be elected by the scrutiny of the council of state. A vice-admiral, a polemarch, or field officer, shall be elected after the same manner, by the scrutiny of the council of war. A judge or sergent-at-law, by the scrutiny of the commissioners of the seal. A baron, or considerable officer of the exchequer, by the scrutiny of the commissioners of the treasury. Men in magistracy, or out of it, are equally capable of election by the scrutiny ; but a magistrate or officer elected by the scrutiny to a military employment, if he be neither a knight of the senate, nor a deputy of the prerogative, ought to have his office confirmed by the prerogative, because the militia in a commonwealth, where the people are sovereign, is not lawful to be touched *injussu populi*.

The Romans were so curious that, though their consuls were elected in the centuriate assemblies, they might not touch the

militia, except they were confirmed in the parochial assemblies ; for a magistrate not receiving his power from the people, takes it from them, and to take away their power, is to take away their liberty. As to the election by the scrutiny, it is easily perceived to be Venetian, there being no such way to take in the knowledge, which in all reason must be best in every council of such men as are most fit for their turns, and yet to keep them from the bias of particular affection or interest under that pretence ; for the cause why the great council in Venice scarce ever elects any other than the name that is brought in by the scrutiny, is very probable to be, that they may. . . . This election is the last of those appertaining to the senate. The councils being chosen by the orders already shown, it remains that we come to those whereby they are instructed ; and the orders of instruction to the councils are two : the first for the matter whereupon they are to proceed, and the second for the manner of their proceeding. The matter of the councils is distributed to them by

The nineteenth order, "Distributing to every council such businesses as are properly to belong to their cognizance, whereof some they shall receive and determine, and others they shall receive, prepare, and introduce into the house : as, first,

"The council of state is to receive all addresses, intelligences, and letters of negotiation ; to give audience to ambassadors sent to, and to draw up instructions for such as shall be sent by, this commonwealth ; to receive propositions from, and hold intelligence with, the provincial councils ; to consider upon all laws to be enacted, amended, or repealed, and upon all levies of men or money, war or peace, leagues or associations to be made by this commonwealth, so far forth as is conducive to the orderly preparation of the same to be introduced by them into the senate. Provided that all such affairs, as otherwise appertaining to the council of state, are, for the good of the commonwealth, to be carried with greater secrecy, be managed by the council of war, with power to receive and send forth agents, spies, emissaries, intelligencers, frigots ; and to manage affairs of that nature, if it be necessary, without communication to the senate, till such time as it may be had without detriment to the business. But they shall have no power to engage the common-

wealth in a war without the consent of the senate and the people. It appertains also to this council to take charge of the fleet as admiral, and of all storehouses, armouries, arsenals, and magazines appertaining to this commonwealth. They shall keep a diligent record of the military expeditions from time to time reported by him that was strategus or general, or one of the polemarchs in that action; or at least so far as the experience of such commanders may tend to the improvement of the military discipline, which they shall digest and introduce into the senate; and if the senate shall thereupon frame any article, they shall see that it be observed in the musters or education of the youth. And whereas the council of war is the sentinel or scout of this commonwealth, if any person or persons shall go about to introduce debate into any popular assembly of the same, or otherwise to alter the present government, or strike at the root of it, they shall apprehend, or cause to be apprehended, seized, imprisoned, and examine, arraign, acquit, or condemn, and cause to be executed any such person, or persons, by their proper power and authority, and without appeal.

“ The council of religion, as the arbiter of this commonwealth in cases of conscience more peculiarly appertaining to religion, Christian charity, and a pious life, shall have the care of the national religion, and the protection of the liberty of conscience, with the cognizance of all causes relating to either of them. And first as to the national religion: they shall cause all places or preferments of the best revenue in either of the universities to be conferred upon no other than such of the most learned and pious men as have dedicated themselves to the study of theology. They shall also take a special care that, by such augmentations as be or shall hereafter be appointed by the senate, every benefice in this nation be improved at least to the value of £100 a year. And to the end that there be no interest at all, whereby the divines or teachers of the national religion may be corrupted, or corrupt religion, they shall be capable of no other kind of employment or preferment in this commonwealth. And whereas a directory for the administration of the national religion is to be prepared by this council, they shall in this and other debates of this nature proceed in manner

following : a question arising in matter of religion shall be put and stated by the council in writing, which writing the censors shall send by their beadles (being proctors chosen to attend them) each to the university whereof he is chancellor, and the vice-chancellor of the same receiving the writing, shall call a convocation of all the divines of that university, being above forty years of age. And the universities upon a point so proposed, shall have no manner of intelligence or correspondence one with another, till their debates be ended, and they have made return of their answers to the council of religion by two or three of their own members, that they may clear their sense, if any doubt should arise, to the council, which done, they shall return, and the council having received such information, shall proceed according to their own judgments, in the preparation of the whole matter for the senate : that so the interest of the learned being removed, there may be a right application of reason to Scripture, which is the foundation of the national religion.

“Secondly, This council, as to the protection of the liberty of conscience, shall suffer no coercive power in the matter of religion to be exercised in this nation ; the teachers of the natural religion being no other than such as voluntarily undertake that calling, and their auditors or hearers, no other than are also voluntary. Nor shall any gathered congregation be molested or interrupted in their way of worship (being neither Jewish nor idolatrous), but vigilantly and vigorously protected and defended in the enjoyment, practice, and profession of the same. And if there be officers or auditors appointed by any such congregation for the introduction of causes into the council of religion, all such causes so introduced shall be received, heard, and determined by the same, with recourse had, if need be, to the senate.

“Thirdly, Every petition addressed to the senate, except that of a tribe, shall be received, examined, and debated by this council ; and such only as they, upon such examination and debate had, shall think fit, may be introduced into the senate.

“The council of trade being the *vena porta* of this nation, shall hereafter receive instructions more at large. For the

present, their experience, attaining to a right understanding of those trades and mysteries that feed the veins of this commonwealth, and a true distinction of them from those that suck or exhaust the same, they shall acquaint the senate with the conveniences and inconveniences, to the end that encouragement may be applied to the one, and remedy to the other.

“The academy of the provosts, being the affability of the commonwealth, shall assemble every day towards the evening in a fair room, having certain withdrawing rooms thereto belonging. And all sorts of company that will repair thither for conversation or discourse, so it be upon matters of government, news, or intelligence, or to propose anything to the councils, shall be freely and affably received in the outer chamber, and heard in the way of civil conversation, which is to be managed without any other awe or ceremony than is thereto usually appertaining, to the end that every man may be free, and that what is proposed by one, may be argued or discoursed by the rest, except the matter be of secrecy; in which case the provosts, or some of them, shall take such as desire audience into one of the withdrawing rooms. And the provosts are to give their minds that this academy be so governed, adorned, and preserved, as may be most attractive to men of parts and good affections to the commonwealth, for the excellency of the conversation.

“Furthermore, if any man, not being able or willing to come in person, has any advice to give which he judges may be for the good of the commonwealth, he may write his mind to the academy of the provosts, in a letter signed or not signed, which letter shall be left with the doorkeeper of the academy. Nor shall any person delivering such a letter be seized, molested, or detained, though it should prove to be a libel. But the letters so delivered shall be presented to the provosts; and in case they be so many that they cannot well be perused by the provosts themselves, they shall distribute them as they please to be read by the gentlemen of the academy, who, finding anything in them material, will find matter of discourse; or if they happen upon a business that requires privacy, return it with a note upon it to a provost. And the provosts by the secretaries attending shall cause such notes out of discourses or letters to be taken



as they please, to the end that they may propose, as occasion serves, what any two of them shall think fit out of their notes so taken to their respective councils; to the end that not only the ear of the commonwealth be open to all, but that men of such education being in her eye, she may upon emergent elections or occasions be always provided of her choice of fit persons.

“Every council being adorned with a state for the signory, shall be attended by two secretaries, two doorkeepers, and two messengers-in-ordinary, and have power to command more upon emergencies, as occasion requires. And the academy shall be attended with two secretaries, two messengers, and two doorkeepers; this with the other councils being provided with their further conveniences at the charge of the State.

“But whereas it is incident to commonwealths, upon emergencies requiring extraordinary speed or secrecy, either through their natural delays or unnatural haste, to incur equal danger, while holding to the slow pace of their orders, they come not in time to defend themselves from some sudden blow; or breaking them for the greater speed, they but haste to their own destruction; if the senate shall at any time make election of nine knights extraordinary, to be added to the council of war, as a *juncta* for the term of three months, the council of war, with the *juncta* so added, is for the term of the same dictator of Oceana, having power to levy men and money, to make war and peace, as also to enact laws, which shall be good for the space of one year (if they be not sooner repealed by the senate and the people) and for no longer time, except they be confirmed by the senate and the people. And the whole administration of the commonwealth for the term of the said three months shall be in the dictator, provided that the dictator shall have no power to do anything that tends not to his proper end and institution, but all to the preservation of the commonwealth as it is established, and for the sudden restitution of the same to the natural channel and common course of government. And all acts, orders, decrees, or laws of the council of war with the *juncta*, being thus created, shall be signed,

“DICTATOR OCEANÆ.”

This order of instructions to the councils being (as in a matter of that nature is requisite) very large, I have used my best skill to abbreviate it in such manner as might show no more of it than is necessary to the understanding of the whole, though as to the parts, or further duties of the councils, I have omitted many things of singular use in a commonwealth. But it was discoursed at the council by the Archon in this manner :—

“ My Lords, the Legislators,—

“ Your councils, except the dictator only, are proper and native springs and sources, you see, which (hanging a few sticks and straws, that, as less considerable, would otherwise be more troublesome, upon the banks of their peculiar channels) derive the full stream of business into the senate, so pure, and so far from the possibility of being troubled or stained (as will undeniably appear by the course contained in the ensuing order) with any kind of private interest or partiality, that it shall never be possible for any assembly hearkening to the advice or information of this or that worthy member (either instructed upon his pillow, or while he was making himself ready, or by the petition or ticket which he received at the door) to have half the security in his faith, or advantage by his wisdom ; such a senate or council being, through the uncertainty of the winds, like a wave of the sea. Nor shall it otherwise mend the matter by flowing up into dry ditches, or referring businesses to be better examined by committees, than to go farther about with it to less purpose ; if it does not ebb back again with the more mud in it. For in a case referred to an occasional committee, of which any member that is desirous may get himself named, and to which nobody will come, but either for the sake of his friend, or his own interest ; it fares little better as to the information of the senate, than if it had been referred to the parties. Wherefore the Athenians being distributed into four tribes, out of which by equal numbers they annually chose four hundred men, called the Senate of the Bean, because the ballot at their election was performed by the use of beans, divided them by fifties into eight parts. And every fifty in their turn, for one eighth part of the year, was a council apart called the Prytans.

The Prytans in their distinct council receiving all comers, and giving ear to every man that had anything to propose concerning the commonwealth, had power to debate and prepare all the businesses that were to be introduced into the senate. The Achæans had ten selected magistrates called the *demiurgs*, constituting a council apart called the *synarchy*, which, with the strategus, prepared all the business that was introduced into their senate. But both the senate of the Athenians, and that of the Achæans, would have wondered if a man had told them that they were to receive all comers and discourses, to the end that they might refer them afterwards to the Prytans or the *synarchy*, much less to an occasional committee, exposed to the catch that catch may of the parties interested. And yet Venice in this, as in most of her orders, excels them all by the constitution of her councils, that of the college, and the other of the *dieci*, or council of ten. The course of the college is exactly described in the ensuing order : and for that of the *dieci*, it so little differs from what it has bestowed upon our dictator, that I need not make any particular description of it. But to dictatorial power in general, and the use of it, because it must needs be of difficult digestion to such as, puking still at ancient prudence, show themselves to be in the nursery of mother-wit, it is no less than necessary to say something. And, first, in a commonwealth that is not wrought up, or perfected, this power will be of very frequent, if not continual use ; wherefore it is said more than once, upon defects of the government, in the book of Judges, 'that in those days there was no king in Israel.' Nor has the translator, though for no king he should have said no judge, abused you so much ; seeing that the dictator (and such was the judge of Israel) or the dictatorial power being in a single person, so little differs from monarchy, which followed in that, that from the same cause there has been no other effect in any commonwealth : as in Rome was manifest by Sylla and Cæsar, who to make themselves absolute or sovereign, had no more to do than to prolong their magistracy ; for the dictatorial power was reputed divine, and therefore irresistible. Nevertheless, so it is, that without this power, which is so dangerous, and subject to introduce monarchy, a commonwealth cannot be safe

from falling into the like dissolution ; unless you have an expedient in this case of your own, and bound up by your providence from recoiling. Expedients in some cases you must not only have, but be beholden for them to such whom you must trust at a pinch, when you have not leisure to stand with them for security ; which will be a thousand times more dangerous. And there can never be a commonwealth otherwise than by the order in debate wrought up to that perfection ; but this necessity must sometimes happen in regard of her natural slowness and openness, and the suddenness of assaults that may be made upon her, as also the secrecy which in some cases may be of absolute necessity to her affairs. Whence Machiavel concludes it positively, that a commonwealth unprovided of such a refuge, must fall to ruin ; for her course is either broken by the blow in one of those cases, or by herself, while it startles her out of her orders. And indeed a commonwealth is like a greyhound, which having once coasted, will never after run fair, but grow slothful ; and when it comes to make a common practice of taking nearer ways than its orders, it is dissolved : for the being of a commonwealth consists in its orders. Wherefore at this list you will be exposed to danger, if you have not provided beforehand for the safety of your resort in the like cases : nor is it sufficient that your resort be safe, unless it be as secret and quick ; for if it be slow or open, your former inconveniences are not remedied. Now for our imitation in this part, there is nothing in experience like that of the council of ten in Venice ; the benefit whereof would be too long to be shown in the whole piece, and therefore I shall take but a pattern out of Janotti. In the war, says he, which the Venetians had with Florence in Casentin, the Florentines, finding a necessity in their affairs far from any other inclination in themselves to ask their peace, sent ambassadors about it to Venice, where they were no sooner heard, than the bargain was struck up by the council of ten : and everybody admiring (seeing this commonwealth stood upon the higher ground) what should be the reason of such haste ; the council upon the return of the ambassadors imparted letters to the senate, whereby it appeared that the Turks had newly launched a formidable fleet against their State ; which had it been understood by the Florentines, it

was well enough known they would have made no peace. Wherefore the service of the ten was highly applauded by the senate, and celebrated by the Venetians. Whereby may appear not only in part what use there is of dictatorial power in that government, but that it is assumed at the discretion of that council ; whereas in this of Oceana it is not otherwise entrusted than when the Senate, in the election of nine knights extraordinary, gives at once the commission, and takes security in a balance, added to the council of war, though securer before by the tribunes of the people than that of Venice, which yet never incurred jealousy ; for if the younger nobility have been often girding at it, that happened not so much through the apprehension of danger in it to the commonwealth, as through the awe of it upon themselves. Wherefore the graver have doubtlessly shown their prudence in the law ; whereby the magistracy of these councillors being to last till their successors be created, the council is established.”

The instructions of the councils for their matter being shown, it remains that I show the instructions for the manner of their proceeding, as they follow in

The twentieth order, “ Containing the method of debates to be observed by the magistrates and the councils successively in order to a decree of the senate.

“ The magistrates of the signory, as councillors of this commonwealth, shall take into their consideration all matters of state or of government ; and, having right to propose in any council, may, any one or more of them, propose what business he or they please in that council to which it most properly belongs. And, that the councils may be held to their duty, the said magistrates are superintendents and inspectors of the same, with right to propose to the senate.

“ The censors have equal power with these magistrates, but in relation to the council of religion only.

“ Any two of the three provosts in every council may propose to, and are the more peculiar proposers of, the same council ; to the end that there be not only an inspection and superintendency of business in general, but that every work be also committed to a peculiar hand.

“ Any one or more of the magistrates, or any two of the provosts respectively having proposed, the council shall debate the business so proposed, to which they of the third region that are willing shall speak first in their order ; they of the second, next ; and they of the first, last ; and the opinions of those that proposed or spoke, as they shall be thought the most considerable by the council, shall be taken by the secretary of the same in writing, and each of them signed with the name of the author.

“ The opinions being thus prepared, any magistrate of the signory, the censors, or any two of the provosts of that council, upon this occasion may assemble the senate.

“ The senate being assembled, the opinions (for example, if they be four) shall be read in their order, that is, according to the order or dignity of the magistrates or councillors by which they were signed. And being read, if any of the council introducing them will speak, they, as best acquainted with the business, shall have precedence ; and after them the senators shall speak according to their regions, beginning by the third first, and so continuing till every man that will has spoken ; and when the opinions have been sufficiently debated, they shall be put all together to the ballot after this manner :

“ Four secretaries, carrying each of them one of the opinions in one hand, with a white box in the other, and each following the other, according to the order of the opinions, shall present his box, naming the author of his opinion to every senator ; and one secretary or ballotin with a green box shall follow the four white ones ; and one secretary or ballotin with a red box shall follow the green one ; and every senator shall put one ball into some one of these six boxes. The suffrage being gathered and opened before the signory, if the red box or non-sincere had above half the suffrages, the opinions shall be all cast out, for the major part of the house is not clear in the business. If no one of the four opinions had above half the suffrages in the affirmative, that which had fewest shall be cast out, and the other three shall be balloted again. If no one of the three had above half, that which had fewest shall be cast out, and the other two shall ballot again. If neither of the two had above half, that which had fewest shall be cast out, and the remaining

opinion shall be balloted again. And if the remaining opinion has not above half, it shall also be cast out. But the first of the opinions that arrives at most above half in the affirmative, is the decree of the senate. The opinions being all of them cast out by the non-sincere, may be reviewed, if occasion permits, by the council, and brought in again. If they be cast out by the negative, the case being of advice only, the house approves not, and there is an end of it: the case being necessary, and admitting delay, the council is to think again upon the business, and to bring in new opinions; but the case being necessary, and not admitting delay, the senate immediately electing the *juncta* shall create the dictator. 'And let the dictator,' as the Roman saying is, 'take care that the commonwealth receives no harm.'

"This in case the debate concludes not in a decree. But if a decree be passed, it is either in matter of state or government according to law enacted already, and then it is good without going any further: or it is in matter of law to be enacted, repealed or amended; and then the decree of the senate, especially if it be for a war, or for a levy of men or money, is invalid, without the result of the commonwealth, which is in the prerogative tribe, or representative of the people.

"The senate having prepared a decree to be proposed to the people, shall appoint their proposers; and no other may propose for the senate to the people but the magistrates of the house; that is to say, the three commissioners of the seal, or any two of them; the three of the treasury, or any two of them; or the two censors.

"The senate having appointed their proposers, shall require of the tribunes a muster of the people at a set time and place: and the tribunes or any two of them having mustered the people accordingly, the proposers shall propose the sense or decree of the senate by clauses to the people. And that which is proposed by the authority of the senate, and resolved by the command of the people, is the law of Oceana."

To this order, implicitly containing the sum very near of the whole civil part of the commonwealth, my Lord Archon spoke thus in council:—

“ My dear Lords,—

“ There is a saying, that a man must cut his coat according to his cloth. When I consider what God has allowed or furnished to our present work, I am amazed. You would have a popular government ; He has weighed it to you in the present balance, as I may say, to a drachm ; you have no more to do but to fix it. For the superstructures of such a government they require a good aristocracy : and you have, or have had a nobility or gentry the best studied, and the best writers, at least next that of Italy, in the whole world ; nor have they been inferior, when so exercised, in the leading of armies. But the people are the main body of a commonwealth ; show me from the treasuries of the snow (as it is in Job) to the burning zone a people whose shoulder so universally and so exactly fit the corselet. Nevertheless, it were convenient to be well provided with auxiliaries. There is Marpesia, through her fruitfulness, inexhaustible of men, and men through her barrenness not only enured to hardship, but in your arms. It may be said that Venice, excepting only that she takes not in the people, is the most incomparable situation of a commonwealth. You are Venice, taking in your people and your auxiliaries too. My lords, the children of Israel were makers of brick before they were builders of a commonwealth ; but our brick is made, our mortar tempered, the cedars of Lebanon are hewed and squared to our hands. Has this been the work of man ? Or is it in man to withstand this work ? ‘ Shall he that contends with the Almighty, instruct Him ? He that reproves God, let him answer it.’ For our parts, everything is so laid, that when we come to have use of it, it is the next at hand ; and unless we can conceive that God and Nature do anything in vain, there is no more for us to do but to despatch. The piece which we have reached to us in the foregoing orders, is the aristocracy. Athens, as has been shown, was plainly lost through the want of a good aristocracy. But the sufficiency of an aristocracy goes demonstrably upon the hand of the nobility or gentry ; for that the politics can be mastered without study, or that the people can have leisure to study, is a vain imagination ; and what kind of aristocracy divines and lawyers would make, let their incurable running upon their own narrow bias and their



perpetual invectives against Machiavel (though in some places justly reprobable, yet the only politician, and incomparable patron of the people) serve for instruction. I will stand no more to the judgment of lawyers and divines in this work, than to that of so many other tradesmen; but if this model chances to wander abroad, I recommend it to the Roman *speculativi* (the most complete gentlemen of this age) for their censure; or with my Lord Epimonus his leave, send three or four hundred copies to your agent at Venice to be presented to the magistrates there; and when they have considered them, to be proposed to the debate of the senate, the most competent judges under heaven, who, though they have great affairs, will not refuse to return you the oracle of their ballot. The councillors of princes I will not trust; they are but journeymen. The wisdom of these later times in princes' affairs (says Verulamius) is rather fine deliveries and shiftings of dangers when they be near, than solid and grounded courses to keep them off. Their councillors do not derive their proceedings from any sound root of government that may contain the demonstration, and assure the success of them, but are expedient-mongers, givers of themselves to help a lame dog over a stile; else how comes it to pass that the fame of Cardinal Richelieu has been like thunder, whereof we hear the noise, but can make no demonstration of the reason? But to return: if neither the people, nor divines and lawyers, can be the aristocracy of a nation, there remains only the nobility; in which style, to avoid farther repetition, I shall understand the gentry also, as the French do by the word *noblesse*.

“Now to treat of the nobility in such sort as may be less obnoxious to mistake, it will be convenient, and answerable to the present occasion, that I divide my discourse into four parts.

“The first treating of nobility, and the kinds of it.

“The second, of their capacity of the senate.

“The third, of the divers kinds of senates.

“The fourth, of the senate, according to the foregoing orders.

“Nobility may be defined divers ways; for it is either ancient

riches, or ancient virtue, or a title conferred by a prince or a commonwealth.

“Nobility of the first kind may be subdivided into two others, such as hold an overbalance in dominion or property to the whole people, or such as hold not an overbalance. In the former case, a nobility (such was the Gothic, of which sufficient has been spoken) is incompatible with popular government; for to popular government it is essential that power should be in the people, but the overbalance of a nobility in dominion draws the power to themselves. Wherefore in this sense it is that Machiavel is to be understood, where he says, that these are pernicious in a commonwealth; and of France, Spain, and Italy, that they are nations which for this cause are the corruption of the world: for otherwise nobility may, according to his definition (which is, ‘that they are such as live upon their own revenues in plenty, without engagement either to the tilling of their lands, or other work for their livelihood’), hold an underbalance to the people; in which case they are not only safe, but necessary to the natural mixture of a well-ordered commonwealth. For how else can you have a commonwealth that is not altogether mechanic? or what comparison is there of such commonwealths as are, or come nearest to mechanic—for example, Athens, Switzerland, Holland, to Lacedemon, Rome, and Venice, plumed with their aristocracies? Your mechanics, till they have first feathered their nests, like the fowls of the air, whose whole employment is to seek their food, are so busied in their private concerns that they have neither leisure to study the public, nor are safely to be trusted with it, because a man is not faithfully embarked in this kind of ship, if he has no share in the freight. But if his share be such as gives him leisure by his private advantage to reflect upon that of the public, what other name is there for this sort of men, being *à leur aise*, but (as Machiavel you see calls them) nobility? Especially when their families come to be such as are noted for their services done to the commonwealth, and so take into their ancient riches ancient virtue, which is the second definition of nobility, but such a one as is scarce possible in Nature without the former. ‘For as the baggage,’ says Verulamius, ‘is to an army, so are riches to virtue; they cannot be spared nor left behind, though they be impedi-

ments, such as not only hinder the march, but sometimes through the care of them lose or disturb the victory.' Of this latter sort is the nobility of Oceana; the best of all others because they, having no stamp whence to derive their price, can have it no otherwise than by their intrinsic value. The third definition of nobility, is a title, honour, or distinction from the people, conferred or allowed by the prince or the commonwealth. And this may be two ways, either without any stamp or privilege, as in Oceana; or with such privileges as are inconsiderable, as in Athens after the battle of Plataea, whence the nobility had no right, as such, but to religious offices, or inspection of the public games, to which they were also to be elected by the people; or with privileges, and those considerable ones, as the nobility in Athens before the battle of Plataea, and the patricians in Rome each of which had right, or claimed it, to the senate and all the magistracies; wherein for some time they only by their stamp were current.

“But to begin higher, and to speak more at large of nobility in their several capacities of the senate. The phylarchs, or princes of the tribes of Israel, were the most renowned, or, as the Latin, the most noble of the congregation, whereof by hereditary right they had the leading and judging. The patriarchs, or princes of families, according as they declared their pedigrees, had the like right as to their families; but neither in these nor the former was there any hereditary right to the Sanhedrim: though there be little question but the wise men and understanding, and known among their tribes, which the people took or elected into those or other magistracies, and whom Moses made rulers over them, must have been of these seeing they could not choose but be the most known among the tribes, and were likeliest by the advantages of education to be the most wise and understanding.

“Solon having found the Athenians neither locally nor genealogically, but by their different ways of life, divided into four tribes—that is, into the soldiery, the tradesmen, the husbandmen, and the goatherds—instituted a new distribution of them, according to the sense or valuation of their estates, into four classes: the first, second, and third, consisting of such as were proprietors in land, distinguished by the rate of their

freeholds, with that stamp upon them, which making them capable of adding honour to their riches, that is to say, of the senate, and all the magistracies, excluded the fourth, being the body of the people, and far greater in number than the former three, from all other right, as to those capacities, except the election of these, who by this means became an hereditary aristocracy or senatorian order of nobility. This was that course which came afterwards to be the destruction of Rome. and had now ruined Athens. The nobility, according to the inevitable nature of such a one, having laid the plot how to divest the people of the result, and so to draw the whole power of the commonwealth to themselves; which in all likelihood they had done, if the people, coming by mere chance to be victorious in the battle of Platæa, and famous for defending Greece against the Persians, had not returned with such courage as irresistibly broke the classes, to which of old they had borne a white tooth, brought the nobility to equal terms, and the senate with the magistracies to be common to both; the magistracies by suffrage, and the senate (which was the mischief of it, as I shall show anon in that constitution) by lot only.

“The Lacedemonians were in the manner, and for the same cause with the Venetians at this day, no other than a nobility, even according to the definition given of nobility by Machiavel; for they neither exercised any trade, nor laboured their lands or lots, which was done by their helots: wherefore some nobility may be far from pernicious in a commonwealth by Machiavel's own testimony, who is an admirer of this, though the servants thereof were more in number than the citizens. To these servants I hold the answer of Lycurgus, when he bade him who asked why he did not admit the people to the government of his commonwealth, to go home and admit his servants to the government of his family, to relate: for neither were the Lacedemonians servants, nor further capable of the government, unless, whereas the congregation had the result, he should have given them the debate also; every one of these that attained to sixty years of age, and the major vote of the congregation, being equally capable of the senate.

“The nobility of Rome, and their capacity of the senate, I have already described by that of Athens before the battle of

Plataea, saving only that the Athenian was never eligible into the senate without the suffrage of the people till the introduction of the lot, but the Roman nobility ever: for the patricians were elected into the senate by the kings, by the consuls, or the consuls, or if a plebeian happened to be conscribed, he and his posterity became patricians. Nor, though the people had many disputes with the nobility, did this ever come in controversy, which, if there had been nothing else, might in my judgment have been enough to overturn that commonwealth.

“The Venetian nobility, but that they are richer, and not military, resemble at all other points the Lacedemonian, as I have already shown. These Machiavel excepts from his rule, by saying that their estates are rather personal than real, or of any great revenue in land, which comes to our account, and shows that a nobility or party of the nobility, not overbalancing in dominion, is not dangerous, but of necessary use in every commonwealth, provided it be rightly ordered; for if it be so ordered as was that of Rome, though they do not overbalance at the beginning, as they did not there, it will not be long ere they do, as is clear both in reason and experience towards the latter end. That the nobility only be capable of the senate is there only not dangerous, where there be no other citizens, as in this government and that of Lacedemon.

“The nobility of Holland and Switzerland, though but few, have privileges not only distinct from the people, but so great, that in some sovereignties they have a negative voice; an example which I am far from commending, being such as (if those governments were not cantonized, divided, and subdivided into many petty sovereignties that balance one another, and in which the nobility, except they had a prince at the head of them, can never join to make work) would be the most dangerous that ever was but the Gothic, of which it favours. For in ancient commonwealths you shall never find a nobility to have had a negative but by the poll, which, the people being far more in number, came to nothing; whereas these have it, be they never so few, by their stamp or order.

“Ours of Oceana have nothing else but their education and their leisure for the public, furnished by their ease and competent riches: and their intrinsic value, which, according as it

comes to hold weight in the judgment or suffrage of the people, is their only way to honour and preferment. Wherefore I would have your lordships to look upon your children as such, who, if they come to shake off some part of their baggage, shall make the more quick and glorious march ; for it was nothing else but the baggage, sordidly plundered by the nobility of Rome, that lost the victory of the whole world in the midst of her triumph.

“ Having followed the nobility thus close, they bring us, according to their natural course and divers kinds, to the divers constitutions of the senate.

“ That of Israel (as was shown by my right noble Lord Phosphorus de Auge, in the opening of the commonwealth) consisted of seventy elders, elected at first by the people. But whereas they were for life, they ever after (though without any divine precept for it) substituted their successors by ordination, which ceremony was most usually performed by imposition of hands ; and by this means a commonwealth of as popular institution as can be found became, as it is accounted by Josephus, aristocratical. From this ordination derives that which was introduced by the Apostles into the Christian Church ; for which cause I think it is that the Presbyterians would have the government of the Church to be aristocratical, though the Apostles, to the end, as I conceive, that they might give no occasion to such a mistake, but show that they intended the government of the Church to be popular, ordained elders, as has been shown, by the holding up of hands (or free suffrage of the people) in every congregation or *ecclesia* : for that is the word in the original, being borrowed from the civil congregations of the people in Athens and Lacedemon, which were so called ; and the word for holding up of hands in the text is also the very same, which signified the suffrage of the people in Athens, *χειροτονήσαντες* ; for the suffrage of the Athenians was given *per chirotonian*, says Emmius.

“ The council of the bean (as was shown by my Lord Navarchus de Paralo in his full discourse), being the proposing senate of Athens (for that of the Areopagites was a judicatory), consisted of four, some say five hundred senators, elected annually, all at once, and by a mere lot without suffrage. Wherefore though the senate, to correct the temerity of the lot, had power to cast

out such as they should judge unworthy of that honour, this related to manners only, and was not sufficient to repair the commonwealth, which by such means became impotent ; and forasmuch as her senate consisted not of the natural aristocracy, which in a commonwealth is the only spur and rein of the people, it was cast headlong by the rashness of her demagogues or grandees into ruin ; while her senate, like the Roman tribunes (who almost always, instead of governing, were rather governed by the multitude), proposed not to the result only, but to the debate also of the people, who were therefore called to the pulpits, where some vomited, and others drank, poison.

“ The senate of Lacedemon, most truly discovered by my Lord Laco de Scytale, consisted but of thirty for life, whereof the two kings, having but single votes, were hereditary, the rest elected by the free suffrage of the people, but out of such as were sixty years of age. These had the whole debate of the commonwealth in themselves, and proposed to the result only of the people. And now the riddle which I have heretofore found troublesome to unfold, is out ; that is to say, why Athens and Lacedemon, consisting each of the senate and the people, the one should be held a democracy, and the other an aristocracy, or laudable oligarchy, as it is termed by Isocrates ; for that word is not, wherever you meet it, to be branded, seeing it is used also by Aristotle, Plutarch, and others, sometimes in a good sense. The main difference was, that the people in this had the result only, and in that the debate and result too. But for my part, where the people have the election of the senate, not bound to a distinct order, and the result, which is the sovereign power, I hold them to have that share in the government (the senate being not for life) whereof, with the safety of the commonwealth, they are capable in nature, and such a government, for that cause, to be democracy ; though I do not deny but in Lacedemon, the paucity of the senators considered, it might be called oligarchy, in comparison of Athens ; or, if we look on their continuance for life, though they had been more, aristocracy.

“ The senate of Rome (whose fame has been heard to thunder in the eloquence of my Lord Dolabella d’Enyo) consisting of three hundred, was, in regard of the number, less oligarchical

than that of Lacedemon ; but more in regard of the patrician, who, having an hereditary capacity of the same, were not elected to that honour by the people ; but, being conscribed by the censors, enjoyed it for life. Wherefore these, if they had their wills, would have resolved as well as debated ; which set the people at such variance with them as dissolved the commonwealth ; whereas if the people had enjoyed the result, that about the Agrarian, as well as all other strife, must of necessity have ceased.

“The senates of Switzerland and Holland (as I have learnt of my Lords Alpester and Glaucus), being bound up (like the sheaf of arrows which the latter gives) by leagues, lie like those in their quivers ; but arrows, when they come to be drawn, fly from this way and from that ; and I am contented that these concerned us not.

“That of Venice (by the faithful testimony of my most excellent Lord Linceus de Stella) has obliged a world, sufficiently punished by its own blindness and ingratitude, to repent and be wiser : for whereas a commonwealth in which there is no senate, or where the senate is corrupt, cannot stand, the great council of Venice, like the statue of Nilus, leans upon an urn or waterpot, which pours forth the senate in so pure and perpetual a stream, as being unable to stagnate, is for ever incapable of corruption. The fuller description of this senate is contained in that of Oceana ; and that of Oceana in the foregoing orders. To every one of which, because something has been already said, I shall not speak in particular. But in general, your senate, and the other assembly, or the prerogative, as I shall show in due place, are perpetual, not as lakes or puddles, but as the rivers of Eden ; and are beds made, as you have seen, to receive the whole people, by a due and faithful vicissitude, into their current. They are not, as in the late way, alternate. Alternate life in government is the alternate death of it.

“This was the Gothic work, whereby the former government (which was not only a ship, but a gust too) could never open her sails, but in danger to upset herself : neither could make any voyage nor lie safe in her own harbour. The wars of later ages, says Verulamius, seem to be made in the dark, in respect of the



ory and honour which reflected on men from the wars in ancient times. Their shipping of this sort was for voyages; ours dare not launch, nor lies it safe at home. Your Gothic politicians seem to me rather to have invented some new ammunition or gunpowder, in their king and parliament, than government. For what is become of the princes (a kind of people) in Germany?—blown up. Where are the estates, or the power of the people in France?—blown up. Where is that of the people in Arragon, and the rest of the Spanish kingdoms? blown up. On the other side, where is the king of Spain's power in Holland?—blown up. Where is that of the Austrian princes in Switzerland?—blown up. This perpetual peevishness and jealousy, under the alternate empire of the prince and of the people, is obnoxious to every spark. Nor shall any man show a reason that will be holding in prudence, why the people of Oceana have blown up their king, but that their kings did not first blow up them. The rest is discourse for ladies. Therefore your parliaments are not henceforth to come out of the bag of Æolus, but by your galaxies, to be the perpetual food of the fire of Vesta.

\* Your galaxies, which divide the house into so many regions, into three; one of which constituting the third region is annually chosen, but for the term of three years; which causes the house to be at once blossoms, fruit half ripe, and others dropping (as in full maturity) to resemble an orange-tree, such as is at the same time an education or spring, and a harvest too; for the people have made a very ill choice in the man, who is not easily capable of the perfect knowledge in one year of the senatorian lessons; which knowledge, allowing him for the first to have been a novice, brings him the second year to practice, and time enough. For at this rate you must always have two hundred growing men in the government. And thus the vicissitude of your senators is not perceivable in the steadiness and perpetuity of your senate; which, like that of Venice, being always changing, is for ever the same. And though other politicians have not so well imitated their pattern, there is nothing more judicious in Nature, seeing a man who wears the same flesh but a short time, is nevertheless the same man, and of the same quality; and whence is this but from the constancy of Nature,

in holding a man to her orders? Wherefore keep also to your orders. But this is a mean request; your orders will be worth little if they do not hold you to them, wherefore embark. They are like a ship, if you be once aboard, you do not carry them, but they you; and see how Venice stands to her tackling: you will no more forsake them than you will leap into the sea.

“But they are very many and difficult. O, my Lords, when a seaman casts away his card because it has four-and-twenty points of the compass? and yet those are very near as many and as difficult as the orders in the whole circumference of your commonwealth. Consider, how have we been tossed with every wind of doctrine, lost by the glib tongues of your demagogues and grandees in our own havens? A company of fiddlers that have disturbed your rest for your groat; £2000 to one, £3000 a year to another, has been nothing. And for what? Is there one of them that yet knows what a commonwealth is? And are you yet afraid of such a government in which they shall not dare to scrape for fear of the statute? Themistocle could not fiddle, but could make of a small city a great commonwealth: these have fiddled, and for your money, till they have brought a great commonwealth to a small city.

“It grieves me, while I consider how, and from what cause imaginary difficulties will be aggravated, that the foregoing orders are not capable of any greater clearness in discourse or writing; but if a man should make a book, describing every trick and passage, it would fare no otherwise with a game of cards; and this is no more, if a man plays upon the square. ‘There is a great difference,’ says Verulamius, ‘between a cunning man and a wise man (between a demagogue and a legislator) not only in point of honesty, but in point of ability; as there be that can pack the cards, and yet cannot play well; so there be some that are good in canvasses and factions, that are otherwise weak men.’ Allow me but these orders, and let them come with their cards in their sleeves, or pack if they can. ‘Again,’ says he, ‘it is one thing to understand persons, and another to understand matters; for many are perfect in men’s humours that are not greatly capable of the real part of business, which is the constitution of one that has studied me

more than books. But there is nothing more hurtful in a state than that cunning men should pass for wise.' His words are an oracle. As Dionysius, when he could no longer exercise his tyranny among men, turned schoolmaster, that he might exercise it among boys. Allow me but these orders, and your grantees, so well skilled in the baits and palates of men, shall turn rat-catchers.

"And whereas 'councils (as is discreetly observed by the same author in his time) are at this day, in most places, but familiar meetings (somewhat like the academy of our provosts), where matters are rather talked on than debated, and run too swift to order an act of council;' give me my orders, and see if I have not puzzled your demagogues.

"It is not so much my desire to return upon haunts, as theirs that will not be satisfied; wherefore if, notwithstanding what was said of dividing and choosing in our preliminary discourses, men will yet be returning to the question, Why the senate must be a council apart (though even in Athens, where it was of no other constitution than the popular assembly, the distinction of it from the other was never held less than necessary) this may be added to the former reasons, that if the aristocracy be not for the debate, it is for nothing; but if it be for debate, it must have convenience for it; and what convenience is there for debate in a crowd, where there is nothing but jostling, treading upon one another, and stirring of blood, than which in this case there is nothing more dangerous? Truly, it was not ill said of my Lord Epimonus, that Venice plays her game, as it were, at billiards or nine-holes; and so may your lordships, unless your ribs be so strong that you think better of football: for such sport is debate in a popular assembly, as, notwithstanding the distinction of the senate, was the destruction of Athens."

This speech concluded the debate which happened at the institution of the senate. The next assembly is that of the people or prerogative tribe.

The face, or mien, of the prerogative tribe for the arms, the horses, and the discipline, but more especially for the select men, is that of a very noble regiment, or rather of two; the one of horse, divided into three troops (besides that of the provinces,

which will be shown hereafter), with their captains, cornets, and two tribunes of the horse at the head of them ; the other of foot in three companies (besides that of the provinces), with their captains, ensigns, and two tribunes of the foot at the head of them. The first troop is called the *Phœnix*, the second the *Pelican*, and the third the *Swallow*. The first company the *Cypress*, the second the *Myrtle*, and the third the *Spray*. Of these again (not without a near resemblance of the Roman division of a tribe) the *Phœnix* and the *Cypress* constitute the first class, the *Pelican* and the *Myrtle* the second, and the *Swallow* with the *Spray* the third, renewed every spring by

The one-and-twentieth order, "Directing, that upon every Monday next ensuing the last of March, the deputies of the annual galaxy arriving at the pavilion in the halo, and electing one captain and one cornet of the *Swallow* (triennial officers) by and out of the cavalry at the horse urn, according to the rules contained in the ballot of the hundred ; and one captain with one ensign of the *Spray* (triennial officers) by and out of the infantry at the foot urn, after the same way of balloting, constitute and become the third classes of the prerogative tribe."

Seven deputies are annually returned by every tribe, whereof three are horse, and four are foot ; and there be fifty tribes : so the *Swallow* must consist of one hundred and fifty horse, the *Spray* of two hundred foot. And the rest of the classes being two, each of them in number equal, the whole prerogative (besides the provinces, that is, the knights and deputies of Marpesia and Panopea) must consist of 1050 deputies. And these troops and companies may as well be called centuries as those of the Romans ; for the Romans related not, in so naming theirs, to the number. And whereas they were distributed according to the valuation of their estates, so are these ; which, by virtue of the last order, are now accommodated with their triennial officers. But there be others appertaining to this tribe whose election, being of far greater importance, is annual, as follows in

The twenty-second order, "Whereby the first class having elected their triennial officers, and made oath to the old tribunes, that they will neither introduce, cause, nor to their power suffer debate to be introduced into any popular assembly of this

government, but to their utmost be aiding and assisting to seize and deliver any person or persons in that way offending, and striking at the root of this commonwealth, to the council of war, are to proceed with the other two classes of the prerogative tribe to election of the new tribunes, being four annual magistrates, whereof two are to be elected out of the cavalry at the horse urn, and two out of the infantry at the foot urn, according to the common ballot of the tribes. And they may be promiscuously chosen out of any classes, provided that the same person shall not be capable of bearing the tribunitian honour twice in the term of one galaxy. The tribunes thus chosen shall receive the tribe (in reference to the power of mustering and disciplining the same) as commanders-in-chief, and for the rest as magistrates, whose proper function is prescribed by the next order. The tribunes may give leave to any number of the prerogative, not exceeding one hundred at a time, to be absent, so they be not magistrates nor officers, and return within three months. If a magistrate or officer has a necessary occasion, he may also be absent for the space of one month, provided that there be not above three cornets or ensigns, two captains, or one tribune so absent at one time."

To this the Archon spoke at the institution after this manner:—

"My Lords,—

"It is affirmed by Cicero, in his oration for Flaccus, that the commonwealths of Greece were all shaken or ruined by the intemperance of their *comitia*, or assemblies of the people. The truth is, if good heed in this point be not taken, a commonwealth will have bad legs. But all the world knows he should have excepted Lacedemon, where the people, as has been shown by the oracle, had no power at all of debate, nor (till after Lysander, whose avarice opened a gulf that was not long ere it swallowed up his country) came it ever to be exercised by them. Whence that commonwealth stood longest and firmest of any other but this, in our days, of Venice; which, having underlaid herself with the like institution, owes a great, if not the greatest, part of her steadiness to the same principle; the great council, which is with her the people, by the authority of my Lord Epimonus, never speaking a word. Nor shall any commonwealth, where

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the people in their political capacity is talkative, ever see half the days of one of these, but, being carried away by vain-glorious men (that, as Overbury says, void more than they drink), swim down the stream, as did Athens, the most prating of these dames, when that same ranting fellow Alcibiades fell a-demagoging for the Silician war. But whereas debate, by the authority and experience of Lacedemon and Venice, is not to be committed to the people in a well-ordered government, it may be said that the order specified is but a slight bar in a matter of like danger; for so much as an oath, if there be no recourse upon the breach of it, is a weak tie for such hands as have the sword in them, wherefore what should hinder the people of Oceana, if they happen not to regard an oath from assuming debate, and making themselves as much an anarchy as those of Athens. To which I answer, Take the common sort in a private capacity, and, except they be injured, you shall find them to have a bashfulness in the presence of the better sort, or wiser men, acknowledging their abilities by attention, and accounting it no mean honour to receive respect from them; but if they be injured by them, they hate them, and the more for being wise or great, because that makes it the greater injury. Nor refrain they in this case from any kind of intemperance of speech, if of action. It is no otherwise with a people in their political capacity; you shall never find that they have assumed debate for itself, but for something else. Wherefore in Lacedemon where there was, and in Venice where there is, nothing else for which they should assume it, they have never shown so much as an inclination to it. Nor was there any appearance of such a desire in the people of Rome (who from the time of Romulus had been very well contented with the power of result either in the parochial assemblies, as it was settled upon them by him, or in the meetings of the hundreds. as it was altered in their regard for the worse by Servius Tullius) till news was brought, some fifteen years after the exile of Tarquin, their late king (during which time the senate had governed pretty well), that he was dead at the court of Aristodemus the tyrant of Cumæ. Whereupon the patricians, or nobility, began to let out the hitherto dissembled venom which is inherent in the root of oligarchy, and fell immediately upon

injuring the people beyond all moderation. For whereas the people had served both gallantly and contentedly in arms upon their own charges, and, though joint purchasers by their swords of the conquered lands, had not participated in the same to above two acres a man (the rest being secretly usurped by the patricians), they, through the meanness of their support and the greatness of their expense, being generally indebted, no sooner returned home with victory to lay down their arms, than they were snatched up by their creditors, the nobility, to cram gaols. Whereupon, but with the greatest modesty that was ever known in the like case, they first fell upon debate, affirming, 'That they were oppressed and captivated at home, while abroad they fought for liberty and empire, and that the freedom of the common people was safer in time of war than peace, among their enemies than their fellow-citizens.' It is true that when they could not get the senate, through fear, as was pretended by the patricians, to assemble and take their grievances into consideration, they grew so much the warmer, that it was glad to meet; where Appius Claudius, a fierce spirit, was of opinion that recourse should be had to consular power, whereby some of the brands of sedition being taken off, the flame might be extinguished. Servilius, being of another temper, thought it better and safer to try if the people might be bowed than broken. But this debate was interrupted by tumultuous news of the near approach of the Volsci, a case in which the senate had no recourse but to the people, who, contrary to their former custom upon the like occasions, would not stir a foot, but fell a-laughing, and saying, 'Let them fight that have something to fight for.' The senate that had purses, and could not sing so well before the thief, being in a great perplexity, found no possible way out of it but to beseech Servilius, one of a genius well known to be popular, that he would accept of the consulship, and make some such use of it as might be helpful to the patrician interest. Servilius, accepting of the offer, and making use of his interest with the people, persuaded them to hope well of the good intention of the fathers, whom it would little beseem to be forced to those things which would lose their grace, and that in view of the enemy, if they came not freely; and withal published an edict, that no man should withhold a citizen of

Rome by imprisonment from giving his name (for that was the way, as I shall have opportunity hereafter to show more at large, whereby they drew out their armies), nor to seize or sell any man's goods or children that was in the camp. Whereupon the people with a mighty concourse immediately took arms, marched forth, and (which to them was as easy as to be put into the humour, and that, as appears in this place, was not hard) totally defeated the Volsci first, then the Sabines (for the neighbouring nations, hoping to have had a good bargain of the discord in Rome, were up in arms on all sides), and after the Sabines the Aurunci. Whence returning victorious in three battles, they expected no less than that the senate would have made good their words, when Appius Claudius, the other consul, of his innate pride, and that he might frustrate the faith of his colleague, caused the soldiers (who being set at liberty, had behaved themselves with such valour) to be restored at their return to their creditors and their gaols. Great resort upon this was made by the people to Servilius, showing him their wounds, calling him to witness how they had behaved themselves, and minding him of his promise. Poor Servilius was sorry, but so overawed with the headiness of his colleague, and the obstinacy of the whole faction of the nobility, that, not daring to do anything either way, he lost both parties, the fathers conceiving that he was ambitious, and the people that he was false ; while the consul Claudius, continuing to countenance such as daily seized and imprisoned some of the indebted people, had still new and dangerous controversies with them, insomuch that the commonwealth was torn with horrid division, and the people (because they found it not so safe or so effectual in public) minded nothing but laying their heads together in private conventicles. For this Aulus Virginius and Titus Vetusius, the new consuls, were reprov'd by the senate as slothful, and upbraided with the virtue of Appius Claudius. Whereupon the consuls having desired the senate that they might know their pleasure, showed afterwards their readiness to obey it, by summoning the people according to command, and requiring names whereby to draw forth an army for diversion, but no man would answer. Report hereof being made to the senate, the younger sort of the fathers grew so hot with the consuls



that they desired them to abdicate the magistracy, which they had not the courage to defend.

“The consuls, though they conceived themselves to be roughly handled, made this soft answer: ‘Fathers conscript, that you may please to take notice it was foretold some horrid sedition is at hand, we shall only desire that they whose valour in this place is so great, may stand by us to see how we behave ourselves, and then be as resolute in your commands as you will; your fatherhoods may know if we be wanting in the performance.

“At this some of the hot young noblemen returned with the consuls to the tribunal, before which the people were yet standing; and the consuls having generally required names in vain, to put it to something, required the name of one that was in their eye particularly; on whom, when he moved not, they commanded a lictor to lay hands; but the people, thronging about the party summoned, forbade the lictor, who durst not touch him; at which the hotspurs that came with the consuls, enraged by the affront, descended from the throne to the aid of the lictor; from whom in so doing they turned the indignation of the people upon themselves with such heat, that the consuls interposing, thought fit, by remitting the assembly, to appease the tumult; in which, nevertheless, there had been nothing but noise. Nor was there less in the senate, being suddenly rallied upon this occasion, where they that received the repulse, with others whose heads were as addle as their own, fell upon the business as if it had been to be determined by clamour, till the consuls, upbraiding the senate that it differed not from the market-place, reduced the house to orders. And the fathers, having been consulted accordingly, there were three opinions: Publius Virginius conceived that the consideration to be had upon the matter in question, or aid of the indebted and imprisoned people, was not to be further extended than to such as had engaged upon the promise made by Servilius; Titus Largius, that it was no time to think it enough, if men’s merits were acknowledged, while the whole people, sunk under the weight of their debts, could not emerge without some common aid, which to restrain, by putting some into a better condition than others, would rather more inflame the discord than

extinguish it ; Appius Claudius (still upon the old haunt) would have it that the people were rather wanton than fierce ; it was not oppression that necessitated, but their power that invited them to these freaks ; the empire of the consuls since the appeal to the people (whereby a plebeian might ask his fellows if he were a thief) being but a mere scarecrow. 'Go to,' says he, 'let us create the dictator, from whom there is no appeal, and then let me see more of this work, or him that shall forbid my lictor.' The advice of Appius was abhorred by many ; and to introduce a general rescision of debts with Largius, was to violate all faith ; that of Virginius, as the most moderate, would have passed best, but that there were private interests, that constant bane of the public, which withstood it. So they concluded with Appius, who also had been dictator, if the consuls and some of the graver sort had not thought it altogether unseasonable, at a time when the Volsci and the Sabines were up again, to venture so far upon alienation of the people : for which cause Valerius, being descended from the Publicolas, the most popular family, as also in his own person of a mild nature, was rather trusted with so rigid a magistracy. Whence it happened that the people, though they knew well enough against whom the dictator was created, feared nothing from Valerius ; but upon a new promise made to the same effect with that of Servilius, hoped better another time, and throwing away all disputes, gave their names roundly, went out, and, to be brief, came home again as victorious as in the former action, the dictator entering the city in triumph. Nevertheless, when he came to press the senate to make good his promise, and do something for the ease of the people, they regarded him no more as to that point than they had done Servilius. Whereupon the dictator, in disdain to be made a stale, abdicated his magistracy, and went home. Here, then, was a victorious army without a captain, and a senate pulling it by the beard in their gowns. What is it (if you have read the story, for there is not such another) that must follow ? Can any man imagine that such only should be the opportunity upon which this people could run away ? Alas, poor men, the Æqui and the Volsci and the Sabines were nothing, but the fathers invincible ! There they sat some three hundred of them armed all in robes, and thundering with their tongues, without

any hopes in the earth to reduce them to any tolerable conditions. Wherefore, not thinking it convenient to abide long so near them, away marches the army, and encamps in the fields. This retreat of the people is called the secession of Mount Aventin, where they lodged, very sad at their condition, but not letting fall so much as a word of murmur against the fathers. The senate by this time were great lords, had the whole city to themselves; but certain neighbours were upon the way that might come to speak with them, not asking leave of the porter. Wherefore their minds became troubled, and an orator was posted to the people to make as good conditions with them as he could; but, whatever the terms were, to bring them home, and with all speed. And here it was covenanted between the senate and the people, that these should have magistrates of their own election, called the tribunes, upon which they returned.

“To hold you no longer, the senate having done this upon necessity, made frequent attempts to retract it again, while the tribunes, on the other side, to defend what they had got, instituted their *tributa comitia*, or council of the people; where they came in time, and, as disputes increased, to make laws without the authority of the senate, called *plebiscita*. Now to conclude in the point at which I drive: such were the steps whereby the people of Rome came to assume debate, nor is it in art or nature to debar a people of the like effect, where there is the like cause. For Romulus, having in the election of his senate squared out a nobility for the support of a throne, by making that of the patricians a distinct and hereditary order, planted the commonwealth upon two contrary interests or roots, which, shooting forth, in time produced two commonwealths, the one oligarchical in the nobility, the other a mere anarchy of the people, and ever after caused a perpetual feud and enmity between the senate and the people, even to death.

“There is not a more noble or useful question in the politics than that which is started by Machiavel, whether means were to be found whereby the enmity that was between the senate and the people of Rome could have been removed? Nor is there any other in which we, on the present occasion, are so much concerned, particularly in relation to this author; forasmuch as

his judgment in the determination of the question standing, our commonwealth falls. And he that will erect a commonwealth against the judgment of Machiavel, is obliged to give such reasons for his enterprise as must not go a-begging. Wherefore to repeat the politician very honestly, but somewhat more briefly, he disputes thus :

“There be two sorts of commonwealths, the one for preservation, as Lacedemon and Venice ; the other for increase, as Rome.

“Lacedemon, being governed by a king and a small senate, could maintain itself a long time in that condition, because the inhabitants, being few, having put a bar upon the reception of strangers, and living in a strict observation of the laws of Lycurgus, which now had got reputation, and taken away all occasion of tumults, might well continue long in tranquillity. For the laws of Lycurgus introduced a greater equality in estates, and a less equality in honours, whence there was equal poverty ; and the plebeians were less ambitious, because the honours or magistracies of the city could extend but to a few and were not communicable to the people, nor did the nobility by using them ill ever give them a desire to participate of the same. This proceeded from the kings, whose principality, being placed in the midst of the nobility, had no greater means whereby to support itself than to shield the people from all injury ; whence the people, not fearing empire, desired it not ; and so all occasion of enmity between the senate and the people was taken away. But this union happened especially from two causes : the one that the inhabitants of Lacedemon being few, could be governed by the few ; the other, that, not receiving strangers into their commonwealth, they did not corrupt it, nor increase it to such a proportion as was not governable by the few.

“Venice has not divided with her plebeians, but all are called gentlemen that be in administration of the government ; for which government she is more beholden to chance than the wisdom of her law-makers ; for many retiring to those islands, where that city is now built, from the inundations of barbarians that overwhelmed the Roman empire, when they were increased to such a number that to live together it was necessary to have

laws, they ordained a form of government, whereby assembling often in council upon affairs, and finding their number sufficient for government, they put a bar upon all such as repairing afterwards to their city should become inhabitants, excluding them from participation of power. Whence they that were included in the administration had right, and they that were excluded, coming afterwards, and being received upon no other conditions to be inhabitants, had no wrong ; and therefore had no occasion, nor (being never trusted with arms) any means to be tumultuous. Wherefore this commonwealth might very well maintain itself in tranquillity.

“ These things considered, it is plain that the Roman legislators, to have introduced a quiet state, must have done one of these two things : either shut out strangers, as the Lacedemonians ; or, as the Venetians, not allowed the people to bear arms. But they did neither. By which means the people, having power and increase, were in perpetual tumult. Nor is this to be helped in a commonwealth for increase, seeing if Rome had cut off the occasion of her tumults, she must have cut off the means of her increase, and by consequence of her greatness.

“ Wherefore let a legislator consider with himself whether he would make his commonwealth for preservation, in which case she may be free from tumults ; or for increase, in which case she must be infested with them.

“ If he makes her for preservation, she may be quiet at home, but will be in danger abroad. First, because her foundation must be narrow, and therefore weak, as that of Lacedemon, which lay but upon 30,000 citizens ; or that of Venice, which lies but upon 3000. Secondly, such a commonwealth must either be in peace, or war ; if she be in peace, the few are soonest effeminated and corrupted, and so obnoxious also to faction. If in war, succeeding ill, she is an easy prey ; or succeeding well, ruined by increase : a weight which her foundation is not able to bear. For Lacedemon, when she had made herself mistress upon the matter of all Greece, through a slight accident, the rebellion of Thebes, occasioned by the conspiracy of Pelopidas discovering this infirmity of her nature, the rest of her conquered cities immediately fell off, and in the

turn as it were of a hand reduced her from the fullest tide to the lowest ebb of her fortune. And Venice having possessed herself of a great part of Italy by her purse, was no sooner in defence of it put to the trial of arms than she lost all in one battle.

“Whence I conclude, that in the ordination of a commonwealth a legislator is to think upon that which is most honourable ; and, laying aside models for preservation, to follow the example of Rome conniving at, and temporizing with, the enmity between the senate and the people, as a necessary step to the Roman greatness. For that any man should find out a balance that may take in the conveniences and shut out the inconveniences of both, I do not think it possible.’ These are the words of the author, though the method be somewhat altered, to the end that I may the better turn them to my purpose.

“My Lords, I do not know how you hearken to this sound ; but to hear the greatest artist in the modern world giving sentence against our commonwealth is that with which I am nearly concerned. Wherefore, with all honour due to the prince of politicians, let us examine his reasoning with the same liberty which he has asserted to be the right of a free people. But we shall never come up to him, except by taking the business a little lower, we descend from effects to their causes. The causes of commotion in a commonwealth are either external or internal. External are from enemies, from subjects, or from servants. To dispute then what was the cause why Rome was infested by the Italian, or by the servile wars ; why the slaves took the capitol ; why the Lacedemonians were near as frequently troubled with their helots as Rome with all those ; or why Venice, whose situation is not trusted to the faith of men, has as good or better quarter with them whom she governs, than Rome had with the Latins ; were to dispute upon external causes. The question put by Machiavel is of internal causes ; whether the enmity that was between the senate and the people of Rome might have been removed. And to determine otherwise of this question than he does, I must lay down other principles than he has done. To which end I affirm that a commonwealth, internally considered, is either equal or un-

equal. A commonwealth that is internally equal, has no internal cause of commotion, and therefore can have no such effect but from without. A commonwealth internally unequal has no internal cause of quiet, and therefore can have no such effect but by diversion.

“To prove my assertions, I shall at this time make use of no other than his examples. Lacedemon was externally unquiet, because she was externally unequal, that is as to her helots; and she was internally at rest, because she was equal in herself, both in root and branch; in the root by her Agrarian, and in branch by the senate, inasmuch as no man was thereto qualified but by election of the people. Which institution of Lycurgus is mentioned by Aristotle, where he says that rendering his citizens emulous (not careless) of that honour, he assigned to the people the election of the senate. Wherefore Machiavel in this, as in other places, having his eye upon the division of patrician and plebeian families as they were in Rome, has quite mistaken the orders of this commonwealth, where there was no such thing. Nor did the quiet of it derive from the power of the kings, who were so far from shielding the people from the injury of the nobility, of which there was none in his sense but the senate, that one declared end of the senate at the institution was to shield the people from the kings, who from that time had but single votes. Neither did it proceed from the straitness of the senate, or their keeping the people excluded from the government, that they were quiet, but from the equality of their administration, seeing the senate (as is plain by the oracle, their fundamental law) had no more than the debate, and the result of the commonwealth belonged to the people. Wherefore when Theopompus and Polydorus, kings of Lacedemon, would have kept the people excluded from the government by adding to the ancient law this clause, ‘If the determination of the people be faulty, it shall be lawful for the senate to resume the debate,’ the people immediately became unquiet, and resumed that debate, which ended not till they had set up their ephors, and caused that magistracy to be confirmed by their kings. ‘For when Theopompus first ordained that the *ephoroi* or overseers should be created at Lacedemon, to be such a restraint upon the kings there as the tribunes were upon the

consuls at Rome, the queen complained to him, that by this means he transmitted the royal authority greatly diminished to his children : "I leave indeed less," answered he, "but more lasting." And this was excellently said ; for that power only is safe which is limited from doing hurt. Theopompus therefore, by confining the kingly power within the bounds of the laws, did recommend it by so much to the people's affection as he removed it from being arbitrary.' By which it may appear that a commonwealth for preservation, if she comes to be unequal, is as obnoxious to enmity between the senate and the people as a commonwealth for increase ; and that the tranquillity of Lacedemon was derived from no other cause than her equality.

"For Venice, to say that she is quiet because she disarms her subjects, is to forget that Lacedemon disarmed her helots, and yet could not in their regard be quiet ; wherefore if Venice be defended from external causes of commotion, it is first through her situation, in which respect her subjects have no hope (and this indeed may be attributed to her fortune) ; and, secondly, through her exquisite justice, whence they have no will to invade her. But this can be attributed to no other cause than her prudence, which will appear to be greater, as we look nearer ; for the effects that proceed from fortune, if there be any such thing, are like their cause, inconstant. But there never happened to any other commonwealth so undisturbed and constant a tranquillity and peace in herself as is in that of Venice ; wherefore this must proceed from some other cause than chance. And we see that as she is of all others the most quiet, so the most equal commonwealth. Her body consists of one order, and her senate is like a rolling stone, as was said, which never did, nor, while it continues upon that rotation, never shall gather the moss of a divided or ambitious interest, much less such a one as that which grasped the people of Rome in the talons of their own eagles. And if Machiavel, averse from doing this commonwealth right, had considered her orders, as his reader shall easily perceive he never did, he must have been so far from attributing the prudence of them to chance, that he would have touched up his admirable work to that perfection which, as to the civil part, has no pattern in the universal world but this of Venice.



“Rome, secure by her potent and victorious arms from all external causes of commotion, was either beholden for her peace at home to her enemies abroad, or could never rest her head. My Lords, you that are parents of a commonwealth, and so freer agents than such as are merely natural, have a care. For, as no man shall show me a commonwealth born straight that ever became crooked, so no man shall show me a commonwealth born crooked that ever became straight. Rome was crooked in her birth, or rather prodigious. Her twins, the patrician and plebeian orders, came, as was shown by the foregoing story, into the world, one body but two heads, or rather two bellies ; for, notwithstanding the fable out of Æsop, whereby Menenius Agrippa, the orator that was sent from the senate to the people at Mount Aventin, showed the fathers to be the belly, and the people to be the arms and the legs (which except that, how slothful soever it might seem, they were nourished, not these only, but the whole body must languish and be dissolved), it is plain that the fathers were a distinct belly ; such a one as took the meat indeed out of the people’s mouths, but abhorring the Agrarian, returned it not in the due and necessary nutrition of a commonwealth. Nevertheless, as the people that live about the cataracts of Nilus are said not to hear the noise, so neither the Roman writers, nor Machiavel the most conversant with them, seem among so many of the tribunitian storms to hear their natural voice ; for though they could not miss of it so far as to attribute them to the strife of the people for participation in magistracy, or, in which Machiavel more particularly joins, to that about the Agrarian, this was to take the business short, and the remedy for the disease.

“A people, when they are reduced to misery and despair, become their own politicians, as certain beasts, when they are sick, become their own physicians, and are carried by a natural instinct to the desire of such herbs as are their proper cure ; but the people, for the greater part, are beneath the beasts in the use of them. Thus the people of Rome, though in their misery they had recourse by instinct, as it were, to the two main fundamentals of a commonwealth, participation of magistracy and the Agrarian, did but taste and spit at them, not (which is necessary in physic) drink down the potion, and in that their

healths. For when they had obtained participation of magistracy it was but lamely, not to a full and equal rotation in all elections ; nor did they greatly regard it in what they had got. And when they had attained to the Agrarian, they neglected it so far as to suffer the law to grow obsolete ; but if you do not take the due dose of your medicines (as there be slight tastes which a man may have of philosophy that incline to atheism) it may chance to be poison, there being a like taste of the politics that inclines to confusion ; as appears in the institution of the Roman tribunes, by which magistracy and no more the people were so far from attaining to peace, that they in getting but so much, got but heads for an eternal feud ; whereas if they had attained in perfection either to the Agrarian, they had introduced the equality and calm of Lacedemon, or to rotation, and they had introduced that of Venice : and so there could have been no more enmity between the senate and the people of Rome than there was between those orders in Lacedemon, or is now in Venice. Wherefore Machiavel seems to me, in attributing the peace of Venice more to her luck than her prudence, of the whole stable to have saddled the wrong horse ; for though Rome in her military part could beat it better, beyond all comparison, upon the sounding hoof, Venice for the civil part has plainly had the wings of Pegasus.

“The whole question then will come upon this point, whether the people of Rome could have obtained these orders? And first, to say that they could not have obtained them without altering the commonwealth, is no argument ; seeing neither could they, without altering the commonwealth, have obtained their tribunes, which nevertheless were obtained. And if a man considers the posture that the people were in when they obtained their tribunes, they might as well, and with as great ease (forasmuch as the reason why the nobility yielded to the tribunes was no other than that there was no remedy) have obtained anything else. And for experience, it was in the like case that the Lacedemonians did set up their ephors, and the Athenians, after the battle of Plataea, bowed the senate (so hard a thing it is for a commonwealth that was born crooked to become straight) as much the other way. Nor, if it be objected that this must have ruined the nobility (and in that deprived

the commonwealth of the greatness which she acquired by them), is this opinion holding, but confuted by the sequel of the story, showing plainly that the nobility, through the defect of such orders, that is to say, of rotation and the Agrarian, came to eat up the people; and battenning themselves in luxury, to be, as Sallust speaks of them, 'a most sluggish and lazy nobility, in whom, besides the name, there was no more than in a statue;' and to bring so mighty a commonwealth, and of so huge a glory, to so deplorable an end. Wherefore means might have been found to remove the enmity that was between the senate and the people of Rome.

"My Lords, if I have argued well, I have given you the comfort and assurance that, notwithstanding the judgment of Machiavel, your commonwealth is both safe and sound; but if I have not argued well, then take the comfort and assurance which he gives you while he is firm, that a legislator is to lay aside all other examples, and follow that of Rome only, conniving and temporizing with the enmity between the senate and the people, as a necessary step to the Roman greatness. Whence it follows that your commonwealth, at the worst, is that which he has given you his word is the best.

"I have held your lordships long, but upon an account of no small importance, which I can now sum up in these few words: where there is a liquorishness in a popular assembly to debate, it proceeds not from the constitution of the people, but of the commonwealth. Now that your commonwealth is of such a constitution as is naturally free from this kind of intemperance, is that which, to make good, I must divide the remainder of my discourse into two parts:

"The first, showing the several constitutions of the assemblies of the people in other commonwealths.

"The second, comparing our assembly of the people with theirs; and showing how it excludes the inconveniences and embraces the conveniences of them all.

"In the beginning of the first part I must take notice, that among the popular errors of our days it is no small one that men imagine the ancient governments of this kind to have consisted for the most part of one city, that is, of one town;

whereas by what we have learnt of my lords that opened them, it appears that there was not any considerable one of such a constitution but Carthage, till this in our days of Venice.

“For to begin with Israel, it consisted of the twelve tribes, locally spread or quartered throughout the whole territory; and these being called together by trumpets, constituted the church or assembly of the people. The vastness of this weight, as also the slowness thence unavoidable, became a great cause (as has been shown at large by my Lord Phosphorus) of the breaking that commonwealth; notwithstanding that the Temple, and those religious ceremonies for which the people were at least annually obliged to repair thither, were no small ligament of the tribes, otherwise but slightly tacked together.

“Athens consisted of four tribes, taking in the whole people, both of the city and of the territory; not so gathered by Theseus into one town, as to exclude the country, but to the end that there might be some capital of the commonwealth: though true it be, that the congregation, consisting of the inhabitants within the walls, was sufficient to all intents and purposes, without those of the country. These also being exceeding numerous, became burdensome to themselves and dangerous to the commonwealth; the more for their ill education, as is observed by Xenophon and Polybius, who compare them to mariners that in a calm are perpetually disputing and swaggering one with another, and never lay their hands to the common tackling or safety till they be all endangered by some storm. Which caused Thucydides, when he saw this people through the purchase of their misery become so much wiser as to reduce their *comitia* or assemblies to five thousand, to say in his eighth book: ‘And now, at least in my time, the Athenians seem to have ordered their State aright, consisting of a moderate temper both of the few [by which he means the Senate of the Bean] and of the many,’ or the five thousand. And he does not only give you his judgment, but the best proof of it; for ‘this,’ says he, ‘was the first thing that, after so many misfortunes past, made the city again to raise her head.’ The place I would desire your lordships to note, as the first example that I find, or think is to be found, of a popular assembly by way of representative.

“Lacedemon consisted of thirty thousand citizens dispersed

throughout Laconia, one of the greatest provinces in all Greece, and divided, as by some authors is probable, into six tribes. Of the whole body of these, being gathered, consisted the great church or assembly, which had the legislative power ; the little church, gathered sometimes for matters of concern within the city, consisted of the Spartans only. These happened, like that of Venice, to be good constitutions of a congregation, but from an ill cause the infirmity of a commonwealth, which through her paucity was oligarchical.

“ Wherefore, go which way you will, it should seem that without a representative of the people, your commonwealth, consisting of a whole nation, can never avoid falling either into oligarchy or confusion.

“ This was seen by the Romans, whose rustic tribes, extending themselves from the river Arno to the Vulturnus, that is, from Fesulæ or Florence to Capua, invented a way of representative by lots: the tribe upon which the first fell being the prerogative, and some two or three more that had the rest, the *jure vocatæ*. These gave the suffrage of the commonwealth in two meetings ; the prerogative at the first assembly, and the *jure vocatæ* at a second.

“ Now to make the parallel : all the inconveniences that you have observed in these assemblies are shut out, and all the conveniences taken into your prerogative. For first, it is that for which Athens, shaking off the blame of Xenophon and Polybius, came to deserve the praise of Thucydides, a representative. And, secondly, not, as I suspect in that of Athens, and is past suspicion in this of Rome, by lot, but by suffrage, as was also the late House of Commons, by which means in your prerogatives all the tribes of Oceana are *jure vocatæ* ; and if a man shall except against the paucity of the standing number, it is a wheel, which in the revolution of a few years turns every hand that is fit, or fits every hand that it turns to the public work. Moreover, I am deceived if, upon due consideration, it does not fetch your tribes, with greater equality and ease to themselves and to the government, from the frontiers of Marpesia, than Rome ever brought any one of hers out of her *pomæria*, or the nearest parts of her adjoining territories. To this you may add, that whereas a commonwealth, which in

regard of the people is not of facility in execution, were sure enough in this nation to be cast off through impatience ; your musters and galaxies are given to the people, as milk to babes, whereby when they are brought up through four days' election in a whole year (one at the parish, one at the hundred, and two at the tribe) to their strongest meat, it is of no harder digestion than to give their negative or affirmative as they see cause. There be gallant men among us that laugh at such an appeal or umpire ; but I refer it whether you be more inclining to pardon them or me, who I confess have been this day laughing at a sober man, but without meaning him any harm, and that is Petrus Cunæus, where speaking of the nature of the people, he says, 'that taking them apart, they are very simple, but yet in their assemblies they see and know something : ' and so runs away without troubling himself with what that something is. Whereas the people, taken apart, are but so many private interests ; but if you take them together, they are the public interest. The public interest of a commonwealth, as has been shown, is nearest that of mankind, and that of mankind is right reason ; but with aristocracy (whose reason or interest, when they are all together, as appeared by the patricians, is but that of a party) it is quite contrary : for as, taken apart, they are far wiser than the people considered in that manner, so, being put together, they are such fools, who by deposing the people, as did those of Rome, will saw off the branch whereupon they sit, or rather destroy the root of their own greatness. Wherefore Machiavel, following Aristotle, and yet going before him, may well assert, 'that the people are wiser and more constant in their resolutions than a prince : ' which is the prerogative of popular government for wisdom. And hence it is that the prerogative of your commonwealth, as for wisdom so for power, is in the people, which (though I am not ignorant that the Roman prerogative was so called *à prærogando*, because their suffrage was first asked) gives the denomination to your prerogative tribe."

The elections, whether annual or triennial, being shown by the twenty-second, that which comes in the next place to be considered is

The twenty-third order, "Showing the power, function, and manner of proceeding of the prerogative tribe.

"The power or function of the prerogative is of two parts: the one of result, in which it is the legislative power; the other of judicature, in which regard it is the highest court, and the last appeal in this commonwealth.

"For the former part (the people by this constitution being not obliged by any law that is not of their own making or confirmation, by the result of the prerogative, their equal representative) it shall not be lawful for the senate to require obedience from the people, nor for the people to give obedience to the senate in or by any law that has not been promulgated, or printed and published for the space of six weeks, and afterwards proposed by the authority of the senate to the prerogative tribe, and resolved by the major vote of the same in the affirmative. Nor shall the senate have any power to levy war, men, or money, otherwise than by the consent of the people so given, or by a law so enacted, except in cases of exigence, in which it is agreed that the power, both of the senate and the people, shall be in the dictator, so qualified, and for such a term of time, as is according to that constitution already prescribed. While a law is in promulgation, the censors shall animadvert upon the senate; and the tribunes upon the people, that there be no laying of heads together, no conventicles or canvassing to carry on or oppose anything; but that all may be done in a free and open way.

"For the latter part of the power of the prerogative, or that whereby they are the supreme judicatory of this nation, and of the provinces of the same, the cognizances of crimes against the majesty of the people, such as high treason, as also of peculation, that is, robbery of the treasury, or defraudation of the commonwealth, appertains to this tribe. And if any person or persons, provincials or citizens, shall appeal to the people, it belongs to the prerogative to judge and determine the case; provided that if the appeal be from any court of justice in this nation or the provinces, the appellant shall first deposit £100 in the court from which he appeals, to be forfeited to the same if he be cast in his suit by the people. But the power of the council of war being the expedition of this commonwealth, and the martial law

of the strategus in the field, are those only from which there shall lie no appeal to the people.

“The proceeding of the prerogative in case of a proposition is to be thus ordered: The magistrates, proposing by authority of the senate, shall rehearse the whole matter, and expound it to the people; which done, they shall put the whole together to the suffrage, with three boxes, the negative, the affirmative, and the non-sincere; and the suffrage being returned to the tribunes, and numbered in the presence of the proposers. If the major vote be in the non-sincere, the proposer shall desist, and the senate shall resume the debate. If the major vote be in the negative, the proposers shall desist, and the senate too. But if the major vote be in the affirmative, then the tribe is clear, and the proposers shall begin and put the whole matter, with the negative and the affirmative (leaving out the non-sincere) by clauses; and the suffrages being taken and numbered by the tribunes in the presence of the proposers, shall be written and reported by the tribunes to the senate. And that which is proposed by the authority of the senate, and confirmed by the command of the people, is the law of Oceana.

“The proceeding of the prerogative in a case of judicature is to be thus ordered: The tribunes being auditors of all causes appertaining to the cognizance of the people, shall have notice of the suit or trial, whether of appeal or otherwise, that is to be commenced; and if any one of them shall accept of the same, it appertains to him to introduce it. A cause being introduced, and the people mustered or assembled for the decision of the same, the tribunes are presidents of the court, having power to keep it to orders, and shall be seated upon a scaffold erected in the middle of the tribe. Upon the right hand shall stand a seat or large pulpit assigned to the plaintiff or the accuser; and, upon the left, another for the defendant, each if they please with his counsel. And the tribunes (being attended upon such occasions with so many ballotins, secretaries, door-keepers, and messengers of the senate as shall be requisite) one of them shall turn up a glass of the nature of an hour-glass, but such a one as is to be of an hour and a half's running; which being turned up, the party or counsel on the right hand may begin to speak to the people. If there be papers to be read, or



witnesses to be examined, the officer shall lay the glass sideways till the papers be read and the witnesses examined, and then turn it up again; and so long as the glass is running, the party on the right hand has liberty to speak, and no longer. The party on the right hand having had his time, the like shall be done in every respect for the party on the left. And the cause being thus heard, the tribunes shall put the question to the tribe with a white, a black, and a red box (or non-sincere), whether guilty or not guilty. And if the suffrage being taken, the major vote be in the non-sincere, the cause shall be reheard upon the next juridical day following, and put to the question in the same manner. If the major vote comes the second time in the non-sincere, the cause shall be heard again upon the third day; but at the third hearing the question shall be put without the non-sincere. Upon the first of the three days in which the major vote comes in the white box, the party accused is absolved; and upon the first of them in which it comes in the black box, the party accused is condemned. The party accused being condemned, the tribunes (if the case be criminal) shall put with the white and the black box these questions, or such of them as, regard had to the case, they shall conceive most proper :

1. Whether he shall have a writ of ease.
2. Whether he shall be fined so much or so much.
3. Whether he shall be confiscated.
4. Whether he shall be rendered incapable of magistracy.
5. Whether he shall be banished.
6. Whether he shall be put to death.

“These, or any three of these questions, whether simple or such as shall be thought fitly mixed, being put by the tribunes, that which has most above half the votes in the black box is the sentence of the people, which the troop of the third classes is to see executed accordingly.

“But whereas by the constitution of this commonwealth it may appear that neither the propositions of the senate, nor the judicature of the people, will be so frequent as to hold the prerogative in continual employment, the senate, a main part of whose office it is to teach and instruct the people, shall duly

(if they have no greater affairs to divert them) cause an oration to be made to the prerogative by some knight or magistrate of the senate, to be chosen out of the ablest men, and from time to time appointed by the orator of the house, in the great hall of the pantheon, while the parliament resides in the town, or in some grove or sweet place in the field, while the parliament for the heat of the year shall reside in the country, upon every Tuesday, morning or afternoon.

“And the orator appointed for the time to this office shall first repeat the orders of the commonwealth with all possible brevity; and then, making choice of one or some part of it, discourse thereof to the people. An oration or discourse of this nature, being afterwards perused by the council of state, may as they see cause be printed and published.”

The Archon's comment upon the order I find to have been of this sense :

“My Lords,—

“To crave pardon for a word or two in farther explanation of what was read, I shall briefly show how the constitution of this tribe or assembly answers to their function; and how their function, which is of two parts, the former in the result or legislative power, the latter in the supreme judicature of the commonwealth, answers to their constitution. Machiavel has a discourse, where he puts the question, ‘Whether the guard of liberty may with more security be committed to the nobility or to the people?’ Which doubt of his arises through the want of explaining his terms; for the guard of liberty can signify nothing else but the result of the commonwealth: so that to say that the guard of liberty may be committed to the nobility, is to say that the result may be committed to the senate, in which case the people signify nothing. Now to show it was a mistake to affirm it to have been thus in Lacedemon, sufficient has been spoken; and whereas he will have it to be so in Venice also: ‘They,’ says Contarini, ‘in whom resides the supreme power of the whole commonwealth, and of the laws, and upon whose orders depends the authority as well of the senate as of all the other magistrates, is the Great Council.’ It is institutively in the great council, by the judgment of all that know that

ommonwealth ; though, for the reasons shown, it be sometimes exercised by the senate. Nor need I run over the commonwealths in this place for the proof of a thing so doubtless, and such as has been already made so apparent, as that the result of each was in the popular part of it. The popular part (of yours, or the prerogative tribe, consists of seven deputies whereof three are of the horse) annually elected out of every tribe of Oceana ; which being fifty, amounts to one hundred and fifty horse and two hundred foot. And the prerogative consisting of three of these lists, consists of four hundred and fifty horse and six hundred foot, besides those of the provinces to be hereafter mentioned ; by which means the overbalance in the suffrage remaining to the foot by one hundred and fifty votes, you have to the support of a true and natural aristocracy the deepest root of a democracy that has been ever planted. Wherefore there is nothing in art or nature better qualified for the result than this assembly. It is noted out of Cicero by Machiavel, 'That the people, though they are not so prone to find out truth of themselves as to follow custom or run into error, yet if they be shown truth, they not only acknowledge and embrace it very suddenly, but are the most constant and faithful guardians and conservators of it.' It is your duty and office, whereto you are also qualified by the orders of this commonwealth, to have the people as you have your hawks and greyhounds, in leashes and slips, to range the fields and beat the bushes for them ; for they are of a nature that is never good at this sport, but when you spring or start their proper quarry. Think not that they will stand to ask you what it is, or less know it than your hawks and greyhounds do theirs ; but presently make such a flight or course, that a huntsman may as well undertake to run with his dogs, or a falconer to fly with his hawk, as an aristocracy at this game to compare with the people. The people of Rome were possessed of no less a prey than the empire of the world, when the nobility turned tails, and perched among daws upon the tower of monarchy. For though they did not all of them intend the thing, they would none of them endure the remedy, which was the Agrarian.

"But the prerogative tribe has not only the result, but is the supreme judicature, and the ultimate appeal in this common-

wealth. For the popular government that makes account to be of any standing, must make sure in the first place of the appeal to the people. As an estate in trust becomes a man's own if he be not answerable for it, so the power of a magistracy not accountable to the people, from whom it was received, becoming of private use, the commonwealth loses her liberty. Wherefore the right of supreme judicature in the people (without which there can be no such thing as popular government) is confirmed by the constant practice of all commonwealths; as that of Israel in the cases of Achan, and of the tribe of Benjamin, adjudged by the congregation. The *dicasterian*, or court called the *heliia* in Athens, which (the *comitia* of that commonwealth consisting of the whole people, and so being too numerous to be a judicatory) was constituted sometimes of five hundred, at others of one thousand, or, according to the greatness of the cause, of fifteen hundred, elected by the lot out of the whole body of the people, had with the nine Archons that were presidents, the cognizance of such causes as were of highest importance in that State. The five ephors in Lacedemon, which were popular magistrates, might question their kings, as appears by the cases of Pausanias, and of Agis, who being upon his trial in this court, was cried to by his mother to appeal to the people, as Plutarch has it in his Life. The tribunes of the people of Rome (like, in the nature of their magistracy, and for some time in number, to the ephors, as being, according to Halicarnassus and Plutarch, instituted in imitation of them) had power to summon any man, his magistracy at least being expired (for from the dictator there lay no appeal) to answer for himself to the people. As in the case of Coriolanus, who was going about to force the people, by withholding corn from them in a famine, to relinquish the magistracy of the tribunes, in that of Spurius Cassius for affecting tyranny, of Marcus Sergius for running away at Veii, of Caius Lucretius for spoiling his province, of Junius Silanus for making war without a command from the people against the Cimbri, with divers others. And the crimes of this nature were called *læsæ majestatis*, or high treason. Examples of such as were arraigned or tried for peculation, or defraudation of the commonwealth, were Marcus Curius for intercepting the money of the Samnites, Salinator for

the unequal division of spoils to his soldiers, Marcus Posthumius for cheating the commonwealth by a feigned shipwreck. Causes of these two kinds were of a more public nature ; but the like power upon appeals was also exercised by the people in private matters, even during the time of the kings, as in the case of Horatius. Nor is it otherwise with Venice, where the Doge Loredano was sentenced by the great council, and Antonio Grimani, afterwards doge, questioned, for that he, being admiral, had suffered the Turk to take Lepanto in view of his fleet.

“ Nevertheless, there lay no appeal from the Roman dictator to the people ; which, if there had, might have cost the commonwealth dear, when Spurius Melius, affecting empire, circumvented and debauched the tribunes : whereupon Titus Quintus Cincinnatus was created dictator, who having chosen Servilius Ahala to be his lieutenant, or *magister equitum*, sent him to apprehend Melius, whom, while he disputed the commands of the dictator and implored the aid of the people, Ahala cut off upon the place. By which example you may see in what cases the dictator may prevent the blow which is ready sometimes to fall ere the people be aware of the danger. Wherefore there lies no appeal from the *dieci*, or the council of ten, in Venice, to the great council, nor from our council of war to the people. For the way of proceeding of this tribe, or the ballot, it is, as was once said for all, Venetian.

“ This discourse of judicatories whereupon we are fallen, brings us rather naturally than of design from the two general orders of every commonwealth, that is to say, from the debating part or the senate, and the resolving part or the people, to the third, which is the executive part or the magistracy, whereupon I shall have no need to dwell, for the executive magistrates of this commonwealth are the strategus in arms ; the signory in their several courts, as the chancery, the exchequer ; as also the councils in divers cases within their instructions ; the censors as well in their proper magistracy, as in the council of religion ; the tribunes in the government of the prerogative, and that judicatory ; and the judges with their courts ; of all which so much is already said or known as may suffice.

“ The Tuesday lectures or orations to the people will be of

great benefit to the senate, the prerogative, and the whole nation. To the senate, because they will not only teach your senators elocution, but keep the system of the government in their memories. Elocution is of great use to your senators, for if they do not understand rhetoric (giving it at this time for granted that the art were not otherwise good) and come to treat with, or vindicate the cause of the commonwealth against some other nation that is good at it, the advantage will be subject to remain upon the merit of the art, and not upon the merit of the cause. Furthermore, the genius or soul of this government being in the whole and in every part, they will never be of ability in determination upon any particular, unless at the same time they have an idea of the whole. That this therefore must be, in that regard, of equal benefit to the prerogative, is plain; though these have a greater concernment in it. For this commonwealth is the estate of the people; and a man, you know, though he be virtuous, yet if he does not understand his estate, may run out or be cheated of it. Last of all, the treasures of the politics will by this means be so opened, rifled, and dispersed, that this nation will as soon dot like the Indians, upon glass beads, as disturb your government with whimsies and freaks of mother-wit, or suffer themselves to be stuttered out of their liberties. There is not any reason why your grandees, your wise men of this age, that laugh out and openly at a commonwealth as the most ridiculous thing, do not appear to be, as in this regard they are, mere idiots, but that the people have not eyes."

There remains no more relating to the senate and the people than

The twenty-fourth order, "Whereby it is lawful for the province of Marpesia to have thirty knights of their own election continually present in the senate of Oceana, together with sixty deputies of horse, and one hundred and twenty of foot in the prerogative tribe, endued with equal power (respect had to their quality and number) in the debate and result of this commonwealth, provided that they observe the course or rotation of the same by the annual return of ten knights, twenty deputies of the horse, and forty of the foot. The like in all respects is lawful for Panopea; and the horse of both the provinces

mounting to one troop, and the foot to one company, one captain and one cornet of the horse shall be annually chosen by Larpesia, and one captain and one ensign of the foot shall be annually chosen by Panopea."

The orb of the prerogative being thus complete, is not un- naturally compared to that of the moon, either in consideration of the light borrowed from the senate, as from the sun ; or of the ebbs and floods of the people, which are marked by the negative or affirmative of this tribe. And the constitution of the senate and the people being shown, you have that of the parliament of Oceana, consisting of the senate proposing, and of the people resolving, which amounts to an act of parliament. So the parliament is the heart, which, consisting of two ventricles, the one greater and replenished with a grosser matter, the other less and full of a purer, sucks in and spouts forth the vital blood of Oceana by a perpetual circulation. Wherefore the life of this government is no more unnatural or obnoxious upon this score to dissolution than that of a man ; nor to giddiness than the world ; seeing the earth, whether it be itself or the heavens that are in rotation, is so far from being giddy, that it could not subsist without motion. But why should not this government be much rather capable of duration and steadiness by motion ? Than which God has ordained no other to the universal commonwealth of mankind : seeing one generation comes and another goes, but the earth remains firm for ever ; that is, in her proper situation or place, whether she be moved or not moved upon her proper centre. The senate, the people, and the magistracy, or the parliament so constituted, as you have seen, is the guardian of this commonwealth, and the husband of such a wife as is elegantly described by Solomon : "She is like the merchant's ships ; she brings her food from far. She considers a field, and buys it : with the fruit of her hands she plants a vineyard. She perceives that her merchandise is good. She stretches forth her hands to the poor. She is not afraid of the snow for her household ; for all her household are clothed with scarlet. She makes herself coverings of tapestry ; her clothing is silk and purple. Her husband is known [by his robes] in the gates, when he sits among the senators of the land." The gates, or inferior courts, were branches, as it were, of the Sanhedrim or senate of Israel. Nor is our commonwealth a

worse housewife, or she has less regard to her magistrates; as may appear by

The twenty-fifth order, "That, whereas the public revenue is through the late civil wars dilapidated, the excise, being improved or improvable to the revenue of £1,000,000, be applied for the space of eleven years to come, to the reparation of the same, and for the present maintenance of the magistrates, knights, duputies, and other officers, who, according to their several dignities and functions, shall annually receive towards the support of the same, as follows :

"The lord strategus marching, is, upon another account, to have field pay as general.

	Per annum.
The Lord Strategus sitting . . . . .	£2,000
The Lord Orator . . . . .	2,000
The 3 Commissioners of the Seal . . . . .	4,500
The 3 Commissioners of the Treasury . . . . .	4,500
The 2 Censors . . . . .	3,000
The 290 Knights, at £500 a man . . . . .	145,000
The 4 Ambassadors in Ordinary . . . . .	12,000
The Council of War for Intelligence . . . . .	3,000
The Master of the Ceremonies . . . . .	500
The Master of the Horse . . . . .	500
His substitute . . . . .	150
The 12 ballotins for their winter liveries . . . . .	240
For their summer liveries . . . . .	120
For their board-wages . . . . .	480
For the keeping of 3 coaches of state, 24 coach-horses, with coachmen and postillions . . . . .	1,500
For the grooms, and keeping of 16 great horses for the Master of the Horse, and for the ballotins whom he is to govern and instruct in the art of riding . . . . .	480
The 20 Secretaries of the Parliament . . . . .	2,000
The 20 doorkeepers, who are to attend with pole-axes, for their coats . . . . .	200
For their board-wages . . . . .	1,000
The 20 messengers, which are trumpeters, for their coats . . . . .	200
For their board-wages . . . . .	1,000
For ornament of the musters of the youth . . . . .	5,000
Sum . . . . .	189,370



“Out of the personal estates of every man, who at his death bequeaths not above forty shillings to the muster of that hundred wherein it lies, shall be levied one per cent. till the solid revenue of the muster of the hundred amounts to £50 per annum for the prizes of the youth.

“The twelve ballotins are to be divided into three regions, according to the course of the senate; the four of the first region to be elected at the tropic out of such children as the knights of the same shall offer, not being under eleven years of age, nor above thirteen. And their election shall be made by the lot at an urn set by the sergeant of the house for that purpose in the hall of the pantheon. The livery of the commonwealth for the fashion or the colour may be changed at the election of the strategus according to his fancy. But every knight during his session shall be bound to give to his footman, or some one of his footmen, the livery of the commonwealth.

“The prerogative tribe shall receive as follows :—

	By the week.
The 2 Tribunes of the Horse . . . . .	£14 0
The 2 Tribunes of the Foot . . . . .	12 0
The 3 Captains of the Horse . . . . .	15 0
The 3 Cornets . . . . .	9 0
The 3 Captains of Foot . . . . .	12 0
The 3 Ensigns . . . . .	7 0
The 442 horse, at £2 a man . . . . .	884 0
The 592 foot, at £1 10s. a man . . . . .	888 0
The 6 trumpeters . . . . .	7 10
The 3 drummers . . . . .	2 5
Sum by the week . . . . .	£1,250 15
Sum by the year . . . . .	£96,239 0
The total of the senate, the people, and the magistracy . . . . .	£287,459 15

“The dignity of the commonwealth, and aids of the several magistracies and offices thereto belonging, being provided for as aforesaid, the overplus of the excise, with the product of the sum rising, shall be carefully managed by the senate and the

people through the diligence of the officers of the exchequer, till it amount to £8,000,000, or to the purchase of about £400,000 solid revenue. At which time, the term of eleven years being expired, the excise, except it be otherwise ordered by the senate and the people, shall be totally remitted and abolished for ever."

At this institution the taxes, as will better appear in the Corollary, were abated about one half, which made the order, when it came to be tasted, to be of good relish with the people in the very beginning; though the advantages then were no ways comparable to the consequences to be hereafter shown. Nevertheless, my Lord Epimonus, who with much ado had been held till now, found it midsummer moon, and broke out of bedlam in this manner :

" My Lord Archon,—

" I have a singing in my head like that of a cartwheel, my brains are upon a rotation; and some are so merry, that a man cannot speak his griefs, but if your highshod prerogative, and those same slouching fellows your tribunes, do not take my lord strategus's and my lord orator's heads, and jole them together under the canopy, then let me be ridiculous to all posterity. For here is a commonwealth, to which if a man should take that of the 'prentices in their ancient administration of justice at Shrovetide, it were an aristocracy. You have set the very rabble with truncheons in their hands, and the gentry of this nation, like cocks with scarlet gills, and the golden combs of their salaries to boot, lest they should not be thrown at.

" Not a night can I sleep for some horrid apparition or other; one while these myrmidons are measuring silks by their quarter-staves, another stuffing their greasy pouches with my lord high treasurer's jacobusses. For they are above a thousand in arms to three hundred, which, their gowns being pulled over their ears, are but in their doublets and hose. But what do I speak of a thousand? There be two thousand in every tribe, that is, a hundred thousand in the whole nation, not only in the posture of an army, but in a civil capacity sufficient to give us what laws they please. Now everybody knows that the lower sort of people regard nothing but money; and you say it is the duty

of a legislator to presume all men to be wicked : wherefore they must fall upon the richer, as they are an army ; or, lest their minds should misgive them in such a villany, you have given them encouragement that they have a nearer way, seeing it may be done every whit as well as by the overbalancing power which they have in elections. There is a fair which is annually kept in the centre of these territories at Kiberton, a town famous for ale, and frequented by good fellows ; where there is a solemnity of the pipers and fiddlers of this nation (I know not whether Lacedemon, where the senate kept account of the stops of the flutes and of the fiddle-strings of that commonwealth, had any such custom) called the bull-running ; and he that catches and holds the bull, is the annual and supreme magistrate of that *comitia* or congregation, called king piper, without whose license it is not lawful for any of those citizens to enjoy the liberty of his calling ; nor is he otherwise legitimately qualified (or *civitate donatus*) to lead apes or bears in any perambulation of the same. Mine host of the Bear, in Kiberton, the father of ale, and patron of good football and cudgel players, has any time since I can remember been grand chancellor of this order. Now, say I, seeing great things arise from small beginnings, what should hinder the people, prone to their own advantage and loving money, from having intelligence conveyed to them by this same king piper and his chancellor, with their loyal subjects the minstrels and bearwards, masters of ceremonies, to which there is great recourse in their respective perambulations, and which they will commission and instruct, with directions to all the tribes, willing and commanding them, that as they wish their own good, they choose no other into the next *primum mobile* but of the ablest cudgel and football players ? Which done as soon as said, your *primum mobile*, consisting of no other stuff, must of necessity be drawn forth into your *nebulones* and your *galimofries* ; and so the silken purses of your senate and prerogative being made of sows' ears, most of them blacksmiths, they will strike while the iron is hot, and beat your estates into hobnails, mine host of the Bear being strategus, and king piper lord orator. Well, my Lords, it might have been otherwise expressed, but this is well enough a-conscience. In your way, the wit of man shall not prevent this or the like

inconvenience ; but if this (for I have conferred with artists) be a mathematical demonstration, I could kneel to you, that ere it be too late we might return to some kind of sobriety.

“ If we empty our purses with these pomps, salaries, coaches, lackeys, and pages, what can the people say less than that we have dressed a senate and a prerogative for nothing but to go to the park with the ladies ? ”

My Lord Archon, whose meekness resembled that of Moses, vouchsafed this answer :

“ My Lords,—

“ For all this, I can see my Lord Epimonus every night in the park, and with ladies ; nor do I blame this in a young man, or the respect which is and ought to be given to a sex that is one half of the commonwealth of mankind, and without which the other would be none : but our magistrates, I doubt, may be somewhat of the oldest to perform this part with much acceptation ; and, as the Italian proverb says, *Servire e non gradire è cosa da far morire*. Wherefore we will lay no certain obligation upon them in this point, but leave them, if it please you, to their own fate or discretion. But this (for I know my Lord Epimonus loves me, though I can never get his esteem) I will say, if he had a mistress should use him so, he would find it a sad life ; or I appeal to your lordships, how I can resent it from such a friend, that he puts king piper’s politics in the balance with mine. King piper, I deny not, may teach his bears to dance, but they have the worst ear of all creatures. Now how he should make them keep time in fifty several tribes, and that two years together, for else it will be to no purpose, may be a small matter with my lord to promise ; but it seems to me of impossible performance. First, through the nature of the bean ; and, secondly, through that of the ballot ; or how what he has hitherto thought so hard, is now come to be easy ; but he may think that for expedition they will eat up these balls like apples. However, there is so much more in their way by the constitution of this, than is to be found in that of any other commonwealth, that I am reconciled, it now appearing plainly that the points of my lord’s arrows are directed at no other white than to show the excellency of our government above others ; which, as he

proceeds further, is yet plainer ; while he makes it appear that there can be no other elected by the people but smiths :

*Brontesque Steropesque et nudus membra Pyracmon :*

Othoniel, Aod, Gideon, Jephtha, Samson, as in Israel ; Miltiades, Aristides, Themistocles, Cimon, Pericles, as in Athens ; Papyrius, Cincinnatus, Camillus, Fabius Scipio, as in Rome : smiths of the fortune of the commonwealth ; not such as forged hobnails, but thunderbolts. Popular elections are of that kind, that all the rest of the world is not able, either in number or glory, to equal those of these three commonwealths. These indeed were the ablest cudgel and football players ; bright arms were their cudgels, and the world was the ball that lay at their feet. Wherefore we are not so to understand the maxim of legislators, which holds all men to be wicked, as if it related to mankind or a commonwealth, the interests whereof are the only straight lines they have whereby to reform the crooked ; but as it relates to every man or party, under what colour soever he or they pretend to be trusted apart, with or by the whole. Hence then it is derived, which is made good in all experience, that the aristocracy is ravenous, and not the people. Your highwaymen are not such as have trades, or have been brought up to industry ; but such commonly whose education has pretended to that of gentlemen. My lord is so honest, he does not know the maxims that are of absolute necessity to the arts of wickedness ; for it is most certain, if there be not more purses than thieves, that the thieves themselves must be forced to turn honest, because they cannot thrive by their trade ; but now if the people should turn thieves, who sees not that there would be more thieves than purses ? wherefore that a whole people should turn robbers or levellers, is as impossible in the end as in the means. But that I do not think your artist which you mentioned, whether astronomer or arithmetician, can tell me how many barleycorns would reach to the sun, I could be content he were called to the account, with which I shall conclude this point : when by the way I have chid my lords the legislators, who, as if they doubted my tackling could not hold, would leave me to flag in a perpetual calm, but for my Lord Epimonus, who breathes now and then into my sails and stirs

the waters. A ship makes not her way so briskly as when she is handsomely brushed by the waves, and tumbles over those that seem to tumble against her ; in which case I have perceived in the dark that light has been struck even out of the sea, as in this place, where my Lord Epimonus feigning to give us a demonstration of one thing, has given it of another, and of a better. For the people of this nation, if they amount in each tribe to two thousand elders and two thousand youths upon the annual roll, holding a fifth to the whole tribe, then the whole of a tribe, not accounting women and children, must amount to twenty thousand ; and so the whole of all the tribes, being fifty, to one million. Now you have ten thousand parishes, and reckoning these one with another, each at £1000 a year dry rent, the rent or revenue of the nation, as it is or might be let to farm, amounts to £10,000,000 ; and £10,000,000 in revenue divided equally to one million of men, comes but to £10 pounds a year to each wherewith to maintain himself, his wife and children. But he that has a cow upon the common, and earns his shilling by the day at his labour, has twice as much already as this would come to for his share ; because if the land were thus divided, there would be nobody to set him on work. So my Lord Epimonus's footman, who costs him thrice as much as one of these could thus get, would certainly lose by his bargain. What should we speak of those innumerable trades whereupon men live, not only better than others upon good shares of lands, but become also purchasers of greater estates ? Is not this the demonstration which my lord meant, that the revenue of industry in a nation, at least in this, is three or four-fold greater than that of the mere rent ? If the people then obstruct industry, they obstruct their own livelihood ; but if they make a war, they obstruct industry. Take the bread out of the people's mouths, as did the Roman patricians, and you are sure enough of a war, in which case they may be levellers ; but our Agrarian causes their industry to flow with milk and honey. It will be owned that this is true, if the people were given to understand their own happiness ; but where is it they do that ? Let me reply with the like question, where do they not ? They do not know their happiness it should seem in France, Spain and Italy ; but teach them what it is, and try whose sense

is the truer. As to the late wars in Germany, it has been affirmed to me there, that the princes could never make the people to take arms while they had bread, and have therefore suffered countries now and then to be wasted that they might get soldiers. This you will find to be the certain pulse and temper of the people; and if they have been already proved to be the most wise and constant order of a government, why should we think (when no man can produce one example of the common soldiery in an army mutinying because they had not captains' pay) that the prerogative should jole the heads of the senate together because these have the better salaries, when it must be as evident to the people in a nation, as to the soldiery in an army, that it is no more possible their emoluments of this kind should be afforded by any commonwealth in the world to be made equal with those of the senate, than that the common soldiers should be equal with the captains? It is enough for the common soldier that his virtue may bring him to be a captain, and more to the prerogative, that each of them is nearer to be a senator.

“If my lord thinks our salaries too great, and that the commonwealth is not housewife enough, whether is it better housewifery that she should keep her family from the snow, or suffer them to burn her house that they may warm themselves? for one of these must be. Do you think that she came off at a cheaper rate when men had their rewards by £1000 or £2000 a year in land of inheritance? If you say that they will be more godly than they have been, it may be ill taken; and if you cannot promise that, it is time we find out some way of stinting at least, if not curing them of that same *saera fames*. On the other side, if a poor man (as such a one may save a city) gives his sweat to the public, with what conscience can you suffer his family in the meantime to starve? but he that lays his hand to this plough shall not lose by taking it off from his own, and a commonwealth that will mend this shall be penny wise. The Sanhedrim of Israel, being the supreme, and a constant court of judicature, could not choose but be exceeding gainful. The senate of the bean in Athens, because it was but annual, was moderately salaried; but that of the Areopigites being for life, bountifully; and what advantages

the senators of Lacedæmon had, where there was little money or use of it, were in honours for life. The patricians having no profit, took all. Venice being a situation where a man goes but to the door for his employment, the honour is great and the reward very little; but in Holland a councillor of state has fifteen hundred Flemish pounds a year, besides other accommodations. The States-General have more. And that commonwealth looks nearer her penny than ours needs to do.

“For the revenue of this nation, besides that of her industry, it amounts, as has been shown, to £10,000,000; and the salaries in the whole come not to £300,000 a year. The beauty they will add to the commonwealth will be exceeding great, and the people will delight in this beauty of their commonwealth; the encouragement they will give to the study of the public being very profitable, the accommodation they will afford to your magistrates very honourable and easy. And the sum, when it or twice as much was spent in hunting and housekeeping, was never any grievance to the people. I am ashamed to stand huckling upon this point; it is sordid. Your magistrates are rather to be provided with further accommodations. For what if there should be sickness? whither will you have them to remove? And this city in the soundest times, for the heat of the year, is no wholesome abode: have a care of their healths to whom you commit your own. I would have the senate and the people, except they see cause to the contrary, every first of June to remove into the country air for the space of three months. You are better fitted with summer-houses for them than if you had built them to that purpose. There is some twelve miles distant the *convallium* upon the river Halcionia, for the tribunes and the prerogative, a palace capable of a thousand men; and twenty miles distant you have mount Celia, reverend as well for the antiquity as state of a castle completely capable of the senate, the proposers having lodgings in the *convallium*, and the tribunes in Celia, it holds the correspondency between the senate and the people exactly. And it is a small matter for the proposers, being attended with the coaches and officers of state, besides other conveniences of their own, to go a matter of five or ten miles (those seats are not much farther distant) to meet the people



upon any heath or field that shall be appointed : where, having despatched their business, they may hunt their own venison (for I would have the great walled park upon the Halcionia to belong to the signory, and those about the *convallium* to the tribunes) and so go to supper. Pray, my Lords, see that they do not pull down these houses to sell the lead of them ; for when you have considered on it, they cannot be spared. The founders of the school in Hiera provided that the boys should have a summer seat. You should have as much care of these magistrates. But there is such a selling, such a Jewish humour in our republicans, that I cannot tell what to say to it ; only this, any man that knows what belongs to a commonwealth, or how diligent every nation in that case has been to preserve her ornaments, and shall see the waste lately made (the woods adjoining to this city, which served for the delight and health of it, being cut down to be sold for three pence), will tell you that they who did such things would never have made a commonwealth. The like may be said of the ruin or damage done upon our cathedrals, ornaments in which this nation excels all others. Nor shall this ever be excused upon the score of religion ; for though it be true that God dwells not in houses made with hands, yet you cannot hold your assemblies but in such houses, and these are of the best that have been made with hands. Nor is it well argued that they are pompous, and therefore profane, or less proper for divine service, seeing the Christians in the primitive Church chose to meet with one accord in the Temple, so far were they from any inclination to pull it down."

The orders of this commonwealth, so far, or near so far as they concern the elders, together with the several speeches at the institution, which may serve for the better understanding of them as so many commentaries, being shown, I should now come from the elders to the youth, or from the civil constitution of this government to the military, but that I judge this the fittest place whereinto, by the way, to insert the government of the city, though for the present but perfunctorily :—

“ The metropolis or capital city of Oceana is commonly called **Emporium**, though it consists of two cities distinct, as well in name as in government, whereof the other is called Hiera, for

which cause I shall treat of each apart, beginning with Emporium.

“Emporium with the liberties is under a twofold division, the one regarding the national, and the other the urban or city government. It is divided, in regard of the national government, into three tribes, and in respect of the urban into twenty-six, which for distinction sake are called wards, being contained under three tribes but unequally; wherefore the first tribe containing ten wards is called *scaxon*, the second containing eight *metoche*, and the third containing as many *telicouta*, the bearing of which names in mind concerns the better understanding of the government.

“Every ward has her wardmote, court, or inquest, consisting of all that are of the clothing or liveries of companies residing within the same.

“Such are of the livery or clothing as have attained to the dignity to wear gowns and parti-coloured hoods or tippets, according to the rules and ancient customs of their respective companies.

“A company is a brotherhood of tradesmen professing the same art, governed according to their charter by a master and wardens. Of these there be about sixty, whereof twelve are of greater dignity than the rest, that is to say, the mercers, grocers, drapers, fishmongers, goldsmiths, skinnors, merchant-tailors, haberdashers, salters, ironmongers, vintners, cloth-workers, which, with most of the rest, have common halls, divers of them being of ancient and magnificent structure, wherein they have frequent meetings, at the summons of their master or wardens, for the managing and regulation of their respective trades and mysteries. These companies, as I shall show, are the roots of the whole government of the city. For the liveries that reside in the same ward, meeting at the wardmote inquest (to which it belongs to take cognizance of all sorts of nuisances and violations of the customs and orders of the city, and to present them to the court of aldermen), have also power to make election of two sorts of magistrates or officers; the first of elders or aldermen of the ward, the second of deputies of the same, otherwise called common councilmen.

“The wards in these elections, because they do not elect all at

once, but some one year and some another, observe the distinction of the three tribes ; for example, the *scazon*, consisting of ten wards, makes election the first year of ten aldermen, one in each ward, and of one hundred and fifty deputies, fifteen in each ward, all which are triennial magistrates or officers, that is to say, are to bear their dignity for the space of three years.

“The second year the *metoche*, consisting of eight wards, elects eight aldermen, one in each ward, and a hundred and twenty deputies, fifteen in each ward, being also triennial magistrates.

“The third year *telicouta*, consisting of a like number of wards, elects an equal number of like magistrates for a like term. So that the whole number of the aldermen, according to that of the wards, amounts to twenty-six ; and the whole number of the deputies, to three hundred and ninety.

“The aldermen thus elected have divers capacities : for, first, they are justices of the peace for the term, and in consequence of their election. Secondly, they are presidents of the ward-mote, and governors each of that ward whereby he was elected. And last of all, these magistrates being assembled together, constitute the senate of the city, otherwise called the court of aldermen ; but no man is capable of this election that is not worth £10,000. This court upon every new election makes choice of nine censors out of their own number.

“The deputies in like manner being assembled together, constitute the prerogative tribe of the city, otherwise called the common council, by which means the senate and the people of the city were comprehended, as it were, by the motion of the national government, into the same wheel of annual, triennial, and perpetual revolution.

“But the liveries, over and above the right of these elections by their divisions mentioned, being assembled all together at the guild of the city, constitute another assembly called the common hall.

“The common hall has the right of two other elections : the one of the lord mayor, and the other of the two sheriffs, being annual magistrates. The lord mayor can be elected out of no other than one of the twelve companies of the first ranks ; and

the common hall agrees by the plurality of suffrages upon two names, which, being presented to the lord mayor for the time being, and the court of aldermen, they elect one by their scrutiny; for so they call it, though it differs from that of the commonwealth. The orator or assistant to the lord mayor in holding of his courts, is some able lawyer elected by the court of aldermen, and called the recorder of Emporium.

The lord mayor being thus elected, has two capacities: one regarding the nation, and the other the city. In that which regards the city, he is president of the court of aldermen, having power to assemble the same, or any other council of the city, as the common council or common hall, at his will and pleasure; and in that which regards the nation, he is commander-in-chief of the three tribes whereinto the city is divided; one of which he is to bring up in person at the national muster to the ballot, as his vice-comites, or high sheriffs, are to do by the other two, each at their distinct pavilion, where the nine aldermen, elected censors, are to officate by three in each tribe, according to the rules and orders already given to the censors of the rustic tribes. And the tribes of the city have no other than one common phylarch, which is the court of aldermen and the common council, for which cause they elect not at their muster the first list called the prime magnitude.

“The conveniences of this alteration of the city government, besides the bent of it to a conformity with that of the nation, were many, whereof I shall mention but a few: as first, whereas men under the former administration, when the burden of some of these magistracies lay for life, were oftentimes chosen not for their fitness, but rather unfitness, or at least unwillingness to undergo such a weight, whereby they were put at great rates to fine for their ease; a man might now take his share in magistracy with that equity which is due to the public, and without any inconvenience to his private affairs. Secondly, whereas the city (inasmuch as the acts of the aristocracy, or court of aldermen, in their former way of proceeding, were rather impositions than propositions) was frequently disquieted with the inevitable consequence of disorder in the power of debate exercised by the popular part, or common council; the right of debate being henceforth established in the court of

aldermen, and that of result in the common council, killed the branches of division in the root. Which for the present may suffice to have been said of the city of Emporium.

“That of Hiera consists as to the national government of two tribes, the first called *agoræa*, the second *propola*; but as to the peculiar policy of twelve *manipuls*, or wards divided into three cohorts, each cohort containing four wards, whereof the wards of the first cohort elect for the first year four burgesses, one in each ward, the wards of the second cohort for the second year four burgesses, one in each ward, and the wards of the third cohort for the third year four burgesses, one in each ward, all triennial magistrates; by which the twelve burgesses, making one court for the government of this city, according to their instructions by act of parliament, fall likewise into an annual, triennial, and perpetual revolution.

“This court being thus constituted, makes election of divers magistrates; as first, of a high steward, who is commonly some person of quality, and this magistracy is elected in the senate by the scrutiny of this court; with him they choose some able lawyer to be his deputy, and to hold the court; and last of all they elect out of their own number six censors.

“The high steward is commander-in-chief of the two tribes, whereof he in person brings up the one at the national muster to the ballot, and his deputy the other at a distinct pavilion; the six censors chosen by the court officiating by three in each tribe at the urns; and these tribes have no other phylarch but this court.

“As for the manner of elections and suffrage, both in Emporium and Hiera, it may be said, once for all, that they are performed by ballot, and according to the respective rules already given.

“There be other cities and corporations throughout the territory, whose policy being much of this kind, would be tedious and not worth the labour to insert, nor dare I stay. *Juvenum manus emicat ardens.*”

I return, according to the method of the commonwealth, to the remaining parts of her orbs, which are military and provincial; the military, except the strategus, and the polemarchs or field officers, consisting of the youth only, and the provincial consisting of a mixture both of elders and of the youth.

To begin with the youth, or the military orbs, they are circles

to which the commonwealth must have a care to keep close. A man is a spirit raised by the magic of Nature ; if she does not stand safe, and so that she may set him to some good and useful work, he spits fire, and blows up castles ; for where there is life, there must be motion or work ; and the work of idleness is mischief, but the work of industry is health. To set men to this, the commonwealth must begin betimes with them, or it will be too late ; and the means whereby she sets them to it is education, the plastic art of government. But it is as frequent as sad in experience (whether through negligence, or, which in the consequence is all one or worse, over-fondness in the domestic performance of this duty) that innumerable children come to owe their utter perdition to their own parents, in each of which the commonwealth loses a citizen. Wherefore the laws of a government, how wholesome soever in themselves, are such as, if men by a congruity in their education be not bred to find a relish in them, they will be sure to loathe and detest. The education therefore of a man's own children is not wholly to be committed or trusted to himself. You find in Livy the children of Brutus, having been bred under monarchy, and used to a court life, making faces at the commonwealth of Rome : "A king [say they] is a man with whom you may prevail when you have need there should be law, or when you have need there should be no law ; he has favours in the right, and he frowns not in the wrong place ; he knows his friends from his enemies. But laws are deaf, inexorable things, such as make no difference between a gentleman and an ordinary fellow ; a man can never be merry for them, for to trust altogether to his own innocence is a sad life." Unhappy wantons ! Scipio, on the other side, when he was but a boy (about two or three and twenty), being informed that certain patricians of Roman gentlemen, through a qualm upon the defeat which Hannibal had given them at Cannæ, were laying their heads together and contriving their flight with the transportation of their goods out of Rome, drew his sword, and setting himself at the door of the chamber where they were at council, protested "that who did not immediately swear not to desert the commonwealth, he would make his soul to desert his body." Let men argue as they please for monarchy, or against a commonwealth, the world shall never see any man

so sottish or wicked as in cool blood to prefer the education of the sons of Brutus before that of Scipio; and of this mould, except a Melius or a Manlius, was the whole youth of that commonwealth, though not ordinarily so well cast. Now the health of a government and the education of the youth being of the same pulse, no wonder if it has been the constant practice of well-ordered commonwealths to commit the care and feeling of it to public magistrates. A duty that was performed in such a manner by the Areopagites, as is elegantly praised by Isocrates. "The Athenians [says he] write not their laws upon dead walls, nor content themselves with having ordained punishments for crimes, but provide in such a way, by the education of their youth, that there be no crimes for punishment." He speaks of those laws which regarded manners, not of those orders which concerned the administration of the commonwealth, lest you should think he contradicts Xenophon and Polybius. The children of Lacedemon, at the seventh year of their age, were delivered to the *padonomi*, or schoolmasters, not mercenary, but magistrates of the commonwealth, to which they were accountable for their charge; and by these at the age of fourteen they were presented to other magistrates called the *beidiai*, having the inspection of the games and exercises, among which that of the *platanista* was famous, a kind of fight in squadrons, but somewhat too fierce. When they came to be of military age they were listed of the *mora*, and so continued in readiness for public service under the discipline of the polemarchs. But the Roman education and discipline by the centuries and classes is that to which the commonwealth of Oceana has had a more particular regard in her three essays, being certain degrees by which the youth commence as it were in arms for magistracy, as appears by

The twenty-sixth order, instituting, "That if a parent has but one son, the education of that one son shall be wholly at the disposition of that parent. But whereas there be free schools erected and endowed, or to be erected and endowed in every tribe of this nation, to a sufficient proportion for the education of the children of the same (which schools, to the end there be no detriment or hindrance to the scholars upon case of removing from one to another, are every of them to be governed by the

strict inspection of the censors of the tribes, both upon the schoolmaster's manner of life and teaching, and the proficiency of the children, after the rules and method of that in Hiera), if a parent has more sons than one, the censors of the tribes shall animadvert upon and punish him that sends not his sons within the ninth year of their age to some one of the schools of a tribe, there to be kept and taught, if he be able, at his own charges; and if he be not able, gratis, till they arrive at the age of fifteen years. And a parent may expect of his sons at the fifteenth year of their age, according to his choice or ability, whether it be to service in the way of apprentices to some trade or otherwise, or to further study, as by sending them to the inns of court, of chancery, or to one of the universities of this nation. But he that takes not upon him one of the professions proper to some of those places, shall not continue longer in any of them than till he has attained to the age of eighteen years; and every man having not at the age of eighteen years taken upon him, or addicted himself to the profession of the law, theology, or physic, and being no servant, shall be capable of the essays of the youth, and no other person whatsoever, except a man, having taken upon him such a profession, happens to lay it by ere he arrives at three or four and twenty years of age, and be admitted to this capacity by the respective phylarch, being satisfied that he kept not out so long with any design to evade the service of the commonwealth; but, that being no sooner at his own disposal, it was no sooner in his choice to come in. And if any youth or other person of this nation have a desire to travel into foreign countries upon occasion of business, delight, or further improvement of his education, the same shall be lawful for him upon a pass obtained from the censors in parliament, putting a convenient limit to the time, and recommending him to the ambassadors by whom he shall be assisted, and to whom he shall yield honour and obedience in their respective residences. Every youth at his return from his travel is to present the censors with a paper of his own writing, containing the interest of state or form of government of the countries, or some one of the countries, where he has been; and if it be good, the censors shall cause it to be printed and published, prefixing a line in commendation of the author.



“Every Wednesday next ensuing the last of December, the whole youth of every parish, that is to say every man (not excepted by the foregoing part of the order), being from eighteen years of age to thirty, shall repair at the sound of the bell to their respective church, and being there assembled in presence of the overseers, who are to govern the ballot, and the constable who is to officiate at the urn, shall, after the manner of the elders, elect every fifth man of their whole number (provided that they choose not above one of two brothers at one election, nor above half if they be four or upward) to be a stratiot or deputy of the youth; and the list of the stratiots so elected being taken by the overseers, shall be entered in the parish book, and diligently preserved as a record, called the first essay. They whose estates by the law are able, or whose friends are willing, to mount them, shall be of the horse, the rest are of the foot. And he who has been one year of this list, is not capable of being re-elected till after another year’s interval.

“Every Wednesday next ensuing the last of January, the stratiots being mustered at the rendezvous of their respective hundred, shall, in the presence of the jurymen, who are overseers of that ballot, and of the high constable who is to officiate at the urn, elect out of the horse of their troop or company one captain, and one ensign or cornet, to the command of the same. And the jurymen having entered the list of the hundred into a record to be diligently kept at the rendezvous of the same, the first public game of this commonwealth shall begin and be performed in this manner. Whereas there is to be at every rendezvous of a hundred one cannon, culverin, or saker, the prize arms being forged by sworn armourers of this commonwealth, and for their proof, besides their beauty, viewed and tried at the tower of Emporium, shall be exposed by the justice of peace appertaining to that hundred (the said justice with the jurymen being judges of the game), and the judges shall deliver to the horseman that gains the prize at the career, one suit of arms being of the value of £20, to the pikeman that gains the prize at throwing the bullet, one suit of arms of the value of £10, to the musketeer that gains the prize at the mark with his musket, one suit of arms of the value of £10, and to the cannoneer that gains the prize at the mark with the cannon,

culverin, or saker, a chain of silver being the value of £10, provided that no one man at the same muster plays above one of the prizes. Whosoever gains a prize is bound to wear it (if it be his lot) upon service ; and no man shall sell or give away any armour thus won, except he has lawfully attained to two or more of them at the games.

“ The games being ended, and the muster dismissed, the captain of the troop or company shall repair with a copy of the list to the lord lieutenant of the tribe, and the high constable with a duplicate of the same to the *custos rotulorum*, or muster-master-general, to be also communicated to the censors ; in each of which the jurymen, giving a note upon every name of an only son, shall certify that the list is without subterfuge or evasion ; or, if it be not, an account of those upon whom the evasion or subterfuge lies, to the end that the phylarch or the censors may animadvert accordingly.

“ And every Wednesday next ensuing the last of February, the lord lieutenant, *custos rotulorum*, the censors, and the conductor, shall receive the whole muster of the youth of that tribe at the rendezvous of the same, distributing the horse and foot with their officers, according to the directions given in the like case for the distribution of the elders ; and the whole squadron being put by that means in battalia, the second game of this commonwealth shall begin by the exercise of the youth in all the parts of their military discipline according to the orders of parliament, or direction of the council of war in that case. And the £100 allowed by the parliament for the ornament of the muster in every tribe, shall be expended by the phylarch upon such artificial castles, citadels, or the like devices, as may make the best and most profitable sport for the youth and their spectators. Which being ended, the censors having prepared the urns by putting into the horse-urn two hundred and twenty gold balls, whereof ten are to be marked with the letter M, and other ten with the letter P ; into the foot-urn seven hundred gold balls, whereof fifty are to be marked with the letter M, and fifty with the letter P ; and after they have made the gold balls in each urn, by the addition of silver balls to the same, in number equal with the horse and foot of the stratiots, the lord lieutenant shall call the stratiots to the urns,

where they that draw the silver balls shall return to their places, and they that draw the gold balls shall fall off to the pavilion, where, for the space of one hour, they may chop and change their balls according as one can agree with another, whose lot he likes better. But the hour being out, the conductor separating them whose gold balls have no letter from those whose balls are marked, shall cause the crier to call the alphabet, as first A ; whereupon all they whose gold balls are not marked, and whose surnames begin with the letter A, shall repair to a clerk appertaining to the *custos rotulorum*, who shall first take the names of that letter ; then those of B, and so on, till all the names be alphabetically enrolled. And the youth of this list being six hundred foot in a tribe, that is thirty thousand foot in all the tribes ; and two hundred horse in a tribe, that is, ten thousand horse in all the tribes, are the second essay of the stratiots, and the standing army of this commonwealth to be always ready upon command to march. They whose balls are marked with M, amounting, by twenty horse and fifty foot in a tribe, to two thousand five hundred foot, and five hundred horse in all the tribes, and they whose balls are marked with P, in every point correspondent, are parts of the third essay ; they in M being straight to march for Marpesia, and they of P for Panopea, to the ends and according to the further directions following in the order for the provincial orbs.

“ If the polemarchs or field officers be elected by the scrutiny of the council of war, and the strategus commanded by the parliament or the dictator to march, the lord lieutenants (who have power to muster and discipline the youth so often as they receive orders for the same from the council of war) are to deliver the second essay, or so many of them as shall be commanded, to the conductors, who shall present them to the lord strategus at the time and place appointed by his excellency to be the general rendezvous of Oceana, where the council of war shall have the accommodation of horses and arms for his men in readiness ; and the lord strategus having armed, mounted and distributed them, whether according to the recommendation of their prize arms, or otherwise, shall lead them away to his shipping, being also ready and provided with victuals, ammunition, artillery and all other necessaries ; commanding

them, and disposing of the whole conduct of the war by his sole power and authority. And this is the third essay of the stratiots, which being shipped, or marched out of their tribes, the lord lieutenants shall re-elect the second essay out of the remaining part of the first, and the senate another strategus.

“If any veteran or veterans of this nation, the term of whose youth or militia is expired, having a desire to be entertained in the further service of the commonwealth, shall present him or themselves at the rendezvous of Oceana to the strategus, it is in his power to take on such and so many of them as shall be agreed by the polemarchs, and to send back an equal number of the stratiots.

“And for the better managing of the proper forces of this nation, the lord strategus, by appointment of the council of war, and out of such levies as they shall have made in either or both of the provinces to that end, shall receive auxiliaries by sea or elsewhere at some certain place, not exceeding his proper arms in number.

“And whosoever shall refuse any one of his three essays, except upon cause shown, he be dispensed withal by the phylarch, or, if the phylarch be not assembled, by the censors of his tribe, shall be deemed a helot or public servant, shall pay a fifth part of his yearly revenue, besides all other taxes, to the commonwealth for his protection, and be incapable of bearing any magistracy except such as is proper to the law. Nevertheless if a man has but two sons, the lord lieutenant shall not suffer above one of them to come to the urn at one election of the second essay, and though he has above two sons, there shall not come above half the brothers at one election ; and if a man has but one son, he shall not come to the urn at all without the consent of his parents, or his guardians, nor shall it be any reproach to him or impediment to his bearing of magistracy.”

This order, with relation to foreign expeditions, will be proved and explained together with

The twenty-seventh order, “Providing, in case of invasion apprehended, that the lords high sheriffs of the tribes, upon commands received from the parliament, or the dictator, distribute the bands of the elders into divisions, after the nature of

the essays of the youth ; and that the second division or essay of the elders, being made and consisting of thirty thousand foot and ten thousand horse, be ready to march with the second essay of the youth, and be brought also by the conductors to the strategus.

“The second essay of the elders and youth being marched out of their tribes, the lords high sheriffs and lieutenants shall have the remaining part of the annual bands both of elders and youth in readiness, which, if the beacons be fired, shall march to the rendezvous to be in that case appointed by the parliament, or the dictator. And the beacons being fired, the *curiata comitia*, or parochial congregations, shall elect a fourth both of elders and youth to be immediately upon the guard of the tribes, and dividing themselves as aforesaid, to march also in their divisions according to orders, which method in case of extremity shall proceed to the election of a third, or the levy of a second, or of the last man in the nation, by the power of the lords high sheriffs, to the end that the commonwealth in her utmost pressure may show her trust that God in His justice will remember mercy, by humbling herself, and yet preserving her courage, discipline, and constancy, even to the last drop of her blood and the utmost farthing.

“The services performed by the youth, or by the elders, in case of invasion, and according to this order, shall be at their proper cost and charges that are any ways able to endure it ; but if there be such as are known in their parishes to be so indigent that they cannot march out of their tribes, nor undergo the burden in this case incumbent, then the congregations of their parishes shall furnish them with sufficient sums of money to be repaid upon the certificate of the same by the parliament when the action shall be over. And of that which is respectively enjoined by this order, any tribe, parish, magistrate, or person that shall fail, is to answer for it, at the council of war, as a deserter of his country.”

The Archon, being the greatest captain of his own, if not of any age, added much to the glory of this commonwealth, by interweaving the militia with more art and lustre than any legislator from or before the time of Servius Tullius, who con-

stituted the Roman militia. But as the bones or skeleton of a man, though the greatest part of his beauty be contained in their proportion or symmetry, yet shown without flesh are a spectacle that is rather horrid than entertaining, so without discourses are the orders of a commonwealth; which, if she goes forth in that manner, may complain of her friends that they stand mute and staring upon her. Wherefore this order was thus fleshed by the Lord Archon :

“ My Lords,—

“ Diogenes seeing a young fellow drunk, told him that his father was drunk when he begot him. For this, in natural generation, I must confess I see no reason; but in the political it is right. The vices of the people are from their governors; those of their governors from their laws or orders; and those of their laws or orders from their legislators. Whatever was in the womb imperfect, as to her proper work, comes very rarely, or never at all to perfection afterwards; and the formation of a citizen in the womb of the commonwealth is his education.

“ Education by the first of the foregoing orders is of six kinds: at the school, in the mechanics, at the universities, at the inns of court or chancery, in travels, and in military discipline, some of which I shall but touch, and some I shall handle more at large.

“ That which is proposed for the erecting and endowing of schools throughout the tribes, capable of all the children of the same, and able to give to the poor the education of theirs gratis, is only matter of direction in case of very great charity, as easing the needy of the charge of their children from the ninth to the fifteenth year of their age, during which time their work cannot be profitable; and restoring them when they may be of use, furnished with tools whereof there are advantages to be made in every work, seeing he that can read and use his pen has some convenience by it in the meanest vocation. And it cannot be conceived but that which comes, though in small parcels, to the advantage of every man in his vocation, must amount to the advantage of every vocation, and so to that of the whole commonwealth. Wherefore this is commended to the charity of every wise-hearted and well-minded man, to be done in time, and as God shall stir him up or enable him;

there being such provision already in the case as may give us leave to proceed without obstruction.

“ Parents, under animadversion of the censors, are to dispose of their children at the fifteenth year of their age to something; but what, is left, according to their abilities or inclination, at their own choice. This, with the multitude, must be to the mechanics, that is to say, to agriculture or husbandry, to manufactures, or to merchandise.

“ Agriculture is the bread of the nation; we are hung upon it by the teeth; it is a mighty nursery of strength, the best army, and the most assured knapsack; it is managed with the least turbulent or ambitious, and the most innocent hands of all other arts. Wherefore I am of Aristotle’s opinion, that a commonwealth of husbandmen, and such is ours, must be the best of all others. Certainly, my Lords, you have no measure of what ought to be, but what can be done for the encouragement of this profession. I could wish I were husband good enough to direct something to this end; but racking of rents is a vile thing in the richer sort, an uncharitable one to the poorer, a perfect mark of slavery, and nips your commonwealth in the fairest blossom. On the other side, if there should be too much ease given in this kind, it would occasion sloth, and so destroy industry, the principal nerve of a commonwealth. But if aught might be done to hold the balance even between these two, it would be a work in this nation equal to that for which Fabius was surnamed Maximus by the Romans.

“ In manufactures and merchandise the Hollander has gotten the start of us; but at the long run it will be found that a people working upon a foreign commodity does but farm the manufacture, and that it is really entailed upon them only where the growth of it is native; as also that it is one thing to have the carriage of other men’s goods, and another for a man to bring his own to the best market. Wherefore (Nature having provided encouragement for these arts in this nation above all others, where, the people growing, they of necessity must also increase) it cannot but establish them upon a far more sure and effectual foundation than that of the Hollanders. But these educations are in order to the first things or necessities of Nature; as husbandry to the food, manufacture to the

clothing, and merchandise to the purse of the commonwealth.

“There be other things in Nature, which being second as to their order, for their dignity and value are first, and such to which the other are but accommodations; of this sort are especially these, religion, justice, courage, and wisdom.

“The education that answers to religion in our government is that of the universities. Moses, the divine legislator, was not only skilful in all the learning of the Egyptians, but took also into the fabric of his commonwealth the learning of the Midianites in the advice of Jethro; and his foundation of a university laid in the tabernacle, and finished in the Temple, became that pinnacle from whence (according to many Jewish and Christian authors) all the learning in the world has taken wing; as the philosophy of the Stoics from the Pharisees; that of the Epicureans from the Sadducees; and from the learning of the Jews, so often quoted by our Saviour, and fulfilled in Him, the Christian religion. Athens was the most famous university in her days; and her senators, that is to say, the Areopagites, were all philosophers. Lacedemon, to speak truth, though she could write and read, was not very bookish. But he that disputes hence against universities, disputes by the same argument against agriculture, manufacture, and merchandise; every one of these having been equally forbid by Lycurgus, not for itself (for if he had not been learned in all the learning of Crete, and well travelled in the knowledge of other governments, he had never made his commonwealth), but for the diversion which they must have given his citizens from their arms, who, being but few, if they had minded anything else, must have deserted the commonwealth. For Rome, she had *ingenium par ingenio*, was as learned as great, and held her College of Augurs in much reverence. Venice has taken her religion upon trust. Holland cannot attend it to be very studious. Nor does Switzerland mind it much; yet are they all addicted to their universities. We cut down trees to build houses; but I would have somebody show me, by what reason or experience the cutting down of a university should tend to the setting up of a commonwealth. Of this I am sure, that the perfection of a commonwealth is not to be attained without the knowledge of ancient prudence, nor



the knowledge of ancient prudence without learning, nor learning without schools of good literature, and these are such as we call universities. Now though mere university learning of itself be that which (to speak the words of Verulamius) 'crafty men contemn, and simple men only admire, yet is it such as wise men have use of; for studies do not teach their own use, but that is a wisdom without and above them, won by observation. Expert men may execute, and perhaps judge, of particulars one by one; but the general councils and the plots, and the marshalling of affairs, come best from those that are learned.' Wherefore if you would have your children to be statesmen, let them drink by all means of these fountains, where perhaps there were never any. But what though the water a man drinks be not nourishment, it is the vehicle without which he cannot be nourished. Nor is religion less concerned in this point than government: for take away your universities, and in a few years you lose it.

"The Holy Scriptures are written in Hebrew and Greek: they that have neither of these languages may think light of both; but find me a man that has one in perfection, the study of whose whole life it has not been. Again, this is apparent to us in daily conversation, that if four or five persons that have lived together be talking, another speaking the same language may come in, and yet understand very little of their discourse, in that it relates to circumstances, persons, things, times and places which he knows not. It is no otherwise with a man, having no insight of the times in which they were written, and the circumstances to which they relate, in the reading of ancient books, whether they be divine or human. For example, when we fall upon the discourse about baptism and regeneration that was between our Saviour and Nicodemus, where Christ reproaches him with his ignorance in this matter: 'Art thou a doctor in Israel, and understandest not these things?' What shall we think of it? or wherefore should a doctor in Israel have understood these things more than another, but that both baptism and regeneration, as was showed at large by my Lord Phosphorus, were doctrines held in Israel? I instance in one place of a hundred, which he, that has not mastered the circumstances to which they relate, cannot understand. Where-

fore to the understanding of the Scripture, it is necessary to have ancient languages, and the knowledge of ancient times, or the aid of them who have such knowledge; and to have such as may be always able and ready to give such aid (unless you would borrow it of another nation, which would not only be base, but deceitful) it is necessary to a commonwealth that she have schools of good literature, or universities of her own. We are commanded, as has been said more than once, to search the Scriptures; and which of them search the Scriptures, they that take this pains in ancient languages and learning, or they that will not, but trust to translations only, and to words as they sound to present circumstances? than which nothing is more fallible, or certain to lose the true sense of Scriptures, pretended to be above human understanding, for no other cause than that they are below it. But in searching the Scriptures by the proper use of our universities, we have been heretofore blest with greater victories and trophies against the purple hosts and golden standards of the Romish hierarchy than any nation; and therefore why we should relinquish this upon the presumption of some, that because there is a greater light which they have, I do not know. There is a greater light than the sun, but it does not extinguish the sun, nor does any light of God's giving extinguish that of Nature, but increase and sanctify it. Wherefore, neither the honour borne by the Israelitish, Roman, or any other commonwealth that I have shown, to their ecclesiastics, consisted in being governed by them, but in consulting them in matters of religion, upon whose responses or oracles they did afterwards as they thought fit. Nor would I be here mistaken, as if, by affirming the universities to be, in order both to religion and government, of absolute necessity, I declared them or the ministry in anywise fit to be trusted, so far as to exercise any power not derived from the civil magistrate in the administration of either. If the Jewish religion were directed and established by Moses, it was directed and established by the civil magistrate; or if Moses exercised this administration as a prophet, the same prophet did invest with the same administration the Sanhedrim, and not the priests; and so does our commonwealth the senate, and not the clergy. They who had the supreme administration or govern-

ment of the national religion in Athens, were the first Archon, the *rex sacrificus*, or high priest, and a polemarch, which magistrates were ordained or elected by the holding up of hands in the church, congregation or *comitia* of the people. The religion of Lacedemon was governed by the kings, who were also high priests, and officiated at the sacrifice ; these had power to substitute their *pythii*, ambassadors, or *nuncios*, by which, not without concurrence of the senate, they held intelligence with the oracle of Apollo at Delphos. And the ecclesiastical part of the commonwealth of Rome was governed by the *pontifex maximus*, the *rex sacrificulus*, and the *Flamins* all ordained or elected by the people, the *pontifex* by the tribes, the king by the centuries, and the *Flamins* by the parishes. I do not mind you of these things, as if, for the matter, there were any parallel to be drawn out of their superstitions to our religion ; but to show that for the manner, ancient prudence is as well a rule in divine as human things ; nay, and such a one as the Apostles themselves, ordaining elders by the holding up of hands in every congregation, have exactly followed ; for some of the congregations where they thus ordained elders were those of Antioch, Iconium, Lystra, Derbe, the countries of Lycaonia, Pisidia, Pamphilia, Perga, with Attalia. Now that these cities and countries, when the Romans propagated their empire into Asia, were found most of them commonwealths, and that many of the rest were endued with like power, so that the people living under the protection of the Roman emperors continued to elect their own magistrates, is so known a thing, that I wonder whence it is that men, quite contrary to the universal proof of these examples, will have ecclesiastical government to be necessarily distinct from civil power, when the right of the elders ordained by the holding up of hands in every congregation to teach the people, was plainly derived from the same civil power by which they ordained the rest of their magistrates. And it is not otherwise in our commonwealth, where the parochial congregation elects or ordains its pastor. To object the commonwealth of Venice in this place, were to show us that it has been no otherwise but where the civil power has lost the liberty of her conscience by embracing Popery ; as also that to take away the liberty of conscience in this administration from

the civil power, were a proceeding which has no other precedent than such as is Popish. Wherefore your religion is settled after the following manner: the universities are the seminaries of that part which is national, by which means others with all safety may be permitted to follow the liberty of their own consciences, in regard that, however they behave themselves, the ignorance of the unlearned in this case cannot lose your religion nor disturb your government, which otherwise it would most certainly do; and the universities with their emoluments, as also the benefices of the whole nation, are to be improved by such augmentations as may make a very decent and comfortable subsistence for the ministry, which is neither to be allowed synods nor assemblies, except upon the occasion shown in the universities, when they are consulted by the council of state, and suffered to meddle with affairs of religion, nor to be capable of any other public preferment whatsoever; by which means the interest of the learned can never come to corrupt your religion, nor disturb your government, which otherwise it would most certainly do. Venice, though she does not see, or cannot help the corruption of her religion, is yet so circumspect to avoid disturbance of her government in this kind, that her council proceeds not to election of magistrates till it be proclaimed *fora papalini*, by which words such as have consanguinity with red hats, or relation to the court of Rome, are warned to withdraw. If a minister in Holland meddles with matter of state, the magistrate sends him a pair of shoes; whereupon, if he does not go, he is driven away from his charge. I wonder why ministers, of all men, should be perpetually tampering with government; first because they, as well as others, have it in express charge to submit themselves to the ordinances of men; and secondly, because these ordinances of men must go upon such political principles as they of all others, by anything that can be found in their writings or actions, least understand: whence you have the suffrage of all nations to this sense, that an ounce of wisdom is worth a pound of clergy. Your greatest clerks are not your wisest men: and when some foul absurdity in state is committed, it is common with the French, and even the Italians, to call it *pas de clerc*, or *governo de prete*. They may bear

with men that will be preaching without study, while they will be governing without prudence. My Lords, if you know not how to rule your clergy, you will most certainly, like a man that cannot rule his wife, have neither quiet at home nor honour abroad. Their honest vocation is to teach your children at the schools and the universities, and the people in the parishes, and yours is concerned to see that they do not play the shrews, of which parts does consist the education of your commonwealth, so far as it regards religion.

“To justice, or that part of it which is commonly executive, answers the education of the inns of court and chancery. Upon which to philosophise, requires a public kind of learning that I have not. But they who take upon them any profession proper to the educations mentioned—that is, theology, physic, or law—are not at leisure for the essays. Wherefore the essays, being degrees whereby the youth commence for all magistracies, offices, and honours in the parish, hundred, tribe, senate, or prerogative; divines, physicians, and lawyers, not taking these degrees, exclude themselves from all such magistracies, offices, and honours. And whereas lawyers are likeliest to exact further reason for this, they (growing up from the most gainful art at the bar to those magistracies upon the bench which are continually appropriated to themselves, and not only endowed with the greatest revenues, but also held for life) have the least reason of all the rest to pretend to any other; especially in an equal commonwealth, where accumulation of magistracy, or to take a person engaged by his profit to the laws, as they stand, into the power, which is legislative, and which should keep them to what they were, or ought to be, were a solecism in prudence. It is true that the legislative power may have need of advice and assistance from the executive magistracy, or such as are learned in the law; for which cause the judges are, as they have heretofore been, assistants in the senate. Nor, however it came about, can I see any reason why a judge, being but an assistant or lawyer, should be member of a legislative council.

“I deny not that the Roman patricians were all patrons, and that the whole people were clients, some to one family and some to another, by which means they had their causes

pleaded and defended in some appearance gratis ; for the patron took no money, though if he had a daughter to marry, his clients were to pay her portion, nor was this so great a grievance. But if the client accused his patron, gave testimony or suffrage against him, it was a crime of such a nature that any man might lawfully kill him as a traitor ; and this, as being the nerve of the optimacy, was a great cause of ruin to that commonwealth ; for when the people would carry anything that pleased not the senate, the senators were ill provided if they could not intercede—that is, oppose it by their clients ; with whom, to vote otherwise than they pleased, was the highest crime. The observation of this bond till the time of the Gracchi—that is to say, till it was too late, or to no purpose to break it, was the cause why, in all the former heats and disputes that had happened between the senate and the people, it never came to blows, which indeed was good ; but withal, the people could have no remedy, which was certainly evil. Wherefore I am of opinion that a senator ought not to be a patron or advocate, nor a patron or advocate to be a senator ; for if his practice be gratis, it debauches the people, and if it be mercenary, it debauches himself : take it which way you will, when he should be making of laws, he will be knitting of nets.

“Lycurgus, as I said, by being a traveller became a legislator, but in times when prudence was another thing. Nevertheless we may not shut out this part of education in a commonwealth, which will be herself a traveller ; for those of this make have seen the world, especially because this is certain (though it be not regarded in our times, when things being left to take their chance, it fares with us accordingly) that no man can be a politician except he be first a historian or a traveller ; for except he can see what must be, or what may be, he is no politician. Now if he has no knowledge in history, he cannot tell what has been, and if he has not been a traveller, he cannot tell what is ; but he that neither knows what has been, nor what is, can never tell what must be, or what may be. Furthermore, the embassies-in-ordinary by our constitution are the prizes of young men, more especially such as have been travellers. Wherefore they of these inclinations, having leave

of the censors, owe them an account of their time, and cannot choose but lay it out with some ambition of praise or reward, where both are open, whence you will have eyes abroad, and better choice of public ministers, your gallants showing themselves not more to the ladies at their balls than to your commonwealth at her academy when they return from their travels.

“But this commonwealth being constituted more especially of two elements, arms and councils, drives by a natural instinct at courage and wisdom ; which he who has attained is arrived at the perfection of human nature. It is true that these virtues must have some natural root in him that is capable of them ; but this amounts not to so great a matter as some will have it. For if poverty makes an industrious, a moderate estate a temperate, and a lavish fortune a wanton man, and this be the common course of things, wisdom then is rather of necessity than inclination. And that an army which was meditating upon flight, has been brought by despair to win the field, is so far from being strange, that like causes will evermore produce like effects. Wherefore this commonwealth drives her citizens like wedges ; there is no way with them but thorough, nor end but that glory whereof man is capable by art or nature. That the genius of the Roman families commonly preserved itself throughout the line (as to instance in some, the Manlii were still severe, the Publicolæ lovers, and the Appii haters of the people) is attributed by Machiavel to their education ; nor, if interest might add to the reason why the genius of a patrician was one thing, and that of a plebeian another, is the like so apparent between different nations, who, according to their different educations, have yet as different manners. It was anciently noted, and long confirmed by the actions of the French, that in their first assaults their courage was more than that of men, and for the rest less than that of women, which nevertheless, through the amendment of their discipline, we see now to be otherwise. I will not say but that some man or nation upon an equal improvement of this kind may be lighter than some other ; but certainly education is the scale without which no man or nation can truly know his or her own weight or value. By our histories we can tell when one Marpesian

would have beaten ten Oceaners, and when one Oceaner would have beaten ten Marpesians. Marc Antony was a Roman, but how did that appear in the embraces of Cleopatra? You must have some other education for your youth, or they, like that passage, will show better in romance than true story.

“The custom of the commonwealth of Rome in distributing her magistracies without respect of age, happened to do well in Corvinus and Scipio; for which cause Machiavel (with whom that which was done by Rome, and that which is well done, is for the most part all one) commends this course. Yet how much it did worse at other times, is obvious in Pompey and Cæsar; examples by which Boccalini illustrates the prudence of Venice in her contrary practice, affirming it to have been no small step to the ruin of the Roman liberty, that these (having tasted in their youth of the supreme honours) had no greater in their age to hope for, but by perpetuating of the same in themselves; which came to blood and ended in tyranny. The opinion of Verulamius is safe: ‘The errors,’ says he, ‘of young men are the ruin of business; whereas the errors of old men amount but to this, that more might have been done, or sooner.’ But though their wisdom be little, their courage is great; wherefore (to come to the main education of this commonwealth) the militia of Oceana is the province of youth.

“The distribution of this province by the essays is so fully described in the order, that I need repeat nothing; the order itself being but a repetition or copy of that original, which in ancient prudence is of all others the fairest, as that from whence the commonwealth of Rome more particularly derived the empire of the world. And there is much more reason in this age, when governments are universally broken, or swerved from their foundations, and the people groan under tyranny, that the same causes (which could not be withstood when the world was full of popular governments) should have the like effects.

“The causes in the commonwealth of Rome, whereof the empire of the world was not any miraculous, but a natural (nay, I may safely say a necessary) consequence, are contained in that part of her discipline which was domestic, and in that which she exercised in her provinces or conquest. Of the latter I shall have better occasion to speak when we come to our provincial



orbs; the former divided the whole people by tribes, amounting, as Livy and Cicero show, at their full growth to thirty-five, and every tribe by the sense or valuation of estates into five classes: for the sixth being proletary, that is the nursery, or such as through their poverty contributed nothing to the commonwealth but children, was not reckoned nor used in arms. And this is the first point of the militia, in which modern prudence is quite contrary to the ancient; for whereas we, excusing the rich and arming the poor, become the vassals of our servants, they, by excusing the poor and arming such as were rich enough to be freemen, became lords of the earth. The nobility and gentry of this nation, who understand so little what it is to be the lords of the earth that they have not been able to keep their own lands, will think it a strange education for their children to be common soldiers, and obliged to all the duties of arms; nevertheless it is not for 4s. a week, but to be capable of being the best man in the field or in the city, the latter part of which consideration makes the common soldier herein a better man than the general of any monarchical army. And whereas it may be thought that this would drink deep of noble blood, I dare boldly say, take the Roman nobility in the heat of their fiercest wars, and you shall not find such a shambles of them as has been made of ours by mere luxury and slothfulness; which, killing the body, kill the soul also: *Animasque in vulnere ponunt*. Whereas common right is that which he who stands in the vindication of, has used that sword of justice for which he receives the purple of magistracy. The glory of a man on earth can go no higher, and if he falls he rises again, and comes sooner to that reward which is so much higher as heaven is above the earth. To return to the Roman example: every class was divided, as has been more than once shown, into centuries, and every century was equally divided into youth and elders; the youth for foreign service, and the elders for the guard of the territory. In the first class were about eighteen centuries of horse, being those which, by the institution of Servius, were first called to the suffrage in the centurial assemblies. But the *delectus*, or levy of an army, which is the present business, proceeded, according to Polybius, in this manner:

“Upon a war decreed, the consuls elected four-and-twenty

military tribunes or colonels, whereof ten, being such as had merited their tenth stipend, were younger officers. The tribunes being chosen, the consuls appointed a day to the tribes, when those in them of military age were to appear at the capitol. The day being come, and the youth assembled accordingly, the consuls ascended their tribunal, and the younger tribunes were straight divided into four parts after this manner: four were assigned to the first legion (a legion at the most consisted of six thousand foot and three hundred horse), three to the second, four to the third, and three to the fourth. The younger tribunes being thus distributed, two of the elder were assigned to the first legion, three to the second, two to the third, and three to the fourth. And the officers of each legion thus assigned, having drawn the tribes by lot, and being seated according to their divisions at a convenient distance from each other, the tribe of the first lot was called, whereupon they that were of it knowing the business, and being prepared, presently bolted out four of their number, in the choice whereof such care was taken that they offered none that was not a citizen, no citizen that was not of the youth, no youth that was not of some one of the five classes, nor any one of the five classes that was not expert at his exercises. Moreover, they used such diligence in matching them for age and stature, that the officers of the legion, except they happened to be acquainted with the youth so bolted, were forced to put themselves upon fortune, while they of the first legion chose one, they of the second the next, they of the third another, and the fourth youth fell to the last legion; and thus was the election (the legions and the tribes varying according to their lots) carried on till the foot were complete. The like course with little alteration was taken by the horse officers till the horse also were complete. This was called giving of names, which the children of Israel did also by lot; and if any man refused to give his name, he was sold for a slave, or his estate confiscated to the commonwealth. 'When Marcus Curius the consul was forced to make a sudden levy, and none of the youth would give in their names, all the tribes being put to the lot, he commanded the first name drawn out of the urn of the Pollian tribe (which happened to come first) to be called; but the youth not answering, he ordered his

goods to be sold :’ which was conformable to the law in Israel, according to which Saul took a yoke of oxen, and hewed them in pieces, and sent them throughout the tribes, saying, ‘Who-soever comes not forth to battle after Saul and Samuel, so shall it be done to his oxen.’ By which you may observe also that they who had no cattle were not of the militia in Israel. But the age of the Roman youth by the Tullian law determined at thirty ; and by the law (though it should seem by Machiavel and others that this was not well observed) a man could not stand for magistracy till he was *miles emeritus*, or had fulfilled the full term of his militia, which was complete in his tenth stipend or service, nor was he afterwards obliged under any penalty to give his name, except the commonwealth were invaded, in which case the elders were as well obliged as the youth. The consul might also levy *milites evocatos*, or soldiers, commanded men out of such as had served their turn, and this at his discretion. The legions being thus complete, were divided by two to each consul, and in these no man had right to serve but a Roman citizen ; now because two legions made but a small army, the Romans added to every one of their arms an equal number of foot, and a double number of horse levied among their Latin or Italian associates ; so a consular army, with the legions and auxiliaries, amounted to about thirty thousand, and whereas they commonly levied two such armies together, these being joined made about sixty thousand.

“ The steps whereby our militia follows the greatest captain, are the three essays ; the first, elected by a fifth man in the parishes, and amounting in the whole to one hundred thousand, choose their officers at the hundreds, where they fall also to their games or exercises, invited by handsome prizes, such as for themselves and the honour of them will be coveted, such as will render the hundred a place of sports, and exercise of arms all the year long, such as in the space of ten years will equip thirty thousand men horse and foot, with such arms for their forge, proof, and beauty, as (notwithstanding the *argyruspides*, or silver shields of Alexander’s guards) were never worn by so many, such as will present marks of virtue and direction to your general or strategus in the distribution of his army, which doubles the value of them to the proprietors, who are bound to

wear them, and eases the commonwealth of so much charge, so many being armed already.

“But here will be the objection now. How shall such a revenue be compassed? Fifty pounds a year in every hundred is a great deal, not so easily raised; men will not part with their money, nor would the sum, as it is proposed by the order of Pompey, rise in many years. These are difficulties that fit our genius exactly, and yet a thousand pounds in each hundred, once levied, establishes the revenue for ever. Now the hundreds one with another are worth ten thousand pounds a year dry rent, over and above personal estates, which bring it to twice the value, so that a twentieth part of one year’s revenue of the hundred does it. If you cannot afford this while you pay taxes, though from henceforth they will be but small ones, do it when you pay none. If it be then too much for one year, do it in two, if it be too much for two years, do it in four. What husbands have we hitherto been? what is become of greater sums? My Lords, if you should thus cast your bread upon the waters, after many days you shall find it; stand not huckling when you are offered corn and your money again in the mouth of the sack.

“But to proceed: the first essay being officered at the hundreds, and mustered at the tribes (where they are entertained with other sports, which will be very fine ones), proceeds to the election of the second essay, or standing army of this nation, consisting of thirty thousand foot and ten thousand horse; and these, upon a war decreed, being delivered at the rendezvous of Oceana to the strategus, are the third essay, which answers to the Roman legions. But you may observe, that whereas the consuls elected the military tribunes, and raised commanded men out of the veterans at their own discretion, our polemarchs, or field officers, are elected by the scrutiny of the council of war, and our veterans not otherwise taken on than as volunteers, and with the consent of the polemarchs, which may serve for the removal of certain scruples which might otherwise be incident in this place, though without encouragement by the Roman way of proceeding, much less by that which is proposed. But whereas the Roman legions in all amounted not in one army to above thirty thousand men, or little more, you have here forty

thousand; and whereas they added auxiliaries, it is in this regard that Marpesia will be a greater revenue to you than if you had the Indies; for whereas heretofore she has yielded you nothing but her native thistles, in ploughing out the rankness of her aristocracy by your Agrarian, you will find her an inexhaustible magazine of men, and to her own advantage, who will make a far better account by the arms than by the pins of Poland. Wherefore as a consular army consisted of about an equal number of auxiliaries added to their legions by their Latin or Italian associates, you may add to a parliamentary army an equal number of Marpesians or Panopeans, as that colony shall hereafter be able to supply you, by which means the commonwealth will be able to go forth to battle with fourscore thousand men. To make wars with small forces is no husbandry, but a waste, a disease, a lingering and painful consumption of men and money, the Romans making theirs thick, made them short, and had little regard to money, as that which they who have men enough can command where it is fittest that it should be levied. All the ancient monarchies by this means got on wing, and attained to vast riches. Whereas your modern princes being dear purchasers of small parcels, have but empty pockets. But it may be some will accuse the order of rashness, in that it commits the sole conduct of the war to the general; and the custom of Venice by her *proveditori*, or checks upon her commanders-in-chief, may seem to be of greater prudence; but in this part of our government neither Venice nor any nation that makes use of mercenary forces is for our instruction. A mercenary army, with a standing general, is like the fatal sister that spins; but proper forces, with an annual magistrate, are like her that cuts the thread. Their interests are quite contrary, and yet you have a better proveditor than the Venetian, another strategus sitting with an army standing by him; whereupon that which is marching, if there were any probability it should, would find as little possibility that it could recoil, as a foreign enemy to invade you. These things considered, a war will appear to be of a contrary nature to that of all other reckonings, inasmuch as of this you must never look to have a good account if you be strict in imposing checks. Let a council of huntsmen, assembled beforehand, tell

you which way the stag shall run, where you shall cast about at the fault, and how you shall ride to be in at the chase all the day ; but these may as well do that, as a council of war direct a general. The hours that have painted wings, and of different colours, are his council ; he must be like the eye that makes not the scene, but has it so soon as it changes. That in many counsellors there is strength, is spoken of civil administrations ; as to those that are military, there is nothing more certain than that in many counsellors there is weakness. Joint commissions in military affairs, are like hunting your hounds in their couples. In the Attic war Cleomenes and Demaratus, kings of Lacedemon, being thus coupled, tugged one against another ; and while they should have joined against the Persian, were the cause of the common calamity, whereupon that commonwealth took better counsel, and made a law whereby from henceforth there went at once but one of her kings to battle.

“ ‘The Fidenati being in rebellion, and having slain the colony of the Romans, four tribunes with consular power were created by the people of Rome, whereof one being left for the guard of the city, the other three were sent against the Fidenati, who, through the division that happened among them, brought nothing home but dishonour : whereupon the Romans created the dictator, and Livy gives his judgment in these words : “The three tribunes with consular power were a lesson how useless in war is the joint command of several generals ; for each following his own counsels, while they all differed in their opinions, gave by this opportunity an advantage to the enemy.” When the consuls, Quintius and Agrippa, were sent against the Æqui, Agrippa for this reason refused to go with his colleague, saying : “That in the administration of great actions it was most safe that the chief command should be lodged in one person.” And if the ruin of modern armies were well considered, most of it would be found to have fallen upon this point, it being in this case far safer to trust to any one man of common prudence, than to any two or more together of the greatest parts.’ The consuls indeed, being equal in power, while one was present with the senate, and the other in the field with the army, made a good balance ; and this with us is exactly followed by the election of a new strategus upon the march of the old one.

“The seven-and-twentieth order, whereby the elders in case of invasion are obliged to equal duty with the youth, and each upon their own charge, is suitable to reason (for every man defends his own estate) and to our copy, as in the war with the Samnites and Tuscans. ‘The senate ordered a vacation to be proclaimed, and a levy to be made of all sorts of persons, and not only the freemen and youths were listed, but cohorts of the old men were likewise formed.’ This nation of all others is the least obnoxious to invasion. Oceana, says a French politician, is a beast that cannot be devoured but by herself; nevertheless, that government is not perfect which is not provided at all points; and in this (*ad triarios res rediit*) the elders being such as in a martial state must be veterans, the commonwealth invaded gathers strength like Antæus by her fall, while the whole number of the elders, consisting of five hundred thousand, and the youth of as many, being brought up according to the order, give twelve successive battles, each battle consisting of eighty thousand men, half elders and half youth. And the commonwealth, whose constitution can be no stranger to any of those virtues which are to be acquired in human life, grows familiar with death ere she dies. If the hand of God be upon her for her transgressions, she shall mourn for her sins, and lie in the dust for her iniquities, without losing her manhood.

Si fractus illabatur orbis,  
Impavidam ferient ruinae.”

The remaining part, being the constitution of the provincial orb, is partly civil, or consisting of the elders; and partly military, or consisting of the youth. The civil part of the provincial orb is directed by

The twenty-eighth order, “Whereby the council of a province being constituted of twelve knights, divided by four into three regions (for their term and revolution conformable to the parliament), is perpetuated by the annual election at the tropic of four knights (being triennial magistrates) out of the region of the senate whose term expires; and of one knight out of the same region to be strategus or general of the province, which magistracy is annual. The strategus or magistrate thus chosen, shall be as well president of the provincial council with power to

propose to the same, as general of the army. The council for the rest shall elect weekly provosts, having any two of them also right to propose after the manner of the senatorian councils of Oceana. And whereas all provincial councils are members of the council of state, they may and ought to keep diligent correspondence with the same, which is to be done after this manner: any opinion or opinions legitimately proposed and debated at a provincial council, being thereupon signed by the strategus, or any two of the provosts, may be transmitted to the council of state in Oceana; and the council of state proceeding upon the same in their natural course (whether by their own power, if it be a matter within their instructions, or by authority of the senate thereupon consulted, if it be a matter of state which is not in their instructions; or by authority of the senate and command of the people, if it be a matter of law, as for the levies of men or money upon common use and safety) shall return such answers, advice, or orders, as in any of the ways mentioned shall be determined upon the case. The provincial councils of Marpesia and Panopea respectively shall take special care that the Agrarian laws, as also all other laws that be or shall from time to time be enacted by the parliament of Oceana, for either of them, be duly put in execution; they shall manage and receive the customs of either nation for the shipping of Oceana, being the common guard; they shall have a care that moderate and sufficient pay upon the respective province be duly raised for the support and maintenance of the officers and soldiers, or army of the same, in the most effectual, constant and convenient way; they shall receive the regalia, or public revenues of those nations, out of which every councillor shall have for his term, and to his proper use, the sum of £500 per annum, and the strategus £500 as president, besides his pay as general, which shall be £1000, the remainder to go to the use of the knights and deputies of the respective provinces, to be paid, if it will reach, according to the rates of Oceana; if not, by an equal distribution, respectively, or the overplus, if there be any, to be returned to the treasury of Oceana. They shall manage the lands (if there be any such held in either of the provinces by the commonwealth of Oceana, in dominion) and return the rents into the



exchequer. If the commonwealth comes to be possessed of richer provinces, the pay of the general or strategus, and of the councils, may be respectively increased. The people for the rest shall elect their own magistrates, and be governed by their own laws, having power also to appeal from their native or provincial magistrates, if they please, to the people of Oceana. And whereas there may be such as receiving injury, are not able to prosecute their appeals at so great a distance, eight sergeants-at-law, being sworn by the commissioners of the seal, shall be sent by four into each province once in two years; who, dividing the same by circuits, shall hear such causes, and having gathered and introduced them, shall return to the several appellants, gratis, the determinations and decrees of the people in their several cases.

“The term of a knight in a provincial orb, as to domestic magistracies, shall be esteemed a vacation, and no bar to present election to any other honour, his provincial magistracy being expired.

“The quorum of a provincial council, as also of every other council or assembly in Oceana, shall in time of health consist of two parts in three of the whole number proper to that council or assembly; and in a time of sickness, of one part in three; but of the senate there can be no quorum without three of the signory, nor of a council without two of the provosts.”

The civil part of the provincial orb being declared by the foregoing order, the military part of the same is constituted by

The twenty-ninth order, “Whereby the stratiots of the third essay having drawn the gold balls marked with the letter M, and being ten horse and fifty foot in a tribe, that is to say, five hundred horse and two thousand five hundred foot in all, the tribes shall be delivered by the respective conductors to the provincial strategus or general, at such a time and place, or rendezvous, as he shall appoint by order and certificate of his election, and the strategus having received the horse and foot mentioned, which are the third classes of his provincial guard or army, shall forthwith lead them away to Marpesia, where the army consists of three classes, each class containing three thousand men, whereof five hundred are horse; and receiving the new strategus with the third class, {the old

strategus with the first class shall be dismissed by the provincial council. The same method with the stratiots of the letter P, is to be observed for the provincial orb of Panopea ; and the commonwealth coming to acquire new provinces, the senate and the people may erect new orbs in like manner, consisting of greater or less numbers, according as is required by the respective occasion. If a stratiot has once served his term in a provincial orb, and happens afterwards to draw the letter of a province at the election of the second essay, he may refuse his lot ; and if he refuses it, the censor of that urn shall cause the files balloting at the same to make a halt ; and if the stratiot produces the certificate of his strategus or general, that he has served his time accordingly, the censor throwing the ball that he drew into the urn again, and taking out a blank, shall dismiss the youth, and cause the ballot to proceed."

To perfect the whole structure of this commonwealth, some directions are given to the third essay, or army marching, in

The thirtieth order. "When thou goest to battle against thy enemies, and seest horses and chariots, and a people more than thou, be not afraid of them, for the Lord thy God is he that goes with thee to fight for thee against thy enemies. And when thou dividest the spoil, it shall be as a statute and an ordinance to thee, that as his part is that goes down to the battle, so shall his part be that carries by the stuff : ' that is (as to the commonwealth of Oceana) the spoil taken of the enemy (except clothes, arms, horses, ammunition and victuals, to be divided to the soldiery by the strategus and the polemarchs upon the place according to their discretion) shall be delivered to four commissaries of the spoils elected and sworn by the council of war : which commissaries shall be allowed shipping by the state, and convoys according as occasion shall require by the strategus, to the end that having a bill of lading signed by three or more of the polemarchs, they may ship and bring, or cause such spoils to be brought to the prize-office in Oceana, where they shall be sold ; and the profit arising by such spoils shall be divided into three parts, whereof one shall go to the treasury, another shall be paid to the soldiery of this nation, and a third to the auxiliaries at their return from their service, provided

that the said auxiliaries be equal in number to the proper forces of this nation, otherwise their share shall be so much less as they themselves are fewer in number: the rest of the two-thirds to go to the officers and soldiers of the proper forces. And the spoils so divided to the proper forces, shall be subdivided into three equal parts, whereof one shall go to the officers, and two to the common soldiers, the like for the auxiliaries. And the share allotted to the officers shall be divided into four equal parts, whereof one shall go to the strategus, another to the polemarchs, a third to the colonels, and a fourth to the captains, cornets, ensigns, and under officers, receiving their share of the spoil as common soldiers, the like for the auxiliaries. And this upon pain, in the case of failure, of what the people of Oceana (to whom the cognizance of peculation or crimes of this nature is properly appertaining) shall adjudge or decree."

Upon these three last orders the Archon seemed to be haranguing at the head of his army in this manner :

" My dear Lords and excellent Patriots,—

" A government of this make is a commonwealth for increase. Of those for preservation, the inconveniences and frailties have been shown: their roots are narrow, such as do not run, have no fibres, their tops weak and dangerously exposed to the weather, except you chance to find one, as Venice, planted in a flower-pot, and if she grows, she grows top-heavy, and falls too. But you cannot plant an oak in a flower-pot; she must have earth for her root, and heaven for her branches.

*Imperium Oceano, famam quæ ferminet astris.*

" Rome was said to be broken by her own weight, but poetically; for that weight by which she was pretended to be ruined, was supported in her emperors by a far slighter foundation. And in the common experience of good architecture, there is nothing more known than that buildings stand the firmer and the longer for their own weight, nor ever swerve through any other internal cause than that their materials are corruptible; but the people never die, nor, as a political body, are subject to any other corruption than that which derives

from their government. Unless a man will deny the chain of causes, in which he denies God, he must also acknowledge the chain of effects; wherefore there can be no effect in Nature that is not from the first cause, and those successive links of the chain without which it could not have been. Now except a man can show the contrary in a commonwealth, if there be no cause of corruption in the first make of it, there can never be any such effect. Let no man's superstition impose profaneness upon this assertion; for as man is sinful, but yet the universe is perfect, so may the citizen be sinful, and yet the commonwealth be perfect. And as man, seeing the world is perfect, can never commit any such sin as shall render it imperfect, or bring it to a natural dissolution, so the citizen, where the commonwealth is perfect, can never commit any such crime as will render it imperfect, or bring it to a natural dissolution. To come to experience: Venice, notwithstanding we have found some flaws in it, is the only commonwealth in the make whereof no man can find a cause of dissolution; for which reason we behold her (though she consists of men that are not without sin) at this day with one thousand years upon her back, yet for any internal cause, as young, as fresh, and free from decay, or any appearance of it, as she was born; but whatever in Nature is not sensible of decay by the course of a thousand years, is capable of the whole age of Nature; by which calculation, for any check that I am able to give myself, a commonwealth, rightly ordered, may for any internal causes be as immortal or long-lived as the world. But if this be true, those commonwealths that are naturally fallen, must have derived their ruin from the rise of them. Israel and Athens died not natural but violent deaths, in which manner the world itself is to die. We are speaking of those causes of dissolution which are natural to government; and they are but two, either contradiction or inequality. If a commonwealth be a contradiction, she must needs destroy herself; and if she be unequal, it tends to strife, and strife to ruin. By the former of these fell Lacedemon, by the latter Rome. Lacedemon being made altogether for war, and yet not for increase, her natural progress became her natural dissolution, and the building of her own victorious hand too heavy for her foundation, so that she fell

indeed by her own weight. But Rome perished through her native inequality, which how it inveterated the bosoms of the senate and the people each against other, and even to death, has been shown at large.

“Look well to it, my Lords, for if there be a contradiction or inequality in your commonwealth, it must fall ; but if it has neither of these, it has no principle of mortality. Do not think me impudent ; if this be truth, I shall commit a gross indiscretion in concealing it. Sure I am that Machiavel is for the immortality of a commonwealth upon far weaker principles. ‘If a commonwealth,’ says he, ‘were so happy as to be provided often with men, that, when she is swerving from her principles, should reduce her to her institution, she would be immortal.’ But a commonwealth, as we have demonstrated, swerves not from her principles, but by and through her institution ; if she brought no bias into the world with her, her course for any internal cause must be straightforward, as we see is that of Venice. She cannot turn to the right hand, nor to the left, but by some rub, which is not an internal but external cause : against such she can be no way fortified, but through her situation, as is Venice, or through her militia, as was Rome, by which examples a commonwealth may be secure of those also. Think me not vain, for I cannot conceal my opinion here ; a commonwealth that is rightly instituted can never swerve, nor one that is not rightly instituted be secured from swerving by reduction to her first principles ; wherefore it is no less apparent in this place that Machiavel understood not a commonwealth as to the whole piece, than where having told you that a tribune, or any other citizen of Rome, might propose a law to the people, and debate it with them, he adds, ‘this order was good, while the people were good ; but when the people became evil, it became most pernicious.’ As if this order (through which, with the like, the people most apparently became evil) could ever have been good, or that the people or the commonwealth could ever have become good, by being reduced to such principles as were the original of their evil. The disease of Rome was, as has been shown, from the native inequality of her balance, and no otherwise from the empire of the world, than as, this falling into one scale, that of the nobility (an evil in

such a fabric inevitable) kicked out the people. Wherefore a man that could have made her to throw away the empire of the world, might in that have reduced her to her principles, and yet have been so far from rendering her immortal that, going no further, he should never have cured her. But your commonwealth is founded upon an equal Agrarian ; and if the earth be given to the sons of men, this balance is the balance of justice, such a one as in having due regard to the different industry of different men, yet faithfully judges the poor. ‘ And the king that faithfully judges the poor, his throne shall be established for ever ;’ much more the commonwealth, seeing that equality, which is the necessary dissolution of monarchy, is the generation, the very life and soul of a commonwealth. And now, if ever, I may be excusable, seeing my assertion, that the throne of a commonwealth may be established for ever, is consonant to the Holy Scriptures.

“ The balance of a commonwealth that is equal, is of such a nature, that whatever falls into her empire, must fall equally ; and if the whole earth falls into your scales, it must fall equally, and so you may be a greater people, and yet not swerve from your principles one hair. Nay, you will be so far from that, that you must bring the world in such a case to your balance, even to the balance of justice. But hearken, my Lords ; are we on earth, do we see the sun, or are we visiting those shady places which are feigned by the poets ?

*Continuò auditæ voces, vagitus et ingens.*

These Gothic empires that are yet in the world, were at the first, though they had legs of their own, but a heavy and unwieldy burden ; but their foundations being now broken, the iron of them enters even into the souls of the oppressed ; and hear the voice of their comforters : ‘ My father hath chastised you with whips, but I will chastise you with scorpions.’ Hearken, I say, if thy brother cries to thee in affliction, wilt thou not hear him ? This is a commonwealth of the fabric that has an open ear and a public concern ; she is not made for herself only, but given as a magistrate of God to mankind, for the vindication of common right and the law of Nature. Wherefore says Cicero of the like, that of the Romans, ‘ We

have, rather undertaken the patronage than the empire of the world.' If you, not regarding this example, like some other nations that are upon the point to smart for it, shall, having attained to your own liberty, bear the sword of your common magistracy in vain, sit still, and fold your arms, or which is worse, let out the blood of your people to tyrants, to be shed in the defence of their yokes like water, and so not only turn the grace of God into wantonness, but His justice into wormwood : I say if you do thus, you are not now making a commonwealth, but heaping coals of fire upon your own heads. A commonwealth of this make is a minister of God upon earth, to the end that the world may be governed with righteousness. For which cause (that I may come at length to our present business) the orders last rehearsed are buds of empire, such as with the blessing of God may spread the arms of your commonwealth, like a holy asylum, to the distressed world, and give the earth her sabbath of years, or rest from her labours, under the shadow of your wings. It is upon this point where the writings of Machiavel, having for the rest excelled all other authors, come as far to excel themselves.

“Commonwealths, says he, have had three ways of propagating themselves, one after the manner of monarchies, by imposing the yoke, which was the way of Athens, and, towards the latter times, of Lacedemon ; another by equal leagues, which is the way of Switzerland (I shall add of Holland, though since his time) ; a third by unequal leagues, which, to the shame of the world, was never practised, nay, nor so much as seen or minded, by any other commonwealth but that only of Rome. They will each of them, either for caution or imitation, be worthy to be well weighed, which is the proper work of this place. Athens and Lacedemon have been the occasion of great scandal to the world, in two, or at least one of two regards : the first, their emulation, which involved Greece in perpetual wars ; the second, their way of propagation, which by imposing yokes upon others, was plainly contradictory to their own principles.

“For the first : governments, be they of what kind soever, if they be planted too close, are like trees, that impatient in their growth to have it hindered, eat out one another. It was not

unknown to these in speculation, or, if you read the story of Agesilaus, in action, that either of them with thirty thousand men might have mastered the East ; and certainly, if the one had not stood in the other's light, Alexander had come too late to that end, which was the means (and would be if they were to live again) of ruin, at least to one of them ; wherefore with any man that understands the nature of government this is excusable. So it was between Oceana and Marpesia ; so it is between France and Spain, though less excusable ; and so it ever will be in the like cases. But to come to the second occasion of scandal by them given, which was in the way of their propagation, it is not excusable ; for they brought their confederates under bondage, by which means Athens gave occasion of the Peloponnesian war, the wound of which she died stinking, when Lacedemon, taking the same infection from her carcase, soon followed.

“ Wherefore, my Lords, let these be warnings to you not to make that liberty which God has given you a snare to others in practising this kind of enlargement to yourselves.

“ The second way of propagation or enlargement used by commonwealths, is that of Switzerland and Holland, equal leagues ; this, though it be not otherwise mischievous, is useless to the world, and dangerous to themselves : useless to the world, for as the former governments were storks, these are blocks, have no sense of honour, or concern in the sufferings of others. But as the Ætolians, a state of the like fabric, were reproached by Philip of Macedon to prostitute themselves, by letting out their arms to the lusts of others, while they leave their own liberty barren and without legitimate issue ; so I do not defame these people ; the Switzer for valour has no superior, the Hollander for industry no equal ; but themselves in the meantime shall so much the less excuse their governments, seeing that to the Switz it is well enough known that the ensigns of his commonwealth have no other motto than *in te converte manus* ; and that of the Hollander, though he sweats more gold than the Spaniard digs, lets him languish in debt ; for she herself lives upon charity. These are dangerous to themselves, precarious governments, such as do not command, but beg their bread from province to province, in coats that being patched up



of all colours are in effect of none. That their cantons and provinces are so many arrows, is good ; but they are so many bows too, which is naught.

“ Like to these was the commonwealth of the ancient Tuscans; hung together like bobbins, without a hand to weave with them ; therefore easily overcome by the Romans, though at that time, for number, a far less considerable people. If your liberty be not a root that grows, it will be a branch that withers, which consideration brings me to the paragon, the commonwealth of Rome.

“ The ways and means whereby the Romans acquired the patronage, and in that the empire of the world, were different, according to the different condition of their commonwealth in her rise and in her growth : in her rise she proceeded rather by colonies, in her growth by unequal leagues. Colonies without the bounds of Italy she planted none (such dispersion of the Roman citizen as to plant him in foreign parts, till the contrary interest of the emperors brought in that practice, was unlawful), nor did she ever demolish any city within that compass, or divest it of liberty ; but whereas the most of them were commonwealths, stirred up by emulation of her great felicity to war against her, if she overcame any, she confiscated some part of their lands that were the greatest incendiaries, or causes of the trouble, upon which she planted colonies of her own people, preserving the rest of their lands and liberties for the natives or inhabitants. By this way of proceeding, that I may be as brief as possible, she did many and great things. For in confirming of liberty, she propagated her empire ; in holding the inhabitants from rebellion, she put a curb upon the incursion of enemies ; in exonerating herself of the poorer sort, she multiplied her citizens ; in rewarding her veterans, she rendered the rest less seditious ; and in acquiring to herself the reverence of a common parent, she from time to time became the mother of new-born cities.

“ In her farther growth the way of her propagation went more upon leagues, which for the first division were of two kinds, social and provincial.

“ Again, social leagues, or leagues of society, were of two kinds :

“The first called Latinity or Latin, the second Italian right.

“The league between the Romans and the Latins, or Latin right, approached nearest to *jus quiritorium*, or the right of a native Roman. The man or the city that was honoured with this right, was *civitate donatus cum suffragio*, adopted a citizen of Rome, with the right of giving suffrage with the people in some cases, as those of conformation of law, or determination in judicature, if both the consuls were agreed, not otherwise; wherefore that coming to little, the greatest and most peculiar part of this privilege was, that who had borne magistracy (at east that of *ædile* or *quæstor*) in any Latin city, was by consequence of the same a citizen of Rome at all points.

“Italian right was also a donation of the city, but without suffrage: they who were in either of these leagues, were governed by their own laws and magistrates, having all the rights, as to liberty, of citizens of Rome, yielding and praying to the commonwealth as head of the league, and having in the conduct of all affairs appertaining to the common cause, such aid of men and money as was particularly agreed to upon the merit of the cause, and specified in their respective leagues, whence such leagues came to be called equal or unequal accordingly.

“Provincial leagues were of different extension, according to the merit and capacity of a conquered people; but they were all of one kind, for every province was governed by Roman magistrates, as a prætor or a proconsul, according to the dignity of the province, for the civil administration and conduct of the provincial army, and a quæstor for the gathering of the public revenue, from which magistrates a province might appeal to Rome.

“For the better understanding of these particulars, I shall exemplify in as many of them as is needful, and first in Macedon:

“The Macedonians were thrice conquered by the Romans, first under the conduct of Titus Quintus Flaminius; secondly, under that of Lucius Æmilius Paulus; and, thirdly, under that of Quintus Cæcilius Metellus, thence called Macedonicus.

“For the first time Philip of Macedon, who (possessed of Acrocorinthus) boasted no less than was true, that he had

Greece in fetters, being overcome by Flaminius, had his kingdom restored to him, upon condition that he should immediately set all the cities which he held in Greece and in Asia at liberty ; and that he should not make war out of Macedon but by leave of the senate of Rome ; which Philip (having no other way to save anything) agreed should be done accordingly.

“ The Grecians being at this time assembled at the Isthmian games, where the concourse was mighty great, a crier, appointed to the office by Flaminius, was heard among them proclaiming all Greece to be free ; to which the people being amazed at so hopeless a thing, gave little credit, till they received such testimony of the truth as put it past all doubt, whereupon they fell immediately on running to the proconsul with flowers and garlands, and such violent expressions of their admiration and joy, as, if Flaminius, a young man, about thirty-three, had not also been very strong, he must have died of no other death than their kindness, while every one striving to touch his hand, they bore him up and down the field with an unruly throng, full of such ejaculations as these : How ! Is there a people in the world, that at their own charge, at their own peril, will fight for the liberty of another ? Did they live at the next door to the fire ? Or what kind of men are these, whose business it is to pass the seas, that the world may be governed with righteousness ? The cities of Greece and of Asia shake off their iron fetters at the voice of a crier ! Was it madness to imagine such a thing, and is it done ? O virtue ! O felicity ! O fame !

“ In this example your lordships have a donation of liberty, or of Italian right to a people, by restitution to what they had formerly enjoyed ; and some particular men, families or cities, according to their merit of the Romans, if not upon this, yet upon the like occasions, were gratified with Latinity.

“ But Philip’s share by this means did not please him, wherefore the league was broken by his son Perseus ; and the Macedonians thereupon for the second time conquered by Æmilius Paulus, their king taken, and they some time after the victory summoned to the tribunal of the general ; where, remembering how little hope they ought to have of pardon, they expected some dreadful sentence : when Æmilius, in the first place, declared the Macedonians to be free, in the full

possession of their lands, goods, and laws, with right to elect annual magistrates, yielding and paying to the people of Rome one half of the tribute which they were accustomed to pay to their own kings. This done he went on, making so skilful a division of the country in order to the methodizing of the people, and casting them into the form of popular government, that the Macedonians, being first surprised with the virtue of the Romans, began now to alter the scene of their admiration, that a stranger should do such things for them in their own country, and with such facility as they had never so much as once imagined to be possible. Nor was this all ; for Æmilius, as if not dictating to conquered enemies, but to some well-deserving friends, gave them in the last place laws so suitable, and contrived with such care and prudence, that long use and experience (the only correctress of works of this nature) could never find a fault in them.

“ In this example you have a donation of liberty, or of Italian right, to a people that had not tasted of it before, but were now taught how to use it.

“ My Lords, the royalists should compare what we are doing, and we what hitherto we have done for them, with this example. It is a shame that while we are boasting up ourselves above all others, we should yet be so far from imitating such examples as these, that we do not so much as understand that if government be the parent of manners, where there are no heroic virtues, there is no heroic government.

“ But the Macedonians rebelling, at the name of a false Philip, the third time against the Romans were by them judged incapable of liberty, and reduced by Metellus to a province.

“ Now whereas it remains that I explain the nature of a province, I shall rather choose that of Sicily, because having been the first which the Romans made, the descriptions of the rest relate to it.

“ ‘ We have so received the Sicilian cities into amity,’ says Cicero, ‘ that they enjoy their ancient laws ; and upon no other condition than of the same obedience to the people of Rome, which they formerly yielded to their own princes or superiors.’ So the Sicilians, whereas they had been parcelled out to divers

princes, and into divers states (the cause of perpetual wars, whereby, hewing one another down, they became sacrifices to the ambition of their neighbours, or of some invader), were now received at the old rate into a new protection which could hold them, and in which no enemy durst touch them; nor was it possible, as the case then stood, for the Sicilians to receive, or for the Romans to give more.

“A Roman province is defined by Sigonius, a region having provincial right. Provincial right in general was to be governed by a Roman prætor, or consul, in matters at least of state, and of the militia; and by a quæstor, whose office it was to receive the public revenue. Provincial right in particular was different, according to the different leagues or agreements between the commonwealth, and the people reduced into a province. ‘Siculi hoc jure sunt, ut quod civis cum cive agat, domi certet suis legibus; quod siculus cum siculo non ejusdem civitatis, ut de eo prætor judices, ex P. Rupillii decreto, sortiatur. Quod privatus a populo petit, aut populus a privato, senatus ex aliqua civitate, qui judicet, datur, cui alternæ civitates rejectæ sunt. Quod vivis Romanus a siculo petit, siculus judex datur; quod siculus a cive Romano, civis Romanus datur. Cæterarum rerum selecti judices ex civium Romanorum conventu proponi solent. Inter aratores et decumanos lege frumentaria, quam Hieronicam appellant, judicia fiunt.’ Because the rest would oblige me to a discourse too large for this place, it shall suffice that I have showed you how it was in Sicily.

“My Lords, upon the fabric of your provincial orb I shall not hold you; because it is sufficiently described in the order, and I cannot believe that you think it inferior to the way of a prætor and a quæstor. But whereas the provincial way of the Roman commonwealth was that whereby it held the empire of the world, and your orbs are intended to be capable at least of the like use, there may arise many controversies, as whether such a course be lawful, whether it be feasible; and, seeing that the Romans were ruined upon that point, whether it would not be to the destruction of the commonwealth.

“For the first: if the empire of a commonwealth be an occasion to ask whether it be lawful for a commonwealth to aspire to the empire of the world, it is to ask whether it be

lawful for it to do its duty, or to put the world into a better condition than it was before.

“And to ask whether this be feasible, is to ask why the Oceaner, being under the like administration of government, may not do as much with two hundred men as the Roman did with one hundred ; for comparing their commonwealths in their rise, the difference is yet greater : now that Rome (*seris avaritia luxuriague*), through the natural thirst of her constitution, came at length with the fulness of her provinces to burst herself, this is no otherwise to be understood than as when a man that from his own evil constitution had contracted the dropsy, dies with drinking, it being apparent that in case her Agrarian had held, she could never have been thus ruined, and I have already demonstrated that your Agrarian being once poised, can never break or swerve.

“Wherefore to draw towards some conclusion of this discourse, let me inculcate the use, by selecting a few considerations out of many. The regard had in this place to the empire of the world appertains to a well-ordered commonwealth, more especially for two reasons :

“ 1. The facility of this great enterprise, by a government of the model proposed.

“ 2. The danger that you would run in the omission of such a government.

“The facility of this enterprise, upon the grounds already laid, must needs be great, forasmuch as the empire of the world has been, both in reason and experience, the necessary consequence of a commonwealth of this nature only ; for though it has been given to all kinds to drive at it, since that of Athens or Lacedemon, if the one had not hung in the other's light might have gained it, yet could neither of them have held it ; not Athens, through the manner of her propagation, which, being by downright tyranny, could not preserve what she had, nor Lacedemon, because she was overthrown by the weight of a less conquest. The facility then of this great enterprise being peculiar to popular government, I shall consider it, first, in gaining ; and secondly, in holding.

“For the former, *volenti non fit injuria*. It is said of the people under Eumenes, that they would not have changed their

**s**ubjection for liberty; wherefore the Romans gave them no **d**isturbance. If a people be contented with their government, **i**t is a certain sign that it is good, and much good do them with **i**t. The sword of your magistracy is for a terror to them that **d**o evil. Eumenes had the fear of God, or of the Romans, **b**efore his eyes; concerning such he has given you no **c**ommission.

“ But till we can say, here are the Romans, where is Eumenes? **D**o not think that the late appearances of God to you have been **a**ltogether for yourselves; ‘He has surely seen the affliction of **y**our brethren, and heard their cry by reason of their task-masters.’ For to believe otherwise, is not only to be mindless of **H**is ways, but altogether deaf. If you have ears to hear, this is the way in which you will certainly be called upon; for if, while there is no stock of liberty, no sanctuary of the afflicted, it be a common object to behold a people casting themselves out of the pan of one prince into the fire of another; what can you think, but if the world should see the Roman eagle again, she would renew her age and her flight? Nor did ever she spread her wings with better omen than will be read in your ensigns; which if, called in by an oppressed people they interpose between them and their yoke, the people themselves must either do nothing in the meantime, or have no more pains to take for their wished fruit than to gather it, if that be not likewise done for them. Wherefore this must needs be easy, and yet you have a greater facility than is in the arm of flesh; for if the cause of mankind be the cause of God, the Lord of Hosts will be your captain, and you shall be a praise to the whole earth.

“ The facility of holding is in the way of your propagation; if you take that of Athens and Lacedemon, you shall rain snares; but either catch or hold nothing. Lying lips are an abomination to the Lord: if setting up for liberty you impose yokes, He will infallibly destroy you. On the other side, to go about a work of this nature by a league without a head, is to abdicate that magistracy wherewith He has not only endued you, but whereof He will require an account of you; for, ‘cursed is he that does the work of the Lord negligently.’ Wherefore you are to take the course of Rome: if you have subdued a nation that is capable of liberty, you shall make them a present of it,

as did Flaminius to Greece, and Æmilius to Macedon, reserving to yourselves some part of that revenue which was legally paid to the former government, together with the right of being head of the league, which includes such levies of men and money as shall be necessary for the carrying on of the public work. For if a people have by your means attained to freedom, they owe both to the cause and you such aid as may propagate the like fruit to the rest of the world. But whereas every nation is not capable of her liberty to this degree, lest you be put to doing and undoing of things, as the Romans were in Macedon, you shall diligently observe what nation is fit for her liberty to this degree, and what not; which is to be done by two marks, the first if she be willing to 'help the Lord against the mighty;' for if she has no care of the liberty of mankind she deserves not her own. But because in this you may be deceived by pretences, which, continuing for a while specious, may afterwards vanish; the other is more certain, and that is if she be capable of an equal Agrarian; which that it was not observed by excellent Æmilius in his donation of liberty, and introduction of a popular state among the Macedonians, I am more than moved to believe for two reasons; the first, because at the same time the Agrarian was odious to the Roman patricians; the second, that the pseudo-Philip could afterwards so easily recover Macedon, which could not have happened but by the nobility, and their impatience, having great estates, to be equalled with the people; for that the people should otherwise, at the mere sound of a name, have thrown away their liberty, is incredible. Wherefore be assured that the nation where you cannot establish an equal Agrarian, is incapable of its liberty as to this kind of donation. For example, except the aristocracy in Marpesia be dissolved, neither can that people have their liberty there, nor you govern at home; for they continuing still liable to be sold by their lords to foreign princes, there will never (especially in a country of which there is no other profit to be made) be want of such merchants and drovers, whilst you must be the market where they are to receive their second payment.

¶ "Nor can the aristocracy there be dissolved but by your means, in relation whereto you are provided with your pro-



vincial orb ; which, being proportioned to the measure of the nation that you have vindicated or conquered, will easily hold it : for there is not a people in the world more difficult to be held than the Marpesians, which, though by themselves it be ascribed to their own nature, is truly to be attributed to that of their country. Nevertheless, you having nine thousand men upon the continual guard of it, that, threatened by any sudden insurrection, have places of retreat, and an army of forty thousand men upon a day's warning ready to march to their rescue, it is not to be rationally shown which way they can possibly slip out of your hands. And if a man should think that upon a province more remote and divided by the sea, you have not the like hold, he has not so well considered your wings as your talons, your shipping being of such a nature as makes the descent of your armies almost of equal facility in any country, so that what you take you hold, both because your militia, being already populous, will be of great growth in itself, and also through your confederates, by whom in taking and holding you are still more enabled to do both.

“ Nor shall you easier hold than the people under your empire or patronage may be held. My Lords, I would not go to the door to see whether it be close shut ; this is no underhand dealing, nor a game at which he shall have any advantage against you who sees your cards, but, on the contrary, the advantage shall be your own : for with eighteen thousand men (which number I put, because it circulates your orb by the annual change of six thousand), having established your matters in the order shown, you will be able to hold the greatest province ; and eighteen thousand men, allowing them greater pay than any prince ever gave, will not stand the province in one million revenue ; in consideration whereof, they shall have their own estates free to themselves, and be governed by their own laws and magistrates ; which, if the revenue of the province be in dry rent (as there may be some that are four times as big as Oceana) forty millions, will bring it with that of industry, to speak with the least, to twice the value : so that the people there, who at this day are so oppressed that they have nothing at all whereon to live, shall for one million paid to you, receive at least seventy-nine to their proper use : in which place I appeal

to any man, whether the empire described can be other than the patronage of the world.

“Now if you add to the propagation of civil liberty (so natural to this commonwealth that it cannot be omitted) the propagation of the liberty of conscience, this empire, this patronage of the world, is the kingdom of Christ : for as the kingdom of God the Father was a commonwealth, so shall the kingdom of God the Son ; ‘the people shall be willing in the day of His power.’

“Having showed you in this and other places some of those inestimable benefits of this kind of government, together with the natural and facile emanation of them from their fountain, I come (lest God who has appeared to you, for He is the God of Nature, in the glorious constellation of these subordinate causes, whereof we have hitherto been taking the true elevation, should shake off the dust of His feet against you) to warn you of the dangers which you, not taking the opportunity, will incur by omission.

“Machiavel, speaking of the defect of Venice, through her want of proper arms, cries out, ‘This cut her wings, and spoiled her mount to heaven.’ If you lay your commonwealth upon any other foundation than the people, you frustrate yourself of proper arms, and so lose the empire of the world ; nor is this all, but some other nation will have it.

“Columbus offered gold to one of your kings, through whose happy incredulity another prince has drunk the poison, even to the consumption of his people ; but I do not offer you a nerve of war that is made of purse-strings, such a one as has drawn the face of the earth into convulsions, but such as is natural to her health and beauty. Look you to it, where there is tumbling and tossing upon the bed of sickness, it must end in death or recovery. Though the people of the world, in the dregs of the Gothic empire, be yet tumbling and tossing upon the bed of sickness, they cannot die ; nor is there any means of recovery for them but by ancient prudence, whence of necessity it must come to pass that this drug be better known. If France, Italy, and Spain were not all sick, all corrupted together, there would be none of them so ; for the sick would not be able to withstand the sound, nor the sound to preserve their health, without curing

of the sick. The first of these nations (which if you stay her leisure, will in my mind be France) that recovers the health of ancient prudence, shall certainly govern the world; for what did Italy when she had it? and as you were in that, so shall you in the like case be reduced to a province; I do not speak at random. Italy, in the consulship of Lucius Æmilius Papus and Caius Atilius Regulus, armed, upon the Gallic tumult that then happened of herself, and without the aid of foreign auxiliaries, seventy thousand horse and seven hundred thousand foot; but as Italy is the least of those three countries in extent, so is France now the most populous.

I, decus, I, nostrum, melioribus utere fatis.

“ My dear Lords, Oceana is as the rose of Sharon, and the lily of the valley. As the lily among thorns, such is my love among the daughters. She is comely as the tents of Kedar, and terrible as an army with banners. Her neck is as the tower of David, builded for an armoury, whereon there hang a thousand bucklers and shields of mighty men. Let me hear thy voice in the morning, whom my soul loves. The south has dropped, and the west is breathing upon thy garden of spices. Arise, queen of the earth, arise, holy spouse of Jesus; for lo, the winter is past, the rain is over and gone; the flowers appear on the earth, the time for the singing of birds is come, and the voice of the turtle is heard in our land. Arise, I say, come forth, and do not tarry: ah! wherefore should my eyes behold thee by the rivers of Babylon, hanging thy harps upon the willows, thou fairest among women?

“ Excellent patriots, if the people be sovereign, here is that which establishes their prerogative; if we be sincere, here is that which disburdens our souls, and makes good all our engagements; if we be charitable, here is that which embraces all parties; if we would be settled, here is that which will stand, and last for ever.

“ If our religion be anything else but a vain boast, scratching and defacing human nature or reason, which, being the image of God, makes it a kind of murder, here is that empire whence ‘justice shall run down like a river, and judgment like a mighty stream.’ Who is it then that calls us? or, what is in our way?

A lion! Is it not the dragon, that old serpent? For what wretched shifts are these? Here is a great deal; might we not have some of this at one time, and some at another?

“My Lords, permit me to give you the sum, or brief

#### EPITOME OF THE WHOLE COMMONWEALTH.

“The centre or fundamental laws are, first, the Agrarian, proportioned at £2000 a year in land, lying and being within the proper territory of Oceana, and stating property in land at such a balance, that the power can never swerve out of the hands of the many.

“Secondly, the ballot conveying this equal sap from the root, by an equal election or rotation, into the branches of magistracy or sovereign power.

“The orbs of this commonwealth being civil, military or provincial, are, as it were, cast upon this mould or centre by the divisions of the people; first, into citizens and servants; secondly, into youth and elders; thirdly, into such as have £100 a year in lands, goods or moneys, who are of the horse; and such as have under, who are of the foot; fourthly, they are divided by their usual residence into parishes, hundreds, and tribes.

“The civil orbs consist of the elders, and are thus created: every Monday next ensuing the last of December, the elders in every parish elect the fifth man to be a deputy, which is but half a day's work; every Monday next ensuing the last of January, the deputies meet at their respective hundred, and elect out of their number one justice of the peace, one juryman, one coroner, and one high constable of the foot, one day's work.

“Every Monday next ensuing the last of February, the hundreds meet at their respective tribe, and there elect the lords high sheriff, lieutenant, *custos rotulorum*, the conductor, the two censors out of the horse, the magistrates of the tribe and of the hundreds, with the jurymen constituting the phylarch, and who assist in their respective offices at the assizes, hold the quarter-sessions, &c. The day following the tribe elects the

annual galaxy, consisting of two knights and three deputies out of the horse, with four deputies out of the foot, thereby endued with power, as magistrates of the whole nation, for the term of three years. An officer chosen at the hundred may not be elected a magistrate of the tribe; but a magistrate or officer either of the hundred or of the tribe, being elected into the galaxy, may substitute any one of his own order to his magistracy or office in the hundred, or in the tribe. This of the muster is two days' work. So the body of the people is annually, at the charge of three days' work and a half, in their own tribes, for the perpetuation of their power, receiving over and above the magistracies so divided among them.

“ Every Monday next ensuing the last of March, the knights, being a hundred in all the tribes, take their places in the senate. The knights, having taken their places in the senate, make the third region of the same, and the house proceeds to the senatorian elections. Senatorian elections are annual, biennial, or emergent.

“ The annual are performed by the tropic.

“ The tropic is a schedule consisting of two parts; the first by which the senatorian magistrates are elected; and the second, by which the senatorian councils are perpetuated.

“ The first part is of this tenor :

<p>The Lord Strategus, The Lord Orator, The first Censor, The second Censor,</p>	}	<p>Annual magistrates, and therefore such as may be elected out of any region; the term of every region having at the tropic one year at the least unexpired.</p>
<p>The third Commissioner of the Seal, The third Commissioner of the Treasury,</p>	}	<p>Triennial magistrates, and therefore such as can be chosen out of the third region only, as that alone which has the term of three years unexpired.</p>

“ The strategus and the orator sitting, are consuls, or presidents of the senate.

“ The strategus marching is general of the army, in which case a new strategus is to be elected in his room.

“The strategus sitting with six commissioners, being councillors of the nation, are the signory of the commonwealth.

“The censors are magistrates of the ballot, presidents of the council for religion, and chancellors of the universities.

“The second part of the tropic perpetuates the council of state, by the election of five knights out of the first region of the senate, to be the first region of that council consisting of fifteen knights, five in every region.

“The like is done by the election of four into the council of religion, and four into the council of trade, out of the same region in the senate; each of these councils consisting of twelve knights, four in every region.

“But the council of war, consisting of nine knights, three in every region, is elected by and out of the council of state, as the other councils are elected by and out of the senate. And if the senate add a juncta of nine knights more, elected out of their own number, for the term of three months, the council of war, by virtue of that addition, is dictator of Oceana for the said term.

“The signory jointly or severally has right of session and suffrage in every senatorial council, and to propose either to the senate, or any of them. And every region in a council electing one weekly provost, any two of those provosts have power also to propose to their respective council, as the proper and peculiar proposers of the same, for which cause they hold an academy, where any man, either by word of mouth or writing, may propose to the proposers.

“Next to the elections of the tropic is the biennial election of one ambassador-in-ordinary, by the ballot of the house, to the residence of France; at which time the resident of France removes to Spain, he of Spain to Venice, he of Venice to Constantinople, and he of Constantinople returns. So the orb of the residents is wheeled about in eight years, by the biennial election of one ambassador-in-ordinary.

“The last kind of election is emergent. Emergent elections are made by the scrutiny. Election by scrutiny is when a competitor, being made by a council, and brought into the senate, the senate chooses four more competitors to him, and putting all five to the ballot, he who has most above half the

suffrages, is the magistrate. The polemarchs or field officers are chosen by the scrutiny of the council of war ; an ambassador extraordinary by the scrutiny of the council of state ; the judges and sergeants-at-law by the scrutiny of the seal ; and the barons and prime officers of the exchequer, by the scrutiny of the treasury.

“ The opinion or opinions that are legitimately proposed to any council must be debated by the same, and so many as are resolved upon the debate are introduced into the senate, where they are debated and resolved, or rejected by the whole house ; that which is resolved by the senate is a decree which is good in matters of state, but no law, except it be proposed to and resolved by the prerogative.

“ The deputies of the galaxy being three horse and four foot in a tribe, amount in all the tribes to one hundred and fifty horse, and two hundred foot ; which, having entered the prerogative, and chosen their captains, cornet and ensign (triennial officers), make the third class, consisting of one troop and one company ; and so, joining with the whole prerogative, elect four annual magistrates, called tribunes, whereof two are of the horse and two of the foot. These have the command of the prerogative sessions, and suffrage in the council of war, and sessions without suffrage in the senate.

“ The senate having passed a decree which they would propose to the people, cause it to be printed and published, or promulgated for the space of six weeks, which being ordered, they choose their proposers. The proposers must be magistrates, that is, the commissioners of the seal, those of the treasury, or the censors. These being chosen, desire the muster of the tribunes, and appoint the day. The people being assembled at the day appointed, and the decree proposed, that which is proposed by authority of the senate, and commanded by the people, is the law of Oceana, or an act of parliament.

“ So the parliament of Oceana consists of the senate proposing, and the people resolving.

“ The people or prerogative are also the supreme judicatory of this nation, having power of hearing and determining all causes of appeal from all magistrates, or courts provincial or

domestic, as also to question any magistrate, the term of his magistracy being expired, if the case be introduced by the tribunes, or any one of them.

“The military orbs consist of the youth, that is, such as are from eighteen to thirty years of age; and are created in the following manner :

“Every Wednesday next ensuing the last of December, the youth of every parish assembling, elect the fifth of their number to be their deputies; the deputies of the youth are called stratiots, and this is the first essay.

“Every Wednesday next ensuing the last of January, the stratiots assembling at the hundred, elect their captain and their ensign, and fall to their games and sports.

“Every Wednesday next ensuing the last of February, the stratiots are received by the lord lieutenant, their commander-in-chief, with the conductors and the censors; and, having been disciplined and entertained with other games, are called to the urns, where they elect the second essay, consisting of two hundred horse and six hundred foot in a tribe; that is, of ten thousand horse and thirty thousand foot in all the tribes, which is the standing army of this nation, to march at any warning. They also elect at the same time a part of the third essay, by the mixture of balls marked with the letter M and the letter P, for Marpesia and Panopea; they of either mark being ten horse and fifty foot in a tribe, that is, five hundred horse and two thousand five hundred foot in all the tribes, which are forthwith to march to their respective provinces.

“But the third essay of this nation more properly so called, is when the strategus with the polemarchs (the senate and the people, or the dictator having decreed a war) receive in return of his warrants the second essay from the hands of the conductors at the rendezvous of Oceana; which army, marching with all accommodations provided by the council of war, the senate elects a new strategus, and the lords lieutenants a new second essay.

“A youth, except he be an only son, refusing any one of his three essays, without sufficient cause shown to the phylarch or the censors, is incapable of magistracy, and is fined a fifth part of his yearly rent, or of his estate, for protection. In case of



invasion the elders are obliged to like duty with the youth, and upon their own charge.

“ The provincial orb consisting in part of the elders, and in part of the youth, is thus created :

“ Four knights out of the first region falling, are elected in the senate to be the first region of the provincial orb of Marpesia ; these, being triennial magistrates, take their places in the provincial council, consisting of twelve knights, four in every region, each region choosing their weekly provosts of the council thus constituted. One knight more, chosen out of the same region in the senate, being an annual magistrate, is president, with power to propose ; and the opinions proposed by the president, or any two of the provosts, are debated by the council, and, if there be occasion of farther power or instruction than they yet have, transmitted to the council of state, with which the provincial is to hold intelligence.

“ The president of this council is also strategus, or general of the provincial army ; wherefore the conductors, upon notice of his election, and appointment of his rendezvous, deliver to him the stratiots of his letter, which he takes with him into his province ; and the provincial army having received the new strategus with the third class, the council dismisses the old strategus with the first class. The like is done for Panopea, or any other province.

“ But whereas the term of every other magistracy or election in this commonwealth, whether annual or triennial, requires an equal vacation, the term of a provincial councillor or magistrate requires no vacation at all. The quorum of a provincial, as also that of every other council and assembly, requires two-thirds in a time of health, and one-third in a time of sickness.

“ I think I have omitted nothing but the props and scaffolds, which are not of use but in building. And how much is here ? Show me another commonwealth in this compass ? how many things ? Show me another entire government consisting but of thirty orders. If you now go to law with anybody, there lie to some of our courts two hundred original writs : if you stir your hand, there go more nerves and bones to that motion ; if you play, you have more cards in the pack ; nay, you could not sit

with your ease in that chair, if it consisted not of more parts. Will you not then allow to your legislator, what you can afford your upholsterer ; or to the throne, what is necessary to a chair ?

“ My Lords, if you will have fewer orders in a commonwealth, you will have more ; for where she is not perfect at first, every day, every hour will produce a new order, the end whereof is to have no order at all, but to grind with the clack of some demagogue. Is he providing already for his golden thumb ? Lift up your heads ; away with ambition, that fulsome complexion of a statesman, tempered, like Sylla’s, with blood and muck. ‘ And the Lord give to his senators wisdom ; and make our faces to shine, that we may be a light to them that sit in darkness and the shadow of death, to guide their feet in the way of peace.’—In the name of God, what’s the matter ? ”

Philadelphus, the secretary of the council, having performed his task in reading the several orders as you have seen, upon the receipt of a packet from his correspondent Boccacini, secretary of Parnassus, in reading one of the letters, burst forth into such a violent passion of weeping and downright howling, that the legislators, being startled with the apprehension of some horrid news, one of them had no sooner snatched the letter out of his hand, than the rest crying, “ Read, read,” he obeyed in this manner :

“ The 3rd instant his Phœbean majesty having taken the nature of free states into his royal consideration, and being steadily persuaded that the laws in such governments are incomparably better and more surely directed to the good of mankind than in any other ; that the courage of such a people is the aptest tinder to noble fire ; that the genius of such a soil is that wherein the roots of good literature are least worm-eaten with pedantism, and where their fruits have ever come to the greatest maturity and highest relish, conceived such a loathing of their ambition and tyranny, who, usurping the liberty of their native countries, become slaves to themselves, inasmuch as (be it never so contrary to their own nature or consciences) they have taken the earnest of sin, and are engaged to persecute all men that are good with the same or greater rigour than is ordained by laws for the wicked, for none ever administered that power by good

which he purchased by ill arts—Phœbus, I say, having considered this, assembled all the senators residing in the learned court at the theatre of Melpomene, where he caused Cæsar the dictator to come upon the stage, and his sister Actia, his nephew Augustus, Julia his daughter, with the children which she had by Marcus Agrippa, Lucius and Caius Cæsars, Agrippa Posthumus, Julia, and Agrippina, with the numerous progeny which she bore to her renowned husband Germanicus, to enter. A miserable scene in any, but most deplorable in the eyes of Cæsar, thus beholding what havoc his prodigious ambition, not satisfied with his own bloody ghost, had made upon his more innocent remains, even to the total extinction of his family. For it is (seeing where there is any humanity, there must be some compassion) not to be spoken without tears, that of the full branches deriving from Octavia the eldest sister, and Julia the daughter of Augustus, there should not be one fruit or blossom that was not cut off or blasted by the sword, famine, or poison. Now might the great soul of Cæsar have been full; and yet that which poured in as much or more was to behold that execrable race of the Claudii, having hunted and sucked his blood with the thirst of tigers, to be rewarded with the Roman empire, and remain in full possession of that famous patrimony: a spectacle to pollute the light of heaven! Nevertheless, as if Cæsar had not yet enough, his Phœbean majesty caused to be introduced on the other side of the theatre, the most illustrious and happy prince Andrea Doria, with his dear posterity, embraced by the soft and constant arms of the city of Genoa, into whose bosom, ever fruitful in her gratitude, he had dropped her fair liberty like the dew of heaven, which, when the Roman tyrant beheld, and how much more fresh that laurel was worn with a firm root in the hearts of the people than that which he had torn off, he fell into such a horrid distortion of limbs and countenance, that the senators, who had thought themselves steel and flint at such an object, having hitherto stood in their reverend snow-like thawing Alps, now covered their faces with their large sleeves."

"My Lords," said the Archon rising, "witty Philadelphus has given us grave admonition in dreadful tragedy. *Discite justitiam moniti, et non temnere divos.* Great and glorious Cæsar,

the highest character of flesh, yet could not rule but by that part of man which is the beast ; but a commonwealth is a monarchy ; to her God is king, inasmuch as reason, His dictate, is her sovereign power."

Which said, he adjourned the council. And the model was seen after promulgated. *Quod bonum, fœlix, faustumque sit huic reipublicæ. Agite quirites, censuere patres, jubeat populus:* The sea roared, and the floods clapped their hands.

### LIBERTAS.

*The Proclamation of his Highness the Lord Archon of Oceana upon Promulgation of the Model.*

"Whereas his highness and the council, in the framing of the model promulgated, have not had any private interest or ambition, but the fear of God and the good of this people before their eyes ; and it remains their desire that this great work may be carried on accordingly : This present greeting is to inform the good people of this land, that as the council of prytans sat during the framing of the model, to receive from time to time such propositions as should be offered by any wise-hearted or public-spirited man, towards the institution of a well-ordered commonwealth, so the said council is to sit as formerly in the great hall of the pantheon during promulgation (which is to continue for the space of three months) to receive, weigh, and, as there shall be occasion, transmit to the council of legislators, all such objections as shall be made against the said model, whether in the whole, or in any part. Wherefore that nothing be done rashly, or without the consent of the people, such, of what party soever, with whom there may remain any doubts or difficulties, are desired with all convenient speed to address themselves to the said prytans ; where, if such objections, doubts, or difficulties receive solution to the satisfaction of the auditory, they shall have public thanks, but if the said objections, doubts, or difficulties receive no solution to the satisfaction of the auditory, then the model promulgated shall be reviewed, and the party that was the occasion of the review, shall receive public thanks, together with the best horse in his

highness's stable, and be one of the council of legislators. And so God have you in his keeping."

I should now write the same council of the prytans, but for two reasons: the one, that having had but a small time for that which is already done, I am overlaboured; the other, that there may be new objections. Wherefore, if my reader has any such as to the model, I entreat him to address himself by way of oration, as it were, to the prytans, that when this rough draft comes to be a work, his speech being faithfully inserted in this place, may give or receive correction to amendment; for what is written will we weighed. But conversation, in these days, is a game at which they are best provided that have light gold; it is like the sport of women that make flowers of straws, which must be stuck up but may not be touched. Nor, which is worse, is this the fault of conversation only: but to the examiner, I say, if to invent method, and teach an art, be all one, let him show that this method is not truly invented, or this art is faithfully taught.

I cannot conclude a circle (and such is this commonwealth) without turning the end into the beginning. The time of promulgation being expired, the surveyors were sent down, who having in due season made report that their work was perfect, the orators followed, under the administration of which officers and magistrates the commonwealth was ratified and established by the whole body of the people, in their parochial, hundred. and county assemblies. And the orators being, by virtue of their scrolls or lots, members of their respective tribes, were elected each the first knight of the third list, or galaxy; wherefore, having at their return assisted the Archon in putting the senate and the people or prerogative into motion, they abdicated the magistracy both of orators and legislators.

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## IV. THE COROLLARY.

FOR the rest (says Plutarch, closing up the story of Lycurgus) when he saw that his government had taken root, and was in the very plantation strong enough to stand by itself, he conceived such a delight within him, as God is described by Plato to have done when He had finished the creation of the world, and saw His own orbs move below Him : for in the art of man (being the imitation of Nature, which is the art of God) there is nothing so like the first call of beautiful order out of chaos and confusion, as the architecture of a well-ordered commonwealth. Wherefore Lycurgus, seeing in effect that his orders were good, fell into deep contemplation how he might render them, so far as could be effected by human providence, unalterable and immortal. To which end he assembled the people, and remonstrated to them : That for aught he could perceive, their policy was already such, and so well established, as was sufficient to entail upon them and theirs all that virtue and felicity whereof human life is capable : nevertheless that there being another thing of greater concern than all the rest, whereof he was not yet provided to give them a perfect account, nor could till he had consulted the oracle of Apollo, he desired that they would observe his laws without any change or alteration whatsoever till his return from Delphos ; to which all the people cheerfully and unanimously engaged themselves by promise, desiring him that he would make as much haste as he could. But Lycurgus, before he went, began with the kings and the senators, and thence taking the whole people in order, made them all swear to that which they had promised, and then took his journey. Being arrived at Delphos, he sacrificed to Apollo, and afterwards inquired if the policy which he had established was good and sufficient for a virtuous and happy life ? By the way, it has been a maxim with legislators not to give checks to the present superstition, but to make the best use of it, as that which is always the most powerful with the people ; otherwise, though Plutarch, being a priest, was interested in the cause, there is nothing plainer than Cicero, in his book

“De Divinatione” has made it, that there was never any such thing as an oracle, except in the cunning of the priests. But to be civil to the author, the god answered to Lycurgus that his policy was exquisite, and that his city, holding to the strict observation of his form of government, should attain to the height of fame and glory. Which oracle Lycurgus causing to be written, failed not of transmitting to his Lacedemon. This done, that his citizens might be for ever inviolably bound by their oath, that they would alter nothing till his return, he took so firm a resolution to die in the place, that from thenceforward, receiving no manner of food, he soon after performed it accordingly. Nor was he deceived in the consequence; for his city became the first in glory and excellency of government in the whole world. And so much for Lycurgus, according to Plutarch.

My Lord Archon, when he beheld not only the rapture of motion, but of joy and harmony, into which his spheres (without any manner of obstruction or interfering, but as if it had been naturally) were cast, conceived not less of exultation in his spirit; but saw no more necessity or reason why he should administer an oath to the senate and the people that they would observe his institutions, than to a man in perfect health and felicity of constitution that he would not kill himself. Nevertheless whereas Christianity, though it forbids violent hands, consists no less in self-denial than any other religion, he resolved that all unreasonable desires should die upon the spot; to which end that no manner of food might be left to ambition, he entered into the senate with a unanimous applause, and having spoken of his government as Lycurgus did when he assembled the people, he abdicated the magistracy of Archon. The senate, as struck with astonishment, continued silent, men upon so sudden an accident being altogether unprovided of what to say; till the Archon withdrawing, and being almost at the door, divers of the knights flew from their places, offering as it were to lay violent hands on him, while he escaping, left the senate with the tears in their eyes, of children that had lost their father; and to rid himself of all farther importunity, retired to a country house of his, being remote, and very private, insomuch that no man could tell for some time

what was become of him. Thus the law-maker happened to be the first object and reflection of the law made ; for as liberty of all things is the most welcome to a people, so is there nothing more abhorrent from their nature than ingratitude. We, accusing the Roman people of this crime against some of their greatest benefactors, as Camillus, heap mistake upon mistake ; for being not so competent judges of what belongs to liberty as they were, we take upon us to be more competent judges of virtue. And whereas virtue, for being a vulgar thing among them, was of no less rate than jewels are with such as wear the most, we are selling this precious stone, which we have ignorantly raked out of the Roman ruins at such a rate as the Switzers did that which they took in the baggage of Charles of Burgundy. For that Camillus had stood more firm against the ruin of Rome than her capitol, was acknowledged ; but on the other side, that he stood as firm for the patricians against the liberty of the people, was as plain ; wherefore he never wanted those of the people that would die at his foot in the field, nor that would withstand him to his beard in the city. An example in which they that think Camillus had wrong, neither do themselves right, nor the people of Rome ; who in this signify no less than that they had a scorn of slavery beyond the fear of ruin, which is the height of magnanimity. The like might be shown by other examples objected against this and other popular governments, as in the banishment of Aristides the Just from Athens, by the ostracism, which, first, was no punishment, nor ever understood for so much as a disparagement ; but tended only to the security of the commonwealth, through the removal of a citizen (whose riches or power with a party was suspected) out of harm's way for the space of ten years, neither to the diminution of his estate or honour. And next, though the virtue of Aristides might in itself be unquestioned, yet for him under the name of the Just to become universal umpire of the people in all cases, even to the neglect of the legal ways and orders of the commonwealth, approached so much to the prince, that the Athenians, doing Aristides no wrong, did their government no more than right in removing him ; which therefore is not so probable to have come to pass, as Plutarch presumes, through the envy of Themistocles, seeing Aristides was far



more popular than Themistocles, who soon after took the same walk upon a worse occasion. Wherefore as Machiavel, for anything since alleged, has irrefragably proved that popular governments are of all others the least ungrateful, so the obscurity, I say, into which my Lord Archon had now withdrawn himself, caused a universal sadness and clouds in the minds of men upon the glory of his rising commonwealth.

Much had been ventilated in private discourse, and the people (for the nation was yet divided into parties that had not lost their animosities) being troubled, bent their eyes upon the senate, when, after some time spent in devotion, and the solemn action of thanksgiving, his excellency Navarchus de Paralo in the tribe of Dorean, lord strategus of Oceana (though in a new commonwealth a very prudent magistrate), proposed his part or opinion in such a manner to the council of state, that passing the ballot of the same with great unanimity and applause, it was introduced into the senate, where it passed with greater. Wherefore the decree being forthwith printed and published, copies were returned by the secretaries to the phylarchs (which is the manner of promulgation) and the commissioners of the seal, that is to say, the right honourable Phosphorus de Auge in the tribe of Eudia, Dolabella d'Enyo in the tribe of Turmæ, and Linceus de Stella in the tribe of Nubia, being elected proposers *pro tempore*, bespoke of the tribunes a muster of the people to be held that day six weeks, which was the time allowed for promulgation at the halo.

The satisfaction which the people throughout the tribes received upon promulgation of the decree, loaded the carriers with weekly letters between friend and friend, whether magistrates or private persons. But the day for proposition being come, and the prerogative upon the place appointed in discipline, Sanguine de Ringwood, in the tribe of Saltum, captain of the Phœnix, marched by order of the tribunes with his troop to the piazza of the pantheon, where his trumpets, entering into the great hall, by their blazon gave notice of his arrival; at which the sergeant of the house came down, and returning, informed the proposers, who descending, were received at the foot of the stairs by the captain, and attended to the coaches of state, with which Calcar de Gilvo, in the tribe of Phalera, master of the

horse, and the ballotins upon their great horses, stood waiting at the gate.

The proposers being in their coaches, the train for the pomp, the same that is used at the reception of ambassadors, proceeded in this order : In the front marched the troop with the cornet in the van and the captain in the rear ; next the troop came the twenty messengers or trumpets, the ballotins upon the curvet with their usher in the van, and the master of the horse in the rear ; next the ballotins, Bronchus de Rauco, in the tribe of Bestia, king of the heralds, with his fraternity in their coats of arms, and next to Sir Bronchus, Boristhenes de Holiwater in the tribe of Ave, master of the ceremonies ; the mace and the seal of the chancery went immediately before the coaches, and on either side, the doorkeepers or guard of the senate, with their pole-axes, accompanied with some three or four hundred footmen belonging to the knights or senators, the trumpeters, ballotins, guards, postillions, coachmen and footmen, being very gallant in the liveries of the commonwealth, but all, except the ballotins, without hats, in lieu whereof they wore black velvet calots, being pointed with a little peak at the forehead. After the proposers came a long file of coaches full of such gentlemen as use to grace the commonwealth upon the like occasions. In this posture they moved slowly through the streets (affording, in the gravity of the pomp and the welcomeness of the end, a most reverend and acceptable prospect to the people all the way from the pantheon, being about half a mile) and arrived at the halo, where they found the prerogative in a close body environed with scaffolds that were covered with spectators. The tribunes received the proposers, and conducted them into a seat placed in the front of the tribe, like a pulpit, but that it was of some length, and well adorned by the heralds with all manner of birds and beasts, except that they were ill painted, and never a one of his natural colour. The tribunes were placed at a table that stood below the long seat, those of the horse in the middle, and those of the foot at either end, with each of them a bowl or basin before him, that on the right hand being white, and the other green : in the middle of the table stood a third, which was red. And the housekeepers of the pavilion, who had already delivered a proportion of lincn balls or pellets to every one of

the tribe, now presented boxes to the ballotins. But the proposers as they entered the gallery, or long seat, having put off their hats by way of salutation, were answered by the people with a shout; whereupon the younger commissioners seated themselves at either end; and the first standing in the middle, spoke after this manner:

“My Lords, the people of Oceana,—

“While I find in myself what a felicity it is to salute you by this name, and in every face, anointed as it were with the oil of gladness, a full and sufficient testimony of the like sense, to go about to feast you with words, who are already filled with that food of the mind which, being of pleasing and wholesome digestion, takes in the definition of true joy, were a needless enterprise. I shall rather put you in mind of that thankfulness which is due, than puff you up with anything that might seem vain. Is it from the arms of flesh that we derive these blessings? Behold the commonwealth of Rome falling upon her own victorious sword. Or is it from our own wisdom, whose counsels had brought it even to that pass, that we began to repent ourselves of victory? Far be it from us, my Lords, to sacrifice to our own nets, which we ourselves have so narrowly escaped! Let us rather lay our mouths in the dust, and look up (as was taught the other day when we were better instructed in this lesson) to the hills with our gratitude. Nevertheless, seeing we read how God upon the neglect of His prophets has been provoked to wrath, it must needs follow that He expects honour should be given to them by whom He has chosen to work as His instruments. For which cause, nothing doubting of my warrant, I shall proceed to that which more particularly concerns the present occasion, the discovery of my Lord Archon's virtues and merit, to be ever placed by this nation in their true meridian.

“My Lords,—

“I am not upon a subject which persuades me to baulk, but necessitates me to seek out the greatest examples. To begin with Alexander, erecting trophies common to his sword and the pestilence: to what good of mankind did he infect the air with

his heap of carcases? The sword of war, if it be any otherwise used than as the sword of magistracy, for the fear and punishment of those that do evil, is as guilty in the sight of God as the sword of a murderer; nay more, for if the blood of Abel, of one innocent man, cried in the ears of the Lord for vengeance, what shall the blood of an innocent nation? Of this kind of empire, the throne of ambition, and the quarry of a mighty hunter, it has been truly said that it is but a great robbery. But if Alexander had restored the liberty of Greece, and propagated it to mankind, he had done like my Lord Archon, and might have been truly called the Great. Alexander cared not to steal a victory that would be given; but my Lord Archon has torn away a victory which had been stolen, while we went tamely yielding up obedience to a nation reaping in our fields, whose fields he has subjected to our empire, and nailed them with his victorious sword to their native Caucasus.

“Machiavel gives a handsome caution: ‘Let no man,’ says he, ‘be circumvented with the glory of Cæsar, from the false reflection of their pens, who through the longer continuance of his empire in the name than in the family, changed their freedom for flattery. But if a man would know truly what the Romans thought of Cæsar, let them observe what they said of Catiline.’

“And yet by how much he who has perpetrated some heinous crime is more execrable than he who did but attempt it, by so much is Cæsar more execrable than Catiline. On the contrary, let him that would know what ancient and heroic times, what the Greeks and Romans would both have thought and said of my Lord Archon, observe what they thought and said of Solon, Lycurgus, Brutus, and Publicola. And yet by how much his virtue, that is crowned with the perfection of his work, is beyond theirs, who were either inferior in their aim, or in their performance; by so much is my Lord Archon to be preferred before Solon, Lycurgus, Brutus, and Publicola.

“Nor will we shun the most illustrious example of Scipio: this hero, though never so little less, yet was he not the founder of a commonwealth; and for the rest, allowing his virtue to have been of the most untainted ray, in what did it outshine this of my Lord Archon? But if dazzling the eyes of the magistrates it overawed liberty, Rome might be allowed some excuse

that she did not like it, and I, if I admit not of this comparison : for where is my Lord Archon? Is there a genius, how free soever, which in his presence would not find itself to be under power? He is shrunk into clouds, he seeks obscurity in a nation that sees by his light. He is impatient of his own glory, lest it should stand between you and your liberty.

“ Liberty! What is even that, if we may not be grateful? And if we may, we have none : for who has anything that he does not owe? My Lords, there be some hard conditions of virtue : if this debt were exacted, it were not due ; whereas being cancelled, we are all entered into bonds. On the other side, if we make such a payment as will not stand with a free people, we do not enrich my Lord Archon, but rob him of his whole estate and his immense glory.

“ These particulars had in due deliberation and mature debate, according to the order of this commonwealth, it is proposed by authority of the senate, to you my Lords the people of Oceana :

“ I. That the dignity and office of Archon, or protector of the commonwealth of Oceana, be, and is hereby conferred, by the senate and the people of Oceana, upon the most illustrious prince, and sole legislator of this commonwealth, Olphaus Megaletor *pater patriæ*, whom God preserve, for the term of his natural life.

“ II. That £350,000 per annum yet remaining of the ancient revenue, be estated upon the said illustrious prince, or Lord Archon, for the said term, and to the proper and peculiar use of his highness.

“ III. That the Lord Archon have the reception of all foreign ambassadors, by and with the council of state, according to the orders of this commonwealth.

“ IV. That the Lord Archon have a standing army of twelve thousand men, defrayed upon a monthly tax, during the term of three years, for the protection of this commonwealth against dissenting parties, to be governed, directed, and commanded by and with the advice of the council of war, according to the orders of this commonwealth.

“ V. That this commonwealth make no distinction of persons or parties, but every man being elected and sworn, according to the orders of the same, be equally capable of magistracy, or not

elected, be equally capable of liberty, and the enjoyment of his estate free from all other than common taxes.

“VI. That a man putting a distinction upon himself, refusing the oath upon election, or declaring himself of a party not conformable to the civil government, may within any time of the three years’ standing of the army, transport himself and his estate, without molestation or impediment, into any other nation.

“VII. That in case there remains any distinction of parties not conforming to the civil government of this commonwealth, after the three years of the standing army being expired, and the commonwealth be thereby forced to prolong the term of the said army, the pay from henceforth of the said army be levied upon the estates of such parties so remaining unconformable to the civil government.”

The proposer having ended his oration, the trumpets sounded; and the tribunes of the horse being mounted to view the ballot, caused the tribe (which thronging up to the speech, came almost round the gallery) to retreat about twenty paces, when Linceus de Stella, receiving the propositions, repaired with Bronchus de Rauco the herald, to a little scaffold erected in the middle of the tribe, where he seated himself, the herald standing bare upon his right hand. The ballotins, having their boxes ready, stood before the gallery, and at the command of the tribunes marched one to every troop on horseback, and one to every company on foot, each of them being followed by other children that bore red boxes: now this is putting the question whether the question should be put. And the suffrage being very suddenly returned to the tribunes at the table, and numbered in the view of the proposers, the votes were all in the affirmative, whereupon the red or doubtful boxes were laid aside, it appearing that the tribe, whether for the negative or affirmative, was clear in the matter. Wherefore the herald began from the scaffold in the middle of the tribe, to pronounce the first proposition, and the ballotins marching with the negative or affirmative only, Bronchus, with his voice like thunder, continued to repeat the proposition over and over again, so long as it was in balloting. The like was done for every clause, till the ballot was finished, and the tribunes

assembling, had signed the points, that is to say, the number of every suffrage, as it was taken by the secretary upon the tale of the tribunes, and in the sight of the proposers ; for this may not be omitted : it is the pulse of the people. Now whereas it appertains to the tribunes to report the suffrage of the people to the senate, they cast the lot for this office with three silver balls, and one gold one ; and it fell upon the right worshipful Argus de Crookhorn, in the tribe of Pascua, first tribune of the foot. Argus, being a good sufficient man in his own country, was yet of the mind that he should make but a bad spokesman, and therefore became something blank at his luck, till his colleagues persuaded him that it was no such great matter, if he could but read, having his paper before him. The proposers, taking coach, received a volley upon the field, and returned in the same order, save that, being accompanied with the tribunes, they were also attended by the whole prerogative to the piazza of the pantheon, where, with another volley, they took their leaves. Argus, who had not thought upon his wife and children all the way, went very gravely up : and every one being seated, the senate by their silence seemed to call for the report, which Argus, standing up, delivered in this wise :

“ Right Honourable Lords and Fathers assembled in Parliament,—

“ So it is, that it has fallen to my lot to report to your excellencies the votes of the people, taken upon the 3rd instant, in the first year of this commonwealth, at the halo ; the right honourable Phosphorus de Auge in the tribe of Eudia, Dolabella d’Enyo in the tribe of Turmæ, and Linceus de Stella in the tribe of Nubia, lords commissioners of the great seal of Oceana, and proposers *pro temporibus*, together with my brethren the tribunes, and myself being present. Wherefore these are to certify to your fatherhoods, that the said votes of the people were as follows, that is to say :

To the first proposition, *Nemine contradicente*.

To the second, *Nemine contradicente*.

To the third, the like.

To the fourth 211, above half.

To the fifth 201, above half.

To the sixth 150, above half, in the affirmative.  
To the seventh, *nemine* again, and so forth.

“ My Lords, it is a language that is out of my prayers, and if I be out at it, no harm—

“ But as concerning my Lord Archon (as I was saying) these are to signify to you the true-heartedness and goodwill which is in the people, seeing by joining with you, as one man, they confess that all they have to give is too little for his highness. For truly, fathers, if he who is able to do harm, and does none, may well be called honest ; what shall we say to my Lord Archon’s highness, who having had it in his power to have done us the greatest mischief that ever befell a poor nation, so willing to trust such as they thought well of, has done us so much good, as we should never have known how to do ourselves ? Which was so sweetly delivered by my Lord Chancellor Phosphorus to the people, that I dare say there was never a one of them could forbear to do as I do—and, it please your fatherhoods, they be tears of joy. Aye, my Lord Archon shall walk the streets (if it be for his ease I mean) with a switch, while the people run after him and pray for him ; he shall not wet his foot ; they will strew flowers in his way ; he shall sit higher in their hearts, and in the judgment of all good men, than the kings that go upstairs to their seats ; and one of these had as good pull two or three of his fellows out of their great chairs as wrong him or meddle with him ; he has two or three hundred thousand men, that when you say the word, shall sell themselves to their shirts for him, and die at his foot. His pillow is of down, and his grave shall be as soft, over which they that are alive shall wring their hands. And to come to your fatherhoods, most truly so called, as being the loving parents of the people, truly you do not know what a feeling they have of your kindness, seeing you are so bound up, that if there comes any harm, they may thank themselves. And, alas ! poor souls, they see that they are given to be of so many minds, that though they always mean well, yet if there comes any good, they may thank them that teach them better. Wherefore there was never such a thing as this invented, they do verily believe that it is no other than the same which they always had in their very heads, if they could have



but told how to bring it out. As now for a sample: my lords the proposers had no sooner said your minds, than they found it to be that which heart could wish. And your fatherhoods may comfort yourselves, that there is not a people in the world more willing to learn what is for their own good, nor more apt to see it, when you have showed it them. Wherefore they do love you as they do their own selves; honour you as fathers; resolve to give you as it were obedience for ever, and so thanking you for your most good and excellent laws, they do pray for you as the very worthies of the land, right honourable lords and fathers assembled in parliament."

Argus came off beyond his own expectation; for thinking right, and speaking as he thought, it was apparent by the house and the thanks they gave him, that they esteemed him to be absolutely of the best sort of orators; upon which having a mind that till then misgave him, he became very crouse, and much delighted with that which might go down the next week in print to his wife and neighbours. Livy makes the Roman tribunes to speak in the same style with the consuls, which could not be, and therefore for aught in him to the contrary, Volero and Canuleius might have spoken in no better style than Argus. However, they were not created the first year of the commonwealth; and the tribunes of Oceana are since become better orators than were needful. But the laws being enacted, had the preamble annexed, and were delivered to Bronchus, who loved nothing in the earth so much as to go staring and bellowing up and down the town, like a stag in a forest, as he now did, with his fraternity in their coats of arms, and I know not how many trumpets, proclaiming the act of parliament; when, meeting my Lord Archon, whom from a retreat that was without affectation, as being for devotion only, and to implore a blessing by prayer and fasting upon his labours, now newly arrived in town, the herald of the tribe of Bestia set up his throat, and having chanted out his lesson, passed as haughtily by him as if his own had been the better office, which in this place was very well taken, though Bronchus for his high mind happened afterward upon some disasters, too long to tell, that spoiled much of his embroidery.

My Lord Archon's arrival being known, the signory, accompanied by the tribunes, repaired to him, with the news he had already heard by the herald, to which my lord strategus added that his highness could not doubt upon the demonstrations given, but the minds of men were firm in the opinion that he could be no seeker of himself in the way of earthly pomp and glory, and that the gratitude of the senate and the people could not therefore be understood to have any such reflection upon him. But so it was, that in regard of dangers abroad, and parties at home, they durst not trust themselves without a standing army, nor a standing army in any man's hands but those of his highness.

The Archon made answer, that he ever expected this would be the sense of the senate and the people ; and this being their sense, he should have been sorry they had made choice of any other than himself for a standing general ; first, because it could not have been more to their own safety, and secondly, because so long as they should have need of a standing army, his work was not done ; that he would not dispute against the judgment of the senate and the people, nor ought that to be. Nevertheless, he made little doubt but experience would show every party their own interest in this government, and that better improved than they could expect from any other ; that men's animosities should overbalance their interest for any time was impossible, that humour could never be lasting, nor through the constitution of the government of any effect at the first charge. For supposing the worst, and that the people had chosen no other into the senate and the prerogative than royalists, a matter of fourteen hundred men must have taken their oaths at their election, with an intention to go quite contrary, not only to their oaths so taken, but to their own interest ; for being estated in the sovereign power, they must have decreed it from themselves (such an example for which there was never any experience, nor can there be any reason), or holding it, it must have done in their hands as well every wit as in any other. Furthermore, they must have removed the government from a foundation that apparently would hold, to set it upon another which apparently would not hold ; which things if they could not come to pass, the senate and the people

consisting wholly of royalists, much less by a parcel of them elected. But if the fear of the senate and of the people derived from a party without, such a one as would not be elected, nor engage themselves to the commonwealth by an oath; this again must be so large, as would go quite contrary to their own interest, they being as free and as fully estated in their liberty as any other, or so narrow that they could do no hurt, while the people being in arms, and at the beck of the strategus, every tribe would at any time make a better army than such a party; and there being no parties at home, fears from abroad would vanish. But seeing it was otherwise determined by the senate and the people, the best course was to take that which they held the safest, in which, with his humble thanks for their great bounty, he was resolved to serve them with all duty and obedience.

A very short time after the royalists, now equal citizens, made good the Archon's judgment, there being no other that found anything near so great a sweet in the government. For he who has not been acquainted with affliction, says Seneca, knows but half the things of this world.

Moreover they saw plainly, that to restore the ancient government they must cast up their estates into the hands of three hundred men; wherefore in case the senate and the prerogative, consisting of thirteen hundred men, had been all royalists, there must of necessity have been, and be for ever, one thousand against this or any such vote. But the senate, being informed by the signory that the Archon had accepted of his dignity and office, caused a third chair to be set for his highness, between those of the strategus and the orator in the house, the like at every council; to which he repaired, not of necessity, but at his pleasure, being the best, and as Argus not vainly said, the greatest prince in the world; for in the pomp of his court he was not inferior to any, and in the field he was followed with a force that was formidable to all. Nor was there a cause in the nature of this constitution to put him to the charge of guards, to spoil his stomach or his sleep: insomuch, as being handsomely disputed by the wits of the academy, whether my Lord Archon, if he had been ambitious, could have made himself so great, it was carried clear in the

negative ; not only for the reasons drawn from the present balance, which was popular, but putting the case the balance had been monarchical. For there be some nations, whereof this is one, that will bear a prince in a commonwealth far higher than it is possible for them to bear a monarch. Spain looked upon the Prince of Orange as her most formidable enemy ; but if ever there be a monarch in Holland, he will be the Spaniard's best friend. For whereas a prince in a commonwealth derives his greatness from the root of the people, a monarch derives his from one of those balances which nip them in the root ; by which means the Low Countries under a monarch were poor and inconsiderable, but in bearing a prince could grow to a miraculous height, and give the glory of his actions by far the upper hand of the greatest king in Christendom. There are kings in Europe, to whom a king of Oceana would be put a *petit companion*. But the prince of this commonwealth is the terror and judge of them all.

That which my Lord Archon now minded most was the Agrarian, upon which debate he incessantly thrust the senate and the council of state, to the end it might be planted upon some firm root, as the main point and basis of perpetuity to the commonwealth.

And these are some of the most remarkable passages that happened in the first year of this government. About the latter end of the second, the army was disbanded, but the taxes continued at £30,000 a month, for three years and a half. By which means a piece of artillery was planted, and a portion of land to the value of £50 a year purchased for the maintenance of the games, and of the prize arms for ever, in each hundred.

With the eleventh year of the commonwealth, the term of the excise, allotted for the maintenance of the senate and the people and for the raising of a public revenue, expired. By which time the exchequer, over and above the annual salaries, amounting to £300,000 accumulating every year out of £1,000,000 income, £700,000 in banco, brought it with a product of the sum, rising to about £8,000,000 in the whole : whereby at several times they had purchased to the senate and the people £400,000 per annum solid revenue ; which, besides the lands

held in Panopea, together with the perquisites of either province, was held sufficient for a public revenue. Nevertheless, taxes being now wholly taken off, the excise, of no great burden (and many specious advantages not vainly proposed in the heightening of the public revenue), was very cheerfully established by the senate and the people, for the term of ten years longer; and the same course being taken, the public revenue was found in the one-and-twentieth of the commonwealth to be worth £1,000,000 in good land. Whereupon the excise was so abolished for the present, as withal resolved to be the best, the most fruitful and easy way of raising taxes, according to future exigences. But the revenue being now such as was able to be a yearly purchaser, gave a jealousy that by this means the balance of the commonwealth, consisting in private fortunes, might be eaten out; whence this year is famous for that law whereby the senate and the people, forbidding any further purchase of lands to the public within the dominions of Oceana and the adjacent provinces, put the Agrarian upon the commonwealth herself. These increases are things which men addicted to monarchy deride as impossible, whereby they unwarily urge a strong argument against that which they would defend. For having their eyes fixed upon the pomp and expense, by which not only every child of a king, being a prince, exhausts his father's coffers, but favourites and servile spirits, devoted to the flattery of those princes, grow insolent and profuse, returning a fit gratitude to their masters, whom, while they hold it honourable to deceive, they suck and keep eternally poor: it follows that they do not see how it should be possible for a commonwealth to clothe herself in purple, and thrive so strangely upon that which would make a prince's hair grow through his hood, and not afford him bread. As if it were a miracle that a careless and prodigal man should bring £10,000 a year to nothing, or that an industrious and frugal man brings a little to £10,000 a year. But the fruit of one man's industry and frugality can never be like that of a commonwealth; first, because the greatness of the increase follows the greatness of the stock or principal; and, secondly, because a frugal father is for the most part succeeded by a lavish son; whereas a commonwealth is her own heir.

This year a part was proposed by the right honourable Aureus de Woolsack in the tribe of Pecus, first commissioner of the treasury, to the council of state, which soon after passed the ballot of the senate and the people, by which the lands of the public revenue, amounting to one million, were equally divided into five thousand lots, entered by their names and parcels into a lot-book preserved in the exchequer. And if any orphan, being a maid, should cast her estate into the exchequer for £1400, the treasury was bound by the law to pay her quarterly £200 a year, free from taxes, for her life, and to assign her a lot for her security; if she married, her husband was neither to take out the principal without her consent (acknowledged by herself to one of the commissioners of the treasury, who, according as he found it to be free, or forced, was to allow or disallow of it), nor any other way engage it than to her proper use. But if the principal were taken out, the treasury was not bound to repay any more of it than £1000, nor might that be repaid at any time, save within the first year of her marriage: the like was to be done by a half or quarter lot respectively.

This was found to be a great charity to the weaker sex, and as some say, who are more skilful in the like affairs than myself, of good profit to the commonwealth.

Now began the native spleen of Oceana to be much purged, and men not to affect sullenness and pedantism. The elders could remember that they had been youths. Wit and gallantry were so far from being thought crimes in themselves, that care was taken to preserve their innocence. For which cause it was proposed to the council for religion by the right honourable Cadiscus de Clero, in the tribe of Stamnum, first censor, that such women as, living in gallantry and view about the town, were of evil fame, and could not show that they were maintained by their own estates or industry; or such as, having estates of their own, were yet wasteful in their way of life, and of ill example to others, should be obnoxious to the animadversion of the council of religion, or of the censors: in which the proceeding should be after this manner. Notice should be first given of the scandal to the party offending, in private: if there were no amendment within the space of six months, she should

be summoned and rebuked before the said council or censors ; and, if after other six months it were found that neither this availed, she should be censured not to appear at any public meetings, games, or recreations, upon penalty of being taken up by the doorkeepers or guards of the senate, and by them to be detained, till for every such offence £5 were duly paid for her enlargement.

Furthermore, if any common strumpet should be found or any scurrility or profaneness represented at either of the theatres, the prelates for every such offence should be fined £20 by the said council, and the poet, for every such offence on his part, should be whipped. This law relates to another, which was also enacted the same year upon this occasion.

The youth and wits of the academy having put the business so home in the defence of comedies that the provosts had nothing but the consequences provided against by the foregoing law to object, prevailed so far that two of the provosts of the council of state joined in a proposition, which after much ado came to a law, whereby £100,000 was allotted for the building of two theatres on each side of the piazza of the halo : and two annual magistrates called prelates, chosen out of the knights, were added to the tropic, the one called the prelate of the buskin, for inspection of the tragic scene called Melpomene ; and the other the prelate of the sock, for the comic called Thalia, which magistrates had each £500 a year allowed out of the profits of the theatres ; the rest, except £800 a year to four poets, payable into the exchequer. A poet laureate created in one of these theatres by the strategus, receives a wreath of £500 in gold, paid out of the said profits. But no man is capable of this creation that had not two parts in three of the suffrages at the academy, assembled after six weeks' warning and upon that occasion.

These things among us are sure enough to be censured, but by such only as do not know the nature of a commonwealth : for to tell men that they are free, and yet to curb the genius of a people in a lawful recreation to which they are naturally inclined, is to tell a tale of a tub. I have heard the Protestant ministers in France, by men that were wise and of their own profession, much blamed in that they forbade dancing, a recreation to which the genius of that air is so inclining, that they lost

many who would not lose that : nor do they less than blame the former determination of rashness, who now gently connive at that which they had so roughly forbidden. These sports in Oceana are so governed, that they are pleasing for private diversion, and profitable to the public : for the theatres soon defrayed their own charge, and now bring in a good revenue. All this is so far from the detriment of virtue, that it is to the improvement of it, seeing women that heretofore made havoc of their honour that they might have their pleasures, are now incapable of their pleasures if they lose their honour.

About the one-and-fortieth year of the commonwealth, the censors, according to their annual custom, reported the pillar of Nilus, by which it was found that the people were increased very near one-third. Whereupon the council of war was appointed by the senate to bring in a state of war, and the treasurers the state of the treasury. The state of war, or the pay and charge of an army, was soon after exhibited by the council in this account :

THE FIELD PAY OF A PARLIAMENTARY ARMY.

	Per annum.
The Lord Strategus, marching . . . . .	£10,000
Polemarchs—	
General of the Horse . . . . .	2,000
Lieutenant-general . . . . .	2,000
General of the Artillery . . . . .	1,000
Commissary-general . . . . .	1,000
Major-general . . . . .	1,000
Quartermaster-general . . . . .	1,000
Two Adjutants to the Major-general . . . . .	1,000
Forty Colonels . . . . .	40,000
100 Captains of Horse, at £500 a man . . . . .	50,000
300 Captains of Foot, at £300 a man . . . . .	90,000
100 Cornets, at £100 a man . . . . .	10,000
300 Ensigns, at £50 a man . . . . .	15,000
800 { Quartermasters Sergeants Trumpeters Drummers } . . . . .	20,000
Carried forward	£244,000



	Per annum.
Brought forward	. £244,000
10,000 Horse, at 2s. 6d. per day each	. 470,000
30,000 Foot, at 1s. per day each	. 500,000
Chirurgeons	. 400
40,000 Auxiliaries, amounting to within a little as much	. 1,100,000
The charge of mounting 20,000 horse	. 300,000
The train of Artillery, holding a 3d. to the whole	. 900,000
	<hr/>
Sum total	. £3,514,400

Arms and ammunition are not reckoned, as those which are furnished out of the store or arsenal of Emporium: nor wastage, as that which goes upon the account of the fleet, maintained by the customs; which customs, through the care of the council for trade and growth of traffic, were long since improved to about a million revenue. The house being thus informed of a state of war, the commissioners brought in

THE STATE OF THE TREASURY THIS PRESENT YEAR, BEING THE  
ONE-AND-FORTIETH OF THE COMMONWEALTH.

Received from the One-and-twentieth of this Commonwealth:

By £700,000 a year in bank, with the product of the  
sum rising . . . . . £16,000,000

Expended from the One-and-twentieth of this Commonwealth:

Imprimis, For the addition of arms for 100,000 men  
to the arsenal, or tower of Emporium . . . £1,000,000  
For the storing of the same with Artillery . . . 300,000  
For the storing of the same with Ammunition . . . 200,000  
For beautifying the cities, parks, gardens, public  
walks, and places for recreation of Emporium and  
Hiera, with public buildings, aqueducts, statues,  
and fountains, &c. . . . . 1,500,000  
Extraordinary Embassies . . . . . 150,000

Sum . . . £3,150,000

Remaining in the Treasury, the salaries of the  
exchequer being defalked . . . . . £12,000,000

By comparison of which accounts if a war with an army of eighty thousand men were to be made by the penny, yet was the commonwealth able to maintain such a one above three years without levying a tax. But it is against all experience, sense, and reason that such an army should not be soon broken, or make a great progress; in either of which cases, the charge ceases; or rather if a right course be taken in the latter, profit comes in: for the Romans had no other considerable way but victory whereby to fill their treasury, which nevertheless was seldom empty. Alexander did not consult his purse upon his design for Persia: it is observed by Machiavel, that Livy, arguing what the event in reason must have been had that king invaded Rome, and diligently measuring what on each side was necessary to such a war, never speaks a word of money. No man imagines that the Gauls, Goths, Vandals, Huns, Lombards, Saxons, Normans, made their inroads or conquests by the strength of the purse; and if it be thought enough, according to the dialect of our age, to say in answer to these things that those times are past and gone: what money did the late Gustavus, the most victorious of modern princes, bring out of Sweden with him into Germany? An army that goes upon a golden leg will be as lame as if it were a wooden one; but proper forces have nerves and muscles in them, such for which, having £4,000,000 or £5,000,000, a sum easy enough, with a revenue like this of Oceana, to be had at any time in readiness, you need never, or very rarely, charge the people with taxes. What influence the commonwealth by such arms has had upon the world, I leave to historians, whose custom it has been of old to be as diligent observers of foreign actions as careless of those domestic revolutions which (less pleasant it may be, as not partaking so much of the romance) are to statesmen of far greater profit; and this fault, if it be not mine, is so much more frequent with modern writers, as has caused me to undertake this work; on which to give my own judgment, it is performed as much above the time I have been about it, as below the dignity of the matter.

But I cannot depart out of this country till I have taken leave of my Lord Archon, a prince of immense felicity, who having built as high with his counsels as he digged deep with his

sword, had now seen fifty years measured with his own unerring orbs.

Timoleon (such a hater of tyrants that, not able to persuade his brother Timophanes to relinquish the tyranny of Corinth, he slew him) was afterwards elected by the people (the Sicilians groaning to them from under the like burden) to be sent to their relief: whereupon Teleclides, the man at that time of most authority in the commonwealth of Corinth, stood up, and giving an exhortation to Timoleon, how he should behave himself in this expedition, told him that if he restored the Sicilians to liberty, it would be acknowledged that he destroyed a tyrant; if otherwise, he must expect to hear he had murdered a king. Timoleon, taking his leave with a very small provision for so great a design, pursued it with a courage not inferior to, and a felicity beyond any that had been known to that day in mortal flesh, having in the space of eight years utterly rooted out of all Sicily those weeds of tyranny, through the detestation whereof men fled in such abundance from their native country that whole cities were left desolate, and brought it to such a pass that others, through the fame of his virtues and the excellency of the soil, flocked as fast from all quarters to it as to the garden of the world: while he, being presented by the people of Syracuse with his town-house and his country retreat, the sweetest places in either, lived with his wife and children a most quiet, happy, and holy life; for he attributed no part of his success to himself, but all to the blessing and providence of the gods. As he passed his time in this manner, admired and honoured by mankind, Laphistius, an envious demagogue, going to summon him upon some pretence or other to answer for himself before the assembly, the people fell into such a mutiny as could not be appeased but by Timoleon, who, understanding the matter, reproved them, by repeating the pains and travel which he had gone through, to no other end than that every man might have the free use of the laws. Wherefore when Dæmenetus, another demagogue, had brought the same design about again, and blamed him impertinently to the people for things which he did when he was general, Timoleon answered nothing, but raising up his hands, gave the gods thanks for their return to his frequent prayers, that he might but live to

see the Syracusans so free, that they could question whom they pleased.

Not long after, being old, through some natural imperfection, he fell blind ; but the Syracusans by their perpetual visits held him, though he could not see, their greatest object : if there arrived strangers, they brought him to see this sight. Whatever came in debate at the assembly, if it were of small consequence, they determined it themselves ; but if of importance, they always sent for Timoleon, who, being brought by his servants in a chair, and set in the middle of the theatre, there ever followed a great shout, after which some time was allowed for the benedictions of the people ; and then the matter proposed, when Timoleon had spoken to it, was put to the suffrage ; which given, his servants bore him back in his chair, accompanied by the people clapping their hands, and making all expressions of joy and applause, till, leaving him at his house, they returned to the despatch of their business. And this was the life of Timoleon, till he died of age, and dropped like a mature fruit, while the eyes of the people were as the showers of autumn.

The life and death of my Lord Archon (but that he had his senses to the last, and that his character, as not the restorer, but the founder of a commonwealth, was greater) is so exactly the same, that (seeing by men wholly ignorant of antiquity I am accused of writing romance) I shall repeat nothing : but tell you that this year the whole nation of Oceana, even to the women and children, were in mourning, where so great or sad a funeral pomp had never been seen or known. Some time after the performance of the obsequies a Colossus, mounted on a brazen horse of excellent fabric, was erected in the piazza of the pantheon, engraved with this inscription on the eastern side of the pedestal :

HIS NAME

IS AS

PRECIOUS OINTMENT

And on the western with the following :

GRATA PATRIA

Dix et Perpetuæ Memorix

D.D.

OLPHAUS MEGALETOR

LORD ARCHON, AND SOLE LEGISLATOR

OF

OCEANA

PATER PATRIÆ

Invincible in the Field.  
Inviolable in his Faith,  
Unfeigned in his Zeal.  
Immortal in his Fame.

The Greatest of Captains.  
The Best of Princes.  
The Happiest of Legislators.  
The Most Sincere of Christians.

Who setting the Kingdoms of Earth at Liberty,  
Took the Kingdom of the Heavens by Violence.

Anno { *Ætat. suæ* 116.  
          { *Hujus Reipub.* 50.



FAMOUS PAMPHLETS





## INTRODUCTION.

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THE man who has something to say, and says it in as many words as are necessary to the clear, full and emphatic expression of his thought, must often be unable, without help of tedious impertinences, to spread it in ink over one or two pounds' weight of paper. The weightiest intellectual contribution to the study of some living question may possibly require for its true utterance not more than a dozen or two of printed leaves. Waste words are for some idle brain. Our modern Reviews and Magazines are, in one sense, a device for the collection of short pamphlets worth diffusion into volumes that have such currency as to assure their being widely read, and kept on record. Before there were Reviews established for such periodical collection each pamphlet came alone into the world, and in the days of the first famous pamphlet in this volume, Milton's *Areopagitica*, burning questions of the day that would now be argued out in leading articles and in reviews, were discussed by pamphlets in which every man fought for himself his battle of opinion, to be answered in pamphlets of opponents, and to be replied to in new pamphlets, until each question of truth and error had lain long enough in the sieve to be thoroughly sifted by the to and fro of opposite opinions. Sometimes, as in the old Church controversy between Whitgift and Cartwright, strong feeling and the wide stretch of the question caused these pamphlets of attack, reply, rejoinder to the reply, &c., to extend to the form of massive folios, heavy enough to knock down an antagonist if thrown as solid paper at his head. But though there was quick fencing with these folios, and they were produced as promptly as if they had been pamphlets in bulk as they were pamphlets in essence, they were technically volumes.

Why a work produced only upon a few leaves was called a pamphlet, it is hard to say with any certainty. Some say it was so called from the French *paume* and *feuille*, as a leaf held in the hand. Others say that it was from a woman named Pamphila, who lived about eighteen hundred years ago and wrote many epitomes; others go for the source of the word to Spanish.

The most famous pamphlet in our language, and, considering its

whole aim and the grandeur of some passages, the noblest piece of English prose, is that which stands first in this collection, John Milton's "Areopagitica: A Speech for the Liberty of Unlicensed Printing, to the Parliament of England." Henry VIII., when he destroyed the Pope's authority in England, took it to himself. He continued the censorship of books, which had been established for the suppression of opinions hostile to the established faith, and extended censorship over political writings which had not been checked by Rome. Queen Elizabeth allowed printing only to a few known presses in London, Oxford and Cambridge, and that was not the liberty of printing, for there was strict endeavour to suppress utterance of opinion that might disturb the order of the State. A decree of the Star Chamber, in 1637, limited the number of printers in the whole country to twenty and of type-founders to four, with provision for strict censorship of all they uttered to the world. In 1640 the Star Chamber was abolished, but in 1643, on the 14th of June, the Parliament adopted the same policy of suppression, by an Ordinance for the regulating of printing. Milton at once set himself to reason with the chiefs of his own party, and used all the force of his genius to make them understand that truth can be established only by the freest interchange of thought. The principle for which he contended is that upon which all healthy growth and national prosperity, in its true sense, must depend. He took for his model an oration written to be read, which was addressed by Isocrates to the Areopagus, the Great Council of Athens, and is known as the Areopagitic Discourse. Isocrates called on the Parliament of Athens to undo acts of its own; Milton was making a like call on the Areopagus of England. He gave to his work the exact form of a Greek oration, with exordium, statement, proof and peroration; and he put into it the very soul of England, claiming freedom in the search for truth. It was published in November 1644.

The next pamphlet in this collection, "Killing No Murder," was published in 1657, and is, perhaps, in our political literature, the most famous example of free utterance of free opinion, for it was a direct incitement to the assassination of Oliver Cromwell. It professed upon its title-page to be by William Allen, but its real author seems to have been the Colonel Sexby, a leveller, who had gone over to the Royalists, and in 1656, having come from Flanders to shoot Cromwell, joined the Protector's escort in Hyde Park and almost secured his opportunity. But he went back to Flanders, leaving sixteen hundred pounds of the money entrusted to him for such purposes with a cashiered quartermaster, Miles Sindercombe, who was to do the deed. Sindercombe took a house at Hammersmith in the narrow part of a road through which Cromwell often passed, and began by the shaping of a battery of

seven blunderbusses. But difficulties came in his way. He resolved then to set fire to Whitehall and in the confusion to kill the Protector as he came out. A hundred swift horses were ready for changes to secure his escape. Many were aiding and abetting, and all was done with knowledge of the prince who ruled afterwards as Charles the Second. But the secret was shared by one too many. Henry Toope, a Lifeguardsman, disclosed it. Sindercombe was arrested, tried, convicted, and sentenced to death, but took poison on the day before that which had been appointed for his execution. Then Sexby wrote and printed his pamphlet; himself travelling about England disguised as a countryman, with a large beard, to secure its distribution. He was after a time arrested and sent to the Tower, where he became mad and died within a year. After the Restoration, Colonel Titus claimed the honour of having written this pamphlet, and it was afterwards reprinted as his, with the doctrine of assassination freshly applied on the title-page to the French king.

Daniel De Foe's pamphlet, called the "The Shortest Way with the Dissenters," which comes next in this collection, was first published in 1702, at the beginning of Queen Anne's reign. The party that had no sympathy with the spirit of the English Revolution of 1688-89 then had a chance of power. There was a vigorous attack upon dissent, and a Bill had passed the House of Commons (but had been thrown out by the Lords) for disqualifying Dissenters from all civil employments. De Foe, bred a Dissenter, but as little in sympathy with the intolerance of one party as of the other, wrote with a fine irony in the character of a thorough-going Churchman, and argued the theory of persecution to its logical end in the impossible and the absurd. The reader will observe a curious resemblance between the style of argument in "Killing No Murder"—incitement to the assassination of a man—which was meant to be taken seriously, and that in "The Shortest Way with the Dissenters"—incitement to the assassination of a party—which was meant to be taken as satire. De Foe's treatment of intolerance brought him to prison and the pillory. For the writing of this pamphlet, he stood in the pillory on the three last days of July 1703, but by a Hymn to the Pillory dispersed among the people, he turned what was meant for his disgrace into a triumph, and transferred the contempt of the people to the men who placed him there.

For the next pamphlet in this volume, "The Crisis," a defender of English liberties not less in earnest than De Foe, the true-hearted Richard Steele, was expelled from the House of Commons at the end of Queen Anne's reign, on the 18th of March, 1714, by the same party that at the beginning of the reign had pilloried De Foe. There had been underhand dealings in aid of a second restoration of the Stuarts, and

the settlement of the relations between Crown and people was in real danger during the last months of the reign of Queen Anne. Steele sought to secure what had been gained, and that in the simplest and directest way. Following the good suggestion of a lawyer that if the English people clearly knew what the Revolution meant they would be ready to defend it, he gave his literary skill and influence as a writer to the work of diffusing an exact knowledge of the latest deeds of English liberty. That he might present the documents without a thoughtless word of comment, he submitted proofs of his pamphlet to many foremost men, including his friend Addison, before its publication. The reader will find it so difficult to understand the bitterness of party feeling that wreaked its vengeance upon Steele for this calm endeavour to make their own recent history clearly known to the people, that we must suppose his opponents to have stopped their reading at the title-page. The somewhat sudden death of Queen Anne on the first of August next following, before plots were ripe, defeated expectations of reaction, and deprived Steele's adversaries of their power.

The next pamphlet in this volume—"Historic Doubts respecting Napoleon Buonaparte"—was written by Richard Whately, afterwards Archbishop of Dublin, and first published in 1819, three years after the Battle of Waterloo, and while Napoleon was still living in exile, for he died on the fifth of May 1821. Whately, born in 1787, was thirty-two years old when the pamphlet appeared. He had entered Oriel College, Oxford, in 1805, where Dr. Copleston, afterwards Dean of Chester and Bishop of Llandaff, was his tutor. Whately delighted in the teaching of Copleston, and Copleston in the earnest studies and clear wit of his pupil. Long afterwards Whately said that he remembered with a thrill of pleasure the first words of encouragement from his tutor's lips, "That is well, Mr. Whately: I see you understand it." In 1811 Whately was elected Fellow of Oriel. In 1812 he proceeded to the degree of M.A., and he was resident in Oriel as a tutor when he wrote this famous pamphlet, designed as a reduction to the absurd of the too sceptical spirit of inquiry.

Whately's tutor, Dr. Copleston, who was by eleven years his senior and had been elected to a Fellowship at Oriel in 1795, wrote also a famous little satirical pamphlet, the "Advice to a Young Reviewer," with which this volume closes. It was published at Oxford in 1807, and was designed as a reduction to the absurd of the censorious spirit of small critics. The great critics are not censorious.

H. M.

October 1886.

MILTON'S  
AREOPAGITICA:  
*A DEFENCE OF THE LIBERTY OF  
UNLICENSED PRINTING.*



# AREOPAGITICA.

*FOR THE LIBERTY OF UNLICENSED PRINTING.*



THEY who to States and governors of the Commonwealth direct their speech, High Court of Parliament, or, wanting such access in a private condition, write that which they foresee may advance the public good, I suppose them, as at the beginning of no mean endeavour, not a little altered and moved inwardly in their minds: some with doubt of what will be the success, others with fear of what will be the censure; some with hope, others with confidence of what they have to speak. And me perhaps each of these dispositions, as the subject was whereon I entered, may have at other times variously affected; and likely might in these foremost expressions now also disclose which of them swayed most, but that the very attempt of this address thus made, and the thought of whom it hath recourse to, hath got the power within me to a passion, far more welcome than incidental to a preface. Which though I stay not

to confess ere any ask, I shall be blameless, if it be no other than the joy and gratulation which it brings to all who wish and promote their country's liberty ; whereof this whole discourse proposed will be a certain testimony, if not a trophy. For this is not the liberty which we can hope, that no grievance ever should arise in the Commonwealth, that let no man in this world expect ; but when complaints are freely heard, deeply considered, and speedily reformed, then is the utmost bound of civil liberty attained that wise men look for. To which if I now manifest by the very sound of this which I shall utter that we are already in good part arrived, and yet from such a steep disadvantage of tyranny and superstition grounded into our principles as was beyond the manhood of a Roman recovery, it will be attributed first, as is most due, to the strong assistance of God our deliverer, next to your faithful guidance and undaunted wisdom, Lords and Commons of England. Neither, is it in God's esteem the diminution of his glory, when honourable things are spoken of good men and worthy magistrates ; which if I now first should begin to do, after so fair a progress of your laudable deeds, and such a long obligation upon the whole realm to your indefatigable virtues, I might be justly reckoned among the tardiest and the unwillingest of them that praise ye. Nevertheless there being three principal things, without which all praising is but



courtship and flattery, first, when that only is praised which is solidly worth praise: next, when greatest likelihoods are brought that such things are truly and really in those persons to whom they are ascribed: the other, when he who praises, by showing that such his actual persuasion is of whom he writes, can demonstrate that he flatters not; the former two of these I have heretofore endeavoured, rescuing the employment from him who went about to impair your merits with a trivial and malignant encomium; the latter as belonging chiefly to mine own acquittal, that whom I so extolled I did not flatter, hath been reserved opportunely to this occasion. For he who freely magnifies what hath been nobly done, and fears not to declare as freely what might be done better, gives ye the best covenant of his fidelity, and that his loyalest affection and his hope waits on your proceedings. His highest praising is not flattery, and his plainest advice is a kind of praising; for though I should affirm and hold by argument, that it would fare better with truth, with learning, and the Commonwealth, if one of your published orders, which I should name, were called in, yet at the same time it could not but much redound to the lustre of your mild and equal Government, when as private persons are hereby animated to think ye better pleased with public advice than other statistes have been delighted heretofore with public flattery. And

men will then see what difference there is between the magnanimity of a triennial Parliament and that jealous haughtiness of prelates and cabin counsellors that usurped of late, when as they shall observe ye in the midst of your victories and successes more gently brooking written exceptions against a voted order than other Courts, which had produced nothing worth memory but the weak ostentation of wealth, would have endured the least signified dislike at any sudden proclamation. If I should thus far presume upon the meek demeanour of your civil and gentle greatness, Lords and Commons, as what your published order hath directly said, that to gainsay, I might defend myself with ease, if any should accuse me of being new or insolent, did they but know how much better I find ye esteem it to imitate the old and elegant humanity of Greece than the barbaric pride of a Hunnish and Norwegian state-liness. And out of those ages, to whose polite wisdom and letters we owe that we are not yet Goths and Jutlanders, I could name him who from his private house wrote that discourse to the Parliament of Athens, that persuades them to change the form of Democracy which was then established. Such honour was done in those days to men who professed the study of wisdom and eloquence, not only in their own country, but in other lands, that cities and seignories heard them gladly and with great respect, if they had aught in public to admonish

the State. Thus did Dion Prusæus, a stranger and a private orator, counsel the Rhodians against a former edict: and I abound with other like examples, which to set here would be superfluous. But if from the industry of a life wholly dedicated to studious labours, and those natural endowments haply not the worst for two-and-fifty degrees of northern latitude, so much must be derogated as to count me not equal to any of those who had this privilege, I would obtain to be thought not so inferior as yourselves are superior to the most of them who received their counsel: and how far you excel them, be assured, Lords and Commons, there can no greater testimony appear than when your prudent spirit acknowledges and obeys the voice of reason from what quarter soever it be heard speaking; and renders ye as willing to repeal any act of your own setting forth as any set forth by your predecessors.

If ye be thus resolved, as it were injury to think ye were not, I know not what should withhold me from presenting ye with a fit instance wherein to show both that love of truth which ye eminently profess, and that uprightness of your judgment which is not wont to be partial to yourselves, by judging over again that order which ye have ordained "to regulate printing: that no book, pamphlet, or paper shall be henceforth printed, unless the same be first approved and licensed by such," or at least one of such as shall be thereto

appointed. For that part which preserves justly every man's copy to himself, or provides for the poor, I touch not, only wish they be not made pretences to abuse and persecute honest and painful men, who offend not in either of these particulars. But that other clause of Licensing Books, which we thought had died with his brother quadragesimal and matrimonial when the prelates expired, I shall now attend with such a homily as shall lay before ye, first the inventors of it to be those whom ye will be loth to own ; next, what is to be thought in general of reading, whatever sort the books be ; and that this order avails nothing to the suppressing of scandalous, seditious, and libellous books, which were mainly intended to be suppressed ; last, that it will be primely to the discouragement of all learning and the stop of truth, not only by the disexercising and blunting our abilities in what we know already, but by hindering and cropping the discovery that might be yet further made both in religious and civil wisdom.

I deny not but that it is of greatest concernment in the Church and Commonwealth to have a vigilant eye how books demean themselves as well as men ; and thereafter to confine, imprison, and do sharpest justice on them as malefactors : for books are not absolutely dead things, but do contain a potency of life in them to be as active as that soul was whose progeny they are ; nay, they do preserve

as in a vial the purest efficacy and extraction of that living intellect that bred them. I know they are as lively, and as vigorously productive, as those fabulous dragons' teeth ; and, being sown up and down, may chance to spring up armed men. And yet on the other hand, unless wariness be used, as good almost kill a man as kill a good book ; who kills a man kills a reasonable creature, God's image ; but he who destroys a good book kills reason itself, kills the image of God as it were in the eye. Many a man lives a burden to the earth ; but a good book is the precious life-blood of a master spirit, embalmed and treasured up on purpose to a life beyond life. 'Tis true, no age can restore a life, whereof perhaps there is no great loss ; and revolutions of ages do not oft recover the loss of a rejected truth, for the want of which whole nations fare the worse. We should be wary therefore what persecution we raise against the living labours of public men, how we spill that seasoned life of man preserved and stored up in books ; since we see a kind of homicide may be thus committed, sometimes a martyrdom, and, if it extend to the whole impression, a kind of massacre, whereof the execution ends not in the slaying of an elemental life, but strikes at that ethereal and fifth essence, the breath of reason itself, slays an immortality rather than a life. But lest I should be condemned of introducing licence while I oppose licensing, I refuse not the pains to

be so much historical as will serve to show what hath been done by ancient and famous Commonwealths against this disorder, till the very time that this project of licensing crept out of the Inquisition, was caught up by our Prelates, and hath caught some of our Presbyters.

In Athens, where books and wits were ever busier than in any other part of Greece, I find but only two sorts of writings which the magistrate cared to take notice of: those either blasphemous and atheistical, or libellous. Thus the books of Protagoras were by the judges of Arcopagus commanded to be burnt, and himself banished the territory, for a discourse begun with his confessing not to know "whether there were gods, or whether not." And against defaming, it was decreed that none should be traduced by name, as was the manner of *Vetus Comœdia*, whereby we may guess how they censured libelling; and this course was quick enough, as Cicero writes, to quell both the desperate wits of other atheists, and the open way of defaming, as the event showed. Of other sects and opinions, though tending to voluptuousness and the denying of Divine Providence, they took no heed. Therefore, we do not read that either Epicurus, or that libertine school of Cyrene, or what the Cynic impudence uttered, was ever questioned by the laws. Neither is it recorded that the writings of those old comedians were suppressed, though the acting of

them were forbid ; and that Plato commended the reading of Aristophanes, the loosest of them all, to his royal scholar Dionysius, is commonly known, and may be excused, if holy Chrysostom, as is reported, nightly studied so much the same author. and had the art to cleanse a scurrilous vehemence into the style of a rousing sermon. That other leading city of Greece, Lacedæmon, considering that Lycurgus their law-giver was so addicted to elegant learning as to have been the first that brought out of Ionia the scattered works of Homer, and sent the poet Thales from Crete to prepare and mollify the Spartan surliness with his smooth songs and odes, the better to plant among them law and civility, it is to be wondered how museless and unbookish they were, minding nought but the feats of war. There needed no licensing of books among them, for they disliked all but their own laconic apophthegms, and took a slight occasion to chase Archilochus out of their city, perhaps for composing in a higher strain than their own soldierly ballads and roundels could reach to ; or if it were for his broad verses, they were not therein so cautious but they were as dissolute in their promiscuous conversing ; whence Euripides affirms, in " Andromache," that their women were all unchaste. Thus much may give us light after what sort books were prohibited among the Greeks. The Romans also, for many ages trained up only to a military

roughness, resembling most of the Lacedæmonian guise, knew of learning little but what their twelve tables and the Pontific College with their augurs and flamens taught them in religion and law, so unacquainted with other learning that when Carneades and Critolaus, with the Stoic Diogenes, coming ambassadors to Rome, took thereby occasion to give the city a taste of their philosophy, they were suspected for seducers by no less a man than Cato the Censor, who moved it in the Senate to dismiss them speedily, and to banish all such Attic babblers out of Italy. But Scipio and others of the noblest senators withstood him and his old Sabine austerity ; honoured and admired the men ; and the Censor himself at last in his old age fell to the study of that whereof before he was so scrupulous. And yet at the same time Nævius and Plautus, the first Latin comedians, had filled the city with all the borrowed scenes of Menander and Philemon. Then began to be considered there also what was to be done to libellous books and authors ; for Nævius was quickly cast into prison for his unbridled pen, and released by the Tribunes upon his recantation. We read also that libels were burnt, and the makers punished by Augustus. The like severity no doubt was used if aught were impiously written against their esteemed gods. Except in these two points, how the world went in books the magistrate kept no reckoning. And therefore Lucretius without im-



peachment versifies his epicurism to Memmius, and had the honour to be set forth the second time by Cicero so great a father of the Commonwealth, although himself disputes against that opinion in his own writings. Nor was the satirical sharpness or naked plainness of Lucilius, or Catullus, or Flaccus, by any order prohibited. And for matters of State, the story of Titius Livius, though it extolled that part which Pompey held, was not therefore suppressed by Octavius Cæsar of the other faction. But that Naso was by him banished in his old age for the wanton poems of his youth was but a mere covert of State over some secret cause ; and besides, the books were neither banished nor called in. From hence we shall meet with little else but tyranny in the Roman Empire, that we may not marvel if not so often bad as good books were silenced. I shall therefore deem to have been large enough in producing what among the ancients was punishable to write, save only which, all other arguments were free to treat on.

By this time the Emperors were become Christians, whose discipline in this point I do not find to have been more severe than what was formerly in practice. The books of those whom they took to be grand heretics were examined, refuted, and condemned in the General Councils ; and not till then were prohibited, or burnt by authority of the Emperor. As for the writings of

heathen authors, unless they were plain invectives against Christianity, as those of Porphyrius and Proclus, they met with no interdict that can be cited till about the year 400 in a Carthaginian Council, wherein Bishops themselves were forbid to read the books of Gentiles, but heresies they might read: while others long before them on the contrary scrupled more the books of heretics than of Gentiles. And that the primitive Councils and Bishops were wont only to declare what books were not commendable, passing no further, but leaving it to each one's conscience to read or to lay by, till after the year 800, is observed already by Padre Paolo, the great unmasker of the Trentine Council. After which time the Popes of Rome, engrossing what they pleased of political rule into their own hands, extended their dominion over men's eyes, as they had before over their judgments, burning and prohibiting to be read what they fancied not; yet sparing in their censures, and the books not many which they so dealt with, till Martin the Fifth by his Bull not only prohibited, but was the first that excommunicated the reading of heretical books; for about that time Wyclif and Huss growing terrible, were they who first drove the Papal Court to a stricter policy of prohibiting; which course Leo the Tenth and his successors followed, until the Council of Trent and the Spanish Inquisition engendering together brought forth or perfected those catalogues

and expurging indexes that rake through the entrails of many an old good author with a violation worse than any could be offered to his tomb. Nor did they stay in matters heretical, but any subject that was not to their palate they either condemned in a prohibition, or had it straight into the new purgatory of an Index. To fill up the measure of encroachment, their last invention was to ordain that no book, pamphlet, or paper should be printed (as if St. Peter had bequeathed them the keys of the Press also out of Paradise) unless it were approved and licensed under the hands of two or three glutton friars. For example :

Let the Chancellor Cini be pleased to see if in this present work be contained aught that may withstand the printing.

VINCENT RABATTA,  
*Vicar of Florence.*

I have seen this present work, and find nothing athwart the Catholic faith and good manners. In witness whereof I have given, &c.

NICOLO CINI,  
*Chancellor of Florence.*

Attending the precedent relation, it is allowed that this present work of Davanzati may be printed.

VINCENT RABATTA, &c.

It may be printed, July 15.

Friar SIMON MOMPEI D'AMELIA,  
*Chancellor of the Holy Office in Florence.*

Sure they have a conceit, if he of the bottomless pit had not long since broke prison, that this quadruple exorcism would bar him down. I fear their next design will be to get into their custody the licensing of that which they say Claudius intended, but went not through with. Vouchsafe to see another of their forms, the Roman stamp :

*Imprimatur.* If it seem good to the reverend Master of the Holy Palace.

BELCASTRO,  
*Viceregent.*

*Imprimatur.*

Friar NICOLO RODOLFI, Master of the Holy Palace.

Sometimes five Imprimaturs are seen together dialogueswise in the piazza of one title-page, complimenting and ducking each to other with their shaven reverences, whether the author, who stands by in perplexity at the foot of his epistle, shall to the press or to the sponge. These are the pretty responsories, these are the dear antiphonies that so bewitched of late our prelates and their chaplains with the goodly echo they made, and besotted us to the gay imitation of a lordly Imprimatur, one from Lambeth House, another from the west end of Paul's ; so apishly Romanizing that the word of command still was set down in Latin, as if the learned grammatical pen that wrote it would cast no ink

without Latin ; or perhaps, as they thought, because no vulgar tongue was worthy to express the pure conceit of an Imprimatur ; but rather, as I hope, for that our English, the language of men ever famous and foremost in the achievements of liberty, will not easily find servile letters enough to spell such a dictatory presumption English. And thus ye have the inventors and the original of book-licensing ripped up, and drawn as lineally as any pedigree. We have it not, that can be heard of, from any ancient State, or polity, or Church, nor by any statute left us by our ancestors, elder or later ; nor from the modern custom of any reformed city or church abroad ; but from the most antichristian Council, and the most tyrannous Inquisition that ever inquired. Till then books were ever as freely admitted into the world as any other birth ; the issue of the brain was no more stifled than the issue of the womb ; no envious Juno sat cross-legged over the nativity of any man's intellectual offspring ; but if it proved a monster, who denies but that it was justly burnt, or sunk into the sea ? But that a book, in worse condition than a peccant soul, should be to stand before a jury ere it be born to the world, and undergo yet in darkness the judgment of Radamanth and his colleagues, ere it can pass the ferry backward into light, was never heard before, till that mysterious iniquity, provoked and troubled at the first entrance of reformation, sought out new limboes and new hells wherein

they might include our books also within the number of their damned. And this was the rare morsel so officiously snatched up and so ill-favouredly imitated by our inquisiturient bishops and the attendant minorites their chaplains. That ye like not now these most certain authors of this licensing order, and that all sinister intention was far distant from your thoughts when ye were importuned the passing it all men who know the integrity of your actions, and how ye honour truth, will clear ye readily.

But some will say, What though the inventors were bad, the thing for all that may be good? It may so; yet if that thing be no such deep invention but obvious, and easy for any man to light on, and yet best and wisest commonwealths through all ages and occasions have forborne to use it, and falsest seducers and oppressors of men were the first who took it up, and to no other purpose but to obstruct and hinder the first approach of reformation, I am of those who believe it will be a harder alchemy than Lullius ever knew, to sublimate any good use out of such an invention. Yet this only is what I request to gain from this reason, that it may be held a dangerous and suspicious fruit, as certainly it deserves, for the tree that bore it, until I can dissect one by one the properties it has. But I have first to finish as was propounded, what is to be thought in general of reading books, whatever sort they be, and

whether be more the benefit or the harm that thence proceeds?

Not to insist upon the examples of Moses, Daniel, and Paul, who were skilful in all the learning of the Egyptians, Chaldeans, and Greeks, which could not probably be without reading their books of all sorts, in Paul especially, who thought it no defilement to insert into Holy Scripture the sentences of three Greek poets, and one of them a tragedian, the question was notwithstanding sometimes controverted among the primitive doctors, but with great odds on that side which affirmed it both lawful and profitable, as was then evidently perceived, when Julian the Apostate and subtlest enemy to our faith made a decree forbidding Christians the study of heathen learning; for, said he, they wound us with our own weapons, and with our own arts and sciences they overcome us. And, indeed, the Christians were put so to their shifts by this crafty means, and so much in danger to decline into all ignorance, that the two Apollinarii were fain, as a man may say, to coin all the seven liberal sciences out of the Bible, reducing it into divers forms of orations, poems, dialogues, even to the calculating of a new Christian grammar. But saith the historian Socrates: The providence of God provided better than the industry of Apollinarius and his son by taking away that illiterate law with the life of him who devised it. So great an injury they then held it to be deprived of Hellenic learning;

and thought it a persecution more undermining and secretly decaying the Church than the open cruelty of Decius or Dioclesian. And perhaps it was with the same politic drift that the Devil whipped St. Jerome in a lenten dream, for reading Cicero ; or else it was a phantasm bred by the fever which had then seized him. For had an angel been his discipliner, unless it were for dwelling too much upon Ciceronianisms, and had chastised the reading, not the vanity, it had been plainly partial, first, to correct him for grave Cicero, and not for scurril Plautus whom he confesses to have been reading not long before, next, to correct him only, and let so many more ancient fathers wax old in those pleasant and florid studies without the lash of such a tutoring apparition ; insomuch that Basil teaches how some good use may be made of "Margites," a sportful poem, not now extant, writ by Homer ; and why not then of "Morgante," an Italian romance much to the same purpose ? But if it be agreed we shall be tried by visions, there is a vision recorded by Eusebius far ancients than this tale of Jerome to the nun Eustochium, and besides has nothing of a fever in it. Dionysius Alexandrinus was about the year 240 a person of great name in the Church for piety and learning, who had wont to avail himself much against heretics by being conversant in their books ; until a certain Presbyter laid it scrupulously to his conscience, how he durst venture himself among those defiling volumes. The worthy



man, loth to give offence, fell into a new debate with himself what was to be thought ; when suddenly a vision sent from God—it his is own epistle that so avers it—confirmed him in these words : “ Read any books whatever come to thy hands, for thou art sufficient both to judge aright and to examine each matter.” To this revelation he assented the sooner, as he confesses, because it was answerable to that of the Apostle to the Thessalonians : “ Prove all things ; hold fast that which is good.” And he might have added another remarkable saying of the same author : “ To the pure all things are pure,” not only meats and drinks, but all kind of knowledge whether of good or evil ; the knowledge cannot defile, nor consequently the books, if the will and conscience be not defiled. For books are as meats and viands are, some of good, some of evil substance ; and yet God in that unapocryphal vision said, without exception, “ Rise, Peter, kill and eat,” leaving the choice to each man’s discretion. Wholesome meats to a vitiated stomach differ little or nothing from unwholesome ; and best books to a naughty mind are not unapplicable to occasions of evil. Bad meats will scarce breed good nourishment in the healthiest concoction ; but herein the difference is of bad books, that they to a discreet and judicious reader serve in many respects to discover, to confute, to forewarn, and to illustrate. Whereof what better witness can ye expect I should produce than one of your own now sitting in Parlia-

ment, the chief of learned men reputed in this land, Mr. Selden, whose volume of natural and national laws proves, not only by great authorities brought together, but by exquisite reasons and theorems almost mathematically demonstrative, that all opinions, yea, errors, known, read, and collated, are of main service and assistance toward the speedy attainment of what is truest. I conceive, therefore, that when God did enlarge the universal diet of man's body, saving ever the rules of temperance, he then also, as before, left arbitrary the dieting and repasting of our minds; as wherein every mature man might have to exercise his own leading capacity. How great a virtue is temperance, how much of moment through the whole life of man! Yet God commits the managing 'so great a trust, without particular law or prescription, wholly to the demeanour of every grown man. And therefore, when He himself tabled the Jews from heaven, that omer which was every man's daily portion of manna is computed to have been more than might have well sufficed the heartiest feeder thrice as many meals. For those actions, which enter into a man rather than issue out of him and therefore defile not, God uses not to captivate under a perpetual childhood of prescription, but trusts him with the gift of reason to be his own chooser; there were but little work left for preaching, if law and compulsion should grow so fast upon those things which heretofore were

governed only by exhortation. Solomon informs us that much reading is a weariness to the flesh ; but neither he nor other inspired author tells us that such or such reading is unlawful : yet certainly had God thought good to limit us herein, it had been much more expedient to have told us what was unlawful than what was wearisome. As for the burning of those Ephesian books by St. Paul's converts, it is replied the books were magic, the Syriac so renders them. It was a private act, a voluntary act, and leaves us to a voluntary imitation ; the men in remorse burnt those books which were their own ; the magistrate by this example is not appointed ; these men practised the books, another might perhaps have read them in some sort usefully. Good and evil we know in the field of this world grow up together almost inseparably ; and the knowledge of good is so involved and interwoven with the knowledge of evil, and in so many cunning resemblances hardly to be discerned, that those confused seeds, which were imposed on Psyche as an incessant labour to cull out and sort asunder, were not more intermixed. It was from out the rind of one apple tasted that the knowledge of good and evil as two twins cleaving together leapt forth into the world. And perhaps this is that doom which Adam fell into of knowing good and evil, that is to say, of knowing good by evil. As therefore the state of man now is, what wisdom can there be to

choose, what continence to forbear, without the knowledge of evil? He that can apprehend and consider vice with all her baits and seeming pleasures, and yet abstain, and yet distinguish, and yet prefer that which is truly better, he is the true warfaring Christian. I cannot praise a fugitive and cloistered virtue, unexercised and unbreathed, that never sallies out and sees her adversary, but slinks out of the race, where that immortal garland is to be run for not without dust and heat. Assuredly we bring not innocence into the world, we bring impurity much rather: that which purifies us is trial, and trial is by what is contrary. That virtue therefore which is but a youngling in the contemplation of evil, and knows not the utmost that vice promises to her followers, and rejects it, is but a blank virtue, not a pure; her whiteness is but an excremental whiteness; which was the reason why our sage and serious poet Spenser, whom I dare be known to think a better teacher than Scotus or Aquinas, describing true temperance under the person of Guyon, brings him in with his palmer through the cave of Mammon and the bower of earthly bliss, that he might see and know, and yet abstain. Since, therefore, the knowledge and survey of vice is in this world so necessary to the constituting of human virtue, and the scanning of error to the confirmation of truth, how can we more safely and with less danger scout into the regions of sin

and falsity, than by reading all manner of tractates, and hearing all manner of reason? And this is the benefit which may be had of books promiscuously read. But of the harm that may result hence three kinds are usually reckoned: First, is feared the infection that may spread; but then all human learning and controversy in religious points must remove out of the world, yea, the Bible itself; for that oftentimes relates blasphemy not nicely, it describes the carnal sense of wicked men not unelegantly, it brings in holiest men passionately murmuring against Providence through all the arguments of Epicurus; in other great disputes it answers dubiously and darkly to the common reader: and ask a Talmudist what ails the modesty of his marginal Keri, that Moses and all the Prophets cannot persuade him to pronounce the textual Chetiv. For these causes we all know the Bible itself put by the Papist into the first rank of prohibited books. The ancientest Fathers must be next removed, as Clement of Alexandria, and that Eusebian book of Evangelic preparation, transmitting our ears through a hoard of heathenish obscenities to receive the Gospel. Who finds not that Irenæus, Epiphanius, Jerome, and others discover more heresies than they well confute, and that oft for heresy which is the truer opinion? Nor boots it to say for these, and all the heathen writers of greatest infection, if it must be thought so, with

whom is bound up the life of human learning, that they wrote in an unknown tongue, so long as we are sure those languages are known as well to the worst of men, who are both most able and most diligent to instil the poison they suck, first into the Courts of Princes, acquainting them with the choicest delights and criticisms of sin : as perhaps did that Petronius whom Nero called his Arbiter, the master of his revels ; and that notorious ribald of Arezzo, dreaded, and yet dear to the Italian courtiers. I name not him, for posterity's sake, whom Harry the Eighth named in merriment his Vicar of Hell. By which compendious way all the contagion that foreign books can infuse will find a passage to the people far easier and shorter than an Indian voyage, though it could be sailed either by the north of Cathay eastward or of Canada westward, while our Spanish licensing gags the English press never so severely. But, on the other side, that infection which is from books of controversy in religion is more doubtful and dangerous to the learned than to the ignorant ; and yet those books must be permitted untouched by the licenser. It will be hard to instance where any ignorant man hath been ever seduced by Papistical book in English, unless it were commended and expounded to him by some of that clergy ; and indeed all such tractates, whether false or true, are as the prophecy of Isaiah was to the Eunuch, not to be " understood without a guide."

But of our priests and doctors how many have been corrupted by studying the comments of Jesuits and Sorbonnists, and how fast they could transfuse that corruption into the people our experience is both late and sad. It is not forgot since the acute and distinct Arminius was perverted merely by the perusing of a nameless discourse written at Delft, which at first he took in hand to confute. Seeing therefore that those books, and those in great abundance, which are likeliest to taint both life and doctrine, cannot be suppressed without the fall of learning and of all ability in disputation ; and that these books of either sort are most and soonest catching to the learned, from whom to the common people whatever is heretical or dissolute may quickly be conveyed ; and that evil manners are as perfectly learnt without books a thousand other ways which cannot be stopped, and evil doctrine not with books can propagate, except a teacher guide, which he might also do without writing and so beyond prohibiting, I am not able to unfold how this cautelous enterprise of licensing can be exempted from the number of vain and impossible attempts. And he who were pleasantly disposed could not well avoid to liken it to the exploit of that gallant man who thought to pound up the crows by shutting his park gate. Besides another inconvenience, if learned men be the first receivers out of books and dispreaders both of vice and error, how shall the licensers themselves be

confided in, unless we can confer upon them, or they assume to themselves, above all others in the land, the grace of infallibility and uncorruptedness? And again, if it be true that a wise man like a good refiner can gather gold out of the drossiest volume, and that a fool will be a fool with the best book, yea, or without book, there is no reason that we should deprive a wise man of any advantage to his wisdom, while we seek to restrain from a fool that which being restrained will be no hindrance to his folly. For if there should be so much exactness always used to keep that from him which is unfit for his reading, we should, in the judgment of Aristotle not only, but of Solomon and of our Saviour, not vouchsafe him good precepts, and by consequence not willingly admit him to good books, as being certain that a wise man will make better use of an idle pamphlet than a fool will do of sacred Scripture. 'Tis next alleged we must not expose ourselves to temptations without necessity, and next to that, not employ our time in vain things. To both these objections one answer will serve, out of the grounds already laid, that to all men such books are not temptations nor vanities, but useful drugs and materials wherewith to temper and compose effective and strong medicines, which man's life cannot want. The rest, as children and childish men, who have not the art to qualify and prepare these working minerals, well may be exhorted to forbear, but hindered



forcibly they cannot be by all the licensing that sainted Inquisition could ever yet contrive, which is what I promised to deliver next : that this order of licensing conduces nothing to the end for which it was framed, and hath almost prevented me by being clear already while thus much hath been explaining. See the ingenuity of Truth, who, when she gets a free and willing hand, opens herself faster than the pace of method and discourse can overtake her. It was the task which I began with, to show that no nation, or well instituted state, if they valued books at all, did ever use this way of licensing ; and it might be answered, that this is a piece of prudence lately discovered ; to which I return that, as it was a thing slight and obvious to think on, so if it had been difficult to find out there wanted not among them long since who suggested such a course, which they not following, leave us a pattern of their judgment, that it was not the not knowing, but the not approving, which was the cause of their not using it. Plato, a man of high authority indeed, but least of all for his Commonwealth, in the book of his laws, which no city ever yet received, fed his fancy with making many edicts to his airy burgomasters, which they who otherwise admire him wish had been rather buried and excused in the genial cups of an academic night-sitting ; by which laws he seems to tolerate no kind of learning but by unalterable decree, consisting most of practical traditions, to the

attainment whereof a library of smaller bulk than his own Dialogues would be abundant. And there also enacts that no poet should so much as read to any private man what he had written, until the judges and law-keepers had seen it and allowed it. But that Plato meant this law peculiarly to that commonwealth which he had imagined, and to no other, is evident. Why was he not else a lawgiver to himself, but a transgressor, and to be expelled by his own magistrates, both for the wanton epigrams and dialogues which he made, and his perpetual reading of Sophron Mimus and Aristophanes, books of grossest infamy, and also for commending the latter of them, though he were the malicious libeller of his chief friends, to be read by the tyrant Dionysius, who had little need of such trash to spend his time on? But that he knew this licensing of poems had reference and dependence to many other provisoes there set down in his fancied republic, which in this world could have no place; and so neither he himself nor any magistrate or city ever imitated that course, which, taken apart from those other collateral injunctions, must needs be vain and fruitless. For if they fell upon one kind of strictness, unless their care were equal to regulate all other things of like aptness to corrupt the mind, that single endeavour they knew would be but a fond labour: to shut and fortify one gate against corruption, and be necessitated to leave others round about

wide open. If we think to regulate printing, thereby to rectify manners, we must regulate all recreations and pastimes, all that is delightful to man. No music must be heard, no song be set or sung, but what is grave and Doric. There must be licensing dancers, that no gesture, motion, or deportment be taught our youth but what by their allowance shall be thought honest ; for such Plato was provided of. It will ask more than the work of twenty licensers to examine all the lutes, the violins, and the guitars in every house ; they must not be suffered to prattle as they do, but must be licensed what they may say. And who shall silence all the airs and madrigals, that whisper softness in chambers ? The windows also, and the balconies, must be thought on : there are shrewd books with dangerous frontispieces set to sale ; who shall prohibit them ? Shall twenty licensers ? The villages also must have their visitors to inquire what lectures the bagpipe and the rebec reads, even to the ballatry and the gamut of every municipal fiddler, for these are the countryman's Arcadias and his Montemayors. Next, what more national corruption, for which England hears ill abroad, than household gluttony ? Who shall be the rectors of our daily rioting ? and what shall be done to inhibit the multitudes that frequent those houses where drunkenness is sold and harboured ? Our garments also should be referred to the licensing of some more sober work-masters to see them cut into

a less wanton garb. Who shall regulate all the mixed conversation of our youth, male and female together, as is the fashion of this country? who shall still appoint what shall be discoursed, what presumed, and no further? Lastly, who shall forbid and separate all idle resort, all evil company? These things will be, and must be; but how they shall be less hurtful, how less enticing, herein consists the grave and governing wisdom of a State. To sequester out of the world into Atlantic and Utopian polities, which never can be drawn into use, will not mend our condition; but to ordain wisely as in this world of evil, in the midst whereof God hath placed us unavoidably. Nor is it Plato's licensing of books will do this, which necessarily pulls along with it so many other kinds of licensing, as will make us all both ridiculous and weary, and yet frustrate; but those unwritten, or at least unconstraining laws of virtuous education, religious and civil nurture, which Plato there mentions as the bonds and ligaments of the Commonwealth, the pillars and the sustainers of every written statute; these they be which will bear chief sway in such matters as these, when all licensing will be easily eluded. Impunity and remissness, for certain, are the bane of a Commonwealth; but here the great art lies to discern in what the law is to bid restraint and punishment, and in what things persuasion only is to work. If every action which is good or evil in man at ripe years,

were to be under pittance and prescription and compulsion, what were virtue but a name, what praise could be then due to well-doing, what grammarcy to be sober, just, or continent? Many there be that complain of Divine Providence for suffering Adam to transgress. Foolish tongues! When God gave him reason, He gave him freedom to choose, for reason is but choosing; he had been else a mere artificial Adam, such an Adam as he is in the motions. We ourselves esteem not of that obedience or love or gift which is of force: God therefore left him free, set before him a provoking object, ever almost in his eyes; herein consisted his merit, herein the right of his reward, the praise of his abstinence. Wherefore did He create passions within us, pleasures round about us, but that these rightly tempered are the very ingredients of virtue? They are not skilful considerers of human things who imagine to remove sin by removing the matter of sin; for, besides that it is a huge heap increasing under the very act of diminishing, though some part of it may for a time be withdrawn from some persons, it cannot from all in such a universal thing as books are; and when this is done, yet the sin remains entire. Though ye take from a covetous man all his treasure, he has yet one jewel left: ye cannot bereave him of his covetousness. Banish all objects of lust, shut up all youth into the severest discipline that can be exercised in any hermitage, ye cannot make them

chaste that came not thither so ; such great care and wisdom is required to the right managing of this point. Suppose we could expel sin by this means ; look how much we thus expel of sin, so much we expel of virtue : for the matter of them both is the same ; remove that, and ye remove them both alike. This justifies the high providence of God, who though He command us temperance, justice, continence, yet pours out before us even to a profuseness all desirable things, and gives us minds that can wander beyond all limit and satiety. Why should we then affect a rigour contrary to the manner of God and of Nature, by abridging or scanting those means which books freely permitted are, both to the trial of virtue and the exercise of truth. It would be better done to learn that the law must needs be frivolous which goes to restrain things uncertainly and yet equally working to good and to evil. And were I the chooser, a dram of well-doing should be preferred before many times as much the forcible hindrance of evil-doing. For God sure esteems the growth and completing of one virtuous person more than the restraint of ten vicious. And albeit whatever thing we hear or see, sitting, walking, travelling, or conversing, may be fitly called our book, and is of the same effect that writings are, yet grant the thing to be prohibited were only books, it appears that this order hitherto is far insufficient to the end which it intends. Do we not see, not once or oftener, but

weekly that continued Court-libel against the Parliament and City, printed, as the wet sheets can witness, and dispersed among us for all that licensing can do? Yet this is the prime service a man would think, wherein this order should give proof of itself. If it were executed, you'll say. But certain, if execution be remiss or blindfold now and in this particular, what will it be hereafter and in other books? If then the order shall not be vain and frustrate, behold a new labour, Lords and Commons! Ye must repeal and proscribe all scandalous and unlicensed books already printed and divulged, after ye have drawn them up into a list, that all may know which are condemned and which not, and ordain that no foreign books be delivered out of custody till they have been read over. This office will require the whole time of not a few overseers, and those no vulgar men. There be also books which are partly useful and excellent, partly culpable and pernicious; this work will ask as many more officials to make expurgations and expunctions, that the commonwealth of learning be not damnified. In fine, when the multitude of books increase upon their hands, ye must be fain to catalogue all those printers who are found frequently offending, and forbid the importation of their whole suspected typography. In a word, that this your order may be exact, and not deficient, ye must reform it perfectly according to the model of Trent and Seville, which I know ye abhor

to do. Yet though ye should condescend to this, which God forbid, the order still would be but fruitless and defective to that end whereto ye meant it. If to prevent sects and schisms, who is so unread or so uncatechized in story, that hath not heard of many sects refusing books as a hindrance, and preserving their doctrine unmixed for many ages only by unwritten traditions? The Christian faith, for that was once a schism, is not unknown to have spread all over Asia ere any Gospel or Epistle was seen in writing. If the amendment of manners be aimed at, look into Italy and Spain, whether those places be one scruple the better, the honester, the wiser, the chaster, since all the inquisitional rigour that hath been executed upon books.

Another reason, whereby to make it plain that this order will miss the end it seeks, consider by the quality which ought to be in every licenser. It cannot be denied but that he who is made judge to sit upon the birth or death of books, whether they may be wafted into this world or not, had need to be a man above the common measure, both studious, learned, and judicious; there may be else no mean mistakes in the censure of what is passable or not, which is also no mean injury. If he be of such worth as behoves him, there cannot be a more tedious and displeasing journey-work, a greater loss of time levied upon his head, than to be made the perpetual reader of unchosen books and pamphlets,



ofttimes huge volumes. There is no book that is acceptable unless at certain seasons ; but to be enjoined the reading of that at all times, and in a hand scarce legible, whereof three pages would not down at any time in the fairest print, is an imposition which I cannot believe how he that values time and his own studies, or is but of a sensible nostril, should be able to endure. In this one thing I crave leave of the present licensers to be pardoned for so thinking, who doubtless took this office up looking on it through their obedience to the Parliament, whose command perhaps made all things seem easy and unlaborious to them ; but that this short trial hath wearied them out already, their own expressions and excuses to them who make so many journeys to solicit their licence are testimony enough. Seeing therefore those who now possess the employment by all evident signs wish themselves well rid of it, and that no man of worth, none that is not a plain unthrift of his own hours, is ever likely to succeed them, except he mean to put himself to the salary of a press correcter, we may easily foresee what kind of licensers we are to expect hereafter, either ignorant, imperious, and remiss, or basely pecuniary. This is what I had to show wherein this order cannot conduce to that end whereof it bears the intention.

I lastly proceed from the no good it can do to the manifest hurt it causes, in being first the greatest discouragement and affront that can be offered to

learning and to learned men. It was the complaint and lamentation of prelates upon every least breath of a motion to remove pluralities and distribute more equally Church revenues, that then all learning would be for ever dashed and discouraged. But as for that opinion, I never found cause to think that the tenth part of learning stood or fell with the clergy, nor could I ever but hold it for a sordid and unworthy speech of any churchman who had a competency left him. If, therefore, ye be loth to dishearten utterly and discontent, not the mercenary crew of false pretenders to learning, but the free and ingenuous sort of such as evidently were born to study and love learning for itself, not for lucre or any other end but the service of God and of truth, and perhaps that lasting fame and perpetuity of praise which God and good men have consented shall be the reward of those whose published labours advance the good of mankind, then know, that so far to distrust the judgment and the honesty of one who hath but a common repute in learning and never yet offended, as not to count him fit to print his mind without a tutor and examiner, lest he should drop a schism or something of corruption, is the greatest displeasure and indignity to a free and knowing spirit that can be put upon him. What advantage is it to be a man over it is to be a boy at school, if we have only escaped the ferule to come under the fescue of an imprimatur? if serious and elaborate writings, as if they were no

more than the theme of a grammar lad under his pedagogue, must not be uttered without the cursory eyes of a temporizing and extemporizing licenser? He who is not trusted with his own actions, his drift not being known to be evil, and standing to the hazard of law and penalty, has no great argument to think himself reputed in the Commonwealth wherein he was born for other than a fool or a foreigner. When a man writes to the world, he summons up all his reason and deliberation to assist him ; he searches, meditates, is industrious, and likely consults and confers with his judicious friends ; after all which done he takes himself to be informed in what he writes as well as any that wrote before him ; if in this the most consummate act of his fidelity and ripeness, no years, no industry, no former proof of his abilities can bring him to that state of maturity as not to be still mistrusted and suspected, unless he carry all his considerate diligence, all his midnight watchings, and expense of Palladian oil, to the hasty view of an unleisured licenser, perhaps much his younger, perhaps far his inferior in judgment, perhaps one who never knew the labour of book-writing, and if he be not repulsed or slighted, must appear in print like a puny with his guardian and his censor's hand on the back of his title to be his bail and surety that he is no idiot or seducer, it cannot be but a dishonour and derogation to the author, to the book, to the privilege and dignity of learning. And what

if the author shall be one so copious of fancy as to have many things well worth the adding come into his mind after licensing, while the book is yet under the press, which not seldom happens to the best and diligentest writers ; and that perhaps a dozen times in one book ? The printer dares not go beyond his licensed copy ; so often then must the author trudge to his leave-giver, that those his new insertions may be viewed, and many a jaunt will be made ere that licenser, for it must be the same man, can either be found, or found at leisure ; meanwhile either the press must stand still, which is no small damage, or the author lose his accuratest thoughts and send the book forth worse than he had made it, which to a diligent writer is the greatest melancholy and vexation that can befall. And how can a man teach with authority, which is the life of teaching, how can he be a doctor in his book as he ought to be, or else had better be silent, when as all he teaches, all he delivers, is but under the tuition, under the correction of his patriarchal licenser to blot or alter what precisely accords not with the hidebound humour which he calls his judgment ; when every acute reader upon the first sight of a pedantic licence, will be ready with these like words to ding the book a quoit's distance from him :—" I hate a pupil teacher, I endure not an instructor that comes to me under the wardship of an overseeing fist ; I know nothing of the licenser, but that I have his own hand here for his arrogance ;

who shall warrant me his judgment?" "The State, sir," replies the stationer; but has a quick return, "The State shall be my governors, but not my critics; they may be mistaken in the choice of a licenser as easily as this licenser may be mistaken in an author: this is some common stuff;" and he might add from Sir Francis Bacon, that such authorized books are but the language of the times. For though a licenser should happen to be judicious more than ordinary, which will be a great jeopardy of the next succession, yet his very office and his commission enjoins him to let pass nothing but what is vulgarly received already. Nay, which is more lamentable, if the work of any deceased author, though never so famous in his lifetime and even to this day, come to their hands for licence to be printed or reprinted, if there be found in his book one sentence of a venturous edge, uttered in the height of zeal, and who knows whether it might not be the dictate of a divine spirit, yet not suiting with every low decrepit humour of their own, though it were Knox himself, the reformer of a kingdom, that spake it, they will not pardon him their dash; the sense of that great man shall to all posterity be lost for the fearfulness or the presumptuous rashness of a perfunctory licenser. And to what an author this violence hath been lately done, and in what book of greatest consequence to be faithfully published, I could now instance, but shall forbear till a more convenient season. Yet if these things be

not resented seriously and timely by them who have the remedy in their power, but that such iron moulds as these shall have authority to gnaw out the choicest periods of exquisitest books, and to commit such a treacherous fraud against the orphan remainders of worthiest men after death, the more sorrow will belong to that hapless race of men whose misfortune it is to have understanding. Henceforth let no man care to learn, or care to be more than worldly wise ; for certainly in higher matters to be ignorant and slothful, to be a common steadfast dunce, will be the only pleasant life and only in request.

And as it is a particular disesteem of every knowing person alive, and most injurious to the written labours and monuments of the dead, so to me it seems an undervaluing and vilifying of the whole nation. I cannot set so light by all the invention, the art, the wit, the grave and solid judgment which is in England, as that it can be comprehended in any twenty capacities how good soever ; much less that it should not pass except their superintendence be over it, except it be sifted and strained with their strainers, that it should be uncurrent without their manual stamp. Truth and understanding are not such wares as to be monopolized and traded in by tickets and statutes and standards. We must not think to make a staple commodity of all the knowledge in the land, to mark and licence it like our broadcloth and our wool-

packs. What is it but a servitude like that imposed by the Philistines, not to be allowed the sharpening of our own axes and coulters, but we must repair from all quarters to twenty licensing forges. Had any one written and divulged erroneous things and scandalous to honest life, misusing and forfeiting the esteem had of his reason among men, if after conviction this only censure were adjudged him, that he should never henceforth write but what were first examined by an appointed officer, whose hand should be annexed to pass his credit for him that now he might be safely read, it could not be apprehended less than a disgraceful punishment. Whence to include the whole nation, and those that never yet thus offended, under such a diffident and suspectful prohibition, may plainly be understood what a disparagement it is; so much the more, when as debtors and delinquents may walk abroad without a keeper, but inoffensive books must not stir forth without a visible gaoler in their title. Nor is it to the common people less than a reproach; for if we be so jealous over them as that we dare not trust them with an English pamphlet, what do we but censure them for a giddy, vicious, and ungrounded people, in such a sick and weak estate of faith and discretion as to be able to take nothing down but through the pipe of a licenser? That this is care or love of them we cannot pretend, when as in those Popish places where the laity are most hated

and despised, the same strictness is used over them. Wisdom we cannot call it, because it stops but one breach of licence, nor that neither, when as those corruptions which it seeks to prevent break in faster at other doors which cannot be shut.

And in conclusion it reflects to the disrepute of our Ministers also, of whose labours we should hope better, and of the proficiency which their flock reaps by them, than that after all this light of the gospel which is, and is to be, and all this continual preaching, they should be still frequented with such an unprincipled, unedified, and laic rabble, as that the whiff of every new pamphlet should stagger them out of their catechism and Christian walking. This may have much reason to discourage the Ministers when such a low conceit is had of all their exhortations and the benefiting of their hearers, as that they are not thought fit to be turned loose to three sheets of paper without a licenser; that all the sermons, all the lectures preached, printed, vented in such numbers and such volumes as have now well-nigh made all other books unsaleable, should not be armour enough against one single enchiridion, without the Castle St. Angelo of an imprimatur.

And lest some should persuade ye, Lords and Commons, that these arguments of learned men's discouragement at this your order are mere flourishes and not real, I could recount what I have



seen and heard in other countries, where this kind of inquisition tyrannizes; when I have sat among their learned men, for that honour I had, and been counted happy to be born in such a place of philosophic freedom as they supposed England was, while themselves did nothing but bemoan the servile condition into which learning amongst them was brought; that this was it which had damped the glory of Italian wits, that nothing had been there written now these many years but flattery and fustian. There it was that I found and visited the famous Galileo, grown old, a prisoner to the Inquisition for thinking in astronomy otherwise than the Franciscan and Dominican licensers thought. And though I knew that England then was groaning loudest under the prelatical yoke, nevertheless I took it as a pledge of future happiness that other nations were so persuaded of her liberty. Yet was it beyond my hope that those worthies were then breathing in her air who should be her leaders to such a deliverance as shall never be forgotten by any revolution of time that this world hath to finish. When that was once begun, it was as little in my fear, that what words of complaint I heard among learned men of other parts uttered against the Inquisition, the same I should hear by as learned men at home uttered in time of Parliament against an order of licensing; and that so generally, that when I disclosed myself a companion of their

discontent, I might say, if without envy, that he whom an honest quæstorship had endeared to the Sicilians was not more by them importuned against Verres than the favourable opinion which I had among many who honour ye and are known and respected by ye, loaded me with entreaties and persuasions, that I would not despair to lay together that which just reason should bring into my mind toward the removal of an undeserved thraldom upon learning. That this is not, therefore, the disburdening of a particular fancy, but the common grievance of all those who had prepared their minds and studies above the vulgar pitch, to advance truth in others and from others to entertain it, thus much may satisfy. And in their name I shall for neither friend nor foe conceal what the general murmur is; that if it come to inquisitioning again and licensing, and that we are so timorous of ourselves, and so suspicious of all men, as to fear each book, and the shaking of every leaf, before we know what the contents are, if some who but of late were little better than silenced from preaching, shall come now to silence us from reading except what they please, it cannot be guessed what is intended by some but a second tyranny over learning; and will soon put it out of controversy that Bishops and Presbyters are the same to us, both name and thing. That those evils of Prelacy, which before from five or six and twenty Sees were distributively charged upon

the whole people, will now light wholly upon learning, is not obscure to us: when as now the pastor of a small unlearned parish on the sudden shall be exalted Archbishop over a large diocese of books, and yet not remove, but keep his other cure too, a mystical pluralist. He who but of late cried down the sole ordination of every novice bachelor of art, and denied sole jurisdiction over the simplest parishioner, shall now, at home in his private chair, assume both these over worthiest and excellentest books and ablest authors that write them. This is not the covenants and protestations that we have made, this is not to put down Prelacy: this is but to chop an Episcopacy; this is but to translate the palace metropolitan from one kind of dominion into another; this is but an old canonical sleight of commuting our penance. To startle thus betimes at a mere unlicensed pamphlet will after a while be afraid of every conventicle, and a while after will make a conventicle of every Christian meeting. But I am certain that a State governed by the rules of justice and fortitude, or a Church built and founded upon the rock of faith and true knowledge, cannot be so pusillanimous. While things are yet not constituted in religion, that freedom of writing should be restrained by a discipline imitated from the Prelates and learned by them from the Inquisition, to shut us up all again into the breast of a licenser, must needs give cause of doubt and dis-

couragement to all learned and religious men ; who cannot but discern the fineness of this politic drift, and who are the contrivers : that while Bishops were to be baited down, then all presses might be open ; it was the people's birthright and privilege in time of Parliament, it was the breaking forth of light. But now the Bishops abrogated and voided out of the Church, as if our reformation sought no more but to make room for others into their seats under another name, the Episcopal arts begin to bud again, the cruise of truth must run no more oil, liberty of printing must be enthralled again under a prelatical commission of twenty, the privilege of the people nullified, and which is worse, the freedom of learning must groan again and to her old fetters, all this the Parliament yet sitting. Although their own late arguments and defences against the Prelates might remember them that this obstructing violence meets for the most part with an event utterly opposite to the end which it drives at : instead of suppressing sects and schisms, it raises them and invests them with a reputation. " The punishing of v. its enhances their authority," saith the Viscount St. Albans, " and a forbidden writing is thought to be a certain spark of truth that flies up in the faces of them who seek to tread it out." This order, therefore, may prove a nursing mother to sects, but I shall easily show how it will be a stepdame to truth : and first by disabling us to the maintenance of what is known already.

Well knows he who uses to consider, that our faith and knowledge thrives by exercise as well as our limbs and complexion. Truth is compared in Scripture to a streaming fountain ; if her waters flow not in a perpetual progression, they sicken into a muddy pool of conformity and tradition. A man may be a heretic in the truth ; and if he believe things only because his pastor says so, or the assembly so determines, without knowing other reason, though his belief be true, yet the very truth he holds becomes his heresy. There is not any burden that some would gladlier post off to another than the charge and care of their religion. There be, who knows not that there be, of Protestants and professors who live and die in as arrant an implicit faith as any lay Papist of Loretto. A wealthy man, addicted to his pleasure and to his profits, finds religion to be a traffic so entangled, and of so many peddling accounts, that of all mysteries he cannot skill to keep a stock going upon that trade. What should he do ? Fain he would have the name to be religious, fain he would bear up with his neighbours in that. What does he, therefore, but resolve to give over toiling, and to find himself out some factor to whose care and credit he may commit the whole managing of his religious affairs, some divine of note and estimation that must be. To him he adheres, resigns the whole warehouse of his religion, with all the locks and keys, into his custody ; and indeed

makes the very person of that man his religion, esteems his associating with him a sufficient evidence and commendatory of his own piety. So that a man may say his religion is now no more within himself, but is become a dividual movable, and goes and comes near him according as that good man frequents the house. He entertains him, gives him gifts, feasts him, lodges him ; his religion comes home at night, prays, is liberally supped, and sumptuously laid to sleep ; rises, is saluted, and after the malmsey, or some well-spiced brewage, and better breakfasted than he whose morning appetite would have gladly fed on green figs between Bethany and Jerusalem ; his religion walks abroad at eight, and leaves his kind entertainer in the shop trading all day without his religion.

Another sort there be who when they hear that all things shall be ordered, all things regulated and settled, nothing written but what passes through the custom-house of certain publicans that have the tunaging and the poundaging of all free spoken truth, will straight give themselves up into your hands ; make them and cut them out what religion ye please. There be delights, there be recreations and jolly pastimes that will fetch the day about from sun to sun, and rock the tedious year as in a delightful dream. What need they torture their heads with that which others have taken so strictly and so unalterably into their own purveying ? These are

the fruits which a dull ease and cessation of our knowledge will bring forth among the people. How goodly and how to be wished were such an obedient unanimity as this, what a fine conformity would it starch us all into? Doubtless a staunch and solid piece of framework as any January could freeze together.

Nor much better will be the consequence even among the clergy themselves. It is no new thing never heard of before for a parochial minister, who has his reward and is at his Hercules' Pillars in a warm benefice, to be easily inclinable, if he have nothing else that may rouse up his studies, to finish his circuit in an English concordance and a topic folio, the gatherings and savings of a sober graduateship, a harmony and a catena, treading the constant round of certain common doctrinal heads, attended with their uses, motives, marks and means, out of which as out of an alphabet or sol fa, by forming and transforming, joining and disjoining variously a little book-craft, and two hours' meditation might furnish him unspeakably to the performance of more than a weekly charge of sermoning, not to reckon up the infinite helps of interlinearies, breviaries, synopses, and other loitering gear. But as for the multitude of sermons ready printed and piled up, on every text that is not difficult, our London trading St. Thomas in his vestry, and add to boot St. Martin and St. Hugh, have not within their hallowed limits more vendible

ware of all sorts ready made ; so that penury he never need fear of pulpit provision, having where so plenteously to refresh his magazine. But if his rear and flanks be not impaled, if his back door be not secured by the rigid licenser, but that a bold book may now and then issue forth, and give the assault to some of his old collections in their trenches, it will concern him then to keep waking, to stand in watch, to set good guards and sentinels about his received opinions, to walk the round and counter-round with his fellow-inspectors, fearing lest any of his flock be seduced, who also then would be better instructed, better exercised and disciplined. And God send that the fear of this diligence which must then be used, do not make us affect the laziness of a licensing Church.

For if we be sure we are in the right, and do not hold the truth guiltily, which becomes not, if we ourselves condemn not our own weak and frivolous teaching, and the people for an untaught and irreligious gadding rout, what can be more fair than when a man judicious, learned, and of a conscience, for aught we know, as good as theirs that taught us what we know, shall not privily from house to house, which is more dangerous, but openly by writing publish to the world what his opinion is, what his reasons, and wherefore that which is now thought cannot be sound? Christ urged it as wherewith to justify himself, that He preached



in public ; yet writing is more public than preaching, and more easy to refutation, if need be, there being so many whose business and profession merely it is to be the champions of truth, which, if they neglect, what can be imputed but their sloth or inability ?

Thus much we are hindered and disinured by this course of licensing towards the true knowledge of what we seem to know. For how much it hurts and hinders the licensers themselves in the calling of their ministry, more than any secular employment, if they will discharge that office as they ought, so that of necessity they must neglect either the one duty or the other, I insist not, because it is a particular, but leave it to their own conscience, how they will decide it there.

There is yet behind of what I purposed to lay open, the incredible loss and detriment that this plot of licensing puts us to. More than if some enemy at sea should stop up all our havens and ports and creeks, it hinders and retards the importation of our richest merchandise, truth ; nay, it was first established and put in practice by antichristian malice and mystery on set purpose to extinguish, if it were possible, the light of Reformation, and to settle falsehood, little differing from that policy wherewith the Turk upholds his Alcoran by the prohibition of printing. It is not denied, but gladly confessed, we are to send our thanks and vows to heaven louder

than most of nations for that great measure of truth which we enjoy, especially in those main points between us and the Pope with his appurtenances the prelates ; but he who thinks we are to pitch our tent here, and have attained the utmost prospect of reformation that the mortal glass wherein we contemplate can show us, till we come to beatific vision, that man by this very opinion declares that he is yet far short of truth.

Truth indeed came once into the world with her Divine Master, and was a perfect shape most glorious to look on ; but when He ascended, and his Apostles after Him were laid asleep, then straight arose a wicked race of deceivers, who, as that story goes of the Egyptian Typhon with his conspirators how they dealt with the good Osiris, took the virgin truth, hewed her lovely form into a thousand pieces, and scattered them to the four winds. From that time ever since, the sad friends of truth, such as dost appear, imitating the careful search that Isis made for the mangled body of Osiris, went up and down gathering up limb by limb still as they could find them. We have not yet found them all, Lords and Commons, nor ever shall do, till her Master's second coming ; He shall bring together every joint and member, and shall mould them into an immortal feature of loveliness and perfection. Suffer not these licensing prohibitions to stand at every place of opportunity forbidding and disturbing them that

continue seeking, that continue to do our obsequies to the torn body of our martyred saint. We boast our light; but if we look not wisely on the sun itself, it smites us into darkness. Who can discern those planets that are oft combust, and those stars of brightest magnitude that rise and set with the sun, until the opposite motion of their orbs bring them to such a place in the firmament, where they may be seen evening or morning? The light which we have gained was given us, not to be ever staring on, but by it to discover onward things more remote from our knowledge. It is not the unfrocking of a priest, the unmitring of a bishop, and the removing him from off the Presbyterian shoulders that will make us a happy nation; no, if other things as great in the Church and in the rule of life both economical and political be not looked into and reformed, we have looked so long upon the blaze that Zuinglius and Calvin hath beacons up to us, that we are stark blind. There be who perpetually complain of schisms and sects, and make it such a calamity that any man dissents from their maxims. It is their own pride and ignorance which causes the disturbing, who neither will hear with meekness nor can convince; yet all must be suppressed which is not found in their syntagma. They are the troublers, they are the dividers of unity, who neglect and permit not others to unite those dissevered pieces which are yet wanting to the

body of truth. To be still searching what we know not by what we know, still closing up truth to truth as we find it (for all her body is homogeneal and proportional), this is the golden rule in theology as well as in arithmetic, and makes up the best harmony in a Church, not the forced and outward union of cold and neutral and inwardly divided minds.

Lords and Commons of England, consider what nation it is whereof ye are and whereof ye are the governors: a nation not slow and dull, but of a quick, ingenious, and piercing spirit, acute to invent, subtle and sinewy to discourse, not beneath the reach of any point the highest that human capacity can soar to. Therefore the studies of learning in her deepest sciences have been so ancient and so eminent among us, that writers of good antiquity and ablest judgment have been persuaded that even the school of Pythagoras and the Persian wisdom took beginning from the old philosophy of this island. And that wise and civil Roman, Julius Agricola, who governed once here for Cæsar, preferred the natural wits of Britain before the laboured studies of the French. Nor is it for nothing that the grave and frugal Transylvanian sends out yearly from as far as the mountainous borders of Russia and beyond the Hercynian wilderness, not their youth, but their staid men, to learn our language and our theologic arts. Yet that which is above all this, the

favour and the love of heaven, we have great argument to think in a peculiar manner propitious and propending towards us. Why else was this nation chosen before any other, that out of her as out of Sion should be proclaimed and sounded forth the first tidings and trumpet of Reformation to all Europe? And had it not been the obstinate perverseness of our prelates against the divine and admirable spirit of Wickliff, to suppress him as a schismatic and innovator, perhaps neither the Bohemian Huss and Jerome, no, nor the name of Luther or of Calvin, had been ever known; the glory of reforming all our neighbours had been completely ours. But now, as our obdurate clergy have with violence demeaned the matter, we are become hitherto the latest and the backwardest scholars, of whom God offered to have made us the teachers. Now once again, by all concurrence of signs and by the general instinct of holy and devout men, as they daily and solemnly express their thoughts, God is decreeing to begin some new and great period in his Church, even to the reforming of Reformation itself. What does He then but reveal himself to his servants, and as his manner is, first to his Englishmen: I say as his manner is, first to us, though we mark not the method of his counsels and are unworthy? Behold now this vast city: a city of refuge, the mansion house of liberty, encompassed and surrounded with his protection; the shop of war

hath not there more anvils and hammers waking, to fashion out the plates and instruments of armed justice in defence of beleaguered truth, than there be pens and heads there, sitting by their studious lamps, musing, searching, revolving new notions and ideas wherewith to present as with their homage and their fealty the approaching Reformation, others as fast reading, trying all things, assenting to the force of reason and convincement. What could a man require more from a nation so pliant and so prone to seek after knowledge? What wants there to such a towardly and pregnant soil but wise and faithful labourers, to make a knowing people, a nation of prophets, of sages, and of worthies? We reckon more than five months yet to harvest; there need not be five weeks; had we but eyes to lift up, the fields are white already. Where there is much desire to learn, there of necessity will be much arguing, much writing, many opinions; for opinion in good men is but knowledge in the making. Under these fantastic terrors of sect and schism, we wrong the earnest and zealous thirst after knowledge and understanding which God hath stirred up in this city. What some lament of, we rather should rejoice at, should rather praise this pious forwardness among men to reassume the ill deputed care of their religion into their own hands again. A little generous prudence, a little forbearance of one another and some grain of charity, might win all these

diligences to join and unite in one general and brotherly search after truth, could we but forego this prelatical tradition of crowding free consciences and Christian liberties into canons and precepts of men. I doubt not, if some great and worthy stranger should come among us, wise to discern the mould and temper of a people and how to govern it, observing the high hopes and aims, the diligent alacrity of our extended thoughts and reasonings in the pursuance of truth and freedom, but that he would cry out as Pyrrhus did, admiring the Roman docility and courage: "If such were my Epirots, I would not despair the greatest design that could be attempted to make a church or kingdom happy." Yet these are the men cried out against for schismatics and sectaries; as if, while the Temple of the Lord was building, some cutting, some squaring the marble, others hewing the cedars, there should be a sort of irrational men who could not consider there must be many schisms and many dissections made in the quarry and in the timber, ere the house of God can be built. And when every stone is laid artfully together, it cannot be united into a continuity, it can but be contiguous in this world; neither can every piece of the building be of one form; nay, rather the perfection consists in this: that out of many moderate varieties and brotherly dissimilitudes that are not vastly disproportional arises the goodly and the graceful symmetry that

commends the whole pile and structure. Let us therefore be more considerate builders, more wise in spiritual architecture, when great reformation is expected. For now the time seems come, wherein Moses the great Prophet may sit in heaven rejoicing to see that memorable and glorious wish of his fulfilled, when not only our seventy elders but all the Lord's people are become prophets. No marvel then, though some men, and some good men too perhaps, but young in goodness, as Joshua then was, envy them. They fret, and out of their own weakness are in agony, lest those divisions and subdivisions will undo us. The adversary again applauds, and waits the hour; when they have branched themselves out, saith he, small enough into parties and partitions, then will be our time. Fool! he sees not the firm root, out of which we all grow though into branches; nor will beware until he see our small divided maniples cutting through at every angle of his ill-united and unwieldy brigade. And that we are to hope better of all these supposed sects and schisms, and that we shall not need that solicitude, honest perhaps, though over-timorous of them that vex in this behalf, but shall laugh in the end at those malicious applauders of our differences, I have these reasons to persuade me :

First, when a city shall be as it were besieged and blocked about, her navigable river infested, inroads and incursions round, defiance and battle oft



rumoured to be marching up even to her walls and suburb trenches, that then the people, or the greater part, more than at other times, wholly taken up with the study of highest and most important matters to be reformed, should be disputing, reasoning, reading, inventing, discoursing, even to a rarity and admiration, things not before discoursed or written of, argues first a singular goodwill, contentedness and confidence in your prudent foresight and safe government, Lords and Commons; and from thence derives itself to a gallant bravery and well-grounded contempt of their enemies, as if there were no small number of as great spirits among us, as his was, who when Rome was nigh besieged by Hannibal, being in the city, bought that piece of ground at no cheap rate whereon Hannibal himself encamped his own regiment. Next, it is a lively and cheerful presage of our happy success and victory. For as in a body, when the blood is fresh, the spirits pure and vigorous, not only to vital but to rational faculties, and those in the acutest and the pertest operations of wit and subtlety, it argues in what good plight and constitution the body is, so when the cheerfulness of the people is so sprightly up, as that it has not only wherewith to guard well its own freedom and safety but to spare, and to bestow upon the solidest and sublimest points of controversy and new invention, it betokens us not degenerated, nor drooping to a fatal decay, but casting off the old and

wrinkled skin of corruption to outlive these pangs and wax young again, entering the glorious ways of truth and prosperous virtue, destined to become great and honourable in these latter ages. Methinks I see in my mind a noble and puissant nation rousing herself like a strong man after sleep, and shaking her invincible locks. Methinks I see her as an eagle mewing her mighty youth, and kindling her undazzled eyes at the full mid-day beam, purging and unscaling her long abused sight at the fountain itself of heavenly radiance, while the whole noise of timorous and flocking birds, with those also that love the twilight, flutter about, amazed at what she means, and in their envious gabble would prognosticate a year of sects and schisms.

What should ye do then, should ye suppress all this flowery crop of knowledge and new light sprung up and yet springing daily in this city, should ye set an oligarchy of twenty ingrossers over it, to bring a famine upon our minds again, when we shall know nothing but what is measured to us by their bushel? Believe it, Lords and Commons, they who counsel ye to such a suppressing do as good as bid ye suppress yourselves; and I will soon show how. If it be desired to know the immediate cause of all this free writing and free speaking, there cannot be assigned a truer than your own mild and free and human government; it is the liberty, Lords and Commons, which your own valorous and happy counsels have

purchased us, liberty which is the nurse of all great wits ; this is that which hath rarefied and enlightened our spirits like the influence of heaven ; this is that which hath enfranchised, enlarged and lifted up our apprehensions degrees above themselves. Ye cannot make us now less capable, less knowing, less eagerly pursuing of the truth, unless ye first make yourselves, that made us so, less the lovers, less the founders of our true liberty. We can grow ignorant again, brutish, formal, and slavish, as ye found us ; but you then must first become that which ye cannot be, oppressive, arbitrary, and tyrannous, as they were from whom ye have freed us. That our hearts are now more capacious, our thoughts more erected to the search and expectation of greatest and exactest things, is the issue of your own virtue propagated in us ; ye cannot suppress that unless ye reinforce an abrogated and merciless law, that fathers may dispatch at will their own children. And who shall then stick closest to ye, and excite others ? Not he who takes up arms for cote and conduct and his four nobles of Danegelt. Although I dispraise not the defence of just immunities, yet love my peace better, if that were all. Give me the liberty to know, to utter, and to argue freely according to conscience, above all liberties.

What would be best advised then, if it be found so hurtful and so unequal to suppress opinions for the newness or the unsuitableness to a customary accept-

ance, will not be my task to say ; I only shall repeat what I have learnt from one of your own honourable number, a right noble and pious lord, who had he not sacrificed his life and fortunes to the Church and Commonwealth, we had not now missed and bewailed a worthy and undoubted patron of this argument. Ye know him I am sure ; yet I for honour's sake, and may it be eternal to him, shall name him, the Lord Brook. He writing of Episcopacy, and by the way treating of sects and schisms, left ye his vote, or rather now the last words of his dying charge, which I know will ever be of dear and honoured regard with ye, so full of meekness and breathing charity, that next to his last testament, who bequeathed love and peace to his disciples, I cannot call to mind where I have read or heard words more mild and peaceful. He there exhorts us to hear with patience and humility those, however they be miscalled, that desire to live purely, in such a use of God's Ordinances, as the best guidance of their conscience gives them, and to tolerate them, though in some disconformity to ourselves. The book itself will tell us more at large, being published to the world and dedicated to the Parliament by him who both for his life and for his death deserves that what advice he left be not laid by without perusal.

And now the time in special is by privilege to write and speak what may help to the further discussing of matters in agitation. The Temple of

Janus with his two controversial faces might now not insignificantly be set open. And though all the winds of doctrine were let loose to play upon the earth, so truth be in the field, we do injuriously by licensing and prohibiting to misdoubt her strength. Let her and falsehood grapple ; who ever knew truth put to the worse in a free and open encounter ? Her confuting is the best and surest suppressing. He who hears what praying there is for light and clearer knowledge to be sent down among us, would think of other matters to be constituted beyond the discipline of Geneva, framed and fabricked already to our hands. Yet when the new light which we beg for shines in upon us, there be who envy and oppose if it come not first in at their casements. What a collusion is this, when as we are exhorted by the wise man to use diligence, to seek for wisdom as for hidden treasures early and late, that another order shall enjoin us to know nothing but by statute ! When a man hath been labouring the hardest labour in the deep mines of knowledge, hath furnished out his findings in all their equipage, drawn forth his reasons as it were a battle ranged, scattered and defeated all objections in his way, calls out his adversary into the plain, offers him the advantage of wind and sun, if he please, only that he may try the matter by dint of argument, for his opponents then to skulk, to lay ambushments, to keep a narrow bridge of licensing where the challenger should pass,

though it be valour enough in soldiership, is but weakness and cowardice in the wars of truth. For who knows not that truth is strong next to the Almighty? She needs no policies, no stratagems, nor licensings to make her victorious; those are the shifts and the defences that error uses against her power. Give her but room, and do not bind her when she sleeps, for then she speaks not true, as the old Proteus did, who spake oracles only when he was caught and bound; but then rather she turns herself into all shapes except her own, and perhaps tunes her voice according to the time, as Micaiah did before Ahab, until she be adjured into her own likeness. Yet is it not impossible that she may have more shapes than one. What else is all that rank of things indifferent, wherein truth may be on this side or on the other without being unlike herself? What but a vain shadow else is the abolition of those Ordinances, that handwriting nailed to the cross, what great purchase is this Christian liberty which Paul so often boasts of? His doctrine is, that he who eats or eats not, regards a day or regards it not, may do either to the Lord. How many other things might be tolerated in peace and left to conscience, had we but charity, and were it not the chief stronghold of our hypocrisy to be ever judging one another. I fear yet this iron yoke of outward conformity hath left a slavish print upon our necks; the ghost of a

linen decency yet haunts us. We stumble and are impatient at the least dividing of one visible congregation from another, though it be not in fundamentals; and through our forwardness to suppress, and our backwardness to recover any enthralled piece of truth out of the grip of custom, we care not to keep truth separated from truth, which is the fiercest rent and disunion of all. We do not see that, while we still affect by all means a rigid external formality, we may as soon fall again into a gross conforming stupidity, a stark and dead congealment of wood and hay and stubble forced and frozen together, which is more to the sudden degenerating of a Church than many subdichotomies of petty schisms. Not that I can think well of every light separation, or that all in a Church is to be expected gold and silver and precious stones; it is not possible for man to sever the wheat from the tares, the good fish from the other fry; that must be the angels' ministry at the end of mortal things. Yet if all cannot be of one mind—as who looks they should be?—this doubtless is more wholesome, more prudent, and more Christian: that many be tolerated rather than all compelled. I mean not tolerated Popery and open superstition, which as it extirpates all religions and civil supremacies, so itself should be extirpated, provided first that all charitable and compassionate means be used to win and regain the weak and misled; that also which is

impious or evil absolutely either against faith or manners no law can possibly permit, that intends not to unlaw itself; but those neighbouring differences, or rather indifferences, are what I speak of, whether in some point of doctrine or of discipline, which though they may be many, yet need not interrupt the unity of spirit, if we could but find among us the bond of peace. In the meanwhile if any one would write, and bring his helpful hand to the slow-moving reformation which we labour under, if truth have spoken to him before others, or but seemed at least to speak, who hath so bejesuited us that we should trouble that man with asking licence to do so worthy a deed? And not consider this, that if it come to prohibiting, there is not aught more likely to be prohibited than truth itself; whose first appearance to our eyes, bleared and dimmed with prejudice and custom, is more unsightly and unplausible than many errors, even as the person is of many a great man slight and contemptible to see to. And what do they tell us vainly of new opinions, when this very opinion of theirs, that none must be heard but whom they like, is the worst and newest opinion of all others; and is the chief cause why sects and schisms do so much abound, and true knowledge is kept at distance from us? Besides yet a greater danger which is in it: for when God shakes a kingdom with strong and healthful commotions to a general reforming, it is



not untrue that many sectaries and false teachers are then busiest in seducing ; but yet more true it is, that God then raises to his own work men of rare abilities and more than common industry, not only to look back and revise what hath been taught heretofore, but to gain further and go on some new enlightened steps in the discovery of truth. For such is the order of God's enlightening his Church, to dispense and deal out by degrees his beam, so as our earthly eyes may best sustain it. Neither is God appointed and confined, where and out of what place these his chosen shall be first heard to speak ; for He sees not as man sees, chooses not as man chooses, lest we should devote ourselves again to set places and assemblies and outward callings of men, planting our faith one while in the old Convocation house and another while in the chapel at Westminster ; when all the faith and religion that shall be there canonized is not sufficient, without plain convincement and the charity of patient instruction, to supple the least bruise of conscience, to edify the meanest Christian, who desires to walk in the spirit and not in the letter of human trust, for all the number of voices that can be there made ; no, though Harry the Seventh himself there, with all his liege toms about him, should lend them voices from the dead to swell their number. And if the men be erroneous who appear to be the leading schismatics, what withholds us but our sloth, our self-

will, and distrust in the right cause, that we do not give them gentle meetings and gentle dismissions, that we debate not and examine the matter thoroughly with liberal and frequent audience; if not for their sakes, yet for our own, seeing no man who hath tasted learning but will confess the many ways of profiting by those who, not contented with stale receipts, are able to manage and set forth new positions to the world? And were they but as the dust and cinders of our feet, so long as in that notion they may serve to polish and brighten the armoury of truth, even for that respect they were not utterly to be cast away. But if they be of those whom God hath fitted for the special use of these times with eminent and ample gifts, and those, perhaps, neither among the priests nor among the Pharisees, and we, in the haste of a precipitant zeal, shall make no distinction, but resolve to stop their mouths, because we fear they come with new and dangerous opinions, as we commonly forejudge them ere we understand them, no less then woe to us, while, thinking thus to defend the Gospel, we are found the persecutors.

There have been not a few since the beginning of this Parliament, both of the Presbytery and others, who by their unlicensed books to the contempt of an imprimatur first broke that triple ice clung about our hearts, and taught the people to see day. I hope that none of those were the per-

suaders to renew upon us this bondage which they themselves have wrought so much good by contemning. But if neither the check that Moses gave to young Joshua, nor the countermand which our Saviour gave to young John, who was so ready to prohibit those whom he thought unlicensed, be not enough to admonish our elders how unacceptable to God their testy mood of prohibiting is, if neither their own remembrance what evil hath abounded in the Church by this let of licensing, and what good they themselves have begun by transgressing it, be not enough, but that they will persuade and execute the most Dominican part of the Inquisition over us, and are already with one foot in the stirrup so active at suppressing, it would be no unequal distribution in the first place to suppress the suppressors themselves, whom the change of their condition hath puffed up more than their late experience of harder times hath made wise.

And as for regulating the Press, let no man think to have the honour of advising ye better than yourselves have done in that order published next before this: that no book be printed, unless the printer's, and the author's name, or at least the printer's be registered. Those which otherwise come forth, if they be found mischievous and libellous, the fire and the executioner will be the timeliest and the most effectual remedy that man's prevention can use. For this authentic Spanish policy of licensing books,

if I have said aught, will prove the most unlicensed book itself within a short while ; and was the immediate image of a Star Chamber decree to that purpose made in those very times when that Court did the rest of those her pious works, for which she is now fallen from the stars with Lucifer. Whereby ye may guess what kind of State prudence, what love of the people, what care of religion or good manners there was at the contriving, although with singular hypocrisy it pretended to bind books to their good behaviour. And how it got the upper hand of your precedent order so well constituted before, if we may believe those men whose profession gives them cause to inquire most, it may be doubted there was in it the fraud of some old patentees and monopolizers in the trade of book selling, who, under pretence of the poor in their company not to be defrauded, and the just retaining of each man his several copy, which God forbid should be gainsaid, brought divers glozing colours to the House, which were indeed but colours, and serving to no end except it be to exercise a superiority over their neighbours, men who do not therefore labour in an honest profession to which learning is indebted, that they should be made other men's vassals. Another end is thought was aimed at by some of them in procuring by petition this order, that having power in their hands, malignant books might the easier escape abroad, as the event

shows. But of these sophisms and elenchs of merchandise I skill not. This I know, that errors in a good government and in a bad are equally almost incident ; for what magistrate may not be misinformed, and much the sooner, if liberty of printing be reduced into the power of a few ? But to redress willingly and speedily what hath been erred, and in highest authority to esteem a plain advertisement more than others have done a sumptuous bribe, is a virtue (honoured Lords and Commons) answerable to your highest actions, and whereof none can participate but greatest and wisest men.



# KILLING NO MURDER,

BRIEFLY DISCOURSED, IN

*THREE QUESTIONS, FIT FOR PUBLIC VIEW,*

*TO DETER AND PREVENT*

*TYRANTS FROM USURPING SUPREME POWER.*

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And all the people of the land rejoiced ; and the city was quiet, after that they had slain Athaliah with the sword.—2 CHRON. xxiii. 21.

Now after the time that Amaziah did turn away from following the Lord, they made a conspiracy against him in Jerusalem, and he fled to Lachish ; but they sent to Lachish after him, and slew him there.—2 CHRON. xxv. 27.





TO

*HIS HIGHNESS OLIVER CROMWELL.*

MAY IT PLEASE YOUR HIGHNESS,

HOW I have spent some hours of the leisure your Highness hath been pleased to give me this following paper will give your Highness an account. How you will please to interpret it I cannot tell; but I can with confidence say, my intention in it is to procure your Highness that justice nobody yet does you, and to let the people see the longer they defer it the greater injury they do both themselves and you. To your Highness justly belongs the honour of dying for the people; and it cannot choose but be unspeakable consolation to you in the last moments of your life to consider with how much benefit to the world you are like to leave it. It is then only, my Lord, the titles you now usurp will be truly yours; you will then be indeed the deliverer of your country, and free it from a bondage little inferior to that from which Moses delivered his.

You will then be that true reformer which you would be thought. Religion shall be then restored, liberty asserted, and Parliaments have those privileges they have fought for. We shall then hope that other laws will have place besides those of the sword, and that justice shall be otherwise defined than the will and pleasure of the strongest; and we shall then hope men will keep oaths again, and not have the necessity of being false and perfidious to preserve themselves, and be like their rulers. All this we hope from your Highness's happy expiration, who are the true father of your country; for while you live we can call nothing ours, and it is from your death that we hope for our inheritances. Let this consideration arm and fortify your Highness's mind against the fears of death, and the terrors of your evil conscience, that the good you will do by your death will something balance the evils of your life. And if in the black catalogue of high malefactor few can be found that have lived more to the affliction and disturbance of mankind than your Highness hath done, yet your greatest enemies will not deny but there are likewise as few that have expired more to the universal benefit of mankind than your Highness is like to do. To hasten this great good is the chief end of my writing this paper; and if it have the

effects I hope it will, your Highness will quickly be out of the reach of men's malice, and your enemies will only be able to wound you in your memory, which strokes you will not feel. That your Highness may be speedily in this security is the universal wishes of your grateful country. This is the desires and prayers of the good and of the bad, and it may be is the only thing wherein all sects and factions do agree in their devotions, and is our only common prayer. But amongst all that put in their requests and supplications for your Highness's speedy deliverances from all earthly troubles, none is more assiduous nor more fervent than he who, with the rest of the nation, hath the honour to be,

May it please your Highness,  
Your Highness's present slave and vassal,

W. A.

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## KILLING NO MURDER.



IT is not any ambition to be in print, when so few spare paper and the press, nor any instigations of private revenge or malice (though few that dare be honest now want their causes), that have prevailed with me to make myself the author of a pamphlet, and to disturb that quiet which at present I enjoy by his Highness's great favour and injustice. Nor am I ignorant to how little purpose I shall employ that time and pains which I shall bestow upon this paper. For to think that any reasons or persuasions of mine, or conviction of their own, shall draw men from any thing wherein they see profit or security, or to any thing wherein they fear loss or see danger, is to have a better opinion both of myself and them than either of us both deserve.

Besides, the subject itself is of that nature, that I am not only to expect danger from ill men, but censure and disallowance from many that are good ; for these opinions only looked upon, not looked into (which all have not eyes for), will appear bloody and

cruel ; and these compellations I must expect from those that have a zeal, but not according to knowledge ; if, therefore, I had considered myself, I had spared whatever this is of pains, and not distasted so many, to please so few as are in mankind the honest and the wise. But at such a time as this, when God is not only exercising us with a usual and common calamity, of letting us fall into slavery that used our liberty so ill, but is pleased so far to bind our understandings and to debase our spirits as to suffer us to court our bondage, and to place it amongst the requests we put up to Him, indignation makes a man break that silence that prudence would persuade him to use, if not to work upon other men's minds, yet to ease his own.

A late pamphlet tells us of a great design discovered against the person of his Highness, and of the Parliament's coming (for so does that Junto profane that name) to congratulate with his Highness his happy deliverance from that wicked and bloody attempt. Besides this, that they have ordered that God Almighty shall be mocked with a day of thanksgiving (as I think, the world is with the plot), and that the people shall give public thanks for the public calamity that God is yet pleased to continue his judgments upon them and to frustrate all means that are used for their deliverance. Certainly none will now deny that the English are a very thankful people. But I think if we had read in Scripture

that the Israelites had cried unto the Lord, not for their own deliverance, but the preservation of their task-masters, and that they had thanked God with solemnity that Pharaoh was yet living, and that there was still great hopes of the daily increase of the number of their bricks: though that people did so many things not only impiously and profanely but ridiculously and absurdly, yet certainly they did nothing we should more have wondered at than to have found them ceremoniously thankful to God for plagues, that were commonly so brutishly unthankful for mercies; and we should have thought that Moses had done them a great deal of wrong if he had not suffered them to enjoy their slavery, and left them to their tasks and garlic.

I can with justice say, my principal intention in this paper is not to declaim against my Lord Protector or his accomplices; for, were it not more to justify others than to accuse them, I should think their own actions did that work sufficiently, and I should not take pains to tell the world what they knew before. My design is, to examine whether if there hath been such a plot as we hear of, and that it was contrived by Mr. Sindercombe against my Lord Protector, and not by my Lord Protector against Mr. Sindercombe (which is doubtful); whether it deserves those epithets Mr. Speaker is pleased to give it, of bloody, wicked, and proceeding from the Prince of Darkness. I know very well how

incapable the vulgar are of considering what is extraordinary and singular in every case, and that they judge of things and name them by their exterior appearances, without penetrating at all into their causes or natures. And without doubt, when they hear the Protector was to be killed, they straight conclude a man was to be murdered, not a malefactor punished ; for they think the formalities do always make the things themselves, and that it is the judge and the crier that makes the justice, and the gaol the criminal ; and therefore when they read in the pamphlet Mr. Speaker's speech, they certainly think he gives these plotters their right titles, and, as readily as a High Court of Justice, they condemn them, without ever examining whether they would have killed a magistrate or destroyed a tyrant over whom every man is naturally a judge and an executioner, and whom the laws of God, of Nature, and of nations expose like beasts of prey to be destroyed as they are met.

That I may be as plain as I can, I shall first make it a question—which indeed is none—whether my Lord Protector be a tyrant or not? Secondly, if he be, whether it is lawful to do justice upon him without solemnity, that is, to kill him? Thirdly, if it be lawful, whether it is like to prove profitable or noxious to the Commonwealth?

The civil law makes tyrants of two sorts, “*tyrannus sine titulo*” and “*tyrannus exercitio.*” The one is

called a tyrant because he hath no right to govern ; the other because he governs tyrannically. We will very briefly discourse of them both, and see whether the Protector may not with great justice put in his claim to both titles.

We shall sufficiently demonstrate who they are that have not a right to govern, if we show who they are that have ; and what it is that makes the power just which those that rule have over the natural liberty of other men. To fathers, within their private families, Nature hath given a supreme power. Every man, says Aristotle, of right governs his wife and children, and this power was necessarily exercised everywhere, whilst families lived dispersed, before the constitutions of Commonwealths ; and in many places it continued after, as appears by the laws of Solon and the most ancient of those of Rome. And indeed, as by the laws of God and Nature, the care, defence, and support of the family lies upon every man whose it is, so by the same law there is due unto every man from his family a subjection and obedience in compensation of that support. But several families uniting themselves together to make up one body of a Commonwealth, and being independent one of another, without any natural superiority or obligation, nothing can introduce amongst them a disparity of rule and subjection but some power that is over them, which power none can pretend to have but God and themselves.



Wherefore all power which is lawfully exercised over such a society of men (which from the end of its institution we call a Commonwealth) must necessarily be derived, either from the appointment of God Almighty, who is Supreme Lord of all and every part, or from the consent of the society itself, who have the next power to his of disposing of their own liberty as they shall think fit for their own good. This power God hath given to societies of men, as well as He gave it to particular persons ; and when He interposes not his own authority, and appoints not himself who shall be his vicegerents and rule under Him, He leaves it to none but the people themselves to make the election, whose benefit is the end of all government. Nay, when He himself hath been pleased to appoint rulers for that people which He was pleased peculiarly to own, He many times made the choice, but left the confirmation and ratification of that choice to the people themselves. So Saul was chosen by God, and anointed king by his prophet, but made king by all the people at Gilgal. David was anointed king by the same prophet, but was afterwards, after Saul's death, confirmed by the people of Judah, and seven years after by the elders of Israel, the people's deputies at Chebron. And it is observable, that though they knew that David was appointed king by God, and anointed by his prophet, yet they likewise knew that God allowed to themselves not only his con-

firmation, but likewise the limitation of his power ; for before his inauguration they made a league with him—that is, obliged him by compact to the performance of such conditions as they thought necessary for the securing their liberty. Nor is it less remarkable that, when God gives directions to his people concerning their government, He plainly leaves the form to themselves: for He says not, When thou shalt have come into the land which the Lord thy God gives thee, “statues super te regem,” but “Si dixeris statuam.” God says not, ‘Thou shalt appoint a king over thee ; but if thou shalt say, I will appoint ; leaving it to their choice whether they would say so or no. And it is plain in that place that God gives the people the choice of their king, for He there instructs them whom they shall choose, “E medio fratrum tuorum,” one out of the midst of thy brethren. Much more might we say, if it were a less manifest truth that all just power of government is founded upon these two bases, of God’s immediate command, or the people’s consent ; and, therefore, whosoever arrogates to himself that power, or any part of it, that cannot produce one of those two titles, is not a ruler, but an invader, and those that are subject to that power are not governed, but oppressed.

This being considered, have not the people of England much reason to ask the Protector this question, “Quis constituit te virum principem et judicem super nos ?” Who made thee a prince and

a judge over us? If God made thee, make it manifest to us. If the people, where did we meet to do it? Who took our subscriptions? To whom deputed we our authority? And when and where did those deputies make the choice? Sure these interrogations are very natural, and I believe would much trouble his Highness's Council and his Junto to answer. In a word, that I may not tire my reader, who will not want proofs for what I say, if he wants not memory: if to change the Government without the people's consent; if to dissolve their representatives by force, and disannul their acts; if to give the name of the people's representatives to confederates of his own, that he may establish iniquity by a law; if to take away men's lives out of all course of law, by certain murderers of his own appointment, whom he names a High Court of Justice; if to decimate men's estates, and by his own power to impose upon the people what taxes he pleases, and to maintain all by force of arms; if, I say, all this does make a tyrant, his own impudence cannot deny but he is as complete a one as ever hath been since there have been societies of men. He that hath done, and does all this, is the person for whose preservation the people of England must pray; but certainly if they do, it is for the same reason that the old woman of Syracuse prayed for the long life of the tyrant Dionysius, lest the devil should come next.

Now if, instead of God's command, or the people's

consent, his Highness hath no other title but force and fraud, which is to want all title ; and if to violate all laws, and propose none to rule by but those of his own will, be to exercise that tyranny he hath usurped, and to make his administration conformable to his claim, then the first question we proposed is a question no longer.

But before we come to the second, being things are more easily perceived and found by the description of their exterior accidents and qualities than the defining their essences, it will not be amiss to see whether his Highness hath not as well the outward marks and characters by which tyrants are known, as he hath their nature and essential properties : whether he hath not the skin of the lion and tail of the fox, as well as he hath the violence of the one and deceit of the other. Now, in this delineation which I intend to make of a tyrant, all the lineaments, all the colours, will be found so naturally to correspond with the life, that it cannot but be doubted whether his Highness be the original or the copy ; whether I have in drawing the tyrant represented him, or in representing him expressed a tyrant. And therefore, lest I should be suspected to deal insincerely with his Highness, and not to have applied these following characters, but made them, I shall not give you any of my own stamping, but such as I find in Plato, Aristotle, Tacitus, and his Highness's own evangelist, Machiavel.

1. Almost all tyrants have been first Captains and Generals for the people, under pretences of vindicating or defending their liberties. "Ut imperium evertant libertatem præferunt; cum perverterunt, ipsam aggreuntur," says Tacitus: to subvert the present Government they pretend liberty for the people; when the Government is down they then invade that liberty themselves. This needs no application.

2. Tyrants accomplish their ends much more by fraud than force. Neither virtue nor force (says Machiavel) are so necessary to that purpose as "una astutia fortunata," a lucky craft; which, says he, without force hath been often found sufficient, but never force without that. And in another place he tells us their way is "aggirare i cervelli degli huomini con astutia," &c.; with cunning plausible pretences to impose upon men's understandings, and in the end they master those that had so little wit as to rely upon their faith and integrity. It is but unnecessary to say, that had not his Highness had a faculty to be fluent in his tears, and eloquent in his execrations; had he not had spongy eyes, and a supple conscience; and besides, to do with a people of great faith but little wit, his courage, and the rest of his moral virtues, with the help of his janissaries, had never been able so far to advance him out of the reach of justice that we should have need to call for any other hand to remove him but that of the hangman.

3. They abase all excellent persons, and rid out of the way all that have noble minds : " et terræ filios extollunt," and advance sons of the earth. To put Aristotle into other words, they purge both Parliament and army, till they leave few or none there that have either honour or conscience, either wit, interest, or courage, to oppose their designs ; and in these purgations (saith Plato) tyrants do quite contrary to physicians, for they purge us of our humours, but tyrants of our spirits.

4. They dare suffer no assemblies, not so much as horse-races.

5. In all places they have their spies and dilaters ; that is, they have their Broughalls, their St. Johns (besides innumerable small spies), to appear discontented, and not to side with them, that under that disguise they may get trust and make discoveries. They likewise have their emissaries to send with forged letters. If any doubt this, let him send to Major-General Brown, and he will satisfy him.

6. They stir not without a guard, nor his Highness without his Lifeguard.

7. They impoverish the people, that they may want the power, if they have the will, to attempt anything against them. His Highness's way is by taxes excise, decimations, &c.

8. They make war to divert and busy the people, and besides, to have a pretence to raise moneys, and to make new levies, if they either distrust their old

forces, or think them not sufficient. The war with Spain serveth his Highness to this purpose, and upon no other justice was it begun at first, or still continued.

9. They will seem to honour and provide for good men—that is, if the ministers will be orthodox and flatter, if they will wrest and torture the Scriptures to prove his Government lawful, and furnish him with title, his Highness will likewise be then content to understand Scripture in their favour, and furnish them with tithes.

10. Things that are odious and distasteful they make others executioners of; and when the people are discontented, they appease them with sacrificing those ministers they employ. I leave it to his Highness's major-generals to ruminare a little upon this point.

11. In all things they pretend to be wonderful careful of the public, to give general accounts of the money they receive, which they pretend to be levied for the maintenance of the State and the prosecuting of the war. His Highness made an excellent comment upon this place of Aristotle in his speech to this Parliament.

12. All things set aside for religious uses they set to sale, that while those things last they may exact the less of the people. The Cavaliers would interpret this of the dean and chapter's lands.

13. They pretend inspirations from God, and

responses from oracles, to authorize what they do. His Highness hath been ever an enthusiast. And as Hugh Capet in taking the crown pretended to be admonished to it in a dream by St. Vallery and St. Richard, so I believe will his Highness do the same at the instigation of St. Henry and St. Richard, his two sons.

14. Lastly, above all things they pretend a love to God and religion. This Aristotle calls "*Artium tyrannicarum potissimam*," the surest and best of all the arts of tyrants; and we all know his Highness hath found it so by experience. He hath found, indeed, that in godliness there is great gain, and that preaching and praying well managed will obtain other kingdoms as well as that of heaven. His, indeed, have been pious arms, for he hath conquered most by those of the Church, by prayers and tears. But the truth is, were it not for our honour to be governed by one that can manage both the spiritual and temporal sword, and, Roman-like, to have our emperor our high-priest, we might have had preaching at a much cheaper rate, and it would have cost us but our tithes which now costs us all.

Other marks and rules there are mentioned by Aristotle to know tyrants by, but they being unsuitable to his Highness's actions, and impracticable by his temper, I insist not on them. As among other things, Aristotle would not have a tyrant insolent



in his behaviour, nor strike people ; but his Highness is naturally choleric, and must call men rogues, and go to cuffs. At last he concludes he should so fashion his manners, as neither to be really good nor absolutely bad, but half one, half the other. Now this half good is too great a proportion for his Highness, and much more than his temper will bear.

But to speak truths more seriously, and to conclude this first question : certainly whatever these characters make any man, it cannot be denied but his Highness is ; and then if he be not a tyrant, we must confess we have no definition nor description of a tyrant left us, and may well imagine there is no such thing in Nature, and that it is only a notion and a name. But if there be such a beast, and we do at all believe what we see and feel, let us now inquire, according to the method we proposed, whether this be a beast of game that we are to give law to, or a beast of prey to destroy with all means which are allowable and fair ?

In deciding this question authors very much differ, as far as it concerns supreme magistrates, who degenerate into tyrants. Some think they are to be borne with as bad parents, and place them in the number of those mischiefs that have no other cure but our patience. Others think they may be questioned by that supreme law of the people, safety ; and that they are answerable to the people's

representatives for the breach of their trust. But none of sober sense makes private persons judges of their actions, which were indeed to subvert all Government. But, on the other side, I find none (that have not been frightened or corrupted out of their reason) that have been so great enemies to common justice and the liberty of mankind as to give any kind of indemnity to a usurper, who can pretend no title but that of being stronger, nor challenge the people's obedience upon any other obligation but that of their necessity and fear. Such a person as one out of all bonds of human protection all men make the Ishmael, against whom is every man's hand as is his against every man. To him they give no more security than Cain, his fellow murderer and oppressor, promised to himself to be destroyed by him that found him first.

The reason why a tyrant's case is particular, and why, in that, every man hath that vengeance given him which in other cases is reserved to God and the magistrate, cannot be obscure if we rightly consider what a tyrant is, what his crimes are, and in what state he stands with the Commonwealth, and with every member of it. And certainly if we find him an enemy to all human society, and a subverter of all laws, and one that by the greatness of his villanies secures himself against all ordinary course of justice, we shall not at all think it strange if then he have no benefit from human society, no protec-

tion from the law, and if in his case justice dispenses with her forms. We are therefore to consider that the end for which men enter into society is not barely to live, which they may do dispersed, as other animals, but to live happily, and a life answerable to the dignity and excellency of their kind. Out of society this happiness is not to be had, for singly we are impotent and defective, unable to procure those things that are either of necessity or ornament for our lives, and as unable to defend and keep them when they are acquired. To remedy these defects we associate together, that what we can neither joy nor keep singly, by mutual benefits and assistances one of another we may be able to do both. We cannot possibly accomplish these ends if we submit not our passions and appetites to the laws of reason and justice. For the depravity of man's will makes him as unfit to live in society as his necessity makes him unable to live out of it. And if that perverseness be not regulated by laws, men's appetites to the same things, their avarice, their lust, their ambition would quickly make society as unsafe, or more, than solitude itself, and we should associate only to be nearer our misery and our ruin. That, therefore, by which we accomplish the ends of a sociable life, is our subjection and submission to laws ; these are the nerves and sinews of every society or Commonwealth, without which they must necessarily dissolve and fall asunder. And, indeed, as Augustine says, those

societies where law and justice is not are not Commonwealths or kingdoms, but "magna latrocinia," great confederacies of thieves and robbers. Those therefore that submit to no law are not to be reputed in the society of mankind, which cannot consist without a law. Therefore Aristotle saith, tyranny is against the law of Nature—that is, the law of human society in which human nature is preserved. For this reason they deny a tyrant to be "partem civitatis;" for every part is subject to the whole; and a citizen, says the same author, is he who is as well obliged to the duty of obeying as he is capable of the power of commanding. And indeed he does obey whilst he does command; that is, he obeys the laws, which, says Tully, "magistratibus præsent, ut magistratus præsent populo," are above the magistrates, as the magistrates are above the people. And, therefore, a tyrant that submits to no law, but his will and lust are the law by which he governs himself and others, is no magistrate, no citizen or member of any society, but an ulcer and a disease that destroys it; and if it be rightly considered, a Commonwealth by falling into a tyranny absolutely loses that name, and is actually another thing. "Non est civitas quæ unius est viri," saith Sophocles: that which is one man's is no city. For there is no longer king and people, or Parliament and people, but those names are changed (at least their natures) into masters and servants, lords and slaves; and

“servorum non civitas erit sed magna familia,” says Grotius ; where all are slaves it is not a city, but a great family. And the truth is, we are all members of Whitehall, and when our master pleaseth he may send for us thither, and there bore through our ears at the door-posts. But to conclude : a tyrant, as we have said, being no part of a Commonwealth, not submitting to the laws of it, but making himself above all law, there is no reason he should have the protection that is due to a member of a Commonwealth, nor any defence from laws, that does acknowledge none. He is therefore in all reason to be reckoned in the number of those savage beasts that fall not with others into any herd, that have no other defence but their own strength, making a prey of all that is weaker, and, by the same justice, being a prey to all that is stronger than themselves.

In the next place, let it be considered that a tyrant making himself above all law, and defending his injustice by a strength which no power of magistrates is able to oppose, he becomes above all punishment, above all other justice than that he receives from the stroke of some generous hand. And, certainly, the safety of mankind were but ill provided for if there were no kind of justice to reach great villanies, but tyrants should be “*immanitate scelerum tuti*,” secured by the greatness of their crimes. Our laws would be then but cobwebs

indeed, made only to catch flies, but not to hold wasps or hornets ; and it might be then said of all Commonwealths what was said of Athens : that there only small thieves were hanged, but the great ones were free, and condemned the rest. But he that will secure himself of all hands must know he secures himself from none ; he that flies justice in the court must expect to find it in the street, and he that goes armed against every man arms every man against himself. “*Bellum est in eos, qui judicii coerceri non possunt,*” says Cicero ; we have war with those against whom we can have no law. The same author, “*cum duo sint decertandi genera,*” &c. There being two ways of deciding differences : the one by judgment and arbitration, the other by force ; the one proper to men, the other to beasts ; we must have recourse to the latter when the former cannot be obtained. And, certainly, by the law of Nature, “*ubi cessat judicium,*” when no justice can be had, every man may be his own magistrate, and do justice for himself. For the law, says Grotius, that forbids me to pursue my right but by a course of law, certainly supposes “*ubi copia est judicii,*” where law and justice is to be had ; otherwise, that law were a defence for injuries, not one against them, and, quite contrary to the nature of all laws, would become the protection of the guilty against the innocent, not of the innocent against the guilty. Now, as it is contrary to the laws of God and

Nature that men who are partial to themselves, and therefore unjust to others, should be their own judges where others are to be had, so it is contrary to the law of Nature and the common safety of mankind that, when the law can have no place, men should be forbidden to repel force by force, and so to be left without all defence and remedy against injuries. God himself left not the slave without remedy against the cruel master ; and what analogy can it hold with reason, that the slave, that is but his master's money and but part of his household-stuff, should find redress against the injuries and insolences of an imperious master, and a free people who have no superior but their God should have none at all against the injustice and oppression of a barbarous tyrant ; and were not the incongruity fully as great, that the law of God permitting every man to kill a thief if he took him breaking open his house in the night, because then it might be supposed he could not bring him to justice ; but a tyrant, that is the common robber of mankind, and whom no law can take hold on, his person should be "*sacrosancta, cui nihil sacrum aut sanctum,*" to whom nothing is sacred, nothing inviolable ; but the vulgar judge ridiculously like themselves. The glitter of things dazzles their eyes, and they judge of them by their appearances, and the colours that are put on them. For what can be more absurd in Nature, and contrary to all common sense, than to call him

thief, and kill him that comes alone or with a few to rob me, and to call him Lord Protector, and obey him, that robs me with regiments and troops? As if to rove with two or three ships were to be a pirate, but with fifty an admiral? But if it be the number of adherents only, not the cause, that makes the difference between a robber and a Protector, I wish that number were defined, that we might know where the thief ends and the prince begins, and be able to distinguish between a robbery and a tax. But, surely, no Englishman can be ignorant that it is his birthright to be master of his own estate, and that none can command any part of it but by his own grant and consent, either made expressly by himself, or virtually by a Parliament. All other ways are mere robberies in other names: "Auferre, trucidare, rapere, falsis nominibus imperium, atque ubi solitudinem faciunt, pacem appellant;" to rob, to extort, to murder, tyrants falsely call to govern, and to make desolation they call to settle peace. In every assessment we are robbed: the excise is robbery, the custom is robbery, and without doubt, whenever it is prudent, it is always lawful to kill the thieves whom we can bring to no other justice. And not only lawful, and to do ourselves right, but glorious, and to deserve of mankind, to free the world of that common robber, that universal pirate, under whom and for whom these lesser beasts prey. This fire-



brand I would have any way extinguished, this ulcer I would have any hand to lance. And I cannot doubt but God will suddenly sanctify some hand to do it, and bring down that bloody and deceitful man, who lives not only to the misery, but the infamy of our nation.

I should have reason to be much less confident of the justice of this opinion if it were new, and only grounded upon collections and interpretations of my own: but herein, if I am deceived, I shall however have the excuse to have been drawn into that error by the examples that are left us by the greatest and most virtuous, and the opinions of the wisest and gravest men that have left their memoirs to posterity. Out of the great plenty of confirmations I could bring for this opinion from examples and authorities, I shall select a very few; for manifest truths have not need of those supports, and I have as little mind to tire myself as my reader.

First, therefore, a usurper, that by only force possesseth himself of government, and by force only keeps it, is yet in the state of war with every man, says the learned Grotius; and therefore everything is lawful against him that is lawful against an open enemy, whom every private man hath a right to kill. "Hostis hostem occidere volui," says Scævola to Porsenna, when he was taken, after he had failed in his attempt to kill him; I am an enemy, and an

enemy I would have killed, which every man hath a right to do.

“*Contra publicos hostes, et majestatis reos, omnis homo miles est,*” says Tertullian; against common enemies, and those that are traitors to the Commonwealth, every man is a soldier. This opinion the most celebrated nations have approved, both by their laws and practices. The Grecians, as Xenophon tells us, who suffered not murderers to come into their temples, in those very temples they erected statues to those that killed tyrants, thinking it fit to place their deliverances amongst their gods. Cicero was an eye-witness of the honours that were done such men, “*Græci homines,*” &c. The Greeks, saith he, attribute the honours of the gods to those that killed tyrants. What have I seen in Athens, and other cities of Greece! What religion paid to such men! what songs! what eulogies! by which they are consecrated to immortality, and almost deified! In Athens, by Solon’s law, death was not only decreed for the tyrant that oppressed the State, but for all those that took any charge or did bear any office while the tyranny remained. And Plato tells us the ordinary course they took with tyrants in Greece. If, says he, the tyrant cannot be expelled by accusing him to the citizens, then by secret practices they dispatch him.

Amongst the Romans the Valerian law was, “*Si quis injussu populi,*” &c. Whosoever took

magistracy upon him without the command of the people, it was lawful for any man to kill him. Plutarch makes this law more severe : " Ut injudicatum occidere eum liceret, qui dominatum concupisceret ;" that it was lawful by that law, before any judgment passed, to kill him that but aspired to tyranny. Likewise the Consular law, which was made after the suppression of the tyranny of the Decemvirate, made it lawful to kill any man that went about to create magistrates, " sine provocatione," &c., without reference and appeal to the people. By these laws, and innumerable testimonies of authors, it appears that the Romans, with the rest of their philosophy, had learned from the Grecians what was the natural remedy against a tyrant: nor did they honour those less that durst apply it, who, as Polybius says, speaking of conspiracies against tyrants, were not " deterrimi civium, sed generosissimi quique, et maximi animi ;" not the worst and meanest of the citizens, but the generous, and those of greatest virtue. So were most of those that conspired against Julius Cæsar. He himself thought Brutus worthy to succeed him in the empire of the world ; and Cicero, who had the title of Pater Patriæ, if he were not conscious of the design, yet he at least affected the honour of being thought so. " Quæ enim res unquam," &c. What act, says he, O Jupiter, more glorious, more worthy of eternal memory, hath been done, not only in this city, but

in the whole world ! In this design, as the Trojan horse, I willingly suffer myself to be included with the princes. In the same place he tells us what all virtuous Romans thought of the fact as well as he. "Omnes boni, quantum in ipsis fiat, Cæsarem occiderunt: aliis consilium, aliis animus, aliis occasio defuit, voluntas nemini;" all good men, saith he, as much as in them lay, killed Cæsar: some wanted capacity, some courage, others opportunity, but none the will to do it. But yet we have not declared the extent of their severity against a tyrant. They exposed him to fraud as well as force, and left him no security in oaths and compacts, that neither law nor religion might defend him that violated both. "Cum tyranno Romanis nulla fides, nulla juris jurandi religio," saith Brutus in Appian; with a tyrant the Romans think no faith to be kept, observe no religion of an oath. Seneca gives the reason: "Quia quicquid erat, quo mihi cohæreret," &c; for whatever there was of mutual obligation betwixt us, his destroying the laws of human society hath dissolved. So these that thought that there was in "hostem nefas," that a villany might be committed against an enemy; these that professed, "non minus juste quam fortiter arma gerere," to manage their arms with justice as well as courage; these that thought faith was to be kept even with the perfidious, yet they thought a tyrant could receive

no injustice but to be let live, and that the most lawful way to destroy him was the readiest, no matter whether by force or fraud; for against beasts of prey men use the toil and the net, as well as the spear and the lance. But so great was their detestation of a tyrant, that it made some take their opinions from their passions, and vent things which they could but ill justify to their morality; they thought a tyrant had so absolutely forfeited all title to humanity, and all kind of protection they could give him or his, that they left his wife without any other guard for her chastity but age and deformity, and thought it not adultery what was committed with her. Many more testimonies might I bring, for it is harder to make choice than to find plenty; but I shall conclude with authorities that are much more authentic, and examples which we may much more safely imitate.

The law of God itself decreed certain death to that man that would do presumptuously, and admit to no decision of justice. Who can read this and think a tyrant ought to live? But certainly neither that, nor any other law, were to any effect, if there were no way to put it in execution; but in a tyrant's case process and citation have no place, and if we will only have formal remedies against him we are sure to have none. There is small hope of justice where the malefactor hath a power to condemn the judge.

All remedy, therefore, against a tyrant is Ehud's dagger, without which all our laws were fruitless and we helpless. This is that high court of justice where Moses brought the Egyptian, whither Ehud brought Eglon, Samson the Philistines, Samuel Agag, and Jehoiada the she-tyrant Athaliah.

Let us a little consider in particular these several examples, and see whether they may be proportioned to our purpose.

First, as to the case of Moses and the Egyptian. Certainly every Englishman hath as much call as Moses, and more cause than he, to slay this Egyptian, that is always laying on burdens, and always smiting both our brethren and ourselves. For as to his call, he had no other that we read of but the necessity his brother stood in of his help. He looked on his brethren's burdens, and, seeing an Egyptian smiting a Hebrew, knowing he was out of the reach of all other kind of justice, he slew him.

Certainly this was and is as lawful for any man to do as it was for Moses, who was then but a private man, and had no authority for what he did but what the law of Nature gives every man, to oppose force to force, and to make justice where he finds none. As to the cause of that action we have much more to say than Moses had: he saw one Hebrew smitten, we many Englishmen murdered; he saw his brethren's burdens and their blows, we our

brethren's burdens, imprisonments, and deaths. Now sure if it were lawful for Moses to kill that Egyptian that oppressed one man, being there was no way to procure an ordinary course of justice against him, it cannot be but absurd to think it unlawful to kill him that oppresses a whole nation, and one that justice as little reaches as it defends.

The example of Ehud shows us the natural, and almost the only remedy against a tyrant, and the way to free an oppressed people from the slavery of an insulting Moabite. It is done by prayers and tears, with the help of a dagger: by crying to the Lord, and the left hand of an Ehud. Devotion and action go well together; for believe it, a tyrant is not of that kind of devil that is to be cast out by only fasting and prayer. And here the Scripture shows us what the Lord thought a fit message to send a tyrant from himself, a dagger of a cubit in his belly; and every worthy man that desires to be an Ehud, a deliverer of his country, will strive to be the messenger.

We may here likewise observe in this, and many places of Judges, that when the Israelites fell to idolatry, which of all sins certainly is one of the greatest, God Almighty, to proportion the punishment and the offence, still delivered them into the hands of tyrants, which sure is one of the greatest of all plagues.

In the story of Samson it is manifest that the

denying him his wife, and after the burning her and her father, which, though they were great, yet were but private injuries, he took for sufficient grounds to make war upon the Philistines, being himself but a private man, and not only not assisted but opposed by his servile countrymen. He knew what the law of Nature allowed him, where other laws have no place ; and thought it sufficient justification for smiting the Philistines hip and thigh, to answer for himself that, as they did unto him, so had he done unto them.

Now, that which was lawful for Samson to do against many oppressors, why is it unlawful for us to do against one ? Are our injuries less ? Our friends and relations are daily murdered before our faces. Have we other ways for reparation ? Let them be named, and I am silenced. But if we have none, the firebrands or the jawbone, the first weapons our just fury can lay hold on may certainly be lawfully employed against that uncircumcised Philistine that oppresses us. We have, too, the opposition and discouragements that Samson had, and therefore have the more need of his courage and resolution. As he had the men of Judah, so we have the men of Levi, crying to us out of the pulpit, as from the top of the rock Etam, Know you not that the Philistine is a ruler over you ? The truth is, they would fain make him so, and bind us with Samson in new cords ; but we



hope they will become as flax, and that they will either loose from our hands, or we shall have the courage to cut them.

Upon the same grounds of retaliation did Samuel do justice with his own hand upon the tyrant Agag. As thy sword, says the prophet, hath made women childless, so shall thy mother be childless amongst women ; nor is there any law more natural, and more just.

How many mothers has our Agag for his own ambition made childless? How many children fatherless? How many have this reason to hew this Amalekite in pieces before the Lord? And let his own relations, and all theirs that are confederates with him, beware lest men come at last to revenge their own relations in them. They make many a woman husbandless, many a father childless. Their wives may come at last to know what it is to want a husband, and themselves to lose their children. Let them remember what their great apostle Machiavel tells them, that in contestations for the preserving their liberty people many times use moderation ; but when they come to vindicate it, their rigour exceeds all mean ; like beasts that have been kept up, and are afterwards let loose, they always are more fierce and cruel. To conclude with the example Jehoiada hath left us : six years he hid the right heir of the crown in the house of the Lord, and without all doubt, amongst the rest of God's

services there, he was all that time contriving the destruction of the tyrant, that had aspired to the crown by the destruction of those that had the right to it. Jehoiada had no pretence to authorize this action but the equity and justice of the act itself. He pretended no immediate command from God for what he did, nor any authority from the Sanhedrin, and therefore any man might have done what Jehoiada did as lawfully that could have done it as effectually. Now what citation was given to Athaliah? What appearance was she called to before any court of justice. Her fact was her trial; she was without any expostulation taken forth of the ranges, and only let live till she got out of the Temple, that that holy place might not be defiled by the blood of a tyrant, which was fitter to be shed on a dunghill, and so they slew her at the Horse-gate. And by the king's house, the very Whitehall, where she had caused the blood royal to be spilt, and which herself had so long unjustly possessed, there by Providence did she receive her punishment, where she had acted so great a part of her crimes. How the people approved of this glorious action of destroying a tyrant, this chapter tells us at the last verse. And all the people of the land rejoiced, and the city was quiet, after they had slain Athaliah with the sword. And that it may appear they no less honoured the authors of such actions than other nations did, as in his lifetime they obeyed Jehoiada

as a king, so after his death, for the good he had done in Israel (saith the Scripture) they buried him amongst the kings.

I must not conclude this story without observing that Jehoiada commanded that whosoever followed Athaliah should be put to death, letting us see what they deserve that are confederates with tyrants and will side with them, and but appear to defend them, or allow them. His Highness's Council, his Junto, and the agas of his janissaries, may, if they please, take notice of this, and repent, lest they likewise perish. And likewise his Highness's chaplains and triers, who are to admit none into the ministry that will preach liberty with the Gospel, may, if they think fit, observe that with the tyrant fell Mattan, the priest of Baal. And, indeed, none but Baal's priests will preach for tyrants. And certainly those priests that sacrifice to our Baal, our idol of a magistrate, deserve as well to be hanged before their pulpits as ever Mattan did to fall before his altars.

I should think now I had said much more than enough to the second question, and should come to the third and last I proposed in my method, but I meet with two objections lying in my way. The first is, that these examples out of Scripture are of men that were inspired of God, and that therefore they had that call and authority for their actions which we cannot pretend to, so that it would be

unsafe for us to draw their actions into examples except we had likewise their justification to allege.

The other objection is, that there being now no opposition made to the government of his Highness, that the people following their callings and traffic at home and abroad, making use of the laws and appealing to his Highness's courts of justice, that all this argues the people's tacit consent to the government, and that therefore now it is to be reputed lawful and the people's obedience voluntary.

To the first I answer with learned Milton, that if God commanded these things it is a sign they were lawful, and are commendable. But, secondly, as I observed in the relations of the examples themselves, neither Samson nor Samuel alleged any other cause or reason for what they did but retaliation, and the apparent justice of the actions themselves. Nor had God appeared to Moses in the bush when he slew the Egyptian; nor did Jehoiada allege any prophetic authority or other call to do what he did, but that common call which all men have, to do all actions of justice that are within their power when the ordinary course of justice ceases.

To the second my answer is, that if commerce and pleadings were enough to argue the people's consent, and give tyranny the name of government, there was never yet any tyranny of many weeks' standing in this world. Certainly, we then

extremely wrong Caligula and Nero in calling them tyrants, and they were rebels that conspired against them, except we will believe that all the while they reigned in Rome they kept their shops shut, and opened not their temples or their courts. We are likewise with no less absurdity to imagine that the whole eighteen years' time which Israel served Eglon, and six years that Athaliah reigned, that the Israelites quite desisted from traffic, pleadings, and all public acts; otherwise Ehud and Jehoiada were both traitors, the one for killing his king, the other his queen.

Having showed what a tyrant is, his marks and practices, I can scarce persuade myself to say anything to that I made my third question, whether the removing him is like to prove of advantage to the Commonwealth or not? For methinks it is to inquire whether it is better the man die, or the imposthume be lanced, or the gangrened limb be cut off? But yet there be some whose cowardice and avarice furnish them with some arguments to the contrary, and they would fain make the world believe that to be base and degenerate is to be cautious and prudent; and what is in truth a servile fear they falsely call a Christian patience. It will not be therefore amiss to make appear that there is indeed that necessity which we think there is of saving the vineyard of the Commonwealth, if possible, by destroying the wild boar that is broke into it.

We have already shown that it is lawful, and now we shall see whether it is expedient. First, I have already told you that to be under a tyrant is not to be a Commonwealth, but a great family, consisting of master and slaves. "Vis servorum nulla est usquam civitas," says an old poet; a number of slaves makes not a city. So that whilst this monster lives we are not members of a Commonwealth, but only his living tools and instruments, which he may employ to what use he pleases. "Servi tua est fortuna, ratio ad te nihil," says another; thy condition is a slave's, thou art not to inquire a reason. Nor must we think we can continue long in the condition of slaves, and not degenerate into the habits and temper that is natural to that condition: our minds will grow low with our fortune, and, by being accustomed to live like slaves, we shall become unfit to be anything else. "Etiam fera animalia si clausa teneas virtutis obliviscuntur," says Tacitus; the fiercest creatures by long constraint lose their courage. And says Sir Francis Bacon, the blessing of Issachar and that of Judah falls not upon one people, to be asses couching under burdens and to have the spirit of lions. And with their courage it is no wonder if they lose their fortune, as the effect with the cause, and act as ignominiously abroad as they suffer at home. It is Machiavel's observation that the Roman armies, that were always victorious under Consuls, all the while they were under the slavery of the Decemviri

never prospered. And certainly people have reason to fight but faintly where they are to gain the victory against themselves, when every success shall be a confirmation of their slavery and a new link to their chain.

But we shall not only lose our courage, which is a useless and an unsafe virtue under a tyrant, but by degrees we shall, after the example of our master, all turn perfidious, deceitful, irreligious, flatterers, and whatever else is villanous and infamous in mankind. See but to what a degree we are come to already. Can there any oath be found so fortified by all religious ties which we easily find not a distinction to break, when either profit or danger persuades us to it? Do we remember any engagements? Or if we do, have we any shame to break them? Can any man think with patience upon what we have professed, when he sees what we vilely do and tamely suffer? What have we of nobility amongst us but the name, the luxury, and the vices of it? Poor wretches! These that now carry that title are so far from having any of the virtues that should grace, and indeed give them their titles, that they have not so much as the generous vices that attend greatness: they have lost all ambition and indignation. As for our ministers, what have they, or indeed desire they, of their calling, but the tithes? How do these horrid prevaricators search for distinctions to piece contrary oaths? How do they wrack scriptures for

flatteries, and impudently apply them to his monstrous Highness? What is the city but a great tame beast, that eats and carries, and cares not who rides it? What's the thing called a Parliament but a mock? Composed of a people that are only suffered to sit there because they are known to have no virtue, after the exclusion of all others that were but suspected to have any, what are they but pimps of tyranny, who are only employed to draw in the people to prostitute their liberty? What will not the army fight for? What will they not fight against? What are they but janissaries? Slaves themselves, and making all others so? What are the people in general but knaves, fools, and cowards; principled for ease, vice and slavery? This our temper, his tyranny hath brought us to already, and if it continues the little virtue that is yet left to stock the nation must totally extinguish, and then his Highness hath completed his work of reformation. And the truth is till then his Highness cannot be secure. He must not endure virtue, for that will not endure him. He that will maintain tyranny must kill Brutus, says Machiavel. A tyrant, says Plato, must dispatch all virtuous persons or he cannot be safe; so that he is brought to that unhappy necessity, either to live among base and wicked persons, or not to live at all.

Nor must we expect any cure from our patience. "Ingannonsi gli huomini," says Machiavel; "credendo



con la humilità vincere la superbia ;” men deceive themselves that think to mollify arrogancy with humility ; a tyrant is never modest but when he is weak ; it is in the winter of his fortune when this serpent bites not. We must not therefore suffer ourselves to be cozened with hopes of his amendment ; for “*nemo unquam Imperium flagitio quæsitum, bonis artibus exercuit ;*” never did any man manage that government with justice that got it by villany. The longer the tyrant lives, the more the tyrannical humour increases in him, says Plato, like those beasts that grow more curst as they grow old. New occasions daily happen that necessitate them to new mischiefs, and he must defend one villany with another.

But suppose the contrary of all this, and that his Highness were “*vi dominationis convulsus, et mutatus,*” changed to the better by great fortune, of which he yet gives no symptoms, what notwithstanding could be more miserable, than to have no other security for our liberty, no other law for our safety, than the will of a man, though the most just living ? We have all our beast within us, and whosoever, says Aristotle, is governed by a man without a law is governed by a man and by a beast. “*Etiam si non sit molestus, Dominus ; tamen est miserrimum posse si velit,*” says Tully ; though a master does not tyrannize, yet it is a miserable thing that it is in his power to do so if he will. If he be good, so was

Nero for five years, and how shall we be secure that he will not change? Besides, the power that is allowed to a good man we may be sure will be claimed and taken by an ill. And therefore it hath been the custom of good princes to abridge their own power, it may be distrusting themselves, but certainly fearing their successors, to the chance of whose being virtuous they would not hazard the welfare of their people. An unlimited power therefore is to be trusted to none, which, if it does not find a tyrant, commonly makes one; or, if one uses it modestly, it is no argument that others will; and therefore Augustus Cæsar must have no greater power given him than you would have Tiberius take. Cicero's moderation is to be trusted with a consideration that there are others to be Consuls as well as he.

But before I press this business further, if it needs be any further pressed, that we should endeavour to rescue the honour, the virtue and liberty of our nation, I shall answer to some few objections that have occurred to me. This I shall do very briefly.

Some I find of a strange opinion, that it were a generous and a noble action to kill his Highness in the field, but to do it privately they think it unlawful, but know not why. As if it were not generous to apprehend a thief till his sword were drawn, and he in a posture to defend himself and kill me. But these people do not consider, that whosoever is

possessed of power any time will be sure to engage so many either in guilt or profit, or both, that to go about to throw him out by open force will very much hazard the total ruin of the Commonwealth. A tyrant is a devil, that tears the body in the exercising; and they are all of Caligula's temper, that if they could they would have the whole frame of Nature fall with them. It is an opinion that deserves no other refutation than the manifest absurdity of itself, that it would be lawful for me to destroy a tyrant with hazard, blood, and confusion, but not without.

Another objection, and more common, is the fear of what may succeed if his Highness were removed. One would think the world were bewitched. I am fallen into a ditch, where I shall certainly perish if I lie, but I refuse to be helped out for fear of falling into another; I suffer a certain misery for fear of a contingent one, and let the disease kill me, because there is hazard in the cure. Is not this that ridiculous policy, "*Ne moriar, mori;*" to die for fear of dying. Sure it is frenzy not to desire a change, when we are sure we cannot be worse: "*et non incurrere in pericula, ubi quiescenti paria metuuntur;*" and not then to hazard when the danger and the mischiefs are the same in lying still.

Hitherto I have spoken in general to all Englishmen, now I address my discourse particularly to those that certainly best deserve that name, ourselves,

that have fought, however unfortunately, for our liberties under this tyrant ; and in the end, cozened by his oaths and tears, have purchased nothing but our slavery with the price of our blood. To us particularly it belongs to bring this monster to justice, whom he hath made the instruments of his villany, and sharers in the curse and detestation that is due to himself from all good men. Others only have their liberty to vindicate, we our liberty and our honour. We engaged to the people with him, and to the people for him, and from our hands they may justly expect a satisfaction of punishment, being they cannot have that of performance. What the people at present endure, and posterity shall suffer, will be all laid at our doors : for only we under God have the power to pull down this Dagon which we have set up. And if we do it not, all mankind will repute us approvers of all the villanies he hath done, and authors of all to come. Shall we that would not endure a king attempting tyranny, shall we suffer a professed tyrant ? We that resisted the lion assailing us, shall we submit to the wolf tearing us ? If there be no remedy to be found we have great reason to exclaim : “ *Utinam te potius (Carole) retinuisssemus quam hunc habuisssemus, non quod ulla sit optanda servitus, sed quod ex dignitate Domini minus turpis est conditio servi ;*” we wish we had rather endured thee (O Charles) than have been condemned to this mean tyrant ; not that we

desire any kind of slavery, but that the quality of the master something graces the condition of the slave.

But if we consider it rightly what our duty, our engagements, and our honour exact from us, both our safety and our interest oblige us to, and it is as unanswerable in us to discretion, as it is to virtue, to let this viper live. For first, he knows very well it is only we that have the power to hurt him, and therefore of us he will take any course to secure himself: he is conscious to himself how falsely and perfidiously he hath dealt with us, and therefore he will always fear that from our revenge which he knows he hath so well deserved.

Lastly, he knows our principles, how directly contrary they are to that arbitrary power he must govern by, and therefore he may reasonably suspect that we that have already ventured our lives against tyranny will always have the will, when we have the opportunity, to do the same again.

These considerations will easily persuade him to secure himself of us, if we prevent him not, and secure ourselves of him. He reads in his practice of piety, "*chi diviene patron,*" &c.: he that makes himself master of a city that hath been accustomed to liberty, if he destroys it not, he must expect to be destroyed by it. And we may read too in the same author, and believe him, that those that are the occasion that one becomes powerful he always ruins

them if they want the wit and courage to secure themselves.

Now as to our interest, we must never expect that he will ever trust those that he hath provoked and feared ; he will be sure to keep us down, lest we should pluck down him. It is the rule that tyrants observe when they are in power, never to make much use of those that helped them to it ; and indeed it is their interest and security not to do it, for those that have been the authors of their greatness, being conscious of their own merit, they are bold with the tyrant, and less industrious to please him. They think all he can do for them is their due, and still they expect more ; and when they fail in their expectations—as it is impossible to satisfy them—their disappointment makes them discontented, and their discontent is dangerous. Therefore all tyrants follow the example of Dionysius, who was said to use his friends as he did his bottles : when he had use for them he kept them by him, and when he had none, that they should not trouble him and lie in his way, he hung them up.

But, to conclude this already over-long paper : let every man to whom God hath given the spirit of wisdom and courage be persuaded by his honour, his safety, his own good, and his country's, and indeed the duty he owes to his generation and to mankind, to endeavour by all rational means to free

the world of this pest. Let not other nations have the occasion to think so meanly of us as if we resolved to sit still and have our ears bored, or that any discouragement or disappointments can ever make us desist from attempting our liberty, till we have purchased it, either by this monster's death or by our own. Our nation is not yet so barren of virtue that we want noble examples to follow amongst ourselves. The brave Sindercombe hath shown as great a mind as any old Rome could boast of; and had he lived there his name had been registered with Brutus and Cato, and he had had his statues as well as they.

But I will not have so sinister an opinion of ourselves, as little generosity as slavery hath left us, as to think so great a virtue can want its monuments even amongst us. Certainly in every virtuous mind there are statues reared to Sindercombe. Whenever we read the elegies of those that have died for their country; when we admire those great examples of magnanimity that have tired tyrants' cruelties; when we extol their constancies, whom neither bribes nor terrors could make betray their friends; it is then we erect Sindercombe's statues, and grave him monuments, where all that can be said of a great and noble mind we justly make an epitaph for him. And though the tyrant caused him to be smothered, lest the people should hinder an open murder, yet he will never be able either to smother his memory

or his own villany. His poison was but a poor and common device, to impose only on those that understood not tyrants' practices, and are unacquainted, if any be, with his cruelties and falsehoods. He may therefore if he please take away the stake from Sindercombe's grave, and if he have a mind it should be known how he died, let him send thither the pillows and feather-beds with which Barkstead and his hangman smothered him. But, to conclude: let not this monster think himself the more secure that he hath suppressed one great spirit; he may be confident that "*longus post illum sequitur ordo idem petentium decus.*"

There is a great roil behind, even of those that are in his own muster-rolls, that are ambitious of the name of the deliverers of their cuntry; and they know what the action is that will purchase it. His bed, his table, is not secure; and he stands in need of other guards to defend him against his own. Death and destruction pursue him wheresoever he goes: they follow him everywhere, like his fellow-travellers, and at last they will come upon him like armed men. Darkness is hid in his secret places, a fire not blown shall consume him; it shall go ill with him that is left in his tabernacle. He shall flee from the iron weapon, and a bow of steel shall strike him through, because he hath oppressed and forsaken the poor, because he hath violently taken away a house which he builded not. We may be con-



fident, and so may he, that ere long all this will be accomplished : for the triumphing of the wicked is but short, and the joy of the hypocrite but for a moment. Though his Excellency mount up to the heavens, and his head reacheth unto the clouds, yet he shall perish for ever like his own dung. They that have seen him shall say, Where is he ?



THE SHORTEST WAY

WITH

THE DISSENTERS;

OR,

*PROPOSALS FOR THE ESTABLISHMENT OF  
THE CHURCH.*



THE  
SHORTEST WAY WITH THE  
DISSENTERS ;

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SIR ROGER L'ESTRANGE tells us a story, in his collection of fables, of the cock and the horses. The cock was gotten to roost in the stable, among the horses, and there being no racks or other conveniences for him, it seems he was forced to roost upon the ground. The horses jostling about for room, and putting the cock in danger of his life, he gives them this grave advice: "Pray, gentlefolks, let us stand still, for fear we should tread upon one another."

There are some people in the world, who, now they are unperched, and reduced to an equality with other people, and under strong and very just apprehensions of being further treated as they deserve, begin, with Æsop's cock, to preach up peace

and union, and the Christian duties of moderation, forgetting that when they had the power in their hands those graces were strangers in their gates.

It is now near fourteen years that the glory and peace of the purest and most flourishing Church in the world has been eclipsed, buffeted, and disturbed by a sort of men whom God in his providence has suffered to insult over her, and bring her down. These have been the days of her humiliation and tribulation : she has borne with an invincible patience the reproach of the wicked, and God has at last heard her prayers, and delivered her from the oppression of the stranger.

And, now they find their day is over, their power gone, and the throne of this nation possessed by a royal, English, true, and ever-constant member of and friend to the Church of England ; now they find that they are in danger of the Church of England's just resentments ; now they cry out peace, union, forbearance, and charity, as if the Church had not too long harboured her enemies under her wing, and nourished the viperous brood, till they hiss and fly in the face of the mother that cherished them.

No, gentlemen, the time of mercy is past, your day of grace is over ; you should have practised peace, and moderation, and charity, if you expected any yourselves.

We have heard none of this lesson for fourteen years past : we have been huffed and bullied with your Act of Toleration ; you have told us that you are the Church established by law, as well as others ; have set up your canting synagogues at our church-doors, and the Church and members have been loaded with reproaches, with oaths, associations, abjurations, and what not. Where has been the mercy, the forbearance, the charity you have shown to tender consciences of the Church of England, that could not take oaths as fast as you made them ; that having sworn allegiance to their lawful and rightful King, could not dispense with that oath, their King being still alive, and swear to your new hodge-podge of a Dutch Government ? These have been turned out of their livings, and they and their families left to starve ; their estates double taxed, to carry on a war they had no hand in, and you got nothing by. What account can you give of the multitudes you have forced to comply, against their consciences, with your new sophistical politics, who, like new converts in France, sin because they cannot starve ? And, now the tables are turned upon you, you must not be persecuted ; it is not a Christian spirit !

You have butchered one king, deposed another king, and made a mock king of a third ; and yet you could have the face to expect to be employed and trusted by the fourth. Anybody that did not

know the temper of your party, would stand amazed at the impudence as well as folly, to think of it.

Your management of your Dutch monarch, whom you reduced to a mere King of Cl——s, is enough to give any future princes such an idea of your principles as to warn them sufficiently from coming into your clutches ; and, God be thanked ! the Queen is out of your hands, knows you, and will have a care of you.

There is no doubt but the supreme authority of a nation has in itself a power, and a right to that power, to execute the laws upon any part of that nation it governs. The execution of the known laws of the land, and that with but a gentle hand neither, was all that the fanatical party of this land have ever called persecution ; this they have magnified to a height, that the sufferings of the Huguenots in France were not to be compared with. Now, to execute the known laws of a nation upon those who transgress them, after voluntarily consenting to the making those laws, can never be called persecution, but justice. But justice is always violence to the party offending, for every man is innocent in his own eyes. The first execution of the laws against Dissenters in England was in the days of King James the First. And what did it amount to ? Truly, the worst they suffered was, at their own request, to let them go to New England, and erect a new colony,



and give them great privileges, grants, and suitable powers, keep them under protection, and defend them against all invaders, and receive no taxes or revenue from them. This was the cruelty of the Church of England ! Fatal lenity ! It was the ruin of that excellent prince, King Charles the First. Had King James sent all the Puritans in England away to the West Indies, we had been a national, unmixed Church ; the Church of England had been kept undivided and entire.

To requite the lenity of the father, they take up arms against the son : conquer, pursue, take, imprison, and at last put to death the anointed of God, and destroy the very being and nature of government, setting up a sordid impostor, who had neither title to govern nor understanding to manage, but supplied that want with power, bloody and desperate councils and craft, without conscience.

Had not King James the First withheld the full execution of the laws, had he given them strict justice, he had cleared the nation of them, and the consequences had been plain : his son had never been murdered by them, nor the monarchy overwhelmed. It was too much mercy shown them was the ruin of his posterity, and the ruin of the nation's peace. One would think the Dissenters should not have the face to believe that we are to be wheedled and canted into peace and toleration, when they know that they have once requited us with a civil war, and

once with an intolerable and unrighteous persecution for our former civility.

Nay, to encourage us to be easy with them, it is apparent that they never had the upper hand of the Church but they treated her with all the severity, with all the reproach and contempt as was possible. What peace and what mercy did they show the loyal gentry of the Church of England in the time of their triumphant Commonwealth? How did they put all the gentry of England to ransom, whether they were actually in arms for the King or not, making people compound for their estates, and starve their families? How did they treat the clergy of the Church of England? Sequestered the ministers, devoured the patrimony of the Church, and divided the spoil, by sharing the Church lands among their soldiers, and turning her clergy out to starve. Just such measure as they have meted should be measured them again.

Charity and love is the known doctrine of the Church of England, and it is plain she has put it in practice towards the Dissenters, even beyond what they ought, till she has been wanting to herself and, in effect, unkind to her own sons, particularly in the too much lenity of King James the First, mentioned before. Had he so rooted the Puritans from the face of the land, which he had an opportunity early to have done, they had not had the power to vex the Church, as since they have done.

In the days of King Charles the Second, how did the Church reward their bloody doings? With lenity and mercy. Except the barbarous regicides of the pretended Court of Justice, not a soul suffered for all the blood in an unnatural war. King Charles came in all mercy and love, cherished them, preferred them, employed them, withheld the rigour of the law, and oftentimes, even against the advice of his Parliament, gave them liberty of conscience. And how did they requite him? With the villanous contrivance to depose and murder him and his successor at the Rye Plot!

King James, as if mercy was the inherent quality of the family, began his reign with unusual favour to them; nor could their joining with the Duke of Monmouth against him move him to do himself justice upon them; but that mistaken Prince thought to win them by gentleness and love, proclaimed a universal liberty to them, and rather discountenanced the Church of England than them. How they requited him all the world knows.

The late reign is too fresh in the memory of all the world to need a comment; how, under pretence of joining with the Church in redressing some grievances, they pushed things to that extremity, in conjunction with some mistaken gentlemen, as to depose the late King, as if the grievance of the nation could not have been redressed but by the absolute ruin of the Prince. Here is an instance of

their temper, their peace and charity. To what height they carried themselves during the reign of a king of their own ; how they crept into all places of trust and profit ; how they insinuated into the favour of the King, and were at first preferred to the highest places in the nation ; how they engrossed the Ministry, and, above all, how pitifully they managed, is too plain to need any remarks.

But particularly their mercy and charity, the spirit of union, they tell us so much of, has been remarkable in Scotland. If any man would see the spirit of a Dissenter, let him look into Scotland. There they made entire conquest of the Church, trampled down the sacred orders, and suppressed the Episcopal government, with an absolute and, as they suppose, irretrievable victory, though it is possible they may find themselves mistaken. Now it would be a very proper question to ask their impudent advocate, the *Observer* : Pray how much mercy and favour did the members of the Episcopal Church find in Scotland from the Scotch Presbyterian Government ? and I shall undertake for the Church of England that the Dissenters shall still receive as much here, though they deserve but little.

In a small treatise of the sufferings of the Episcopal clergy in Scotland, it will appear what usage they met with ; how they not only lost their livings, but in several places were plundered and abused in their persons ; the ministers that could not conform,

turned out with numerous families, and no maintenance, and hardly charity enough left to relieve them with a bit of bread ; and the cruelties of the parties are innumerable, and not to be attempted in this short piece.

And now, to prevent the distant cloud which they perceived to hang over their heads from England, with a true Presbyterian policy, they put in for a union of nations, that England might unite their Church with the Kirk of Scotland, and their Presbyterian members sit in our House of Commons, and their assembly of Scotch canting long-cloaks in our Convocation. What might have been if our fanatic Whiggish statesmen continued, God only knows ; but we hope we are out of fear of that now.

It is alleged by some of the faction, and they began to bully us with it, that if we will not unite with them, they will not settle the Crown with us again, but when her Majesty dies will choose a king for themselves.

If they will not, we must make them, and it is not the first time we have let them know that we are able. The Crowns of these kingdoms have not so far disowned the right of succession but they may retrieve it again, and if Scotland thinks to come off from a successive to an elective state of government, England has not promised not to assist the right heirs, and put them into possession, without any regard to their ridiculous settlements.

These are the gentlemen, these their ways of treating the Church, both at home and abroad. Now let us examine the reasons they pretend to give why we should be favourable to them, why we should continue and tolerate them among us.

First, they are very numerous they say, they are a great part of the nation, and we cannot suppress them.

To this may be answered—1. They are not so numerous as the Protestants in France, and yet the French King effectually cleared the nation of them at once, and we do not find he misses them at home.

But I am not of the opinion they are so numerous as is pretended ; their party is more numerous than their persons, and those mistaken people of the Church who are misled and deluded by their wheedling artifices to join with them, make their party the greater ; but those will open their eyes when the Government shall set heartily about the work, and come off from them, as some animals, which, they say, always desert a house when it is likely to fall.

2. The more numerous the more dangerous, and therefore the more need to suppress them ; and God has suffered us to bear them as goads in our sides, for not utterly extinguishing them long ago.

3. If we are to allow them only because we cannot suppress them, then it ought to be tried whether we can or no ; and I am of opinion it is

easy to be done, and could prescribe ways and means, if it were proper ; but I doubt not the Government will find effectual methods for the rooting the contagion from the face of this land.

Another argument they use, which is this, that it is a time of war, and we have need to unite against the common enemy.

We answer, this common enemy had been no enemy if they had not made him so ; he was quiet, in peace, and no way disturbed or encroached upon us, and we know no reason we had to quarrel with him.

But further, we make no question but we are able to deal with this common enemy without their help ; but why must we unite with them because of the enemy ? Will they go over to the enemy if we do not prevent it by a union with them ? We are very well contented they should, and make no question we shall be ready to deal with them and the common enemy too, and better without them than with them.

Besides, if we have a common enemy, there is the more need to be secure against our private enemies ; if there is one common enemy, we have the less need to have an enemy in our bowels.

It was a great argument some people used against suppressing the old money, that it was a time of war, and it was too great a risk for the nation to run ; if we should not master it, we should

be undone ; and yet the sequel proved the hazard was not so great but it might be mastered, and the success was answerable. The suppressing the Dissenters is not a harder work, nor a work of less necessity to the public : we can never enjoy a settled uninterrupted union and tranquillity in this nation till the spirit of Whiggism, faction, and schism is melted down like the old money.

To talk of the difficulty is to frighten ourselves with chimeras and notions of a powerful party, which are indeed a party without power ; difficulties often appear greater at a distance than when they are searched into with judgment, and distinguished from the vapours and shadows that attend them.

We are not to be frightened with it ; this age is wiser than that, by all our own experience, and theirs too. King Charles the First had early suppressed this party if he had taken more deliberate measures. In short, it is not worth arguing, to talk of their arms ; their Monmouths, and Shaftesburys, and Argylls are gone ; their Dutch Sanctuary is at an end ; Heaven has made way for their destruction, and if we do not close with the divine occasion, we are to blame ourselves, and may remember that we had once an opportunity to serve the Church of England by extirpating her implacable enemies, and, having let slip the minute that Heaven presented, may experimentally complain, "Post est occasio calva."



Here are some popular objections in the way :

As first, the Queen has promised them to continue them in their tolerated liberty, and has told us she will be a religious observer of her word.

What her Majesty will do we cannot help, but what, as the head of the Church, she ought to do, is another case. Her Majesty has promised to protect and defend the Church of England, and if she cannot effectually do that without the destruction of the Dissenters, she must of course dispense with one promise to comply with another. But to answer this cavil more effectually : her Majesty did never promise to maintain the toleration to the destruction of the Church, but it is upon supposition that it may be compatible with the well-being and safety of the Church, which she had declared she would take especial care of. Now, if these two interests clash, it is plain her Majesty's intentions are to uphold, protect, defend, and establish the Church, and this we conceive is impossible.

Perhaps it may be said that the Church is in no immediate danger from the Dissenters, and therefore it is time enough ; but this is a weak answer.

For first, if a danger be real, the distance of it is no argument against, but rather a spur to quicken us to prevention, lest it be too late hereafter.

And secondly, here is the opportunity, and the only one perhaps that ever the Church had, to secure herself and destroy her enemies.

The representatives of the nation have now an opportunity ; the time is come which all good men have wished for, that the gentlemen of England may serve the Church of England, now they are protected and encouraged by a Church of England Queen.

“What will you do for your sister in the day that she shall be spoken for ?”

If ever you will establish the best Christian Church in the world ;

If ever you will suppress the spirit of enthusiasm ;

If ever you will free the nation from the viperous brood that have so long sucked the blood of their mother ;

If ever you will leave your posterity free from faction and rebellion, this is the time.

This is the time to pull up this heretical weed of sedition, that has so long disturbed the peace of our Church, and poisoned the good corn.

But, says another hot and cold objector, this is renewing fire and faggot, reviving the Act “De Heret. Comburendo ;” this will be cruelty in its nature, and barbarous to all the world.

I answer, it is cruelty to kill a snake or a toad in cold blood, but the poison of their nature makes it a charity to our neighbours to destroy those creatures, not for any personal injury received, but for prevention ; not for the evil they have done, but the evil they may do.

Serpents, toads, vipers, &c., are noxious to the body, and poison the sensitive life ; these poison the soul, corrupt our posterity, ensnare our children, destroy the vitals of our happiness, our future felicity, and contaminate the whole mass.

Shall any law be given to such wild creatures ? Some beasts are for sport, and the huntsmen give them advantages of ground ; but some are knocked on the head by all possible ways of violence and surprise.

I do not prescribe fire and faggot, but, as Scipio said of Carthage, "Delenda est Carthago," they are to be rooted out of this nation, if ever we will live in peace, serve God, or enjoy our own. As for the manner, I leave it to those hands who have a right to execute God's justice on the nation's and the Church's enemies.

But if we must be frightened from this justice under the specious pretences, and odious sense of cruelty, nothing will be effected. It will be more barbarous to our own children and dear posterity, when they shall reproach their fathers, as we do ours, and tell us: "You had an opportunity to root out this cursed race from the world, under the favour and protection of a true English Queen, and out of your foolish pity you spared them, because, forsooth, you would not be cruel, and now our Church is suppressed and persecuted, our religion trampled under foot, our estates plundered, our

persons imprisoned and dragged to gaols, gibbets, and scaffolds ; your sparing this Amalekite race is our destruction, your mercy to them proves cruelty to your poor posterity."

How just will such reflections be, when our posterity shall fall under the merciless clutches of this uncharitable generation ; when our Church shall be swallowed up in schism, faction, enthusiasm, and confusion ; when our Government shall be devolved upon foreigners, and our monarchy dwindled into a republic.

It would be more rational for us, if we must spare this generation, to summon our own to a general massacre, and as we have brought them into the world free, send them out so, and not betray them to destruction by our supine negligence, and then cry it is mercy.

Moses was a merciful meek man, and yet with what fury did he run through the camp, and cut the throats of three-and-thirty thousand of his dear Israelites, that were fallen into idolatry ; what was the reason ? It was mercy to the rest to make these examples, to prevent the destruction of the whole army.

How many millions of future souls we save from infection and delusion if the present race of poisoned spirits were purged from the face of the land.

It is vain to trifle in this matter, the light foolish handling of them by mulcts, fines, &c. ; it is their

glory and their advantage. If the gallows instead of the counter, and the galleys instead of the fines, were the reward of going to a conventicle, to preach or hear, there would not be so many sufferers. The spirit of martyrdom is over ; they that will go to church to be chosen sheriffs and mayors, would go to forty churches rather than be hanged.

If one severe law were made, and punctually executed, that whoever was found at a conventicle should be banished the nation, and the preacher be hanged, we should soon see an end of the tale. They would all come to church ; and one age would make us all one again.

To talk of 5s. a month for not coming to the Sacrament, and 1s. per week for not coming to church, this is such a way of converting people as never was known ; this is selling them a liberty to transgress for so much money. If it be not a crime, why do not we give them full licence ? And if it be, no price ought to compound for the committing it, for that is selling a liberty to people to sin against God and the Government.

If it be a crime of the highest consequence, both against the peace and welfare of the nation, the glory of God, the good of the Church, and the happiness of the soul, let us rank it among capital offences, and let it receive a punishment in proportion to it.

We hang men for trifles, and banish them for

things not worth naming, but an offence against God and the Church, against the welfare of the world and the dignity of religion, shall be bought off for 5s. ! This is such a shame to a Christian Government that it is with regret I transmit it to posterity.

If men sin against God, affront his ordinances, rebel against his Church, and disobey the precepts of their superiors, let them suffer as such capital crimes deserve ; so will religion flourish, and this divided nation be once again united.

And yet the title of barbarous and cruel will soon be taken off from this law too. I am not supposing that all the Dissenters in England should be hanged or banished, but as in cases of rebellions and insurrections, if a few of the ringleaders suffer, the multitude are dismissed, so a few obstinate people being made examples, there is no doubt but the severity of the law would find a stop in the compliance of the multitude.

To make the reasonableness of this matter out of question, and more unanswerably plain, let us examine for what it is that this nation is divided into parties and factions, and let us see how they can justify a separation, or we of the Church of England can justify our bearing the insults and inconveniences of the party.

One of their leading pastors, and a man of as much learning as most among them, in his answer

to a pamphlet, entitled "An Inquiry into the Occasional Conformity," hath these words (p. 27): "Do the religion of the Church and the meeting-houses make two religions? Wherein do they differ? The substance of the same religion is common to them both, and the modes and accidents are the things in which only they differ." P. 28: "Thirty-nine Articles are given us for the summary of our religion; thirty-six contain the substance of it, wherein we agree; three the additional Appendices, about which we have some differences."

Now if, as by their own acknowledgment, the Church of England is a true Church, and the difference between them is only in a few modes and accidents, why should we expect that they will suffer galleys, corporal punishment, and banishment for these trifles? There is no question but they will be wiser; even their own principles will not bear them out in it; they will certainly comply with the laws, and with reason; and though, at the first, severity may seem hard, the next age will feel nothing of it; the contagion will be rooted out; the disease being cured there will be no need of the operation; but, if they should venture to transgress, and fall into the pit, all the world must condemn their obstinacy, as being without ground from their own principles.

Thus the pretence of cruelty will be taken off, and the party actually suppressed, and the disquiets they have so often brought upon the nation prevented.

Their numbers and their wealth makes them haughty, and that it is so far from being an argument to persuade us to forbear them, that it is a warning to us, without any more delay, to reconcile them to the unity of the Church, or remove them from us.

At present, Heaven be praised, they are not so formidable as they have been, and it is our own fault if ever we suffer them to be so. Providence and the Church of England seems to join in this particular, that now the destroyers of the nation's peace may be overturned, and to this end the present opportunity seems to be put into our hands.

To this end her present Majesty seems reserved to enjoy the Crown, that the ecclesiastic as well as civil rights of the nation may be restored by her hand.

To this end the face of affairs have received such a turn in the process of a few months as never has been before; the leading men of the nation, the universal cry of the people, the unanimous request of the clergy, agree in this, that the deliverance of our Church is at hand.

For this end has Providence given such a Parliament, such a Convocation, such a gentry, and such a Queen as we never had before.

And what may be the consequences of a neglect of such opportunities? The succession of the Crown has but a dark prospect; another Dutch turn may



make the hopes of it ridiculous and the practice impossible. Be the house of our future Princes never so well inclined, they will be foreigners, and many years will be spent in suiting the genius of strangers to this Crown and the interests of the nation ; and how many ages it may be before the English Throne be filled with so much zeal and candour, so much tenderness and hearty affection to the Church, as we see it now covered with, who can imagine ?

It is high time, then, for the friends of the Church of England to think of building up and establishing her in such a manner, that she may be no more invaded by foreigners, nor divided by factions, schisms, and error.

If this could be done by gentle and easy methods, I should be glad ; but the wound is corroded, the vitals begin to mortify, and nothing but amputation of members can complete the cure ; all the ways of tenderness and compassion, all persuasive arguments, have been made use of in vain.

The humour of the Dissenters has so increased among the people, that they hold the Church in defiance, and the house of God is an abomination among them : nay, they have brought up their posterity in such prepossessed aversions to our holy religion, that the ignorant mob think we are all idolaters and worshippers of Baal, and account it a sin to come within the walls of our churches.

The primitive Christians were not more shy of a heathen temple, or of meat offered to idols, nor the Jews of swine's flesh, than some of our Dissenters are of the Church, and the divine service solemnized therein.

This obstinacy must be rooted out with the profession of it; while the generation are left at liberty daily to affront God Almighty, and dishonour his holy worship, we are wanting in our duty to God and our mother the Church of England.

How can we answer it to God, to the Church, and to our posterity, to leave them entangled with fanaticism, error, and obstinacy, in the bowels of the nation; to leave them an enemy in their streets, that in time may involve them in the same crimes and endanger the utter extirpation of religion in the nation.

What is the difference betwixt this and being subjected to the power of the Church of Rome, from whence we have reformed? If one be an extreme on one hand, and one on another, it is equally destructive to the truth to have errors settled among us, let them be of what nature they will.

Both are enemies of our Church and of our peace, and why should it not be as criminal to admit an enthusiast as a Jesuit? Why should the Papist, with his seven sacraments, be worse than the Quaker with no sacraments at all? Why should religious houses be more intolerable than meeting-

houses? Alas! the Church of England! What with Popery on one hand, and schismatics on the other, how has she been crucified between two thieves!

Now let us crucify the thieves. Let her foundations be established upon the destruction of her enemies, the doors of mercy being always open to the returning part of the deluded people; let the obstinate be ruled with the rod of iron.

Let all true sons of so holy and oppressed a mother, exasperated by her afflictions, harden their hearts against those who have oppressed her.

And may God Almighty put it into the hearts of all the friends of truth to lift up a standard against pride and Antichrist, that the posterity of the sons of error may be rooted out from the face of this land for ever.



# THE CRISIS;

OR,

*A DISCOURSE REPRESENTING,  
FROM THE MOST AUTHENTIC RECORDS, THE JUST  
CAUSES OF THE LATE HAPPY REVOLUTION;*

AND

THE SEVERAL SETTLEMENTS  
OF THE CROWNS OF ENGLAND AND SCOTLAND  
ON HER MAJESTY; AND ON THE DEMISE OF HER MAJESTY  
WITHOUT ISSUE, UPON THE MOST ILLUSTRIOUS PRINCESS SOPHIA,  
ELECTRESS AND DUCHESS DOWAGER OF HANOVER, AND THE HEIRS OF  
HER BODY BEING PROTESTANTS; BY PREVIOUS ACTS OF BOTH  
PARLIAMENTS OF THE LATE KINGDOMS OF ENGLAND  
AND SCOTLAND; AND CONFIRMED BY THE  
PARLIAMENT OF GREAT BRITAIN.

WITH SOME SEASONABLE REMARKS ON THE  
DANGER OF A POPISH SUCCESSOR.

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Invitus ea tanquam vulnera attingo; sed nisi tacta tractataque sanari  
non possunt.—LIV.

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BY

RICHARD STEELE, Esq.

1714.



TO THE  
*CLERGY OF THE CHURCH OF ENGLAND.*

GENTLEMEN,

It is with a just deference to your great power and influence in this kingdom, that I lay before you the following comment upon the laws which regard the settlement of the Imperial Crown of Great Britain. My purpose in addressing these matters to you, is to conjure you, as Heaven has blessed you with proper talents and opportunities, to recommend them, in your writings and discourses, to your fellow-subjects.

In the character of pastors and teachers, you have an almost irresistible power over us of your congregations; and by the admirable institution of our laws, the tenths of our lands, now in your possession, are destined to become the property of such others as shall by learning and virtue qualify themselves to succeed you. These circumstances of education and fortune place the minds of the people, from age to age, under your direction. As, therefore, it would be the highest indiscretion in

Ministers of State of this kingdom to neglect the care of being acceptable to you in their administration, so it would be the greatest impiety in you to inflame the people committed to your charge with apprehensions of danger to you and your constitution, from men innocent of any such designs.

Give me leave, who have in all my words and actions, from my youth upwards, maintained an inviolable respect to you and your order, to observe to you that all the dissatisfactions which have been raised in the minds of the people owe their rise to the cunning of artful men, who have introduced the mention of you and your interest, which are sacred to all good men, to cover and sanctify their own practices upon the affections of the people, for ends very different from the promotion of religion and virtue. Give me leave also to take notice that these suggestions have been favoured by some few unwary men in holy orders, who have made the constitution of their own country a very little part of their study, and yet made obedience and government the frequent subjects of their discourses.

These men, from the pompous ideas of imperial greatness, and submission to absolute emperors, which they imbibed in their earlier years, have from time to time inadvertently uttered notions of power and obedience abhorrent from the laws of this their native country.

I will take the further liberty to say, that if the



Acts of Parliament mentioned in the following treatise had been from time to time put in a fair and clear light, and been carefully recommended to the perusal of young gentlemen in colleges, with a preference to all other civil institutions whatsoever, this kingdom had not been in its present condition, but the constitution would have had, in every member the universities have sent into the world ever since the Revolution, an advocate for our rights and liberties.

There is one thing which deserves your most serious consideration. You have bound yourselves, by the strongest engagements that religion can lay upon men, to support that succession which is the subject of the following papers ; you have tied down your souls by an oath to maintain it as it is settled in the House of Hanover ; nay, you have gone much further than is usual in cases of this nature, as you have personally abjured the Pretender to this Crown, and that expressly, without any equivocations or mental reservations whatsoever, that is, without any possible escapes, by which the subtlety of temporizing casuists might hope to elude the force of these solemn obligations. You know much better than I do, whether the calling God to witness to the sincerity of our intentions in these cases, whether the swearing upon the holy Evangelists in the most solemn manner, whether the taking of an oath before multitudes of fellow-subjects and fellow-Christians in our public

courts of justice, do not lay the greatest obligations that can be laid on the consciences of men. This I am sure of, that if the body of a clergy who considerately and voluntarily entered into these engagements should be made use of as instruments and examples to make the nation break through them, not only the succession to our Crown, but the very essence of our religion, is in danger. What a triumph would it furnish to those evil men among us who are enemies to your sacred order? What occasion would it administer to atheists and unbelievers, to say that Christianity is nothing else but an outward show and pretence among the most knowing of its professors? What could we afterwards object to Jesuits? What would be the scandal brought upon our holy Church, which is at present the glory and bulwark of the Reformation? How would our present clergy appear in the eyes of their posterity, and even to the successors of their own order, under a Government introduced and established by a conduct so directly opposite to all the rules of honour and precepts of Christianity?

As I always speak and think of your holy order with the utmost deference and respect, I do not insist upon this subject to insinuate that there is such a disposition among your venerable body, but to show how much your own honour and the interest of religion is concerned that there should be no cause given for it.

Under colour of a zeal towards you, men may sometimes act not only with impunity, but popularity, what would render them, without that hypocrisy, insufferably odious to their fellow-subjects.

Under this pretence men may presume to practise such arts for the destruction and dishonour of their country as it would be impious to make use of even for its glory and safety : men may do in the highest prosperity what it would not be excusable to attempt under the lowest necessity !

The laws of our country, the powers of the legislature, the faith of nations, and the honour of God may be too weak considerations to bear up against the popular though groundless cry of the Church. This fatal prepossession may shelter men in raising the French name and Roman Catholic interest in Great Britain, and consequently in all Europe.

It behoves you therefore, gentlemen, to consider whether the cry of the Church's danger may not at length become a truth ; and, as you are men of sense and men of honour, to exert yourselves in undeceiving the multitude, whenever their affectionate concern for you may prove fatal to themselves.

You are surrounded by a learned, wealthy, and knowing gentry, who can distinguish your merit, and do honour to your characters. They know with what firmness as Englishmen, with what self-denial as prelates, with what charity as Christians,

the Lords the Bishops, fathers of the Church, have behaved themselves in the public cause ; they know what contumelies the rest of the clergy have undergone, what discountenance they have laboured under, what prejudice they have suffered in their ministry, who have adhered to the cause of truth ; but it is certain that the face of things is now too melancholy to bear any longer false appearances ; and common danger has united men, who not long ago were artfully inflamed against each other, into some regard of their common safety.

When the world is in this temper, those of our pastors, whose exemplary lives and charitable dispositions both adorn and advance our holy religion, will be the objects of our love and admiration ; and those who pursue the gratifications of pride, ambition and avarice, under the sacred character of clergymen, will not fail to be our contempt and derision.

Noise and wrath cannot always pass for zeal ; and if we see but little of the public spirit of Englishmen or the charity of Christians in others, it is certain we can feel but little of the pleasure of love and gratitude, and but faint emotions of respect and veneration in ourselves.

It will be an action worthy the ministers of the Church of England to distinguish themselves for the love of their country ; and, as we have a religion that wants no assistance from artifice or enlargement of secular power, but is well supported by the

wisdom and piety of its preachers, and its own native truth, to let mankind see that we have a clergy who are of the people, obedient to the same laws, and zealous not only of the supremacy and prerogative of our princes, but of the liberties of their fellow-subjects: this will make us who are your flock burn with joy to see, and with zeal to imitate, your lives and actions. It cannot be expected but that there will be, in so great a body, light, superficial, vain, and ambitious men, who, being untouched with the sublime force of the Gospel, will think it their interest to insinuate jealousies between the clergy and laity, in hopes to derive from their order a veneration which they know they cannot deserve from their virtue. But while the most worthy, conspicuous, learned, and powerful of your sacred function are moved by the noble and generous incentives of doing good to the souls of men, we will not doubt of seeing by your ministry the love of our country, due regard for our laws and liberties, and resentment for the abuse of truth revive in the hearts of men. And as there are no instruments under heaven so capable of this great work, that God would make you such to this divided nation is the hearty prayer of,

Gentlemen,

Your most dutiful and most obedient  
humble servant,

RICHARD STEELE.

## P R E F A C E.



I NEVER saw an unruly crowd of people cool by degrees into temper, but it gave me an idea of the original of power and the nature of civil institutions. One particular man has usually in those cases, from the dignity of his appearance, or other qualities known or imagined by the multitude, been received into sudden favour and authority ; the occasion of their difference has been represented to him, and the matter referred to his decision.

This first step towards acting reasonably has brought them to themselves ; and when the person, by an appeal to whom they first were taken out of confusion, was gone from amongst them, they have calmly taken further measures from a sense of their common good.

Absolute unlimited power in one person seems to have been the first and natural recourse of mankind from disorder and rapine, and such a government must be acknowledged to be better than no government at all ; but all restrictions of power made by laws and participation of sovereignty among

several persons are apparent improvements made upon what began in that unlimited power. This is what seems reasonable to common sense, and the manner of maintaining absolute dominion in one person, wherever it subsists, verifies the observation; for the subjection of the people to such authority is supported only by terrors, sudden and private executions and imprisonments, and not, as with happy Britons, by the judgment, in cases of liberty and property, of the peers and neighbours of men accused or prosecuted. This absolute power in one person as it is generally exercised is not indeed government, but at best clandestine tyranny, supported by the confederates, or rather favourite slaves, of the tyrant.

I was glad to find this natural sense of power confirmed in me by very great and good men, who have made government, and the principles on which it is founded, their professed study and meditation.

A very celebrated author has these words :—

“The case of man’s nature standing as it does, some kind of regiment the law of nature doth require; yet the kinds thereof being many, nature tieth not to any one, but leaveth the choice as a thing arbitrary. At the first, when some certain kind of regiment was once approved, it may be that nothing was then further thought upon for the manner of governing, but all permitted unto their

wisdom and discretion which were to rule, till by experience they found this for all parts very inconvenient, so as the thing which they had devised for a remedy did indeed but increase the sore which it should have cured. They saw that to live by one man's will became the cause of all men's misery. This constrained them to come unto laws, wherein all men might see their duties beforehand, and know the penalties of transgressing them. Men always knew that when force and injury was offered, they might be defenders of themselves ; they knew that, howsoever men might seek their own commodity, yet if this were done with injury to others it was not to be suffered, but by all men and by all good means to be withstood.

“ Finally, they knew that no man might in reason take upon him to determine his own right, and according to his own determination proceed in maintenance thereof, inasmuch as every man is towards himself, and them whom he greatly affecteth, partial ; and therefore that strifes and troubles would be endless, except they have their common consent all to be ordered by some whom they should agree upon.”

Mr Stanhope, in defence of resistance in cases of extreme necessity, cites this memorable passage from Grotius :—

“ If the king hath one part of the supreme power, and the other part is in the senate or people, when



such a king shall invade that part that doth not belong to him, it shall be lawful to oppose a just force to him, because his power does not extend so far ; which position I hold to be true, even though the power of making war should be vested only in the king, which must be understood to relate only to foreign war ; for, as for home, it is impossible for any to have a share of the supreme power and not to have likewise a right to defend that share."

An eminent divine, who deserves all honour for the obligations he has laid upon both Church and State by his writings on the subject of government, argues against unlimited power thus :—

" The question is, whether the power of the civil magistrate be unlimited—that is, in other words, whether the nature of his office require it to be so. But what ? Is it the end of that office that one particular person may do what he pleaseth without restraint, or that society should be made happy and secure ? Who will say the former ? And if the latter be the true end of it, a less power than absolute will answer it—nay, an absolute power is a power to destroy that end, and therefore inconsistent with the end itself."

These passages I thought fit to produce by way of preface to the following discourse, as carrying in them the reason and foundation of government itself and in maintenance of what passed at the Revolution.

I shall only beg leave to add to them one very great living authority, the present Lord High Chancellor of Great Britain, who, in a late famous trial, did openly, before Queen, Lords, and Commons, maintain the lawfulness of the Revolution under the notion of resistance, and assert, before the most solemn and august assembly of Europe, that there are extraordinary cases, cases of necessity, which are implied, though not expressed, in the general rule—that is, which are so plain and so open to the common sense of mankind that, even whilst you are declaring resistance in all cases to be unlawful, you are of necessity understood to mean that resistance in some cases is lawful. I am pleased to observe, that no one ever put the matter so strongly, or carried it so high as this great man did upon that critical occasion. At the same time he was so just to his country as to declare that such a case undoubtedly the Revolution was, when our late unhappy sovereign then upon the throne, misled by evil counsellors, endeavoured to subvert and extirpate the Protestant religion and the laws and liberties of the kingdom.

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## THE CRISIS.



IT is every man's duty to correct the extravagances of his will, in order to enjoy life as becomes a rational being ; but we cannot possess our souls with pleasure and satisfaction except we preserve to ourselves that inestimable blessing which we call liberty. By liberty I desire to be understood to mean the happiness of men's living under laws of their own making, by their personal consent or that of their representatives.

Without this the distinctions amongst mankind are but gentler degrees of misery ; for as the true life of man consists in conducting it according to his own just sentiments and innocent inclinations, his being is degraded below that of a free agent, which Heaven has made him, when his affections and passions are no longer governed by the dictates of his own mind and the interests of human society, but by the arbitrary unrestrained will of another.

Without liberty, even health and strength, and all the advantages bestowed on us by Nature and Provi-

dence, may, at the will of a tyrant, be employed to our own ruin, and that of our fellow-creatures.

Liberty is essential to our happiness, and they who resign life itself rather than part with it do only a prudent action ; but those who lay it down, and voluntarily expose themselves to death in behalf of their friends and country, do an heroic one. The more exalted part of our species are moved by such generous impulses as these ; but even the community, the mass of mankind, when convinced of the danger of their civil rights, are anxious of preserving to themselves that dearest of all possessions, liberty.

The late kingdoms of England and Scotland have contended for it from age to age with too great a price of blood and treasure to be given for the purchase of any other blessing, but laid out parsimoniously when we consider they have transmitted this to their posterity.

But since, by I know not what fatality, we are of late grown supine, and our anxiety for it is abated, in proportion to the danger to which it is every day more exposed by the artful and open attacks of the enemies of our Constitution, it is a seasonable and honest office to look into our circumstances, and let the enemies of our present establishment behold the securities which the laws of our country have given those who dare assert their liberties, and the terrors which they have

pronounced against those who dare undermine them. For, whatever is the prospect before our eyes, it is the business of every honest man to look up with a spirit that becomes honesty, and to do what in him lies for the improvement of our present condition, which nothing but our own pusillanimity can make desperate.

The most destructive circumstance in our affairs seems to be that, by the long and repeated insinuations of our enemies, many are worn into a kind of doubt of their own cause, and think with patience of what is suggested in favour of contrary pretensions. The most obvious method of reviving the proper sentiments in the minds of men for what they ought to esteem most dear, is to show that our cause has in it all the sanctions of honour, truth, and justice, and that we are, by all the laws of God and man, instated in a condition of enjoying religion, life, liberty, and property, rescued from the most imminent danger of having them all for ever depend upon the arbitrary power of a Popish prince.

We should have been chained down in this abject condition in the reign of the late King James, had not God Almighty in mercy given us the late happy Revolution, by that glorious instrument of his providence the great and memorable King William. But though this wonderful deliverance happened as it were but yesterday, yet such is the inadvertency or ingratitude of some amongst us, that they

seem not only to have forgotten the deliverer, but even the deliverance itself. Old men act as if they believed the danger which then hung over their heads was only a dream, the wild effects of ill-grounded imaginary fears; and young men, as if they had never heard from their fathers, nor read of what passed in this kingdom, at a period no farther backward than the space of five-and-twenty years.

I flatter myself that if the passages which happened in those days, the resolutions of the nation thereupon, and the just provisions made from time to time against our falling into the same disasters, were fairly stated and laid in one view, all indirect arts and mean subtleties practised to weaken our securities would be frustrated, and vanish before the glaring light of law and reason.

I shall not govern myself on this occasion by the partial relation of particular persons or parties, but by the sense of the whole people, by the sense of the Houses of Lords and Commons, the representative body of the whole nation, in whose resolutions, according to the different state of things, the condition of the kingdom, by those who had the greatest stakes in it, has been from time to time plainly, impartially, and pathetically expressed.

I shall begin with the Act of Parliament made in England in the second session of the first year of the late King William and Queen Mary, intituled "An Act declaring the Rights and Liberties of

the Subject, and settling the Succession of the Crown."

It carries in it the noble resentment of a people that had been just rescued from tyranny ; and yet, that they might justify their actions to posterity, it recites all the particular instances of the tyrannical reign in a plain and dispassionate simplicity. The Act runs as follows :—

"Whereas, the Lords Spiritual and Temporal, and Commons, assembled at Westminster, lawfully, fully, and freely representing all the estates of the people of this realm, did upon the 13th day of February, in the year of our Lord 1688, present unto their Majesties, then called and known by the names and style of William and Mary, Prince and Princess of Orange, being present in their proper persons, a certain declaration in writing, made by the said Lords and Commons in the words following, viz. :—

"Whereas the late King James the Second, by the assistance of divers evil Counsellors, Judges, and Ministers employed by him, did endeavour to subvert and extirpate the Protestant religion and the laws and liberties of this kingdom ;

"By assuming and exercising a power of dispensing with and suspending of laws and the execution of laws, without consent of Parliament ;

"By committing and prosecuting divers worthy prelates, for humbly petitioning to be excused from concurring to the said assumed power ;

“ By issuing, and causing to be executed, a Commission under the Great Seal for erecting a court called the Court of Commissioners for Ecclesiastical Causes ;

“ By levying money for and to the use of the Crown, by pretence of prerogative, for other time and in other manner than the same was granted by Parliament ;

“ By raising and keeping a standing army within this kingdom in time of peace without consent of Parliament, and quartering soldiers contrary to law ;

“ By causing several good subjects, being Protestants, to be disarmed, at the same time when Papists were both armed and employed, contrary to law ;

“ By vioiating the freedom of election of members to serve in Parliament ;

“ By prosecutions in the Court of King’s Bench for matters and causes cognizable only in Parliament, and by divers other arbitrary and illegal courses :

“ And whereas of late years partial, corrupt and unqualified persons have been returned and served on juries, in trials, and particularly divers jurors in trials for high treason which were not freeholders ;

“ And excessive bail hath been required of persons committed in criminal cases, to elude the benefit



of the laws made for the liberty of the subjects ;

“ And excessive fines have been imposed,

“ And illegal and cruel punishments inflicted,

“ And several grants and promises made of fines and forfeitures, before any conviction or judgment against the persons upon whom the same were to be levied ;

“ All which are utterly and directly contrary to the known laws and statutes and freedom of this realm :

“ And whereas the said late King James the Second having abdicated the government, and the throne being thereby vacant,

“ His Highness the Prince of Orange (whom it hath pleased Almighty God to make the glorious instrument of delivering this kingdom from Popery and arbitrary power) did (by the advice of the Lords Spiritual and Temporal, and divers principal persons of the Commons) cause letters to be written to the Lords Spiritual and Temporal, being Protestants, and other letters to the several counties, cities, universities, boroughs, and Cinque ports, for the choosing of such persons to represent them as were of right to be sent to Parliament, to meet and sit at Westminster upon the two and twentieth day of January, in this year one thousand six hundred eighty and eight, in order to such an establishment, as that their religion, laws, and liberties might not

again be in danger of being subverted, upon which letters elections having been accordingly made ;

“ And thereupon the said Lords Spiritual and Temporal, and Commons, pursuant to their respective letters and elections, being now assembled in a full and free representative of this nation, taking into their most serious consideration the best means for attaining the ends aforesaid, do, in the first place, as their ancestors in like case have usually done, for the vindicating and asserting their ancient rights and liberties, declare :

“ That the pretended power of suspending of laws or the execution of laws by regal authority, without consent of Parliament, is illegal ;

“ That the pretended power of dispensing with laws or the execution of laws by regal authority, as it hath been assumed and exercised of late, is illegal ;

“ That the Commission for erecting the late Court of Commissioners for Ecclesiastical Causes, and all other commissions and courts of like nature, are illegal and pernicious ;

“ That levying money for or to the use of the Crown, by pretence of prerogative, without grant of Parliament, for longer time or in other manner than the same is or shall be granted, is illegal ;

“ That it is the right of the subjects to petition the King, and all commitments and prosecutions for such petitioning are illegal ;

“That the raising or keeping a standing army within the kingdom in time of peace, unless it be with consent of Parliament, is against law ;

“That the subjects which are Protestants may have arms for their defence suitable to their conditions, and as allowed by law ;

“That elections of members ought to be free ;

“That the freedom of speech and debates, or proceedings in Parliament, ought not to be impeached or questioned in any court or place out of Parliament ;

“That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted ;

“That jurors ought to be duly impanelled and returned, and jurors which pass upon men in trials for high treason ought to be freeholders ;

“That all grants, and promises of fines, and forfeitures of particular persons before conviction, are illegal and void ;

“And that for redress of all grievances, and for the amending, strengthening, and preserving of the laws, Parliaments ought to be held frequently ;

“And they do claim, demand, and insist upon all and singular the premises, as their undoubted rights and liberties ; and that no declarations, judgments, doings, or proceedings to the prejudice of the people in any of the said premises ought in any wise to be drawn hereafter into consequence or example.

“To which demand of their rights they are particularly encouraged by the declaration of his Highness the Prince of Orange, as being the only means for obtaining a full redress and remedy therein;

“Having therefore an entire confidence that his said Highness the Prince of Orange will perfect the deliverance so far advanced by him, and will still preserve them from the violation of their rights which they have here asserted, and from all other attempts upon their religion, rights, and liberties;

“The said Lords Spiritual and Temporal, and Commons, assembled at Westminster, do resolve:

“That William and Mary, Prince and Princess of Orange, be and be declared King and Queen of England, France, and Ireland, and the dominions thereunto belonging; to hold the Crown and royal dignity of the said kingdoms and dominions, to them the said Prince and Princess during their lives, and the life of the survivor of them; and that the sole and full exercise of the regal power be only in and executed by the said Prince of Orange in the names of the said Prince and Princess during their joint lives, and after their deceases the said crown and royal dignity of the said kingdoms and dominions to be to the heirs of the body of the said Princess, and, for default of such issue, to the Princess Anne of Denmark and the heirs of her

body ; and, for default of such issue, to the heirs of the body of the said Prince of Orange.

“ And the Lords Spiritual and Temporal, and Commons, do pray the said Prince and Princess to accept the same accordingly.

“ And that the oaths hereafter mentioned be taken by all persons, of whom the oaths of allegiance and supremacy might be required by law, instead of them ; and that the said oaths of allegiance and supremacy be abrogated.

“ I, A. B. do sincerely promise and swear that I will be faithful and bear true allegiance to their Majesties King William and Queen Mary. So help me God.

“ I, A. B. do swear that I do from my heart abhor, detest, and abjure, as impious and heretical, this damnable doctrine and position, that princes excommunicated or deprived by the Pope, or any authority of the See of Rome, may be deposed or murdered by their subjects, or any other whatsoever.

“ And I do declare that no foreign prince, person, prelate, state, or potentate hath, or ought to have, any jurisdiction, power, superiority, pre-eminence or authority, ecclesiastical or spiritual, within this realm. So help me God.’

“ Upon which their said Majesties did accept the Crown and royal dignity of the kingdoms of England, France, and Ireland, and the dominions thereunto belonging, according to the resolution and

desire of the said Lords and Commons contained in the said declaration.

“And thereupon their Majesties were pleased that the said Lords Spiritual and Temporal, and Commons, being the two Houses of Parliament, should continue to sit, and, with their Majesties’ royal concurrence, make effectual provision for the settlement of the religion, laws, and liberties of this kingdom; so that the same for the future might not be in danger again of being subverted; to which the said Lords Spiritual and Temporal, and Commons, did agree, and proceed to act accordingly.

“Now in pursuance of the premises, the said Lords Spiritual and Temporal, and Commons, in Parliament assembled, for the ratifying, confirming, and establishing the said declaration, and the articles, clauses, matters, and things therein contained by the force of a law made in due form by authority of Parliament, do pray that it may be declared and enacted, that all and singular the rights and liberties asserted and claimed in the said declaration are the true, ancient, and indubitable rights and liberties of the people of this kingdom, and so shall be esteemed, allowed, adjudged, deemed, and taken to be; and that all and every the particulars aforesaid shall be firmly and strictly holden and observed, as they are expressed in the said declaration; and all officers and ministers whatsoever

shall serve their Majesties and their successors according to the same in all times to come.

“And the said Lords Spiritual and Temporal, and Commons, seriously considering how it hath pleased Almighty God, in his marvellous providence and merciful goodness to this nation, to provide and preserve their said Majesties’ royal persons most happily to reign over us upon the throne of their ancestors, for which they render unto Him from the bottom of their hearts their humblest thanks and praises, do truly, firmly, assuredly, and in the sincerity of their hearts think, and do hereby recognize, acknowledge, and declare, that King James the Second having abdicated the government, and their Majesties having accepted the Crown and royal dignity as aforesaid, their said Majesties did become, were, are, and of right ought to be by the laws of this realm, our Sovereign Liege Lord and Lady King and Queen of England, France, and Ireland, and the dominions thereunto belonging, in and to whose princely persons the royal state, crown, and dignity of the said realms, with all honours, styles, titles, regalities, prerogatives, powers, jurisdictions, and authorities to the same belonging and appertaining, are most fully, rightfully, and entirely invested and incorporated, united and annexed.

“And for preventing all questions and divisions in this realm, by reason of any pretended titles to

the Crown, and for preserving a certainty in the succession thereof, in and upon which the unity, peace, tranquillity, and safety of this nation doth, under God, wholly consist and depend ;

“ The said Lords Spiritual and Temporal, and Commons, do beseech their Majesties, that it may be enacted, established, and declared that the Crown and regal government of the said kingdoms and dominions, with all and singular the premises thereunto belonging and appertaining, shall be and continue to their said Majesties, and the survivor of them, during their lives, and the life of the survivor of them ; and that the entire, perfect, and full exercise of the regal power and government be only in and executed by his Majesty, in the names of both their Majesties during their joint lives ; and after their deceases, the said Crown and premises shall be and remain to the heirs of the body of her Majesty ; and, for default of such issue, to her Royal Highness the Princess Anne of Denmark, and the heirs of her body ; and, for default of such issue, to the heirs of the body of his said Majesty. And thereunto the said Lords Spiritual and Temporal, and Commons, do, in the name of all the people aforesaid, most humbly and faithfully submit themselves, their heirs and posterities for ever ; and do faithfully promise that they will stand to, maintain, and defend their said Majesties, and also the limitation and succession of the Crown herein specified



and contained, to the utmost of their powers, with their lives and estates, against all persons whatsoever that shall attempt anything to the contrary.

“And whereas it hath been found by experience that it is inconsistent with the safety and welfare of this Protestant kingdom to be governed by a Popish prince, or by any King or Queen marrying a Papist ;

“The said Lords Spiritual and Temporal, and Commons, do further pray that it may be enacted that all and every person and persons that is, are, or shall be reconciled to, or shall hold communion with the See or Church of Rome, or shall profess the Popish religion, or shall marry a Papist, shall be excluded, and be for ever incapable to inherit, possess, or enjoy the Crown and government of this realm, and Ireland, and the dominions thereunto belonging, or any part of the same ; or to have, use, or exercise any regal power, authority, or jurisdiction within the same ; and in all, and every such case, or cases, the people of these realms shall be, and are hereby absolved of their allegiance ; and the said Crown and government shall from time to time descend to and be enjoyed by such person or persons, being Protestants, as should have inherited and enjoyed the same, in case the said person or persons so reconciled, holding communion, or professing or marrying as aforesaid, were naturally dead,

“And that every King and Queen of this realm, who any time hereafter shall come to and succeed in the Imperial Crown of this kingdom, shall, on the first day of the meeting of the first Parliament next after his or her coming to the Crown, sitting in his or her throne in the House of Peers, in the presence of the Lords and Commons therein assembled, or at his or her coronation, before such person or persons who shall administer the coronation oath to him or her, at the time of his or her taking the said oath (which shall first happen), make, subscribe, and audibly repeat the declaration mentioned in the statute made in the thirtieth year of the reign of King Charles the Second, entitled ‘An Act for the more effectual preserving the King’s person and government, by disabling Papists from sitting in either House of Parliament.’ But if it shall happen that such King or Queen, upon his or her succession to the Crown of this realm, shall be under the age of twelve years, then every such King or Queen shall make, subscribe, and audibly repeat the said declaration at his or her coronation, or the first day of the meeting of the first Parliament as aforesaid which shall first happen after such King or Queen shall have attained the said age of twelve years.

“All which their Majesties are contented and pleased shall be declared, enacted, and established, by authority of this present Parliament, and shall

stand, remain, and be the law of this realm for ever ; and the same are by their said Majesties, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in Parliament assembled, and by the authority of the same, declared, enacted, and established accordingly.

“ And be it further declared and enacted by the authority aforesaid, that, from and after this present session of Parliament, no dispensation by ‘ Non obstante,’ of or to any statute, or part thereof, shall be allowed, but that the same shall be held void and of no effect, except a dispensation be allowed of in such statute, and except in such cases as shall be especially provided for by one or more Bill or Bills, to be passed during the present session of Parliament.

“ Provided that no charter, or grant, or pardon, granted before the three and twentieth day of October, in the year of our Lord 1689, shall be any ways impeached or invalidated by this Act, but that the same shall be and remain of the same force and effect in law, and no other, than as if this Act had never been made.”

I have recited the Act at large, that I might on the one hand show the just sense the English nation then had of their deliverance, and their gratitude to their deliverer the glorious King William ; and, on the other hand, avoid being censured for heaping more miscarriages upon that unhappy prince King

James, than a nation, whose religion, liberties, fortunes, and lives were just snatched from the brink of ruin thought fit to charge him with. And here, that I may do justice to the Scots nation as well as to the English, I shall also set down, as succinctly as I can, what that brave people did in this important juncture.

The Convention of the Lords and Commons in the beginning of the year 1689 came to the resolutions in substance as follow, viz.:—

“That whereas King James the Seventh, being a professed Papist, did assume the royal power, and act as King, without ever taking the oath required by law, whereby every King at his accession to the government was obliged to swear to maintain the Protestant religion, and to rule the people according to the laudable laws; and, by the advice of wicked counsellors, did invade the fundamental constitution of the kingdom of Scotland, and altered it from a legal limited monarchy to an arbitrary and despotic power; and in a public proclamation asserted an absolute power to annul and disable all laws, particularly by arraigning the laws establishing the Protestant religion, and exerted that power to the subversion of the Protestant religion, and to the violation of the laws and liberties of the kingdom.

“By erecting public schools and societies of the Jesuits, and not only allowing Mass to be publicly

said, but also converting Protestant chapels and churches to public Mass houses, contrary to the express laws against saying and hearing Mass ;

“ By allowing Popish books to be printed and dispersed by a patent to a Popish printer, designing him printer to his Majesty’s household, college, and chapel, contrary to law ;

“ By taking the children of Protestant noblemen and gentlemen, sending them abroad to be bred Papists, and bestowing pensions upon priests to pervert Protestants from their religion by offers of places and preferments ;

“ By discharging Protestants, at the same time he employed Papists in places of greatest trust both civil and military, &c., and entrusting the forts and magazines in their hands ;

“ By imposing oaths contrary to law ;

“ By exacting money without consent of Parliament or Convention of Estates ;

“ By levying and keeping up a standing army in time of peace, without consent of Parliament, and maintaining them upon free quarter ;

“ By employing the officers of the army as judges throughout the kingdom, by whom the subjects were put to death without legal trial, jury, or record ;

“ By imposing exorbitant fines to the value of the parties’ estates, exacting extravagant bail, and disposing fines and forfeitures before any process or conviction ;

“By imprisoning persons without expressing the reason, and delaying to bring them to trial ;

“By causing several persons to be prosecuted, and their estates to be forfeited, upon stretches of old and obsolete laws, upon weak and frivolous pretences, and upon lame and defective proofs ; as particularly the late Earl of Argyle, to the scandal of the justice of the nation ;

“By subverting the rights of the royal boroughs, the third estate of Parliament, imposing upon them not only magistrates, but also the whole town council and clerks, contrary to their liberties and express charters, without any pretence of sentence, surrender, or consent ; so that the commissioners to Parliament being chosen by the magistrates and councils, the King might in effect as well nominate the estate of Parliament. Besides that, many of the magistrates by him put in were Papists, and the boroughs were forced to pay money for the letters imposing those illegal magistrates upon them ;

“By sending letters to the chief courts of justice, not only ordering the judges to stop ‘sine die,’ but also commanding how to proceed in cases depending before them, contrary to the express laws ; and by changing the nature of the judges’ patents ‘ad vitam’ or ‘culpam,’ into a commission ‘de bene placito,’ to dispose them to a compliance with arbitrary courses, and turning them out of their offices if they refused to comply ;

“ By granting personal protections for civil debts contrary to law ;

“ All which miscarriages of King James were utterly and directly contrary to the known laws, freedoms, and statutes of the realm of Scotland. Upon which grounds and reasons the estates of the kingdom of Scotland did find and declare that the said King James had forfeited the Crown, and the throne was become vacant.

“ Therefore in regard his Royal Highness, then Prince of Orange, since King of England, whom it hath pleased God to make the glorious instrument of delivering these kingdoms from Popery and arbitrary power, by advice of several lords and gentlemen of the Scots nation then at London, did call the Estates of this kingdom to meet upon the 14th of March last, in order to such an establishment as that the religion, laws, and liberties might not again be in danger of being subverted ; the said estates being then assembled accordingly, in a full and free representative of the nation, did in the first place, as their ancestors in like cases had usually done for vindicating and asserting their ancient rights and liberties, declare :

“ That by the law of Scotland no Papist could be King or Queen of the realm, nor bear any office therein ; nor that any Protestant successor could exercise the regal power till they have sworn the coronation oath.

“That all proclamations asserting an absolute power to null and disable laws, in order for erecting schools and colleges for Jesuits, converting Protestant churches and chapels into Mass houses, and the allowing Mass to be said, and the allowing Popish books to be printed and dispersed, was contrary to law.

“That the taking the children of noblemen, gentlemen, and others, and keeping them abroad to be bred papists ;

“The making funds and donations to Popish schools and colleges, the bestowing pensions on priests, and the seducing Protestants from their religion by offers of places and preferments, was contrary to law.

“That the disarming of Protestants, and employing Papists in the greatest places of trust, both civil and military, was contrary to law.

“That the imposing an oath without authority of Parliament was contrary to law.

“That the raising of money without consent of Parliament or Convention was contrary to law.

“That employing the officers of the army as judges was contrary to law.

“That the imposing extraordinary fines, &c., was contrary to law.

“That the imprisoning of persons without expressing the reasons was contrary to law.

“That the prosecuting, and seizing men's estates



as forfeited upon stretches of old and obsolete laws, &c., was contrary to law.

“That the nominating and imposing magistrates, &c., upon boroughs, contrary to their express charters, was contrary to law.

“That the sending letters to the courts of justice, ordering the judges to desist from determining of causes, and ordering them how to proceed in causes depending before them, &c., was contrary to law.

“That the granting of personal protections, &c., was contrary to law.

“That the forcing the subjects to depose against themselves in capital causes, however the punishments were restricted, was contrary to law.

“That the using torture without evidence, or in ordinary crimes, was contrary to law.

“That the sending of an army in a warlike manner into any part of the kingdom in time of peace, and exacting locality and free quarters, was contrary to law.

“That the charging the subjects with law boroughs at the King’s instance, and imposing bonds without authority of Parliament, and the suspending advocates for not appearing when bonds were offered, was contrary to law.

“That the putting garrisons into private houses in time of peace, without authority of Parliament, was illegal.

“That the opinions of the Lords of the Session in

the two cases following, were illegal, (*viz.*): That the concerting the demand of the supply of a fore faulted person, although not given, was treason ; and that persons refusing to discover their private thoughts in relation to points of treason, or other men's actions, are guilty of treason.

“That the fining husbands for their wives' withdrawing from Church was illegal.

“That prelacy and superiority of an office in the Church above Presbyters is and has been a great and insupportable burden to this nation, and contrary to the inclinations of the generality of the people ever since the Reformation, they having reformed Popery by Presbytery, and therefore ought to be abolished.

“That it is the right and privilege of the subject to protest for remedy of law to the King and Parliament, against sentences pronounced by the Lords of the Sessions, provided the same do not stop executions of the said sentences.

“That it is the right of the subject to petition the King, and that all prosecutions and imprisonments for such petitioning were contrary to law.

“Therefore for the redress of all grievances, and for the amending, strengthening, and preserving the laws, they claimed that Parliaments ought to be frequently called, and allowed to sit, and freedom of speech and debate allowed the members ; and further claimed and insisted upon all and sundry the pre-

mises, as their undoubted rights and liberties ; and that no declaration or proceedings to the prejudice of the people, in any the said premises, ought in any wise to be drawn hereafter in example ; but that all forfeitures, fines, loss of offices, imprisonments, banishments, prosecutions, and rigorous executions be considered, and the parties redressed.

“To which demand of their rights, and redress of their grievances, they took themselves to be encouraged by the King of England’s declaration for the kingdom of Scotland, in October last, as being the only means for obtaining a full redress and remedy therein.

“Therefore for as much as they had an entire confidence that his Majesty of England would perfect the deliverance so far advanced by him, and would still preserve them from the violation of the rights which they had asserted, and from all other attempts upon their religion, laws, and liberties ;

“The estates of the kingdom of Scotland had resolved,

“That William and Mary, King and Queen of England, be declared King and Queen of Scotland, to hold the Crown and royal dignity of the said kingdom, to them the said King and Queen during their lives, and the longer liver of them ; and that the sole and full exercise of the power be only in and exercised by him the said King, in the names of the said King and Queen, during their joint lives ;

and after their deceases, that the said Crown and royal dignity be to the heirs of the body of the said Queen ; which failing, to the Princess Anne of Denmark, and the heirs of her body ; which also failing, to the heirs of the body of the said William, King of England. And then prayed the said King and Queen to accept the same accordingly." Which being accepted by their Majesties, they were proclaimed King and Queen of Scotland the same day that they were crowned King and Queen of England.

The above-mentioned Acts of Settlement of the respective Crowns of England and Scotland ought to be written in the hearts of every true Briton, and engraven on columns of brass, to be erected in all the cities and boroughs of this island, that posterity may know how much their ancestors suffered, and how much more they were in danger of suffering, from a Popish prince ; and that they may with gratitude reverence the memory of their glorious deliverer the immortal King William, to whom, under God, are owing whatever rights, whether religious or civil, they or their latest posterity shall enjoy.

Thus appear the causes each nation had for the late Revolution, and the just reasons for limiting the entail of their respective Crowns in the manner above mentioned.

They at that time doubtless hoped they should

for ever be made happy in a descent of Protestant princes, either from the late Queen Mary, the Princess Anne of Denmark, or the late King William, and therefore saw no necessity for extending the limitation further; but the death of that incomparable Princess, the late Queen Mary, on the 28th of December, 1694, followed by the death of that hopeful Royal infant the Duke of Gloucester, the only surviving issue of the Princess of Denmark, on the 29th of July, 1700, gave fresh alarms to the English nation.

They saw the entail of the Crown reduced to the lives of the late King William and her present Majesty, then Princess of Denmark.

They saw the hopes of a Popish Jacobite party taking new spirit, and beginning to revive.

They saw a long train of Popish princes of the blood next in descent after the demises of the late King William and the Princess of Denmark without issue; they remembered the danger they had so lately been in from one Popish prince, and therefore thought it high time to take all necessary cautions to prevent the same for the future from a numerous train of Roman Catholic princes, all, or most of whom, were very near in blood to a neighbouring monarch, the most powerful prince in Europe, whose interest, as well as inclination, might engage him to support their pretensions with his whole force.

This prudent foresight gave birth to another Act of Parliament in England in the 12th and 13th years of the reign of the late King William, entitled "An Act for the further limitation of the Crown, and better securing the rights and liberties of the subject." By this Act the most illustrious Princess Sophia, Electress and Duchess Dowager of Hanover, is declared the next in succession in the Protestant line to the Crown of England, after the late King William and the Princess Anne of Denmark, and their respective issue; and that from and after the deceases of his said Majesty and the Princess Anne of Denmark, and the heirs of their respective bodies, the Crown should be, remain, and continue to the said Princess Sophia and the heirs of her body, being Protestants.

And thereunto the Lords Spiritual and Temporal, and Commons, in the name of all the people of this realm, did most humbly and faithfully submit themselves, their heirs, and posterities; and did faithfully promise, that after the deceases of his Majesty and her Royal Highness, and the failure of the heirs of their respective bodies, to stand by, maintain, and defend the said Princess Sophia and the heirs of her body, being Protestants, according to the limitation and succession of the Crown in this Act specified and contained, to the utmost of their powers, with their lives and estates, against all persons whatsoever that shall attempt anything to the contrary.

In the 13th and 14th years of the said King two other Acts of Parliament were made, the one entitled "An Act of attainder of the pretended Prince of Wales of high treason ;" whereby it was enacted "That he be attainted of high treason, and suffer pains of death, as a traitor ; and that if any subject of England shall, within this realm, or without, after the first of March, 1701, hold, entertain, or keep any intelligence or correspondence, in person or by letters, messages, or otherwise, with the said pretended Prince of Wales, or with any person or persons employed by him, knowing such person to be so employed by him, or shall by bill of exchange, or otherwise, remit or pay any sum or sums of money, for the use or service of the said pretended Prince of Wales, knowing such money to be for such use or service, such person so offending, being lawfully convicted, shall be taken, deemed, and adjudged guilty of high treason, and shall suffer and forfeit as in cases of high treason. And where any offence against this Act shall be committed out of this realm, the same may be alleged, laid, inquired of, and tried in any county of this kingdom of England."

And the other, entitled "An Act for the further security of his Majesty's person, and the succession of the Crown in the Protestant line, and for extinguishing the hopes of the pretended Prince of Wales, and all other pretenders, and their open and secret

abettors." Whercin, reciting the said former Acts of Settlement of the Crown, and that the French King, in hopes of disturbing the peace and repose of his Majesty and his kingdoms, and creating divisions therein, had caused the pretended Prince of Wales to be proclaimed King of England, Scotland, and Ireland, by the name of James the Third ; and that the said pretended Prince had assumed the said title, in open defiance of the provisions made for the establishment of the title, and succession of the Crown, by the said several Acts of Parliament ; to the intent, therefore, that the said Acts might be for ever inviolably preserved, and that all future questions and divisions, by reason of any pretended titles to the Crown, might be prevented, it was enacted that all and every person and persons, as well Peers as Commoners, that shall bear office, civil or military, or receive pay, fee, or wages, or have command or place of trust from his Majesty, or in the service of his Majesty, Prince George, or Princess Anne of Denmark, all ecclesiastical persons, or members of colleges and halls, of the foundation in either university, being eighteen years old, all persons teaching pupils, all schoolmasters, ushers, preachers, and teachers of separate congregations, persons that shall act as serjeants-at-law, counsellors, advocates, attorneys, solicitors, proctors, clerks, or notaries by practising as such in any court, and all Peers and members of the House of Commons,



before they can vote in their respective Houses of Parliament, should be obliged to take the oath hereinafter mentioned, commonly called "The Abjuration Oath," which oath was expressed in the following words :—

"I, A. B., do truly and sincerely acknowledge, profess, testify, and declare, in my conscience, before God and the world, that our Sovereign Lord King William is lawful and rightful King of this realm, and of all other his Majesty's dominions and countries thereunto belonging ; and I do solemnly and sincerely declare that I do believe in my conscience, that the person pretended to be Prince of Wales, during the life of the late King James, and since his decease pretending to be and taking upon himself the style and title of King of England, by the name of James the Third, hath not any right or title whatsoever to the Crown of this realm, or any other the dominions thereunto belonging ; and I do renounce, refuse, and abjure any allegiance or obedience to him. And I do swear that I will bear faith and true allegiance to his Majesty King William, and him will defend, to the utmost of my power, against all traitorous conspiracies and attempts whatsoever, which shall be made against his person, crown, or dignity ; and I will do my best endeavour to disclose and make known to his Majesty, and his successors, all treasons and traitorous conspiracies which I shall know to be against him or any of

them ; and I do faithfully promise, to the utmost of my power, to support, maintain, and defend the limitation and succession of the Crown, against him the said James and all other persons whatsoever, as the same is and stands limited (by an Act entitled 'An Act declaring the rights and liberties of the subject, and settling the succession of the Crown') to his Majesty, during his Majesty's life, and after his Majesty's decease to the Princess Anne of Denmark, and the heirs of her body, being Protestants, and, for default of such issue, to the heirs of the body of his Majesty, being Protestants ; and as the same by one other Act, entitled 'An Act for the further limitations of the Crown, and better securing the rights and liberties of the subject,' is and stands limited after the decease of his Majesty and the Princess Anne of Denmark ; and, for default of issue of the said Princess and of his Majesty respectively, to the Princess Sophia, Electress and Duchess Dowager of Hanover, and the heirs of her body, being Protestants. And all these things I do plainly and sincerely acknowledge, and swear, according to these express words by me spoken, and according to the plain and common sense and understanding of these same words, without any equivocation, mental evasion, or secret reservation whatsoever ; and I do make this recognition, acknowledgment, abjuration, renunciation, and promise, heartily, willingly, and truly,

upon the true faith of a Christian. So help me God."

And it was thereby also enacted, that if any person or persons, at any time after the 25th day of March, 1702, should compass or imagine the death of her Royal Highness the Princess Anne of Denmark, or endeavour to deprive or hinder her from succeeding to the Imperial Crown of this realm, and the dominions and territories thereunto belonging, after the demise of his Majesty, and the same maliciously, advisedly, and directly shall attempt, by any overt act or deed, every such offence shall be adjudged high treason, and the offender and offenders therein, their abettors, procurers, and counsellors, and all and every their aiders and comforters, knowing the said offence to be done, being thereof convicted, or attainted, according to the laws and statutes of this realm, shall be deemed and adjudged traitors, and shall suffer pains of death, and all losses and forfeitures, as in cases of high treason.

Thus our great deliverer accomplished his work.

He would have thought it but half done if he had delivered only one generation from Popery and slavery; and therefore made it his whole care, and spent the last remains of his invaluable life, in contriving how the most pure religion and the best laws in the universe might be transmitted to late posterity.

The last mentioned Acts of Parliament, and the legacy that great Prince left the English nation, infinitely more valuable than if he had, without them, left palaces and principalities to each of his subjects.

The memory of that great benefactor to mankind will always be dear to every Briton, who loves the religion and laws of his country, and is an enemy to Popery and arbitrary power, and to every man who knows the happiness of a limited monarchy, circumscribed and fenced about with the bulwarks of laws which equally guard the subject from the invasion of the prince and the prince from the insults of the subject.

His vigilance was not confined to his kingdom of England; the happiness of the kingdom of Scotland was equally his care and study. He zealously attempted to have had the succession to the Crown of that kingdom settled also on the House of Hanover, in the same manner as that of England was settled, and to have united both kingdoms; but these high benefits were reserved by Heaven to be numbered amongst the glories of her present Majesty's reign, a reign attended with so many victories obtained by her arms abroad, under the conduct of her renowned general, the Duke of Marlborough; and with so many acts of benevolence at home, by the advice of the best and wisest council that ever prince employed, that, as it

has excelled the transactions of all former ages, so it will be a lasting pattern for the imitation of all which shall succeed.

Her Majesty was but just seated on her throne, when, with the same goodness towards her subjects, in the first year of her reign, she gives the Royal assent to an Act of Parliament, intituled "An Act for enlarging the time for taking the Oath of Abjuration ; and also for recapacitating and indemnifying such persons as have not taken the same by the time limited, and shall take the same by a time to be appointed ; and for the further security of her Majesty's person, and the succession of the Crown in the Protestant line, and for extinguishing the hopes of the pretended Prince of Wales, and all other pretenders, and their open and secret abettors ;" in which, amongst other things, it is enacted : " That if any person or persons, at any time after the first day of March, 1702, shall endeavour to deprive or hinder any person who shall be the next in succession to the Crown, for the time being, according to the limitations in an Act, intituled 'An Act declaring the rights and liberties of the subject, and settling the succession of the Crown ;' and according to another Act, intituled 'An Act for the further limitation of the Crown, and better securing the rights and liberties of the subject,' from succeeding after the decease of her Majesty, to the Imperial Crown of this realm, and the dominions and territories thereunto

belonging, according to the limitations in the before mentioned Acts, that is to say, such issue of her Majesty's body as shall from time to time be next in succession to the Crown, if it shall please God Almighty to bless her Majesty with issue ; and during the time her Majesty shall have no issue, the Princess Sophia, Electress and Duchess Dowager of Hanover ; and after the decease of the said Princess Sophia, the next in succession to the Crown, for the time being, according to the limitation of the said Acts ; and the same, maliciously, advisedly, and directly shall attempt by any overt act or deed ; every such offence shall be adjudged high treason, and the offender or offenders therein, their abettors, procurers, and comforters, knowing the said offence to be done, being thereof convicted or attainted, according to the laws and statutes of this realm, shall be deemed and adjudged traitors, and shall suffer pains of death, and all losses and forfeitures, as in cases of high treason."

Her Majesty in the fourth year of her reign gave the Royal assent to an Act, entitled "An Act for the naturalization of the most excellent Princess Sophia, Electress and Duchess Dowager of Hanover, and the issue of her body ;" by which it is enacted, "That the said Princess Sophia, and the issue of her body, and all persons lincally descending from her, born, or hereafter to be born, be, and shall be, to all intents and purposes whatsoever, deemed, taken, and

esteemed natural born subjects of this kingdom, as if the said Princess, and the issue of her body, and all persons lineally descending from her, born, or hereafter to be born, had been born within this realm of England, any law, statute, matter, or thing whatsoever to the contrary notwithstanding, with a proviso that every person who shall be naturalized by virtue of this Act, and shall become a Papist, or profess the Popish religion, shall not enjoy any benefit or advantage of a natural born subject of England, but shall be judged an alien."

And in the fourth and fifth year of her Majesty's reign another Act passed the Royal assent, intituled "An Act for the better securing her Majesty's person and government, and of the succession to the Crown of England in the Protestant line;" by which, amongst other things, it is enacted, "That if any person or persons, from and after the 25th day of March, 1706, shall maliciously, advisedly, and directly, by writing or printing, declare, maintain, and affirm, that our Sovereign Lady the Queen, that now is, is not the lawful or rightful Queen of these realms; or that the pretended Prince of Wales, who now styles himself King of England by the name of James the Third, hath any right or title to the Crown of these realms; or that any other person or persons hath or have any right or title to the same, otherwise than according to an Act of Parliament, made in the first year of their late Majesties King William and Queen

Mary, intituled 'An Act declaring the rights and liberties of the subject, and settling the succession of the Crown ;' and one other Act, made in the 12th year of the reign of his said late Majesty King William the Third, intituled 'An Act for the further limitation of the Crown, and better securing the rights and liberties of the subject :'

"Or that the Kings or Queens of England, with and by the authority of the Parliament of England, are not able to make laws and statutes of sufficient force and validity, to limit and bind the Crown of this realm, and the descent, limitation, inheritance, and government thereof, every such person or persons shall be guilty of high treason, and being thereof convicted and attainted, according to the laws and statutes of this realm, shall be deemed and adjudged traitors, and shall suffer pains of death, and all losses and forfeitures, as in case of high treason.

"And that if any person or persons shall, from and after the said 25th day of March, maliciously and directly, by preaching, teaching, or advised speaking, declare, maintain, and affirm, in manner as aforesaid, every such person or persons, being thereof lawfully convicted, shall incur the danger and penalty of *præmunire*.

"And that the Parliament shall not be dissolved by the death or demise of her Majesty, her heirs or successors ; but such Parliament, if sitting at the



time of such demise, may proceed to act for six months, and no longer, unless the same shall be sooner prorogued or dissolved by such person to whom the Crown of this realm of England shall come, according to the Acts for limiting and settling the succession above mentioned. And if the said Parliament shall be so prorogued, then it shall meet and sit on the day unto which it shall be prorogued, and continue for the residue of the said six months, unless sooner prorogued or dissolved as aforesaid. And if there be a Parliament in being, at the time of the death of her Majesty, her heirs or successors, but happens to be separated by adjournment or prorogation, such Parliament shall immediately after such demise meet, and act for six months, and no longer, unless the same shall be prorogued or dissolved, as aforesaid. And in case there is no Parliament in being at the time of such demise, that has met and sat, then the last preceding Parliament shall immediately convene, and sit at Westminster, and be a Parliament to continue as aforesaid ; but subject to be prorogued and dissolved as aforesaid.

“That the Privy Council of her Majesty, her heirs, and successors, shall not be dissolved by such death or demise, but shall continue for six months, unless sooner determined by the next successor ;

“Nor shall any office, place, or employment, civil or military, become void by such demise, but

continue also for six months, unless the persons enjoying them shall be sooner removed and discharged by the next successor.

“And if her Majesty shall happen to die without issue, the Privy Council shall with all convenient speed cause the next Protestant successor entitled to the Crown of England by virtue of the Acts above mentioned, to be openly and solemnly proclaimed in England and Ireland, in usual manner ; and every member thereof wilfully neglecting or refusing to cause such proclamation to be made shall be guilty of high treason ; and every officer, by the Privy Council required to make such proclamations, wilfully neglecting or refusing, shall be guilty of and suffer the penalties of high treason.

“And for continuing the administration of the government in the name of such Protestant successor, until her or his arrival in England, the Lord Archbishop of Canterbury, the Lord Chancellor or Lord Keeper, Lord High Treasurer, Lord President of the Council, Lord Privy Seal, Lord High Admiral, and Lord Chief Justice of the Queen’s Bench, at that time being, are thereby appointed Lords Justices of England, until such successor arrive or determine their authority.

“And the person to succeed in case of her Majesty’s death without issue is empowered at any time during her Majesty’s life, by three instru-

ments under her or his hand and seal, to appoint so many natural born subjects of England, as she or he shall think fit, to be added to the above mentioned Lords Justices, to act with them as Lords Justices of England, who, or the major part, not being fewer than five, shall execute the power of Lords Justices.

“The said three instruments to be transmitted into England, to the resident of the person next to succeed (whose credentials shall be enrolled in Chancery), and to the Archbishop of Canterbury, and Lord Chancellor or Lord Keeper, close sealed up ; and after they are so transmitted, shall be severally put into several covers, and severally sealed by such resident, Archbishop, and Chancellor or Keeper, and severally deposited in the hands of such resident, Archbishop, and Chancellor or Keeper. If the next successor shall think fit to revoke or alter such appointment, and shall by three writings of the same tenor, under her or his hand and seal, require the said instruments so deposited to be delivered up, then the persons with whom deposited, their executors, administrators, and every other person, in whose custody the said instruments shall happen to be, shall deliver up the same accordingly. And if any of the said persons with whom the said instruments shall be so deposited shall die or be removed from their respective offices or employments during her Majesty's life, such person or persons, and in

case of any of their deaths their executors and administrators respectively, and every other person in whose custody the same shall happen to be, shall with all convenient speed deliver such of them as shall be in his or their custody to the successor or successors of the person or persons so dying or removed ; which said several instruments so sealed up and deposited shall immediately after the demise of her Majesty without issue be brought before the Privy Council, where the same shall be forthwith opened and read, and afterwards enrolled in the High Court of Chancery.

“ If the persons with whom the said instruments shall be deposited, or others in whose custody the same shall be, after the deceases of any of the said persons, shall open the same, or wilfully neglect or refuse to produce them as aforesaid, such persons shall incur the penalties of *præmunire*.

“ And if all the said instruments shall not be produced before the said Privy Council, then any one of the said instruments so produced shall be as effectual to give such authority as aforesaid to the persons therein named as if all of them had been produced. And if there be not any nomination by such instruments, then the said seven officers above named, or any five of them, are appointed to be Lords Justices of England. And that the Lords Justices of England shall not dissolve the Parliament, continued and ordered to assemble and

sit as aforesaid, without express direction from such succeeding Queen or King, and are restrained and disabled from giving the Royal assent to any Bill for the repealing or altering the Act for the Uniformity of Public Prayers and Administration of Sacraments, made 13 & 14 Charles II., under the penalty of high treason. And that the said Lords Justices, before they act in their said offices, shall take the oaths mentioned in an Act made 1 William and Mary, entitled 'An Act for abrogating the Oaths of Allegiance and Supremacy, and appointing other Oaths,' and also the Abjuration Oath, before the Privy Council; and all members of both Houses of Parliament, and every member of the Privy Council, and all officers and persons in any offices, places, or employment, civil or military, who shall be by this Act continued as aforesaid, shall take the said oaths, and do all other acts required by the laws of this realm, to qualify themselves to continue in such their respective places, offices, and employments, within such time and in such manner, and under such penalties and disabilities as they should or ought to do, had they been then newly elected, appointed, constituted, or put into such offices, places, or employments in the usual and ordinary way. And that the Lords Justices shall be deemed as persons executing offices of trust within this kingdom, and shall do all acts requisite by the laws to qualify themselves to be

and continue in their said offices, within such times, and in such manner, and under such penalties and disabilities, as in and by the said Acts are required.

“ And it is in the said Act provided, amongst other things, that if any of the aforesaid seven offices, other than the office of Lord High Treasurer of England, shall be in commission at the time of such demise of her Majesty, that then the first Commissioner of such respective commission shall be one of the Lords Justices of England. And if there be no Lord High Treasurer of England, and the office of Treasurer of the Exchequer shall be in commission, then the first in that commission shall be one of the Lords Justices of England.”

I have here shown what wonderful concern and care appeared, as well in her Majesty and her Parliament, as in the late King William and his, for settling the succession to the Crown of England in the Protestant line. I come now to the Act of Parliament for uniting the kingdoms of England and Scotland in one kingdom, by the name of Great Britain.

This had been unsuccessfully attempted by several of her Majesty's predecessors, but the glory of it was reserved for her Majesty, that she might appear as great in her councils as her arms.

This Act is entitled, “ An Act for an Union of the two kingdoms of England and Scotland,” and received the Royal assent in the fifth year of the

reign of her Majesty. It recites that Articles of Union were agreed on, the 22nd day of July, in the fifth year of her Majesty's reign, by the Commissioners nominated on behalf of the kingdom of England, under the Great Seal of England, dated the 10th day of April then last past, in pursuance of an Act of Parliament made in England in the third year of her Majesty's reign, and the Commissioners nominated on the behalf of the kingdom of Scotland, under the Great Seal of Scotland, dated the 27th day of February, in the fourth year of her Majesty's reign, in pursuance of the 4th Act of the third session of the then present Parliament of Scotland, to treat of and concerning a union of the said kingdoms ; and reciting that an Act had passed in the Parliament of Scotland, the 16th day of January, in the fifth year of her Majesty's reign, wherein it is mentioned that the estates of Parliament, considering the said Articles of Union of the two kingdoms, had agreed to and approved thereof with some additions and explanations, and that her Majesty had passed in the same session of Parliament an Act, entitled "Act for securing of the Protestant Religion and Presbyterian Church Government," which was appointed to be inserted in any Act ratifying the treaty, and expressly declared to be a fundamental and essential condition of the said treaty or union in all times coming ;

The tenor of which Articles, as ratified and

approved of, is at large recited in the said Act of Union. It concerns our present purpose to mention only the first and second.

#### ARTICLE I.

That the two kingdoms of England and Scotland shall, upon the first day of May, which shall be in the year 1707, and for ever after, be united into one kingdom, by the name of Great Britain, and that the ensigns armorial of the said United Kingdom be such as her Majesty shall appoint, and the crosses of St. George and St. Andrew be conjoined in such manner as her Majesty shall think fit, and used in all flags, banners, standards, and ensigns, both at sea and land.

#### ARTICLE II.

That the succession to the monarchy of the United Kingdom of Great Britain, and of the dominions thereto belonging, after her most sacred Majesty, and in default of issue of her Majesty, be, remain, and continue to the most excellent Princess Sophia, Electress and Duchess Dowager of Hanover, and the heirs of her body being Protestants, upon whom the Crown of England is settled by an Act of Parliament made in England in the twelfth year of the reign of his late Majesty King William the Third, entitled "An Act for the further limitation of the Crown, and better securing the rights and



liberties of the subject ;” and that all Papists, and persons marrying Papists, shall be excluded from and for ever incapable to inherit, possess, or enjoy the Imperial Crown of Great Britain, and the dominions thereunto belonging, or any part thereof ; and in every such case the Crown and Government shall from time to time descend to and be enjoyed by such person, being a Protestant, as should have inherited and enjoyed the same, in case such Papist, or person marrying a Papist, was naturally dead, according to the provision for the descent of the Crown of England, made by another Act of Parliament in England, in the first year of the reign of their late Majesties King William and Queen Mary, entitled “ An Act declaring the rights and liberties of the subject, and settling the succession of the Crown.”

But this point is of so great consequence, that I must beg leave to repeat the history and progress of it, which was thus.

Her Majesty was empowered by two several Acts of Parliament, one of the late kingdom of England and the other of the late kingdom of Scotland, to appoint Commissioners for each kingdom, to treat of a union of the two kingdoms ; but it was expressly provided in each Act that the Commissioners should not treat of or concerning the alteration of the worship, discipline, or government of the Church in either kingdom.

The Commisioners were accordingly appointed by her Majesty, and twenty-five Articles were agreed upon between them, which Articles were approved and ratified by two several Acts of Parliament of the said late kingdoms of England and Scotland, in which said Acts each kingdom provided for the preservation of the worship, discipline, and government of its respective Church, within their respective parts of the United Kingdom of Great Britain, and each Act of Parliament for the preservation of the said Churches were agreed to be taken as a fundamental condition of the union, and to be repeated and inserted in any Act of Parliament for agreeing to the said treaty or union betwixt the two kingdoms; and it was expressly enacted in each of the said Acts, "that the said Articles and Acts should be and continue in all time coming the sure and perpetual foundation of a complete and entire union of the two kingdoms of England and Scotland."

After which an Act of Parliament of the United Kingdom of Great Britain was passed, entitled "An Act for an Union of the two Kingdoms of England and Scotland;" wherein, reciting the said twenty-five Articles of the Union, ratified and confirmed by the respective Acts of Parliament of the kingdoms of England and Scotland, and inserting the said Acts of Parliament for preserving the worship, discipline, and government of the respective

Churches of each kingdom, it is thereby enacted that the said Acts of Parliament of England and Scotland, for securing their respective Churches, and the said Articles of Union, so as aforesaid ratified, approved, and confirmed, be, and continue in all times coming, the complete and entire union of the two kingdoms of England and Scotland.

The words, "so as aforesaid ratified, approved, and confirmed," are very material, and ought to be carefully observed, because some of the said Articles are made entire and absolute, and others give a power to the Parliament of Great Britain to alter the same; so that these words, "so as aforesaid ratified, approved, and confirmed," must be taken "*reddendo singula singulis*," that is, such of the said Articles as express no power to the Parliament of Great Britain to alter them shall remain entire, and such as carry a power of alteration by the Parliament of Great Britain are not so sacred.

Amongst the Articles that carry no such express power with them is the second Article for settling the succession of the Crown of Great Britain on the House of Hanover; so that I humbly offer it to every good subject's consideration, whether this Article is not as firm as the Union itself, and as the settlement of Episcopacy in England and Presbytery in Scotland.

These were the sacred terms and stipulations

made between the two late kingdoms of England and Scotland, and upon which both kingdoms, by the legal representatives, consented to be dissolved and exist no longer, "but be resolved into, and united in one kingdom, by the name of Great Britain."

The powers that made this happy union, the Parliaments of England and Scotland, have no longer a being; and therefore that union, in the express terms thereof, must remain inviolable. The union would be infringed should there be any deviation from these Articles, and what consequences that would have no good subject can think of without horror; for, as I humbly presume there is no possibility of returning into the same state as we were in before this union, it is wild and extravagant to suppose it can be peaceably broken. Two warlike nations that should separate, after being under solemn obligations of perpetual union, would, like two private men of spirit that had broken friendship, have ten thousand nameless and inexplicable causes of anger boiling in their bosoms, which would render them incapable of living quiet neighbours, and one of them must be brought very low, or neither of them could live in peace or safety. What I mean is, that common sense and the nature of things would make one expect that nothing less than a war could attend the dissatisfactions of such a rupture. It becomes

the Englishmen in generosity to be more particularly careful in preserving this union.

For the late kingdom of Scotland had as numerous a nobility as England, and the representatives of their Commons were also very numerous. They have by the Articles of Union consented to send only sixteen Peers and forty-five Commons to the Parliament of Great Britain, which hath the same number of Lords and Commons for England that were before the union ; so that the Scots representatives can make no stand in the defence of all or any of the Articles of the Union, should they be opposed by such unequal numbers of the Lords and Commons of England ; and therefore it is most plain, from the impotence in which so many wise and able men of the Scotch nation left themselves in these particulars, that they understood the points of religion in England and Scotland respectively, the succession to the Crown of Great Britain, and all other Articles of the Union were never to be controverted.

To guard and protect this settlement of the Crown of the United Kingdom of Great Britain in the Protestant line, an Act of Parliament of the United Kingdom passed in the sixth year of her Majesty's reign, intituled "An Act for the security of her Majesty's person and government, and of the succession to the Crown of Great Britain in the Protestant line," by which the provisions in the

before mentioned Act, entitled "An Act for the better security of her Majesty's person and government, and of the succession to the Crown of England in the Protestant line," are extended throughout the whole United Kingdom. It is in effect a repetition of that Act, with proper alterations for that purpose. "So that now throughout Great Britain this Act hath made it high treason for any person maliciously, advisedly, and directly, by writing or printing, to maintain and affirm that our Sovereign Lady the Queen, that now is, is not the lawful and rightful Queen of these realms ; or that the pretended Prince of Wales, who now styles himself King of Great Britain, or King of England, by the name of James the Third, or King of Scotland, by the name of James the Eighth, hath any right or title to the Crown of these realms ; or that any other person or persons hath or have any right or title to the same, otherwise than according to an Act of Parliament made in England, in the first year of the reign of their late Majesties King William and Queen Mary, entitled 'An Act declaring the rights and liberties of the subject, and settling the succession of the Crown,' and one other Act made in England, in the twelfth year of the reign of his said late Majesty King William the Third, entitled 'An Act for the further limitation of the Crown, and better securing the rights and liberties of the subject,' and the Acts lately made in England and Scotland, mutually for

the union of the two kingdoms ; or that the Kings or Queens of this realm, with and by the authority of Parliament, are not able to make laws and statutes of sufficient force and validity to limit and bind the Crown, and the descent, limitation, inheritance, and government thereof, every such person or persons shall be guilty of high treason ; and if any person or persons shall maliciously and directly, by preaching, teaching, or advised speaking, declare, maintain, and affirm as aforesaid, such person or persons shall incur the penalty of præmunire."

Thus did our kingdom of Great Britain begin in the fifth year of her Majesty's reign, and in the year of our Lord 1707. And from this great era, to which it is so easy to look back, every Briton may date this happy conclusion : that all the notions of hereditary right, but that of her Majesty and the heirs of her body, and, in default of such issue, that of the most illustrious Princess Sophia, and the heirs of her body, being Protestants, are at an end.

And all this hath been done in so open a manner, and in so expressive and plain terms, that one cannot but think that our Popish or Jacobite party, who have been of late so bold both in writing and speaking against the settlement of the Crown of Great Britain in the Protestant line, and cannot possibly plead ignorance of these things, must have some unaccountable encouragement for their support. But let me inform every Briton that loves his Queen,

religion, laws, and liberties, it is his duty to appear boldly in their defence, and detect and seize those enemies to his country, wherever he finds them. What should any man fear in so just a cause, who acts under the guard and protection of the laws of his country, whilst his opponents act with halters about their necks?

It is not material to mention the grand suspicions of the spurious birth of the pretended Prince of Wales ; that it was talked with great assurance by the Papists, that the late King James's Queen was big with a son some months before the pretended birth, for they well knew a daughter would not do their business ; that at the time of the pretended birth the Princess Anne, now our most gracious Queen, was at the bath ; that the Bishops were clapt up in the tower ; that the women about the Queen were Papists ; that the presumptive heir was not present ; that at the birth of the present French King, the next heir, though a man, was permitted to see the Queen actually delivered ; that in our case it might have been done with much more decency had there been a birth, since the next heir was a woman ; that the late King James and his Queen owning the Pretender is no argument for his not being spurious, considering the bigotry of that Prince, and the great influence the clergy of the Church of Rome have on their laity ; that our own history informs us that the first Queen Mary was prevailed on by her



Popish priests to feign herself with child, to exclude her Protestant sister, the Lady Elizabeth, from the Crown of England; that the imposture had been carried on, and a birth been imposed upon the nation, had not King Philip, her husband, wisely considered that the impostor would not only succeed to the Crown of England, but also to that of Spain, and so prevented it. I say these things are altogether insignificant, they are foreign to the purpose. Be the Pretender who he will, or whoever was his father or mother, it concerns not any Briton: he is an attainted person, an enemy to our Queen and country; and all his aiders and abettors are guilty of high treason.

Now I am upon the subject of this late settlement of the Crown, I cannot forbear to express my wonder that there can be found any Briton weak enough to contend against a power in their own nation which is practised to a much greater degree in other States, and without the least scruple exercised, according to the emergencies of human affairs. How hard is it, that Britain should be debarred the privilege of establishing its own security, even by relinquishing only those branches of the royal line which threaten it with destruction, whilst other nations never scruple, upon less occasions, to go much greater lengths. There have been even in France three different races of their kings; the first began with Pharamond, the second with Charles

Martell, and the third with Hugh Capet ; and I doubt whether, if the direct line of the blood royal of France were to be followed, it would make for the title of his present most Christian Majesty. But, to come to fresh instances, in which Great Britain itself hath not been unconcerned, what right, by the contrary rule, could the Duke of Savoy have to the kingdom of Sicily, or the Elector of Bavaria to that of Sardinia ? Can Great Britain help to advance men to other thrones, and have no power in limiting its own ? Has not Louis the Fourteenth given us fresh instances of such innovations in his own family ? Or can men think he is not in earnest in excluding his grandson the King of Spain, and his descendants, from the Crown of France, and the Dauphin and Duke of Berri, and their descendants, from the Crown of Spain ? And if such sacred things as kingdoms themselves may be thus disposed of out of the right line, not by any resignation that can in any equitable sense be called voluntary, but apparently for mere reasons of state and ambition, certainly the English and Scotch, for preservation of religion, liberty, and property, the essential benefits of life, might with more justice settle their Crown in the Protestant line in the manner they have done, excluding all the nearer princes of the blood that are Papists.

When I reflect on these many solemn strong barriers of laws and oaths, of policy and religion, of

penalties without, and conscience within, methinks all fear vanisheth before them. It seems a phantom only, that disappears with the light ; and I begin to hope it is as ridiculous and groundless as the artifice of some men endeavours to represent it. But my thoughts will not let me rest here ; I ask myself, before I am aware, what are the marks of a lasting security ? What are our tempers and our hearts at home ? In what hands is power lodged abroad ? Are our unnatural divisions our strength ? Or is it nothing to us which of the Princes of Europe hath the longest sword ? The powerful hand that deals out crowns and kingdoms all around us, may it not in time reach out a king to us too ? Are there no pretensions to our Crown that can ever be revived ? Or are Popery and ambition become tame and quiet neighbours ?

These uneasy questions are enough to satisfy any Briton that we can neither know our security, nor be sensible of our danger, from any partial view of our condition, or from appearances on one side only. Our condition cannot be judged of but from the circumstances of the affairs of Europe in general, as well as of Great Britain in particular.

That I may represent this with the more advantage, and put everything in its proper view, I cannot but look back on the glorious scene some past years presented us with, a scene too glorious indeed to be forgotten, and yet too affecting to be remembered.

Ambition, tyranny and oppression seemed not long ago to be just taking their leave of this part of the world, and ready to give place to honour, liberty and justice. The French for near an age had been always triumphant in their encroachments on their neighbours ; from the number of their troops, their early taking the field, the remissness of their enemies, joined with their happy manner of interpreting the sense of their leagues and treaties, they had always succeeded in everything they undertook ; the long series of their good fortune made them arrogate to themselves the titles of intrepid and invincible ; but the destined time came, and they were to their costs as fully convinced of their mistake by the bravery of the British troops, under the conduct of her Majesty's late general, the great Duke of Marlborough.

As this wonderful instrument of Providence carried in his fortune the fate of the British people, who can forbear to run over the good events that happened under him, and the honours paid to him ; both which are recited not as they are personal to himself, but as they concern the British name and nation, which he represented.

The first thing that meets my imagination is, the French army broken, routed, flying over the plains of Blenheim, and choosing rather to throw themselves headlong into the Danube than face about upon their conqueror. I see the just honours done him by the Emperor and the whole empire ; I hear

him with loud acclamations acknowledged the deliverer of Europe. He is introduced into the College of Princes, and takes possession of the principality of Mindelheim. Triumphant columns are erected in the plains of Blenheim, recording the seasonable assistance of the British arms and the glories of that immortal day.

The British leader returns from the Danube to the Rhine ; he and his brave companions are the delight of the nations through whom they march, and are styled their good, their guardian angels. After passing so many different nations in a triumphant manner, he lands in his own country, a humble, unattended subject, honouring and adorning his nation by privacy and modesty at home, much more than by the highest triumphs and ostentations abroad.

The Queen and Senate pass in religious pomp to thank the Almighty for victory over the then common oppressor. But the prospect does not end here : the plains of Ramillies are a new scene of glory to the Confederate arms, and a second happy day ends the bondage of many cities !

His most Christian Majesty conceives new hopes from changing his generals, and from the conduct of Vendôme promises himself to repair the diminution of his glory by Villeroy.

The branches of his Royal family, the Dukes of Burgundy and Berri, are to animate the soldiery by

their presence ; but Vendôme, Burgundy, and Berri are not strong enough for the genius of the Duke of Marlborough at Oudenard.

The French still change their general, and Villars is in command. He soon shares the same fate with his predecessors, by being beaten out of his camp by an inferior number of troops : a camp so strong, by nature and art that, as none but the Duke of Marlborough would have attempted it, so none but that consummate captain at the head of his brave countrymen could have succeeded in it. In short, methinks I see Ostend, Menin, Lisle, Tournay, Mons, Aire, Douay, and innumerable other towns, held impregnable, all besieged, taken, and restored to their lawful Prince and ancient liberties.

The English General, during the course of ten campaigns, besieged no town but what he took, attacked no army but what he routed, and returned each year with the humility of a private man.

If beating the enemy in the field, and being too vigilant for their councils in foreign Courts, were effectual means towards ending the war, and reducing them to a condition too low for giving fresh disturbance to Europe, the Duke of Marlborough took just measures ; but, however unaccountable it may appear to posterity, that General was not permitted to enjoy the fruits of his glorious labour ; but, as France changed her generals for want of success in their conduct, so Britain changes

hers after an uninterrupted series of conquest. The minds of the people, against all common sense, are debauched with impressions of the Duke's affectation of prolonging the war for his own glory ; and his adversaries attack a reputation which could not well be impaired without sullyng the glory of Great Britain itself. His enemies were not to be softened by that consideration : he is dismissed, and soon after a suspension of arms between Great Britain and France is proclaimed at the head of the armies. The British, in the midst of the enemy's garrisons, withdraw themselves from their confederates. The French, now no longer having the Britons or their great leader to fear, affect no more strong garrisons and fortified camps, but attack and rout the Earl of Albemarle at Denain, and necessitate the brave Prince Eugene to abandon Landrecy, a place of such importance that it gave entrance into the heart of France, of which the French King was so sensible that, before he was recovered from his fright, he acknowledged he in a manner owed his Crown to the suspension of arms between him and Great Britain. The suspension is followed by a treaty of peace at Utrecht. The peace is concluded between Great Britain and France, and between France and the States-General. The Emperor and the Empire continue the war. I shall not presume to enter into an examination of the articles of peace between us

and France ; but there can be no crime in affirming (if it be a truth) that the House of Bourbon is at this juncture become more formidable, and bids fairer for a universal monarchy and to engross the whole trade of Europe, than it did before the war.

All the world knows with what frankness the Dutch have been treated to deliver up Traerbach to the Imperialists, as an expedient for the French to besiege it, because, forsooth, it lay convenient for their incursions upon the Empire. This extravagant demand must give a melancholy prospect to other nations.

The most important article between France and England is the demolition of Dunkirk, which they have begun contemptuously and arbitrarily their own way : the mole and harbour, which only are dreadful to us, are yet untouched, and just suspicions given that they ever will be.

Landau and Fribourg are taken ; and in case there is no intermediate peace, which may still be more immediately fatal to us, two hundred thousand French may be ready in the spring to invade the Empire, and restore the Duke of Bavaria to his forfeited dominions.

These incidents happen when the capital of Austria, the residence of his Imperial Majesty, is visited with the plague. The male line of that house is likely to terminate in himself ; and should



it please God to take him off, and no King of the Romans chosen, a Prince of the House of Bourbon would probably bid fair for the Imperial dignity, after which day farewell liberty! Europe would be French.

But the scene is not yet closed. Portugal, which during the war supplied to us the place of Spain, by sending us vast quantities of gold in exchange for our woollen manufactures, has only at present a suspension of arms for its protection, which suspension may possibly last no longer than till the Catalonians are reduced; and who knows but the old pretensions of Spain to Portugal may be then revived? I mention the Catalonians, but who can name the Catalonians without a tear! Brave, unhappy people! Drawn into the war by the encouragement of the maritime powers, from which only a nation encompassed by land by France and Spain could hope for relief and protection, now abandoned and exposed to the resentment of an enraged Prince, whose person and interest they have always opposed; and yet still so fond of their ancient liberties, that, though hemmed up in a nook of land by the forces of the two Crowns, and closely besieged in Barcelona, they choose rather, like their countrymen, the famous Saguntines of old, to perish with their wives and children, than live in slavery. Did the French King, with a conquering sword in his hand, ever abandon the

least and most inconsiderable of all his allies? No. When these very Catalonians had assisted him against the King of Spain, he did not give up his power of treating till he had made the most honourable conditions for them; not a single man amongst them was then hurt either in his person or privileges. But now, poor unhappy Catalonians, worthy of a better fate! Good and gracious God! To whom shall be attributed the loss of this brave people! Dreadful the doom of those who shall in thy sight be esteemed their destroyers.

But, to bring these several facts and circumstances home, we must observe, that the person who seems to be the most favoured by the French King in the late treaties is the Duke of Savoy, who is made King of Sicily; and, considering also the enlargement of his territories on the Continent by cession from the Emperor, is become the most powerful Prince in Italy. This Prince put in his claim to the Crown of England, in the right of his wife, a daughter of the late Duchess of Orleans, sister to our late King Charles the Second, at the time of settling the Crown of England on the House of Hanover. This Prince, a man of as great address and capacity as any now living, is supposed to have entered into a secret and strict alliance with the House of Bourbon, and may therefore very well add to our fears of a Popish successor.

Things standing thus, and the House of Bourbon

being in the actual possession of France and Spain, bidding fair for the conquest of Germany, or in peace and good understanding with it; what have Great Britain and Holland to hope from but the mercy of France? What else have we to prevent the Pretender being imposed on us, when France shall think fit—nay, in failure of one pretender, he has in his quiver a succession of them; the Duchess of Savoy, or her sons, or the Dauphin her grandson. The last named cannot be many years from the throne of France.

In the next place, how are we disposed at home for the reception of such an attempt? The passions of many, which were raised so high by an impudent suggestion of the Church's danger, seem to have subsided into a lethargic unconcern for everything else; harmless men are ashamed to own how grossly they have been imposed upon, and, instead of resenting the abuse, are willing to overlook it, with a certain reluctance against being moved at anything else, lest they should fall into the mortification of being misled a second time. Many, who are above being blinded by popular noise and outcry, yet seem to think the warmth and zeal of a public spirit to be little better than a romantic heat of brain. Treasonable books lately dispersed amongst us, that have apparently struck at the Protestant succession in the House of Hanover, have passed almost without observation from the generality of

the people ; subtle queries have been published about the birth of a certain person, which certain person everybody knows to be intended for the Pretender ; the author of " The Conduct of the Allies " has dared to drop insinuations about altering the succession ; and a late treasonable book, on the subject of Hereditary Right, has published the will of King Henry the Eighth, which seems to be intended as a pattern for the like occasion.

The conversion of the Pretender to our religion has been occasionally reported and contradicted, according to the reception it met with among the soft fools who give that gross story a hearing. The unhappy Prince, whose son the Pretender calls himself, is a memorable instance how much such conversions are to be depended upon. King James, when Duke of York, for a long time professed himself a Protestant ; and even not long before his succession to the Crown, several persons had actions brought against them for saying he was a Papist, and exorbitant damages given and recovered. In a word, from the practice of all Papists that have come to Protestant thrones upon pretence of embracing the reformed religion, we have reason to believe they have dispensations from Rome to personate anything for the service of that Church. A Popish Prince will never think himself obliged by the most solemn, even the Coronation Oath, to his Protestant subjects. All oaths are as insignificant, and as soon

forgotten, as the services done by such Protestant subjects.

King James, when Duke of York, was preserved from the Bill of Exclusion by the Church of England, and particularly its bishops. When he came to the Crown, the Church was soon insulted and outraged by him, and her prelates committed to the Tower.

Has not a neighbouring Prince cruelly treated and banished his Protestant subjects, who preserved the crown on his head ?

Did not the Princess Mary promise the men of Suffolk, who joined with her against the Lady Jane Grey, that she would make no alteration in the religion established by her brother, King Edward the Sixth ? And yet as soon as she came to the Crown, by the assistance even of Suffolk men, she filled all England, and in a particular manner that county, with the flames of martyrs. The cruelties of that reign were such that multitudes of men, women and children were burnt for being zealous professors of the Gospel of the Lord Jesus. In short, nothing less than this can be expected from a Popish Prince ; both clergy and laity must share the same fate ; all universally must submit to the fiery trial, or renounce their religion. Our bishops and clergy must all lose their spiritual preferments, or submit to all antichristian tyranny. And, should they submit to everything, they must notwithstanding part from their wives and children, which, according to the

Church of Rome, are harlots and spurious. The laity, possessed of lands that formerly belonged to the Roman Catholic clergy, must resign their estates, and perhaps be made accountable for the profits received.

What can be more moving, than to reflect upon the barbarous cruelties of Papists beyond all example ; and these not accidental, or the sudden effects of passion or provocation, but the settled result of their religion and their consciences.

Above 100,000 men, women and children were murdered in the massacre of Ireland. How hot and terrible were the late persecutions of the Protestants in France and Savoy ! How frequent were the massacres of Protestants through the whole kingdom of France, when they were under the protection of the then laws of that country ! How barbarous, in a particular manner, was the massacre of Paris, at the marriage of the King of Navarre, the French King's grandfather, a Protestant, with the sister of Charles the Ninth, where the famous Admiral of France, the great Coligny, the glorious asserter of the Protestant interest, was inhumanly murdered, and the body of that hero dragged naked about the streets, and this by the direction of the King himself, who had but just before most treacherously given him, from his own mouth, assurance of his protection ! Ten thousand Protestants, without distinction of quality, age, or sex, were put to the

sword at the same time ; the King of Navarre himself narrowly escaped this disaster, his mother the Queen of Navarre having not long before been poisoned by the same faction.

These are some instances of what must ever be expected. No obligations on our side, no humanity or natural probity on theirs, are of any weight ; their very religion forces them, upon pain of damnation, to forget and cancel the former, and to extinguish all remains of the latter. Good God ! To what are they reserved, who have nothing to expect but what such a religion can afford them ? It cannot therefore be too often repeated. We should consider, over and over again, that should the chain of the Protestant succession be once broke in upon, though the Pretender should be laid aside, the next of the blood royal is the Duchess of Savoy ; after her, her two sons ; after them, the present Dauphin of France ; the next in succession to him, the Queen of Spain, and her heirs ; in default of them, the Duke of Orleans, and his heirs, and most of the other Princes of the blood of France, all Papists, who may be enabled to demand preference to the House of Hanover ; so that, besides the probability of this kingdom being united to, and made a province of France, the train of Popish Princes is so great, that, if one should not complete the utter extirpation of our religion, laws, and liberties, the rest would certainly do it.

And here I cannot but add what is still of more importance, and ought to be the most prevalent of all arguments, that should there be the least hopes given to a Popish successor, the life of her Majesty will certainly be in most imminent danger ; for there will never be wanting bloody zealots of that persuasion that will think it meritorious to take away her Majesty's life to hasten the accession of such a successor to her throne.

The only preservation against these terrors are the laws before-mentioned relating to the settlement of the Imperial Crown of Great Britain Thanks be to Heaven for that settlement. The Princess Sophia, and the heirs of her body, being Protestants, are the successors to her present Majesty, upon her demise without issue. The way is plain before our eyes, guarded on the right hand and on the left by all the sanctions of God and man, and by all the ties of law and conscience. Let those who act under the present settlement, and yet pretend to dispute for an absolute hereditary right, quiet themselves with the arguments they have borrowed from Popery, and teach their own consciences the art of dispensing with the most solemn oath to this Establishment, whilst they think themselves bound only till opportunity shall serve to introduce another. God be thanked! neither we, nor our cause, stand in need of such detestable prevarication. Our cause is our happiness. Our oaths are



our judgment and inclination. Honour and affection call us, without the solemnity of an oath, to defend such an Establishment; but with it we have every motive that can influence the mind of man. The terrors of God, added to the demands of our country, oblige and constrain us to let our hearts and our hands follow our wishes and our consciences; and, out of regard to our Queen, our religion, our country, our liberty, and our property, to maintain and assert the Protestant succession in the illustrious House of Hanover: it is no time to talk with hints and innuendoes, but openly and honestly to profess our sentiments, before our enemies have completed and put their designs in execution against us. As divided a people as we are, those who are for the House of Hanover are infinitely superior, in number, wealth, courage, and all arts, military and civil, to those that are in the contrary interest; besides which, we have the laws—I say the laws—on our side. And those who by their practices, whatever their professions are, have discovered themselves enemies to the constitution and friends to the Pretender, cannot make a step farther without being guilty of treason, without standing in broad daylight confessed criminals against their injured Queen and country.

When the people were in a ferment, when faction ran high, with irresistible prepossessions against everything in its former channel, sanguine men

might conceive hopes of leading them their own way. But the building erected upon that quicksand, the favour of the multitude, will sink, and be swallowed up by that treacherous ground on which the foundation was laid.

It is easy to project the subversion of a people when men see them unaccountably turned for their own destruction ; but not so easy to effect that ruin when they are come to themselves, and are sensibly and reasonably affected with thoughts for their preservation. We cannot help it, if so many thousands of our brave brethren, who laid down their lives against the power of France, have died in vain ; but we may value our own lives dearly, like honest men. Whatever may befall the glory and wealth of Great Britain, let us struggle to the last drop of our blood for its religion and liberty. The banners under which we are to enter this conflict, whenever we are called to it, are the laws mentioned in this discourse ; when we do not keep them in sight, we have no colours to fly to, no discipline to preserve us, but are devoted, and have given ourselves up to, slaughter and confusion.

While we act manfully under them, we have reason to expect the blessing and assistance of Heaven on its own cause, which it has so manifestly acknowledged to be such, by our many wonderful deliverances, when all human assistances and

ordinary means of succour seemed irrevocably removed. We have no pretensions to the Divine favour, but from our firm adherence to that settlement, which He has, by so many wonders and blessings, after such great difficulties and misfortunes, bestowed upon us, and which we have in his sight, and with the invocation of his sacred Name, after preparing ourselves at his altar, so frequently and solemnly sworn to defend. This plain, unperplexed, unalterable rule for our conduct is visibly the work of his hand to a favoured people. Her Majesty's Parliamentary title, and the Succession in the illustrious House of Hanover, is the Ark of God to Great Britain, and, like that of old, carries death to the profane hand that shall dare to touch it.



# HISTORIC DOUBTS

RELATIVE TO

# NAPOLEON BUONAPARTE.

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“Is not the same reason available in theology and in politics? . . .  
Will you follow truth but to a certain point?”

*Vindication of Natural Society, by a late noble writer.*



# HISTORIC DOUBTS RELATIVE TO NAPOLEON BUONAPARTE.

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LONG as the public attention has been occupied by the extraordinary personage from whose ambition we are supposed to have so narrowly escaped, the subject seems to have lost scarcely anything of its interest. We are still occupied in recounting the exploits, discussing the character, inquiring into the present situation, and even conjecturing as to the future prospects of Napoleon Buonaparte.

Nor is this at all to be wondered at, if we consider the very extraordinary nature of those exploits and of that character, their greatness and extensive importance, as well as the unexampled strangeness of the events, and also that strong additional stimulant, the mysterious uncertainty that hangs over the character of the man. If it be doubtful whether any history (exclusive of such as is avowedly fabulous) ever attributed to its hero such a series of wonderful achievements compressed into so small a space of

time, it is certain that to no one were ever assigned so many dissimilar characters. It is true indeed that party prejudices have drawn a favourable and an unfavourable portrait of almost every eminent man; but, amidst all the diversities of colouring, something of the same general outline is always distinguishable, and even the virtues in the one description bear some resemblance to the vices of another; rashness, for instance, will be called courage, or courage rashness; heroic firmness and obstinate pride will correspond in the two opposite descriptions, and in some leading features both will agree. Neither the friends nor the enemies of Philip of Macedon or of Julius Cæsar ever questioned their *courage* or their *military skill*. With Buonaparte, however, it has been otherwise. This obscure Corsican adventurer—a man, according to some, of extraordinary talents and courage; according to others, of very moderate abilities and a rank coward—advanced rapidly in the French army, obtained a high command, gained a series of important victories, and, elated by success, embarked in an expedition against Egypt, which was planned and conducted, according to some, with the most consummate skill, according to others, with the utmost wildness and folly. He was unsuccessful, however; and, leaving the Army of Egypt in a very distressed situation, he returned to France, and found the nation, or at least the army, so favourably disposed



towards him, that he was enabled, with the utmost ease, to overthrow the existing Government, and obtain for himself the supreme power ; at first under the modest appellation of Consul, but afterwards with the more sounding title of Emperor. While in possession of this power, he overthrew the most powerful coalitions of the other European States against him, and, though driven from the sea by the British fleets, overran nearly the whole Continent, triumphant. Finishing a war, not unfrequently, in a single campaign, he entered the capitals of most of the hostile potentates, deposed and created kings at his pleasure, and appeared the virtual sovereign of the chief part of the Continent, from the frontiers of Spain to those of Russia. Even those countries we find him invading with prodigious armies, defeating their forces, penetrating to their capitals, and threatening their total subjugation ; but at Moscow his progress is stopped : a winter of unusual severity, co-operating with the efforts of the Russians, totally destroys his enormous host ; and the German sovereigns throw off the yoke, and combine to oppose him. He raises another vast army, which is also ruined at Leipsic ; and again another, with which, like a second Antæus, he for some time maintains himself in France, but is finally defeated, deposed, and banished to the island of Elba, of which the sovereignty is conferred on him. Thence he returns, in about nine months, at the head of six

hundred men, to attempt the deposition of King Louis, who had been peaceably recalled. The French nation declare in his favour, and he is reinstated without a struggle. He raises another great army to oppose the Allied Powers, which is totally defeated at Waterloo ; he is a second time deposed, surrenders to the British, and is placed in confinement at the island of St. Helena. Such is the outline of the eventful history presented to us ; in the detail of which, however, there is almost every conceivable variety of statement, while the motives and conduct of the chief actor are involved in still greater doubt, and the subject of still more eager controversy.

In the midst of these controversies, the preliminary question, concerning the *existence* of this extraordinary personage, seems never to have occurred to any one as a matter of doubt ; and to show even the smallest hesitation in admitting it would probably be regarded as an excess of scepticism, on the ground that this point has always been taken for granted by the disputants on all sides, being indeed implied by the very nature of their disputes. But is it in fact found that *undisputed* points are always such as have been the most carefully examined as to the evidence on which they rest ? that facts or principles which are taken for granted without controversy, as the common basis of opposite opinions, are always themselves established on sufficient grounds ? On the contrary, is not any such funda-

mental point, from the very circumstance of its being taken for granted at once, and the attention drawn off to some other question, likely to be admitted on insufficient evidence, and the flaws in that evidence overlooked? Experience will teach us that such instances often occur: witness the well-known anecdote of the Royal Society, to whom King Charles II. proposed as a question, whence it is that a vessel of water receives no addition of weight from a live fish being put into it, though it does if the fish be dead. Various solutions of great ingenuity were proposed, discussed, objected to, and defended; nor was it till they had been long bewildered in the inquiry that it occurred to them to *try the experiment*; by which they at once ascertained, that the phenomenon which they were striving to account for—which was the acknowledged basis and substratum, as it were, of their debates—had no existence but in the invention of the witty monarch.

Another instance of the same kind is so very remarkable that I cannot forbear mentioning it. It was objected to the system of Copernicus when first brought forward, that if the earth turned on its axis, as he represented, a stone dropped from the summit of a tower would not fall at the foot of it, but at a great distance to the west; *in the same manner as a stone dropped from the masthead of a ship in full sail, does not fall at the foot of the mast,*

*but towards the stern.* To this it was answered that a stone being a *part* of the earth, obeys the same laws, and moves with it, whereas it is no part of the ship, of which consequently its motion is independent. This solution was admitted by some, but opposed by others, and the controversy went on with spirit; nor was it till one hundred years after the death of Copernicus that, the experiment being tried, it was ascertained that the stone thus dropped from the head of the mast, *does* fall at the foot of it! \*

Let it be observed that I am not now impugning any one particular point, but merely showing generally that what is *unquestioned* is not necessarily unquestionable; since men will often, at the very moment when they are accurately sifting the evidence of some disputed point, admit hastily, and on the most insufficient grounds, what they have been accustomed to see taken for granted.

The celebrated Hume† has pointed out also the readiness with which men believe, on very slight evidence, any story that pleases their imagination

\* Οὕτως ἀταλαίπωρος τοῖς πολλοῖς ἡ ζήτησις τῆς ἀληθείας, καὶ ἐπὶ τὰ ἔτοιμα μᾶλλον τρέπονται.—Thucyd. B. i. c. 20.

† "With what greediness are the miraculous accounts of travellers received, their descriptions of sea and land monsters, their relations of wonderful adventures, strange men, and uncouth manners."—Hume's "Essay on Miracles," p. 179, 12mo; p. 185, 8vo, 1767; p. 117, 8vo, 1817.

N.B. In order to give every possible facility of reference, three editions of Hume's Essays have been generally employed: a 12mo, London, 1756, and two 8vo editions.

by its admirable and marvellous character. Such hasty credulity however, as he well remarks, is utterly unworthy of a philosophical mind, which should rather suspend its judgment the more in proportion to the strangeness of the account, and yield to none but the most decisive and unimpeachable proofs.

Let it then be allowed us, as is surely reasonable, just to inquire, with respect to the extraordinary story I have been speaking of, on what evidence we believe it. We shall be told that it is *notorious*—*i.e.*, in plain English, it is *very much talked about*; but as the generality of those who talk about Buonaparte do not even pretend to speak from *their own authority*, but merely to repeat what they have casually heard, we cannot reckon them as in any degree witnesses, but must allow ninety-nine hundredths of what we are told to be mere hearsay, which would not be at all the more worthy of credit even if it were repeated by ten times as many more. As for those who profess to have *personally known* Napoleon Buonaparte, and to have *themselves witnessed* his transactions, I write not for them: *if any such there be*, who are inwardly conscious of the truth of all they relate, I have nothing to say to them, but to beg that they will be tolerant and charitable towards their neighbours who had not the same means of ascertaining the truth, and who may well be excused for remaining doubtful about such

extraordinary events, till most unanswerable proofs shall be adduced.

Let us, however, endeavour to trace up some of this hearsay evidence as far towards its source as we are able. Most persons would refer to the *newspapers* as the authority from which their knowledge on the subject was derived ; so that, generally speaking, we may say, it is on the testimony of the newspapers that men believe in the existence and exploits of Napoleon Buonaparte.

It is rather a remarkable circumstance, that it is common to hear Englishmen speak of the impudent fabrications of foreign newspapers, and express wonder that any one can be found to credit them, while they conceive that in this favoured land the liberty of the press is a sufficient security for veracity. It is true they often speak contemptuously of such "newspaper stories" as last but a short time ; indeed, they continually see them contradicted within a day or two in the same paper, or their falsity detected by some journal of an opposite party ; but still, whatever is *long adhered to* and often *repeated*, especially if it also appear in *several different* papers (and this, though they notoriously copy from one another), is almost sure to be generally believed. Whence this high respect which is practically paid to newspaper authority ? Do men think that, because a witness has been perpetually detected in falsehood, he may therefore be the more safely

believed whenever he is *not* detected? Or does adherence to a story, and frequent repetition of it, render it the more credible? On the contrary, is it not a common remark in other cases, that a liar will generally stand to and reiterate what he has once said, merely because he *has* said it?

Let us, if possible, divest ourselves of this superstitious veneration for everything that appears "in print," and examine a little more systematically the evidence which is adduced.

I suppose it will not be denied that the three following are among the most important points to be ascertained, in deciding on the credibility of witnesses: first, whether they have the means of gaining correct information; secondly, whether they have any interest in concealing truth, or propagating falsehood; and, thirdly, whether they agree in their testimony. Let us examine the present witnesses upon all these points.

First, what means have the editors of newspapers for gaining correct information? We know not, except from their own statements. Besides what is copied from other journals, foreign or British (which is usually more than three-fourths of the news published),\* they profess to refer to the authority of

\* "Suppose a fact to be transmitted through twenty persons, the first communicating it to the second, the second to the third, &c., and let the probability of each testimony be expressed by nine-tenths (that is, suppose that of ten reports made by each witness nine only are true); then, at every time the story passes from one witness to another, the

certain private correspondents abroad. *Who* these correspondents are, what means *they* have of obtaining information, or whether they exist at all, we have no way of ascertaining. We find ourselves in the condition of the Hindoos, who are told by their priests that the earth stands on an elephant, and the elephant on a tortoise, but are left to find out for themselves what the tortoise stands on, or whether it stands on anything at all.

So much for our clear knowledge of the means of *information* possessed by these witnesses; next for the grounds on which we are to calculate on their *veracity*.

Have they not a manifest interest in circulating the wonderful accounts of Napoleon Buonaparte and his achievements, whether true or false? Few would read newspapers if they did not sometimes find wonderful or important news in them; and we may safely say that no subject was ever found so inexhaustibly interesting as the present.

evidence is reduced to nine-tenths of what it was before. Thus, after it has passed through the whole twenty, the evidence will be found to be less than one-eighth."—La Place, "Essay Philosophique sur les Probabilités."

That is, the chances for the fact thus attested being true will be, according to this distinguished calculator, less than one in eight: very few of the common newspaper stories, however, relating to foreign countries, could be traced, if the matter were carefully investigated, up to an actual eye-witness, even through twenty intermediate witnesses; and many of the steps of our ladder would, I fear, prove but rotten. Few of the reporters would deserve to have *one in ten* fixed as the proportion of their false accounts.



It may be urged, however, that there are several adverse political parties of which the various public prints are respectively the organs, and who would not fail to expose each other's fabrications.\* Doubtless they would, if they could do so without at the same time exposing *their own*; but identity of interests may induce a community of operations up to a certain point; and, let it be observed, that the object of contention between these rival parties is *who* shall have the administration of public affairs, the control of public expenditure, and the disposal of places; the question, I say, is, not whether the people shall be governed or not, but *by which party* they shall be governed—not whether the taxes shall be paid or not, but *who* shall *receive* them. Now it must be admitted that Buonaparte is a political bugbear most convenient to any administration. “If you do not adopt our measures and reject those of our opponents, Buonaparte will be sure to prevail over you; if you do not submit to the Government, at least under *our* administration, this formidable enemy will take advantage of your insubordination to conquer and enslave you; pay

\* “I need not mention the difficulty of detecting a falsehood in any private or even public history, at the time and place where it is said to happen; much more where the scene is removed to ever so small a distance. . . . But the matter never comes to any issue, if trusted to the common method of altercation and debate and flying rumours.”—Hume's “Essay on Miracles,” p. 195, 12mo; pp. 200, 201, 8vo, 1767; p. 127, 8vo, 1817.

your taxes cheerfully, or the tremendous Buonaparte will take all from you." Buonaparte, in short, was the burden of every song; his redoubted name was the charm which always succeeded in unloosing the purse-strings of the nation. And let us not be too sure, safe as we now think ourselves, that some occasion may not occur for again producing on the stage so useful a personage: it is not merely to naughty children in the nursery that the threat of being "given to Buonaparte" has proved effectual. It is surely probable therefore, that, with an object substantially the same, all parties may have availed themselves of one common instrument. It is not necessary to suppose that for this purpose they secretly entered into a formal agreement—though, by the way, there are reports afloat that the editors of the *Courier* and *Morning Chronicle* hold amicable consultations as to the conduct of their public warfare. I will not take upon me to say that this is incredible; but at any rate it is not necessary for the establishment of the probability I contend for. Neither again would I imply that *all* newspaper editors are utterers of forged stories, "knowing them to be forged;" most likely the great majority of them publish what they find in other papers with the same simplicity that their readers peruse it, and therefore, it must be observed, are not at all more proper than their readers to be cited as authorities.

Still it will be said, that unless we suppose a regularly preconcerted plan, we must at least expect to find great discrepancies in the accounts published ; though they might adopt the general outline of facts one from another, they would have to fill up the detail for themselves, and in this, therefore, we should meet with infinite and irreconcilable variety.

Now this is precisely the point I am tending to, for the fact exactly accords with the above supposition, the discordance and mutual contradictions of these witnesses being such as would alone throw a considerable shade of doubt over their testimony. It is not in minute circumstances alone that the discrepancy appears, such as might be expected to appear in a narrative substantially true, but in very great and leading transactions, and such as are very intimately connected with the supposed hero. For instance, it is by no means agreed whether Buonaparte led in person the celebrated charge over the bridge of Lodi (for *celebrated* it certainly is, as well as the siege of Troy, whether either event ever really took place or no), or was safe in the rear, while Augereau performed the exploit: the same doubt hangs over the charge of the French cavalry at Waterloo. It is no less uncertain whether or no this strange personage poisoned in Egypt a hospitalful of his own soldiers, and butchered in cold blood a garrison that had surrendered. But,

not to multiply instances, the battle of Borodino, which is represented as one of the greatest ever fought, is unequivocally claimed as a victory by both parties; nor is the question decided at this day. We have official accounts on both sides, circumstantially detailed, in the names of supposed respectable persons professing to have been present on the spot, yet totally irreconcilable. *Both* these accounts *may* be false; but since *one* of them *must* be false, that one (it is no matter which we suppose) proves incontrovertibly this important maxim: that *it is possible for a narrative—however circumstantial—however steadily maintained—however public and however important the events it relates—however grave the authority on which it is published—to be nevertheless an entire fabrication!*

Many of the events which have been recorded were probably believed much the more readily and firmly, from the apparent caution and hesitation with which they were at first published—the vehement contradiction in our papers of many pretended French accounts, and the abuse lavished upon them for falsehood, exaggeration, and gasconade. But is it not possible—is it not indeed perfectly natural—that the publishers of known falsehood should assume this cautious demeanour, and this abhorrence of exaggeration, in order the more easily to gain credit? Is it not also very possible, that those who actually believed what they published

may have suspected mere *exaggeration* in stories which were entire *fictions*? Many men have that sort of simplicity, that they think themselves quite secure against being deceived, provided they believe only *part* of the story they hear, when perhaps the whole is equally false. So that perhaps these simple-hearted editors, who were so vehement against lying bulletins and so wary in announcing their great news, were in the condition of a clown who thinks he has bought a great bargain of a Jew, because he has beat down the price, perhaps from a guinea to a crown, for some article that is not really worth a groat.

With respect to the character of Buonaparte, the dissonance is, if possible, still greater. According to some, he was a wise, humane, magnanimous hero—others paint him as a monster of cruelty, meanness, and perfidy; some, even of those who are the most inveterate against him, speak very highly of his political and military ability—others place him on the very verge of insanity. But, allowing that all this may be the colouring of party prejudice (which surely is allowing a great deal), there is one point to which such a solution will hardly apply. If there be anything that can be clearly ascertained in history, one would think it must be the *personal courage* of a *military man*; yet here we are as much at a loss as ever: at the very same times, and on the same occasions, he is described by different writers

as a man of undaunted intrepidity, and as an absolute poltroon.

What, then, are we to believe? If we are disposed to credit all that is told us, we must believe in the existence not only of one, but of two or three Buonapartes; if we admit nothing but what is well authenticated, we shall be compelled to doubt of the existence of any.\*

It appears, then, that those on whose testimony the existence and actions of Buonaparte are generally believed, fail in all the most essential points on which the credibility of witnesses depends: first, we have no assurance that they have access to correct information; secondly, they have an apparent interest in propagating falsehood; and, thirdly, they palpably contradict each other in the most important points.

Another circumstance which throws additional suspicion on these tales is that the Whig party, as they are called—the warm advocates for liberty, and opposers of the encroachments of monarchical power—have for some time past strenuously espoused the cause and vindicated the character of Buonaparte, who is represented by all as having been, if not a tyrant, at least an absolute despot. One of the most

\* "We entertain a suspicion concerning any matter of fact when the witnesses *contradict* each other, when they are of a *suspicious* character, when they have an *interest* in what they affirm."—Hume's "Essay on Miracles," p. 172, 12mo; p. 176, 8vo, 1767; p. 113, 8vo, 1817.

forward in this cause is a gentleman who once stood foremost in holding up this very man to public execration—who first published, and long maintained against popular incredulity, the accounts of his atrocities in Egypt. Now that such a course should be adopted, for party purposes, by those who are aware that the whole story is a fiction, and the hero of it imaginary, seems not very incredible; but if they believed in the real existence of this despot, I cannot conceive how they could so forsake their principles as to advocate his cause and eulogise his character.

After all, it may be expected that many who perceive the force of these objections, will yet be loth to think it possible that they and the public at large can have been so long and so greatly imposed upon; and thus it is that the magnitude and boldness of a fraud become its best support: the millions who for so many ages have believed in Mahomet or Brahma, lean, as it were, on each other for support, and not having vigour of mind enough boldly to throw off vulgar prejudices and dare be wiser than the multitude, persuade themselves that what so many have acknowledged must be true. But I call on those who boast their philosophical freedom of thought, and would fain tread in the steps of Hume and other inquirers of the like exalted and speculative genius, to follow up fairly and fully their own principles, and, throwing off the shackles of authority, to examine

carefully the evidence of whatever is proposed to them, before they admit its truth. That even in this enlightened age, as it is called, a whole nation may be egregiously imposed upon, even in matters which intimately concern them, may be proved (if it has not been already proved) by the following instance. It was stated in the newspapers, that a month after the battle of Trafalgar an English officer, who had been a prisoner of war, and was exchanged, returned to this country from France, and, beginning to condole with his countrymen on the terrible *defeat* they had sustained, was infinitely astonished to learn that the battle of Trafalgar was a splendid victory : he had been assured, he said, that in that battle the English had been totally defeated, and the French were fully and universally persuaded that such was the fact. Now, if this report of the belief of the French nation was *not* true, the British public were completely imposed upon ; if it *were* true, then both nations were at the same time rejoicing in the event of the same battle as a signal victory to themselves, and consequently one or other at least of these nations must have been the dupes of their Government ; for, if the battle was never fought at all, or was not decisive on either side, in that case *both* parties were deceived. This instance, I conceive, is absolutely demonstrative of the point in question.

“ But what shall we say to the testimony of those



many respectable persons who went to Plymouth on purpose, and saw Buonaparte with their own eyes? Must they not trust their senses?" I would not disparage either the eyesight or the veracity of these gentlemen. I am ready to allow that they went to Plymouth for the purpose of seeing Buonaparte—nay, more, that they actually rowed out into the harbour in a boat, and came alongside of a man-of-war, on whose deck they saw a man in a cocked hat, who, *they were told*, was Buonaparte. This is the utmost point to which their testimony goes. How they ascertained that this man in the cocked hat had gone through all the marvellous and romantic adventures with which we have so long been amused, we are not told: did they perceive in his physiognomy his true name and authentic history? Truly this evidence is such as country people give one for a story of apparitions; if you discover any signs of incredulity, they triumphantly show the very house which the ghost haunted, the identical dark corner where it used to vanish, and perhaps even the tombstone of the person whose death it foretold. Jack Cade's nobility was supported by the same irresistible kind of evidence. Having asserted that the eldest son of Edmund Mortimer, Earl of March, was stolen by a beggar-woman, "became a bricklayer when he came to age," and was the father of the supposed Jack Cade, one of his companions confirms the story, by saying, "Sir, he made a

chimney in my father's house, and the bricks are alive at this day to testify it ; therefore, deny it not."

Much of the same kind is the testimony of our brave countrymen, who are ready to produce the scars they received in fighting against this terrible Buonaparte. That they fought and were wounded, they may safely testify ; and probably they no less firmly *believe* what they were *told* respecting the cause in which they fought ; it would have been a high breach of discipline to doubt it, and they, I conceive, are men better skilled in handling a musket than in sifting evidence and detecting imposture ; but I defy any one of them to come forward and declare, *on his own knowledge*, what was the cause in which he fought, under whose commands the opposed generals acted, and whether the person who issued those commands did really perform the mighty achievements we are told of.

Let those, then, who pretend to philosophical freedom of inquiry—who scorn to rest their opinions on popular belief, and to shelter themselves under the example of the unthinking multitude, consider carefully, each one for himself, what is the evidence proposed to himself in particular, for the existence of such a person as Napoleon Buonaparte—(I do not mean whether there ever was a person bearing that *name*, for that is a question of no consequence, but whether any such person ever performed all the

wonderful things attributed to him). Let him then weigh well the objections to that evidence (of which I have given but a hasty and imperfect sketch), and if he then finds it amount to anything *more* than a probability, I have only to congratulate him on his easy faith.

But the samè testimony which would have great weight in establishing a thing intrinsically probable will lose part of this weight in proportion as the matter attested is improbable ; and, if adduced in support of anything that is at variance with uniform experience,\* will be rejected at once by all sound reasoners. Let us then consider what sort of a story it is that is proposed to our acceptance. How grossly contradictory are the reports of the different authorities, I have already remarked ; but consider, by itself, the story told by any one of them ; it carries an air of fiction and romance on the very face of it : all the events are great, and splendid, and marvelloust—great armies, great victories, great

\* "That testimony itself derives all its force from experience seems very certain. . . . The first author we believe, who stated fairly the connection between the evidence of testimony and the evidence of experience, was Hume, in his 'Essay on Miracles,' a work . . . abounding in maxims of great use in the conduct of life."—*Edinburgh Review*, Sept. 1814, p. 328.

† "Suppose, for instance, that the fact which the testimony endeavours to establish partakes of the extraordinary and the marvellous ; in that case the evidence resulting from the testimony receives a diminution, greater or less, in proportion as the fact is more or less unusual."—Hume's "Essay on Miracles," p. 173, 12mo ; p. 176, 8vo, 1767 ; p. 113, 8vo, 1817.

frosts, great reverses, "hairbreadth 'scapes," empires subverted in a few days—everything happening in defiance of political calculations, and in opposition to the *experience* of past times ; everything upon that grand scale so common in epic poetry, so rare in real life, and thus calculated to strike the imagination of the vulgar, and to remind the sober-thinking few of the "Arabian Nights." Every event, too, has that *roundness* and completeness which is so characteristic of fiction ; nothing is done by halves ; we have *complete* victories—*total* overthrows—*entire* subversion of empires—*perfect* re-establishments of them—crowded upon us in rapid succession. To enumerate the improbabilities of each of the several parts of this history would fill volumes ; but they are so fresh in every one's memory, that there is no need of such a detail. Let any judicious man, not ignorant of history and of human nature, revolve them in his mind, and consider how far they are conformable to experience,\* our best and only sure guide. In vain will he seek in history for something similar to this wonderful Buonaparte : "nought but himself can be his parallel."

Will the conquests of Alexander be compared with his? *They* were effected over a rabble of

\* "The ultimate standard by which we determine all disputes that may arise is always derived from experience and observation."—Hume's "Essay on Miracles," p. 172, 12mo ; p. 175, 8vo, 1767 ; p. 112, 8vo, 1817.

effeminate undisciplined barbarians, else his progress would hardly have been so rapid: witness his father Philip, who was much longer occupied in subduing the comparatively insignificant territory of the warlike and civilized Greeks, notwithstanding their being divided into numerous petty States, whose mutual jealousy enabled him to contend with them separately. But the Greeks had never made such progress in arts and arms as the great and powerful States of Europe which Buonaparte is represented as so speedily overpowering. His empire has been compared to the Roman. Mark the contrast: he gains in a few years that dominion, or at least control, over Germany, wealthy, civilized, and powerful, which the Romans in the plenitude of their power could not obtain, during a struggle of as many centuries, against the ignorant half-savages who then possessed it!

Another peculiar circumstance in the history of this extraordinary personage is that, when it is found convenient to represent him as defeated, though he is by no means defeated by halves, but involved in much more sudden and total ruin than the personages of real history usually meet with; yet, if it is thought fit he should be restored, it is done as quickly and completely as if Merlin's rod had been employed. He enters Russia with a prodigious army, which is totally ruined by an unprecedented hard winter—everything relating to

this man is *prodigious* and *unprecedented*; yet in a few months we find him entrusted with another great army in Germany, which is also totally ruined at Leipsic, making, inclusive of the Egyptian, the third great army thus totally lost: yet the French are so good-natured as to furnish him with another, sufficient to make a formidable stand in France. He is, however, *conquered, and presented with the sovereignty of Elba*. Surely, by-the-by, some more *probable* way might have been found of disposing of him, till again wanted, than to place him thus on the very verge of his ancient dominions. Thence he returns to France, where he is received with open arms, and enabled to lose a fourth great army at Waterloo. Yet so eager were these people to be a fifth time led to destruction, that it was found necessary to confine *him* in an island some thousand miles off, and to quarter foreign troops upon *them*, lest they should make an insurrection in his favour!\* Does any one believe all this, and yet refuse to believe a miracle? Or rather, what is this but a miracle? Is it not a violation of the laws of nature? For surely there are moral laws of nature as well as physical, which, though more liable to exceptions in this or that particular case, are no less

\* Ἡ θαύματα πολλά.

Καὶ πού τι καὶ βροτῶν φρένας

ἽΠΕΓ ΤΟΝ ΔΗΛΘΗ ΛΟΓΟΝ

Δεδαϊδαλμένοι ψεύδεσι ποικίλοις

Ἐξαπατῶντι μῦθοι.—Pind. "Olymp." I.

*true as general rules* than the laws of matter, and therefore cannot be violated and contradicted *beyond a certain point*, without a miracle.\* Nay, there is

\* This doctrine, though hardly needing confirmation from authority, is supported by that of Hume : his Eighth Essay is throughout an argument for the doctrine of philosophical "necessity," drawn entirely from the general uniformity observable in the course of nature with respect to the principles of *human conduct*, as well as those of the material universe ; from which uniformity, he observes, it is that we are enabled, *in both cases*, to form our judgments by means of *Experience*. "And if," says he, "we would explode any forgery in history, we cannot make use of a more convincing argument, than to prove that the actions ascribed to any person are directly contrary to the course of nature. . . . The veracity of Quintus Curtius is as suspicious when he describes the supernatural courage of Alexander, by which he was hurried on singly to attack multitudes, as when he describes his supernatural force and activity, by which he was able to resist them. So readily and universally do we acknowledge a *uniformity in human motives and actions as well as in the operations of body*."—Eighth Essay, p. 131, 12mo ; p. 85, 8vo, 1817.

Accordingly, in the Tenth Essay, his use of the term "miracle," after having called it "a transgression of a law of nature," plainly shows that he meant to include *human nature*. "No testimony," says he, "is sufficient to establish a miracle, unless the testimony be of such a nature that its falsehood would be more miraculous than the fact which it endeavours to establish." The term "prodigy" also (which he all along employs as synonymous with "miracle") is applied to testimony, in the same manner, immediately after : "In the foregoing reasoning we have supposed . . . that the falsehood of that testimony would be a kind of prodigy." Now had he meant to confine the meaning of "miracle" and "prodigy" to a violation of the laws of *matter*, the epithet "*miraculous*," applied, even thus hypothetically, to *false testimony*, would be as unmeaning as the epithets "green," or "square ;" the only possible sense in which we can apply to it, even in imagination, the term "*miraculous*," is that of "highly improbable,"—"contrary to those laws of nature which respect human conduct : " and in this sense accordingly he uses the word in the very next sentence : "When any one tells me that he saw a dead man restored to life, I immediately

this additional circumstance which renders the contradiction of experience more glaring in this case than in that of the miraculous histories which ingenious sceptics have held up to contempt: all the advocates of miracles admit that they are rare exceptions to the general course of nature, but contend that they must needs be so, on account of the rarity of those extraordinary *occasions* which are the *reason* of their being performed: a miracle, they say, does not happen every day, because a revelation is not given every day. It would be foreign to the present purpose to seek for arguments against this answer: I leave it to those who are engaged in the controversy, to find a reply to it; but my present object is to point out that this solution does not at all apply in the present case. Where is the peculiarity of the *occasion*? What sufficient *reason* is there for a series of events occurring in the eighteenth and nineteenth centuries, which never took place before?

consider with myself whether it be more *probable* that this person should either deceive or be deceived, or that the fact which he relates should really have happened. I weigh the one *miracle* against the other."—Hume's "Essay on Miracles," pp. 176, 177, 12mo; p. 182, 8vo, 1767; p. 115, 8vo, 1817.

See also a passage above quoted from the same essay, where he speaks of "the *miraculous* accounts of travellers," evidently using the word in this sense. Perhaps it was superfluous to cite authority for applying the term "miracle" to whatever is highly "improbable;" but it is important to the students of Hume, to be fully aware that *he* uses those two expressions as synonymous; since otherwise they would mistake the meaning of that passage which he justly calls "a general maxim worthy of our attention."



Was Europe at that period peculiarly weak, and in a state of barbarism, that one man could achieve such conquests, and acquire such a vast empire? On the contrary, she was flourishing in the height of strength and civilization. Can the persevering attachment and blind devotedness of the French to this man be accounted for by his being the descendant of a long line of kings, whose race was hallowed by hereditary veneration? No; we are told he was a low-born usurper, and not even a Frenchman! Is it that he was a good and kind sovereign? He is represented not only as an imperious and merciless despot, but as most wantonly careless of the lives of his soldiers. Could the French army and people have failed to hear from the wretched survivors of his supposed Russian expedition, how they had left the corpses of above 100,000 of their comrades bleaching on the snow-drifts of that dismal country, whither his mad ambition had conducted them, and where his selfish cowardice had deserted them? Wherever we turn to seek for circumstances that may help to account for the events of this incredible story, we only meet with such as aggravate its improbability.\* Had it been told of some distant

\* "Events may be so extraordinary that they can hardly be established by testimony. We would not give credit to a man who would affirm that he saw an hundred dice thrown in the air, and that they all fell on the same faces."—*Edinburgh Review*, Sept. 1814, p. 327.

Let it be observed that the instance here given is *miraculous* in no other sense but that of being highly *improbable*.

country, at a remote period, we could not have told what peculiar circumstances there might have been to render probable what seems to us most strange ; and yet in *that* case every philosophical sceptic, every free-thinking speculator, would instantly have rejected such a history, as utterly unworthy of credit. What, for instance, would the great Hume, or any of the philosophers of his school have said, if they had found in the antique records of any nation such a passage as this: "There was a certain man of Corsica, whose name was Napoleon, and he was one of the chief captains of the host of the French ; and he gathered together an army, and went and fought against Egypt ; but when the King of Britain heard thereof, he sent ships of war and valiant men to fight against the French in Egypt. So they warred against them, and prevailed, and strengthened the hands of the rulers of the land against the French, and drove away Napoleon from before the city of Acre. Then Napoleon left the captains and the army that were in Egypt, and fled, and returned back to France. So the French people took Napoleon, and made him ruler over them, and he became exceeding great, insomuch that there was none like him of all that had ruled over France before."

What, I say, would Hume have thought of this, especially if he had been told that it was at this

day generally credited? Would he not have confessed that he had been mistaken in supposing there was a peculiarly blind credulity and prejudice in favour of everything that is accounted *sacred* ;\* for that, since even professed sceptics swallow implicitly such a story as this, it appears there must be a still blinder prejudice in favour of everything that is *not* accounted sacred?

Suppose again we found in this history such passages as the following: "And it came to pass after these things that Napoleon strengthened himself, and gathered together another host instead of that which he had lost, and went and warred against the Prussians, and the Russians, and the Austrians, and all the rulers of the north country, which were confederate against him. And the ruler of Sweden also, which was a Frenchman, warred against Napoleon. So they went forth, and fought against the French in the plain of Leipsic. And the French were discomfited before their enemies, and fled, and came to the rivers which are behind Leipsic, and essayed to pass over, that they might escape out of the hand of their enemies; but they could not, for Napoleon had broken down the

\* "If the spirit of religion join itself to the love of wonder, there is an end of common sense; and human testimony in these circumstances loses all pretensions to authority."—Hume's "Essay on Miracles," p. 179, 12mo; p. 185, 8vo, 1767; p. 117, 8vo, 1817.

bridges ; so the people of the north countries came upon them, and smote them with a very grievous slaughter." . . . .

" Then the ruler of Austria and all the rulers of the north countries sent messengers unto Napoleon to speak peaceably unto him, saying, Why should there be war between us any more ? Now Napoleon had put away his wife, and taken the daughter of the ruler of Austria to wife. So all the counsellors of Napoleon came and stood before him, and said, Behold now these kings are merciful kings ; do even as they say unto thee ; knowest thou not yet that France is destroyed ? But he spake roughly unto his counsellors, and drave them out from his presence, neither would he hearken unto their voice. And when all the kings saw that, they warred against France, and smote it with the edge of the sword, and came near to Paris, which is the royal city, to take it : so the men of Paris went out, and delivered up the city to them. Then those kings spake kindly unto the men of Paris, saying, Be of good cheer, there shall no harm happen unto you. Then were the men of Paris glad, and said, Napoleon is a tyrant ; he shall no more rule over us. Also all the princes, the judges, the counsellors, and the captains, whom Napoleon had raised up, even from the lowest of the people, sent unto Louis, the brother of King Louis whom they had slain, and made him king over France." . . . .

“ And when Napoleon saw that the kingdom was departed from him, he said unto the rulers which came against him, Let me, I pray you, give the kingdom unto my son ; but they would not hearken unto him. Then he spake yet again, saying, Let me, I pray you, go and live in the island of Elba, which is over against Italy, nigh unto the coast of France ; and ye shall give me an allowance for me and my household, and the land of Elba also for a possession. So they made him ruler of Elba.” . . . .

“ In those days the Pope returned unto his own land. Now the French, and divers other nations of Europe, are servants of the Pope, and hold him in reverence ; but he is an abomination unto the Britons, and to the Prussians, and to the Russians, and to the Swedes. Howbeit the French had taken away all his lands, and robbed him of all that he had, and carried him away captive into France. But when the Britons, and the Prussians, and the Russians, and the Swedes, and the rest of the nations that were confederate against France, came thither, they caused the French to set the Pope at liberty, and to restore all his goods that they had taken ; likewise, they gave him back all his possessions ; and he went home in peace, and ruled over his own city as in times past.” . . . .

“ And it came to pass when Napoleon had not yet been a full year in Elba, that he said unto his men of war which clave unto him, Go to, let us go

back to France, and fight against King Louis, and thrust him out from being king. So he departed, he and 600 men with him that drew the sword, and warred against King Louis. Then all the men of Belial gathered themselves together, and said, God save Napoleon. And when Louis saw that, he fled, and gat him into the land of Batavia ; and Napoleon ruled over France," &c. &c. &c.

Now if a freethinking philosopher—one of those who advocate the cause of unbiassed reason, and despised pretended revelations—were to meet with such a tissue of absurdities as this in an old Jewish record, would he not reject it at once as too palpable an imposture\* to deserve even any inquiry into its evidence? Is that credible then of the civilized Europeans now which could not, if reported of the semi-barbarous Jews 3000 years ago, be established by any testimony? Will it be answered that "there is nothing *supernatural* in all this?" Why is it, then, that you object to what is *supernatural*—that you reject every account of *miracles*—if not *because they are improbable*? Surely,

\* "I desire any one to lay his hand upon his heart, and after serious consideration declare whether he thinks that the falsehood of such a book, supported by such testimony, would be more extraordinary and miraculous than all the miracles it relates."—Hume's "Essay on Miracles," p. 200, 12mo ; p. 206, 8vo, 1767 ; p. 131, 8vo, 1817.

Let it be borne in mind that Hume (as I have above remarked) continually employs the terms "miracle" and "prodigy" to signify any thing that is highly *improbable* and *extraordinary*.

then, a story equally or still more improbable, is not to be implicitly received, merely on the ground that it is *not* miraculous: though in fact, as I have already (in note p. 275) shown from Hume's authority, it really *is* miraculous. The opposition to experience has been proved to be as complete in this case as in what are commonly called miracles; and the reasons assigned for that contrariety by the defenders of *them* cannot be pleaded in the present instance. If, then, philosophers, who reject every wonderful story that is maintained by priests, are yet found ready to believe *everything else*, however improbable, they will surely lay themselves open to the accusation brought against them of being unduly prejudiced against whatever relates to religion.

There is one more circumstance which I cannot forbear mentioning, because it so much adds to the air of fiction which pervades every part of this marvellous tale; and that is, the *nationality* of it.\*

Buonaparte prevailed over all the hostile States in turn, *except England*; in the zenith of his power his fleets were swept from the sea, *by England*; his troops always defeat an equal, and frequently even a superior, number of those of any other nation,

\* "The wise lend a very academic faith to every report which favours the passion of the reporter, whether it magnifies his *country*, his family, or himself."—Hume's "Essay on Miracles," p. 144, 12mo; p. 200, 8vo, 1767; p. 126, 8vo, 1817.

*except the English*, and with them it is just the reverse ; twice, and twice only, he is personally engaged against an *English commander*, and both times he is totally defeated, at Acre and at Waterloo ; and, to crown all, *England* finally crushes this tremendous power, which has so long kept the Continent in subjection or in alarm, and to the *English* he surrenders himself prisoner ! Thoroughly national to be sure ! It *may* be all very true ; but I would only ask, *if* a story *had* been fabricated for the express purpose of amusing the English nation, could it have been contrived more ingeniously ? It would do admirably for an epic poem ; and indeed bears a considerable resemblance to the Iliad and the Æneid, in which Achilles and the Greeks, Æneas and the Trojans (the ancestors of the Romans), are so studiously held up to admiration. Buonaparte's exploits seem magnified in order to enhance the glory of his conquerors, just as Hector is allowed to triumph during the absence of Achilles merely to give additional splendour to his overthrow by the arm of that invincible hero. Would not this circumstance alone render a history rather *suspicious* in the eyes of an acute critic, even if it were not filled with such gross improbabilities ; and induce him to suspend his judgment, till very satisfactory evidence (far stronger than can be found in this case) should be produced.

Is it then too much to demand of the wary



academic \* a suspension of judgment as to the "life and adventures of Napoleon Buonaparte?" I do not pretend to *decide* positively that there is not, nor ever was, any such person; but merely to propose it as a *doubtful* point, and one the more deserving of careful investigation from the very circumstance of its having hitherto been admitted without inquiry. Far less would I undertake to decide what is, or has been, the real state of affairs: he who points out the improbability of the current story is not bound to suggest an hypothesis of his own †—though it may safely be affirmed that it would be hard to invent any more improbable than the received one. One may surely be allowed to hesitate in admitting the stories which the ancient poets tell, of earthquakes and volcanic eruptions being caused by imprisoned giants, without being called upon satisfactorily to account for those phenomena.

Amidst the defect of valid evidence under which, as I have already shown, we labour in the present instance, it is hardly possible to offer more than here and there a probable conjecture; or to pronounce how much may be true, and how much

\* "Nothing can be more contrary than such a philosophy" (the academic or sceptical) "to the supine indolence of the mind, its rash arrogance, its lofty pretensions, and its superstitious credulity."—Fifth Essay, p. 68, 12mo; p. 41, 8vo, 1817.

† See Hume's "Essay on Miracles," pp. 189, 191, 195, 12mo; pp. 193, 197, 201, 202, 8vo, 1767; pp. 124, 125, 126, 8vo, 1817.

fictitious, in the accounts presented to us ; for it is to be observed that this case is much *more* open to sceptical doubts even than some miraculous histories, for some of them are of such a nature that you cannot consistently admit a part and reject the rest, but are bound, if you are satisfied as to the reality of any one miracle, to embrace the whole system, so that it is necessary for the sceptic to impeach the evidence of *all* of them, separately and collectively : whereas *here*, each single point requires to be *established* separately, since no one of them authenticates the rest. Supposing there be a State prisoner at St. Helena (which, by the way, it is acknowledged many of the French disbelieve), how do we know who he is, or why he is confined there ? There have been State prisoners before now, who were never guilty of subjugating half Europe, and whose offences have been very imperfectly ascertained. Admitting that there have been bloody wars going on for several years past, which is highly probable, it does not follow that the events of those wars were such as we have been told—that Buonaparte was the author and conductor of them, or that such a person ever existed. What disturbances may have taken place in the government of the French people, we, and even nineteen-twentieths of *them*, have no means of learning but from imperfect hearsay evidence ; but that there have been numerous bloody wars with France under the dominion of the *Bourbons* we are

well assured: and we are now told that France is governed by a Bourbon king of the name of Louis, who professes to be in the twenty-third year of his reign. Let every one conjecture for himself. I am far from pretending to decide who may have been the governor or governors of the French nation, and the leaders of their armies, for several years past. Certain it is, that when men are indulging their inclination for the marvellous, they always show a strong propensity to accumulate upon one individual (real or imaginary) the exploits of many, besides multiplying and exaggerating these exploits a thousandfold. Thus, the expounders of the ancient mythology tell us there were several persons of the name of Hercules (either originally bearing that appellation, or having it applied to them as an honour), whose collective feats, after being dressed up in a sufficiently marvellous garb, were attributed to a single hero. Is it not just possible, that during the rage for words of Greek derivation, the title of "Napoleon" (*Ναπολεων*), which signifies "Lion of the Forest," may have been conferred by the popular voice on more than one favourite general, distinguished for irresistible valour? Is it not also possible that "Buona parte" may have been originally a sort of cant term applied to the "good (*i.e.*, the bravest or most patriotic) part" of the French army collectively, and have been afterwards mistaken for the proper name of an individual? I

do not profess to support this conjecture ; but it is certain that such mistakes may and do occur. Some critics have supposed that the Athenians imagined Anastasis ("Resurrection") to be a new goddess, in whose cause Paul was preaching. Would it have been thought anything incredible if we had been told that the ancient Persians, who had no idea of any but a monarchical government, had supposed Aristocratia to be a Queen of Sparta? But we need not confine ourselves to hypothetical cases: it is positively stated that the Hindoos at this day believe "the Honourable East India Company" to be a venerable old lady of high dignity, residing in this country. The Germans of the present day derive their name from a similar mistake. The first tribe of them who invaded Gaul\* assumed the honourable title of "*Ger-man*," which signifies "warrior"—(the words "war" and "guerre," as well as "man," which remains in our language unaltered, are evidently derived from the Teutonic)—and the Gauls applied this as a *name* to the whole *race*.

However, I merely throw out these conjectures without by any means contending that more plausible ones might not be suggested. But what-

\* "*Germaniæ* vocabulum recens et nuper additum ; quoniam, qui primi Rhenum transgressi Gallos expulerint, ac nunc Tungri, tunc Germani vocati sint : ita nationis nomen in nomen gentis evaluisse paullatim, ut omnes, primum a victore ob metum, mox a seipsis invento nomine, Germani vocarentur."—Tacitus, "*De Mor. Germ.*"

ever supposition we adopt, or whether we adopt any, the objections to the commonly received accounts will remain in their full force, and imperiously demand the attention of the candid sceptic.

I call upon those, therefore, who profess themselves advocates of free inquiry—who disdain to be carried along with the stream of popular opinion, and who will listen to no testimony that runs counter to experience—to follow up their own principles fairly and consistently. Let the same mode of argument be adopted in all cases alike ; and then it can no longer be attributed to hostile prejudice, but to enlarged and philosophical views. If they have already rejected some histories, on the ground of their being strange and marvellous—of their relating facts unprecedented and at variance with the established course of nature—let them not give credit to another history which lies open to the very same objections, the extraordinary and romantic tale we have been just considering. If they have discredited the testimony of witnesses, who are *said* at least to have been disinterested, and to have braved persecutions and death in support of their assertions, can these philosophers consistently listen to and believe the testimony of those who avowedly *get money* by the tales they publish, and who do not even pretend that they incur any serious risk in case of being detected in a falsehood ? If in other cases they have refused to listen to an account which has passed

through many intermediate hands before it reaches them, and which is defended by those who have interest in maintaining it ; let them consider through how many and what very suspicious hands *this* has arrived to them, without the possibility (as I have shown) of tracing it back to any decidedly authentic source, after all ;\* and likewise how strong an interest, in every way, those who have hitherto imposed on them have in keeping up the imposture : let them, in short, show themselves as ready to detect the cheats and despise the fables of politicians as of priests. But if they are still wedded to popular belief in this point, let them be consistent enough to admit the same evidence in *other* cases in which they yield to in *this*. If, after all that I have been said, they cannot bring themselves to doubt the existence of Napoleon Buonaparte, they must at least acknowledge that they do not apply to this question the same plan of reasoning which they have made use of in others ; and they are consequently bound in reason and in honesty to renounce it altogether.

\* For let it not be forgotten, that these writers *themselves refer* to no better authority than that of an *unnamed and unknown* foreign correspondent.

ADVICE  
TO A  
YOUNG REVIEWER,  
WITH A  
*SPECIMEN OF THE ART.*





## ADVICE TO A YOUNG REVIEWER.



YOU are now about to enter on a profession which has the means of doing much good to society, and scarcely any temptation to do harm. You may encourage genius, you may chastise superficial arrogance, expose falsehood, correct error, and guide the taste and opinions of the age in no small degree by the books you praise and recommend. All this too may be done without running the risk of making any enemies, or subjecting yourself to be called to account for your criticism, however severe. While your name is unknown, your person is invulnerable : at the same time your own aim is sure, for you may take it at your leisure ; and your blows fall heavier than those of any writer whose name is given, or who is simply anonymous. There is a mysterious authority in the plural *we*, which no single name, whatever may be its reputation, can acquire ; and under the sanction of this imposing style your strictures, your praises, and your dogmas will

command universal attention, and be received as the fruit of united talents, acting on one common principle—as the judgments of a tribunal who decide only on mature deliberation, and who protect the interests of literature with unceasing vigilance.

Such being the high importance of that office, and such its opportunities, I cannot bestow a few hours of leisure better than in furnishing you with some hints for the more easy and effectual discharge of it : hints which are, I confess, loosely thrown together, but which are the result of long experience, and of frequent reflection and comparison. . And if anything should strike you at first sight as rather equivocal in point of morality, or deficient in liberality and feeling, I beg you will suppress all such scruples, and consider them as the offspring of a contracted education and narrow way of thinking, which a little intercourse with the world and sober reasoning will speedily overcome.

Now, as in the conduct of life nothing is more to be desired than some governing principle of action, to which all other principles and motives must be made subservient, so in the art of reviewing I would lay down as a fundamental position, which you must never lose sight of, and which must be the main-spring of all your criticisms—*write what will sell*. To this golden rule every minor canon must be subordinate, and must be either immediately de-

ducible from it, or at least be made consistent with it. Be not staggered at the sound of a precept, which upon examination will be found as honest and virtuous as it is discreet. I have already sketched out the great services which it is in your power to render mankind; but all your efforts would be unavailing if men did not read what you write. Your utility therefore, it is plain, depends upon your popularity; and popularity cannot be attained without humouring the taste and inclinations of men.

Be assured that by a similar train of sound and judicious reasoning the consciences of thousands in public life are daily quieted. It is better for the State that their party should govern than any other: the good which they can effect by the exercise of power is infinitely greater than any which could arise from a rigid adherence to certain subordinate moral precepts, which therefore should be violated without scruple whenever they stand in the way of their leading purpose. He who sticks at these can never act a great part in the world, and is not fit to act it if he could. Such maxims may be very useful in ordinary affairs, and for the guidance of ordinary men; but when we mount into the sphere of public utility, we must adopt more enlarged principles, and not suffer ourselves to be cramped and fettered by petty notions of right and moral duty.

When you have reconciled yourself to this liberal way of thinking, you will find many inferior advan-

tages resulting from it, which at first did not enter into your consideration. In particular, it will greatly lighten your labours to *follow* the public taste, instead of taking upon you to *direct* it. The task of pleasing is at all times easier than that of instructing : at least it does not stand in need of painful research and preparation, and may be effected in general by a little vivacity of manner, and a dexterous morigeration (as Lord Bacon calls it) to the humours and frailties of men. Your responsibility, too, is thereby much lessened. Justice and candour can only be required of you so far as they coincide with this main principle ; and a little experience will convince you that these are not the happiest means of accomplishing your purpose.

It has been idly said, that a Reviewer acts in a judicial capacity, and that his conduct should be regulated by the same rules by which the Judge of a civil court is governed : that he should rid himself of every bias ; be patient, cautious, sedate, and rigidly impartial ; that he should not seek to show off himself, and should check every disposition to enter into the case as a partisan.

Such is the language of superficial thinkers ; but in reality there is no analogy between the two cases. A Judge is promoted to that office by the authority of the State ; a Reviewer by his own. The former is independent of control, and may therefore freely follow the dictates of his own conscience ; the latter

depends for his very bread upon the breath of public opinion : the great law of self-preservation therefore points out to him a different line of action. Besides, as we have already observed, if he ceases to please he is no longer read, and consequently is no longer useful. In a court of justice, too, the part of amusing the bystanders rests with the counsel : in the case of criticism, if the Reviewer himself does not undertake it, who will? Instead of vainly aspiring therefore to the gravity of a magistrate, I would advise him, when he sits down to write, to place himself in the imaginary situation of a cross-examining pleader. He may comment, in a vein of agreeable irony, upon the profession, the manner of life, the look, dress, or even the name of the witness he is examining : when he has raised a contemptuous opinion of him in the minds of the court, he may proceed to draw answers from him capable of a ludicrous turn, and he may carve and garble these to his own liking. This mode of proceeding you will find most practicable in poetry, where the boldness of the image, or the delicacy of thought, for which the reader's mind was prepared in the original, will easily be made to appear extravagant or affected, if judiciously singled out and detached from the group to which it belongs. Again, since much depends upon the rhythm and the terseness of expression, both of which are sometimes destroyed by dropping a single word, or transposing a phrase, I

have known much advantage arise from not quoting in the form of a literal extract, but giving a brief summary in prose of the contents of a poetical passage ; and interlarding your own language with occasional phrases of the poem, marked with inverted commas. These, and a thousand other little expedients, by which the arts of quizzing and banter flourish, practice will soon teach you. If it should be necessary to transcribe a dull passage, not very fertile in topics of humour and raillery, you may introduce it as a "favourable specimen of the author's manner."

Few people are aware of the powerful effects of what is philosophically termed association. Without any positive violation of truth, the whole dignity of a passage may be undermined by contriving to raise some vulgar and ridiculous notions in the mind of the reader ; and language teems with examples of words by which the same idea is expressed, with the difference only that one excites a feeling of respect, the other of contempt. Thus, you may call a fit of melancholy "the sulks," resentment "a pet," a steed "a nag," a feast "a junketing," sorrow and affliction "whining and blubbering." By transferring the terms peculiar to one state of society to analogous situations and characters in another, the same object is attained, a drill-sergeant or a cat-and-nine-tails in the Trojan War, a Lesbos smack put in to the Piræus, the penny-post of Jerusalem, and other combina-

tions of the like nature, which, when you have a little indulged that vein of thought, will readily suggest themselves, never fail to raise a smile, if not immediately at the expense of the author, yet entirely destructive of that frame of mind which his poem requires in order to be relished.

I have dwelt the longer on this branch of literature, because you are chiefly to look here for materials of fun and irony. Voyages and travels indeed are no barren ground, and you must seldom let a number of your Review go abroad without an article of this description. The charm of this species of writing, so universally felt, arises chiefly from its uniting narrative with information. The interest we take in the story can only be kept alive by minute incident and occasional detail, which puts us in possession of the traveller's feelings, his hopes, his fears, his disappointments, and his pleasures. At the same time the thirst for knowledge and love of novelty is gratified by continual information respecting the people and countries he visits. If you wish, therefore, to run down the book, you have only to play off these two parts against each other: when the writer's object is to satisfy the first inclination, you are to thank him for communicating to the world such valuable facts—as whether he lost his way in the night—or sprained his ankle—or had no appetite to his dinner. If he is busied about describing the mineralogy, natural history, agriculture,

trade, &c., of a country, you may mention a hundred books from whence the same information may be obtained, and deprecate the practice of emptying old musty folios into new quartos, to gratify that sickly taste for a smattering about everything which distinguishes the present age.

In works of science and recondite learning, the task you have undertaken will not be so difficult as you may imagine. Tables of contents and indexes are blessed helps in the hands of a Reviewer ; but, more than all, the preface is the field from which his richest harvest is to be gathered. In the preface the author usually gives a summary of what has been written on the same subject before ; he acknowledges the assistance he has received from different sources, and the reasons of his dissent from former writers ; he confesses that certain parts have been less attentively considered than others, and that information has come to his hands too late to be made use of ; he points out many things in the composition of his work which he thinks may provoke animadversion, and endeavours to defend or to palliate his own practice. Here then is a fund of wealth for the Reviewer, lying upon the very surface ; if he knows anything of his business, he will turn all these materials against the author, carefully suppressing the source of his information, and as if drawing from the stores of his own mind, long ago laid up for this very



purpose. If the author's references are correct, a great point is gained; for, by consulting a few passages of the original works, it will be easy to discuss the subject with the air of having a previous knowledge of the whole. Your chief vantage-ground is that you may fasten upon any position in the book you are reviewing, and treat it as principal and essential, when perhaps it is of little weight in the main argument; but, by allotting a large share of your criticism to it, the reader will naturally be led to give it a proportionate importance, and to consider the merit of the treatise at issue upon that single question. If anybody complains that the greater and more valuable parts remain unnoticed, your answer is that it is impossible to pay attention to all, and that your duty is rather to prevent the propagation of error than to lavish praises upon that which, if really excellent, will work its way in the world without your help. Indeed, if the plan of your Review admits of selection, you had better not meddle with works of deep research and original speculation, such as have already attracted much notice, and cannot be treated superficially without fear of being found out. The time required for making yourself thoroughly master of the subject is so great, that you may depend upon it they will never pay for the reviewing. They are generally the fruit of long study, and of talents concentrated in the steady pursuit of one object; it is not likely

therefore that you can throw much new light on a question of this nature, or even plausibly combat the author's positions in the course of a few hours, which is all you can well afford to devote to them. And, without accomplishing one or other of these points, your review will gain no celebrity, and of course no good will be done.

Enough has been said to give you some insight into the facilities with which your new employment abounds: I will only mention one more, because of its extensive and almost universal application to all branches of literature—the topic, I mean, which by the old Rhetoricians was called *ἕξι ἐναντίων*. That is, when a work excels in one quality, you may blame it for not having the opposite. For instance, if the biographical sketch of a literary character is minute and full of anecdote, you may enlarge on the advantages of philosophical reflection, and the superior mind required to give a judicious analysis of the opinions and works of deceased authors; on the contrary, if the latter method is pursued by the biographer, you can with equal ease extol the lively colouring and truth and interest of exact delineation and detail. This topic, you will perceive, enters into style as well as matter, where many virtues might be named which are incompatible; and, whichever the author has preferred, it will be the signal for you to launch forth on the praises of its opposite, and

continually to hold up that to your reader as the model of excellence in this species of writing.

You will, perhaps, wonder why all my instructions are pointed towards the censure and not the praise of books ; but many reasons might be given why it should be so. The chief are, that this part is both easier, and will sell better. Let us hear the words of Mr. Burke on a subject not very dissimilar : " In such cases," says he, " the writer has a certain fire and alacrity inspired into him by a consciousness that, let it fare how it will with the subject, his ingenuity will be sure of applause ; and this alacrity becomes much greater, if he acts upon the offensive, by the impetuosity that always accompanies an attack, and the unfortunate propensity which mankind have to the finding and exaggerating faults." (Pref. *Vindic. Nat. Soc.*, p. 6.) You will perceive that I have on no occasion sanctioned the baser motives of private pique, envy, revenge, and love of detraction ; at least, I have not recommended harsh treatment upon any of these grounds ; I have argued simply on the abstract moral principle which a Reviewer should ever have present to his mind : but if any of these motives insinuate themselves as secondary springs of action, I would not condemn them ; they may come in aid of the grand leading principle, and powerfully second its operation.

But it is time to close these tedious precepts, and

to furnish you with what speaks plainer than any precept, a specimen of the art itself, in which several of them are embodied. It is hastily done, but it exemplifies well enough what I have said of the poetical department, and exhibits most of those qualities which disappointed authors are fond of railing at, under the names of flippancy, arrogance, conceit, misrepresentation, and malevolence; reproaches which you will only regard as so many acknowledgments of success in your undertaking, and infallible tests of an established fame and rapidly increasing circulation. .

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*L'Allegro : a Poem.* By JOHN MILTON. No  
Printer's name.

IT has become a practice of late with a certain description of people, who have no visible means of subsistence, to string together a few trite images of rural scenery, interspersed with vulgarisms in dialect and traits of vulgar manners; to dress up these materials in a sing-song jingle, and to offer them for sale as a poem. According to the most approved recipes, something about the heathen gods and goddesses, and the schoolboy topics of Styx, and Cerberus, and Elysium, is occasionally thrown in, and the composition is complete. The stock-in-trade of these adventurers is in general

scanty enough, and their art therefore consists in disposing it to the best advantage. But if such be the aim of the writer, it is the critic's business to detect and defeat the imposture; to warn the public against the purchase of shop-worn goods and tinsel wares; to protect the fair trader, by exposing the tricks of needy quacks and mountebanks; and to chastise that forward and noisy importunity with which they present themselves to the public notice.

How far Mr. Milton is amenable to this discipline will best appear from a brief analysis of the poem before us. In the very opening he assumes a tone of authority, which might better suit some veteran bard than a raw candidate for the Delphic bays: for, before he proceeds to the regular process of invocation, he clears the way by driving from his presence, with sundry hard names and bitter reproaches on her father, mother, and all the family, a venerable personage, whose age at least, and staid matron-like appearance, might have entitled her to more civil language.

Hence, loathed Melancholy ;  
Of Cerberus and blackest midnight born,  
In Stygian cave forlorn, &c.

There is no giving rules, however, in these matters, without a knowledge of the case. Perhaps the old lady had been frequently warned off before, and provoked this violence by continuing still to lurk

about the poet's dwelling. And, to say the truth, the reader will have but too good reason to remark, before he gets through the poem, that it is one thing to tell the spirit of dulness to depart, and another to get rid of her in reality. Like Glendower's spirits, any one may order them away, "but will they go when you do order them?"

But let us suppose for a moment that the Parnasian decree is obeyed, and according to the letter of the *order*, which is as precise and wordy as if Justice Shallow himself had drawn it, that the obnoxious female is sent back to the place of her birth,

'Mongst horrid shapes, shrieks, sights, &c.,

at which we beg our fair readers not to be alarmed, for we can assure them they are only words of course in all poetical instruments of this nature, and mean no more than the "force and arms," and "instigation of the devil" in a common indictment. This nuisance then being abated, we are left at liberty to contemplate a character of a different complexion, "buxom, blithe, and debonair," one who, although evidently a great favourite of the poet's, and therefore to be received with all due courtesy, is notwithstanding introduced under the suspicious description of an *alias* :

In heaven ycleped Euphrosyne,  
And by men, heart-easing Mirth.

Judging indeed from the light and easy deportment of this gay nymph, one might guess there were

good reasons for a change of name as she changed her residence.

But of all vices there is none we abhor more than that of slanderous insinuation ; we shall, therefore, confine our moral strictures to the nymph's mother, in whose defence the poet has little to say himself. Here too, as in the case of the *name*, there is some doubt : for the uncertainty of descent on the father's side having become trite to a proverb, the author, scorning that beaten track, has left us to choose between two mothers for his favourite, and without much to guide our choice ; for, whichever we fix upon, it is plain she was no better than she should be. As he seems, however, himself inclined to the latter of the two, we will even suppose it so to be :

Or whether (as some sager sing)  
The frolic *wind that breathes the spring*,  
Zephyr with Aurora playing,  
*As he met her once a-Maying* ;  
There on beds of violets blue,  
And fresh-blown roses washed in dew, &c.

Some dull people might imagine that the wind was more like the breath of spring, than spring the breath of the wind ; but we are more disposed to question the author's ethics than his physics, and accordingly cannot dismiss these May gambols without some observations.

In the first place, Mr. M. seems to have higher notions of the antiquity of the Maypole than we

have been accustomed to attach to it. Or perhaps he thought to shelter the equivocal nature of this affair under that sanction. To us however, who can hardly subscribe to the doctrine that "vice loses half its evil by losing all its grossness," neither the remoteness of time nor the gaiety of the season furnishes a sufficient palliation. "Violets blue" and "fresh-blown roses" are, to be sure, more agreeable objects of the imagination than a ginshop in Wapping or a booth in Bartholomew Fair; but in point of morality these are distinctions without a difference; or, it may be, the cultivation of mind, which teaches us to reject and nauseate these latter objects, aggravates the case if our improvement in taste be not accompanied by a proportionate improvement of morals.

If the reader can reconcile himself to this latitude of principle, the anachronism will not long stand in his way. Much, indeed, may be said in favour of this union of ancient mythology with modern notions and manners. It is a sort of chronological metaphor—an artificial analogy, by which ideas, widely remote and heterogeneous, are brought into contact, and the mind is delighted by this unexpected assemblage, as it is by the combinations of figurative language.

Thus in that elegant interlude, which the pen of Ben Jonson has transmitted to us, of the loves of Hero and Leander:



Gentles, that no longer your expectations may wander,  
Behold our chief actor, amorous Leander,  
With a great deal of cloth, lapped about him like a scarf,  
For he yet serves his father, a dyer in Puddle Wharf;  
Which place we'll make bold with, to call it our Abydus,  
As the Bank side is our Sestos, and *let it not be denied us.*

And far be it from us to deny the use of so reasonable a liberty; especially if the request be backed (as it is in the case of Mr. M.) by the craving and imperious necessities of rhyme. What man who has ever bestrode Pegasus but for an hour, will be insensible to such a claim?

*Haud ignara mali miseris succurrere disco.*

We are next favoured with an enumeration of the attendants of this "debonair" nymph, in all the minuteness of a German dramatis personæ, or a rope-dancer's handbill:

Haste thee, nymph, and bring with thee  
Jest, and youthful Jollity;  
Quips, and cranks, and wanton wiles,  
Nods, and becks, and wreathèd smiles,  
Such as hang on Hebe's cheek,  
And love to live in dimple sleek;  
Sport that wrinkled Care derides,  
And Laughter, holding both his sides.

The author, to prove himself worthy of being admitted of the crew, skips and capers about upon "the light fantastic toe," that there is no following him. He scampers through all the categories, in search of his imaginary beings, from substance to quality, and

back again ; from thence to action, passion, habit, &c., with incredible celerity. Who, for instance, would have expected *cranks, nods, becks, and wreathèd smiles* as part of a group, in which Jest, Jollity, Sport and Laughter figure away as full-formed entire personages ? The family likeness is certainly very strong in the two last, and if we had not been told we should perhaps have thought the act of *deriding* as appropriate to laughter as to sport.

But how are we to understand the stage directions ?

*Come, and trip it as you go.*

Are the words used synonymously ? Or is it meant that this airy gentry shall come in at a minuet step, and go off in a jig ? The phenomenon of a *tripping crank* is indeed novel, and would doubtless attract numerous spectators. But it is difficult to guess to whom among this jolly company the poet addresses himself, for immediately after the plural appellative [you], he proceeds :

And in *thy* right hand lead with *thee*  
The mountain nymph, sweet Liberty.

No sooner is this fair damsel introduced, but Mr. M., with most unbecoming levity, falls in love with her, and makes a request of her companion, which is rather greedy, that he may live with both of them :

To live with her, and live with thee.

Even the gay libertine who sung, "How happy could I be with either," did not go so far as this. But we have already had occasion to remark on the laxity of Mr. M.'s amatory notions.

The poet, intoxicated with the charms of his mistress, now rapidly runs over the pleasures which he proposes to himself in the enjoyment of her society. But though he has the advantage of being his own caterer, either his palate is of a peculiar structure, or he has not made the most judicious selection. To begin the day well, he will have the *skylark*

to come in *spite of sorrow*,  
And at his window bid good morrow.

The skylark, if we know anything of the nature of that bird, must come in spite of something else as well as of sorrow, to the performance of this office. In his next image the natural history is better preserved, and as the thoughts are appropriate to the time of the day, we will venture to transcribe the passage, as a favourable specimen of the author's manner :

While the cock with lively din  
Scatters the rear of darkness thin,  
And to the stack, or the barn-door,  
Stoutly struts his dames before ;  
Oft listening how the hounds and horn  
Cheerly rouse the slumbering morn,  
From the side of some hoar hill,  
Through the high wood echoing shrill.

Is it not lamentable that, after all, whether it is the cock or the poet that listens, should be left entirely to the reader's conjecture? Perhaps also his embarrassment may be increased by a slight resemblance of character in these two illustrious personages, at least as far as relates to the extent and numbers of their seraglio.

After a *flaming* description of sunrise, on which occasion the clouds attend in their very best liveries, the bill of fare for the day proceeds in the usual manner. Whistling ploughmen, singing milkmaids, and sentimental shepherds are always to be had at a moment's notice, and, if well grouped, serve to fill up the landscape agreeably enough. On this part of the poem we have only to remark, that if Mr. John Milton proposes to make himself merry with

Russet lawns, and fallows grey,  
Where the nibbling flocks *do* stray ;  
Mountains on whose barren breast  
The labouring clouds *do* often rest,  
Meadows trim with daisies pied,  
Shallow brooks, and rivers wide,  
Towers and battlements, &c. &c. &c.,

he will either find himself egregiously disappointed, or he must possess a disposition to merriment which even Democritus himself might envy. To such a pitch indeed does this solemn indication of joy sometimes rise, that we are inclined to give him

credit for a literal adherence to the Apostolic precept, "Is any merry, let him sing psalms."

At length, however, he hies away at the sound of bell-ringing, and seems for some time to enjoy the tippling and fiddling and dancing of a village wake ; but his fancy is soon haunted again by spectres and goblins, a set of beings not in general esteemed the companions or inspirers of mirth.

With stories told of many a feat,  
How fairy Mab the junkets eat ;  
She was pinched, and pulled, she said ;  
And he, by friar's lantern led,  
Tells how the drudging goblin sweat  
To earn his cream-bowl duly set ;  
When in one night, ere glimpse of morn,  
His shadowy flail hath threshed the corn,  
That ten day-labourers could not end ;  
Then lies him down the lubbar fiend,  
And, stretched out all the chimney's length,  
Basks at the fire his hairy strength ;  
And crop-full out of door he flings,  
Ere the first cock his matin rings.

Mr. M. seems indeed to have a turn for this species of nursery tales and prattling lullabies ; and if he will studiously cultivate his talent he need not despair of figuring in a conspicuous corner of Mr. Newbury's shop-window ; unless indeed Mrs. Trimmer should think fit to proscribe those empty levities and idle superstitions by which the world has been too long abused.

From these rustic fictions we are transported to another species of *hum*:

Towered cities please us then,  
 And the busy hum of men,  
 Where throngs of knights and barons bold  
 In weeds of peace high triumphs hold,  
 With *store of ladies*, whose bright eyes  
*Rain influence*, and judge the prize  
 Of wit or arms, while both contend  
 To win her grace, whom all commend.

To talk of the bright eyes of ladies judging the prize of wit is indeed with the poets a legitimate species of humming: but would not, we may ask, the *rain* from these ladies' bright eyes rather tend to dim their lustre? Or is there any quality in a shower of *influence*, which, instead of deadening, serves only to brighten and exhilarate? Whatever the case may be, we would advise Mr. M. by all means to keep out of the way of these knights and barons bold; for if he has nothing but his wit to trust to, we will venture to predict that, without a large share of most undue *influence*, he must be content to see the prize adjudged to his competitors.

Of the latter part of the poem little need be said. The author does seem somewhat more at home when he gets among the actors and musicians, though his head is still running upon Orpheus and Eurydice, and Pluto, and other sombre gentry, who

are ever thrusting themselves in where we least expect them, and who chill every rising emotion of mirth and gaiety.

He appears, however, to be so ravished with this sketch of festive pleasures, or perhaps with himself for having sketched them so well, that he closes with a couplet, which would not have disgraced a Sternhold :

These delights if thou canst give,  
Mirth, with thee I *mean* to live.

Of Mr. M.'s good *intentions* there can be no doubt ; but we beg leave to remind him that in every compact of this nature there are two opinions to be consulted. He presumes, perhaps, upon the poetical powers he has displayed, and considers them as irresistible ; for every one must observe in how different a strain he avows his attachment now and at the opening of the poem. Then it was,

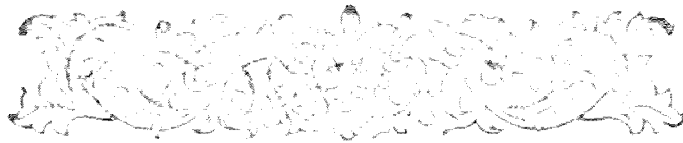
If I give thee honour due,  
Mirth, admit me of thy crew.

But having, it should seem, established his pretensions, he now thinks it sufficient to give notice that he means to live with her, because he likes her.

Upon the whole, Mr. Milton seems to be possessed of some fancy and talent for rhyming ; two most dangerous endowments, which often unfit men for acting a useful part in life, without qualifying them for that which is great and brilliant. If it be true,

as we have heard, that he has declined advantageous prospects in business for the sake of indulging his poetical humour, we hope it is not yet too late to prevail upon him to retract his resolution. With the help of Cocker and common industry he may become a respectable scrivener ; but it is not all the Zephyrs, and Auroras, and Corydons, and Thyrsises, aye, nor his junketing Queen Mab and drudging goblins, that will ever make him a poet.





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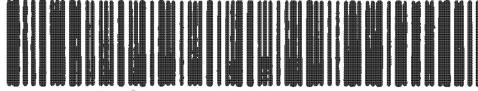
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