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LEVIATHAN

By Thomas Hobbes

1651

LEVIATHAN OR THE MATTER, FORME, & POWER OF A COMMON-WEALTH ECCLESIASTICAL AND CIVILL

Thomas Hobbes of Malmesbury

Printed for Andrew Crooke, at the Green Dragon in St. Paul's Churchyard,
1651.

TRANSCRIBER'S NOTES ON THE E-TEXT:

This E-text was prepared from the Pelican Classics edition of Leviathan, which in turn was prepared from the first edition. I have tried to follow as closely as possible the original, and to give the flavour of the text that Hobbes himself proof-read, but the following differences were unavoidable.

Hobbes used capitals and italics very extensively, for emphasis, for proper names, for quotations, and sometimes, it seems, just because.

The original has very extensive margin notes, which are used to show where he introduces the definitions of words and concepts, to give in short the subject that a paragraph or section is dealing with, and to give references to his quotations, largely but not exclusively biblical. To some degree, these margin notes seem to have been intended to serve in place of an index, the original having none. They are all in italics.

He also used italics for words in other languages than English, and there are a number of Greek words, in the Greek alphabet, in the text.

To deal with these within the limits of plain vanilla ASCII, I have done the following in this E-text.

I have restricted my use of full capitalization to those places where Hobbes used it, except in the chapter headings, which I have fully capitalized, where Hobbes used a mixture of full capitalization and italics.

Where it is clear that the italics are to indicate the text is quoting, I have introduced quotation marks. Within quotation marks I have retained the capitalization that Hobbes used.

Where italics seem to be used for emphasis, or for proper names, or just because, I have capitalized the initial letter of the words. This has the disadvantage that they are not then distinguished from those that

Hobbes capitalized in plain text, but the extent of his italics would make the text very ugly if I was to use an underscore or slash.

Where the margin notes are either to introduce the paragraph subject, or to show where he introduces word definitions, I have included them as headers to the paragraph, again with all words having initial capitals, and on a shortened line.

For margin references to quotes, I have included them in the text, in brackets immediately next to the quotation. Where Hobbes included references in the main text, I have left them as he put them, except to change his square brackets to round.

For the Greek alphabet, I have simply substituted the nearest ordinary letters that I can, and I have used initial capitals for foreign language words.

Neither Thomas Hobbes nor his typesetters seem to have had many inhibitions about spelling and punctuation. I have tried to reproduce both exactly, with the exception of the introduction of quotation marks.

In preparing the text, I have found that it has much more meaning if I read it with sub-vocalization, or aloud, rather than trying to read silently. Hobbes' use of emphasis and his eccentric punctuation and construction seem then to work.

TO MY MOST HONOR'D FRIEND Mr. FRANCIS GODOLPHIN of GODOLPHIN

HONOR'D SIR.

Your most worthy Brother Mr SIDNEY GODOLPHIN, when he lived, was pleas'd to think my studies something, and otherwise to oblige me, as you know, with reall testimonies of his good opinion, great in themselves, and the greater for the worthinesse of his person. For there is not any vertue that disposeth a man, either to the service of God, or to the service of his Country, to Civill Society, or private Friendship, that did not manifestly appear in his conversation, not as acquired by necessity, or affected upon occasion, but inhaerent, and shining in a generous constitution of his nature. Therefore in honour and gratitude to him, and with devotion to your selfe, I humbly Dedicate unto you this my discourse of Common-wealth. 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 passe between the points of both unwounded. But yet, me thinks, the endeavour to advance the Civill Power, should not be by the Civill 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 unpartiall creatures in the Roman Capitol, that with their noyse 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, alledged 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 impugne the Civill Power. If notwithstanding this, you find my labour generally decryed, you may be pleased to excuse your selfe, and say that 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 presum'd on that, to assume the Title (without your knowledge) of being, as I am,

Sir,

Your most humble, and most obedient servant, Thomas Hobbes.

Paris APRILL 15/25 1651.

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THE INTRODUCTION

Nature (the art whereby God hath made and governes 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 begining whereof is in some principall part within; why may we not say, that all Automata (Engines that move themselves by springs and wheelles as doth a watch) have an artificiall life? For what is the Heart, but a Spring; and the Nerves, but so many Strings; and the Joynts, but so many Wheelles, giving motion to the whole Body, such as was intended by the Artificer? Art goes yet further, imitating that Rationall and most excellent worke of Nature, Man. For by Art is created that great LEVIATHAN called a COMMON-WEALTH, or STATE, (in latine CIVITAS) which is but an Artificiall Man; though of greater stature and strength than the Naturall, for whose protection and defence it was intended; and in which, the Sovereignty is an Artificiall Soul, as giving life and motion to the whole body; The Magistrates, and other Officers of Judicature and Execution, artificiall Joynts; Reward and Punishment (by which fastned to the seat of the Sovereignty, every joynt and member is moved to performe his duty) are the Nerves, that do the same in the Body Naturall; The Wealth and Riches of all the particular members, are the Strength; Salus Populi (the Peoples Safety) its Businesse; Counsellors, by whom all things needfull for it to know, are suggested unto it, are the Memory; Equity and Lawes, an artificiall Reason and Will; Concord, Health; Sedition, Sicknesse; and Civill War, Death. Lastly, the Pacts and Covenants, by which the parts of this Body Politique 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 Artificiall 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 Sovereigne; and what it is that Preserveth and Dissolveth it.

Thirdly, what is a Christian Common-Wealth.

Lastly, what is the Kingdome of Darkness.

Concerning the first, there is a saying much usurped of late, That Wisedome 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 shew 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; and that is, Nosce Teipsum, Read Thy Self: 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 sawcie 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 himselfe, and considereth what he doth, when he does Think, Opine, Reason, Hope, Feare, &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, Feare, Hope, &c; not the similitude or The Objects of the Passions, which are the things Desired, Feared, Hoped, &c: for these the constitution individuall, and particular education do so vary, and they are so easie to be kept from our knowledge, that the characters of mans heart, blotted and confounded as they are, with dissembling, lying, counterfeiting, and erroneous doctrines, are legible onely to him that searcheth hearts. And though by mens actions wee do discover their designee 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 decypher without a key, and be for the most part deceived, by too much trust, or by too much diffidence; as he that reads, is himselfe a good or evill man.

But let one man read another by his actions never so perfectly, it serves him onely with his acquaintance, which are but few. He that is to govern a whole Nation, must read in himselfe, not this, or that particular man; but Man-kind; 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 onely to consider, if he also find not the same in himselfe. For this kind of Doctrine, admitteth no other Demonstration.

PART I. OF MAN

CHAPTER I. OF SENSE

Concerning the Thoughts of man, I will consider them first Singly, and afterwards in Trayne, or dependance upon one another. Singly, they are every one a Representation or Apparence, of some quality, or other Accident of a body without us; which is commonly called an Object. Which Object worketh on the Eyes, Eares, and other parts of mans body; and by diversity of working, produceth diversity of Apparences.

The Originall of them all, is that which we call Sense; (For there is no conception in a mans mind, which hath not at first, totally, or by parts, been begotten upon the organs of Sense.) The rest are derived from that originall.

To know the naturall cause of Sense, is not very necessary to the business now in hand; and I have els-where 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 Externall Body, or Object, which presseth the organ proper to each Sense, either immediatly, as in the Tast and Touch; or mediately, as in Seeing, Hearing, and Smelling: which pressure, by the mediation of 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 it self: 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 Eare, in a Sound; To the Nostrill, in an Odour; To the Tongue and Palat, in a Savour; and to the rest of the body, in Heat, Cold, Hardnesse, Softnesse, and such other qualities, as we discern by Feeling. All which qualities called Sensible, are in the object that causeth them, but so many several motions of the matter, by which it presseth our organs diversly. Neither in us that are pressed, are they anything els, but divers motions; (for motion, produceth nothing but motion.) But their apparence 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 Eare, produceth a dinne; 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 bee severed from them, as by glasses, and in Ecchoes by reflection, wee see they are; where we know the thing we see, is in one place; the apparence, in another. And though at some certain distance, the reall, 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 els but originall fancy, caused (as I have said) by the pressure, that is, by the motion, of externall things upon our Eyes, Eares, and other organs thereunto ordained.

But the Philosophy-schooles, through all the Universities of Christendome, 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 Shew, 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 entring at the Eare, maketh Hearing. Nay for the cause of Understanding also, they say the thing Understood sendeth forth Intelligible Species, that is, an Intelligible Being Seen; which comming into the Understanding, makes us Understand. I say not this, as disapproving the use of Universities: but because I am to speak hereafter of their office in a Common-wealth, 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.

That when a thing lies still, unlesse somewhat els stirre it, it will lye 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 els stay it, though the reason be the same, (namely, that nothing can change it selfe,) is not so easily assented to. For men measure, not onely other men, but all other things, by themselves: and because they find themselves subject after motion to pain, and lassitude, think every thing els growes 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 Schooles 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 els hinder it) eternally; and whatsoever hindreth it, cannot in an instant, but in time, and by degrees quite extinguish it: And as wee see in the water, though the wind cease, the waves give not over rowling for a long time after; so also it happeneth in that motion, which is made in the internall parts of a man, then, when he Sees, Dreams, &c. For after the object is removed, or the eye shut, wee still retain an image of the thing seen, though more obscure than when we see it. And this is it, that Latines 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 Apparence, 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.

Memory

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 Starrs; which starrs do no less exercise their vertue by which they are visible, in the day, than in the night. But because amongst many stroaks, which our eyes, eares, and other organs receive from externall bodies, the predominant onely is sensible; therefore the light of the Sun being predominant, we are not affected with the action of the starrs. 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 voyce of a man is in the noyse 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 continuall change of mans body, destroyes in time the parts which in sense were moved: So that the distance of time, and of place, hath one and the same effect in us. For as at a distance of place, that which wee look at, appears dimme, and without distinction of the smaller parts;

and as Voyces grow weak, and inarticulate: so also after great distance of time, our imagination of the Past is weak; and wee lose(for example) of Cities wee have seen, many particular Streets; and of Actions, many particular Circumstances. This Decaying Sense, when wee would express the thing it self, (I mean Fancy it selfe,) wee call Imagination, as I said before; But when we would express the Decay, and signifie 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. Againe, Imagination being only of those things which have been formerly perceived by Sense, either all at once, or by parts at severall 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 Centaure. So when a man compoundeth the image of his own person, with the image of the actions of an other man; as when a man imagins himselfe a Hercules, or an Alexander, (which happeneth often to them that are much taken with reading of Romants) 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 Geometricall 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 mens discourse.

Dreams

The imaginations of them that sleep, are those we call Dreams. And these also (as all other Imaginations) have been before, either totally, or by parcells 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 Externall Objects, there can happen in sleep, no Imagination; and therefore no Dreame, but what proceeds from the agitation of the inward parts of mans body; which inward parts, for the connexion they have with the Brayn, and other Organs, when they be distempered, do keep the same in motion; whereby the Imaginations there formerly made, appeare 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 Dreame must needs be more cleare, in this silence of sense, than are 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 Dreames, I do not often, nor constantly think of the same Persons, Places, Objects, and Actions that I do waking; nor remember so long a trayne of coherent thoughts, Dreaming, as at other times; And because

waking I often observe the absurdity of Dreames, but never dream of the absurdities of my waking Thoughts; I am well satisfied, that being awake, I know I dreame not; though when I dreame, I think my selfe awake.

And seeing dreames 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 Feare, and raiseth the thought and Image of some fearfull object (the motion from the brain to the inner parts, and from the inner parts to the Brain being reciprocall:) and that as Anger causeth heat in some parts of the Body, when we are awake; so when we sleep, the over heating of the same parts causeth Anger, and raiseth up in the brain the Imagination of an Enemy. In the same manner; as naturall 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 wee sleep, raiseth in the brain an imagination of some kindness shewn. In summe, 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.

Apparitions Or Visions

The most difficult discerning of a mans Dream, from his waking thoughts, is then, when by some accident we observe not that we have slept: which is easie to happen to a man full of fearfull 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 chayre. For he that taketh pains, and industriously layes himselfe to sleep, in case any uncouth and exorbitant fancy come unto him, cannot easily think it other than a Dream. We read of Marcus Brutes, (one that had his life given him by Julius Caesar, and was also his favorite, and notwithstanding murdered him,) how at Phillipi, the night before he gave battell to Augustus Caesar, he saw a fearfull 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 feare, 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 any thing 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 fearfull tales, and alone in the dark, are subject to the like fancies, and believe they see spirits and dead mens Ghosts walking in Churchyards; whereas it is either their Fancy onely, or els the knavery of such persons, as make use of such superstitious feare, 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 Satyres, Fawnes, nymphs, and the like; and now adayes the opinion than rude people have of Fayries, Ghosts, and Goblins; and of the power of Witches. For as for Witches, I think not that their witch craft is any reall power; but yet that they are justly punished, for the false beliefe they have, that they can do such mischiefe, joyned with their purpose to do it if they can; their trade being neerer to a new Religion, than to a Craft or Science. And for Fayries, 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 Exorcisme, of Crosses, of holy Water, and other such inventions of Ghostly men. Neverthelesse, there is no doubt, but God can make unnaturall Apparitions. But that he does it so often, as men need to feare such things, more than they feare the stay, or change, of the course of Nature, which he also can stay, and change, is no point of Christian faith. But evill 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 further, than right reason makes that which they say, appear credible. If this superstitious fear of Spirits were taken away, and with it, Prognostiques 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 civill Obedience.

And this ought to be the work of the Schooles; 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 evill thoughts by the Divell: or that Good thoughts are powred (infused) into a man, by God; and evill ones by the Divell. 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 Judgement, like handing of things from one to another, with many words making nothing understood.

Understanding

The Imagination that is raysed in man (or any other creature indued with the faculty of imagining) by words, or other voluntary signes, is that we generally call Understanding; and is common to Man and Beast. For a dogge by custome 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 onely his will; but his conceptions and thoughts, by the sequell and contexture of the names of things into Affirmations, Negations, and other formes of Speech: And of this kinde of Understanding I shall speak hereafter.

CHAPTER III. OF THE CONSEQUENCE OR TRAYNE OF IMAGINATIONS

By Consequence, or Trayne of Thoughts, I understand that succession of one Thought to another, which is called (to distinguish it from Discourse in words) Mentall Discourse.

When a man thinketh on any thing whatsoever, His next Thought after, is not altogether so casuall as it seems to be. Not every Thought to every Thought succeeds indifferently. But as wee 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, reliques of those made in the Sense: And those motions that immediately succeeded one another in the sense, continue also together after Sense: In so much as the former comming again to take place, and be praedominant, the later followeth, by coherence of the matter moved, in such manner, as water upon a plain 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 passe in time, that in the Imagining of any thing, there is no certainty what we shall Imagine next; Onely this is certain, it shall be something that succeeded the same before, at one time or another.

Trayne Of Thoughts Unguided

This Trayne of Thoughts, or Mentall Discourse, is of two sorts. The first is Unguided, Without Designee, and inconstant; Wherein there is no Passionate Thought, to govern and direct those that follow, to it self, 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 onely without company, but also without care of any thing; though even then their Thoughts are as busie as at other times, but without harmony; as the sound which a Lute out of tune would yeeld 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 dependance of one thought upon another. For in a Discourse of our present civill warre, what could seem more impertinent, than to ask (as one did) what was the value of a Roman Penny? Yet the Cohærence to me was manifest enough. For the Thought of the warre, 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 30 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.

Trayne Of Thoughts Regulated

The second is more constant; as being Regulated by some desire, and designee. For the impression made by such things as wee desire, or feare, 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 ayme 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 greatnesse 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 praecept, which is now worne 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.

Remembrance

The Trayn of regulated Thoughts is of two kinds; One, when of an effect imagined, wee seek the causes, or means that produce it: and this is common to Man and Beast. The other is, when imagining any thing whatsoever, wee seek all the possible effects, that can by it be produced; that is to say, we imagine what we can do with it, when wee have it. Of which I have not at any time seen any signe, but in man onely; for this is a curiosity hardly incident to the nature of any living creature that has no other Passion but sensuall, such as are hunger, thirst, lust, and anger. In summe, the Discourse of the Mind, when it is governed by designee, is nothing but Seeking, or the faculty of Invention, which the Latines call *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 hee 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 Latines call it *Reminiscentia*, as it were a Re-Conning of our former actions.

Sometimes a man knows a place determinate, within the compasse whereof his 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 jewell; or as a Spaniel ranges the field, till he find a sent; or as a man should run over the alphabet, to start a rime.

Prudence

Sometime 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, re-cons 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 Wisdome; 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 faile him. The Present onely has a being in Nature; things Past have a being in the Memory onely, 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 onely to him by whose will they are to come. From him onely, 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 Signes to guesse by.

Signes

A Signe, is the Event Antecedent, of the Consequent; and contrarily, the Consequent of the Antecedent, when the like Consequences have been observed, before: And the oftner they have been observed, the lesse uncertain is the Signe. And therefore he that has most experience in any kind of businesse, has most Signes, whereby to guesse 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 naturall and extemporary wit: though perhaps many young men think the contrary.

Neverthesse 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.

Conjecture Of The Time Past

As Prudence is a Praesumption of the Future, contracted from the Experience of time Past; So there is a Praesumption 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 civill warre, and then to ruine; upon the sights of the ruines of any

other State, will guesse, the like warre, and the like courses have been there also. But his conjecture, has the same incertainty almost with the conjecture of the Future; both being grounded onely upon Experience.

There is no other act of mans 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 onely, are acquired, and encreased 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 Trayne of thoughts, the mind of man has no other motion; though by the help of Speech, and Method, the same Facultyes 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 anything we call Infinite. No man can have in his mind an Image of infinite magnitude; nor conceive the ends, and bounds of the thing 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 greatnesse, 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, or can be incident to Sense; but are absurd speeches, taken upon credit (without any signification at all,) from deceived Philosophers, and deceived, or deceiving Schoolemen.

CHAPTER IV. OF SPEECH

Originall 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 sonne of Agenor, King of Phaenicia. 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 with all difficult, as proceeding from a watchfull observation of the divers motions of the Tongue, Palat, 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 Apellations, and their Connexion; whereby men register their Thoughts; recall them when they are past; and also

declare them one to another for mutuall utility and conversation; without which, there had been amongst men, neither Common-wealth, nor Society, nor Contract, nor Peace, no more than amongst Lyons, Bears, and Wolves. The first author of Speech was GOD himselfe, 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 adde more names, as the experience and use of the creatures should give him occasion; and to joyn them in such manner by degrees, as to make himselfe 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 Generall, Speciall, Affirmative, Negative, Interrogative, Optative, Infinitive, all which are usefull; and least of all, of Entity, Intentionality, Quiddity, and other significant 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 severall 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 every where more copious.

The Use Of Speech

The generall use of Speech, is to transferre our Mentall Discourse, into Verbal; or the Trayne of our Thoughts, into a Trayne 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 Markes, or Notes of remembrance. Another is, when many use the same words, to signifie (by their connexion and order,) one to another, what they conceive, or think of each matter; and also what they desire, feare, or have any other passion for, and for this use they are called Signes. Speciall uses of Speech are these; First, to Register, what by cogitation, wee 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 summe, is acquiring of Arts. Secondly, to shew to others that knowledge which we have attained; which is, to Counsell, and Teach one another. Thirdly, to make known to others our wills, and purposes, that we may have the mutuall help of one another. Fourthly, to please and delight our selves, and others, by playing with our words, for pleasure or ornament, innocently.

Abuses Of Speech

To these Uses, there are also foure correspondent Abuses. First, when men register their thoughts wrong, by the inconstancy of the signification of their words; by which they register for their conceptions, 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, when by words 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, unlesse it be one whom wee 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 Connexion of them.

Names Proper & Common Universall

Of Names, some are Proper, and singular to one onely thing; as Peter, John, This Man, This Tree: and some are Common to many things; as 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 Universall; there being nothing in the world Universall but Names; for the things named, are every one of them Individual and Singular.

One Universall 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 onely; Universals recall any one of those many.

And of Names Universall, some are of more, and some of lesse extent; the larger comprehending the lesse large: and some again of equall 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 Rationall, are of equall extent, comprehending mutually one another. But here wee must take notice, that by a Name is not alwayes understood, as in Grammar, one onely word; but sometimes by circumlocution many words together. For all these words, Hee That In His Actions Observeth The Lawes 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 deafe 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 equall to those two right angles that stand by it. But if another triangle be shewn him different in shape from the former, he cannot know without a new labour, whether the three angles of that also be equall 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 onely 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 generall termes, Every Triangle Hath Its Three Angles Equall To Two Right Angles. And thus the consequence found in one particular, comes to be registred and remembred, as a Universall rule; and discharges our mentall 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 naturall foole that could never learn by heart the order of numerall words, as One, Two, and Three, may observe every stroak of the Clock, and nod to it, or say one, one, one; but can never know what houre it strikes. And it seems, there was a time when those names of number were not in use; and men were fayn 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 numerall 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 himselfe, and not know when he has done: Much lesse will he be able to add, and substract, and performe all other operations of Arithmetique. So that without words, there is no possibility of reckoning of Numbers; much lesse of Magnitudes, of Swiftnesse, of Force, and other things, the reckonings whereof are necessary to the being, or well-being of man-kind.

When two Names are joyned 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 later name Living Creature, signifie 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 Falshood. Errour there may be, as when wee 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 els he will find himselfe entangled in words, as a bird in lime-twiggs; the more he struggles, the more belimed. And therefore in Geometry, (which is the onely 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 himselfe. For the errorrs of Definitions multiply themselves, according as the reckoning proceeds; and lead men into absurdities, which at last they see, but cannot avoyd, without reckoning anew from the beginning; in which lyes the foundation of their errorrs. From whence it happens, that they which trust to books, do as they that cast up many little summs into a greater, without considering whether those little summes were rightly cast up or not; and at last finding the errorr visible, and not mistrusting their first grounds, know not which way to cleere themselves; but spend time in fluttering over their bookes; as birds that entring by the chimney, and finding themselves inclosed in a chamber, flitter at the false light of a glasse window, for want of wit to consider which way they came in. So that in the right Definition of Names, lyes the first use of Speech; which is the Acquisition of Science: And in wrong, or no Definitions? lyes the first abuse; from which proceed all false and senslesse 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. Naturall sense and imagination, are not subject to absurdity. Nature it selfe cannot erre: and as men abound in copiousnesse 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 mens counters, they do but reckon by them: but they are the mony of fooles, 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

Subject To Names, is whatsoever can enter into, or be considered in an account; and be added one to another to make a summe; or substracted one from another, and leave a remainder. The Latines called Accounts of mony Rationes, and accounting, Ratiocinatio: and that which we in bills or books of account call Items, they called 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 Logos, 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 syllogisme; which signifieth summing up of the consequences of one saying to another. And because the same things may enter into account for divers accidents; their names are (to shew that diversity) diversly wrested, and diversified. This diversity of names may be reduced to foure generall heads.

First, a thing may enter into account for Matter, or Body; as Living,

Sensible, Rationall, 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 it selfe, by a little change or wresting, wee make a name for that accident, which we consider; and for Living put into 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 any thing is Seen by us, we reckon not the thing it selfe; but the Sight, the Colour, the Idea of it in the fancy: and when any thing is Heard, wee reckon it not; but the Hearing, or Sound onely, which is our fancy or conception of it by the Eare: and such are names of fancies.

Fourthly, we bring into account, consider, and give names, to Names themselves, and to Speeches: For, Generall, Universall, Speciall, Oequivocall, are names of Names. And Affirmation, Interrogation, Commandement, Narration, Syllogisme, Sermon, Oration, and many other such, are names of Speeches.

Use Of Names Positive

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.

Negative Names With Their Uses

There be also other Names, called Negative; which are notes to signifie that a word is not the name of the thing in question; as these words Nothing, No Man, Infinite, Indocible, Three Want Foure, 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 any thing; because they make us refuse to admit of Names not rightly used.

Words Insignificant

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 coyned by Schoole-men, and pusled Philosophers.

Another, when men make a name of two Names, whose significations are contradictory and inconsistent; as this name, an Incorporeall Body, or (which is all one) an Incorporeall 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, signifie 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 meere sound. So likewise if it be false, to say that vertue can be powred, or blown up and down; the words In-powred Vertue, In-blown Vertue, are as absurd and insignificant, as a Round Quadrangle. And therefore you shall hardly meet with a senselesse and insignificant word, that is not made up of some Latin or Greek names. A Frenchman seldome 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.

Understanding

When a man upon the hearing of any Speech, hath those thoughts which the words of that Speech, and their connexion, were ordained and constituted to signifie; Then he is said to understand it; Understanding being nothing els, but conception caused by Speech. And therefore if Speech be peculiar to man (as for ought I know it is,) then is Understanding peculiar to him also. And therefore of absurd and false affirmations, in case they be universall, there can be no Understanding; though many think they understand, then, when they do but repeat the words softly, or con them in their mind.

What kinds of Speeches signifie the Appetites, Aversions, and Passions of mans mind; and of their use and abuse, I shall speak when I have spoken of the Passions.

Inconstant Names

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 signifie our conceptions; and all our affections are but conceptions; when we conceive the same things differently, we can hardly avoyd 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

bust take heed of words; which besides the signification of what we imagine of their nature, disposition, and interest of the speaker; such as are the names of Vertues, and Vices; For one man calleth Wisdome, what another calleth Feare; and one Cruelty, what another Justice; one Prodigality, what another Magnanimity; 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.

Reason What It Is

When a man Reasoneth, hee does nothing els but conceive a summe totall, from Addition of parcels; or conceive a Remainder, from Substraction of one summe 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 Addition together of things equall; and Division, but Subtracting of one thing, as often as we can. These operations are not incident to Numbers onely, but to all manner of things that can be added together, and taken one out of another. For as Arithmeticians teach to adde and subtract in Numbers; so the Geometricians teach the same in Lines, Figures (solid and superficial,) Angles, Proportions, Times, degrees of Swiftnesse, 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 syllogisme; and Many syllogismes to make a Demonstration; and from the Summe, or Conclusion of a syllogisme, they subtract one Proposition, to finde the other. Writers of Politiques, adde together Pactions, to find mens Duties; and Lawyers, Lawes and Facts, to find what is Right and Wrong in the actions of private men. In summe, in what matter soever there is place for Addition and Substraction, there also is place for Reason; and where these have no place, there Reason has nothing at all to do.

Reason Defined

Out of all which we may define, (that is to say determine,) what that is, which is meant by this word Reason, when wee 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 generall names agreed upon, for the Marking and Signifying of our

thoughts; I say Marking them, when we reckon by our selves; and Signifying, when we demonstrate, or approve our reckonings to other men.

Right Reason Where

And as in Arithmetique, unpractised men must, and Professors themselves may often erre, and cast up false; so also in any other subject of Reasoning, the ablest, most attentive, and most practised men, may deceive themselves, and inferre false Conclusions; Not but that Reason it selfe is always Right Reason, as well as Arithmetique is a certain and infallible art: But no one mans Reason, nor the Reason of any one number of men, makes the certaintie; 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 controversie must either come to blowes, 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, clamor and demand right Reason for judge; yet seek no more, but that things should be determined, by no other mens 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 suite whereof they have most in their hand. For they do nothing els, 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 claym they lay to it.

The Use Of Reason

The Use and End of Reason, is not the finding of the summe, 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 summs of all the bills of expence, into one sum; and not regarding how each bill is summed up, by those that give them in account; nor what it is he payes for; he advantages himselfe no more, than if he allowed the account in grosse, 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 any thing; but onely beleeveth.

Of Error And Absurdity

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, wee conjecture what was likely to have preceded, or is likely to follow upon it;) if that which he thought likely to follow, followes 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 generall signification, and fall upon a generall 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 somewhat 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 generall assertion, unlesse it be a true one, the possibility of it is unconceivable. And words whereby we conceive nothing but the sound, are those we call Absurd, insignificant, and Non-sense. 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 hindred by opposition, I should not say he were in an Errour; but that his words were without meaning; that is to say, Absurd.

I have said before, (in the second chapter,) that a Man did excell all other Animals in this faculty, that when he conceived any thing whatsoever, he was apt to enquire the consequences of it, and what effects he could do with it. And now I adde this other degree of the same excellence, that he can by words reduce the consequences he findes to generall Rules, called Theoremes, or Aphorismes; that is, he can Reason, or reckon, not onely in number; but in all other things, whereof one may be added unto, or substracted from another.

But this priviledge, is allayed by another; and that is, by the priviledge of Absurdity; to which no living creature is subject, but man onely. And of men, those are of all most subject to it, that professe Philosophy. For it is most true that Cicero sayth 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 onely in Geometry; whose Conclusions have thereby been made indisputable.

Causes Of Absurditie

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 numerall 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 diversly named, divers absurdities proceed from the confusion, and unfit connexion of their names into assertions. And therefore

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 Powred, or Breathed into any thing, but body; and that, Extension is Body; that Phantasmes are Spirits, &c.

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 Ayre, &c.

The fourth, to the giving of the names of Bodies, to Names, or Speeches; as they do that say, that There Be Things Universall; that A Living Creature Is Genus, or A Generall Thing, &c.

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 In Its Definition; A Mans Command Is His Will; and the like.

The sixth, to the use of Metaphors, Tropes, and other Rhetoricall figures, in stead of words proper. For though it be lawfull to say, (for example) in common speech, The Way Goeth, Or Leadeth Hither, Or Thither, The Proverb Sayes This Or That (whereas wayes cannot go, nor Proverbs speak;) yet in reckoning, and seeking of truth, such speeches are not to be admitted.

The seventh, to names that signifie nothing; but are taken up, and learned by rote from the Schooles, as Hypostatical, Transubstantiate, Consubstantiate, Eternal-now, and the like canting of Schoole-men.

To him that can avoyd these things, it is not easie to fall into any absurdity, unlesse 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?

Science

By this it appears that Reason is not as Sense, and Memory, borne with us; nor gotten by Experience onely; 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 Connexion of one of them to another; and so to syllogismes, which are the Connexions 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 dependance of one fact upon another: by which, out of that we can presently do, we know how to do something els when we will, or the like, another time; Because when we see how any thing comes about, upon what causes, and by what manner; when the like causes come into our power, wee 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 numbring 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, quicknesse of memory, and inclinations to severall ends; but specially according to good or evill fortune, and the errors of one another. For as for Science, or certain rules of their actions, they are so farre 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 progresse 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 naturall Prudence; than men, that by mis-reasoning, or by trusting them that reason wrong, fall upon false and absurd generall rules. For ignorance of causes, and of rules, does not set men so farre 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 humane minds is Perspicuous Words, but by exact definitions first snuffed, and purged from ambiguity; Reason is the Pace; Encrease of Science, the Way; and the Benefit of man-kind, the End. And on the contrary, Metaphors, and senselesse and ambiguous words, are like Ignis Fatui; and reasoning upon them, is wandering amongst innumerable absurdities; and their end, contention, and sedition, or contempt.

Prudence & Sapience, With Their Difference

As, much Experience, is Prudence; so, is much Science, Sapience. For though wee usually have one name of Wisedome for them both; yet the Latines did always distinguish between Prudentia and Sapientia, ascribing the former to Experience, the later to Science. But to make their difference appeare more cleerly, let us suppose one man endued with an excellent naturall use, and dexterity in handling his armes; and another to have added to that dexterity, an acquired Science, of where he can offend, or be offended by his adversarie, in every possible

posture, or guard: The ability of the former, would be to the ability of the later, as Prudence to Sapience; both usefull; but the later infallible. But they that trusting onely to the authority of books, follow the blind blindly, are like him that trusting to the false rules of the master of fence, ventures praesumptuously upon an adversary, that either kills, or disgraces him.

Signes Of Science

The signes of Science, are some, certain and infallible; some, uncertain. Certain, when he that pretendeth the Science of any thing, can teach the same; that is to say, demonstrate the truth thereof perspicuously to another: Uncertain, when onely some particular events answer to his pretence, and upon many occasions prove so as he sayes they must. Signes of prudence are all uncertain; because to observe by experience, and remember all circumstances that may alter the successe, is impossible. But in any businesse, whereof a man has not infallible Science to proceed by; to forsake his own natural judgement, and be guided by generall sentences read in Authors, and subject to many exceptions, is a signe of folly, and generally scorned by the name of Pedantry. And even of those men themselves, that in Councells of the Common-wealth, love to shew their reading of Politiques and History, very few do it in their domestique affaires, where their particular interest is concerned; having Prudence enough for their private affaires: but in publique they study more the reputation of their owne wit, than the successe of anothers businesse.

CHAPTER VI. OF THE INTERIOUR BEGINNINGS OF VOLUNTARY MOTIONS

COMMONLY CALLED THE PASSIONS. AND THE SPEECHES BY WHICH THEY ARE EXPRESSED.

Motion Vitall And Animal

There be in Animals, two sorts of Motions peculiar to them: One called Vitall; begun in generation, and continued without interruption through their whole life; such as are the Course of the Bloud, the Pulse, the Breathing, the Concoctions, Nutrition, Excretion, &c; to which Motions there needs no help of Imagination: The other in Animal Motion, otherwise called Voluntary Motion; as to Go, to Speak, to Move any of our limbes, in such manner as is first fancied in our minds. That Sense, is Motion in the organs and interiour parts of mans body, caused by the action of the things we See, Heare, &c.; And that Fancy is but the Reliques of the same Motion, remaining after Sense, has been already sayd in the first and second Chapters. And because Going, Speaking, and the like Voluntary motions, depend alwayes upon a precedent thought of

Whither, Which Way, and What; it is evident, that the Imagination is the first internall beginning of all Voluntary Motion. And although unstudied men, doe 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 shortnesse 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.

Endeavour; Appetite; Desire; Hunger; Thirst; Aversion

This Endeavour, when it is toward something which causes it, is called APPETITE, or DESIRE; the later, being the generall name; and the other, oftentimes restrayned to signifie 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 Latines; and they both of them signifie the motions, one of approaching, the other of retiring. So also do the Greek words for the same, which are orme and aphorme. For nature it selfe does often presse upon men those truths, which afterwards, when they look for somewhat beyond Nature, they stumble at. For the Schooles find in meere Appetite to go, or move, no actuall Motion at all: but because some Motion they must acknowledge, they call it Metaphoricall Motion; which is but an absurd speech; for though Words may be called metaphoricall; Bodies, and Motions cannot.

That which men Desire, they are also sayd 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 alwayes signifie the Absence of the object; by Love, most commonly the Presence of the same. So also by Aversion, we signifie 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 feelee in their Bodies;) and some other Appetites, not many. The rest, which are Appetites of particular things, proceed from Experience, and triall of their effects upon themselves, or other men. For of things wee know not at all, or believe not to be, we can have no further Desire, than to tast and try. But Aversion wee have for things, not onely which we know have hurt us; but also that we do not know whether they will hurt us, or not.

Contempt

Those things which we neither Desire, nor Hate, we are said to Contemne:

CONTEMPT being nothing els 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 either more potent objects; or from want of experience of them.

And because the constitution of a mans Body, is in continuall mutation; it is impossible that all the same things should alwayes cause in him the same Appetites, and aversions: much lesse can all men consent, in the Desire of almost any one and the same Object.

Good Evill

But whatsoever is the object of any mans Appetite or Desire; that is it, which he for his part calleth Good: And the object of his Hate, and Aversion, evill; And of his contempt, Vile, and Inconsiderable. For these words of Good, evill, 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 evill, to be taken from the nature of the objects themselves; but from the Person of the man (where there is no Common-wealth;) or, (in a Common-wealth,) 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.

Pulchrum Turpe; Delightfull Profitable; Unpleasant Unprofitable

The Latine Tongue has two words, whose significations approach to those of Good and Evill; but are not precisely the same; And those are Pulchrum and Turpe. Whereof the former signifies that, which by some apparent signes promiseth Good; and the later, that, which promiseth evill. But in our Tongue we have not so generall names to expresse them by. But for Pulchrum, we say in some things, Fayre; in other Beautifull, or Handsome, or Gallant, or Honourable, or Comely, or Amiable; and for Turpe, Foule, Deformed, Ugly, Base, Nauseous, and the like, as the subject shall require; All which words, in their proper places signifie nothing els, but the Mine, or Countenance, that promiseth Good and evill. 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, Delightfull; and Good as the Means, which is called Utile, Profitable; and as many of evill: For evill, in Promise, is that they call Turpe; evill in Effect, and End, is Molestum, Unpleasant, Troublesome; and evill in the Means, Inutile, Unprofitable, Hurtfull.

Delight Displeasure

As, in Sense, that which is really within us, is (As I have sayd before) onely Motion, caused by the action of externall objects, but in apparence; to the Sight, Light and Colour; to the Eare, Sound; to the Nostrill, Odour, &c: so, when the action of the same object is continued from the Eyes, Eares, 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 apparence, or sense of that motion, is that wee either call DELIGHT, or TROUBLE OF MIND.

Pleasure Offence

This Motion, which is called Appetite, and for the apparence of it Delight, and Pleasure, seemeth to be, a corroboration of Vitall motion, and a help thereunto; and therefore such things as caused Delight, were not improperly called Jucunda, (A Juvando,) from helping or fortifying; and the contrary, Molesta, Offensive, from hindering, and troubling the motion vitall.

Pleasure therefore, (or Delight,) is the apparence, or sense of Good; and Molestation or Displeasure, the apparence, or sense of evill. And consequently all Appetite, Desire, and Love, is accompanied with some Delight more or lesse; and all Hatred, and Aversion, with more or lesse Displeasure and Offence.

Pleasures Of Sense; Pleasures Of The Mind; Joy Paine Griefe

Of Pleasures, or Delights, some arise from the sense of an object Present; And those may be called Pleasures Of Sense, (The word Sensuall, as it is used by those onely that condemn them, having no place till there be Lawes.) Of this kind are all Onerations and Exonerations of the body; as also all that is pleasant, in the Sight, Hearing, Smell, Tast, 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 PAYNE; others, in the Expectation of consequences, and are called GRIEFE.

These simple Passions called Appetite, Desire, Love, Aversion, Hate, Joy, and griefe, have their names for divers considerations diversified. As first, when they one succeed another, they are diversly 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 it selfe.

Hope-- For Appetite with an opinion of attaining, is called HOPE.

Despaire-- The same, without such opinion, DESPAIRE.

Feare-- Aversion, with opinion of Hurt from the object, FEARE.

Courage-- The same, with hope of avoyding that Hurt by resistance, COURAGE.

Anger-- Sudden Courage, ANGER.

Confidence-- Constant Hope, CONFIDENCE of our selves.

Diffidence-- Constant Despayre, DIFFIDENCE of our selves.

Indignation-- Anger for great hurt done to another, when we conceive the same to be done by Injury, INDIGNATION.

Benevolence-- Desire of good to another, BENEVOLENCE, GOOD WILL, CHARITY. If to man generally, GOOD NATURE.

Covetousnesse-- Desire of Riches, COVETOUSNESSE: a name used alwayes in signification of blame; because men contending for them, are displeased with one anothers attaining them; though the desire in it selfe, be to be blamed, or allowed, according to the means by which those Riches are sought.

Ambition-- Desire of Office, or precedence, AMBITION: a name used also in the worse sense, for the reason before mentioned.

Pusillanimity-- Desire of things that conduce but a little to our ends; And fear of things that are but of little hindrance, PUSILLANIMITY.

Magnanimity-- Contempt of little helps, and hindrances, MAGNANIMITY.

Valour-- Magnanimity, in danger of Death, or Wounds, VALOUR, FORTITUDE.

Liberality-- Magnanimity in the use of Riches, LIBERALITY

Miserableness-- Pusillanimity, in the same WRETCHEDNESSE, MISERABLENESSE; or PARSIMONY; as it is liked or disliked.

Kindnesse-- Love of Persons for society, KINDNESSE.

Naturall Lust-- Love of Persons for Pleasing the sense onely, NATURAL LUST.

Luxury-- Love of the same, acquired from Ruminacion, that is Imagination of Pleasure past, LUXURY.

The Passion Of Love; Jealousie-- Love of one singularly, with desire to be singularly beloved, THE PASSION OF LOVE. The same, with fear that the love is not mutuall, JEALOUSIE.

Revengefulness-- Desire, by doing hurt to another, to make him condemn

some fact of his own, REVENGEFULNESSE.

Curiosity-- Desire, to know why, and how, CURIOSITY; such as is in no living creature but Man; so that Man is distinguished, not onely by his Reason; but also by this singular Passion from other Animals; in whom the appetite of food, and other pleasures of Sense, by praedominance, take away the care of knowing causes; which is a Lust of the mind, that by a perseverance of delight in the continuall and indefatigable generation of Knowledge, exceedeth the short vehemence of any carnall Pleasure.

Religion Superstition; True Religion-- Feare of power invisible, feigned by the mind, or imagined from tales publicely allowed, RELIGION; not allowed, superstition. And when the power imagined is truly such as we imagine, TRUE RELIGION.

Panique Terrour-- Feare, without the apprehension of why, or what, PANIQUE 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.

Admiration-- Joy, from apprehension of novelty, ADMIRATION; proper to man, because it excites the appetite of knowing the cause.

Glory Vaine-glory-- 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 onely supposed by himselfe, for delight in the consequences of it, is called VAINE-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 Vaine.

Dejection-- Griefe, from opinion of want of power, is called dejection of mind.

The Vaine-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 often times by Age, and Employment.

Sudden Glory Laughter-- 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 signe of Pusillanimity. For of great minds, one of the proper workes is, to help and free others from scorn; and compare themselves onely with the most able.

Sudden Dejection Weeping-- 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 externall, such as are Women, and Children. Therefore, some Weep for the loss of Friends; Others for their unkindnesse; others for the sudden stop made to their thoughts of revenge, by Reconciliation. But in all cases, both Laughter and Weeping, are sudden motions; Custome taking them both away. For no man Laughs at old jests; or Weeps for an old calamity.

Shame Blushing-- Griefe, for the discovery of some defect of ability is **SHAME**, or the passion that discovereth itself in **BLUSHING**; and consisteth in the apprehension of some thing dishonourable; and in young men, is a signe of the love of good reputation; and commendable: in old men it is a signe of the same; but because it comes too late, not commendable.

Impudence-- The Contempt of good reputation is called **IMPUDENCE**.

Pitty-- Griefe, for the calamity of another is **PITTY**; and ariseth from the imagination that the like calamity may befall himselfe; 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 Pitty; and for the same Calamity, those have least Pitty, that think themselves least obnoxious to the same.

Cruelty-- 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 mens? great harmes, without other end of his own, I do not conceive it possible.

Emulation Envy-- Griefe, for the success of a Competitor in wealth, honour, or other good, if it be joyned with Endeavour to enforce our own abilities to equal or exceed him, is called **EMULATION**: but joyned with Endeavour to supplant or hinder a Competitor, **ENVIE**.

Deliberation-- When in the mind of man, Appetites and Aversions, Hopes and Feares, concerning one and the same thing, arise alternately; and divers good and evill 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 Despaire, or Feare to attempt it; the whole sum of Desires, Aversions, Hopes and Feares, 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 vaine. 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 Feares is no less in other living Creatures than in Man; and therefore Beasts also Deliberate.

Every Deliberation is then sayd to End when that whereof they Deliberate, is either done, or thought impossible; because till then wee retain the liberty of doing, or omitting, according to our Appetite, or Aversion.

The Will

In Deliberation, the last Appetite, or Aversion, immediately adhaering to the action, or to the omission thereof, is that wee 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 Schooles, that it is a Rationall 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 in stead of a Rationall 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 neverthelesse 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 & Involuntary.

By this it is manifest, that not onely 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 Feare of those consequences that follow the omission, are Voluntary Actions.

Formes Of Speech, In Passion

The formes 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 Feare, 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 signifie 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 Counsell. The language of Vaine-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 signifie 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 signes they be not; because they may be used arbitrarily, whether they that use them, have such Passions or not. The best signes 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.

Good And Evill Apparent

And because in Deliberation the Appetites and Aversions are raised by foresight of the good and evill consequences, and sequels of the action whereof we Deliberate; the good or evill effect thereof dependeth on the foresight of a long chain of consequences, of which very seldome 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 evill, the whole chain is that which Writers call Apparent or Seeming Good. And contrarily, when the evill exceedeth the good, the whole is Apparent or Seeming Evill: 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.

Felicity

Continual Successe 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 Tranquillity of mind, while we live here; because Life itself is but Motion, and can never be without Desire, nor without Feare, 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.

Praise Magnification

The form of speech whereby men signifie their opinion of the Goodnesse of anything is PRAISE. That whereby they signifie the power and greatness of anything is MAGNIFYING. And that whereby they signifie the opinion they have of a man's felicity is by the Greeks called Makarismos, 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.

Judgement, or Sentence Final; Doubt

If the Discourse be meerly Mentall, 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 chayn of a mans Discourse, you leave him in a Praesumption 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 JUDGEMENT, 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 Conditionall. No man can know by Discourse, that this, or that, is, has been, or will be; which is to know absolutely: but onely, 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.

Science Opinion Conscience

And therefore, when the Discourse is put into Speech, and begins with the Definitions of Words, and proceeds by Connexion of the same into general Affirmations, and of these again into Syllogismes, 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 joyned together into Syllogismes, 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.

Beliefe Faith

When a mans 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 BELEEFE, and FAITH: Faith, In the man; Beleeefe, both Of the man, and Of the truth of what he sayes. So then in Beleeefe are two opinions; one of the saying of the man; the other of his vertue. To Have Faith In, or Trust To, or Beleeve A Man, signifie the same thing; namely, an opinion of the veracity of the man: But to Beleeve What Is Said, signifieth onely an opinion of the truth of the saying. But wee are to observe that this Phrase, I Beleeve In; as also the Latine, Credo In; and the Greeke, Pisteno Eis, are never used but in the writings of Divines. In stead of them, in other writings are put, I Beleeve Him; I Have Faith In Him; I Rely On Him: and in Latin, Credo Illi; Fido Illi: and in Greeke, Pisteno Anto: and that this singularity of the Ecclesiastical use of the word hath raised many disputes about the right object of the Christian Faith.

But by Beleeving In, as it is in the Creed, is meant, not trust in the Person; but Confession and acknowledgement of the Doctrine. For not onely Christians, but all manner of men do so believe in God, as to hold all for truth they heare 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 inferre, that when wee believe any saying whatsoever it be, to be true, from arguments taken, not from the thing it selfe, or from the principles of naturall Reason, but from the Authority, and good opinion wee have, of him that hath sayd 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 onely. And consequently, when wee Believe that the Scriptures are the word of God, having no immediate revelation from God himselfe, our Beleeefe, 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 Caesar; I do not think the Ghost of Alexander, or Caesar, had any just cause to be offended; or any body else, but the Historian. If Livy say the Gods made once a Cow speak, and we believe it not; wee 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 onely, and their writings; whether they be sent from God or not, is Faith in men onely.

CHAPTER VIII. OF THE VERTUES COMMONLY CALLED INTELLECTUAL; AND THEIR CONTRARY DEFECTS

Intellectuall Vertue Defined

Vertue generally, in all sorts of subjects, is somewhat that is valued for eminence; and consisteth in comparison. For if all things were equally in all men, nothing would be prized. And by Vertues INTELLECTUALL, 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 Witte; though the same word Witte, be used also, to distinguish one certain ability from the rest.

Wit, Naturall, Or Acquired

These Vertues are of two sorts; Naturall, and Acquired. By Naturall, 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 Vertues. But I mean, that Witte, which is gotten by Use onely, and Experience; without Method, Culture, or Instruction. This NATURALL WITTE, consisteth principally in two things; Celerity Of Imagining, (that is, swift succession of one thought to another;) and Steddy Direction to some approved end. On the Contrary a slow Imagination, maketh that Defect, or fault of the mind,

which is commonly called DULNESSE, Stupidity, and sometimes by other names that signifie slownesse of motion, or difficulty to be moved.

Good Wit, Or Fancy; Good Judgement; Discretion

And this difference of quicknesse, is caused by the difference of mens passions; that love and dislike, some one thing, some another: and therefore some mens thoughts run one way, some another: and are held to, and observe differently the things that passe through their imagination. And whereas in his succession of mens 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 sayd 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 easie, are said to have a Good Judgement: and particularly in matter of conversation and businesse; wherein, times, places, and persons are to be discerned, this Vertue is called DISCRETION. The former, that is, Fancy, without the help of Judgement, is not commended as a Vertue: but the later which is Judgement, and Discretion, is commended for it selfe, 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 Vertue, will be easily fitted with similitudes, that will please, not onely by illustration of his discourse, and adorning it with new and apt metaphors; but also, by the rarity or their invention. But without Steddinesse, and Direction to some End, a great Fancy is one kind of Madnesse; such as they have, that entring into any discourse, are snatched from their purpose, by every thing 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, withdrawes a man by degrees from the intended way of his discourse.

In a good Poem, whether it be Epique, or Dramatique; as also in Sonnets, Epigrams, and other Pieces, both Judgement 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 Judgement must be eminent; because the goodnesse consisteth, in the Method, in the Truth, and in the Choyse of the actions that are most profitable to be known. Fancy has no place, but onely in adorning the stile.

In Orations of Prayse, and in Invectives, the Fancy is praedominant; because the designe is not truth, but to Honour or Dishonour; which is done by noble, or by vile comparisons. The Judgement does but suggest what circumstances make an action laudable, or culpable.

In Hortatives, and Pleadings, as Truth, or Disguise serveth best to the Designe in hand; so is the Judgement, or the Fancy most required.

In Demonstration, in Councell, and all rigourous search of Truth, Judgement 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 professe deceit; to admit them into Councell, 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 signe 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, prophane, clean, obscene, grave, and light, without shame, or blame; which verbal discourse cannot do, farther than the Judgement shall approve of the Time, Place, and Persons. An Anatomist, or a Physitian may speak, or write his judgement 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 himselfe before good company. And 'tis the want of Discretion that makes the difference. Again, in profest remissnesse of mind, and familiar company, a man may play with the sounds, and aequivocal significations of words; and that many times with encounters of extraordinary Fancy: but in a Sermon, or in publique, 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 onely in the want of Discretion. So that where Wit is wanting, it is not Fancy that is wanting, but Discretion. Judgement therefore without Fancy is Wit, but Fancy without Judgement not.

Prudence

When the thoughts of a man, that has a designe in hand, running over a multitude of things, observes how they conduce to that designe; or what designe they may conduce into; if his observations be such as are not easie, or usuall, This wit of his is called PRUDENCE; and dependeth 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 Judgements; Because the Experience of men equall in age, is not much unequall, as to the quantity; but lyes in different occasions; every one having his private designes. To govern well a family, and a kingdome, are not different degrees of Prudence; but different sorts of businesse; no more then to draw a picture in little,

or as great, or greater then the life, are different degrees of Art. A plain husband-man is more Prudent in affaires of his own house, then a Privy Counsellor in the affaires of another man.

Craft

To Prudence, if you adde the use of unjust, or dishonest means, such as usually are prompted to men by Feare, or Want; you have that Crooked Wisdome, which is called CRAFT; which is a signe of Pusillanimity. For Magnanimity is contempt of unjust, or dishonest helps. And that which the Latines 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 robbes one to pay another, is but a shorter sighted Craft, called Versutia, from Versura, which signifies taking mony at usurie, for the present payment of interest.

Acquired Wit

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 Witts, 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 lesse 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 onely from the difference of mens complexions; but also from their difference of customes, and education.

The Passions that most of all cause the differences of Wit, are principally, the more or lesse 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 severall sorts of Power.

Giddinesse Madnesse

And therefore, a man who has no great Passion for any of these things; but is as men terme it indifferent; though he may be so farre a good man, as to be free from giving offence; yet he cannot possibly have either a great Fancy, or much Judgement. For the Thoughts, are to the Desires, as Scouts, and Spies, to range abroad, and find the way to the

things Desired: All Stedinesse of the minds motion, and all quicknesse of the same, proceeding from thence. For as to have no Desire, is to be Dead: so to have weak Passions, is Dulnesse; and to have Passions indifferently for every thing, GIDDINESSE, and Distraction; and to have stronger, and more vehement Passions for any thing, than is ordinarily seen in others, is that which men call MADNESSE.

Whereof there be almost as many kinds, as of the Passions themselves. Sometimes the extraordinary and extravagant Passion, proceedeth from the evill constitution of the organs of the Body, or harme 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 Madnesse is of one and the same nature.

The Passion, whose violence, or continuance maketh Madnesse, is either great Vaine-Glory; which is commonly called Pride, and Selfe-Conceit; or great Dejection of mind.

Rage

Pride, subjecteth a man to Anger, the excesse whereof, is the Madnesse called RAGE, and FURY. And thus it comes to passe that excessive desire of Revenge, when it becomes habituall, hurteth the organs, and becomes Rage: That excessive love, with jealousie, becomes also Rage: Excessive opinion of a mans own selfe, for divine inspiration, for wisdom, learning, forme, and the like, becomes Distraction, and Giddinesse: the same, joyned with Envy, Rage: Vehement opinion of the truth of any thing, contradicted by others, Rage.

Melancholy

Dejection, subjects a man to causelesse fears; which is a Madnesse 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 summe, all Passions that produce strange and unusuall behaviour, are called by the generall name of Madnesse. But of the severall kinds of Madnesse, he that would take the paines, might enrowle a legion. And if the Excesses be madnesse, there is no doubt but the Passions themselves, when they tend to Evill, 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 alwayes 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 Madnesse can there be greater, than to clamour, strike, and throw stones at our best friends? Yet this is somewhat lesse 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 Madnesse 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 wee perceive no great unquietnesse, 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 madnesse; yet that very arrogating such inspiration to themselves, is argument enough. If some man in Bedlam should entertaine 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 Madnesse.

This opinion of Inspiration, called commonly, Private Spirit, begins very often, from some lucky finding of an Errour generally held by others; and not knowing, or not remembring, 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 speciall grace of God Almighty, who hath revealed the same to them supernaturally, by his Spirit.

Again, that Madnesse 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 evill disposition of the organs. For the variety of behaviour in men that have drunk too much, is the same with that of Mad-men: some of them Raging, others Loving, others laughing, all extravagantly, but according to their severall 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 meere Madnesse.

The opinions of the world, both in antient and later ages, concerning the cause of madnesse, have been two. Some, deriving them from the Passions; some, from Daemons, or Spirits, either good, or bad, which they thought might enter into a man, possesse him, and move his organs in such strange, and uncouth manner, as mad-men use to do. The former sort therefore, called such men, Mad-men: but the Later, called them sometimes Daemoniacks, (that is, possessed with spirits;) sometimes Energumeni, (that is agitated, or moved with spirits;) and now in Italy they are called not onely Pazzi, Mad-men; but also Spiritati, men possest.

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 extream 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 Iambiques, 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 Graecian city, which seized onely 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 they did not contemne also their honour, gave counsell to the Magistrates, to strip such as so hang'd themselves, and let them hang out naked. This the story sayes cured that madness. But on the other side, the same Graecians, did often ascribe madness, to the operation of the Eumenides, or Furies; and sometimes of Ceres, Phoebus, and other Gods: so much did men attribute to Phantasmes, as to think them aereal 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 Jewes; For they calle mad-men Prophets, or (according as they thought the spirits good or bad) Daemoniacks; and some of them called both Prophets, and Daemoniacks, mad-men; and some called the same man both Daemoniack, and mad-man. But for the Gentiles, 'tis no wonder; because Diseases, and Health; Vices, and Vertues; and many naturall accidents, were with them termed, and worshipped as Daemons. So that a man was to understand by Daemon, as well (sometimes) an Ague, as a Devil. But for the Jewes to have such opinion, is somewhat strange. For neither Moses, nor Abraham pretended to Prophecy by possession of a Spirit; but from the voyce of God; or by a Vision or Dream: Nor is there any thing in his Law, Morall, or Ceremoniall, by which they were taught, there was any such Enthusiasme; or any Possession. When God is sayd, (Numb. 11. 25.) to take from the Spirit that was in Moses, and give it to the 70. 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 mans spirit, enclined to Godlinesse. And where it is said (Exod. 28. 3.) "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 alwayes, yet as often as the vertue or vice so stiled, is extraordinary, and Eminent. Neither did the other Prophets of the old Testament pretend Enthusiasme; or, that God spake in them; but to them by Voyce, Vision, or Dream; and the Burthen Of The Lord was not Possession, but Command. How then could the Jewes 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 naturall causes; and their placing Felicity, in the acquisition of the grosse pleasures of the Senses, and the things that most immediately conduce thereto. For they that see any strange, and unusuall ability, or defect in a mans mind; unlesse they see withall, from what cause it may probably proceed, can hardly think it naturall; and if not naturall, they must needs thinke it supernaturall; and then what can it be, but that either God, or the Devil is in him? And hence it came to passe, when our Saviour (Mark 3.21.) 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 Belzebub, and that was it, by which he cast out devils; as if the greater mad-man had awed the lesser. And that (John 10. 20.) some said, "He hath a Devil, and is mad;" whereas others

holding him for a Prophet, sayd, "These are not the words of one that hath a Divell." So in the old Testament he that came to annoynt Jehu, (2 Kings 9.11.) was a Prophet; but some of the company asked Jehu, "What came that mad-man for?" So that in summe, it is manifest, that whosoever behaved himselfe in extraordinary manner, was thought by the Jewes to be possessed either with a good, or evill spirit; except by the Sadduces, who erred so farre on the other hand, as not to believe there were at all any spirits, (which is very neere to direct Atheisme;) and thereby perhaps the more provoked others, to terme such men Daemoniacks, rather than mad-men.

But why then does our Saviour proceed in the curing of them, as if they were possest; 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 shew unto men the kingdome of God; and to prepare their mindes to become his obedient subjects; leaving the world, and the Philosophy thereof, to the disputation of men, for the exercising of their naturall Reason. Whether the Earths, or Suns motion make the day, and night; or whether the Exorbitant actions of men, proceed from Passion, or from the Divell, (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 usuall phrase of all that cure by words onely, as Christ did, (and Inchanters pretend to do, whether they speak to a Divel or not.) For is not Christ also said (Math. 8.26.) to have rebuked the winds? Is not he said also (Luk. 4. 39.) to rebuke a Fever? Yet this does not argue that a Fever is a Divel. And whereas many of these Divels are said to confesse Christ; it is not necessary to interpret those places otherwise, than that those mad-men confessed him. And whereas our Saviour (Math. 12. 43.) speaketh of an unclean Spirit, that having gone out of a man, wandreth through dry places, seeking rest, and finding none; and returning into the same man, with seven other spirits worse than himselfe; 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 believe, that Daemoniacks were any other thing but Mad-men.

Insignificant Speech

There is yet another fault in the Discourses of some men; which may also be numbred amongst the sorts of Madnesse; 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 Schoole-men; or in questions of abstruse Philosophy. The common sort of men seldome speak Insignificantly, and are therefore, by those

other Egregious persons counted Idiots. But to be assured their words are without any thing correspondent to them in the mind, there would need some Examples; which if any man require, let him take a Schoole-man into 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 moderne tongues, so as to make the same intelligible; or into any tolerable Latine, such as they were acquainted withall, that lived when the Latine tongue was Vulgar. What is the meaning of these words. "The first cause does not necessarily inflow any thing into the second, by force of the Essential subordination of the second causes, by which it may help it to worke?" They are the Translation of the Title of the sixth chapter of Suarez first Booke, Of The Concourse, Motion, And Help Of God. When men write whole volumes of such stuffe, 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 White-nesse, Round-nesse, Magni-tude, Quali-ty, Corruptibili-ty, all which are incorporeall, &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 alwayes things, that being incorporeall, are neverthesse moveable from one place to another. So that this kind of Absurdity, may rightly be numbred amongst the many sorts of Madnesse; and all the time that guided by clear Thoughts of their worldly lust, they forbear disputing, or writing thus, but Lucide Intervals. And thus much of the Vertues and Defects Intellectual.

CHAPTER IX. OF THE SEVERALL 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 Witnesse. The later is called Science; and is Conditionall; as when we know, that, If The Figure Showne Be A Circle, Then Any Straight Line Through The Centre Shall Divide It Into Two Equall 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 Naturall History; which is the History of such Facts, or Effects of Nature, as have no Dependance on Mans Will; Such as are the Histories of Metals, Plants, Animals, Regions, and the like. The other, is Civill History; which is the History of the Voluntary Actions of men in Common-wealths.

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.

I. Science, that is, Knowledge of Consequences; which is called also PHILOSOPHY

A. Consequences from Accidents of Bodies Naturall; which is called NATURALL PHILOSOPHY

1. Consequences from the Accidents common to all Bodies Naturall; which are Quantity, and Motion.

a. Consequences from Quantity, and Motion Indeterminate; which, being the Principles or first foundation of Philosophy, is called Philosophia Prima

PHILOSOPHIA PRIMA

b. Consequences from Motion, and Quantity Determined

1) Consequences from Quantity, and Motion Determined

a) By Figure, By Number

1] Mathematiques,

GEOMETRY
ARITHMETIQUE

2) Consequences from the Motion, and Quantity of Bodies in Speciall

a) Consequences from the Motion, and Quantity of the great parts of the World, as the Earth and Stars,

1] Cosmography

ASTRONOMY
GEOGRAPHY

b) Consequences from the Motion of Speciall kinds, and Figures of Body,

1] Mechaniques, Doctrine of Weight

Science of
ENGINEERS
ARCHITECTURE
NAVIGATION

2. PHYSIQUES, or Consequences from Qualities

a. Consequences from the Qualities of Bodies Transient, such as sometimes appear, sometimes vanish

METEOROLOGY

b. Consequences from the Qualities of Bodies Permanent

1) Consequences from the Qualities of the Starres

- a) Consequences from the Light of the Starres. Out of this, and the Motion of the Sunne, is made the Science of

SCIOGRAPHY

- b) Consequences from the Influence of the Starres,

ASTROLOGY

2) Consequences of the Qualities from Liquid Bodies that fill the space between the Starres; such as are the Ayre, or substance aetherial.

3) Consequences from Qualities of Bodies Terrestrial

- a) Consequences from parts of the Earth that are without Sense,

1] Consequences from Qualities of Minerals, as Stones, Metals, &c

2] Consequences from the Qualities of Vegetables

- b) Consequences from Qualities of Animals

1] Consequences from Qualities of Animals in Generall

- a] Consequences from Vision,

OPTIQUES

- b] Consequences from Sounds,

MUSIQUE

- c] Consequences from the rest of the senses

2] Consequences from Qualities of Men in Speciall

- a] Consequences from Passions of Men,

ETHIQUES

- b] Consequences from Speech,

i) In Magnifying, Vilifying, etc.

POETRY

ii) In Persuading,

RHETORIQUE

iii) In Reasoning,

LOGIQUE

iv) In Contracting,

The Science of
JUST and UNJUST

B. Consequences from the Accidents of Politique Bodies; which is called POLITIQUES, and CIVILL PHILOSOPHY

1. Of Consequences from the Institution of COMMON-WEALTHS, to the Rights, and Duties of the Body Politique, or Sovereign.
2. Of Consequences from the same, to the Duty and Right of the Subjects.

CHAPTER X. OF POWER, WORTH, DIGNITY, HONOUR AND WORTHINESS

Power

The POWER of a Man, (to take it Universally,) is his present means, to obtain some future apparent Good. And is either Originall, or Instrumentall.

Naturall Power, is the eminence of the Faculties of Body, or Mind: as extraordinary Strength, Forme, Prudence, Arts, Eloquence, Liberality, Nobility. Instrumentall 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 hast.

The Greatest of humane Powers, is that which is compounded of the Powers of most men, united by consent, in one person, Naturall, or civill, that has the use of all their Powers depending on his will; such as is the Power of a Common-wealth: 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 joyned 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.

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

So is Reputation of love of a mans 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 successe is Power; because it maketh reputation of Wisdome, or good fortune; which makes men either feare him, or rely on him.

Affability of men already in power, is encrease 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 our selves, more willingly than to others.

Nobility is Power, not in all places, but onely in those Common-wealths, where it has Priviledges: for in such priviledges consisteth their Power.

Eloquence is Power; because it is seeming Prudence.

Forme 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 attayned it.

Arts of publique use, as Fortification, making of Engines, and other Instruments of War; because they conferre to Defence, and Victory, are Power; And though the true Mother of them, be Science, namely the Mathematiques; 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.

Worth

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 dependant on the need and judgement of another. An able conductor of Souldiers, 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 as 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 himselfe.

Dignity

The publique worth of a man, which is the Value set on him by the Common-wealth, is that which men commonly call DIGNITY. And this Value of him by the Common-wealth, is understood, by offices of Command, Judicature, publike Employment; or by Names and Titles, introduced for distinction of such Value.

To Honour and Dishonour

To pray to another, for ayde of any kind, is to HONOUR; because a signe we have an opinion he has power to help; and the more difficult the ayde is, the more is the Honour.

To obey, is to Honour; because no man obeyes 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 'tis buying of Protection, and acknowledging of Power. To give little gifts, is to Dishonour; because it is but Almes, and signifies an opinion of the need of small helps. To be sedulous in promoting anothers good; also to flatter, is to Honour; as a signe we seek his protection or ayde. 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 shew any signe of love, or feare of another, is to Honour; for both to love, and to feare, is to value. To contemne, or lesse to love or feare then he expects, is to Dishonour; for 'tis undervaluing.

To praise, magnifie, or call happy, is to Honour; because nothing but goodnesse, power, and felicity is valued. To revile, mock, or pitty, is to Dishonour.

To speak to another with consideration, to appear before him with decency, and humility, is to Honour him; as signes 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; signe of opinion of his vertue and power. To distrust, or not believe, is to Dishonour.

To hearken to a mans counsell, or discourse of what kind soever, is to Honour; as a signe 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 signes of Honour, or which the Law or Custome 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 signe of approving his judgement, 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 ones Enemy, is to Dishonour.

To honour those another honours, is to Honour him; as a signe of approbation of his judgement. To honour his Enemies, is to Dishonour him.

To employ in counsell, or in actions of difficulty, is to Honour; as a signe 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 wayes of Honouring, are naturall; and as well within, as without Common-wealths. But in Common-wealths, where he, or they that have the supreme Authority, can make whatsoever they please, to stand for signes of Honour, there be other Honours.

A Sovereigne doth Honour a Subject, with whatsoever Title, or Office, or Employment, or Action, that he himselfe will have taken for a signe of his will to Honour him.

The King of Persia, Honoured Mordecay, when he appointed he should be conducted through the streets in the Kings Garment, upon one of the Kings Horses, with a Crown on his head, and a Prince before him, proclayming, "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 weare one of the Kings robes, gave him leave so to do; but with his addition, that he should weare it as the Kings foole; and then it was Dishonour. So that of Civill Honour; such as are Magistracy, Offices, Titles; and in some places Coats, and Scutchions painted: and men Honour such as have them, as having so many signes of favour in the Common-wealth; which favour is Power.

Honourable is whatsoever possession, action, or quality, is an argument and signe 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.

Good fortune (if lasting,) Honourable; as a signe 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 signe 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 Errour, Ignorance, or Folly, Dishonourable.

Gravity, as farre forth as it seems to proceed from a mind employed on some thing else, is Honourable; because employment is a signe 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 steddinesse of a Ship laden with Merchandise; but of the later, like the steddinesse 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 signe 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 aydes, and friends of their Ancestors. On the contrary, to be descended from obscure Parentage, is Dishonourable.

Actions proceeding from Equity, joyned with losse, are Honourable; as signes of Magnanimity: for Magnanimity is a signe of Power. On the contrary, Craft, Shifting, neglect of Equity, is Dishonourable.

Nor does it alter the case of Honour, whether an action (so it be great and difficult, and consequently a signe of much power,) be just or unjust: for Honour consisteth onely in the opinion of Power. Therefore the ancient Heathen did not thinke 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: In so much as nothing is so much celebrated in Jupiter, as his Adulteries; nor

in Mercury, as his Frauds, and Thefts: of whose praises, in a hymne of Homer, the greatest is this, that being born in the morning, he had invented Musique at noon, and before night, stolen away the Cattell of Appollo, from his Herdsmen.

Also amongst men, till there were constituted great Common-wealths, it was thought no dishonour to be a Pyrate, or a High-way Theefe; but rather a lawfull Trade, not onely amongst the Greeks, but also amongst all other Nations; as is manifest by the Histories of antient time. And at this day, in this part of the world, private Duels are, and alwayes will be Honourable, though unlawfull, 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 alwayes 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 rashnesse, are driven into the Lists to avoyd disgrace.

Scutchions, and coats of Armes haereditary, where they have any eminent Priviledges, are Honourable; otherwise not: for their Power consisteth either in such Priviledges, or in Riches, or some such thing as is equally honoured in other men. This kind of Honour, commonly called Gentry, has been derived from the Antient Germans. For there never was any such thing known, where the German Customes were unknown. Nor is it now any where in use, where the Germans have not inhabited. The antient Greek Commanders, when they went to war, had their Shields painted with such Devises as they pleased; insomuch as an unpainted Buckler was a signe of Poverty, and of a common Souldier: but they transmitted not the Inheritance of them. The Romans transmitted the Marks of their Families: but they were the Images, not the Devises of their Ancestors. Amongst the people of Asia, Afrique, and America, there is not, nor was ever, any such thing. The Germans onely had that custome; from whom it has been derived into England, France, Spain, and Italy, when in great numbers they either ayded the Romans, or made their own Conquests in these Western parts of the world.

For Germany, being antiently, 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 Armor, or their Scutchion, 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 his ornament both of the Armes, 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, joyned together, made a greater Monarchy, this duty of the Herealt, to distinguish Scutchions, was made a private Office a part. And the issue of these Lords, is the great and antient 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 vertue military. Afterwards, not onely Kings, but popular Common-wealths, gave divers

manners of Scutchions, to such as went forth to the War, or returned from it, for encouragement, or recompence to their service. All which, by an observing Reader, may be found in such ancient Histories, Greek and Latine, as make mention of the German Nation, and Manners, in their times.

Titles of Honour

Titles of Honour, such as are Duke, Count, Marquis, and Baron, are Honourable; as signifying the value set upon them by the Sovereigne Power of the Common-wealth: Which Titles, were in old time titles of Office, and Command, derived some from the Romans, some from the Germans, and French. Dukes, in Latine Duces, being Generalls in War: Counts, Comites, such as bare the Generall 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 customes of the German Militia. But Baron, seems to have been a Title of the Gaules, and signifies a Great man; such as were the Kings, or Princes 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 Gaules, that Vir in Latine; 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 originall of Titles of Honour, may find it, as I have done this, in Mr. Seldens most excellent Treatise of that subject. In processe of time these offices of Honour, by occasion of trouble, and for reasons of good and peacable government, were turned into meer Titles; serving for the most part, to distinguish the precedence, place, and order of subjects in the Common-wealth: 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.

Worthinesse Fitnessse

WORTHINESSE, 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 FITNESSSE, 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 neverthesse be a Worthy man, and valuable for some thing else. Again, a man may be Worthy of Riches, Office, and Employment, that neverthesse, can plead no right to have it before

another; and therefore cannot be said to merit or deserve it. For Merit, praesupposeth 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

What Is Here Meant By Manners

By MANNERS, I mean not here, Decency of behaviour; as how one man 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 man-kind, 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 ayme,) nor *Summum Bonum*, (greatest good,) as is spoken of in the Books of the old Morall 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 continuall progresse of the desire, from one object to another; the attaining of the former, being still but the way to the later. The cause whereof is, That the object of mans desire, is not to enjoy once onely, 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 onely 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.

A Restlesse Desire Of Power, In All Men

So that in the first place, I put for a generall inclination of all mankind, a perpetuall and restlesse desire of Power after power, that ceaseth onely in Death. And the cause of this, is not alwayes 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 Lawes, 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 sensuall pleasure; in others, of admiration, or being flattered for excellence in some art, or other ability of the mind.

Love Of Contention From Competition

Competition of Riches, Honour, command, or other power, enclineth to Contention, Enmity, and War: because the way of one Competitor, to the attaining of his desire, is to kill, subdue, supplant, or repell the other. Particularly, competition of praise, enclineth 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.

Civil Obedience From Love Of Ease

Desire of Ease, and sensuall Delight, disposeth men to obey a common Power: because by such Desires, a man doth abandon the protection might be hoped for from his own Industry, and labour.

From Feare Of Death Or Wounds

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 enclined to continue the causes of warre; and to stirre up trouble and sedition: for there is no honour Military but by warre; nor any such hope to mend an ill game, as by causing a new shuffle.

And From Love Of Arts

Desire of Knowledge, and Arts of Peace, enclineth men to obey a common Power: For such Desire, containeth a desire of leasure; and consequently protection from some other Power than their own.

Love Of Vertue, From Love Of Praise

Desire of Praise, disposeth to laudable actions, such as please them whose judgement they value; for of these 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 joyes, that are either swallowed up in the unspeakable joyes 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 rebound thereby to their posterity: which though they now see not, yet they imagine; and any thing that is

pleasure in the sense, the same also is pleasure in the imagination.

Hate, From Difficulty Of Requiring Great Benefits

To have received from one, to whom we think our selves equall, greater benefits than there is hope to Requite, disposeth to counterfiet love; but really secret hatred; and puts a man into the estate of a desperate debtor, that in declining the sight of his creditor, tacitely wishes him there, where he might never see him more. For benefits oblige; and obligation is thralldome; which is to ones equall, hateful. But to have received benefits from one, whom we acknowledge our superiour, enclines to love; because the obligation is no new depression: and cheerfull acceptation, (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 equall, or inferiour, as long as there is hope of requitall, disposeth to love: for in the intention of the receiver, the obligation is of ayd, and service mutuall; 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.

And From Conscience Of Deserving To Be Hated

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

Promptnesse To Hurt, From Fear

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

And From Distrust Of Their Own Wit

Men that distrust their own subtilty, 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 alwayes in the procincts of Battell, to hold together, and use all advantages of force, is a better stratagem, than any that can proceed from subtilty of Wit.

Vain Undertaking From Vain-glory

Vain-glorious men, such as without being conscious to themselves of great sufficiency, delight in supposing themselves gallant men, are enclined onely 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 enclined 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.

Ambition, From Opinion Of Sufficiency

Men that have a strong opinion of their own wisdom in matter of government, are disposed to Ambition. Because without publique Employment in counsell or magistracy, the honour of their wisdom is lost. And therefore Eloquent speakers are enclined to Ambition; for Eloquence seemeth wisdom, both to themselves and others

Irresolution, From Too Great Valuing Of Small Matters

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, tis a signe, 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.

Frugality,(though in poor men a Vertue,) maketh a man unapt to atchieve such actions, as require the strength of many men at once: For it weakeneth their Endeavour, which is to be nourished and kept in vigor by Reward.

Confidence In Others From Ignorance Of The Marks Of Wisdom and Kindnesse Eloquence, with flattery, disposeth men to confide in them that have it; because the former is seeming Wisdom, the later seeming Kindnesse. Adde to them Military reputation, and it disposeth men to adhaere, and subject themselves to those men that have them. The two

former, having given them caution against danger from him; the later gives them caution against danger from others.

And From The Ignorance Of Naturall Causes

Want of Science, that is, Ignorance of causes, disposeth, or rather constraineth a man to rely on the advise, and authority of others. For all men whom the truth concernes, 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.

And From Want Of Understanding

Ignorance of the signification of words; which is, want of understanding, disposeth men to take on trust, not onely the truth they know not; but also the errors; and which is more, the non-sense of them they trust: For neither Error, nor non-sense, 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 mislike it, Haeresie: and yet haeresie signifies no more than private opinion; but has onely 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 the one action of all the Senators of Rome in killing Catiline, and the many actions of a number of Senators in killing Caesar; 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 perswasion of one.

Adhaerence To Custome, From Ignorance Of The Nature Of Right And Wrong Ignorance of the causes, and originall constitution of Right, Equity, Law, and Justice, disposeth a man to make Custome and Example the rule of his actions; in such manner, as to think that Unjust which it hath been the custome to punish; and that Just, of the impunity and approbation whereof they can produce an Example, or (as the Lawyers which onely use the false measure of Justice barbarously call it) a Precedent; like little children, that have no other rule of good and evill 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 strong, and stubborn, they appeale from custome to reason, and from reason to custome, as it serves their turn; receding from custome 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 mans ambition, profit, or lust. For I doubt not, but if it had been a thing contrary to any mans right of dominion, or to the interest of men that have dominion, That The Three Angles Of A Triangle Should Be Equall 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 farre as he whom it concerned was able.

Adhaerence To Private Men, From Ignorance Of The Causes Of Peace
Ignorance of remote causes, disposeth men to attribute all events, to the causes immediate, and Instrumentall: For these are all the causes they perceive. And hence it comes to passe, that in all places, men that are grieved with payments to the Publique, discharge their anger upon the Publicans, that is to say, Farmers, Collectors, and other Officers of the publike Revenue; and adhaere to such as find fault with the publike Government; and thereby, when they have engaged themselves beyond hope of justification, fall also upon the Supreme Authority, for feare of punishment, or shame of receiving pardon.

Credulity From Ignorance Of Nature

Ignorance of naturall 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 love to be hearkened unto in company, disposeth them to lying: so that Ignorance it selfe without Malice, is able to make a man bothe to believe lyes, and tell them; and sometimes also to invent them.

Curiosity To Know, From Care Of Future Time

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

Naturall Religion, From The Same

Curiosity, or love of the knowledge of causes, draws a man from 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 eternall; which is it men call God. So that it is impossible to make any profound enquiry into naturall causes, without being enclined thereby to believe there is one God Eternall; 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 himselfe, there is somewhat there, which men call Fire, and is the cause of the heat he feeles; 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 of 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 enquiry into the naturall causes of things, yet from the feare that proceeds from the ignorance it selfe, of what it is that hath the power to do them much good or harm, are enclined to suppose, and feign unto themselves, severall kinds of Powers Invisible; and to stand in awe of their own imaginations; and in time of distresse to invoke them; as also in the time of an expected good successe, to give them thanks; making the creatures of their own fancy, their Gods. By which means it hath come to passe, that from the innumerable variety of Fancy, men have created in the world innumerable sorts of Gods. And this Feare of things invisible, is the naturall Seed of that, which every one in himself calleth Religion; and in them that worship, or feare 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 enclined thereby to nourish, dresse, and forme it into Lawes; and to adde to it of their own invention, any opinion of the causes of future events, by which they thought they should best be able to govern others, and make unto themselves the greatest use of their Powers.

CHAPTER XII. OF RELIGION

Religion, In Man Onely

Seeing there are no signes, nor fruit of Religion, but in Man onely; there is no cause to doubt, but that the seed of Religion, is also onely in Man; and consisteth in some peculiar quality, or at least in some eminent degree thereof, not to be found in other Living creatures.

First, From His Desire Of Knowing Causes

And first, it is peculiar to the nature of Man, to be inquisitive into the Causes of the Events they see, some more, some lesse; but all men so much, as to be curious in the search of the causes of their own good and evill fortune.

From The Consideration Of The Beginning Of Things

Secondly, upon the sight of any thing 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.

From His Observation Of The Sequell Of Things

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 dependance of the things they see; Man observeth how one Event hath been produced by another; and remembreth in them Antecedence and Consequence; And when he cannot assure himselfe of the true causes of things, (for the causes of good and evill fortune for the most part are invisible,) he supposes causes of them, either such as his own fancy suggesteth; or trusteth to the Authority of other men, such as he thinks to be his friends, and wiser than himselfe.

The Naturall Cause Of Religion, The Anxiety Of The Time To Come 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 himselfe against the evill he feares, and procure the good he desireth, not to be in a perpetuall solicitude of the time to come; So that every man, especially those that are over provident, are in an estate 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 repayed 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 feare of death, poverty, or other calamity; and has no repose, nor pause of his anxiety, but in sleep.

Which Makes Them Fear The Power Of Invisible Things

This perpetuall feare, alwayes 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 evill 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 humane Feare: 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 Eternall, Infinite, and Omnipotent, may more easily be derived, from the desire men have to

know the causes of naturall bodies, and their severall vertues, and operations; than from the feare of what was to befall them in time to come. For he that from any effect hee seeth come to passe, should reason to the next and immediate cause thereof, and from thence to the cause of that cause, and plunge himselfe 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 Eternall 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 enclines 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 feigne them.

And Suppose Them Incorporeall

And for the matter, or substance of the Invisible Agents, so fancied; they could not by naturall cogitation, fall upon any other concept, but that it was the same with that of the Soule of man; and that the Soule of man, was of the same substance, with that which appeareth in a Dream, to one that sleepeth; or in a Looking-glasse, to one that is awake; which, men not knowing that such apparitions are nothing else but creatures of the Fancy, think to be reall, and externall Substances; and therefore call them Ghosts; as the Latines called them Imagines, and Umbrae; and thought them Spirits, that is, thin aereall bodies; and those Invisible Agents, which they feared, to bee like them; save that they appear, and vanish when they please. But the opinion that such Spirits were Incorporeall, or Immateriall, could never enter into the mind of any man by nature; because, though men may put together words of contradictory signification, as Spirit, and Incorporeall; yet they can never have the imagination of any thing answering to them: And therefore, men that by their own meditation, arrive to the acknowledgement of one Infinite, Omnipotent, and Eternall God, choose rather to confesse he is Incomprehensible, and above their understanding; than to define his Nature By Spirit Incorporeall, and then Confesse 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 Piously, to honour him with attributes, of significations, as remote as they can from the grossnesse of Bodies Visible.

But Know Not The Way How They Effect Anything

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 passe, men that know not what it is that we call Causing, (that is, almost all men) have no other rule to guesse by, but by observing, and remembring 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 dependance or connexion at all: And therefore from the like things past, they expect the like things to come; and hope for good or evill 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 warre in Afrique, 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 Leiturgy of Witches;) insomuch as to believe, they have power to turn a stone into bread, bread into a man, or any thing, into any thing.

But Honour Them As They Honour Men

Thirdly, for the worship which naturally men exhibite 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.

And Attribute To Them All Extraordinary Events

Lastly, concerning how these Invisible Powers declare to men the things which shall hereafter come to passe, especially concerning their good or evill fortune in generall, or good or ill successe 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 onely to take casuall things, after one or two encounters, for Prognostiques of the like encounter ever after, but also to believe the like Prognostiques from other men, of whom they have once conceived a good opinion.

Foure Things, Naturall Seeds Of Religion

And in these foure things, Opinion of Ghosts, Ignorance of second causes, Devotion towards what men fear, and Taking of things Casuall for Prognostiques, consisteth the Naturall seed of Religion; which by reason of the different Fancies, Judgements, and Passions of severall men, hath grown up into ceremonies so different, that those which are used by one man, are for the most part ridiculous to another.

Made Different By Culture

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 Gods commandement, and direction: but both sorts have done it, with a purpose to make those men that relyed on them, the more apt to Obedience, Lawes, Peace, Charity, and civill Society. So that the Religion of the former sort, is a part of humane Politiques; and teacheth part of the duty which Earthly Kings require of their Subjects. And the Religion of the later sort is Divine Politiques; and containeth Precepts to those that have yeelded themselves subjects in the Kingdome of God. Of the former sort, were all the Founders of Common-wealths, and the Law-givers of the Gentiles: Of the later sort, were Abraham, Moses, and our Blessed Saviour; by whom have been derived unto us the Lawes of the Kingdome of God.

The Absurd Opinion Of Gentilisme

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 Divell; 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 Dogge, a Snake, an Onion, a Leeke, Deified. Besides, that they filled almost all places, with spirits called Daemons; the plains, with Pan, and Panises, or Satyres; the Woods, with Fawnes, and Nymphs; the Sea, with Tritons, and other Nymphs; every River, and Fountayn, with a Ghost of his name, and with Nymphs; every house, with it Lares, or Familiars; every man, with his Genius; Hell, with Ghosts, and spirituall Officers, as Charon, Cerberus, and the Furies; and in the night time, all places with Larvae, Lemures, Ghosts of men deceased, and a whole kingdome of Fayries, and Bugbears. They have also ascribed Divinity, and built Temples to meer Accidents, and Qualities; such as are Time, Night, Day, Peace, Concord, Love, Contention, Vertue, 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 Evill, 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 Lust, by the name of Cupid; their own Rage, by the name Furies; their own privy members by the name of Priapus; and attributed their pollutions, to Incubi, and Succubae: 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 Divel.

The same authors of the Religion of the Gentiles, observing the second ground for Religion, which is mens Ignorance of causes; and thereby their aptnesse to attribute their fortune to causes, on which there was no dependence at all apparent, took occasion to obtrude on their ignorance, in stead of second causes, a kind of second and ministeriall Gods; ascribing the cause of Foecundity, to Venus; the cause of Arts, to Apollo; of Subtilty and Craft, to Mercury; of Tempests and stormes, to Aeolus; and of other effects, to other Gods: insomuch as there was amongst the Heathen almost as great variety of Gods, as of businesse.

And to the Worship, which naturally men conceived fit to bee 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 feare of them: And endowed them with lands, and houses, and officers, and revenues, set apart from all other humane uses; that is, consecrated, and made holy to those their Idols; as Caverns, Groves, Woods, Mountains, and whole Ilands; and have attributed to them, not onely the shapes, some of Men, some of Beasts, some of Monsters; but also the Faculties, and Passions of men and beasts; as Sense, Speech, Sex, Lust, Generation, (and this not onely by mixing one with another, to propagate the kind of Gods; but also by mixing with men, and women, to beget mongrill 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, Sodomie, 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 Prognostiques of time to come; which are naturally, but Conjectures upon the Experience of time past; and supernaturall, divine Revelation; the same authors of the Religion of the Gentiles, partly upon pretended Experience, partly upon pretended Revelation, have added innumerable other superstitious wayes of Divination; and made men believe they should find their fortunes, sometimes in the ambiguous or senslesse answers of the priests at Delphi, Delos, Ammon, and other famous Oracles; which answers, were made ambiguous by designe, to own the event both wayes; or absurd by the intoxicating vapour of the place, which is very frequent in sulphurous Cavernes: Sometimes in the leaves of the Sibills; of whose Prophecyes (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 Republique: Sometimes in the insignificant Speeches of Mad-men, supposed to be possessed with a divine Spirit; which Possession they called Enthusiasme; and these kinds of foretelling events, were accounted Theomancy, or Prophecy; Sometimes in the aspect of the Starres at their Nativity; which was called Horoscopy, and esteemed a part of judiciary Astrology: Sometimes in their own hopes and feares, 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 Casuall flight, or feeding of birds; called Augury: Sometimes in the Entrayles 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 casuall words, called Omina: Sometimes in Monsters, or unusuall accidents; as Ecclipses, Comets, rare Meteors, Earthquakes, Inundations, uncouth Births, and the like, which they called Portenta and Ostenta, because they thought them to portend, or foreshew some great Calamity to come; Sometimes, in meer Lottery, as Crosse and Pile; counting holes in a sive; dipping of Verses in Homer, and Virgil; and innumerable other such vaine conceits. So easie are men to be drawn to believe any thing, from such men as have gotten credit with them; and can with gentlenesse, and dexterity, take hold of their fear, and ignorance.

The Designes Of The Authors Of The Religion Of The Heathen And therefore the first Founders, and Legislators of Common-wealths amongst 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 beliefe, 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 mortalls, that their Lawes 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 Kingdome of Peru, pretended himselfe and his wife to be the children of the Sunne: and Mahomet, to set up his new Religion, pretended to have conferences with the Holy Ghost, in forme 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 Lawes. Thirdly, to prescribe Ceremonies, Supplications, Sacrifices, and Festivalls, by which they were to believe, the anger of the Gods might be appeased; and that ill success in War, great contagions of Sicknesse, Earthquakes, and each mans 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 antient Romans, men were not forbidden to deny, that which in the Poets is written of the paines, and pleasures after this life; which divers of great authority, and gravity in that state have in their Harangues openly derided; yet that beliefe was alwaies more cherished, than the contrary.

And by these, and such other Institutions, they obtayned 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 errour in their Ceremonies, or on their own disobedience to the lawes, were the lesse apt to mutiny against their Governors. And being entertained with the pomp, and pastime of Festivalls, and publike Gomes, 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 tollerating any Religion whatsoever in the

City of Rome it selfe; unlesse it had something in it, that could not consist with their Civill Government; nor do we read, that any Religion was there forbidden, but that of the Jewes; who (being the peculiar Kingdome of God) thought it unlawfull to acknowledge subjection to any mortall King or State whatsoever. And thus you see how the Religion of the Gentiles was a part of their Policy.

The True Religion, And The Lawes Of Gods Kingdome The Same But where God himselfe, by supernaturall Revelation, planted Religion; there he also made to himselfe a peculiar Kingdome; and gave Lawes, not only of behaviour towards himselfe; but also towards one another; and thereby in the Kingdome of God, the Policy, and lawes Civill, are a part of Religion; and therefore the distinction of Temporall, and Spirituall 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 generall command of the whole Army, should have withall 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 speake more largely of the Kingdome of God, both by Nature, and Covenant, I have in the following discourse assigned an other place.

The Causes Of Change In Religion

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 supernaturall; that can never be so abolished out of humane nature, but that new Religions may againe 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 himselfe 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 that they shall be unable to shew any probable token of divine Revelation; that the Religion which they desire to uphold, must be suspected likewise; and (without the feare of the Civill Sword) contradicted and rejected.

Injoyning Beleeve Of Impossibilities

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 enjoyning of a beleeve of contradictories: For both parts of a contradiction cannot possibly be true: and therefore to enjoyne the beleeve 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 supernaturall: which revelation a man may indeed have of many things above, but of nothing against naturall reason.

Doing Contrary To The Religion They Establish

That which taketh away the reputation of Sincerity, is the doing, or saying of such things, as appeare to be signes, 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, Prophanesse, Avarice, and Luxury. For who can believe, that he that doth ordinarily such actions, as proceed from any of these rootes, believeth there is any such Invisible Power to be feared, as he affrighteth other men withall, for lesser faults?

That which taketh away the reputation of Love, is the being detected of private ends: as when the beliefe they require of others, conduceth or seemeth to conduce to the acquiring of Dominion, Riches, Dignity, or secure Pleasure, to themselves onely, 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

Want Of The Testimony Of Miracles

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 beliefe, than what the Custome, and Lawes of the places, in which they be educated, have wrought into them. For as in naturall things, men of judgement require naturall signes, and arguments; so in supernaturall things, they require signes supernaturall, (which are Miracles,) before they consent inwardly, and from their hearts.

All which causes of the weakening of mens 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 40 dayes, revolted from the worship of the true God, recommended to them by him; and setting up (Exod.32 1,2) a Golden Calfe 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 2 11) were dead; another generation arose, and served Baal. So that

Miracles fayling, Faith also failed.

Again, when the sons of Samuel, (1 Sam.8.3) 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 cryed out to Samuel, to choose them a King after the manner of the Nations. So that Justice Fayling, Faith also fayled: 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 encreased wonderfully every day, and in every place, by the preaching of the Apostles, and Evangelists; a great part of that successe, may reasonably be attributed, to the contempt, into which the Priests of the Gentiles of that time, had brought themselves, by their uncleannesse, avarice, and jugling between Princes. Also the Religion of the Church of Rome, was partly, for the same cause abolished in England, and many other parts of Christendome; insomuch, as the fayling of Vertue in the Pastors, maketh Faith faile in the People: and partly from bringing of the Philosophy, and doctrine of Aristotle into Religion, by the Schoole-men; from whence there arose so many contradictions, and absurdities, as brought the Clergy into a reputation both of Ignorance, and of Fraudulent intention; and enclined 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 spirituall subjects, residing in the territories of other Christian Princes, that were it not for the mutuall emulation of those Princes, they might without warre, or trouble, exclude all forraign Authority, as easily as it has 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, unlesse a Bishop crown him? That a King, if he be a Priest, cannot Marry? That whether a Prince be born in lawfull Marriage, or not, must be judged by Authority from Rome? That Subjects may be freed from their Alleageance, if by the Court of Rome, the King be judged an Heretique? That a King (as Chilperique of France) may be deposed by a Pope (as Pope Zachary,) for no cause; and his Kingdome 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 criminall? Or who does not see, to whose profit redound the Fees of private Masses, and Vales of Purgatory; with other signes of private interest, enough to mortifie the most lively Faith, if (as I sayd) the civill Magistrate, and Custome did not more sustain it, than any opinion they have of the Sanctity, Wisdome, or Probity of their Teachers? So that I may attribute all the changes of Religion in the world, to one and the some cause; and that is, unpleasing Priests; and those not onely amongst Catholiques, but even in that Church that hath presumed most of Reformation.

CHAPTER XIII. OF THE NATURALL CONDITION OF MANKIND, AS CONCERNING THEIR FELICITY, AND MISERY

Nature hath made men so equall, in the faculties of body, and mind; as that though there bee found one man sometimes manifestly stronger in body, or of quicker mind then 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 himselfe 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 himselfe.

And as to the faculties of the mind, (setting aside the arts grounded upon words, and especially that skill of proceeding upon generall, 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 els,) I find yet a greater equality amongst men, than that of strength. For Prudence, is but Experience; which equall time, equally bestowes on all men, in those things they equally apply themselves unto. That which may perhaps make such equality incredible, is but a vain conceipt of ones owne 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 mens at a distance. But this proveth rather that men are in that point equall, than unequall. For there is not ordinarily a greater signe of the equall distribution of any thing, than that every man is contented with his share.

From Equality Proceeds Diffidence

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 neverthesse they cannot both enjoy, they become enemies; and in the way to their End, (which is principally their owne conservation, and sometimes their delectation only,) endeavour to destroy, or subdue one another. And from hence it comes to passe, that where an Invader hath no more to feare, than an other mans single power; if one plant, sow, build, or possesse a convenient Seat, others may probably be expected to come prepared with forces united, to dispossesse, 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.

From Diffidence Warre

And from this diffidence of one another, there is no way for any man to secure himselfe, 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 mans conservation, it ought to be allowed him.

Againe, men have no pleasure, (but on the contrary a great deale of griefe) in keeping company, where there is no power able to over-awe them all. For every man looketh that his companion should value him, at the same rate he sets upon himselfe: And upon all signes 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 principall 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 mens persons, wives, children, and cattell; the second, to defend them; the third, for trifles, as a word, a smile, a different opinion, and any other signe of undervalue, either direct in their Persons, or by reflexion in their Kindred, their Friends, their Nation, their Profession, or their Name.

Out Of Civil States, There Is Alwayes Warre Of Every One Against Every One

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 Warre; and such a warre, as is of every man, against every man. For WARRE, consisteth not in Battell onely, or the act of fighting; but in a tract of time, wherein the Will to contend by Battell is sufficiently known: and therefore the notion of Time, is to be considered in the nature of Warre; as it is in the nature of Weather. For as the nature of Foule weather, lyeth not in a showre or two of rain; but in an inclination thereto of many dayes together: So the nature of War, consisteth not in actuall fighting; but in the known disposition thereto, during all the time there is no assurance to the contrary. All other time is PEACE.

The Incommodities Of Such A War

Whatsoever therefore is consequent to a time of Warre, 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 withall. 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 worst of all, continuall feare, and danger of violent death; And the life of man, solitary, poore, 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 himselfe, when taking a journey, he armes himselfe, and seeks to go well accompanied; when going to sleep, he locks his doores; when even in his house he locks his chests; and this when he knows there bee Lawes, and publike Officers, armed, to revenge all injuries shall bee done him; what opinion he has of his fellow subjects, when he rides armed; of his fellow Citizens, when he locks his doores; 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 mans 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 Lawes 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 warre 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 naturall 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 feare; by the manner of life, which men that have formerly lived under a peacefull government, use to degenerate into, in a civill Warre.

But though there had never been any time, wherein particular men were in a condition of warre one against another; yet in all times, Kings, and persons of Sovereigne authority, because of their Independency, are in continuall 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

Kingdomes; and continuall Spyes 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.

In Such A Warre, Nothing Is Unjust

To this warre 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 warre the two Cardinall vertues. 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 onely that to be every mans that he can get; and for so long, as he can keep it. And thus much for the ill condition, which man by meer 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

The Passions that encline men to Peace, are Feare 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 Lawes of Nature: whereof I shall speak more particularly, in the two following Chapters.

CHAPTER XIV. OF THE FIRST AND SECOND NATURALL LAWES, AND OF CONTRACTS

Right Of Nature What

The RIGHT OF NATURE, which Writers commonly call Jus Naturale, is the Liberty each man hath, to use his own power, as he will himselfe, for the preservation of his own Nature; that is to say, of his own Life; and consequently, of doing any thing, which in his own Judgement, and Reason, hee shall conceive to be the aptest means thereunto.

Liberty What

By LIBERTY, is understood, according to the proper signification of the word, the absence of externall Impediments: which Impediments, may oft take away part of a mans power to do what hee would; but cannot hinder him from using the power left him, according as his judgement, and reason shall dictate to him.

A Law Of Nature What

A LAW OF NATURE, (Lex Naturalis,) is a Precept, or generall 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.

Naturally Every Man Has Right To Everything

And because the condition of Man, (as hath been declared in the precedent Chapter) is a condition of Warre 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 enemyes; It followeth, that in such a condition, every man has a Right to every thing; even to one anothers body. And therefore, as long as this naturall Right of every man to every thing 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.

The Fundamental Law Of Nature

And consequently it is a precept, or generall rule of Reason, "That every man, ought to endeavour Peace, as farre as he has hope of obtaining it; and when he cannot obtain it, that he may seek, and use, all helps, and advantages of Warre." The first branch, of which Rule, containeth the first, and Fundamentall Law of Nature; which is, "To seek Peace, and follow it." The Second, the summe of the Right of Nature; which is, "By all means we can, to defend our selves."

The Second Law Of Nature

From this Fundamentall 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 farre-forth, as for Peace, and defence of himselfe 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 himselfe." For as long as every man holdeth this Right, of doing any thing he liketh; so long are all men in the condition of Warre. But if other men will not lay down their Right, as well as he; then there is no Reason for any one, to divest himselfe of his: For that were to expose himselfe to Prey, (which no man is bound to) rather than to dispose himselfe 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 feiri non vis, alteri ne feceris."

What it is to lay down a Right

To Lay Downe a mans Right to any thing, is to Divest himselfe of the Liberty, of hindring 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 onely standeth out of his way, that he may enjoy his own originall Right, without hindrance from him; not without hindrance from another. So that the effect which redoundeth to one man, by another mans defect of Right, is but so much diminution of impediments to the use of his own Right originall.

Renouncing (or) Transferring Right What; Obligation Duty Justice

Right is layd 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 his DUTY, not to make voyd 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 Scholers 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,

which 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 signe, or signes, that he doth so Renounce, or Transferre; or hath so Renounced, or Transferred the same, to him that accepteth it. And these Signes are either Words onely, or Actions onely; 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 then a mans word,) but from Feare of some evill consequence upon the rupture.

Not All Rights Are Alienable

Whensoever a man Transferreth his Right, or Renounceth it; it is either in consideration of some Right reciprocally transferred to himselfe; 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 Himselfe. And therefore there be some Rights, which no man can be understood by any words, or other signes, 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 ayme thereby, at any Good to himselfe. The same may be sayd of Wounds, and Chayns, 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 mans 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 signes, seem to despoyle himselfe of the End, for which those signes 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.

Contract What

The mutuall 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 it selfe. For the Thing may be delivered together with the Translation of the Right; as in buying and selling with ready mony; or exchange of goods, or lands: and it may be delivered some time after.

Covenant What

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 mean time be trusted; and then the Contract on his part, is called PACT, or COVENANT: Or both parts may contract now, to performe hereafter: in which cases, he that is to performe in time to come, being trusted, his performance is called Keeping Of Promise, or Faith; and the fayling of performance (if it be voluntary) Violation Of Faith.

Free-gift

When the transferring of Right, is not mutuall; 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 Magnanimity; or to deliver his mind from the pain of compassion; or in hope of reward in heaven; This is not Contract, but GIFT, FREEGIFT, GRACE: which words signifie one and the same thing.

Signes Of Contract Expresse

Signes of Contract, are either Expresse, or By Inference. Expresse, are words spoken with understanding of what they signifie; 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.

Signes Of Contract By Inference

Signes 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 signe by Inference, of any Contract, is whatsoever sufficiently argues the will of the Contractor.

Free Gift Passeth By Words Of The Present Or Past

Words alone, if they be of the time to come, and contain a bare promise, are an insufficient signe 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 signe I have not given yet, and consequently that my right is not transferred, but remaineth till I transferre 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 morrows Right given away to day; and that by the vertue of the words, though there were no other argument of my will. And there is a great difference in the signification of these words, Volos Hoc Tuum Esse Cras, and Cros Dabo; that is between "I will that this be thine to morrow," and, "I will give it to thee to morrow:" For the word I Will, in the former manner of speech, signifies an act of the will Present; but in the later, it signifies a promise of an act of the will to Come: and therefore the former words, being of the Present, transferre a future right; the later, that be of the Future, transferre nothing. But if there be other signes of the Will to transferre a Right, besides Words; then, though the gift be Free, yet may the Right be understood to passe 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 runne.

Signes Of Contract Are Words Both Of The Past, Present, and Future In Contracts, the right passeth, not onely where the words are of the time Present, or Past; but also where they are of the Future; because all Contract is mutuall translation, or change of Right; and therefore he that promiseth onely, because he hath already received the benefit for which he promiseth, is to be understood as if he intended the Right should passe: for unlesse 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 Contract, A Promise is equivalent to a Covenant; and therefore obligatory.

Merit What

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 onely that winneth; or mony 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 mony; 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 vertue of my own power, and the Contractors need; but in this case of Free Gift, I am enabled to Merit onely by the benignity of the Giver; In Contract, I merit at The Contractors hand that hee 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 anothers. And this I think to be the meaning of that distinction of the Schooles, between Meritum Congrui, and Meritum Condigni. For God Almighty, having promised Paradise to those men (hoodwinkt with carnall 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 Righteousnesse, or any other power in himselfe, but by the Free Grace of God onely; 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 termes of Art, longer than it serves their turn; I will not affirme any thing of their meaning: onely this I say; when a gift is given indefinitely, as a prize to be contended for, he that winneth Meriteth, and may claime the Prize as Due.

Covenants Of Mutuall Trust, When Invalid

If a Covenant be made, wherein neither of the parties performe presently, but trust one another; in the condition of meer Nature, (which is a condition of Warre of every man against every man,) upon any reasonable suspition, it is Voyd; But if there be a common Power set over them bothe, with right and force sufficient to compell performance; it is not Voyd. For he that performeth first, has no assurance the other will performe after; because the bonds of words are too weak to bridle mens ambition, avarice, anger, and other Passions, without the feare of some coerceive Power; which in the condition of meer Nature, where all men are equall, and judges of the justnesse of their own fears cannot possibly be supposed. And therefore he which performeth first, does but betray himselfe to his enemy; contrary to the Right (he can never abandon) of defending his life, and means of living.

But in a civill estate, where there is a Power set up to constrain those that would otherwise violate their faith, that feare 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 Feare, which maketh such a Covenant invalid, must be alwayes something arising after the Covenant made; as some new fact, or other signe of the Will not to performe; else it cannot make the Covenant Voyd. For that which could not hinder a man from promising, ought not to be admitted as a hindrance of performing.

Right To The End, Containeth Right To The Means

He that transferreth any Right, transferreth the Means of enjoying it, as farre as lyeth in his power. As he that selleth Land, is understood to transferre the Herbage, and whatsoever growes 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 mony to maintain Souldiers; and of appointing Magistrates for the administration of Justice.

No Covenant With Beasts

To make Covenant with brut 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 mutuall acceptation, there is no Covenant.

Nor With God Without Speciall Revelation

To make Covenant with God, is impossible, but by Mediation of such as God speaketh to, either by Revelation supernaturall, 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 any thing 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.

No Covenant, But Of Possible And Future

The matter, or subject of a Covenant, is alwayes 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 alwayes understood to be something to come; and which is judged Possible for him that Covenanteth, to performe.

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 it selfe,) 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.

Covenants How Made Voyd

Men are freed of their Covenants two wayes; by Performing; or by being Forgiven. For Performance, is the naturall end of obligation; and Forgivenessse, the restitution of liberty; as being a retransferring of that Right, in which the obligation consisted.

Covenants Extorted By Feare Are Valide

Covenants entred into by feare, in the condition of meer Nature, are obligatory. For example, if I Covenant to pay a ransome, 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 mony, or service for it; and consequently, where no other Law (as in the condition, of meer Nature) forbiddeth the performance, the Covenant is valid. Therefore Prisoners of warre, if trusted with the payment of their Ransome, are obliged to pay it; And if a weaker Prince, make a disadvantageous peace with a stronger, for feare; he is bound to keep it; unlesse (as hath been sayd before) there ariseth some new, and just cause of feare, to renew the war. And even in Common-wealths, if I be forced to redeem my selfe from a Theefe by promising him mony, I am bound to pay it, till the Civill Law discharge me. For whatsoever I may lawfully do without Obligation, the same I may lawfully Covenant to do through feare: and what I lawfully Covenant, I cannot lawfully break.

The Former Covenant To One, Makes Voyd The Later To Another

A former Covenant, makes voyd a later. For a man that hath passed away his Right to one man to day, hath it not to passe to morrow to another: and therefore the later promise passeth no Right, but is null.

A Mans Covenant Not To Defend Himselfe, Is Voyd

A Covenant not to defend my selfe from force, by force, is alwayes voyd. For (as I have shewed before) no man can transferre, or lay down his Right to save himselfe from Death, Wounds, and Imprisonment, (the avoyding whereof is the onely 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, "Unlesse 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 evill, 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.

No Man Obliged To Accuse Himselfe

A Covenant to accuse ones Selfe, without assurance of pardon, is

likewise invalide. For in the condition of Nature, where every man is Judge, there is no place for Accusation: and in the Civill 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 praesumed to be corrupted by Nature; and therefore not to be received: and where a mans Testimony is not to be credited, his 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 himselfe by true, or false Accusation, he does it by the Right of preserving his own life.

The End Of An Oath; The Forme Of As Oath

The force of Words, being (as I have formerly noted) too weak to hold men to the performance of their Covenants; there are in mans nature, but two imaginable helps to strengthen it. And those are either a Feare of the consequence of breaking their word; or a Glory, or Pride in appearing not to need to breake it. This later is a Generosity too rarely found to be presumed on, especially in the pursuers of Wealth, Command, or sensuall Pleasure; which are the greatest part of Mankind. The Passion to be reckoned upon, is Fear; whereof there be two very generall 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 feare of the later is commonly the greater Feare. The Feare of the former is in every man, his own Religion: which hath place in the nature of man before Civill Society. The later hath not so; at least not place enough, to keep men to their promises; because in the condition of meer Nature, the inequality of Power is not discerned, but by the event of Battell. So that before the time of Civill Society, or in the interruption thereof by Warre, there is nothing can strengthen a Covenant of Peace agreed on, against the temptations of Avarice, Ambition, Lust, or other strong desire, but the feare of that Invisible Power, which they every one Worship as God; and Feare as a Revenger of their perfidy. All therefore that can be done between two men not subject to Civill Power, is to put one another to swear by the God he feareth: Which Swearing or OATH, is a Forme Of Speech, Added To A Promise; By Which He That Promiseth, Signifieth, That Unlesse He Performe, He Renounceth The Mercy Of His God, Or Calleth To Him For Vengeance On Himselfe. Such was the Heathen Forme, "Let Jupiter kill me else, as I kill this Beast." So is our Forme, "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 feare of breaking faith might be the greater.

No Oath, But By God

By this it appears, that an Oath taken according to any other Forme, or Rite, then his, that sweareth, is in vain; and no Oath: And there is no Swearing by any thing which the Swearer thinks not God. For though men have sometimes used to swear by their Kings, for feare, or flattery; yet they would have it thereby understood, they attributed to them Divine honour. And that Swearing unnecessarily by God, is but prophaning of his name: and Swearing by other things, as men do in common discourse, is not Swearing, but an impious Custome, gotten by too much vehemence of talking.

An Oath Addes Nothing To The Obligation

It appears also, that the Oath addes nothing to the Obligation. For a Covenant, if lawfull, binds in the sight of God, without the Oath, as much as with it; if unlawfull, bindeth not at all; though it be confirmed with an Oath.

CHAPTER XV. OF OTHER LAWES OF NATURE

The Third Law Of Nature, Justice

From that law of Nature, by which we are obliged to transferre to another, such Rights, as being retained, hinder the peace of Mankind, there followeth a Third; which is this, That Men Performe Their Covenants Made: without which, Covenants are in vain, and but Empty words; and the Right of all men to all things remaining, wee are still in the condition of Warre.

Justice And Injustice What

And in this law of Nature, consisteth the Fountain and Originall of JUSTICE. For where no Covenant hath preceded, there hath no Right been transferred, and every man has right to every thing; 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.

Justice And Propriety Begin With The Constitution of Common-wealth
But because Covenants of mutuall trust, where there is a feare of not

performance on either part, (as hath been said in the former Chapter,) are invalid; though the Originall of Justice be the making of Covenants; yet Injustice actually there can be none, till the cause of such feare be taken away; which while men are in the naturall condition of Warre, cannot be done. Therefore before the names of Just, and Unjust can have place, there must be some coercive Power, to compell men equally to the performance of their Covenants, by the terrour of some punishment, greater than the benefit they expect by the breach of their Covenant; and to make good that Propriety, which by mutuall Contract men acquire, in recompence of the universall Right they abandon: and such power there is none before the erection of a Common-wealth. And this is also to be gathered out of the ordinary definition of Justice in the Schooles: 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 Common-wealth, there is no Propriety; all men having Right to all things: Therefore where there is no Common-wealth, 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 Civill Power, sufficient to compell men to keep them: And then it is also that Propriety begins.

Justice Not Contrary To Reason

The Foole hath sayd in his heart, there is no such thing as Justice; and sometimes also with his tongue; seriously alleaging, that every mans 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 ones 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 feare of God, (for the same Foole 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 onely the dispraise, and revilings, but also the power of other men. The Kingdome 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, Succesfull wickednesse hath obtained the Name of Vertue; 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 Kingdome. And the Heathen that believed, that Saturn was deposed by his son Jupiter, believed neverthelesse the same Jupiter to be the avenger of Injustice: Somewhat like to a piece of Law in Cokes Commentaries on Littleton; where he sayes, If the right Heire of the Crown be attainted of Treason; yet the Crown shall descend to him, and Eo Instante the Attneynder be voyd; From

which instances a man will be very prone to inferre; that when the Heire apparent of a Kingdome, 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 mutuall, where there is no security of performance on either side; as when there is no Civill 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 performe; there is the question whether it be against reason, that is, against the benefit of the other to performe, 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 any thing can be foreseen, and reckoned on, tendeth to his own destruction, howsoever some accident which he could not expect, arriving may turne it to his benefit; yet such events do not make it reasonably or wisely done. Secondly, that in a condition of Warre, 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 can hope by his own strength, or wit, to defend himselfe 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 retayned 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 onely out of ignorance of what is good for themselves.

As for the Instance of gaining the secure and perpetuall 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 any thing 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 mans life on earth; but to the attaining of an eternall felicity after death; to

which they think the breach of Covenant may conduce; and consequently be just and reasonable; (such are they that think it a work of merit to kill, or depose, or rebell against, the Sovereigne Power constituted over them by their own consent.) But because there is no naturall knowledge of mans estate after death; much lesse of the reward that is then to be given to breach of Faith; but onely a believe grounded upon other mens 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.

Covenants Not Discharged By The Vice Of The Person To Whom Made

Others, that allow for a Law of Nature, the keeping of Faith, do neverthelesse make exception of certain persons; as Heretiques, and such as use not to performe 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 hindred the making of it.

Justice Of Men, And Justice Of Actions What

The names of Just, and Unjust, when they are attributed to Men, signifie one thing; and when they are attributed to Actions, another. When they are attributed to Men, they signifie Conformity, or Inconformity of Manners, to Reason. But when they are attributed to Actions, they signifie 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 stiled by the names of Righteous, and Unrighteous; then 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, of forbearance to do, for feare: because his Will is not framed by the Justice, but by the apparant benefit of what he is to do. That which gives to humane Actions the relish of Justice, is a certain Noblenesse or Gallantnesse of courage, (rarely found,) by which a man scorns to be beholding 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 Vertue; and Injustice a Vice.

But the Justice of Actions denominates men, not Just, but Guiltlesse; and the Injustice of the same, (which is also called Injury,) gives them but the name of Guilty.

Justice Of Manners, And Justice Of Actions

Again, the Injustice of Manners, is the disposition, or aptitude to do Injurie; and is Injustice before it proceed to Act; and without supposing any individuall person injured. But the Injustice of an Action, (that is to say Injury,) supposeth an individuall 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 mony 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 Common-wealths, private men may remit to one another their debts; but not robberies or other violences, whereby they are endammaged; because the detaining of Debt, is an Injury to themselves; but Robbery and Violence, are Injuries to the Person of the Common-wealth.

Nothing Done To A Man, By His Own Consent Can Be Injury

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 originall 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 Commutative, And Distributive

Justice of Actions, is by Writers divided into Commutative, and Distributive; and the former they say consisteth in proportion Arithmetically; the later in proportion Geometrically. Commutative therefore, they place in the equality of value of the things contracted for; And Distributive, in the distribution of equall benefit, to men of equall 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 onely. 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 performe his Trust, he is said to distribute to every man his own: and his 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 shewn in due place.

The Fourth Law Of Nature, Gratitude

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 Forme, "That a man which receiveth Benefit from another of meer 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 himselfe; 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 mutuall 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 Fundamentall 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.

The Fifth, Mutuall accommodation, or Compeasance

A fifth Law of Nature, is COMPEASANCE; that is to say, "That every man strive to accommodate himselfe to the rest." For the understanding whereof, we may consider, that there is in mens aptnesse 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 Aedifice. For as that stone which by the asperity, and irregularity of Figure, takes more room from others, than it selfe fills; and for the hardnesse, 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 himselfe 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 combersome thereunto. For seeing every man, not onely 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 himselfe against it, for things superfluous, is guilty of the warre that thereupon is to follow; and therefore doth that, which is contrary to the fundamentall Law of Nature, which commandeth To Seek Peace. The observers of this Law, may be called SOCIABLE, (the Latines call them Commodi;) The contrary, Stubborn, Insociable, Froward, Intractable.

The Sixth, Facility To Pardon

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 Feare; yet not granted to them that give caution of the Future time, is signe of an aversion to Peace; and therefore contrary to the Law of Nature.

The Seventh, That In Revenges, Men Respect Onely The Future Good

A seventh is, " That in Revenges, (that is, retribution of evil for evil,) Men look not at the greatnesse of the evill past, but the greatnesse of the good to follow." Whereby we are forbidden to inflict punishment with any other designe, 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 alwayes 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 Warre; which is against the Law of Nature; and is commonly stiled by the name of Cruelty.

The Eighth, Against Contumely

And because all signes 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 Ninth, Against Pride

The question who is the better man, has no place in the condition of meer Nature; where, (as has been shewn before,) all men are equall. The inequality that now is, has been introduced by the Lawes civill. I know that Aristotle in the first booke of his Politiques, for a foundation of his doctrine, maketh men by Nature, some more worthy to Command, meaning the wiser sort (such as he thought himselfe 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 governe themselves, than be governed by others: Nor when the wise in their own conceit, contend by force, with them who distrust their owne wisdom, do they alwaies, or often, or almost at any time, get the Victory. If Nature therefore have made men equall, that equalitie is to be acknowledged; or if Nature have made men unequall; yet because men that think themselves equall, will not enter into conditions of Peace, but upon Equall termes, such equalitie must be admitted. And therefore for the ninth Law of Nature, I put this, "That every man acknowledge other for his Equall by Nature." The breach of this Precept is Pride.

The Tenth Against Arrogance

On this law, dependeth another, "That at the entrance into conditions of Peace, no man require to reserve to himselfe 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 certaine Rights of Nature; that is to say, not to have libertie to do all they list: so is it necessarie for mans life, to retaine some; as right to governe their owne bodies; enjoy aire, water, motion, waies 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 acknowledgement of naturall equalitie, 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 pleonexia; that is, a desire of more than their share.

The Eleventh Equity

Also "If a man be trusted to judge between man and man," it is a precept of the Law of Nature, "that he deale Equally between them." For without that, the Controversies of men cannot be determined but by Warre. He therefore that is partiall in judgment, doth what in him lies, to deterre men from the use of Judges, and Arbitrators; and consequently, (against the fundamentall Lawe of Nature) is the cause of Warre.

The observance of this law, from the equall distribution to each man, of that which in reason belongeth to him, is called EQUITY, and (as I have sayd before) distributive justice: the violation, Acception Of Persons, Prosopolepsia.

The Twelfth, Equall Use Of Things Common

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 Unequall, and contrary to Equitie.

The Thirteenth, Of Lot

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 equall distribution, is of the Law of Nature; and other means of equall distribution cannot be imagined.

The Fourteenth, Of Primogeniture, And First Seising

Of Lots there be two sorts, Arbitrary, and Naturall. Arbitrary, is that which is agreed on by the Competitors; Naturall, is either Primogeniture, (which the Greek calls Kleronomia, which signifies, Given by Lot;) or First Seisure.

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-Borne, as acquired by Lot.

The Fifteenth, Of Mediators

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.

The Sixteenth, Of Submission To Arbitrement

And because, though men be never so willing to observe these Lawes, there may neverthesse arise questions concerning a mans 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 later a question Of Right; therefore unlesse the parties to the question, Covenant mutually to stand to the sentence of another, they are as farre 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 controversie, submit their Right to the judgement of an Arbitrator."

The Seventeenth, No Man Is His Own Judge

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 equall benefit, if one be admitted to be Judge, the other is to be admitted also; & so the controversie, that is, the cause of War, remains, against the Law of Nature.

The Eighteenth, No Man To Be Judge, That Has In Him Cause Of Partiality

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 unavoydable bribe, yet) a bribe; and no man can be obliged to trust him. And thus also the controversie, and the condition of War remaineth, contrary to the Law of Nature.

The Nineteenth, Of Witsnesse

And in a controversie 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 Lawes of Nature, dictating Peace, for a means of the conservation of men in multitudes; and which onely concern the doctrine of Civill 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.

A Rule, By Which The Laws Of Nature May Easily Be Examined

And though this may seem too subtle a deduction of the Lawes of Nature, to be taken notice of by all men; whereof the most part are too busie in getting food, and the rest too negligent to understand; yet to leave all men unexcusable, they have been contracted into one easie sum, intelligible even to the meanest capacity; and that is, "Do not that to another, which thou wouldest not have done to thy selfe;" which sheweth him, that he has no more to do in learning the Lawes of Nature, but, when weighing the actions of other men with his own, they seem too heavy, to put them into the other part of the ballance, and his own into their place, that his own passions, and selfe-love, may adde nothing to the weight; and then there is none of these Lawes of Nature that will not appear unto him very reasonable.

The Lawes Of Nature Oblige In Conscience Alwayes,

But In Effect Then Onely When There Is Security The Lawes 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 alwayes. For he that should be modest, and tractable, and performe all he promises, in such time, and place, where no man els should do so, should but make himselfe a prey to others, and procure his own certain ruine, contrary to the ground of all Lawes of Nature, which tend to Natures preservation. And again, he that shall observe the same Lawes towards him, observes them not himselfe, seeketh not Peace, but War; & consequently the destruction of his Nature by Violence.

And whatsoever Lawes bind In Foro Interno, may be broken, not onely 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; which where the Obligation is In Foro Interno, is a breach.

The Laws Of Nature Are Eternal;

The Lawes of Nature are Immutable and Eternall, For Injustice, Ingratitude, Arrogance, Pride, Iniquity, Acception of persons, and the rest, can never be made lawfull. For it can never be that Warre shall preserve life, and Peace destroy it.

And Yet Easie

The same Lawes, because they oblige onely to a desire, and endeavour, I mean an unfeigned and constant endeavour, are easie 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.

The Science Of These Lawes, Is The True Morall Philosophy

And the Science of them, is the true and onely Moral Philosophy. For Morall Philosophy is nothing else but the Science of what is Good, and Evill, in the conversation, and Society of mankind. Good, and Evill, are names that signifie our Appetites, and Aversions; which in different tempers, customes, and doctrines of men, are different: And divers men, differ not onely in their Judgement, on the senses of what is pleasant, and unpleasant to the tast, 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 himselfe; 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 man is in the condition of meer Nature, (which is a condition of War,) as private Appetite is the measure of Good, and Evill: and consequently all men agree on this, that Peace is Good, and therefore also the way, or means of Peace, which (as I have shewed before) are Justice, Gratitude, Modesty, Equity, Mercy, & the rest of the Laws of Nature, are good; that is to say, Morall Vertues; and their contrarie Vices, Evill. Now the science of Vertue and Vice, is Morall Philosophie; and therfore the true Doctrine of the Lawes of Nature, is the true Morall Philosophie. But the Writers of Morall Philosophie, though they acknowledge the same Vertues and Vices; Yet not seeing wherein consisted their Goodnesse; nor that they come to be praised, as the meanes 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 use to call by the name of Lawes; but improperly: for they are but Conclusions, or Theoremes 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 Theoremes, as delivered in the word of God, that by right commandeth all things; then are they properly called Lawes.

CHAPTER XVI. OF PERSONS, AUTHORS, AND THINGS PERSONATED

A Person What

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

Person Naturall, And Artificiall

When they are considered as his owne, then is he called a Naturall Person: And when they are considered as representing the words and actions of an other, then is he a Feigned or Artificiall person.

The Word Person, Whence

The word Person is latine: instead whereof the Greeks have Prosopon, which signifies the Face, as Persona in latine 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 Visard: And from the Stage, hath been translated to any Representer of speech and action, as well in Tribunalls, as Theaters. 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 himselfe, or an other; and he that acteth another, is said to beare his Person, or act in his name; (in which sence Cicero useth it where he saies, "Unus Sustineo Tres Personas; Mei, Adversarii, & Judicis, I beare three Persons; my own, my Adversaries, and the Judges;") and is called in diverse occasions, diversly; as a Representer, or Representative, a Lieutenant, a Vicar, an Attorney, a Deputy, a Procurator, an Actor, and the like.

Actor, Author; Authority

Of Persons Artificiall, 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 latine Dominus, in Greeke Kurios; 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 alwayes understood a Right of doing any act: and Done By Authority, done by Commission, or Licence from him whose right it is.

Covenants By Authority, Bind The Author

From hence it followeth, that when the Actor maketh a Covenant by Authority, he bindeth thereby the Author, no lesse than if he had made it himselfe; and no lesse subjecteth him to all the consequences of the same. And therefore all that hath been said formerly, (Chap. 14) of the nature of Covenants between man and man in their naturall 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 farther.

And therefore he that maketh a Covenant with the Actor, or Representer, not knowing the Authority he hath, doth it at his own perill. 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.

But Not The Actor

When the Actor doth any thing 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.

The Authority Is To Be Shewne

And he that maketh a Covenant with the Author, by mediation of the Actor, not knowing what Authority he hath, but onely 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 before hand he was to expect no other assurance, than the Actors word; then is the Covenant valid; because the Actor in this case maketh himselfe 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 onely; there being no Author but himselfe.

Things Personated, Inanimate

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 Governours of those things. And therefore, such things cannot be Personated, before there be some state of Civill Government.

Irrational

Likewise Children, Fooles, and Mad-men 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 then (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 Civill, because before such estate, there is no Dominion of Persons.

False Gods

An Idol, or meer 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 a Idol is nothing. The Authority proceeded from the State: and therefore before introduction of Civill Government, the Gods of the Heathen could not be Personated.

The True God

The true God may be Personated. As he was; first, by Moses; who governed the Israelites, (that were not his, but Gods people,) not in his own name, with Hoc Dicit Moses; but in Gods Name, with Hoc Dicit Dominus. Secondly, by the son of man, his own Son our Blessed Saviour Jesus Christ, that came to reduce the Jewes, and induce all Nations into the Kingdome of his Father; not as of himselfe, 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 himselfe; but was sent, and proceeded from them both.

A Multitude Of Men, How One Person

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.

Every One Is Author

And because the Multitude naturally is not One, but Many; they cannot be understood for one; but many Authors, of every thing their Representative faith, or doth in their name; Every man giving their common Representer, Authority from himselfe 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 farre he shall represent them, none of them owneth more, than they gave him commission to Act.

An Actor May Be Many Men Made One By Plurality Of Voyces

And if the Representative consist of many men, the voyce of the greater number, must be considered as the voyce 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 excesse of Negatives, standing uncontradicted, are the onely voyce the Representative hath.

Representatives, When The Number Is Even, Unprofitable

And a Representative of even number, especially when the number is not great, whereby the contradictory voyces are oftentimes equall, is therefore oftentimes mute, and incapable of Action. Yet in some cases contradictory voyces equall in number, may determine a question; as in condemning, or absolving, equality of votes, even in that they condemne not, do absolve; but not on the contrary condemne, in that they absolve not. For when a Cause is heard; not to condemne, 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 voyces are equall, the not decreeing Execution, is a decree of Dilation.

Negative Voyce

Or if the number be odde, 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 may things else, so for the government of a Multitude, especially in time of Warre.

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 conditionall, are generally called SURETYES, in Latine Fidejussores, and Sponsores; and particularly for Debt, Praedes; and for Appearance before a Judge, or Magistrate, Vades.

PART II. OF COMMON-WEALTH

CHAPTER XVII. OF THE CAUSES, GENERATION, AND DEFINITION OF A COMMON-WEALTH

The End Of Common-wealth, Particular Security

The finall Cause, End, or Designe of men, (who naturally love Liberty, and Dominion over others,) in the introduction of that restraint upon themselves, (in which wee see them live in Common-wealths,) 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 Warre, which is necessarily consequent (as hath been shewn) to the naturall Passions of men, when there is no visible Power to keep them in awe, and tye them by feare of punishment to the performance of their Covenants, and observation of these Lawes of Nature set down in the fourteenth and fifteenth Chapters.

Which Is Not To Be Had From The Law Of Nature:

For the Lawes of Nature (as Justice, Equity, Modesty, Mercy, and (in summe) Doing To Others, As Wee Would Be Done To,) if themselves, without the terrour of some Power, to cause them to be observed, are contrary to our naturall 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 Lawes 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 robbe and spoyle one another, has been a Trade, and so farre from being reputed against the Law of Nature, that the greater spoyles they gained, the greater was

their honour; and men observed no other Lawes therein, but the Lawes of Honour; that is, to abstain from cruelty, leaving to men their lives, and instruments of husbandry. And as small Familyes did then; so now do Cities and Kingdomes which are but greater Familyes (for their own security) enlarge their Dominions, upon all pretences of danger, and fear of Invasion, or assistance that may be given to Invaders, 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 remembred for it in after ages with honour.

Nor From The Conjunction Of A Few Men Or Familyes

Nor is it the joyning 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 feare; and is then sufficient, when the odds of the Enemy is not of so visible and conspicuous moment, to determine the event of warre, as to move him to attempt.

Nor From A Great Multitude, Unlesse Directed By One Judgement

And be there never so great a Multitude; yet if their actions be directed according to their particular judgements, 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 mutuall opposition to nothing: whereby they are easily, not onely subdued by a very few that agree together; but also when there is no common enemy, they make warre 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 Lawes of Nature, without a common Power to keep them all in awe; we might as well suppose all Man-kind to do the same; and then there neither would be nor need to be any Civill Government, or Common-wealth at all; because there would be Peace without subjection.

And That Continually

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 judgement, for a limited time; as in one Battell, or one Warre. For

though they obtain a Victory by their unanimous endeavour against a forraign 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 Warre amongst themselves.

Why Certain Creatures Without Reason, Or Speech,

Do Neverthelesse Live In Society, Without Any Coercive Power

It is true, that certain living creatures, as Bees, and Ants, live sociably one with another, (which are therefore by Aristotle numbred amongst Politicall creatures;) and yet have no other direction, than their particular judgements and appetites; nor speech, whereby one of them can signifie to another, what he thinks expedient for the common benefit: and therefore some man may perhaps desire to know, why Man-kind 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 Warre; but amongst these not so.

Secondly, that amongst these creatures, the Common good differeth not from the Private; and being by nature enclined to their private, they procure thereby the common benefit. But man, whose Joy consisteth in comparing himselfe 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 businesse: whereas amongst men, there are very many, that thinke themselves wiser, and abler to govern the Publique, better than the rest; and these strive to reforme and innovate, one this way, another that way; and thereby bring it into Distraction and Civill warre.

Fourthly, that these creatures, though they have some use of voice, in making knowne 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 likenesse of Evill; and Evill, in the likenesse of Good; and augment, or diminish the apparent greatnesse of Good and Evill; discontenting men, and troubling their Peace at their pleasure.

Fiftly, irrational creatures cannot distinguish betweene Injury, and Dammage; and therefore as long as they be at ease, they are not offended with their fellowes: whereas Man is then most troublesome, when he is most at ease: for then it is that he loves to shew his Wisdome, and

controule the Actions of them that governe the Common-wealth.

Lastly, the agreement of these creatures is Naturall; that of men, is by Covenant only, which is Artificiall: 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 Generation Of A Common-wealth

The only way to erect such a Common Power, as may be able to defend them from the invasion of Forraigners, and the injuries of one another, and thereby to secure them in such sort, as that by their owne industrie, and by the fruites of the Earth, they may nourish themselves and live contentedly; is, to conferre 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 beare their Person; and every one to owne, and acknowledge himselfe to be Author of whatsoever he that so beareth their Person, shall Act, or cause to be Acted, in those things which concerne the Common Peace and Safetie; and therein to submit their Wills, every one to his Will, and their Judgements, to his Judgment. This is more than Consent, or Concord; it is a reall Unitie 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 Authorise and give up my Right of Governing my selfe, to this Man, or to this Assembly of men, on this condition, that thou give up thy Right to him, and Authorise all his Actions in like manner." This done, the Multitude so united in one Person, is called a COMMON-WEALTH, in latine CIVITAS. This is the Generation of that great LEVIATHAN, or rather (to speake more reverently) of that Mortall God, to which wee owe under the Immortall God, our peace and defence. For by this Authoritie, given him by every particular man in the Common-Wealth, he hath the use of so much Power and Strength conferred on him, that by terror thereof, he is inabled to forme the wills of them all, to Peace at home, and mutuall ayd against their enemies abroad.

The Definition Of A Common-wealth

And in him consisteth the Essence of the Common-wealth; which (to define it,) is "One Person, of whose Acts a great Multitude, by mutuall 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."

Sovereigne, And Subject, What

And he that carryeth this Person, as called SOVERAIGNE, and said to have Sovereigne Power; and every one besides, his SUBJECT.

The attaining to this Sovereigne Power, is by two wayes. One, by Naturall 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 Warre 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 later, may be called a Politicall Common-wealth, or Common-wealth by Institution; and the former, a Common-wealth by Acquisition. And first, I shall speak of a Common-wealth by Institution.

CHAPTER XVIII. OF THE RIGHTS OF SOVERAIGNES BY INSTITUTION

The Act Of Instituting A Common-wealth, What

A Common-wealth 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 Authorise all the Actions and Judgements, 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.

The Consequences To Such Institution, Are

1. The Subjects Cannot Change The Forme Of Government

From this Institution of a Common-wealth are derived all the Rights, and Facultyes of him, or them, on whom the Sovereigne 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 any thing repugnant hereunto. And

Consequently they that have already Instituted a Common-wealth, being thereby bound by Covenant, to own the Actions, and Judgements 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 transferre 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 Sovereigne, 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 any thing, 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 some body that representeth Gods Person; which none doth but Gods Lieutenant, who hath the Sovereignty under God. But this pretence of Covenant with God, is so evident a lye, even in the pretenders own consciences, that it is not onely an act of an unjust, but also of a vile, and unmanly disposition.

2. Sovereigne Power Cannot Be Forfeited

Secondly, Because the Right of bearing the Person of them all, is given to him they make Sovereigne, by Covenant onely of one to another, and not of him to any of them; there can happen no breach of Covenant on the part of the Sovereigne; and consequently none of his Subjects, by any pretence of forfeiture, can be freed from his Subjection. That he which is made Sovereigne 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 severall 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 severall Covenants as there be men, those Covenants after he hath the Sovereignty are voyd, because what act soever can be pretended by any one of them for breach thereof, is the act both of himselfe, 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 Sovereigne at his Institution; and others, or one other of his Subjects, or himselfe alone, pretend there was no such breach, there is in this case, no Judge to decide the controversie: it returns therefore to the Sword again; and every man recovereth the right of Protecting himselfe by his own strength, contrary to the designe 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 easie 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 publique Sword; that is, from the untied 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 Sovereigne; then no man imagineth any such Covenant to have past 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.

3. No Man Can Without Injustice Protest Against The Institution Of The Sovereigne Declared By The Major Part.

Thirdly, because the major part hath by consenting voices declared a Sovereigne; 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 tacitely covenanted) to stand to what the major part should ordayne: 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 warre he was in before; wherein he might without injustice be destroyed by any man whatsoever.

4. The Sovereigns Actions Cannot Be Justly Accused By The Subject

Fourthly, because every Subject is by this Institution Author of all the Actions, and Judgements of the Sovereigne Instituted; it followes, 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 any thing by authority from another, doth therein no injury to him by whose authority he acteth: But by this Institution of a Common-wealth, every particular man is Author of all the Sovereigne doth; and consequently he that complaineth of injury from his Sovereigne, complaineth of that whereof he himselfe is Author; and therefore ought not to accuse any man but himselfe; no nor himselfe of injury; because to do injury to ones selfe, is impossible. It is true that they that have Sovereigne power, may commit Iniquity; but not Injustice, or Injury in the proper

signification.

5. What Soever The Sovereigne Doth, Is Unpunishable By The Subject

Fiftly, and consequently to that which was sayd last, no man that hath Sovereigne 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 Sovereigne; he punisheth another, for the actions committed by himselfe.

6. The Sovereigne Is Judge Of What Is Necessary For The Peace And Defence Of His Subjects

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 meanes 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,

And Judge Of What Doctrines Are Fit To Be Taught Them

Sixtly, 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 farre, and what, men are to be trusted withall, in speaking to Multitudes of people; and who shall examine the Doctrines of all bookes before they be published. For the Actions of men proceed from their Opinions; and in the wel governing of Opinions, consisteth the well governing of mens 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 of the same by Peace. For Doctrine Repugnant to Peace, can no more be True, than Peace and Concord can be against the Law of Nature. It is true, that in a Common-wealth, where by the negligence, or unskilfullnesse of Governours, and Teachers, false Doctrines are by time generally received; the contrary Truths may be generally offensive; Yet the most sudden, and rough busling in of a new Truth, that can be, does never breake the Peace, but onely somtimes awake the Warre. For those men that are so remissely governed, that they dare take up Armes, to defend, or introduce an Opinion, are still in Warre; and their condition not Peace, but only a Cessation of Armes for feare of one another; and they live as it were, in the procincts of battaile 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 Civill Warre.

7. The Right of making Rules, whereby the Subject may every man know what is so his owne, as no other Subject can without injustice take it from him

Seventhly, is annexed to the Sovereigntie, the whole power of prescribing the Rules, whereby every man may know, what Goods he may enjoy and what Actions he may doe, 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 shewn) all men had right to all things; which necessarily causeth Warre: and therefore this Propriety, being necessary to Peace, and depending on Sovereign Power, is the Act of the Power, in order to the publique peace. These Rules of Propriety (or Meum and Tuum) and of Good, Evill, Lawfull and Unlawfull in the actions of subjects, are the Civill Lawes, that is to say, the lawes of each Commonwealth in particular; though the name of Civill Law be now restrained to the antient Civill Lawes of the City of Rome; which being the head of a great part of the World, her Lawes at that time were in these parts the Civill Law.

8. To Him Also Belongeth The Right Of All Judicature And Decision Of Controversies:

Eightly, is annexed to the Sovereigntie, the Right of Judicature; that is to say, of hearing and deciding all Controversies, which may arise concerning Law, either Civill, or naturall, or concerning Fact. For without the decision of Controversies, there is no protection of one Subject, against the injuries of another; the Lawes concerning Meum and Tuum are in vaine; and to every man remaineth, from the naturall and necessary appetite of his own conservation, the right of protecting himselfe by his private strength, which is the condition of Warre; and contrary to the end for which every Common-wealth is instituted.

9. And Of Making War, And Peace, As He Shall Think Best:

Ninthly, is annexed to the Sovereignty, the Right of making Warre, and Peace with other Nations, and Common-wealths; that is to say, of Judging when it is for the publique good, and how great forces are to be assembled, armed, and payd for that end; and to levy mony 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 Generall of an Army, he that hath the Sovereign Power is alwayes Generallissimo.

10. And Of Choosing All Counsellours, And Ministers, Both Of Peace, And Warre:

Tenthly, is annexed to the Sovereignty, the choosing of all Councillours, 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.

11. And Of Rewarding, And Punishing, And That (Where No Former Law hath Determined The Measure Of It) Arbitrary:

Eleventhly, to the Sovereign is committed the Power of Rewarding with riches, or honour; and of Punishing with corporall, or pecuniary punishment, or with ignominy every Subject according to the Lawe 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 Common-wealth, or deterring of them from doing dis-service to the same.

12. And Of Honour And Order

Lastly, considering what values 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, Quarrells, Factions, and at last Warre, to the destroying of one another, and diminution of their strength against a Common Enemy; It is necessary that there be Lawes of Honour, and a publique rate of the worth of such men as have deserved, or are able to deserve well of the Common-wealth; and that there be force in the hands of some or other, to put those Lawes in execution. But it hath already been shown, that not onely the whole Militia, or forces of the Common-wealth; 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 signes of respect, in publique or private meetings, they shall give to one another.

These Rights Are Indivisible

These are the Rights, which make the Essence of Sovereignty; and which are the markes, 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 coyn Mony; to dispose of the estate and persons of Infant heires; to have praeemption in Markets; and all other Statute Praerogatives, may be transferred by the Sovereign; and yet the Power to protect his Subject be retained. But if he transferre the Militia, he retains the Judicature in vain, for want of execution of the Lawes; Or if he grant away the Power of raising Mony; the Militia is in vain: or if he give away the government of doctrines, men will be frighted into rebellion with the feare 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 Common-wealths are Instituted. And this division is it, whereof it is said, "A kingdome divided in it selfe cannot stand:" For unlesse 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 Civill Warre; first between those that disagreed in Politiques; 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 hetherto been.

And Can By No Grant Passe Away Without Direct Renouncing Of The Sovereign Power

And because they are essentiall and inseparable Rights, it follows necessarily, that in whatsoever, words any of them seem to be granted away, yet if the Sovereign Power it selfe be not in direct termes renounced, and the name of Sovereign no more given by the Grantees to him that Grants them, the Grant is voyd: for when he has granted all he can, if we grant back the Sovereignty, all is restored, as inseparably annexed thereunto.

The Power And Honour Of Subjects Vanisheth In The Presence Of The Power Sovereign

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 lesse 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, signifie 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 Sovereigns 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, Earle, Duke, and Prince are his Creatures. As in the presence of the Master, the Servants are equall, and without any honour at all; So are the Subjects, in the presence of the Sovereign. And though they shine some more, some lesse, when they are out of his sight; yet in his presence, they shine no more than the Starres in presence of the Sun.

Sovereigne Power Not Hurtfull As The Want Of It, And The Hurt Proceeds For The Greatest Part From Not Submitting Readily, To A Lesse

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 forme of Common-wealth; whereas the Power in all formes, if they be perfect enough to protect them, is the same; not considering that the estate of Man can never be without some incommodity or other; and that the greatest, that in any forme of Government can possibly happen to the people in generall, is scarce sensible, in respect of the miseries, and horrible calamities, that accompany a Civill Warre; or that dissolute condition of masterlesse men, without subjection to Lawes, and a coercive Power to tie their hands from rapine, and revenge: nor considering that the greatest pressure of Sovereign Governours, proceedeth not from any delight, or profit they can expect in the dammage, or weakening of their subjects, in whose vigor, consisteth their own selves, that unwillingly contributing to their own defence, make it necessary for their Governours 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 Morall and Civill Science,) to see a farre off the miseries that hang over them, and cannot without such payments be avoyded.

CHAPTER XIX. OF THE SEVERALL KINDS OF COMMON-WEALTH BY INSTITUTION, AND OF SUCCESSION TO THE SOVERAIGNE POWER

The Different Formes Of Common-wealths But Three

The difference of Common-wealths, 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 Common-wealth. 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 Common-wealth a MONARCHY: when an Assembly of All that will come together, then it is a DEMOCRACY, or Popular Common-wealth: when an Assembly of a Part onely, then it is called an ARISTOCRACY. Other kind of Common-wealth there can be none: for either One, or More, or All must have the Sovereign Power (which I have shewn to be indivisible) entire.

Tyranny And Oligarchy, But Different Names Of Monarchy, And Aristocracy

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 Formes of Government, but of the same Formes misliked. For they that are discontented under Monarchy, call it Tyranny; and they that are displeased with Aristocracy, called it Oligarchy: so also, they which find themselves grieved 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 mislike it, or are oppressed by the Governours.

Subordinate Representatives Dangerous

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 onely 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 Warre, 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 Advise, or Desires, should therefore hold such Deputies, rather than themselves, for the absolute Representative 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 600 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; that 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 advise. 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 generall Representation upon any occasion whatsoever, if they mean to discharge the truth committed to them.

Comparison Of Monarchy, With Sovereign Assemblies

The difference between these three Kindes of Common-wealth, 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 naturall Person. And though he be carefull in his politique Person to procure the common interest; yet he is more, or no lesse carefull to procure the private good of himselfe, his family, kindred and friends; and for the most part, if the publique interest chance to crosse 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 publique and private interest are most closely united, there is the publique most advanced. Now in Monarchy, the private interest is the same with the publique. The riches, power, and honour of a Monarch arise onely from the riches, strength and reputation of his Subjects. For no King can be rich, nor glorious, nor secure; whose Subjects are either poore, or contemptible, or too weak through want, or dissention, to maintain a war against their enemies: Whereas in a Democracy, or Aristocracy, the publique prosperity conferres 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 Civill warre.

Secondly, that a Monarch receiveth counsell of whom, when, and where he pleaseth; and consequently may heare 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 Sovereigne Assembly has need of Counsell, none are admitted but such as have a Right thereto from the beginning; which for the most part are of those who have beene 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 governe them in it. For the Understanding is by the flame of the Passions, never enlightned, but dazled: Nor is there any place, or time, wherein an Assemblie can receive Counsell with secrecie, because of their owne Multitude.

Thirdly, that the Resolutions of a Monarch, are subject to no other Inconstancy, than that of Humane 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 firme, (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 himselfe, out of envy, or interest; but an Assembly may; and that to such a height, as may produce a Civill Warre.

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 confesse is a great and inevitable inconvenience. But the same may as well happen, where the Sovereigne Power is in an Assembly: for their power is the same; and they are as subject to evill Counsell, and to be seduced by Orators, as a Monarch by Flatterers; and becoming one an others Flatterers, serve one anothers Covetousnesse and Ambition by turnes. And whereas the Favorites 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 Sovereigne Assemblies, though they have great power to hurt, have little to save. For to accuse, requires lesse Eloquence (such is mans Nature) than to excuse; and condemnation, than absolution more resembles Justice.

Sixtly, that it is an inconvenience in Monarchie, that the Soveraigntie may descend upon an Infant, or one that cannot discern between Good and Evill: 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 governe 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 Civill Warre. 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 forme 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 Custome 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 dammage, is not Tuition, but Trechery. So that sufficient provision being taken, against all just quarrell, about the Government under a Child, if any contention arise to the disturbance of the publique Peace, it is not to be attributed to the forme of Monarchy, but to the ambition of Subjects, and ignorance of their Duty. On the other side, there is no great Common-wealth, the Sovereignty whereof is in a great Assembly, which is not, as to consultations of Peace, and Warre, and making of Lawes, in the same condition, as if the Government were in a Child. For as a Child wants the judgement to dissent from counsell given him, and is thereby necessitated to take the advise of them, or him, to whom he is committed: So an Assembly wanteth the liberty, to dissent from the counsell 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 Common-wealths,) the Sovereign Assembly, in all great dangers and troubles, have need of Custodes Libertatis; that is of Dictators, or Protectors of their Authoritie; 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 oftner deprived thereof, than Infant Kings, by their Protectors, Regents, or any other Tutors.

Though the Kinds of Soveraigntie be, as I have now shewn, but three; that is to say, Monarchie, where one Man has it; or Democracie, where the generall Assembly of Subjects hath it; or Aristocracie, where it is in an Assembly of certain persons nominated, or otherwise distinguished from the rest: Yet he that shall consider the particular Common-wealthes 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 Formes, arising from these mingled together. As for example, Elective Kingdomes; where Kings have the Soveraigne Power put into their hands for a time; of Kingdomes, wherein the King hath a power limited: which Governments, are nevertheless by most Writers called Monarchie. Likewise if a Popular, or Aristocraticall Common-wealth, subdue an Enemies Countrie, and govern the same, by a President, Procurator, or other Magistrate; this may seeme perhaps at first sight, to be a Democraticall, or Aristocraticall Government. But it is not so. For Elective Kings, are not Soveraignes, but Ministers of the Soveraigne; nor limited Kings Soveraignes, but Ministers of them that have the Soveraigne Power: nor are those Provinces which are in subjection to a Democracie, or Aristocracie of another Common-wealth, 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 Christendome at this day; or to certaine Yeares or Moneths, as the Dictators 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 a new, or else the Common-wealth dieth, and dissolveth with him, and returneth to the condition of Warre. If it be known who have the power to give the Soveraigntie after his death, it is known also that the Soveraigntie was in them before: For none have right to give that which they have not right to possesse, and keep to themselves, if they think good. But if there be none that can give the Soveraigntie, 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 Civill warre. And consequently he was, when elected, a Soveraign absolute.

Secondly, that King whose power is limited, is not superiour to him, or them that have the power to limit it; and he that is not superiour, is not supreme; that is to say not Soveraign. The Soveraignty therefore was alwaies 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 priviledge to lead their Armies; but the Soveraignty 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 which, any of them, had right to enter; nor by an Aristocracy; because they were not governed by any Assembly, into 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, 'tis a Monarchy; not of One man, over another man; but of one people, over another people.

Of The Right Of Succession

Of all these Formes of Government, the matter being mortall, so that not onely Monarchs, but also whole Assemblies dy, it is necessary for the conservation of the peace of men, that as there was order taken for an Artificiall Man, so there be order also taken, for an Artificiall Eternity of life; without which, men that are governed by an Assembly, should return into the condition of Warre in every age; and they that are governed by One man, as soon as their Governour dyeth. This Artificiall Eternity, is that which men call the Right of Succession.

There is no perfect forme 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 himselfe. And if it be in no particular man, but left to a new choyce; then is the Common-wealth dissolved; and the Right is in him that can get it; contrary to the intention of them that did institute the Common-wealth, for their perpetuall, and not temporary security.

In a Democracy, the whole Assembly cannot faile, unlesse the Multitude that are to be governed faile. And therefore questions of the right of Succession, have in that forme of Government no place at all.

In an Aristocracy, when any of the Assembly dyeth, the election of another into his room belongeth to the Assembly, as the Sovereign, to whom belongeth the choosing of all Counsellours, 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 publique shall require it) be recalled.

The Present Monarch Hath Right To Dispose Of The Succession The greatest difficultie 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, (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 equall right to submit himselfe to such as he thinks best able to protect him, or if he can, protect himselfe by his owne sword; which is a returne 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 alwaies 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 expresse Words, and Testament; or by other tacite signes sufficient.

Succession Passeth By Expresse Words;

By expresse Words, or Testament, when it is declared by him in his life time, viva voce, or by Writing; as the first Emperours of Rome declared who should be their Heires. For the word Heire does not of it selfe 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 expresly, that such a man shall be his Heire, either by Word or Writing, then is that man immediately after the decease of his Predecessor, Invested in the right of being Monarch.

Or, By Not Controlling A Custome;

But where Testament, and expresse Words are wanting, other naturall signes of the Will are to be followed: whereof the one is Custome. And therefore where the Custome 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 life time. And likewise where the Custome 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 Custome were to advance the Female. For whatsoever Custome a man may by a word controule, and does not, it is a naturall signe he would have that Custome stand.

Or, By Presumption Of Naturall Affection

But where neither Custome, nor Testament hath preceded, there it is to be understood, First, that a Monarchs will is, that the government remain Monarchicall; because he hath approved that government in himselfe. Secondly, that a Child of his own, Male, or Female, be preferred before any other; because men are presumed to be more enclined 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 neerer in blood, rather than the more remote, because it is alwayes presumed that the neerer of kin, is the neerer in affection; and 'tis evident that a man receives alwayes, by reflexion, the most honour from the greatnesse of his nearest kindred.

To Dispose Of The Succession, Though To A King Of Another Nation, Not Unlawfull

But if it be lawfull 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, not 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 strangers government, but from the unskilfulnesse of the Governours, ignorant of the true rules of Politiques. 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 Principall men of every Nation they conquered, not onely 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, aymed 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 Civill warres, which make both those Kingdomes 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 Kingdome 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 lawfull.

CHAPTER XX. OF DOMINION PATERNALL AND DESPOTICALL

A Common-wealth 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 voyces, for fear of death, or bonds, do authorise all the actions of that Man, or Assembly, that hath their lives and liberty in his Power.

Wherein Different From A Common-wealth By Institution

And this kind of Dominion, or Sovereignty, differeth from Sovereignty by Institution, onely 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, voyd: which if it were true, no man, in any kind of Common-wealth, could be obliged to Obedience. It is true, that in a Common-wealth 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 Lawes; 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 performe, 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 exorted the promise, as by the Author of such absolution.

The Rights Of Sovereignty The Same In Both

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 Warre, and Peace: to him it belongeth to choose Magistrates, Counsellours, 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 alledged in the precedent Chapter, for the same Rights, and Consequences of Sovereignty by Institution.

Dominion Paternall How Attained Not By Generation, But By Contract

Dominion is acquired two wayes; By Generation, and by Conquest. The right of Dominion by Generation, is that, which the Parent hath over his Children; and is called PATERNALL. 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 Childs Consent, either expresse, or by other sufficient arguments declared. For as to the Generation, God hath ordained to man a helper; and there be alwayes 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 onely, 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 Common-wealths, this controversie is decided by the Civill Law: and for the most part, (but not alwayes) the sentence is in favour of the Father; because for the most part Common-wealths have been erected by the Fathers, not by the Mothers of families. But the question lyeth now in the state of meer Nature; where there are supposed no lawes of Matrimony; no lawes for the Education of Children; but the Law of Nature, and the naturall inclination of the Sexes, one to another, and to their children. In this condition of meer 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.

Or Education;

If there be no Contract, the Dominion is in the Mother. For in the condition of Meer Nature, where there are no Matrimoniall lawes, it cannot be known who is the Father, unlesse 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.

Or Precedent Subjection Of One Of The Parents To The Other

If the Mother be the Fathers subject, the Child, is in the Fathers power: and if the Father be the Mothers subject, (as when a Sovereign Queen marrieth one of her subjects,) the Child is subject to the Mother; because the Father also is her subject.

If a man and a woman, Monarches of two severall Kingdomes, 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 their Childrens 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 Followeth The Rules Of The Rights Of Possession

The Right of Succession to Paternall dominion, proceedeth in the same manner, as doth the Right of Succession to Monarchy; of which I have already sufficiently spoken in the precedent chapter.

Despoticall Dominion, How Attained

Dominion acquired by Conquest, or Victory in war, is that which some Writers call DESPOTICALL, from Despotes, 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 avoyd the present stroke of death, covenanteth either in expresse words, or by other sufficient signes 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 corporall liberty allowed him; and upon promise not to run away, nor to do violence to his Master, is trusted by him.

Not By The Victory, But By The Consent Of The Vanquished

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 commeth in, and submitteth to the Victor; Nor is the Victor obliged by an enemies rendring himselfe, (without promise of life,) to spare him for this his yeelding to discretion; which obliges not the Victor longer, than in his own discretion hee shall think fit.

And that men do, when they demand (as it is now called) Quarter, (which the Greeks called Zogria, taking alive,) is to evade the present fury of the Victor, by Submission, and to compound for their life, with Ransome, or Service: and therefore he that hath Quarter, hath not his life given, but deferred till farther deliberation; For it is not an yeelding on condition of life, but to discretion. And then onely is his life in security, and his service due, when the Victor hath trusted him with his corporall liberty. For Slaves that work in Prisons, or Fetters, do it not of duty, but to avoyd the cruelty of their task-masters.

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, as often as he shall think fit. For he holdeth his life of his Master, by the covenant of obedience; that is, of owning, and authorising 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 himselfe the author of the same; and cannot accuse him of injury.

In summe the Rights and Consequences of both Paternall and Despoticall 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 avoyd 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 himselfe, if he can, with his own sword, which is the condition of war.

Difference Between A Family And A Kingdom

By this it appears, that a great Family if it be not part of some Common-wealth, is of it self, 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 Common-wealth; unlesse 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 hee shall think best; in the same manner as a very small company of souldiers, surprised by an army, may cast down their armes, 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 designes of men, in erecting of Commonwealths, and putting themselves under Monarchs, or Assemblies, entrusted with power enough for their protection.

The Right Of Monarchy From Scripture

Let us now consider what the Scripture teacheth in the same point. To Moses, the children of Israel say thus. (Exod. 20. 19) "Speak thou to us, and we will heare thee; but let not God speak to us, lest we dye." This is absolute obedience to Moses. Concerning the Right of Kings, God himself by the mouth of Samuel, saith, (1 Sam. 8. 11, 12, &c.) "This shall be the Right of the King you will have to reigne 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 Cookes, and Bakers. He shall take your fields, your vine-yards, and your olive-yards, and give them to his servants. He shall take the tyth of your corne and wine, and give it to the men of his chamber, and to his other servants. He shall take your man-servants, and your maid-servants, and the choice of your

youth, and employ them in his businesse. He shall take the tyth 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. 19 &c.) "We will be as all other nations, and our King shall judge our causes, and goe 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 transferre to another. Again, the prayer of King Salomon to God, was this. (1 Kings 3. 9) "Give to thy servant understanding, to judge thy people, and to discern between Good and Evill." It belongeth therefore to the Sovereigne to bee Judge, and to praescribe the Rules of Discerning Good and Evill; which Rules are Lawes; 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. 24. 9) "God forbid I should do such an act against my Lord, the anoynted of God." For obedience of servants St. Paul saith, (Coll. 3. 20) "Servants obey your masters in All things," and, (Verse. 22) "Children obey your Parents in All things." There is simple obedience in those that are subject to Paternall, or Despotically Dominion. Again, (Math. 23. 2,3) "The Scribes and Pharisees sit in Moses chayre and therefore All that they shall bid you observe, that observe and do." There again is simple obedience. And St. Paul, (Tit. 3. 2) "Warn them that they subject themselves to Princes, and to those that are in Authority, & obey them." This obedience is also simple. Lastly, our Saviour himselfe acknowledges, that men ought to pay such taxes as are by Kings imposed, where he sayes, "Give to Caesar that which is Caesars;" and payed such taxes himselfe. And that the Kings word, is sufficient to take any thing from any subject, when there is need; and that the King is Judge of that need: For he himselfe, as King of the Jewes, commanded his Disciples to take the Asse, and Asses Colt to carry him into Jerusalem, saying, (Mat. 21. 2,3) "Go into the Village over against you, and you shall find a shee Asse tyed, and her Colt with her, unty 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, (Gen. 3. 5) "You shall be as Gods, knowing Good and Evill." 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 Cognisance of Judicature of Good and Evill, being forbidden by the name of the fruit of the tree of Knowledge, as a triall of Adams obedience; The Divell to enflame the Ambition of the woman, to whom that fruit already seemed beautifull, told her that by tasting it, they should be as Gods, knowing Good and Evill. Whereupon having both eaten, they did indeed take upon them Gods office, which is Judicature of Good and Evill; but acquired no new ability to distinguish between them aright. And whereas it is sayd, that having eaten, they saw they were naked; no man hath so interpreted that place, as if they had formerly blind, as saw not their own skins: the meaning is plain, that it was then they first judged their nakednesse (wherein it was Gods will to create them) to be uncomely; and by being

ashamed, did tacitely censure God himselfe. 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 Commandements? Whereby it is cleerly, (though Allegorically,) signified, that the Commands of them that have the right to command, are not by their Subjects to be censured, nor disputed.

Sovereign Power Ought In All Common-wealths To Be Absolute

So 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 Aristocraticall Common-wealths, is as great, as possibly men can be imagined to make it. And though of so unlimited a Power, men may fancy many evill consequences, yet the consequences of the want of it, which is perpetuall warre 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 Common-wealth any great Inconvenience, but what proceeds from the Subjects disobedience, and breach of those Covenants, from which the Common-wealth had its being. And whosoever thinking Sovereign Power too great, will seek to make it lesse; must subject himselfe, to the Power, that can limit it; that is to say, to a greater.

The greatest objection is, that of the Practise; 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 Kingdome long free from Sedition and Civill Warre. In those Nations, whose Common-wealths have been long-lived, and not been destroyed, but by forraign warre, the Subjects never did dispute of the Sovereign Power. But howsoever, an argument for the Practise of men, that have not sifted to the bottom, and with exact reason weighed the causes, and nature of Common-wealths, 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 Common-wealths, consisteth in certain Rules, as doth Arithmetique and Geometry; not (as Tennis-play) on Practise onely: 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 What

Liberty, or FREEDOME, signifieth (properly) the absence of Opposition; (by Opposition, I mean externall Impediments of motion;) and may

be applyed no lesse to Irrational, and Inanimate creatures, than to Rationall. For whatsoever is so tyed, or environed, as it cannot move, but within a certain space, which space is determined by the opposition of some externall 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 chayns; and of the water whilst it is kept in by banks, or vessels, that otherwise would spread it selfe into a larger space, we use to say, they are not at Liberty, to move in such manner, as without those externall impediments they would. But when the impediment of motion, is in the constitution of the thing it selfe, we use not to say, it wants the Liberty; but the Power to move; as when a stone lyeth still, or a man is fastned to his bed by sicknesse.

What It Is To Be Free

And according to this proper, and generally received meaning of the word, A FREE-MAN, is "he, that in those things, which by his strength and wit he is able to do, is not hindred to doe what he has a will to." But when the words Free, and Liberty, are applyed to any thing but Bodies, they are abused; for that which is not subject to Motion, is not subject to Impediment: And therefore, when 'tis 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 Guift is free, there is not meant any liberty of the Guift, 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 pronounciation, but of the man, whom no law hath obliged to speak otherwise then he did. Lastly, from the use of the word Freewill, no liberty can be inferred to 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 doe.

Feare And Liberty Consistent

Feare and Liberty are consistent; as when a man throweth his goods into the Sea for Feare the ship should sink, he doth it neverthelesse very willingly, and may refuse to doe it if he will: It is therefore the action, of one that was Free; so a man sometimes pays his debt, only for Feare of Imprisonment, which because no body hindred him from detaining, was the action of a man at Liberty. And generally all actions which men doe in Common-wealths, for Feare of the law, or actions, which the doers had Liberty to omit.

Liberty And Necessity Consistent

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 doe; which (because they proceed from their will) proceed from Liberty; and yet because every act of mans will, and every desire, and inclination proceedeth from some cause, which causes in a continuall chaine (whose first link in the hand of God the first of all causes) proceed from Necessity. So that to him that could see the connexion of those causes, the Necessity of all mens voluntary actions, would appeare 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, & no more, nor lesse. 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 any thing, of which appetite Gods will is not the cause. And did not his will assure the Necessity of mans will, and consequently of all that on mans 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 naturall Liberty, which only is properly called Liberty.

Artificiall Bonds, Or Covenants

But as men, for the atteyning of peace, and conservation of themselves thereby, have made an Artificiall Man, which we call a Common-wealth; so also have they made Artificiall Chains, called Civill Lawes, which they themselves, by mutuall covenants, have fastned at one end, to the lips of that Man, or Assembly, to whom they have given the Soveraigne Power; and at the other end to their own Ears. These Bonds in their own nature but weak, may neverthesse be made to hold, by the danger, though not by the difficulty of breaking them.

Liberty Of Subjects Consisteth In Liberty From Covenants

In relation to these Bonds only it is, that I am to speak now, of the Liberty of Subjects. For seeing there is no Common-wealth in the world, 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 praetermitted, men have the Liberty, of doing what their own reasons shall suggest, for the most profitable to themselves. For if wee take Liberty in the proper sense, for corporall Liberty; that is to say, freedome from chains, and prison, it were very absurd for men to clamor as they doe, for the Liberty they so manifestly enjoy. Againe, if we take Liberty, for an exemption from Lawes, it is no lesse absurd, for men to demand as they doe, 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 Lawes 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, lyeth therefore only

in those things, which in regulating their actions, the Sovereign hath praetermitted; such as is the Liberty to buy, and sell, and otherwise contract with one another; to choose their own aboad, their own diet, their own trade of life, and institute their children as they themselves think fit; & the like.

Liberty Of The Subject Consistent With Unlimited Power Of The Sovereign

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 shewn, that nothing the Sovereign Representative can doe 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 any thing, 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 Common-wealths, that a Subject may be put to death, by the command of the Sovereign Power; and yet neither doe the other wrong: as when Jeptha caused his daughter to be sacrificed: In which, and the like cases, he that so dieth, had Liberty to doe the action, for which he is neverthesse, 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 Equitie, (as was the killing of Uriah, by David;) yet it was not an Injurie to Uriah; but to God. Not to Uriah, because the right to doe what he pleased, was given him by Uriah himself; And yet to God, because David was Gods Subject; and prohibited all Iniquitie 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 Common-wealth for ten years, thought they committed no Injustice; and yet they never questioned what crime he had done; but what hurt he would doe: Nay they commanded the banishment of they knew not whom; and every Citizen bringing his Oystershell 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 Libertie to Jest, or to be Just.

The Liberty Which Writers Praise, Is The Liberty Of Sovereigns; Not Of Private Men

The Libertie, whereof there is so frequent, and honourable mention, in the Histories, and Philosophy of the Antient Greeks, and Romans, and in the writings, and discourse of those that from them have received all their learning in the Politiques, is not the Libertie of Particular

men; but the Libertie of the Common-wealth: which is the same with that, which every man then should have, if there were no Civil Laws, nor Common-wealth at all. And the effects of it also be the same. For as amongst masterlesse men, there is perpetuall 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 Libertie in every Particular man: So in States, and Common-wealths not dependent on one another, every Common-wealth, (not every man) has an absolute Libertie, to doe what it shall judge (that is to say, what that Man, or Assemblie that representeth it, shall judge) most conducing to their benefit. But withall, they live in the condition of a perpetuall war, and upon the confines of battel, with their frontiers armed, and canons planted against their neighbours round about. The Athenians, and Romanes, were free; that is, free Common-wealths: not that any particular men had the Libertie to resist their own Representative; but that their Representative had the Libertie to resist, or invade other people. There is written on the Turrets of the city of Luca in great characters at this day, the word LIBERTAS; yet no man can thence inferre, that a particular man has more Libertie, or Immunitie from the service of the Commonwealth there, than in Constantinople. Whether a Common-wealth be Monarchicall, or Popular, the Freedome is still the same.

But it is an easy thing, for men to be deceived, by the specious name of Libertie; and for want of Judgement to distinguish, mistake that for their Private Inheritance, and Birth right, which is the right of the Publique only. And when the same error is confirmed by the authority of men in reputation for their writings in this subject, it is no wonder if it produce sedition, and change of Government. In these westerne parts of the world, we are made to receive our opinions concerning the Institution, and Rights of Common-wealths, from Aristotle, Cicero, and other men, Greeks and Romanes, 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 Common-wealths, which were Popular; as the Grammarians describe the Rules of Language, out of the Practise 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 Freemen, and all that lived under Monarchy were slaves; therefore Aristotle puts it down in his Politiques, (lib.6.cap.2) "In democracy, Liberty is to be supposed: for 'tis commonly held, that no man is Free in any other Government." And as Aristotle; so Cicero, and other Writers have grounded their Civill 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 Latine Authors, men from their childhood have gotten a habit (under a false shew 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 any thing so deerly bought, as these Western parts have bought the learning of the Greek and Latine tongues.

Liberty Of The Subject How To Be Measured

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 neverthelesse, without Injustice, refuse to do; we are to consider, what Rights we passe away, when we make a Common-wealth; or (which is all one,) what Liberty we deny our selves, 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 expresse words, "I Authorise all his Actions," or from the Intention of him that submitteth himselfe 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.

Subjects Have Liberty To Defend Their Own Bodies, Even Against Them That Lawfully Invade Them

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 shewn before in the 14. Chapter, that Covenants, not to defend a mans own body, are voyd. Therefore,

Are Not Bound To Hurt Themselves;

If the Sovereign command a man (though justly condemned,) to kill, wound, or mayme himselfe; or not to resist those that assault him; or to abstain from the use of food, ayre, 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 himselfe, he is not bound (without assurance of Pardon) to confesse it; because no man (as I have shewn in the same Chapter) can be obliged by Covenant to accuse himselfe.

Again, the Consent of a Subject to Sovereign Power, is contained in these words, "I Authorise, or take upon me, all his actions;" in which

there is no restriction at all, of his own former naturall Liberty:
For by allowing him to Kill Me, I am not bound to Kill my selfe when
he commands me. "'Tis one thing to say 'Kill me, or my fellow, if you
please;' another thing to say, 'I will kill my selfe, or my fellow.'" It
followeth therefore, that

No man is bound by the words themselves, either to kill himselfe, or
any other man; And consequently, that the Obligation a man may sometimes
have, upon the Command of the Sovereign to execute any dangerous, or
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 refusall to obey, frustrates the End for which the
Soveraignty was ordained; then there is no Liberty to refuse: otherwise
there is.

Nor To Warfare, Unless They Voluntarily Undertake It

Upon this ground, a man that is commanded as a Souldier to fight against
the enemy, though his Sovereign have Right enough to punish his refusall
with death, may neverthesse in many cases refuse, without Injustice;
as when he substituteth a sufficient Souldier in his place: for in this
case he deserteth not the service of the Common-wealth. And there is
allowance to be made for naturall timorousnesse, not onely 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 trechery, but fear, they are not
esteemed to do it unjustly, but dishonourably. For the same reason, to
avoyd battell, is not Injustice, but Cowardise. But he that inrowleth
himselfe a Souldier, or taketh imprest mony, taketh away the excuse of
a timorous nature; and is obliged, not onely to go to the battell,
but also not to run from it, without his Captaines leave. And when the
Defence of the Common-wealth, requireth at once the help of all that
are able to bear Arms, every one is obliged; because otherwise the
Institution of the Common-wealth, which they have not the purpose, or
courage to preserve, was in vain.

To resist the Sword of the Common-wealth, 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 Capitall crime, for which every one of them expecteth
death, whether have they not the Liberty then to joyn 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 onely 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, unlawfull.

The Greatest Liberty Of Subjects, Dependeth On The Silence Of The Law

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 lesse; and in some times more, in other times lesse, 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 in to his own Land, (and dispossesse such as wrongfully possessed it) by force. But in after-times, 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 controversie with his Sovereigne, of Debt, or of right of possession of lands or goods, or concerning any service required at his hands, or concerning any penalty corporall, 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 vertue of his Power; he declareth thereby, that he requireth no more, than shall appear to be due by that Law. The sute 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 any thing by pretence of his Power; there lyeth, in that case, no action of Law: for all that is done by him in Vertue of his Power, is done by the Authority of every subject, and consequently, he that brings an action against the Sovereign, brings it against himselfe.

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 voyd; unlesse he directly renounce, or transferre the Sovereignty to another. For in that he might openly, (if it had been his will,) and in plain termes, 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 retayned; and consequently all those Powers, which are necessary to the exercising thereof; such as are the Power of Warre, and Peace, of Judicature, of appointing Officers, and Councillours, of levying Mony, and the rest named in the 18th Chapter.

In What Cases Subjects Absolved Of Their Obedience To Their Sovereign

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 Soule of the Common-wealth; which once departed from the Body, the members doe 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 anothers sword, Nature applyeth his obedience to it, and his endeavour to maintaine it. And though Sovereignty, in the intention of them that make it, be immortall; yet is it in its own nature, not only subject to violent death, by forreign war; but also through the ignorance, and passions of men, it hath in it, from the very institution, many seeds of a naturall mortality, by Intestine Discord.

In Case Of Captivity

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 corporall Libertie given him, on condition to be Subject to the Victor, he hath Libertie to accept the condition; and having accepted it, is the subject of him that took him; because he had no other way to preserve himselfe. The case is the same, if he be detained on the same termes, in a forreign country. But if a man be held in prison, or bonds, or is not trusted with the libertie of his bodie; he cannot be understood to be bound by Covenant to subjection; and therefore may, if he can, make his escape by any means whatsoever.

In Case The Sovereign Cast Off The Government From Himself And Heyrs

If a Monarch shall relinquish the Sovereignty, both for himself, and his heires; His Subjects returne to the absolute Libertie of Nature; because, though Nature may declare who are his Sons, and who are the nerest of his Kin; yet it dependeth on his own will, (as hath been said in the precedent chapter,) who shall be his Heyr. If therefore he will have no Heyre, there is no Sovereignty, nor Subjection. The case is the same, if he dye without known Kindred, and without declaration of his Heyre. For then there can no Heire be known, and consequently no Subjection be due.

In Case Of Banishment

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 travell, is still Subject; but it is, by Contract between Sovereigns, not by vertue of the covenant of Subjection. For whosoever entreth into anothers

dominion, is Subject to all the Lawes thereof; unless he have a privilege by the amity of the Sovereigns, or by speciall licence.

In Case The Sovereign Render Himself Subject To Another

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 Soveraigntie; 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 he have not means to name, he is supposed to approve those, which he himself had formerly appointed.

CHAPTER XXII. OF SYSTEMES SUBJECT, POLITICALL, AND PRIVATE

The Divers Sorts Of Systemes Of People

Having spoken of the Generation, Forme, and Power of a Common-wealth, I am in order to speak next of the parts thereof. And first of Systemes, which resemble the similar parts, or Muscles of a Body naturall. By SYSTEMES; I understand any numbers of men joyned in one Interest, or one Businesse. 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 Common-wealths; Of which I have spoken already in the 5. last preceding chapters. Others are Dependent; that is to say, Subordinate to some Sovereign Power, to which every one, as also their Representative is Subject.

Of Systemes subordinate, some are Politicall, and some Private. Politicall (otherwise Called Bodies Politique, and Persons In Law,) are those, which are made by authority from the Sovereign Power of the Common-wealth. Private, are those, which are constituted by Subjects amongst themselves, or by authoritie from a stranger. For no authority derived from forraign power, within the Dominion of another, is Publique there, but Private.

And of Private Systemes, some are Lawfull; some Unlawfull: Lawfull, are those which are allowed by the Common-wealth: all other are Unlawfull. Irregular Systemes, are those which having no Representative, consist only in concourse of People; which if not forbidden by the

Common-wealth, nor made on evill designe, (such as are conflux of People to markets, or shews, or any other harmelesse end,) are Lawfull. But when the Intention is evill, or (if the number be considerable) unknown, they are Unlawfull.

In All Bodies Politique The Power Of The Representative Is Limited

In Bodies Politique, the power of the Representative is alwaies 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 Politique 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 doe, by any Grant, that does not plainly, and directly discharge them of their subjection. For consequences of words, are not the signes of his will, when other consequences are signes of the contrary; but rather signes of error, and misreckoning; to which all mankind is too prone.

The bounds of that Power, which is given to the Representative of a Bodie Politique, are to be taken notice of, from two things. One is their Writt, or Letters from the Sovereign: the other is the Law of the Common-wealth.

By Letters Patents

For though in the Institution or Acquisition of a Common-wealth, 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 remembred without Letters, nor taken notice of, unlesse such Letters be Patent, that they may be read to them, and withall sealed, or testified, with the Seales, or other permanent signes of the Authority Sovereign.

And The Lawes

And because such Limitation is not alwaies easie, or perhaps possible to be described in writing; the ordinary Lawes, common to all Subjects, must determine, that the Representative may lawfully do, in all Cases, where the Letters themselves are silent. And therefore

When The Representative Is One Man, His Unwarranted Acts His Own Onely

In a Body Politique, 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 Lawes, is his own act, and not the act of the Body, nor of any other Member thereof besides himselfe: Because further than his Letters, or the Lawes limit, he representeth no mans person, but his own. But what he does according to these, is the act of every one: For of 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.

When It Is An Assembly, It Is The Act Of Them That Assented Onely

But if the Representative be an Assembly, whatsoever that Assembly shall Decree, not warranted by their Letters, or the Lawes, is the act of the Assembly, or Body Politique, 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, unlesse he Voted it by procuration. 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 farre-forth as it is capable, as by dissolution, or forfeiture of their Letters (which is to such artificiall, and fictitious Bodies, capitall,) or (if the Assembly have a Common stock, wherein none of the Innocent Members have propriety,) by pecuniary Mulct. For from corporall penalties Nature hath exempted all Bodies Politique. 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.

When The Representative Is One Man, If He Borrow Mony, Or Owe It, By Contract; He Is Lyable Onely, The Members Not If the person of the Body Politique being in one man, borrow mony 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 mens own inclinations to limit lending) the debt is the Representatives. 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 voyd, as proceeding from Errour, commonly incident to humane Nature, and an unsufficient signe 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 onely of Bodies subordinate. No member therefore is obliged to pay the debt so borrowed, but the Representative himselfe: because he that lendeth it, being a stranger to the Letters, and to the qualification of the Body, understandeth those onely for his debtors, that are engaged; and seeing the Representer can ingage

himselfe, and none else, has him onely 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.

When It Is An Assembly, They Onely Are Liable That Have Assented

But when the Representative is an Assembly, and the debt to a stranger; all they, and onely 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 of those in voting did engage himselfe for the payment: For he that is author of the borrowing, is obliged to the payment, even of the whole debt, though when payd by any one, he be discharged.

If The Debt Be To One Of The Assembly, The Body Onely Is Obliged

But if the debt be to one of the Assembly, the Assembly onely is obliged to the payment, out of their common stock (if they have any:) For having liberty of Vote, if he Vote the Mony, shall be borrowed, he Votes it shall be payd; 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 later, and becomes both borrower and lender, and consequently cannot demand payment from any particular man, but from the common Treasure onely; which fayling he hath no remedy, nor complaint, but against himselfe, that being privy to the acts of the Assembly, and their means to pay, and not being enforced, did neverthesse through his own folly lend his mony.

Protestation Against The Decrees Of Bodies Politique

Sometimes Lawful; But Against Sovereign Power Never It is manifest by this, that in Bodies Politique subordinate, and subject to a Sovereign Power, it is sometimes not onely lawfull, but expedient, for a particular man to make open protestation against the decrees of the Representative Assembly, and cause their dissent to be Registred, 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 alwayes in the sight of God) justified by the Command; for of such command every Subject is the Author.

Bodies Politique For Government Of A Province, Colony, Or Town

The variety of Bodies Politique, is almost infinite; for they are not onely distinguished by the severall affaires, for which they are constituted, wherein there is an unspeakable diversitie; but also by the times, places, and numbers, subject to many limitations. And as to their affaires, 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 Politique, and their power limited by Commission. This word Province signifies a charge, or care of businesse, which he whose businesse it is, committeth to another man, to be administred for, and under him; and therefore when in one Common-wealth there be divers Countries, that have their Lawes distinct one from another, or are farre 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 it selfe, there be few examples. The Romans who had the Sovereignty of many Provinces; yet governed them alwaies by Presidents, and Praetors; 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-Ilands; though the government 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 Governour; 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 enclined, to commit the Government of their common Interest rather to a Monarchicall, then 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 paines of administring the businesse that belongs to them, choose rather to trust one Servant, than a 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 unlawfull Act is decreed, is the Act onely of those that assented, and not of any that dissented, or were absent, for the reasons before alledged. 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 Colonie, to seize on them for debt, or other duty, in any place without the Colony it selfe, as having no Jurisdiction, nor Authoritie elsewhere, but are left to the remedie, 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 Lawes they make; yet out of the Colonie it selfe, 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 appliable also to an Assembly for the Government of a Town, or University, or a College, or a Church, or for any other Government over the persons of men.

And generally, in all Bodies Politique, if any particular member conceive himself Injured by the Body it self, the Cognisance of his cause belongeth to the Sovereign, and those the Sovereign hath ordained for Judges in such causes, or shall ordaine for that particular cause; and not to the Body it self. 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.

Bodies Politique For Ordering Of Trade

In a Bodie Politique, for the well ordering of forraigne Traffique, the most commodious Representative is an Assembly of all the members; that is to say, such a one, as every one that adventureth his mony, 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 Merchandise, according to their own discretions, doe neverthesse bind themselves up in one Corporation. It is true, there be few Merchants, that with the Merchandise 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 joyn together in one Society; where every man may either participate of the gaine, 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 Politique, 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 gaine the greater; which is done two wayes; 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 Politique, 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 forraign 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 gainfull 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 forraign Merchandise, and but one that sels them at home; both which againe are gainfull to the adventurers.

Of this double Monopoly one part is disadvantageous to the people at home, the other to forraigners. For at home by their sole exportation they set what price they please on the husbandry and handy-works of the people; and by the sole importation, what price they please on all forraign 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 forraign commodities upon the place, they raise the price of those, and abate the price of these, to the disadvantage of the forraigner: For where but one selleth, the Merchandise is the dearer; and where but one buyeth the cheaper: Such

Corporations therefore are no other then Monopolies; though they would be very profitable for a Common-wealth, if being bound up into one body in forraigne Markets they were at liberty at home, every man to buy, and sell at what price he could.

The end then 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 gaine 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 Politique of Merchants, contract a debt to a stranger by the act of their Representative Assembly, every Member is lyable by himself for the whole. For a stranger can take no notice of their private Lawes, 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 debter for the whole to himself, and cannot therefore demand his debt, but only from the common stock, if there be any.

If the Common-wealth impose a Tax upon the Body, it is understood to be layd 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 layd upon the Body for some unlawfull act, they only are lyable 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 ordeyned by the authority of the Common-wealth,) 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 Common-wealth: for if they can doe it by their own Authority, they can by their own Authority give judgement that the debt is due, which is as much as to be Judge in their own Cause.

A Bodie Politique For Counsel To Be Give To The Soveraign

These Bodies made for the government of Men, or of Traffique, be either perpetuall, or for a time prescribed by writing. But there be Bodies also whose times are limited, and that only by the nature of their businesse. For example, if a Soveraign Monarch, or a Soveraign Assembly, shall think fit to give command to the towns, and other severall parts of their territory, to send to him their Deputies, to enforme him of the

condition, and necessities of the Subjects, or to advise with him for the making of good Lawes, 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 Politique, representing every Subject of that Dominion; but it is onely 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 Representative 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 farre 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.

A Regular Private Body, Lawfull, As A Family

Private Bodies Regular, and Lawfull, are those that are constituted without Letters, or other written Authority, saving the Lawes 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 farre 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 domestique government, they are subject to their Fathers, and Masters, as to their immediate Sovereigns. For the Father, and Master being before the Institution of Common-wealth, absolute Sovereigns in their own Families, they lose afterward no more of their Authority, than the Law of the Common-wealth taketh from them.

Private Bodies Regular, But Unlawfull

Private Bodies Regular, but Unlawfull, are those that unite themselves into one person Representative, without any publique Authority at all; such as are the Corporations of Beggars, Theeves and Gipsies, the better to order their trade of begging, and stealing; and the Corporations of men, that by Authority from any forraign Person, unite themselves in anothers Dominion, for easier propagation of Doctrines, and for making a party, against the Power of the Common-wealth.

Systemes Irregular, Such As Are Private Leagues

Irregular Systemes, in their nature, but Leagues, or sometimes meer concourse of people, without union to any particular designe, not by obligation of one to another, but proceeding onely from a similitude of wills and inclinations, become Lawfull, or Unlawfull, according to the lawfulness, or unlawfulness of every particular mans design therein: And his designe is to be understood by the occasion.

The Leagues of Subjects, (because Leagues are commonly made for mutuall defence,) are in a Common-wealth (which is no more than a League of all the Subjects together) for the most part unnecessary, and savour of unlawfull designe; and are for that cause Unlawfull, and go commonly by the name of factions, or Conspiracies. For a League being a connexion of men by Covenants, if there be no power given to any one Man or Assembly, (as in the condition of meer Nature) to compell them to performance, is so long onely valid, as there ariseth no just cause of distrust: and therefore Leagues between Common-wealths, over whom there is no humane Power established, to keep them all in awe, are not onely lawfull, but also profitable for the time they last. But Leagues of the Subjects of one and the same Common-wealth, 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 designe of them be evill, or Unknown to the Common-wealth) unlawfull. For all uniting of strength by private men, is, if for evill intent, unjust; if for intent unknown, dangerous to the Publique, and unjustly concealed.

Secret Cabals

If the Sovereign Power be in a great Assembly, and a number of men, part of the Assembly, without authority, consult a part, to contrive the guidance of the rest; This is a Faction, or Conspiracy unlawfull, 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 mony, (unlesse there be an expresse Law against it,) yet it is not Injustice. For sometimes, (as mens manners are,) Justice cannot be had without mony; and every man may think his own cause just, till it be heard, and judged.

Feuds Of Private Families

In all Common-wealths, if a private man entertain more servants, than the government of his estate, and lawfull employment he has for them requires, it is Faction, and unlawfull. For having the protection of the Common-wealth, he needeth not the defence of private force. And whereas in Nations not throughly civilized, severall numerous Families have lived in continuall hostility, and invaded one another with private

force; yet it is evident enough, that they have done unjustly; or else that they had no Common-wealth.

Factions For Government

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 Aristocraticalls and Democraticalls 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 lawfull, and manifest, the Concourse is lawfull; as the usuall meeting of men at Church, or at a publique Shew, in usuall 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 unlawfull, and tumultuous designe. It may be lawfull for a thousand men, to joyn in 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 Unlawfull, but such a number, as the present Officers are not able to suppress, and bring to Justice.

When an unusuall number of men, assemble against a man whom they accuse; the Assembly is an Unlawfull 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 Pauls companions before the Magistrate, saying with one Voyce, "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 Lawes of that People, was just; yet was their Assembly Judged Unlawfull, and the Magistrate reprehended them for it, in these words, (Acts 19. 40) "If Demetrius and the other work-men can accuse any man, of any thing, 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 dayes 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 Systemes, and Assemblies of People, which may be compared (as I said,) to the Similar parts of mans Body; such as be Lawfull, to the Muscles; such as are Unlawfull, to Wens, Biles, and Apostemes, engendred by the unnaturall conflux of evill humours.

CHAPTER XXIII. OF THE PUBLIQUE MINISTERS OF SOVERAIGN POWER

In the last Chapter I have spoken of the Similar parts of a Common-wealth; In this I shall speak of the parts Organicall, which are Publique Ministers.

Publique Minister Who

A PUBLIQUE MINISTER, is he, that by the Sovereign, (whether a Monarch, or an Assembly,) is employed in any affaires, with Authority to represent in that employment, the Person of the Common-wealth. And whereas every man, or assembly that hath Sovereignty, representeth two Persons, or (as the more common phrase is) has two Capacities, one Naturall, and another Politique, (as a Monarch, hath the person not onely of the Common-wealth, but also of a man; and a Sovereign Assembly hath the Person not onely of the Common-wealth, but also of the Assembly); they that be servants to them in their naturall Capacity, are not Publique Ministers; but those onely that serve them in the Administration of the Publique businesse. And therefore neither Ushers, nor Sergeants, nor other Officers that waite 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 Publique Ministers in a Monarchy.

Ministers For The Generall Administration

Of Publique 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 bee committed by the Predecessor of an Infant King, during his minority, the whole Administration of his Kingdome. 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 Kings name, and not inconsistent with his Sovereigne Power. Of a Part, or Province; as when either a Monarch, or a Sovereign Assembly, shall give the generall charge thereof to a Governour, Lieutenant, Praefect, or Vice-Roy: And in this case also, every one of that Province, is obliged to all he shall doe in the name of the Sovereign, and that not incompatible with the Sovereigns Right. For such Protectors, Vice-Roys, and Governours, have no other right, but what depends on the Sovereigns Will; and no Commission that can be given them, can be interpreted for a Declaration of the will to transferre the Sovereignty, without expresse and perspicuous words to that purpose. And this kind of Publique Ministers resembleth the Nerves, and Tendons that move the severall limbs of a body naturall.

For Speciall Administration, As For Oeconomy

Others have speciall Administration; that is to say, charges of some speciall businesse, either at home, or abroad: As at home, First, for the Oeconomy of a Common-wealth, They that have Authority concerning the Treasure, as Tributes, Impositions, Rents, Fines, or whatsoever publique revenue, to collect, receive, issue, or take the Accounts thereof, are Publique Ministers: Ministers, because they serve the Person Representative, and can doe nothing against his Command, nor without his Authority: Publique, because they serve him in his Politicall Capacity.

Secondly, they that have Authority concerning the Militia; to have the custody of Armes, Forts, Ports; to Levy, Pay, or Conduct Souldiers; or to provide for any necessary thing for the use of war, either by Land or Sea, are publique Ministers. But a Souldier without Command, though he fight for the Common-wealth, 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.

For Instruction Of The People

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 godlinesse, and in peace among themselves, and resist the publique enemy, are Publique Ministers: Ministers, in that they doe it not by their own Authority, but by anothers; and Publique, because they doe it (or should doe 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 Gratia 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 Gratia & Regis; or Dei Providentia & Voluntate Regis.

For Judicature

They also to whom Jurisdiction is given, are Publique 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 judgements, some of Fact, some of Law: And consequently in the same controversie, there may be two Judges, one of Fact, another of

Law.

And in both these controversies, there may arise a controversie 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 heare 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 wayes; as first, if the Defendant be allowed to except against such of his Judges, whose interest maketh him suspect them, (for as to the Complaynant he hath already chosen his own Judge,) those which he excepteth not against, are Judges he himself agrees on. Secondly, if he appeale to any other Judge, he can appeale no further; for his appeale is his choice. Thirdly, if he appeale to the Sovereign himself, and he by himself, or by Delegates which the parties shall agree on, give Sentence; that Sentence is finall: for the Defendant is Judged by his own Judges, that is to say, by himself.

These properties of just and rationall Judicature considered, I cannot forbear to observe the excellent constitution of the Courts of Justice, established both for Common, and also for Publique Pleas in England. By Common Pleas, I meane those, where both the Complaynant and Defendant are Subjects: and by Publique, (which are also called Pleas of the Crown) those, where the Complaynant is the Sovereign. For whereas there were two orders of men, whereof one was Lords, the other Commons; The Lords had this Priviledge, to have for Judges in all Capitall crimes, none but Lords; and of them, as many as would be present; which being ever acknowledged as a Priviledge of favour, their Judges were none but such as they had themselves desired. And in all controversies, every Subject (as also in civill controversies the Lords) had for Judges, men of the Country where the matter in controversie 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 alledged by the party, why the sentence should not be finall, These publique persons, with Authority from the Sovereign Power, either to Instruct, or Judge the people, are such members of the Common-wealth, as may fitly be compared to the organs of Voice in a Body naturall.

For Execution

Publique Ministers are also all those, that have Authority from the Sovereign, to procure the Execution of Judgements given; to publish the Sovereigns Commands; to suppress Tumults; to apprehend, and imprison Malefactors; and other acts tending to the conservation of the Peace. For every act they doe by such Authority, is the act of the Common-wealth; and their service, answerable to that of the Hands, in a Bodie naturall.

Publique Ministers abroad, are those that represent the Person of their

own Sovereign, to forraign States. Such are Ambassadors, Messengers, Agents, and Heralds, sent by publique Authoritie, and on publique Businesse.

But such as are sent by Authoritie only of some private partie of a troubled State, though they be received, are neither Publique, nor Private Ministers of the Common-wealth; because none of their actions have the Common-wealth for Author. Likewise, an Ambassador sent from a Prince, to congratulate, condole, or to assist at a solemnity, though Authority be Publique; yet because the businesse is Private, and belonging to him in his naturall 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 Businesse be Publique; 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 Common-wealth; and may be compared to an Eye in the Body naturall. And those that are appointed to receive the Petitions or other informations of the People, and are as it were the publique Eare, are Publique Ministers, and represent their Sovereign in that office.

Counsellors Without Other Employment Then To Advise Are Not Publique Ministers

Neither a Counsellor, nor a Councill 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 Publique 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 Counsellors, 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 Publique Ministers: In a Democracy, the Councill, or Senate propounds the Result of their deliberations to the people, as a Councill; but when they appoint Judges, or heare Causes, or give Audience to Ambassadors, it is in the quality of a Minister of the People: And in an Aristocracy the Councill of State is the Sovereign Assembly it self; and gives counsell to none but themselves.

CHAPTER XXIV. OF THE NUTRITION, AND PROCREATION OF A COMMON-WEALTH

The Nourishment Of A Common-wealth Consisteth In The Commodities Of Sea And Land

The NUTRITION of a Common-wealth 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 Publique 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 man-kind.

For the Matter of this Nutriment, consisting in Animals, Vegetals, and Minerals, God hath freely layd them before us, in or neer 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 Gods favour) meerly on the labour and industry of men.

This Matter, commonly called Commodities, is partly Native, and partly Forraign: Native, that which is to be had within the Territory of the Common-wealth; Forraign, that which is imported from without. And because there is no Territory under the Dominion of one Common-wealth, (except it be of very vast extent,) that produceth all things needfull 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 Warre, or by Labour: for a mans Labour also, is a commodity exchangeable for benefit, as well as any other thing: And there have been Common-wealths that having no more Territory, than hath served them for habitation, have neverthesse, not onely maintained, but also encreased 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.

And The Right Of Distribution Of Them

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 Common-wealth to the Sovereign Power. For where there is no Common-wealth, there is, (as hath been already shewn) a perpetuall warre of every man against his neighbour; And therefore every thing 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 publique pleading, attributeth all Propriety to the Law Civil, "Let the Civill 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 Civill Law, and no man knows what is his own, and what another mans." Seeing therefore the Introduction of Propriety is an effect of Common-wealth; which can do nothing but by the Person that Represents it, it is the act onely of the Sovereign; and consisteth in the Lawes, which none can make that have not the Sovereign Power. And this they well knew of old, who called that Nomos, (that is to say, Distribution,) which we call Law; and defined Justice, by distributing

to every man his own.

All Private Estates Of Land Proceed Originally From The Arbitrary Distribution Of The Sovereign

In this Distribution, the First Law, is for Division of the Land it selfe: 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 Common-wealth in the Wildernesse; but wanted the commodities of the Earth, till they were masters of the Land of Promise; which afterward was divided amongst them, not by their own discretion, but by the discretion of Eleazar the Priest, and Joshua their Generall: who when there were twelve Tribes, making them thirteen by subdivision of the Tribe of Joseph; made neverthesse 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 comming into possession of a land by warre, do not alwaies exterminate the antient Inhabitants, (as did the Jewes,) 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 Conquerour.

Propriety Of A Subject Excludes Not The Dominion Of The Sovereign, But Onely Of Another Subject

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 Common-wealth (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, is to be reputed voyd. 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 authorise any subject, either to make warre upon, or so much as to accuse of Injustice, or any way to speak evill of their Sovereign; because they have authorised 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.

The Publique Is Not To Be Dieted

In the Distribution of land, the Common-wealth it selfe, may be conceived to have a portion, and possesse, and improve the same by their Representative; and that such portion may be made sufficient, to susteine the whole expence to the common Peace, and defence necessarily required: Which were very true, if there could be any Representative conceived free from humane passions, and infirmities. But the nature of men being as it is, the setting forth of Publique Land, or of any certaine Revenue for the Common-wealth, is in vaine; and tendeth to the dissolution of Government, and to the condition of meere Nature, and War, assoon as ever the Sovereign Power falleth into the hands of a Monarch, or of an Assembly, that are either too negligent of mony, or too hazardous in engaging the publique stock, into a long, or costly war. Common-wealths can endure no Diet: For seeing their expence is not limited by their own appetite, but by externall Accidents, and the appetites of their neighbours, the Publique Riches cannot be limited by other limits, than those which the emergent occasions shall require. And whereas in England, there were by the Conquerour, divers Lands reserved to his own use, (besides Forrests, and Chases, either for his recreation, or for 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 Publique, but in his Naturall 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 publique Lands, and Services, were ordained as a sufficient maintenance of the Common-wealth, 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 Revenue of the Crown) Subject to Alienation, and Diminution. It is therefore in vaine, to assign a portion to the Common-wealth; which may sell, or give it away; and does sell, and give it away when tis done by their Representative.

The Places And Matter Of Traffique Depend, As Their Distribution, On The Sovereign

As the Distribution of Lands at home; so also to assigne in what places, and for what commodities, the Subject shall traffique abroad, belongeth to the Sovereign. For if it did belong to private persons to use their own discretion therein, some of them would bee drawn for gaine, both to furnish the enemy with means to hurt the Common-wealth, and hurt it themselves, by importing such things, as pleasing mens appetites, be neverthesse noxious, or at least unprofitable to them. And therefore it belongeth to the Common-wealth, (that is, to the Sovereign only,) to approve, or disapprove both of the places, and matter of forraign Traffique.

The Laws Of Transferring Property Belong Also To The Sovereign

Further, seeing it is not enough to the Sustentation of a Common-wealth, that every man have a propriety in a portion of Land, or in some few commodities, or a naturall property in some usefull 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 transferre their propriety therein, mutually one to another, by exchange, and mutuall contract. And therefore it belongeth to the Common-wealth, (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 bee made; and by what words, and signes they shall be understood for valid. And for the Matter, and Distribution of the Nourishment, to the severall Members of the Common-wealth, thus much (considering the modell of the whole worke) is sufficient.

Mony The Bloud Of A Common-wealth

By Concoction, I understand the reducing of all commodities, which are not presently consumed, but reserved for Nourishment in time to come, to some thing of equal value, and withall so portably, 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 Mony. For Gold and Silver, being (as it happens) almost in all Countries of the world highly valued, is a commodious measure for the value of all things else between Nations; and Mony (of what matter soever coyned by the Sovereign of a Common-wealth,) is a sufficient measure of the value of all things else, between the Subjects of that Common-wealth. By the means of which measures, all commodities, Moveable, and Immoveable, 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 Common-wealth; and goes round about, Nourishing (as it passeth) every part thereof; In so much as this Concoction, is as it were the Sanguification of the Common-wealth: For naturall Bloud 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 it self; they have first this priviledge, that the value of them cannot be altered by the power of one, nor of a few Common-wealths; as being a common measure of the commodities of all places. But base Mony, may easily be enhanced, or abased. Secondly, they have the priviledge to make Common-wealths, move, and stretch out their armes, when need is, into forraign Countries; and supply, not only private Subjects that travell, but also whole Armies with provision. But that Coyne, which is not considerable for the Matter, but for the Stamp of the place, being unable to endure change of ayr, 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 Way Of Mony To The Publique Use

The Conduits, and Wayes by which it is conveyed to the Publique use, are of two sorts; One, that Conveyeth it to the Publique Cooffers; The other, that Issueth the same out againe for publique payments. Of the first sort, are Collectors, Receivers, and Treasurers; of the second are the Treasurers againe, and the Officers appointed for payment of severall publique or private Ministers. And in this also, the Artificiall Man maintains his resemblance with the Naturall; whose Veins receiving the Bloud from the severall Parts of the Body, carry it to the Heart; where being made Vitall, the Heart by the Arteries sends it out again, to enliven, and enable for motion all the Members of the same.

The Children Of A Common-wealth Colonies

The Procreation, or Children of a Common-wealth, are those we call Plantations, or Colonies; which are numbers of men sent out from the Common-wealth, under a Conductor, or Governour, to inhabit a Forraign Country, either formerly voyd of Inhabitants, or made voyd then, by warre. And when a Colony is settled, they are either a Common-wealth of themselves, discharged of their subjection to their Sovereign that sent them, (as hath been done by many Common-wealths of antient time,) in which case the Common-wealth from which they went was called their Metropolis, or Mother, and requires no more of them, then Fathers require of the Children, whom they emancipate, and make free from their domestique 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 Common-wealths themselves, but Provinces, and parts of the Common-wealth that sent them. So that the Right of Colonies (saving Honour, and League with their Metropolis,) dependeth wholly on their Licence, or Letters, by which their Sovereign authorised them to Plant.

CHAPTER XXV. OF COUNSELL

Counsell What

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 "Doe this," are the words not onely of him that Commandeth; but also of him that giveth Counsell; 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 mens writings, and being not able, or not willing to enter into a consideration of the circumstances, they mistake sometimes the Precepts of Counsellours, for the Precepts of them that command; and sometimes the contrary; according as it best agreeth with the conclusions they would inferre, or the actions they approve. To avoyd which mistakes, and render to those termes of Commanding, Counselling, and Exhorting, their proper and distinct significations, I define them thus.

Differences Between Command And Counsell

COMMAND is, where a man saith, "Doe this," or "Doe this not," without expecting other reason than the Will of him that sayes 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 onely, and the proper object of every mans Will, is some Good to himselfe.

COUNSELL, is where a man saith, "Doe" or "Doe not this," and deduceth his own 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 Counsell, pretendeth onely (whatsoever he intendeth) the good of him, to whom he giveth it.

Therefore between Counsell and Command, one great difference is, that Command is directed to a mans own benefit; and Counsell 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 Counsellled, because the hurt of not following it, is his own; or if he should covenant to follow it, then is the Counsell turned into the nature of a Command. A third difference between them is, that no man can pretend a right to be of another mans Counsell; because he is not to pretend benefit by it to himselfe; but to demand right to Counsell another, argues a will to know his designs, or to gain some other Good to himselfe; which (as I said before) is of every mans will the proper object.

This also is incident to the nature of Counsell; that whatsoever it be, he that asketh it, cannot in equity accuse, or punish it: For to ask Counsell of another, is to permit him to give such Counsell as he shall think best; And consequently, he that giveth counsell 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 Counsell; For the Sense of the Assembly, is the Resolution of the Debate, and End of all

Deliberation. And generally he that demandeth Counsell, is Author of it; and therefore cannot punish it; and what the Sovereign cannot, no man else can. But if one Subject giveth Counsell to another, to do any thing contrary to the Lawes, whether that Counsell proceed from evill intention, or from ignorance onely, it is punishable by the Common-wealth; because ignorance of the Law, is no good excuse, where every man is bound to take notice of the Lawes to which he is subject.

Exhortation And Dehortation What

EXHORTATION, and DEHORTATION, is Counsell, accompanied with signes in him that giveth it, of vehement desire to have it followed; or to say it more briefly, Counsell Vehemently Pressed. For he that Exhorteth, doth not deduce the consequences of what he adviseth to be done, and tye himselfe 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 tooles of Oratory, to perswade their Hearers of the Utility, Honour, or Justice of following their advise.

From whence may be inferred, First, that Exhortation and Dehortation, is directed to the Good of him that giveth the Counsell, not of him that asketh it, which is contrary to the duty of a Counsellour; who (by the definition of Counsell) ought to regard, not his own benefits, but his whom he adviseth. And that he directeth his Counsell 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 Counsell'd, or not at all.

Secondly, that the use of Exhortation and Dehortation lyeth onely, 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 Counsell, are corrupt Counsellours, and as it were bribed by their own interest. For though the Counsell they give be never so good; yet he that gives it, is no more a good Counsellour, 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 onely lawfull, but also necessary, and laudable: But then they are no more Counsells, but Commands; which when they are for Execution of soure labour; sometimes necessity, and alwayes humanity requireth to be sweetned in the delivery, by encouragement, and in the tune and phrase of Counsell, rather than in harsher language of Command.

Examples of the difference between Command and Counsell, we may take from the formes of Speech that expresse them in Holy Scripture. "Have no other Gods but me; Make to thy selfe no graven Image; Take not Gods name in vain; Sanctifie the Sabbath; Honour thy Parents; Kill not; Steale 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 poore; and follow me," are Counsell; 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 Asse tyed, 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 Counsell; 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 rebell; but of our selves, who have no other means of avoyding the punishment hanging over us for our sins.

Differences Of Fit And Unfit Counsellours

As the difference of Counsell from Command, hath been now deduced from the nature of Counsell, consisting in a deducing of the benefit, or hurt that may arise to him that is to be Counsell'd, by the necessary or probable consequences of the action he propoundeth; so may also the differences between apt, and inept counsellours be derived from the same. For Experience, being but Memory of the consequences of like actions formerly observed, and Counsell but the Speech whereby that experience is made known to another; the Vertues, and Defects of Counsell, are the same with the Vertues, and Defects Intellectual: And to the Person of a Common-wealth, his Counsellours serve him in the place of Memory, and Mentall Discourse. But with this resemblance of the Common-wealth, to a naturall man, there is one dissimilitude joyned, of great importance; which is, that a naturall man receiveth his experience, from the naturall objects of sense, which work upon him without passion, or interest of their own; whereas they that give Counsell to the Representative person of a Common-wealth, may have, and have often their particular ends, and passions, that render their Counsells alwayes suspected, and many times unfaithfull. And therefore we may set down for the first condition of a good Counsellour, That His Ends, And Interest, Be Not Inconsistent With The Ends And Interest Of Him He Counselleth.

Secondly, Because the office of a Counsellour, when an action comes into deliberation, is to make manifest the consequences of it, in such manner, as he that is Counsell'd may be truly and evidently informed; he ought to propound his advise, in such forme of speech, as may make the truth most evidently appear; that is to say, with as firme ratiocination, as significant and proper language, and as briefly, as the evidence will permit. And therefore Rash, And Unevident Inferences; (such as are fetched onely from Examples, or authority of Books, and are not arguments of what is good, or evill, but witnesses of fact, or

of opinion,) Obscure, Confused, And Ambiguous Expressions, Also All Metaphoricall Speeches, Tending To The Stirring Up Of Passion, (because such reasoning, and such expressions, are usefull onely to deceive, or to lead him we Counsell towards other ends than his own) Are Repugnant To The Office Of A Counsellour.

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 Common-wealth are necessary to be known, No Man Is Presumed To Be A Good Counsellour, But In Such Businesse, As He Hath Not Onely Been Much Versed In, But Hath Also Much Meditated On, And Considered. For seeing the businesse of a Common-wealth is this, to preserve the people at home, and defend them against forraign Invasion, we shall find, it requires great knowledge of the disposition of Man-kind, 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 designes of all Nations that may any way annoy them. And this is not attained to, without much experience. Of which things, not onely the whole summe, 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 is Judgement. And the differences of men in that point come from different education, of some to one kind of study, or businesse, and of others to another. When for the doing of any thing, there be Infallible rules, (as in Engines, and Edifices, the rules of Geometry,) all the experience of the world cannot equall his Counsell, 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 businesse, has therein the best Judgement, and is the best Counsellour.

Fourthly, to be able to give Counsell to a Common-wealth, in a businesse that hath reference to another Common-wealth, 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 doe, but such as the Representative shall think fit. By which we may see, that they who are not called to Counsell, can have no good Counsell in such cases to obtrude.

Fifthly, Supposing the number of Counsellors equall, a man is better Counsell'd by hearing them apart, then in an Assembly; and that for many causes. First, in hearing them apart, you have the advice of every man; but in an Assembly may of them deliver their advise with I, or No, or with their hands, or feet, not moved by their own sense, but by the eloquence of another, or for feare of displeasing some that have spoken, or the whole Assembly, by contradiction; or for feare 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 Publique; and these their Interests make passionate, and Passion eloquent, and Eloquence drawes others into the same advice. For the Passions of men, which asunder are moderate, as the heat of one brand; in Assembly are like many brands, that enflame one another, (especially when they blow one another with Orations) to the setting of the Common-wealth 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 advise 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 Politiques; and give not their advice with care of the businesse propounded, but of the applause of their motly orations, made of the divers colored threds, 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 Publique Businesse,) the Counsells of many, and especially in Assemblies, are dangerous; And therefore great Assemblies are necessitated to commit such affaires 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 Counsell from a great Assembly of Counsellours, 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 businesse by the help of many and prudent Counsellours, 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 Judgement only; as he that has no Second at all. But he that is carried up and down to his businesse in a framed Counsell, 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 Wheele-barrough, or other frame, heavy of it self, and retarded also by the inconcurrent judgements, 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 eys see more then one; yet it is not to be understood of many Counsellours; but then only, when the finall 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 misse their marke, though they look about with two eyes, yet they never ayme but with one; And therefore no great Popular Common-wealth was ever kept up; but either by a forraign Enemy that united them; or by the reputation of some one eminent Man amongst them; or by the secret Counsell of a few; or by the mutuall feare of equall factions; and not by the open Consultations of the Assembly. And as for very little Common-wealths, be they Popular, or Monarchicall, there is no humane wisdom can uphold them, longer then the Jealousy lasteth of their potent Neighbours.

CHAPTER XXVI. OF CIVILL LAWES

Civill Law what

By CIVILL LAWES, I understand the Lawes, that men are therefore bound to observe, because they are Members, not of this, or that Common-wealth in particular, but of a Common-wealth. For the knowledge of particular Lawes belongeth to them, that professe the study of the Lawes of their severall Countries; but the knowledge of Civill Law in generall, to any man. The antient Law of Rome was called their Civil Law, from the word Civitas, which signifies a Common-wealth; And those Countries, which having been under the Roman Empire, and governed by that Law, retaine still such part thereof as they think fit, call that part the Civill Law, to distinguish it from the rest of their own Civill Lawes. But that is not it I intend to speak of here; my designe being not to shew 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 manifest, that Law in generall, is not Counsell, 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 Civill Law, it addeth only the name of the person Commanding, which is *Persona Civitatis*, the Person of the Common-wealth.

Which considered, I define Civill Law in this Manner. "CIVILL LAW, Is to every Subject, those Rules, which the Common-wealth 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 Lawes are addressed to all the Subjects in generall; some to particular Provinces; some to particular Vocations; and some to particular Men; and are therefore Lawes, to every of those to whom the Command is directed; and to none else. As also, that Lawes are the Rules of Just, and Unjust; nothing being reputed Unjust, that is not contrary to some Law. Likewise, that none can make Lawes but the Common-wealth; because our Subjection is to the Common-wealth 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.

The Sovereign Is Legislator

1. The Legislator in all Common-wealths, 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 Common-wealth only, praescribes, and commandeth the observation of those rules, which we call Law: Therefore the Common-wealth is the Legislator. But the Common-wealth is no Person, nor has capacity to doe any thing, 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.

And Not Subject To Civill Law

2. The Sovereign of a Common-wealth, be it an Assembly, or one Man, is not subject to the Civill Lawes. For having power to make, and repeale Lawes, he may when he pleaseth, free himselfe from that subjection, by repealing those Lawes 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 himselfe; because he that can bind, can release; and therefore he that is bound to himselfe onely, is not bound.

Use, A Law Not By Vertue Of Time, But Of The Sovereigns Consent

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, then 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 Lawes formerly made; the Length of Time shal bring no prejudice to his Right; but the question shal 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 Customes Law, but such as are reasonable, and that evill Customes are to be abolished; But the Judgement 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.

The Law Of Nature, And The Civill Law Contain Each Other

4. The Law of Nature, and the Civill Law, contain each other, and are of equall extent. For the Lawes of Nature, which consist in Equity, Justice, Gratitude, and other morall Vertues on these depending, in the condition of meer Nature (as I have said before in the end of the 15th Chapter,) are not properly Lawes, but qualities that dispose men to

peace, and to obedience. When a Common-wealth is once settled, then are they actually Lawes, and not before; as being then the commands of the Common-wealth; and therefore also Civill Lawes: 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 morall Vertue, 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 Civill Law. The Law of Nature therefore is a part of the Civill Law in all Common-wealths of the world. Reciprocally also, the Civill 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 Common-wealth, hath covenanted to obey the Civill Law, (either one with another, as when they assemble to make a common Representative, or with the Representative it selfe one by one, when subdued by the Sword they promise obedience, that they may receive life;) And therefore Obedience to the Civill Law is part also of the Law of Nature. Civill, and Naturall Law are not different kinds, but different parts of Law; whereof one part being written, is called Civill, the other unwritten, Naturall. But the Right of Nature, that is, the naturall Liberty of man, may by the Civill Law be abridged, and restrained: nay, the end of making Lawes, 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 naturall liberty of particular men, in such manner, as they might not hurt, but assist one another, and joyn together against a common Enemy.

Provinciall Lawes Are Not Made By Custome, But By The Sovereign Power

5. If the Sovereign of one Common-wealth, subdue a people that have lived under other written Lawes, and afterwards govern them by the same Lawes, by which they were governed before; yet those Lawes are the Civill Lawes of the Victor, and not of the Vanquished Common-wealth, For the Legislator is he, not by whose authority the Lawes were first made, but by whose authority they now continue to be Lawes. And therefore where there be divers Provinces, within the Dominion of a Common-wealth, and in those Provinces diversity of Lawes, which commonly are called the Customes of each severall Province, we are not to understand that such Customes have their Force, onely from Length of Time; but that they were antiently Lawes written, or otherwise made known, for the Constitutions, and Statutes of their Sovereigns; and are now Lawes, not by vertue of the Praescription 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 man-kind.

Some Foolish Opinions Of Lawyers Concerning The Making Of Lawes

6. Seeing then all Lawes, written, and unwritten, have their Authority, and force, from the Will of the Common-wealth; that is to say, from the Will of the Representative; which in a Monarchy is the Monarch, and in other Common-wealths the Sovereign Assembly; a man may wonder from whence proceed such opinions, as are found in the Books of Lawyers of eminence in severall Common-wealths, directly, or by consequence making the Legislative Power depend on private men, or subordinate Judges. As for example, "That the Common Law, hath no Controul but the Parliament;" which is true onely 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 controule them, and consequently to controule their controulings. And if there be no such right, then the Controul of Lawes 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 Common-wealth, are Force, and Justice; The First Whereof Is In The King; The Other Deposited In The Hands Of The Parliament. As if a Common-wealth 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 Lawes, as there is in the Schooles; nor yet (as Sr. Ed, Coke makes it (Sir Edward Coke, upon Littleton Lib.2. Ch.6 fol 97.b),) an Artificiall Perfection of Reason, Gotten By Long Study, Observation, And Experience, (as his was.) For it is possible long study may encrease, and confirm erroneous Sentences: and where men build on false grounds, the more they build, the greater is the ruine; and of those that study, and observe with equall time, and diligence, the reasons 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 Artificiall Man the Common-wealth, and his Command, that maketh Law: And the Common-wealth being in their Representative but one Person, there cannot easily arise any contradiction in the Lawes; 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 Common-wealth,) 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 Sovereigns Sentence; otherwise it is his own, and an unjust one.

Law Made, If Not Also Made Known, Is No Law

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 voyce, writing, or some other sufficient argument of the same, we may understand, that the Command of the Common-wealth, is Law onely to those, that have means to take notice of it. Over naturall fooles, children, or mad-men 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 authorise the actions of any Sovereign, as they must do that make to themselves a Common-wealth. And as those from whom Nature, or Accident hath taken away the notice of all Lawes in generall; 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 signes 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 formes of government.

Unwritten Lawes Are All Of Them Lawes Of Nature

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 mens 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 Lawes 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 thy selfe."

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 Civill, but Naturall. For example, if the Sovereign employ a Publique Minister, without written Instructions what to doe; 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 alwaies understood to be Equity, he is bound to it by the Law of Nature: Or if an Ambassador, he is (in al things not contained in his written Instructions) to take for Instruction that which Reason dictates to be most conducing to his Sovereigns interest; and so of all other Ministers of the Sovereignty, publique and private. All which Instructions of naturall Reason may be comprehended under one name of Fidelity; which is a branch of naturall Justice.

The Law of Nature excepted, it belongeth to the essence of all other Lawes, 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 Common-wealth, is to be supposed alwaies consonant to Equity and Reason. And in antient time, before letters were in common use, the Lawes were many times put into verse; that the rude people taking pleasure in singing, or reciting them, might the more easily reteine them in memory. And for the same reason Solomon adviseth a man, to bind the ten Commandements (Prov. 7. 3) upon his ten fingers. And for the Law which Moses gave to the people of Israel at the renewing of the Covenant, (Deut. 11. 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 dores of their houses; and (Deut. 31. 12) to assemble the people, man, woman, and child, to heare it read.

Nothing Is Law Where The Legislator Cannot Be Known

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 designes, and convoy them safely to their ambitious ends, may publish for Lawes what they please, without, or against the Legislative Authority. There is therefore requisite, not only a Declaration of the Law, but also sufficient signes of the Author, and Authority. The Author, or Legislator is supposed in every Common-wealth 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 Common-wealth is worn out, they doe not consider, by whose power they use 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 Naturall 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 evill 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 publique Registers, publique Counsels, publique Ministers, and publique Seales; by which all Lawes are sufficiently verified.

Difference Between Verifying And Authorising

Verified, I say, not Authorised: for the Verification, is but the Testimony and Record; not the Authority of the law; which consisteth in the Command of the Sovereign only.

The Law Verified By The Subordinate Judge

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 cognisance of such causes, is a sufficient Verification of the Law of Nature in that individuall case. For though the advice of one that professeth the study of the Law, be usefull for the avoyding of contention; yet it is but advice; tis the Judge must tell men what is Law, upon the hearing of the Controversy.

By The Publique Registers

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 enformed, before he doe such injury, or commit the crime, whither it be an injury, or not: Nay he ought to doe so: for when a man doubts whether the act he goeth about, be just, or unjust; and may informe himself, if he will; the doing is unlawfull. 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 complaine before he consults with the Law, he does unjustly, and bewrayeth a disposition rather to vex other men, than to demand his own right.

By Letters Patent, And Publique Seale

If the question be of Obedience to a publique Officer; To have seen his Commission, with the Publique Seale, 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 doe his best endeavour, to informe himself of all written Lawes, that may concerne his own future actions.

The Interpretation Of The Law Dependeth On The Sovereign Power

The Legislator known; and the Lawes, either by writing, or by the light of Nature, sufficiently published; there wanteth yet another

very materiall circumstance to make them obligatory. For it is not the Letter, but the Intendment, or Meaning; that is to say, the authentique 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 Lawes dependeth on the Authority Soveraign; and the Interpreters can be none but those, which the Soveraign, (to whom only the Subject oweth obedience) shall appoint. For else, by the craft of an Interpreter, the Law my be made to beare a sense, contrary to that of the Soveraign; by which means the Interpreter becomes the Legislator.

All Lawes Need Interpretation

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 naturall 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 mis-interpreted, from the divers significations of a word, or two; if long, they be more obscure by the diverse significations of many words: in so much as no written Law, delivered in few, or many words, can be well understood, without a perfect understanding of the finall causes, for which the Law was made; the knowledge of which finall causes is in the Legislator. To him therefore there can not be any knot in the Law, insoluble; either by finding out the ends, to undoe 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 doe.

The Authentically Interpretation Of Law Is Not That Of Writers

The Interpretation of the Lawes of Nature, in a Common-wealth, dependeth not on the books of Morall Philosophy. The Authority of writers, without the Authority of the Common-wealth, maketh not their opinions Law, be they never so true. That which I have written in this Treatise, concerning the Morall Vertues, and of their necessity, for the procuring, and maintaining peace, though it bee evident Truth, is not therefore presently Law; but because in all Common-wealths in the world, it is part of the Civill Law: For though it be naturally reasonable; yet it is by the Soveraigne Power that it is Law: Otherwise, it were a great error, to call the Lawes of Nature unwritten Law; whereof wee see so many volumes published, and in them so many contradictions of one another, and of themselves.

The Interpreter Of The Law Is The Judge Giving Sentence Vivâ Voce In Every Particular Case

The Interpretation of the Law of Nature, is the Sentence of the Judge constituted by the Sovereign Authority, to heare 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, whither the demand of the party, be consonant to naturall reason, and Equity; and the Sentence he giveth, is therefore the Interpretation of the Law of Nature; which Interpretation is Authentique; not because it is his private Sentence; but because he giveth it by Authority of the Sovereign, whereby it becomes the Sovereigns Sentence; which is Law for that time, to the parties pleading.

The Sentence Of A Judge, Does Not Bind Him, Or Another Judge To Give Like Sentence In Like Cases Ever After

But because there is no Judge Subordinate, nor Sovereign, but may erre in a Judgement of Equity; if afterward in another like case he find it more consonant to Equity to give a contrary Sentence, he is obliged to doe it. No mans 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 Lawes as are mutable, be a constitution of a new Law, in cases, in which every little circumstance is the same; yet in Lawes immutable, such as are the Lawes of Nature, they are no Lawes to the same, or other Judges, in the like cases for ever after. Princes succeed one another; and one Judge passeth, another commeth; nay, Heaven and Earth shall passe; but not one title of the Law of Nature shall passe; for it is the Eternall Law of God. Therefore all the Sentences of precedent Judges that have ever been, cannot all together make a Law contrary to naturall 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 naturall reason. For example sake, 'Tis against the Law of Nature, To Punish The Innocent; and Innocent is he that acquitteth himselfe Judicially, and is acknowledged for Innocent by the Judge. Put the case now, that a man is accused of a capitall crime, and seeing the powers and malice of some enemy, and the frequent corruption and partiality of Judges, runneth away for feare of the event, and afterwards is taken, and brought to a legall triall, and maketh it sufficiently appear, he was not guilty of the crime, and being thereof acquitted, is neverthelesse 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 Judgement to succeeding Judges. A written Law may forbid innocent men to fly, and they may be punished for flying: But that flying for feare 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 Judgement 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 feare flyeth for the same; albeit he judicially acquitteth himselfe 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 prooffe against the Presumption in Law, grounded upon his flight." Here you see, An Innocent Man, Judicially Acquitted, Notwithstanding His Innocency, (when no written Law forbad him to fly) after his acquittall, 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 Capitall,) the Sentence ought to have been Capitall: 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 no Prooffe shall be admitted against a Presumption of Law. For all Judges, Sovereign and subordinate, if they refuse to heare Prooffe, refuse to do Justice: for though the Sentence be Just, yet the Judges that condemn without hearing the Proofes 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 judgements, or examples he shall pretend to follow. There be other things of this nature, wherein mens Judgements have been perverted, by trusting to Precedents: but this is enough to shew, 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 Lawes, he is not the Interpreter of them, that writeth a Commentary upon them. For Commentaries are commonly more subject to cavill, than the Text; and therefore need other Commentaries; and so there will be no end of such Interpretation. And therefore unlesse there be an Interpreter authorised by the Sovereign, from which the subordinate Judges are not to recede, the Interpreter can be no other than the ordinary Judges, in the some manner, as they are in cases of the unwritten Law; and their Sentences are to be taken by them that plead, for Lawes in that particular case; but not to bind other Judges, in like cases to give like judgements. For a Judge may erre in the Interpretation even of written Lawes; but no error of a subordinate Judge, can change the Law, which is the generall Sentence of the Sovereigne.

The Difference Between The Letter And Sentence Of The Law

In written Lawes, 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 from the bare words, 'tis well distinguished. For the significations of almost all words, are either in themselves, or in the metaphoricall use of them, ambiguous; and may be drawn in argument, to

make many senses; but there is onely one sense of the Law. But if by the Letter, be meant the Literall sense, then the Letter, and the Sentence or intention of the Law, is all one. For the literall sense is that, which the Legislator is alwayes supposed to be Equity: For it were a great contumely for a Judge to think otherwise of the Soveraigne. He ought therefore, if the Word of the Law doe not fully authorise a reasonable Sentence, to supply it with the Law of Nature; or if the case be difficult, to respit Judgement 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 speciall 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 falsly of a fact, which the Judge saw himself 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 Soveraign that another be made Judge, and himselfe Witsnesse. So that the incommodity 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 Incommodity 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 Common-wealth.

The Abilities Required In A Judge

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 Lawes. 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 Soveraign, alledged in the pleading, or declared to him by some that have authority from the Soveraign Power to declare them; and need not take care before-hand, what hee shall Judge; for it shall bee given him what hee shall say concerning the Fact, by Witnesses; and what hee shall say in point of Law, from those that shall in their pleadings shew it, and by authority interpret it upon the place. The Lords of Parlament 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 Lawes, 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 trialls of Right, Twelve men of the common People, are the Judges, and give Sentence, not onely of the Fact, but of the Right; and pronounce simply for the Complaynant, or for the Defendant; that is to say, are Judges not onely of the Fact, but also of the Right: and in a question of crime, not onely 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 enforme 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; unlesse it be made appear, they did it against their consciences, or had been corrupted by reward. The things that make a good Judge, or good Interpreter of the Lawes, are, first A Right Understanding of that principall Law of Nature called Equity; which depending not on the reading of other mens Writings, but on the goodnesse of a mans own naturall 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 Judgement To Devest Himselfe Of All Feare, Anger, Hatred, Love, And Compassion. Fourthly, and lastly, Patience To Heare; Diligent Attention In Hearing; And Memory To Retain, Digest And Apply What He Hath Heard.

Divisions Of Law

The difference and division of the Lawes, 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 mans proper method. In the Institutions of Justinian, we find seven sorts of Civill Lawes.

1. The Edicts, Constitutions, and Epistles Of The Prince, that is, of the Emperour; 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 Lawes, at first, by the vertue of the Sovereign Power residing in the people; and such of them as by the Emperours were not abrogated, remained Lawes by the Authority Imperiall. For all Lawes that bind, are understood to be Lawes by his authority that has power to repeale them. Somewhat like to these Lawes, 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 Emperours, remained Lawes by the Authority Imperiall. 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 Emperour, that men should Consult the Senate in stead of the people: And these have some resemblance with the Acts of Counsell.
5. The Edicts Of Praetors, and (in some Cases) of the Aediles: such as are the Chiefe Justices in the Courts of England.

6. Responsa Prudentum; which were the Sentences, and Opinions of those Lawyers, to whom the Emperour 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 Judgement were obliged by the Constitutions of the Emperour 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 Customes, (which in their own nature are an imitation of Law,) by the tacite consent of the Emperour, in case they be not contrary to the Law of Nature, are very Lawes.

Another division of Lawes, is into Naturall and Positive. Naturall are those which have been Lawes from all Eternity; and are called not onely Naturall, but also Morall Lawes; consisting in the Morall Vertues, 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 for Eternity; but have been made Lawes 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.

Another Division Of Law

Again, of Positive Lawes some are Humane, some Divine; And of Humane positive lawes, 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; neverthesse the Command is not addressed to the Delinquent, (who cannot be supposed will faithfully punish himselfe,) but to publique Ministers appointed to see the Penalty executed. And these Penal Lawes are for the most part written together with the Lawes Distributive; and are sometimes called Judgements. For all Lawes are generall judgements, or Sentences of the Legislator; as also every particular Judgement, is a Law to him, whose case is Judged.

Divine Positive Law How Made Known To Be Law

Divine Positive Lawes (for Naturall Lawes being Eternall, and Universall, are all Divine,) are those, which being the Commandements of God, (not from all Eternity, nor universally addressed to all men, but onely to a certain people, or to certain persons,) are declared for such, by those whom God hath authorised to declare them. But this Authority of man to declare what be these Positive Lawes of God, how can it be known? God may command a man by a supernaturall way, to deliver Lawes 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 Supernaturall 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 himselfe, it is evidently impossible: for though a man may be induced to believe such Revelation, from the Miracles they see him doe, 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 Gods extraordinary favour; yet they are not assured evidence of speciall Revelation. Miracles are Marvellous workes: 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 Naturall, and ordinary causes. And therefore no man can infallibly know by naturall reason, that another has had a supernaturall revelation of Gods will; but only a beliefe; every one (as the signs thereof shall appear greater, or lesser) a firmer, or a weaker belief.

But for the second, how he can 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 Gods 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 mens beliefe, and interiour cogitations, are not subject to the commands, but only to the operation of God, ordinary, or extraordinary. Faith of Supernaturall Law, is not a fulfilling, but only an assenting to the same; and not a duty that we exhibite to God, but a gift which God freely giveth to whom he pleaseth; as also Unbelief is not a breach of any of his Lawes; but a rejection of them all, except the Lawes Naturall. But this that I say, will be made yet cleerer, by the Examples, and Testimonies concerning this point in holy Scripture. The Covenant God made with Abraham (in a Supernaturall Manner) was thus, (Gen. 17. 10) "This is the Covenant which thou shalt observe between Me and Thee and thy Seed after thee." Abrahams 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 Gods Law; which they could not be, but in vertue 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 Righteousnesse and Judgement," 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 were they bound to obey all that Moses declared to them for Gods Law. Upon what ground, but on this submission of their own, "Speak thou to us, and we will heare thee; but let not God speak to us, lest we dye?" By which two places it sufficiently appeareth, that in a Common-wealth, 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 Common-wealth: for if men were at liberty, to take for Gods Commandements, their own dreams, and fancies, or the dreams and fancies of private men; scarce two men would agree upon what is Gods Commandement; and yet in respect of them, every man would despise the Commandements of the Common-wealth. I conclude therefore, that in all things not contrary to the Morall 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 Lawes of the Common-wealth. Which also is evident to any mans 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 lesse obliged by it, when tis propounded in the name of God. Besides, there is no place in the world where men are permitted to pretend other Commandements of God, than are declared for such by the Common-wealth. Christian States punish those that revolt from Christian Religion, and all other States, those that set up any Religion by them forbidden. For in whatsoever is not regulated by the Common-wealth, tis Equity (which is the Law of Nature, and therefore an eternall Law of God) that every man equally enjoy his liberty.

Another Division Of Lawes

There is also another distinction of Laws, into Fundamentall, and Not Fundamentall: but I could never see in any Author, what a Fundamentall Law signifieth. Neverthesse one may very reasonably distinguish Laws in that manner.

A Fundamentall Law What

For a Fundamentall Law in every Common-wealth is that, which being taken away, the Common-wealth faileth, and is utterly dissolved; as a building whose Foundation is destroyed. And therefore a Fundamentall 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 Common-wealth 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 Publique good. Not Fundamentall is that the abrogating whereof, draweth not with it the dissolution of the Common-Wealth; such as are the Lawes Concerning Controversies between subject and subject. Thus much of the Division of Lawes.

Difference Between Law And Right

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 Civill 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 himselfe by his own strength, and to invade a suspected neighbour, by way of prevention; but the Civill Law takes away that Liberty, in all cases where the protection of the Lawe may be safely stayd for. Insomuch as *Lex* and *Jus*, are as different as Obligation and Liberty.

And Between A Law And A Charter

Likewise Lawes and Charters are taken promiscuously for the same thing. Yet Charters are Donations of the Sovereign; and not Lawes, but exemptions from Law. The phrase of a Law is *Jubeo*, *Injungo*, I Command, and Enjoyn: 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 Common-wealth: a Liberty, or Charter is only to One man, or some One part of the people. For to say all the people of a Common-wealth, 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

Sinne What

A Sinne, is not onely a Transgression of a Law, but also any Contempt of the Legislator. For such Contempt, is a breach of all his Lawes at once. And therefore may consist, not onely in the Commission of a Fact, or in the Speaking of Words by the Lawes forbidden, or in the Omission of what the Law commandeth, but also in the Intention, or purpose to transgresse. For the purpose to breake the Law, is some degree of Contempt of him, to whom it belongeth to see it executed. To be delighted in the Imagination onely, of being possessed of another mans goods, servants, or wife, without any intention to take them from him by force, or fraud, is no breach of the Law, that sayth, "Thou shalt not covet:" nor is the pleasure a man my have in imagining, or dreaming of the death of him, from whose life he expecteth nothing but dammage, and displeasure, a Sinne; 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 reall, is a Passion so adhaerent to the Nature both of a man, and every other living creature, as to make it a Sinne, were to make Sinne 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 Sinnes. But I confesse it is safer to erre on that hand, than on the other.

A Crime What

A Crime, is a sinne, 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 sinne; but not every sinne a Crime. To intend to steale, or kill, is a sinne, though it never appeare in Word, or Fact: for God that seeth the thoughts of man, can lay it to his charge: but till it appear by some thing done, or said, by which the intention may be Crime; which distinction the Greeks observed in the word amartema, and egklema, or aitia; wherof the former, (which is translated Sinne,) signifieth any swarving from the Law whatsoever; but the two later, (which are translated Crime,) signifie that sinne onely, whereof one man may accuse another. But of Intentions, which never appear by any outward act, there is no place for humane accusation. In like manner the Latines by Peccatum, which is Sinne, signifie all manner of deviation from the Law; but by crimen, (which word they derive from Cerno, which signifies to perceive,) they mean onely such sinnes, as may be made appear before a Judge; and therefore are not meer Intentions.

Where No Civill Law Is, There Is No Crime

From this relation of Sinne to the Law, and of Crime to the Civill Law, may be inferred, First, that where Law ceaseth, Sinne ceaseth. But because the Law of Nature is eternall, Violation of Covenants, Ingratitude, Arrogance, and all Facts contrary to any Morall vertue, can never cease to be Sinne. Secondly, that the Civill 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 onely by his own Conscience, and cleared by the Uprightnesse of his own Intention. When therefore his Intention is Right, his fact is no Sinne: if otherwise, his fact is Sinne; 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 onely 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.

Ignorance Of The Law Of Nature Excuseth No Man

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 sort; 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 himselfe. Therefore into what place soever a man shall come, if he do any thing contrary to that Law, it is a Crime. If a man come from the Indies hither, and perswade men here to receive a new Religion, or teach them any thing that tendeth to disobedience of the Lawes of this Country, though he be never so well perswaded of the truth of what he teacheth, he commits a Crime, and may be justly punished for the same, not onely 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 Civill Law, shall Excuse a man in a strange Country, till it be declared to him; because, till then no Civill Law is binding.

Ignorance Of The Civill Law Excuseth Sometimes

In the like manner, if the Civill Law of a mans 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 Civill Law, Excuseth not.

Ignorance Of The Sovereign Excuseth Not

Ignorance of the Sovereign Power, in the place of a mans 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 Excuseth Not

Ignorance of the Penalty, where the Law is declared, Excuseth no man: For in breaking the Law, which without a fear of penalty to follow, were not a Law, but vain words, he undergoeth the penalty, though he know not what 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 Lawes, in every Common-wealth; which punishment,

if it be determined already by the Law, he is subject to that; if not, then is he 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.

Punishments Declared Before The Fact, Excuse From Greater Punishments After It

But when a penalty, is either annexed to the Crime in the Law it selfe, 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 deterre men from the action, is an invitement 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 the Law that tempted, and deceiveth them.

Nothing Can Be Made A Crime By A Law Made After The Fact

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 lyable to the Penalty ordained after, in case no lesser Penalty were made known before, neither by Writing, nor by Example, for the reason immediatly before alledged.

False Principles Of Right And Wrong Causes Of Crime

From defect in Reasoning, (that is to say, from Errour,) men are prone to violate the Lawes, three wayes. First, by Presumption of false Principles; as when men from having observed how in all places, and in all ages, unjust Actions have been authorised, by the force, and victories of those who have committed them; and that potent men, breaking through the Cob-web Lawes of their Country, the weaker sort, and those that have failed in their Enterprises, have been esteemed the onely 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 it selfe can be a Crime, but must be made so

(not by the Law, but) by the successe of them that commit it; and the same Fact be vertuous, or vicious, as Fortune pleaseth; so that what Marius makes a Crime, Sylla shall make meritorious, and Caesar (the same Lawes standing) turn again into a Crime, to the perpetuall disturbance of the Peace of the Common-wealth.

False Teachers Mis-interpreting The Law Of Nature Secondly, by false Teachers, that either mis-interpret the Law of Nature, making it thereby repugnant to the Law Civill; or by teaching for Lawes, such Doctrines of their own, or Traditions of former times, as are inconsistent with the duty of a Subject.

And False Inferences From True Principles, By Teachers

Thirdly, by Erroneous Inferences from True Principles; which happens commonly to men that are hasty, and praecipitate 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 onely common experience, and a good naturall wit; whereof no man thinks himselfe unprovided: whereas the knowledge, of Right and Wrong, which is no lesse 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 businesse; much lesse in them that undertake a publique charge; because they pretend to the Reason, upon the want whereof they would ground their Excuse.

By Their Passions;

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 bloud, or some other naturall quality, not depending on the Will of those that have the Sovereign Authority. From whence proceedeth a Presumption that the punishments ordained by the Lawes, and extended generally to all Subjects, ought not to be inflicted on them, with the same rigour they are inflicted on poore, obscure, and simple men, comprehended under the name of the Vulgar.

Presumption Of Riches

Therefore it happeneth commonly, that such as value themselves by the greatnesse of their wealth, adventure on Crimes, upon hope of escaping punishment, by corrupting publique Justice, or obtaining Pardon by Mony, or other rewards.

And Friends

And that such as have multitude of Potent Kindred; and popular men, that have gained reputation amongst the Multitude, take courage to violate the Lawes, from a hope of oppressing the Power, to whom it belongeth to put them in execution.

Wisedome

And that such as have a great, and false opinion of their own Wisedome, take upon them to reprehend the actions, and call in question the Authority of them that govern, and so to unsettle the Lawes with their publique discourse, as that nothing shall be a Crime, but what their own designes 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 designes are too subtile to be perceived. These I say are effects of a false presumption of their own Wisedome. For of them that are the first movers in the disturbance of Common-wealth, (which can never happen without a Civill Warre,) very few are left alive long enough, to see their new Designes established: so that the benefit of their Crimes, redoundeth to Posterity, and such as would least have wished it: which argues they were not as wise, as they thought they were. And those that deceive upon hope of not being observed, do commonly deceive themselves, (the darknesse in which they believe they lye 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, (unlesse they be withall 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.

Hatred, Lust, Ambition, Covetousnesse, Causes Of Crime

As for the Passions, of Hate, Lust, Ambition, and Covetousnesse, what Crimes they are apt to produce, is so obvious to every mans 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 hindred,

but by extraordinary use of Reason, or a constant severity in punishing them. For in those things men hate, they find a continuall, and unavoydable molestation; whereby either a mans patience must be everlasting, or he must be eased by removing the power of that which molesteth him; The former is difficult; the later is many times impossible, without some violation of the Law. Ambition, and Covetousnesse 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 easie, or uncertain punishments.

Fear Sometimes Cause Of Crime, As When The Danger Is Neither Present,
Nor Corporeall

Of all Passions, that which enclineth men least to break the Lawes, is Fear. Nay, (excepting some generous natures,) it is the onely thing, (when there is apparence of profit, or pleasure by breaking the Lawes,) that makes men keep them. And yet in many cases a Crime may be committed through Feare.

For not every Fear justifies the Action it produceth, but the fear onely of corporeall 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 Common-wealth, to have abandoned the defence of his life, or limbes, where the Law cannot arrive time enough to his assistance. But to kill a man, because from his actions, or his threatnings, 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 Lawes, had assigned no punishment, nor thought it worthy of a man that hath the use of Reason, to take notice of,) and is afraid, unlesse he revenge it, he shall fall into contempt, and consequently be obnoxious to the like injuries from others; and to avoyd this, breaks the Law, and protects himselfe for the future, by the terrour of his private revenge. This is a Crime; For the hurt is not Corporeall, but Phantasticall, and (though in this corner of the world, made sensible by a custome 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 neverthelesse, to do, or omit, is contrary to the Lawes; And that which is so done, or omitted, is not to be Excused by this fear; but is a Crime. For (as I have shewn 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 reall Visions; and therefore he that presumes to break the Law upon his own, or anothers Dream, or pretended Vision, or upon other Fancy of the power of Invisible Spirits, than is permitted by the Common-wealth, leaveth the Law of Nature, which is a certain offence, and followeth the imagery of his own, or another private mans brain, which he can never know whether it signifieth any thing, or nothing, nor whether he that tells his Dream, say true, or lye; 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 Common-wealth would be dissolved.

Crimes Not Equall

From these different sources of Crimes, it appeares already, that all Crimes are not (as the Stoicks 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 lesse. For though all Crimes doe equally deserve the name of Injustice, as all deviation from a strait line is equally crookednesse, which the Stoicks 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 Stoicks not observing, held it as great a Crime, to kill a Hen, against the Law, as to kill ones Father.

Totall Excuses

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 enforme himself, is not obligatory. But the want of diligence to enquire, 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 Lawes of Nature; because they are known by the reason he pretends to: only Children, and Madmen are Excused from offences against the Law Naturall.

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 dye; 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 terrour of present death, be compelled to doe 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 doe it not, I die presently; if I doe it, I die afterwards; therefore by doing it, there is time of life gained;" Nature therefore compells him to the fact.

When a man is destitute of food, or other thing necessary for his life, and cannot preserve himselfe 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 obtaine for mony nor charity; or in defence of his life, snatch away another mans Sword, he is totally Excused, for the reason next before alledged.

Excuses Against The Author

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, bothe the Author, and Actor are Criminalls. 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 himselfe, 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 any thing 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, disclaime any Right essentiall 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 Common-wealth, if the Subject shall refuse to obey the Command in any thing, contrary to the liberty granted, this is neverthelesse a Sinne, 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 evill consequence thereof. But if he not onely disobey, but also resist a publique 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.

Presumption Of Power, Aggravateth

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 Lawes; whereas in the later 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 perswasion that it is lawfull: 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 shewn him, is conformable to the Law.

Evill Teachers, Extenuate

Hee, whose error proceeds from the authority of a Teacher, or an Interpreter of the Law publicly authorised, is not so faulty, as he whose error proceedeth from a peremptory pursute of his own principles, and reasoning: For what is taught by one that teacheth by publique Authority, the Common-wealth teacheth, and hath a resemblance of Law, till the same Authority controuleth it; and in all Crimes that contain not in them a denyall of the Sovereign Power, nor are against an evident Law, Excuseth totally: whereas he that groundeth his actions, on his private Judgement, ought according to the rectitude, or error thereof, to stand, or fall.

Examples Of Impunity, Extenuate

The same Fact, if it have been constantly punished in other men, as 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 himselfe: 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.

Praemeditation, Aggravateth

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 humane nature: but he that doth it with praemeditation, has used circumspection, and cast his eye, on the Law, on the punishment, and on the consequence thereof to humane society; all which in committing the Crime, hee hath contemned, and postposed to his own appetite. But there is no suddenesse of Passion sufficient for a totall 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 rectifie the irregularity of his Passions.

Where the Law is publiquely, 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 enquire 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.

Tacite Approbation Of The Sovereign, Extenuates

Those facts which the Law expresly condemneth, but the Law-maker by other manifest signes of his will tacitly approveth, are lesse Crimes, than the same facts, condemned both by the Law, and Lawmaker. For seeing the will of the Law-maker is a Law, there appear in this case two contradictory Lawes; which would totally Excuse, if men were bound to take notice of the Sovereigns approbation, by other arguments, than are expressed by his command. But because there are punishments consequent, not onely 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 Duells; the punishment is made capitall: On the contrary part, he that refuseth Duell, is subject to contempt and scorne, without remedy; and sometimes by the Sovereign himselfe thought unworthy to have any charge, or preferment in Warre: If thereupon he accept Duell, 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 Governours, not to countenance any thing 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 Lawes 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 supernaturall grace to follow that Precept.

Comparison Of Crimes From Their Effects

Again, if we compare Crimes by the mischiefe 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 onely in the present, but also, (by example) in the future, it is a greater Crime, than if it hurt onely in the present: for the former, is a fertile Crime, and multiplies to the hurt of many; the later is barren. To maintain doctrines contrary to the Religion established in the Common-wealth, is a greater fault, in an authorised Preacher, than in a private person: So also is it, to live prophanely, 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 weakning of the Sovereign Power, as a greater Crime, than in another man: Also in a man that hath such reputation for wisdom, as that his counsells 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 onely commit Crime, but teach it for Law to all other men. And generally all Crimes are the greater, by the scandall 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.

Laesae Majestas

Also Facts of Hostility against the present state of the Common-wealth, are greater Crimes, than the same acts done to private men; For the damage extends it selfe to all: Such are the betraying of the strengths, or revealing of the secrets of the Common-wealth to an Enemy; also all attempts upon the Representative of the Common-wealth, 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 Latines understand by *Crimina Laesae Majestatis*, and consist in designe, or act, contrary to a Fundamentall Law.

Bribery And False Testimony

Likewise those Crimes, which render Judgements of no effect, are greater Crimes, than Injuries done to one, or a few persons; as to receive mony to give False judgement, or testimony, is a greater Crime, than otherwise to deceive a man of the like, or a greater summe; because not onely he has wrong, that falls by such judgements; but all Judgements are rendered uselesse, and occasion ministred to force, and private revenges.

Depeculation

Also Robbery, and Depeculation of the Publique treasure, or Revenues,

is a greater Crime, than the robbing, or defrauding of a Private man; because to robbe the publique, is to robbe many at once.

Counterfeiting Authority

Also the Counterfeit usurpation of publique Ministry, the Counterfeiting of publique Seales, or publique Coine, than counterfeiting of a private mans person, or his seale; because the fraud thereof, extendeth to the damage of many.

Crimes Against Private Men Compared

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 limbe, greater, than the spoyling a man of his goods.

And the spoyling a man of his goods, by Terroure 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 lesse sensible of the same offence. But the Law regardeth not the particular, but the generall inclination of mankind.

And therefore the offence men take, from contumely, in words, or gesture, when they produce no other harme, than the present griefe of him that is reproached, hath been neglected in the Lawes of the Greeks, Romans, and other both antient, and moderne Common-wealths; supposing the true cause of such griefe to consist, not in the contumely, (which takes no hold upon men conscious of their own Vertue,) 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 ones Parent, is a greater Crime, than to kill another: for the Parent ought to have the honour of a Sovereign,

(though he have surrendred his Power to the Civill Law,) because he had it originally by Nature. And to Robbe a poore man, is a greater Crime, than to robbe a rich man; because 'tis to the poore a more sensible dammage.

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.

Publique Crimes What

Lastly, because in almost all Crimes there is an Injury done, not onely to some Private man, but also to the Common-wealth; the same Crime, when the accusation is in the name of the Common-wealth, is called Publique Crime; and when in the name of a Private man, a Private Crime; And the Pleas according thereunto called Publique, *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 Publique plea.

CHAPTER XXVIII. OF PUNISHMENTS, AND REWARDS

The Definition Of Punishment

"A PUNISHMENT, is an Evill inflicted by publique 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."

Right To Punish Whence Derived

Before I inferre any thing 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 Common-wealth, every man giveth away the right of defending another; but not of defending himselfe. Also he obligeth himselfe, to assist him that

hath the Sovereignty, in the Punishing of another; but of himselfe not. But to covenant to assist the Sovereign, in doing hurt to another, unlesse he that so covenanteth have a right to doe it himselfe, is not to give him a Right to Punish. It is manifest therefore that the Right which the Common-wealth (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 shewed formerly, that before the Institution of Common-wealth, every man had a right to every thing, 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 Common-wealth. For the Subjects did not give the Sovereign that right; but onely 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 onely; and (excepting the limits set him by naturall Law) as entire, as in the condition of meer Nature, and of warre of every one against his neighbour.

Private Injuries, And Revenges No Punishments

From the definition of Punishment, I inferre, First, that neither private revenges, nor injuries of private men, can properly be stiled Punishment; because they proceed not from publique Authority.

Nor Denyall Of Preferment

Secondly, that to be neglected, and unpreferred by the publique favour, is not a Punishment; because no new evill is thereby on any man Inflicted; he is onely left in the estate he was in before.

Nor Pain Inflicted Without Publique Hearing

Thirdly, that the evill inflicted by publique Authority, without precedent publique condemnation, is not to be stiled 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 publique Authority, to be a transgression of the Law.

Nor Pain Inflicted By Usurped Power

Fourthly, that the evill 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 publique Authority.

Nor Pain Inflicted Without Respect To The Future Good

Fifthly, that all evill which is inflicted without intention, or possibility of disposing the Delinquent, or (by his example) other men, to obey the Lawes, is not Punishment; but an act of hostility; because without such an end, no hurt done is contained under that name.

Naturall Evill Consequences, No Punishments

Sixthly, whereas to certain actions, there be annexed by Nature, divers hurtfull consequences; as when a man in assaulting another, is himselfe slain, or wounded; or when he falleth into sicknesse by the doing of some unlawfull 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.

Hurt Inflicted, If Lesse Than The Benefit Of Transgressing, Is Not Punishment

Seventhly, If the harm inflicted be lesse 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 lesse than the benefit of the transgression) it attaineth not, but worketh a contrary effect.

Where The Punishment Is Annexed To The Law, A Greater Hurt Is Not Punishment, But Hostility

Eighthly, If a Punishment be determined and prescribed in the Law it selfe, and after the crime committed, there be a greater Punishment inflicted, the excesse is not Punishment, but an act of hostility. For seeing the aym of Punishment is not a revenge, but terrour; and the terrour of a great Punishment unknown, is taken away by the declaration of a lesse, 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.

Hurt Inflicted For A Fact Done Before The Law, No Punishment

Ninthly, Harme inflicted for a Fact done before there was a Law that forbad 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 a transgression of the Law; Therefore Harme inflicted before the Law made, is not Punishment, but an act of Hostility.

The Representative Of The Common-wealth Unpunishable

Tenthly, Hurt inflicted on the Representative of the Common-wealth, is not Punishment, but an act of Hostility: Because it is of the nature of Punishment, to be inflicted by publique Authority, which is the Authority only of the Representative it self.

Hurt To Revolted Subjects Is Done By Right Of War, Not By Way Of Punishment

Lastly, Harme 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 transgresse it; or having been subject to it, and professing to be no longer so, by consequence deny they can transgresse it, all the Harms that can be done them, must be taken as acts of Hostility. But in declared Hostility, all infliction of evill is lawfull. From whence it followeth, that if a subject shall by fact, or word, wittingly, and deliberately deny the authority of the Representative of the Common-wealth, (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 Common-wealth; 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 act Subjects, deliberately revolting, deny the Sovereign Power.

The first, and most generall distribution of Punishments, is into Divine, and Humane. Of the former I shall have occasion, to speak, in a more convenient place hereafter.

Humane, are those Punishments that be inflicted by the Commandement of Man; and are either Corporall, or Pecuniary, or Ignominy, or

Imprisonment, or Exile, or mixt of these.

Punishments Corporall

Corporall 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.

Capital

And of these, some be Capital, some Lesse than Capital. Capital, is the Infliction of Death; and that either simply, or with torment. Lesse than Capital, are Stripes, Wounds, Chains, and any other corporall Paine, not in its own nature mortall. For if upon the Infliction of a Punishment death follow not in the Intention of the Inflicter, the Punishment is not be esteemed Capital, though the harme prove mortall 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 Summe of Mony, but also of Lands, or any other goods which are usually bought and sold for mony. And in case the Law, that ordaineth such a punishment, be made with design to gather mony, from such as shall transgresse the same, it is not properly a Punishment, but the Price of priviledge, and exemption from the Law, which doth not absolutely forbid the fact, but only to those that are not able to pay the mony: except where the Law is Naturall, 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 vaine, the payment of the mulct, is not the price of a dispensation to sweare, but the Punishment of the transgression of a Law undispensable. In like manner if the Law impose a Summe of Mony to be payd, 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

Ignominy, is the infliction of such Evill, as is made Dishonorable; or the deprivation of such Good, as is made Honourable by the Common-wealth. For there be some things Honorable by Nature; as the effects of Courage, Magnanimity, Strength, Wisdome, and other abilities of body and mind: Others made Honorable by the Common-wealth; as Badges, Titles, Offices, or any other singular marke of the Sovereigns favour.

The former, (though they may faile by nature, or accident,) cannot be taken away by a Law; and therefore the losse of them is not Punishment. But the later, may be taken away by the publique authority that made them Honorable, and are properly Punishments: Such are degrading men condemned, of their Badges, Titles, and Offices; or declaring them uncapable of the like in time to come.

Imprisonment

Imprisonment, is when a man is by publique 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 paine on a man condemned. The former is not Punishment; because no man is supposed to be Punisht, 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 Later is Punishment, because Evill, and inflicted by publique 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 externall obstacle, be it a House, which is called by the generall name of a Prison; or an Iland, as when men are said to be confined to it; or a place where men are set to worke, as in old time men have been condemned to Quarries, and in these times to Gallies; or be it a Chaine, or any other such impediment.

Exile

Exile, (Banishment) is when a man is for a crime, condemned to depart out of the dominion of the Common-wealth, or out of a certaine 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 publique commandement to avoid Punishment by flight. And Cicero sayes, 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 neverthelesse permitted to enjoy his Goods, and the Revenue of his Lands, the meer change of ayr is no punishment; nor does it tend to that benefit of the Common-wealth, for which all Punishments are ordained, (that is to say, to the forming of mens wils to the observation of the Law;) but many times to the dammage of the Common-wealth. For a Banished man, is a lawfull enemy of the Common-wealth that banished him; as being no more a Member of the same. But if he be withall deprived of his Lands, or Goods, then the Punishment lyeth not in the Exile, but is to be reckoned amongst Punishments Pecuniary.

The Punishment Of Innocent Subjects Is Contrary To The Law Of Nature

All Punishments of Innocent subjects, be they great or little, are against the Law of Nature; For Punishment is only of 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 any thing but some future good: For there can arrive no good to the Common-wealth, 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 rendring of Evill for Good. And thirdly, of the Law that commandeth Equity; that is to say, an equall distribution of Justice; which in Punishing the Innocent is not observed.

But The Harme Done To Innocents In War, Not So

But the Infliction of what evill soever, on an Innocent man, that is not a Subject, if it be for the benefit of the Common-wealth, 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 Common-wealth judgeth capable to do them hurt, it is lawfull by the originall Right of Nature to make warre; 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 Common-wealth established, the vengeance is lawfully extended, not onely 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 warre, commonly called Rebellion; and they that so offend, suffer not as Subjects, but as Enemies. For Rebellion, is but warre renewed.

Reward, Is Either Salary, Or Grace

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 Common-wealth appointeth a Salary to any publique Office, he that receiveth it, is bound in Justice to performe his office; otherwise, he is bound onely in honour, to acknowledgement, and an endeavour of requitall. For though men have no

lawfull remedy, when they be commanded to quit their private businesse, to serve the publique, without Reward, or Salary; yet they are not bound thereto, by the Law of Nature, nor by the institution of the Common-wealth, unlesse the service cannot otherwise be done; because it is supposed the Sovereign may make use of all their means, insomuch as the most common Souldier, may demand the wages of his warrefare, as a debt.

Benefits Bestowed For Fear, Are Not Rewards

The benefits which a Sovereign bestoweth on a Subject, for fear of some power, and ability he hath to do hurt to the Common-wealth, are not properly Rewards; for they are not Salaryes; because there is in this case no contract supposed, every man being obliged already not to do the Common-wealth disservice: nor are they Graces; because they be extorted by feare, which ought not to be incident to the Sovereign Power: but are rather Sacrifices, which the Sovereign (considered in his naturall person, and not in the person of the Common-wealth) makes, for the appeasing the discontent of him he thinks more potent than himselfe; and encourage not to obedience, but on the contrary, to the continuance, and increasing of further extortion.

Salaries Certain And Casuall

And whereas some Salaries are certain, and proceed from the publique Treasure; and others uncertain, and casuall, proceeding from the execution of the Office for which the Salary is ordained; the later is in some cases hurtfull to the Common-wealth; as in the case of Judicature. For where the benefit of the Judges, and Ministers of a Court of Justice, ariseth for the multitude of Causes that are brought to their cognisance, there must needs follow two Inconveniences: One, is the nourishing of suites; for the more suites, the greater benefit: and another that depends on that, which is contention about Jurisdiction; each Court drawing to it selfe, as many Causes as it can. But in offices of Execution there are not those Inconveniences; because their employment cannot be encreased 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 limbes and joynts of a Common-wealth.

Hitherto I have set forth the nature of Man, (whose Pride and other Passions have compelled him to submit himselfe to Government;) together with the great power of his Governour, 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, called him King of the Proud. "There is nothing," saith he, "on earth, to be compared with him. He is made so as not be afraid. Hee seeth every high thing below him; and is King of all the children of

pride." But because he is mortall, 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 Lawes he ought to obey; I shall in the next following Chapters speak of his Diseases, and the causes of his Mortality; and of what Lawes of Nature he is bound to obey.

CHAPTER XXIX. OF THOSE THINGS THAT WEAKEN, OR TEND TO THE DISSOLUTION OF A COMMON-WEALTH

Dissolution Of Common-wealths Proceedeth From Imperfect Institution

Though nothing can be immortall, which mortals make; yet, if men had the use of reason they pretend to, their Common-wealths might be secured, at least, from perishing by internall diseases. For by the nature of their Institution, they are designed to live, as long as Man-kind, or as the Lawes of Nature, or as Justice it selfe, which gives them life. Therefore when they come to be dissolved, not by externall 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 justling, and hewing one another, and desire with all their hearts, to conforme themselves into one firme 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 combersome points of their present greatnesse to be taken off, they cannot without the help of a very able Architect, be compiled, into any other than a crasie building, such as hardly lasting out their own time, must assuredly fall upon the heads of their posterity.

Amongst the Infirmities therefore of a Common-wealth, I will reckon in the first place, those that arise from an Imperfect Institution, and resemble the diseases of a naturall body, which proceed from a Defectuous Procreation.

Want Of Absolute Power

Of which, this is one, "That a man to obtain a Kingdome, is sometimes content with lesse Power, than to the Peace, and defence of the Common-wealth is necessarily required." From whence it commeth to passe, that when the exercise of the Power layd by, is for the publique safety to be resumed, it hath the resemblance of as unjust act; which disposeth great numbers of men (when occasion is presented) to rebell; 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 biles and scabbs. And when Kings deny themselves some such necessary Power, it is not alwayes (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 forraign Common-wealths; who in order to the good of their own Subjects let slip few occasions to Weaken the estate of their Neighbours. So was Thomas Beckett Archbishop of Canterbury, supported against Henry the Second, by the Pope; the subjection of Ecclesiastiques to the Common-wealth, 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 himselfe,) encreased to a degree, inconsistent with the Sovereign Power, maintained in their Rebellion against King John, by the French. Nor does this happen in Monarchy onely. For whereas the stile of the antient Roman Common-wealth, 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 Saturnius, and others; and afterwards the warres between the Senate and the People, under Marius and Sylla; and again under Pompey and Caesar, to the Extinction of their Democracy, and the setting up of Monarchy.

The people of Athens bound themselves but from one onely Action; which was, that no man on pain of death should propound the renewing of the warre 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 mad-man, and in verse, propounded it to the People that flocked about him, they had had an enemy perpetually in readinesse, even at the gates of their Citie; such dammage, or shifts, are all Common-wealths forced to, that have their Power never so little limited.

Private Judgement Of Good and Evill

In the second place, I observe the Diseases of a Common-wealth, that proceed from the poyson of seditious doctrines; whereof one is, "That every private man is Judge of Good and Evill actions." This is true in the condition of meer Nature, where there are no Civill Lawes; and also under Civill Government, in such cases as are not determind by the Law. But otherwise, it is manifest, that the measure of Good and Evill actions, is the Civill Law; and the Judge the Legislator, who is alwayes Representative of the Common-wealth. From this false doctrine, men are disposed to debate with themselves, and dispute the commands of the Common-wealth; and afterwards to obey, or disobey them, as in their private judgements they shall think fit. Whereby the Common-wealth is distracted and Weakened.

Erroneous Conscience

Another doctrine repugnant to Civill Society, is, that "Whatsoever a man does against his Conscience, is Sinne;" and it dependeth on the

presumption of making himself judge of Good and Evil. For a mans Conscience, and his Judgement is the same thing; and as the Judgement, so also the Conscience may be erroneous. Therefore, though he that is subject to no Civill 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 Common-wealth; because the Law is the publique 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 Common-wealth must needs be distracted, and no man dare to obey the Sovereign Power, farther than it shall seem good in his own eyes.

Pretence Of Inspiration

It hath been also commonly taught, "That Faith and Sanctity, are not to be attained by Study and Reason, but by supernaturall 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 wee fall again into 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 Civill 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 supernaturall, but onely, 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 passe by education, discipline, correction, and other naturall wayes, by which God worketh them in his elect, as such time 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 joyning the words of Holy Scripture together, otherwise than is agreeable to reason, do what they can, to make men think, that Sanctity and Naturall Reason, cannot stand together.

Subjecting The Sovereign Power To Civill Lawes

A fourth opinion, repugnant to the nature of a Common-wealth, is this, "That he that hath the Sovereign Power, is subject to the Civill Lawes." It is true, that Sovereigns are all subjects to the Lawes of Nature; because such lawes be Divine, and cannot by any man, or Common-wealth be abrogated. But to those Lawes which the Sovereign himselfe, that is, which the Common-wealth maketh, he is not subject. For to be subject to Lawes, is to be subject to the Common-wealth, that is to the Sovereign Representative, that is to himselfe; which is not subjection, but freedome from the Lawes. Which error, because it setteth the Lawes 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 Common-wealth.

Attributing Of Absolute Propriety To The Subjects

A Fifth doctrine, that tendeth to the Dissolution of a Common-wealth, 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 onely from the Sovereign Power; without the protection whereof, every other man should have equall Right to the same. But if the Right of the Sovereign also be excluded, he cannot performe the office they have put him into; which is, to defend them both from forraign enemies, and from the injuries of one another; and consequently there is no longer a Common-wealth.

And if the Propriety of Subjects, exclude not the Right of the Sovereign Representative to their Goods; much lesse to their offices of Judicature, or Execution, in which they Represent the Sovereign himselfe.

Dividing Of The Sovereign Power

There is a Sixth doctrine, plainly, and directly against the essence of a Common-wealth; and 'tis this, "That the Sovereign Power may be divided." For what is it to divide the Power of a Common-wealth, 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 Lawes, endeavour to make them depend upon their own learning, and not upon the Legislative Power.

Imitation Of Neighbour Nations

And as False Doctrine, so also often-times the Example of different Government in a neighbouring Nation, disposeth men to alteration of the forme already settled. So the people of the Jewes 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 Aristocraticall, and Democraticall factions; one part of almost every Common-wealth, desiring to imitate the Lacedaemonians; 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 forme

of their Government. For the constitution of mans nature, is of it selfe 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 sollicite them to change; and love the first beginnings, though they be grieved with the continuance of disorder; like hot blouds, that having gotten the itch, tear themselves with their own nayles, till they can endure the smart no longer.

Imitation Of The Greeks, And Romans

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 antient Greeks, and Romans; from which, young men, and all others that are unprovided of the Antidote of solid Reason, receiving a strong, and delightfull impression, of the great exploits of warre, atchieved by the Conductors of their Armies, receive withall a pleasing Idea, of all they have done besides; and imagine their great prosperity, not to have proceeded from the aemulation of particular men, but from the vertue of their popular form of government: Not considering the frequent Seditions, and Civill Warres, 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 Latine writers, in their books, and discourses of Policy, make it lawfull, 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 of a King, but Tyrannicide, that is, killing of a Tyrant is lawfull. From the same books, they that live under a Monarch conceive an opinion, that the Subjects in a Popular Common-wealth 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 summe, I cannot imagine, how anything can be more prejudiciall to a Monarchy, than the allowing of such books to be publikely read, without present applying such correctives of discreet Masters, as are fit to take away their Venime; Which Venime I will not doubt to compare to the biting of a mad Dogge, which is a disease the Physicians call Hydrophobia, or Fear Of Water. For as he that is so bitten, has a continuall torment of thirst, and yet abhorreth water; and is in such an estate, as if the poyson endeavoured to convert him into a Dogge: So when a Monarchy is once bitten to the quick, by those Democraticall writers, that continually snarle at that estate; it wanteth nothing more than a strong Monarch, which neverthelesse out of a certain Tyrannophobia, or feare of being strongly governed, when they have him, they abhorre.

As here have been Doctors, that hold there be three Soules in a man; so there be also that think there may be more Soules, (that is, more Sovereigns,) than one, in a Common-wealth; and set up a Supremacy against the Sovereignty; Canons against Lawes; and a Ghostly Authority against the Civill; working on mens minds, with words and distinctions, that of themselves signifie nothing, but bewray (by their obscurity)

that there walketh (as some think invisibly) another Kingdome, as it were a Kingdome of Fayries, in the dark. Now seeing it is manifest, that the Civill Power, and the Power of the Common-wealth is the same thing; and that Supremacy, and the Power of making Canons, and granting Faculties, implyeth a Common-wealth; it followeth, that where one is Sovereign, another Supreme; where one can make Lawes, and another make Canons; there must needs be two Common-wealths, of one & the same Subjects; which is a Kingdome divided in it selfe, and cannot stand. For notwithstanding the insignificant distinction of Temporall, and Ghostly, they are still two Kingdomes, and every Subject is subject to two Masters. For seeing the Ghostly Power challengeth the Right to declare what is Sinne it challengeth by consequence to declare what is Law, (Sinne being nothing but the transgression of the Law;) and again, the Civill Power challenging to declare what is Law, every Subject must obey two Masters, who bothe will have their Commands be observed as Law; which is impossible. Or, if it be but one Kingdome, either the Civill, which is the Power of the Common-wealth, must be subordinate to the Ghostly; or the Ghostly must be subordinate to the Temporall and then there is no Supremacy but the Temporall. When therefore these two Powers oppose one another, the Common-wealth cannot but be in great danger of Civill warre, and Dissolution. For the Civill Authority being more visible, and standing in the cleerer light of naturall reason cannot choose but draw to it in all times a very considerable part of the people: And the Spirituall, though it stand in the darknesse of Schoole distinctions, and hard words; yet because the fear of Darknesse, and Ghosts, is greater than other fears, cannot want a party sufficient to Trouble, and sometimes to Destroy a Common-wealth. And this is a Disease which not unfitly may be compared to the Epilepsie, or Falling-sicknesse (which the Jewes took to be one kind of possession by Spirits) in the Body Naturall. For as in this Disease, there is an unnaturall 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 Soule in the Brain, and thereby causeth violent, and irregular motions (which men call Convulsions) in the parts; insomuch as 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 Politique, when the Spirituall power, moveth the Members of a Common-wealth, by the terrour of punishments, and hope of rewards (which are the Nerves of it,) otherwise than by the Civill Power (which is the Soule of the Common-wealth) they ought to be moved; and by strange, and hard words suffocates the people, and either Overwhelm the Common-wealth with Oppression, or cast it into the Fire of a Civill warre.

Mixt Government

Sometimes also in the meerly Civill government, there be more than one Soule: As when the Power of levying mony, (which is the Nutritive faculty,) has depended on a generall Assembly; the Power of conduct and command, (which is the Motive Faculty,) on one man; and the Power of making Lawes, (which is the Rationall faculty,) on the accidentall

consent, not onely of those two, but also of a third; This endangereth the Common-wealth, sometimes for want of consent to good Lawes; 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 Common-wealth into three Factions, and call it mixt Monarchy; yet the truth is, that it is not one independent Common-wealth, but three independent Factions; nor one Representative Person, but three. In the Kingdome of God, there may be three Persons independent, without breach of unity in God that Reigneth; but where men Reigne, that be subject to diversity of opinions, it cannot be so. And therefore if the King bear the person of the People, and the generall 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 Naturall Body of man, I may exactly compare this irregularity of a Common-wealth, I know not. But I have seen a man, that had another man growing out of his side, with an head, armes, 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.

Want Of Mony

Hitherto I have named such Diseases of a Common-wealth, as are of the greatest, and most present danger. There be other, not so great; which neverthelesse are not unfit to be observed. As first, the difficulty of raising Mony, for the necessary uses of the Common-wealth; especially in the approach of warre. This difficulty ariseth from the opinion, that every Subject hath of a Propriety in his lands and goods, exclusive of the Sovereigns Right to the use of the same. From whence it commeth to passe, that the Sovereign Power, which foreseeeth the necessities and dangers of the Common-wealth, (finding the passage of mony to the publique Treasure obstructed, by the tenacity of the people,) whereas it ought to extend it selfe, to encounter, and prevent such dangers in their beginnings, contracteth it selfe as long as it can, and when it cannot longer, struggles with the people by strategems of Law, to obtain little summes, 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 Common-wealth 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 naturall 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 limbes; and afterwards a hot, and strong endeavour of the Heart, to force a passage for the Bloud; and before it can do that, contenteth it selfe with the small refreshments of such things as coole of a time, till (if Nature be strong enough) it break at last the contumacy of the parts obstructed, and dissipateth the venome into sweat; or (if Nature be too weak) the Patient dyeth.

Monopolies And Abuses Of Publicans

Again, there is sometimes in a Common-wealth, a Disease, which resembleth the Pleurisie; and that is, when the Treasure of the Common-wealth, flowing out of its due course, is gathered together in too much abundance, in one, or a few private men, by Monopolies, or by Farmes of the Publique Revenues; in the same manner as the Blood in a Pleurisie, getting into the Membrane of the breast, breedeth there an Inflammation, accompanied with a Fever, and painfull stitches.

Popular Men

Also, the Popularity of a potent Subject, (unlesse the Common-wealth 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 Lawes, to follow a man, of whose vertues, and designs they have no knowledge. And this is commonly of more danger in a Popular Government, than in a Monarchy; as it may easily be made believe, they are the People. By this means it was, that Julius Caesar, who was set up by the People against the Senate, having won to himselfe the affections of his Army, made himselfe 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.

Excessive Greatnesse Of A Town, Multitude Of Corporations

Another infirmity of a Common-wealth, is the immoderate greatnesse of a Town, when it is able to furnish out of its own Circuit, the number, and expence of a great Army: As also the great number of Corporations; which are as it were many lesser Common-wealths in the bowels of a greater, like wormes in the entrayles of a naturall man.

Liberty Of Disputing Against Sovereign Power

To which may be added, the Liberty of Disputing against absolute Power, by pretenders to Politicall Prudence; which though bred for the most part in the Lees of the people; yet animated by False Doctrines, are perpetually meddling with the Fundamentall Lawes, to the molestation of the Common-wealth; like the little Wormes, which Physicians call Ascarides.

We may further adde, the insatiable appetite, or Bulimia, 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 lesse danger lost, than kept; As also the Lethargy of Ease, and Consumption of Riot and Vain Expence.

Dissolution Of The Common-wealth

Lastly, when in a warre (forraign, or intestine,) the enemies got a final Victory; so as (the forces of the Common-wealth keeping the field no longer) there is no farther protection of Subjects in their loyalty; then is the Common-wealth DISSOLVED, and every man at liberty to protect himselfe by such courses as his own discretion shall suggest unto him. For the Sovereign, is the publique Soule, giving Life and Motion to the Common-wealth; which expiring, the Members are governed by it no more, than the Carcasse of a man, by his departed (though Immortal) Soule. 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 himselfe 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 it selfe is extinct; and consequently, there is no possibility for the Sovereignty to re-enter.

CHAPTER XXX. OF THE OFFICE OF THE SOVERAIGN REPRESENTATIVE

The Procuration Of The Good Of The People

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 lawfull Industry, without danger, or hurt to the Common-wealth, shall acquire to himselfe.

By Instruction & Lawes

And this is intended should be done, not by care applyed to Individualls, further than their protection from injuries, when they shall complain; but by a generall Providence, contained in publique

Instruction, both of Doctrine, and Example; and in the making, and executing of good Lawes, to which individuall persons may apply their own cases.

Against The Duty Of A Sovereign To Relinquish Any Essentiall Right of Sovereignty Or Not To See The People Taught The Grounds Of Them

And because, if the essentiall Rights of Sovereignty (specified before in the eighteenth Chapter) be taken away, the Common-wealth is thereby dissolved, and every man returneth into the condition, and calamity of a warre with every other man, (which is the greatest evill 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 transferre to another, or to lay from himselfe any of them. For he that deserteth the Means, deserteth the Ends; and he deserteth the Means, that being the Sovereign, acknowledgeth himselfe subject to the Civill Lawes; and renounceth the Power of Supreme Judicature; or of making Warre, or Peace by his own Authority; or of Judging of the Necessities of the Common-wealth; or of levying Mony, and Souldiers, when, and as much as in his own conscience he shall judge necessary; or of making Officers, and Ministers both of Warre, 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 mis-in-formed of the grounds, and reasons of those his essentiall Rights; because thereby men are easie to be seduced, and drawn to resist him, when the Common-wealth 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 Civill Law, or terrour of legal punishment. For a Civill Law, that shall forbid Rebellion, (and such is all resistance to the essentiall Rights of Sovereignty,) is not (as a Civill Law) any obligation, but by vertue onely of the Law of Nature, that forbiddeth the violation of Faith; which naturall 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 avoyd.

Objection Of Those That Say There Are No Principles Of Reason For Absolute Sovereignty

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 himselfe, (not onely in the condition of warre, but also in a Common-wealth,) is his own, which I have already shewed to be false: So there be also that maintain, that there are no grounds, nor Principles of Reason, to sustain those essentiall 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 Common-wealth, 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 Common-wealths, imperfect, and apt to relapse into disorder, there may, Principles of Reason be found out, by industrious meditation, to make use of them, or be neglected by them, or not, concerneth my particular interest, 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 Kingdome of God, (administred by Moses,) over the Jewes, his peculiar people by Covenant.

Objection From The Incapacity Of The Vulgar

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 Kingdome, or those that are accounted the most Learned, were no lesse 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 any thing that setteth up a Power to bridle their affections; and Learned men, any thing that discovereth their errours, and thereby lesseneth their Authority: whereas the Common-peoples minds, unlesse they be tainted with dependance on the Potent, or scribbled over with the opinions of their Doctors, are like clean paper, fit to receive whatsoever by Publique Authority shall be imprinted in them. Shall whole Nations be brought to Acquiesce in the great Mysteries of 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 Essentiall Rights (which are the Naturall, and Fundamentall Lawes) of Sovereignty, there is no difficulty, (whilest 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 Common-wealth; and consequently, it is his Duty, to cause them so to be instructed; and not onely his Duty, but his Benefit also, and Security, against the danger that may arrive to himselfe in his naturall Person, from Rebellion.

Subjects Are To Be Taught, Not To Affect Change Of Government

And (to descend to particulars) the People are to be taught, First, that they ought not to be in love with any forme 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 Aristocraticall, or Democraticall assembly, commeth 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 onely not flourish, but in short time be dissolved. And they that go about by disobedience, to doe no more than reforme the Common-wealth, shall find they do thereby destroy it; like the foolish daughters of Peleus (in the fable;) which desiring to renew the youth of their decrepit Father, did by the Counsell of Medea, cut him in pieces, and boyle 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 Gods Commandements: 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.

Nor Adhere (Against The Sovereign) To Popular Men

Secondly, they are to be taught, that they ought not to be led with admiration of the vertue of any of their fellow Subjects, how high soever he stand, nor how conspicuously soever he shine in the Common-wealth; nor of any Assembly, (except the Sovereign Assembly,) so as to deferre to them any obedience, or honour, appropriate to the Sovereign onely, 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 onely secretly, but openly, so as to proclaime Marriage with them In Facie Ecclesiae 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 Commandements.

Nor To Dispute The Sovereign Power

Thirdly, in consequence to this, they ought to be informed, how great fault it is, to speak evill 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 Common-wealth consisteth) slackened. Which doctrine the third Commandement by resemblance pointeth to.

And To Have Dayes Set Apart To Learn Their Duty

Fourthly, seeing people cannot be taught this, nor when 'tis taught, remember it, nor after one generation past, so much as know in whom the Sovereign Power is placed, without setting a part 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 Lawes, such as generally concern them all, read and expounded, and be put in mind of the Authority that maketh them Lawes. To this end had the Jewes 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 painfull labour in Egypt, and gave them a time, after they had rejoyced in God, to take joy also in themselves, by lawfull recreation. So that the first Table of the Commandements, is spent all, in setting down the summe of Gods absolute Power; not onely as God, but as King by pact, (in peculiar) of the Jewes; and may therefore give light, to those that have the Sovereign Power conferred on them by the consent of men, to see what doctrine they Ought to teach their Subjects.

And To Honour Their Parents

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 onely so, but that also afterwards (as gratitude requireth,) they acknowledge the benefit of their education, by externall signes 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 Common-wealth, 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 Commandement.

And To Avoyd Doing Of Injury:

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 Neighbour, by violence, or fraud, of any thing which by the Sovereign Authority is theirs. Of things held in propriety, those that are dearest to a man are his own life, & limbs; and in the next degree, (in most men,) those that concern conjugall affection; and after them riches and means of living. Therefore the People are to be taught, to abstain from violence to one anothers person, by private revenges; from violation of conjugall honour; and from forcibly rapine, and fraudulent surreption of one anothers goods. For which purpose also it is necessary they be shewed the evill consequences of false Judgement, 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 Commandements.

And To Do All This Sincerely From The Heart

Lastly, they are to be taught, that not onely the unjust facts, but the designs and intentions to do them, (though by accident hindred,) 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 Commandement, and the summe of the Second Table; which is reduced all to this one Commandement of mutuall Charity, "Thou shalt love thy neighbour as thy selfe:" as the summe of the first Table is reduced to "the love of God;" whom they had then newly received as their King.

The Use Of Universities

As for the Means, and Conduits, by which the people may receive this Instruction, wee are to search, by what means so may Opinions, contrary to the peace of Man-kind, upon weak and false Principles, have neverthesse 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 lawfull and unlawfull, not by the Law it selfe, but by their own private Judgements; That Subjects sinne in obeying the Commands of the Common-wealth, unlesse they themselves have first judged them to be lawfull: That their Propriety in their riches is such, as to exclude the Dominion, which the Common-wealth hath over the same: That it is lawfull 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 covetousnesse keepeth attent on their trades, and labour; and they, on the other side, whom superfluity, or sloth carrieth after their sensuall pleasures, (which two sorts of men take up the greatest part of Man-kind,) being diverted

from the deep meditation, which the learning of truth, not onely in the matter of Naturall 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 shew of Learning, derive their knowledge from the Universities, and from the Schooles of Law, or from the Books, which by men eminent in those Schooles, 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 men 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 later end of Henry the Eighth, the Power of the Pope, was alwayes upheld against the Power of the Common-wealth, 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 'tis no wonder, if they yet retain a relish of that subtile liquor, wherewith they were first seasoned, against the Civill Authority. But to the later question, it is not fit, nor needfull for me to say either I, 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 administred 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 doe 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 Common-wealth: but there be some, that are also against private Persons. Those that concern the Common-wealth onely, may without breach of Equity be pardoned; for every man may pardon what is done against himselfe, 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, then 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 aydes they give to men of inferiour rank, or not at all. And the violences, oppressions, and injuries they do, are not extenuated, but aggravated by the greatnesse 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 greatnesse, though with the ruine of the Common-wealth.

Equall Taxes

To Equall Justice, appertaineth also the Equall 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 Common-wealth 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 Jewes 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 layd on the People by the Sovereign Power, are nothing else but the Wages, due to them that hold the publique Sword, to defend private men in the exercise of severall 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 onely 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, then he that living idly, getteth little, and spendeth all he gets; seeing the one hath no more protection from the Common-wealth, then the other? But when the Impositions, are layd upon those things which men consume, every man payeth Equally for what he useth: Nor is the Common-wealth defrauded, by the luxurious waste of private men.

Publique Charity

And whereas many men, by accident unavoidable, 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 Lawes of the Common-wealth. For as it is Uncharitablenesse in any man, to neglect the impotent; so it is in the Sovereign of a Common-wealth, to expose them to the hazard of such uncertain Charity.

Prevention Of Idlenesse

But for such as have strong bodies, the case is otherwise: they are to

be forced to work; and to avoyd the excuse of not finding employment, there ought to be such Lawes, 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 encreasing, they are to be transplanted into Countries not sufficiently inhabited: where neverthelesse, they are not to exterminate those they find there; but constrain them to inhabit closer together, and not 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 overchargd with Inhabitants, then the last remedy of all is Warre; which provideth for every man, by Victory, or Death.

Good Lawes What

To the care of the Sovereign, belongeth the making of Good Lawes. 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 Lawes of a Common-wealth, as in the Lawes of Gaming: whatsoever the Gamesters all agree on, is Injustice to none of them. A good Law is that, which is Needfull, for the Good Of The People, and withall Perspicuous.

Such As Are Necessary

For the use of Lawes, (which are but Rules Authorised) 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, rashnesse, or indiscretion, as Hedges are set, not to stop Travellers, but to keep them in the way. And therefore a Law that is not Needfull, 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 Lawes are not good Lawes; but trapps for Mony: which where the right of Sovereign Power is acknowledged, are superfluous; and where it is not acknowledged, unsufficient to defend the People.

Such As Are Perspicuous

The Perspicuity, consisteth not so much in the words of the Law it

selfe, as in a Declaration of the Causes, and Motives, for which it was made. That is it, that shewes us 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 compasse of the Law. And this is a cause of many unnecessary Processes. For when I consider how short were the Lawes of antient times; and how they grew by degrees still longer; me thinks I see a contention between the Penners, and Pleaders of the Law; the former seeking to circumscribe the later; and the later 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 Common-wealths 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 it selfe, as short, but in as proper, and significant termes, as may be.

Punishments

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 Publique; 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 Authorised, as when they are committed by Sonnes, Servants, or Favorites of men in Authority: For Indignation carrieth men, not onely 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 Sonnes, he was driven out of Rome, and the Monarchy it selfe dissolved. But Crimes of Infirmitie; 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 Common-wealth; 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 poore seduced People, when they are punished, can profit the Common-wealth 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, they were no better instructed.

Rewards

In like manner it belongeth to the Office, and Duty of the Sovereign, to apply his Rewards alwayes so, as there may arise from them benefit

to the Common-wealth: wherein consisteth their Use, and End; and is then done, when they that have well served the Common-wealth, are with as little expence of the Common Treasure, as is possible, so well recompenced, 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 Mony, or Preferment, from a Popular ambitious Subject, to be quiet, and desist from making ill impressions in the mindes of the People, has nothing of the nature of Reward; (which is ordained not for disservice, but for service past;) nor a signe of Gratitude, but of Fear: nor does it tend to the Benefit, but to the Dammage of the Publique. 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 stubbornnesse of one Popular man, is overcome with Reward, there arise many more (by the Example) that do the same Mischiefe, in hope of like Benefit: and as all sorts of Manufacture, so also Malice encreaseth by being vendible. And though sometimes a Civill warre, may be differred, by such wayes as that, yet the danger growes still the greater, and the Publique ruine more assured. It is therefore against the Duty of the Sovereign, to whom the Publique Safety is committed, to Reward those that aspire to greatnesse 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.

Counsellours

Another Businesse of the Sovereign, is to choose good Counsellours; I mean such, whose advice he is to take in the Government of the Common-wealth. For this word Counsell, Consilium, corrupted from Considium, is a large signification, and comprehendeth all Assemblies of men that sit together, not onely 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 onely: And in this sense, there is no choyce of Counsell, neither in a Democracy, nor Aristocracy; because the persons Counselling are members of the person Counsell'd. The choyce of Counsellours therefore is to Monarchy; In which, the Sovereign that endeavoureth not to make choyce of those, that in every kind are the most able, dischargeth not his Office as he ought to do. The most able Counsellours, are they that have least hope of benefit by giving evill Counsell, and most knowledge of those things that conduce to the Peace, and Defence of the Common-wealth. It is a hard matter to know who expecteth benefit from publique troubles; but the signes 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 expences, and may easily be observed by any one whom it concerns to know it. But to know, who has most knowledge of the Publique affaires, is yet harder; and they that know them, need them a great deale the lesse. For to know, who knowes 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 anothers Rules, but he that is first taught to understand them. But the best signes of Knowledge of any

Art, are, much conversing in it, and constant good effects of it. Good Counsell 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 fortresse; unlesse we shall think there needs no method in the study of the Politiques, (as there does in the study of Geometry,) but onely to be lookers on; which is not so. For the Politiques 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 Councell of State by Inheritance; it is derived from the Conquests of the antient Germans; wherein many absolute Lords joyning together to conquer other Nations, would not enter in to the Confederacy, without such Priviledges, as might be marks of difference in time following, between their Posterity, and the posterity of their Subjects; which Priviledges 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 adhaereth naturally to their abilities.

And how able soever be the Counsellours in any affaire, the benefit of their Counsell is greater, when they give every one his Advice, and reasons of it apart, than when they do it in an Assembly, by way of Orations; and when they have praemeditated, than when they speak on the sudden; both because they have more time, to survey the consequences of action; and are lesse subject to be carried away to contradiction, through Envy, Emulation, or other Passions arising from the difference of opinion.

The best Counsell, in those things that concern not other Nations, but onely the ease, and benefit the Subjects may enjoy, by Lawes that look onely inward, is to be taken from the generall 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 essentiall Rights of Sovereignty, to be diligently taken notice of. For without those Essentiall Rights, (as I have often before said,) the Common-wealth cannot at all subsist.

Commanders

A Commander of an Army in chiefe, if he be not Popular, shall not be beloved, nor feared as he ought to be by his Army; and consequently cannot performe that office with good successe. He must therefore be Industrious, Valiant, Affable, Liberall and Fortunate, that he may gain an opinion both of sufficiency, and of loving his Souldiers. This is Popularity, and breeds in the Souldiers both desire, and courage, to recommend themselves to his favour; and protects the severity of the Generall, in punishing (when need is) the Mutinous, or negligent Souldiers. But this love of Souldiers, (if caution be not given of the Commanders 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 faithfull subjects, to whom the Sovereign Commits his Armies.

But when the Sovereign himselfe is Popular, that is, revered and beloved of his People, there is no danger at all from the Popularity of a Subject. For Souldiers are never so generally unjust, as to side with their Captain; though they love him, against their Sovereign, when they love not onely his Person, but also his Cause. And therefore those, who by violence have at any time suppressed the Power of their Lawfull Sovereign, before they could settle themselves in his place, have been alwayes 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 hetherto 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 any thing 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 avoyd in regard of one another, dictateth the same to Common-wealths, that is, to the Consciences of Sovereign Princes, and Sovereign Assemblies; there being no Court of Naturall Justice, but in the Conscience onely; where not Man, but God raigneth; whose Lawes, (such of them as oblige all Mankind,) in respect of God, as he is the Author of Nature, are Naturall; and in respect of the same God, as he is King of Kings, are Lawes. But of the Kingdome 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 KINGDOME OF GOD BY NATURE

The Scope Of The Following Chapters

That the condition of meer Nature, that is to say, of absolute Liberty, such as is theirs, that neither are Sovereigns, nor Subjects, is Anarchy, and the condition of Warre: That the Praecepts, by which men are guided to avoyd that condition, are the Lawes of Nature: That a Common-wealth, 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 Lawes of God, I have sufficiently proved, in that which I have already written. There wants onely, for the entire knowledge of Civill

duty, to know what are those Lawes of God. For without that, a man knows not, when he is commanded any thing by the Civill Power, whether it be contrary to the Law of God, or not: and so, either by too much civill obedience, offends the Divine Majesty, or through feare of offending God, transgresses the commandements of the Common-wealth. To avoyd both these Rocks, it is necessary to know what are the Lawes 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 KINGDOME OF GOD.

Who Are Subjects In The Kingdome Of God

"God is King, let the Earth rejoyce," saith the Psalmist. (Psal. 96. 1). And again, "God is King though the Nations be angry; and he that sitteth on the Cherubins, though the earth be moved." (Psal. 98. 1). Whether men will or not, they must be subject alwayes 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 it selfe not onely to Man, but also to Beasts, and Plants, and Bodies inanimate, by the name of Kingdome, is but a metaphoricall use of the word. For he onely is properly said to Raigne, that governs his Subjects, by his Word, and by promise of Rewards to those that obey it, and by threatning them with Punishment that obey it not. Subjects therefore in the Kingdome of God, are not Bodies Inanimate, nor creatures Irrationall; 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 threatnings. They therefore that believe there is a God that governeth the world, and hath given Praecepts, and propounded Rewards, and Punishments to Mankind, are Gods Subjects; all the rest, are to be understood as Enemies.

A Threefold Word Of God, Reason, Revelation, Prophecy

To rule by Words, requires that such Words be manifestly made known; for else they are no Lawes: For to the nature of Lawes belongeth a sufficient, and clear Promulgation, such as may take away the excuse of Ignorance; which in the Lawes of men is but of one onely kind, and that is, Proclamation, or Promulgation by the voyce of man. But God declareth his Lawes three wayes; by the Dictates of Naturall Reason, By Revelation, and by the Voyce 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 Prophetique: to which Correspondeth a triple Hearing; Right Reason, Sense Supernaturall, and Faith. As for Sense Supernaturall, which consisteth in Revelation, or Inspiration, there have not been any Universall Lawes so given, because God speaketh not in that manner, but to particular persons, and to divers men divers things.

A Twofold Kingdome Of God, Naturall And Prophetique From the difference between the other two kinds of Gods Word, Rationall, and Prophetique, there may be attributed to God, a two-fold Kingdome, Naturall, and Prophetique: Naturall, wherein he governeth as many of Mankind as acknowledge his Providence, by the naturall Dictates of Right Reason; And Prophetique, wherein having chosen out one peculiar Nation (the Jewes) for his Subjects, he governed them, and none but them, not onely by naturall Reason, but by Positive Lawes, which he gave them by the mouths of his holy Prophets. Of the Naturall Kingdome of God I intend to speak in this Chapter.

The Right Of Gods Sovereignty Is Derived From His Omnipotence The Right of Nature, whereby God reigneth over men, and punisheth those that break his Lawes, 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 shewn, how the Sovereign Right ariseth from Pact: To shew how the same Right may arise from Nature, requires no more, but to shew in what case it is never taken away. Seeing all men by Nature had Right to All things, they had Right every one to reigne 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 himselfe, and them, according to his own discretion. To those therefore whose Power is irresistible, the dominion of all men adhaereth naturally by their excellence of Power; and consequently it is from that Power, that the Kingdome 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 Sinne onely, because by that word is understood Affliction for Sinne; yet the Right of Afflicting, is not alwayes derived from mens Sinne, but from Gods Power.

Sinne Not The Cause Of All Affliction

This question, "Why Evill men often Prosper, and Good men suffer Adversity," has been much disputed by the Antient, 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 onely of the Vulgar, but of Philosophers, and which is more, of the Saints, concerning the Divine Providence. "How Good," saith David, "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 Righteousnesse? This question in the case of Job, is decided by God himselfe, not by arguments derived from Job's Sinne, but his own Power. For whereas the friends of Job drew their arguments from his Affliction to his Sinne,

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 "Where was thou when I layd the foundations of the earth," and the like, both approved Job's Innocence, and reproved 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 entred into the world by sinne," (by which is meant that if Adam had never sinned, he had never dyed, that is, never suffered any separation of his soule 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 sinne.

Divine Lawes

Having spoken of the Right of Gods Sovereignty, as grounded onely on Nature; we are to consider next, what are the Divine Lawes, or Dictates of Naturall Reason; which Lawes concern either the naturall Duties of one man to another, or the Honour naturally due to our Divine Sovereign. The first are the same Lawes of Nature, of which I have spoken already in the 14. and 15. Chapters of this Treatise; namely, Equity, Justice, Mercy, Humility, and the rest of the Morall Vertues. It remaineth therefore that we consider, what Praecepts are dictated to men, by their Naturall Reason onely, without other word of God, touching the Honour and Worship of the Divine Majesty.

Honour And Worship What

Honour consisteth in the inward thought, and opinion of the Power, and Goodnesse of another: and therefore to Honour God, is to think as Highly of his Power and Goodnesse, as is possible. And of that opinion, the externall signes appearing in the Words, and Actions of men, are called Worship; which is one part of that which the Latines understand by the word Cultus: For Cultus signifieth properly, and constantly, that labour which a man bestowes on any thing, with a purpose to make benefit by it. Now those things whereof we make benefit, are either subject to us, and the profit they yeeld, followeth the labour we bestow upon them, as a naturall 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 mindes. In the second sense, where mens wills are to be wrought to our purpose, not by Force, but by Compleasance, 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.

Severall Signes Of Honour

From internall Honour, consisting in the opinion of Power and Goodnesse, arise three Passions; Love, which hath reference to Goodnesse; and Hope, and Fear, that relate to Power: And three parts of externall worship; Praise, Magnifying, and Blessing: The subject of Praise, being Goodnesse; the subject of Magnifying, and Blessing, being Power, and the effect thereof Felicity. Praise, and Magnifying are significant 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 Happinesse of another, can onely be expressed by words.

Worship Naturall And Arbitrary

There be some signes of Honour, (both in Attributes and Actions,) that be Naturally so; as amongst Attributes, Good, Just, Liberall, and the like; and amongst Actions, Prayers, Thanks, and Obedience. Others are so by Institution, or Custome 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 Naturall; the later Arbitrary Worship.

Worship Commanded And Free

And of Arbitrary Worship, there bee two differences: For sometimes it is a Commanded, sometimes Voluntary Worship: Commanded, when it is such as hee requireth, who is Worshipped: Free, when it is such as the Worshipper thinks fit. When it is Commanded, not the words, or gestures, 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 not Worship; because a signe is not a signe to him that giveth it, but to him to whom it is made; that is, to the spectator.

Worship Publique And Private

Again, there is a Publique, and a Private Worship. Publique, is the Worship that a Common-wealth performeth, as one Person. Private, is that which a Private person exhibiteth. Publique, in respect of the whole

Common-wealth, 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 Lawes, or from the Opinion of men; which is contrary to the nature of Liberty.

The End Of Worship

The End of Worship amongst men, is Power. For where a man seeth another worshipped he supposeth him powerfull, 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 dammage, or in thankfulness for good already received from them.

Attributes Of Divine Honour

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 sayd the World, or the Soule of the World was God, spake unworthily of him; and denyed 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 Eternall, (seeing that which is Eternall 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 mens love, and fear of him; which is the root of Honour.

Fifthly, in those things that signifie Greatnesse, and Power; to say he is Finite, is not to Honour him: For it is not a signe of the Will to Honour God, to attribute to him lesse than we can; and Finite, is lesse than we can; because to Finite, it is easie to adde 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:

Not to attribute to him Parts, or Totality; which are the Attributes onely of things Finite:

Nor to say he is 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 (unlesse Metaphorically, meaning not the Passion, but the Effect) Passions that partake of Griefe; 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 Rationall Appetite; but as the Power, by which he effecteth every thing.

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 externall things that presse the organicall parts of mans body: For there is no such thing in God; and being things that depend on naturall causes, cannot be attributed to him.

Hee that will attribute to God, nothing but what is warranted by naturall Reason, must either use such Negative Attributes, as Infinite, Eternall, 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 wee admire him, and how ready we would be to obey him; which is a signe of Humility, and of a Will to honour him as much as we can: For there is but one Name to signifie 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.

Actions That Are Signes Of Divine Honour

Concerning the actions of Divine Worship, it is a most generall Precept of Reason, that they be signes 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 signes of Honour: for they are Thanksgivings.

Fourthly, Not to swear by any but God, is naturally a signe of Honour: for it is a confession that God onely knoweth the heart; and that no mans wit, or strength can protect a man against Gods vengeance on the perjured.

Fifthly, it is a part of Rationall 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; unlesse it be by way of Oath, and by order of the Common-wealth, to make Judgements certain; or between Common-wealths, to avoyd Warre. And that disputing of Gods nature is contrary to his Honour: For it is supposed, that in this naturall Kingdome of God, there is no other way to know any thing, but by naturall Reason; that is, from the Principles of naturall Science; which are so farre from teaching us any thing of Gods 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 naturall 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 Philosophicall 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 naturall 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 beautifull 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 Musick, both of Voyce, 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 onely to worship God in Secret; but also, and especially, in Publique, 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 Lawes (that is, in this case to the Lawes 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 Commandements, is the greatest of all contumelies. And these are the Lawes of that Divine Worship, which naturall Reason dictateth to private men.

Publique Worship Consisteth In Uniformity

But seeing a Common-wealth is but one Person, it ought also to exhibite to God but one Worship; which then it doth, when it commandeth it to be exhibited by Private men, Publiquely. And this is Publique Worship; the property whereof, is to be Uniforme: For those actions that are done differently, by different men, cannot be said to be a Publique 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 Publique Worship, nor that the Common-wealth is of any Religion at all.

All Attributes Depend On The Lawes Civill

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 Common-wealth, by Lawes Civill. And because a Common-wealth hath no Will, nor makes no Lawes, 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 signes of Honour, ought to be taken and used for such, by private men in their publique Worship.

Not All Actions

But because not all Actions are signes by Constitution; but some are Naturally signes of Honour, others of Contumely, these later (which are those that men are ashamed to do in the sight of them they reverence) cannot be made by humane 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 Common-wealth shall ordain to be Publiquely and Universally in use, as signes of Honour, and part of Gods 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 men," hath place in the kingdome of God by Pact, and not by Nature.

Naturall Punishments

Having thus briefly spoken of the Naturall Kingdome of God, and his Naturall Lawes, I will adde onely to this Chapter a short declaration of his Naturall Punishments. There is no action of man in this life, that is not the beginning of so long a chayn of Consequences, as no humane Providence, is high enough, to give a man a prospect to the end. And

in this Chayn, there are linked together both pleasing and unpleasing events; in such manner, as he that will do any thing for his pleasure, must engage himselfe to suffer all the pains annexed to it; and these pains, are the Naturall Punishments of those actions, which are the beginning of more Harme than Good. And hereby it comes to passe, that Intemperance, is naturally punished with Diseases; Rashnesse, with Mischances; Injustice, with the Violence of Enemies; Pride, with Ruine; Cowardise, with Oppression; Negligent government of Princes, with Rebellion; and Rebellion, with Slaughter. For seeing Punishments are consequent to the breach of Lawes; Naturall Punishments must be naturally consequent to the breach of the Lawes of Nature; and therefore follow them as their naturall, not arbitrary effects.

The Conclusion Of The Second Part

And thus farre concerning the Constitution, Nature, and Right of Sovereigns; and concerning the Duty of Subjects, derived from the Principles of Naturall Reason. And now, considering how different this Doctrine is, from the Practise of the greatest part of the world, especially of these Western parts, that have received their Morall learning from Rome, and Athens; and how much depth of Morall Philosophy is required, in them that have the Administration of the Sovereign Power; I am at the point of believing this my labour, as uselesse, and the Common-wealth of Plato; For he also is of opinion that it is impossible for the disorders of State, and change of Governments by Civill Warre, ever to be taken away, till Sovereigns be Philosophers. But when I consider again, that the Science of Naturall Justice, is the onely Science necessary for Sovereigns, and their principall Ministers; and that they need not be charged with the Sciences Mathematicall, (as by Plato they are,) further, than by good Lawes 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 Theoremes of Morall 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 himselfe, (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 Publique teaching of it, convert this Truth of Speculation, into the Utility of Practise.

PART III. OF A CHRISTIAN COMMON-WEALTH

CHAPTER XXXII. OF THE PRINCIPLES OF CHRISTIAN POLITIQUES

The Word Of God Delivered By Prophets Is The Main Principle

Of Christian Politiques

I have derived the Rights of Sovereigne Power, and the duty of Subjects hitherto, from the Principles of Nature onely; 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 Essentiall to all Politicall reasoning) universally agreed on. But in that I am next to handle, which is the Nature and Rights of a CHRISTIAN COMMON-WEALTH, whereof there dependeth much upon Supernaturall Revelations of the Will of God; the ground of my Discourse must be, not only the Naturall Word of God, but also the Propheticall.

Neverthelesse, we are not to renounce our Senses, and Experience; nor (that which is the undoubted Word of God) our naturall 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 Implicate Faith, but employed in the purchase of Justice, Peace, and true Religion, For though there be many things in Gods Word above Reason; that is to say, which cannot by naturall reason be either demonstrated, or confuted; yet there is nothing contrary to it; but when it seemeth so, the fault is either in our unskillfull Interpretation, or erroneous Ratiocination.

Therefore, when any thing therein written is too hard for our examination, wee are bidden to captivate our understanding to the Words; and not to labour in sifting out a Philosophicall truth by Logick, of such mysteries as are not comprehensible, nor fall under any rule of naturall science. For it is with the mysteries of our Religion, as with wholesome pills for the sick, which swallowed whole, have the vertue to cure; but chewed, are for the most part cast up again without effect.

What It Is To Captivate The Understanding

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 alwaies, 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 lawfull 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.

How God Speaketh To Men

When God speaketh to man, it must be either immediately; or by mediation 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 beleieve 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 beleieve him not; but not to think any otherwise then my reason perswades me. But if one that hath not such authority over me, shall pretend the same, there is nothing that exacteth either beleefe, 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 beleef from any man, that knows dreams are for the most part naturall, and may proceed from former thoughts; and such dreams as that, from selfe conceit, and foolish arrogance, and false opinion of a mans own godlinesse, or other vertue, 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 supernaturall Inspiration, is to say he finds an ardent desire to speak, or some strong opinion of himself, for which he can alledge no naturall 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 beleieve he hath so done to him that pretends it; who (being a man), may erre, and (which is more) may lie.

By What Marks Prophets Are Known

How then can he, to whom God hath never revealed his Wil immediately (saving by the way of natural reason) know when he is to obey, or not to obey his Word, delivered by him, that sayes he is a Prophet? (1 Kings 22) Of 400 Prophets, of whom the K. of Israel asked counsel, concerning the warre he made against Ramoth Gilead, only Micaiah was a true one. (1 Kings 13) The Prophet that was sent to prophecy against the Altar set up by Jeroboam, 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 perswaded 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. (Deut. 13 v. 1,2,3,4,5) "If a Prophet rise amongst you, or a Dreamer of dreams, and shall pretend the doing of a miracle, and the miracle come to passe; if he say, Let us follow strange Gods, which thou hast 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." In which words two things are to be observed, First, that God wil not have miracles alone serve for arguments, to approve the Prophets 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 Kings authority, he that doth such miracle, is not to be considered otherwise than as sent to make triall 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 Gods Commandements to the people. In like manner, after our Saviour Christ had made his Disciples acknowledge him for the Messiah, (that is to say, for Gods 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 shall doe great wonders and miracles, even to the seducing (if it were possible) of the very Elect." (Mat. 24. 24) By which it appears, that false Prophets may have the power of miracles; yet are wee not to take their doctrin for Gods Word. St. Paul says further to the Galatians, that "if himself, or an Angell from heaven preach another Gospel to them, than he had preached, let him be accursed." (Gal. 1. 8) 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.

The Marks Of A Prophet In The Old Law, Miracles, And Doctrine Conformable To The Law

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 bee a Prophet without shewing any Miracle, he is never the more to bee regarded for his pretence, as is evident by Deut. 18. v. 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 passe, that's 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 shal we know whether it will come to passe or not? For he may foretel it as a thing to arrive after a certain long time, longer then the time of mans life; or indefinitely, that it will come to passe one time or other: in which case this mark of a Prophet is unusefull; and therefore the miracles that oblige us to beleieve a Prophet, ought to be confirmed by an immediate, or a not long deferr'd 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.

Miracles Ceasing, Prophets Cease, The Scripture Supplies Their Place

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 want of all other Prophecy; and from which, by wise and careful ratiocination, all rules and precepts necessary to the knowledge of our duty both to God and man, without Enthusiasme, or supernaturall 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 Supream Govenors on earth, of Christian Common-wealths; 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

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 Christendome, both Naturall, and Civill. 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

Canonicall, 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; which to Subjects that have no supernaturall revelation, cannot be known, but by that naturall reason, which guided them, for the obtaining of Peace and Justice, to obey the authority of their severall Common-wealths; that is to say, of their lawfull 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 Wisdome of Solomon, Ecclesiasticus, Judith, Tobias, the first and second of Maccabees, (though he had seen the first in Hebrew) and the third and fourth of Esdras, for Apocrypha. Of the Canonicall, 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 wee shall see hereafter), and Four of Hymnes and Morall Precepts. But St. Jerome reckons Five Books of Moses, Eight of Prophets, and Nine of other Holy writ, which he calls of Hagiographa. The Septuagint, who were 70. 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 Canonicall.

Their Antiquity

Who were the originall writers of the severall 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 arguments of naturall 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 Bookes themselves: And this light, though it show us not the writer of every book, yet it is not unusefull to give us knowledge of the time, wherein they were written.

The Pentateuch Not Written By Moses

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 Scanderbeg, is denominated from the subject. We read in the last Chapter of Deuteronomie, Ver. 6. concerning the sepulcher of Moses, "that no man knoweth of his sepulcher 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 sepulcher (though by Prophecy), that it was not found to that day, wherein he was yet living. But it may perhaps be alledged, 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, Chap. 12. Ver. 6 "And Abraham passed through the land to the place of Sichem, unto the plain of Moreh, and the Canaanite was then in the land;" which must needs bee the words of one that wrote when the Canaanite was not in the land; and consequently, not of Moses, who dyed before he came into it. Likewise Numbers 21. Ver. 14. the Writer citeth another more ancient Book, Entitled, The Book of the Warres of the Lord, wherein were registred 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 hee is there said to have written: as for example, the Volume of the Law, which is contained, as it seemeth in the 11 of Deuteronomie, and the following Chapters to the 27. which was also commanded to be written on stones, in their entry into the land of Canaan. (Deut. 31. 9) And this did Moses himself write, and deliver 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 to lay in the side of the Arke; (Deut. 31. 26) and the same which having been lost, was long time after found again by Hilkiah, and sent to King Josias, who causing it to be read to the People, renewed the Covenant between God and them. (2 King. 22. 8 & 23. 1,2,3)

The Book of Joshua Written After His Time

That the Book of Joshua was also written long after the time of Joshua, may be gathered out of many places of the Book it self. Joshua had set up twelve stones in the midst of Jordan, for a monument of their passage; (Josh 4. 9) of which the Writer saith thus, "They are there unto this day;" (Josh 5. 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;" 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, (Josh. 7. 26) the Writer saith, "remaineth unto this day;" which must needs bee therefore long after the time of Joshua. Arguments of this kind there be many other; as Josh. 8. 29. 13. 14. 14. 15. 63.

The Booke Of Judges And Ruth Written Long After The Captivity

The same is manifest by like arguments of the Book of Judges, chap. 1. 21,26 6.24 10.4 15.19 17.6 and Ruth 1. 1. but especially Judg. 18. 30. where it is said, that Jonathan "and his sonnes were Priests to the Tribe of Dan, untill the day of the captivity of the land."

The Like Of The Bookes Of Samuel

That the Books of Samuel were also written after his own time, there are the like arguments, 1 Sam. 5.5. 7.13,15. 27.6. & 30.25. where, after David had adjudged equall part of the spoiles, 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." (2. Sam. 6.4.) 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, 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.

The Books Of The Kings, And The Chronicles

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 9.13. 9.21. 10. 12. 12.19. 2 Kings 2.22. 8.22. 10.27. 14.7. 16.6. 17.23. 17.34. 17.41. 1 Chron. 4.41. 5.26. 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 alwaies more ancient than such Books as make mention of, and quote the Register; as these Books doe in divers places, referring the Reader to the Chronicles of the Kings of Juda, to the Chronicles of the Kings of Israel, to the Books of the Prophet Samuel, or the Prophet Nathan, of the Prophet Ahijah; to the Vision of Jehdo, to the Books of the Prophet Serveiah, and of the Prophet Addo.

Ezra And Nehemiah

The Books of Esdras 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.

Esther

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.

Job

The Book of Job hath no mark in it of the time wherein it was written: and though it appear sufficiently (Exekiel 14.14, and James 5.11.) that he was no fained person; yet the Book it self 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 it is the most probably, because from the beginning, to the third verse of the third chapter, where the complaint of Job beginneth, the Hebrew is (as St. Jerome testifies) in prose; and from thence to the sixt 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 usuall stile 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 morall Philosophy, in ancient time frequent.

The Psalter

The Psalmes 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 137. and the 126. 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

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.

Ecclesiastes And The Canticles

The Books of Ecclesiastes and the Canticles have nothing that was not Solomons, 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 distinctions 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.

The Prophets

Of the Prophets, the most ancient, are Sophoniah, Jonas, Amos, Hosea, Isaiah and Michaiah, who lived in the time of Amaziah, and Azariah, otherwise Ozias, Kings of Judah. But the Book of Jonas is not properly a Register of his Prophecy, (for that is contained in these few words, "Fourty dayes and Ninivy shall be destroyed,") but a History or Narration of his frowardenesse and disputing Gods commandements; 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, Abdias, Nahum, and Habakkuk prophecyed in the time of Josiah.

Ezekiel, Daniel, Aggeus, and Zacharias, in the Captivity.

When Joel and Malachi prophecyed, 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 Ptolemaeus 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 Canonicall, 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, chapt. 14. verse 21, 22, &c. where speaking to God, he saith thus, "Thy law is burnt; therefore no man knoweth the things which thou has 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 later days, may live." And verse 45. "And it came to passe when the forty dayes 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 mayst deliver them onely to such as be wise among the people.?" And thus much concerning the time of the writing of the Bookes of the Old Testament.

The New Testament

The Writers of the New Testament lived all in lesse then an age after Christs 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 Bookes of the Old Testament are derived to us, from no higher time then that of Esdras, who by the direction of Gods Spirit retrived 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 mans hand, cannot bee derived from a higher time, that that wherein the Governours 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 Bookes, 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 Councell 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 Councell was held in the 364. yeer after Christ. At which time, though ambition had so far prevailed on the great Doctors of the Church, as no more to esteem Emperours, though Christian, for the Shepherds of the people, but for Sheep; and Emperours not Christian, for Wolves; and endeavoured to passe their Doctrine, not for Counsell, and Information, as Preachers; but for Laws, as absolute Governours; and thought such frauds as tended to make the people the more obedient to Christian Doctrine, to be pious; yet I am perswaded they did not therefore falsifie the Scriptures, though the copies of the Books of the New Testament, were in the hands only of the Ecclesiasticks; because if they had had an intention so to doe, they would surely have made them more favorable to their power over Christian Princes, and Civill 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, if 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 a Book Canonically.

Their Scope

And although these Books were written by divers men, yet it is manifest the Writers were all indued with one and the same Spirit, in that they conspire to one and the same end, which is the setting forth of the Rights of the Kingdome of God, the Father, Son, and Holy Ghost. For the Book of Genesis, deriveth the Genealogy of Gods 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 hee prescribed for their Government: The Books of Joshua, Judges, Ruth, and Samuel, to the time of Saul, describe the acts of Gods people, till the time they cast off Gods 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 Kingdome of God, even our blessed Saviour God the Son, whose coming was foretold in the Bookes of the Prophets, after whom the Evangelists writt his life, and actions, and his claim to the Kingdome, 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 summe, 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; 1. in Moses, and the Priests; 2. in the man Christ; and 3. 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.

The Question Of The Authority Of The Scriptures Stated.

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 Wee Know Them To Be The Word Of God, or, Why We Beleeve Them To Be So: and the difficulty of resolving it, ariseth chiefly from the impropriety of the words wherein the question it self is couched. For it is beleeved on all hands, that the first and originall Author of them is God; and consequently the question disputed, is not that. Again, it is manifest, that none can know they are Gods Word, (though all true Christians

beleeve 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 Beleeve; because some are moved to beleeve for one, and others for other reasons, there can be rendred no one generall answer for them all. The question truly stated is, By What Authority They Are Made Law.

Their Authority And Interpretation

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 naturall reason: but this is no other Authority, then that of all other Morall Doctrine consonant to Reason; the Dictates whereof are Laws, not Made, but Eternall.

If they be made Law by God himselfe, 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 know 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, then that of the Common-wealth, residing in the Sovereign, who only has the Legislative power. Again, if it be not the Legislative Authority of the Common-wealth, that giveth them the force of Laws, it must bee some other Authority derived from God, either private, or publique: if private, it obliges onely him, to whom in particular God hath been pleased to reveale it. For if every man should be obliged, to take for Gods 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 Madnesse, for testimonies of Gods 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 publique, it is the Authority of the Common-wealth, or of the Church. But the Church, if it be one person, is the same thing with a Common-wealth of Christians; called a Common-wealth, 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 doe any action at all; nor is capable of having any power, or right to any thing; nor has any Will, Reason, nor Voice; for all these qualities are personall. Now if the whole number of Christians be not contained in one Common-wealth, they are not one person; nor is there an Universall Church that hath any authority over them; and therefore the Scriptures are not made Laws, by the Universall Church: or if it bee one Common-wealth, then all Christian Monarchs, and States are private persons, and subject to bee judged, deposed, and punished by an Universall Sovereigne of all

Christendome. So that the question of the Authority of the Scriptures is reduced to this, "Whether Christian Kings, and the Sovereigne Assemblies in Christian Common-wealths, be absolute in their own Territories, immediately under God; or subject to one Vicar of Christ, constituted over the Universall Church; to bee judged, condemned, deposed, and put to death, as hee shall think expedient, or necessary for the common good."

Which question cannot bee resolved, without a more particular consideration of the Kingdome of God; from whence also, wee are to judge of the Authority of Interpreting the Scripture. For, whosoever hath a lawfull 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

Body And Spirit How Taken In The Scripture

Seeing the foundation of all true Ratiocination, is the constant Signification of words; which in the Doctrine following, dependeth not (as in naturall 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 inferre upon them, obscure, or disputable. I will begin with the words BODY, and SPIRIT, which in the language of the Schools are termed, Substances, Corporeall, and Incorporeall.

The Word Body, in the most generall acceptation, signifieth that which filleth, or occupyeth some certain room, or imagined place; and dependeth not on the imagination, but is a reall part of that we call the Universe. For the Universe, being the Aggregate of all Bodies, there is no reall part thereof that is not also Body; nor any thing 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 apparence 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, & call them Accidents of those Bodies. And according to this acceptation of the word, Substance and Body, signifie the same thing; and therefore Substance Incorporeall are words, which when they are joined together, destroy one another, as if a man should say, an Incorporeall 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, Aire, and Aeriall 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 some are called in the Latine Spiritus) Spirits; as when they call that aeriall substance, which in the body of any living creature, gives it life and motion, Vitall and Animall Spirits. But for those Idols of the brain, which represent Bodies to us, where they are not, as in a Looking-glasse, 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 bee; and in the brain it self, 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 imployed, then to search into their causes, know not of themselves, what to call them; and may therefore easily be perswaded, by those whose knowledge they much reverence, some to call them Bodies, and think them made of aire compacted by a power supernaturall, because the sight judges them corporeall; 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 subtile, fluid, and invisible Body, or a Ghost, or other Idol or Phantasme of the Imagination. But for metaphoricall significations, there be many: for sometimes it is taken for Disposition or Inclination of the mind; as when for the disposition to controwl the sayings of other men, we say, A Spirit Contradiction; For A Disposition to Uncleanesse, An Unclean Spirit; for Perversenesse, A Froward Spirit; for Sullenness, A Dumb Spirit, and for Inclination To Godlinesse, And Gods Service, the Spirit of God: sometimes for any eminent ability, or extraordinary passion, or disease of the mind, as when Great Wisdome is called the Spirit Of Wisdome; and Mad Men are said to be Possessed With A Spirit.

Other signification of Spirit I find no where any; and where none of these can satisfie the sense of that word in Scripture, the place falleth not under humane 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 himselfe. 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 Attributes we give him, are not to tell one another, What He Is, Nor to signifie our opinion of his Nature, but our desire to honor him with such names as we conceive most honorable amongst our selves.

Spirit Of God Taken In The Scripture Sometimes For A Wind, Or Breath

Gen. 1. 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 incorporeall; 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. 8. 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 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 Aire or Spirit Moved,) which might be called (as in the former place) the Spirit of God, because it was Gods Work.

Secondly, For Extraordinary Gifts Of The Understanding

Gen. 41. 38. Pharaoh calleth the Wisdome 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. 28.3. "Thou shalt speak (saith God) to all that are wise hearted, whom I have filled with the Spirit of Wisdome, 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. 31.3,4,5,6. and 35.31. And Isaiah 11.2,3. where the Prophet speaking of the Messiah, saith, "The Spirit of the Lord shall abide upon him, the Spirit of wisdome and understanding, the Spirit of counsell, 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.

Thirdly, For Extraordinary Affections

In the Book of Judges, an extraordinary Zeal, and Courage in the defence of Gods people, is called the Spirit of God; as when it excited Othniel, Gideon, Jephtha, and Samson to deliver them from servitude, Judg. 3.10. 6.34. 11.29. 13.25. 14.6,19. And of Saul, upon the newes of the insolence of the Ammonites towards the men of Jabeth Gilead, it is said (1 Sam.11.6.) that "The Spirit of God came upon Saul, and his Anger (or, as it is in the Latine, 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 hee was amongst the Prophets that praised God in Songs, and Musick (1 Sam.19.20.) is to be understood, not a Ghost, but an unexpected and sudden Zeal to join with them in their devotions.

Fourthly, For The Gift Of Prediction By Dreams And Visions

The false Prophet Zedekiah, saith to Micaiah (1 Kings 22.24.) "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 speciall grace of Prediction; yet their knowledge of the future, was not by a Ghost within them, but by some supernaturall Dream or Vision.

Fiftly, For Life

Gen. 2.7. It is said, "God made man of the dust of the Earth, and breathed into his nostrills (spiraculum vitae) 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 27.3.) "as long as the Spirit of God is in my nostrills;" is no more then to say, "as long as I live." So in Ezek. 1.20. "the Spirit of life was in the wheels," is equivalent to, "the wheels were alive." And (Ezek. 2.30.) "the spirit entred into me, and set me on my feet," that is, "I recovered my vitall strength;" not that any Ghost, or incorporeal substance entred into, and possessed his body.

Sixtly, For A Subordination To Authority

In the 11 chap. of Numbers. verse 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 prophecy in the campe; of whom some complained, and Joshua desired Moses to forbid them; which Moses would not doe. Whereby it appears; that Joshua knew not they had received authority so to do, and prophecyed 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. 34.9.) 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 hee had himselfe begun, (namely, the bringing of Gods people into the promised land), but prevented by death, could not finish.

In the like sense it is said, (Rom. 8.9.) "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 4.2.) "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 unfained 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 4.1.) "And Jesus full of the Holy Ghost" (that is, as it is exprest, Mat. 4.1. and Mar. 1.12. "of the Holy Spirit"), may be understood, for Zeal to doe the work for which hee was sent by God the Father: but to interpret it of a Ghost, is to say, that God himselfe (for so our Saviour was,) was filled with God; which is very unproper, 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 mans brain, I examine not: but this I say, the word Spirit in the text signifieth no such thing; but either properly a reall Substance, or Metaphorically, some extraordinary Ability of Affection of the Mind, or of the Body.

Seventhly, For Aeriall Bodies

The Disciples of Christ, seeing him walking upon the sea, (Mat. 14.26. and Marke 6.49.) supposed him to be a Spirit, meaning thereby an Aeriall Body, and not a Phantasme: 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 24.3,7.): So also (Acts 12.15) when St. Peter was delivered out of Prison, it would not be beleaved; but when the Maid said he was at the dore, they said it was his Angel; by which must be meant a corporeall 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 Reall; 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 called the same by the name of Daemons. And some such apparitions may be reall, and substantiall; that is to say, subtil 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 supernaturall manner. But when hee hath so formed them they are Substances, endued with dimensions, and take up roome, and can be moved from place to place, which is peculiar to Bodies; and therefore are not Ghosts Incorporeall, that is to say, Ghosts that are in No Place; that is to say, that are No Where; that is to say, that seeming to be Somewhat, are Nothing. But if corporeall be taken in the most vulgar manner, for such Substances as are perceptible by our externall Senses; then is Substance Incorporeall, a thing not Imaginary, but Reall; namely, a thin Substance Invisible, but that hath the same dimensions that are in grosser Bodies.

Angel What

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, any

thing 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 Aire, the Wind, the Spirits Vitall, and Animall, of living creatures; and sometimes the Images that rise in the fancy in Dreams, and Visions; which are not reall Substances, but accidents of the brain; yet when God raiseth them supernaturally, to signifie his Will, they are not improperly termed Gods 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 Daemons, Good and Evill; which because they seemed to subsist really, they called Substances; and because they could not feel them with their hands, Incorporeall: so also the Jews upon the same ground, without any thing in the Old Testament that constrained them thereunto, had generally an opinion, (except the sect of the Sadduces,) that those apparitions (which it pleased God sometimes to produce in the fancie 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 Evill Angels, or Evill Spirits; such as was the Spirit of Python, and the Spirits of Mad-men, of Lunatiques, and Epileptiques: For they esteemed such as were troubled with such diseases, Daemoniaques.

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 signifie the presence of God in the execution of some supernaturall work; and therefore in the rest, where their nature is not exprest, it may be understood in the same manner.

For we read Gen. 16. that the same apparition is called, not onely 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 supernaturall, testifying Gods speciall presence there. Why therefore may not the Angels that appeared to Lot, and are called Gen. 19.13. Men; and to whom, though they were but two, Lot speaketh (ver. 18.) as but 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. 22.11.) from slaying Isaac, there was no Apparition, but a Voice; which neverthelesse was called properly enough a Messenger, or Angel of God, because it declared Gods will

supernaturally, and saves the labour of supposing any permanent Ghosts. The Angels which Jacob saw on the Ladder of Heaven (Gen. 28.12.) were a Vision of his sleep; therefore onely Fancy, and a Dream; yet being supernaturall, and signs of Gods Speciall presence, those apparitions are not improperly called Angels. The same is to be understood (Gen.31.11.) where Jacob saith thus, "The Angel of the Lord appeared to mee in my sleep." For an apparition made to a man in his sleep, is that which all men call a Dreame, whether such Dreame be naturall, or supernaturall: and that which there Jacob calleth an Angel, was God himselfe; for the same Angel saith (verse 13.) "I am the God of Bethel."

Also (Exod.14.9.) the Angel that went before the Army of Israel to the Red Sea, and then came behind it, is (verse 19.) the Lord himself; and he appeared not in the form of a beautifull man, but in form (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. 14.9.) for the Armies guide: For this cloudy pillar, is said, to have descended, and stood at the dore 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 Gods presence; and was no lesse an Angel, then 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 Gods presence in supernaturall operations; As when Moses (Exod. 33.14.) had desired God to goe along with the Campe, (as he had done alwaies before the making of the Golden Calfe,) God did not answer, "I will goe," nor "I will send an Angel in my stead;" but thus, "my presence shall goe 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 Canonically, 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 bee in one place, and the next part in the next place to it; and, in summe, which is not (taking Body for that, which is some what, or some where) Corporeall; 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 signes of Gods speciall presence, might also be called Angels. Though we find in Daniel two names of Angels, Gabriel, and Michael; yet is cleer out of the text it selfe, (Dan. 12.1) 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 supernaturall phantasme, by which it seemed to Daniel, in his dream, that two Saints being in talke, one of them said to the other, "Gabriel, let us make this man understand his Vision:" For God needeth not, to distinguish his Celestiall servants by names, which are usefull onely to the short

memories of Mortalls. 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 withall incorporeall. That they are permanent, may bee gathered from the words of our Saviour himselfe, (Mat. 25.41.) 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 Evill Angels, (unlesse wee might think the name of Devill and his Angels may be understood of the Churches 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 Incorporeall. Angels therefore are not thence proved to be Incorporeall. In like manner where St. Paul sayes (1 Cor. 6.3.) "Knew ye not that wee shall judge the Angels?" And (2 Pet. 2.4.) "For if God spared not the Angels that sinned, but cast them down into Hell." And (Jude 1,6.) "And the Angels that kept not their first estate, but left their owne habitation, hee hath reserved in everlasting chaines under darknesse unto the Judgement of the last day;" though it prove the Permanence of Angelicall nature, it confirmeth also their Materiality. And (Mat. 22.30.) In the resurrection men doe 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 Incorporeall; 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 Incorporeall; as Incorporeall is taken not for subtile body, but for Not Body, they imply a contradiction: insomuch as to say, an Angel, or Spirit is (in that sense) an Incorporeall 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 enclined to this opinion, that Angels were nothing but supernaturall apparitions of the Fancy, raised by the speciall and extraordinary operation of God, thereby to make his presence and commandements known to mankind, and chiefly to his own people. But the many places of the New Testament, and our Saviours own words, and in such texts, wherein is no suspicion of corruption of the Scripture, have extorted from my feeble Reason, an acknowledgement, and beleef, that there be also Angels substantiall, and permanent. But to beleieve they be in no place, that is to say, no where, that is to say, nothing, as they (though indirectly) say, that will have them Incorporeall, cannot by Scripture bee evinced.

Inspiration What

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 subtile aire, 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 Phantasme; which is improper to say, and impossible; for Phantasmes are not, but only seem to be somewhat. That word therefore is used in the Scripture metaphorically onely: As (Gen. 2.7.) where it is said, that God Inspired into man the breath of life, no more is meant, then that God gave unto him vitall 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 reall, or seeming; but only as it is (Acts 17.25.) "that he gave him life and breath;" that is, made him a living creature. And where it is said (2 Tim. 3.16.) "all Scripture is given by Inspiration from God," speaking there of the Scripture of the Old Testament, it is an easie metaphor, to signifie, that God enclined the spirit or mind of those Writers, to write that which should be usefull, in teaching, reprovng, correcting, and instructing men in the way of righteous living. But where St. Peter (2 Pet. 1.21.) 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 supernaturall, 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 spirituall 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 Fulnesse 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 supernaturallly, or by study and industry; for in all cases they are the gifts of God. So likewise where God sayes (Joel 2.28.) "I will powre out my Spirit upon all flesh, and your Sons and your Daughters shall prophecy, your Old men shall dream Dreams, and your Young men shall see Visions," wee 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 Prophetically 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 Vertues, not Bodies to be carryed hither and thither, and to be powred into men, as into barrels.

In the same manner, to take Inspiration in the proper sense, or to say that Good Spirits entred into men to make them prophecy, or Evill Spirits into those that became Phrenetique, Lunatique, or Epileptique, 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 2.2.) 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 it self; but for an Externall sign of Gods speciall working on their hearts, to effect in them the internall graces, and holy vertues hee thought requisite for the performance of their Apostleship.

CHAPTER XXXV. OF THE SIGNIFICATION IN SCRIPTURE OF KINGDOME OF GOD, OF HOLY, SACRED, AND SACRAMENT

Kingdom Of God Taken By Divines Metaphorically But In The Scriptures Properly

The Kingdome of God in the Writings of Divines, and specially in Sermons, and Treatises of Devotion, is taken most commonly for Eternall Felicity, after this life, in the Highest Heaven, which they also call the Kingdome of Glory; and sometimes for (the earnest of that felicity) Sanctification, which they terme the Kingdome 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 Kingdome.

To the contrary, I find the KINGDOME OF GOD, to signifie in most places of Scripture, a Kingdome 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 Gods promising them the possession of the land of Canaan; and but seldom metaphorically; and then it is taken for Dominion Over Sinne; (and only in the New Testament;) because such a Dominion as that, every Subject shall have in the Kingdome 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 commandement to abstaine from the tree of cognizance of Good and Evill; which when he obeyed not, but tasting thereof, took upon him to be as God, judging between Good and Evill, not by his Creators commandement, but by his own sense, his punishment was a privation of the estate of Eternall life, wherein God had at first created him: And afterwards God punished his posterity, for their vices, all but eight persons, with an universall deluge; And in these eight did consist the then Kingdome Of God.

The Originall Of The Kingdome Of God

After this, it pleased God to speak to Abraham, and (Gen. 17.7,8.) 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." And for a memoriall, and a token of this Covenant, he ordaineth (verse 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 Gods positive Law; for to the Law Morall he was obliged before, as by an Oath of Allegiance. And though the name of King be not yet given to God, nor of Kingdome to Abraham and his seed; yet the thing is the same; namely, an Institution by pact, of Gods 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 Kingdome of God over the Jews: and it is of Abraham (not of Moses) St. Paul saith (Rom. 4.11.) that he is the "Father of the Faithfull," that is, of those that are loyall, and doe not violate their Allegiance sworn to God, then by Circumcision, and afterwards in the New Covenant by Baptisme.

That The Kingdome Of God Is Properly His Civill Sovereignty Over A Peculiar People By Pact

This Covenant, at the Foot of Mount Sinai, was renewed by Moses (Exod. 19.5.) 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 yee shall be a peculiar people to me, for all the Earth is mine; and yee shall be unto me a Sacerdotall Kingdome, and an holy Nation." For a "Peculiar people" the vulgar Latine 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. 2.14.) where he saith, alluding to that place, that our blessed Saviour "gave himself for us, that he might purifie us to himself, a peculiar (that is, an extraordinary) people:" for the word is in the Greek *periousios*, which is opposed commonly to the word *epiousios*: and as this signifieth Ordinary, Quotidian, or (as in the Lords Prayer) Of Daily Use; so the other signifieth that which is Overplus, and Stored Up, and Enjoyed In A Speciall Manner; which the Latines 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 Speciall 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 expresse words in the same Text, "Yee shall be to me a Sacerdotall Kingdome, and an holy Nation." The Vulgar Latine hath it, *Regnum Sacerdotale*, to which agreeth the Translation of that place (1 Pet. 2.9.) *Sacerdotium Regale*, A Regal Priesthood; as also the Institution it self, by which no man might enter into the *Sanctum Sanctorum*, that is to say, no man might enquire Gods will immediately of God himselfe, but onely the High Priest. The English Translation before mentioned, following that of Geneva, has, "a Kingdome 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 onely, that was to informe the People of Gods 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 Gods by speciall, not by generall Right. All

the Earth (as is said in the text) is Gods; but all the Earth is not called Holy, but that onely which is set apart for his especiall service, as was the Nation of the Jews. It is therefore manifest enough by this one place, that by the Kingdome of God, is properly meant a Common-wealth, instituted (by the consent of those which were to be subject thereto) for their Civill Government, and the regulating of their behaviour, not onely towards God their King, but also towards one another in point of justice, and towards other Nations both in peace and warre; which properly was a Kingdome, 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. 8.7.) 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, "Hearken 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. 12.12.) where Samuel saith to the People, "When yee 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 Civill State of their Common-wealth.

And after the Israelites had rejected God, the Prophets did foretell his restitution; as (Isaiah 24.23.) "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 expressely of his Reign in Zion, and Jerusalem; that is, on Earth. And (Micah 4.7.) "And the Lord shall reign over them in Mount Zion:" This Mount Zion is in Jerusalem upon the Earth. And (Ezek. 20.33.) "As I live, saith the Lord God, surely with a mighty hand, and a stretched out arme, and with fury powred out, I wil rule over you; and (verse 37.) I will cause you to passe 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 1.32,33) "He shall be great, and be called the Son of the Most High, and the Lord shall give him the throne of his Father David; and he shall reign over the house of Jacob for ever; and of his Kingdome there shall be no end." This is also a Kingdome upon Earth; for the claim whereof, as an enemy to Caesar, he was put to death; the title of his crosse, was, Jesus of Nazareth, King of the Jews; hee was crowned in scorn with a crown of Thornes; and for the proclaiming of him, it is said of the Disciples (Acts 17.7.) "That they did all of them contrary to the decrees of Caesar, saying there was another King, one Jesus. The Kingdome therefore of God, is a reall, not a metaphoricall Kingdome; and so taken, not onely in the Old Testament, but the New; when we say, "For

thine is the Kingdome, the Power, and Glory," it is to be understood of Gods Kingdome, by force of our Covenant, not by the Right of Gods Power; for such a Kingdome God alwaies hath; so that it were superfluous to say in our prayer, "Thy Kingdome come," unlesse it be meant of the Restauration of that Kingdome 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 Kingdome of Heaven is at hand," or to pray, "Thy Kingdome 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 in stead of a Sacerdotall Kingdome, translate, a Kingdome of Priests: for they may as well translate a Royall Priesthood, (as it is in St. Peter) into a Priesthood of Kings. And whereas, for a Peculiar People, they put a Pretious Jewel, or Treasure, a man might as well call the speciall Regiment, or Company of a Generall, the Generalls pretious Jewel, or his Treasure.

In short, the Kingdome of God is a Civill Kingdome; 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 of the time being, should deliver to them from before the Cherubins in the Sanctum Sanctorum; and which kingdome having been cast off, in the election of Saul, the Prophets foretold, should be restored by Christ; and the Restauration whereof we daily pray for, when we say in the Lords Prayer, "Thy Kingdome come;" and the Right whereof we acknowledge, when we adde, "For thine is the Kingdome, 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 Gods government) is, to bee in the Kingdome of Grace, because God hath gratis given to such the power to bee the subjects (that is, Children) of God hereafter, when Christ shall come in Majesty to judge the world, and actually to govern his owne people, which is called the Kingdome of Glory. If the Kingdome of God (called also the Kingdome of Heaven, from the gloriousnesse, and admirable height of that throne) were not a Kingdome which God by his Lieutenant, or Vicars, who deliver his Commandements to the people, did exercise on Earth; there would not have been so much contention, and warre, about who it is, by whom God speaketh to us; neither would many Priests have troubled themselves with Spirituall Jurisdiction, nor any King have denied it them.

Out of this literall interpretation of the Kingdome of God, ariseth also the true interpretation of the word HOLY. For it is a word, which in Gods Kingdome answereth to that, which men in their Kingdomes use to call Publique, or the Kings.

The King of any Countrey is the Publique 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 Publique Person. So the Jews, who were Gods Nation, were called (Exod. 19.6.) "a Holy Nation." For by

Holy, is alwaies understood, either God himselfe, or that which is Gods in propriety; as by Publique is alwaies meant, either the Person of the Common-wealth it self, or something that is so the Common-wealths, as no private person can claim any propriety therein.

Therefore the Sabbath (Gods day) is a Holy Day; the Temple, (Gods house) a Holy House; Sacrifices, Tithes, and Offerings (Gods tribute) Holy Duties; Priests, Prophets, and anointed Kings, under Christ (Gods ministers) Holy Men; The Coelestiall ministring Spirits (Gods 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 Commandement, of "having no other Gods but Him." Mankind is Gods Nation in propriety: but the Jews only were a Holy Nation. Why, but because they became his Propriety by covenant.

Sacred What

And the word Profane, is usually taken in the Scripture for the same with Common; and consequently their contraries, Holy, and Proper, in the Kingdome 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 designes, and wholly devoted, and given themselves to God. In the proper sense, that which is made Holy by Gods appropriating or separating it to his own use, is said to be Sanctified by God, as the Seventh day in the fourth Commandement; and as the Elect in the New Testament were said to bee Sanctified, when they were endued with the Spirit of godlinesse. And that which is made Holy by the dedication of men, and given to God, so as to be used onely in his publique service, is called also SACRED, and said to be consecrated, as Temples, and other Houses of Publique Prayer, and their Utensils, Priests, and Ministers, Victimes, Offerings, and the externall matter of Sacraments.

Degrees of Sanctity

Of Holinesse there be degrees: for of those things that are set apart for the service of God, there may bee some set apart again, for a neerer 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 Judea was the Holy Land; but the Holy City wherein God was to be worshipped, was more Holy; and again, the Temples more Holy than the City; and the Sanctum Sanctorum more Holy than the rest of the Temple.

Sacrament

A SACRAMENT, is a separation of some visible thing from common use; and a consecration of it to Gods service, for a sign, either of our admission into the Kingdome 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, Baptisme. The Commemoration of it in the Old Testament, was the Eating (at a certain time, which was Anniversary) of the Paschall 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 Lords Supper; by which, we are put in mind, of our deliverance from the bondage of sin, by our Blessed Saviours death upon the crosse. 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 principall Sacraments, and as it were the solemne oathes we make of our Allegiance. There be also other Consecrations, that may be called Sacraments, as the word implyeth onely Consecration to Gods 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 Baptisme, and the Lords Supper.

CHAPTER XXXVI. OF THE WORD OF GOD, AND OF PROPHETS

Word What

When there is mention of the Word of God, or of Man, it doth not signifie 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 Logos) that is some Speech, Discourse, or Saying.

The Words Spoken By God And Concerning God, Both Are Called Gods Word In Scripture

Again, if we say the Word of God, or of Man, it may bee 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," 'tis 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 Hebraismes, 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 Logos Theou, and Theologia; which is, that Doctrine which wee usually call Divinity, as is manifest by the places following (Acts 13.46.) "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 your selves unworthy of everlasting life, loe, 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 5.20.) 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 Chap. "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 Eternall, that our saviour offered them. So (Acts 15.7.) the Word of God, is called the Word of the Gospel, because it containeth the Doctrine of the Kingdome of Christ; and the same Word (Rom. 10.8,9.) is called the Word of Faith; that is, as is there expressed, the Doctrine of Christ come, and raised from the dead. Also (Mat. 13. 19.) "When any one heareth the Word of the Kingdome;" that is, the Doctrine of the Kingdome taught by Christ. Again, the same Word, is said (Acts 12. 24.) "to grow and to be multiplied;" which to understand of the Evangelicall Doctrine is easie, but of the Voice, or Speech of God, hard and strange. In the same sense the Doctrine of Devils, signifieth not the Words of any Devill, but the Doctrine of Heathen men concerning Daemons, and those Phantasms which they worshipped as Gods. (1 Tim. 4.1.)

Considering these two significations of the WORD OF GOD, as it is taken in Scripture, it is manifest in this later sense (where it is taken for the Doctrine of the 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 Commandements, 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 Wisdome, Power, and eternall 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. 1.) are the Word of God. And in the same sense it is said (John 1.3.) "All things were made by it, and without it was nothing made that was made; And (Heb. 1.3.) "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. 11.3.) "The worlds were framed by the Word of God;" and many other places to the same sense: As also amongst the Latines, the name of Fate, which signifieth properly The Word Spoken, is taken in the same sense.

Secondly, For The Effect Of His Word

Secondly, for the effect of his Word; that is to say, for the thing it self, which by his Word is Affirmed, Commanded, Threatned, or Promised; as (Psalm 105.19.) where Joseph is said to have been kept in prison, "till his Word was come;" that is, till that was come to passe which he had (Gen. 40.13.) foretold to Pharaohs Butler, concerning his being restored to his office: for there by His Word Was Come, is meant, the thing it self was come to passe. So also (1 King. 18.36.) Elijah saith to God, "I have done all these thy Words," in stead of "I have done all these things at thy Word," or commandment: and (Jer. 17.15.) "Where is the Word of the Lord," is put for, "Where is the Evill he threatened:" And (Ezek. 12.28.) "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 (Mat. 24.35.) "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 passe. And in this sense it is, that St. John the Evangelist, and, I think, St. John onely calleth our Saviour himself as in the flesh "the Word of God (as Joh. 1.14.) 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 Eternall 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, doe commonly call him the Verbe of God, do but render the text more obscure. They might as well term him the Nown of God: for as by Nown, so also by Verbe, 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 corporeall, or spirituall; and therefore it cannot be said to bee 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 1 Epistle, verse 1.) called "the Word of Life;" and (verse 2.) "The eternall life, which was with the Father:" so that he can be in no other sense called the Word, then in that, wherein he is called Eternall life; that is, "he that hath procured us Eternall life," by his comming in the flesh. So also (Apocalypse 19.13.) the Apostle speaking of Christ, clothed in a garment dipt in bloud, 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 The Promise. (Acts 1.4. Luke 24.49.)

Thirdly, For The Words Of Reason And Equity

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 Idolator; yet his Words to the good King Josiah, in which he advised him by Messengers, not to oppose him in his march against Carchemish, are said to have proceeded from the mouth of God; and that Josiah not hearkning to them, was slain in the battle; as is to be read 2 Chron. 35. vers. 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 wee are to give credit to the Canonickall 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 bee written in mans heart; as Psalm 36.31. Jerem. 31.33. Deut.30.11, 14. and many other like places.

Divers Acceptions Of The Word Prophet

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 Praedictor, 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 enquire of God; and was to declare his answer to the people. And therefore when Caiphas said, it was expedient that one man should die for the people, St. John saith (chap. 11.51.) that "He spake not this of himselfe, but being High Priest that year, he prophesied that one man should dye for the nation." Also they that in Christian Congregations taught the people, (1 Cor. 14.3.) are said to Prophecy. In the like sense it is, that God saith to Moses (Exod. 4.16.) concerning Aaron, "He shall be thy Spokes-man to the People; and he shall be to thee a mouth, and thou shalt be to him in stead of God;" that which here is Spokesman, is (chap.7.1.) 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 (Genes. 20.7.) 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 unproperly to them that in Christian Churches, have a Calling to say publique prayers for the Congregation. In the same sense, the Prophets that came down from the High place (or Hill of God) with a Psalter, and a Tabret, and a Pipe, and a Harp (1 Sam. 10.5,6.) and (vers. 10.) Saul amongst them, are said to Prophecy, in that they praised God, in that manner publicquely. In the like sense, is Miriam (Exod. 15.20.) called a Prophetesse. So is it

also to be taken (1 Cor. 11.4,5.) where St. Paul saith, "Every man that prayeth or prophecyeth with his head covered, &c. and every woman that prayeth or prophecyeth with her head uncovered: For Prophecy in that place, signifieth no more, but praising God in Psalmes, and Holy Songs; which women might doe in the Church, though it were not lawfull for them to speak to the Congregation. And in this signification it is, that the Poets of the Heathen, that composed Hymnes and other sorts of Poems in the honor 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. 1.12.) where St. Paul saith of the Cretians, that a Prophet of their owne said, they were Liars; not that St. Paul held their Poets for Prophets, but acknowledgeth that the word Prophet was commonly used to signifie them that celebrated the honour of God in Verse

Praediction Of Future Contingents, Not Alwaies Prophecy

When by Prophecy is meant Praediction, or foretelling of future Contingents; not only they were Prophets, who were Gods Spokesmen, and foretold those things to others, which God had foretold to them; but also all those Imposters, that pretend by the helpe 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 12. chapter of this Discourse) there be many kinds, who gain in the opinion of the common sort of men, a greater reputation of Prophecy, by one casuall event that may bee but wrested to their purpose, than can be lost again by never so many failings. Prophecy is not an art, nor (when it is taken for Praediction) 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 Phantasme of Samuel, and foretold Saul his death, was not therefore a Prophetesse; for neither had she any science, whereby she could raise such a Phantasme; nor does it appear that God commanded the raising of it; but onely guided that Imposture to be a means of Sauls 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 mad-men; 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 the Scripture I find it also so taken (1 Sam. 18. 10.) in these words, "And the Evill spirit came upon Saul, and he Prophecied in the midst of the house."

The Manner How God Hath Spoken To The Prophets

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, "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 signifie Gods nature, but to signifie our intention to honor him. For to See, and Hear, are Honorable 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 parts of mans 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 Gods speaking to men immediately, for that way (whatsoever it be), by which God makes them understand his will: And the wayes whereby he doth this, are many; and to be sought onely 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 signes by which they were to acknowledge his presence, and commandement; and by these may be understood, how he spake to many of the rest.

To The Extraordinary Prophets Of The Old Testament He Spake By Dreams, Or Visions

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 countrey to Sichem in the land of Canaan; and then (Gen. 12.7.) 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. 15.1.) The Word of the Lord came to Abraham in a Vision; that is to say, somewhat, as a sign of Gods presence, appeared as Gods Messenger, to speak to him. Again, the Lord appeared to Abraham (Gen. 18. 1.) by an apparition of three Angels; and to Abimelech (Gen. 20. 3.) in a dream: To Lot (Gen. 19. 1.) by an apparition of Two Angels: And to Hagar (Gen. 21. 17.) by the apparition of one Angel: And to Abraham again (Gen. 22. 11.) by the apparition of a voice from heaven: And (Gen. 26. 24.) to Isaac in the night; (that is, in his sleep, or by dream): And to Jacob (Gen. 28. 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. 32. 1.) in a Vision of Angels: And to Moses (Exod. 3.2.) 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) hee spake alwaies by a Vision, or by a Dream; as to Gideon, Samuel, Eliah, 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.

Onely to Moses hee 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 Gods favour; And God himself in express words declareth, that to other Prophets hee spake in Dreams and Visions, but to his servant Moses, in such manner as a man speaketh to his friend. The words are these (Numb. 12. 6,7,8.) "If there be a Prophet among you, I the Lord will make my self known to him in a Vision, and will speak unto him in a Dream. My servant Moses is not so, who is faithfull 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. 33. 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 7. ver. 35. and 53. and Gal. 3. 19. and was therefore a Vision, though a more cleer Vision than was given to other Prophets. And conformable hereunto, where God saith (Deut. 13. 1.) "If there arise amongst you a Prophet, or Dreamer of Dreams," the later word is but the interpretation of the former. And (Joel 2. 28.) "Your sons and your daughters shall Prophecy; your old men shall dream Dreams, and your young men shall see Visions:" where again, the word Prophecy is expounded by Dream, and Vision. And in the same manner it was, that God spake to Solomon, promising him Wisdome, Riches, and Honor; for the text saith, (1 Kings 3. 15.) "And Solomon awoak, 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 Extasie; which imaginations in every true Prophet were supernaturall; but in false Prophets were either naturall, or feigned.

The same Prophets were neverthesse said to speak by the Spirit; as (Zach. 7. 12.) where the Prophet speaking of the Jewes, saith, "They made their hearths 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 Gods 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 particular Commission, or (which is all one) a new Dream, or Vision.

To Prophets Of Perpetuall Calling, And Supreme, God Spake In The Old Testament From The Mercy Seat, In A Manner Not Expressed In The Scripture. Of Prophets, that were so by a perpetuall Calling in the Old Testament, some were Supreme, and some Subordinate: Supreme were first Moses; and after him the High Priest, every one for his time, as long as the Priesthood was Royall; and after the people of the Jews, had rejected God, that he should no more reign over them, those Kings which submitted themselves to Gods government, were also his chief Prophets; and the High Priests office became Ministeriall. And when God was to be consulted, they put on the holy vestments, and enquired of the Lord, as the King commanded them, and were deprived of their office, when the King thought fit. For King Saul (1 Sam. 13. 9.) commanded the burnt offering to be brought, and (1 Sam. 14. 18.) he commands the Priest to bring the Ark neer him; and (ver. 19.) again to let it alone, because he saw an advantage upon his enemies. And in the same chapter Saul asketh

counsell of God. In like manner King David, after his being anointed, though before he had possession of the Kingdome, is said to "enquire of the Lord" (1 Sam. 23. 2.) whether he should fight against the Philistines at Keilah; and (verse 10.) David commandeth the Priest to bring him the Ephod, to enquire whether he should stay in Keilah, or not. And King Solomon (1 Kings 2. 27.) took the Priesthood from Abiathar, and gave it (verse 35.) to Zadoc. Therefore Moses, and the High Priests, and the pious Kings, who enquired 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. 12. 6,7,8. To say God spake or appeared as he is in his own nature, is to deny his Infinitenesse, 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 equall with Christ, in whom onely the Godhead (as St. Paul speaketh Col. 2.9.) 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 supernaturall. For God disposeth men to Piety, Justice, Mercy, Truth, Faith, and all manner of Vertue, both Morall, and Intellectuall, by doctrine, example, and by severall occasions, naturall, 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 enquire 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 Prophets Of Perpetuall Calling, But Subordinate, God Spake By The Spirit. To subordinate Prophets of perpetuall Calling, I find not any place that proveth God spake to them supernaturally; but onely in such manner, as naturally he inclineth men to Piety, to Beleef, to Righteousnesse, and to other vertues all other Christian Men. Which way, though it consist in Constitution, Instruction, Education, and the occasions and invitements men have to Christian vertues; 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 alwaies supernaturall. 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 Gods will, declared by the supreme Prophet. For the most common acceptation of the word Spirit, is in the signification of a mans intention, mind, or disposition.

In the time of Moses, there were seventy men besides himself, that Prophecyed in the Campe of the Israelites. In what manner God spake to them, is declared in the 11 of Numbers, 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 passe, when the Spirit

rested upon them, they Prophecyed, and did not cease," By which it is manifest, first, that their Prophecying to the people, was subservient, and subordinate to the Prophecying of Moses; for that God took of the Spirit of Moses, to put upon them; so that they Prophecyed as Moses would have them: otherwise they had not been suffered to Prophecy 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, Bee 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 lesse manner than Christ himself, in whom onely 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 (verse 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. 18.) that Moses following the counsell 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 Kingdome: and in this sense the Spirit of God is said (1 Sam. 16. 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 Gods service; and not any supernaturall Revelation.

God Sometimes Also Spake By Lots

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 wee read that God manifested by the Lots which Saul caused to be drawn (1 Sam. 14. 43.) the fault that Jonathan had committed, in eating a honey-comb, contrary to the oath taken by the people. And (Josh. 18. 10.) God divided the land of Canaan amongst the Israelite, by the "lots that Joshua did cast before the Lord in Shiloh." In the same manner it seemeth to be, that God discovered (Joshua 7.16., &c.) the crime of Achan. And these are the wayes 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.

Every Man Ought To Examine The Probability Of A Pretended Prophets Calling

Seeing then all Prophecy supposeth Vision, or Dream, (which two, when they be naturall, are the same,) or some especiall 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 onely by his supernaturall, and immediate, but also by his naturall operation, and by mediation of second causes; there is need of Reason and Judgement to discern between naturall, and supernaturall Gifts, and between naturall, and supernaturall 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 Gods name telleth us to be the way to happinesse. 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 tryed by every man, before hee yeeld them obedience; unlesse he have yeelded it them already, in the institution of a Common-wealth; as when the Prophet is the Civill 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. 13. 1.&c.) to know a Prophet by; and (1 John 4.1.&c) to know a Spirit by: and seeing there is so much Prophecying in the Old Testament; and so much Preaching in the New Testament against Prophets; and so much greater a number ordinarily of false Prophets, then of true; every one is to beware of obeying their directions, at their own perill. And first, that there were many more false than true Prophets, appears by this, that when Ahab (1 Kings 12.) consulted four hundred Prophets, they were all false Imposters, but onely one Michaiah. And a little before the time of the Captivity, the Prophets were generally lyars. "The Prophets" (saith the Lord by Jerem. cha. 14. verse 14.) "prophecy Lies in my name. I sent them not, neither have I commanded them, nor spake unto them, they prophecy to you a false Vision, a thing of naught; and the deceit of their heart." In so much as God commanded the People by the mouth of the Prophet Jeremiah (chap. 23. 16.) not to obey them. "Thus saith the Lord of Hosts, hearken not unto the words of the Prophets, that prophecy to you. They make you vain, they speak a Vision of their own heart, and not out of the mouth of the Lord."

All Prophecy But Of The Sovereign Prophet Is To Be Examined By Every Subject

Seeing then there was in the time of the Old Testament, such quarrells

amongst the Visionary Prophets, one contesting with another, and asking When departed the Spirit from me, to go to thee? as between Michaiah, and the rest of the four hundred; and such giving of the Lye to one another, (as in Jerem. 14.14.) and such controversies in the New Testament at this day, amongst the Spirituall Prophets: Every man then was, and now is bound to make use of his Naturall Reason, to apply to all Prophecy those Rules which God hath given us, to discern the true from the 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 passe, as I have already shown out of Deut. 13. 1. &c. and in the New Testament there was but one onely mark; and that was the preaching of this Doctrine, That Jesus Is The Christ, that is, the 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, 4. 2, &c) speaking expressely of the means to examine Spirits, whether they be of God, or not; after he hath 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 Baalam; 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 denyeth him come, and looketh for him in some future Imposter, 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 Gods Viceregent 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, hee commanded to bee taught; and thereby to examine and try out the truth of those Doctrines, which pretended Prophets with miracles, or without, shall at any time advance: and if they find it contrary to that Rule, to doe as they did, that came to Moses, and complained that there were some that Prophecyed in the Campe, whose Authority so to doe they doubted of; and leave to the Sovereign, as they did to Moses to uphold, or to forbid them, as hee should see cause; and if hee 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 Sovereigne. For when Christian men, take not their Christian Sovereign, for Gods Prophet; they must either take their owne Dreams, for the prophecy they mean to bee governed by, and the tumour of their own hearts for the Spirit of God; or they must suffer themselves to bee lead 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, then sometimes an extraordinary successe, and Impunity; and by this means destroying all laws, both divine, and humane, reduce all Order, Government, and Society, to the

first Chaos of Violence, and Civill warre.

CHAPTER XXXVII. OF MIRACLES, AND THEIR USE

A Miracle Is A Work That Causeth Admiration

By Miracles are signified the Admirable works of God: & therefore they are also called Wonders. And because they are for the most part, done, for a signification of his commandement, in such occasions, as without them, men are apt to doubt, (following their private naturall reasoning,) what he hath commanded, and what not, they are commonly in Holy Scripture, called Signes, in the same sense, as they are called by the Latines, Ostenta, and Portenta, from shewing, and fore-signifying that, which the Almighty is about to bring to passe.

And Must Therefore Be Rare, Whereof There Is No Naturall Cause Known

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 naturall means, but onely by the immediate hand of God. But when wee see some possible, naturall 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 naturall 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, & the Naturall cause difficult to imagin: 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 'tis usuall, 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 peece 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 passe, 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 an universall destruction of the world by Water. But at this day, because they are frequent, they are not Miracles, neither to them that know their naturall 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 wee know also the means how they are done, we count them not for Miracles, because not wrought by the immediate hand of God, but by mediation of humane Industry.

That Which Seemeth A Miracle To One Man, May Seem Otherwise To Another

Furthermore, seeing Admiration and Wonder, is consequent to the knowledge and experience, wherewith men are endued, some more, some lesse; 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 Eccipses of the Sun and Moon have been taken for supernaturall works, by the common people; when neverthelesse, there were others, could from their naturall 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 time; it seems to him a Miraculous thing; but amongst wise, and cautelous men, such Miracles as those, cannot easily be done.

The End Of Miracles

Again, it belongeth to the nature of a Miracle, that it be wrought for the procuring of credit to Gods 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 universall 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 beleieve the Almighty can doe 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 beleieve, that Moses came unto them, not out of any design of his owne interest, but as sent from God. Therefore after God had commanded him to deliver the Israelites from the Egyptian bondage, when he said (Exod 4.1. &c.) "They will not beleieve 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 bosome, to make it leprous; and again by pulling it out to make it whole, to make the Children of Israel beleieve (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 bloud. And when hee had done these Miracles before the people, it is said (verse 41.) that "they beleieved him." Neverthelesse, 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 afterward; 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 further 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, is such as God had determined should become his Subjects. For those miraculous plagues of Egypt, had not for 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, (Mat. 13. 58.) that he wrought not many Miracles in his own country, because of their unbelief; and (in Marke 6.5.) in stead 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 Prophets, of our Saviour, and of his Apostles was to adde men to the Church; but it was, because the end of their Miracles, was to adde 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 sent from his Father, hee could not use his power in the conversion of those, whom his Father had rejected. They that expounding this place of St. Marke, say, that his word, "Hee 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 doe no Miracles, but amongst the credulous.

The Definition Of A Miracle

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 inferre; First, that in all Miracles, the work done, is not the effect of any vertue 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 vertue of some naturall science, or by Incantation, that is, vertue of words. For if the Inchanters do it by their own power independent, there is some power that proceedeth not from God; which all men deny: and if they doe it by power given them,

then is the work not from the immediate hand of God, but naturall, and consequently no Miracle.

There be some texts of Scripture, that seem to attribute the power of working wonders (equall to some of those immediate Miracles, wrought by God himself,) to certain Arts of Magick, and Incantation. As for example, when we read that after the Rod of Moses being cast on the ground became a Serpent, (Exod. 7. 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 Pooles of water into blood, (Exod. 7. 22.) "the Magicians of Egypt did so likewise, with their Enchantments;" and that after Moses had by the power of God brought frogs upon the land, (Exod. 8. 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 on 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 supernaturall, as the Impostors need not the study so much as of naturall causes, but the ordinary ignorance, stupidity, and superstition of mankind, to doe them; those texts that seem to countenance the power of Magick, Witchcraft, and Enchantment, must needs have another sense, than at first sight they seem to bear.

That Men Are Apt To Be Deceived By False Miracles

For it is evident enough, that Words have no effect, but on those that understand them; and then they have no other, but to signifie 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 Water Bloud, or any other Miracle seemeth done by Enchantment; if it be not to the edification of Gods 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 easie matter to doe.

For such is the ignorance, and aptitude to error generally of all men, but especially of them that have not much knowledge of naturall causes, and of the nature, and interests of men; as by innumerable and easie 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 darkned? 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 antient time were called Ventriloqui,) and so make the weaknesse 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 beleefe it is a voice from Heaven, whatsoever he please to tell them. And for a crafty man, that hath enquired 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 businesse, to reckon up the severall sorts of those men, which the Greeks called Thaumaturgi, that is to say, workers of things wonderfull; and yet these do all they do, by their own single dexterity. But if we looke upon the Impostures wrought by Confederacy, there is nothing how impossible soever to be done, that is impossible to bee beleaved. For two men conspiring, one to seem lame, the other to cure him with a charme, will deceive many: but many conspiring, one to seem lame, another so to cure him, and all the rest to bear witnesse; will deceive many more.

Cautions Against The Imposture Of Miracles

In this aptitude of mankind, to give too hasty beleefe 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 13. and end of the 18. of Deuteronomy; That wee take not any for Prophets, that teach any other Religion, then that which Gods Lieutenant, (which at that time was Moses,) hath established; nor any, (though he teach the same Religion,) whose Praediction we doe not see come to passe. Moses therefore in his time, and Aaron, and his successors in their times, and the Sovereign Governour of Gods 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 wee 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 onely so, but whether it be such, as no man can do the like by his naturall power, but that it requires the immediate hand of God. And in this also we must have recourse to Gods Lieutenant; to whom in all doubtfull cases, wee have submitted our private judgments. For Example; if a man pretend, that after certain words spoken over a peece of bread, that presently God hath made it not bread, but a God, or a man, or both, and neverthelesse 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 enquire of God, by his Vicar, or Lieutenant, whether it be done, or not. If he say not, then followeth that which Moses saith, (Deut. 18. 22.) "he hath spoken it presumptuously, thou shalt not fear him." If he say 'tis done, then he is not to contradict it. So also if wee see not, but onely 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 supernaturall: and the question is no more, whether what wee see done, be a Miracle; whether the Miracle we hear, or read of, were a reall work, and not the Act of a tongue, or pen; but in plain terms, whether the report be true, or a lye. In which question we are not every one, to make our own private Reason, or Conscience, but the Publique Reason, that is, the reason of Gods Supreme Lieutenant, Judge; and indeed we have made him Judge already, if wee have given him a Sovereign power, to doe all that is necessary for our peace and defence. A private man has alwaies the liberty, (because thought is free,) to beleieve, or not beleieve in his heart, those acts that have been given out for Miracles, according as he shall see, what benefit can accrew by mens 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 Publique; that is to say, to Gods Lieutenant. But who is this Lieutenant of God, and Head of the Church, shall be considered in its proper place thereafter.

CHAPTER XXXVIII. OF THE SIGNIFICATION IN SCRIPTURE OF ETERNALL LIFE, HELL, SALVATION, THE WORLD TO COME, AND REDEMPTION

The maintenance of Civill Society, depending on Justice; and Justice on the power of Life and Death, and other lesse Rewards and Punishments, residing in them that have the Sovereignty of the Common-wealth; It is impossible a Common-wealth 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 Eternall Life is a greater reward, than the Life Present; and Eternall 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 Civill war, what is meant in Holy Scripture, by Life Eternall, and Torment Eternall; and for what offences, against whom committed, men are to be Eternally Tormented; and for what actions, they are to obtain Eternall Life.

Place Of Adams Eternity If He Had Not Sinned, The Terrestrial Paradise

And first we find, that Adam was created in such a condition of life, as had he not broken the commandement 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 an Evill; which was not allowed him. And therefore as soon as he had eaten of it, God thrust him out of Paradise, "lest he should put forth his hand, and take also of the tree of life, and live for ever." (Gen. 3. 22.) By which it seemeth to me, (with submission neverthelesse both in this, and in all questions, whereof the determination dependeth on the Scriptures, to the interpretation of the Bible authorized by the Common-wealth, whose Subject I am,) that Adam if

he had not sinned, had had an Eternall Life on Earth: and that Mortality entred upon himself, and his posterity, by his first Sin. Not that actuall Death then entred; for Adam then could never have had children; whereas he lived long after, and saw a numerous posterity ere he dyed. But where it is said, "In the day that thou eatest thereof, thou shalt surely die," it must needs bee meant of his Mortality, and certitude of death. Seeing then Eternall life was lost by Adams forfeiture, in committing sin, he that should cancell that forfeiture was to recover thereby, that Life again. Now Jesus Christ hath satisfied for the sins of all that beleeeve in him; and therefore recovered to all beleevers, that ETERNALL LIFE, which was lost by the sin of Adam. And in this sense it is, that the comparison of St. Paul holdeth (Rom. 5.18, 19.) "As by the offence of one, Judgment came upon all men to condemnation, even so by the righteousnesse of one, the free gift came upon all men to Justification of Life." Which is again (1 Cor. 15.21,22) 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."

Texts Concerning The Place Of Life Eternall For Beleevers

Concerning the place wherein men shall enjoy that Eternall Life, which Christ hath obtained for them, the texts next before alledged seem to make it on Earth. For if as in Adam, all die, that is, have forfeited Paradise, and Eternall 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, (Psal. 133.3.) "Upon Zion God commanded the blessing, even Life for evermore;" for Zion, is in Jerusalem, upon Earth: as also that of S. Joh. (Rev. 2.7.) "To him that overcommeth 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 Adams Eternall life; but his life was to have been on Earth. The same seemeth to be confirmed again by St. Joh. (Rev. 21.2.) 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 v. 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 Gods people from Heaven, and not they goe 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 1.11.) "This same Jesus, who is taken up 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 take them up to govern them in Heaven; and is conformable to the Restauration of the Kingdom of God, instituted under Moses; which was a Political government of the Jews on Earth. Again, that saying of our Saviour (Mat. 22.30.) "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 Eternall 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 individuall 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 a 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 Immortality; that there shal be no Generation, and consequently no marriage, no more than there is Marriage, or generation among the Angels. The comparison between that Eternall life which Adam lost, and our Saviour by his Victory over death hath recovered; holdeth also in this, that as Adam lost Eternall Life by his sin, and yet lived after it for a time; so the faithful Christian hath recovered Eternal Life by Christs passion, though he die a natural death, and remaine 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.

Ascension Into Heaven

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 Kingdome of Heaven, is meant the Kingdome of the King that dwelleth in Heaven; and his Kingdome 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 mortall man for their King, after the manner of other Nations. And when our Saviour Christ, by the preaching of his Ministers, shall have perswaded the Jews to return, and called the Gentiles to his obedience, then shall there be a new Kingdome 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 happinesse any higher than Gods Footstool the Earth. On the contrary, we find written (Joh. 3.13.) 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 2.34.) where St. Peter, to prove the Ascension of Christ, using the words of the Psalmist, (Psal. 16.10.) "Thou wilt not leave my soule 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 generall 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 20.37,38.) who proving the Resurrection out

of the word of Moses, saith thus, "That the dead are raised, even Moses shewed, 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 Eternall Life upon the faithfull. And though at that time the Patriarchs and many other faithfull 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 sinnes, and ordained to Life eternall at the Resurrection. That the Soul of man is in its own nature Eternall, and a living Creature independent on the Body; or that any meer man is Immortal, otherwise than by the Resurrection in the last day, (except Enos and Elias,) is a doctrine not apparent in Scripture. The whole 14. Chapter of Job, which is the speech not of his friends, but of himselfe, 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 hee 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 boughes like a Plant. But man dyeth, and wasteth away, yea, man giveth up the Ghost, and where is he?" and (verse 12.) "man lyeth 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 generall Resurrection. For in his 2. Epistle, 3. Chapter, and 7. verse, 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 comming of God, wherein the Heavens shall be on fire, and shall be dissolved, and the Elements shall melt with fervent heat. Neverthelesse, we according to the promise look for new Heavens, and a new Earth, wherein dwelleth righteousnesse." 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 Soule and Life in the Scripture, do usually signifie the same thing) beginneth not in man, till the Resurrection, and day of Judgment; and hath for cause, not his specificall nature, and generation; but the Promise. For St. Peter saies not, "Wee 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 the 35. chapter of this book, that the Kingdom of God is a Civil Common-wealth, where God himself is Sovereign, by vertue 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 comming 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 doe 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 Countrey-men decided,) by which all sorts

of doctrine are to bee 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 Kingdome (of) God, have so great influence on the Kingdome of Man, as not to be determined, but by them, that under God have the Sovereign Power.

The Place After Judgment, Of Those Who Were Never In The Kingdome Of God, Or Having Been In, Are Cast Out

As the Kingdome of God, and Eternall Life, so also Gods 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 signifie Under Ground; which the Latines read generally Infernus, and Inferni, and the Greeks Hades; 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 onely by the company: as that it shall bee, 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 bottomelesse pit; because Corah, Dathan, and Abirom, were swallowed up alive into the earth. Not that the Writers of the Scripture would have us beleieve, 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 bottome; that is, a hole of infinite depth, such as the Greeks in their Daemonologie (that is to say, in their doctrine concerning Daemons,) and after them, the Romans called Tartarus; of which Virgill sayes,

Bis patet in præceps, tantem tendítque sub umbras,
Quantus ad æthereum c?li suspectus Olympum:

for that is a thing the proportion of Earth to Heaven cannot bear: but that wee should beleieve them there, indefinitely, where those men are, on whom God inflicted that Exemplary punnishment.

The Congregation Of Giants

Again, because those mighty men of the Earth, that lived in the time of Noah, before the floud, (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 generall deluge; the place of the Damned, is therefore also sometimes marked out, by the company of those deceased Giants; as Proverbs 21.16. "The man that wandreth out of the way of understanding,

shall remain in the congregation of the Giants," and Job 26.5. "Behold the Giants groan under water, and they that dwell with them." Here the place of the Damned, is under the water. And Isaiah 14.9. "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 literall,) is to be under water.

Lake Of Fire

Thirdly, because the Cities of Sodom, and Gomorrah, by the extraordinary wrath of God, were consumed for their wickednesse with Fire and Brimstone, and together with them the countrey about made a stinking bituminous Lake; the place of the Damned is sometimes expressed by Fire, and a Fiery Lake: as in the Apocalypse ch.21.8. "But the timorous, incredulous, and abominable, and Murderers, and Whoremongers, and Sorcerers, and Idolators, and all Lyars, 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 reall Fire of Sodome, signifieth not any certain kind, or place of Torment; but is to be taken indefinitely, for Destruction, as it is in the 20. Chapter, at the 14. verse; 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.

Utter Darknesse

Fourthly, from the Plague of Darknesse inflicted on the Egyptians, of which it is written (Exod. 10.23.) "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 Darknesse, or (as it is in the originall) Darknesse Without. And so it is expressed (Mat. 22.13.) where the King commandeth his Servants, "to bind hand and foot the man that had not on his Wedding garment, and to cast him out," Eis To Skotos To Exoteron, Externall Darknesse, or Darknesse Without: which though translated Utter Darknesse, does not signifie How Great, but Where that darknesse is to be; namely, Without The Habitation of Gods Elect.

Gehenna, And Tophet

Lastly, whereas there was a place neer 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 Josias had burnt the Priests of Moloch upon their own Altars, as appeareth at large in the 2 of Kings chap. 23. 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 purifie the aire, 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.

Of The Literall Sense Of The Scripture Concerning Hell

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, me thinks, very necessarily, that that which is thus said concerning Hell Fire, is spoken metaphorically; and that therefore there is a proper sense to bee enquired after, (for of all Metaphors there is some reall ground, that may be expressed in proper words) both of the Place of Hell, and the nature of Hellish Torment, and Tormenters.

Satan, Devill, Not Proper Names, But Appellatives

And first for the Tormenters, wee have their nature, and properties, exactly and properly delivered by the names of, The Enemy, or Satan; The Accuser, or Diabolus; The Destroyer, or Abbadon. Which significant names, Satan, Devill, Abbadon, set not forth to us any Individuall person, as proper names use to doe; but onely an office, or quality; and are therefore Appellatives; which ought not to have been left untranslated, as they are, in the Latine, and Modern Bibles; because thereby they seem to be the proper names of Daemons; and men are the more easily seduced to beleieve the doctrine of Devills; 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 Kingdome of God; therefore if the Kingdome of God after the Resurrection, bee upon the Earth, (as in the former Chapter I have shewn by Scripture it seems to be,) The Enemy, and his Kingdome must be on Earth also. For so also was it, in the time before the Jews had deposed God. For Gods Kingdome was in Palestine; and the Nations round about, were the Kingdomes of the Enemy; and consequently by Satan, is meant any Earthly Enemy of the Church.

Torments Of Hell

The Torments of Hell, are expressed sometimes, by "weeping, and gnashing of teeth," as Mat. 8.12. Sometimes, by "the worm of Conscience;" as Isa.66.24. and Mark 9.44, 46, 48; sometimes, by Fire, as in the place now quoted, "where the worm dyeth not, and the fire is not quenched," and many places beside: sometimes by "Shame, and contempt," as Dan. 12.2. "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 Eternall 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 actuall miseries; it followeth that they are to suffer such bodily paines, and calamities, as are incident to those, who not onely live under evill and cruell Governours, but have also for Enemy, the Eternall King of the Saints, God Almighty. And amongst these bodily paines, is to be reckoned also to every one of the wicked a second Death. For though the Scripture bee clear for an universall Resurrection; yet wee do not read, that to any of the Reprobate is promised an Eternall life. For whereas St. Paul (1 Cor. 15.42, 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 weaknesse, it is raised in power;" Glory and Power cannot be applyed to the bodies of the wicked: Nor can the name of Second Death, bee applyed to those that can never die but once: And although in Metaphoricall speech, a Calamitous life Everlasting, may bee 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 hee 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 for ever;) yet I find none that affirm there shall bee an Eternall Life therein of any individuall person; but on the contrary, an Everlasting Death, which is the Second Death: (Apoc. 20. 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 bee a Second Death of every one that shall bee condemned at the day of Judgement, after which hee shall die no more.

The Joyes Of Life Eternall, And Salvation The Same Thing, Salvation From Sin, And From Misery, All One

The joyes of Life Eternall, are in Scripture comprehended all under the name of SALVATION, or Being Saved. To be saved, is to be secured, either respectively, against speciall Evills, or absolutely against all Evill, comprehending Want, Sicknesse, and Death it self. And because man was created in a condition Immortall, not subject to corruption, and consequently to nothing that tendeth to the dissolution of his nature; and fell from that happinesse by the sin of Adam; it followeth, that to be Saved From Sin, is to be saved from all the Evill, and Calamities that Sinne hath brought upon us. And therefore in the Holy Scripture, Remission of Sinne, 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 Palsey, by saying, (Mat. 9.2.) "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 (v.5.) "whether it were easier to say, Thy Sinnes 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, onely to shew he had power to forgive Sins. And it is besides evident in reason, that since Death and Misery, were the punishments of Sin, the discharge of Sinne, must also be a discharge of Death and Misery; that is to say, Salvation absolute, such as the faithfull 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. 14.39. "as the Lord liveth that saveth Israel," that is, from their temporary enemies, and 2 Sam. 22.4. "Thou art my Saviour, thou savest me from violence;" and 2 Kings 13.5. "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.

The Place Of Eternall Salvation

But concerning the Generall Salvation, because it must be in the Kingdome of Heaven, there is great difficulty concerning the Place. On one side, by Kingdome (which is an estate ordained by men for their perpetuall 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 Battell; 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, 33. ver. 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 goe no Gally with oares; neither shall gallant ship passe 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 sicke; the people that shall dwell therein shall be forgiven their Iniquity."

In which words wee 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 mote of swift waters," &c. the condition of their Enemies, "their tacklings are loose, their masts weake, the lame shal take the spoil of them." The condition of the Saved, "The Inhabitants 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 Gods Kingdome; as is also more expressly declared by the same Prophet, Chap. 66.20, 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 charets, 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 vessell 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 Gods Kingdome (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 Gods worship; to whom he saith, John 4.22. that the Samaritans worshipped they know not what, but the Jews worship what they knew, "For Salvation is of the Jews (Ex Judais, that is, begins at the Jews): as if he should say, you worship God, but know not by whom he wil save you, as we doe, that know it shall be one of the tribe of Judah, a Jew, not a Samaritan. And therefore also the woman not impertinently answered him again, "We know the Messias shall come." So that which our saviour saith, "Salvation is from the Jews," is the same that Paul sayes (Rom. 1.16,17.) "The Gospel is the power of God to Salvation to every one that beleeveth; To the Jew first, and also to the Greek. For therein is the righteousnesse 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. 2.30,31.) that God would "shew wonders in heaven, and in earth, bloud, and fire, and pillars of smoak. The Sun should be turned to darknesse, and the Moon into bloud, before the great and terrible day of the Lord come," he addeth verse 32. "and it shall come to passe, 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 holinesse, and the house of Jacob shall possesse 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 Lords." All these places are for Salvation, and the Kingdome of God (after the day of Judgement) 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 Coelum Empyreum, or other aetheriall Region; saving that it is called the Kingdome 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, to reduce them to their obedience; and shall send him thence again, to rule both them, and all other faithfull men, from the day of Judgment, Everlastingly: or from that, that the Throne of this our Great King is in Heaven; whereas the Earth is but his Footstoole. But that the Subjects of God should have any place as high as his throne, or higher than his Footstoole, it seemeth not sutable 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. 2.5.) "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 generall Flood. Of the present World, our Saviour speaks (John 18.36.) "My Kingdome is not of this World." For he came onely to teach men the way of Salvation, and to renew the Kingdome of his Father, by his doctrine. Of the World to come, St. Peter speaks, (2 Pet. 3. 13.) "Neverthelesse 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 thence forth reign over them, (under his Father) Everlastingly.

Redemption

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 Ransome, 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 Ransome is to be paid before Salvation can be acquired, as God hath been pleased to require. By this Ransome, is not intended a satisfaction for Sin, equivalent to the Offence, which no sinner for himselfe, nor righteous man can ever be able to make for another; The dammage a man does to another, he may make amends for by restitution, or recompence, but sin cannot be taken away by recompence; for that were to make the liberty to sin, a thing vendible. But sins may bee 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 threatned. Even amongst men, though the promise of Good, bind the promiser; yet threats, that is to say, promises, of Evill, bind them not; much lesse shall they bind God, who is infinitely more mercifull then men. Our Saviour Christ therefore to Redeem us, did not in that sense satisfie for the Sins of men, as that his Death, of its own vertue, could make it unjust in God to punish sinners with Eternall 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 mean time should repent, and beleieve in him. And though this act of our Redemption, be not alwaies in Scripture called a Sacrifice, and Oblation, but sometimes a Price, yet by Price we are not to understand any thing, 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

Church The Lords House

The word Church, (Ecclesia) signifieth in the Books of Holy Scripture divers things. Sometimes (though not often) it is taken for Gods House, that is to say, for a Temple, wherein Christians assemble to perform holy duties publicuely; as, 1 Cor. 14. ver. 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 it self, to distinguish between the Temples of Christians, and Idolaters. The Temple of Jerusalem was Gods House, and the House of Prayer; and so is any Edifice dedicated by Christians to the worship of Christ, Christs House: and therefore the Greek Fathers call it Kuriake, The Lords House; and thence, in our language it came to be called Kyrke, and Church.

Ecclesia Properly What

Church (when not taken for a House) signifieth the same that Ecclesia signified in the Grecian Common-wealths; that is to say, a Congregation, or an Assembly of Citizens, called forth, to hear the Magistrate speak unto them; and which in the Common-wealth of Rome was called Concio, as he that spake was called Ecclesiastes, and Concionator. And when they were called forth by lawfull Authority, (Acts 19.39.) it was Ecclesia Legitima, a Lawfull Church, Ennomos Ecclesia. But when they were excited by tumultuous, and seditious clamor, then it was a confused Church, Ecclesia Sugkechumene.

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 (Act. 8.3.) where it is said, that "Saul made havock of the Church:" And in this sense is Christ said to be Head of the Church. And sometimes for a certain part of Christians, as (Col. 4.15.) "Salute the Church that is in his house." Sometimes also for the Elect onely; as (Ephes. 5.27.) "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, Mat. 18.17. where it is said, "Tell it to the Church, and if hee neglect to hear the Church, let him be to thee as a Gentile, or Publican."

In What Sense The Church Is One Person Church Defined

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 doe any other action whatsoever; For without authority from a lawfull 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 grosse, as of one body; much lesse that 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 Common-wealths, that Assembly, which is without warrant from the Civil Sovereign, is unlawful; that Church also, which is assembled in any Common-wealth, that hath forbidden them to assemble, is an unlawfull Assembly.

A Christian Common-wealth, And A Church All One

It followeth also, that there is on Earth, no such universall Church as all Christians are bound to obey; because there is no power on Earth, to which all other Common-wealths are subject: There are Christians, in

the Dominions of severall Princes and States; but every one of them is subject to that Common-wealth, whereof he is himself a member; and consequently, cannot be subject to the commands of any other Person. And therefore a Church, such as one as is capable to Command, to Judge, Absolve, Condemn, or do any other act, is the same thing with a Civil Common-wealth, consisting of Christian men; and is called a Civill State, for that the subjects of it are Men; and a Church, for that the subjects thereof are Christians. Temporall and Spirituall Government, are but two words brought into the world, to make men see double, and mistake their Lawfull Sovereign. It is true, that the bodies of the faithfull, after the Resurrection shall be not onely Spirituall, but Eternall; but in this life they are grosse, and corruptible. There is therefore no other Government in this life, neither of State, nor Religion, but Temporall; nor teaching of any doctrine, lawfull to any Subject, which the Governour 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 Common-wealth, 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 mans own brest, between the Christian, and the Man. The Doctors of the Church, are called Pastors; so also are Civill Soveraignes: But if Pastors be not subordinate one to another, so as that there may bee 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 shewn; namely, that it is the Civill Sovereign; And to whom the Scripture hath assigned that Office, we shall see in the Chapters following.

CHAPTER XL OF THE RIGHTS OF THE KINGDOME OF GOD, IN ABRAHAM, MOSES, HIGH PRIESTS, AND THE KINGS OF JUDAH

The Sovereign Rights Of Abraham

The Father of the Faithfull, and first in the Kingdome 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 onely such, as he could take notice of, (as Morall Laws,) by the light of Nature; but also such, as God should in speciall manner deliver to him by Dreams and Visions. For as to the Morall law, they were already obliged, and needed not have been contracted withall, by promise of the Land of Canaan. Nor was there any Contract, that could adde 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 Commandement 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.

Abraham Had The Sole Power Of Ordering The Religion Of His Own People

In this Contract of God with Abraham, wee may observe three points of important consequence in the government of Gods people. First, that at the making of this Covenant, God spake onely to Abraham; and therefore contracted not with any of his family, or seed, otherwise then 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 lawfull power, to make them perform all that he covenanted for them. According whereunto (Gen 18.18, 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 houshold 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

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