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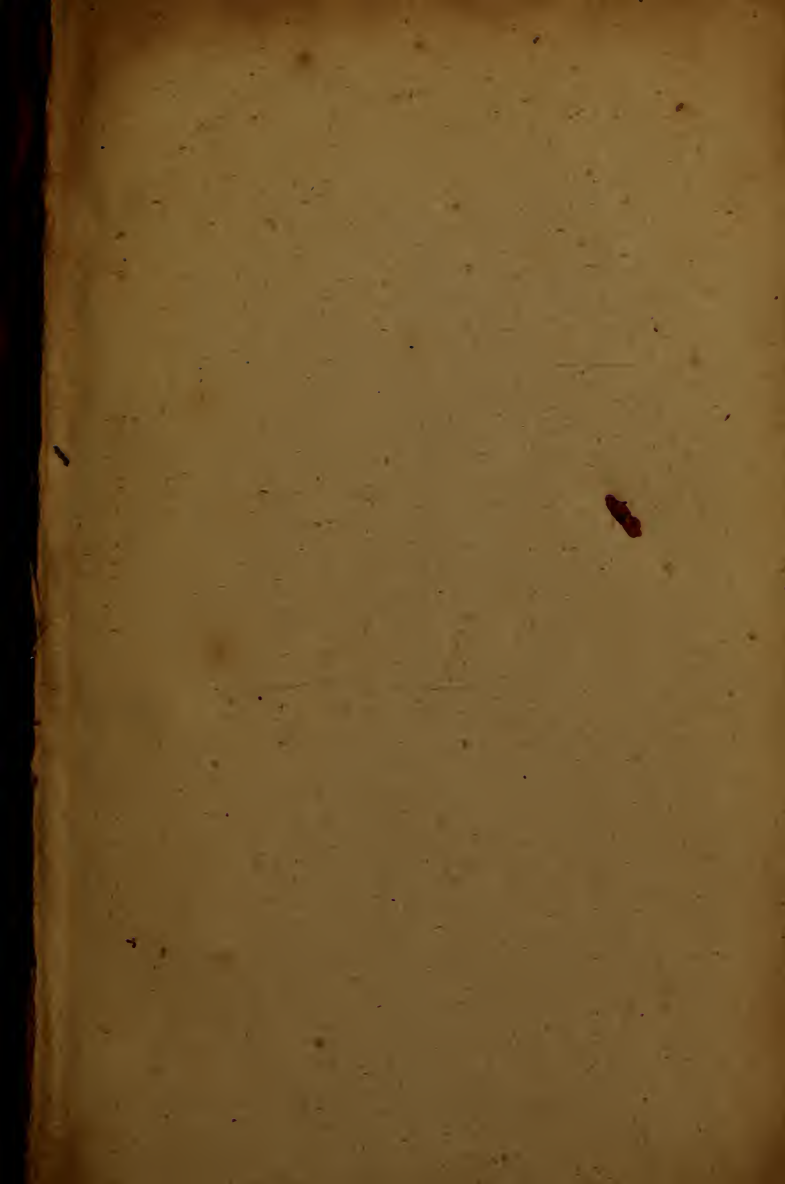
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Baxter's Holy Commonw.

Baxter's Holy Communion

A HOLY Commonwealth,

O R
Political Aphorisms,

Opening
The true Principles of Government :

F O R
The Healing of the *Mistakes*, and Resolving the
Doubts, that most endanger and trouble
E N G L A N D at this time: (if
yet there may be hope.)

And directing the Desires of sober Christians that
long to see the Kingdoms of this world, be-
come the Kingdoms of the Lord, and of his Christ.

Written by *Richard Baxter* at the invitation
of *James Harrington* Esquire.

With a Preface to them that have caused
our Eclipses since 1646.

And a Sounder Answer to the Healing Question:
And the *Jesuites* Method for restoring *Poperie*.

London, Printed for *Thomas Underhill* and *Francis
Tyton*, and are to be sold at the Sign of the *An-
chor and Bible* in *Pauls Churchyard*, and at
the *Three Daggers* in *Fleetstreet*, 1659. P

A HOLY
Commonwealth

Political Apologies

1847



To all those in the Army or
elsewhere, that have caused
our many and great E-
clipses since 1646.

Gentlemen,



Being summoned by Mr *James Harrington* Esquire, to give an account of my Political Principles, I found none at the Publication, so meet to receive it as your selves. Your practices assure me, that between *Your* Judgments and Consciences, and *Mine*, there is no little difference. And I think it not meet to differ in points, which our souls, and the Churches Peace depend on, without giving you the reasons of my Dissent. Some I understand are

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much offended, that I vindicate the honour of Providence, and the Protestant Religion, against the accusations of the Papists, by which they have made it odious abroad. But I am still of the Opinion, that the Honour of God, and the Gospel should be dearer to us, than the honour of those that sin against them: (and is so to every upright heart:) and that the truth of Events may be recorded, and History should be impartial, and Providence on both sides have its due. They that have not read such Books, as [*The Scottish and English Presbytery discovered by a (pretended) French Divine, The Image of both Churches*] and other Revilers and Slanders of the Church, and that know not the infamy that's cast on our names through most of the Christian world, are no fit Censurers of my words. While my hand may write I will never betray the Cause of Christ to Papists or Infidels, for fear of the displeasure of any that are culpable. And if I have thought that corruption tainted any of the Army, they thought so too that surprized them at *Burford*, that prosecuted *Thompson* and his Adherents, that shot some to death, imprisoned others, cashiered more (to pass by the rest.) Repentance doth not justify sins, but confess and forsake it: Nor doth it hate the Reprover, but rather the Tempter, and the Flatterer, and cometh with love and submission

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submission to the light, which the impenitent evil doers hate, *Joh. 3. 20, 21.*

I desire you to believe, that it is not from a time-serving spirit, nor want of love to your immortal souls, or of faithfulness to my dearest ancient Friends, nor of deep compassion on the Land of my Nativity, that I meddle not here with reproof or Aggravation of your sin. But it is,

1. Because that Doctrine must go before Application : It's meet that the Light be first set up, which by its manifesting efficacy may bring sincere ingenious minds to self-reprehension, and freely to say more against themselves, then before they could endure to hear from others. And till this Light have discovered sinne, and humbled the soul, I find the most compassionate Reproofs do but exasperate, and seem reproaches ; and all men are thought to hate the person that hate the sinne : Innocency and Penitence are much more patient, than guilt and impenitency are.

2. Because I find that self-conviction worketh in you, and hath brought you already to more confessions than Volumes of Arguments from me, were ever like to have procured. And when Nature hopefully begins a Cure, it must not be disturbed by violent Medicines. You have already discerned and confessed,

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that you contributed by your wanderings into unrighteous paths, to our discomposed State ! and that a special presence of God was with that Parliament, which you then pull'd down, or forced out. The Officers of the Army in Scotland confess (as the Publick Intelligencer tells us, May 16.) That [*Almost all the Assertors of a glorious Cause had manifestly declined it, by a defection of many years :*] Adding, [*We cannot but acknowledg to our exceeding great sorrow and shame, that our selves, though we hope most of us through weakness and frailty, not out of design, have very much contributed to those provocations, which have caused God to depart from our Israel: and we could heartily wish, that even among those that help to make up your own number, there had not been an helping hand to this sad and deplorable work :*] And therefore they beseech God [*To heal the backslidings of his people, and not to charge unto their account in this his day of their deliverance, their miscarriages while they were wandering in dark and slippery places, after the imaginations of their own hearts.*] Penitent Confessions will be some reparation of your honour. This much from another, in any of those many years, that you lived in the sinne, would by some have been called a second *Gangrena*, and a *Scandalum magnatum* : It is
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but lately that it was proclaimed Treason, to say, that [*This Parliament is in being*] A man might have been hang'd then, for saying that which is now publickly Declared. And if you be indeed sincerely penitent, we are not only in Hope, but past all doubt, that God who hath shewed you the sinne of forcing out the last hundred and twenty Members, will shew you also the sinne of the Imprisoning and Secluding above an hundred and fourty at once, long before. Some of them I am acquainted with, and have reason to judg them to be men so eminently wise and holy, as to be unlikely to be the betrayers of the Commonwealth. The keeping out also these men since; the calling of the nominal Little Parliament, the Fabrication of an Instrument of Laws without a Parliament, and many other actions of these times, we doubt not but you will ere long repent of: Finding you in so fair a beginning, I shall not disturb or exasperate you now, by the aggravating, or so much as describing of your sinnes, or giving them the Names which the Laws of God and man do give them. Only may I be bold to intreat you, impartially and often to read over *Rom. 13. 1 Pet. 2. 13, 14, 15, 16, 17. Numb. 16. 2 Pet. 2. Luke 12. 13, 14. Matth. 17. 24, 25, 27. 2 Tim. 3.* and beg of God to help you to understand them; and fall not
out

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out with God and his holy Word.

And give me leave to lay one Argument before you, which may save you from all temptations to Impenitency, if from the (real or supposed) faults of Governours, or their difference of Judgment from you, you should ever be tempted to justify your sin.

To resist or depose the *Best Governours* in all the world that have the Supremacy, is forbidden to Subjects on pain of damnation. But the Best Governours in all the world that have the Supremacy, have been resisted or deposed in *England*: I mean, 1. Them that you called the *Corrupt Majority*, or an hundred forty and three imprisoned and seclused Members of the long Parliament, who as the Majority had, you know what Power: and the remaining Members, that now sit again (so many of them as are living.) 2. The Powers that were last laid by. I should with great rejoycing give a thousand thanks to that man, that will acquaint me of one Nation upon all the Earth, that hath Better Governours in Sovereign Power (as to Wisdome and Holiness conjunct) than those that have been resisted or deposed in *England*. Now if it were never so clearly proved, that Subjects may resist and depose bad Sovereigns (of which you have my judgement afterward at large ; yet the *Best* must be obeyed and excepted

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pted for Violation, or else none at all must be obeyed and excepted: (which is an opinion inconsistent with humane Societies, as well as with Christianity.) If a Heathen persecuting *Nero* must be obeyed, not only for wrath, but for Conscience sake, and that as a Minister (or Officer) of God, then certainly the Best on Earth must be obeyed, what ever faults you can charge upon them. If any understand not the truth of the Minor, let them first consider the men resisted, their parts, and principles, and practices, and then consider their Laws and publick endeavours to attain the principal ends of Government, and then enquire into the state of the best govern'd Nations in the world, and tell me whether *England* under their Government, were not like to have been more happy, than any one of all the Nations. If this convince not, (and dark eyes perceive not an Eclipse) stay till the effects of the late Eclipse do prove it in another manner.

Object. *But the best Governours may destroy the Commonwealth by a particular Act, and therein may be resisted.*

Ans^w. They cannot be called the Best Governours that would destroy the Commonwealth. Would they have made it more unhappy than the *Romane* Empire under *Nero*? Or than the best Nation known this day on Earth?

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Earth? Every probable or possible danger, or every certain hurt or loss, is not the destruction of the Commonwealth. Nor are all things destructive to the Commonwealth that are judged so by dissenting Subjects. Either the Treachery and Destruction was controvertible or Notorious and past Controversie. If controvertible, the Trustees of the Nation, and not a party of Subjects are the Judges. If Notorious, why is it not discerned by all others, or by the most? Not only I, but twenty for one (as I have reason to believe) throughout the Nation, of men truly fearing God, are of another mind. Subjects are not allowed to resist, when ever they are confident that Rulers would destroy the Commonwealth? much less when they would but cross them in their opinions, or hurt them in their personal Interests; And least of all may they depose their Rulers.

O *England!* Hast thou forgot the *Marian* dayes! Hast thou no compassionate thoughts of the Nations of the Earth? Among whom the Power of Godliness is so rare? Shall the best of Governours, the greatest of Mercies, seem intollerable? Oh how happy would the best of the Nations under Heaven be, if they had the Rulers that our Ingratitude hath cast off?

Forbearing therefore such Reproofs as I imagine you cannot bear, will you bear with me,
while

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while I presume to *wish* for these *few things*, for the prevention of much worse to us and you:
1. I wish you may be tender of your Bretherens Consciences, and while Oaths or Engagements are doubtful to them in these unsettled times, that they may not become snares, either to our Magistrates, Ministers or People: Let not men too hastily be forced to engage to a Power that about a Moneth ago, it would have been judged Treason to acknowledg! Ungodly men of seared Consciences, will engage to any thing for their worldly ends! If you would not take in those into your trust, and shut out them that fear an Oath, or the violating of a Promise, then be not too forward with such Impositions. You know what Changes of the Government we have lately seen, since things were taken into your hands: such as I never read of before. Our old Constitution was King, Lords and Commons, which we were sworn, and sworn, and sworn again to be faithfull to, and to defend: The King withdrawing, the Lords and Commons ruled alone, though they attempted not the change of the *Species* of Government. Next this we had the *Minor* part of the House of Commons in the exercise of Sovereign Power, the corrupt *Majority*, as you called them, being cast out: and by them we had the Government changed, Regality and a House of Lords being cast off. Next this we had

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had nothing visible, but a Generall and an Army. Next this we had all the whole *Constitution* and *Liberties* of the Commonwealth at once subverted: Certain men being called by the name of a Parliament, and the Sovereign Power pretended to be given them, and exercised by them, that never were chosen by the People, but by we know not whom (such a fact as I never heard or read that any King in *England* was guilty of, since Parliaments were known.) Next this, we had a Protector governing according to an Instrument, made by God knows who. After this we had a Protector Governing according to the Humble Petition and advice: (and sworn to both.) And now we are wheel'd about again. And would you have had all the Nation sworn or engaged to all these various forms, and that so suddenly, before they can feel well where they stand? Should you have desired us all to engage to that which you now disclaim your selves, and to have followed you so farre in that which you now Repent of as your sinne? The case is weighty! Incomperably beyond the Estates or Lives of particular men. Should we change so rashly, and continue in it six years impenitently, and then come off again, and say, *We followed the Imaginations of our own hearts*, what would you judge of us for our sinne, and for our lying
in

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in it so long? And what a *miserable Nation* would so *guilty a Nation* be? Verily if you believe that there is such a thing as Godliness and Conscience in us, you cannot expect in such quick and frequent turns as these, that all that love their souls should follow you. Especially when you are publishing your long mistakes; which should make you fearfull of forcing us to follow you again, and us to be your hasty followers. They that have been deceived, and so deceived, and so deceived, and so confident in it, and so angry with them that told them of it, may be deceived again for ought we know. Should we be called to as frequent Engagements as you have made mutations in the Government, were it not the way to banish conscience out of the Land, and to teach men to swallow any thing that is offered, and to sinne till they believe that nothing is a sinne?

And consider how Ministers especially are dealt with. The Pamphlets that flatter you tell the world, that the Ministers no doubt will follow you any whether, and will alwaies be on the stronger side: yet others, (if not the same) proclaim, that we are seditious, turbulent, and unworthy of Protection, because we do in some things dissent. And thus they have laid such a snare for our reputations with you

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you, that no man living can avoid. For we must assent or dissent, obey or disobey. If we follow you, we are called, base temporizers that love our bellys and Benefices better than our consciences. If we do not, we are called seditious, turbulent, Traytours, and what such tongues shall please. And this by men that heve seemed Religious, and forget what pathes themselves have trod. But man is not our finall Judge: We wait for his appearance that will pass the finall judicious sentence upon them and us.

Much less should it ever enter into your thoughts to require others, to *justifie your former actions*. While you are bewailing part your selves, enforce not others to justifie the rest. Even where Christianity is unknown, such a thing would be abhorred. Every man hath a soul to save or lose; and a conscience of his own, which will accuse him, for his own transgressions, and not for other mens. If your Works have been good, the Reward will be your own; and if you force men to own them, it will not procure them your Reward: If they do prove evill, why should the Nation, or any one that did not commit them, be drawn into the guilt! If you have saved a mans life, or saved the Nation, and I had no hand in it, would you not bear with my unhappy folly, if
I glory

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I glory that I had no hand in it, and say, It was no deed of mine? If you had destroyed a mans life, what reason had I or another to subscribe to it? Our Justification of your actions, is no Justification at the Barre of God, or of any well-informed conscience. Take heed of such Impositions, that more cruelly invade the Liberty of mens consciences than sober Turks or Heathens do attempt. What consciences would you bring before the Lord, and what Names would you leave to all Generations, if you should do such things as these, that have gone so farre, and ventured more than many lives, for Liberty of conscience? You know that honest men will not go against their consciences, what ever it cost them, when others will: And therefore unnecessary Engagements will strengthen the unconscionable, and engage you in a persecution of the best, and who will have the worst of that at last? Our quietnesse under the Lord Protector is much to be ascribed to his prudent shunning such engagements. The world is not so simple, but they can see what is aimed at, when unnecessary snares are laid before us. And no Army is so strong, or sure, but that an Army of the Prayers of persecuted Innocents may overcome them.

2. My second wish, is, That whatever be

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our difference in smaller things, you would prove true to the Interest of Christ in the Main, and not be ensnared by the masked Infidels or Papists of these times, to side with them against your Brethren, that are nearer to you. Do good if you would be esteemed good. He knoweth not Christianity, that doth not know, that the Interest of Christ doth much consist in the HOLINESSE and CONCORD of his Servants: and therefore in a HOLY and CONCORDANT MINISTRY: And in the restraint of the seducing enemies of Christ. If we see once the Doctrines of *Infidelity* and *Popery* propogated (under what Name we do not much regard,) and the able, holy, concordant Ministry, begin to be undetermined, we shall soon know what you mean by it, and what it is that you are about. And if Gods Elect shall be put to cry to him night and day, will he not avenge them though he long delay? I tell you he *will avenge them speedily*, Luk. 18.6,7.

3. My third wish is but that our Parliaments may be Holy, and this ascertained from Generation to Generation, by such a necessary Regulation of Elections, as I have after here at large described: that all those that by wickedness have forfeited their Liberties, may neither *choose* nor be *chosen*: but yet no Faction exalt

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exalt themselves, and oppress their Brethren on this pretence: that so both *Promiscuous* and *Partial* Elections may be avoided, and we may become a Holy Nation, and a Kingdom of the Lord and of his Christ. And that none of the chosen Trustees of the People, may be deprived of their freedom at their entrance, by unnecessary Engagements; but if they find it needfull to the Nations good to restore a Regulated-well-limited Prince, they may be as free as those of the contrary opinion.

If Honesty and Godliness be the things you aim at, you will find my Principles suited to your ends: And as I like not the Democratick formes, so am I not fond of any other, above the rest. That a succession of wise and godly men may be secured to the Nation in the Highest Power, is that which I have directed you the surest way to, in this Book, which if you will read, perhaps you may see the error of those Principles, which have led you into Errours of Practice. I wrote it purposely for the use of the multitude of well-meaning People, that are tempted in these times to usurpe Authority, and meddle with Government before they have any call from God, or tollerable understanding of its Principles. I never intended it for learned men that are great in Politicks; but for such as will be Practitioners

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before

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before they have been Students. An impartial reading I think may satisfy you, that neither the *People as such*, nor the *Godly as such*, are the *Original* of Authority, but that it must come from the Universal Sovereign; and I have shewed you the stream of its derivation.

I had thought here to have added some more Arguments against the *Peoples* being the *Original* of *Power*. As 1. Governing Power must be exercised in the Name of God: Magistrates are his Officers. But the People have no such celestial Power as to grant Commissions in the Name of God. They may *choose* or *nominate* the *Person*, but *give not* the *Power*. Our Charter enbleth the Burgeses to choose their Bayliff: but he is ridiculously ignorant, that will hence conclude, that the people or Burgeses are the Original, of his Power; or that know not that they never had it, but that it flows immediately from the Charter as the Instrument of the Sovereign who is the Giver of it. So whether Princes, Lords or Parliaments be Sovereigns, the People may choose or nominate the Persons, but the Charter of the universal King (in the Law of Nature or Scripture) is the immediate Instrument of the Authority, as being the act of that will of God which doth convey it.

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2. If the People be naturally the Subject or Original of Sovereign Authority, then they must or may exercise that Authority themselves without Electing others to do it: But the consequent is false: the people may not exercise it (ordinarily) themselves. For every man knows that it is monstrous confusion, and morally impossible. How can the people of *France, Spain, Hungary, Brittain*, much lesse of the Turkish Empire, all leave their Houses and Employments, and meet together to make Laws, where the Assemblies may consist of so many millions as cannot possibly consult. He seems distracted that is for such distracted Government.

If you Object, *That the Romane People did personally Resolve, and so did Exercise their Sovereign Power?*

I answer: No plainer Instance can be given to disprove your Doctrine. The Romane Citizens were a small Portion of the People of the Romane Empire. Did all the People of the Empire ever meet to Resolve on Laws? Or dare you say that *Naturally* the Inhabitants or Citizens of *Rome* alone were born the Original of Power, and Governours of the rest of the world? What difference between *their Natural Right*, and other mens?

And that the consequence is valid, (that the

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People may exercise the Power themselves if they have it) is evident from the true nature of this Power. For it is an *Office Power* under God, and consisteth essentially in two parts: 1. An *Obligation* to Govern, making it a Duty. 2. A *Right to Govern*, warranting the Performance. Now he that is *Obliged* to Govern, sinneth if he do not; and he that hath a *Right to Govern*, may justly himself Govern. I confesse, in many other cases, a man may have a thing to *Give*, which he hath not to *Use*: But it cannot be so here, because the very nature of the thing is referred immediately to *Use*. *Governing* is the *Use* of the *Power*: and the *Power* in question is a *Power to Govern*; and not only to choose a Governour; for that we are agreed of: and I will not suppose the Reader so ignorant, as not to see a difference between a *Power to Rule*, and a *Power to Choose Rulers*. (Popular Church Government is also concerned in the decision.) —

3. If the people are naturally the Sovereign *Power*, then it is either *All* or *Part*: But neither *All*, nor *Part*, therefore. 1. It cannot be *All* conjunctly: because where all Govern, none are Governed; and so there being no Subjects, there can be no Sovereign: Nor can any be punished against his will, because the Malefactor is One of the All. Nor was ever such
a thing

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a thing yet existent in the world, as a Government exercised by All the People: it is a contradiction. If you say, It shall be exercised by a *Part*, then it is not the *People*, but *only* that *Part of the People*, that have the Power: It is plain, therefore that it is not *Naturally* in the *People as such*; for the *Nature* of that *Part* that Governeth is the same with the rest. Either the *Governing Part* is *statedly* determinate, or only *temporarily*. If *statedly* determinate, (as is a Senate, a Parliament, Lords, &c.) this is but a *Part* elected by the People; and as *Electing* a Governour, is not *Governing*; so a Power of Electing is not a Power of Governing. If the Ruling *Part* be *temporarily* determinate, (as is a Major Vote of the People themselves) this also must come but from the Election of the People: for by Nature an hundred and one are not the Governours of Ninety nine: or if they were, that would prove it but in *Part* of the People. Whoever therefore the People choose, whether King, Lords, Senates, Parliaments, or their own Major Part, it is but a *Power of choosing the Persons* that they have, and not a *Power of Governing*.

But the late Transactions satisfy me, that you are far from believing the Power to be in the People; I would their part without violation might have rested in them whom the People

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Chose. But when I remember and look about me upon the present face of things, I am not in much fear of *Popular Power*, or *Liberty either*, for full and free Elections. Though the name do ring so much in my ears, and Mr. *Harrington* may think his work begun, I never lesse feared a free Commonwealth.

But there are two other Opinions, that have as much need of Confutation. *One is, Whether the strength and Authority be not the same, and that strongest have not Right to Govern?* But the Brutishnesse of the Affirmative I have after manifested. Then it would follow that a Thief or Pirate wants nothing but strength to justifie his actions, even before God. And that the Army is to Command the Generall, and the Common Souldiers must rule their Collo-nels and Captains because they are the stronger, and can master them if they will: And that no People are to be Ruled by ther Prince or Parliament, because they are the stronger. And that the Servants must command their Masters (if he have not an assistant strength,) and the Children when grown up must Rule the Aged Parents, &c. But wee'll leave this Authority which consists in strength to ravenous Beasts, and rapacious Birds, and to Tyrants, and Rebels against the Lord and all just Power.

The last *Doubt* with some is, *Whether Godli-
nesse*

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nesse be not Authority, and the Saints the Rightfull Rulers of the World? This also I have after Answered. 1. If all Saints be Governours, then all the Subjects must be wicked; and then all Commonwealths must be wicked. 2. Every soul is commanded to be subject to the Highest Powers; even the *Godly* to the *Heathen*; and that not only for fear of wrath, but for Conscience sake, because they are Ministers, that is Officers of God. 3. *The Godly* must *excell* all others in Obedience; and be so far from aspiring after Government, that they must take it for their greatnesse to be the Servants of all; and must sit down at the lower end, and be humble and not exalt themselves, but imitate Christ in lowliness and meekness, that in his state of humiliation, saith, his *Kingdom was not of this world*, and asketh, *who made him a Judge, or divider of Inheritances?* and himself paid Tribute Money to Heathen Governours. Godlinesse doth doubly dispose and oblige us to obey: And the Godly must eminently excell all others in their Obedience. Even the *chosen Generation*, the *Royal Priesthood*, the *holy Nation*, the *peculiar People* are commanded to submit themselves to every Ordinance of Man for the Lords sake, whether it be to the King as Supream, or unto Governours, as unto them that are sent by him for the punishment of evil doers, and for the praise

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praise of them that do well : For so is the will of God, that with well doing, we may put to silence the ignorance of foolish men. Servants must be subject to their Masters with all fear, not only to the good and gentle, but to the froward, 1 Pet. 2. 9, 13, 14, 15, 18. see more in Eph. 6. 1, to 9, &c. Col. 3. 22, to the end, &c. 2 Pet. 2. and Epistle of Jude, &c. To allow men to Rebel or resist Authority, because they are Godly (though their Rulers be ungodly) is to allow them to be *ungodly* or disobedient to God, because they are Godly : A palpable contradiction.

The predictions of the Power of the Saints do warrant none to usurpe a Power : no more then the prediction that the Kings of the Earth shall give up their Power to the Beasts, doth warrant them to do it. Predictions make not Duty, but Precepts; and Promises will not serve instead of Commissions or Donations, nor allow us to seize on the thing promised, before it's given to us. Nor doth the prediction or promise it self intend that Godliness shall be any mans Title to Government. For then (still) the Subjects must be all ungodly. Pride and not Godliness breeds the Vermine of such impious conceits, through the power of temptation by the Prince of Pride, and the Sun shine of Victory and prosperity, requiting God with Evil for Good. Object.

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Object. *But at least if strength and Godlinesse meet (and these encouraged by notable Providence giving success) do they not warrant the godly to defend their Liberties , though not to Govern ?*

Ans^r. So far to defend them, as other men may do : (that is, in the Cases mentioned near the end of this Book) but they are not disobliged from as much Obedience to the higher Powers, as is due from any others. They that Resist shall receive to themselves damnation. Much more they that pull them down.

Object. *But did not you Resist the King ?*

Ans^r. Prove that the *King was the Highest Power*, in the time of *Divisions*, and that he *had Power to make that Warre*, which he made, and I will offer my Head to Justice as a Rebel.

But yet though Godlinesse give men no Authority, yet as *Freemen*, we have a certain *Liberty*; and *Wickednesse* may *forfeit this Liberty*; and therefore I shall thus far close with you, that the Church and Commonwealth should be very near commensurate, and that proved ungodly persons should neither Choose nor be Chosen. Reduce elections to the faithfull, honest, upright men, and settle an impartiall way for the triall of them, and we all agree with you, and professe it to be the only, only, only way to
our

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our certain and perpetuated peace and happiness. And I must testifie, that I have reason to believe that it was the desire of the Late Dissolved Parliament to have accomplished this: and that it was their full intent not to exclude *Independants*, *Anabaptists*, or any truly Godly men of sober lives, from the enjoyment of their Liberties.

But if now it be in the hearts of any to set up a party (or all the shreds of the Dividers conjoyned) instead of all that fear the Lord, and to cry up themselves as the Godly Party, and subdue their Brethren, and captivate those that are better then themselves. Let them expect a *Munster* issue, and the Church expect a *New-England* Vindication. Dividing partiality will but shew your want of Charity, that is, of Sanctity. And if Saints that are no Saints, to procure Liberty of Conscience for them that have no Conscience, will go about to subjugate the Saints indeed, and the best informed, tenderest, Consciences, and take in the Loose, whose Consciences can swallow any Engagements, and turn with the times, the Lord will be the avenger, and will come in a day, when such wicked Servants little expect him, and will hew them in pieces, and give them their portion with Hypocrites, where there is weeping and gnashing of teeth. And we can as easily bear their

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Persecutions now, as they can bear the fire of Hell for ever. Their indignation against me as *Censorious*, will not free them from those Flames.

For my part, you may see the worst that I designed by this Book; which was written while the Lord Protector (prudently, piously, faithfully, to his immortall Honour, how ill forever you have used him) did exercise the Government: And for ought I know it was almost all Printed, before the Eclipse (only the Epistles, and the concluding Meditation, were written since.) And I have *forborn to change any one* word of it all, that you may see the worst of my Intendments, and that true Principles will stand in all times and changes, though to the shame of those changes that make bad times.

If you are now offended with my plain former or present expressions, beware lest it manifest your impenitency. I am as able to say that it proceeds from Love, as I am that I have Love within me. And remember how far I have gone with you in the War; and by that and my *dearest Love to some of you*, am more obliged to speak then many others, lest I be guilty of your sin. Shall an Arch-Bishop *Grindall* speak so plainly to Queen *Elizabeth*, (when she would have diminished the number of Preachers,)

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ers,) and an Arch-Bishop G. Abbot deal so plainly with K. James about the Spanish match, as to tell him expressly that [*he laboured to set up that most damnable and Heretical Doctrine of the Church of Rome, the Whore of Babylon*] and what would follow : and then bid him [*And now Sir do with me what you please.*] (See Prin's *Introduct.* p. 40.) and shall I be afraid of man whose breath is in his Nostrils ? yea of my old most intimate Friends ? and so afraid as to be unfaithfull ? I were then the most unexcusable wretch alive.

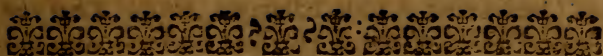
Hear the Word of the Lord and prove not disobedient : [*The Lord will judge you every one according to his waies. Repent and turn your selves from all your transgressions ; so iniquity shall not be your ruine, Ezek. 18. 30. [Turn ye to the Lord with all your hearts, with fasting, weeping, and with mourning : who knows if he will return and repent, and leave a blessing, &c.]*] Job 12, 14. *If God have special mercy for you, he [will cause you to passe under the rod, and will bring you into the bond of the Covenant ; and will purge out from among you the Rebels, and them that transgress against him,]* Ezek. 20. 37, 38. *Be not [of those that rebell against the light that knows not the waies thereof, and abide not in the pathes thereof,]* Job 24. 13. [*Wash you, make you clean, &c. If ye be willing and obedient,*

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dient, ye shall eat the good of the Land: but if ye refuse and rebell, ye shall be devoured with the Sword, Isa. 1. 16, 19, 20. Jer. 42. 18, 20. [Righteousness exalteth a Nation, but sin is a reproach to any people,] Prov. 14. 34. Ye know not what spirit ye are of, Luk. 9. 55. The wrath of man worketh not the righteousness of God, Jam. 1. 20. If ye have bitter envying and strife in your hearts, glory not, and lie not against the truth, this wisdom descendeth not from above, but is earthly, sensually and devilish. For where envying and strife is, there is Confusion, and every evil work. But the wisdom that is from above, is first pure, then peaceable, gentle, and easy to be entreated, full of mercy and good fruits, without partiality, and without HYPOCRISIE; and the fruit of Righteousness is sown in peace of them that make peace, Jam. 2. 14, 18. Thus saith the Lord the holy one of Israel, In returning and rest shall ye be saved; in quietness and confidence shall be your strength; and ye would not, Isa. 30. 15. While they promise you Liberty, themselves are the Servants of Corruption: For of whom a man is overcome, of the same is he brought in bondage, 2 Pet. 2. 19. Therefore now amend your waies and your doings, and obey the voice of the Lord your God, and the Lord will repent him of the evil that he hath pronounced against you. As for me, behold I am

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in your hand, do with me as seemeth good and meet unto you, Jer. 26. 13, 14. I beseech you patiently read over the Representation or Letter of the London Ministers, to the Lord Generall, Jan. 18. 1648. and their Vindication; and Mr. Nathaniel Ward's Petition of the Associated Counties, and his Religious Retreat founded to a Religious Army.



*An Addition to the Preface, being a Discussion
of the Answer to the Healing Question.*

BEcause it is a matter of so great moment, that you pass not in impenitency to the Barre of God, (where you must all speedily appear) and that the many Thousands of this Nation, that never were actually guilty, may not make your sinnes (sinnes of such a dreadfull nature) to become their own by approbation; I thought it my duty to manifest the fallacy of all those Arguments, which I judged might most probably deceive you. And therefore supposing that thence you are likely to fetch matter of encouragement, I shall briefly discuss the wounding *Answer* to the *Healing Question*, so far as may concern your Consciences.

1. He placeth the Cause in two things; 1. p. 3, 4. *To have and enjoy the Freedom (by way of dutifull compliance and condescension from all the parts and members of this society,) to set up meet persons in the place of Supream Judicature, and authority amongst them.* 2. p. 5, 6. *Freedom in matters of Religion, or that concern the service and worship of God.*

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The former is thus enlarged, p.10. *That the body of the good people in their military capacity and posture, are most properly Sovereign, and possesse their right of naturall Sovereignty.*] And p.11. *[Becoming one Civill or Politick Incorporation with the whole Party of honest Men, they do therein keep the Sovereignty, as Originally seated in themselves, and part with it only as by way of Deputation, and Representation of themselves, &c.]*

The second (*Religious Liberty,*) is (p.5,6, 7.) said to be that *[which the Nations of the world have right and title to by the purchase of Christs blood, who by virtue of his Death and Resurrection, is become the sole Lord and Ruler in and over the Conscience, &c. And that every one might give an account of himself in all matters of Gods Worship unto God and Christ alone, as their own Master unto whom they stand or fall in Judgment, and are not in these things to be oppressed, or brought before the judgment Seats of Men. For why shouldst thou set at naught thy Brother in the matters of his Faith and Conscience. and herein intrude into the proper Office of Christ, &c. By virtue of this Supream Law Sealed and Confirmed in the Blood of Christ to all Men, it is, that all Magistrates are to fear and forbear intermeddling with giving Rule or interposing in those matters.--- He is to be a Minister of Terror*

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and Revenge to those that do evil in matters of outward practice, converse, and dealings in the things of this life between man and man, for the cause whereof the Judicatures of men are appointed and set up. To exceed these limits is not safe, &c.] And p. 7. he would have) this restraint laid on the Supream Power, before it be erected, as a Fundamentall Constitution among others, &c. and that it be acknowledged the Voluntary act of the Ruling Power, when once brought into a capacity of acting Legislatively, that herein they are bound up, and judge it their duty so to be, both in reference to God, the Institutour of Magistracy, and in reference to the whole body, &c.] So much of the Cause.

2. The Persons that he supposeth have this Sovereign Power, are sometimes said to be [the Nations of the world] and [all men whose souls Christ challenges a propriety in, to bring under his inward Rule in the service and worship of God,] &c. And the ground of it is made to be Nature it self, sometimes it is [The whole party of Honest Men adhearing to this Cause, p. 3. [And their right is double, 1. Naturall, 2. By the success of their Armes, this is restored:] [They have added to the naturall right which was in them before, the right of Conquest, p. 2. sometimes it is, the whole body of the People, that the right and freedom was, and is due to, p. 4.] sometimes

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[the actions proceeding from hearts sincerely affected to the Cause, created in them a right, to be of an Incorporation and Society by themselves, under the name, of the Good Party.---These in Order to the maintaining of this Cause have stood by the Army, in defence and support thereof, against all opposition whatever, as those that by the growing light of these times, have been taught and led forth in their experiences, to look above and beyond the Letter, form, and outward circumstances of Government, into the inward reason and spirit thereof, herein only to fix and terminate, &c.] p. 9.

It is [the whole Body of the adherents to this Cause,] that in the several parts of the Nations, that must choose a General Council or Convention of Faithfull Honest and discerning Men, p. 20.]

3. Lastly, The capacities wherein the persons then qualified have acted, have been very variable. --- And very seldom, if ever at all so exactly, and in all points consonant to the Rule of former Laws and Constitutions of Government, as to be clearly and fully justified by them, any longer than the Law of Successse and Conquest did uphold them, who had the inward warrant of Justice and Righteousnesse, to encourage them in such their actings. The utmost and last reserve which they have had, in case all other failed, hath been their military capacity; not orly strictly taken for the standing

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Army, but in the largest sense, wherein the whole Party may (with the Army, &c.) associate themselves.

I pretend not to an infallibility in the interpretation of these words ; but that they may do your Consciences no harm, I shall first tell you what we Grant, and secondly wherein we dissent from what doth seem to be here expressed and emplyed, and the reasons of this dissent shall be annexed.

1. We Grant that the Peoples Consent is ordinarily necessary to the constitution of the Government, and that their freedom is taken from them, when this is denied them.

2. We believe that notorious wickedness, and divers particular crimes, may forfeit this Freedom as to particular persons : And if the design of this Honourable Writer were, that *all Honest men indeed without partiality and division*, might have the liberty of choosing and being chosen, and none shut out, but those that are proved to have forfeited their liberty, we should concur with great alacrity and joy (so be it, that oppression make not those scruples or differences of judgment to seem a forfeiture of our liberty, which are not.)

3. We Grant that the Consciences of men are out of the reach of the Magistrates judgment ; further then they are manifested by their

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Words or Deeds: And we grant that the Unity and Peace of the Church, must not be laid on lower Controversies, but on the Essentials of Religion, even of Faith and Communion: and that we must tolerate all tolerable differences among honest men: In well doing all men should be encouraged, In ill doing through mistakes, well meaning men must be tolerated, as far as Charity to Church and State, and to their own and others souls will bear it.

4. We believe that a Prudent Godly Magistracy, is so exceeding great a blessing to the Nation, (above any forms in wicked hands) that all lawfull means should be used to procure and secure it to us and our posterity.

But yet these following Propositions I shall manifest to be most certain truths.

Prop. 1. The free Choice of Parliament men was a thing that on all hands was granted to be our due, and therefore could not be the Cause of the Warre.

The King granted it; and all Parties in our latter Divisions do assert it: so that it cannot be the matter of any *New Cause* neither, because we know not of any Adversaries that it hath considerable among us, unlesse those that chose the Little-nominall Parliament. Indeed by the Disuse of Parliaments, our Rights were violated: but the Peoples Right to a free Choice was still acknowledged.

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Prop. 2. *That the People had right to choose a House of Commons, that should have the whole Sovereignty, or the whole Legislative Power, was none of the Old Cause.*

For 1. No such thing was Asserted and Declared by the Parliament, when the Cause was stated, and the War begun. 2. They professed the contrary in their Declarations of the Cause, and in their Laws, which were Enacted by Authority of the King and Lords, as well as of the Commons. Read them, and this will be past all doubt. 3. And the Protestations and Covenant confirm it.

Prop. 3. *It was none of the Old Cause, to assert any proper Sovereignty in the People, either as People, or as Godly People.*

For 1. No such thing was declared. 2. The Sovereignty was stated elsewhere. 3. It was only the Rights and Liberties of the People, and not their Sovereignty that was Declared for.

Prop. 4. *It was none of the Cause of our Warre, to change the Constitution of the Commonwealth, into any other form than we found it in.*

1. To assert, this were to lay all the guilt of the blood and miseries of the Nation, undeservedly upon the Parliament, and to proclaim us all Rebels, that adhered to them. For it is past doubt, that the Sovereignty being mixt or di-

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distributed into the hands of King, Lords, and Commons, no part had Authority to change the Constitution. 2. On the contrary it was the *Preserving* of the *Fundamentall Constitution* that the Parliament Declared for. And particularly for the Person and Authority of the King, and for the Power and Priviledges of Parliaments, of which the Lords were part and Authors of those Declarations. It is therefore an injury of the highest Nature, against the Honour of the Parliament, the *English Nation*, and the Protestant Religion; if any should affirm that they raised a War to change the Government, and overthrow the *Fundamentall Constitution*, and that when they swore us to the contrary.

Prop. 5. *The Remonstrance of the state of the Kingdom; the Declaration of the Lords and Commons of Aug. 3. 1642. setting forth the Grounds and Reasons that necessitate them at this time to take up Defensive Arms for the Preservation of his Majesties Person, the maintenance of the true Religion, the Laws and Liberties of this Kingdom, and the Power and Priviledges of Parliament; also the Propositions and Orders of June 10. 1642. for bringing in Money and Plate, &c. to maintain the Protestant Religion, the Kings Authority, his Person in his Royal dignity, the free Course of Justice, the Laws of*
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the Land, the Peace of the Kingdom, and the Priviledges of Parliameht against any force that shall oppose them: I say these Declarations, with two Protestations, and the solemn Vow and Covenant, do fully declare what was the Old Cause.

Though no man have more reason to know it then the Honourable Author of the *Healing Question*, yet no Evidences can so fully Declare it to us, as these Declarations and Protestations which were purposed to that use.

Prop. 6. *It was none of the Old Cause that the People should have Liberty, and the Magistrate should have no Power in all matters of Gods Worship, Faith and Conscience.*

The words of the Honourable Author I have recited before, without any exception, restriction, or limitation, that I can find, he expressly extendeth the Case to, [*Matters of Religion, or that concern the Service and Worship of God,*] p. 5. and to [*matters of Faith and Conscience,*] and [*All matters of Gods Worship,*] p. 6. of which he saith, *We must give account of our selves unto God and Christ alone,* and that [*all Magistrates must fear and forbear intermedling with.*] Now that this discharging the Magistrate from his Duty, or this disabling him, or stating of his Power, and this extended Liberty in All matters of Worship, Faith, or Religion,

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ligion, was none of the *Old Cause*, nor is any *Good Cause*, I shall prove but briefly (yet sufficiently) here, as intending, if God will, a Treatise of that point alone.

But still remember that it is no Controversie among us, 1. Whether men should have liberty for *True Religion*, true Faith, and true Worship of God? For these should have more than *Liberty*. But whether, there should be Liberty for false Religion, false Faith, and false Worship, if the persons do but think them true? And whether the reason of this Liberty be, that the Magistrate hath not here to do? 2. Nor is it any Controversie among us, whether the Magistrate can judg of Inward Faith and Conscience immediately? or whether he should compell men to Believe? or yet to professe that they do believe when they do not? It is a work that is beyond his power to compell men to believe: else Charity would require him to do it. And we are far from thinking that he should compell them to lye and dissemble a Faith which they have not. But the Question is, Whether he may restrain them from publique practising false Worship, and propagating a false Faith or Infidelity, and from drawing others to their mind and way.

1. The toleration of Popery, by too much connivance, and the increase of Popery thereby,

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by, was one of the great offences and grievances that this (and former) Parliaments complained of and Declared against in their Remonstrances, therefore that Popery should be tolerated, or that none but Christ should judge men in all matters of Worship, or of Faith, was none of the Old Cause that was owned by that Parliament, but the clean contrary. It was liberty for Popery, that was their great offence.

2. The same Parliament made it the *old Cause*, to Defend the Protestant Religion, against those that would undermine it by the foresaid encouragement of Popery: therefore they never made it the (*old Cause*,) to disown their power in matters of Religion, and to give liberty for all Religions.

3. The said Parliament made it a part of their complaints, that the Masse was so openly permitted at the Queens Chappell, and so many permitted to come to it, therefore they took not liberty for the Masse, to be the *Cause* they fought for. I marvel how it would have been interpreted, in the beginning or midst of the first War, if any in the Parliament had said, We fight for Liberty for the Mass, and to maintain that we have no power to hinder it, nor in any matters of Faith and Worship.

4. The same Parliament (that are the Judges of the Old Cause,) did put the Articles of Religion

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Religion (and that not for an Universal Toleration, but for establishing the Protestant Cause) into all their *Treaties* with the King : and insisted on them above all : therefore they made it not their Cause to give liberty to the Mass, or to disclaim any power about the matters of Faith and Worship.

5. The same Parliament calling an Assembly of Divines, Authorized them but to Advise them, and that only about such matters as they should propose to them themselves : And they debated all that was propounded to them ; and passed what they saw meet : therefore it was none of their Old Cause, that Magistrates have nothing to do in these things.

6. The same Parliament settled the Presbyterian Government by many Ordinances : therefore they thought they had power in such matters.

7. The same Parliament past an Ordinance against Heresies and Blaspheming ; Enumerating divers that are against Faith and Worship : therefore it was none of their Old Cause to assert a liberty in such things, and to disclaim a power to restrain them.

8. The same Parliament made Laws against Popery, and put an Oath of Abjuration on them, and executed the Ancient Laws against them : therefore they did not fight for Liberty for the Mass.

9. The

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9. The same Parliament made it their great Argument and Advantage against the King, that he favoured the Papists, and intended them a Toleration or Connivance: And on this supposition they had thousands that came in to fight for their Cause: therefore they made it not their Cause to fight for Liberty of all Religions, or of Popery alone.

10. The same Parliament solemnly swore themselves, and engaged the Nation in Protections and a Covenant, *to defend the Protestant Religion, and to endeavour the Reformation of Religion in Doctrine, Discipline, Worship, and Government, and to bring the Church in the three Kingdoms to the nearest Conjunction and Uniformity in Religion, Confession of Faith, &c.* With much more that shews, that they made it not the cause of their War to prove that they had no power in these matters.

11. The same Parliament displaced many in the Universities, upon the account of matters of Religion, and they cast out abundance of Ministers upon the same account: therefore it was not the cause of their War to prove that they had no power in these things.

12. The same Parliament accused and condemned the Arch-Bishop of *Canterbury* for endeavouring to alter Religion, and introduce Popery by befriending it: And *Windebanke* and others

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others were accused for befriending Priests and Jesuites : therefore they took it not to be a matter beyond their power or duty to meddle in these things, nor was liberty for Popery the Old Cause.

2. And as it is not the *Old Cause*, so it is not a *Good Cause*.

For 1. It contradicteth the expresse revelation of the will of God, in the holy Scriptures. *Moses* had to do in matters of Religion as a Magistrate ; and so had the Ruling Elders of *Israel* that assisted him : And so had the Kings of *Israel* and *Juda*, as is well known. Insomuch that in *Asa's* daies they covenanted to put him to death that would not seek the Lord God of *Israel*. But of this more in due place.

2. It tendeth to the ruine of the Commonwealth : and therefore it is no good Cause. How God was provoked by *Aarons* Calf, and by his Sons, that offered strange fire which the Lord commanded not, *Levit. 10.* and what was the effect, and what benefit the Calves at *Dan* and *Bethel* brought to *Israel* and to *Fereboams* House, and the High places, and other errours about Worship, brought to the Princes and People of *Juda*, we need not particularly recite. Law and Providence are quite changed, if Toleration of false Worship and other abuses of Religion, tend not to the ruine of the Commonwealth.

3. That

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3. That is no good Cause that vilifieth the Magistrate, and teacheth the People so to do, and sets up the Ministers of the Gospel above him, more than a Prince in worldly splendor is above a Slave. But such is the Cause that I am now opposing. The matters of Gods Worship, of Faith and Religion, are more above the matters of this world, than that comes to. If Magistrates be once taken to be such terrestriall Creatures, as that their businesse is only about these vile corporeall things, their office will be esteemed of, no better than the Object of it, or the work in which they are imployed.

4. The Decalogue was the Vitall part of the *Jews* Political Laws, and every Commandement of the first Table was seconded with a Penall Sanction: therefore these things belong to the Magistrate.

5. That is not the *Good Cause* that tendeth directly to the destruction of Faith and Piety, and the Everlasting damnation of mens souls: But such is this of Libertinism which we oppose: For, Popery, Mahometanism, Infidelity, and Heathenism, are the way to Damnation: But Liberty to preach up and to practice them, is the means to make men Papists, Mahometans, Infidels, and Heathens; therefore this Liberty is the way to mens damnation.

It's well known by experience, how ready
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the multitude of ignorant, unsettled and proud people are to be led into any damning course, if they be dealt with by men of voluble tongues, and that come with any advantages to deceive them. A man that will deny the life to come, or revile Christ and the Scripture, or teach men to worship *Mahomet*, or the Sunne and Moon, if he have liberty, and a plausible tongue, may look to have Disciples. The preaching of falsehood hath as true a tendency to damn men, as the preaching of truth hath to save them. None can be wicked against their wills: He that will bring men to damnation, must do it by deceiving them, and enticing them thither: They that most promote mens delusion in the matters of Faith and Holy practice, do most promote their damnation.

And how deadly an enemy contention is to charity and holy living, and how certainly the Liberty in question will kindle continual contentions, is a thing too evident to need proof.

6. That's not a good Cause that gratifieth Satan, and promoteth his Kingdom, and his malicious ends: But so doth the Liberty now in question: For it is *his Liberty*, to deceive by his Instruments, and so to damn as many as he can. When he is let loose to deceive them that dwell

dwell on the Earth, it is saddest with the Church; *Satans Liberty to deceive*, is not the *Churches Liberty*, nor purchased by Christ for us, but is a heavy judgment. As Christ teacheth and saveth by his Ministers and Doctrine, and hath liberty when his Word doth run and hath its liberty; so Satan teacheth and destroyeth by his Instruments and Doctrine, and hath liberty when they have liberty.

7. We must pray for our selves and others, that [*we be not led into temptation:*] Therefore it is not a *good Cause* to let loose Tempters by a Law, or to permit men to exercise their wit and eloquence and other faculties, to draw as many as they can to sinne; even to those sinnes that have the strongest tendency to perdition.

8. If Magistrates must give Liberty for all to propagate a false Religion, then so must Parents and Masters also; (For their coercive Power is rather lesse then the Magistrates then more; and they are no more Lords of Faith or Conscience.) But if all Parents and Masters should give such liberty, it would be a crime so horrid in the nature and effects, as I am loath to name with its proper titles.

9. *A Parè*: It tendeth to the destruction of an Army, to give liberty to all men to do their worst to draw them to Mutinies and Rebellion:

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It tends to the ruine of Families, that all have liberty to do their worst to tempt the Sonnes to theft and drunkenness, and the Wife and Daughters to whoredome: It tends to the destruction of the Commonwealth, if there be liberty for all to perswade the people to sedition and Rebellion: And therefore it must tend to the destruction of the Church, and of mens Souls, and consequently of the Commonwealth in the chief respects, if all have leave to do their worst to preach up Infidelity, Mahometanism, Popery, or any false Doctrine or Worship, against the great and necessary Truths.

10. The particular Churches by the Power that Christ hath given them in the Gospel, may judg' men for Heresie and false worship; and must not give such liberty. *Tit. 3. 10, 11. A man that is an Heretick, after the first and second admonition reject: Knowing that he that is such, is subverted, and sinneth, being condemned of himself. 2 Joh. 10. If there come any to you, and bring not this Doctrine, receive him not into your house, neither bid him, God speed: For he that biddeth him God speed, is partaker of his evil deeds. Rev. 2. 14, 15, 20. But I have a few things against thee, because thou hast there them that hold the Doctrine of Balaam---So hast thou also them that hold the Doctrine of the Nicolaitans,*

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tans, which thing I hate---Because thou sufferest that woman Jezebel, which calleth her self a Prophetesse, to teach and to seduce my Servants, to commit fornication, and to eat things offered to Idols. Elymas was struck blind for resisting the Gospel; and this (though miraculously) by the Ministry of the Apostle. Ananias and Saphira were slain for thinking to deceive the Holy Ghost. Simon Magus feared such a judgment for such another sinne: Paul wisht them cut off that troubled the Galatians. He delivered Blasphemers up to Satan. All this shews that it is not true, that Christ only is to judge such Errours, or that we are to give account to him alone. (And if Pastors may judge them as to non-communication, Magistrates may judge them as to a necessary restraint.)

Hence also it is apparent, that Pauls words *Rom. 14. Who art thou that judgest thy Brother, &c.* are nothing for this Libertinisme, or debasing of the Magistrate: For he speaketh not to them that call'd their Brethren to the Magistrates Barre, but to them that censured them in their own minds, or in the Church by too rigorous uncharitable censures: And yet nothing is more apparent then that Paul did severely censure greater errours in Faith and Worship himself, as the forementioned passages bear

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witnesse: He calls the Judaizers, *dogs, evil workers, of the concision, &c.* The whole context shews, that in *Rom. 14,* and *15.* it is about smaller matters, yea things in themselves indifferent, that *Paul* doth condemn the censuring of our Brethren, either by mental or Church-censure, which is nothing to the subversion of mens Faith, by damning Heresies, or to false Worship in the great substantial Points.

Object. *But he that saith, that we must give account to Christ alone, excludeth not the Church, but only the Magistrate: For Christ judgeth by the Church, and they are subordinate to him.*

Ans^r. 1. It is expressly [*the judgment seats of men*] that by the Authour is contradistinguished to the judgment of Christ: And the Church, both Pastours and People are men, as well as the Magistrate. 2. The Magistrate also is the Minister of the Lord, *Rom. 13.* and what he doth rightly is owned by the Lord, and he is subordinate to Christ in his place, as well as Ministers are in theirs.

11. The honourable Author tell us *Pag. 21.* that [*the desired and expected end of this blessed work in the three Nations, is the bringing in Christ, the desire of Nations as the chief Ruler among us.*] Yea *Pag. 19.* That the choice of persons bearing his Image into the Magistracy,
may

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may produce to the setting up of the Lord himself, and chief Judge and Lawgiver among us,] Now either he meaneth that Christ *immediately* by himself shall be the Judge, or *mediately* by his Officers. The first cannot be his sense, as I have many reasons to believe. And if it be *Christ by his Officers*, then either by *Civil Officers*, or *Church-Officers*. The first cannot rationally be judged to be his sense: For a *Holy Magistrate* is supposed to be the *Means* to bring in Christ as Judge: and the *Means* and *End* are not the same. And if it be the Government of Christ by *Church-Officers*, that is intended, I know not in particular what is intended. For if neither the Government by Bishops, Presbyters, People, or all conjunct, or any that we have had in *England*, be the Government of Christ, I know not what Government by man we can expect that is truly his: And therefore if we have not the Government of Christ already, I despair of having it (Though I hope we may have it better exercised by his Officers.) For I dare confidently say, that the *Government by the Romane Vice-Christ*, is none of the Government of Christ that we should hope for, and that I have proved it.

But this is my Argument: If the Legislation and Judgment by Jesus Christ among us be

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the End that our Government should aim at, then the liberty in all matters of Worship, and of Faith, is not the Good Cause; for this is against, and most inconsistent with this Government of Christ. I appeal to Reason, whether to give men liberty to preach down Christ as a deceiver, to preach up *Mahomet*, to worship the Sun or Moon, to deny the Resurrection, or perswade men that there is no life but this, no Heaven or Hell, and to cry down Scripture and a holy life, and all actual worship of God, &c. I say, whether liberty for these (yea or the Masse alone) be liker to be the Government of Jesus Christ, or conducing to it, then is the restraint of all this Infidelity and impiety? Doth Christ rule more when all we have leave to spit at his Name, and call him *Beelzebub*, and to deny his Faith and Worship, then where none are suffered to do this? This will be believed but by few that consider of it. At least when a Christian that's now deluded with the specious name of *Religious Liberty*, should see the practice, and hear his Saviour reviled by the Jews, and the Mahometans, and the wicked hardened in their sinne, by being told that there is no life but this, it would make his heart to turn and tremble, and then he would say, that this Liberty signifieth the Reign of Satan, and not of Christ; and that it is the loosning

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loosing of the Dragon, and not the liberty of the Saints. It's an unholy Saint that would have liberty to reproach his Lord, or deny the Faith, or any Essential Article of it, or to speak against his holy Worship.

12. *Liberty in all matters of Worship and of Faith, is the open and apparent way to set up Popery in the Land: Therefore it is not the Good Cause.*

The Antecedent hath such evidence, that it would be injurious to a *wise mans* understanding, to suppose that he doth not see it (that Popery were thus likely to be set up.) And he that seeth it, and yet would effect it.---

Consider 1. How sutable Popery is to a carnal inclination, (as I have manifested elsewhere.) 2. What plausible Reasons Papists have to delude poor souls, from pretended Universality, Antiquity, &c. 3. And how few of the vulgar are able to defend their Faith, or to answer the two great Sophisticall Questions of the Papist, *Where hath your Church been Visible in all Ages?* and, *How prove you the Scripture to be the Word of God?* 4. And how it will take with the People to be told that their Forefathers all died in the Romane Faith. 5. And above all, what a multitude of Jesuites, Fryers, and Priests can they prepare for the work, and

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pour out upon us at their pleasure, from *Flanders, France, Rome*, and other places. And how these men are purposely trained up for this deceiving work, and have their common Arguments at their fingers ends; which though they are thredbare and transparent fallacies to the wise, yet to the vulgar, yea to our unstudy-ed Gentry, they are as good as if they had never been confuted, or as the best. 6. And what a world of wealth and secular help is at their beck in *France, Flanders, Italy, Spain, Germany, &c.* They have Millions of Gold, and Navies and Armies ready to promote their work, which other Sects have none of. 7. And what worldly Motives have their Priests and Fryers to promote their zeal? Their superiours have such variety of Preferments, and ample Treasures to reward them with, and their single life alloweth them so much vacancy from Domestick avocations, and withall, they so much glory in a Pharisaicall zeal in compassing Sea and Land to make Profelytes, that it is an incredible advantage that they get by their industry: the envious man by them being sowing his tares, whilest others sleep, and are not half so industrious in resisting them.

8. What abundance have they lately won in *England*, notwithstanding they have wanted publique liberty, and have only taken secret opportunity-

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opportunities to seduce? Persons of the Nobility, Gentry, and of the Clergy, as well as of the common people, and zealous Professors of Religion of late, as well as the prophane have been seduced by them. Princes in other Countries have been wonne by them; and the Protestant Religion cunningly workt out: And what a lamentable encrease they had made in *England* before our Warres, by that connivance and favour which through the Queen was procured them, (though incomparably short of this absolute Liberty) is sufficiently known.

9. And it is not the least of our danger, that the most of our Ministers are unable to deal with a cunning Jesuite or Priest: And this is not to be wondered at; considering how many of them are very young men, put in of late in the necessity of the Churches (which the world knows who have caused) and there must be time, before young men can grow to maturity, and an unfurnished Nation can be provided with able experienced men; And the cessation of Popish assaults of late, hath disused Ministers from those Disputations: The Reformation seemed to have brought down Popery so low, that we grew secure, and thought there was no danger of it: And the Papists of late have forborn much to meddle with us
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bare-fac'd, and have plaid their game under the vizor of other Sects; and withall young godly Ministers have been so taken up with the greater work of winning souls from common prophanenelle, that most have laid by their Defensive Arms, and are grown too much unacquainted with these Controversies. We have so much noted how Controversie in other Countries hath eaten out much of the Power of Godlinesse, that we have fallen by disuse into an unacquaintednesse with the means of our necessary Defence; and while we thought we might lay by our weapons, and build with both hands, we are too much unready to withstand the adversary. Alas, what work would Liberty for Jesuites and Fryers, make in our Congregations in a few Moneths space! I must confess this, though some will think it is our dishonour. It is not from any strength in their Cause (for they argue against common sense it self;) but from their carnal advantages, and our disadvantages fore-mentioned. It's easier to pull down then build; and to set a Town on fire than to re-edifie one House; and to wound than to heal.

10. And then if Popery should come in, what measure Protestants may look for at their hands, we need not go out of *England and Ireland* for proof.

I leave

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I leave it therefore to the Judgment of all men that are not fast asleep in their security, and utterly unacquainted with the advantages of the Papists, *Whether this Designe of Engaging the Magistrates by a Fundamental Constitution, not to meddle with Matters of Faith and Worship, but leave them all to Christ alone, be not the present setting up of Popery in England; and the delivering all the fruit of our Labours, Prayers and Victories into the Papists hands?*

And I would be resolved, *Whether he that is not wise enough to know this? Or, He that knoweth it, and yet would do it? Be either of them desirable Rulers for this Commonwealth?*

Obj. *But Liberty for Popery and Prelacy is still excepted.*

Ans^r. By whom? Not by the Honourable Answerer of the Healing Question. Clean contrary, it is [*Matters of Religion, or that concerns the Service and Worship of God, yea All matters of Gods Worship, &c.*] without any such exceptions at all. And if *all Worship* be out of the *Magistrates* reach, than so is the *Masse*, and the preaching for it. And if all *Matters of Faith*, then the Papists Faith.

But if *there had been an exception against Popery*

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perry put in, it would have been to little purpose, as long as a general Rule is laid down that condemneth that exception. For if it be the standing Rule, that matters of *Religion and Faith, and all matters of Worship are out of the Magistrates power*: To say then, that *Popery shall be excepted from Liberty*, is to say, The Magistrate, shall [*intrude into the proper Office of Christ*] (as the Honourable Author speaks, *pag.6.*) to restrain the Papists. The unreasonableness of this will quickly procure a repeal. And how can such a Senate deny the Papists Liberty, when they plead their own Principles, yea their Fundamental Constitution for it? It's past doubt this Doctrine delivereth up *England* to the Pope: I know Infidels, and also many tolerable Sects are all at work as well as Papists: But Infidels go against so much, so clear prevailing light, and make such a horrid motion to mens souls, and the tolerable Sects are broken into so many parts, and withall would use us tolerably, if they should prevail, and all of them are void of those Magazines of Learned men, and Money, and Arms, and Power at their backs, which the Papists have, that it's easie to see that the Papists (yet smiling on the Infidel) would swallow up all. I am past doubt that I shall offend by these expressions. But if it were my own case, I should
hardly

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hardly yeeld to die, lest my friend would take it unkindly, if I resisted him, that would amiably deprive me of my life. And should I silently see the Nation and Churches here undone, lest I give offence, when the matter is of greater consequence than ten thousand lives?

So much to the *Old Cause*: now of the *Persons*.

Prop. 7. *It is not the Party that hath owned, and now owneth the fore-described Cause, that have the Right of being free Citizens, or of Composing the Commonwealth, or of Governing or choosing Governours, any more than those that own it not: Nor is any man to be divested of this Right, for not owning this Cause:* And should that Party only take themselves for the free Electors of our Parliament, and divest all others of their freedom, it would be one of the most tyrannical, impious, perfidious acts, that History ever revealed to the world, and would prepare for the perpetuall shame of the Agents (to say nothing of the misery of their souls.)

I prove it. 1. Falshood and wickednesse can give none a right to Chuse, or to Govern, nor can the want of it prove men void of that Right: But the *Cause* here described is false and wicked: The first branch of it [*That the People*
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ple have the natural proper Sovereignty.] I have proved false in this Book: But yet I insist not so much on this, 1. Because it is but [*Liberty of choice*] which we all maintain, that some men miscall by the name of [*Sovereignty.*] But for those that *mean* ill, as well as *speak* ill, their opinion subverteth the foundations of Government.

And the other part of the Cause [*the Universal Liberty in matters of Faith and Worship, and the nullity of the Duty and Power of the Magistrate herein*] I have proved it (and hope to do more fully) to be a wicked Cause. And if none shall have Power or Liberty in the Commonwealth, but those that own such a *wicked Cause*, let the world judge on what grounds you go, and what kind of Commonwealth we shall have constituted.

2. By this Rule (of confining Power and Liberty to the owners of the fore-described Cause) the *Old Parliament* must be excluded from all Power and Liberty, and so made slaves: For they fully signified their Judgment to be against it: Not only in all the fore-mentioned waies and acts, but also by Acts or Ordinances against *prophane Swearing*, and for the *holy Observation of the Lords Day*, and divers the like about Religion.

3. And all the *Parliaments* that have been
ever

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ever since (that which the people chose not, I call not a Parliament:) have all discovered their Judgments against this Cause.

4. So did the old Lord Protector (or General, which you will) in his time.

5. So did all the Parliaments in King *James* and the beginning of King *Charles* his time, that made such ado against the connivance at, and encrease of Popery and *Arminianism* (as you may see in Mr. *Rushworths* Collections:) And were none of these fit to be exempted from slavery, and to be free men in a Commonwealth?

6. This very Parliament as it was before its dissolution, declared themselves of another mind, and medled with matters of Religion and Worship, as in many instances I can quickly prove.

7. The Army according to this Rule, must be enslaved, and deprived of Liberty and Power. For they have more than once declared themselves against this Universal Liberty in Religion. First in their *Agreement of the People*, and then in the *Instrument of Government*; and now in their *Proposals to this Parliament*, they exclude from *Liberty, Popery, and Prelacy*, and all that profess not Faith in God by *Jesus Christ*, or in the *Trinity*; and that profess not to believe the holy Scriptures. And if the Army also must

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must be denied Liberty, who shall have it: when yet you describe the *good Party* by their adhering to the Army? *Even in this cause*, which the Army was against? They were indeed for too much Liberty, but not for such a Liberty as this.

8. The same I may say of all those Judges and Citizens of *London*, and other persons of quality, that owned the *Instrument of Government*.

9. Yea, I may boldly say, That it is the farre greatest part of the godly in the Land that must be disfranchized by this Rule: For the far greatest part of them abhorre the thoughts of *Liberty for the Masse*, and for preaching up *Poperie, Mahometanism or Infidelity*: Most of them desired the *Acts for the Lords Day*, which sheweth that they are for no *such Liberty*.

10. And if it were a just and pious opinion, yet there is nothing in it, that our Liberties should lie upon. If men have a natural Right to their Liberties, as you intimate; how can it be proved that this Right is lost to all that do not thus debase the Magistrate, and are not for such extended Liberty? We may differ much more than this I hope, without forfeiting our Civil Liberties. Good men are as lyable to differ in judgment about a point in Politicks (which

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(which is little studied by them) as of Religion: And in Religion it self; if other differences deprive us not of Liberty, why should this only be thought sufficient. If *one that believeth not a life to come*, may have Liberty, why may not one *who thinks that such should not be tolerated to propagate their unbelief*? Are those incapable of Liberty in *England*, that have Liberty in all other Christian Commonwealths? And are those incapable of Liberty in *England* now, under the intended Commonwealth, that have hitherto enjoyed it, and constituted the Commonwealth? We shall then see how Liberty is promoted.

Prop. 8. *Conquest doth give neither the Army, nor the friends of the fore-described Cause, any Sovereignty, or Right to deprive us of our Liberty that disowns that Cause, or any Right to Rule us, or to Resist our Rulers.*

I prove it thus: 1. They fought and conquered but in the capacity of Subjects; and therefore could win no more then the Rights of Subjects to themselves. They fought not for Sovereignty to themselves, therefore they won no Sovereignty to themselves. I suppose they will not say, they fought for it; nor for more than the Securing and Improving of the Rights and Liberties which they had before.

2. What Armies win (beside their pay and
d lawfull

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lawfull prize) they win for their lawfull Governours, under whose Authority they fight, and not for themselves. If Towns and Castles won by Warre be not the Armies, but the Civil Powers under whom they serve, much lesse is Sovereignty theirs by Conquest. If any could win it by Conquest it was the Parliament, to whom the Souldiers did professe subjection.

3. The Parliament that had a part in the Sovereignty were not (justly) conquered by the Army: Therefore the Sovereignty could not be won from them by the Conquest. For the Parliament had no Warre with the Army, or none wherein the Army could have a just Cause and pretence of Conquest.

4. It is the Peoples Right to choose their Governours.

But the People of *England* (besides the Cavaliers) were not conquered by the Army: Therefore they have not lost their Right by being conquered, nor can be denied the exercise of it, nor can any pretend a Power of Ruling them by Conquest without their choice.

1. That we are not conquered by the Army is plain, in that we never fought against them, and therefore could not be conquered by them.

2. In that many of us fought for our Liberties as well as they.

Obj.

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Obj. *But the Army were not Mercenary Souldiers, and therefore are not tied to the Laws of such.*

Ans^r. Either the meaning is, that they never took pay, or else that they made not their pay their ultimate end. The first will not be said or believed. The second is a secret of the Heart: but charity binds us to believe it to be true: For it is a hard Question, Whether *such a mercenary Souldier* that kills men meerly for eight pence, or two shillings six pence a day (or more) be not as bad as a *Cannibal*, that killeth them to eat. Sure we are he is unworthy the name of a Christian, if not of a man. And it's no good consequence, that men have acquired Sovereignty, or a Right to Resist the Sovereign, because they were not so inhumane. And yet none can speak such things certainly of any but himself, because we know not the hearts of others.

2. But still they fought as *Subjects*, though not as *such Mercenary Souldiers*; and therefore as *Subjects* they were bound to continue in Obedience for conscience sake.

5. If Conquest be a Title either to Rule, or resist Rulers, then it is either the *General* only, or the *Army under him* that hath won to themselves this Right. If the *General only*, then the Army are nevertheless *Subjects* still: If to

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the *Army*, then either to the *Officers only*, or to the *common Souldiers*. To the *Officers only* it cannot be; for the same reason that will put by the *General* from that Sovereign or Right, will put by them. And if it did not, how should we know whether it were *All the Officers*, or *which of them*? If it be the *common Souldiers* that have won the Sovereignty, and so it is in the *Major Vote*, why then do the Officers presume to command them? Yea then they must be Ruled by them, as their Supream Governours.

6. If Conquest were a Title to Sovereignty it would belong to all that conquered: And I doubt not but there are ten, if not twenty Souldiers in the Countrey that have laid down Arms since the enemy was conquered, for one that is yet remaining in the Army that had a part in that Conquest.

7. If Conquest were such a Title, I have reason to believe that it is but a small part of the Army comparatively that have that Title, as being not in the Army at the Conquest: I believe that most of them are since come in, or very many at least.

8. You say that the Good People not in Arms, owning the same Cause, have the same Right: Therefore it is not meerly by Conquest. For they conquered not so much as we
that

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that continued in the Army, till the first Warre was ended.

9. The *present Officers* at *this last Change* were not all of a mind, that yet had an equal hand in Conquest. And how comes an Opinion to make one part of the Conquerours to be the Rulers of the rest ?

10. If Conquest gave the Army Power to Rule or Resist, then it seems they had just Power to put out this Parliament when they did it, and may do so again, if they think it best: And may they do so by *all future Parliaments* in their time, or *not* ? If *not*, how come they to have more Power over *that Parliament* which they served under, than over others ? If they have such Power over *all*, then why do they not tell us so, and exercise the Government themselves.

In a word, here is no room for any rational plea for a Right of Sovereignty by Conquest. And if there were, it would be in the *Majority* of the Conquerours, that are not in the Army. And if there be no Right of Sovereignty, there must be Subjection, and no more Right of Resisting than other Subjects have. And if it be confined to the owners of the fore-described *Cause*, then the Army is excluded, that hath disowned that Cause: Or if they did own it, it seems they would lose

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their Power, when ever they should change their opinion.

Teach not *all Armies* (that say they have higher ends than money) to take themselves for the Conquerours of their Sovereigns : And teach not *future Parliaments* that Doctrine, lest they choose a cheaper slavery from the enemy, rather than the raising of an Army to depose themselves.

In all this, I pretend not that the Honourable Authour is any further against my Propositions, than his plain expressions satisfy the Reader: For I am not sure in this point of Conquest that I well understand him.

But I may safely conclude, That they that go against [*the Laws and Constitutions of Government*] and take [*Succeſſe and Conquest for their Law*] and [*their military capacity for their utmost and last reserve, in case all other fail,*] (as he speaks, pag.9.) have a lamentable Cause, and setting their wisdom against the Lords, and making their conceits or interest their Law, do fall under the terrible Threatnings of the Word, against the Resisters of Authority.

Prop. 9. *They that pretend [the inward warrant of Justice and Righteousnesse]* (as he speaketh pag. 9.) and [*the inward reason*
and

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and Spirit of Government] for the violation of Laws or Constitutions, or Resisting of Authority, as being above [the Letter, Form, outward circumstances, and empty shadows] do reject the Government of the Lord, and become their own Governours.]

Reason 1. The Rule of Righteousness is without us in the Laws; and there can be no such thing as an Inward Righteousness, which is contrary to that outward Law, the Rule of Righteousness. There can be no such thing as an inward Righteousness, that is not conformed to the Rule of Righteousness, because that conformity is its essential form.

2. If it be the *Intention of a good end, that is here meant by the Inward Reason and Spirit of Government]* it's commonly known that the *means* must be good as well as the *end*; and that a Good end will not justify bad means.

3. Were it the proper sense of the Law that is called *[the reason and spirit of it]* that's distinguished from the *Letter*, we should all acknowledge, that the sense is the Law, and the *Letter* is but to signify the sense or matter: So that *all* would not *have failed*, to cast them on their military capacity as a *last reserve*.

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4. We all confesse that there are cases in which the Law of God may nullifie contradicting Laws of men, and the end being of Gods appointment, and the means but of mans, or else but of Positive institution, when the means ceaseth to be a means, and is inconsistent with the end, it may cease to be a duty. But 1. That will not allow men to set up means of their own, forbidden by God, and to do evil that good may come by it. 2. And I have proved that it must be a greater necessity than any could be here pretended. As it is dangerous pretending a Necessity of Violating other Laws as in the Letter; and to murder, commit adultery, steal, bear false witnesse, upon that pretence; so it is dangerous as to dishonour our Natural or Civil Father, or Resist them; much more to depose them, on such a pretence, where there is not indeed a warranting necessity.

I long thought that the too easie pleading the Reason and spirit of Gods Laws and Ordinances of Worship against the Letter and Form, would grow to the like usage of Magistracy and mans Laws. But what God hath joyned, no man should sepearte. As the Body may be kept under, and used as a servant to the soul, when yet to sepearte them is self-murder; and as the outward Ordinances of
Worship

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Worship must be used in a subserviency to the internal graces of the Spirit ; but not be cast off on supposition that they are hinderances : So Magistrates and their Laws must be obeyed in a subordination to God and his Laws ; but not cast off, resisted, or deposed, without and against the Authority of the Universal Sovereign.

But if all this were otherwise, yet the owners of the fore-described (evil) *Cause* , have nothing from the Spirit and Reason of Government, against them that have the Wisdom and Honesty to disown it.

Yea, if men should really do good to a Nation by such unwarrantable Resistance , it will not justifie them from the guilt of the sinne.

Prop. 10. *For all this the Honourable Author doth assert, (pag. 10.) That [unto the wisdom of the Laws and Orders of the Sovereign Judicature, the Sword is to become most entirely subject and subservient :] Therefore so should your Sword have been to the Parliament that was violated.*

They are no small fruits that would be procured by your conviction, if these evident Reasons might prevail for your Repentance.

1. Your souls would be saved from the guilt.

2. Thousands

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2. Thousands may be saved from making the sinne their own by an after-consent or approbation.

3. You will stop here, and go on no further, and no longer keep out so many faithfull Members, under the name of the corrupt Majority. And when we are set in joynt again, by your Restitution to your Subjection and Integrity, and our Rulers Restitution to their Power and Trust, and the Peoples Restitution to their Right and Liberties, our Peace and safety will be Restored.

As I was concluding, I received two Writings: One by Mr. *Harrington*, expressing his just indignation against an Oligarchy, or the setting up of a self-conceited Party, in stead of a true Commonwealth. The other to Mr. *Harrington* in a Letter (of the same style with the Answer to the *Healing Question*) pleading for the *Godly's Interest*, and a Senate to have the *Proposing* and *Executive Power*. I leave it to the Reader, whether the way I here hold be not the true Mean between the extremes? That All be acknowledged free Citizens, that subject themselves to God in Christ, and to the true Sovereign Power: yet so as that wickednesse forfeit their Liberty.

And we must earnestly crave, that the *Godly*

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ly Party may not be defined by the fore-mentioned points of the ill Cause (Popular Sovereignty, and common Liberty in all matters of Worship, and of Faith, as things without the reach of Magistrates.) The lesse Humility, the lesse Godlineſſe : But how little Humility have they that take all to be ungodly through the Land, that agree not with them in this bad opinion ? It is [*the whole Party of Honest men*] that the Authour of the *Healing Question* would have *one civil Incorporation*, pag. 11. where he ſhews the danger to [*the Army and their Governours, that may come by ſetting and keeping up themſelves in a divided intereſt from the reſt of the Body of Honest men.*] But he that can confine the *whole body of honest men*, to ſo narrow a room as the *Owners of the aforeſaid Cauſe*, will give away one of his beſt Arguments (his Charity) by which he ſhould prove himſelf an Honest man.

And we as earneſtly crave, that neither ſuch a Senate, nor any other new form of Government, be impoſed on the Nation or ſet up without their free conſent.

And if theſe juſt demands ſhould be denied us, and we ſhould be unrighteouſly enſlaved by our Brethren, we Appeal to the Juſtice of the moſt righteous God.

The ſnare is here laid ſo open to our eyes
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(even the Design to set up a party over us, that by a Fundamental Constitution shall be engaged to debase the Magistracy, and let in Popery and Impiety upon the Land,) that nothing but force can procure the Body of the Nation to Consent. If ever so vile a thing be done, and the name of Liberty or Commonwealth, be used as a scorn to an enslaved Peace, the Lord be Judge between us and our Oppressours.

Adam



Adam Contzen the Jesuites Directions for Preserving and Restoring Popery and Changing Religion in a Nation, before the People are awake: In his Politics, *Lib. 2. cap. 16, 17, 18.*

C A P. X V I.

IS to shew that Princes must determine of nothing in Religion, as having Power to defend that which the Pope determineth of, but no power to appoint or change any thing themselves: or judge of Controversies, as pag. 673. The Church must Judge, and the Prince must Execute.

The Jesuites Directions

C A P. XVII.

Is to shew, That to preserve Religion, that is, Popery where it is, no other Religion should be permitted: and that Riches tend much to strengthen the Clergy and preserve Religion: And scorning the poverty of Protestant Ministers, saith, That after their first attempts, their Ministry declineth into meer contempt, and that poverty and necessity forceth them to please the people. Lastly, be perswadeth to speedy punishing of the erroneous, and cutting them off in the first appearance, and to prohibit their Books, and to take heed of Julian's device, of destroying Religion by Liberty for all Sects: (Thus they do in Spain, Italy, Austria, Bavaria, &c.)

C A P. XVIII.

The way to bring in Popery, and work out the Protestant Religion, he thus describeth:

I. That things be carried on by slow but sure proceedings, as a Musician tunes his Instrument by degrees: Lose no opportunity; but yet do not precipitate the work.

R. 2. Let no Prince that is willing despair: for it is an easie thing to change Religion. For when the common people are a while taken with Novelties and diversities of Religion, they will sit down and be awearie, and give up themselves to their Rulers wills.

R. 3. The Doctors and leading Pastors must be
put

for Restoring Popery.

Put out : but if that may be all at once : but if that cannot be, let it be by slow degrees. When the Leaders are down all will submit.

Here he pretends the examples of some Princes that expelled Lutheranism, and giveth his advice under the cover of instances :

1. *The purpose of changing Religion, and extirpating Lutheranism, must be concealed : Not but that some of the wiser sort may know it, but the People must not, lest it should move them.*

2. *Some must be saborned to beg importunately of the Prince for Liberty to exercise their Religion, and that with many and gentle words, that so the People may think the Prince is not enclined to Novelty, but only to Lenity, and to a tender-nesse for tender consciences, and that he doth it not as from himself. For the Vulgar use to commend a Prince, that cannot deny the Subjects their desires, though they are such as were fit to be denied.*

3. *One or two Churches only must be desired at first, as being so small a matter, that the people will not much regard.*

4. *When the Zeal of Professours begins to rise against the change, they are to be pacified by admitting both parties to conference before the Governours.*

5. *Let there be a Decree for Pacification, that*
one

The Jesuites Directions

one party do not rail at the other, nor calumniate them. And so the errours that are to be brought in will have great advantage, when they are covered, and may not be contradicted, or so much as named: And so the Rulers will be thought to be onely Lovers of Peace, and not to intend a change of Religion.

6. Next that let there be some publick Disputation between the Parties, but with some disadvantage to them that are to be outed.

7. Let all this be done but on pretence that the several Parties may be joyned lovingly together in Peace: And when the Ministers refuse this, let them be accused of unpeaceableness, and pride, and obstinacy, and disobedience against the Magistrate, and not for their Religion.

8. When it comes to the putting out of some Ministers, and the People begin to Petition for them, let the matter be carried silently; and in the mean time, let the People be told, that it is because those Ministers are heady, obstinate men; that the People may be perswaded that the Ministers are faulty, and have deserved it, and may be put onely to desire Liberty for the more Peaceable men.

9. When

for Restoring Popery.

9. *When thus the people are deluded, and there is no danger of a resistance, then turn the Ministers out of the Churches, and put in those that you would set up in their stead.*

10. *Then change the Universities, and tell all the Fellows and Scholars, that they shall hold their places if they will turn, else not, &c. many will change Religion with the Rulers.*

11. Next he instanceth in *Aasia* where the Prince pretended, that all the Professors and Ministers places were void at the death of his Predecessor, and he had the disposall of them, by Law.

12. *And the change was there made (as he pretends) by slow degrees, one or two Opinions only changed at the first, and not the whole controverted part of the Religion; and so the people will think it but as a small matter to yield in one or two Opinions, and be easily brought to obey.*

13. *Lastly, They fall to writing against each other; and those that have the Court-favour seem to carry it.*

All this Advice is about the third Direction, that is, how to work out the Ministers safely, which he covers under pretended instances of such as have changed Religion in Germany.

4. *The fourth Rule is, To put out of Honours, Dignities, and publique Offices, all those*

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that are most adverse to Popery : It is but just that those that hinder the safety of the Commonwealth, should be deprived of the honours and Riches of the Commonwealth. If men are deposed for heynous Crimes, why not for Blasphemy and Contempt of Truth? (you must believe the Jesuite that this is the Protestant Case.) If those of a contrary Religion be left in honour and power, they will be able to cross the Prince in many things, and encourage the People of their own Religion.

*5. The fifth Rule is, That when a Heresie (for so is the Protestant Religion to them) is wholly to be rooted out, and this must be done by degrees, and in a way of reason, and cannot be done by meer Command and Power, then you must first fall on those opinions that the Common People are most against, and which you can quickly make them think absurd : so he instanceth in some that would work out Lutheranism, that speak honourably of Luther, and fell on them only under the name of Flaccians : so the Arminians at Utrecht, when they would extirpate Calvinisme, made a Decree, that no man should Preach any thing, that seemed to make God the Author of sinne. Thus a Magistrate that would bring in Popery, must fall upon such heynous opinions, which the impudent themselves are half ashamed of; and bring these into the light that
they*

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they may be odious, and so the Teachers will lose all their Authority, when the people see that they are taken in a manifest fault.

6. *The sixth Rule to bring in Popery, and abolish the Protestants Religion, is, to make use of the Protestants Contentions. How easie is it (saith he) in England to bring the Puritans into Order, if they be forced to approve of Bishops? or to reduce the Puritans in the Low Countries, if the Prince adhere to the Arminians? For the Variety of Opinions makes them doubtfull, that before seemed certain; so that when the Magistrate joyneth with one side, he easily overturns the other, and leaves the whole obnoxious: As Paul did by the dissention between the Pharisees and Saduces, joyning to one side, he escaped. This (saith he) I would principally perswade an Orthodox Magistrate to (that is, a Papist.) For he may with as much advantage make use of the Protestants disagreements, as of the Papists Concord, to extirpate Protestants. As in Warres, it is not only the skill and strength of the Generall, but often also the Carelesnesse of the Enemy, or his Mistake that give very great advantages for successe. When rigid Calvinism was assaulted by the Lutherans in the heat of the Paroxysm, it was exasperated, and the suddain restraint did much hurt: But now the Arminians have of their own accord let go the hardest part of their rigor, and judg the*

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Calvinists to be impious, and persecute them in the very University, and in other Towns they force them to banishment; and would venture to do more and Crueller things, if they were not afraid of the strength of the adverse Party. Verily if Prince Maurice alone did but stand for the Arminians, the rigor of the contra-remonstrants would flag, or be broken.

7. The seventh Rule is to forbid the Protestants privately or publickely to Assemble together.

8. The eighth Degree must be to proceed to severity of Laws and punishments: Here he endeavours to prove this violence lawfull, (Fire and fagot, is reserved to the last.) But this violence though it must be for the change of all, need not be exercised on all. Cut off the Leaders, and the multitude will follow the Authority of the Rulers. Shame will retain some, and fear others, but a vain security will prevail with most, when they know not how to help it. Within these few years, (if he say true,) above an hundred thousand have been turned to Popery in France, and more in Germany. Not any of the Princes of Germany that did endeavour to draw ever his People to the Catholicks, did ever find any force or Resistance contrary to his Laws. Note this all you slanderous Papists that accuse Protestants so much of Rebellion to hide your own: Here's a Jesuites Testimony

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Testimony on Record for our vindication.

His next Rule is, The good life of the Popish Magistrates and Clergy: (And that let them use as much as they will.)

Chap. 19. He commendeth many smaller helps: As 1. Mnsck, to entise people by delight. 2. To cause all at their marriage to professe the Popish Religion, and so rather then go without a Wife or Husband they will do it. 3. So also to deny to Protestants Church-Priviledges, at Baptism, Buriall, &c.

Lastly he Concludes, That where the work must be secretly done by degrees, the Magistrate must keep the Institutions, Presentation, Confirmation, and Examination of Ministers in his own hand; and so (if he cannot cast them out at once) he must cast out the most dangerous, (that is, the ablest Protestant Pastours,) and put over the Churches, the Disagreeing, and those that do not mind matters of Controversie much, and those that are addicted to their own Domestick businesses (worldly men,) and such as are addicted to the Rulers: Let him coole the heat of Heresie, (he means true Religion;) and let him not put out the Unlearned: and so their Religion will grow into contempt.

Let the Magistrate cherish the Dissentions of the erring (he means the Protestant) Teachers: and let him procure them often to debate together,

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and reprove one another. For so when all men see that there is nothing certain among them, they will easily yield to the truth (he means Popery.) And this Discord is profitable to shew the manners of those wicked men. For he that will read the Contentious Writings of Lutherans against Calvinists, or Calvinists against Lutherans, will think he readeth, not the invectives of men against men, but the furies and roaring of Devils against Devils. A fair warning! But the Jesuite tells you not what is done at home.) From these things the Ruler may take occasion for a change: Let him enquire into the Original of these accusations: And if he find them true, he may punish the Guilty. If false, he may punish, (that is, cast out) the Accusers.

I have given you the summe, (not the literall translation) of this *Jesuites* Politicks, for the bringing in of Popery into a Nation: It all supposeth that the Rulers seem not to be Papists themselves, that they may do this in the dark.

The summe of Campanella's Counsell, for the promoting of the Spanish interest in England, in Queen Elizabeths daies : was, 1. Above all to breed

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breed dissensions and discords among our selves. 2. To have Seminaries in Flanders, that for the changing of our Religion, may first sow the seeds of Division in points of natural Sciences. 3. By suborned forreiners to promise great matters to the great ones here. 4. To promise to King James the help of Spain, so he would set up Popery, or at least not hinder the Indian Fleet. 5. At the same time to perswade the chief Parliament men, to turn England into the form of a Commonwealth; by telling them that the Scots will be cruell when they come to Rule them, &c. 6. To perswade Queen Elizabeth that King James would revenge his Mothers Blood, &c. 7. To exasperate the minds of the Bishops against King James, by perswading them that he was in heart a Papist, and would bring in Popery. And by these means the seeds of an inexplicable War will be sown between England and Scotland, so that no party will have leave to disturbe the Spaniard. Or if King James prevail, he will be a friend to Spain. Or if the Island be divided, or the Kingdom made Elective, we shall neither have mind nor Power to enlarge our Dominions: Or if the Island be turned into the form of a Commonwealth; it may keep continuall War with Scotland, and mannage all its affairs so slowly, as that they can little hurt the Spaniard. 8. The Catholicks here also are to be awaked and stirred up,

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that the Spaniard may take the first opportunity to enter upon England under pretence of helping them.

8. The Irish are perswaded to Rebellion. These (with the hiring of the Dutch to defend the Spanish plate-Fleets and fall out with us, that we may not hinder it) are the summe of this Fryars design against England.

Their Method to win particular persons, you may find in Costerus Præf. Encheirid. Thoma à Jesu de converse Gent. l. 8. par. 2. §. 2. p. 544, 545. Posslevinus Lorichius, &c.

1. Be sure to keep the Respondents part, and not the Opponents. It's not so easie to prove, as to wrangle against Proofs.

2. Follow them with certain Questions, which the vulgar are not verst in. As 1. Where was your Church before Luther? or where hath it been visible in all ages?

Q. 2. How prove you that you have a true Scripture that is the Word of God among you?

Q. 3. What express Word of God do the Catholicks (the Papists) contradict?

Q. 4. How prove you that you have a truly called Ministry, that is to be heard and believed by the people?

Q. 5. By what warrant did you separate from the

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the Catholick Church, and condemn all your own Forefathers, and all the Christian world?

Q. 6. If you will separate from the Catholick Church, what reason have you to follow this Sect, rather than any one of all the rest?

Q. 7. What one man can you name from the beginning that was in all things of Luthers or Calvins Opinions?

Q. 8. Do you not see that God doth not bless the Labours of your Ministers, but people are as bad as they were before? what the better are you for hearing them?

Many more such silly Questions, they train up their Deceivers to propound and prosecute, which a knowing man discerneth easily to be transparent Cheats; but the Ignorant may be gravelled by them. And if I find it necessary, and have time, God willing I shall furnish the Ignorant with the true Resolutions.



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My work is not to write a Treatise of Politicks, taking in all that's meet to be understood concerning the Institution, Constitution and Administration of a Common-weal: nor yet to follow the Methode that would be requisite for such an Undertaker: but only to lay down a few Political Aphorismes, containing those things that are denied or passed over by some of the proud Pretenders to Politicks, that opposing the Politician to the Divine, acquaint us that their Politicks are not Divine, and consequently none, or worse then none: and also to cleare up some of those things that seeme to me to be too darkly delivered in the Writings and speeches of many good and learned men; and which the Consciences of many are much perplexed about, in these times; to the great loss and hazard of Church and Common-wealth: And I must begin at the Bottom, and touch those Præcognita which the Politician doth presuppose, because I have to do with some, that will deny as much, as shame will suffer them to deny.

CHAP. I.

There is a God, that is mans Creator.

Thes. I. There are men inhabiting the earth.

HE that denyeth this, denyeth himself to be a man, and therefore is not to be disputed with: yet proveth it to others, while he denyeth it.

B

Thes.

Thes. 2. Man is not Eternal ; but had a beginning

We see it of all the Individuals , that they by Generation receive their Existence ; There is no man alive now here in flesh , that was alive a thousand years ago. Generation succeedeth Generation. And as all men that are now on earth had a Beginning , so must there be one *first man* that also had a *Beginning*. Or else he must have been a pure Act , without Composition , or imperfection , self-sufficient , and without cause , and so not have been *Man* but *God* , and therefore not the supposite that we speak of : And as he had been infinite in Duration *apart ante* , so must he be *a parte post* : for that which have no *cause* , can have dissolution or end. But this is not the case of man : therefore man had a Beginning.

Thes. 3. Man did not make himself.

For before *he was* , *he was not* : and that which is *not* , cannot work. Nothing can do nothing : who-soever made him , knew what he did , and how , and why. But neither he that was not , nor his parents knew either what was doing while he was formed in the womb , and how he was fashioned , nor to what end each part and motion was appointed. Therefore neither did we make our selves . nor are our Parents the principal cause of our Being. Nor could the first man be made by himself when he was not , or his Parents that had none.

Thes.

Thef. 4. Therefore man hath a superior Maker.

If he be an effect, he must have a *cause*. Nothing below can be his principal Cause : Nothing doth lay claim to such an honor ; Nothing is sufficient for such a work : All things below are effects themselves , and therefore have their causes.

Thef. 5. Man being a living Creature, consisting of soul and body , his soul is vegetative , sensitive and rational , (or intellectual) and hath an Intellect to direct , a Will to chuse or refuse , and a Power to execute its Commands.

Sense it selfe is a sufficient Discerner that we are sensible : and Sense and Reason that we are vegetative : And Reason sufficiently discerneth that we are rational : not by an immediate intuition of the Power but by an immediate Intellection of its own Acts. While I reason to prove that man is rationally, and you reason against it, we both prove it.

Thef. 6. Wisdom is the due qualification of mans Understanding ; and Vertue , or moral Goodnesse of his Will , and Ability , and Promptitude for Execution of his executive Power.

Mans soul is *capable* of these ; and some in a less , and some in a more excellent degree are possessed of them: so few men will confess themselves to be wholly void of Wisdom and Goodness , that we need not prove the existence of these Endowments.

Thef. 7. He that made man, doth excell all men that he ever made in all perfections of understanding, Will and Power.

For no one can give that which he hath not to give, either formally or eminently : Nothing of it self can make that which is better then it self : for then all the superabundant perfection of the effect should be without a cause. He therefore that made man, must needs have more Power, Wisdom and Goodness then all the men that are, or ever were in the world : because they had none but what he gave them.

Thef. 8. He that is the principal cause of man, is an Eternal, Immense, most perfect Being, an infinite Power, VVisdom and Goodness, that is, he is God.

Either man was made by a Creature, that had himselfe a Maker, or immediately by the uncaused Primitive, Simple, independent being, which is the cause of all things else. If he were made by a Creature, that Creature being but a dependent Being, could be but dependent in its causation, and so could be but the instrument of, or subservient to the principal cause. And as the first cause is not diminished, or loseth not any of his perfection by making the Creatures, and communicating to them, no more is he the less in any effect, because he useth them : But as they have no Being but from him, so they can do nothing but by him; and as his perfections are as glorious, as if there were no Creature in Being; so the effects, which as his instruments, the Creatures perform, are as much
his

his own, as if there had been no Instruments. For if they are Creatures, they can neither *have* nor do any good but wholly' from the Creator; so that if it could be proved, (as it cannot) that the first cause did immediately make man, yet would it not alter our case, or conclude him to be ever the less our Maker.

And that he is an eternal Being without Beginning or cause, is clear: For else there should be a time, (as we may call it) when there was *Nothing*. And if ever there had been a time when there was *No-thing*, there never would have been any thing: For nothing can do nothing, and make nothing: He therefore that thinketh God had a Beginning, thinketh that he was caused by nothing, without a cause: and so that all things were made by nothing.

And as the Eternity of God is thus most clear, and is his Immenfity. For he made not that which is greater then himselfe, or that can comprehend him, else he should communicate more then he hath, and the effect to be beyond its total cause, which is impossible: And if he comprehend all things, and be greater then all things, he must be immente. And that he is infinite in Power, Wisdom, and Goodnesse, and so most perfect, is clear, because all the Power, Wisdom and Goodnesse of the Creature is from him; and therefore he hath more himselfe then all the Creatures have: and therefore is infinite in all. If all the Power, Wisdom and Goodness in all the world were contracted into one person, it must be less then his that giveth all. None can make that which is better then it selfe. I pass by all other Arguments, as intending at this time no other demonstrations; but

6 *God is the Sovereign Ruler of Man-kind-*

these, from the same effects which we are to treat of. And from these the conclusion is now made plain, that *THERE IS A GOD: and that HE CREATED MAN.*

CHAP. II.

God is the' Sovereign Ruler of Man-kind.

Thes. 9. The soul of man is capable of knowing that there is a God, whose everlasting favour is his happiness, and of loving him, desiring him, and seeking to enjoy him: and he may know, that nothing here below can be his proper end and happiness.

THE experience of all that have the least time, Godliness doth assure us of the truth of this. Thus it is with them: They are convinced of the vanity of all things else, and their desires are set on the life to come. And what they profess, the rest of men are capable of. The soul liveth quite below it self, and without any true satisfaction or content, or any true improvement of its faculties, that lives for no more then temporal things, and looks for no life after this.

These. 10. The nature of man is fitted to be here ruled by the hopes and fears of a life to come: and without these the world cannot be ruled according to the nature of man.

We see *de facto* that most of the world is ruled by
some

some hopes and fears of a life to come. *Mahometans*, and most Infidels profess to believe it ; Especially their Law-givers , who therefore make the better Laws. And the same nature of man , and common experience declareth , that were it not for such hopes and fears, the world would turn *Canibals*, and be like so many ravenous beasts. Men in Power would have nothing sufficient to restrain them from the greatest wickedness ; and secret Murders, Burnings, Stealings, Slanders, Whoredoms , and other Villanies would fill the world. So that the *Hopes and Fears* , and consequently the *Promises and Threats* of a Happiness or Misery hereafter , are Gods means agreeable to humane nature , for the due Government of mankind.

Thes. II. Therefore the soul of man is immortal , and he is made for a life to come , where he shall be forever happy or miserable.

For God maketh his Creatures suitable to their use and ends. Every work-man will fit his tools , or other work to the end he makes them for. God hath not bestowed these noble faculties on man in vain. If he would have had him incapable of enjoying God hereafter, he would have left him as he hath done the bruits, incapable of knowing him, desiring and seeking him. If he would not have given us another life, nor punish the wicked with a future misery , he would not have promised or threatened such things , nor ruled the world by the *Hopes and Fears* of them. For God is not *impotent* or *defective* in Wisdom and Goodness , that he should choose , or be necessitated, to govern the world by deceits and lies. He hath his

8 *God is the Sovereign Ruler of Man-kind.*

choice of better means : and tells us in the nature of his works for what he made them.

Theſ. 12. Were there not a life to come for man, his Knowledge, Deſires, Hopes and Fears, would be his torment, and the nobleneſs of his nature above brutes, would make him ſo much more miſerable than they, and the wiſeſt men, and the beſt would be moſt unhappy : which are things not to be believed.

It is apparent, that the knowledge of a God and Happineſs, which we may not enjoy, would tantalize us; and the fore-knowledge of an everlaſting miſery, as poſſible and probable to the ungodly, would be a continual cauſe of fear and care to us : And there is not a Heathen that ever I yet met with, or ſcarce ever heard of, that dare ſay, *He is ſure that there is no life to come* : They all confeſs, *That it may be ſo, for ought they know*, though ſome of them take it to be unlikely and do not believe it. Now the very *Poſſibility* which is diſcerned by almoſt all, and the *Probability* which is diſcerned by moſt, muſt needs excite abundance of cares, and fears, and ſorrows, which would be all in vain, and deluſory, and vexatious, if there were no ſuch thing, as a life to come, which is the Object of theſe affections : yea, the wiſer any man is, the more he knoweth the inſufficiency and vanity of all below, and the great Probability of a life to come; (ſuppoſing him to be without a certainty) And therefore if there were no ſuch future ſtate, the wiſeſt men ſhould be the moſt deluded, and ſo prove in the end the moſt fooliſh, which is a thing not to be ſuppoſed, that the moſt wiſe and perfect Author of nature ſhould be guilty of. God would not have given

God is the Sovereign Ruler of Man-kind. 9

given man wisdom as his Excellency, and the image of his Maker, thereby setting him above the rest of the inferior world, and all this to make him indeed a more miserable, deluded, befooled Creature, and the scorn, as it were of nature! The Lord of nature doth better suite his works unto their ends, and is not the common deceiver of the world.

Theſ. 13. If there were no life for man but this, [mens pious performance of their duty to God and man, and their prudent care of their own felicity would be their losse; and mens wickedness and folly would be their gain, and the worst would be least miserable: which are things not once to be imagined.

It is impossible that any man should be a loser by God, and by the faithful performance of his duty; Satan himself, when he would make man miserable, endeavoreth to that end to make him sinful, as the onely way; and never dreameth of making him miserable by his duty; nor hath the impudency to move that he may be destroyed for well-doing: It is abhorrent from the wisdom and goodness of the blessed God, to set man in the world upon a course of duty, which the more he performeth, the more he loseth by it. The work is good, or else it could not be our duty: and the doing of good must tend to our good, and not to our hurt. It is mans perfection or excellency to be obedient to his Maker, and to exercise wisdom, piety, honesty, and a due care of his own felicity, to which his nature doth so potently incline him: therefore to think that this is his folly or loss, is a contradiction to the nature of the thing.

And

[10 *God is the Sovereign Ruler of Man-kind.*

And that such a course of duty is naturally incumbent on us is evident : For nature teacheth us that the God that made us should be feared, and loved, and served above all; and that we should live soberly, righteously and piously ; Yea , more then so , when the *worser* sort of *Infidels and Heathens* cannot say , that *they are sure their is no life to come* : and when the *most of the world* believe *there is* ; and when the common reason of man-kind (even of the Heathens) acknowledgeth it to be *probable* , in this case , the plainest voice of *Reason* doth command us , to make it the very care and business of this life to make preparation for another. When we all know how short, uncertain and certainly vain , and unworthy to be much regarded , the pleasures , and profits and honours of the world are, or any thing that it can yeild us , Reason tells us that he is worse then mad, that will not prefer a *probable* everlasting happiness , and the avoiding of a *probable* future misery, before such things as these. And therefore *Reason* telleth men, that if there be such a *probability* of future joyes and sorrows , it should be the *principal* care and business of our lives to attaine that joy , and avoid that sorrowe (though there were no *certainty*) so that mans *natural Reason* concludeth that the principal work of his life on earth , should be to prepare for another life , so exceeding great a matter as that , being not for a lesier to be neglected , or rashly ventured.

But now if after this, there were no such life of future joyes and sorrows for us , then all this care and diligence were lost ; and that course of life that wisdom it self directs man to , would be in vain , which

is not to be imputed to him that giveth wisdom unto man : And as he that performeth his duty most carefully to God, would suffer most in the world (as experience telleth us) and most be deprived of the pleasures , and honours, and profits which the flesh desireth, and so be deprived of that which sensuality accounteth felicity ; so on the contrary side , the most impious and unconscionable men would be freed from all the foresaid cares and fears , and labours of wise men for another life , and would have liberty to please their flesh , and live in all the sensual delights that they can attain , and so they would be gainers by their folly and badness; and consequently folly would be wisdom, and wisdom would be folly; good would be evil , and evil would be good. It being certain then that a *possibility and probability* of another life is obvious to the light of nature , and that this *possibility and probability* obligeth every man in reason , to live here in preparation to another life, and to think no paines or cost too great for so great an end, and consequently that the God of nature , hath in nature prescribed man this work; it must needs follow, that either there is such a life indeed hereafter, or else that God hath made our nature , and appointed our lives to be all but vain, and false, and delusory, and commanded us, or directed us to that as good, which shall be our loss; and shewed us that as evil, which would be our gain; And if God cannot or will not govern the world without this course of delusion, falsehood, and frustration , then he is below some of his creatures, or at least not perfect in power, wisdom and goodness : and then there is no God , and then there is nothing.

Thes. 14. It is not the essential constitutive parts of man, by which he is proximately capable of his felicity or end, but his moral perfections and acceptableness to God.

1. Otherwise *all men should be happy*, because all are men, which is not true. 2. Otherwise *there should no means be appointed* for man to use, in order to his end; for he hath his natural powers without any industry of his own. 3. Else there should be an *equality or felicity* to the obedient and disobedient, the vertuous and vitious, and consequently virtue were no perfection and no virtue, and vice no vice; duty no duty, and sin no sin, if all tended to the same end, and were equally consistent with our welfare. 4. The light of nature teacheth all men, that vice deserveth punishment, and virtue praise, and that Murderers, Traitors, and other wicked persons deserve not that happiness in this world, which others have, but forfeit their accommodations or lives; and that there is a certain laudableness or capableness in humane actions, according to which men should be esteemed and used, and that it should go well with the good, and ill with the bad. 5. And mans happiness being Gods gift, can be given to none but upon his termes, and to such as are acceptable to him. 6. And the corruption of the best things makes them worst; and therefore a bad man is worse then a beast, and must be more unhappy; as a bad Angel is worse then a man: who otherwise considered in his essentials was much above us.

Thef. 15. Man therefore must be fitted for his felicity and conducted to his end, by moral meanes.

For the means must be fitted to his intellectual nature, and the motives to his faculties. God moveth not living creatures, as he doth the inanimate : *We cast a stone*, but *we drive a beast*. God can carry a man up and down, as if he had no life of his own : but if he had intended to do thus ordinarily by him, he would not have given him life : for he doth not his excellent works in vaine ; so God can move man as beasts are moved, suspending his reason, and drawing him by meere sensitive baits, and moving him by objects that shall necessitate his faculties to act ; but if he had intended to use him as a beast, he would have made him but sensitive as a beast, and not have given him the nobler faculties of a discursive intellect, and free-wil in vaine. To these therefore must the means be suited.

Thef. 16. Man oweth perfect duty to his Maker, and must have moral means agreeable to his nature to direct him in this duty, and oblige him to it.

He that is capable of duty, and is what he is, and hath what he hath intirely from God, must needs owe himself, and all that he can perform, to God, and therefore must have instructions of his Makers will, and be directed by him concerning his duty, which else he cannot perform.

Thef.

Thes. 17 Man is a sociable creature, and must be obliged according to his nature, to the duties of relation and society.

We are sociable through *naturall inclination*, and also through *necessity*, being every man insufficient for himself, and needing the help of others to our present subsistence, and safe, and pleasant, and comfortable being, and to further us in Gods service, and to our ultimate end: And we are made sociable for the common good, and the propagation and preservation of mankind: and principally because that holy societies honour our Maker more then holy separate persons.

Thes. 18. These Moral means must be the Revelations of our end, and the prescript of duty necessary to its attainment, and the promises of good, and comminations of punishment necessary to provoke us to performance, with needfull exhortations and debortations, and such subservient helps: that is, man is made a Creature to be instructed by Doctrine, ruled by the use of Laws.

For an unknown end inviteth not the Rationall Creature, nor is intended or sought. As bruits must be drawn by sensitive objects, so man must be drawn by intellectual objects suited to the nature of man. And these objects must be propounded, that they may be apprehended: And as sensitive objects are offered to beasts to work upon their sensitive appetite and fantasie, by way of necessity (because that is agreeable to their nature) so are the objects of the Rational soul pro-

propounded to our Intellect and free will, that they may be rationally and freely received, which is agreeable to humane nature. And as we have naturally a power of Volition and Nolition, chusing and refusing, and the Affections of Love, and Desire, and Joy, and Hope, and Fear, &c. so none of these are made in vaine; and therefore all must have their objects: and these must be the great things of the life to come which we are made for, with the matters of this life that help or hinder them; or else they cannot be the objects that are most suitable to our faculties, and for which it is that we are men. So that it is plaine from the nature of man, that he is a Creature to be governed by Laws.

Thef. 19. If man must know his End and Meanes, by Doctrine, and be obliged by Laws, then must there be Judgement and Execution of these Laws.

For Laws are vain and delusory without execution, and will dishonour the Government; as if he could not rule without vaine Promises and *Threats*. Laws are the Subjects Rule of Duty, and the Judges Rule of Judgement: therefore most certainly if God have Laws, he will have judgement according to his Laws.

Thef. 20. If man must have Laws, and those Laws be executed, then must there be a King, or Sovereign Governour of man.

- For there can be no effect without its cause: no Laws without a Law-giver, no Judgment without

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a Judge, Legislation, and judgement with the execution of the sentence, are the parts of Government: and therefore are the Acts of a Governor.

Thes. 21. The Sovereign Ruler of mankind must be but one, and one that hath sufficiency or chiefest Aptitude, and highest Title.

1. Mankind hath One Original, and one Common nature, and one End, and their Creator and Governor is that end, which all should intend, and are capable remotely in their naturals to attain and enjoy: therefore they can have but one Sovereign.

2. He that is the Sovereign Ruler of the world must (as to Aptitude) 1. Have wisdom enough to know all the Subjects, and all the secrets of their hearts, and to discern each vertue and vice, each duty and sin that's done within by their thoughts, wills, or affections: and also he must be wise enough to know all the concernments of all his Subjects through the world, and all at once; and to know what Laws to make for them, and all the means that are fittest for their Government.

2. And he must have so much goodnesse as to be immutably true to the common end of the Government, and to be indefectible in Truth and Justice.

3. And he must have so much power, as to be able to Protect all his Subjects in the world, and to repress all Enemies whatever, and to reward all according to their works, and to punish all that shall offend, and see to the execution of his Laws.

3. And besides this Aptitude, he must have the chiefest Title to be their Sovereign.

Thes.

Thef. 22. Therefore God, and only God is the Sovereign Ruler of mankind, as having alone the sufficiency or Aptitude in his infinite perfections, and the Highest Title by Creation, and a plenary propriety thence resulting.

1. God and he only hath the *fulnesse of Wisdom, goodness, and power*, necessary to so great a work. Or if these perfections in any creature were proportionable to the Government of all the world. 1. Yet were all this but in dependency upon God, and therefore that creature were not apt for sovereign Rule, as having and doing nothing of it self, but by a higher Cause. 2. *Creation* is a Foundation from whence the most absolute Right of Government doth result that is imaginable; but in the order following.

Thef. 23. God having created man, a Rational free Agent, to be Ruled as aforesaid, and conferred on him all the benefits of which he is naturally possessed, doth by a necessary resultancy stand related unto man, in a threefold relation, viz. our Absolute Lord (or Owner) our Sovereign, Ruler, (or King) and our most bountifull Benefactor: and man stands Related unto God as his own, his subject (as to obligation) and his Beneficiary.

Man being first considered more generally as a Creature, whatever he is, must needs be his *Makers*: Creation gives so perfect a *Dominion* as leaveth no pretence for a competition, to the Creature himself, or any other Creature, so that making us of *nothing*,

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it is impossible but we should be his *Own*: and therefore *Dominion or propriety* is the first result of our *Creation*.

Man being considered as before described, a *rational free Agent* to be *Ruled Morally*, or by *Laws*; it next followeth by necessary resultancy, that his *Maker and Owner*, is his *Sovereign King*; having the *Jus Imperii*, as well as the *Jus Domini*, which none else can have but derivately and subordinately to him, we have then evinced from the nature of man (waving other arguments further from our subject) that **GOD IS THE SOVERAIGNE RULER OF MANKIND.**

CHAP. III.

Of the Constitution of Gods Kingdom.

Thes. 24. *The World then is a Kingdom whereof God is the King, and the form of the Government is Monarchia absoluta ex pleno Dominio jure Creationis, an absolute Monarchy from or with a plenary Dominion or propriety of persons and things, by the Title of Creation.*

BECAUSE this is the foundation of all my following discourse, as I have evinced it from nature, so I shall for the use of them that are pretenders to Christianity, more fully manifest it from Scripture, and then answer what some say against it. Though he is not a Christian indeed that believeth it not,
(nay

(nay he is a certain *Atheist*, it being a denying God to be God, do deny him to be the Governour of the world) yet because some among us that renounce not Christianity openly, and some that pretend to it and to a belief of Scriptures, do yet directly or indirectly deny this, I shall at least help all to stop their mouthes, while they own the Scriptures.

Psal. 29. 10. *The Lord sitteth King for ever.*] Psal. 47. 6, 7. *Sing praises to our King, sing praises, for God is the King of all the Earth.*] Psal. 10. 16. *The Lord is King for ever and ever.*] Psal. 24. 10. *The Lord of Hosts, he is the King of glory.*] Isa. 43. 15. *I am the Lord your holy One, the Creatour of Israel, your King.*] Zach. 14. 9. [*And the Lord shall bee King over all the Earth, in that day shall there be One Lord, and his Name One.*] 1 Tim. 1. 17. [*Now unto the King Eternal, Immortal, Invisible, the only wise God, be honour, and glory, for ever, and ever, Amen.*] 1 Tim. 6. 15. [*who is the blessed and only Potentate, the King of Kings, and Lord of Lords.*] Mal. 1. 14. [*For I am a great King, saith the Lord of Hosts, &c.*] Psal. 47. 8. *God reigneth over the Heathen*] Psal. 47. 2. [*For the Lord most high is terrible; he is a great King over all the Earth.*] Psal. 95. 3. *For the Lord is a great God, and a great King above all Gods.*] In the Lords Prayer, having first acknowledged his Celestial dignity and Paternal relation, and prayed for the *Hallowing of his name* (which is our ultimate end) We next pray for the *coming of his Kingdom*, and next for the *doing of his will*, or actual obedience to him, and that *in all the Earth as it is in Heaven*, acknowledging him *King of Heaven and Earth*; and we pray for *Provision, Remission, and Protection*

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from him as *our King* , making it the conclusion of our prayers , and summe of our praises , that the Kingdom, Power, and Glory are his for ever.] The Prophetickall King doth thus begin his solemn praise to God, 1. Chro. 9. 10, 11. 12. *Blessed be thou , Lord God of Israel our Father for ever & ever. Thine O Lord is the greatnesse, and the power, and the glory, and the Victory, & the Majesty: for all that is in the Heaven and in the Earth is thine: thine is the Kingdom O Lord , and thou art exalted as head above all, both Riches and Honour come of thee, and thou Reignest over all , and in thy hands is power and might ; and in thy hand it is to make great , and to give strength unto all.]* Psal. 22. 27, 28. *All the ends of the Earth shall remember and turn unto the Lord: and all the kindreds of the Nations, shall worship before thee: For the Kingdom is the Lords, and he is the Governor among the Nations.]* And Psalm 145. 1, 5, 11, 12, 13. [*They shall speak of the Glory of thy Kingdom, and talk of thy Power; to make known to the sons of men his mighty Acts, and the glorious Majesty of his Kingdom: thy Kingdom is an everlasting Kingdom , and thy Dominion endureth throughout all Generations. Psalm 103. 19. [The Lord hath prepared his Throne in the Heavens , and his Kingdom ruleth over all.] Verse 20. The Angels do his Commandments, hearkning to the voice of his word.] Verse 22. His Dominion also extendeth to all his works in all places. Isa. 37. 16. saith Hezekiah , [Thou art the God , even thou alone , of all the Kingdoms of the earth ; thou hast made heaven and earth.] Psalm 146. 10. The Lord shall reign for ever.] Psalm 97. 1. The Lord reigneth, let the earth rejoyce.] Psalm 99. 1. The Lord reigneth, let the people tremble.]*

Psalm

Pſalm 98. 9. *With righteousneſs ſhall he judge the world, and the people with equity.*] 2 Chron. 20. 6. *Jehoſaphat ſaith, (O Lord God of our fathers, art not thou God in Heaven, and ruleſt thou not over all the Kingdoms of the heathen? &c. | Pſalm 67. 4. [Thou ſhalt judge the people righteouſly, and govern the Nations upon earth.]*

It will be uſeleſs to add more; for he that will not believe theſe, will not believe more. From his Legislation, and other Acts of government, I ſhall further prove the point anon. *That God is our cheif Governor.*

But one *Thomas Anglus ex Albiis Eaſt-ſaxonum*, in Engliſh, *Thomas White, a Papiſt*, in his book about *Purgatory*, and his other Writings, would perſwade us, that ſuch notions as theſe are but Metaphorical, and the conceits of vulgar heads, when properly applied to God, and that indeed they that are wiſer, know that God governeth as an Engeneer, that is, by a Phyſicall Premotion only, as men govern Clocks and Watches, or the *Pilate* governeth a ſhip.]

But 1. Scripture cannot be ſo eluded by any that truly believed it to be Gods Word, its evidence is ſo plain and full. All that it ſaith might elſe be denied with ſuch an answer as this; But affirmation is no proof.

2. It is before proved, that a meer Phyſical motion and Government is not ſuited to the nature of the rational Creature: but that he muſt be governed by the propoſal of convenient Objects, it is by Laws or moral Government. 3. If man can be governed without Laws, why do Parents command, and Princes make Laws, and judge men by them. 4. Man muſt

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be ruled by his Creators Will, not meerly as operating physically by a secret influx, but as known ; And we cannot know Gods Will immediately ; for no man hath seen God at any time ; who hath gone up into Heaven ? but we must go to the word that is nigh us, *Rom. 10.* Only by *Signs* can we know Gods Will concerning our *Duty* ; and those signs are *Laws*.

But I suppose that Mr. *White* doth mean, that God hath *Laws*, but yet these *Laws* do infallibly determine, and objects necessitate the Will, and so all Causality is properly physical, and that which we call Moral, affecteth as necessarily as that which we call Physicall, though man cannot see the force of causes in their connexion and secret influence.

But 1. If this were true, that moral operations thus cause, yet still it is one thing to govern a rational Creature by the force of duly proposed Objects, and another to move him as a lifeless stone : And if the first way of Government be granted as to God, he will still be the universal Monarch. (And let them consider how the Pope can reign as Vice-God, or Vice-Christ, if God, if Christ himself do not reign.]

But 2. We shall not believe such bold Assertions without better prooffe then he hath given. 1. Because we know that there is true contingency in the world, which his Assertion would overthrow. 2. we know that there is a Will in man that is a self determining Principle, and naturally free, and that this part of the naturall excellency of man, that's called Gods Image, and maketh him capable of moral proper Government, with Brutes are not. 3. Because his Doctrine of Necessitation by a train of Objects, over-

overthroweth all Religion, and not only denyeth the scope of Scripture, but blasphemeth God, and denyeth the before manifested Truths, which the light of nature doth reveal. For which way ever men will wriggle, there is no shift left, for them that hold this unresistable causation of Objects, as to the Will, but plainly they must affirm, that God is the principal cause of all sin, (so far as it is capable of a cause) and consequently of all the calamities and damnation of the sinners. For whether it be by necessitating physical predetermination, or by necessitating objects, is all one. God is the chief cause of the faculties of the soul that are supposed thus to be necessitated, And God is the chief cause of the Objects, and their disposition; (and all the temptations, according to the opposed Doctrine) so that God is hereby made the chief unresistable determining cause of them to sin; even as much as by making fire and straw, and setting them together, he is the cause of the combustion. And then that he should hate sin which is principally his own work, and send his Son to die for it, and damn the impenitent for it, will not be believed, but taken for scenical Delusions, by those that practically hold this Opinion. And so Scripture and Christianity is made a scorn, and all Religion and Conscience overthrown. All this we will believe, when Mr. *White* hath proved that a *Man* is a *Beast*, and that the *Will* hath no more freedom then the *Appetite* of a *Bruit*. But he debaseth the noble nature of man, and knoweth not the natural liberty of the Will, which makes man capable of a Government, different not only from the motion of a Jack, or Clock, or Ship, but also

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from the driving of Coach-horses, or the over-sight and ordering of a flock of sheep, who are not governed by Laws and Judgement. What Blasphemy more odious, then to make God the chief necessitating cause of all the sin that is committed in the world and then to make such a stir against it, and preach them from it, & inflict the penalty of it on Christ, and damn men for it in everlasting misery! But as a man takes it for his honour that he can make a Watch that by natural inclination can go of it self without his own continuall motion, so God hath honoured himself by making a free Agent that can determine it self, and be the Principal (though not of its Action as Action,) yet of its determination or Action as comparative: and though moral Habits may yet be strong Incliners of the Will, and moral freedom may be lost, (and is in the unsanctified) yet natural liberty remaineth as essential to the Will; and even in Heaven it will be infallibly determined to good, not by the destruction of the natural Power or liberty in it self; but by the perfection of the moral Habit, and the presence of the most glorious Object, and the security and manutenency of the promised grace of him whom we shall there behold for ever. And though in this life Objects may determine the *Intellect per modum naturæ* by necessitation, (further then it is commanded by the Will, and its acts are *participativè liberi* and *some habits* may be so potent as (with convenient Objects), infallibly and constantly to determine the Will; yet it is not so withall, nor do *Habits as such, or Objects as such, Necessitate* the Will, and determine it by the way of nature, as they do the Sense and Intellect.

But

But my Objections are of small moment to Mr. *White*, for he will grant me the conclusion as a certain thing; He oft affirmeth, (in his treat of *Purg.* and elsewhere) *That God hath no vindictive Judgement or Justice*; And he demonstrateth, that all the world, or as good as all, shall be happy; (if you take all for demonstration that is but ushered in with an *Ergo*) In *1. 1. Enclid. Metaphys. Stoech. K.* this is his *Propos. 16. Mentes incorporate plereq; ad beatitudinem perveniunt.* And will you see it demonstrated? *Cum enim instrumentum propter actionem seu effectum propter quem fit, instrumentum illud est substantialiter malum quod substantiam sui effectus non est naturum perficere: Quare cum mundus sit instrumentum ad perducendas mentes incorporatas ad Beatitudinem, nisi hoc efficiat, erit substantialiter malus: substantia autem Beatificandi genus humanum clare est, ut tot particulares animae beatificentur ut quae deficiant non sint sufficientes ad partem considerabilem totius multitudinis constituendam, &c.* So again *De Med. Anim. statu. Rat. 5.*

Ans. 1. But who can tell how many are a considerable part? If one of a thousand may perish, and yet God escape your Judgement, why not one of nine hundred? and why not one of eight hundred? and why not halfe, or most. *2.* But will not your censure fall heavy on God upon your grounds, if any at all perish? If so, why were you so modest, as to be ashamed to speak out, and say, that you demonstrate that none shall perish? *3.* Experience telleth us, that it is too considerable a part of the world that are ungodly, sensual, Gluttons, Drunkards, Whoremongers, Murderers, yea, most of the world by far that

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that are Infidels and Idolaters , and millions that believe not a life to come , and seek not after it, yea , that hate and persecute them that do. And shall all, or almost all these be saved ? What danger is there then in sin, and what is the use of Christianity , or Piety, or Conscience, if the Heathens , and Infidels , and impious are so generally happy ? Is this Popery ? and this the Champion of the Roman cause ? 4. Do such Papists as these believe the Scripture , that so frequently and plainly speak the contrary, telling us, That *[the Gate is strait , and the way is narrow that leads to life, and few there be that finde it , Mat. 7. and that many shall seek to enter in , and shall not be able, Luk. 13. 24.]* and that it is a little flock that shall have the Kingdom , Luk. 12 32.] And that without Holiness none shall see God, Heb. 12. 14. Nor enter into his Kingdom without Regeneration , and Conversion, and mortifying the flesh, and living after the spirit , and doing the will of God, John. 3. 3, 5. Mat. 18. 3. Rom. 8. 1, 13. Mat. 7. 22, 23. And that God hateth all the Workers of iniquity, Psalm 5. 5. And that he will separate them as the Goats from the sheep, and judge them to everlasting fire, Mat. 25: and that Christ will come in flaming fire , rendring Vengeance to them that know not God , and obey not the Gospel of our Lord Jesus Christ, 2. Thes. 1. 9, 10. and punish them with everlasting destruction from his presence. And that all they shall be damned that obey not the truth , but had pleasure in unrighteousness, 2. Thes. 2. 12. And that their worm never dyeth , and their fire is not quenched , Mark 9. 43, 44. 45. 46. Are not these, and many such passages plain enough ? Or is he a Christian that believes them not ? And is he not of no Religion , or a false

false Religion, or false to his Religion, that is ashamed to own it, but will pretend to be a Papist, a Christian, when he is no such thing? 5. Nay, would not *Julians*, and most sober Heathens have been ashamed of these men? and Jews, and *Mahometans* think them unworthy of their Communion? When all these profess to believe the necessity of honesty at least, to the attainment of felicity! But these men pluck up all Religion by the roots, and tell almost all the swinish impious dishonest persons in the world of a certainty of salvation. (but wo to them that trust to their demonstrations) Forsooth, *The world is naught if it bring them not to happiness!* And what need then of *Honesty to Felicity*, when the rout of the dishonest are sure of it without it? Are these principles fit for Magistrates to allow their people to read, unless they desire their perdition? 6. But to his *Demonstration*: Before he had come to his *Ergo*; he had many things first to have proved; as, that the *World is a total and sufficient Instrument*, without supernaturall or speciall Revelations; That this instrument is not only a propounded and commanded means, but that God hath absolutely decreed and resolved *de eventu*, to accomplish the felicity of all (or almost all) men by it: and that with almost all the Heathens, and Idolaters, and Whore-mongers, and Murderers in the world, this *Instrument* doth not only bring *Felicity* to their choice, (and the way to felicity) but also unresistably or effectually cause them to choose it, or save them without such a choice; and that there is nothing for man to do for his felicity, but to be wheeled to it by the instrumentality of the world; and that the haters of holiness shall be happy without Holiness, that is, Happy without Happiness,

*happines*s, or sound and healthfull without health, or else shall be made holy by the world at the departing of their soules, and that against their wills, when he hath proved such impieties and contradictions as these, we shall review his demonstration.

But his great foundation is [Propos. 4. *Deus Creat cetera propter ipsamet:*] demonstrated thus, [*Cum enim nihil extra Deum sit illi amabile* (which was before demonstrated in spight of Scripture and nature, too) & *natum perficere ipsum, clarum est, si solus Deus consideretur, indifferens esse, Creati sint nec ne: Quare cum Agens ex cognitione agat ex intentione boni, clarum est, Deum in creatione intendere bonum ipsarum creaturarum, seu creare illas, ut ipsis, non sibi, bene sit.*

Answ. 1. It seems then God loveth not the Creature, and yet made the world for them only, and not himselfe. He will make them happy without love: But it hath of old been thought a description of love, *velle bonum alicui ut ipsi bene sit:* to will the felicity of another. 2. The will of God is the beginning of all things: and therefore the will of God must be the end. The good pleasure of his will produced all things, and the fulfilling or pleasure of the same will is the end of all things. Its not possible that God should have any ultimate end but himself, nor that any of his operations should be ultimately for any thing below him that is their Original; Can the infinite God make a temporary finite imperfect Creature the ultimate end of his intentions, This were to make it God; it being his prerogative to be the *Omega* as well as the *Alpha*, *Thomas Aquinas* is more to be regarded here then

Thomas

Thomas ex Albiis, r. q. 103. a. 2. c. *Utrum finis gubernationis mundi sit aliquid extra mundum?* R. *Cum principium rerum sit aliquid extrinsecum a toto universo, scilicet Deus, necesse est quod etiam finis rerum sit quoddam bonum extrinsecum, & hoc ratione apparet, &c.* And before [*Cum finis respondeat principio, non potest fieri ut principio cognito, quis sit rerum finis ignoretur*] And doth not Mr. *White* think that God was the beginning of all? That which is chiefly loved by the principall Agent, is chiefly intended in his principal works at least: but Mr. *White* thinks that no Creature is amiable to God, therefore none can be loved by him: therefore none can be his ultimate end

2. But you say, *It was indifferent to God whether they were created or no?* *Ans.* To his commodity it was indifferent, that is, he needed them not: and to his will it was free, if you mean that by indifferency: But yet that free will chose to make a world, and to communicate his goodness to his Creatures, for their felicity and not for his own, (that could receive no addition from them) but yet for himself, even they and their felicity being ultimately for the good pleasure of his will. God can fulfill or please his own free will, without receiving any addition of felicity, and yet all the felicity of the Creatures shall be but a means to that his pleasure.

That which was Gods ultimate End must be before his intention (the *finis cui*) for it is not possible that he should intend so much for nothing; for that which was not amiable or existent, nor could be so much as in esse cognito, if the will of God had not first caused it: and God doth not wholly and directly go out of him-

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himself in his Volitions : But no Creature had a being before Gods Intentions , nor could their being be intended by him with out the pre-existence of him to whom their being should be ultimately referred.

3. How far *Intentio finis* is properly agreeable to God , and what it is that is called by us , *Intention* in God , is no more known to you , then how many stars are in the firmament , and when proud men will reduce the greatest matters , and clearest certainties , to their uncertaine fancies they magnifie themselves to their own perdition , and prove the most pestilent enemies to the Church and truth.

I conclude then that ultimately God doth not make his Creatures *ut ipsis bene sit* , but he makes them and disposeth of them , some to felicity , and some to servitude or misery for their sin , but all to the *pleasure of his will*. His *will* is the *fountaine* beyond which no cause is to be assigned , and his *will* is the *end* , beyo nd which there is no end. And one would think th is should be no controversie.

And 4. I would know of this man , whether he would take it for a happinesse or not , to be a Toade or a Snake. If not , whether God is bound any more by the Law and reason of his Creation to make all men happy that *deserve misery* , rather then to make all *Toads and Serpents* to be men , that never sinned. If it cross not the reason of his works , that you should labour , and weary and famish , and beat and kill your Horse or Oxe , that sinned not : why should it crosse the reason of his Creation to condemn the obstinate despisers of his grace ? If you say [*because he made men for everlasting happinesse , and not beasts ,*] I Answer ,

swer, 1. It is the *temporall happiness* of beasts that is denied them. 2. He made *wicked men* no more for happiness, then Snakes and Toades, (unless *antece-*
dently to offer them that happineffe which they re-
fuse.)

But let us hear the proof of this strange conclusion of yours ; That [*Nihil extra Deum est amabile ab ipso. Prop. 3.*] This is all [*Cum nihil sit amabile quod non sit bonum* (true) *neque bonum nisi habitum delectet habentem*, (partly false) & *delectare habentem sit cum perficere* (false as universally asserted) *Cum delectatio sit precipuus actus cognoscentis*, *palam est*, *omne bonum esse intrinsecè perfectivum cognoscentis*, *cui est bonum*, *sed nihil est intrinsecè perfectivum Dei*, *cum in eo sit essentialiter omnis plenitudo entis seu perfecti-*
onis : *nihil itaque extra Deum est Bonum & ama-*
bile.

Answer. 1. There is a *Bonum in se & simpliciter*, as well as a *Bonum alicui respectivum*. As all love is not of *Concupiscentia* proceeding from defect, (nor strictly *amicitia*) so all good is not desired or used as a means, nor is *bonum habitum*, or desired, but some loved simply for it self.

2. All delectation or complacency is not to perfect him that hath it. Scripture most frequently ascribeth love, delight, and complacency to God; which are not to perfect him. I conclude then, that 1. God loves the creature as Love signifieth his will to doe it good. 2. He loves the good which he hath communicated to the Creature, as good according to its proportion, with a love of simple Approbation and Complacencie. Not that he loves any thing in it but what is from him, nor so without himself, as if
all

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all did not live, move and be existent in him ; but yet the good communicated to the Creature is distinct from God himself. All that is *from God is good* (he saw that which he had made to be good , and very good *Gen.2.*) But *good* may be accounted amiable to God, therefore all that is from God may be accounted amiable to him.

3. What a God would this man feign to the world that loveth nothing that he hath made , (for he can love nothing that is not amiable) when indeed he hateth nothing that he hath made , but for sin which he made not, and he is love it self. The magnifying of Gods love to man in the work of Christ is his Incarnation , Life, Doctrine , &c. and the work of the Spirit , and all Gods Ordinances , and the End of all his Mercies , and the very work and use of Heaven it self. And this learned man that's blinded with pride , would teach us now that God loveth no man and nothing but himself , God knows better then you what love is in himself who hath expressed it of himself. Ask any honest man on earth whether he believes this doctrine , or would have it true , that *God loves no man.*

4. And what a world of Creatures doth this man feign that are none of them *good and amiable.*

5. And see whether he teach us not all to deny our love to God. For 1. To tell men that God loves no man , is the way to have no man love him. 2. If God must love nothing for himself , because nothing is good to him, it will follow that man must love nothing for God ultimately, upon the same account. As nothing can add to God , so we must love nothing as that which can add to God : And therefore if that be

reason enough against Gods loving any thing for himselfe, it will be reason enough against our loving any thing for him. And if God doe all for man, because he can have no other end, then man must on the same reason doe all for himself. And therefore when he makes God mans End, he can mean but the final object that makes us happy, which is onely to love God for our selves, as our own felicity. But that God should be more loved simply for himselfe, then as our felicity is apparent: 1. In that nature taught the Heathens to love the common good, above their own felicity: therefore our own felicity is not our highest end: A valiant Heathen would have sacrificed his life for his Countries good: not onely for a reward to himself in another world, nor onely for the fame (if their Professions may be credited) but for the common good. 2. And the light of natural Reason, telleth all them that have not captivated Reason to selfishnesse, that every man *should* do thus: If the Common-wealth should perish unless my life redeemed it, or if my death would save the lives of ten thousand that are of greater use then I, my Reason tells me I should readily sacrifice my life for them, though I had no reward for it to my self: which was the ground of *Pauls* words, *Rom. 9. 3.* [*I could wish that my self were accursed from Christ, for my brethren, &c.*] Not that he actually made such a choice, for it was not offered to his choice: but that it was more eligible, if it had been offered, and if the perdition of one could be the salvation of thousands, it were in it self an evill to be undergone for so great a good; if it had been so appointed us of God. The greatest good is greatliest to be desired,

D

though

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though it be not our own. He that would
 self be annihilated, rather then the Sun sh
 ken out of its natural place and office, o
 annihilated, though it were supposed t
 survive) should go against the clearest
 ture. That which resisteth this within us
 instinct, or loathnesse to dye or be misera
 is in every sensible *Animal*, and therefore
 subjected to Reason as the Appetite is. E
 not *take away* the *appetite*, and make a m
 ter, and loath sweet, &c. but it may r
 cannot *take away our loathness to be miser*
 may tell us that we should submit to it fo
 mon good. And this sheweth that man
 sonal felicity is not his highest end, ever
 of natural reason. And if so, it is mo
 that if we must goe above our selves, we
 the highest, which is to God: whose p
 complacency in his works, is above all th
 the works themselves, when we say [*h*
his end and ours] we meane that [*the con*
of his Excellency to his Creatures, and his
pearance in them in his Complacencie:]
 Glory and Appearance is but *Materially* h
 the *complacencie of his Will*) which was the
 is *formally* his End.

And if still you dream like a man of E
 God can have no delight and *complacencie*
 thing but himself, because he *needeth* no
 it cannot *perfect* him. *I Answ. 1. Delight*
 (whether in himselfe or another) is not
 as mans delight, nor is it to be compreh
 and therefore from things beyond our reach

not deny the evident truths that are within our reach. As God doth first take pleasure in himselfe without any note of imperfection, and deserves not to be accounted imperfect, because he is not most happy without that pleasure, so he next taketh pleasure in his Image, or the appearance of his perfections shining forth in the Creatures; which will be most eminently in his Son, as the Glorified Head of the Church, and then in the glorified Church his body. And when he hath told us that he loveth and *takes pleasure*, and *delighteth* in his Sonne, and his Church, it is but a folly of a high nature for us to contradict him, and say, he speaketh all this after our conceits: We grant that the expressions are Analogical or Metaphorical: But therefore we conclude they are not meere falsities, but signifies somewhat transcendent in God, that hath so much analogie or likeness to the Love, Complacency, Delight of man, that we cannot fitlier conceive of it then under these notions. And therefore we must conclude both that God delighteth, or takes pleasure in his works, and loveth Christ, and his Church, and yet that he doth not this to perfect himselfe, or adde any thing to his own felicity: but the very Complacency of his Will is his highest End; and therefore as it is folly to aske the Original of Gods will which is the Original of all things, so it is no less to aske what is the end of his will, which is the End of all things. To heap up here the plain abundant Testimony of Scripture, that there is Complacency and Love in God, to a Christian is needlesse, (and to most Heathens) but to Infidels that believe not the Scripture, is vaine. See *Aquin. 1. q. 20. art. 2.* proving

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ving that *God loveth all things*, contrary to this *English Thomas*, that saith, *he loveth nothing, because nothing is good*. We shall only give him leave to conclude what he please as of himself. If he will needs maintain that he is not good himself nor amiable to God, and consequently to no good men, let him have his liberty.

In his precedent proposition. 2. He would persuade a fool that yet he is Orthodox, while he maintaines that [*Ens primum est Gubernator Universi sive Deus*: but his description of *Gubernation* telleth us his sense) *Gubernatorem dicimus eum qui ex cognitione & potestate, per alios agenda dirigit & efficit*] so that it is a Physical Government only that hath *effectiō* ever conjunct with *direction* that he meaneth. And so his Moral Government by Laws fitted to free Agents, where his *Sapiential Excellencie* is purposely set forth to our observation and admiration, and when he *effecteth* not all things that he commandeth as a Governour, this is cast out of doors, further then as it is fancied to be a Physical engine. But 1. God doth not cause all the sin of the world, and make that a part of his Government of the world; nor doth he the less Govern when he Commandeth, because he doth not effect mens obedience, but permit them to disobey. We magnifie his Omnipotential operations, and that in the very sanctification of his servants; but we will not therefore deny his Sapiential frame of Government, nor say that God Governeth not when his Laws are broken, unlesse by causing men unavoidably to breake them. These blasphemous doctages are no part of our Belief.

And that you may see how he profiteth, he concludeth

cludeth his Book in these words [*Palam est, Deo nihil reliquum esse prater Creationem & conservationem, hoc est nihil omnino de Gubernatione, sed eam integre commissam esse creaturis, non erraturis a legibus divinis in Creatione ipsis inditis*] that his, Nothing is left to God but Creation and Conversation, that is, Nothing at all of Government, &c. this is wholly from the beginning committed to Angels. So that it is not enough to overthrow the whole frame of Moral Government of free Agents, but the very Physical Government which is left, is wholly in the hand of Angels, and nothing of it left to God.

But 1. Its nevertheless the work of God, if it be the work of Angels; Though he use means, yet *immediatione virtutis & suppositi*, he is yet as neere himselfe to the effect, as if there were no means, and as he is not the lesse by the Existence of Angels, so he Doth not the lesse because of the Agency of Angels.

2. The proof of this universall Government of Angels is none, but the *Ergo* of a dreaming man, that snorteth Syllogismes. And therefore if we should not deny it, we must yet remember what Paul adviseth us concerning Mr. White, and the *Bhemenists* and such like, whom in their Ancestors he was acquainted with, Col. 2. 18. [*Let no man beguile you of your reward, in a voluntary humility, and worshipping of Angels, intruding into those things which he hath not seen, vainly puffed up by his fleshly mind.*] (And who would not worship Angels if they are our only Governours! But yet he makes praying to them as needless, as it is to pray to the Sun to shine, or to the poise to move the Clock.)

3. Is it Angels that lend or give the holy Ghost to renew and sanctifie the Elect of God? or to inspire the Prophets. Prove this if you can. Or is the Holy Ghost some Angel? Neither can you prove that. You finde not in Nature or Scripture that the Image of God is wrought by Angels on the souls of men.

4. Did not the second Person in the Trinity immediately assume the nature of man? was he conceived by Angels? Incarnate by Angels? yea not immediately incarnate at all? nor immediately lived in flesh on earth, dyed, rose againe, Intercedeth for us, &c. Doth God doe all this remotely only, and Angels Proximately? Then Christ was an Angel? And is it Angels Proximately, and Christ remotely that shall judge the world.

5. Though I deny not but Angels might be serviceable in giving Moses Law, yet how prove you that Angels are our Law-givers? Laws we have, and Laws Divine? and they are none of them, given us in the name of any Angel as his Laws. Very much we ascribe to them, in their ministration for the heirs of life, and in the Government of the world: but we shall not desie them, and deny God to be God. Note that, *Propos. 2.* This man himself makes it all one to be [God] and to be [Governour of the Universe] He therefore that saith he hath wholly committed to Angels the Government of the Universe, saith according to *Mr. Whites* exposition, that he hath divested himself of his Godhead, and wholly committed it to Angels to be Gods.

But the Reader will think I have been too long with this Man. But I am concerned in it much to confirm and defend my only Foundation, that
 GOD'S

GOD'S OUR SOVERAIGNE KING
and I would have you know what points they be that
Papists are introducing, and the rest of them tolle-
rate as not *de fide*. This is the man that hath prefaced
to *Turbervils Manuall*, and written for *Traditi-
ons, &c.* And I would have men awakened to take
notice what persons in the present controversies we
have to doe with; and what a design is laid among
men that seem of divers parties to destroy Christia-
nity, and set up Heathenisme or Infidelity: If they
have their way and expected success, the Worship-
pers of the Sun, are like ere long to be none of the
worst among us in Religion: But God will shame
them.

*Thef. 25. The denial of the Sovereignty of God, and
his Moral Government is the denial of Deity, Hu-
manity, Religion, Morality and pollicy, most of
which I shall manifest briefly in these following In-
stances.*

1. I have shewed already that it is a denying God
to be God, because to be God, is to be the Gover-
nor of the world, at least in Title.

2. If God be not Governour, he is not just: For
communicative Justice he cannot exercise on Creatu-
res that are wholly his own. And distributive Justice he
can have none, if he have not the Relation which
Justice doth belong to. He that is not a Ruler, can-
not be a just Ruler.

3. If God be not our Governour, he hath no Laws?
and so the Law of Nature and Scripture is over-
thrown.

4. Then man doth owe him no Obedience: for where there is no Ruler and Law, there is no obligation to Duty: and so man is not obliged by God to be pious, just, honest or sober; but if God will make him such, he will be such.

5. And then it will follow, that there is no sin: All things that men do, are such as God doth move them to: but there being no Rector and Law, there can be no transgression.

6. Hence also it will follow, that there is no virtue, which is but the Habit or disposition to duty: for if there be no obligation to actual obedience, the habit is in vain, or is no moral good: for all moral good is denied here at once.

7. And hence also it follows, that the Habits of Vice are not culpable, because the Acts are not sinful against God, there being no Law and Governour against whom they are committed.

8. And Christianity is hereby most evidently subverted: For Christ cannot die for sin, nor redeem us from it, if there be no such thing; Nor can the Spirit mortifie it in us.

9. And hence it will follow, that all the Ministry and Ordinances are vain, and not of Gods appointment. If he have no Laws, there is no need of any to teach them.

10. Hence also it will follow, that Scripture is false that pretendeth to be the Law of God, and tells us of all that's here denied.

11. And therefore there can be no pardon of sin: for where there is no Governour, there is no Law: and where no Law, there's no sin; and where no sin, there's none to pardon.

12. And

12. And then there needs no confession of sin, nor prayer for pardon, nor care or means to be used against it.

13. Nor can any man ow God any thanks or praise for the pardon of his sins, if there be none.

14. And it will follow, that there is no punishment, for sin either in this life or in that to come, except what is inflicted, by Creatures for offences against Creatures.

15. And it will follow, that there is no Reward for the obedient; for if no Governor, Law and Duty, then no Reward.

16. And then there is no Judgement of God to be expected. For there is no possibility of Judgement where there is neither King, nor Subject, nor Law, nor Right, nor Wrong, nor Reward, nor Punishment.

17. And it will follow that sin is as good as obedience, and a wicked man as good and happy as an honest man: For nothing that men do is morally evill, and all things Equally, Physically good, according to their Physical Being, and God even as Physicall Governour is the chief cause, and therefore the effect cannot but be good, nor can there be an evill man in the world.

18. It will follow, that there are no Devils: for they could break no Law, nor do any evil, but the good that God, or rather the superior Intelligences made them do.

19. In a word, it hence followeth, that man is but a beast, that is, necessitated by Objects, and not a free agent governed by Laws.

20. And because I would make them twenty, let this

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this be the last: It followeth hence , that (God being not our Rector, and Law-giver, and so their being no sin against him) if the Governors of the Commonwealth shall hang or banish those that hold this traiterous opinion against the God of Heaven , and divulge it , or if any man that meets them , cudgel them , it is no sin against God , nor doth he need to fear any punishment for it from God.

By this time you see what those men say, that deny the Sovereignty of God.

Thef. 26. God is the end, as well as the beginning of the divine Monarchy of the world.

Of this by the way , I spake before. He is his own end , so far as he may be said to have an end ; (which is not as man , that is imperfect, and without his end, while he is using meanes to attain it) and he is our cheif end , on the grounds and in the sense before explained. The appearance of his glory, and the fulfilling of his Will, being the highest Universal good. Should the end be lower then the beginning, a multitude of absurdities would follow ; This end therefore is principally to be respected by men of all degrees.

Thef. 27. It is the reasonable Creatures only that are the Subjects of Gods Kingdom.

Other Creatures are no more subjects , then sheep and horses are subjects of any Prince : They are the matter of as proper Dominion , (I mean *Propriety*) as Men ; and are our Provision and Possessions : but they

they are not capable of subjection, for want of reason and Free-will. They are as properly ordered by Gods *Physical Government*, as men are, but not by his *Moral Policy*, which is the Governement that now we treat of.

Thes. 28 All men as men are the subjects of Gods Kingdom, as to Obligation and Duty, and God will not ask the consent of any man to be so obliged.

For Gods Kingdom is not constituted primarily by Contract, but his *Right* resulting immediately from his being our Creator, and so our *Owner*, our Obligation is founded in our being his Creatures, and his *Own*. The most absolute slave imaginable, cannot be so much obliged to you antecedently to his consent, as man is unto his Creator, from whom he is, and hath all that he hath.

Thes. 29. He that consenteth not to Gods Sovereignty, and is not a voluntary Subject, shall be nevertheless obliged, both to Subjection (or that consent) and to Obedience, and to punishment in case of disobedience: but he can have no right to the Priviledges or Benefits of a subject, and so doth make himself worse then a slave, by being a Rebel.

He that is born under the most Absolute Lord, cannot by his own will exempt himself from his obligations. If he could make Gods Laws not obligatory, and himself no Debtor to God for his subjection and obedience, then might he depose his Sovereign at his pleasure. And most would take this as a readier way

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way to their sensual content and safety, to repeal the Law, and depose their King, to save them the trouble and labour of obeying him, and be from under his Judgement and punishments. No man can acquire benefits or priviledges by his vice: The Law supposeth that a mans faults may not advantage him. But to deny consent to the Soveraignty of God, and to deny our own Obedience, would be our fault. But *Benefits* we can claim no right to, if we consent not to them and to the terms on which they are conferred. No man can plead for that which he refused: nor can he plead against another for not doing him good against his Will. Though we may offend God, yet we cannot injure man, by not doing him the good that he refuseth. And the greatest blessings of the Kingdom of God, are such as a Refuser is not capable of; Nor is he capable, while such, of the Duties of a Subject. And therefore though he cannot exempt himself from obligation and punishment by dissent, yet may he deprive himself of the protection of the Sovereign, and forfeit all his hopes of the benefits

Thes. 30. God therefore doth not beg authority by calling for our consent, nor is it in the power of man by consenting to make him King, or by Dissenting to depose him, as to his Right and his actuall Legislation, Judgment and Execution: But it is in his power to make himself a Rebel, and so fall under the sentence of the Law; and therefore Consent is required to our benefit as a condition, and as the necessary cause of our following Obedience: but as no cause or Conveyer of governing Authority to God.

A man would think the earth should never have bred a man that would contradict this truth that is in his wits. For by so doing God is pulled down, and man set over him, or made a beast, and all morality (as by the former opinion) overthrown. But Mr. Harrington in his *Oceana*, pag. 16. makes God but the *Proposer*, and the people the *Resolvers* or *Confirmers* of all their *Laws*, and saith, [*they make him King*, Deut. 19, *They reject or depose him as Civil Magistrate, and Elect Saul*, 1 Sam. 8. 7.] adding [*The Power therefore which the people had to depose even God himself as he was Civil Magistrate, leaveth little doubt, but that they had power to have rejected any of those Laws confirmed by them throughout the Scripture.*

Ans. They could violate a Law, and deny obedience to it; but they could not nullify it, or prevent, or destroy its obligation. So they could be Rebels against God, but they could not so reject the duty of voluntary subjection, nor escape the punishment of Rebellion. One single person may thus reject God and his Laws at any time, (to his cost) as well as the Major Vote of the people. Its a lamentable case, that such blind persons that know not such things as these, should so perversely trouble the Commonwealth with their loathsome obtruded fancies. Mans consent doth not make God King, nor his dissent depose him, as to his Power, or the chief part of his actual Government: He will be K. in spite of his proudest enemies: and he will make his Laws; and those Laws shall actually oblige; and men shall be guilty, that first consent not to be Subjects, and then obey not: and they shall be judged as Rebels, (Luk. 19. 17.)
and

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and the Judgement *executed*: Only their consent is,
1. A proper Cause of their own Obedience. 2. And
a Condition *sine qua non* of their Interest in the *Bene-*
fits. A little Power will serve a man to be come a
Rebel, and be hanged. Will you see the face of this
Gentlemans opinion.

1. The world by dissenting may make God no
God, that is, no Governor of the world: and so he
holdeth his Government on our wills. 2. if his
Doctrines be true, the Law of nature is no Law, till
men consent to it. 3. At least where the Major
Vote can carry it, Atheism, Idolatry, Murder, Theft,
Whoredom, &c. are no sins against God. 4. Yea,
no man sinneth against God, but he that consenteth
to his Laws. 5. The people have greater Authority
or Government then God. 6. Rebellion is sove-
raign power in the multitude. 7. Dissenters need
not fear any Judgement or punishment from God.
8. Cannibals and Atheists are free-men, as not con-
senting to Gods Government. 9. Men owe not any
Subjection, Duty, or Obedience to God at all unless
they make themselves Debtors by consent. 10. The
troublesome work of self-denying obedience, and
all the danger of punishment here, and hereafter
may be avoided easily by denying Gods sovereignty
and deposing him, and no man need to be damned
if he will but deny to be a Subject of God.

These are the apparent Consequences of the
Doctrines of Mr. Harrington, if he will be under-
stood according to the open meaning of his words:
But if he will tell us that by [their Power of making
God King, or deposing him, and of resolving on,
and confirming, or rejecting his Proposals,] he
meant

meant only a power of voluntary subjecting themselves to their absolute Lord and King, and of obeying his Laws, or else a Power of Rebelling, Disobeying and perishing, he will turn some of our indignation and compassion into laughter, but his language will we not imitate.

Thef. 31. Mankind being fallen by Rebellion under the heavy Penalty of the Law of God was redeemed by Jesus Christ: and so God hath a second Right of Dominion and Empire, even on the title of Redemption, and is now both our Owner and Ruler on a two-fold Right.

It was not some tolerable loss, but a total ruine and undone Condition that the world was redeemed from: and therefore Redemption is a just title to Propriety and Rule, which God will have us to acknowledge, if we will have the special benefits of Redemption as his title by Creation.

Thef. 32. The Lord Jesus Christ as Mediator having performed the work of Redemption, hath received from the Father a Derived Supremacy over the redeemed world, and is established the King of the redeemed, and Administrator General.

To Believers this is past Controversie. Scripture is plain and full, Read *Psalms 2. Mat. 28. 18. [All Power is given to me in Heaven and earth.] Acts 10. 36 He is Lord of all.] Rom. 14. 9 For this end he both died, rose and revived, that he might be Lord both of the dead and living.] Ephes. 1. 21, 22. [He*
set

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set him at his own right hand in heavenly places, far above all Principality, and Power, and Might, and Dominion, and every name that is named, not only in this world, but also in that which is to come; and hath put all things under his feet, & gave him to be head over all things to the Church, which is his body.] John. 13. 3. [The Father hath given all things into his hand,] John 17. 2. [Thou hast given him Power over all flesh, that he should give eternal life to as many as thou hast, given him,] John 5. 22. [The Father judgeth no man, but hath committed all Judgement to the Son, that all men should honour the Son as they honour the Father: He that honoureth not the Son, honoureth not the Father which hath sent him,] Acts 5. 31. [Him hath God exalted to be a Prince and Saviour,] Mat. 25. 31, 32, 33, 34. [When the Son of man shall come in his Glory, &c. Then shall the King say to them on his right hand &c.] See Phil. 2. 9, 10, 11.

Thes. 33. There are divers Ranks of Subjects in the Kingdom of God: as some are Rebels, and only subjects by Obligation, or strangers that have not yet consented; and others voluntary plenary subjects, that have right to the priviledges of the Kingdom: so those that are free-subjects are of several ranks, as to Office, and Place, and Gift.

Some are Officers, and some only such as must obey: Some Officers are Civil, some Ecclesiastical; Some are rich, some poor: some adult, some Infants: some weak of parts, some strong, &c.

Thes. 34. *All that will be free Subjects of the Kingdom of God, must be engaged to him in solemn Covenant; which regularly is to be solemnized by their Baptism.*

The *Israelites* covenanting with God conjunctly (as *Deut. 39.* and oft) and distinctly (as in Circumcision, &c.) is known. Those that would not stand to this Covenant were to die, *2 Chron. 15. 13.* And those that solicited any to rebel against their Sovereign, *Deut. 13.*

CHAP. IV.

Of the Administration of the Universal Kingdom.

HAVING spoken of the *CONSTITUTION* of the Kingdom of God, I shall proceed to speak of the *ADMINISTRATION* thereof.

Thes. 35. *God as the Sovereign Ruler of mankind hath given him the Law of nature, commonly called the Morall Law, to be the Rule of his obedience.*

1. The Law of nature in the primary most proper sense, is to be found in *natura rerum*, in the whole Creation that is objected to our Knowledg, as it is a Glass in which we may see the Lord, and much of his

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Will;

Will ; and as it is a Signifier of that Will of God concerning our duty. 2. The Law of nature is sometime taken for that Disposition or Aptitude that there is in mans nature to the actuall knowledg of these naturally revealed things , especially some clear and greatest Principles , which almost all the world discern. 3. And it is sometime taken for the Actual knowledge of those plain and common Principles. 4. And sometime for the Actual knowledge of all that meer Nature doth reveal. When I say God hath given man this law of nature, I mean , both that he hath made an Impress of his minde upon the Creation , and set us this Glass to see himself , and much of our Duty in, & also that he hath given to the very nature of man a Capacity of perceiving what is thus revealed , and a disposition especially to the Reception of the more obvious Principles ; so that by ordinary helps , they will be quickly known ; and the rest may be known if we be not wanting to our selves.

Thes. 36. This Law of Nature commandeth us much duty, to God directly, to our selves, to our Neighbours in their private and publike capacities.

Thes. 37. The sum of the dutie commanded towards God, is to love him with all our hearts : more particularly it is, that we most highly esteem, honour, reverence, believe and trust him, and adhere to him in love, and seek him, depend upon and serve him with all our powers and faculties : worshipping him according to his nature and revealed will, and using ho-

honourably his Name, and devoting to his special worship a fit proportion of our time.

Thes. 38. Our duty towards our selves, is an ordinate Love of our selves, and care of our bodies, but especially of our souls, for the great ends of our Creation and Redemption.

There was the less said of this in Scripture, and the Decalogue, because it is written so deep in nature, and hath so great advantage in our natural desire to be happy.

Thes. 39. Our duty towards our Neighbour as such, is to love him as our selves, that is, to love him with an Impartiall Love, not drawing from him to our selves, by an inordinate selfishness: which must be expressed about his Life, Chastity, Estate, Honour, and any thing that is his: Godliness, Soberness, and Righteousness, are the general Titles of all these three.

Thes. 40. Besides these Natural Laws which are promulgate to all, God hath a Law of Grace, and hath many Positive Laws; and both sorts are contained in the holy Scriptures.

Thes. 41. God hath appointed an orderly course by the mission of fit persons as his Messengers to promulgate, preach, and explain these Laws, both of Naturall and supernatural Revelation to the World; and to command their obedience, and exhort them thereunto: and it is the duty of the hearers to learn, and

obey, yea, and the duty of those that have not the Gospel, to enquire after it, and seek it, according to the measure of that light they have, which giveth them intimation of its being.

Thes. 42. God hath appointed both in Nature and Scripture, that the world be divided into Rulers and Ruled, Officers and meere Subjects; and that the Officers Govern under him, by Authority derived from him, and the people obey them as his Officers. And he hath not left it to the choice of the Nations whether they will have Government or not

Those Politicians therefore that say a Commonwealth in its own nature doth not participate of moral good or evil, but is a thing neither commanded nor forbidden, doe fundamentally erre in their Politicks. It is possible for one or few persons in extraordinary cases to be disoblged from living under any Government. (But the Cases are so rare, that it is not one of many millions of persons that is ordinarily in that case.) But to man-kind in common, it is made a duty to live in this order of Government, where it may be had. He therefore that should think he is born a Freeman, and therefore will maintain his liberty, and be Governed by none, (being not a Governour himself) doth sin against God, in violating his Order, as Souldiers should do in an Army that would have no Officers, nor be commanded by any but the General. This is easily proved, for,

I. Nature immediately makes an inequality in our procreation and birth, and subjecteth children to

to their Parents as their undoubtedly rightful Governours.

2. Nature doth make such inequality of persons in point of sufficiency and endowments, as necessitateth Government, while some are unable or unapt to subsist comfortably without the Government of others: And therefore even in state of marriage Nature subjecteth the weaker sexe to the Government of the stronger. And its natural for persons of weak understandings, and other endowments to have some that are wise and able to Govern them, lest they be destitute of help and left to ruine.

3. Nature hath made man a sociable creature, both by *Necessity*, and *Inclination*; and therefore must be in ordered societies.

4. Nature hath made man a lover of man, and so far as he is good, so far to be Communicative: and therefore the wisdom and strength that any doe excell in, is for the good of others; and all things must be so ordered that the whole may be the better for the gifts of the severall parts, and the weak for the strong; and therefore there must be Governed societies.

4. Providence keepeth some in such necessitie of others, as requirerh their relief and protection, and Government. Some by paucity are insufficient for their own defence: some by the proximity of potent Enemies and Thieves: some by the scituation of their Countries, and some by want.

5. The viciousness of men hath made Government now of double necessitie, to what it would be if man wete innocent, when men are Wolves to one another, and the weaker can keep nothing that the

stronger hath a minde to , and no mans life can be safe from cruelty and revenge ; when there is so much backwardness to vertue and well doing , and so much vice to be restrained , it is now no more question whether Government be naturally necessary , and subjection a duty ; then whether Physicians be necessary in a raging plague , or food in a famine.

6. Experience tells us that Gods work, or our preservation cannot be well carried on without it ; without it the world would be a confused crowd. It would dishonour the Sovereign Ruler , if his Kingdom were turned into a tumultuous rabble , God doth not immediately , that is without suitable means , exercise his Government by himself. He could have easily done it : but it is the beauty and perfection of his Kingdom that there be diversity of Orders. He could lighten the world without the Sun : but he hath chosen rather to communicate so much of his Splendor to a Creature : He will have men like our selves to be his Officers among men , as fittest for our familiar converse. And What would a Nation be without Government , but a company of miserable men , robbing and killing one another , what would an Army be without Commanders ? and how would they defend themselves against the enemies.

7. The Law of Nature requireth Justice ; that it may goe well with the good , and ill with the evill ; and that vertue be encouraged , and wickedness punished : therefore it requireth that there be a course of Government in the world to this end.

8. There is Government among the very Angels and Divels : therefore it is not to be avoided or thought a thing indifferent among men.

All

All places have some Order.

9. The Analogicall Government in the Microcosme, man, doth prove a Natural need and excellency of Government. The Intelect in man is made to guide, and the Will to Command, & all the inferiour faculties to obey: shewing us that in societies the *Wise* should guide, the *Good* should command, and the *Strong* and all the rest should execute and obey. An ungoverned man is a mad man, or a bad man.

10. The great disparity that is among all Creatures in the frame of Nature, intimateth the beauty of Orderly Political disparity. Look but to the Sun and Moon, and Stars. and see their inequality and Order. Beasts differ in strength, and the very stones of the field are not of equal bigness and shape. The silly Ants have an Order among them, and a Hive of Bees are a Natural Common-wealth.

Thes. 43. *As the difference of our faculties, and our personal self Government, so also Domesticall, Political, and Ecclesiastical Order of Government and subjection, are the Institutions of God, commanded in his Laws.*

1. The well governing of a mans selfe (which is taught by Theological Ethicks) is both necessary to his own felicity, and a principal requisite to the safety, beauty, and felicity of the societies, that consist of individual persons.

2. Domesticall Order is commanded of God, partly in nature directly, as the Rule of Parents, and obedience of Children: partly by the intervention of

contracts for the application of the Law to the individual persons, as in the Relations of Husband and Wife, of Master and servant, where note, that in the first, it is one thing for Nature to give the Law, and another thing for Nature to produce the person: Nature as procreative brings forth the Childe? from whence the mutual Relations result: but it is Nature partly as Indicative of Gods will, and partly as endowing us with Principles or Dispositions of Morality (that is, as a Law) that obliged Children to obey, as Parents to Govern: so also the Law of Nature and Scripture is it that imposeth on *Wives* and *Servants* the duty of obeying, as on *Husbands* and *Masters* the care and duty of Governing; but it is *Choice* that determineth of the *Persons* that are to *Rule* and to *obey*, that *this* or that shall be the *man* or the *woman* that shall be a *Husband* or *Wife* is of choice: and that this or that shall be the *Master* or *Servant*, and also (these being free Relations) it is here of choice, whether they will be Married or not, and servants or not. (To the world in general, the Relations are necessary, but not to every individual person.) But whether the Husband shall govern, and the wife obey, and whether the Master shall govern, and the servant obey, this is not of choice: so that if they should by Contract agree, that the wife shall not be subject to the Husband, it were *ipso facto* null, as being contrary to the divine Institution or Law.

3. As many Families cohabiting without Political or Civil Government, would want that which is necessary to their own Wel-fare and the Common-good. As an Empire is divided into several Provinces, or Principalities, so God hath made it necessary

necessary that the world be distributed into many particular Common-wealths. An Universal humane Monarchy is impossible, it being beyond the Capacity of any one so to govern ; (the more to blame the Pope for pretending to it) God only can govern all the world. But men as his Officers have their several Provinces, which in due subordination to him and his Laws, must be governed by them.

4. Because men have immortal souls to save, and an everlasting life of happinesse to attain, or misery to suffer, and God himself hath a final Judgment to pass on all according to his Laws, and because men are rational free Agents that must by knowledge and choice be brought into a fitness for felicity, and be kept in acceptable obedience to their Sovereign; therefore hath he appointed Pastors to teach and guide the people in the way of life, and to acquaint them with his Laws, and his future Judgement, and in free ordered Churches to lead them in the publick Worship of God, and exercise that spirituall Government by his Word, which shall preserve the honor of his holinesse in the world, and difference between his servants and the rebellious, and lead his people towards perfection.

Thes. 44. *As God is the universal King, and hath a universal Kingdom and Law, so doth he in this life exercise himself some part of his executive power; in protecting his faithfull Subjects, encouraging the good, and punishing offenders by himself, and by the Ministry of Angels: But his full Universal Judgement will be after this world, when all shall be finally sentenced by him to everlasting Joy or Misery.* so much of Gods UNIVERSAL ADMINISTRATION.

CHAP. V.

Of a subordinate Common-wealth in General.

HAVING spoken of Gods *Universal Kingdom*, I am next to speak of the distinct, subordinate Common-wealth which God hath by institution made the parts of it. And here first I shall speak of the *NATURE* of a Common-wealth in General; and then of those Modal differences which have obtained the name of the divers *species* of Common-wealths: and that, 1. As the difference is in the number and quality of persons that have the Sovereignty. And, 2. As it is in the gradually or modally diversified Matter, or Object of their power. And having spoken of the Constitutive Causes, I shall speak of the Efficient.

Thes.

Thef. 45. *A Common-wealth is sometime taken for the Society Governed, sometime for the Government of that Society; sometime it is taken properly in the first signification, and sometime analogically, for that which is a Common-wealth, but of an imperfect kind, or only secundum quid.*

Thef. 46. *A Common-wealth properly so called, is [A Society of Gods Subjects ordered into the Relations of Sovereign and Subjects for the common good, and the pleasing of God their Absolute Sovereign.] Or, [It is the Government of a Society of Gods Subjects by a Sovereign subordinate to God, for the common good, and the Glory, and pleasing of God.] Or it is [The order of a Civil body, consisting in the Authority of the Magistrate; especially the supreme, and the subjection of the people, for the common good, and the pleasing of God.*

Many Definitions you may find in politicks, almost each one having one of his own, though most of them to the same sence. And therefore if I use not any of theirs in all the terms, I am as excusable as they.

Thef. 47. *A Common-Wealth secundum quid, or Analogically so called, is [The order of a Civil body, consisting of Governours and Subjects intended for their corporal Wel-fare, but acknowledging not Gods Sovereignty, nor intending spiritual and everlasting good, nor the pleasing or honour of God.*

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As the best actions of Atheists, or any men that have not just Principles or ends, are not simply or properly Morally-good, but only *secundum quid*, and *Analogically*, so is it with their Politicks and Common-wealths. The absence of any one of these Essential Ingredients, makes their Government another thing. If it want either Moral-dependance upon God as absolute Sovereign, or the acknowledgement of his great Universal Laws which must be the Fundamentals to their own, or if they intend not any spiritual and everlasting good to the societies, or intend not the honour and pleasing of God, but begin and end their Government with their carnal selves, this is not simply or properly a Common-wealth, but *secundum quid*, and Analogically; even no more then an Idiot is a reasonable man. Its agreed on by Politicians, that a Company of Robbers that choose them a King, are no Common-wealth, because they deviate from the Universal fundamental Laws; Much less is a Company of Rebels a Common-wealth that seek both the subversion of King and Kingdom: and so want both the necessary Beginning, Means and End. And a Justice of Peace or Judge may as well have Power, when they have renounced their Dependance on the Sovereign, and Loyalty to him, as a King or any other can have just Power when they have renounced their Allegiance or subjection to God. (of which anon)

Thes. 48 The form of a Common-wealth is the Relation of Sovereign and Subjects to each other; The Subject matter is a civil body, or Community of Gods Subjects: The Relate and Correlate are the Sovereign and the Subjects: The fundamentum being the chief controverted point shall be spoken of by it self. The Terminus is actual order, and the common good, and the pleasing of God thereby attained.

The Relate are *Heteronyma*: the Sovereign is the chief in Honour and Power, the Subjects are the Chief in real worth, and finally preferred. The Aggregate matter must be rational Creatures: for bruits are nor capable, and they must be Gods Subjects, and parts of the Universal Kingdom; as the Members of a Corporation in this Common-wealth, must be members of the Common-wealth and Subjects of the Sovereign. How far they must be subject to God shall be shewed after. The neereſt *Terminus* or end is the good order of the body procured by the Administration. By [Order] here I mean not the Relation it self as I did in the definition, but the orderly state and behaviour of the society, which is the exercise of Government and subjection, and the obedience to God, and just behaviour unto men that is manifested therein. This end is a means to the next end, which is the Common good, and that to the ultimate end, which is the everlasting happiness of man, and the fulfilling, or pleasing of the Will of God.

Thes.

Thes. 49 *The Sovereign of one Common-wealth must be One, and but one Civil person, but one natural person may be the Sovereign of many Common-wealths, and many, yea, many thousand may possibly be the Sovereign of one.*

There must be one Head to every Civil governed body, and but one; that one *Natural* may be ten *Civil* persons, and so the Head of ten Common-wealths is evident in that there is more necessary to individuate Common-wealths, then the Unity of the Head; and the *Natural* Unity of the Head is not necessary. One natural Subject may have many Relations: As the same man may be a King, a Generall, a Husband, a Master, &c. so he may be a King of many Kingdoms, The Kingdom of *Scotland* was not the same with the Kingdom of *England*. Many Kingdoms may have different Constitutions, one of them have an Emperor, another a limited King, another a more limited, and yet all have the same man. And as he is the Emperor, Duke or Prince of one Common-wealth, he is not the same Civil person, as he is, as King of another: And that many natural persons may be one *Civil* person, shall be further shewed when we come to the *species* of Government.

Thes. 50. *Though the Sovereign and subjects are always civilly distinct, yet the same natural persons that are Sovereigns in one respect and degree, may be Subjects in another, and e contra.*

But this belonging to the *species*, we shall say more of it in the Differences of Governments.

Thes.

Thes. 51. *The people as people are not the Sovereign Power, neither as natural persons aggregate, nor as having the chief Propriety and strength, nor as any way endowed by God with governing Authority: And therefore the distinction of some Politicians (Papists and Protestants) of Majestas realis & personalis, and the Assertion of the Popular, that the People are the real Sovereign, or have the Majestatem Realem, (unless the constitution of that individual Common-wealth shall give it them) is false, and not to be endured.*

If the people any otherwise then by particular Constitutions, (by fundamental Contracts) be the Sovereigns, or have any Governing civil power, it must be either by nature, by accident, or by divine Institution: But none of these wayes: therefore not at all.

That they have none by nature is plain, in that they are not by nature a Community or Aggregate Body. And when they are so, they have naturally no Sovereignty, as I prove.

1. Where there is no Common-wealth, there is no Sovereignty: but in a meer Community or Aggregation of men before any Contracts, or voluntary Constitution, there is no Common-wealth: therefore there is no Sovereignty.

2. if a meer Aggregation of natural men did make a Common-wealth and Sovereignty, then a Fare or Market might be a Common wealth: or a ship laden with Passengers or a Prison full of Captives, or an invading Army of enemies. But the Consequent is confessed a falshood, therefore, &c. If

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If meer nature make an Aggregate body of men to be a Commonwealth, or to have a real Majesty, (or Sovereignty) then every aggregate Body of men are a Commonwealth, and have that Sovereignty, but the consequent is false: for there are Schools, Colleges, Societies of Merchants, and many other Corporations and Societies that are no Commonwealth; therefore, &c.

3. If nature make a meer Aggregation or Community of men to be a Commonwealth, or to have Real Majesty, then men may be a Commonwealth, and have such Majesty without, yea, and against their own consent: (For there may be a Community of Men that consent not to be a Commonwealth.) But the Consequent is false, therefore so is the Antecedent.

4. It will follow also, that no End intended by the people is necessary to the being of a Commonwealth; (For men may meet, or cohabit, or associate, and combine for severall ends.) But the Consequent is false against the nature of all such Relations and Associations, therefore, &c.

5. If nature make the people Sovereignes, then either all conjunctly, or a *Major Vote*: But neither all, nor a *Major Vote*: therefore none.

1. Not *All*: For, 1. Where there is no Subject, there is no Sovereign: But if all conjunctly are feigned to be the Sovereign, there would be no Subject: therefore, &c. The Relate cannot be without its Correlate. 2. If all must be conjunct in the Sovereignty, no one would be punished, nor any righted: for every man would be judge in his own cause, and every Delinquent would have a negative voice

voice in his own sentence; and no Murderer would suffer, till he, and all his friends consent.

2. If it be the *Major Vote* that is affirmed to have the Sovereignty; I answer, 1. Nature giveth no such Power: There is nothing in nature to tell us that 1001 should have Power of Governing (and so of the lives) of 999. 2. Nature giveth them not so much as an *Aptitude*, much less Authority and Right. 1. The *Aptitude* is in a *Supereminency of Wisdom, Goodness and Power*: but nature giveth none of these, much less all to the *Major Vote*; therefore it gives not to the *Major Vote* so much as an *Aptitude* for Government. 1. The world knows that knowledge followeth not the *Major Vote*. A few Learned experienced men, may be wiser then a thousand times as many of the Vulgar. 2. And their Vertue will be defective as their Wisdom is. 3. And (though Power be more for execution then for proper Government, yet) it is known that ten strong men may beat twenty weak ones, and that an Army of 30000 doth often beat an Army of 40000.

3. Yea, Nature usually denyeth the *Aptitude* for Government to the *Major Vote*. For, 1. They are ordinarily most imprudent, wanting the natural and acquired parts that others have. 2. They are usually most vicious: The most are seldom the best, in the Best Countreys of the world. 3. They are commonly divided, and hardly kept in Unity among themselves; and therefore are unfit to be the Center of Unity to the rest.

6. If Nature place the Sovereignty in an aggregate body of the people, then either in a certain number,

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or an uncertain. Not on a Certain Number : for nature limiteth it not to such a number, nor doth any affirm it : Not to an uncertaine number , for then every member that is added to the Common-wealth may possibly alter the bent of the whole Sovereignty. *E.G.* If it be half Protestants, and half Papists, and one Papist be admitted into the company, he will give the Papists the *Major Vote*. And thus the enemies may at any time subvert them , and the society will wheel about like the Weather-cock, one party making Laws , and the next Repealing them , as each can get the *Major Vote*.

7. If Nature do make the people the real *Majesty* , or give them any Governing power, then it is either because they are the *wisest* , the *best* , or the *strongest* : But it is by none of these : For, 1. It is proved, that ordinarily they are void of the two first and oft of the last. 2. If not , yet they are but an Aptitude, and not a *Title*. 3. Else if one Nation be wiser or better then the rest, all should be subject to them ; or if an enemy stronger then we set footing on our soil, they are naturally our Governors. And 4. Then there can be no Injustice , if strength or wit may carry it : for he that cheats or beats another that hath Right to all he hath, or if any man can prove too hard for the Prince, his strength would be his Title.

8. If Nature had given the chief Governing Power to the people , then God would not have gone contrary to this in the institution mentioned in his word : But he hath gone contrary to it , (as shall be shewn) therefore, &c.

9. Nor would the commonest Governments of
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The Nations of the earth be contrary to it : for that which is of nature , is most common to naturall men. But no men that I hear of , are Governed by the people as set over them by meer nature : And few take them to have a naturall aptitude : and therefore most places have Monarchy or Aristocracy.

10. The Power of Governing a Common-wealth is not a natural thing, but a Right that must come by Commission from a Superior ; therefore it is nor directly conveyed by meer nature : therefore the multitude have it not by nature.

2. And if they have it not by nature, then either by some supervenient Accident , or by Contract : If by Accident , either by Propriety in Riches, or by acquired Prudence or by Conquest. But none of these ways can it belong to the Community, or Major Vote , as such.

For. 1. A few men many be richer then many, and have Dominion of more Lands and Cattle. 2. And this giveth no man Right to be the Governour of others.

2. Acquired Prudence is but an Aptitude , and not a Title ; and yet it is such as the multitude are void of.

3. They cannot be said to be Conquerors of themselves, or of the minor part.

3. Nothing therefore remaineth to be pleaded for the popular Sovereignty, but Contract , or *Divine Institution*. And if Contract do the deed, it is either a Contract about this very *form* and *end* in question , or about some *other*. 1. If about *another*, it cannot give them Power in this. If a society

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Contract about Merchandize, Physick, Literature, or other subjects and ends, this makes them not a Common-wealth. 2. And if it be a Contract to this *special End*, then it is not by *Nature*, and then it belongs not to a Major Vote as such, but followeth the *consent of various Republicks* as each are constituted by that *consent*.

4. And immediate Divine Institution cannot be pretended for it, as shall be shewn.

In all this dispute I mean by [*Majestas realis*] what the Politicians themselves profess to meane, whom I dispute against, which is not a meer splendor or honour, &c. but as they call it themselves, *Realis Imperij Majestas*, the chief radicall power of Government, by vertue of which they say, that [*Majestas personalis a reali Majestate judicari potest*] and that [*personalis Majestas a reali originem ducit*] and that [*Ubi contra leges fundamentales agit ideo annihilatur & expirat, & realis vivificatur & in eandem armatur.*] There is not the least degree of Governing Power in the people as such. This Doctrine hath been guilty of Rebellion and confusion in Church and State: it hath overthrown the very nature of Churches and Common-wealths; by turning the *Governed* into the *Governours*; and confounding the Rulers and the Subjects. It crosseth the Orders of Gods own Institution that require the Governours to Rule well, and the Subjects to obey them in the Lord, and not to be the Rulers of their Ruler.

Thes.

Thes. 52. Though the people have not any Sovereignty or Governing Authority as people, yet have they a certain Right to that Common good which is the End of Government, and each man hath that propriety in his life and faculties, and Children, and Estate, and Honour, that no Rulers may unjustly take these from him; which Right as it is secured partly by the Law of Nature, partly by other Laws or Institutions of God, and partly by the specifying Fundamental Contracts of the Common-wealth, and commonly called [The Liberties of the People] and the just security of these Liberties, is it that some Authors have mistaken for a Majestas Realis and a popular Authority to Government

Thes. 53. Majesty or Sovereignty is the Highest Power of Governing the Common-wealth, and the Fountain of all inferiour Power.

Thes. 54. As Power or Authority is Jus Regendi, a Right to Govern, so the Sovereigns power in special consisteth in the Only Right of making the Universal Laws of the Common-wealth, and conveying Authority to inferiour Governours, and having the Highest Power of Judgement from which there is no appeal to any but God.

I. Authority is oft taken in other senses: especially for the effective Interest that any man hath in the esteem of another, either for his Learning, Wisdom, Goodness, and Fidelity, Riches or Strength. And so there is *Authoritas Affirmantis, Docentis,*

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Suadentis, *Testantis*, *Minantis*, *Promittentis*, &c. according to mens several Interests. And Power is oft taken for meere strength. But it is Civil Power or Authority that we are here to speak of, which is nothing else but [*Jus Regendi*] *A Right to Govern with an obligation thereto*: (except in God the Absolute Sovereign who can be obliged by none) As Government is an Honour and Dignity, and demandeth obedience from Inferiours, so it is [*A Right*:] But as it is an act of obedience it self to a Superiour Power that commandeth it as his work, so it is from an *Obligation* of that Superiour which is God.

2. If any of the aforesaid Power of Legislation and Judgement be reserved to the people, they have it not as people, but as participating in the Supremacie.

And if the King shall by Law or Custome have the sole Title or name of Sovereigne or Supream, and yet either Lords, or Senate, or people shall participate in the said Legislation, or Highest Judgement, they so far participate in the Sovereignty. For it is not the *Honorary names*, but the *thing* that we enquire after.

Yet *quoad exercitium* a Sovereigne may refuse to exercise his highest Judgement, and cause it constantly to be done by Judges, and the people may limit him therein. Legislation therefore is the chiefest work of Sovereignty; (of which more anon.)

When a Sovereign giveth power to Corporations to make Laws they are but By-Laws, subordinate to the Laws of the Common-wealth, & are about particular matters

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matters, and therefore are not Common-wealth Laws, but Corporation-Laws : And yet they are Originally the Soveraignes Laws, in that the Power came from him, though Proximately they are their Laws that made them. But if he should Depute another to the power of making Common-wealth-Laws, he should depute him to an act of Soveraignty.

Thef. 55. Soveraignes are some perpetual, that is for life, and some temporary, or for a limited time ; And therefore Politicians should not make it Essential to Soveraignty to be perpetual.

Time here cannot alter the general Nature of the Power. It is really the Right of Chief or Soveraign Rule, if it be but for a year or day. As the Major or Bayliff of a Corporation is truly a Magistrate though but for a year, as well as those that have the place for life, so is a Soveraign. The Duration is not essential to the Power. As he is a King that may be cut off by Death the next week after he is Crowned, so is he that receiveth the Crown but for a limited time. If he take it for two hundred years, (which is above the usual life of man) if he should so long live, he is as truly King, as if no years were named. And if so, then no man can fix a term between two hundred years, and two hundred dayes, or two days, which must make our essential difference. And therefore a Dictator is a temporary Monarch.

Thes. 56. The Sovereign is above all the Humane Laws of the Common-wealth; that is, he hath power to make Laws and to repeale them, correct them, adde to them, dispense with them, and pardon the breach of them to particular persons, and as a Sovereign is not bound to keep them by obedience himself, nor to suffer by them.

The reason of this, is evident from the nature of Sovereignty and of Laws. He that is highest hath no Higher to obey: Laws are but the significations of the Law-givers will, and therefore can go no further then his will. He commandeth others and not himselfe. It is proper to a Subject to be obliged to obedience by a proper Law. And therefore if King, Lords, and Commons that had the Reall Sovereignty here among us, had broken a Law that threatneth death, they had not forfeited their lives by it: nor is there any Superiour to be their Legall Judge.

Thes. 57. Yet is not the Sovereign free from the Obligation of the Laws of God, nor from the Obligation of the Fundamental contracts of the Common-wealth, nor of any of his publick promises: nor may he dispense with his own Laws, (much less make Laws) against Gods Laws or the Common-good.

But for violating these, he hath none to judge him as Governour but God: if the people question him as violating the constitution, and destroying the Common-wealth, it must not be as Subjects, nor as his Sovereign: For *Subjects as such*, must obey, and
not

not Rule : and *Sovereignty* they have none. But if they do it , it must be as *Parties* in the *Contract*, vindicating the violated *Contracts* upon natural self presuming grounds, as men kill their *Enemies* in Wars or Duells, for their own defence : which is not as Rulers of the *Enemies* where they kill. But whether this may be done , or in what cases , must be spoken of more distinctly by it self anon.

Thes. 58. But it is possible (how fit I dispute not) that the same natural person that hath the chief part of the Sovereign Power, may be both Sovereign and subject in severall respects, and so have several civil capacities, and then he may as subject be obliged by the same Laws which as Sovereign he makes, and may be punished accordingly; that is, If by the Constitution and by his own consent (in receiving a power on such terms) he be thus subjected.

A Prince may by the *Constitution* be obliged to be responsible in his Courts of Justice, for Debts, or Wrongs, or Crimes and subjected to more or lesse penalties. But he is not thus obliged to duty, or suffering as *sovereign*, but as *subject*: and therefore it is supposed that he have not the total *sovereignty*; but in point of *Judgment*, so much of it be committed to the highest *Judicature* as shall put them in a capacity to judge him. And if the same person (natural) might not be subject that hath part in the *Sovereignty*, then in *Aristocracies* and *Democracies*, many would be from under *Laws*. But though this be possible, yet is it *unusuall and dangerous* to the *Common-wealth*, that any *Judicature* should have power to behead the
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Common-wealth: and that the *Highest Judgement* be in the hands of any that have not the *Highest Legislative Power*, and that to be exercised on the *Legislators*: and that a *Subject* (in all other respects) should have power to judge his *Sovereign to death*; To be responsible about matters of *propriety* is not so unfit. But that the Honour or Life of the *Sovereign* (whether a single Monarch, or a Senate, or both in mixt Governments) should be in the power of inferiour Judges, is unmeet and unsafe to the *Common-wealth*.

Thes. 59. *The existence of the Natural Person of the Sovereign is not necessary to the existence of a Common-wealth.*

And therefore its said that *Rex non moritur*. For when the person is dead , (e. g. in an Elective Monarchy) the *Species* lives in the Constitution, and in the minds and wills of all the people , who therefore will choose a successor.

Thes. 60. *But the natural existence of Subjects is necessary to the existence of a Common-wealth. Because it is not a Body capable of living in a meere constitution, or the mindes of men, nor to be revived presently by mans determinations.*

Thes. 61. *Subjects are either Imperfect , and only such by Obligation and not consent, (as are Rebels) or plenary by consent. Obligation is for Duty: Consent is the condition of the benefit , and the necessary cause of Duty it self.*

Thes.

Thef. 62. Consenting Subjects are either such as have only the benefits of Protection and Justice for their Lives, Honours, Estates, &c. or such as also are Burgesses of the Common-wealth, and are capable of bearing Office, and choosing Governours.

The reason of the difference is sometimes from the difference of expressions of consent, but usually from personall differences of *Aptitude* and *Capacity*: some being children, Idiots, servants, poor, and so depending upon others, and unfit to have a hand in Government.

Thef. 63. It is not the defect of secret intentions of the Ends of Government, that can nullifie the being of a Common-wealth; but if the Common good be not the professed end, it is null.

Thef. 64. It is no further true Government then it is a means to the Ends of Government, which are better then the means; nor may it be set up against its Ends.

CHAP. VI.

Of the several sorts of Common-wealths.

HAVING spoken of the Universal Kingdom, and next in general of particular subordinate Common-wealths, that God hath by institution made the parts of it; I must First speak of the *CONSTITUTION*, and next of the *ADMINISTRATION* of these. And about the *Constitution* I shall first speak of the *MODES* (or *SPECIES* as commonly called) and then of the *Individuation*.

Thes. 65. God hath not in his Universal Lawes restrained the Nations of the world to any one Mode or Species of Government, but left it as a variable thing to be determined according to the condition of each people, whether one or many shall have the Sovereignty under him.

There is a twofold diversity of Governments: One is in the *Persons Ruling*; Another is in the *Matter of Government*: whether the former do deserve the name of *Specification* or not, it hath by *Custom* obtained that name: And so *Monarchy*; *Aristocracie*, and *Democracie* are called the distinct *Species* of Governments or *Common-wealths*. In the *Matter of Govern-*

Government there is difference, in that some have greater power, and some have less: some Sovereigns are limited to certain *things*, and *degrees* of power; and some are unlimited: and some limited more, and some less. And one would think this difference were as great as the former.

I know some pretend to a Divine Institution for Monarchy, but they mean onely that it *may* from Scripture be proved to be *best*; but not that no other but it, is Lawfull. Thus *Michael Hudson* and others assert it to be *Jure Divino*: As for their pretences, that would make *Democracie* the onely Government that hath the stamp of God, I think them not worth the writing against.

Thes. 66. *The true formal nature of a Common-weal is in every one of the Modes or Species now in question; so that it is absurd to appropriate the Title of a Common-wealth to any one of them alone.*

Yet so do the new Popularists among us, calling *Democracie* only [*a Common-wealth*] which they should rather call [*a Common-government*] if it imply no contradiction. The *Constituting Matter* of every Common-wealth is the *Pars Imperans*, and *Pars subdita*: the Governours and Subjects: and the *forme* is their *Mutual Relation* as respecting the End: the neereft End is Order, and the next the peoples safety and welfare hereby maintained and promoted; together with the Honour of the Governor: the more principal End is our present pleasing of God and honouring him, and the ultimate end is our more perfect everlasting pleasing him in our fruition
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of him in glory. It is named *Respublica* a *Common-weal*, partly from the *matter*, because it is the publick Affaires that it is exercised about: and partly from the end, because it is the Common good that it is instituted for, and is to be intended. A Vicinity or Community, City or Society may be where there is no Common-wealth. Any Number of men in capacity are the remote subject of it. A City or Community drawn neerer by contract, are usually or oft the more neer subject of it. For usually some Contract disposeth them, and makes them a Community, or City, before they become a Common-wealth, or so it *may* do at least. Though *some* call it not a City till it be headed with a Governour, and so it is a Common-wealth. Its not the *Attaining* but the *Intention* or *Tendencie* of the Government to the *Common-good* that is essential to a Common-wealth. An accidentally unhappy Common-wealth hath yet the forme, and must have the name.

Thes. 67. *The reason why God did not Universally by his Law tie all the World to One forme of Government, is because the difference of persons, times, places, neighbours, &c. may make one forme best to one people, and at one time, and place, that is worst to another Monarchy is best for some, Aristocracie to others, and Democracie to others.*

Some places may have fewer persons fit, and some more: some places may lie under the advantages of one man, or of many, or of the multitude, so as that they cannot live prosperously without pleasing them, and so submitting to them. In some places the people are

are much addicted to *One* way, and in some to another: some Common-wealths do most intend *Preservation*, and other *Increase* of Riches, or of *Possessions* by enlargement of their Territories. And Custom may do much.

Theſ. 58. That is the best form of Government to this or that People, that all things considered, doth most powerfully tend to their spiritual and everlasting welfare, and their Holiness, Obedience, and pleasing of God.

Nothing more sure or clear, then that the ultimate end doth most put the due estimate on all the means. If Government be no means to this end, it is not good, desirable, nor of God: for if it be not to and for God, it is not from him. There is nothing in all the world that can be the Object of a humane Act, but the ultimate end, and the meanes thereto. If Government be neither, we have nothing to do with it: But if it be one (as certainly it is) it cannot be the end; and therefore must be a means: and if so, that is the best means which most tendeth to the attainment of the end.

Object. But the Common corporal Prosperity is the near and proper end, and therefore that must estimate the meakes.

Ans. Even that nearer end is it self but a means to our ultimate end; nor to be any further valued or regarded by a rational Creature, then it hath a tendency thereto; and therefore that which hath no value it self, but what it hath as a means to the ultimate end, can convey no other to its subordinate means.

Nothing

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Nothing more sure then that our ultimate end must turn the scales of our estimation of all means. A horse may be stronger then a man, and a dog fonder, and a Tree live longer here. The Turkish Dominion may have more riches, and Power, and larger Command then the English Common-wealth: But it is not therefore the happier: That which most advanceth the people to salvation, and keeps out sin, and keeps our holiness and pleaseth God, is the best Government. He that beleaveth not this, is at the heart an Infidel. A prison with holiness and the favour of God, is better then all the Riches and Glory of the world without it: The comon cause of the Damnation of all that perish is the preferring of Riches, Honor, Pleasure, Liberty, and such fleshly accommodation before God and Glory. No men on earth therefore can more promote the Devils work, and the perdition of souls, then these that plead for corporall advantages in the framing of their Common-wealths against Gods interest, and the well-fare of mens souls! They too grossly play over again the game that the Devil playd with Christ that foiled him, *Mat. 4.* when he offered him all the Kingdoms and glory of the world, if he would worship him. None but those that have forsaken God shall be so far forsaken by him as to follow these impious Principles. We will not contrive our own adversity, nor refuse Prosperity when God affordeth it: But we must estimate all with respect to our ultimate end, and prefer the flames before a Crown when it is against this end.

Theſ. 69. That is the beſt form of Government that moſt conduceth to the common ſafety of the intereſt of God, and the well-fare of his Univerſall Kingdom.

The good of the world, and the whole body of Gods faithful Subjects is more to be lookt at, then the good of a particular Common-wealth. The ſame Principles that prove it ſordid and impious to value our private perſonal proſperity before that of the Common-wealth, do prove it as bad to value the good of one Common-wealth before the Univerſal Kingdom of God on earth. If a people could live moſt proſperouſly to themſelves in the ſtate of ſome petty Republicks and Free-Cities, but yet are thereby uncapable of doing much for the ſafety or wel-fare of their brethren *abroad*, it is not the moſt deſirable Government.

Theſ. 70. As that is properly a Domination, or Governing of ſervants, which is principally for the Rulers benefit, and that is a Common-wealth which is principally for the Common-benefit, ſo the more any form of Government tendeth to the Common-weal or Good of all, the more deſirable it is; (ſuppoſing the two fore-mentioned conditions.)

This alſo is plain, becauſe the end ſtill eſtimates the means. And as Millions are better then one and Gods intereſt more concerned in their wel-fare, ſo their wel-fare is more the end of the Common-wealth then his. The Prince in this reſpect is for
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the people, more then they for him.

Thes. 71. *Yet is the Honour of the Prince, as he is Gods Officer, and participateth of Authority derived from him, one part of the end of a Common-wealth, and not to be separated from the peoples benefit, in our intentions.*

Mr. M. Hudson maintaineth that this *Honor of the Sovereign* is the nobler end, and to be preferred before the peoples good. I think they are so admirably linckt together, that we cannot fairly bring them into Competition or Dissention. Gods Interest in other respects is most in the people: though it is only the Rulers that participate of his Governing Power and Honor. Gods interest in the *Magistrates Honor*, is better then the *Peoples prosperity as theirs*: And Gods Interest in the *Peoples Wel-fare*, and the Worship and Obedience that he hath from them, is better then the *Magistrates Honor as his own*: And the *peoples Wel-fare as their own*, is better then the *Magistrates honor as his own*: There remains therefore no question to be decided, but this, *Whether Gods Interest in the Rulers honor, or in the peoples Wel-fare, must be preferred.*] Which needs no further decision, because they are never to be separated, but both to be still regarded. Honor is commanded us to our Superiors in the fifth Commandment, and if any sin of theirs do make them uncable of their own part in the honor, still Gods part must be secured, that is, when they are bad Rulers they must have the Honor of Rulers, though not of good Rulers, and that resulteth unto God: and if they cease to be Rulers,
Magi-

Magistracy ceaseth not, and therefore it must still be honoured, and God in it.

Thes. 72. That form of Government is not to be judged most for the common good, which giveth the greatest Power to the multitude, but that which provideth them with the greatest advantages to serve and please God, and help their Brethren.

Let Satans slaves think the *Highest* are the *Happiest*, who are animated with *Pride*, and take the admiration, applause and submission of men to be their felicity: but none will think so that are not blinded with ambition: The befooled Admirers of the glittering vain Glory, and pomp of worldly dignity and greatnesse, do think a trouble and grievous burden a desirable thing, and part of their felicity. And therefore as every wicked, proud and sensual man would fain be highest, and the Ruler of all, so when such proud and wicked men write Politicks, no wonder if they animate their Writings from their own spirits and principles, and make that the happiest state to the people in which they may have most of Governing Dignity and Power which is far from Truth.

Thes. 73. The great burden and work of the Ruler, is the Principal thing to be lookt at in his office; and the Honor is but for the work sake, and for God that giveth him his Power? The people therefore are more beholden to a faithful Governor, then the Governor is to the people, and receive more from him, then he from them.

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Most men believe not this, though it be most evident, because Ambition and carnal Admiration of secular pomp doth bind their minds. But consider,

1. It is but one man, or a few that are the Receivers from the people, and it is the whole Community that receiveth from the Prince.
2. His cares and labors are far greater for them, then theirs for him or for the most part for themselves. He that never, was at Court, may easily know, what a miserable life it is (as to private pleasure) to have the care of a Common-wealth, and to have so many Expectants and Petitioners to satisfy, and of so contrary dispositions, interests & expectations, where it is impossible for the wisest or richest Prince to satisfy or gratify all, and unavoidably necessary to displease many, & then to incur the passionate censures of those that are displeased: To have scarce time through multitude of business to look to the health of their own bodies; nor do so much for their souls as they that are out of the crowd, and have opportunity of Retirement.
3. And their lives are more in danger by the Plots and Passions of enemies and discontented men, then the Subjects are.
4. And worst of all, they stand in the most incommodious, dangerous station as to their own salvation: The Pomp of the world is potent to deceive, and the greatness and multitude of Business to divert; and the words of flatterers to pervert, and their applause to puffe up; and carnal Interest to engage them against the mortifying Doctrine and flesh displeasing ways of Christ: so that few great, noble and mighty are saved, and its wondrous heard for the rich and great to enter into heaven. So that I conclude, that for wicked men that believe

believe not a life to come, and intend not the common good, but their own advancement, to scramble for a Crown, and clamber into honor, is no wonder, and accordingly they are like to use it. But if any good man, that knoweth what he doth, do accept of a station of so great work, and suffering, and danger, the people are more beholden to him, then he to them. Wise men know the weights of Crowns.

Thes. 74. Of all the three ordinary sorts of Government, Democracy is to most people, and usually the worst.

Let us first know what the sorts are that we speak of, and then prove the Assertion. And first I will not meddle with Domination, which looketh principally to the Princes ends, & but consequently at the common good, but only at the Monarchy thats called] *A Kingdom.*]

Thes. 75. 1. A Kingdom is a Common-wealth that hath one person only for its Sovereign, the end of whose Constitution and Administration is the common good.

The very Title of *Rex*, a King, is the most modest and convenient that a Sovereign can have: for it signifieth but one that ruleth, directeth or guideth, whereas *Imperator*, an Emperour, signifying a Commander, is fitt to the General of an Army, and of too high importance for him that Ruleth by Laws. And *Dominus* a Lord, in its proper signification, is higher then that, and signifieth one that hath a Pro-

priety and *Power of Disposing* of, as well as *Ruling* the persons and things that are under his *Government*, and ordereth them for himself as his own. A *Protector* is a name that I may not now descant on; but I may boldly say, that a *King*, and a *Prince*, *Rex*, & *Princeps* are lower as to pretension, and have in them the least appearance of *Arrogancy*, or sound of *Arbitrary Power*, and are most suited to a moderate *Government*.

Thes. 76. The Corruption of Monarchy is commonly called Tyranny which is when the One that is appointed to rule for the Common-good, doth destroy the Common good, or subject it to his private interest.

Some call him also a *Tyrant* that wants a just Title; and so distinguish the *Tyrant* that wanteth Title from him that abuseth it. But, 1. No man hath a Right to proper *Tyranny*, or to destroy the common good. 2. The other is more usually and fitly called an *Invader*, *Intruder*, or *Usurper*; and so let him keep his name.

Thes. 77. Aristocracy is a Common-wealth that's Governed by some of the best for the Common-good.

The Corruption of it is called *Oligarchie*, which is the confusion of the Community, when some of the strongest or richest, but not the best to get possession of the supream Government, and manage it for their private Interests, and not for the common good. If they be chosen by full Suffrage, yet it may be

be an Oligarchie, as well as by Invasion: the persons and abuse may corrupt the form.

Thes. 78. Democracy is a Common-wealth where the Sovereign Power is in all, or the Major Vote of the people to be exercised for the Common-good.

Some popular forms admit all the multitude to vote in Government without distinction: Most are wiser, and admit only persons thus and thus qualified, that have such Estates, or of such Ranks and Orders: some give equal power to all that have Votes: some limit the inferior sort, and give more power to those of greater riches, The Corruption of this is called *Ochlocratie*, which is the confusion of the Community, when the Rabble rout or multitude have the Rule, which they exercise to satisfy their giddy humors, or some private Interest against the Common-welfare: Scarce any Democracy escapes this.

Thes. 79. A mixt Common-wealth is that, in which either two, or all three of these forms are so conjunct, that the Supremacy is divided among them, sometime equally, sometime unequally.

It hath been a Controversie, to which of these forms our English Common-wealth was, and is to be reckoned: the uncertainty of this was one cause of our Wars: Many thought it was a pure Kingdom or Monarchy, where the whole Sovereignty is in the King. The Parliaments have affirmed it to be a mixt Common-wealth, yet denominated a Monarchy or Kingdom from some eminent Prerogatives of

the King : The Reasons given by them I shall not stand on, save only this *One*. The Legislative Power is a part, if not the highest part of the Sovereignty ; but much of the Legislative Power is, and hath been in the Parliaments hands : therefore much of the Sovereignty is in their hands.

But to put all out of Controversie, the King himself in his Answer to the Nineteen Propositions of the Parliament, averres the same himself. As to them that argue from the Oath of Supremacy, and the Title given to the King, I refer them to Mr. *Lawsons* Answer to *Hobbs* Politicks, where he shews that the Title is oft given to the single person for the honour of the Common-wealth and his encouragement, because he hath an eminent interest, but will not prove the whole Sovereignty to be in him : and the Oath excludeth all others from without, and not them whose interest is implied as conjunct with his. The Laws and Customs of the Nation must expound such Names. The eminent Dignity and Interest of the King above others, allowed the name of a Monarchy or Kingdom to the Commonwealth though indeed the Sovereignty was mixt in the hands of Lords and Commons. If in the mixture the interest of the Prince had been least considerable, it should not have been called a Monarchie or Kingdom, but an Aristocracy or Democracy from the Party that had the most eminent interest.

Theſ. 80. Whether the natural perſons that have the Sovereignty be One, or ten, or ten thouſand, yet they are all but one Civil perſon, called the Sovereign.

The *Majeſty* is in one Civil perſon called the *Head* of the *Common-wealth*: and the *Common-wealth* is individuated by the *Head* or *Sovereign*: and therefore if there were more *Sovereigns* or *Heads* then one, there would be more *Common-wealths*.

Theſ. 81. That Democracy or Popular Government is ordinarily the worſt, is proved by all theſe Arguments; 1. Becauſe it comes neareſt to the utter confounding of the Governors and Governed: the Ranks that God hath ſeparated by his Inſtitution.

It is certain that God himſelf hath appointed that ſome be *Rulers*, and ſome be *Subjects*: Now to make the *Rulers* and the *Subjects* the ſame, and ſo to make the people rule themſelves, is next to the utter confounding of the *common-wealth*, and nullifying *Government*. And therefore it is ſaid four times over in the *Judges*. 17. 18, 19, and 21. That [*In thoſe days their was no King in Iſrael:*] and twice its added; [*But every man did that which was right in his own eyes,*] as if there had been no *Government* at all. And all becauſe the temporary *Monarch* was interrupted, and the *Ariſtocracy* which continued began to grow weak, and favour too much of *Democracy* by the uſurpation or tumults of the people

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Thes. 82. 2. Nothing more incident to corrupted nature then for self-love: to blind men, and every man to be partial in his own cause: Now it is the people that are to be Governed, judged, punished, &c. and therefore how likely are they by partiality to themselves to make the Government next, to none.

Why else is every man excepted against, according to all Laws of God and Man, from being a witness or Judge in his own cause? And shall we have the greater part of the people be the highest Judges in their own cause?

Thes. 83. 3. Government requireth natural strength of reason, that the Governors may be prudent men: They are things oft-times of exceeding difficulty, and usually of very great weight that they have to judge of: But the multitude of the people are usually of lamentable understandings, utterly unfit for such weighty things.

Multitudes in *England*, and more in *Wales*, *Cornwall*, *Ireland*, the *High-lands*, are scarce able to talk reason about common things! And are these fit to have the Sovereign Power to Rule the *Common-wealth*? I have been very sensible of this at an *Affize*, when I have heard the Judge and Counsellors industriously opening the case to the Jury, who stood by them as innocently as if they had heard nothing but *Hebrew* or *Arabick* all the while, and go their way, and bring in their *Verdict*, either as some one cunninger then the rest, perswades them, or else

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at random or hap hazzard, speaking that which was next the tongues end, so that I thought it much at one, as to throw the dice upon it, who should have the day. But O! if our people came to the work of Law-making, and our Senate must *Rogare & Abrogare*, & *obrogare & subrogare*, and the people resolve all as having the highest Power, what work should we have? and what a Herd would Govern us.

Thes. 84. 4. The great and weighty work of Government requireth an answerable Education to prepare them for it: But the Major part of our people have no such Education: therefore &c.

If we could possess them with the Holy Ghost, as Christ did his Apostles, we would call them from their fishing and tent-making to be Preachers or Rulers, and from their Plows, and Carts, and Dung-hills to make Laws: But till then, let us have the common Reason to conceive, that as a man that hath studied Physick, Divinity, or any Art, or Science, or Doctrine, is liker to be skilled in it, then he that was never bred up to it: so is it about the Government of Common-wealths also.

Thes. 85. 5. They that are the chief Governors of a Common-wealth, have need to be wholly or mostly vacant from all Aversions for so great a work: But common people must follow their Plows and Trades, and cannot be vacant for it: therefore they are unfit to Govern a Common-wealth.

If any say that their bare Election of Governors
may

may serve turn , I shall shew you anon that that is not Governing, nor any part of it. The wisest men on earth will find that the Government of a common-wealth will take up the whole man , and that they need no other Trade besides. We find in the Ministry how intolerable another Calling is ; and why not here also?

Thes. 86.6. They that shall Govern a Common-wealth should be good as well as wise, that they may resist temptations to partiality, and not prefer their private interest. But the Major part are not onely likely but certain to be bad , yea Enemies to the very principal ends of Government, in most places of the world: therefore they are utterly unfit for Sovereignty.

It is the badness of men that causeth the corruption of all the forms of Government before mentioned , and subjecteth the publick good to private; and certainly (however some dream that their Laws and Engines can hamper any men) the Devil would never Govern well by any Laws. And Scripture and all experience tells us that the most are selfish, sensual, Worldlings haters of Godlinesse : An enmity being put from the beginning between the seed of the woman and of the Serpent , all this stir of the Republicans is but to make the seed of the Serpent to be the Sovereign Rulers of the earth : when God hath promised that the Kingdoms of the world shall become Christs Kingdoms, these men would have them the Babels of Satan, the seat of confusion, and the enemies of Christ to raign through the earth. When Christ told his Apostles that he sent out them as
Lambs

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Lambs among Wolves, these men would have these Wolves to be the Governors of the world: even those that Christ threatneth to slay: because they would not have him to raige over them, must be the men that must every where raige themselves, even those that he threatneth to bruise for their Rebellion with a Rod of Iron, and dash them in pieces as a Potters vessell, *Psalm.2. Luke 19. 27.* Were not this multitude restrained, they would presently have the blood of the godly. Late experience hath told us somewhat. Their hatred to piety is so wonderfull and unreasonable, that I confesse it confirms me in my belief of that Word of God, that doth affirm it of them. And if these men had once the Sovereignty, what a case were the World in.

But Infidels that take evil for good, may flatter these persons, and make them believe that I unjustly reproach them, and may tell them, that they are all honest men, and it is but some self-conceited persons that censure them: But this will not cure their sin, nor prevent their misery, nor make them fit to govern us: Nor can they make us believe that Wolves are sheep in the open day light.

Nor can they pretend that their Laws shall keep them from doing harm. For, 1. The Sovereign Power is the Law-giver, and therefore can change them at his pleasure: Our brutish impious rout may at any time make Laws for the banishing of piety and Christianity: and for the worshipping of *Bacchus*; and if they but hoot, that [*Great is Diana,*] it is a Law. They have not the Sovereignty, if they cannot make and abrogate Laws. 2. And were they only inferior *Governors*, he is a *fungus*, and not a man

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man that knoweth not by experience how easily bad men can make good Laws to be a noise of wax, and knock down their Adversaries with the very Manicles that we put upon their hands. It was a Proverb at Rome, that Vices had nailed the Laws to the Walls. Living Officers can easily abuse dead Laws. But of this more anon.

Thes. 87. 7. Though no contrivance of man can ascertain a Nation of a succession of good and righteous Governors, yet that is the best Government that giveth the strongest Probability of it; and that the worst, that maketh it impossible, or next to an impossibility: But that the Major Vote of the people should ordinarily be just and good, is next to an impossibility: therefore, &c.

We have some *Hopes* of just and honest Governors if we have Monarchy or Aristocracy: but we have so little hopes, as is next to none, if the Popular Vote must have the Sovereignty. For it is the whole humane nature that is corrupted, and is fallen into Rebellion against God the absolute Sovereign; every man is by nature a Rebel against Heaven, and at enmity with God, and the matters of his own and others happiness, which the true common good consisteth in. And Scripture and experience assures us that it is in almost all places, the smaller number that are converted to Loyalty and subjection to God, and by sanctification reconciled to him, and laid down their enmity: so that ordinarily to plead for a Democracy, is to plead that the Sovereignty may be put into the hands of Rebels, and our welfare may be

be

be desperate, and the common good may be in the hands of the enemies of it, and that by a certain succession.

Thef. 88. 8. Democracy is furthest from Unity, and therefore furthest from perfection: and therefore the most imperfect sort of Government.

That Unity is the companion of perfection, and Division departeth from it as it doth from Vnity, is commonly acknowledged: which caused the *Pythagorans* to Curse the number of [*Two,*] because it was the first that presumed to depart from Unity.

Thef. 89. 9. That is the most imperfect Government which departeth furthest from the Divine Universal form: But so doth popular Government, therefore, &c.

The Universal Kingdom hath one King: The Government of the world is Monarchial. I know that man is incapable of a full imitation of God: And to pretend to imitate him Politically where his naturall incapacity prohibits, it is foolish Arrogancy. But yet we must not willfully depart from him beyond necessity: The similitude of God that man was made in, is judged to consist partly in this Dominion over other Creatures. Surely the further from God, and the more unlike him we are, the more imperfect,

Thef. 90. 10. It is ordinarily the most imperfect form of Government which is furthest from the Angelical order: But such is popular Government. therefore, &c.

By

By the mention that we find of Princes among the Devils, and of Angels that were princes of the Kingdoms of the earth [*Dan.* 10. 13, 20, 21. &c.] we may conclude that their order is Monarchical or at least not this Major Vote : therefore &c.

Thes. 91. 11. That Government is the worst which departeth furthest from the frame of nature in the Government of individvall men : But so doth Popularity.

Art must imitate Nature. Man hath not many Intellects, nor many wills to guide and Command within him, but One onely. Nor doth the Intellect submit to the five senses because they are the Major Vote. Nor doth the will referre the management of our actions to the consultation or Command of all the inferiour faculties, Nor doth the eye or eare forsake its office and resigne it to the Major Vote of the members.

Thes. 92. 12. That is the worst Government of a Commonwealth that is the worst in all other-Governed societies : But such is Popular Government, therefore it is worst.

It would make mad worke in a ship, if the Pilots or Captains power were committed to the Major Vote. And as mad worke would it make in an Army, if the souldiers by Vote should have the cheif Command and mannage all the designs of the Army, and rule their Commanders : And if Scholars rule their Masters

sters and themselves by Vote, it would not do well: And too many of our Country consist of Children in State affaires. And if a family be ruled by the Vote of the servants and Children it will not do well; How then should this do well in the Commonwealth.

Thef. 93. 13. The Government that recedeth furthest from that which Christ hath settled in the Church is the most imperfect and the worst. But such is popular Government: therefore,

I know this age hath produced (even good men) pretenders to a Popular Church forme as of Divine Institution; running point blank against the Scriptures. As Christ himself is the Monarch or King of his Church, and the *One Head* of his *Body*, so did he settle in every particular Church those Bishops, Presbiters, or Pastors whom he hath commanded the people to obey as their Rulers, [*Heb. 13. 7, 17, 24. Act. 20. 28. 1 Tim. 5. 17. 1. Thef. 5. 12, &c.*] And its strange if he should set Rulers over the people and Command them to obey them, and at the same time make the people Rulers, and Consequently Command the Pastors to obey the Major Vote. Let them think on't againe that owne such absurdities.

Thef. 94. 14. A safe Government must have secrecy that the Enemy may not be acquainted with their Counsels unseasonably: But a Popular Government is most incapable of such secrecy in their designs: therefore, &c.

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What great advantage the Enemy hath by knowing the secrets of a state before hand both in the times of Peace and Warre; and also that Popular Government is least able to keep their Counsels secret, are both things so evident as need no more words.

Thes. 95. 15. That's the worst Government (cæteris paribus) that giveth the Enemy the greatest advantage to raise tumults, and mutinies, or get a faction for himself to work his own designs among them: But such is the Popular Government: therefore.

Its a most easie matter for masked Enemies to be members of a Democratical Body, and there in every case to make a party and trouble all things, and at least hinder others and tye their hands, we have no Popular Government in *England*, and yet it is so easie for masked Papists, and Infidels, &c. to get into our Parliaments and there make disturbance that we feel the evill of it, but feare much more, if not prevented.

Thes. 96. 16. A safe and good Government must be able speedily to determine and execute in cases of great weight, that require haste: But the Popular Government is delatory, and will let the Common-wealth be lost, while they are debating.

Armies know, and wise Governours know the difference between expedition and delays: while we delay, our Counsels are opened: the enemy hath time to prepare & prevent us. And among a Crowd where mul-

multitudes have to doe, and that perhaps by long winded speeches; no wonder if Church and State be tost while we are consulting, and if Reformati-
ons be yet in the birth that many years ago were ready to be brought forth. There is scarce any such societies but have secret enemies among them that at least can finde them bones to picke on, and ingeniously divert them and frustrate their Consultations. If *Rome* could say that [*Unus homo nobis cunctando restituit rem*]; yet one Swallow makes no summer, and extraordinary accidents are not the Rule of ordinary Government, There are times to delay: But there are also times for haste.

Thes. 97. 17. *That is the worst Government (ceteris paribus) that is least agreed, or most subject to Division in it selfe, and to factions and tumults in the Common-wealth: But such is Popular Government therefore, &c.*

Any man may know that thousands are hardlier agreed, then a few or one. And long experience hath told the world that the *Ocean* is not more lyable to tempests, and waves, then the people to tumults, factions, and seditions. The reading of those *Romane histories*, that draw some into love with popular Government, doth make my stomach rise against it.

O what a mad and raging beast is this that some would commit the Sovereignty to. It Judgeth much by opinion, but little by truth, saith Cicero pro Roscio. [*Nullum fretum; nullus Euripus tot motus*

tantas ac tam varias habet agitationes fluctuum, quantas perturbationes & quantos ætus habet ratio committiorum,] saith he *Pro Mura. Non Comitiis judicat semper populus, sed movetur pterunq; gratia, cedit precibus, facit eos a quibus est maximus ambitus: deniq; si judicat, non delectu aliquo, aut sapientia ducitur ad judicandum; sed impetu nonnunquam, & quadam etiam temeritate: Non est enim consilium in Vulgo, non ratio, non discrimen, non diligentia: semper q; sapientes ea quæ populus fecisset, ferenda, non semper laudanda duxerunt: Cicero pro Plauco. Shall we not believe the wisest man that had the experience of the most glorious, limited, regulated Democracy?*

Is *Seneca* more to be believed? Hear his Judgment of the people. *Epist. 39. [Nunquam volui populo placere. Nam quæ ego scio, non probat populus: quæ probat populus, ego nescio. Quis placere potest populo cui placet virtus? (N. B. This is not only the Puritans Censure, nor only the Christians.) Malis artibus popularis favor queritur: similem te illis facias oportet: Non probabunt nisi agnoverint; — Conciliari nisi turpi ratione, amor turpium non potest: Quid ergo illa laudata & omnibus præferenda actibus rebusq; Philosophia præstabit? scilicet, ut malis tibi placere quam populo: ut æstimes judicia, non numeres: ut sine metu Deorum, hominumq; vivas: ut aut vineas mala, aut finias. Ceterum si te videro celebrem secundis vocibus vulgi: si intrante te clamor, plausus & platonimica Ornamenta obstrepuerint si tota civitate te feminae pueriq; laudaverint, quidni ego tui miserear cum sciam quæ via ad istum favorem ferat.]*

Populus sæpe magis voluntatem quam rationem ducentem sequitur,] saith *Guicciard. li. 9.*

Populus

Populus rerum graviorum plane rudis & imperitus, a q̄ ubi minus est opus sapenumero profusus; ubi autem res ipsa largitatem poscit, ut q̄ adeo tenax ut dum minimis parcere vult, in maximos sumptus gravissima q̄ pericula incurrat.] Idem li. 2.

Qui multitudini placeat, is sapientibus displiceat necesse est; inquit Plutar. de Educ. lib.

Talis est qualibet plebs & turba, ut facile fallatur, & ad quodvis adducatur: unde illa frequenter idem quod mari accidit: Quemadmodum enim mare natura sua innoxium est recte utentibus, & tutum, si vero violenti flatus in illud irruerint, tale redditur utentibus, quales sunt venti a quibus circumqua q̄ impellitur: ita vulgus, &c. Polyb. lib. 11.

A Hundred such Descriptions of the people are given us by such Writers. Go but to the Election of Knights for a shire, or any such Concourse, and compare it with a Governed Army, and see the difference, and the worth of a Government over the multitude.

Thes. 98. 18. That's the worst Government (ceteris paribus) which is exercised by unconstant fickle men: But such is popular Government: therefore it is the worst.

The Instability and Mutability of the people is known to the world: It hath been their Epithet in all ages, to be mutable and unstable. They may be in a good mood this year, and make good Laws, and destroy all the next; saith Cicero, *pro domo sua*, [In imperita multitudine est varietas

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& inconstancia, & crebra tanquam tempestatum, sic sententiarum commutatio.]

Dies intermissus unus, aut nox interposita saepe perturbat omnia, & totam opinionem parva nonnunquam commutat aura rumoris: saepe etiam sine ulla aperta causa fit aliud, at q³ existimamus; ut nonnunquam ita factum esse etiam populus admiretur, quasi vero non ipse fecerit;] Idem pro Murana.

Nihil est facilius quam in quem libet affectum movere populum, inquit Quintil. De. 11.

Swapte natura est ingratus rerum q³ novarum cupidus populus, inquit Guicciard. Et in populi auxilio in rebus inopinatis ac periculosis ob multitudinis naturam firmum fundamentum jaci non potest. Idem lib. 15. This is the Vote of the Learned world concerning the world or multitude. And he never tryed them that knoweth it not by experience: how they will wheel about like the weather-Cock with the change of wind.

Thes. 99. 19. *That is the worst Government that will exercise the greatest Cruelties; especially against the best: But such is popular Government, therefore.*

I know Monarchy or Aristocracy, makes not bad men good, (of themselves) and therefore among them have been Cruelties: but nothing so many as have been exercised by the multitude when they do rise up, no cruelty seems too great to them in their tumults; When the Roman soldiery

diery did but know their strength, how few of their Emperours died in their beds : what abundance, both Heathen and Christian have been murdered by them ? *Populari multitudine nihil est insipientius neq̃ insolentius. Itaq̃ eos qui Tyranni insolentiam fugiunt, in plebis effrena insolentiam incidere; nequaquam tolerandum est. Nam Tyrannus si quid facit intelligens facit, at plebi nulla inest intelligentia: Unde enim ei intelligentia adsit, qui nec edoctus est, nec novit honestum quicquam, ne in sua quidem familia, & qui ad res agendas sine consilio praeceptis ruit torrenti similis,*] inquit Herodotus, lib. 3. And Pausanias applauds one speech that said, [*Hominem nimis Reipublica administrationi deditum, & populari aura fidentem, haud nunquam feliciter diem extremum claudere.*]

If God and our Governors did not bridle them the sober godly people in England would soone taste of the Cruelty of the vulgar, before they come to the Supremacy.

Thes. 100. 20. That Government where the Rulers have all the foresaid Incapacity, Ignorance, Levity, Naughtiness, &c. and yet have the greatest strength to do evill, and are least restrainable or reformable when they do miscarry, is, *ceteris paribus*, the worst of Governments : But such is the Popular Government : therefore it is the worst.

If one man turn Tyrant, or a few be corrupt, they are easlyer restrained then the heady multitude. For if the greater part or main body of

the people do miscarry, there is none but God that is ordinarily able to correct them ; or save the Common-wealth from their rage : for the strength is theirs. A horse may be mastered by a man , but not by meer strength ; Let him know his strength , and its hard to rule him : Nothing so unfit for Governing , as that which hath most strength with the smallest wisdom and vertue. The Block was not so bad a King to the frogs as the Storck. A few may fear the strength of the multitude, and be more wary in their Government , because of a possibility of suffering : but the multitude are out of danger of any , but God and their own folly ; and therefore when they know their impunity , they will fear none , but be the more encouraged to injustice and impiety.

I conclude therefore that this ignorant, impious, mutable cruel , violent rout , shall never have my consent for the Sovereignty. *Flebi non judicium, non Veritas*, saith *Tacitus*, lib. 1. *Hist. Vulgus & est mutabile subitis, & tam prœsum in Misericordiam quam immodicum sevitia fuerat. Idem. 16.* [*Multitudo ex incertissimo sumit animos*, saith *Livy Decad 1. lib. 6. Defensores suos in præcipitem semper locum favore tollit ; deinde in ipso discrimine periculi destituit. Idem 16. Hæc natura multitudinis est , aut servit humiliter , aut superbe dominatur libertatem, quæ media est, nec pernere modice , nec habere sciunt : & non firme desunt irarum indulgentes ministri qui avidos atq; intemperantes plebeiorum animos ad sanguinem & cædes irritent.*] *Liv. Dec. 3. lib. 4. Multitudo omnis, sic natura maris,*

maris, per se immobilis est, ut venti & aura crient aut tranquilli aut procellosi.] Idem, Dec. 3. lib. 8. Nihil tam incertum, nil tam inestimabile est quam animi multitudinis. Idem Dec. 4. lib. 1. Vulgus est ad deteriora promptum. Tacit Anal. lib. 15.

Christians and Heathens have thought thus of the vulgar. Polycarp being required to defend himself before the people, refused, because [*Principibus & Magistratibus honos debetur, modo Deo non sit contrarius: populo autem furenti satisfacere nemo potest: Euseb. Hist. lib. 4. c. 15. Phocion* feared not to tell the Athenians that he was the singularist that their Oracle told them of, [*Mihi enim ea omnia displicent quæ vulgus ait] And Demades told him, [Laniabit te plebs si paululum insanierit.] Plut. which made him ask, Quid? Num mali dixi imprudens? What hurt have I spoken? When he perceived all applauded his speech. And Var. Hist. lib. 4. tells us of a Piper that beat his boy for piping naught, because the people applauded him. But I have said enough in so plaine a case.*

Of the Objective or Material Differences of Government.

THes. 101. *Governors are some limited, some de facto unlimited: The unlimited are Tyrants, and have no right to that unlimited Government.*

For they are all Subjects themselves, and under the Sovereignty and Laws of God.

Thes. 102. *Limited Governours are either limited from exercising so much power as God himselfe hath appointed the supreme Magistrat to use, or else limited only in things that God hath left undetermined, as to any universall determination. The former limitation is sinfull in the Limiters, and yet may be submitted to in some cases by the Sovereign innocently: the latter may be lawfull in both.*

Inferior Magistrates may be limited according to the prudence of the Supreme; and more Power may be trusted to one, and less to another. But the Supreme Ruler may not be limited contrary to Gods Description or Institution of his Power; yet he may be limited *de facto*, though not *de jure primario*; and consequently *de jure* as to himselfe, that is, so far,

far, as that he shall be justifiable against any accusation of Omission : but the people still are guilty for restraining him.

Thes. 103. *God himself by enacting his own Universall Laws, and instituting Magistracy for the Execution of them in subordination to him, doth thereby plainly tell us, that the Sovereign Powers in each Common-wealth are not to be restrained by the people from the Execution of any of his Laws, which belong to them as Magistrates to execute.*

For Rulers are but Gods Officers for the subordinate Government of men by his Laws, and such subservient Laws of their own as are meet to promote the execution of his : For instance, If the people shall restrain the Sovereign Power from punishing Idolatry, or Adultery, or Theft, or false witness, &c. they hereby sin against God, who hath appointed a Magistracy under him for the punishing of these sins in the world.

Thes. 104. *If the peoples limitations would frustrate the end of Government, the Prince ought not to consent, but rather to be no Governour : But if they only hinder the melius esse, or higher perfection of the Common-wealth, he may receive a sinfully limited power.*

As if he be forbidden or disabled from encouraging Honesty and Piety in the main, or suppressing, or punishing wickedness in the main, or promoting the Com-

to accept of such a Power; For this is not that Office that God hath instituted, but another of mens devising, and set up by his enemies. But if the limitation be only in some point that's integral, but not essential to Honesty, Piety, or Common good, (as the punishment of Theft, or Fornication only, or with such a degree of punishment) then he may assume it; but with a Protestation that it is not his own doing, nor doth he own the action of their restraint.

Thef. 105. The people can restraine a Prince de-facto, because they have the strength, and he cannot govern them without their own consent, either in whole, or in part: and therefore their dissent doth make the exercise of a further Power impossible to the Prince (or other Sovereign) and consequently justifie him.

If all the Army stand up for the life of a Traitor or Mutineer, the General is not able to punish him. If they refuse to go upon a particular design, the General cannot force them. If the body of the people resolve that they will have no Law (or not severe enough) against drunkenness or fornication, the Prince cannot help it. So if he Govern Papists, and they will not suffer him to restrain them, (or any the like unlawfull Sect) it is their fault, and not his. He is not bound to an impossibility, nor bound to cast off all the Government and do no good, because he cannot do what he would: It is the people,

people, and not he that gives liberty to the sin, (unless he consent to their fact, or his not resigning keep out one that could do more.) Their consent is *Conditio sine qua non* of his execution.

Thes. 106. *Yet is this no act of Governing Authority in the people, nor doth it prove them to have the least measure thereof: but it is only an exercise of their natural Resolution upon the advantage of their strength, and in unlawfull cases; it is only a mutinous disobedience against God, which is far from Authority.*

And therefore the Dissent of one or two, or of so few that can be well mastered, no nor of the Major part when they can be mastered, is no restraint to the supream Power from executing all the will of God committed to him as his Rule; nor will excuse him for his omissions, or his toleration of iniquity. If my horse will go no further then his list, it followeth not that he is a sharer in the right of Ruling himself and me, because he is unruly. Limiting by dissent is not Governing.

Thes. 107. *Though the Prince may omit some good by reason of the peoples Dissent and Limitations, yet he may not commit any evill on any such pretence.*

Duty is not at all times Duty. Affirmatives bind not *ad semper*: but sin is never to be committed

mitted. If the people will have a Toleration of unlawful Sects, the Magistrate may yeild when he cannot help it, or if it were to attain a greater good for the Church of God : because indeed it is but the Negation of a Duty, (punishing Offenders) or making Laws against them) which at such a time and case is to him no duty. But if the people would force him to profess any false-opinion himself, or perform any false worship, he may not do it : Evill may not be done, when good may be omitted.

Thef. 108. Though God have not in his Universal Laws determined of the Degree of Princes Power in all Circumstantial or variable matters, yet he hath given general Laws for regulating of such determinations as there shall be cause.

The *Material species* (as some call it of Power is not fully, but yet thus far determined of by God, and instituted in his Law. 1. He requireth that the supreme Power be as his Authorized Officer, the Preserver of his own Universal Laws, and see them executed. 2. He restraineth him from doing any thing against those his Laws. 3. He giveth him general Rules, according to which all humane Laws must be made in undetermined cases. 4. He restraineth him from crossing these Rules in his Government.

Thef. 109. The Principal fundamental Rules for the Magistrates Government, are 1. That he doe all in a due subordination to God the fountaine of Authority: 2. That he frame all his Laws and execution so as that they may be a means to the ends of Government! viz. both the neereſt end, the Order, peace, and happineſs, Corporall, and ſpiritual of the Common-wealth; and the ultimate end, the Pleaſing of God in our ſalvation for ever.

If any of the Laws of men be totally Croſs to the fountaine and the end, or make againſt them in the maine, they are Nullities and private prohibited acts, of no authority: No forces, no advantages, no power, no engagement of men, can authorize any man againſt God, or againſt the ſalvation of our ſoules, and the Common ſafety of the people. And this upon a twofold account: 1. Be-
 cauſe they are without Authority: 2. Be-
 cauſe they are againſt the Chief Authority.

*Thef. 110. Another Divine limitation of the Sovereign is, that he fit all his Laws to a due ſubſervien-
 cy unto Gods univerſall Laws, and do nothing a-
 gainſt any of them.*

*Thef. 111. Yet as Gods Laws are not all of abſolute ne-
 ceſſity to the being of a loyal ſubject of his Kingdom,
 though all are obligatory, ſo the Magiſtrate
 that in point of Duty is bound to ſubſerve and ob-
 ſerve all Gods Lawes, yet nullifieth not his office.*
 or

or power by sinning against those that are not of absolute necessity as aforesaid.

Every thing that is a sin destroyeth not Christianity in a Christian, or Magistracy in a Magistrate: as some Laws and Duties, are but for the *bene vel melius esse* of our Christianity, and Magistracy: so some sins may tend effectually but to the diseasing of both.

Thes. 112. *The people ought not to restrain the sovereign Power from a usefull Determination of things in themselves indifferent, according to the Generall Rules of God, for the ends of Government.*

Under pretence of *Liberty*, they should not limit the Rulers from any Lawes or executions that are really for their own good (which is the main Generall Rule next Gods will and honour.) And if they do, the Ruler may innocently be restrained but the people sinfully restrain him. They cannot be innocent in hindring their owne good and the ends of Governments.

Thes. 113. *But in case that Rulers would. 1. Have a power to trouble the Common-wealth with needless Lawes. 2. Or would determine Circumstances dangerously, so that it may as probably, or more, doe hurt as good: 3. Or would have such a power to do a lesser good which he cannot have without the power of doing much more hurt: 4. Or would actually do hurt to the Common-wealth, the restraint*

straint of the people (in the Constitution) is here innocent and prudent.

For it is but self-preservation, that nature teacheth man as man: but still it argueth not any measure of Governing power in them; but a strength exercised honestly for self-preservation, by refusing to be under such Laws or executions as would hazard, trouble or destroy them.

Thes. 114. The People may have a true Propriety in their estates, though they have no Right of Governing: and therefore here they may more Capitulate with the sovereign and restrain him from taking their Moneys, Goods, Lands, &c. Without their consent, or but on contracted termes.

If the Laws of the land or Custome restrain the Prince from taking any mans money or goods without his consent, this is no prooffe of any Governing authority in the people, for Propriety is not Government: Nor limiting a Ruler by holding my own, is not Ruling.

Dominion is in order of nature antecedent to Government, & may be out of a Common-wealth as truly as in it. The distribution of Dominion or Propriety may be done by the ordinary Law of Nature conjunct with disposing Providence. Occupation if it be agreeable to the Law of Nature [when men are under no other Law] that is, if it be not of another mans, nor of an undue proportion, &c. may occasion a true Propriety. But if the occu-

Part would seize upon a whole Country or more then Nature alloweth as a proportion for one man, and tendeth to the Common hurt of the Community, or mankind, here he hath no Title and may be dispossessed. But in Common-wealths; Propriety is partly made subject to the ends of the Common-wealth; and therefore Governing Lawes may give propriety, though there be a propriety in order of nature before any Lawes, but those of Nature.

Thef. 115. It is not safe or Lawfull for the people to limit or restrain the sovereign Power from disposing so farre of the estates of all, as is necessary to the safety of all, which is the end of Government.

It is not the whole of mens Propriety that is to be subject to the Governour but part? and that Part is subject for the preservation of the whole remainder. Men have the primary Propriety in themselves, and the secondary in their estates; and as no Governor may take away the lives of all the people on pretence of justice or necessity, but only some on just occasions, and that for the good of the rest, so no Governor may take away all the estates of the peoples, but only part to preserve the rest: Nor may he justly take from them the Propriety, leaving the possession. The King of *Egypt* could not take the peoples Lands and Cattle, as Governor, but as Contractor, by Purchase, when *Joseph* sold them corn, and they parted with a great part of their pro-

propriety to save their lives. But to make Propriety dependant, and limited as a Tenants, may be lawfull, if not by injustice nor unmercifulness accomplished.

If the Ruler have not Power to preserve the Common-wealth, he is not capable of the ends, and so not of the work of Government. It is for the peoples good that part be used to save the whole and themselves. But yet it is just and wisdom for the people in the constitution to limit the Ruler by convenient cautions that he may not under pretence of Preserving them have advantage to oppress them: and therefore it is unfit for the ordinary stated Revenews necessary to his personal or annual-publick use, should depend upon their after-Consent; (for so Princes would be brought into the case as those Ministers that live on the peoples voluntary contribution, and would find both murmuring and mutable Pay-masters) yet in extraordinary Taxes it is fit the people should restrain the Rulers from arbitrary seizures. And yet it is unfit that this restraint should be exercised by the people themselves, but rather by some prudent chosen persons, as it is in our Parliaments. For the multitude are covetous, tenacious, injudicious, and incompetent judges of the necessities or commodity of the Common-wealth: and will make a small matter of their dangers, and publick commodities, and a great matter of their payments, till they are undone, and wise too late: And almost all Contributions will occasion seditions, tumults, or unsettledness in the Common-wealth

If the people, or any as chosen by them to that end, have only such a limiting self-preserving Power to themselves reserved, or a meer *judicium discretionis* about the necessities of the Common-wealth; this proveth not that they have any power in the Government, but if they have also a deliberating power about the common dangers or diseases, and a directing or disposing Power about the Remedy (whether money arms, &c) as a Remedy, then it is a part in the Government that is reserved to them.

Thes. 116. The propriety of particular men is subjected to the Governor as a Governor, so far as that he may judge in cases of difference, and administer Justice in giving every man his own, and may deprive men of part, or all that they possess by way of punishment for their crimes.

A Governor hath nothing to do in Government, if he had nothing at all to do with mens propriety: for as he decideth differences about it as Judge, and maketh Laws which shall be the Rule of such decisions, so he may take away all that a man hath as a penalty, and make Laws which shall be the Rule of that Penaltie. What do penal Laws but deprive men (for the most part) of their propriety, when they forfeit it by their crimes? The Magistrate may take away mens lives for their crimes; therefore he may take away their money or Lands: for their lives are as much their own, and are more precious to them. And if he may not punish Offenders, he is no Governor.

Thes.

Thes. 117. Yet here also it is fit that the Constitution limit the Sovereign de modo, as God by his Universal Laws hath limited him in the Substantials of Justice.

For if under pretence of Justice every mans Life and Estate should be meerly at the mercy of of an Arbitrary unlimited Prince, it were as bad as to have all left to his will, when he will pretend a necessity for the publick safety or commodity directly. They may see in the constitution that vertues be not punished as vices, nor the innocent (by a Law) as if they were guilty: and that none but well chosen able men be Judges, and that they be responsible to the Supream: and that the penalties exceed not the crimes, nor the matter of fact judged without sufficient witness; and such like restrictions they may put to escape Injustice; but such disable not the Governor to do Justice ordinarily.

Thes. 118. If the Sovereign be not limited in the constitution, or by his own consent, but only in general terms entrusted with the Sovereignty, he may by vertue of his Sovereignty dispose of the Estates of the Subjects in order to the ends of Government: But though there be no expresse restraint upon him in the constitution, yet can he do nothing against the Laws of God, or the ends of Government.

It is implied in the constitution of every Government, that it cannot be used against its superior

rior Power, or its end. This God hath obliged them to already, and therefore it is firm, though men say nothing. And therefore a Governor as he is a subordinate Officer of God, is restrained from Injustice, and so from seizing on the Estates of others, for himself or his Favorites, or without the demand of Justice, or the publick good. But in these cases his office alloweth, yea, and bindeth him to do it, if not restrained notoriously by the constitution. And he would be an enemy to the Common-wealth, if he suffer it to perish in tenderness of mens private good.

Thes. 119. It seems to many a very difficult Question, Whether a Sovereign should save the Common-wealth when the limitations in the constitution disable him? But the Answer is easie. If the danger be not certain or very great, he is to keep his bounds and Covenant: and if mischief fall on the common-wealth, the people by their foolish limitations were guilty, and its they that must bear the main loss. But if the danger be great, and the people express not their dissent, the Sovereign may transgress his limits to save the Common-wealth, because the constitution being for the common safety, it is to be supposed that the Authors of it did intend the end, before they chose the means, and therefore did mean, that if the limitations should fall out to be inconsistent with the end, they should be nul.

Nature alloweth us to suppose that no man would destroy himself, till we are able to prove the

the contrary. And when we can prove it, we thereby prove him a mad-man, or of so depraved an Intellect, as that he is not fit to be covenanted with: much less then, may we suppose that a Nation or Society of men intend their own destruction: Nor that they intended rather to perish, then their limitations should be observed. But if a Sovereign break his bounds without such danger as is either notorious before hand, or he can afterward make notorious to the people for his Justification, he will incur censures and hazards to himselfe and the Common-wealth.

Thel. 120. *But it seems a harder Question what the Sovereign should do in case the people not only limit him by Covenants, but actually desire the way that would destroy them, and dissent from his preserving them; whither may he save the common-wealth against the peoples wills? The Answer is easie, that he may do it, both as he is a Governor, and so an Officer of God for the ends of Government, and therefore cannot lawfully be restrained by the people from preserving them, because they have no Power above God: and also as a private man ex charitate, he is bound to save a Nation if he can, though without Authority; as we must save a man from drowning or hanging himself, or quench the fire which he kindleth in his own thatch. And because it is still to be supposed that the people desire their own preservation, and therefore mistakingly resist the means, which else they would consent to.*

This cause may fall out, though to some it may seem impossible, especially in times of War ; and especially in the Army it self , when the souldiers by their ignorance and temerity may presently cast themselves away , if they be not hindred. And the people by the power of deceits , or fear , may subjugate themselves to barbarous destroyers. But yet it is no ordinary case as to the temporal good of the people : and when it doth fall out , it rarely falls out , that the Sovereign is able to deliver them. It often falls out , about the peoples spiritual and eternal good , and Gods honour : and how far the Governor may here preserve them (by a minor part, or by forreign strength) against the wills of the Major part, I shall shew anon.

Many things that are commonly debated by Politicians about the *Jura Regalia, vel Majestatis*, I shall pass by both, because I intend but some *Aphorisms* suited to the demands and doubts of these times , & because the Generals sufficiently declare them as to my ends : and because I shall have fitter occasion to speak of the chief of them, among the *Works of Sovereignty* towards the end , I shall next (before I compare the sorts of Government, and shew which is the best) speak of the efficient causes or foundation of Power.

CHAP. VII.

Of the Foundation efficient and conveying causes of Power.

THes. 121, *There is no Governing Power but what is from God the Absolute Universal Lord and Sovereign.*

1. All Beings besides the first, must have a fountain and beginning : and therefore so must Power. But it can have no Beginning but from God ; nor can any other be the fountain , or first cause, therefore it is from God. Man is not the first cause of his own being : therefore not of his Power.

2. Moreover we have no natural Power , called *Strength* , but from God ; therefore we can have no Civil Power, called *Authority*, or Right of Governing, but from God : For we can no more have one without him, then the other,

3. To ascribe Power to any other as the first efficient cause, then God , is to make more Gods then one ; for that which hath a independent underived Power ; and is the first cause, is God. And if this be ascribed to any creature, it is an Idolatrous deifying of that Creature.

4. It belongeth to the absolute Lord and Sovereign to be the fountain of all inferiour Power : But God is the absolute Universal Lord and Sovereign, therefore, &c,

5. The

5. The Holy Scripture seconds the Light and Law of nature in this and tells us, that [*There is no Power but of God, the Powers that be, are ordained of God: whosoever therefore resisteth the Power, resisteth the Ordinance of God, Rom. 13. 1, 2. And verse 4. [He is the Minister, of God to thee for good, — He is the Minister of God, a Revenger, to execute wrath upon him that doth evil.]* It is Authority, that ἐξουσία which is *Jus regendi*, that the Apostle here speaketh of, and not meer strength.

It is therefore Treason against the God of heaven, for any man or Angel to pretend to a Power that is not derived from him, who is the Cause of Causes, and Original of Power.

Thes. 122. Every earthly Sovereign therefore is an Officer of God, receiving his power from him as his highest Sovereign, and being obliged to use it for him, being himself but a subordinate Sovereign of a part of the Universal Kingdom.

In the fore-cited Text, the *Roman* Emperors (as its commonly judged by Commentators) are called [*The Ministers of God.*] All higher Powers are so called, I am sure. And he that is *ὁ ἐκ δακτύλου*, and appointed to attend on this very work, is doubtless an Officer of God, and as such to be esteemed.

2. They that deny the prince to be Gods Officer, rob him of that Beam of divine Excellency, which is the highest part of all his Dignity, from whence Princes have been called *Metaphorically* Gods,

ods. The least beam of Majesty derived from
od, hath greater splendor then all the world as
om it self is able to communicate. To make a
ree-man a slave, is not so great an abatement, as
make a Prince that is an Officer of God, to be
eerly a terrestrial *Animal*.

3. They that deny Princes to be Gods Officers,
tempt them to be Traitors, both in denying the
riyation of their Power from their Sovereign, and
denying to use it to his service and honour. The
ad must be no higher then the beginning: If God
apt the efficient, he need not be made the end of
agistrates Power: By which you may see, that there
nnot be a more unreasonable, impious, and trait-
orous Opinion divulged among the sons of men,
en that Magistrates have not their Power from
od, as his Officers: for it is to deny God to be God.

4. Moreover, if this Opinion were true, then peo-
e need not obey their Magistrates as Gods Officers,
ad so would abate the cheif part of their Reve-
nce to them, and their Obedience would be but
eerly humane, and not participatively divine.

5. And thence it would follow, that no punish-
ent is due from God to the Disobeyers of Magi-
rates: For if God appoint them not, he will not
unish us for not obeying them: for his Sanction is
fixed to his own Laws. But we are commanded to
bey them, not onely for wrath, but for conscience
ke, *Rom. 13. 5, 6, 7.*

hes. 123. The fifth Commandment is therefore placed
as between the first and second Table, as being partly
A Command of our Duty to God in his Officers, and
partly

partly the first Command of our Duty to men, even to the men that are most highly dignified by the Communication of that beam of Authority from God.

We commonly place the fifth Commandment in the second Table: but some of the antient Doctors of the Church did place it in the first, as commanding our Duty to Rulers, not as men, but as the Officers of God: and so each Table had five Commandments. We think it is according to the infinite Wisdom of God, placed so between both, as that it should be left dubious to us, which of them it belongs to, as participating of both in its nature. And some think, that part of it was written on the first Table of stone, and part on the second. But certainly Power is a Ray from God.

Thes. 124. Our principal search then must be to find out the line of Derivation, how, and by what means this Power is conveyed from God. And to that end, we must enquire what he hath done himself as part of his Universal standing Law, and what he hath left to be done, with variations according to the difference of times, and places, and persons.

Thes. 125. And first, It is most certain that God hath himself determined in the Law of nature, & of Scripture, that there shall be Governors and subjects, Rule and Obedience in the world; and hath not left the world to liberty, whether they will have Governors or not.

This is proved before. If all the world agreed to depose

depofe their Rulers, or live without, it would not become lawful by the agreement, but an act of difobedience againft God. This therefore is not left to mans decifion, but they are prevented by Gods Law.

Thes 126. Secondly, God hath been pleafed in his Universal Laws of nature and Scripture to determine of the ends of Government ; that his Pleafure , and Honor, and the common-good, and order as neceffary thereto, fhall be the end: this therefore is not left to the decifion of man.

So that if all men fhould agree that Magiftrates fhall not refpect the honor or pleafing of God , or the common good, it were but treachery and folly, and an agreement of no validity at all. The end being effentiall to the Relation here, it followeth , that whoever is a Magiftrate, muft ufe his power to thefe ends, though all men fhould gain fay it.

Thes. 127. Thirdly, God hath himfelf made certain Universal ftated Laws, which all Princes and States muft promote and execute as his Officers ; and no man on earth have Power to null them, or difpenfe with them : It is not therefore left to mans decifion whether they will obferve thefe Laws of God, or not.

All the Laws of men are in two refpects different from thefe of God. Firft, Gods Laws are Universal for all the world; but mans are particular, or limited for their feveral Common-wealths. As the Sovereign Powers make Universal Laws for the Commonwealth, but may give a Corporation power to make by Laws for that Corporation about inferior things.

And

And secondly, Gods Laws are superior fixed Laws, above the highest Prince on earth, which bind them as Subjects to God, & they cannot dispense with; & therefore they are limited by them in their own Legislations and Jurisdiction, yea all that they do must subserve them, whereas Princes, or others that have Sovereign Power, are above their own Laws as such. He that is bound by a Law, is so far subject: He that is a Subject, is a Subject to some Superior: Sovereigns have no earthly Superiors; but they are as much subject to God as others. As no Justice of Peace hath any power against the Laws of the Commonwealth, so neither have Kings against the Laws of God.

Thes. 1. 28. God hath described in his word (and much in the Law of nature) the Rulers, that shall receive Authority from him as his Officers: so that it is not left to the liberty of any people whom they will choose: but this description containeth some qualifications necessary to the being of an Officer of God, and some that are necessary but to the well-being: therefore if the latter be violated by the Choosers, it is a sin, but not a Nullity: if the former be violated, it is a Nullity as well as a sin.

The King or State may give Power to a Corporation to choose their Major or Bayliffe, but the Charter expressly or implicitly limiteth them what men to chuse. If they chuse a Drunkard or a Swearer, it is not a Nullity, though a fault: but if they chose an open out-lawd Rebel, it is a Nullity: or if their Governor after he is chosen, renounce the Sovereign Power, he nullifieth his own Authority. What are a
Rulers

Rulers necessary qualifications, I shall touch anon.

Thes. 129. All these things being determined already by God himself, it is certain that neither Peoples Election, nor conquest can be the fountaine or proper cause of any of these: but it must be somewhat lower that they have to do.

That which is done already by the great Law-giver of the world, cannot be left to the will of men, nor become their works: but its their work to obey the Lord.

Thes. 130. That which God hath left undetermined in his Universal Laws, is 1. Whether it shall be one, or two, fewer or more that shall have the Sovereign Power under him in particular Commonwealths. 2. And who shall be the individual persons. And 3. Much of the matter of their Laws, which is to be varied agreeably to times and persons.

Though Monarchy, Aristocracy and Democracy are commonly called the distinct *species* of Commonwealths and Governments, yet it is indeed no more then to determine who shall be the persons Governing: The Election of individuals doth it as to the individual persons, and the constitution doth it *simul & semel* as to Successors, determining also of the number. So that the substance of the Office is all predetermined of by God in his own Laws; and this specification and choice of individuals do but determine of the persons. The Reason why God hath not himself in his standing Universal Laws determined of either of these, is, because they were not capable

of such a determination : For the Individuals were not existent, when God made his Laws : the names of *Cæsar, Alexander, Alphonsus, &c.* were not to be inserted into those Laws, they being unborn when the Law of nature was made, and are of short continuance, and must presently resign their Crown to their Successors: & if all that ever should Govern in the world had been forenamed by God in his Laws, it would have brought as great inconveniences on the world, as if every man before hand should be told how long he shall live and whether he shall be rich or poor. God is not to be taught by man how to govern the world.

The. 131. *The essentiall Qualifications of a Governour, or that Dispositio materiæ that is of necessity ad receptionem & retentionem formæ, (and not only ad melius esse) are those without which the persons are not capable of performing the essential workes of Government*

Government in the exercise hath somewhat essential, or of absolute necessity, and somewhat that is but for the *melius esse*, and therefore Governing Power hath so too; and what the latter is must be known, by knowing what the former (the necessary exercise is) for the Power is for the use & exercise.

The. 132. *The end of Government will best determine what is essentiall to Government in exercise. In a proper Common-wealth that is subject to God the Universal sovereign, it is essentially necessary that the Government be so exercised, 1. As that the Being of the Common-wealth may be preserved, 2. And so much of the*

the well being or Common-good as that the estate of the Common-wealth be better then the estate of the people would be if they had no Government, 3. That justice be more prevalent in the bent of Government then injustice, and the Rulers in the maine be not a terror to good works but to evill, 4. And that the Universall Sovereign be acknowledged and honoured.

1. If the Being of the Common-wealth be not preserved, the Government it self will cease. 2. As it is essential to the Relation, that the Common-good be the end professedly intended by the Constitutors, and which the Administrators are obliged to intend, so in the exercise that it be actually sought in the degree here mentioned is necessary; For if the end be wholly overthrown, the means is no means, and the Relation ceaseth. They that are in a worse condition, or as bad as if they had no Government, indeed, have none: only here note, to avoid mistakes, 1. That this is spoken of the *body of the people*, and not of a few particular persons: for if unjustly they be so used as to be worse then without Government, yet that dissolveth not the Common-wealth. 2. That this is spoken of the *stated case of a people*, and not what case they may be in, in some sudden or short strait, which as Physick may tend to a state of health, 3. That therefore as the *Bonū publicum* hath many degrees, it doth not dissolve the Government, if only such and such higher Degrees of the Common-good be crossed or overthrown; for no Prince is perfect, and therefore none can perfectly seek the Common-good, & while men have sin they will do some hurt, or neglect some good. But when they do *more Hurt*
K then

then good, they are no true means to the common good: And there is no such thing as Government of Gods allowance, which is not a means to the common good.

3. If *Injustice* be predominant in the *stated exercise of Government*, it is but a Combination of Robbers or Deceivers: But if in the main course of Government justice be carried on, it is not *Injustice* to a few that will null the Government.

4. If the *Vniversal Sovereign* be denied, or statedly opposed, the body dyeth as being cut off from the head, & the power ceaseth in man, because the conveyance ceaseth from God. A Traitor that openly renounceth his Sovereign, doth thereby renounce his own Authority effectively. But because many objections lie against this last, I desire the Reader to suspend them, till I come anon to open it more fully.

As a man cannot be a Physitian that is unable wholly, or in the main for a Physitians work, nor a Lawyer that knoweth not the Law, nor a Preacher that cannot preach, nor a Pastor that cannot do the essential works of a Pastors office, nor a Pilot that cannot guide the ship, nor an Artificer that cannot (as to skill) do the works of his art at all: so he cannot be at that time a Ruler, that cannot do the essential parts of a Rulers work.

Thef. 133. *The three qualifications of necessity to the Being of the power in that subject, are, 1. So much Understanding. 2. And Will or Goodness in himself. 3. And so much strength or executive Power by his Interest in the people, or others, as are necessary to the said ends of Government.* As

As *Vnderstanding*, *Will*, and *executive Power* are the grand *Primalities*, (as *Campanella* calls them) in nature, which are transcendently, eminently, necessarily, originally in God, and derivatively in the rational creature in his kind and measure; and as *Wisdom* and *Goodness* are the perfections of the *Intellect* and *Will*, and in God are the transcendent supereminent fountain of all the *Wisdom* and moral goodness in the *Creatures*; so are these three the *Primalities* of *Government*, and of necessity in the degree aforesaid to its being in that subject. As it is no currant coin that is made of lead, though it have the *Sovereigns* Image, when he hath made the matter necessary as well as the form; so here, *Ex quovis ligno non fit Mercurius*.

1. Without the foresaid degree of *Reason* and *Wisdom*, there is not *materia disposita & capax*, because the persons are incapable of the work, and so of the end, and so of the Power: And therefore *Ideots*, *Fools* and *Infants* cannot be the actual *Sovereigns*, that is, in *statu & relatione*, be the present *Governors*. Indeed they may have the name of *Sovereignty*, while others have the *Exercise* and *Power* of that *Exercise*, and they may be in a distant capacity, or the way to a capacity, and may have some foundations laid by the constitution, that the actual *Government* shall be by them, when they are actually capable: which some call a *Jus ad rem*, but is but an *Hypothetical Right* to a future actual Right: if they live to the use of *Reason*, and to be of capacity; they shall have actual Right to *Govern*: or if you will call

the one[*A right to govern when they are capable.*]
 and the other, [*A Right to present Government.*]
 For the peace and safety of the Common-wealth,
 the constitution may determine, that all Govern-
 ment shall be exercised in the name of an Infant
 and Idiot Prince, and so they may, if they please,
 decree, that after the death of an elective King,
 till another be elected, the Administration shall
 be in the name of him that's dead: But neither
 will make the name to be the Thing. We speak
 of the total Sovereignty. If in a mixt Common-
 wealth a Prince be an Infant, the Senate or who-
 ever hath the other part of the Sovereignty, may
 have the exercise of the whole during his Infancy:
 But if Senate, and all be Infants, they are no
 actual Governors: When a Counsell, or other
 Administrators appointed by the constitution, do
 exercise the whole Sovereign Power or part, they
 have Power so to exercise it: And if they have
 Power and Exercise. they are really *pro tempore*
 the Sovereign, though the right of *present, nominal,*
and future real Sovereignty may be in an Infant
 Prince.

2. If the persons be wise, and yet not good
 so far as is necessary to the foresaid degree of the
 ends of Government, they are incapable of the
Form or Being: for he that is *so wicked* as to pro-
 fess or practise the *common ruin*, cannot be the
 common Father and Preserver: And he that hath
 not will or goodness enough to make him seek the
common good in the main, cannot be in that office
 or power, which *essentially is for the seeking of it.*
 An open enemy of the people may be their Op-
 presso

pressor, but not their Governour. He may be a Tyrant that ruleth for himself, but not a lawful Ruler, if he Rule not for them.

3. Another necessary *Dispositio materia* is *executive Power*, For he that hath not Power (by which I here mean that called *Strepus*, or natural strength) is not capable of Protecting the innocent, or the Common-wealth, or of executing Justice on Offenders, but his own Laws will be ridiculous Scar-crows, without Execution, and a company of thieves will combine, and forbid Judgement: yea, as long as there is in depraved nature a desire of Superiority and Ruling those that are stronger then he, will put him, and keep him out of possession, and rule themselves, and decide the Controversie: so that it is most evident, that he that is utterly impotent, is incapable of Government. But then note, that though the *Skill* and *Will* must in a tolerable measure be in himself, yet it is the people or his *Armies* that are his *Executive Power*: for these have the *natural strength*, and are as the inferior faculties, that are to obey and execute the Commands of the Will; But as the *natural Powers* that obey the Will must be our own, that they may be under its Command, so there must be an *Interest* of the Sovereign in those others that are his *Strength*, which may tie them to himself so far that they may subserve him. And thus it is evident *ex natura rei*, that whosoever hath not (the foresaid measure of Wisdom, Goodness, (in himself) and Strength, or *Executive Power*, by his Interest in others) as is necessary to

The ends of Government, is *Materia indisposita & incapax formæ*, and therefore no Sovereign, (if statedly as aforesaid, and as we shall further open.)

Thes. 134. *As Gods Universal Law hath instituted, limited and regulated the Office, and described the Officers, so his effective Providence doth qualifie or dispose the particular Subjects and make them capable, and partly make, and partly permit an incapacity in others: and thus it doth fit or unfit men as to the form.*

Great Disputes there are, whether *Dominium fundatur in Gratia, vel in providentia*, or in what? Things that are co-ordinate or subordinate, are faigned to be contraries, or inconsistent in causality or interest: and in that way ment, may quarrel as long as they live about any thing, where they would have wise men see their weakness. As the earth and the Creatures in it are rescued by Christ from that higher measure of curse then is executed, and our penalty abated, and we and the Creatures reprieved by the Interposition of the Mediator, so far *Common Grace* doth found the common dominion: And as the *Providence* that layeth the foundation or rather the occasion of *Propriety*, is an Act of *Common mercy* in God, so *Grace* (even such a *Common Grace*) is the Cause or Occasion of *Propriety*, (For by *Dominion* I still mean *Propriety*) And as *Speciall Grace* bestoweth *Propriety*, (though in it self a common Mercy) with an intention
to

to use it for some special good, so Propriety is caused or occasioned by that *Speciall Grace* (I take Grace here actively, and not passively, or for the *Gratia operans*, not the *operata*.) But the immediate proper *Foundation of Propriety* is the *Law*, or *Gift of God*, that giveth all the Creatures on such and such terms, directing men to the just meanes of acquiring and possessing: And the *Causa sine qua non* of *Propriety* is various: sometime *Occupancy*, and sometime *Contract*, or other just *Alienation* from others, and *Conveyance* unto us. Where no one hath a *Right before the Occupant*, the *Generall Donation*, by which God gives the earth to the sons of men, is enough to make it ours: and there the gift is the *Fundamentum*, and the *Occupancy* is the *Copula*, or *Causa sine qua non*, or appropriating meanes: But where another hath *Right before us*, there the *Gift of God* stil is the proper *Fundamentum Juris*: But another man quitting of his *Right*, or some just alienation is prerequisite, and then the meanes of conveying it rather to us then to another, is the *Causa sine qua non* of our *Right*; and in *foro humano* may be called our *Title* or *Fundamentum Juris* it self; many have a *Title*, which is, 1. Good in *foro humano*- 2. And which in *foro divino*, will disable another from dispossessing them 3. And yet in *foro divino* will not warrant their own possession. 4. And some that are warranted as to the bare *Possession*, have yet no *Right coram Deo* to the benefits which the

things possessed in themselves have a tendency to : This is the true decision of the case, *ubi fundatur Dominium?* (which is directly in Gods Gift, or Law, and occasionally in gracious Providence, common or speciall, and sometime in judicial Providence) and *Whether wicked men have Propriety or are Usurpers* (who have Right *in foro humano*, and if lawfully got, *coram Deo*, as to bare Possession, but not as to the final good or benefit accruing from the thing possessed) But all this is but briefly touched, because it is but on the by.

But I have mentioned the interest of Providence in *Dominion*, because it tendeth to illustrate the point of the interest of Providence in *Authority*, (or Right to Government) which is the case in hand. Many hot Disputes there have been, *Whether Providence convey Right of Government or not*: and some say, it doth, and some say, *that it doth not*; and some have the wit to distinguish, and shew how far it may conduce to it, and yet doth not effect it. I think not that wisdom, or necessity, or any thing else oblige me, to take all, or any of these men to task, and confute their Reasonings: it is more suitable to my ends to content my self with a naked delivery of what I take to be the truth, and a sufficient proof of it.

Thef. 135. *When Providence depriveth a man of his Understanding and intellectual Capacity, and that stately, or as to his ordinary temper,*
it

it maketh him materiam indispositam , and incapable of Government, though not of the name.

This is the first way by which Providence dispossesseth. *Nebuchadnezzar* was thus dispossessed : but retaining his remote conditional Right was restored when his understanding was restored. But the Sovereign Power and Exercise was the mean while in others. And thus Providence working upon nature can dethrone men.

Thes. 136. If God permit Princes to turn so wicked as to be incapable of Governing , so as is consistent with the ends of Government , he permits them to depose themselves.

As I before shewed that so much Moral and Civill Goodness is necessary to Government , so now I shew you , how men are dispossessed, and become incapable. Though all vice or wickedness make not a Prince incapable , yet to say that none doth , is to flatter them against God , and Reason , and the common Wel-fare of the world. He that turneth enemy to the people , and seeks their ruine , is incapable of Governing them. But the great cases I will reserve till I come to speak of *Resistance*.

Thes. 137. If Providence statedly disable him that was the Sovereign from the executing of Laws, Protecting the just , and other ends

ends of Government , it maketh him an incapable Subject of the Power , and so disposeth him.

For a Governor so *impotent* , is none. A Capacity for the work and end is necessary in the person : and when that ceaseth , the *Power* ceaseth. Not by such a Cessation alwayes as leaveth the people innocent ; for its possible, and likely that the guilt is , or may be theirs, who have disabled their Ruler by deserting him : But , 1. If they do it sinfully , yet he is dismissed and disobliged from the charge of Government, 2. And particular innocent Members are disobliged from being Governed by him , though through the sin of others. But it is not every actual temporary dispossession that disobligeth statedly , as I shall shew more anon.

Thef. 138. When Providence thus maketh any incapable or indisposed , it destroyeth the Power as in such : but yet when it disposeth any for the Government , it doth not thereby immediately give him possession or Title to the Government.

For *Bonum est ex Causis integris* : There must be matter and form to constitute the Being : and after the matter is in it self existent , there must be somewhat more to introduce the form (in most cases.) But the destruction of either of them destroyes the Being.

ing. And therefore *Death* is the stroak of *Providence*, extinguishing with the life the Power of the Prince, and so is *Infatuation habitual* (with the exceptions abovesaid) and so is the *Permission* of the fore-mentioned Impiety, or *Enmity*, and *Impotency* of the Prince. If a Prince be statedly made a *Beggar*, or forsaken, or ejected by a Conqueror, and so incapable of *Governing*, if it be but *pro tempore*, the Subjects for that time (that have no opportunity to restore him) are disobliged from his actual *Government* (except such as can go with him) But if it be his fixed stated case the Subjects are statedly disobliged: for he cannot be obeyed that governeth not.

Thes. 139. *It is the work of Providence to give men,* 1. *An Eminency of Wisdom.* 2. *And of Goodness.* 3. *And by Interest in others, sufficient Strength for Magistracy.*

And so as the Law describeth the Subject of Power, so *Providence* giveth the described qualifications. So that by Law and *Providence* conjunct, God taketh down one, and setteth up another, *Psalms* 75.7. And the *Alteration* proceeds from *Providence*: the Law changeth not, but according to its first sense hath a various aspect upon various persons, places, times, as *Providence* doth diversifie them. And doubtless it is notably the works of *Providence* that are meant in those Scriptures which foretell

tell of the Changes in Kingdoms and Powers, that God will make in the world. *Dan* 2. 44. *The God of Heaven shall set up a Kingdom that shall never be destroyed.*] And how if, not by Providence, (though here withall is intended the New Law) *Dan* 4. 17. [*To the intent that the living may know that the most high ruleth in the Kingdom of men, and giveth it to whomsoever he will, and setteth up over it the basest, of men,*] And verse 25. [*They shall drive thee from men, and thy dwelling shall be with the beasts till thou know that the most High ruleth in the Kingdom of men: and giveth it to whomsoever he will.*] And how ? but by disposing Providence ? so again, *Dan* 5. 20, 21. [*But when his heart was lifted up, and his minde hardened in pride, he was deposed from his Kingly Throne, and they tooke his Glory from him, — till he knew that the most High ruled in the kingdom of men, and that he appointeth over it whomsoever he will.* *Dan* 2. 37. [*Thou O King, art a King of Kings: for the God of Heaven gave thee a Kingdom, Power, Strength and Glory.*] that is, by disposing Providence. verse 38. *He hath given them into thy hand, and made thee Ruler over them all.*] *Jer* 27. 5. [*I have made the earth, the man and the beast, — and have given it unto whom it seemed meet unto me.*] And how ? but by over-ruling disposing Providence. *Dan* 5. 28. *Thy Kingdom is divided, and given to the Medes and Persians.*] which proveth not that they justly seized on it, nor that God gave it otherwise then by disposing Pro-

Providence, Dan. 7. 6. [The beast had four heads, and Dominion was given to it.] Many such places shew that Providence giveth Kingdoms, and is the conveying cause.

Thes. 140. It is not the giving of either *Wisdom*, or *Goodness*, or *Strength* alone that maketh men capable of governing *Authority*, but it must be *All*, (in the fore-described measure.)

The subtlest Politician may be incapable through wickedness, and the wisest and best man may be incapable (of full *Right* and exercise) through weakness: and if a man have all three, (*Wisdom*, *Goodness*, and *Strength*) he hath not therefore *Authority*, but only an *Aptitude* therto.

Thes. 141. Though it be a duty for a very weak (though tolerable) Governor for the common good to resign his place to one that is every way more fit and liker (*consideratis considerandis*) to attain the ends of Government in a more excellent degree, yet is it not lawfull for any other to depose him, and usurpe the place, because he is more wise, or good, or powerfull: nor for the people to do it, contrary to the constitution.

Where another hath *Right* already, it is not an higher degree of *Aptitude* that can warrant any to aspire to the Throne. If I know a man, that is fitter then my self for my Pastoral charge. All things considered, it is my duty to resign it to him, or procure his joynt power and assistance, (because

(because the good of souls requireth it) But no man may upon the presumption of such a difference seek to dispossess me against my Will.

Thef. 142. Meer Possession of the seat of Power in it self considered, is not a Title, nor will justify the Possessor, nor warrant the people to consent and submit.

A man may have Possession of the seat and land, and not of the Government: for he Possesseth not that till he exercise it, and he cannot exercise it, but upon a consenting people. The people may choose to live in slavery, or be destroyed in a state of Hostility, if they please rather than to submit to the Usurper. And in these cases it is meet that they should do so. The first is, if he would force them else to violate their Covenants to God or man, or to commit any sin against God: so that consenting to his Government must contain a consent to sin: The second is, if his Government will do more hurt than our refusing him or perishing would do, to that nation. Or thirdly, if consenting might be better to that Nation, yet if it be more injurious to the common good of the world, or the common Interest of God, then our dissent.

But I will say no more of this, because Mr. Edward Gee hath in two books said so much, whose Arguments against the meer Possessors claim are thus far good.

Thef. 143. Conquest in it self is no sound Title to the Government of a people. If

If the war was *unjust*, then the conquest is but the success of Robbery and murder, and therefore can give no Title. If the war were just against the Prince only, and not against the people, there is no appearance of a Title to Rule them from the success. If the war was just against Prince and people, yet as is said, they may in some cases choose to die, or be used as the Conqueror please, and continue their hostility with unconquered minds. And if so, till they yield to be his Subjects, he is not their Sovereign, though Conqueror.

Thes. 144. *If the person dispossessed be one that we are by Covenant obliged, not onely to submit to, & obey, but also to defend, & be not made incapable of the Government, we ought to defend him, and endeavor his restitution according to the tenor of our Covenants, as far as may stand with the common good, the end of Government. Yea, though we make no such Promise, our Relation, and the Law of God obligeth us to defend our Governors.*

This was the case of *David* and the people, when *Absolon* had got possession of the City, and his houses, and many of the people, it was the duty still of the people to restore him: For, 1. The possession of *Absolon* was but of the Place, and a party, and so but a military state: *David* having an Army and a Party too, 2. *David* was the person to whom they were by Gods Election and their Covenants obliged: and therefore while there was hope, they were to prosecute it for his restitution. And if half prove false to him, it disobligeth not the rest.

Thes.

Thes. 145. But if the person dispossess be justly dispossess, as by a lawfull War, in which he loseth his Right, especially if he violate the Constitution, and enter into a military state against the people themselves, and by them be conquered, they are not obliged to restore him, unless there be some other special obligation upon them, beside their Allegiance.

This shall be anon more fully manifested when we speak of the Dissolution of Government.

Thes. 146. If the person dispossess, though it were unjustly, do afterward become incapable of Government, it is not the duty of his Subjects to seek his Restitution.

I have before intimated by what wayes men become incapable: As by loss of Understanding, by becoming an *Enemy* to the common good, or to God, and by loss of Power for the ends of Government, which they are unable to restore him to. An Incapacity also may be accidental, as if he cannot be restored but by the Arms of the enemies of God, or the Common-wealth, who will afterwards have the Power of disposing of him & the Government, so that the Common-wealth hath no security but the word of enemies: or if a faction of enemies within must needs be (or apparantly will be) the Masters of all when he is restored. He that is incapable of promoting of the Common good, is incapable of Governing, (which way ever it come to pass:) and he that is become incapable of Governing, ought not to be restored, unless we can restore his capacity.

Thes. 147.

Thes. 147. If an Army (of Neighbours, or inhabitants, or Whoever) do (though injuriously) expel the Sovereign, and resolve to ruine the Common-wealth, rather then he shall be restored, and if the Common-wealth may prosper without his restauration, it is the duty of such an injured Prince, for the common good to resign his Government; and if he will not, the people ought to judge him as made incapable by providence, and not to seek his restitution, to the apparent ruine of the Common-wealth.

The reason is, because it is essential to Government to be for the common good; and he is for the people finally, rather then they for him: And Government ceaseth to be just Government, when it ceaseth to be a means to its end: much more when it is destructive to it. The *jus regendi* is not like meer Dominion (I mean Propriety,) which is but a power or right to use and dispose of things as our own, and for our selves. But it is like the office of a Physician, School-master, Pilot, &c. who are principally for the good of others, and but secondarily for their own reward and honour. And therefore no man on earth can pretend propriety in his Kingdom, or Government, against the common good, and ends of that Government. For that is to change the nature of the thing, and then plead an interest in it, as Government, when they have made it no (just) Government at all.

Thes. 148. That Man that will rather see the blood of many thousands spilt, and the Common wealth hazarded, then he will give up that Government which he received for the common good, when he may know that his resignation would be for the common good, and his war

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against it, doth thereby declare that he seeks not the common good, but himself.

These five or six last propositions I have taken in on the by, but to prepare for those that follow, by removing objections that stand in the way.

Thes. 149. It is not lawful for a people to chuse, rather to have no Governour, then not to have him that is their rightful Prince: for that there shall be Government and subjection, is the stated Law of God, to which the right choise of persons is but subordinate: If therefore the rightful Governour be so long dispossessed that the Common-wealth can no longer be without Government, but to the apparent hazard of its ruine, we ought to judge that providence hath dispossessed the former, and presently to consent to another.

1. The right of persons is in subserviency to the Government it self and the ends of it: and therefore if any man will set the means against the end, or a circumstance of humane determination against a Law of God, and say, Because we cannot have such a man, we will have none, but be ungoverned; this is to break an expresse commandment, and to cast off the order and ordinance of God, for a persons sake.

2. If people have no Government, vice will reign; and every mans estate and life will be at the mercy of his enemy, or him that hath a mind to it, and is the stronger: And therefore no people can long subsist without Government.

Thes. 150. When a people are without a Governour, it may be the duty of such as have most strength, ex charitate, to protect the rest from injury.

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This is a truth known by the light of nature : no man that is assaulted by a robber, but would have his neighbour help him : And he that will pass by him , and not succour him if he can, doth not do a neighbours part : He that seeth his brother in need, danger, or distress, and shutteth up the bowels of his compassions from him, how dwelleth the Love of God in him ? Duties of charity, especially to a Nation , are indispensable.

Thes. 151. *Providence by conquest and other means doth use so to qualifie some persons above others for the Government when the place is void , that no other persons shall be capable competitors, and the persons shall be as good as named by Providence , whom the people are bound by God to choose or consent to ; so that they are usually brought under a Divine obligation to submit to such or such, and take them for their Governours, before those persons have an actual right to govern.*

A people without a particular Sovereign , are still parts of Gods universal Kingdom, and from him they are to receive their officers, if he appoint them ; for still they are under the obligation of his Laws. Though the peoples consent (explicite or implicate) be necessary to the Sovereigns actual Government , and consequently to his right of governing them , by which he must himself be warranted and justified ; yet are the people usually under a previous obligation from the Lord , whom they shall consent to , and whom not. And *Conquest* is the most usual means of the determination : not by giving *Right* to govern , but by making the Conquerour *matèriam dispositam* ;

164 *Of the Foundation, Efficient and*
the only capable subject of that right, and object of
the peoples choice. The same may be said of any other
possession of such power as the Conquerour hath.
Ordinarily did the Roman Emperours (formerly at
Rome, and since at *Constantinople*) die or suffer deposi-
tion, by an Usurper; and yet the subjects obeyed
the Usurper, and the Christian Bishops took it to be
their duty so to do. If his Conquest or Occupation
be sinful, yet if he thereby become the only capable
person to Govern, the people are to consent (sup-
posing no special impediment to forbid it.) If the
be (though through anothers sin) disobliged from
their former Governour, (by his death, incapacity
&c.) they are bound by God to consent to such
as are most capable.

*Thes. 152. But if men have by Conquest or other
means become the strongest, that yet are incapable, I
want of Necessary wisdom, or Goodness, the people
may submit to suffering, but not consent that such should
govern them.*

Because being supposed incapable of Govern-
ing them, their Government would be as hurtful as to
be without a Government. And if Gods honour and
soveraignty must be traiterously despised, and the
common good destroyed, it is better that it be done
without the peoples consent, then with it.

*Thes. 153. Any thing that is a sufficient sign of
the will of God, that this is the person, by whom we must
be Governed, is enough (as joyned to Gods Laws) to oblige
us to consent, and obey him, as our Governour.*

God being the chooser of his own Officers, and the universal King, who bindeth us to obey his choice, doth make known his will to man by *signs*: For we cannot immediately see his essence, and therefore not his will. All his Laws that oblige us, are but so many signs of his will: and he may choose his sign.

Thes. 154. It being already signified in the Law of God, that a people that are without a Ruler shall consent such as are fittest for them, and the qualifications of each being there exprest, the rest of Gods will to be signified to the people, to bring them under the particular obligation, is but for the discovery of the persons thus qualified: so that Law and providence concurring, are Gods nomination of his Officers, whom the people by him are bound first to consent to be subject to, and then to obey.

Here are several acts of Gods Law, and several acts of *Providence*, necessary in concurrence, to constitute a Sovereign. 1. There is presupposed the general Law, for Government and obedience, distributing the subjects of Gods Kingdom, into particular subordinate Sovereigns, and their Subjects. 2. There is supposed Gods Laws, that cut them out their principal work, and describe the substance of the office, and limit them. 3. The Law of God describeth the persons, in the points necessary to the *Being*, and the well being of their Government. 4. The same Law obligeth the people to consent to such, (in case they are called to such a work, as choosing or consenting.) Thus far the *Law* goeth.

And then *Providence*, 1. Doth qualifie the per-

son, 1. With tolerable wisdom. 2. And Goodness (so far as to be a capable Instrument for the Ends of Government.) 3. And with Power to defend the people and execute Laws. And many acts of Providence may concur to this: especially it is by giving man such Interest in the Affections of the strong part, that by them he may be put into a capacity. 2. And when he is qualified, to bring him upon the stage to the peoples observation, that they may observe his Qualifications, is an Act of Providence for the discovery of Gods Will; and so to bring the people under an Obligation to consent. 3. And when they are so obliged, the bringing of their hearts to consent and accept him, is another Act of Providence antecedent to his Possession, and ordinarily to such a Title as will justify his Government.

So that the peoples Obligation is thus inferred and induced by God.

Whomsoever I thus and thus Qualifie, and declare to be the fittest person, you shall consent to.

But this man (or these men) I have so qualified and declared: therefore to them you shall consent.

The *Major* is in Gods Law (of Nature and Scripture, most exprefs.) The *Minor* is the voice of Providence (taking the word for Actual disposal of Events) and both together infer the *conclusion*, and induce the *Obligation*, but with the difference following.

Thes. 155. Hence it is plain that this Disposal of Providence, is not instead of a Law, or speaketh not de debito, but de facto, and therefore doth not it self efficiently oblige: but it only designeth the person, and no
minatel.

minateth him, to whom we shall by the Law be obliged to consent.

- For Providence saith but [*This is the qualified person*] which words have not the nature of a Law, nor do themselves oblige ; but of a *Nomination* : so that it is the universal Law that doth oblige , though not without the *Nomination of Providence*.

Thef. 156. When the Nomination is referred to a Lot, that Lot determineth but in this way of Providence, nominating the person, leaving the Obligation still to the Law.

What a *Lot* may do, another *Providence* may do ; but the lot may determine of the persons : therefore so may other *Providence*. God hath many wayes of signifying his mind to us, and nominating the persons, and hath not tyed himself to any one ; nor must we limit him.

Thef. 157. Where God doeth not notably declare any person qualified above others, nor one, two, or any certain Number to be most fit for the Sovereignty of that people, so that the case is not Notorious, but Controversible, there the people must judge as well as they are able, according to Gods General Rules, or else refer it to a Lot.

This is counted the freest Choyce, when people are not plainly pre-obliged : but indeed there is no more desirable freedom , but oft-times less , in this Case then the other. If God do for our good so plainly

qualifie and declare our Governours as to leave it out of doubt to us, and so to pre-oblige us, it is a mercy, and not a depriving us of any desirable liberty: And if there be none of such Eminency, but that we are left to a choyce out of many equals, it doth but make us the more work.

Thes. 158. A free people should have a free Consent, as from men, though they may be pre-obliged to consent by God.

Conquerours or men of strength may not obtrude themselves on a free people, how fit soever they are, but must leave them as free-men, to a free consent.

Thes. 159. All people have not right to such freedom; sometime whole Nations, but commonly a part of every Nation, should be denyed the liberty of choosing their Governours, and be compelled to consent: and to make all Choosers is injurious and destructive to the Common wealth.

The first branch (which denyeth freedom of choice to some whole Nations) is all that is lyable to controversie, which yet is so plain, that it needs not many words.

1. Sometimes divers Nations may constitute *One* Common-wealth. And then there is as much reason why a whole Nation, as a mixed part, should be thought Capable of forfeiting their liberties.

2. Sometimes divers Nations may be under the same Princes Government. And then if he can forfeit his Crown as to them, by any Covenant-break-
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ing on his part, no doubt but part of them may forfeit their Liberty, by Treason and Covenant-breaking on theirs, and he may Rule them by the power of his other Kingdoms; As the Romans did many of the Nations that they Conquered.

3. Sometime the Neighbourhood of unjust, implacable enemies, is not to be tolerated, without the ruine of the Righteous Nations round about them, unless they be kept under by meer force; and so self-preservation may warrant it. Men that choose to live as enemies in war with us, must be used upon military terms. Till they shew themselves worthy of Trust, they are not to be used as free Subjects.

4. Sometimes men may forfeit their Liberties to God and men so notoriously, that the Law of Nature and Nations warranteth Neighbour Princes to subdue them, and govern them by force. As 1. In Case they should turn Atheists, and defie the universal King, and seek to poyson the Neighbour Nations with this Treason against God. 2. In Case they live as Canibals, that eat mans flesh, and are as wild beasts, that hunt for men to devour them, whether it be their fellow-natives, or the Neighbour Nations. 3. In Case they professedly design the Conquest of all others about them, and will live upon no other terms in peace, but as Conquerers or Conquered. 4. Specially in Case they claim a right to the Kingdoms about them, and specially a Divine Right; that all Princes should obey them, and make it their unalterable Religion, as the Pope doth. He that claims a Right to dispose of Crowns and Kingdoms, though but *in ordine ad Spiritualia*, proclaimeth war with all the World; and warranteth any Prince that

is within his danger to make war against him.

5. The Law of Nature may bind a Christian Nation in Charity to Rule some Nations by force. If a poor barbarous Indian Nation, like the Canibals, would not consent to hear the Gospel, or suffer Preachers to come among them, and speak to a *minor* part that would hear, I am sure it hath an apparent tendency to their salvation to master them, and force them to admit the Preachers, and to restrain them from murdering the Christians among them that had received the Gospel: And as long as we did them no hurt, but govern them, and did not deprive them of their Possessions, I know not what should exempt us from the Obligation to this as a work of Charity. Doubtless a meer Neighbour, by the Law of Charity, is bound to hold a mans hands that would kill himself, or pull him out of the water that would drown himself, and to quench his house though against his will, which he sets on fire, and to save his Children, or Neighbours persons or houses from his fury, in case of the like attempts: And why then a work of ten thousand times greater benefit, should not on the same grounds be done, I know not. If the Prince and major part of the people, in a neighbour petty Common-wealth would put to death the minor part, because they are Christians, and a Potent neighbour Prince were easily able to restrain them, I doubt not but he would be guilty of the murder and extirpation of Christianity, if he do not: And if he cannot continue their preservation, without a continued restraint, or subduing the malignant party, the Laws of Neighbourhood, and Charity, and the Common good of mankind, and the Ends of the Universal

Universal Government require him to do it.

If any say that upon such pretences Atheists and Heathens that are the stronger part, may invade a weaker Christian State to force them to deny God, or Christ, or acknowledge Idols, &c. I answer, 1. Confound not the *ius* and the *factum*: the *natural* and the *legal* Power. They may do it *de facto per potentiam Naturalem*, which is nothing to the case, but they may not do so *de jure per potentiam Legalem*, because God hath given them no such Power.

Object. But you will give them occasion to pretend Authority; and if they are the stronger party, they will be the Judges. Answ. No duty can be done, from whence the wicked cannot fetch pretences for their sin. If a *righteous* Judge shall hang Murderers or Thieves, he is not therefore to be blamed, because an *unrighteous* Judge may take occasion by it to hang the innocent as guilty of their crimes. If our Armies may destroy the plundering Enemies, and rescue the oppressed Countrey men, and the Enemies Armies may thence fetch a pretence to destroy ours as guilty of that crime, though they be innocent, we must not therefore neglect the defence of the oppressed. Malignant enemies will not be reduced to reason, if we should neglect our duty for it; but the wicked will do wickedly: some inconveniences will still attend the imperfections of humane Administrations. But the final Judgement will set all strait. Let us do our Duty, and stay till God do Justice upon those that by Power are out of the reach of Justice, from the hand of man.

But that which nearer concerneth us (and as near as any thing in our frame of Government) is the latter

latter part of the Thesis; that all the people in the same Common-wealth should not have the freedom of choosing Governours, which I shall therefore more distinctly handle.

Thes. 160. It is commonly granted that nature and want of competent wealth may deprive the most innocent of a capacity of this freedom. Much more will a mans wilful crimes deprive him of it.

I grant that all these may be Subjects: and further then by course of Justice they are deprived of them, let them enjoy their Possessions as much as any other Subjects, allowing for the securing of them, the same Tributes and Taxes as all others. But it is *Burgeship*, or freedom of *Governing*, or *choosing any Governours, Parliament-men, Justices, &c.* that we speak of.

Nature maketh *Infants* and *Idiots* incapable: and *women* choose not members of Parliament.

Servants are commonly judged incapable, and so are the *poor*: not only because they have not those faculties necessary to support the Government, but principally because necessity maketh them dependant upon others; and therefore it is supposed that they are *not free* in their *Elections*. How far the reason reacheth to Tenants, the Law givers, though they are Land-Lords, seem not to be insensible, when all that have not Leases for life are excluded from the number of free-holders.

But that multitudes of *wicked* *criminous* persons, how rich soever, should much rather be excluded then honest beggars, and that *this, this, this*, is the great point that the welfare of most Common-wealths

wealths doth depend upon, I shall now make manifest.

Argum. 1. *If many Vices make persons less fit to govern or choose Governours, then poverty doth, conjoynd with honesty, then should such vicious persons, rather be excluded from both: But the Antecedent is most certain: Ergo.*

Argum. 2. *If men should lose their lives or estates by way of Punishment for some crime, then should they lose their liberty of Governing and choosing Governours by way of punishment for those or other crimes to which such punishment is proportionable (for there is a parity of Reason.) But the Antecedent is practically confest: Ergo, &c.*

Argum. 3. *If confessedly crimes should deprive men of a capacity to Govern, so also they must do of a capacity of choosing Governours: (for there is a parity of Reason in ordinary cases, though not in all) But the Antecedent is granted by our Parliaments, who sentence some as disabled to be members any more: Ergo, &c.*

Argum. 4. *That course which equalleth the worst with the best in the Priviledges of freemen, is not just: But so doth the equal admitting the innocent and the criminous to govern and choose Governours: Ergo &c. Vertue is better then wealth & Vice worse then Poverty.*

Argum. 5. *That course that tendeth to the dishonour of Princes, Parliaments, or other Magistrates under them that are Elective, is not to be maintained. But such is the liberty of the criminous to Elect them: For nothing more natural then for freemen to choose such as are agreeable to their wills and wayes: and if they be not free, they should not choose. It will therefore raise suspitions on our Parliaments and Magistrates, that they are friends at least to wicked men and wayes,*

wayes, when they are ordinarily and freely chosen by such men : especially if it be by their own Laws and desires, that such shall be the Choosers.

Argum. 6. *Those that are known enemies to the common good in the cheifest parts of it, are unmeet to Govern or choose Governours : (else give us up to our enemies, or to Satan :) But such are multitudes of ungodly vicious men. Ergo.*

He that thinketh that wealth is the only common good, or a greater part of it then Vertue, Piety, and mens salvation; and that Rulers have nothing to do with the latter, but with mens Bodily prosperity only, is fitter to be a member of a *Herd* then a *Republike*, and to be dimitted with *Nebuchadnezzar* into a company suitable to his judgement : yea and to be used as a Traytor of the highest and most odious strain, that destroyeth and brutifieth the very office of every Prince and Magistrate, and casteth them into the dirt.

And that ungodly vicious men are Enemies to the greatest part of the common good directly, and to the rest indirectly, is known to every wise and sober honest man. 1. They hate *Godliness*, which is the truest *Honesty*; and Holiness, without which none shall see God : and therefore if they can, will choose such as hate it. 2. They hate *good Laws*, which would encourage the Piety and Vertue which they hate, and punish the Vices which they love. 3. They hate *Good Magistrates*, and therefore are unlike, if they be free, to choose them. 4. And they are all men of Private spirits, and value their private Interests before the Publike Good, and would sell the chief felicity of the Common-wealth for a little money, if they

they can scape themselves. 5. They are ready to betray the Common-wealth to a forraign enemy, in neer malignity, to have their wills: As the *Papists* that joyned with *Stanley* in 88. and the *Powder-plotters* after, and so in many Countries else. Are the Irish fit to govern or chosse Governours? If not; and if experience forceth us to exclude the main body of the Natives there, we have reason to exclude such here as forfeit their Liberties. We do them neither wrong nor hurt, but preserve our selves from ruine, and them from greater guilt. To govern us, does them no good.

Arg. 7. *Such as God commanded to be put to death, or cut off from the Common-wealth of Israel, should not be Governours or Choosers of such, in any Christian Common-wealth (supposing an equality in guilt.) But such are many vicious ungodly persons among us. Therefore* ———

I speak not of them that broke some ceremonial abrogated Law, further then the Reason of the Law remaining may direct us to judge of crimes among our selves. But I speak of such as for the like facts are now as culpable as they. And in general I may lay this ground, that the more abundant light of the Gospel, and the greater helps and grace, and the greater Holiness now required, do all shew that the same sins (*ceteris paribus*) are much more haynous now then they were then. But because the point is fundamental, and all our peace lyeth much upon, I shall proceed to Instances.

Thes. 161. *A Blasphemer was to be put to death by the Law of God, and therefore should not Govern, or*
choose

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choose any Parliament men or Governours with us.*

Levit. 24. 11, 15, 16, 23. *The son of an Israelitish woman and a man of Israel strove together in the camp and the Israelitish womans Son Blasphemed the Name of the Lord and cursed — And the Lord spake unto Mose saying, Bring forth him that hath cursed without the camp, and let all that heard him lay their hands on his head, and let all the Congregation stone him. And thou shalt speak unto the Children of Israel, saying; whosoever curseth his God, shall bear his sin: and he that Blasphemeth the Name of the Lord, he shall surely be put to death and all the Congregation shall certainly stone him; as well the stranger, as he that is born in the Land when he blasphemeth the Name of the Lord, shall be put to death.*

Thes. 162. *If any one, though a Prophet, or a Brother, or Son, or Daughter, or Wife, or dearest friend entised them to go after other Gods, and serve them, they were to be put to death, yea and a whole City, if they yeilded to such seducers: Therefore such should not Govern or choose Governours with us.*

Deut. 13. *Wholly proves the point expressly.*

Thes. 163. *He that sacrificed unto any God but the Lord only, was utterly to be destroyed, as is exprest, Exod. 22. 20. Therefore such should be no free men among Christians.*

Thes. 164. *The worshippers of such Images, as the molten Calf, Baal, &c. were to be put to death,*
Exod.

Exod. 32. 26, 27, 28. 1 King. 18. 40. 2 King. 10. 21, 22. to 29. and 23. 15. 19, 20.

Thes. 165. *They that would not seek the Lord God of Israel, were put to death, whether great or small, man or woman.*

So that *Godliness* it self in Profession was here exacted of all, by a solemn oath and covenant, between the Lord, the King and the people, as you may read at large. 2 Chron. 15. 11, 12. 13, 14, 15. Therefore those that will not seek the Lord, should not be free men in a Christian state: which Law must be executed, before we shall be well.

Thes. 166. *He that smote or cursed his Father or Mother, should be put to death, Exod 21. 15.*

Thes. 167. *He that forsaketh God, breaketh his Covenant, and worshippeth Sun, or Moon, or any of the host of Heaven which God hath not commanded, was to be stoned to death, Deut. 17. 2, 3, &c.*

Thes. 168. *Murderers, Manstealers, Incestuous persons, Sodomites, Adulterers, and in some cases Fornicators, Wizzards, false Prophets, &c. were to be put to death, Exod. 21. Levit. 20. Deut. 13. 20. Yea and those that turn after Wizzards, Lev. 20 6. None such therefore should be freemen here.*

Thes. 169. *If a man had a stubborn and rebellious Son, that was a Glutton, Drunkard, or the like, and would not obey the voice of his Father, or of his Mother,*

and that when they have chastened him, would not bearken to them, he was to be put to death. Read Deut. 21. 18 19 20, 21. Therefore such should not choose Parliament men, nor be Burgesses with us.

Thes. 170. The man that would do presumptuously and would not bearken to the Priest, that standeth Minister there before the Lord, or to the Judge, was to be put to death, Deut. 17. 12. Therefore presumptuous transgressours against the publike warning of Magistrates and Pastours should not be freemen of our Common-wealths. See also Deut. 29. 19, 20.

Thes. 171. Every one that defiled the Sabbath, and doth any work thereon, was to be put to death, and cut off from amongst his people, Exod. 31. 14, 15. Therefore though the Sabbath as Jewish be taken down; yet by parity of Reason, he that despiseth the publick worship of the Gospel, and the Lords Day, should be no Chooser of Rulers for the Common-wealth.

Thes. 172, Whether the utter cutting off the soul that did ought presumptuously, as a reproacher of the Lord, and a despiser of his word, (Numb. 15. 30, 31.) do not import that presumptuous reproachers of the Lord, and despisers of his word, should be no Burgesses with us; and whether the cutting off then threatned for Ceremonial uncleannesses (as Exod. 12. 15, 19. and 31. 14. and 30. 33, 38. Lev. 7. 20, 21, 25, 27. and 17. 4 9. and 19 13. Num. 9. 13. and 19. 20.) import not, that notorious ungodly persons should not be freemen, where it can be avoided, I leave to prudent consideration.

In all these Collections I mention so great an inequality of punishment, that no adversary can modestly quarrel with my consequence. Cutting off, and putting to death is another kind of punishment then depriving men of the liberty of governing or choosing Governours, which addeth to their ease, and diminisheth not their wealth, but is a necessary means to the common peace and welfare. Those that Gods Law put to death, should be no Choosers of Maiors, Bayliffs, Parliament, &c. with us, especially when the sin is greater now. Those that would fetch the form of Government from the Israelites, above all men, can have no reason to contradict any of this.

I conclude therefore, that all that are fit to be Subjects, are not fit to be Burgessees, and to govern or choose Governours, though they may keep their possessions, and be secured in them.

Thes. 173. If a people consent to his Government that procured his capacity, in point of strength, by wicked means, it followeth not that they consent to those means, or are guilty of his sin.

If *Phocas* e. g. kill his Sovereign, and become Emperour, it followeth not that its a sin in all the people that afterward consent; nor in *Gregory Mag.* that speaketh so respectfully to him. A people that detest and are innocent of the Treason, perfidiousness, hypocrisie, &c. of an usurper, may after become obliged to obey him, and take him for the Governour whom the people of the Common-wealth are bound to obey.

Thes. 174. If the Progenitors Consent to an establish'd form of Government ; and the way of succession, whether Hereditary, or by Elections of each Governour, their Consent obligeth their Progeny, so long, till either a mutual Consent of Governours and people again disoblige them, or the Rulers disoblige them by destroying the Form, or End of the Government, or God by Providence disoblige them.

If Posterity were not obliged by their Progenitors Acts, all Common-wealths would be short-lived. And frequent mutations would keep up continual distractions and confusions. And though the Maxime of some is, that Parents can oblige their Posterity, when the Covenant is for their good only, and not to their loss and hurt ; yet these considerations must be here admitted for the due application of it. 1. In a mutual Covenant or Contract, it is supposed that the welfare of both Parties is taken in. And as the people receive more from the Sovereign than he from them, and therefore are more beholden to him ; so his Contract supposeth something on his own side to be thereby secured, as well as on theirs. 2. And it is not every tolerable incommodity that disobligeth Posterity from the Covenants of their Ancestors ; but such as makes them worse then to be without the Governour, and that over-weigheth the Benefits that by his Government they receive. No wise man would be the Ruler of such a people that are able and willing to cast him off, whenever they conceive they incur any incommodity by his Government.

Thef. 175. Though a forced Consent be usually from the great sin of him that forceth it (yet not alwaies) it nevertheless obligeth the Consenters.

Deny this, and you overthrow all humane converse. For if men may go from their Covenants on this pretence, then on many the like, and the pretence will be common. Man is a free Agent, and his Will cannot properly be compelled: If you threaten him with death, he may suffer it: It is supposed therefore that whatever he promiseth, he freely promiseth. We use to say, a man is forced, when fear moveth him to consent: But this is not a proper force: It taketh not away the Liberty of the Will. He that consenteth, doth it to avoid some greater evil, which he thinks would else have befallen him; and it is his own Good that moveth him to it; [*He that sweareth to his own hart, and changeth not*] is the person that is accepted of God, *Psal. 15. 4.* If every inconvenience would warrant men to break Covenants, no man would trust each other, and Covenants would lose their force.

Object. But Divines determine it, that if a Thief compel me to conceal him, I am not therefore to conceal him; therefore they think a forced Oath bindeth not.

Ans. 1. They truly judge that if you promise a Thief to bring him so much money such a day, to save your life, you are bound to perform it. I add, unless the case be such (which is possible) that to publish the money is of more worth then my life; and then as it was unlawful to promise, so is it to perform: But what you may lawfully promise, you may

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and must perform. 2. If the concealing of the Thiel
will do more hurt to the Common wealth, and
wrong to God, then the yeilding up of my life, I may
not promise it: and if I promise it, I may not per-
form it, because it is evil, and not in my power; But
if it be otherwise, I may promise or perform it. So that
it is not force that disobligheth a man from his Cove-
nants.

*Thes. 176. The commonest way of Constituting forms
of Government is by a forced consent, (as it is common-
ly called); when a Conquerour, or a person of grea^{est}
strength doth constrain the weaker to consent, to escape a
greater mischief.*

Thus war useth to prepare for change of Govern-
ments. And if all such contracts should be null, most
Common-wealths on earth were null, and the sub-
jects disoblighd, and warranted to rebel.

*Thes. 177. The true Fundamental Laws of every
Common-wealth, are the Laws of God the Universal
King.*

For, 1. These are they that lay the foundation of
Government, as is before more fully opened. 2. These
are they that Princes are bound by, and none can
change. 3. These are they that limit all the Laws of
men, and nullifie such as contradict them. Properly
therefore these are the true (if not only) Fundamen-
tal laws of Common-wealths.

*Thes. 178. The Constitution of Common-wealths by
man,*

man, as to that modal difference of Governments, which is in their Power, is the effect of Contract, Explicite or Implicite, and not of Law. So that there are no Humane Constitutive, Fundamental Laws.

Proved. 1. All Laws properly so called, are the acts of such as have *Governing power*, obliging the subjects: But no such Acts do constitute a Commonwealth (besides Gods Laws:) therefore no Laws constitute a Common-wealth (but Gods Laws.)

The Major Proposition is past doubt. *Lycurgus* or any that are commonly called *Legislators*, may call their Models and Proposals by the name of Laws, before they are enacted: But they are indeed no more so, then my words are Laws, till they shall become the acts of Authority. Those Models commonly have two parts; the first for *constituting the Sovereignty*; and the second fixing *some immutable determinations for regulating his Government, which he may not change*. But first, the constituting of the Sovereign is an act of Contract, and not of Law: And secondly so are the limitations of his Power and Rule, which are part of the Constitution, and the terms on which he doth receive it. It is no Law, till it become the Rulers act, as such.

The Minor is plain. For before the Sovereignty is constituted, there is no Sovereign: For what need we make that which is already made? And where there is no Sovereign, there is no Acts of Sovereignty: that is, no Laws.

Argu. 2. Legislation is a proper part of Government: therefore it supposeth the Governour constituted.

Note, 1. That we take Laws here in the strict and proper sense, as distinct from Covenants: For improperly, as a mans Covenants oblige himself, he may be said to impose a Law upon himself.

2. That we still here separate the Divine Government from mans. Gods Authority is before and without mans consent; and he maketh by his Laws subordinate Governours over men when he pleases, obliging them to consent beforehand, being himself the Universal Sovereign, neither by Law nor Contract. But it is only so much of the Constitution as is left to man, that I speak of.

Thes. 179. *An Implicit Consent of the people may be obligatory, and prove the power to be such as is to be owned and obeyed.*

If they that have the *strength*, do not resist and cast off their pretender, it is to be supposed to be because they do consent: For being not from *disability to resist him*, it is to be judged to be from *unwillingness*. And if there were some hazard of a battle in the way, yet they that consent to scape a danger, do yet consent: But it is not all silence and non-resistance that may be called [an implicit consent.] A non-resistance forced by a *Colony* or forreign Power, is no signification of consent. A non-resistance forced by *Mercenary Natives* that are souldiers, is no signification of consent. A non-resistance forced by *Servants* or others that are not *Burgesses* or *Cives* in the Common-wealth, is no signification of consent. A non-resistance forced by a *Kindred* or *Faction*, is considerable comparatively for interest or number, but that's
 Wrong

strong by an accidental advantage, is no signification of consent. But yet it is not the consent of the whole people that is necessary ; nor alwaies of a major part : Common-wealths are not alwaies to follow a Major Popular Vote. Otherwise in most cases there would be much uncertainty, which way the Major Vote inclineth. And when most are worst, and of the weaker sort, the wiser and the better will think there is no Law that subjecteth them to a Vote that's carried by an inconsiderable part. If a people were without a Prince, and a Major Vote choose a person tolerable, but yet so weak and bad as might much hazard the Common-wealth ; and the wiser, stronger, but Minor part, do choose a wiser, better man, there appeareth no reason why the choice of the first only should be valid. (We are speaking all this while of the Constitution of a Common-wealth, where the way of Election is not yet Constituted by Agreement.)

1. The smaller number are oft of greater Interest and Possession. An hundred Lords may have more to save or lose then a thousand Peasants. 2. Nature, saith the Philosopher, made the wise to Govern the unwise ; that is, They are most apt : But the smaller number are oft the wiser. 3. And the smaller number is oft the better, and true to the common good. 4. And also they are oft the stronger. Ten thousand prudent valiant men, especially that are animated by the greatest interest, are usually too hard for twenty thousand silly Peasants. And I see no Reason but the Part that is both Wisest, Best, and Strongest, should be accounted the People of that Nation. Nature valueth not parts by bulk or number, but by Worth and Use : One Heart, one Stomake, one Liver, is more

more to be regarded then ten toes or fingers.

Object. But who shall be Judge which part is Best once you forsake a Major Vote, when every part thinks themselves the best?

Ans. The Question is either, of the *Jus* or *Factum*: Who Ought to Judge, or who will Judge? In company that hath no *Legal Judge*, the *Wise*st, though the *Weakest*, ought to Judge: For *Natural Aptitude* there instead of *Office*, and the ignorant are obliged by God to regard his gifts in others, and to hearken to the *Wise*: And if the people *refuse*, that proves not that they *justly* do refuse. But the *strongest* usually will Judge, though the *wisest* should Judge; and therefore Voting oft determineth it, because the most are supposed to be strongest, and to have most will and Interest among them. But when it is not so, (as oft it is not) the Reason of the Voting Prevalency ceaseth (except in such cases where it is merely for Unity and Concord) and no such stress is laid upon the Vote, but that the wise for Peace may safely yield to the unwise. When the Best by Prudence and advantage have the greatest strength, and by Valour over-top a greater number of the bad and foolish, I know not why they should give up their welfare to their Elections. In a Ship full of Mariners and Passengers that have lost their Pilot and Commanders, the valiant and skilful will be loth to commit their lives to the major vote of ignorant and cowardly men, that would deliver the Vessel to the enemy, or the Rocks, or Sands.

If in such a case (when there is no preobligation by Law or Contract) a Prince be chosen by the Minor Better part, (not Mercenary Souldiers, not a Faction

on

in animated by a private Interest, nor as before expected) and that Part be strong enough by the advantage of their nobler Education, Prudence and Valour to enable him to Defend the Nation, and execute his Laws, against any opposition that the Rabble or rude Majority can make, I know not, (*ceteris paribus*) but that he hath a better Call, then if he had been called by the rest that were more in number.

When we speak of an *Implicit Consent*, complying with custom, we use an improper phrase, it being a *Less-express* Consent that is meant by it: For if it be in no degree expressed, it falls not under humane cognizance.

As we constantly determine against the *Separatists*, that such an *Implicit Consent* of the people, as is signified only by actual submission to Ministerial Offices, is all that is necessary (herein) to prove the Being of a Church: So the Reason will do as much and more as to the Common-wealth; the peoples Consent being more necessary in Church matters, then in the other, because Church-Government is exercised only on *Consenters*. And as he may be a Pastor that hath but such an *Implicit Consent*; so may he be a Prince that hath no more. When the Body of the people submit to the Government in its exercise, seeking for Justice to the Officers of him that is in Possession, and actually obeying his administrations, it importeth in *foro exteriore* a *Consent*; at least for the avoiding of greater evil; and if this be stated or in the ordinary Current as Governours are obeyed, it sufficeth to satisfie particular persons that they are obliged to obey.

Thes. 180. But if the Representative Body of a Nation, enabled thereto, shall expressly consent, and covenant with a Sovereign, the real Body submitting to the Government; and not by any common protestation disowning it; it is the fullest, most regular, obliging acknowledgement, to satisfy the particular Subjects of their duty, that ordinarily can be expected.

For it cannot be expected that all the Real Body should be called to Vote, and the Major Vote be well discerned, unless the disproportion be very great. Their Number, their dispersedness, and their incapacities shew them very unfit to manage such a business by themselves: Their welfare require, that it be rather managed by Prudent Representatives chosen to such Ends. And then as All are Represented, so All are obliged by the consent of their Representatives.

Thes. 181. If a people that by Oath and Duty are obliged to a Sovereign, shall sinfully dispossess him, and contrary to their Covenants, choose and covenant with another; they may be obliged by their latter covenants, notwithstanding the former; and particular Subjects that consented not with them in the breaking of their former Covenants, may yet be obliged by occasion of their latter choice, to the person whom they choose.

I. As to themselves, if former violated Promises excuse men from latter, then might men by one sin be free from the inconveniences of an hundred after: for such a man that hath broke a former promise, might make an hundred inconsistent ones afterward

fterward without being obliged by them : But no man is to have benefit by his crimes. The first Covenant and the second may be impossible to be both performed. But yet its possible they may both oblige. A man by contrary Covenants and Vows may oblige himself to Impossibilities , though he cannot perform them. He that makes an hundred covenants inconsistent with one another in the performance, sinneth as a Covenant-breaker in not performing all : though he should sin in other respects if he did perform many of them that are possible : Promises oblige whether just or unjust ; But if they be unjust, they frequently cast men into a necessity of sinning ; e. g. he that promiseth to give away an Orphans Portion committed to his Tutelage , sinneth if he do it, against the Law of fidelity and mercy ; and he sinneth if he do it not as a Covenant-breaker. But when men have by contrary Covenants , cast themselves into such a Necessity of sinning, it may be a duty to choose the lesser sin , or rather to avoid the greater : And which that is , the circumstances of the Case must determine.

2. And as to others, it is most evident, that if I be innocent of the violation of a Covenant to a former Governour ; then the peoples Engagement to a latter, may make him the just Governour, and so I may be obliged to obey him. Otherwise , 1. Few Princes on earth should be acknowledged, or people obliged to them. For the original of the succession of most or very many , was a consent that was forced from them by Power, when they were engaged to another by a former Consent. And if this obliged not the Consenters to obey the present Prince , it could not oblige

oblige their progeny, nor convey any Title to successive Princes. 2. If the latter Covenant bind the guilty, it may draw an obligation on the innocent that have a necessity of abiding in the same Commonwealth. He that cannot quit the Commonwealth must obey the Powers that are sinfully chosen by others, as well as if they were lawfully chosen, it being not his sin.

That man that will conclude that the Peoples consent is necessary to the Princes Title, and that no consent of a people pre-engaged is valid, shall null the Title of most successive Governours (at least) on earth, and unravel the state of most Commonwealths to their confusion, contrary to all Reason.

Nero and other *Roman* Emperours, that the Apostles and other ancient Teachers of the Church obeyed, and commanded others to obey (with that strictness as we find in *Rom.* 13.) were some of them chosen but after possession by a party, some but implicitly by that party; none of them more fully then such as I have here described; and few of them by a people that were not pre-engaged.

Thes. 182. *When the freest people choose a Prince, they do not properly and efficiently give him his Power, as conveying it from them to him, but are only a causa sine qua non, and denominate or design the person that shall from God, and not from them receive it.*

It is the groundless confounding principle of Levellers in the State, and (as *Mr. Cawdrey* notes) of the Church-Levellers or Separatists, that Power of Government is originally in the people, and from
and

d by them must be conveyed to the Rulers. An opinion against Nature and Scripture; against the very sense of a Republike, that distinctly containeth Sovereign and Subjects. I have sufficiently confuted this fore by many Arguments; and shewed that the people as such, have no Power of Government. And then now I shewed you, that we discern our Ruler by such a syllogism; *That person who is most agreeable to the description, and so to the will of God, must be counted to as Sovereign: But this is that person. Ergo,*

c. ———
So that the Law leaveth nothing but the determining of the person here undone. And therefore the people certainly doing no more but to determine of the person, do convey no power, but only do that without which it will not be conveyed; some call them *Instruments*; properly they are not so much, though we need not contend about the Notion; when this Corporation choose their Bayliff, they give him not a jot of Power: They are but the *Causa nequa non*: the *Charter* is the *Instrumental cause*; and the *Sovereign* is the *principal efficient cause* (under God.)

The people cannot give what they never received, nor had: But they never received nor had a power of Governing a Common-wealth, therefore they cannot give it. That it is not contained in each mans self-governing power, I have before shewed. As when a man is chosen in marriage by a woman, she giveth him not the Power of an Husband, but only chooseth the person who shall from the Law of God receive it; so is it between Prince and people. God hath said in his Law, The Husband shall Rule the Wife; The woman only

only adds the Minor, *This man shall be my Husband*. So that she gives him not the Rule, but by choosing him to be the man, is à *Causa sine qua non*. And if she should agree with him not to Rule her, it were *ipso facto* null, as being against the Law that specifieth the Relations: which sheweth that she giveth him not the power; otherwise she might restrain it or limit it. Yet here is this difference from our present case; that a woman may choose whether she will have a Husband or none: but so cannot a man choose whether he will be a member of a Common-wealth or not, except in some rare extraordinary case, that befalleth not a man among many millions.

Object. *But a servant may give his Master power over him, and what degree he please; therefore a people may give a Prince power over them: And any man may oblige himself, and thereby give another power over him.*

Ans. 1. The cases are much different. Government is founded in the Law of Nature. Angels have such Order, that have no sin: But *servitude* is a penal fruit of sin: and no man is to choose a punishment to himself that may well avoid it: He that may be free, should choose and keep his freedom. So that the Relation of a servant is such, that a man may avoid if he can and will; and when he is necessitated to submit to it, he may limit his Master in the governing of him as far as he can and will in the matter of servitude: And therefore here is a greater appearance (at least) of mans giving another the power over him, then in Political Relations constituted by God himself: And yet indeed, the matter here must more distinctly be considered. A *servant* is considered partly

as one obliged to *Work* for another, and partly as the inferior or subject in a family to be Governed by another in order to the ends of Family Government, which is the good order of the Family, for its own, and specially the Governors welfare, and the Pleasing of God that hath appointed that Order. These two are oft separated, and ever distinct: Some servants are but *day-labourers*, and no members of the Family, and some are *members* of it. Every man having a certain Power of himself and his own Labours, may alienate what he hath to another, and so by Contract sell his labour to his Master. But as he is a member of a Family subject to a Master in point of Morality, bound to obey him in points of duty to God and man, of the first Table and second, and the due circumstantiating of these duties, so the servants consent is no proper efficient cause or giver of the Masters power, but only maketh himself the object of it: So that it comes [immediately] from God, as [immediately] excludeth an intervening second efficient cause, but not [immediately] as the word excludeth all kind of *Means* for determination of the Object, without which the Power would not be in that person over that other person.

So in point of Political Government, if there be a *Domination* conjunct, and the subjects submit themselves to a *servitude*, that indeed may be their own self-resignation, disposal or selling themselves so far to another, which is when the Governours Benefit is the principal end: (For we are not born for him.) And therefore *Tyrannie* and *Domination* of Princes are penal to the subjects, and they may escape them if they can. But proper *Political Government*, that

is exercised over meer subjects for the publick order and Good ; and the pleasing of God by Governing Justice, is Gods own Ordinance, and the Power wholly flows from him as the universal Sovereign.

So that if it *would* hold true that from the self-interest and self-governing power that each individua hath by resigning all to one, he may efficiently be made a Prince or Ruler over them (which yet would be false, as I have shewed, if God were not supposed that way to convey the power, which he hath not done ; Political Power being *totâ specie* distinct from that of self-interest, and self-Government) yet God hath left no room for this imagination and dispute, because he hath as universal King, himself instituted the Offices that shall be under him, leaving only the modifying and limiting of Circumstantials, and the determination of the persons to the will of man. And as it would be but a foolish or Trayterous arguing for a Corporation to say, [Every man hath a self-proprietty or interest, and a self Governing Power, which resigned to another maketh him a Governour by conveying the Power from us to him : therefore our Major or Bayliff whom we elect, doth thus receive his Authority from our gift or authorizing Act] (they having nothing left to them but the nomination of the man that shall receive the Authority from the Princes Law or Charter ;) Even so it would be no better in any that should argue thus in the other case. If no superiour Power had gone before them by his Laws, but a City were all free from Sovereignty, then indeed they might make to themselves a Prince, without the offending of any higher. And so if there were no God, (and yet man could be
man)

man) and if the world had no universal King, that had instituted offices under him by Law, and distinguished the world into Rulers and Subjects, then indeed the people might pretend to give the power as far as they have it to give, and be the Original of it: But when God hath given it already by a stated Law, to those that shall be lawfully nominated, the peoples claim comes in too late.

Thes. 183. *As the Constitution of Commonwealths is only by Gods Laws, and mens fundamental Contracts, and not by any Fundamental Laws of men: So it followeth that it is only God by way of Authority, and the parties contracting by way of Consent, that can alter the Constitution or any part of it; and there is no Authority of man that can alter it.*

1. That the Constitution is not by humane Fundamental Laws, but by Contracts between Prince and People (explicit or implicit) I shewed before; and its plain in the nature of the thing. If a meer Conquerour should say, [*I claim the Empire, and Command you as Subjects to acknowledge me*] yet this were no Law, because proceeding from no Authority; and the peoples Acknowledgment, though forced by such words, would be but a forced Contract. So on the other side, if a people should make a pretended Law, that such a man or company of men shall Govern them, it were indeed no Law, because from no Authority: For before the Constitution there is no Legislative Power, either in Prince or People: Not in the Prince, for he is then no Prince; not in the People, for they are then no Governours, and therefore no Legislators: What have they to do to command any man to command them,

them, or Govern them against his will? He is as free by nature as they, and cannot justly be compelled; (much less by a Law when there are no Law-givers.)

2. It is a known Rule, that *Obligations are dissolved as they are Contracted*: And therefore from the way of Constitution the *Thesis* is plain, that nothing but *Gods Authority*, and *mens Consent*, can alter it. If it be altered by proper Law, then either by the *Sovereign* (whether Prince or Senate) or the *Subjects*: But neither by the *Sovereign* nor *Subjects*; therefore by *no man*. Not by the *Sovereign*; for 1. He is bound up by Covenant to the Constitution, and cannot by pretended Authority break his Covenants, but must stay till God or the people Contracted with, release him. 2. And his Legislation is a part of his Government, consequential to his Power, and so to the constitution in which he received it; and therefore hath nothing to do with that constitution, to destroy or alter it that is the cause of his power, and gives it life, or is the means thereto. Else Princes when by the Constitution they are limited, might remove their bounds at pleasure. And if a *Senate* do it, it must be either as *Rulers*, or as *Subjects*. As *Rulers* they cannot alter the Constitution: For if they be *Inferiour Rulers*, they have no Power but from the *Sovereign*: If they be the *Sovereign*, or (as in *England*) have part of the Sovereignty, then they have as was proved before, no power as such to do it, any more than a *Sovereign King*. And as *Subjects* they have no Power to do it: For *subjects* have none such. 1. They had not Power by *Law* to *Constitute the Government*, nor by any force, but by Consent of him or them whom

whom they chose to Rule them ; therefore they have no other Power to dissolve it. 2. *Subjects* are bound to obey , and have as such no Legislative Power ; therefore much less have they any to alter the Constitution by.

Thes. 184. If Prince, Senate, or People alone (before God by certain providence have disobliged them, and dissolved the Government) shall of themselves without the Consent of the other part, dissolve or change the Constitution, they perfidiously destroy the Foundation, (if it be in the substantial points) and put themselves into a state of enmity with the other part.

But of this more , when we come to speak of the Dissolution of Common-wealths.

Thes. 185. Yet may the first Constitution of a Common wealth be in many particulars changed by degrees, when Prince and People do Consent : But if those Consents shall be called by the name of Laws, thus far they are none indeed, but Contracts.

1. That Constitutions may be gradually and annually changed (possibly, but not fitly) is evident : Because as Consent of the chief Governour and people sufficed to the *Constitution*, so doth it suffice to the alteration. The same cause may produce the like effect ; for here is no impediment. And therefore we need not in this Land go to the Original of the Common-wealth to know the Constitution : For where-ever it is to be found that Prince and people have thus

or thus Consented, so much of the Constitution is there found.

2. *In a Law* this change of the Constitution may be found : but it is not it self any part of a Law. A Parliament may have a double capacity : To be *Sovereign* (in whole, or part) and to be the *Representatives* of the people : They *Represent the people*, either *simply as people*, to preserve their Rights according to the Constitution ; or else *as subjects*. A Representative of *subjects*, *as such*, have no Power of making Laws, nor by Contract altering the Constitution : A Representative of *People*, or a *Community*, *as such*, may have power to preserve their Rights, and by *Contract* to change the Constitution, but none to *make Laws* : A Parliament as *Sovereign*, have Power to make Laws, but none by a Law to alter the Constitution. But when the Parliament hath *several capacities*, their Instrument may accordingly have a various nature and use, and in part it may be a *Contract* with the Prince, themselves Representing the people, and so it may Gradually alter the Constitution; and in part it may be a *Law* imposed by the whole Sovereignty. And in the Instrument called a Law, alterations of the Government may be made by Consent of both parties.

Thes. 186. *If by later Consent between Prince and People, the antient Constitution be changed, or any part of it, it is the last Consent alone that bindeth the Prince and Subjects, as nulling the contrary former Contract; and it is perfidiousness to violate the last Consent, upon presence of recurring to the first constitution.*

If *Lycurgus* by the peoples consent shall settle a form of Government; and say in it, that it shall be unchangeable, this will not disable successive Princes and people by Consent to change it; seeing they have as much power to change it, as he and the people then had to establish it. But if the next age change it, it will be Treason in them that will go about to violate the new established Government, under pretence of sticking to the old.

Thes. 187. The Constitution gives life to the Species of Government, when the individual Prince is dead, till that Constitution it self be altered.

Else there must be a new Common-wealth at the death of every Prince: and posterity should not be obliged by ancestors for their good.

Thes. 188. Every man that is obliged to obey, is not obliged by his Obedience to justify the Title of the Ruler against all others, as the best; not alwaies to defend it by arms.

For there are many (if not most Princes on earth) that seeking Crowns by unjust means, or receiving them as so acquired, or being themselves unfit, &c. do want such a Title as may justify them before God; and yet have such a Title as is valid among men, and will require obedience from all the subjects.

Thes. 189. In doubtful cases, or where the subjects are not called to judge, the possessor is to be obeyed.

Paul took not all he wrote to for obedience, to be capable of Judging *Nero's* Title. If Consent of the *Romans* were proved, the Senate and City were a small part of the Roman world; Who made them Representatives of the whole?

C H A P. 8.

Of the best form of Government, and Happiest Common-wealth.

AT his first Creation man was subjected to none but God: though it was provided in Nature, that there should have been Government and Subjection though man had continued innocent: but that would have been only a Paternal assisting Government for our good, having nothing in it that is penal, or any way evil. When God immediately Ruled, and man obeyed, all went right: Had this continued, the world had not felt those fractures and wounds, nor been troubled with rapines, wars or confusion, as it is. God being most perfectly Wise and Just, could not err in Commanding: Man was innocent and able to obey, but free and mutable: and so was tempted from his Obedience. Satan by disobedience having overthrown himself, did know it was the way to overthrow man. God could not be corrupted, nor tempted to unwise or unrighteous Government: And if neither King nor subject were corrupted, the Kingdom

om could not have decayed. But Satan knew which was the weakest link in the chain: Man was frail, though holy; and not confirmed yet, though upright: and therefore defectible. The attempt of breaking his rank, and forsaking his due subjection, was the Devils fall: and by the same way he assaulted man, inciting in him a desire to be *as God*, and then provoking him to seek it by disobeying God: A foolish means to an impossible or impious end. The breach being thus made between man and his universal King, the joynts of holy order were loosed; and a breach was made also between man and himself, and man and the inferiour creatures, and enmity and confusion took possession in the world. The creatures Rebell against their Master turned Rebell: His own passions and appetite Rebell against his Reason: and the seeds of all the Confusions that have followed in the world, were sown within us. As the enmity between the womans and the Serpents seed being propagated to posterity, is the great quarrel of the world; so all those vices in which the Malignant enmity doth consist, are propagated and by custome receive an increase. The Root of them all is *Selfishness*, which much consisteth in *Pride*; still man would be as God. Every man would be Highest, and have the eyes of others set upon him, and be the Idol of the world. The sin that broak Order, is still at work to widen the breach. He that is a subject, would fain be in Authority; and he that is of a lower rank, is ambitious to be higher: and he that is in Sovereign Power with just limitations, doth hate restraint, and take it for imprisonment or subjection; and striveth till he hath broak all bonds, and hath no guide but his own understanding,

standing, and nothing to moderate his impotent will. So that in all Ages and Nations Subjects are still disposed to murmurings and rebellions, and Princes to transcend their bounds by Tyrannie : and all because we are all the aspiring brood of *Adam*, that was made little lower then the Angels, but fell to be too near the Devils, by desiring to become as God. If the advantage of Greatness, the gate of Temptation, or the warmth of Prosperity, do but heighten this ambition, and hatch it to maturity, men will be then the sons of the Coal, and as so many Granado's thrown by Satan among the people where they live, to enflame, and trouble, and confound the world : The worm of Ambition will restlessly crawl within their stomachs, and make them by a troublous stir to seek for honour as food to quiet it, and keep it from gnawing on their hearts : But this greedy worm is unsatiable, crying as the Horse-leech, *Give, Give.*

The cure of this mischief hath long busied the people and Politicians of the world : and yet it is uncured. Princes that have strength, do make some shift with much ado, by severity to restrain the Subject from Rebellion. But how to restrain the Prince from Tyrannie without disabling him from necessary Government, is much yet undiscovered, or the discoveries unpractised. The world hath had more *Dionysius's* and *Nero's*, then *David's*, *Solomons* or *Constantines*. *Rehoboam* is no warning to them, but hath most Imitators, though with bad success. In most of the world, *their* doleful case doth tell us what their Government is ; we see among them Tyrannie is Hereditary : and Princes live among their Subjects as the Pike among the smaller fishes ; as if the people
were

are made for them. They divide their Interest from their Peoples; and live as if their peoples welfare were not *theirs*; but rather all that is taken from the Subject, is added unto them. The soul and body of most Common-wealths fall out; and the Head and Heart have such diseased obstructions and oppositions, as are their mutual torment, and the Prognosticks of their hastening dissolution: when the Ivie kill'd the tree that bore it, it must perish with it. And if they are first themselves dismounted, they seldom ever get into the saddle, and sit fast after it.

Some Nations have thought that the way to prevent this, was to be *free*; that is, to be *Self-governors*; and so when All governed, they found that none Governed, but Tyrannie and all Vice did reign in popular confusions: and there was neither peace or safety to the whole or parts; No waves being greater then the Seas, nor any Tyrant so cruel as the many-headed Tyrant: and it being the surest way to be alwayes miserable, to be Governed by them that are alwayes naught; that is, by the multitude, in most parts of the world.

The sence of the mischief of Democracie hath made others think that the best way is to leave Kings to their wills, and let them use their Power arbitrarily: They think it costeth the world more to limit Princes then its worth: and that if they are absolute, their Interest will lead them to cherish their people: Or if they should grow cruel, God will protect us, and turn it to the best: A hundred sheep will flye from a little curre; and yet the Shepherd takes care that few of them are destroyed.] I could the easier digest this Doctrine, were it not for these Reasons.

1. The

1. The Heart of man is deceitful and desperately wicked; and what will it not do, if it may do what it will.

2. When men know that they are lyable to no Restraint, it will let loose their lusts, and make them worse.

3. We may not tempt them thus into a life of sin, to their own destruction.

4. Nor must we tempt God by pretending to trust him in a neglect of means.

5. It is against the light of Nature that one mans will should ruine a Nation.

6. If we may give away our Bodily welfare, yet not our souls. The Princes interest may lead him to have some regard to the Bodily welfare of the people, but he will not regard their souls. Greatness will have great temptations: And when there is no restraint, this will make the Greatest to be the worst. And the worst men are enclined to the worst opinions, and to be the greatest enemies to Piety and Honesty; and so would banish Christianity into corners, or from the earth.

7. If we might give away our own Interest, we may not so give away Gods; nor encourage or suffer every deceived wicked Prince to do as the Infidel Princes do, and persecute Christianity out of their Dominions.

8. At least we may not be guilty of Treason against God, by consenting to an Idol, or Usurper that claimeth his prerogative, and pretendeth to an absolute unlimited Power, as if he were from under the Laws and Government of the Almighty: we must know no Power but whats from God; and therefore none against his undoubted Interest and Laws. As it is unlawful to submit to the Pope that thus usurpeth in the Church, so as unlawful to consent to any Anti-Gods usurpation in the Common-wealth.

9. And the experience of the world hath taught them to abhor

unlimited Government, even as intolerable to people: For though they should not destroy the whole people, yet at their pleasure their *particular Sub-*jects must be the fuel of their rage & lust. Every mans State, Wife or Daughter that they have a mind to, must be theirs; and their word must command the heads of the best deserving Nobility to the block: And however the distant vulgar speed, those that are nearest them will be as Lambs before the Wolf. And experience hath told the world, that there are many, and very many bad Kings for one good one throughout the world; and the wicked will do wickedly when they have no restraint. And therefore it is were to deliver up the Kingdoms of the earth to a Tyrant, who Ruleth by the wicked; when we have a promise that they shall be the *Kingdoms of the Lord* and of his Christ, that Ruleth especially by the *holy and just*.

Others have thought it a hopeful way of Cure, to have the Government elective, and either *quam diu bene se gesserint*, or for a short continuance by Rotation. But these have found that the Remedy was insufficient. The Nations of the earth have but few men that are wise and good: and if those must Rule but a little while, the bad will succeed them: And if the good must run through many, and so there be many bad Rulers for one good one, the bad ones will do more hurt then the good ones can do good. And it will be next impossible so to temper the Government, as that bad Rulers may have power to preserve the Common-wealth, and yet not have power to perpetuate themselves, and invade a perpetual Dictatorship with *Cæsar*; For Armies they must have; and

and those that can get sufficient interest in them, use them to their own ends. Some think that wealthier peoples bearing Arms would prevent this: for they would never serve a Tyrant against their Liberties. Much should be done I confess more than is, this way, to preserve the peoples Liberty but yet the Remedy is inconsiderable. For 1. We must have our Armies abroad, and those will be poor, and those will be mercenary, and return to serve their Commanders minds. 2. Flattering words will mislead them that are not mercenary. 3. Prosperity and Wealth doth effeminate men and make them cowardly. 4. Experience told us in our late Wars, that the trayn'd Bands were as ready, at least in most places, to follow the stronger side that was in place, as the poorer Volunteers were: For they thought they had somewhat more to lose than their younger sons or servants had; and therefore they would not venture to disobey the strongest.

Some think a Lot being a Divine decision, to be the only way to choose the Prince: which hath its place, but solveth not the difficulty without more ado. To use Lots among a company of bad or unjust men to find one good one, is a tempting God; and but like the casting a Net among Frogs to catch Fish. The materials must be first prepared, and the main secured.

In a word, many models have been devised, and most of them have their excellencies, and defects: Some of them secure the peoples wealth and liberty from a Tyrant, and lay them open to an invading enemy: Some of them free the people from oppression by a Prince, and leave them under a multitude

Oppressors : Some so secure Liberty as to introduce injustice and confusion : and certainly cast away the means of spiritual everlasting good , in order to preserve their temporal good. And most of them tread under foot the Government and Interest of the universal King , and pretend the means against the end. They that can do most to mend the people, and cure us of good Rulers, and so to secure us in the main matters of Religion and Peace, are the best Politicians, though they leave us many inconveniences. And to that end he that could cull out the best of every Mode, and leave the worst, would shew his Wisdom. Because I pretend not to such skill, nor intend any accurate Tract of Politicks, nor the discovery of a *Utopia*, or *City of the Sun*, nor intend to bestow that time and labour which is necessary to improve that little knowledge that I have, to any such ends ; but only to urge upon the world the great Divine neglected Principles, that we may be secured of the main ; I shall readily give place to any of their new devised Models that are consistent with these Principles ; and leave them to beautifie the Commonwealth in their own wayes, if the Life of it may be secured by Gods way.

And yet I must say that for ought I see , the Government of this Commonwealth is already ballanced with as much prudence, caution, and equality, (though with less ado) as the curiousst of the Models that self-conceited men would obtrude with so much ostentation. Might we but see the *Foundation* of Parliaments Reformed, by an exclusion of truly *Unworthy* persons from the Elections (from choosing

choosing or being chosen) that so we were out of danger of having Impious Parliaments chosen by an impious Majority of the people, we should then build all the Fabrick of our Government on a Rock, that else will have a foundation of Sand: And a multitude of errors would be thus corrected at once, and more done for our Happiness then a thousand of the new Fanstactical devices will accomplish. Of this having spoken before, I shall yet add somewhat more, to shew you how the Kingdoms of the world may be made the Kingdoms of the Lord, and of his Christ.

Thes. 190. The Happiest Common-wealth is that which most attaineth the Ends of Government and Society, which are the publick Good, especially in matters of everlasting concernment, and the pleasing of God the Absolute Lord and King of all.

The Ultimate End is the chief Good: This denominateth all the Means to be more or less Good, and all things to be Indifferent, as to Amiableness, that are neither for it, nor against it; and all things to be Evil that are against it. That which is neither our End, nor a means to our End, is not Good or Amiable to us. Food and rayment and our outward wealth, are to furnish our own and others bodies with such requisites as fit them for the serving of our souls, that both may serve God, and enjoy and please him. He that takes down this End (the Pleasing and Enjoying of God in Glory) takes down all the world as a means to it, and destroyeth the very use and Relative nature of all things under the Sun, and makes another

another thing of himself and all things. As his fleshly Brutish End is below the high and Glorious End that God appointed all things for, so doth he accordingly brutifie and debase them all. For the Means receive their excellency from their End, and their Aptitude thereto. An Atheistical Infidel Politician, that makes not these heavenly glorious things the Ends of his Policy, doth set Kings, and Common-wealths, and Laws as far below a Christian King, Common-wealth and Law, as earth is below heaven, and almost as a dog is below a man; and commit the highest Treason almost that men are capable of committing; destroying (doctrinally) Gods Kingdom and mens; and setting up a Mawkin in the place: And indeed are intolerable in a Christian Common-wealth.

Thef. 191. That Common-wealth is likely to be most Happy, which in the Constitution and Administration is fullest suited to this Heavenly End; and therefore that is the best form of Government.

This needs no proof to any that do believe that to be the Ultimate End.

Thef. 192. The more Theocratical, or truly Divine any Government is, the better it is.

None can deny this, that denyeth not God: if he have more Authority then man, and be wiser and better, and more Powerful to defend his subjects, and repress his enemies, and do Justice in the execution of his Laws, then as no man should dare to compare with God, so no Government with his;

Thef. 193. A Government may be Theocratical (or Divine) 1. In the Constitution. 2. And the Administration. 1. In the Constitution, 1° As to the subjects; 2° The Relations and their Foundations; 3° And the Ends. 2. In the Administration; 1° As to the Officers; 2° Laws; 3° Judgement and Execution.

It is the first part only that in order I should here treat of, because I am not come to the Administration of Common-wealths; but preferring the method that suits my Ends, I shall touch briefly of somewhat of this here in the way: I take it for granted that every man except the Atheist, (*alias*, the Fool or Brute) doth consent that we should desire the Best, that is, the most Divine Common-wealth that we are able to procure.

Thef. 194. 1. In a Divine Common-wealth, God the Universal King is the Sovereign; and none that Rule pretend to a Power that is not from him and subservient to him, nor do any else claim the honour of being the Original of Power.

The *Majestas* or *pars imperans*, is essential to the Common-wealth: and that God be King, is essential to a Theocracie. If any Infidel say that God will not condescend to be our King, and therefore this supposition deludeth us, and lifteth us up too high; I answer that he contradicteth not only the stream of Scripture that calleth God our King, but the clearest Light of Nature, which from his Creation and sole capacity, shews that by necessary Resultancy, he must Rule, (as I have shewed.)

Thef.

Thes. 195. 2. *In a Divine Common-wealth it is supposed that the subjects are all Gods subjects, not only by obligation (as every man is) but also by Consent.*

Others may possibly be permitted as *incola*, on the terms as *Catechumens* in or among the Church. But only the voluntary subjects of God should be the proper *Cives* or free subjects of a Divine Common-wealth; and only Christians of a Christian Common-wealth.

Thes. 196. 3. *In a Divine Common-wealth a Covenant between God and the people is the Foundation or necessary Condition: And all the free subjects are engaged first to God.*

As I shewed in the beginning, as they are *Obligati ad Obedientiam*, the Law of Nature is the *Fundamentum*, or cause, as they have Right to the Benefits of the Common-wealth, and are free of it; Gods promise or Covenant as on his part is the *Fundamentum* and the Cause; and their Consent or Covenant on their part, is the *sine qua non* or Condition: As they are self-obliged, (or bound by their own Consent) it is the efficient or Foundation of that secondary obligation.

Thes. 197. 4. *In a Divine-Common-wealth, the Prince or other humane Sovereign doth hold his Power as from God, and under him, and the people consent and subject themselves to him principally as Gods Officer.*

Though God choose not his Officers now in the same manner as in *Moses* and the following Judge dayes, (as to the extraordinary Call) yet are they now as truly his Officers as then. And therefore the people are first to be engaged in Covenant with God and then with the Prince as Gods Officer : and on these terms are Princes to hold their power.

Theſ. 198. 5. In a Divine Common-wealth the Honour and Pleasing of God, and the salvation of the people are the Principal Ends, and their corporal welfare but subordinate to these.

For it is much denominated *à termino vel fine* : that which is but for earthly Ends, is but an earthly Society : The Body that is not for the *soul* and subject to it, is not the Body of a man, but of a brute : And the Kingdom that subjecteth not corporal felicity to spiritual, and temporal to eternal, and looketh not to that, is but a brutish sensual Kingdom. For though Rational men are the subjects of it, yet while that Reason is subjected to the flesh and appetite, they are *à fine* to be denominated brutish : For that is a mans predominant faculty, which is next that which he makes his chiefest End : And therefore if he have a Brutish End, his Brutish appetite is predominant, though Reason serve it : And the man, and so also the Society and Government is denominated from that which is predominant ; and therefore from this End and brutish Ruling faculty it must be called Brutish.

Theſ.

Thes. 199. 6. *Where the Gospel is published, Jesus Christ, our Lord and King, by the Title of Redemption, is also to be acknowledged by Prince and people, and taken in as the Beginning and End of the Common-wealth.*

The Kingdom of Christ is proved before. If any man will but read the Scripture, he need no other confutation of Hobbs that from Scripture would prove that the Kingdom of Christ is only at his second coming, and not at present.

Thes. 200. *In the Administration of a Divine Common-wealth, the Officers should be such as God will own; that is, men fearing God and working righteousness; men sober, righteous and godly, that by Faith & Love are subjected themselves to God their Creator and Redeemer.*

If the Inferiour Magistrates be Infidels, or ungodly men, they are false to their higheit King: And how then can they be fit to Govern for him, and promote his interest?

Thes. 201. *In the Administration of a Divine Common-wealth. God must be allowed all that Causality in the choice of Individual Magistrates, which he condescendeth to; that is, 1. All the descriptions and Precepts of his Law must be observed. 2. Those that by his Gifts and Providence do answer his Law must be elected. 3. And to that end, those that he hath made capable only, should be Electors. 4. And that which cannot by these gifts be well discerned, if it be of moment, should be referred to a Lot.*

Of these I shall anon speak somewhat more fully in order to practice.

Thes. 202. In a Divine Common-wealth the Laws of God, in Nature and Scripture, must be taken for the principal Laws, which no Rulers can dispence with; and all their Laws must be as by-law, subordinate to them for the promoting of their execution.

Though the Law of *Moses* as such oblige us not; yet the matter of it under another form may oblige; that is, the Moral Law still bindeth us, both as the Law of Nature, and of the Redeemer: And the Reasons of the Law commonly called Political, (though indeed the Moral were Political) do still bind, so far as our case agreeing with theirs, we can perceive in those Laws how God would have such a case determined. If Gods Laws keep not the preheminency, his Government is rejected. He ruleth by Laws; and to reject them is to reject his Rule. All the world have the Law of Nature; Christians also have the Law of Grace, and the Law of Nature in the most legible Characters. These are to be the principal statutes for the Government of the Common-wealth; and mans Laws should subserve them.

Thes. 203. In a Divine Common-weath, the sins against God must be accounted the most hainous crimes; The denying or blaspheming God, or his Essential Attributes or Sovereignty, is to be judged the highest Treason; and the drawing men to other Gods, and seeking the ruine of the Common wealth in spirituals, is to be accounted the chiefest enmity to it.

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The offence against the highest Authority, must needs be the greatest offence (*ceteris paribus.*) And though the chief punishment be reserved for the life to come, yet that will not excuse the Magistrate from the due punishing of it here. For Magistrates executions are for the publick Good of that particular Common-wealth; which will not frustrate Gods executions for the Glory of his Justice and other ends that are to man unknown. The chief punishment for Murder, Theft and other injuries to man, are reserved for the life to come: And yet we will not let them here goe unpunished, least present impunity encourage them to invade mens lives and estates. No more should notorious Impiety go unpunished here; least impunity encourage men to destroy their own and others souls, and by their examples and temptations to undo men everlastingly and bring down Gods temporal judgements on the place.

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wicked deers from the City of the Lord.] This is Theocracy, when Princes govern *From God, By God and for God* in all things.

Thes. 205. *By this it appeareth that in a true Theocracy, or Divine Common wealth, the Matter of the Church and Common-wealth should be altogether or almost the same, though the form of them and administrations are different.*

1. That the materials or subjects should be the same, appeareth from what is said: They must all be such as enter the Covenant with God, which in a Christian Common-wealth can be no other then the Baptismal Covenant which entereth them into the Church; Circumcision entered them by the holy Covenant into Church and Common-wealth, which among the Jews were materially the same. He that is by the Covenant given up to God in Christ, is a member of Gods Universal Church and Kingdom. Yea indeed the Universal Church, and the Universal Kingdom in the strict sense, are both materially and formally all one; though the particulars are not so. There are three senses of Gods Universal Kingdom. 1. As the word signifieth all that are obliged as subjects to obey him; and so all men, even Rebels are members of his Kingdom. 2. As it signifieth those that obey him *secundum quid*, or analogically, but not simply and acceptably, (nor profess so much.) And so Turks and many Infidels that worship God, but not by Christ, are in his Kingdom. 3. As it comprehendeth only faithful accepted subjects, and those that by profession seem to be such: And thus his Kingdom, and his

is Church Universal are all one formally.

2. But the reason why *particular Churches and Commonwealths* are not *formally* the same, but distinct *Polities*, is, because though the Universal being United in *One* undivided Head is but *One*, as being denominated from that Head, yet from unity proceedeth multiplicity: God doth not communicate all that Power in kind which is Eminently and Transcendently in himself to any one man, or sort of Officers; but distributerh to each their part; Civil Power to Civil Rulers, and Ecclesiastical to Church-Rulers. When we are once come down below God the fountain in our observation, we find a present Division of that Communicable Power into many hands, which floweth from the incommunicable Power that is in God alone. For man hath not Gods sufficiency to be all. The Popes flatterers may extol him as an Universal Vice-God, or Vice-Christ; but as Scripture tells us that he wants the *Form*, that is, the *Authority*: So Nature tells us that he wants the *Aptitude and Capacity* of matter. And therefore though the *Universal Kingdom* (in the strict sense) and the *Universal Church* are *One*, in *One* God, yet *particular Kingdoms and Churches* are diversified in *specie*, as shall anon be shewed.

When I say that the matter (ordinarily) should be the same, I mean not to tye the Governours of Church or State, to a necessary conformity of their administrations as to the matter, in taking in or casting out of members (save only in point of advantage and conveniency, to be mentioned in the next chapter.) For each sort of Governours have the charge of their own distinct administrations. It is
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not only possible, but too common, that one sort is much more careless and unfaithful to God and men then the other. If a good Magistrate have bad Pastours over the same people, and the Pastors will not difference between the precious and the vile, but will keep the impious and filthy in the Church, the Magistrate is not therefore bound to keep such as Free men in the Commonwealth, but must make it (as containing Free men) narrower then the Church. And if faithful Pastours live under a careless Prince that takes the filthiest and most impious as *Cives*, the Pastours must not do so in the Church; for they must be accountable to God for the discharge of their own trust.

But that which I mean, is, that the same Qualification maketh a man capable of being a member both of a Christian Church and Common-wealth, which is, his Covenant with God in Christ, or his Membership of the Universal Church, supposing the other circumstances or accidental capacities which are indeed distinct.

Lastly, Note that I exclude not some just exceptions of ordinary or extraordinary Cases, in which the Members of one sort of Society may be excluded from the other. Persons that are through scruples (innocent or sinful) kept from joyning with a particular Church for a time, being yet capable of their Communion, may be yet members of the Commonwealth. Want of Riches may do more also to keep men out of Freedom in the Commonwealth, then out of the Church. And yet I think that in a Theocracie care should be taken to keep some members from swelling to excess, and others from extremity
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of want, as among the Israelites there was ; yet so as no mans industry be discouraged , nor propriety invaded, nor idleness in any cherished. And Riches and Poverty should not make altogether so great a difference as they do in Prophane societies. If mens Poverty be not so great as to make them the servants of others, and deprive them of *ingenuous Freedom* , it should not deprive them of *Civil Freedom* : especially where Criminal and Civil cases have different Judges, they may have more *Freedom* about *Criminals* then *Civils*. Where wealth is concerned , men of wealth should have the power : but where Verrue or Vice , Honesty or Dishonesty is the matter of debate , the Honest though poor , should have more power than the Impious that are rich.

I conclude therefore that though variety of outward States, and the neglects of either Magistrate or Pastours, may be an exception to the Rule, yet as to inward qualifications, ordinarily the same persons are fit to be Members of Church and Common-wealth.

But as the Church hath only the members within, and yet the *Competentes*, and *Catechumens*, and in a more distant sort, the excommunicate, and the Neighbour Infidels, under her care, as owing them some help ; so a Christian Common-wealth, though it own none as *Cives*, (or free subjects, commonly called Burgessees, or enfranchised persons) but such as are fit to be Church-members , yet hath it many that are meer subjects, and are to have the protection of the Laws for their lives and possessions, that are of a lower form.

2. And yet that Church and Common-wealth are not formally (nor *de facto* alwayes, nor usually materially

rially in a great part) the same Societies, appeareth.

1. *From the difference of Governours.* Magistrates Rule the Common-wealth, and the Church as in the Common-wealth, but not the Church with that peculiar Government proper to it as a Church. And Ministers may Teach in the Common-wealth, but as Pastours they Govern only the Church as such.
2. *From the manner of Government and administrations.* The Magistrate Ruleth imperiously, and by force, having power upon mens estates and persons: But the Pastours have none such, but govern only by the Word of God explained and applyed to the Conscience.
3. *From the nearest Foundation.* The Common-wealth is constituted by a (virtual or actual) contract between the civil Sovereign and the People: But the Church (particular) is constituted, by a consent between the Pastours and the Flock.
4. *From the extent.* The Common-wealth containeth all the people in a whole Nation or more, as united in one Sovereign. But particuler Churches (distinct from the universal united in Christ) have no general Ecclesiastical Officers in whom a Nation must unite as one Church; but as Corporations in one Kingdom; or as so many Schools, that have a peculiar form and Government; but such only as is under the Magistrates Government in its kind: or as several Colledges in one University.
5. *From the accidental incapacities of men to be members of each.* A Servant or Beggar is to be a free member of the Church, that is to be limited much more in his freedom in the Common-wealth. And a man that lives as a Carryer or Messenger, in constant travail from place to place, (specially if he have no home) is scarce capable of
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being a member of a particular Church, who yet may be a member of the Common-wealth. 6. *From the Nearest end.* Civil Order is the Nearest end of civil Policy : but Church Order, for holy Communion in Gods worship, is the Nearest end of Church Policy. So that formally they are divers, though *materially*, if Princes and Pastours would do their duties, in reformation and righteous Government, they would be if not altogether, yet for the most part the same, as consisting of the same persons.

Thes. 206. It is this Theocratical Policy or Divine Common-wealth, which is the unquestionable reign of Christ on earth, which all Christians are agreed may be justly sought; and that temporal dignity of Saints, which undoubtedly would much bless the world.

Whether there be any other reign of Christ on earth to be expected, that is, by his visible personal abode (which I perceive some Papists of late very busy, under their severall maskes, to indigitate, partly in order to perswade men that the Church is a Body that hath an Universal visible Head, which must be Christs Vicar, but in the interspace betwixt his first and second coming,) this controversie I do not now determine. For my own part, I reverence the Ancients that were of that mind, and many later that have followed them. I am my self as meerly Neutral in it as in almost any point of so great moment so often propounded to my consideration : I oppose them not in the least, nor am I for them : Not from a carelesness or unwillingness to know the truth, but the difficulty of the case, and the weakness of my under-

Though God choose not his Officers now in the same manner as in *Moses* and the following Judge dayes, (as to the extraordinary Call) yet are they now as truly his Officers as then. And therefore the people are first to be engaged in Covenant with God and then with the Prince as Gods Officer : and on these terms are Princes to hold their power.

Theſ. 198. 5. In a Divine Common-wealth the Honour and Pleasing of God, and the salvation of the people are the Principal Ends, and their corporal welfare but subordinate to these.

For it is much denominated *à termino vel fine* : that which is but for earthly Ends, is but an earthly Society : The Body that is not for the *soul* and subject to it, is not the Body of a man, but of a brute : And the Kingdom that subjecteth not corporal felicity to spiritual, and temporal to eternal, and looketh not to that, is but a brutish sensual Kingdom. For though Rational men are the subjects of it, yet while that Reason is subjected to the flesh and appetite, they are *à fine* to be denominated brutish : For that is a mans predominant faculty, which is next that which he makes his chiefest End : And therefore if he have a Brutish End, his Brutish appetite is predominant, though Reason serve it : And the man, and so also the Society and Government is denominated from that which is predominant, and therefore from this End and brutish Ruling faculty it must be called Brutish.

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Thes. 199. 6. *Where the Gospel is published, Jesus Christ, our Lord and King, by the Title of Redemption, is also to be acknowledged by Prince and people, and taken as the Beginning and End of the Common-wealth.*

The Kingdom of Christ is proved before. If any man will but read the Scripture, he need no other confirmation of *Hobbs* that from Scripture would prove that the Kingdom of Christ is only at his second coming, and not at present.

Thes. 200. *In the Administration of a Divine Commonwealth, the Officers should be such as God will own; that is, men fearing God and working righteousness; men sober, righteous and godly, that by Faith & Love are subjected themselves to God their Creator and Redeemer.*

If the Inferiour Magistrates be Infidels, or ungodly men, they are false to their highest King: And how then can they be fit to Govern for him, and promote his interest?

Thes. 201. *In the Administration of a Divine Commonwealth. God must be allowed all that Causality in the choice of Individual Magistrates, which he condescendeth to; that is, 1. All the descriptions and Precepts of his Law must be observed. 2. Those that by his Gifts and Providence do answer his Law must be elected. 3. And to that end, those that he hath made capable only, should be Electors. 4. And that which cannot by these gifts be well discerned, if it be of moment, should be referred to a Lot.*

Of these I shall anon speak somewhat more fully in order to practice.

Thes. 202. In a Divine Common-wealth the Laws of God, in Nature and Scripture, must be taken for the principal Laws, which no Rulers can dispence with; and all their Laws must be as by-law, subordinate to them for the promoting of their execution.

Though the Law of *Moses* as such oblige us not; yet the matter of it under another form may oblige; that is, the Moral Law still bindeth us, both as the Law of Nature, and of the Redeemer: And the Reasons of the Law commonly called Political, (though indeed the Moral were Political) do still bind, so far as our case agreeing with theirs, we can perceive in those Laws how God would have such a case determined. If Gods Laws keep not the prehemincy, his Government is rejected. He ruleth by Laws; and to reject them is to reject his Rule. All the world have the Law of Nature; Christians also have the Law of Grace, and the Law of Nature in the most legible Characters. These are to be the principal statutes for the Government of the Common-wealth: and mans Laws should subserve them.

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Whether there be any other reign of Christ on earth to be expected, that is, by his visible personal abode (which I perceive some Papists of late very busy, under their several masks, to indigitate, partly in order to perswade men that the Church is a Body that hath an Universal visible Head, which must be Christs Vicar, but in the interspace betwixt his first and second coming,) this controversie I do not now determine. For my own part, I reverence the Ancients that were of that mind, and many later that have followed them. I am my self as meerly Neutral in it as in almost any point of so great moment so often propounded to my consideration : I oppose them not in the least, nor am I for them : Not from a carelesness or unwillingness to know the truth, but the difficulty of the case, and the weakness of my under-

understanding. I live in hope of the coming and appearance of our Lord Jesus Christ, and pray that he may come quickly : But that he will after h's coming reign Visibly on earth, and if so, in what manner, are things that I have read much of, but am uncertain after all, and scarce can perceive which way my judgement most inclineth.

But in the mean time, why should we not all conspire in our longings after that Reign of Christ, and Dignity of the Saints, and Reformation of the world, which is undoubtedly our duty, and which all agree about that have the fear of God ?

If there be such a thing as a visible Reign of Christ here to be expected, he will surely elevate his servants in their Capacities of Soul and Body, as well as in their Dignity of Rule : And therefore we have little now to do but study, and wait, and pray for that Kingdom that is to come. For till we have the *Capacity*, we can have no exercise of that Dignity.

But in our present Capacity, I would fain know of them that talk of the Ruling of the world by the Saints, what more they can desire or expect in Reason than I here propound. 1. They cannot without factious uncharitableness and immodesty say, that it must be only the Saints of this or that party or Opinion, that shall subdue and Rule the rest : nor only the stronger sort that shall be dignified, excluding them that are babes and weak in the Faith. 2. Nor can they rationally dream that the most uncharitable (that is, in Christs sense, the most graceless sort) that can censure and condemn all others as no Saints, and appropriate holiness causlessly to themselves, should

ſhould therefore have the Rule of others. If Charity Rules not, Chriſt Rules not. 3. Nor can they expect ſure that all and only Saints ſhall be Princes, Judges, or other Magiſtrates : For then the World were worſe an hundred fold then now. For now we have thouſands of Saints that are Subjects; and then all the Subjects muſt be ſuppoſed wicked, and no Saints, and we muſt have no more Saints but enow to Rule : And if we had materially ſuch wicked Common-wealths, it would bring the plagues of God upon us : And if Government of Saints do no more Good in the World but to leave all the Subjects wicked, it were liker Satans Government then Chriſts. It is certain therefore that it is not *all*, but *ſome* of the Saints that muſt be Governours; and ſo it is already; and that it may be much *Better*, and that ſecured to our Poſterity, ſhould be now our joint deſire. And let us wait for the coming of Chriſt in his own way.

Theſ. 207. As there ſeldom ariſeth any turbulent Opinion or party in the Church, but by the occaſion of ſome neglect of Truth or Duty, which by their extremities God calleth us to reform : ſo I think the Promoting of this Holy Theocratical Government is the point of Reformation that we are called to deſire, by them that now plead for the Raig of Chriſt and the Saints.

It is a ſpecial part of our wiſdom to know what is our Health by our Diſeaſes, and to learn Truth from the erroneous, and Duty from them that ſwerve into extreams. The *Antinomians* have called us to preach
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more the Dominion of Love, and the Riches of Grace, and divers other things: The *Arminians* have called us to take heed of a causeless narrowing of Grace in its extent, or of fathering our sins directly or indirectly upon God. The *Anabaptists* have called us to restore and practise Confirmation, and not take all into the number of Adult members that were baptized in Infancy, and never knew Christ nor a godly life. I could say the like of other Parties that have lately risen up. One sort runneth to them, and another part railleth at them; but he is the wise man that knoweth how to receive from them so much as is good, and leave the rest: could we duly improve them, we might have cause to thank God (though not them) that ever he permitted such occasions of our Reformation. So may I say in particular of the *Millenaries*: If we could by them be awakened to promote the unquestionable Reign of Christ, what a mercy would ensue?

Thes. 208. *It is no meer frame or mode of Government, whether Monarchy, Aristocracy, Democracy, or mixt, whether the Roman, Spartan, Venetian, or any other Mode, that will make happy a Common-wealth in the hands of imprudent, impious men, so much as one of the other forms, supposed worse, will do in the hands of men of prudence, and the fear of God.*

A great stir is made by Mr. Harrington and other self-conceited Politicians for their several forms. No contrivances are of much moment to our happiness, but those that secure us of a succession of good Governours. These particulars I shall here briefly manifest,

manifest. 1. That their contrivances tend not to secure us of such a succession, nor a present faithful Government. 2. That imprudent and bad men in their contrived form will undo the people. 3. That prudent faithful men in other forms, are likely to be a blessing to the people.

1. That *Hobbs* his Leviathan, or way of absolute Impious Monarchy, making us, our Religion, &c. tendeth not to secure us of a Righteous Government, is a point that needeth no proof with any reasonable man; were it but because the irreligious Author pretendeth not to any such thing as the securing a succession of the Christian Religion, without which a Righteous Government is not to be expected.

That Mr. *Harringtons* Oceana, and Venetian Ballot, have no such tendency, is plain. 1. In that it is such a Government as Heathens have been our Examples in, and in which he thinks they have excelled us, that he propoundeth. And therefore doubtless he intendeth not that his frame shall secure us the Christian Religion, without which we can have no happy Government.

2. And he professeth himself that his *Common-wealth is most inconsistent with a Clergy*: without which the Christian Religion never was maintained in any Nation upon earth. And Christ saith to his Ministers, whom he promised to be with to the end of the world, that he that despiseth them, despiseth him, *Luke 10. 16*. And as Christ never Ruled since his Ascension but by his Officers, Word and Spirit; so he that purposely designeth the extirpation of his Officers, intendeth not his Reign, or at least promo-

teth it not. And he that is an enemy to the Raigⁿ of Christ, at he is the heir of wrath himself, *Luke 19.27* so would he make others, and therefore murder the Common-wealeh.

3. He thinketh *Venice*, where Popery Ruleth, and whoredom abounds, is the perfectest Pattern of Government for us, now existent : therefore he intendeth not sure that his Model should keep us from the Raigⁿ of Popery (or whoredom.) I doubt not but the same Model among better men, might do much against them : which doth but shew that it is not the *Model*, but the *better men* that must do most.

4. The whole scope of the design is by the Ballot and Rotation to secure us from the danger of a probability of being Ruled by Wise or Honest men, and put the business out of doubt, that strangers to Prudence, and enemies to Piety shall be our ordinary Rulers, and consequently Christianity be expelled. Can you doubt of this? 1. He knoweth not what Prudence and Piety are, or knoweth not *England* or mankind that knoweth not that the Major part of the vulgar are scarcely Prudent and Pious men. 2. He knoweth not what Piety is, that knoweth not that Impious men abhor it; and he is not a Christian, that neither believeth the Prologue to the first Covenant of Grace; that saith, *God will put enmity between the Womans and the Serpents seed*, which the first borne man shewed in killing his brother, because his own works were evil, and his brothers Righteous. 1 John 3. 12. Nor yet believeth the words of Christ, that his servants will be hated of all men for his sake, because they are not of the world, &c. 3. And he knoweth

eth not *Oceana* (Mr. Harringtons Common-wealth) that knoweth not that the ignorant and ungodly rabble are made the Lords and *Rulers* of all.

Go to the Foundation, and follow it up to the Head, and Judge. In his first Order, pag. 58. in the distribution into *freemen and servants*, all are freemen that can live of themselves. 2. In his second Order, the younger sort are made the *marching Army*, and the Elder the *Garrisons*. 3. In the third, by their estates they are distributed into the *Equestrian Order and the foot*; only those that have prodigally spent their estates are excluded Suffrages and Government. 4. His fourth Order settlcth the Parishes, Hundreds and Tribes. 5. His fifth Order begins with the Parish Ballot; where all above thirty years of age are to choose their Deputies by suffrage: when in most Parishes its too well known that the Major part are Ignorant men, and too many enemies to Piety, and many to common sobriety and Civility. In some Parishes you may go to five, if not ten families, before you meet with one that can so much as read (though I hope that is not the common case) And in abundance of them, the multitude are so educated, that beyond the matters of their Ploughs, and Carts, and Trades, they are scarce men, and can scarce speak sense. And of all men, the rabble hate both Magistrates and Ministers that would bring them up to Piety, and restrain them from a licentious sensual life. And of all their Neighbours, they most hate them that live an holy Heavenly life, and condemn them by their difference.

And *operari sequitur esse*; such as men are, so they will act; and such if they are freemen, they will

choose : will they choose wise and Godly men that partly hate them, and partly know not the worth of Wisdom ? Would they choose those Magistrates that they know would punish them, and whom they abhor for strictness, and for punishing Vice ?

6. In his sixth Order, two parts in three in every Parish must be for the Minister : And how many Parishes be they where a bad man that will suit the humours, shall sooner have two parts, than a good faithful Pastor ? And *pag. 65* He provideth that there be no excommunication to make a difference, but Heaven and Hell must be confounded ; forsooth because that excommunication is not clearly proved out of Scripture to such capacities as his.

7. His seventh Order gives us Justices of Peace, Jury-men, Captains, &c. by these suffrages. And the choosers may tell us what kind of Justices and Captains they will be. 8. His eighth Order giveth Horse and Foot-Captains by a Ballot, that its ten men, know as well how to perform their trust as know how to guide a ship that was never in one. And as wisely might our Parishes and their Deputies by the Major Vote elect us Pilots and Captains of ships out of stables, and barns, and Cow-houses, as then elect us Land-Captains and Magistrates. So the ninth and tenth Orders carry on the same work, giving us Magistrates out of Shops and Threshing-floores. They must elect us the Philarch, the Lord Lieutenant (perhaps my Lord Ale-seller, or my Lord Plow-jogger) the *Custos Rotulorum*, &c. the Philarch must keep the Quarter-Sessions, and be the cause in order to the protection of Liberty of Conscience, who partly know not what Conscience is, a part

partly hate nothing more then Conscience, though they love nothing more then Liberty. No Tribe may Petition a Parliament, unless the Philarch at the Council frame the Petition, and propose it by clauses, unto the Ballot of the whole Tribe, &c. We are like then to have good Petitions, and comfortable relief from Parliaments: When a pack of the rabble are got together, that lately had got the name of [Damn-me's] that took him for a Puritane that spake a sentence without [God damn me] in it; and no man shall put up a Petition to the Parliament, but by their Counsel and proposal and Consent; then we have a perfect Common-wealth! Were it not for fear of abusing the name of God and Holiness, I would here by prediction, draw you up one of their Petitions; but I dare not so far defile my Paper, and the Readers eyes. I am ashamed and a weary to follow this gang any further, and shew you what Parliaments we must have, that being fetched from the Dung-cart to make us Laws, and from the Ale-house and the May-pole to dispose of our Religion, Lives and Estates, can scarce tell whether the Language of a rational Law be humane and intelligible; and if they read such a Law, they scarce know whether it be English, but better understand them that bleat and bellow, then they do these Law-terms. Or if there be a cunning Knave among them, its he that shall be the Prince and lead the rest. When I lately heard a description of the Irish, I was thinking how gallantly they would Rule or choose us Rulers by Vote, especially in Religion; when they know so much of Christ as to tell us that he is a better man then Saint *Patrick*; and so much of the Devil, as to

call him Knave, and thats a great part of their Religion. And yet this is not all ; but Mr. *Harrington* will give the people the supremacy and last resolution. Thats better of the two, then to give it to the Devil, or to worship the old Egyptian gods, an Ox or an Onion : Get all the Nobility and Gentry first to put it to the Countreys Vote, who shall be possessors of their Lands and Lordships : Or get all the learned and Wise men in Philosophy, Physick, Law, Theology, to put it to the Vote how these shall be regulated and used ! The best use that we have in *England* for popular power of judging, is by Juries, that we think preserve our Liberties : And yet (I shall say again) I have thought of the excellency of a Democracie, when I have sat and heard a Learned Judge opening a hard case of Titles to the Jury, and they have stood by him all the while as if he had been talking Greek and Hebrew to them, and gone their way and brought in a Verdict for Plaintiff or Defendant at a venture, as it first came to their Tongues-ends, before they understood the cause any more then the man in the Moon ; unless there were a crafty fellow among them, and then he ruled all the rest, and he had the day that had his voyce. Which when I saw, I thought it in such difficult cases almost as good to throw the Dice to decide the Controversie.

But Mr. *Harrington* doubts not but the people will be wise enough to choose the wise, and good enough to choose the good. As if we knew not what hard, and scornful, and censorious thoughts the vulgar have of Nobility, Learning, and all that is above them. What reproaches do we daily hear from them,

nor

not only against Divines, but against Lawyers, Physicians, Princes, and all whose waies they are unacquainted with? Many a time have I heard them say, It will never be a good world, while Knights and Gentlemen make us Laws, that are chosen for fear, and do but oppress us, and do not know the peoples mores: It will never be well with us till we have Parliaments of Country-men like our selves, that know our wants.] Nothing more natural, then that the propagation should be of the kind: and that sensual and ungodly men should choose such as themselves, and as will fit their ends: Especially being now exasperated by a war and some attempts of Reformation, they will be more virulent then heretofore, and nothing will satisfie them but the extirpation of those that have crost them, and would have reformed them.

It is easie to bring such on the stage in a dreaming Model, and put a golden Oration into their mouths, and feign a fool more eloquent then *Demosthenes*: but when it comes to the execution (if the Nation be so distracted as to try) it will not be found so easie a matter to teach the Elected to speak sense: but the Senate and the Prerogative tribe must presently be put upon wielding the great affairs of Government, Civil and Religions, of Peace and War, which they are utterly ignorant of, as never being exercised in before. If these Politicians will scorn to be equalled in the reputation of their Learning with unstudied men that never took any pains to get it; (yea or to be matcht in point of *Prudence* by *Divines* that study its likely much more then themselves, if so be they have but read more of some parts of History or Poli-

ticks, though they are ignorant of the principal part of solid learning;) why then should we equalize unskillful Rusticks that never studied Politicks a day but are suddenly chosen from the Plough or Alehouse by the vulgar vote, with men that have studied and been trayned up to the skill of Governing, and been exercised in it? Surely if Mr. Harrington be so much a wiser man as he proclaims himself then the Clergy, as may warrant him to give it us as the suffrage of the Nations (pag. 223.) that [*An ounce of Wisdom is worth a pound of Clergie*] and that [*Ministers of all others least understand Political Principles*]; if all the Clergy, though they are men of the same Country and complexion with himself, and have studied many hours for his one, cannot yet come near the eminence of his wisdom, no nor attain to so much knowledge of Political Principles as all others have (in his account;) we must then expect to be Governed by a constant Miracle, or by constant folly, when men that never studied such things are made our Governours. Are Divines all such fools for all their studies? and will the Plough-mens Vote immediately give us a Senate and Prerogative tribe of wise men! wise in matters of highest moment, that they never heard of or meddled with before.

And lest we should have any hope they should grow wiser by experience, the Rotation must turn them out before they well know where they are, and what it is they were Called to do; and from the Academy of the Shop or Alehouse, we must have freshmen in their rooms that are as wise as they were. What Ship was well Governed that was thus used in choice of Pilots? What Army was prosperous that

was thus used in choice of Commanders? What school was well taught that was thus used in choice of School-masters? to have the ignorant and unexercised introduced, and then turned out before they can grow wise, to secure us against all possibility of remedy.

But though the National Religion and Conscience must be thus disposed of; yet Mr. *Harrington* and his Brethren (they know why) do haply secure us of *liberty of conscience*, and that of a sufficient latitude that [*No gathered Congregations be molested or interrupted in their way of worship, being neither Jewish nor Idolatrous, but vigilantly and vigorously protected, &c.* pag. 130.] Popery had been before excepted, but that found place for repentance; and now Mr. *H.* and his fraternity have Liberty, either never to worship God at all (for that's supposed to be free) or to set up Deism, and worship God without a Saviour, or to set up Mahometanism, or cry down Christ and Christianity, or to make a worship of preaching up impiety and vice, and crying down the Scriptures and all true Worship. I will not talk of such low things as Liberty to preach down the Godhead or manhood of Christ; the Creation, the Resurrection and Life to come, and other Articles of the faith, by parts. But if he felt not some extream necessity of such Liberty, there need not this excessive care to secure it. What need all this ado for liberty of such Consciences, when the major Vote of the impious Rule, who will not only grant you Liberty, but extirpate those that for the defence of Christianity would deprive you of it?

Argu. *To exclude the heavenly treasures of vertue, piety*

piety and prudence, is an evil, which Government must be secured against, or it cannot be good.

But Mr H^s government is not secured against it, (but certainly bindeth it upon us :)

Therefore Mr. H^s government cannot be good.

The Major is his own, page 10. saith he [*Sad complaints, that the Principles of Power and Authority, the goods of the mind and of fortune do not meet, and twine in the wreath or Crown of Empire ! Wherefore if we have any thing of Piety or of Prudence, let us raise our selves out of the mire of private Interest, unto the contemplation of Vertue, and put an hand to the removal of this evil from under the Sun ; this evil against which no Government that is not secured, can be good ; this evil from which the Government that is secure must be perfect : Solomon tells us, that the cause of it is from the Ruler, from those principles of Power, which ballanced upon earthly trash, exclude the heavenly Treasures of Verine, and that influence of it upon government, which is Authority. We have wandred the earth, to find out the balance of power, but to find out that of Authority, we must ascend nearer Heaven, or to the Image of God, or the soul of man.*] Thus Mr. H.

Out of his own mouth are men invited to oppose his Policy, as they would do the Devil, or at least, the most destructive plague of a Common-wealth. It is not more certain that the earth doth bear us, then that the rabble vulgar multitude are for the greater part not only void of solid Piety and Prudence, and this Heavenly Treasure, but enemies to it : and that all men are byassed and Ruled by a private selfish spirit, till saving grace make God their Center, or com-

mon help do elevate one of many to prefer the common good before their own. Is his Common-wealth secure, yea perfect (as he saith it must be, if secure) from this selfish evil? Must we be Ruled by the rabble that (as I before said from the words of *Augustine*) had rather there were two Stars fewer in the Firmament, then one Cow less in their pastures, or one tree less in their hedges, and this to secure us from Private interest, and the exclusion of the heavenly Treasure? Let us then go to a Brothel-house for a pattern of Chastity, or to Mr. H. for a pattern of Humility.

Argu. 2. *That Government is next to Hell, that ascertaineth us of a constant succession of impious enemies of heavenly vertue in chief Power. But such is Mr. H's Government, that giveth the Major Vote the power, and calleth ignorant men to places of highest trust, and greatest work; and is inconsistent with a Clergy; therefore, &c.*

Argu. 3. *A people, saith Machiavel, that is corrupt, is not capable of a Common-wealth. (They are Mr. Harringtons words, pag .45.) But the Major Vote of almost all Nations are corrupt; therefore they are incapable of a Common wealth.*

I know Mr. Harrington is here involved (as he speaks) by *Machiavel*. No wonder. But if *Machiavel* be become a Puritan to him, what is Mr. Harrington to us?

But perhaps some will say, [*Was not David a Shepherd, and yet a person meet to be a King?*]

Ans. 1. It seems then there is an Instance of a worthy King that was taken from a Sheepfold: But to have many hundred persons so prepared for Government,

ment, is not ordinarily to be expected. *Amos* a Prophet, was called from the herd: but argue not thence if you love the reputation of your reason; that the major Vote of our Herdsmen should judge the spirit of the Prophets, or be accounted Prophets as well as he.

2. *God* can fetch a Ruler from a Sheepfold: but the vulgar Rabble are not so good choosers as *God* is. At least not so much better then *God*, as to choose five hundred good ones for one that *God* did choose.

3. But its well known that in those dayes, when Countries lay open, and mens treasure lay in Cattle rather then in Gold, that Herdsmen and Shepherds were the greatest men, and fittest for Riches to be Princes.

Object. *But do not our common people choose good Parliaments by a Major Vote, &c.*

Ans^r. 10. Mr. Harringtons Model hath not yet made them *Independants*; and therefore they ordinarily choose such as their Landlords do desire them to choose; and therefore it will go according to the quality of the *Landlords*, and not according to the quality of the *people*. 2. Formerly when the peoples Liberties were encroacht on, and no divisions made in the Land among the Gentry, they were all ready to joyn for the common liberty, with some more unanimity then now. But now by the late wars they are divided, and one part think themselves oppressed, and the attempts of Reformation have irritated the sensual gang; there wants nothing but Liberty, to tread these Reformers in the dirt. Let Mr. H. and his party get down the Army, and take off all the late restraints,
and

and let Parliaments be chosen by unrestrained Votes, and that party that hath most tenants, and that is most against Puritans, that will carry it. 3. And even before the divisions and exasperations, the divided Parliament and the war ensuing, and Major part of the Nobility and Gentry adhering to the King, (who by a minor part were conquered) did shew us what a Vote would have done. So much to Mr. H.

2. Having shewed that these new Models secure us not of a Righteous Government, (though there is much good interwoven, which by righteous Governors might be made good use of,) I should next shew that the *Imprudent and Evil will not be hindred by these Forms, from undoing the Common-wealth.* And for that, what need I more, then, 1. That men at liberty will rule according to their dispositions? An evil tree bringeth not forth good fruit. Men gather not grapes of thorns, nor figgs of thistles. Folly will not do the works of Wisdom, nor Impiety cherish Godliness which it hateth. Why else do not Heathens, Turks and all Infidels set up Christianity, but because they are against it? and as much are ungodly sensual men, though called Christians, against true Piety. 2. What is there to hinder them? Is it Laws, who made them? It is they themselves that are the Law-givers. Whether it be a Monarchie, Aristocracie, or Democracie, the Sovereign is the Law-giver. They are also the Judges of the Law, having none above them: So that in making, repealing and executing Laws, what mischief may they not do, especially which the sensual multitude can but bear?

Name us that Common-wealth on earth that is piously Ruled by impious Rulers, and Prudently Ruled

Ruled by fools, whatever the Model of Government may be.

And to what use are all their Models, if not to secure us of good and righteous Governours? Is it any better to be impiously and unrighteously Governed by a thousand then by one? If therefore it secure not this, but rather certainly destroy it, their Model is poor relief or comfort to an oppressed undone people.

3. The next part of my task here is to shew you, that in every Form, whether Monarchy, Aristocratie, or Democratic, wise and pious righteous Governours will make the Government a blessing to the people. For, 1. They will act according to their Principles: But the Principles of all wise and pious men, do lead them to prefer God and the Common Good, before any private interest of their own; therefore, &c. 2. They will act according to their *Dispositions*: But honesty and wisdom *disposes* them to prefer God and the common good, &c. 3. Governours will Rule according to the attraction of their Ultimate End. But every wise and honest man doth make God his Ultimate End, (and the nearer End the Common Good.)

Holiness is a new Nature: and therefore a constant Monitor and mover unto Good. They that Love God and Vertue, and hate all evil, will Rule accordingly.

Its true, they are imperfect, and have their faults: but that which is predominant in their hearts, will be predominant in their Government.

Thes. 209. From hence the common Question may be resolved, Whether it be better to be Ruled by good Laws and bad Governours, or by good Governours and bad Laws?

Ans.

Ans^r. It is as if you should ask, Is it better be warmed by cold snow, or cooled by the fire? Laws are nothing but effects of Government; effects and significations of the Governours will concerning what shall be the subjects Duty. Laws antecedent to the Sovereigns will, are effects before the cause. Good Rulers will make & continue good Laws, and bad ones the contrary. All the world have good Laws already made them by God: But if you will needs suppose a separation, I say, that Good Laws with bad Rulers will do little good, but restrain a little of their evil: But if the inferiour Magistrates only be bad, the Good Rulers and Laws that are over them may force them to do good.

Gods Laws are the effect and significations of his Will. And his Will and Power are before his Laws: The Laws of the Common-wealth that are made by men, are the effects and signs of the Wills of the Law givers: Legislation is the chief act of Government, and highest prerogative of Governing Authority. Contracts may be antecedent to Government, but Law cannot. When the Individual Ruler dyeth, the Laws survive, not as effects of Contract, or effect without a cause, nor as his Laws that is dead, but as his Laws that doth succeed, who owneth them (as by the Contract he is obliged) as soon as he succeedeth: The Sovereign liveth *in specie* in the Constitution; and to whomsoever the Power is divolved, his acts do the Laws become, and as soon as he disowneth them, they are null (though the constitutive Contracts are not so.) Where Kings only are the Law-givers, or Senates only, or both conjunct, they have power over the Laws, to repeal them. And bad Sovereigns, (if no restraint be in on them) will make bad
bad

240 *Of the best form of Government,*
bad Laws, and good ones will make goods Law.

And if fundamental Contracts limit the Sovereign if he can, he will violate them, if vice dispose him to it, and carnal Interest entice him. And how hard is to execute limiting Contracts effectually for his restraint that hath got possession of strength and Sovereignty, is commonly known.

And if the Laws were good, and the superiour power so good as to make them, but not so good as to be much regardful for the execution, then if the inferiour Magistrates be naught, they will make nothing of the Laws. Who knoweth not how easily impious Judges and Justices can destroy the just, and turn most righteous Laws against them, by mis-interpretations and mis-applications? Saith *Plautus* in *Trin.* act. 4. *Mores leges jam perduxerunt in potestatem suam; Ea misera etiam ad parietem sunt fixa clavibus ferreis; Ubi malos mores affigi nimis fuerat equius* &c. —

I conclude therefore that God having already given us the best fundamental Laws, let us have good Sovereigns, and we shall have good humane Laws, and let us have good Magistrates, and we shall have good execution, which is the end or use of Laws: But if we have bad Sovereigns, we shall have bad Laws, in part, and the good will be uneffectual; much more if also we have bad Magistrates. This is past doubt.

C H A P. 9.

How a Common-wealth may be reduced to this Theocratical temper, if it have advantages, and the Rulers and People are willing.

Thes. 210. **A***S it should be the desire of all good men, that the Common-wealth might be happy in the enjoyment of the Gospel and Peace, and be secured to posterity; so the open way to attain these ends, consisteth in these following Rules of practice.*

R. I. *That the Ministers of Christ that are to teach and guide the people by the Word of God, be generally able, judicious, godly, faithful, diligent men.*

We cannot expect the people to be good, if the Teachers be bad, unable, or negligent. It is Gods Word that's managed by them, that must reform the people, and work out their vice. As mens Laws suppose the Laws of God, and mens Government presupposeth Gods Government; so the true methodical obedience to mens Laws, presupposeth obedience to Gods Laws, and consequently some understanding of them; and a right subjection to man presupposeth subjection to God. The first work therefore being the Ministers, the true reformation of the Ministry, making them indeed Divine, is the first thing to the making a Common wealth Divine.

Much hath been done already to this of late in this
R Nation,

Nation, through the blessing of God : (though much is yet to be done, especially for ripening the Ministry in Judgement and Charity, & bringing them to nearer Unity, which time must do.) And the principal hopes that we have in this Land of a faithful successive Election of Parliaments, from any thing that is yet before us, is the happy success of the Ministry upon the Souls of many, by which the people being much reformed (though yet too little) are more enclined to prudent pious men to be their Governors in Parliament, then they have been heretofore. So that this hath made a hopeful beginning, and if it be carryed on, will do much more.

This is not unknown to the Enemies of Christianity, or to the Papists, that all conspire against the Ministry, as knowing that to make them odious, and their labours vain, or get them down, is the likelyest way to attain their ends.

Let these enemies note, that I am not here pleading for Lordly greatness, nor Riches to the Ministry nor an aliene Power in State affairs, or any coercive Power at all: (and would they have a Clergie lower?) but only that they may be Learned, Judicious, Godly, Able, faithful men, provided with their daily bread or food and rayment : And can they for shame oppose this?

Thes. 211. Rul. II. Above all let there be a fixed Law for the due Regulation of the Electours and Elections of Parliaments.

The true Reformation must here begin; and if the *Foundation* be well laid in the people, the building will be firm and safe. And

And here let me presume to speak a few words of the *Necessity*, and of the *Utility* of this course, and then, *How it should be done*.

1. It is known that Parliaments *quasales*, are not Divine, Religious, Protestant or just. The six Articles by which the Martyrs were burnt, were made by a Parliament. All the Laws for the Papal interest in the dayes of Popery have been made by them. They have often followed the wills of Princes to and fro. And therefore they are not indefectible, nor immutable as such.

2. It is known that there are Members of various minds in them all, and sometime the miscarrying party is so strong, that by a few more voices they might bring misery on the Common-wealth.

3. It is well known that in most parts, the Major Vote of the Vulgar that are Choosers are Ignorant, selfish, of private Spirits, ruled by money; and therefore by their Land-lords, and other great and powerful men; and withal they are bitterly distasted against the serious diligent practice of Religion, according to the Rules of Christ.

4. It is therefore apparent that if they had their Liberty, they would choose such as are of their minds; and it was by providence and accident that heretofore they did not so.

5. And it is certain, that the wars, the change of Church government and forms of worship, the differences of Religious men, and the many Sects that have lately risen up among us, and the strict Laws of Parliament about the Lords day, &c. and specially their Taxes, have deeply discontented them and exasperated them against such as they think have caused

these, so that many would now purposely design their ruin.

6. It is known that in the late Elections, the exclusion of Delinquents, and the Countenance of the times made terrible by many late successes against all sorts of enemies, and the present existence of the Army that hath so prevailed, hath been their restraint, so that they durst not go according to their inclinations.

7. It is known that the restrained Gentry, with those that are enemies to serious holy living according to the Christian Rules, are in most places strongest in popular Interest, having most Tenants, and most of the affections of the vulgar: And that they can this day, were they but as free from fear of sufferings as others, bring more voyces into the field in most places than any others can: And that even many well meaning honest men are of cowardly Spirits, and dare not displease their Landlords or great Neighbours, but will vote with the stronger side.

8. And its known that the Leaders never less wanted will upon the grounds fore-mentioned.

And what followeth upon all this, but either still to keep an Army over them (which should not be) or to Regulate the Election, is necessary to save us from ruine by a Parliament? For what probability is there but the next that is chosen by such a Majority of Votes with absolute freedom, will undo all that hath been done, and be revenged to the full on all that were so odious to them, and settle our calamity by Law? The effect lyeth so obvious to a discerning eye, (and almost to all) in the Moral Causes, that we may reckon it as done already, if not prevented.

2. But could a Prudent course be taken now for the Regulating of future Elections, we should have a moral security of good Parliaments to all Generations, who would make good Laws, and see to the execution, and be under God, the sum of Blessings for the Common-good; We should have Parliaments of the wisest and most pious men; and such as are least for private Interest, but would devote themselves to God and to their Countrey; The Parliament would be the Princes Interest; so that he neither would nor could divide from them. And they would be the peoples Interest, so that they could not disown them, but would lift them up in their esteem, and set them with the first in their daily prayers and praises unto God. And Parliaments would be more Honourable, when they were more Divine, and chosen only by vertuous men, and not by prophane debauched persons. In a word, *Piety* and *Peace* were more likely to be secured to Posterity, certainly, easily, and honestly this way then any way.

And then the effecting of it will be an Actual most excellent Reformation of the Common-wealth itself; and the Regulating Laws, excluding the vicious, would engage the people against Vice, and so conduce to their salvation.

Thes. 212. The Regulating Law must contain 1. the description of the Electors by their necessary Qualifications; and 2. a course for Legal discerning the Qualified from the Unqualified; and 3. a Regulation of the Manner of Elections.

The first and second reform the very substance of
R 3 the

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the Republike, and are the most necessary excellent
part of its Reformation.

Thes. 213. 1. *For the due Qualification of Mem-
bers, let so much of Gods own Laws be owned, as is
still undoubtedly in force.*

It is an erroneous and impious assertion that all
Gods Political Laws are repealed. *Universal Policy*
must be distinguished from *Particular*: And the *Ge-
neral Laws and Principles* from the Application of
them to a particular people and case. As the world
is still Gods universal Kingdom, so hath he univer-
sal Laws to Govern them. The fifth Commande-
ment set in the Head of the second Table, is the
summary or ground of humane Politicks, command-
ing the duties of Princes and people, though Pa-
rents and children only are expressly mentioned. The
following Commands against Murther, Adultery,
Theft, and false witness, were part of the Jews Po-
litical Laws, and are still part of Gods Universal Po-
liticks, and belong to every Common-wealth in
particular to enforce, and see them executed, as well
as Ethically to private Consciences. Princes are the
keepers of Gods Laws, and must see them executed;
to promote which, their Laws must be Subservient:
where any of these Morals by a penalty annexed is
applied to the Jews in particular, though *quatenus*
Mosaica & Judaica, the Law be ceased, yet as it is the
Law of Nature, or as Christ hath taken it into his
Law, it doth remain: And not only so, but the Rea-
son of many other Jewish Laws may still be signifi-
cative of Gods Will to us, and so be Obligatory.

Where

Where there is nothing in the difference of their state and ours that varieth the case so as to destroy to us the Reason of the Law, it may thus indirectly bind us still, by shewing us what God would have men in such a case to do.

Thes. 214. The Moral Qualification of Electors must be this, that no man choose but those that have publicly owned the Baptismal Covenant, personally, deliberately and seriously, taking the Lord for their only God, even the Father, Son and Holy Ghost, the Creator, Redeemer and Sanctifier; and that lyeth not under the guilt of any of those sins for which God would have men put to death, or cut off from his people.

Here are but two things required in the Moral Qualification, which no man that hath the name and face of a Christian can except against. First, that he be one that owneth God the Father, Son and Holy Ghost, in personal Covenant; that is, that he profess himself a Christian: Others are excluded from Liberty, I think, by our Laws already. This therefore cannot be denied. That he was Baptized in Infancy is not enough, because choosing Parliament men is not a work for Infants, but the Adult; and he at age that owneth not his Baptismal Covenant, doth renounce it, or at least is not to be reckoned among believers. The second point is, that he live not in such sins as God would have men cut off for. And who can except against this? But here note 1. That it is not the oft committing such sins only that maketh him incapable; but being at that time *under the Guilt*; For a man must be hanged for *one* Murder,

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though he daily live not in it. 2. It is the *Guilt in foro humano* that I speak of, and not of his conscience as to God. If the Magistrate pardon him, and fully pardon him, he is not under *Guilt* before him. 3. Note that it is not only cutting off by Death, but also by an extermination, or disfranchising, or excommunication, that I speak of. He is unfit for the Priviledge of a *Choofer*, that God would have any of these wayes to be cut off, but specially by Death.

4. And note, that a capital offender may have pardon for his life, when yet the Ruler may not perhaps restore him to his freedom herein.

Thes. 215. For what crimes God would have men cut off, I have shewed before, cap. 7. viz. For Blasphemy, Idolatry, perswading to Idolatry, Murder, Man-stealing, Incest, Sodomy, Adultery, presumptuous sinning, and obstinate refusing to obey Magistrate, Priest, or Parent, in case of Gluttony, Drunkenness, and the like: and all such as would not seek the Lord: all wizzards, and that turn after wizzards, and more such like, which may easi'y be collected.

Thes. 216. It will be a fair and expeditious course, that all these crimes enumerated by the Parliament for which they allow Pastors to excommunicate men, shall also disable any person from choosing any Parliament-man or Magistrate.

There are many enumerated in the Ordinance that setteth the Government of the Church, and if the Parliament please, they may add more, as they see cause.

Thes.

Thes. 217. At least it cannot be denied us, but that those crimes enumerated in the late Humble Petition and Advice, disabling men to sit in Parliament, should also disable the people to Elect.

And that much well executed, would do the Nation very much right, and free us from much guilt and danger. And there is no Reason that Lords and Knights should be disabled, and Peasants let alone in their Priviledges that are guilty of the same things.

Thes. 218. As no man was to live a member of the Common-wealth of Israel that entered not into the Covenant of God, and submitted not to his worship, under the Ministracion of the Priests (though they might have faults) but he that would not seek the Lord God of Israel was to be put to death, be he great or small, 2 Chron. 15. 11, 12, 13. So no man should be so free in our Common-wealth as to be choosers of our Parliament-men or Magistrates, that live not in Christian Order and communion, for the ordinary worshipping of God, and under the Discipline or Guidance of some faithful Pastors (where such are) either Approved or Tolerated by the Magistrate.

To be an ordinary despiser of Gods publike worship, or a neglecter of it, and of the Guidance of Gods Ministers, was Death or cutting off in the Jewish times: And no man can tell us why it should not be at least a cause of disfranchizing now. A man by disfranchizing is not a penny the poorer, but only kept from hurting the Common-wealth. And its a
hard

hard case, if we must commit our lives and Religion to the Votes or Government of them that God would have had then cut off, and put to Death ! Let men have liberty freely in all lesser doubtful things that good and sober Christians differ about : and if they be Impious or Infidels, (unless by particular crimes they incur any penalty) I urge not the Magistrate now to deprive them of their Estates or personal Liberties : But let them have nothing to do with Governing us. A man would think this should be a fair and moderate motion : It is not an Anabaptist, nor an Independent, nor any upon such kind of differences that I am motioning an exclusion of : But those that are *Members* of no *Approved* nor *Tolerated* Church. And there is great Reason. For

1. They Live like Atheists and Infidels, and therefore they may be numbred, if not with such, yet with them that are near them. Faith is practical, and tendeth to holy living and obeying. He that refuseth to give God his publike Worship, and so denyeth him the chief part of his homage; is an Atheist in life.
2. There were no Christians in the Apostles dayes that had a fixed abode, that were not members of the Christian Churches in the places where they lived : and those that were unruly and walked disorderly, were to be avoided and cast out.
3. If they believe not that God is to be worshipped publicly by his servants, and would perswade others against all public worship, they are not fit to live among men ; therefore if they themselves forsake it, they are unfit for to meddle with our Government.
- 4 He is not ordinarily fit to choose a Governour, that as to his Morals is not capable of Governing

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ing a gradual difference.) But the neglecters of all Church-order, and Communion, and Discipline, are unfit to Govern: for they would destroy Christs Interest in the world: therefore they are unfit to choose. 1. If it be because they know not of a true Church to joyn with, its a sign they doubt of the Head when they doubt of the body, and know not that Christ indeed is King, that know not his Kingdom: Or else are justly to be suspected for Romish Juglers, whose design is to take down all, that they may set up themselves. 6. However it be, they that excommunicate themselves from Christian Churches, can blame none but themselves for it, and have no reason to expect to be taken for Rulers or choosers in a Christian Common-wealth. 7. He that refused all publike Worship under the Priests, would not have been judged to seek the Lord, nor be one of their Common-wealth. 8. God hath no ordinary publike worship but by his Ministers; and therefore to live under the Guidance of no Pastor, is to reject the stated way of worship; nor can he (ordinarily) be numbred with the flock of Christ, that is under no particular Shepherd. Every one therefore should be a member of some Church.

Thes. 219. 2. For the execution of this Law, there should be careful provision, which being a Modal thing, I shall not presume to say so much of, but leave to the wisdom of Governours: only I see before us 1. an imperfect uneffectual way, which is by convicting men for these crimes before some Justice. 2. An effectual Regular more excellent way, which is this: Let all Pastors in England that are approved have an Instrument
of

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of Approbation, and all that are Tolerated an Instru-
ment of Toleration; and let no man be a chooser or
Ruler that holdeth not communion with an Approved or
Tolerated Church, and is not signified under the Pastor.
hand to be a member thereof: or that shall be cast out
of the Church for any of those crimes that the Parlia-
ment shall enumerate: And that there may be no jea-
lousie of Ministers usurpations or abuses herein, let
every Parish have one or two of the wisest men by the
superiour Rulers made Church-Justices, or Censors to
meet with the Church-Officers, and to take cognizance of
the cause: And let all that the Pastors and Church take
in or cast out according to Gods Word, be used by them
as members or no members of the Church; But let no
man be disfranchised in the Common-wealth, or lose his
Vote in Elections, unless the Censor or Church-Justice
Ruled by the Parliaments Laws, consent to the censure.
And let all that are cast out by his consent and the
Churches both, be registred, and disabled to Vote, unless
by the consent of both upon Repentance they be re-
stored.

This course is equal: For it is not meet that Mi-
nisters should be the disposers of the Liberties of the
Common-wealth, nor will it help but hinder their
Ministry that they should mix it with any secular
Power; and though the penalty were but conse-
quential, it would be inconvenient for them to use
that Power. And yet on the other side, it is not Par-
liament Orders any further then as they are subor-
dinate to Gods Laws, that they must Guide the
Church by. Now in this way the disfranchized per-
son hath no more trouble through the Minister then
if

if he had nothing to do in it, but some more ease and benefit: For if the Censors alone should judge him criminous, he would have no benefit by the Churches more favourable Judgement, in case the Censors should be too rigid: Or if they should bear any man a Grudge, it is unmeet they should disable him alone: And therefore when the Judgement of the Church and of the Censors must concur to any mans Conviction, he will be further from the danger of any injury: The Church shall have no power to convict him with Relation to his civil Liberty; but only the Censors shall not do it without their consent, that his Liberty may be the better secured.

If you think that this power of Church and Censors is too great to be exercised over Justices of Peace, or persons of greater place: I answer, 1. Where ever there are Justices of Peace, it is supposed that they be themselves the Censors; and therefore that fear is vain: And for *Riches*, they should priviledge no man in impiety. 2. You may leave your Greater men (if you will be partial) to some higher Judgement, or leave them the Liberty of an Appeal.

Of the Office of these Censors I shall speak more under the last Rule.

Quest. But what shall be done in the Tolerated Churches? Answ. As you please, either let them also cast out none from his Common-wealths Priviledges without the consent of the Censors of that Parish; or rather let them alone to do with their own members as they list in this respect; Because 1. They will be so eager to keep their strength and number, that they will dispriviledge none of their own, without

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out great cause. 2. And if they do, it is usually be of all; for it will drive them to the approved Church.

Quest. *But what if Ministers will not admit of worthy persons into their Churches? shall they therefore waive their civil Priviledges?* Answ. 1. If Ministers grossly miscarry in their Office, the Magistrate hath power to punish them, or cast them out; and what would you have more? 2. If one Church will not receive them, another will, either Approved or Tolerated. 3. If all this will not serve, let your Censors in this also have the Judgement, or a Negative voyce. Let the Qualifications already given by the Parliaments concerning those that are to be debarred from the Lords Supper for Ignorance or scandal, be the Censors Rule (with what else they think meet to add) and if any man publickly offer himself to be a member of the Approved Church of that Parish where he liveth, and be refused, if the Censor Judge the Refusal injurious (according to the Parliaments Rules) let it not injure him in his civil Liberties, but let him be Registered *inter Cives*; Though I think this caution should be unnecessary, because the Ministers themselves are under your Power. But it is only men that are utterly incapable of Church-communion, or that wilfully refuse it, that we desire may be no *Choosers* or *Cives* (though *Subjects* still.)

Quest. *But what if your Pastors will neglect Discipline, and let in the most scandalous men; will not the Common-wealth be polluted, and hazarded by their negligence?* Answ. 1. It can be no worse for that, than it is; and therefore thats no reason against the thing. 2. I confess there lyeth the greatest danger; And therefore Parliaments should not by any causeless

jealousies

Jealousies of Ministers doing overmuch, restrain, disable or discourage them from that duty which flesh and blood is most against of all their work; But let the wilful neglect of Discipline (and if you will, excessive rigour too) be punishable according to the quality of the offence. And let there be a Court of Commissioners in every County (those that are for rejecting scandalous Ministers) empowered thereunto; For *Ejection* should not be the punishment of smaller faults, especially before obstinacy; nor yet should such faults be unpunished; But of this more anon. But that here the Censor should have power alone to deprive him of his civil Liberty (as we grant him alone to preserve it) will be injurious to mens Rights.

Thes. 220. *The third part of the Law for Regulating Elections, concerneth the Manner of Electing, where variety of tolerable Modes occurring, I shall not presume to extol any one above the rest, there being no such necessity of any one Mode as the self-conceited Modellers imagine. 1. The Cives that are in the Censors Register may meet in every Parish Church, and before the Censors, Ministers, Constables, Church-Wardens, and Overseers of the poor (sworn all to fidelity) may give their Votes for Parliament-men, which these Officers may carry in at a General meeting to the High Sheriffe. 2. Or these Cives in the same place and manner, may choose their Deputies (proportioned to the number of the people in all Parishes) which Deputies may at the General meeting (to avoid confusion) choose the Parliament men (bring themselves first sworn to a faithful skoyce) And these Elections in the Parishes, and the County*

The confusion that is now at Elections, is very great ; and without abundance of cost to the Countrey or the Elected Gentlemen , so great a multitude cannot be brought to the Pole ; which if they be not, the incapable rout may intrude and carry it. And therefore for every Parish or Hundred, either to send in their written Votes by Officers, or rather to send their sworn Deputies with power to Vote in their stead, will more orderly dispatch the work, and with much less charge and trouble. Every Deputy may bring in a list of the names which he representeth ; and to he that representeth a Parish of an hundred men, shall have the voices of an hundred ; and he or they that represent a Parish of a thousand men, shall have the voices of as many.

Where there is danger lest the Greatness of any over-awe the people from their liberties , the Ballot is somewhat the safer way then the open Vote ; and yet not much ; both because Juglers by slight of hand might convey in five for one ; and specially because those great men will beforehand be engaging the people to Promise them their suffrages, and they dare not deny the *Promise*, if they are such as dare not deny them their *Vote* ; And yet in all these things indifferent, we would not stick to gratifie Mr. *Harrington*, or any rational Modeller, that can get the Parliaments consent. But 1. We must have our *Cives*, the matter of our Republick first reformed. 2. And we would have no more change then needs must , but things done with as little stir as may be, about circumstantial ; and not have the *Venetian* painted dress and toy-
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ish gawds, to cover a defiled people; nor with a great deal of cost, and labour, and pomp, to set up an adorned Image; *Et magno labore nugas agere, ut materiam superaret opus*. We are somewhat indifferent for the dress; but cannot be indifferent, whether we have a pious or impious, Christian or Infidel Commonwealth. Reform and secure us in the main, and we will not quarrel about such variable unnecessary modes and circumstances.

Thes. 221. *Though solicitations cannot be prevented, yet that liberty of Votes may be preserved, let the Regulating Law deprive all men of their Votes in that Election, that are proved to have Promised them to any man before the meeting.*

They may consider and debate it before-hand, for better information, but not promise.

Thes. 222. *Rul. III. To make the Commonwealth more Divine, our Parliaments themselves must be more Divine: which must be effected by Description, and by Oath; which are both so happily Ordered already in the Humble Petition and Advice, that, if execution be added, may conduce much to our happiness.*

The said *Petition and Advice* determineth, that under the Penalty of a thousand pound, and imprisonment till it be paid, no person be elected and sit in Parliament but [such as are persons of known Integrity, fearing God, and of Good conversation]——Not such as are guilty of any of the Offences mentioned in an Act of Parliament of Aug. 1650. intituled, An Act against
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several Atheistical, Blasphemous and execrable opinions, derogatory to the honour of God, and destructive to humane Society. *No common scoffer nor reviler of Religion, or of any person or persons for professing thereof: No person that hath married or shall marry a wife of the Popish Religion; or hath trained or shall train up his child or children, or any other child or children under his tuition or Government, in the Popish Religion; or that shall permit or suffer such child or children to be trained up in the said Religion, or that hath given or shall give his consent that his Son or Daughter shall marry any of that Religion: No person that shall deny the Scriptures to be the Word of God; or the Sacraments, Prayer, Magistracy and Ministry to be the Ordinances of God: No common prophane of the Lords day; nor prophane swearer or curser; no drunkard, or common haunter of Taverns or Ale-houses.]*

They are sworn also for the true Protestant Christian Religion in the purity of it, as contained in the Holy Scriptures, and for fidelity to the Protector, and for the Peoples Rights and Liberties.] A more excellent Act hath not been made for the Happiness of England, concerning Parliaments, at least since the Reformation. O that it may be but effectually put in execution.

Thes. 223. *Rul. I V. The Prudence, Piety and fidelity of the Princes standing Council conduceth much to the felicity of the Common-wealth: and is to be procured,*
 1. *By Description.* 2. *And by Oath.*

1. The Law must describe them according to their necessary qualifications. 2. The choosers of them (especially where Parliaments choose) may be sworn

as near as they can to choose according to that Description. 3. Themselves are to be sworn to act accordingly.

Thes. 224. *Rul. V. The Prudence and Piety of the Prince is of high concernment to the Happiness of the People ; which is to be secured in Countries where he is Elective, by a duly Regulated Election ; and where he is Hereditary, by a duly Regulated Education ; and by due Limitations, and by Oath.*

Where he is *Elective*, a Description is presupposed as existent in Gods General Laws already, which must be observed.

Thes. 225. *The safe way for Election, is, that a Parliament choosing or approving the Council, swear them to choose four of the best Qualified persons, and that a well-regulated Lot take one of the four ; the people of the chief City, or adjoining parts, seeking God by solemn fasting and prayer, for merciful determination by that Lot.*

In elective Principalities, it must be supposed that a Council of State have a sufficient power to keep the Peace till a due Election : and yet that they be sufficiently disabled from perpetuating *their* Supremacy, or delaying the Election.

The Persons to be Elected may be either left to themselves as to their Rank, or they may be limited, either to take four of the Council (as men first approved by the Parliament, and acquainted best with State-affairs) ; or else the General of the Army (if

be be not of the Council) and one of the Nobility, and two of the Council. But however let them at their admission into Council, be strictly sworn to choose the fittest according to the described Qualifications, if they shall be called to a choice.

Here are divers things expressed as necessary, or much conducive to the propounded end. (Supposing still that we speak of those Nations that are setting up, or have already an Elective Prince, that is not absolute, nor hath the whole Sovereignty, but in conjunction with a Parliament or Senate) 1. That the Senate choose the Council, or at least approve of them. And so *themselves* being first composed as aforesaid, there will be great hopes of a Prudent Pious *Council*. 2. That the *Council* (or the Parliament, if then sitting) choose *four*, being sworn to a faithful choice aforehand.

And here let it be observed, that *Election* is to be preferred to a *Lot*, where it may be performed upon grounds of Judgement and Freedom ; and that a *Lot* is not to be brought into use, but in cases of Necessity, where judgement faileth. For, 1. Else men shall neglect the Law of God, which is propounded to them as the Rule of Judging. 2. And they shall neglect their Reason and Gods gifts, by which they are qualified for Judging. 3. And they will tempte God, and therefore provoke him to afflict them by the Lot, while they take his name in vain. 4. And if they elect not fit persons in preparation to the Lot, but turn loose a Lot among a number that are most unfit ; they betray the Common-wealth to ruine. If our new Modellers should carry their Lotteries among the vulgar rowt, where there's one or two wise

wise men among a multitude, and expect that their Lot should find out those few, they might be convinced by experience, that God made them no promise of such success, nor appointed Lots to spare men the use of their Reason. Till I have Gods command or promise to shew for our encouragement, I must believe, that he that casts a Lot to find out one wise and godly man among an hundred simpletons or ungodly men, is likely an hundred to one to be deceived. The Apostles chose two of the meekest men, to be Judas his successor, before they made use of the Lot: and then the Lot did choose *Matthias* one of the two.

3. It is here taken for a matter of great necessity, that yet a Lot should finally determine. (In an extraordinary case indeed, as after a Conquest, usually One only is capable: but we are not giving Rules for extraordinaries.) And the need of this Lot is thus apparent. 1. It will prevent Confederacies and making parties and friends for the succession, which else will hardly ever be prevented. 2. It will avoid the *odium* that else will lie upon the Council, from the rejected party: Men will easier take a rejection from God then from man. 3. It will prevent the dissatisfaction and consequent rebellious contrivances of the rejected. For it seemeth a dishonour to be rejected by choosers, but its no dishonour to miss it upon a Lot. 4. It is a most rational suitable course, that he that stands *next God*, should be *chosen by God*, and God should have the principal hand in the choice. The Apostles gave God the choice of *Matthias an Apostle* by Lot, because no power under God was fit to convey (or choose a man to) the highest Ecclesiastick power:

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power : But they chose not *inferiour* Officers by Lot. 5. It will more comfortably satisfie *the Prince*, to do or suffer in his office, when God calls him to it. 6. It will very much satisfie the people in their submission and obedience, and prevent rebellions, and hinder suspicions of the Princes ambitious aspiring to the power. As his choice was Divine, their estimation and obedience will be towards him as towards an Officer of God.

4. It is here taken also as necessary, that the Lot be carefully regulated by a Law, *e. g.* as to be done before many, in the publickest Church of the City, in such and such order, which is easily contrived; that so they that would creep in by unrighteous means may have no hope.

5. That the chief City or all that are near, that can so speedily meet, may by fasting and prayer seek Gods merciful determination, is a thing of apparent need, by reason of the great weight of the case, and that the Government may be more purely Divine, and the people the fuller satisfied in the person, and the blessing of God procured thereby.

Thes. 226. Where the Prince is Hereditary, and hath a Parliament either to participate in the Sovereignty, or to secure the peoples Rights, the education of his children should be secured by a standing Rule, strictly describing the Tutors, both Divines and Politicians, and carefully securing the execution.

The Prince that will not Consent to this, for fear of losing his Interest in his own children, in reason should not desire that they should hereditarily succeed

succeed him in the Government. If he govern not for the common Good as his end, he is a Lord or Tyrant, and not Governour of the Common-wealth. If he do govern for the common good, then the Common-wealth hath a far greater Interest in his children that must succeed, then he can have, If they be so his own, as to be principally for *him*, or for *themselves*, they are then unfit to be the Governours of a Common-wealth. If they be not; then the Laws must dispose of their Education. The subordinate Rules for this Education, I will not be so presumptuous as to set down.

Thes. 227. The second means of a peoples security as from their Prince, is that in the Fundamental contracts he be limited to Rule them by wholesome Laws to be made by the proposal and consent of his Parliament.

The Reason of this is, 1. Because of the imperfection of all Princes (as of all men) who therefore must be supposed to have some evil or imprudence, whose evil fruits should be prevented, that they may not produce the common hurt. 2. Because it is supposed possible that Princes may espouse a private Interest, from which the publick Interest must be secured. And being not Absolute and Arbitrary, he will be less capable to hurt.

Thes. 228. The third means of Security, is, the Princes Oath, which is to contain the summe of the Fundamental contract which lay the ground of his future Government.

Every point of a Princes duty is not to be put into his Oath, but so much as is necessary to the common safety, and consequently to the being of his Government. For else it will tempt the people to think that they are disobliged when he violateth his Oath in any of those particulars. But the substance of his Covenant should be in it.

Thes. 229. Ru. VI. *The security of a Nation, as to their successive Safety, Piety and Peace, requires that the Militia be in Honest, faithful, obedient and valiant hands: which will be accomplished, 1. By the fore-mentioned securing a faithful Prince and Parliament that must Rule them. 2. By arming all the faithful of the Nation that are fit for arms, and suffering none but freemen, to be of the standing force within the Land. 3. By causing all Souldiers to be sworn to the Sovereign and the Constitution. 4. By keeping the Forces that are under pay, in necessary dependance upon the Sovereign power for their pay. 5. By keeping the power of placing and displacing the greater Officers out of the hands of any General Officer in pay. 6. By keeping them by distance, and other means, from uniting in any as a sufficient Head, but the Sovereign power. 7. By vigilancy against intruding masked Papists and enemies that sow the seeds of sedition among them. 8. By supplying every vacant place with Godly valiant men, and weeding out the ungodly and seditious. 9. By a sufficient encouraging of the faithful in their due part. 10. By making them strict Laws against Impiety and sedition, and keeping up true Discipline among them.*

1. Mr. Harrington truly tels you the necessity of
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Arming the freemen : men of best Education and Interest, will be most valiant and most trusty ; and if Reformed as I forementioned, they will be truest to their Country, in matters of everlasting consequence : It is reason that men of greatest Interest and sufficiency should be trusted with the defence of themselves and their own. The cowardliness of Freeholders is the undoing of their Country : To save their own skin they arm their servants, and so make them their Lords. Especially when it comes to fighting indeed, and they dare not venture their lives : Or else in foreign Wars, where they use to employ their servants only, except in command, and then they return upon them as their Conquerers. Many that are servants may be sent abroad, but not so many as may be able to master their Commanders, and the junior sort of Freemen, that should still be mixt in competent numbers. The most servile and base are usually through the disadvantage of their education the most impious. And so much wickedness as usually dwelleth in such Armies, is worse then the enemy to them. None of the Forces in pay, that intend the common good, and deserve the name of Christians, or Common-wealths-men, will be unwilling to have the faithful people of the Land to be possessed of a strength sufficient to ballance them for their necessary preservation.

The rest also are so plainly rational, necessary and conscionable, that I shall think it needless to give Reasons for them distinctly, there being nothing but ignorance, ungodliness, or a treacherous selfish design to master the Common-wealth, that can have any thing considerable to say against them.

Two things more I add, 1. Let the old tryed faithful Souldiers of the Army be the chief Commander of part of the Militia of the Countries; yet none but the faithful, and men of Interest, that have somewhat to lose by the ruine of the Common-wealth, not yet so as to streng hen any to a dangerous redundancy of Power. 2. That every Regiment of Foot have one faithful Minister to teach them, and every Regiment of Horse two at least (because quartering very distant, one man can be but with few at once.) Seducers are the seditious disturbers and destroyers, who will creep in and prevail, if there be none to gain-say them.

Thes. 230. R. VII. *It is necessary to the true Happiness of the Common-wealth, that the Inferiour Magistrates (Judges, Justices, &c.) be prudent, Godly faithful men; which is secured to us, 1. By the forementioned Piety of the Sovereign Powers that must choose them; and 2. By good Laws that binde them to their Duty.*

It is a great mistake in many Law-makers, that are more solicitous incomparably to restrain both Inferiour Magistrates and Ministers from going too far, and doing too much, then to put them on to do that which is indeed the business of their Office, when yet flesh and blood will do as much (and in the Ministry abundance more) to bring us to the *defective* Extream, then to the excessive. The benefit of Law is attained by the Execution: And if we have not faithful Judges and Justices, we can look for little execution. If the Magistrate be naught, it is an easie matter

atter for him, by discouraging Plaintiffs and Accusers, and by hiding the sence, or wresting the Law, or hundred wayes to make nothing of them, if not orse then nothing; and turn our defensive Arms gainst us.

Thes. 231. R. VIII. *The Christian excellency and licity of a Commonwealth, dependeth exceeding much on the Purity and Unity of the Churches that are there: And therefore it must be the Rulers special care* 1. *That holy Doctrine, Worship and Order and Discipline be maintained in the Churches; and* 2. *That they be brought to as much Charity, Agreement and Communion as can be agreed.*

Thes. 232. *This purity of the Church will be procured,* 1. *By the (forementioned) care that godly, able faithful Pastors be provided; and the ungodly, insufficient and negligent kept or cast out.* 2. *By the faithful ordering of the Churches, and exercise of holy Discipline, supposing the previous requisites forementioned.*

Thes. 233. *For the setting of a sound and holy Ministry,* 1. *There must be Laws describing such as shall be publicly Approved and encouraged, and such as shall be only Tolerated* 2. *The People and Patrons, the Ordainers and Approvers, must each have their due Interest preserved and allowed them.* 3. *No man must publicly Teach, nor hold private Assemblies, beside such as stand in due subordination to the Churches, but such as have from the Approvers an Instrument of Approbation or of Toleration.* 4. *Blasphemy and subverting the Essentials of Christianity, or of Christian communi-*

268 *How a Common-wealth may be reduced on and worship are to be severely restrained, not Tolerated in any way of Teaching or propagation whatsoever.*

It is in vain to make Laws describing such as shall be Tolerated, unless there be a way to put them in execution. If all be Tolerated without difference, why should the *Law* make a difference? It is as necessary therefore that by the Rule of those Laws, Commissioners grant an Instrument of Toleration, as of *Approbation*. And that the Commissioners of Ejection have power to deprive them that forfeit it of their *Toleration*, as others of their *Approbation*. But of this elsewhere. The rest I hope is all granted.

Thes. 234. To the holy order and Discipline of the Churches, besides the Ministers duty (of which I have spoken in other Writings) it is needful, 1. That the Magistrate drive on all that are Pastors and administer Sacraments, to exercise Discipline, by distinguishing the clean from the unclean. 2. And to secure the Interest of the Magistrate and the Common-wealth, that there be duly joyned some Officer of the Magistrates in all the Assemblies for Worship and Discipline; and Magistracy and Ministry so twisted together; that they may concur and co-operate, without any invasion of each others Offices, but for mutual help.

God hath in wonderful Holy Wisdom so nearly joyned the Church and Commonwealth, and the Magistracy and Ministry, that both are of necessity to the welfare of each Nation; and it hath occasioned many ignorant men to contend about their pre-eminence

minence, as if it were a controversie among sober Christians, which of them were the chief: when it is no controversie, nor is there any room for the comparison, they being *quales* of distinct co-ordinate kinds, and each is chief in his proper Office. The Magistrate is as truly the Governour of Ministers by the Sword or coercive power, as he is of any other of his Subjects: And the Minister is as truly the Magistrates Church-guide by the Word of God, as he is of any other of his Flock: yet indirectly he may frequently be bound from exercising any such disgraceful acts of Discipline on them, as may tend to diminish their Authority, or disable them to their proper work. Government is a divine Act, which imitateth Nature. *Aristotle* and *Galen* could not agree whether the *Head* or *Heart* was the Principal member and first seat of Life. And why may they not be conjunct and co-ordinate, each being the principal in its kind; the Head of the *animal* spirits and operations, and the Heart of the *Vital*? Philosophers have troubled themselves with disputing, whether the *Intellect* or *Will* be the first Principle of the souls operations? But by this time they are for the most part agreed, that the *Intellect* is the first *quoad specificationem actus*, and the *Will* *quoad exercitium*. But if any will make a tough dispute of it, whether *Specification* or *Exercise* be first, he will do it to no profit. It is a *dead* Commonwealth (and that is none, but a meer carcass) that is without the Magistrate: And it is a *mad* Commonwealth (which is little better then none) that is without a Church and Ministry. I think they that would separate the *Intellect* from the *Will*, the *Brain* from the *Heart*, the

Directive

Directive power from the Imperial, are no better friends to the Common-wealth, then he that would deliver a man from the presumption of his phantasi by cutting off his Head, or from the passions of his Heart by pulling it out of his Body. Some Disease may warrant me to cut off my finger; but none will warrant me to cut off my Head, or to pull out my Heart. Some say the *Intellect* so participateth of *Inclination*, and is so near kin to the *Will*, that we may properly say, *Intellectus vult verum*; and that the *Will* hath so much participation of *Intelligence* that we may well say, that *Voluntas intelligit bonum*; whether that be so or nor, I am sure that it is no humane Body that hath not both *Heart* and *Brain*; nor a humane soul that wants either *Will* or *Intellect*. The Priests sat with the Civil Judges in *Moses* time, and had Judicial Power, much further then we now desire. The Ministers sat with the Magistrates in *England* before the dayes of *William* the *Conqueror*. If any would exempt the Ministry from being under the civil Governours Jurisdiction, or would put into their hand the civil Power, or Sword, even any degree of a proper coercive forcing Power, I would Petition with the first against it: But if any Parliament would have some chosen Ministers sit in both Houses without any Votes or Power at all, but only a Liberty to speak when the cause of Religion and Conscience is on the Stage; or if they would have them sit with Judges on the Bench, and Justices at their Sessions, without any power, only with a Liberty of speaking to a case of Conscience, as I would never Petition for it, so I would not think that Commonwealth the less Wise, or Pious, or Happy, or safe that

that did admit it. But we are all for extreams. Some must have a Pope to carry both swords, and trample upon Kings and Common-wealths; or at least they must have Lord Bishops to set and Vote among the Lords: And others must think them unworthy to speak in the Cause of Christ, which sometime is tossed up and down by men that little understand it; and some think them not worthy to stand in their presence, but make them as the scum and scorn of mankind: And what have they but their holy Relation to Christ and his service, to make them so contemptible? They are of the same Nation, blood and parentage as other men: For their lives, though they be imperfect, if any one relation and rank of men be more upright and blameless and holy, let us be banished or die the death. For their studies, unless it be Divine things that make men fools, or much learning and studie that make them less wise then other men, and unless the way to wisdom be to lay asleep our reason, and cast off study, or at least to study nothing higher then the Moon, undoubtedly they have the advantage by far of any one rank of men. If Divinity be *True* and *Good*, then certainly the Students if it are likely to be the wisest and the best of men: For the object ennobleth, and the employment perfecteth the faculties.

Kings themselves were commanded by God of old, to study Divinity continually, and so were other Commanders, yea and all. *Deut.* 17. 18, 19, 20. *Josh.* 1. 8, *Deut.* 11. 19, 20. & 6. 6, 7, 8. *Psalms.* 1. 2, 3. If it be base the Teachers, it cannot honour Princes nor any of the Learners.

The Nation therefore that vilifieth and despiseth
the

the Ministry, despiseth Christ. And the Magistrate that grow jealous of their interest, and set against the work that Christ hath set them to do, do but pluck out their own eyes, and destroy themselves, and unchristen their Common-wealth. Magistrates and Ministers therefore must joyn together in the work of God; yet so that we will not meddle at all with their work, much less desire their Riches and honour: Let them take the Pomp, and Rule, and wealth of the world. We desire them so much splendor as may countenance them in their work. For our selves, we would have nothing but leave to labour, and the Devil chained up from hindering mens salvation, as far as by the Magistrate can be procured.

Thes. 235. To free the Magistrate from all jealousy of our usurpations, and to further us in our work, by a holy Concord, Let every Parish have one or more Censors or Civil Officers, enabled to these following works. 1. To keep peace in the Congregations, if any make disturbance, or if any by force intrude to the Sacrament (for the Pastors or people have no power of violence.) 2. To joyn with the Minister and Church-Wardens in disposing of Seats in the Church, to avoid Contentions. 3. To meet once a moneth with the Church-Officers (or others) to hear the Causes that are brought before them: Where,

1. He may force those to appear as Magistrate, (when he sees cause) whom we can but intreat.
2. And he may (when he sees cause) have power to administer an oath.
3. And his Power and Vote concurring or dissenting, may determine how far the Magistrate shall second them;

And also, 4. That none be taken to be disfranchised for crimes,

times, by any excommunication, without the Censors
jurisdiction and consent (as we said before.)

In every Corporation that hath a Maior or Bayliff,
 and other Justices, let them also be the Censors. And
 in small Countrey Parishes where no Justice of Peace
 dwelleth, let the sufficientest person or persons be ena-
 cted by the Magistrate to this Office: And let him
 have no further Power. If the Church may pro-
 duce the fittest persons, and the Rulers accept or
 reject them as they see cause, and so authorize such
 as they accept, it may fully satisfie their interest. If
 they refuse this, we are well content that they choose
 whom they see meet. This will further the Mini-
 stry, and stop the Erastians mouthes, and take away
 the jealousies that are usually by Magistrates kept
 up against the Pastors: Their Censors shall be pre-
 sent, and see whether we meddle with State matters,
 or go beyond our line. But still let this introduce no
 confusion of the Offices by the conjunction. Let the
 Churches acts be valid to meer Church respects (as
 Absolution or Excommunication) whether the Cen-
 sors shall consent or not: but let them be of no in-
 fluence upon Civil Rights, if he consent not. As
 Magistrates are Civil Rulers of Pastors and Churches,
 and must help them with their power against obsti-
 nate untractable ones, so there is no reason that we
 should desire them to be meerly the Executioners of
 our Sentence; but they must take cognizance of the
 cause, and Judge where they must execute: If
 therefore their Officers be with us, and have notice
 of the whole proceeding, they may be satisfied how
 far to own our acts.

Thes. 236. Though Magistrates cannot force men to Believe, Love God, and so to be saved, yet they must force them to submit to holy Doctrine, and learn the Word of God, and to walk orderly and quietly in that condition, till they are brought to a voluntary personal profession of Christianity, and subjection to Christ and his holy Ordinance; and so being voluntarily Baptized, (if they are new converted Heathens, that never were before baptized) or Confirmed (if they were baptized before) they may live in holy Communion with the Church.

If Magistrates force not, or Ministers cause not the grossly ignorant to hear and learn, and submit to Conference, or Catechizing, and such necessary means of Instruction till they are confirmed, or by the Approbation of the Pastors admitted into the Communion of the Church with the adult, their Infant-Baptism will but let in corruption and confusion into the Churches, while men are commonly taken for members of it, that know not what Christianity is, or live in the open violation of their Baptismal Covenant. Ministers therefore should be by Law restrained from admitting the uncatechized and unconfirmed to Communion.

Thes. 237. 2. The Unity also of the Church is very needful to the safety and peace of the Common-wealth, that Parties be not hatched and animated against each other, who will be disturbing the Common peace to promote their ends.

Two extreams are here to be avoided. The first of them, that will give Liberty or Forbearance to none but

but those of one opinion or way, in points where difference is tolerable. And while they think by this to secure Unity and Peace, they most effectually destroy them both: while they put a necessity on many good and sober men, to suffer the execution of their penalties, and then move compassion in others to the sufferers, and provoke many to hazard all for their impunity. The other extrem is theirs that either purposely cherish divisions to weaken the people, that they themselves may hold the ballance, and make advantage of their dissensions, or at least do carelessly permit intolerable Heresie, infidelity or impiety to be propagated or practised without due restraint. And these Rulers will find in the issue, that obeying God, and looking to his Interest, and the common good in greatest things, was their greatest duty, and would have most conduced to their own security: and that when these Factions have a while contended with each other, some of them will fall on the Magistrate himself, and however he behave himself, he shall never be without some perilous enemies. A broken, divided, contending people will never be long true to him, nor strong enough to defend him: but their strength is most exercised in winceing at each other, till perhaps they have unhorsed the rider.

Thes. 238. The means which the Magistrate must use for the Churches unity, are these. 1. He must neither himself impose, nor suffer the Pastors to impose any uncertain or unnecessary points of doctrine, discipline or worship, as necessary to the Union or Communion of Churches; but restore the primitive simplicity, by taking the Holy Scriptures in general as the sufficient Rule.

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and Law of faith and worship, and the antient Creeds of the Church in particular, as the universal Symbole : or if any more copious be drawn up, let it meddle with no Controversies that may be forborn, and let it be as much as may be in Scripture words.

Necessary points must be held as necessary ; and unnecessary things must not be made necessary. This is the great Engine that hath torn the Churches and battered their Peace. If men *Zealous* for *opinions* cry out against errors, and for security of the Orthodox profession, let them have leave to be as Orthodox as they will, and to do as much against error as they can : but let them not be the common Judges of Truth, nor have every thing done that fanatic or fury shall think necessary to secure the Truth. The Scripture is acknowledged to be certainly true by us all ; and therefore none will scruple the subscribing it ; but so are not the doubtful collections of all that think their opinions must needs be Articles of their neighbours Creed. He is Orthodox that holds but so much Truth as is contained in the Scripture. He that believeth explicitly, and obeyeth but so much as is there delivered in plain expressions, is fit to be a Minister, and to have Communion with the Churches. He that subscribeth to the Truths which are *plainly* expressed in Scripture, and yet perverteth them by Heresie, or understandeth them not through ignorance, may as easily pervert or not understand the same truths *plainly* delivered by men. Let therefore the holy Scripture be the National Confession and Religion : and let the antient *Creeds* be expressly pro-
fessed

essed by all that are Baptized, or admitted to Church-Communion. And if any special occasion make more seem necessary, which must be imposed, let that *more* be no *more* but a Confession expressed in Scripture-pharse, at least in every controvertible point which godly men do differ about. Let men enlarge their voluntary Confessions, and spare not; but not impose them, nor make them the ballance of their Communion.

If any say that [*It is meet that Pastors explicitly understand more then the antient Creeds, though no more may be of necessity to every member: and therefore a more large Confession is to be subscribed or owned, seeing by subscribing to the Scriptures, he professeth but an Implicit belief as to the particular truths.*]

I answer, 1. I can as truly and wisely say that by subscribing to the National Confession he professeth but an Implicit belief of the particular truths therein contained. They are as plain and as well exprest in the Scripture as in the Confession. And therefore the subscribing of one is as good a proof of an Explicit belief, as of the other. 2. You know that subscribing to your Confession proveth not that men understand it. And therefore you take another course to try the sound understanding of the Preacher: It is supposed that he is a known tryed man, and that the Examiners have questioned him in order to discover his understanding, besides what his preaching must discover. And cannot the Examiners as well try him by a Question about some Scripture Text, as by a Question about an Article of a Confession that no more plainly containeth the same truth? 3. And then if he contradict the necessary Scripture-truths, which

he doth confess; Church-Discipline and the Magistrate, according to the quality of the Errour and offence, must restrain him; which they may as well do, if the Scripture only be the Rule, as if it be a Confession.

Thes. 239. 2. It is necessary both to the purity and peace of the Churches, that the publishing or propagating of the Certain intolerable Errours be restrained, both by the Magistrate and the Churches: and also the practice of such Errours that are practicable.

A Liberty in things where Liberty may be granted, is necessary to the Churches peace; so is restraint in things intolerable. It is not Liberty of Conscience that I speak of, but Liberty of tongue and practice. Mens consciences are not under the inspection or cognizance of the Magistrate. He that will be an Infidel, must have liberty of conscience to damn himself, and then to torment himself whether the Magistrate will or no: But if he have liberty to infect and seduce others, the Magistrate shall answer for it. If any Libertine here interpose, and ask me, *By what Law a Magistrate shall meddle in matters of Religion to restrain men against their consciences?* I shall fully answer him elsewhere, if God will, in a more seasonable Discourse on that Subject.

Thes. 240. 3. It is necessary to the Churches Peace, that no private Congregations be gathered, or Antichurche erected by any but such as have an Approbation or Toleration for it from the Magistrate: supposing still that such private Assemblies are Allowed of course
as

as are kept by the Approbation of Approved Ministers, in a due Subordination to the Church-Assemblies.

Let Approved or Tolerated Ministers (that have an Instrument of Approbation or Toleration) have leave to allow of private meetings, subordinate to the publike, so they be well regulated by Laws. But if unlimitedly private Assemblies be permitted, then

1. It is in vain to limit Toleration; for all will be Tolerated.
2. And then it will be impossible to restrain Heresie, Infidelity or impiety.
3. Yea they may meet to plot against the Magistrate, and who can discover or hinder them? To force them to keep open their doors is some Remedy, but a poor one: for they can do it at such times as none will trouble them. What honest man will be with them on the Lords Day at the time of publike Worship, or in the night unseasonably? &c. And they can tell when any more then their own company are there. Masters of Families must be encouraged in their Family-worship, and honest Neighbours in helping each other in holy Exercises in their proper places. But no Assemblies should be Allowed by the Magistrate, but what an Approved or a Tolerated Pastor will Over-see and take care of, and in some sort be accountable for, as under his charge.

Thes. 241. 4. It is necessary to the Churches Peace, that no Pastors or Christians be suffered in Print or Speech to rail at one another, and use contentious opprobrious speeches: but that the Magistrate moderate them in their Disputes, and that the Tolerated Churches be not suffered to cast scorn upon the Approved

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Churches,

Churches, nor to be over-busie or publike in drawing away others to their mind, supposing them to have leave to worship God themselves in their Tolerated way, and modestly to defend themselves under the Magistrates moderation.

If other men for foul words shall be bound to the good behaviour, and scolding Women shall be put in the gumble stool: there is no reason that the people shall have leave to rail and scold on pretence of their Opinions in Religion.

2. In publike Disputes the Magistrate should be Moderator in point of peaceable modest carriage. And therefore he should be present in Synods usually to keep peace. No Synods have been so peaceably managed since the Magistrate withdrew from them, as they were before when he bore sway.

3. It is supposed that the Magistrate judgeth the *Tolerated Churches* to be *erroneous*, though he judge them *tolerable*; and therefore it is not fit that he give them leave to draw peop'le to their way by busie publike importunity, which may both corrupt and disquiet the Churches; nor to pour out contempt and scorn upon the Approved Ministers or Churches. But 1. They may have leave in their own Assemblies soberly and modestly to plead their own cause. 2. And also to defend it modestly in print, if it be assaulted. 3. And also to give to the Magistrate or others an account of their faith and worship when they are justly called to it. 4. And also to manage publike Disputes when the Magistrate shall License them.

Thes. 242. 5. The Magistrate in order to the Churches peace must moderate Controversies, especially as managed by Writings and Disputes : and when he seeth that they are not used to Edification, but to Division, and that they cannot be further suffered without the great danger of the Church, he must either command them silence, or prescribe them necessary bounds.

The Servants of the Lord must not strive : and therefore Logomachies and perverse disputings that gender strife, and quench Charity, especially when they kindle a publick flame, are not to be permitted : Magistrates must not here unnecessarily interpose : but when it is necessary, they must use their Authority, especially in over-seeing the press, and restraining passionate intemperate men.

Thes. 243. 6. Fraternal Associations of Churches, and Assemblies of their Officers and Messengers must be encouraged, in order to the needful correspondency and communion of the Churches ; and that Gods work may be carried on in concord, the Censor or other Magistrate being present, when he seeth it meet to restrain them from usurpations, and contentions.

I speak not of Associations of parties to bandy against each other, nor of Synods directly and properly for Government of the particular Pastors : for this is controverted among wise men, whether they have such a Power. But as Scripture and Nature require Unity and Communion of Churches, and
concord

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concord in Gods Work, so do they require the mean
that Nature it self maketh necessary to these ends
But of this elsewhere.

Dividers therefore that refuse Communion with
the Approved Churches, should have less of the Ma-
gistrates Countenance; and the Unanimous, chari-
tably peaceable men, that are Lovers of concord and
brotherly communion, should from the Magistrate
have some special countenance and encouragement.

*Thes. 244. 7. The Magistrate must not commit
any of his proper coercive power into the Pastors hands,
nor trust them with his Sword, either to depose each other,
or any way Govern each other by force: But the reject-
ing others from their communion, and perswading men
to avoid them, is all that the highest pretenders can call
an Ecclesiastical Jurisdiction over their Brethren, in
which also they are to be moderated by the Magistrate
for peace.*

It would long ago have quieted the Churches, if
the Magistrates had kept their Power to themselves,
and also had not made themselves the Prelates Ex-
ecutioners. If the Pope had not got the Sword into
his hand, nor into the hands of his Prelates, and Ma-
gistrates made not themselves his Lictors, he could
not so much disturb the peace. If his Excommuni-
cations were not seconded by violence, and he could
not meddle with mens bodies or estates, he would be
at last weary of thundering against them that care
not for it. And no Prelate hath any face of a Title
to a forcing Power: who made them Magistrates!
What they can do, must be by the Word upon the
Conscience;

Conscience; by spiritual, and not by carnal Weapons. And for a Magistrate to punish or destroy a man *eo nomine*, because he is excommunicate, before he knows whether it be just or unjust, is but to make himself the Prelates Hangman, and renounce his Reason with his Authority, and to do he knows not what or why, at the command of another; who yet cannot save him from the wrath of God if he prove a persecutor. As scolds in the street endanger not the Peace of the Land, because they are unarmed, and go to it but with Tongues, or Nails and Fists: so if Divines be kept unarmed, and have no power to persecute one another, they will at last be weary of contending, and when the fray is over, they will be as they were: Or if they passionately excommunicate each other, experience will convince them of their folly, and drive them to return to Unity, when they have felt awhile that they are but weakened by it, and hindred in their work, and made the contempt and scorn of their enemies. But if a Prelate, or a Synod, or any of them have power to displace and cast out, or fine, or imprison, or banish others when they are angry with them, there will be no peace.

Be awakened then, ye Christian Magistrates, to keep your Sword in your own hand, and use it for God, according to his Law, discerned by your own understandings (though taught by Ministers) and put an end to the quarrels of Popes, and Prelates, and Councils, that are partly contending *for your power to be in them*; and partly disturbing and destroying our peace *by your Sword* which they have got into their hands, or at their Commands.

So

So much for the Rules by which a Common-wealth may be made a Theocrasie, or truly Divine, and the Kingdom of Christ may come among us, and his Will be done to the Glory of God and happiness of the people: Which I have, though not wholly, yet chiefly fitted to this Common-wealth, out of a desire of its felicity.

Blessed are the people that are in such a case, ye blessed are they that have the Lord for their King and God. Grant us but these Substantials, and secure us these great things which our happiness consisteth in, and we will not contend either for or against such jingles as Mr. *Harrington* and others do lay so great stress upon. Monarchy, Aristocracy, or Democracy will secure us (though a mixt Government, or limited Monarchy we judge best; and Democracy worst, in most places;) so we may be secured in the main. Let us pray, and in our places peaceably endeavour, that we may see the day when the great Voice in Heaven shall say, [THE KINGDOMS OF THIS WORLD ARE BECOME the Kingdoms OF OUR LORD, AND OF HIS CHRIST] *Rev. II. 15.*

And then if all these Christian Common-wealths were but by Association conjoyned for their mutual defence, and promoting the Interest of their common King, the earth would be in its nearest resemblance of Heaven.

C H A P. IO.

Of the Sovereigns Power over the Pastors of the Church, and of the difference of their Offices.

Thes. 245. **T**HE office of *Magistrates and Ministers (or Pastors of the Church)* are *etâ specie distinct.*

There are common actions that either of them may do: but they are distinctly obliged and authorized to special works, which are therefore proper to their several Offices: and forbidden to usurp each others office. *Uzziah* the King was smitten with leprosie for meddling with the works of Priests.

Thes. 246. *The Civil power is Essential to a Common-wealth (or Civil Polity) and the Pastors only necessary to its well-being; and the Pastors are essential to the Church (as a Political Society) and the Magistrate necessary but to its well-being.*

A Church may possibly be without a Magistrate; but not well: And a Common-wealth may possibly be without the Pastors of the Church or other Ministers of Christ; but not well.

Thes. 247. *Magistracy and Ministry are each of them Immediately and co-ordinately from Christ, and*
neither

neither of them from each other. Though respectively one may be under the other in exercise, as the Object is the Agent, yet neither of them flow essentially from the other, as the effect from its proper cause.

Magistrates are not the Institutors of the Ministry. They set them not up, nor can take them down. Christ hath not put the Ministerial Power into the Magistrates hands as a conveying Cause, that they might give it Ministers. Nor do Ministers give the Prince his Power, though they have been used oft to Crown them. They are twisted together, and joyned as the Soul and Body, or rather as the Brain and Heart, the Intellect and Will, as I said before: but one is not the others root.

Thef. 248. Because the Power that is One and Perfect in Christ, who is perfectly capable of it, cannot in the derived measure, be all received and exercised by one man; therefore he hath divided it, giving part to Magistrate, and part to the Pastors, to be respectively exercised under him.

It is a great Question with many, Whether the same man may be a Magistrate and a Minister? and a greater, Whether one man may be a Sovereign or the highest in both Powers in a Nation? And yet a greater, Whether one man may be the Spiritual and Temporal Head of the whole world?

1. The Papists commonly think, and so did our Prelates, that inferiour Magistracy may be ordinarily held by a Bishop, and a Bishoprick by a Magistrate. Necessity I doubt not may make it lawful, to
which

which all Laws of meer Order do very much submit. If there were no man capable of the Ministry there but the Magistrate, or no man capable of the Magistracie but the Minister, no doubt but they might receive the respective Offices conjunctly, rather than the Church or Common-wealth should be ruined, or receive any hazardous detriment. This I stand not to prove, as supposing the Evidence obvious to the Reader. But without such necessity, it seems to me they may not be conjoynd. For 1. Christ hath plainly separated them. 2. Yea and forbid temporal Rule to his Ministers. 3. And he hath prescribed to Magistrate and Minister so much work as will take up the whole man and time. 4. And he hath forbidden Ministers to entangle themselves with the affairs of this life, 2 *Tim.* 2. 4. And 5. the antient Church universally was of this mind, as is well known, not only by *Can. Apostol.* 6. 81, 83. but by the *Council of Calcedon*, *Can.* 3. & 7. and divers others. *Synesius Epist. Const. Andronicum*, & *Athanas. ad vitam solitar. agenes*, write expressly against it, and say that God hath separated the Offices, and that its not lawful for Bishops to play the Magistrate, nor for Magistrates to play the Bishop. *Cyril of Alexandria* is branded by *Socrates* with a black Mark, as being the first Bishop there that did usurp a coercive power. What *Pope Gelasius* saith against it, you may read in *Grôtius de Imperio sum. Pol.* p. 37. He that will do one of the works faithfully, I warrant him will have no mind to have another Office to answer for, unless necessity require it, which is nothing to the ordinary case.

2. For the second Question, I deny the subject of it on one part: There is not to be a Sovereign Pastor in

in a Nation, as there is a Sovereign Prince. If there were, and one man could manage both, I confess Reason would say much for the great convenience that both should be in one hand. But we must not use our Reason to tell Christ what he should have instituted, but to find out what he hath instituted.

3. And for the third, there is no need of Argument (but where pride and faction makes men mad) to prove that no meer man is capable of an universal Episcopacy, or an universal Monarchy; much less of both; which yet the flatterers of the Pope would give him. If Pope *Gregory* so abhorred the name of universal Patriarck in *John of Constantinople*; how are they to be thought of that not only usurp both Name and Office, but also make it Essential to the Catholick Church, and necessarily to be believed to salvation? O horrid pride and faction! saith *Gregory*, Epist. Jon. Constant. c. 82. p. 208. [Tu quid Christo, Universalis scilicet Ecclesiæ capiti, in extremi judicii es dicturus examine, qui cuncta ejus membra tibi met conaris Universalis appellatione supponere? Quis rogo in hoc tam perverso vocabulo, nisi ille ad imitandum proponitur qui despectus Angelorum legionibus secum socialiter constitutis, ad culmen conatus est singularitatis erumpere, ut & nullibi subesse, & solus omnibus præesse videretur?] He meaneth [the Devil.] And doth not the Pope now do the same, and much more? What need we any other testimony to prove the novelty of Popery? And how will the Pope any better answer it to Christ the true Universal Head, then the Bishop of *Constantinople* could do?

But

But I have said more to these men in due place.

Thes. 249. Magistrates and Pastors having different kinds of Power, must exercise their several Powers one another: So that the Magistrate is the Pastor Ruler by the sword, and the Pastor is the Magistrates Pastor and Ruler by the Word.

This is unquestioned among all sober Christians: We have that the Papists put in some exceptions for the exemption of their Clergy. There is no prudent Christian Magistrate that dare or will deny, that Pastors Authoritatively exercise their Office towards him, as well as towards other men. To exempt them from the Pastoral Power, is but to exempt them from their care and charge, and so from the benefits of their work: which is no greater a favour then to be exempted from all other helps from God by man: Was it *Alexanders* servitude to be taught by *Aristotle*? Would not that flatterer be kickt out of doors by a Prince, but should perswade him not to Obey his Physicians for his bodily health and life, as if it were a debasement of his Majesty? Or that should perswade him not to let his Son be Guided by School-masters and Tutors?

The Government of Pastors is much like a Physicians Government of his Patients, especially in Hospitals, or Cities where Physicians know their charge: Though a man be authorized by the Prince to be a Physician, it is but unto voluntary Patients: every man may choose whether he will take their medicines or not. If the greatest Prince or the poorest man account it his Liberty, to die or be sick, rather then to

submit to the Rule of a Physician, they may use that Liberty. If they refuse to obey the Physician, his Punishment is to deny them his help, and let them take their course. If God have intrusted Pastors as his Officers, with a pardon to be by them delivered to the Penitent, and sealed by Baptism or the Lords Supper, or published by Absolution from particular sins, it is not in the power of any Prince here to interpose and force the Pastors to deliver this pardon or the seals to whom he please; or to the Impenitent, contrary to the will of Christ. We must be faithful dispensers of the Messages, Pardon, Seals, and all Ordinances committed to our trust. Nor will I at the command of a Prince, be the Pastor of a Church that will have Church-priviledges, and refuse Church-Discipline. If the Prince himself will have me to be his Physician, and yet will Rule himself, and refuse my directions, and command me to give him my Medicine that he may take it how and when he list himself, I will disobey him, (if the Medicine mis-used be dangerous) lest I send him poyson instead of Physick; that may be poyson in his ungoverned way, that may be *health* in mine. And as long as he is free, whether he will use me as his Physician or not, it is no injury to his Dignity, that I require him to submit to my direction, upon the penalty of being without my help. I need not tell you of *Ambrose* his usage of *Theodosius*, or *Chrysostoms* freedom with *Eudoxia*, and his resolution rather to lose his hand, then give the Sacrament to the proud contemners of God and discipline: the nature of the office may satisfy any; he that hath said [*A man that is an Heretick, after the first and second admonition reject*] and [*put away from among*

among you that wicked person] and [with such, no not to eat] hath not said, [except the Magistrate command you otherwise] or [except he be a Magistrate.] Though accidentally (as I shall shew anon) he may be excepted.

Thes. 250. *The nature of Pastoral Government, whether over Magistrates or the meanest men, is not Imperial, Magisterial, Coercive by any force on body or estate, but like that of a Tutor over his Papi's, or a Physician over his Patients, but that it is of a more especial Institution of Christ, and exercised by his Commission, and in his name.*

The Minister indeed may *Command*, but only as an Embassador of Christ in his name; and not by a proper Imperial power. We may *Command* a wicked man to Repent in the name of Christ; but cannot touch his Body or Estate if he disobey: but by the same power bind him over to answer it at the Bar of Christ. The Pastoral Power is but that of Preaching and Applying the word of God, and administering his holy Worship. His jurisdiction is no other but this managing of the Keyes of the Kingdom of heaven. Excommunication and Absolution are but the Application of the Law of Christ to the persons and cases before us. But yet a Message from the Eternal God hath so much authority on the well-informed soul, that it can prevail without a rod or sword. We desire not to meddle with the sword or violence; but desire the Magistrate to vindicate his power from all invaders, not only for his honour, but for the Churches Peace.

Thes. 251. The Magistrate hath power over the person of the Pastor, but no over his office; and the Pastor hath a spiritual ministerial Authority even over Magistrates, but not over their office: that is, they can make no alteration in it, nor do any thing against it.

It is God that hath Instituted both the Offices, and therefore neither of them can change his Institutions; not wrong the Office of each other, by any deprivation.

Thes. 252. The several Powers of Magistrates and Ministers toward the persons of each other are limited, and neither of them are left to their absolute wills.

It is not enough for a Minister to say, The Keyes of the Kingdom of Heaven are committed to me, and therefore I may use them as I please: For he that did commit them to him, did also leave him a Law to use them by. And so is with the Magistrate.

Thes. 253. A faithfull Minister must be no flatterer, but reprove a Prince as closely as another man: yet so that he be sufficiently tender of his honour, which is necessary to the ends of Magistracy.

1. How plainly by Gods own Command the Prophets dealt with Princes of old, and the Apostles with all men, and the ancient holy Bishops with the greatest, is a thing so well known as needs no proof. If Princes sins be greatest, and their souls as precious as other mens, and their sins as dangerous to themselves,

selves, and much more to the Commonwealth than others, there is then great reason why they should be as closely and faithfully dealt with. And he that meets with the reward of a *Zechariah* or *John Baptist*, is as true a Martyr, and may as comfortably give up his soul to Christ, as he that dyeth in defence of an Article of Faith.

2. But the Honour of Magistrates must be tenderly regarded by the Reprover; and therefore his Reproof should be in secret, till meer necessity call it out into publike audience. Not out of fear, or flattery: but 1. The honour of God is much concerned in the Magistrates honour, for his Office-sake. If they should not too harshly uncover the nakedness of Ministers, no more should Ministers do theirs.

2. If the Magistrate be once under dishonour, he will be less capable of serving God, and managing his calling for the Common good, because of the contempt. It is therefore necessary to the Common good, that the Magistrates honour be preserved. But if he openly offend, and own it, and openly persecute the Reprover, and leave himself incapable of more secret Reproofs, he may be openly Reproved, so it be with that submission and modesty that may signifie that we Honour him as a Magistrate, while we reprove him as an impenitent offender.

Thes. 254. Whether it be in case of Heresie or other crimes, both Magistrates and Pastors are Judges; but differently, as to different ends: The Magistrate is Judge who is to be corporally punished for Heresie or any crime, and this no Pastor must usurp: The Pastors are Judges Directive, who is to be excommunicated for

Hereſie or other crimes, or Absolved upon Repentance : and this no Magistrate may uſurp.

It is therefore an inſipid Queſtion of the Papiſts and Libertines, *who made the Magiſtrate Judge of Hereſie ? Or, who ſhall be Judge of Controverſies in Religion ?* For Judgement about the ſame caſe is not all of the ſame kind : but is diſtinguiſhed from the diſtinct Executions which are the ends. There is a *Judgement about Corporal puniſhing, or not puniſhing ;* and this belongeth to that Power that puniſhing to belongeth to : And there is a *Judgement about Church-communion and Priviledges ;* and this belongs to them to whom it belongeth to admit to, or exclude from that Communion and theſe Priviledges ; which is not a Pope or diſtant Metropolitane or Dioceſane, but the preſent Paſtors of the Church, the People alſo having a Judgement of diſcretion, ſo far as is neceſſary to their own part in the Execution, and no more.

Theſ. 255. Though a Magiſtrate may be an object capable of Excommunication ; yet as it is not raſhly to be done on the loweſt ſo it rarely falls out that the Sovereign may lawfully be excommunicate ; becauſe by Accident it becomes unmeet.

For inſtance : 1. It ſeldom if ever falls out, but that an Excommunication of a Sovereign will ſo diſhonour him, as to make againſt the Common-good, by making him leſs capable of improving his Office. 2. And it ſeldom falls out but that it will provoke the Magiſtrate to perſecute not only a particular perſon,

son, but all the Church that shunneth his Communion. 3. And it seldom falls out that the Prince is a member of that particular Church that moveth the doubt. 4. It is an hundred to one that the Church may as securely for their own Consciences, silently withdraw themselves from the Communion of such a Prince, without any Publication of an Excommunication to his dishonour. All this considered, and withall that Affirmatives bind not *ad semper*; and that Positives give place to greater duties, and by weighty Accidents may be suspended (as Christ shews, in the case of the Sabbath and eating the shew-bread) I think it will follow, that seldom, if ever, doth it fall out, but that by Accident, it will be unlawful to excommunicate the Sovereign, though Church-power simply extend to him as well as others.

Thes. 256. If a Magistrate of higher or lower rank be excommunicate, he must for all that be Honoured and obeyed, and no man is warranted thereby to contemn him.

Much less may men lay hands on him, or dispossess him of his Dominions, as the Pope doth by Christian Princes, or allow the Subjects to rebell, or to murder him. Wonderful! that Princes will so long endure that Power, that not only teacheth this, but hath so often executed it.

Thes. 257. To deny Magistrates to be the Objects of Pastoral Power, is but to deprive them of the Excellent mercies of the Gospel and Sacraments, and Church-communion, and order, and Absolution, &c. which Christ hath committed into his Ministers hands, and

which Princes need as much as others, and have a much right to.

The Ministerial Power is but an Obligation and Authority to administer these mercies in the name of Christ: and therefore the first Question is, *Whether Magistrates have Right to the Blessings or not?* If they have not, they are the most miserable: If they have they must be so far under the Power of him that doth administer them, as the ends and application doth require. As if the Turkish Emperour were converted, and did believe in Christ, he had Right to Baptism for Remission of sins: And therefore he must be so far under the Ministers Power, as to be judged by him, whether he be indeed a Believer, and fit for Baptism, or not. And so for Communion in the Lords Supper, and Absolution, and the rest.

Thef. 258. Magistrates may not usurp the Pastoral office, nor do the works that are proper to it.

Such are the Administration of Sacraments and other publick Worship, and all contained in the Keys of the Kingdom of Heaven: The Example of *Saul*, *Uzza*, and many Scripture passages are plain in this. [No man taketh this Honour to himself, but he that is called of God, as was *Aaron*] Heb. 5. 4. Yet Magistrates must worship God with their families and people as they have opportunity. Though they are not [separated to the Gospel] and have not a charge of being the Teachers of a people, yet must they joyn Instruction with their corrections; and Judges on the Bench, and other Magistrates, may teach the people the

the Laws of God. *Constantine* usually made such Orations as we call Sermons. And that they may pray with them, is as much past doubt; but yet not to the Pastors part.

Thes. 259. *Ministers as well as other men must be subject to Magistrates, and pay them Honour, obedience and tribute: and are to be punished by them if they disobey.*

When *Will. Barclay* was pleading against the Popes Supremacy over Princes in Temporals (which in despite of all the Sophisms of *Bellarmino* he hath well performed) cap. 33 pag. 265. he begins with an [Amplius dicam, & veritatem, licet odium fortassis mihi parituram, &c. — Dicam ergo, & grande verbum perloquar, cujus forte aut nondum meminist quisquam, aut, si meminist, saltem eos quos intererat id scire, non ut debuit commonescit: Clericos scilicet per totum orbem, quocunq; ordine vel gradu sint, non esse adhuc ullo modo exemptos & liberatos à potestate temporali Principum secularium in quorum regnis ac regionibus vitam degunt, sed perinde ac cæteri cives ijs subjectos esse in omnibus quæ ad politicam & temporalem administrationem & jurisdictionem pertinent, inq; eos jus vitæ ac necis, &c.]

O fearful, doleful state of the Papal Nations! when among them, yea even in *France*, the Power of Princes over the Clergy, and the duty of Pastors to obey the Prince in secular things was so unknown, as that so wise a man must begin with a [forte aut nondum meminist quisquam] —

It is one of the intolerable usurpations of the Papal

pal Clergy, to plead an exemption for such a numerous potent party, from municipal Laws and Magistrates Judgement: Though Christ paid Tribute, as commanded *Peter* to do the like: and *Peter* and *Paul* have given such expresse commands to all the Church without exception, yea to every soul, to be subject to the Highers Powers, to honour them, to pay them tribute, &c. yet all this is nothing to men that have got the mastery of Gods Laws. Is it possible that they that plead Antiquity and Tradition for their Religion, can believe that they have either of them for this? Were the ancient Bishops exempt from the Judgement of the Magistrates, though Heathens? Or did ever any of them plead for such exemption? Nay, do they not with one consent profess the contrary? Doth not Scripture and all Antiquity speak plainly for the Magistrates power over Bishops (that is the Pastors of the Churches) and for the Churches subjection to Magistrates, as its possible for words to expresse? And yet these Novelists traitersonly pretend exemption. Persecution by unrighteous Judgement indeed the ancient Christians did deprecate and declaim against: but never against Magistrates judging of the Clergy. They did indeed condemn those Christians that were so worldly, uncharitable, and contentious, as to go to Law about personal injuries which Christ had commanded them to forgive, and about the trifles of this world, when they all believed an everlasting glory: especially seeing they were Infidels that must be their Judges, who were their common enemies and persecutors! They made several Canons to restrain them from such uncharitable courses, requiring them to avoid such inconveniences,

sciences, to refer the matter to some among themselves. And so the Bishop became by their voluntary consent, instead of the Magistrate to them: but it was as well to the People as the Pastors of the Church: And when Magistrates turned Christians, the Churches kept their custom; and hence the Pastors would plead exemption from the Laws. It is still desirable that those that live in holy Communion, should forbear Law-suits about personal matters, till a reference to sober pious Neighbours may decide the difference, and prevent the uncharitable and costly consequents. But what? Shall we hence conclude that Christians are not subject to the Magistrate? Yea, even to a Christian Magistrate that is a Father and a Nursing Father to us? Must every soul be subject, and yet all the Papal Clergy be exempt? With Bernard to them [*Si omnis, & vestra: quis vos eripit ab universitate?*] Saith Chrysostom in Rom. 13. Every soul, though an Apostle, though an Evangelist, though a Prophet.] How is the Soveraign Power withheld, if the Pope, even about the corporal penalties of the Clergy, be above him? Who knows not the ancient Christians profession? such as that of Ambrosian ad Scap. [*Colimus Imperatorem sic, quod nobis licet & ipsi expedit, ut hominem à Deo secundum, & quicquid est à Deo consecutum, solo Deo minorem. Hec & ipsi volet, sic enim omnibus maior est, dum solo vero Deo minor est*] So Optatus adv. Parm. lib. 3. *Super Imperatorem non est nisi solus Deus qui fecit Imperatorem.*] But of this there is so much written by Bilson, Chamier, Spalatensis de Repub. Eccles. Sarravia, and abundance more, that all the Papists in the world may sooner multiply their guilt and

and shame, with maintaining their treacherous crime then ever justifie so palpable an impiety. *Mich. Godastus* hath done good service to the Church & Christian Common-wealths, in rescuing and delivering so many learned antient Treatises against their usurpation. And smartly they are lash't for it by *Sigebertus, Aventine, Benno, Matth. Paris*, and many antient Chroniclers, but not so much as they deserve.

Only one thing I crave the Magistrates of England to see, that the masked Papists are now pleading the same cause by the Libertines, which where they have better opportunity they do in their own names. He too blind that seeth not who is the Spirit and life of all our common Paradoxes, [That the Magistrate governeth us but as men, and not as Christians: That he hath nothing to do with matters of Religion: nor may punish men for their consciences] that is, for sinning and defending it as just. The meaning of it Originally and Finally, that all these things belong only to the Church, that is, to the Pope and Prelates.

Thes. 260. Magistrates must not only Govern Ministers as men, but as Ministers; nor Christians only as men, but as Christians, and as Churches; nor only in secular affairs, but in the matter of Gods worship.

As a Magistrate doth not only Govern Physitians as men, but as Physitians, with his kind of Government; nor Academies and Colledges only as men, but as Schollars and Societies; nor Merchants only as men, but as Merchants; nor School-masters only as men, but as School-masters: So do they also by Minister

ters and Christians. *David, Solomon, Jehosaphat, Ezekiah, Josiah*, governed the Priests as Priests, and the Levites as Levites, and that in the matters of Gods worship. When *Constantine* sat in the Council of *Nice*, did he not govern Bishops as Bishops? The same may we say of *Martian, Theodosius*, and other Emperours.

Thes. 261. *Though Magistrates cannot usurp the Ministers office, nor any part of his proper work; yet if they punish him for male-administration, and in case of unfitness, cast him out from the Liberty of exercising office in their dominions.*

For Magistrates are the guardians of the Church, and must see to the execution of Gods Laws by all their Subjects in their places: And therefore Gods Laws were first given to the Prince and Priest, and by them to the people, as *Isychius* saith, in *Levit. 15. g. 329. Redè Moyse quidem & Aaron loquutus est, sed tradi filiis Israel, id est, omni populo, mandatum jubet: quia quæcunque per doctrinam divinam præcipiuntur, seu scribuntur, primum quidem principibus egent populi, quia ipsis maxime divina est edita doctrina, &c.*] How could the Magistrate *Custos utriusq; tabulae*, if he might not punish all his Subjects that violate them? He that may punish a parent for neglect of his own children, and a husband for the neglect or abuse of his own wife, or a master for wronging his servants, no doubt may punish a Pastor for wronging his flock, and abusing the finances of God.

If a Pastor preach false Doctrine, the Magistrate cannot

cannot therefore forbid him preaching, and yet continue him a Pastor : and if he misadminister Sacraments or any holy Worship, the Magistrate may not forbid him the administration of those Ordinances and yet allow him the rest of his Office : and if he abuse his power about Church-censures, he cannot take Church-Government from him, and yet continue him in the free exercise of other parts of the Ministry ; for this is to abuse and alter the Office. Nor is it necessary that the Magistrate form him Law of his own by which to exercise his Ministry. But the Magistrate must first rebuke those that miscarry, and then punish them if they amend not, and cast them out, in cases that make them more *hurtful* than *helpful* to the Church. Yet in this casting them out, the Magistrate doth not *Degrade* them. As he *Ordaineth* not Ministers, so neither doth he nullify their *Ordination* ; but only prohibiteth them to exercise the Ministry in his dominions : and this no question but he may do.

Object. But Magistrates are seldom competent Judges of Doctrine and Administrations, as having no will or time to study as divines have.

Answ. 1. It should be the principal part of their studies to know the Laws of God ; and therefore it is their own fault if they are ignorant. 2. Woful or negligent omissions of a person, may not allow us to alter the Office. 3. It is supposed that Magistrates have the counsel of Divines in such matters. Though a Magistrate be incapable of Judging matters of Physick and Astrology, yet may he Govern, and for their offences punish Physitians and Astrologers, upon the counsel of such as better understand the matter.

Object

Object. *By this means Magistrates will be led to wrong judgement, and so persecute the Church.*

Ans. 1. So you may say of his Governing the Professors of any Arts or Sciences. 2. Whoever governeth may be lyable to such inconveniences. That part of the world that hath escaped the plague of being blinded by selfish interest and partiality, do know that the Pope and Prelates have been far more guilty of this mis-judging and persecution, than Princes have been: and that Princes have been drawn into almost all their guilt by Popes and Prelates (supposing we speak of Christian Princes.) 3. We must not be deprived of the blessing of Government for fear of abuse through humane frailties: No more than we must be against eating, and drinking, and apparel, to avoid gluttony, drunkenness and pride. God hath commanded Magistrates to do their duty: They cannot so far mistake as to become dangerous persecutors of the Church without some grievous negligence or malignity of their own; which if they are guilty of, and will know no mean between *Negligence* and *Persecution*, they shall bear the blame and punishment from God.

If Pastors will cast off the work of Preaching, or be negligent in it, all grant that the Magistrate may punish them. And so he may, if they cast off Discipline, and corrupt the Church by admitting and retaining the prophane and scandalous: And so may he punish them that will exclude the faithful to the detriment and hazzard of the Churches, or the great injury of the persons themselves. As if a Pastor will gather a Church in a Parish, and exclude the greater part of them that are meet to be received
and

and desire it, submitting to any reasonable terms, when perhaps no other Church is near for them to joyn with. It is meet in this case that the Magistrate allow them a Pastor that will Govern them according to the Word of God. And so in other cases.

It is therefore an injurious clamour of them that say, [*If Pope and Prelates be laid by, Presbyters will be lawless, and will be every man a Pope in his own Parish, and who shall govern them, or punish them if they offend?*]

Ans. Is the Christian Magistrate no body with these men? Are his Laws and Government nothing? Who hath to do with corporal punishing but he? I would we could once see a Pope and Prelates that had no other arms but spiritual: I doubt not but the world would quickly find, how little their Authority will uphold their Kingdom, or maintain their Unity or Strength. If Pastors are to be rejected from Communion, it concerneth them with whom they had Communion: If they are to be fined or punished corporally, it concerneth the Magistrate alone.

Thes. 262. If Magistrates punish Ministers unjustly, that is, persecute them, they must not resist, nor dishonour the Magistrate, but patiently suffer the wrong.

This being commonly confest by Protestants, and plain in it self, I shall take as granted.

Thes. 263. If Magistrates forbid Ministers to preach or exercise the rest of their office in their dominions, they are to be obeyed, in case that other competent persons are provided for the work, that the Church receive no dangerous detriment by it; but otherwise they are

not to be obeyed, but we must do Christs work till they disable us.

1. That *they are to be obeyed* in the first case is plain; because it belongeth to them to govern and order the worship of God. *David, Solomon, and other Kings of Israel or Judah*, did take down and set up Priests, and order the Officers of the house of God. The deposing of *Abiathar* and setting up of *Zadok*, was just: And therefore when it is but *Ordering* and not *destroying* that they are about, we must obey them. Besides the Ministry may not lawfully be taken up or held for *personal commodity* (principally) but for God and the common good: If therefore nothing but *personal commodity* be crost, and the *Church not haz-arded* or much damnified by it, we have no reason to disobey: Much less when *personal commodity* it self doth also invite us to consent. And I am of the opinion that the Minister that doth not serve the Lord upon terms of *self denial*, and *suffereth not* (one way or other) more to his flesh by the Ministry, then he should do if he were put out of it, (unless in some extraordinary case) hath greater reason to suspect that he is either a self-seeking man, or at least doth serve God with much unfaithfulness and carnal compliance. We are sure, *Obedience to Rulers* is a *Duty*, and therefore we must not disobey them till we have such reason as may justify it.

2. But yet that we *must not obey* in the other case, (when it tendeth to the destruction of the Church, or notable damage of mens souls) is plain. 1. Because the Magistrates as well as the Ministers have their Power to Edification and not to destruction. No man hath

authority from Christ to destroy his Church or the souls of men. 2. Because our office dependeth as immediately upon Christ, as the office of the Magistrate, and therefore men cannot dispence with us against his will. 3. The Apostles have gone before us with their example, preaching and exercising all their office, though they were both prohibited and beaten; and have taught us to say, [*Whether it be better to obey God or men, judge ye.*] 4. Else it would also warrant all Christians to forbear praying and other worship of God, when the Magistrate commandeth it: which neither *Daniel* (*Dan. 6.*) nor the *Apostles*, or any good Christians did believe. 5. And it would excuse men on these accounts from Martyrdom.

Quest. But must we not obey the Magistrate forbidding us the exercise of our office, if any hurt accrew by it to the Church?

Answ. We must prudently consider, Whither the hurt of our silence and forbearing our office, or the hurt of our not obeying the Magistrate, is like to be greater as to the Church; and whether the Benefit of our Ministry, or of our submissive silence, is like to be greater to the Church, and the honour of Christ, and accordingly our choise must be determined.

Thes. 164. If a Magistrate command us to do evil in Gods worship, or elsewhere, we may not obey him.

E. G. If he disable me only from casting out from the Church or its Communion, a wicked impenitent person, in case of necessity, I must obey him; and may yet continue in that Church, (unless I be called

to another) but if he require me to apply *Abſolution*, or the *Sacrament* *perſonally* to that man, I may not obey. Or if he require me to preach falſe Doctrine, or renounce any truth of God (and yet ſome may be ſilenced for a time.) For ſin muſt not be committed for the pleaſure of man.

Thes. 265. *Magiſtrates may determine of ſome neceſſary circumſtances in the worſhip of God, which God hath left undetermined in his Word; but yet they muſt take heed of unneceſſary Laws, and of invading the office of the Paſtors.*

Magiſtrates may not make God any new worſhip-Ordinances. Circumſtances of worſhip are *Determined* by God, or *Undetermined*. The former (as the Lords Day) the Magiſtrate muſt ſecond by Laws, requiring obedience to Gods Laws. The ſecond ſort are *Necceſſary* or *Unneceſſary* to be determined: If *Unneceſſary*, the Magiſtrate ſhould not put it into a Law (N. a thing may be neceſſary to be determined, but is not it ſelf comparatively neceſſary, but another might have ſerved in its ſtead.) If the determination be *Needful* or *Profiſtable*, then either *Ordinarily* to a whole Nation, or only mutably *pro hic & nunc*. The latter ſhould be left to the Paſtors determination: The former the Magiſtrate may determine: As e. g. What Tranſlation of holy Scripture ſhall be of public uſe; What Verſion of *Pſalms* ſhall be Sung, &c. We need no Biſhops for theſe, if the Magiſtrate pleaſe.

Thes. 266. *The Magiſtrate may appoint no new Offices*
X 2 *ſects*

ficers for Gods worship it self, but he may make new Officers for these circumstances of his Worship.

God hath done the first already. That the Magistrate may do the second, is plain, in that he may determine of that which is his work: And so he may *circa sacra* make officers, as Church-Wardens to look to the building, and Porters to keep the doors, and Sextons to toll the Bells, look to the utensils, and Censors to keep peace and order.

Thes. 267. *Magistrates have the chief Power of Temples and Church-maintenance; yet so as that they are bound by God, so dispose of it for his Churches greatest benefit.*

If any Give maintenance to the Church, the Magistrate may not lawfully alienate it, no more then may destroy other pious or charitable works: But yet all Churches, Colledges, Hospitals, so erected, and under his Government for the common good. If the Magistrate command us to forsake the Temples, and put others in possession of them, we must obey. If he take from us the publick maintenance, we must submit: When yet (if the Churches good require it) we may be bound to preach without maintenance from him in some other place. Bishops have nothing to do with Temples or Maintenance, but under the Magistrate, by his grant: And yet both are (in general at least) *jure divino*, of Gods ordination, which cannot be denied the Church without sin.

Thes. 268. Though Magistrates may not lawfully take from the People the Power of choosing or consenting, or from the Pastors the Power of Ordaining, yet must they oversee both People and Pastors, and not suffer them choose or order such as are intolerably unfit, but by moderate corrections bring them to a right choice and ordination.

1. Christ hath left the foresaid Power to the Pastors and people: and therefore the Magistrate may not take it from them. 2. Yet as he hath left the Power of Governing all men to the Magistrate, so no man can take this from him. And he is not to leave the People to choose what Ministers they please, nor to allow Pastors to ordain whom they please; but to see that they do all to the Churches good: None of them can have a fuller power in his place, than a parent hath over his own children, who yet must be hindered by the Magistrate from wronging them, and forced by him to feed and cloath them, if he deny it.

Thes. 269. The principal work of Magistrates about Religion, is to preserve it, and further the Obedience of Gods Laws, which is a great part of his work; but not alter it.

1. Truly saith *Grotius de Imperio sum. Pot. p. 8, 9.* *Hæc enim est vera civitatis felicitas, ut Dei sit amans, amata Deo; illum sibi Regem, se illius populum agnoscat: quemadmodum præclare loquitur Augustinus de Civit. Dei. l. 5. c. 14. qui & sælices dicit Reges si suam potestatem ad Dei cultum maximè dilatan-*
X 3
tandum,

tandum, majestati ejus famulam faciant.] So the Emperours *Theodosius* and *Honorius* in Epist. ad Marcel. Neque enim aliud aut belli laboribus agimus, aut paci consiliis ordinamus, nisi ut verum Dei cultum orbis nostri plebs devota custodiat.] Et *Theodosius* ad *Cyril.* Cæsarei est muneris, ut non solum pacificè sed pie etiam subditi vivant.] See what *Grotius* cite out of *Augustine* and others, pag. 11, 12, 13, 14 and the Confessions of *Homer, Livie, Horace, Valer Max.* &c. p. 18, 19 That irreligiousness and the contempt of Gods worship, is the ruine of Governours, &c.

2. To be *custos Tabularum*, is not to charge them Some think if Magistrates may not make *Indifferent things necessary*, and so make new Church-Ordinances they have nothing to do: As if it were nothing to promote the obedience of Gods Laws? Have all the Judges and Justices of *England* nothing to do because they have no Legislative power? One Legislator is enough in a Common wealth.

Thes. 270. It being so high a part of the Magistrates work and honour to promote Gods service and mens salvation, yea an higher end of his Magistracy then meir corporal common good, their doctrine is trayterous and intolerable who affirm 1. That Magistrates have nothing to do with matters of Religion, but are to leave all men to their consciences, and govern us as men, and not as Christians, Churches or Ministers. 2. That the Clergy are exempt from the Magistrates judgement and so would set up the Pope as a civil Prince in every Common wealth.

His charge against the Presbyterians as such, is false, that feigneth them to set up *Imperium in Imperio*, if *Imperium* be taken for any *Civil forcing power*. But the two parties that I now mention do plainly hold a doctrine intolerable in a Common-wealth. 1. I shall, God willing, more fully shew you in a short Treatise by it self, how they debase the office of the Magistrate, and teach people to value him but as the dirt of the earth, and incomparably below the Ministry, that would make him so terrestrial as to have nothing to do with the matters of Religion, nor the promoting of mens salvation as such.

2. The Papists are of three sorts herein. 1. Some of them hold (as *Hostiensis*, *Bozins*, &c.) that the Pope is directly intrusted with both Swords by Christ, and is the spiritual and Temporal Monarch of the world. 2. Others of them (as *Bellarmino*, that sai h, *It is the common judgement of Catholick Divines*, de Rom. Pont. lib. 5. cap. 1.) say, that the Pope indirectly in order to spirituals, hath the supream power in Temporals through the world; even as the soul hath over the body: This comes all to one with the former. 3. *Barclay* and others more moderate, asserf the Sovereignty of Princes against the Pope: and so do the Learned Lawyers of *France*. But all they that do depose the Pope from his usurped Sovereignty over the Laity, yet leave him the sole Judge of the Clergy, or take them from under the Magistrates power, do plainly set up a *Monarchy* in every *Common-wealth*, besides its proper Government, and give the Pope a Civil Govern-

ment in every Christian Nation in the world. For is not that a Civil Government that punisheth men by fines, imprisonment, or death? Though it be about Clergy-men, surely it is a Civil Government. It is long of facile unfaithful Princes, that give up half their Power to the Pope and his Prelates, that the Christian world is so divided. Had not they armed the Pope, he could not have done it. If Princes will not be wiser, let them take heed lest they excite the people to enquire, *Whether a Prince have Power to give away his Sovereignty or part of it to another?* and what the introducing of a foreign Sovereign should be esteemed, and how avoided?

CHAP. II.

Of the Sovereigns Prerogatives, and Power of Governing by Laws and Judgement.

THE Reader need not tell me here, either that the whole should have been handled before the parts, and the *Genus* before the *Species*, or that Laws and Judgement are parts of *Administration*, and not of the *Constitution* of a Common-wealth: For I intend not exactness of Method, and I purposely pass over the *Jura Regalia* generally before, and resolve to say nothing (here at least) of the *Administration*, but what falls in upon the by in the description of the *Power* and therefore shall somewhat the fuller here describe the Power with respect to its acts, which I avoid the fuller handling of, and say no more of the *Jura Regalia* then is necessary hereunto.

Thes. 271. *The Rights of the Sovereign are, 1. His Power of Governing, which is his Office it self. 2. That safety, strength and Honour, as far as the people can afford it, which is sufficient or necessary thereunto.*

I know that Politicians use to treat of this part before they treat of the *Species* of Common-wealths: and therefore I took in briefly so much of it in the fifth Chapter as I thought there necessary: and shall speak a little more fully of it, for the forementioned

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tioned Reasons: especially because I omit that par
where the nature of Laws should more fully be open
ed; I know also that Politicians much differ in de
scribing the *Jura Regalia*; and that those that rather
enumerate then describe them, agree not about the
Enumeration. They are usually distinguished into
the *majora & minora*. I think they may best be re
duced all to these two Heads: Of which the latter
shall be first spoken of, because it is but for the for
mer.

*Thes. 272. 1. It is a Prerogative of Majesty, that
the Sovereigns life have a special Guard; and that the
crimes that tend to his destruction be Treason, and have
the severest punishment.*

For the Common good is so much concerned in
the Sovereigns life, that it is not to be left so open to
the stroak of malice as another mans. It is requisite
therefore for the safety of the Commonwealth,
1. That there be special Laws against Treason; and
2. That the Sovereign have a sufficient safe-guard.

*Thes. 273. 2. Another Prerogative is, to have po
wer to bind all the subjects in an Oath of fidelity.*

As the welfare of the people lyeth much on the
Sovereigns life, so will it therefore have more ene
mies: and therefore there is reason that those espe
cially should be engaged to the utmost to fidelity and
defence, for whom it is that he incurs the danger.
As he is sworn to Govern them faithfully, so must
they to defend him.

Thes. 274.

Thes. 274. 3. *Another Prerogative is, to declare enemies to the State, and to have the power of war and peace.*

Though some peop'le limit their Sovereigns in this, because their welfare lyeth so much on it; yet when a Parliament of their own choosng have a part in the Sovereignty, it is not fit at all to limit them. For it is not to be supposed that so many persons chosen by themselves should willingly sell their lives to the enemy, or ruine the Common-wealth: And its known that all men are too selfish, and ready to prefer their private good before the publike: & therefore the common Subjects must be forced to secure the Commonwealth, and not be suffered to put in such Reserves as may endanger the whole, under pretence of securing their several private Interests.

Thes. 275. 4. *Another Prerogative is, to have the power of the Arms and Forces of the Nation, for defensive and offensive wars.*

This in some respect belongs to this Head of security and strength, and in some respect to the other Head of Government. For the commanding of Armies is a part of Government. Though where the Sovereignty is divided between a Prince and Parliament or Nobles, there may be contests about the Power of the *Forces*; yet between the Sovereign and the Subject there can be none, save only about the securing of any Liberties, which by Limitations in the Constitution by his own consent he is bound to grant

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grant them, and faithfully preserve: No doubt the
Soveraign hath the chiefest command of the Nations
Arms: And he that may not command them to
fight, doth in vain command them to obey in civil
cases, and in vain undertake to be their Governor.

Thes. 276. 5. Another Prerogative is, by Crown-
lands, Tributes, Customs, and other incomes to receive
sufficient Revenues to defray the charges of the Govern-
ment.

Without this the Government could not be ex-
ercised. Christ payeth tribute, and so doth Peter: and
Paul saith, *Rom. 13. 5, 6, 7.* [*Ye must needs be subject,*
not only for wrath, but also for conscience sake: for, for
this cause pay you tribute also: for they are Gods Mi-
nisters attending continually upon this very thing: Ren-
der therefore to all their dues: tribute to whom tribute,
custom to whom custom, fear to whom fear, honour to
whom honour] The limitations I before mentioned.

Thes. 277. 6. Another Prerogative is, to have that
Eminency of Honour which is needful to maintain Au-
thority, and to have a power of securing it by special
Laws.

If Magistracy be not kept from contempt, the
common safety and peace will not be preserved, nor
vice restrained: As *Majesty* is a beam from the *Hea-*
venly Majesty, so must it participate of the *Splendor*
in a necessary measure, as well as of the *Power*. This
is principally needful for the honour of God from
whom it flows; as an *Embassadors Honour* is the
Honour

Honour of the Prince : next it is needful to the public good, the end of Magistracy. And therefore the dishonourers of *Majesty* must be more severely punished, then those that detame or dishonour private men, though personally perhaps of more excellent qualifications.

Thes. 278. 2. *The highest prerogative of Majesty is its constituted form; that is, to be the summa Potestas, to have the Supreme Government. This consisteth, 1. In having the supream Legislative power. 2. And the supream power of Judgement, and execution of that Judgement.*

Some call this Essence of Majesty its *Prerogative*, and some think that Title belongeth but to the *Accidents* : but it being the principal *Jus Majestatis*, Magistracy it self being essentially a *Jus Regendi*, we shall therefore so call it, leaving to all the Liberty of their own phrase. And though it may be thought to be out of place, I shall here stay a while, and enquire into the nature of Laws, under this Head of *Legislative Power*, and then speak of the *Properties* of Supremacy herein : and then of *Judgement*, but very briefly.

Thes. 179. *A Law is an ambiguous term, and is taken, 1. Sometime for the internal mind of the Law-giver. 2. Sometime for the external products. In the former sence Gods mind and will is called Lex æterna; which properly is but the Fountain of Law, unless you take it as the Significatum. In the latter sence, 1. Sometime it is taken for a means of effecting; and sometime for*

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for the thing effected on the Subject. In the former
sense, sometime it is taken Metaphorically for a con-
nexion of Physical causes; and sometime for meer moral
potestative Rules: And sometime it is taken Metaphori-
cally for the orderly disposal of inanimates and brutes;
and sometime only for Rules to the rational free Agent.

Thes. 280. *I take the mind of the Law-giver, the*
settled order of Nature among inanimates or brutes, or
man as a Natural agent, and also the impress on the soul,
as such, to be improperly called Laws: and therefore take
not the word in any of these senses.

Thes. 281. *The Law of Nature and of Grace, are*
sometime taken for the imprinting signs, and sometime
for the Impressed Image: In the latter sense I take
them improperly to be called Laws.

Yet even the *Internal Disposition*, considered not
as a Disposition, but a sign of Gods Will, I number
with the Laws of Nature. But Internal Acts or Dis-
positions as such, are but figuratively called Laws:
But properly the Nature of things (within us or
without us) as revealing the will of God *de Debito*,
is the Law of Nature: and properly no other.

So the Law written on our hearts and put into our
inwards parts; that is, the holy effects of the Law up-
on us, in themselves are no Law, but the effects of a
Law; unless as secondarily, they become the signs
of the will of God imposing further duty.

Thes. 282. *The word [Law is also sometime ta-*
ken so largely as to comprehend meer Directions or pre-
cepts

pts of such as have no Governing power, and also con-
acts: But I take it not thus improperly.

Thes. 283. By some also it is taken so narrowly, as
exclude verbal Precepts, Commissions, Priviledges,
emporary Constitutions, p emiant Laws, and all such
merely constitute the Jus Possidendi, or debitum ha-
endi, as such: and is made only to signifie those Laws
at are by eminency so called; and so comprehend no
ts but obligare aut ad obedientiam aut ad poenam.
ut I follow not that too strict acceptation.

Let those men that are not the Masters of Lan-
uage, be content to express their own minds by
their own terms, and give us leave to do the like. If
they think that the [Name of a Law] should be used
more Laxely or more strictly then I use it, he hath
his Liberty: Let him have the patience also to suf-
fer me to use mine: and to tell him that my words
are to explain my own mind, and not his. It is *Things*
and not *words* that I am here to open: And it is that
thing which I here define that I treat of, and mean
by the word Law. So various are the Definitions of
Laws among Politicians and Lawyers, that its not
possible to meet with many that agree in one and the
same Definition. And therefore among such varie-
ty I may have the freer leave to thrust in mine, then
if the gowned Tribe had been agreed on some other:
especially when 1. I never yet saw many, if any other
that I could see reason to be satisfied in. 2. And
that I pretend to no Infallibility; or that mine shall
be more perfect then other mens, but only that it is
more satisfactory to me: To confute other mens
various

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various Definitions would be but odious & tedious

Thes. 284. *A Law is a signification of the Ruler, will constituting the Subjects due : Or, Potestativa constitutio debiti subditorum.*

Because the word [Law] is sometime taken for the sign or effect alone, and sometime as comprehending the act of Legislation, I use the word [Signification] as applicable to both acceptions. But it being not Legislation (the efficiency being presupposed) but [the Law] as the effect that I define, therefore it is Passively, or *proposito signo* that I here take the word [signification.] Were it Legislation that I defined, I should make the Genus an Act of the Ruler : But I judge [signum] to be the true Genus of a Law (whether *prædicamentale*, or *transcendentale*, Lawyers would not thank me to discuss.) It is not the will of the Ruler in it self, for that is unknown, but as *Revealed*; And the will of God or man can be no other wise revealed to another but by some sign, whether it be word, writing, fact, or whatever, saith Fr. Suarez truly (*de Legib. lib. 1. c. 5. pag. 20.*) *Assero, respectu ad nominis Legis Impositionem, videri priuspositum ad significandum externum Imperium & signum ostensivum voluntatis præcipientis. Ideo enim Aristot. 10. Ethic. dixit Legem esse sermonem à sapientia profectum, &c.*

So cap. 4. pag. 14. *Lex consideratur---3. in aliquo alio signo, seu alia materia exteriori, ut in scripto, vel etiam in voce manifestante voluntatem superioris.*

So Gabriel. 3. d. 37. q. un. calls it [signum verum creature rationali notificativum recte rationis dictantis, ligari eam, &c.]

Object

Object. *Signum* is an adjunct, and belongs to Logick; but a Law doth properly belong to the second part of Politicks, and ought to have its Genus thence as being an act of the supream power, &c.

Ans. 1. If Politicks banish Logick, they must banish Definitions and rational debates. *Wesenbechius* and others have evinted, that the Civil Law it self is not fallen out with Logick. 2 An Act is a Logical term as well as a sign. 3. I say not simply [a sign] but [a sign of the Rulers will] which are terms that Law abhors not. 4. I never saw any fit one put in the stead of this, but what doth more darkly express the same thing, which is therefore less fit.

Object. That it is *signum*, is better expressed by mentioning the Promulgation.

Ans. Not so: Promulgation is usually taken for the act of Publication, which followeth the Enacting and Essence of the Law; and is implied as necessary to the effect of the sign; Of which I shall next speak.

Thes. 285. Though to be an Aptitudinal sign, be all that is of the Generical Essence; yet to be Promulgate and thereby made an Actual sign, or to be so far revealed, that the subjects may be informed by it that are not culpably negligent is a condition necessary to the Obligation or Constitution of duty.

Some had rather distinguish between the Representing and Informing act of Laws, and make the former essential to them, and not the latter, and so reject the distinction of Aptitudinal and Actual signs here: but groundlessly. To Represent, is as ambiguous as to signify,

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signifie, and is of the same importance : And there-
fore if we have need to distinguish of *one*, so we have
of the other. To *Represent Aptitudinally*, by contain-
ing that expression of the Superiours will as is Apt
to Inform if Revealed, is one thing ; and to *Represent*
actually to another by the means of Revelation or fit
approximation, is another thing. A shilling in my
pocket *Aptitudinally signifieth*, or *Representeth* the
Sovereign whose Image it beareth : but not *actually*
till I take it out and shew it ; Nor then neither, *nisi*
ex parte revelantis, that is, it is but in *Potentia pro-*
ximâ, till the beholder perceive it. So here, 1. A
Law Enacted is truly a Law, as a *signum aptitudinale*
is a *sign* : but it obligeth not yet. 2. A Law En-
acted and Promulgate obligeth, because the Law-
giver hath done his part to the full effect. 3. A Law
Received is yet in a nearer capacity for the full effect ;
but Reception or Actual understanding it, is not ne-
cessary to the obligation.

Some affirm that *Promulgation* is essential to a Law.
Let them that think so, define it accordingly : I quar-
rel not with them, because I come so near them as
that the difference is of no great moment : But yet I
consent not : For its one thing to *make a Law*, and
another to *promulgate* it. Yet the last is a Condition
sine qua non, as to obligation. As in Belief, the *Reve-*
lation is *self* is not the formal object of Faith, (that
is *Veracitas Revelantis*) nor part of it ; nor yet the
material Object (that is the *Truth Revealed*) but a
naturally necessary condition of both, which some call
the *vinculum* ; so *promulgation* is not essential to
Law, nor is it the formal object of our obedience
(that is, the Power of the Law-giver) nor the mate-
rial

al (that is, the Law it self) but a necessary means and condition to induce the Obligation; the enacted Law having but the *Potentiam & Aptitudinem obli-* *gandi*, which must thus be made actual.

Thes. 286. When I say a Law is a sign of the Law-givers Will, I imply his understanding signified also: As Light, it proceedeth from the Legislators Intellect, and as imposed, it proceedeth from his Will, and so is to be received by the Intellect and will of the subject for Regulation and Obligation or Obedience.

It is a great controversie whether it be the Reason or the Will as signified that informeth Laws. On the one side are *T. Aquin. Cajetan. Alens. Richard. An-* *nis. Soto*, and many more: and on the other side, *Henric. Gabr. Occam.* and others, as *Suarez* reckoneth them: but doubtless many of them hold as he doth, and as the plain truth is, that it is both: As a man is not man without an Intellect and Will, and as an act of command is not humane that proceedeth not from both; and as the Law it self hath both an Informing and Compelling power; and as it is by the subject to be received both by the Intellect and Will, so must it proceed from both in the Law-giver, and signify both; yet differently: For it proximately proceedeth from his will, and signifieth that as Obligatory, not suspending Obedience upon their discerning the Reasonableness of the Law, which is to be supposed.

Thes. 287. In the essence of the sign there is a threefold Respect of the matter of the sign. 1. To the thing signified. 2. To the will of the Law-giver. 3. To the subjects,

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Subjects, to whom his will is signified. The thing signified
consisteth, 1. Of the matter. 2. The form; that is
Right or Dueness.

The Law 1. Signifieth the will of the Legislator, words express the speakers mind. And therefore some make [*the will of the Governour*] to be the Genus of a Law; and as signified, so it is: but not existent in it self. 2. The Law is a sign respecting the understanding and will of the subject, as the *Terminus* or *finis cui*: It notifieth to the subject the Legislators will. 3. It respecteth the matter signified; e. g. the Chastity, Sobriety, Temperance, or this or that duty is the matter to which we are obliged. 4. The Law respecteth the form produced by signification, that is the *Debitum* or *Right*, that is or that shall be Due. All these significations are essential to a Law; supposing that as to the subject, the *Aptitude* is enough, as the *Representation*, whether the person receive information by it, or not.

Thes. 288. *All Laws being nothing else but the expressions of another's Reason and Will, it is certain the subjects are not to esteem themselves self-sufficient or independent, nor enslaved by being Ruled by the Reason and will of others.*

Gods Reason and will revealed, is the Universal Light and Law of the whole world: The Sovereign Reason and will, is the subordinate Light and Law to that people whom he governeth; and is the public Reason and Will of the Common-wealth: Yet with this two-fold limitation, 1. That he have no power against

against the Light and Law of God. 2. That all the people have a Reason and Will that is private and personal, for the discerning their Duty, and choosing accordingly. But doubtless Gods appointing that the Laws, that is, the Reason and Will of the Sovereign, shall rule the subjects, doth hereby require much submission in us, even so far as that we disobey not his highest will.

And consequently, in many doubtful cases, the Sovereign may be guilty for mis-commanding, when the subject is innocent that obeyeth him.

Thes. 289. *It is no Law that is not the effect of Governing Power, or the sign of the Rulers will.*

Authority is the efficient cause of Law, or is the Power of the efficient. Authority is sometime taken for meer Interest, by Wisdom, strength, goodness, &c. by which one man can prevail with others. This is no Law-giving Power. But the *Authority* that must make Laws is nothing else but *Jus regendi*, a Right to Govern, which is originally and primitively in God, and Derivatively in the creature. Remember still, that this is it that I mean by *Authority*, or *Power*; and not meer power of Interest by Reputation, nor yet meer nature, strength or force. *Jus precipientis*, the Right of commanding is the only sufficient cause of *Jus precepti*, of imposed Right. Yet *Jus concessum* may arise from a more private cause,

Analogically as man is called a Governor of himself, so his will and word are called a Law to himself: But this is no such Law as we treat of.

If *Lycurgus* or any wise man draw up the System of

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of Laws for Governing a Common-wealth; or if in
any Nation, some that have no part in the Sovereignty
may be the Proposers, these are no Laws, till they
have the stamp of Sovereign Command. But as a
Prayer in a Book is usually Called a *Prayer*, which in-
deed is *no Prayer* (for the name is given it from the
matter, which should follow the form): So also a *Law*
proposed is *no Law*, but the matter of a *Law* without
the form.

Contracts are but *self obligations*, and such as may
Occasi n a divine or a publick humane obligation, but
are no proper Laws. But if any will call his buying
and selling or any other Contract a *Law*, as he hath
the liberty of mispeaking, so let him grant us the
liberty of more strict expressions. Hence we say, that
Fundamental Constitutions, as by man, are by meer
Contract, and not by proper Laws of men, because
they are antecedent to Governing Power, the cause of
Laws.

Thes. 290. Hence ariseth a double distribution of
Laws. 1. Some Laws are but *Oeconomical*, and some are
Political.

The *Laws* of a Father to his children, and a master
to his servants, are truly and properly *Laws*: Yet,
1. They are not eminently such as *Political Laws* are.
2. And custom hath (but causlessly) confined the
name to *Political Laws*: All that is *Essential* to a *Law*,
is found in *Laws Oeconomical*.

Thes. 291. 2. *Laws* are either *Universal* for the
whole *Commonwealth*, or *Local* and particular; and
made

made either by the Sovereign Immediately, or by a subordinate power Immediately, and only mediately by the Sovereign.

Some make a great Question of it, Whether Legislation be not proper to the Sovereign. 1. Universal Laws for the whole Commonwealth in the main parts of Government, must be made Immediately by the Sovereign: (Though its possible, *e. g.* a modal or circumstantial universal Law, as about Excise, Meetings, &c. may be made by a derived power.) 2. Local and subordinate Laws may be made by others; but only by a Power so Derived from the Supreme Ruler, that Originally and mediately they are his Laws, though proximately theirs. That subjects may make such Local Statutes by the Sovereigns grant, is maintained by Politicians commonly (*Bocer. Camman Besold.* and abundance more;) But still it is but by a Derived Power; and it is but *pro modo propriæ jurisdictionis*; and it must not be against the *Common Laws*. So *Mayors* with their Corporation-Burgesses are enabled to make Corporation-Laws: And Physicians, and other students in Colledges, may make Colledge Laws: And a General by Commission may make Laws Military for his Army.

Thes. 292. Laws may consist in writings, words, customs or actions, or whate ever may truly be called a sign of the Rulers will; and they are not confined to any one sign only.

Some will needs call nothing a Law but whats in writing: and some will add *custom* only: By which

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the Law of nature it self is made no Law. But how
are Nations Governed that have no writing? Doubt-
less any signification of the Sovereigns will *de Debito*
may be a Law.

*Thef. 293. A Commission or Precept to a single per-
son or more, is truly a Law, having all that is essential
to it; but it is the least of Laws, and not a Law as the
word is confined to such as are eminently called Laws*

The Command of a Parent is an Oeconomical Law
the Command of a Sovereign is a Political Law. Where
there is no writing, this is easily perceived. They take
the word [Law] abusively, too strictly, that exclude
these smallest Laws that have somewhat of the com-
mon nature. If a commission or precept to a single
person, be not a Law, they will find it impossible to
determine just how many must be the subjects of
Law. Its not necessary that it be the whole Common-
wealth. Laws are oft made to enable a particular per-
son to sell his Lands, to innaturalize him, &c. I
doth not therefore prove it no Law, because it is
about but a single person, or case, or fact.

*Thef. 294. Laws may be either permanent or tem-
porary: Even that which is but for an hour or a day
may have all essential to a Law, though of the lowest
kind.*

Some will call no temporary Precept [a Law]
They may use their liberty, though without Reason
It is not Essential to a Law, that it be for continuance
If not for a thousand years, then not for an hundred

not

not for seven, not for one, not for a day. The Prince and Parliament may make a Law for a certain fact (as the beheading of a Traitor, dispossessing the Governour of a Garrison, a Commander in an Army, &c.) which may be executed, and ended in an hour, and yet be a true Law. And if the same Prince and Parliament speak the word by way of Command, it is as truly a Law, though not so eminent.

Thes. 295. *The specifick form of this sign which we call a Law, consisteth in Constitution of Due: so that a Law essentially is an Instrument of the Sovereigns will; which the word [Constitution] doth express.*

The word [Law] is taken *Actively* or *Passively*: and so may the word [Constitution] accordingly. Most properly it is taken both *passively* in respect to God the principal Cause: and *Actively* (by Moral action) as to the Constitution of Right: It is *signum Arbitrarium, & Instrumentale, non formale*; and so it is not only *signum theoricum, sed practicum*. So that it is essential to it to be both *signum notificans, vel manifestans*, and also *Constituens vel Instrumentale*.

Thes. 296. *This differenceth a Law from a Judgement: A Law doth Instrumentally constitute the Right by way of Regulation: The Judgement doth but Determine of it when Controversed by way of decision, or in order to execution.*

Thes. 297. *As Debitum vel Jus, Due or Right, is the Common nature of Morality (directly, as in justum indirectly) so is it the essential terminus of a Law.*

The

The very summ of Morality, and therefore of a Law, is in this one word [*Debitum*] (to which [*indubitum*] is reduced) more exactly expressed than the usual Metaphors and Circumlocutions. *Right and wrong* is the summe of all : which are themselves Relations resulting from the Instrumental sign, (for we speak not of them as in the acts of men.)

Object. *Debitum constitutum* is but the effect of Law, and therefore not to be put in the Definition.

Ans. 1. Then your *obligatio ad rectum* must be left out, which is the same : For it is in obligation all contained. 2. As if the *Terminus* must not enter the Definition of a Relation ! Or as if [*the Law*] must not be put into the definition of *Legislation* : nor a *Sen* be in the Definition of *humane generation* : nor the *Creature* be in the Definition of *Creation* ; nor *healib* in the Definition of *Healing* ; because they are all effects ! This is new *Logick*, to make new *Politics*. *Debitum* is the Product and *Terminus* of Law, and must be in its Definition.

Thes. 298. The common word [*Obligation*] is a tolerable substitute of [*Constitution of Due*] which I willingly use, but choose the other in a Definition rather ; 1. because *Obligation* is but a Metaphor. 2. And defective of fit expressing the whole essential Act of Laws.

1. Metaphors may be used in cases of Necessity, or for Ornament : but not in Definitions without Necessity.

2. I conceive it defective. 1. because *obligare ad pœnam* is an unmeet or harsh expression. It is not *ad pœnam inferendam* : for that were but to oblige to Duty :

ny: but *ad pœnam ferendam*. And [to bind a man suffer] is nothing so fit an expression as to make due to him.

2. Because there are many proper Laws that constitute the *Jus habendi vel possidendi*, and do not properly oblige at all, either *ad obedientiam*, aut *ad pœnam*, (unless by some other conjunct act or part) So God did divide the Inheritance of the Tribes of Israel by Law; and Laws of Possession in a new plantation, are ordinary: which constitute only (by this act) the *Debitum habendi*, or give Right to such and such Land; but oblige not *ad obedientiam*, aut *ad pœnam*, by this act.

Object. These Laws do also constitute the *Jus non ferendi*, and so oblige. Answ. 1. That done by another Law against These, which was pre-existent or concomitant. 2. If such an act were found in this, that's nothing to the Question. The Question is, Whether the act of the Lawgiver constituting merely the *Jus habendi* by a distribution, or settling division, be not a Law?

2. Is not *Lex præmians*, as such, a Law? As if a King make a Law that every man that discovereth any new art, or Engine for the Common good, as Waterworks, Military Engines, &c. or doth any notable act against the enemy for the Commonwealth, shall be made a Knight or Lord, or be thus or thus rewarded.

Object. These bind himself to give, and are but publick Promises. Answ. But they bind not the Subject to obey or suffer: They only constitute the *Debitum præmij*; and such publick Promises being made by a Legislator for the Common good, are properly publick Laws. The

The same I say of abundance of *Priviledges*; As if there be a Law that he that hath served so long in the Wars, shall have such *Priviledges* in the Commonwealth: He that hath served seven years Apprentiship, shall be free to set up the Trade: He that is of so long standing in the University, and Learned, shall be free to profess Law, Physick, &c. He that hath so many children, shall be exempt from Taxes; &c. These oblige not at all, either to duty or punishment: but constitute the *ius habendi* only, though consequentially, or by other acts, the Subjects be obliged not to disturb them in their just possessions. And such acts as these I think are the [*Permission*] that is commonly said to be an act of a Law; For if a *Concession* be not meant by a *Permission*, it will prove no act of Law, but the Negation of an Act, as *Grotius*, *Suarez* and others truly Note. But certainly *Permission* is not *Obligation*.

Such also are the Laws for Naturalizing, enfranchising, &c.

And it is no wonder if some Politicians know not where to place *Priviledges* and acts of grace, when they have thrust them injuriously out of the number of Laws, by confining the word to the eminent sort of Laws.

Nay in some cases, (as in the first *Dividing of Countries*, in a *General act of Oblivion* after a civil War, &c.) I think that may be a most eminent Law, that neither obligeth *ad obedientiam*, aut *ad poenam*, but only constituteth the *Debitum habendi*.

But it is objected that I contradict the Scripture that excludeth all works of *supererogation*, &c. *Answ.* I contradict it not: for I assert upon such towards God:

God : but there may be such towards men. 2. But what though the work be not commanded by a Law; may not the *Jus habendi* be constituted by a Law?

3. Yea moreover in the same Laws that do command *Duty*, and second it with a premiant Sanction, the premiant act is part of the Law : And *premiare* as well as *punire* is commonly called an act of a Law.

But (saith the Objector) *A Benefit is the act of a Benefactor as such, and not of a Legislator.*

Ans. And so beating and killing in Revenge, is the act of a Revenger as such. But yet as it is part of the sanction of the Law, you confess that *obligare ad poenam* is an act of Law. And you can give no Reason, why the *premiare* part, as well as the *Communatory*, is not a proper act of Law; and why the making a *Reward for Obedience*, is not an act of Law as well as *making suffering Due for Disobedience*. The same man that is a *Benefactor*, is a *Prince*: And as a *Benefit*, it proceedeth from him as a *Benefactor*; But as *constituted Due by a Law-giver for the ends of the Law*, so it is a effect of *Law*.

It is added by the Objector [*If any by giving a Benefit doth constitute Jus publicum, then he doth this as Legislator, and the Subject is bound observare Jus à Legislatore constitutum, non beneficium, quatenus à Benefactore Collatum.*] *Ans.* 1. I shall yet believe that a *publick Law* may give many *personal Rewards as a Law*, that are all *terminative private*. 2. If it be but a *Jus habendi* that is *constituted*, it is no *Obligation to obedience or punishment* (though such acts may be concomitant.)

I instance in Gods own most excellent Law of *Grace*, when *Christ and life eternal* are given by a *Promise*,

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mise, which yet is truly a Law, and will be the Rule of
Judgement. To this is answered, that [To give Christ
was to give a Benefit, and a Law-giver, not a Law : and
to make a grant of Eternal life with a precept of faith
as a Condition, was to give a Law, and not a meer bene-
fit] To which I reply. To give Christ to the world
in his Incarnation, was to give a Benefit absolutely, and
not a Law (who dreamt of that ?) To give Christ to
particular souls for their justification and salvation on
condition of Faith, and to give Heaven on condi-
tion also of persevering obedience, is an act of Law,
though a Gracious Law. And it is not only the Obli-
gation to believe that is an act of Law, but also the
Constitution of the Jus habendi or Debitum premij.

But all this I speak with submission to better Judgments about Laws.

Theſ. 299. *The Due that is constituted by Law is*
twofold: 1. What shall be the subjects duty, that is, the
Debitum officij. 2. What shall be Due to him upon
obeying or disobeying, or otherwise, for the ends of the
Law; that is, the Debitum præmij vel pœnæ; or the
Jus habendi vel ferendi.

The first act of most publick Laws in order, is the
constituting (primarily, or by confirmation) the
Right of possessions as Antecedent to obedience or
disobedience: The next is *de officiis* in the Precepts
and prohibitions. The last is *de pœnis & premiis*, an-
nexed to the second for the promoting of obedi-
ence.

Theſ. 300. *Lastly, it is only the Debitum subdito-*
rum

rum as such, that is constituted by a Law; and so it is distinguished from Rulers acts about their own or aliens duty.

It is no proper Law by which any Sovereign binds himself, unless he have also a private or Inferiour capacity. To himself it may be a Promise or Covenant; but to himself as Sovereign it can be no Law: God binds him to keep his Covenants: and he binds his Subjects to their duties. His Commands also to men of another Land, that are no Subjects, are no Laws.

Thes. 301. The will of the Law-giver doth alwayes attain its nearest end; which is, To oblige, or to make Due; but its ultimate ends depending on the Subjects will, are often frustrate.

To make this or that a Duty, is his work, to which his Law is presently effectual: but to perform that Duty, is the Subjects work; and the best Laws of the wisest Lawgiver may be broken: yet must he endeavour so to compose his Law as may amend or restrain the Subjects: for they are not only Directing Rules, but compulsive for obedience.

Thes. 302. Laws are the Rule of Duty & of Judgement.

Justice will punish but by the Law that is violated: It must be a Rule of Life, before we can be judged by it. Its the Judges Rule too, though in a different sort, when the Lawgiver himself is Judge, of which more afterwards.

Thes. 303.

Theſ. 303. As the Sovereign Power maketh Laws, ſo may it Abrogate, or correct thoſe Laws.

Queſt. What if a Sovereign make a Law for perpetuity, and call it fundamental, may his Succeſſour change it? Anſw. As a Law, they are not obliged by it from a change, but have the ſame Power to alter it as he had to make it. But yet his *Promise* expreſſed in that Law, or his *Consent*, may oblige his Succeſſors, if they ſucceed upon his terms, before a Change in the Conſtitution; if he paſs a Law of great neceſſity for the Publike good, and oblige himſelf and poſterity not to change it, his Covenant obligeth him and them. If the Subjects Covenant muſt oblige their Poſterity, the Princes muſt alſo bind his Succeſſors.

Queſt. But where the Sovereignty is in Prince and Parliament, may they not change a Law which a former Prince and Parliament obliged Poſterity not to change? Anſw. If it be a Parliament that hath meerly a part in the Supremacy, they may not; becauſe their Predeceſſors Covenants bind them till God or the People (to whom they are bound) ſhall diſoblige them. But if it be a Parliament that alſo Repreſenteth the People, and is thereby enabled to act in ſuch caſes on their behalf, then they may change any Laws or Contracts, (except when a Divine Obligation doth prohibite) Becauſe the people can acquit the Prince of his promiſes to them, and he can diſcharge them of theirs to him. But when any Law appeareth to be inconfiſtent with the Laws of God, or End of Government, God himſelf then doth diſſolve it by
his

his dissent, without whom it can be of no true Authority.

Thes. 304. *It belongeth to the Sovereign Power to make a stated universally-obliging Interpretation of the Laws.*

Judges make particular Interpretations, in order to the Decision of particular cases. But to make an Interpretation which shall be the stated sense of the Law, obliging the subjects as subjects universally, or *per modum Legis*, Regularly, this none but the Law-givers themselves can do.

Thes. 305. *It belongeth to the Sovereign to dispence with Penal Laws, by pardoning offences: and also to dispence with Positive Laws about Duty, when the End and Reason of the Law requireth it: Because his Laws are to bind the subject, and not himself.*

The Law-giver is above the Law; yet not so that he may dispence with it at his pleasure, because he is not above the End of Laws. The Law is but the will of the Law-giver signified: If he have power of his own will, he hath power of his Laws. He may not alwaies revoke the Decrees of his own will: but that's by accident. It hath ever belonged to the Sovereign to grant a pardon, even for Life: And this is to Relax the Law: and to Dispence with it as Penal. If Sovereigns are limited from pardoning in certain cases, that is because those cases are exempted from their

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their Power, and so their Sovereignty extends not to
them: None but God is an Absolute Sovereign:
Man is but Analogically called so, in respect to God:
And therefore where he is limited, his Power
faileth.

Penal Laws do make the Penalty Due to the offender; but do not bind the Law-giver to inflict that penalty directly: but yet *à fine*, &c. he may be obliged.

Thef. 306. A Law being the Instrument of Government, and the Rule of Duty and Judgement, the Law giver by making it doth oblige himselfe, ordinarily to Govern by it; So that he is engaged in point of Prudence and Fidelity, for his Honour, and for the Common good, not rashly to pardon crimes, nor dispence with Laws; but still upon grounds of security as to their ends.

He that makes an house, doth not say expressly, that it shall be inhabited: but interpretatively he doth: For being a wise man, it is supposed that he labour-eth not in vain, nor useth a means when he intendeth not the end; which is indeed not to use it as a means. He that maketh a Law, doth interpretatively say, *By this I will govern*: And therefore he doth in prudence and fidelity oblige himself to Govern by it, and not to dispence with it, but seldom, and upon weighty cause, and alwaies with a sufficient *salvo* as to the end of the Law and Government.

Thef. 307. He that dispenceth with a Law upon just occasion, doth not thereby become a Lyar. nor make the Law speak falsely: because it speaketh but de Debito

bito, and not directly *de Eventu*, as it is a Law.

1. A clause may be joyned to a Law that speaketh *de Eventu*, as well as *de Debito*; and then the veracity of the Speaker lieth on the fulfilling of it. 2. As was last said, interpretatively the Governour intimateth that ordinarily he will Govern by it. 3. But yet a Law as a Law doth not speak directly *de Eventu*, nor engage the Governour in point of Veracity alway to fulfill it. As for instance; The Law that saith, [*He that committeth Treason, Felony, &c. shall be put to death:*] doth not mean *de eventu*, that it shall so come to passe: but doth only say, [*Death shall be his Due: and all Judges shall proceed according to this Rule in administring Justice, till it be dispenced with.*] So that if a Traytor be pardoned, the Prince or Parliament are not therefore Lyars, much less offenders against that Law: For as they did constitute this *Due*, so *Due* it is; and the Law is verified: And as they obliged Judges and Magistrates to administer Justice according to this Rule, so are they obliged, till they that have power disoblige them.

Thes. 308. *As no Law-giver can dispence with Gods Laws, nor with the necessary means of the common safety, so neither may he dispence with his own Covenants, nor deprive any causelessly of their Right, nor ordinarily or causelessly dispence with his own Lawe, nor when the ends of Government forbid it.*

Here are many cases in which a Ruler may not dispence. 1. He may not dispence with Gods Laws, because he hath no Authority thereto. 2. The com-

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 mon Good he may not overthrow, because it is also
 above and contrary to his Authority. 3. His Cove-
 nants he is bound to obey in point of fidelity, to which
 he is obliged by the Law of God. 4. He cannot take
 away any mans Right from him: for that were in-
 justice and injury to the person: And therefore he
 cannot Dispencc with a Donation or full promise, as
 he can with a Penal Law. A Pollicitation may be re-
 voked: for it doth but exprels a *Purpose to Give*
 such or such a *Benefit*, and doth not give it: And a
 man upon sufficient cause, may change his *Purposes*:
 But a full promise is of the nature of a *Donation*, and
 alienateth the Right, or obligeth in point of fidelity
 to do it. *Grotius de jure Belli, l. 2. c. 11. sect. 2, 3, 4.*
distinguisht, 1. Inter assertionem explicantem ani-
mm de futuro qui nunc est. 2. Et pollicitationem.
3. Et promissionem perfectam qua jus proprium alteri
confert. The first obligeth no man further then as he
 is bound to constancy. The second may bind him in
 point of meer *Fidelity* or *Veracity*: The third bindeth
 in point of Justice, and allows a man an Action, as
 for his Right. See also *Grotius de jure Belli, li. 1. c. 3.*
sect. 7. p. 61, 62. 5. The Sovereign may not ordina-
 rily (for the Reasons, *Thes. 304.*) dispence with his
 own Laws; but that is not for want of *Power*, but
 because *Prudence* doth prohibit him. 6. Unless the
 common safety would be overthrown by the Relaxa-
 tion, and then he hath not *Power* to that.

Thes. 309. It belongeth to the Sovereign to grant
Priviledges; which he may reverse, unless he have ex-
pressly or implicitly disabled himself thereto.

When

When the reason ceaseth, he may withdraw the Priviledge, unless he be restrained by promise, plenary grant, or otherwise, of which Politicians commonly treat.

Thes. 310 *To blot out infamies (as in case of bastardy) and aperiure asyla, and other inferiour Jura Majestatis, are reducible to the greater, and need not be enumerated.*

Its easier to agree of the number as well as nature, in Generals, then in particular: And its as found in the General, that the Particulars may best be judged of,

Thes. 311. 2. *As the Power of making Laws is the first and most eminent part of Sovereignty; so the Power of appointing all Inferiour Magistrates is the second: there being no Governing Power in the Commonwealth, but what is derived from the Sovereign.*

As Soveriagns can have no Power but from God, so Magistrates can have none but from the Sovereign; We here take the name [*Magistrate*] strictly for an Officer to execute Laws, and not laxly as it also comprehendeth the Sovereign. The People in a Corporation may choose their Magistrates, but it is the Princes (or whoever is Sovereign's) Charter that giveth him the Power. If the Souldiers might choose their Captains, yet their Power is from the General. Choice (as I have aforesaid) may determine of the person that shall receive the Power from the Sovereign.

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But the great Officers he usually chooseth himself.

Thes. 3 12. It is a matter of exceeding moment to the safety and welfare of the People, that Inferiour Magistrates be men fearing God, Prudent, just, of publick spirits, and contragious, hating impiety, vice and all injustice: And therefore next to the making of Good Laws, it is the Sovereigns principal work to be exceeding carefull of his choice of Officers, and to keep out insinuating unworthy men.

If we have a just and pious Sovereign, and have impious unrighteous Judges or Justices, &c. the people may groan and languish in continual oppression and misery. Dead Laws will not preserve them against Living Wolves and Foxes. Poverty, and distance, and friendlesness doth usually disable the poor oppressed people to prosecute an Appeal to an higher Tribunal. From whence it comes to pass that Laws themselves grow odious; and poor men think it is at any time better, if a Rich man do but demand of them half their estates, to let him take it, rather than by seeking to preserve it at Law, to lose all. All vice will flourish under impious Magistrates: Piety and honesty will be mens outward calamity. If Sovereigns look not exceeding strictly to their Officers, the people will be unhappy: And discontents will be raised against the Government: and the people will easily think that the Sovereign chooseth such as himself, or as are most agreeable to his mind: And when once the Sovereign is brought into a common distaste with the people, the Common-wealth is sick of such an
Head-

Head-ake as threatneth some worse disease. Nothing scarce ever-lost Princes more then impious, flattering, unrighteous Officers. And scarce any thing doth more ingratiate a Prince with the People, then to find that he sets faithful Magistrates over them; and also to hear that he enquireth after, and severely punisheth the unjust: This greatly endeareth him to the people.

Thes. 313. Princes should be very circumspect and solicitous to find out the worthiest persons in the Land, and advance them to Magistracy and Trust, and to resist such as by flattery, nearness, friends, or bribery, seek advancement.

With most Princes few have Honour and Power but those that seek it, and ambitiously turn every stone to attain it: And few that are Ambitious of it and seek it, are worthy of it: And consequently few worthy persons are in Power, in comparison of what might be, if Princes did their duty. As the Christians were wont to repell the seekers of the Pastoral office, and to seek after them that hid themselves or fled from it, somewhat of this is imitable by Princes in the choice of Magistrates. First they must be sure to choose such as are most worthy: and next, such as are not unacceptable to the people; that is, to the generality of good and sober men; For the impious and vicious would have Governors like them, that will destroy the common good.

Thes. 314. The Sovereign hath Power to be Judge in his own cause, ordinarily, as having no superiour
Z 4
judge;

344 *Of the Sovereigns Prerogatives & Power of judge; so the controversie be not with the body of the people, about the very ends of Government.*

1. I here determine not this last excepted case, because I leave it to the next Chapter. 2. An inferiour Judge may judge in his own cause, if such Power be derived to him. But it is not fit that usually it should be so, if it be personal and properly his own. 3. The Prince may depute another to be Judge in his cause, and sometime Prudence may tell him it is best to avoid censures: But the Power is in himself.

Thes. 315. It belongeth to the Sovereign to be Judge of all inferiour Judges.

No subject, and therefore no Judge, is exempted from the Sovereigns Judgement: Supposing still that it is by a civil Judgement proper to himself that he judgeth, and not by Ecclesiastical censure: There he may command the Church to do that which he may not do himself.

Thes. 316. The last Appeal is to the Sovereigns Judgement, and his sentence is final; so that from him there is no Appeal but unto God.

I know that no Sentence is absolutely final but Gods: and that the Judgement of men is of small moment, if it be not the Judgement of God by them. The Judge of all the world is at the door. The judgements of the Printes of the earth shall be there Judged. Thats the day that turns the scales to an everlasting Happiness or misery. It is the Joy
of

of Believers, that under all the oppressions of the unjust, and the persecutions of the Malignant, they have room for an Appeal to the Barr of God, where no injustice shall find place. But till then there is no removing of our Cause to an higher Court then that where the Sovereign power is the Judge. Though it is not meet for Princes to allow Appeals to themselves too commonly, yet should they do their utmost to relieve oppressed innocency. Of the controversies about the Sovereigns Judgement, I have spoke in part before. As we must reverence the sentence of these earthly Judges, because they are Commissioned by the Lord, and the Judgement is his, who hath promised to be with them in his work: So must we be comfortably patient under all those injuries from men, which temporal judgements will not, or cannot right us against, because that we are the subjects of the Heavenly King, and that the Judge of all the world will do righteously, and that we are near, yea very near the day, when all will be set straight, and the injured shall have full relief: and they that have cryed day and night to God for help and Justice, shall find that he will avenge them speedily: and the expectation of the righteous shall not be in vain, nor will their Rock, their King, their Father fail them.

C H A P. 12.

Of due Obedience to Rulers, and of Resistance.

Thes. 3. 17. **I***t is the Command of God the universal Sovereign, that every soul be subject to the higher Powers, and resist them not; and this not only for fear of punishment, but for conscience sake, Rom. 13. 1. to 7. Tit. 3. 1. 1 Pet. 2. 13, 14, 15.*

Because the right understanding of these commands of God, is of great use for our guidance in these weighty points, I shall stay a while upon the search of that *Rom. 13.* which saith most; and if we understand that, it will be the easier to understand the rest.

Many occasions concurred to make this document of the Apostle necessary to the *Romans*. 1. There were Hereticks crept in among them that abused the doctrine of Christian Liberty, and perswaded them that subjection to the Rule of Magistrates was against their Liberty. 2. And the weaker Christians were the easier induced to entertain this doctrine in part, because they were Heathen Magistrates that they were under. And the Christians, being (justly) prohibited by the Apostles to go to Law about personal injuries, before Heathen Judges, but to agree them among themselves, they were the readier to have low thoughts of such Judges as useless or burdensom, or
not

not fit to be the Governors of Christians. 3. And especially because many of the Christians had been Jews, that were hardly brought to any but a forced submission unto Gentile Rulers; and were ever prone to rebel against them, thinking it an honourable vindication of their holy state and Church, which they thought no Heathen had right to Rule over. The first Hereticks rising from the Jewish Christians, and Judaizing so palpably in this and other things, and the weaker sort of the Jewish Christians being so prone to hearken to them, gave great occasion to the Apostle thus to press the doctrine of subjection.

Where note, that the main question here resolved, is, *Whether Magistracy, and Heathen Magistrates should be submitted to as Gods Ordinance for conscience sake?* And so it was about the very state of subjection: which among us Christians is a matter past doubt; though we are not all agreed about obedience in some particular cases.

The Precept it self is laid down in the first verse, [*Let every soul be subject to the higher powers*] The first moving Argument is drawn from the efficient cause, which is God. 1. In general Magistracy is his Institution [*There is no power but from God*] And so it is he that sets up Magistrates, and they are subordinate to him, and have a power derived from him [*The Powers that be are ordained of God.*] The conclusions hence interred are v. 2. that therefore 1. *Whoever resisteth the power, resisteth Gods own Ordinance*, that is, both breaks his Law, and resisteth a Power derived from him, and consequently resisteth God. 2. And so great a sin as resisting Gods Officers and Ordinance, deserveth a grievous punishment. In the third

third *verse*, the Apostle doth conjunctly bring in his second Argument, (from the end of Government ;) & also answer an objection which *thence* was brought against it. [What can be expected from Heathens (might the Christians say) but acts of enmity? They will still be persecuting us] The Apostle at once answering this, and arguing *à fine* for subjection, tells them, that Magistrates have their office to be a *terror to evil works*, and not to good : And therefore let us do good, and if the office be used but according to its instituted nature, we shall have praise from Magistrates, and need not fear them. For it is for our good that God hath appointed them. Here the Apostle conjoyneth his two Arguments, from the *Author* and the *End* [*He is Gods Minister for thy Good*] Its possible a wicked man may abuse his office: but this is the End for which God hath appointed Magistracy in the world ; and this even Heathen Magistrates profess that they intend ; and such vice and vertue as they are acquainted with, they do in some measure deal with accordingly. But if men do evil, then they have cause to fear the Magistrate ; [*for he is Gods Minister, a Revenger to wrath, to inflict punishment on him that doth evil :*] But men must blame themselves and not the Magistrate, if they suffer for *ill-doing*. Hereupon the Apostle repeateth the Conclusion, that there is a necessity of subjection, not only to escape punishment, but to obey God, even *for conscience sake* ; And hence infers a further Conclusion, that for conscience sake also we must *pay them tribute, because they are Gods servants*, employed in his work for our good : And therefore on these grounds *Tribute, Custom, Fear, Honour* must be given to all to whom they are

are due. Where he sheweth that it was the Govern-
ors in *actual possession* then that he commanded subje-
ction to, when he argueth from their *actual Labour*
for the Subjects good.

[Πάντα ὑπὸν every soul] is the Synecdoche for
[every person,] [ὑποτασσάμενοι, be subject] or *subordi-
nate*, extendeth both : o a state of subjection, and to the
exercise of a Subjects duty; q. d. *Let him keep his sta-
tion as a subject, and live as such*: The Apostle puts
[ἐξουσίαι, Powers] in the *abstract*, though it have
existence but in a subject; and so it is in the *concrete*
that he meaneth: but subjection is *due* to the man for
the sake of his *Authority*, and not on any other ac-
count; and therefore it is in order of nature first to
the *Authority*, and then to the *man*. And is is not
δύναμις, *natural power* or *strength*, that he speaks of;
but that *Civil Power* which is *ius Regendi*. Whether
[ὑπερχύταις] be translated as a comparative or super-
lative, is not considerable in point of doctrine, there
being no doubt but the Apostle intendeth our obedi-
ence to more then the Sovereign, and yet to none
other but those that receive their power from him.
But yet why literally [ὑπερχύταις] should be trans-
lated [*the highest*] rather then [*high, or higher, or
superiour*] I know not: Nor have I any mind to
tempt men to think that it was *only Nero*, that he
Apostle speaks of, or *only the Senate*, it being more
that *wait and labour in this very work*, and to whom
tribute, custome, fear, honour were to be paid.

For the right understanding both of the Text and
Subject, let these Questions be briefly answer-
ed.

Quest 1. *What is meant by [Power?]* Answ. Any
men

men in the Office of Governours, having Authority.

Quest. 2. *What is meant by [Higher Powers ?]*

Ans. All that are in Government, and so above us, but principally the Soveragin.

Quest. 3. *What is meant by [every soul ?]* Ans.

Every person except those to whom we are commanded to be subject. For in that all are put under them, it is manifest that they themselves are excepted to whom all are subjected. So far as they are Rulers, they are excepted, though the same persons may be both Rulers and Subjects in several respects.

Quest. 4. *What is meant by being [subject ?]*

Ans. Perturb not the Order of the Commonwealth. Yield your selves voluntary subjects to your Governours, and behave your selves accordingly.

Quest. 5. *What is meant by [ὁ πρὸς τὸ θεὸν τεταγμένον ἐστίν] Gods ordaining them ? Is it an Ordaining by Decree, by Law, or by Providential disposal of Event ?*

Ans. The internal eternal Decrees of God are no Rule of Duty to us, nor the thing here meant: But his Institution of the office by the Universal Law, together with those Providential disposals that make over the Power to the individual persons.

Quest. 6. *But is it not enough to oblige us to subjection, if the Power have but the Ordination of Decree, and Disposing-Providence de Eventu ?* Ans. Thats a contradiction. It must have a Law, Grant, Commission,

or other Moral Donation, or it is no Power, that is, no Right of Governing. The Kings that give up their Kingdoms to the Beast, may fulfill Gods Decreeing and Providential will *de Eventu*: The death of Christ
by

by the Jews, may fall under a certain Decree and Providence: But it is a *Grant of Right* that must prove the *Right*. Possession of strength is separable from possession of true *Governing Right*. If a Plague come upon us, it is by Decree and Disposing Providence: And yet we may do our best to resist it. The Devil rules the children of Disobedience, not without Gods permissive Decree and Providence: but yet he hath no *Right* to Rule them, nor they any warrant to obey him.

Quest. 7. *What is meant by [the Powers that be?] Is it all that be in present Possession? Answ. 1. It is directly all persons that are in Power. But then remember that Power is *jus regendi*, and not meer strength. 2. Yet it implyeth, that to you and me, and other single private persons, he that is stated in the Possession of the office, and exerciseth it, is to be taken to have the Right of Government, unless the contrary be notorious. And therefore the Apostle argueth for obedience and tribute from their exercise of the office; [*They attend continually, or labour about this very thing.*] Of this more anon.*

Quest. 8. *When did God [ordain] the Powers? and by what act? Answ. By the act of Law or Institution he ordaineth the office; and by Acts of disposing Providence he determineth of the person (usually by the Instrumentality or means of men.) 1. In the beginning in the Law of nature, he subjected man to himself, and the woman to the man, and (by appointment) children to their parents, and in general, at least after the fall, made Magistracy and Subjection necessary to the world. The more men sinned, the more he gave them up to humane Government, and*

as they rebelled and departed from him, so he forsook them, as to his special Government in way of mercy: He kept himself the Sovereignty over his peculiar people of *Israel* in a more eminent way of exercise then over any other. 1. He made their common Laws for Government. 2. He chose himself their Sovereign Magistrate; a limited Monarch to be his Deputy or chief Officer. 3. He appointed a course for choice of the *Sanhedrim*. 4. He enabled them for their work. 5. He kept the chief Judicature in his hands, resolving their doubts, and deciding their most difficult cases by his Oracles. But when they were weary of this Theocracy, he withdrew from them according to their corrupt desires, and left them to their desired King: Yet did he not wholly forsake them, but only in that measure as they had forsaken and cast off him.

Quest. 9. Who is meant here by [ὁ ἀντιπαρόμμενος τῇ ἐξουσίᾳ?] *Answ.* The Contraordinate, that break out of the rank of subjects, and set themselves against Government, as Army is set against Army in fight: All is here prohibited that is *contrary to subjection*; but not *all Resistance*; nor is the word properly translated by *Resisting*: There is a *Resistance that is contrary to subjection*, and that is forbidden: and there is a *Resistance not contrary to subjection*: and that is not forbidden.

Quest. 10. What is meant by [*Damnation*] which the contraordinate or rebellious do receive? *Answ.* Not only punishment from man, but a most heavy punishment, even everlasting misery from God, whose order and power they oppose: unless by faith and Repentance it be prevented.

Quest.

Quest. 11. *Must we obey no Rulers but such as are here described, as are not a terrour to the good, but the evil?*

Ans. If the very drift and work of their Government were for evil works and against good, then they acted as the Devils substitutes, and could not be Magistrates, nor servants of God, but nullifie their office as to them. But if it be but in some particular cases that they are against Good, and for Evil, and such as nullifie not their office, then we must not deny subjection to them: but how far we may or may not resist, shall be shewed anon.

Quest. 12. *How could Nero be said to be an encourager of Good, and a terror to evil, and such an one as is here described?*

Ans. 1. It is directly to Magistracy as such that Paul requireth subjection: And therefore he describeth it as it is in Gods Institution. 2. Yet it is also Magistracy as in those particular men: But then the Apostle considereth them partly as obliged to be such as he describeth, and partly as professing to be such; for so did Nero: and partly as being actually such in many things. In matters of common equity, and against moral evil, and for that good which the Law of Nature revealeth, the Roman Laws might well in the main be said to be a *terror to evil works*, and not to good; though in the matters of supernatural revelation they were perverse: And Nero was to Govern by these *Laws*: And there were multitudes of Officers besides Nero that were to be Judge and execute according to these *Laws*: And the Apostle had respect to these. And the Senate had part still in the Sovereignty it self. But of this more anon.

Quest. 13. *But how could Nero be said to be the*

Minister of God, and a Power set over them by God, (especially as to the Jews) when he had no lawful Call?

Ans. 1. The Apostle lookt at the whole frame of Government, Laws, Senate, Officers, as well as at Nero. 2. Nero had the Consent of Senate and people before *Paul* wrote this. 3. Settled possession signifieth a Consent: For the people are the strength: and the strongest can resist, if they will: and they that can and do not, shew that they will not. 4. The Apostle supposeth that the private Christians to whom he writeth, were not the Judges of the Titles of Princes, Senates or People.

Theſ. 3 18. A Christians subjection to Magistrates must be participatively Divine, that is, to Magistrates as Officers authorized by God the Universal King.

He that obeyeth upon any other account excluding this, doth not obey a Magistrate as a Magistrate, but as an Idol, or as one that is able to do him good or hurt: and so it is *himself* that he serveth in his obedience; and there is no Divine obedience in it. But a Christian understandeth that God is the *Alpha* and *Omega*, the first and last; and that *of him, and through him, and to him are all things*, Rom. 11. 36. And therefore he intendeth God in all, and dependeth on him in all; and doing all for him and by his command, all things are sanctified that he doth, and from God he shall receive his reward. Our Obedience is principally denominated and estimated from the principal Authority. In the last Resolution all the Obedience of a Christian to whomsoever is *Divine*: and all the Obedience of a wicked man is to an *Idol*, or to

to carnal-self; to which he subjeſteth even God himſelf.

Theſ. 319. All perſons, even Paſtors of the Church, are bound to this ſubjeſtion to Magiſtrates, as I have before proved, and it is a double wickedneſs and treaſon for them to exempt themſelves, that ſhould Preach the doctrine of obedience to others.

Beza on the Text citeth Chryſoſtoms expoſition before mentioned, viz. [That this is commanded to all, even Preiſts and Monks, and not only to them that are employed in the buſineſs of this life, as the Apoſtle in the very entrance declareth, when he ſaith, Let every ſoul be ſubjeſt to the higher Powers: though an Apoſtle, though an Evangeliſt, though a Prophet, or whoever elſe thou be: For this ſubjeſtion overthroweth not Piety,] Upon which Beza with exclamation ſaith, [Good God, if he had but lived at this time, how ſharply would that man inveigh againſt him, that not only refuseth ſubjeſtion to Kings, but transferreth alſo Kingdoms and Empires, and yet would ſeem the Viſar of Chriſt!] But of this before.

Theſ. 320. Rulers muſt be obeyed in all lawful things.

That is, in all things that God hath not diſabled them to oblige us in, and hath not obliged us himſelf to the contrary.

Theſ. 321. Kings and Magiſtrates muſt be obeyed;

So much of the circumstances of Worship as God hath left to be determined by men, we must obey a Magistrate in if he determine them: And much more when he doth but enforce Gods own Commandments: Of this also before.

Thef. 322. About the circumstances of Divine Worship, much more about secular things, if the Prince command one thing (not contrary to Gods Law) and the Pastors of the Church command the contrary, we must obey the Prince before the Pastors.

I bring not the Pope or any unlawfull Prelates into question; who are not as such to be obeyed at all: But it is the lawful Pastors of the Church, that I speak of: In the *substance of their office*, which God himself hath made necessary, they are not to be disobeyed, whatever Princes say, because it were a disobeying God: As if we were forbid to Hear, Pray, Receive the Sacraments, live in Church Communion, &c. But the circumstances of Time, Place, Utensils, &c. though ordinarily they should be left to the Pastors determinations, yet are such things as a Magistrate may determine of, and must be obeyed in. And in these works common to both, he is the *higher Power*.

Thef. 323. We must obey Magistrates, though we know not that their Commands are lawfull, as long as they are so indeed, and we have no sufficient Reason to believe them unlawful.

1. It is not our erroneous conceits that a Lawful Command is unlawful, that will excuse any man from the guilt of disobedience : For that very error is our sin : If you say, that *we must go according to our consciences* : I answer ; Not according to an erring Conscience (it being doubtful whether that be truly Conscience :) unless you will make man a God to himself , as setting him above the Laws of God, and that by vertue of his errors. If you say, that *at least we must not go against Conscience* ; I answer, *In sensu diviso* you must : *In sensu composto* you must not. And yet you must not go *according to it*. So that error intangleth you in a necessity of sinning, if you will not depose it. *What then must be done ?* Answ. Gods Law stands still the same , and varyeth not with your erring mind. It binds you first to lay by your error, and then to Obey. Object. *But in case I cannot lay it by, what am I bound to ?* I answer, you are still bound to lay it by, and to use the means that are necessary thereto, with a right disposed mind , that you *may be able or apt to do it*. You cannot be innocently impotent to your Duty.

2. We know that Obedience to Magistrates is a Duty : If therefore we know not, nor have sufficient reason to believe, that the thing is sinful to the obeyer, we must obey.

Theſ. 3 24. *Many things are sinfully commanded, that are lawfully, yea necessarily to be obeyed.*

I have given many instances in cases about Worship, in my *fifth Disput. about Church-Government.*

It may be sinful in a Governour to lay an unnecessary Tax upon the people; who yet may be bound in conscience to obey the imposition. If the thing be not evil in it self, nor by a more weighty accident, then the Magistrates command is to the doing it, we must obey. Of this more in the Negatives.

Thes. 325. It is lawful for subjects to swear fidelity and obedience to Sovereigns.

1. If it be needful to perform it, it is lawful and just that we promise and swear it. For why should we deny to be engaged to that which we must perform? 2. It is just as to the Prince, who is sworn to the Common-wealth; and obligations here should be mutual. Why should he hazard his life for a People that will not swear fidelity to him? Princes, and Parliaments, and all Sovereign Princes go in continual danger by reason of the plots and malice of the enemies. And shall we not swear fidelity to them? 3. If every husband expecteth it in marriage from his wife; and if *Abraham* made his servant swear to be faithful in one particular duty, much more is it necessary in this case.

Yet upon a sudden change, while times and Consciences are unsettled, it is a more prudent course for Princes to forbear exacting oaths, lest it occasion scruples and divisions (unless some urgent necessity require it) and to stay till Consciences are settled.

Thes. 326. It is the subjects Duty to defend their Prince with their strength, and hazzard of their lives,

lives, against all forreign and domestick enemies that seek his life or ruine.

The way of defence they may be limited in by the Law: Every man is to do it in his place and calling. Fidelity requireth it. The common good requireth it. Else no man that is wise would be a King or Governor. For if the people be not bound to defend him, he is but set up to be the object of envy, and a bait to the ambitious to entice men to invade him, and execute their fury on him.

Thes. 327. It is a most impious thing for Popes to pretend to disoblige Christians from their Oaths and fidelity to their Sovereigns, and to encourage their subjects to rebel and murder them.

That this is their Religion, I have already shewed in the expresse words of the *Council at the Laterane under Innocent the 3.* And that it hath been their practice, *Germany, France, England* and many Nations know. Many Popes have done so against the German Emperors. *Math. Paris* calls it the [*Papal Rebellion*] against *Frederick*; which Christian people then lamented and detested. *Roger Hoveden* (that flatters the Pope more then *M. Paris*) tells us (*H. 2. pag. 284.*) that the Pope undertook to damn the *Laws and Customs of England, in perpetuum, and anathematized all that held them, or any way favoured them*] not excepting the King himself. These Laws and customs were no Novelties; but such as the King and Nobles called *avitas consuetudines & Leges*; the *customs and Laws of their Ancestors*, (And yet the *Papists* pretend that *Papacy* is no Novelty, nor the *Fa-*

ther of Novelties.) *Math. Paris* (in Hen. 2.) tells you what these Laws were. And *Becket* himself (that was Sainted for such stuff) telleth the King, [Quia certum est, Reges potestatem suam ab Ecclesia accipere, & non ipsam ab illis — ergo non haberetis Episcopis præcipere absolvere aliquem, vel excommunicare, trahere Clericos ad Secularia examina, judicare de decimis, de Ecclesiis — & multa alia quæ in hunc modum scripta sunt inter consuetudines vestras, quas dicitis avitas.] Here's holy Doctrine! that Kings receive their power from the Church, and may not judge of Tythes, or Churches, nor bring Clergymen to examination at their Barr! *Rog Hoveden H. 2. p. 285.* And the same Prelate of *Canterbury Epist. ad suffragan.* absolveth all Bishops from their obedience, and condemneth and excommunicateth all the Executors, Counsellors and Observers of the English Laws, [Omnesq; vos Episcopos à promissione qua contra institutionem Ecclesiasticam, & ad earum observationem tenebamini, auctoritate Dei & nostra absolvimus. Quis enim dubitat sacerdotes Christi Regnum & Principum, omniumque fidelium patres & Magistros censeri? Nonne miserabilis infanix esse cognoscitur, si filius Patrem, discipulus Magistrum sibi conetur subjugare, & iniquis obligationibus Potestati suæ subicere? à quo credit, non solum se in terra, sed etiam in cœlis ligare posse, & solvi?] O how would *Paul* and all the ancient Church have detested this doctrine of the Papal Saint, that makes it madness for Priests to be subjected to Kings, forsooth because (in another kind) they are their Masters, and can bind or loose them? And so their Tutors in Musick, Physick or any Science should be no subjects? Yea a Prelate we see as well

well as a Pope can absolve the Subjects from their promises and fidelity. The King himself he had yet mercy on, and forbore to excommunicate (which was then to depose him) but [*in proximo eam laturi*] he was ready next to do, if he did not the sooner repent; of what? Of the *Laws of England against the Pope*, and his Clergies pretended liberties. And these great enemies of Novelty and Friends to Antiquity, made *Richard the first* swear at his Coronation, [*to blot out these ill Laws and perverse customs*] *R. Hoved. p. 374.* yea when the good Bishop *Rob. Grosstest* had written a faithful Letter to the Pope, the Pope sweareth by *Peter and Paul* [*Nisi moveret nos innata ingenuitas, ipsum in tantam confusionem præcipitarem, ut toti mundo fabula foret, stupor, exemplum, & prodigium. Nonne Rex Anglorum noster est Vassallus, & ut plus dicam mancipium, qui potest eum nunc nostro incarcerare & ignominie mancipare? that is, [Is not the King of England our Vassal, and to say more, our slave? who can with our nod imprison him, and enslave him to ignominy (or shame)] Math. Paris in H. 3. an. 1253. pag. 872.* Here was plain dealing with Kings: And the Papal practises have been as plain, that is, plain Hostility against all Christian Kings and States.

He that hath read but *Math. Paris*, and the Histories of *Germany* collected by *Pistorius*, and those by *Freherus*, and those by *Reuberus*, and *Goldastus de Monarch. and his Imperial Constitutions* (to name no more) hath seen such trains and successions of Papal Treasons and Hostilities against Christian Princes, as may make him wonder that Princes suffer such a thing as a Pope upon the earth.

Saith

Smith the *Apolog. Henr. 4. Imperatoris* (in *Marq. Freheri Tom. 1. pag. 172.*) Scripsit Hildebrand Papa, ——— quod ipse exemplo alicujus Romani Pontificis Potestatem habuerit solvere à Sacramento Principes Regni, immo solvere in eis Sacramentum, quo fidem vel pactum promiserant Regi suo. Misereamini O Principes regni cœlestis, populus Dei, si tamen estis pacifici, & si estis in Unitate Ecclesiæ Dei: vos inquam misereamini & indignemini, quod æstimavit vos talis momenti, ut putaret vos posse in hanc sententiam adduci, ut id quod non potest fieri, eredatis posse fieri. Nam Sacramentum dicitur quoque jusjurandum, ——— Jurabis inquit Dominus, in veritate, in judicio & in justitia: Quis potest hæc solvere, quæ sunt opera manuum tuarum Domine? Opera quippe virtutis Dei sunt veritas, judicium & justitia ———] *Et pag. 174.* Sed Hildebrand Papa sic scripsit, & sic prædicavit [Quidam (inquiens) Romanus Pontifex Regem Francorum non tam pro suis iniquitatibus, quam pro eo quod tantæ potestati non erat utilis, à Regno deposuit, & Pipinum Caroli Magni patrem in ejus loco substituit, omnes Francigenas à juramento fidelitatis quam illi fecerunt absolvit.] Mira quidem videntur nobis quæ astringit! ut scilicet Religiosus aliquis Romanus Pontifex Sacramentum fidei in aliquo absolvere tentaverit: quia fides Dei magis quam alicujus æstimatur, quæ alicui in ejus nomine datur, atque promittitur ——— Quando autem à fide aliquis solutus fuerit, & fidem non habuerit, proculdubio mendax est, insuper & perjurus, qualis regnum Dei non possidebit. ———] Read the rest *ibid.* But of this I have said more in other writings.

Thes. 328. *It is a great Controversie, Whether a subject may fight at a Princes command when he knoweth not the cause to be just, or when he knoweth it to be unjust? Answ. 1. If he know it to be unjust, he may not; (except Accidentally aliunde some further prevalent Reason warrant it.) 2. If he know it not to be unjust, when it is so, because he doth not his duty to know, he is bound to do that duty, and knowing to forbear. 3. If he know it not to be unjust, because he hath no capacity to discover the injustice, nor to judge of it, then he may bear arms.*

1. The guilt of blood is so heavy a thing that no man should draw it upon himself or his Prince: unjust war is murdering: And no man should murder in obedience to a Prince, when God condemneth it.

2. The Accidental exceptions à fine, &c. I shall speak of among the Affirmative Propositions.

3. Wilful ignorance will not excuse a man from the guilt of murder, though a King command it. But the person is at once obliged to use means for his better information, to lay by his error, and to forbear the sin.

4. But when the sin or unjustness of the war is not notorious, nor within our reach to know it, then we must obey our Rulers that are the Judges or discerners of the case: For,

1. Rulers may not open all causes of a war to all the Souldiers: Sometime the case requireth such secrecie and expedition, as will not consist with that.

2. Subjects by reason of distance and disacquaintance are usually incompetent Judges of such cases.

3. And if they should never fight till they know the Justness of the cause, they would

would neglect the Necessary Defence of their Sovereign and Countrey.

Yet, if there be not competent knowledge that it is a good cause, men should not thrust on themselves, nor go to war without some kind of Necessity.

Thes. 329. The same answer serveth to that other Controversie, Whether a subject may execute an unjust Sentence of a Prince or Judge?

If it concern the Common-wealth directly (or nearly) he must suspend his execution till he have competent satisfaction: As if he were commanded to put to death some persons of great Eminency and Interest in the Common-wealth. But if it be but against a private person (as the hanging a man condemned for felony, the shooting to death a Souldier condemned for mutiny) here if the injustice be not notorious, and you see no great cause to suspect it, and be not negligent in doing what concerneth you in your place, for due information, you may do execution, if you are commanded. But not, if the injustice be notorious, or such as you may well discover, without transgressing your bounds in the enquiry. In such cases, Princes should find no Executioners: And the Executioners are guilty of the crime: For God is to be obeyed more then man. *Doeg* was cursed for slaying the Priests at King *Saul's* command. It cost the Captains and Souldiers their lives that would have surprized *Elias* at the Kings command. *Obadiah* is blessed that saved the Prophets; and so are the *Egyptian* Mid wives that saved the *Israelites* children,

dren, whom the King commanded to destroy. Many that have been Executioners in the Martyrs death, have had exemplary plagues. Its the Legal way of restraining Kings from unjustice, to punish their Executioners that are subjects, that others may fear obeying them in wickedness.

Thes. 330. A Sovereign that is an Heretick, or wicked man, yea Infidel or Heathen, must be obeyed in all Lawful things : but with an Obedience answerable to his Authority.

I shall open this together with the next *Thesis*.

Thes. 331. He that hath no such Right to Govern, as will justifie himself for it before God, may yet be such whom we are obliged to obey.

We have here one of the weightiest and difficultest cases about *Obedience*, before us. It is very hard to conceive how an Infidel or Heathen can have any Right of Government, because they deny the Universal Sovereign from whom they must derive their Right, or they can have none : And how can a Rebel receive Authority ? And why should we obey him that hath no Authority ? Nay is it not impossible, when *Authoritas Imperantis* is the formal object of *Obedience* ? Also will it not follow that the Pope should be obeyed that is no Infidel or Heathen ?

And yet Christ, and *Paul*, and *Peter* have so plainly decided the case, that the Heathen Magistrates that were in their daies were to be obeyed, that we must needs take that for a certain truth. And therefore we
have

have only to consider upon what ground, and how far they are to be obeyed, and to answer the objections.

Aquinas 22^e. q. 10. a. 10. doth first well distinguish between a Governor to be chosen, and a pre-existent Governour: And then well concludeth that an Infidel is not to be made a Governour, (that is, if he be elective;) but if he be already a Governour ——— what then? Why then he ill concludeth that the Church having Gods authority, can take away from them their Jus Dominii & prælationis; but till the Church do depose them, (which it forbearcth sometime to avoid scandal) we must obey them, and pay them tribute to avoid scandal too] And so he interpreteth the Texts of Scripture that command subjection to Infidel Princes, as being only to keep us from offence. But this agreeth not with the words of Paul, that saith, Every soul must be subject even for conscience sake, and as to the Ministers of God. To obey only to avoid offence, is not to obey at all: It is but the matter of that which is Obedience in another: For the Form and Being is wanting, if it be not done for the Authority of the Commander: Even as that is no Belief which is not for the Authority or credit of the affirmer. But sure it is true subjection that is commanded us.

The Truth, as I conceive, lieth thus. 1. If the infidelity of a Prince be not notorious, he is no Infidel to you and me, and then there is no doubt. As in the Ministry, so in the Magistracy, if he be in the place, and not a notorious Usurper, he is an Officer to me: The Benefit of the subject from Magistracy (and Ministry) is first considerable: They are means to our good. The Duty is in order to the Benefit. We have Title

to the *Benefits* of the office, though an Usurper be in the place. And having right to the *Benefit*, must do the *Duty*.

2. If the Ruler be *notoriously* an *Infidel* or *Heathen*, yet he is supposed to own a *God*, even *one highest God*, that is most perfect in Power, Wisdom and Goodness, and to profess himself a subject of God, and an Officer under him to punish evil doers, and encourage well-doers: This the Heathens did profess. But withall they knew not the *Redeemer*, nor the *True God aright*, with a saving knowledge, but dishonoured him by worshipping many Idols in conjunction with him. And in the execution of their offices, they persecuted Christianity, though they encouraged Moral Vertue. What then must we think of such? 1. It is better for the world to have *such Governours* then none. And therefore they did *more good then hurt*. There never was among those Heathens so bloody a persecutor, that did not save the lives of many from persecution, for one that they destroyed. For it is the rabble rout of the Vulgar that are the bloodiest persecutors: Where the Emperours killed an hundred Christians, had they but turned loose the vulgar rabble, they would have killed a thousand, or made an end of them. We should have ten thousand Persecutors for one, if there were no Rulers to restrain the Serpentine Malignant enmity that is in the multitude of the ungodly. 2. Seeing therefore that we have preservation and benefit by them as Governours, we owe them duty as Governours. 3. They are *Analogically Rulers*, having an *Analogical Authority imperfecti generis*. As they own a God, and profess to worship God, and to preserve peace

and

and order in the world, and punish vice, and promote vertue, according to the Law of Nature, so they are *in tantum* truly Magistrates. But as they deny the Redeemer, and corrupt the doctrine of the God-head, so they fall short of that dependence on the fountain of Authority, that should make them *fully* men of power. 4. They are accordingly to be obeyed with obedience proportioned to their Authority, and no more. 5. How far an Atheist or Infidel is to be rejected, I shall mention anon under the Affirmatives. 6. Even those that by *Atheism*, or *doing more hurt then good*, do nullifie their Magistracy, may yet be *materially*, though not *formally* obeyed to avoid evils that else would fall upon our selves, or upon the Church or Common-wealth. 7. And private men may not lay hands on them, as long as God and the Common-wealth (or body of the Nation) forbear them. If a Justice of Peace renounce the King, and yet go on to execute the Laws, and if the King be one that can seize on him at his pleasure, and willingly forbeareth him, the subject must let him alone, and obey all that he commandeth according to Law, till the King lay hands on him, or forbid obedience to him. 8. Such persons therefore have no right *Coram Deo* to govern, which will justifie them against the accusation of Usurpation or Treason against God: But yet the people may be bound to obey them (though they know this) not as so Authorized, but as being in the seat or place of Government, and commanding in Gods name by his voluntary permission. If a Traytor come and charge me to obey the Kings Laws, I will obey them *as the Kings*, though *formally* I obey not *him*; But if he be one that

that the King *permitteth* in a place of power, I will obey him also, so it be not against the King. So is it in this case, about Infidel and Heathen Governors.

And now the objections need no further answer. The grand Objection (that they are Traytors against God, and have no Power from him, because they deny him) is answered in this that hath been said. The other Objection (that this would infer obedience to the Pope) is easily answered: The Office it self of the Papacy is erected by man against the Will of Christ. An Infidel King is in an Office of Gods institution, though the person be half unfit: But the Pope is in an Office that God condemneth, whatever the person be. And therefore a sinful office may not be obeyed by us at all.

Thes. 332. To obey a man that is known to have no Power; is not of it self unlawful, so the office or thing commanded be not forbidden.

For we are commanded to subject our selves one to another, 1 Pet. 5. 5. and in honour to prefer each other. I may obey any man that commandeth me, even if it be to give him my Cloak, or Coat, or go with him so many miles: So be it there be not some accident that makes it sinful: As if it seem to own an unjust Authority to the publick scandal; or if it will encourage the Usurper in his sin, &c.

But this also is no plea for the lawfulness of obeying the Pope, whose Office is unlawful, and who is the enemy of Common-wealths, while he proclaimeth himself the Lord of Princes. Saith an old Poet

*Cogitet antiquos primævi temporis annos,
Præteritosq; dies, & secula prisca revolvat,
Num Petrus, aut Clemens, num cætera turba priorum
Sceptra Latina dabat? Romanus tempore prisco
Pauper erat præsul, regali munere crevit:
Nec tamen ut fasces & regni jura Latini
Vel dare præsumat, vel cuiquam tollere possit:
Excessere modum magnorum munera regum,
Si tantum cuiquam jus in sua regna dederunt: ———*

*Hoc tamen arbitrium Romanus tempore nostro
Vendicat Antistes, documentaq; vana figuris
Exprimit, & chartis dat grandia verba superbis.*
Read the rest.

When Princes ruled Popes, and placed and displaced them as they saw meet, there was some Peace to be had; but since Popes have placed and displaced Princes, Peace and Honesty are sacrificed to odious pride and arrogancy: and if Princes will not re-assume their right, they shall answer for betraying the people committed to them. Its a part of the Praise of the Emperour *Otho*, given him by an antient female Poet, that he in a right zeal deposed a faulty Pope, and put a better in his place. *Hroswithæ Histor. fin. p. 101. ex collect. Reuberi.*

*Qualiter & recti compunctus acumine zeli
Summum Pontificem quadam perversa patrantem,
Ejus nec monitis dignantem cedere crebris,*

Sedis

*Sedis Apostolica fraudari fecit: honore,
Constituens alium Rectoris nomine dignum.*

Thes. 333. *Private men disjunctly are not made Judges of the Title of their Princes, and therefore must obey them that are in Possession and Administration, unless their Usurpation be so notorious as to be past controversy.*

Private men *conjunctly* are the Body of the Commonwealth, who being *his strength*, must defend their Princes right: and therefore must *judge of it*, in order to such defence. But while the Body (real and representative) submit, it belongeth not to private members to try or judge of controverted Titles of their Princes. For their distance and unacquaintedness with State-affairs, doth usually leave them incapable of Judging. *e. g.* In the time of the Roman Emperours, there were few private persons fit to judge of their Titles, and therefore the Apostle supposing this, commandeth them to obey the powers that then were. If a private man must first know his Princes Genealogie, or have satisfactory evidence of his Title to the Crown, before he be obliged to obey, then obedience would be rare, and Princes must take another course to acquaint their subjects with their Titles, then hitherto they have thought meet to use. How few in *England* of the common people were acquainted with King *James* his Title? or with *Henry* the seventh, or many of their Predecessors, from whom they pretended that theirs was derived. The vulgar must see much by the eyes of the Nobles and Senate in these things.

Thes. 334. *If Usurpation be notorious, yet if it be not to the injury of another, the body of the Nation may lawfully afterward Consent, and having consented, are obliged to obey, though still the Usurper is accountable to God for unjust procurement of their consent.*

Of the case of injuring another, and of the change of Government from person to person, I have spoken before. But out of that case, there is no prohibition of God to subject our selves to an Usurper.

Thes. 335. *It is the subjects Duty to submit to suffering, and not resist the Power of their Rulers, in cases where they may not lawfully obey.*

Yet those misunderstand the Apostle *Paul*, that think by the ὁ ἀντακούειν, Rom. 13. 2. is meant *only violent Resisters*: meer disobedience may make a man a Resister in the Apostles sense. It is *Antisubjection*, or breaking out of the rank of subjects, which the Text forbids. And he that unwarrantably disobeyeth, may do that, though he forcibly resist not. But when obedience in the thing commanded is unlawful, yet submission to suffering may be a duty: The excepted cases are after to be mentioned.

Thes.

Thes. 336. In many cases where Officers may be resisted, it may be unlawful to resist the Sovereign himself.

I shall only instance now in this general; In case the Law or will of the Sovereign allow us to Resist his Officers upon supposition of such or such miscarriages; but not to resist himself.

Thes. 337. In many cases when it is Lawful forcibly to resist a Prince, in some one particular cause or act, we may yet remain obliged to honour and obey him in all things else, and not to depose him, or hurt his person.

As there is great difference between his injustice in a particular act, and the Nullity of his Power; so is there great difference between *Resisting an unjust act*, and *Resisting his office* in the main, and denying him our subjection. When the former may be a Duty, the later may be a damnable sin. A man that holds the hands of an angry Prince from killing himself, or another in his passion, may yet honour him and obey him as faithfully as another man; and do him neither wrong nor hurt.

Thes. 338. Every breach of Oath or Covenant by the Prince, will not warrant the people to depose him, or disobey him.

In two cases this is evident, (which contain the particular cases.) 1. The Covenants between Prince and people contain some particulars oft times that are

not of Necessity to the Being of the common good, but only to the *melius esse*, or to the good of some particular persons. If the Prince or Senate, or whoever is Sovereign, break such Covenants, they offend, but do not thereby forfeit their Sovereignty; unless (which is not to be supposed) it were agreed between them, that this should be a forfeiture: Nor may men resist, in such a case of breach, in smaller things, unless the Covenants, or Law allow it them. 2. If the Sovereign should violate his Covenants, or the Constitution it self in matters Fundamental, which the common good doth lie upon, and yet do this but in some one Act, which he persisteth not in, but returneth into his way, and is not a stated habited offender in this kind; it cannot be taken for a forfeiture of his Power, nor sufficient to warrant men to withdraw subjection, unless it were so expressed in the Covenants or Laws. Such a destructive Act of his may be *hindred*, that is, *Resisted*, and yet the *Regal estate* not subverted, while the crime is not stated.

So much for the Negative, How far Resistance is unlawful. Now of the Affirmative, how far it is *lawful*. A tender point: but so weighty, that conscience should not be unsettled in it.

Theſ.

Theſ. 339. *When it is notorious that a man hath no right to Govern, the people are not bound to obey him, unleſs by accident.*

Elſe we ſhould be bound to take every man for our Sovereign that calleth himſelf ſo: And ſo the people ſhould be bound to Treason, and to have many Sovereigns, when many pretend to it. Materially men may be obliged to obey (that is, to do the thing commanded) in prudence to avoid an evil to the Nation or themſelves. But formal obedience is due to none but ſuch as are in Authority, or ſeem to have Authority, and ſo *quoad nos* are truly Governours, though perhaps their Title *ceram Deo* may not be good. Even as I am not to take any man for a Paſtor of the Church that is not lawfully called to it, or being in Poſſeſſion and Adminiſtration doth ſeem ſo to the Church.

Theſ. 340. *If a Lawful King be limited, if he Command the ſubjects beyond his Limits, in matters exempted from his power, or elſe in matters that the nature of his office extendeth not unto, that command is not an act of power; and therefore it is not a reſiſtance of Power to diſobey it.*

The Reſiſtance of a perſon in power, in a point wherein he hath no Power, is not to reſiſt Power, (that is, *ſus regendi*) but the will of a private man: For he is a private man in all things exempted from his Power. 1. A School-maſter hath nothing to do to command his Scholars in matters about their trades

and callings in the world, but only in matters of learning and manners, because it belongeth not to his Office. A Captain hath no Power (as such) about mens estates, but only about the manners and military actions of his Souldiers, in order to his military ends. If a Judge of one Court step into another without Commission, *in alieno foro*, his Sentence is null, and no man bound to obey it. So if the Minister presume to command in things belonging to the Magistrate, and not to him, his act is private, vain and null. So if a Sovereign will turn Physitian, and command all men to take this or that Physick only, not in order to publike good, but private health; or if he will turn Pastor and do things proper to a Pastor of the Church, his acts are private and null, as being without the verge of his vocation.

2. And where his Covenants with his people limit him, he hath no power in the excepted points; *e. g.* if he be restrained from raising Taxes without the peoples consent, if he yet command the payment of such taxes, he doth it not by Authority: For neither God nor man did ever give him Authority thereto. If the Constitution restrain him from raising war without the consent of the Senate, and yet he undertake to do it, it is not an act of Authority; for he never had Authority thereto.

Object. *Who hath Power to limit a Prince, when he is the Officer of God?*

Ans. 1. God hath limited him. 2. God hath not determined in Nature or Scripture of the *species* of Government, nor of the person or family that shall Govern: The People therefore being his Instruments or means, may *limit* their Sovereigns in things that God

God hath not determined of. 3. His own Covenants may limit him. And the people having *strength* and *liberty*, may force him to such Covenants as are necessary to their security, before they choose him to be their King. No man or family hath Originally more right to Govern a Nation then the rest, till *Providence* and *Consent* allow it them. Few Princes will plead a successive Right of *Primogeniture* from *Noah*. If the people then say, [*We choose you, (and your family successively) to Rule us on these and no other terms; Accept these terms, or we accept not you.*] If he thus accept them, he obligeth himself, and all his successors, that will Rule on that foundation. And therefore he hath no more Authority then another man, in the excepted points.

Theſ. 341. He that thus commandeth beyond his bounds and without Authority, may be lawfully Resisted in those Commands, unless the Law or Constitution forbid such Resistance: Provided that the Honour and Authority of the Ruler be preserved, and he be obeyed in all lawful things.

Not obeying, is the first and chief *Resisting*; And that is proved lawful before, which proveth this also. He *Resisteth* not Power or Authority, that *Resisteth* only the *will* of a man, that (in that) hath no Authority: Indeed if the Constitution should be (which is not to be imagined) that the Prince shall have no Power in this or that, and yet if he assume it, none shall resist him, then men are restrained from resistance. Otherwise in those points he is a private man. Yet *accidentally* Resistance may become a sin
or

or a Duty. If it cannot be done without the common loss and hurt, by dishonouring and deposing the Governour, it is a sin by accident. If it be necessary to restrain his usurpation, and to secure the publick good, it will be a duty, and no indifferent thing.

If I be bound to obey or not resist, where there is no *Authority* to require my obedience, then it must be somewhat distinct and separated from Authority that I am bound to: And what that is, must be discovered. It can be but Accidental: and that's nothing to the point.

Thes. 342. No Law can oblige us to Punishment but for disobedience; And therefore where the Obedience was not due, the disobedience is inculpable, and the punishment not due: And where it is not due, I am not obliged to it by that Law, though possibly some other Law may bind me to submit to undue sufferings.

If there be a Law forbidding Resistance, how undue soever the penalty be, that Law must restrain us. But that Law it self that obligeth *ant ad obedientiam*, *ant poenam*, obligeth not to punishment, but in case of disobedience. The action therefore of such an unjust afflicter, is without Authority: And therefore it cannot be formally in obedience unto him that I must submit (unless to some other Law.) But it may be an act of formal obedience *to God*, that requireth me to submit to the unjust afflictions of men, when they cannot be resisted without deturbing or dishonouring the Governours, to the injury of the Commonwealth. Rulers are not authorized to hurt the innocent at pleasure.

Thes.

Theſ. 343. Inferiour Rulers have no Authority but what is given them from the Sovereign Power ; and therefore in all other things the ſubjects are not bound to obey them ; but may forcibly reſiſt them, by the Conſent of the Sovereign.

They are Private men in matters without the verge of their Commiſſions. If a Conſtable uſurpe the Office of a Juſtice, or a Juſtice of a Judge, or one Judge of another, their commands are null and may be reſiſted by diſobedience, and by force too, unleſs where the Law for Peace and order doth forbid it. No man doubts but the Sovereign may authorize us to reſiſt his Officers, when they tranſgreſs their bounds,

Theſ. 344. No humane Sovereign hath Authority to forbid what God commands, nor to command what God forbids ; but their Laws that are notoriously contrary to the Laws of God, are nullities, and cannot oblige to obedience or puniſhment.

A Conſtable or Juſtice may a thouſand-fold more excuſably pretend Authority againſt the King, or independent on him, then a King can claim Authority againſt God, or independent on him. There is no Power but from God ; God giveth none againſt himſelf. All Laws or commands of men are null, or void of true obliging Authority, which are againſt his Laws. They are not words of *Authority*, but of *Rebellion* or *Uſurpation*, that command us to diſobey the God of heaven. To reſiſt ſuch a command, is not to

Reſiſt

Resist an act of Power, but of *Usurpation*. For there can be no Power without, much less against the fountain of all power, the universal Sovereign. It may be this is the meaning of the School-men and Politicians, that say it is no *Law* which is unjust; and of *Augustine* that makes Justice essential to the Commonwealth, de Civit. Dei l. 19. [*Ubi ergo Justitia vera non est, nec jus potest esse: Quod enim jure fit, perfectio juste fit: quod autem fit injuste, nec jure fieri potest. Non enim jura dicenda sunt vel putanda qualibet iniqua hominum constituta: Quocirca ubi non est vera justitia, juris consensu sociatus cœtus hominum non potest esse, & ideo nec populus: Et si non populus, nec res populi, sed qualiscunq; multitudinis quæ populi nomine digna non est. Ac per hoc si Respublica Res est Populi, & Populus non est qui consensu juris sociatus non est; non est autem jus ubi nulla est Justitia, proculdubio colligitur, ubi Justitia non est, non esse Rempublicam.*] Of this more anon.

Yet as God requireth us to yield for peace like to men that have no Authority, and rather then be revenged or break Charity and Peace, to go two miles with him that would compell us to go one, and to give our coat to him that takes away our cloak; so much more *finis gratia*, for the sake of Charity, Peace and Order, he requireth us to suffer wrongs from *Kings* and *Magistrates*, and not disturb the publick peace for our private interest. But yet for all this, their acts against God and his Laws, are not acts of Authority, nor oblige to formal Obedience; nor are we tyed from Resistance when the publick good requireth it, and so the end is such as we cannot dispence with.

But yet if upon this pretence any private subjects

or

or others take on them to judge the Sovereigns actions, that are incapable, or not called to it, or shall conclude that to be contrary to Gods Law that is not, and shall resist Authority under pretence of resisting a private Will, their temerity and errour will not excuse them from the guilt.

Theſ. 345. To ſpeak properly, no Law obligeth any man to ſuffer, but only to ſubmit, and not reſiſt: And therefore we are allowed to fly to eſcape undeſerved ſuffering.

Chriſt himſelf alloweth his Diſciples to fly in caſe of perſecution, unleſs when accidentally the confeſſing of his name requireth them to ſtay. He that flyeth doth not obey, or ſuffer: and yet offendeth not, becauſe he doth not diſobey a Command of Authority, but of uſurping Will, nor doth reſiſt to the diſturbance of the common peace, nor to the diſcouragement or diſparagement of Governours. And if flight, then any other lawful means may be uſed to avoid unrighteous ſufferings, as by *intreaty*, and by *mediation* of friends, or as *Paul* by an *Appeal*; and why not by *forcible eſcape out of priſon*, or the inferior officers hands? The Apoſtles went out of Priſon when the Angel let them looſe; and the fear of the People often reſcued Chriſt and them. *Baſil* was violently reſcued from the Tribunal by the multitude, and many antient Biſhops have ſo eſcaped: This is *Reſiſting*, and *violent Reſiſting*: but when it is but an *eſcape from* the hands of perſecution and injuſtice, and is no injury to the Governour, nor a diſturbance of publick order or peace, it is not the reſiſting that God forbids, nor any reſiſting of Authority.

Theſ.

Thes. 346. In many cases it is lawful to Resist the Officers and Instruments of a King, though against his will.

1. As to their *persons*, they are *subjects*, and have not themselves the Sovereign Power. 2. Every man that saith he comes in the Kings name, is not to be believed. 3. Unlawful commands should have no Executioners, if they may be known to be unlawful: And therefore the Executioners deserve punishment, and not obedience. 4. A King may be limited himself, and then cannot give the Power to his Officers that he hath not. And when they are sent by meer *Will* without *Authority*, they may be dealt with as private invaders of our rights. *Elias* destroyed two Captains and their Companies with fire from Heaven, that came to command him to come to the King, 2 *King. 1. 9, 10.* Though the manner was extraordinary by Miracle, yet the matter (destroying the Kings Souldiers) was the same as if it had been done by war; and was done by his voluntary Resistance. Every souldier is not the King: and the command of obeying the higher Powers, obligeth us not to obey them that have no Power high or low; but are the meer Instruments of will and Arbitrary invasion, and not of Power. A Kings will cannot justify his own acts that proceed not from Power but usurpation: Much less his Officers or Souldiers acts.

Thes. 347. A King must not be obeyed that commandeth a subject to kill him, or unjustly to kill another, or to do any evil that is or may be known to be such.

David

David hewed in pieces him that killed *Saul* in obedience to him. He was a Traytor that obeyed the King to his destruction. *Doeg* was a branded wicked wretch that obeyed the King in killing the Priests. It was *Jeabs* sin to set *Uriab* in the place of danger, and be *David's* instrument to murder him, though by the enemies sword. *Daniel* would not forbear open praying in his house for a few daies time at the will of the King: The three witnesses, *Dan.* 3. boldly told the King to his face, that they would not worship the Image that he commanded them to worship. Man may not be obeyed against God.

Thes. 348. *It is lawful and a Duty to Resist a King even by violence upon his person, to prevent the destruction of himself, yea or of the innocent, in case it be done with the due regard of his honour and dignity, and the end of Government.*

1. If a King (as *Saul*) would make away himself, the Subject is a Traytor that doth not Resist him, and preserve him, though against his will. Nature and the common good require it. We must do so for a fellow-subject; much more for a Prince. If in his sickness he would eat or drink that which would kill him, he may be hindred even by force. 2. If in his Passion he would kill his wife or servants, or faithful subjects, he is to be resisted even by force: and he that holds his hands, and taketh the sword out of his hands, may expect that he will praise him when the Passion is over: But if he do not, God and good men will praise him; and the wickedness of an obstinate King,

King, cannot make the good action to be evil. He is not [*ὁ ἀντιπαύμενος*] that only hindreth a King from murder.

Thes. 349. As it is lawful thus to save anothers life from a murderous King, so also to save our own; with the aforesaid caution, and if no other accident forbid it.

No man is bound to love his neighbour, but as himself. We are bound to preserve our own lives as well as anothers: It is as great a sin in a King to murder you as another: And therefore you should equally endeavour to prevent that sin. You may hold his hands, or take away his sword, in case you cannot flie or otherwise escape. For, 1. It is not Authority but Passion that you resist. 2. You hurt him not, nor derogate from his authority, nor disturb the Order and Government of the Common-wealth. 3. You are bound to preserve your life by lawful means. 4. And also to preserve him from such deadly sin. *David fled from Saul with an Army to defend him: And his question, [Will the men of Keilah deliver me into the hands of Saul?] doth intimate that he would have defended that town against him, if the Townsmen would but have stuck to him. The people rescued Jonathan resolutely from the sword of a King and Father, engaged by Oath to have put him to death, 1 Sam. 14.45. [And the people said unto Saul, Shall Jonathan die who hath wrought this great salvation in Israel? God forbid. As the Lord liveth, there shall not one hair of his head fall to the ground—So the people rescued Jonathan that he dyed not.] The other is, 1 Sam. 23. 12.*

Theſ.348. *It is the Duty of a Woman to Reſiſt a King that would raviſh her; and the duty of others to aſſiſt her.*

For 1. To raviſh her is no act of Authority, and therefore to Reſiſt is no Reſiſting of Authority, but of luſt. 2. Elſe the Woman ſhould be guilty of Adultery, being bound by God, to preſerve her chaſtity, and ſo ſhould thoſe that being bound to aſſiſt her, do neglect it.

Theſ.349. *Much more ſhould a Nation preſerve themſelves, or their Representative Body, from the unjuſt endeavours of a King, that would deſtroy them.*

The Reaſon is moſt evident; 1. *Afortiore*: If the life and chaſtity of a ſingle perſon may be reſcued by force from the Will and Instruments of a deſtroying and unchaſt King, much more may a Nation or Parliament be ſo reſcued.

2. We have a concurrence of many greateſt obligations to ſuch a reſcue. 1. Parliaments we call out about our work, and truſt them to ſecure our Intereſt, and therefore to forſake them to the will of the unjuſt is to betray them. 2. There is the higheſt Reaſon for Natural ſelf-preſervation, to preſerve a whole Nation. 3. The honour and intereſt of God, is moſt concerned in publike intereſt. He that thinks a Parliament or Nation ſhould lay their necks upon the block, or quietly periſh whenever a King would have it ſo, hath loſt ſo much of humanity, that he is unfit to be *Civis*, a member of a Commonwealth. *Jonathan* was not

3. If warre be just, either as a *meanes*, or as an *end*: The later no man is so void of reason as to pretend (that is fit for us to dispute with.) If as a *meanes*, it is either as a *meanes* to the *common good*, or to something *better*, or to something *worse*: If warre be a *meanes* to the *common good*, or else unlawfull, then have we that granted which we seek: then the warre is sinfull that is *against the common good*. If it be undertaken for a *lesser good*, it must needs be *sinfull*: for a *greater good* is not to be cast away in order to a *less*. Reason will cry shame on this. Though it were the *Right* and *Prerogative* of the King, it cannot be justly preferred before the common good: For even his *Prerogative*, as his *Office* and *Government* it self, are the *meanes* to this.

Two things indeed are above the common good of a Nation: One is the Interest, Pleasure and Honour of God himself. The other is the good of the world; or of many and greater Nations round about. And the welfare of these (and of the Church universal) may be a higher end then a Nations good, but nothing else.

Theſ. 352. *Though a Nation wrong their King, and so quoad meritum causæ, they are on the worser side, yet may he not lawfully warre against the publike good on that account, nor any help him in such a warre; but propter finem he hath the worser cause.*

The Reason it is plain in what is said: 1. If not only his *Rights*, but his *very Office* and *Administration* be *propter bonum publicum*, then may he not plead or defend those *Rights contra bonum publicum*: But the
Antecedent

Antecedent is past controversie : therefore so must be the consequent.

2. An excessive penalty beyond the proportion of the offence, may make that cause bad, that else would have been good; The danger or ruin of the Commonwealth, or its felicity is such a punishment. If a King be wronged, he must be righted according to the proportion of his wrong : whatever is against the Commonwealth, especially in the great matters of its safety and felicity, is incomparably above the proportion of his wrong : It is more injustice to seek the destruction of the common good, for a real injury to a single person, then it was in them to do that injury.

Thef. 353. A warre raised against the Body of a Nation, is by them to be construed to be against the common good : No warre therefore against the Body of a Nation, by any of its members; Prince or people, can be lawfull : At least except in the two fore-excepted Cases, viz. the Command of God, and the Interest of the many Nations near them.

Reasons of the Antecedent : 1. The very miseries of a warre do hazzard all the safety and felicity, yea the *being* of the Commonwealth.

2. He that raiseth warre proclaimeth *hostility* with them he warreth against. He that proclaimeth *hostility* against the Nation, deposeth all friendly *Relations*, and is supposed to be one that will *deal as an enemy*. An *enemy* is to be supposed to be one that intendeth not the good or felicity of the Commonwealth.

Thef. 354. It is not professing in words, that the warre

is raised against a rebellious Party only, or that the King intendeth by it the common good, that should make the Nation take it as warrantable, and for their good, if they be the Party that it is actually raised against.

1. Otherwise they should never use means for their security: For it's easie to say, *I intend not the common hurt*: And who will not say it, how hostile soever his actions be.

2. *Quid verba audiam, cum facta videam?* War is not an act of Government, but Hostility. Men are not in reason to be supposed to intend their enemies good. If they fight, we are to believe they would kill: and nature believeth not killing to be an act of friendship.

3. He that raiseth War but against a faction of Rebels, that hinder or disturb the common Peace, doth not make the Nation or Commonwealth it self, but those Rebels to be a Party: He that makes the Nation the adverse Party, cannot be supposed to intend only a Party of Rebels.

4. A Nation conquered by the sword, hath no security for their safety, liberty or felicity: If they ever have it, it must be from the mercy of the Conquerour. He that puts himself into a garb and state of Hostility, is not to be trusted to for mercy, but when there is no other remedy. When a Nation hath lost their just security for safety, liberty and felicity, they have interpretatively lost their safety, liberty and felicity it self. In the Constitution it is now supposed, that they provided for the security of the Common good, and put not the lives and states of all men, into the arbitrary

bitrary power of one man, that all should live or die at his beck, and the Nation perish, if he fell into a phrensie. Now Conquest depriveth them of their *security*. They are then at the mercy of the Conquerour: therefore the Constitution is altered; and *interpretatively all is gone*. The King may mean better: But Kingdoms and common Felicity are not all to be ventured, upon the secret unknown good meanings and good wills of Kings.

5. A Prince is not his own strength. If he *govern* by his own *Wisdom and Vertue*, yet must he *execute* by others strength. If it be by the *People*, it cannot be *against them*; for they will not *be against themselves*. If by *Strangers*, or a *Faction* at home, (especially Delinquents, or irritated impious men) the Nation is not to trust them with its felicity. Those that the King conquereth by, may master him when they please: They are stronger then he. His good meanings therefore are no security to the Nation, if he conquer them by such as mean them hurt, or as the Nation hath no cause to trust. Especially when it is so commonly, that the Conquerours have a self-interest opposite to that of the conquered; and that self-interest so much ruleth the world. It is a plain case then, that whatsoever is secretly intended, the Nation is to suppose it to be against their felicity, when they are the Party that War is raised against. And consequently that no War can be lawfully raised by a King against his people (that is, the Body of the Nation) because none can be lawfully raised against the common Good.

Object. *But then Princes are left without remedy, if they are injured by the people.*

Ans. 1. They think it meet that the *People* be left without *remedy*, if *injured by them*: and therefore they say, they are responsible to God alone.

2. A remedy is to be sought by *Government* or by *War*: By *Government* they may have remedy against particular persons, or the whole by such light and legal penalties, as are not against the Commonwealth. But if this will not do, if their injury be too great to be born, they may lay down their Crowns at pleasure, Crowns are not like Lands, that men hold primarily, *Jure Dominij*: They are not primarily the matter of *Propriety*. Government (that's Lawfull, and not Tyranny) is a *meanes to publike good*. When any mans possession of his Crown doth *cease* to be a *meanes to the publike Good*, and this without the peoples injury, it is then his duty to resign it, and no injury to be deprived of it. For the *meanes* is no *meanes* when it is against the end. If the Nation *injuriously* deprive themselves of a worthy Prince, the hurt will be their own, and they punish themselves: But if it be necessarily to their welfare, it is no injury to him.

But the King that by War will seek reparations from the body of the People, doth put himself into a *hostile state*, and tell them actually that he looks to his own good more then theirs, and bids them take him for their enemy, and so defend themselves if they can.

Thef. 355. *Though some injury to the King be the occasion of the War, it is the duty of all the people, to defend the Commonwealth against him; yet so as that they protest against that injury.*

This

This is a plain consequent of the former.

1. They resist no true Authority, in resisting him that warreth against the Commonwealth, which is the end of Government.

2. All are engaged to defend it.

3. It being the end, no meanes can be pleaded against it.

4. *A simili.* If my own Father or Mother wrong another by a foul word, and the injured person seek their ruine for it: I must not forbear defending my parents, because they were offenders; so be it I protest against *their wrong doing*.

2. A Lawyer at the Bar may plead against an excessive mulct or penalty, that would be imposed on a culpable Client. If his Client have done a trivial wrong, and another would therefore take away his estate or life, the party that had the worse cause *quoad culpam*, hath the best *quoad penam*, and the Lawyer may defend him: And so must a Subject the Commonwealth from hurt and danger.

3. If our own King had wronged the Pope or King of Spain, or a savage *Indian King*; and a War begin upon it; If it be justly supposed that the enemy if he should prevail, would destroy the happiness of the Commonwealth, we may and must all fight against them, for the defence of the Commonwealth; but not for the justifying of the Princes cause, which we may possibly be called to protest against. Every wrong that's done by a King, doth not forfeit the peoples happiness, nor warrant the enemies to invade it, nor exempt them from defending it.

Thes. 356. *If a Nation regularly choose a representative*

tative Body, of the most noble, prudent, interested members, to discern their dangers and the remedies, and preserve their liberties and safety, the people themselves are to discern those dangers and remedies, by their eyes, and to judge that to be against the common good, which their Trustees do rationally and regularly acquaint them to be so.

Proved. If they must discern their danger, either with their *own eyes immediately*, or *with others*; it is not necessary that it be by *their own immediately*. For Countrymen are unacquainted with State-affairs, and with enemies contrivances at home and abroad: And nothing more easie then to bring them past all remedy, before they can see the evil themselves. And what need they *Trustees*, if *themselves immediately* were capable. If it must be *by others*, either by the *King*, or *their Trustees*. If they do *trust the King absolutely and entirely*, they must stand to it: But then what need they *choose Trustees*. Kings being much trusted against strangers, our case supposeth, that the people do not *absolutely trust him*, but that in the Constitution, they have provided, that the publike peace and felicity shall be held by *reasonable security*, and not *meer trust* in the *Princes will*: And that Parliaments are appointed to that end. And if so, they are to be *trusted* accordingly.

And as the *Constitution* and our *Choice* requireth it, so *their Interests* require it; they being *many*, and their *Interest great*, and not lying so much within the temptation of an opposition to the peoples interest, as the Princes doth: And it is supposed that the Constitution of the Government, appointeth them for
this

his very end, to secure the people from the usurpation and tyranny of Kings: and therefore in that case Kings are not by the people to be credited before them; for then they should not appoint or choose them.

Thef. 357. If the said Parliament or Trustees be also legally the Kings chief Council, and so have a double capacity of discerning the dangers of the Commonwealth, the people are the more to see their dangers by their eyes.

For 1. This supposeth them in fullest capacity to discern them. They that are legally the Kings chief Council, are to be supposed acquainted with State-affairs, and how things stand between him and the people. 2. And the King himself having not his office for himself, but for the people, is to see their danger and remedies by the Council, which the Constitution doth appoint him. The Law therefore supposeth them to be the most credible Judges.

Thef. 358. If the King raise War against such a Parliament, upon their Declaration of the dangers of the Commonwealth, the people are to take it as raised against the Commonwealth, till it be notorious that the Parliament have deceived them and betrayed them.

The Reasons are plain: 1. Because the dangers of the Commonwealth were first declared by competent Judges, and credible Witnesses. 2. Because all their own dangers and oppositions is justly supposed to be for

for the sake of the Commonwealth. 3. Because they are the Commonwealth, or people Representative. 4. Because being the only legal Trustees appointed for the Nations security from tyranny, when they are conquered, our security is conquered, and the very Constitution overthrown.

Thef. 359. If a Parliament be moreover the supreme Judicature, by the Constitution enabled to censure and punish Delinquents and enemies of the Commonwealth, and to raise the power of the Nation against them, if they resist, the King himself having no Authority in that case to pardon or protect them; then is it just for such a Parliament to raise Arms against such Delinquents, to bring them to due punishment, and to prosecute them, though they have the Word or Will of the King on their side.

This case is plain: For 1. It is *Subjects* here that the War is raised against. 2. It is in a legal execution of Justice. 3. It is against no Authority: For it is in a case, where it is supposed that the King hath no power to pardon or protect, it's supposed that his protecting power is restrained unto certain cases, of which this is none. 4. If all Delinquents or enemies shall scape, that will but rise in Arms for their security, Commonwealths are destroyed, and Justice and Judgement are idle names, when a few Thieves may easily kill the Judge. And if Kings shall have power to pardon all Delinquents without limitation, the common good is wholly intrusted to their wils, where the King is *absolute* and above all Laws, he may protect all offenders. But where the *Laws* are *above the King*

King, they must be obeyed though his will be against it, and he forbid it: For his will is not his Authority.

Thes. 360. *If in the fundamental Constitutions, any rights by contract be reserved to the people, and the King obliged to maintain them, the people may lawfully defend those Rights, (by means proportionable to their Worth) against the King that violateth them, unless they have also consented to be restrained from such defence.*

1. If the Rights be but such as are needfull *ad melius esse*, or the loss of them be tolerable, the defence of them must not be by deposing the Prince, but by gentler meanes: Though as Thieves are hanged for robbing one man, so divers Subjects may be destroyed for robbing the Commonwealth at the Kings command, of its Rights and Liberties. 2. But if people to avoid a civil War, have expressly tyed themselves *not to resist a King* or Subjects, that by his command do deprive them of their Liberties, then they are wholly at his will. 3. But such a Consent or Obligation is not to be supposed, unless it be expressed. For 1. The very *Covenanting* for our Rights importeth, that we secure them, and leave them not meerly to the Princes will. 2. And in *Covenanting* for them, we exempt them from his power; so that in invading them he is but a *private man*; and in resisting him we resist not *Authority*, but *Will*. For if he have power of our *excepted Rights*, it is either *immediately from God*, or *mediately by Consent of men*. *Not the former*: For we suppose it to be in cases that God hath left

left undetermined. The people can have no Right to that which God himself takes from them: *Not by man:* For it is supposed that the people have *excepted* these things from the Princes power, and he consented.

Thef. 361. The Oaths of Kings, and the Charters or Laws in which they have expressed their Consent to Govern on such and such termes, together with the ancient Customes of the Nation, are the discoverers of the Princes limits, and the Peoples Rights.

Though every breach of Covenant forfeiteth not the Crown, yet every Covenant or Consent of the Prince doth shew the limits of his Power. If he (that naturally had no more right than other men) do accept the Government on such and such termes, or afterward Consent to them, he hath no power beyond or against those termes: and therefore he may not break his Oaths.

Thef. 362. It is lawfull to resist either King or Subjects that are his Instruments, by Law-suits, or by force, where the Laws allow it, if he be not above Law, and do not Repeal them.

I spake before of the peoples Rights reserved from the Kings power: I speak now of the allowance of the Law. If the Law be above the King, then may be do what the Law alloweth, though against his will. If it allow us to sue the King in his Courts of Justice, we may do it: If it allow us to sue his Agents, as subjects that have broke the Law, though by his command, we may do it. If the King bid a man murder another, I may

may sue him, and hang him against the Kings will, if the Law allow it. If the Kings Tenant keep an unjust possession against me, it is lawfull for me to sue him at Law, and at last, if he forcibly resist, the Sheriff may raise the Power of the County to eject him, though against the Kings will, when the Law alloweth it. And if the Law allow us to resist his Armies, we may do it: and so doing, we Resist no Power, but strength and will. But where the King is *Absolute* above the Laws, as being meerly his own Acts, there we may Resist, till he repeal the Law, or forbid us, and no longer (on that account.)

Thef. 363. Where the Sovereignty is distributed into several hands, (as Kings and Parliaments,) and the King invade the others part, they may lawfully defend their own by warre, and the subject lawfully assist them, yea though the power of the Militia be expressly given to the King; unless it be also exprest that it shall not be in the other.

The Conclusion needs no proof; because Sovereignty as such hath the Power of Arms, and of Laws themselves. The Law that saith the King shall have the *Militia*, supposeth it to be against enemies, and not against the Commonwealth, nor them that have part of the Sovereignty with him. To Resist him here, is not to resist Power, but Usurpation, and private will. In such a case, the Parliament is no more to be Resisted than he; because they also are the higher Power.

Thef. 364. Names are not the only notes of Sovereignty:

raignty : If a King have the Title of the Supream head, or only Sovereign of his Dominions, and yet a Senate have an essentiall part without the Names, they lose not their part, nor is it to be judged of by the Name.

A people may give an honorary Title to the Prince, and not give the same to others that have part in the Sovereignty : and this is ordinary : sometimes for the Nations honour, which they would have to be abroad conspicuous in their Prince: and sometimes to please him instead of fuller power. Those therefore that will judge of the power of Princes by their Titles or Names, and thence fetch Arguments to resolve mens consciences, know not what a narrow foundation they build on : Of which see Mr. *Lawson* against *Hobbs* his Politicks.

Thef. 364. Where the Sovereignty is in several hands, and so the Constitution supposeth their agreement, the dividers are the dissolvers, and upon a Division barely among themselves, in which the Commonwealth is not concerned, the Subjects should obey neither of them against the other, as having no power against each other: but should be against them, that in obedience to either part do raise the War.

The Reason is plain: Because though they are many natural persons, they are all but one civil person; and because that all the power of Arms here is either defensive against Enemies, or vindictive and punitive against offending Subjects. But none in sovereignty while such, are to be taken as enemies : And neither

part

part that have the Sovereignty, as such, can be offending Subjects; for they are *no Subjects*. Indeed in such a *Senate*, the persons considered *disjunctly* may be Subjects: but it is *conjunctly* as a *house* or *body*, that they have the *Sovereignty*. Moreover, all lawfull War is for the *common good*: But the dissolution of the fundamental Constitution, is not to be taken for the common good, but grievous hurt and ruine, though when necessity dissolveth it, the best parts must be first secured from perdition.

Thef. 365. Upon such a division among them that have the highest power, if some Subjects will unlawfully begin as instruments of the divisions, the rest are then obliged to stand up, and that for the safety of the Commonwealth, more then for either of the parties, and for that party that is for it; and against them both, if they be both against it.

I. It is notorious to the Nation; when the King and Senate (that are now supposed to be sharers in the Sovereignty) do disagree; and fall into hostility and open War, that the frame of the fundamental Constitution is dissolved. And when the ship is split or sinking, it's time for the passengers to save themselves and their goods as well as they can: When the house is on fire, we must shift for our selves and that we have: When the Government dissolveth it self, they that possessed it turn us loose to rule our selves, and defend our selves. If a man fight against himself, he is to be held as a distracted man: And so should King and Senate be in such a case, being but one civil person: But if any will rush in, and help one hand a-

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gainst

gainst the other, the people must either fall on *them*, or otherwise secure themselves. In this case the Prince hath no offensive power against the Senate, nor the Senate against the Prince: and therefore we should so obey neither, nor help neither, *as such*: But if we see that all *will not* be so wise or honest, but some Delinquents *will* adhere to one of the parties, and some foolish people to the other, we must then look to the Commonwealth.

And here if one party have the juster cause *ceteris paribus*, we must adhere to that part; not as authorized primarily against the other, but as justly defending themselves against them. But *si cetera non sint paria*, that is, if the welfare of the Commonwealth lie on one side more then the other, yea though that side had at first begun the wrong, (much more if that party were just and innocent) we must joyn with that part: yea or against both, if the safety of the Commonwealth require it. For then we go not against Authority; neither King nor Senate having Authority (unless to defend themselves and the Nation) against the other. And surely whether we may save the Commonwealth *against Authority* or not, there is no doubt but we may save it *without* any governing Authority, when it is *not against it*. Nature that alloweth self-preservation to all, that forfeit not their lives, doth eminently require a Nation to preserve themselves; their common welfare being a thing that can be forfeited to none but God, and neighbour Nations; not to any within themselves. It is not the falling out of King and Parliament that forfeiteth the Nations happiness, or *can make it* unlawfull to preserve it. If you suppose them both to be guilty of an
unjust

unjust War, as having no power against each other, then may the people defend themselves against the Souldiers of both, as being but *prædones & grassatores*: Or make use of *either* to further their defence. But if one of them as a *defender*, or on other accounts have the more righteous cause, the people may joyn with them so farre as it is righteous, securing still the *Commonwealth*. A King may have cause to *blame* a Parliament, when he hath no cause that will justify *raising a War* against them; and a Parliament may have cause to *blame* a King, and yet none to *raise War* against him. In this case, when *one is originally* in the fault, or it's ten to one, *both of them* in some fault before a War, but *neither* of them in such fault as will warrant a War against the other, (which is a dissolving of the Government it self, and is an injury to the Commonwealth, more then to themselves) the people may joyn with *neither* of them as *offenders* against the other, but must first look to themselves and the common safety which the contenders do forsake, and next consider what use may be made of *either* to that end; and in subserviency to it, *rather to defend the innocent* then the *guilty*: The Law knowes not a *Division*, but supposeth an *Unity*; and therefore it hath nothing to do in directing any of the Subjects to fight *against either King or Parliament*: When it comes to this, the business is resolved into the fundamental Lawes of God and nature, antecedent to all humane Lawes. The *Defender* may have a just War against the *Invader*, by the grounds of nature: But neither of their causes is to be preferred to the *Commonwealth*. And if *finis gratia* for the common safety, the people should take part with the *more culpable*

side, not as owning their original causes, but as joyn-
ing with them for the common safety; this maketh
not the *people guilty* of the *ill beginning* or *cause* of
those they joyn with. *e. g.* As I said before, if the
King abuse the Pope or Turk, and they raise War a-
gainst him for it, the people taking *his* part to prevent
the Nations overthrow, do not thereby engage them-
selves in the original of the quarrel, nor become guilt-
ry of his fault, nor of any unlawfull War; for they
manage it but as *defensive*, against such as would take
unjust revenge of the innocent. And so if a *Parlia-
ment* should somewhat dishonour or abuse a King,
(when yet neither of them should go to War for it)
the people joyning with the Parliament, are not
guilty of that abuse; nor of an unlawfull War, while
they interesse themselves only in the business of their
own preservation, and not in the original of the dif-
ference. The *Law of nature stands*, when men do sin-
fully dissolve the Commonwealth.

Thef. 366. *If in case of such division, the Consti-
tution (foreseeing it) have determined which side
we must adhere to, then that part becomes the So-
veraign, which we must obey against the other.*

If it be said in the fundamental Contracts, that in
case the King and Parliament differ, the Subject shall
adhere to King against Parliament, or to Parlia-
ment against King; then in that case the other loseth
his Authority, or rather had but a diminutive part,
which might be resisted. But this is a case that sel-
dom happens: For were there such a determination,
that one must not be obeyed, they would not enter
into

into the contention, unless by force to make a charge.

Theſ. 367. If the Senate besides their part in the Sovereignty, have a juſt offensive War againſt delinquent Subjects, and profeſs no War againſt the King unleſs deſenſive, and alſo be the Truſtees of the people for the ſecurity of their liberties and happineſs, and ſuffer danger, and enter into War upon no account of their own, but the peoples; then are the people bound to adhere unto them by many obligations.

This is moſt evident from all that is ſaid before, and needeth no more proof. But I ſuppoſe ſome will ſay here, that *then the caſe is hard with Kings that have Parliaments to joyn with them in the Sovereign power: for the people muſt alwayes take part with the Parliament, though they do the wrong, becauſe it is they that are their Truſtees and Representatives, and ſo Kings muſt ever be at their mercy.*

I anſwer, 1. Where this is the *Conſtitution*, it is ſuppoſed that a King muſt never fight againſt his people, or Parliament: and if he receive the Crown on theſe termes, he meeteth with nothing but what he conſented to; he might have reſuſed it, and may leave it when he will. He muſt never expect upon any pretence of ſelf-preſervation, to have the peoples conſent, that he ſhall have power to deſtroy them, or make War againſt them or their Truſtees.

2. But yet *there are caſes in which we all muſt take part with a King againſt a Parliament: As 1. If they would wrong a King, and depoſe him unjuſtly, and*

change the Government, for which they have no power, the body of the Nation may refuse to serve them in it, yea may forcibly restrain them. 2. If they *notoriously* betray their trust, not in some tolerable matters, but in the fundamentals, or points that the common good dependeth on, and engage in a cause that would destroy the happiness of the Commonwealth; it is then the peoples duty to forsake them, and cleave to the King against them, if they be enemies to the Commonwealth: But this is not to be suspected till it be notorious. But Parliaments are indefectible: Should they ever be so corrupt as to seek our ruine, we should not think our selves obliged to obey them or defend them. They may forfeit their power as well as Kings: But no such thought must be entertained of either, till necessity force it.

Thes. 368. If a King deliberately and obstinately engage himself in the change of the Constitution in the substantials, to the destruction of the safety and happiness of the Nation, he may not only be resisted, but ceaseth to be a King, and entreteth into a state of War with the people.

1. 'Tis not a change in smaller matters, but the substantials of the Government that we speak of.
 2. It is not a sudden passionate act, but a settled endeavour that we speak of. 3. And so the case is plain. For 1. In Contracts each party is conditionally obliged: And we are bound to him, on condition he be true to us. If one party shall remain bound, though the other violate their fidelity, the Covenants are vain. In other Relations it is so, and therefore

fore in this. 2. He dissolveth the Government: and then he can be no Governour. 3. He becometh an enemy, and therefore can be no King. A destroyer cannot be a Ruler and Defender. He proclaimeth hostility, and is not to be trusted.

Thef. 369. *It belongeth to the people to discern among competitors and contenders for the Government, whose cause is best, and to resist usurpers and enemies to their Peace.*

That the Nation is thus to have a *Judicium discretionis* is evident: 1. Because it is their interest that is principal in the business: the good or hurt will be principally theirs. 2. If they do not judge (*discerningly*) they cannot *execute*: And then the people must not help their Sovereign against usurpers. But if they must, (and who else shall) then must they discern whose cause is right, that they may know whom to help, and whom to resist.

Thef. 370. *Though an Infidel or Heathen King have a Power secundum quid, and may be the Head of an Infidel or Heathen Commonwealth, yet may he not be voluntarily chosen the Head of a Christian Commonwealth.*

Not only because the Commonwealth cannot be called *Christian* when the Head is a Heathen, but because it is treachery against God and the Redeemer, for a People that have their free choise of their Governours to choise such as are enemies to the Universal Sovereign: They should hereby be guilty of

some degree of a National Apostacy: The Kingdoms of the world should be the Kingdoms of the Lord and of his Christ: therefore they must not be given up to Infidelity. But if a Nation be not free to choose their Governours, but are by the Sword or otherwise forced to submit, then whether they should submit to an Infidel to avoid destruction, is a case that I am not now to determine: But it is to be decided, not by the personal present suffering which the Nation by such submission may avoid; but by the interest of their posterity and the Nations round about them. If the present spoil and ruine of a Nation might prevent the captivating of posterity or neighbour Nations more considerable to perpetual Infidelity, or tyranny of Infidels, it should be born: But if they can make better terms for themselves and posterity (without greater hurt to the Christian cause and Nations) by such submission, then without, I see not but they may submit to the Government of Infidels: And if they submit and promise obedience, they must obey in lawfull things, and be faithfull to them: But if Christians live (as the primitive Christians did) in a Commonwealth where Prince and people are Infidels, there they owe obedience whether they promise it or not: For their being subjects, and members of the Commonwealth containeth their obligation. While they have the protection, they owe obedience.

Thes. 371. The chief part of the common good, or happiness, is the enjoyment of the means which God hath made necessary to salvation: It is therefore as lawfull for a Nation to fight for the preservation of these means to themselves and posterity, as
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for their worldly goods and liberties, at least : though for neither, without just Authority and License.

The Liberties, Goods, and other accommodations of the flesh, which worldlings so much value and contend for, are dung and dross in comparison of the things of everlasting life. If therefore we may not fight for *Religion*, much less for Liberties or Lives that are contemptible in comparison thereof. It is therefore either confusion and ignorance of the state of the Question, or palpable error, in them that maintain, that it is *unlawfull to fight for Religion*. It is one thing to fight to *make others Religious*, and another thing to fight to *preserve our own Religion*, and to *preserve the meanes of Religion to us and the Nation and our posterity*. They grant themselves what they deny, when they say that we may fight for *our Lives and Liberties* : For though all that fight for their *Liberties*, fight not for *their Religion* ; yet all that thus fight to preserve *Religion*, do fight for their *Liberties also*. Persecutors will take away our Lives or Liberties, if we worship God according to his will, and use the necessary meanes of salvation. In fighting against this persecution, we fight principally and ultimately for our own and posterities salvation, and next for the necessary means thereto, and proximately for our lives and liberties.

And it is but a delusory course of some in these times, that write many volumes to prove, that *subjects may not bear Arms against their Princes for Religion*, As if those that are against them did think that Religion only as the end, yea or life or liberty, would
justifie

justifie Rebellion? or that the efficient authorizing Cause were not necessary as well as the final? It's as true that subjects may not fight against their Princes for their Lives or Liberties, as that they may not for Religion.

There are other things necessary to warrant an action besides the final Cause. All things are not a means to a good end: nothing can be a means that's *against* the end: but many things may be unwarrantable, and no just meanes, which by man are intended to the best end. No man may do any thing *against* his *salvation*, nor against the *publike good*, especially in matters of *their* salvation: But yet all is not lawfull that men do with an intent to further their own or other mens salvation. Where bearing Arms against Princes is warrantable *quoad fundamentum*, this will warrant it *quoad finem*. No better end, but there must be a good ground also.

And yet as to the *end*, it is not *every* matter of *Religion*, much less every erroneous conceit of men, that is sufficient. If men that are Equals, yea or Superiours, should think indifferent things to be necessary, or those that are necessary only *ad melius esse*, to be simply necessary; or those that are evil to be good, and hereupon shall force them by fire and sword on other men, they shall answer for their error, arrogance and cruelty together. If Papists will first believe their fond opinions to be articles of faith, and necessary to salvation, and then will think that the salvation of men, and the publike good dependeth on them, and therefore will propagate them by the sword, or rebell against Princes to maintain them, their error will not justifie their wickedness. It must be *truly* the cause

cause of God, and the truly necessary meanes of life, and of the common good, and not mistakes or smaller matters, that must be the sufficient end of Warre, even in Princes themselves, that fight for Religion: Much more in people; of which in the next.

Thef. 372. In a Christian Commonwealth, where Rulers in their Oaths or Covenants have obliged themselves to maintain the Christian faith, and necessary meanes of the salvation of their people, and have taken the Government on these termes; if after this they break these Covenants, and cast off Christianity, or cast out the meanes of salvation, which they bound themselves to defend, it is lawfull for the body of that Nation to resist them, and defend their welfare: Much more if those that have but part in the Sovereignty, do this.

Note here 1. That I speak not of an *Infidel Nation*, where the people never make such Covenants with their Princes, but would doubly persecute, were they not restrained: There an Infidel Prince may be a protection and blessing to those few among them that believe. Whereas in a truly Christian Nation, either *no Governour* would be better then a *persecuting Infidel*, (the people associating in Communities) or at least, they may easily choose a better. 2. I speak not of those Christian States and Nations, that have already promised obedience to known Infidels. But of those that have limited the power of their Princes, in these things: And if the Constitution limit them, their Acceptance of the Government is an implicate Consent and Covenant though there were no more.

3. I say not yet that every private man may resist, but that the body of the Nation in this case may. And the Reason is evident : because 1. They are naturally bound to preserve the common good, especially in the greatest points. 2. And in so doing, it is no power, but arbitrary usurpation which they resist. For God giveth Kings no power against himself ; and it is here supposed that the People have excepted this power from their Princes: And therefore in this they have no power, and to resist them is to resist no power.

And to break the *Covenants*, and reject the termes on which they did receive their *Crowns*, is to disoblige the people to whom they Covenanted, and cast away their Crowns, and turn into a state of enmity, if it be *habituate*, and if it be in the *Essentials of the Covenant* ; and especially if they *prosecute* it by a *Warre*. What man can pretend to be so independant, and above the God of Heaven, as to have an Authority against him, and consequently not from him, which no men may resist. But if the Cause be Gods, and the Prince disabled to oppose it by the Constitution, the case is then most clear.

Here I shall again annex a Caution, and then answer some Objections.

If private men in doubtfull cases will take on them to be judges of their Governors, and conclude them to violate their Covenants, or their Constitution, or the Common safety when it is no such matter, they grievously sin against the Ordinance of God, and the publike Peace. And in case of a private or less publike injury, it is rebellion to make a publike resistance, by raising a warre. A woman may by personall private
resistance

resistance defend her Chastity against a King; but she may not raise a warre to defend it. The *Priests* did lawfully (*Azariah with fourscore more valiant men*) withstand *Uzziah* the King when he went into the Temple to burn incense; and told him it belonged not to him, and bid him go out of the Sanctuary: yea when the Leprosie rose upon him, they thrust him out, 2 Chron. 26. 16, 17, 18, 19, 20. But if they had raised a warre against him for this, they had done ill.

And when a people are necessitated to a defensive warre; if thy will proceed beyond a just defence, and depose their Kings or Governours that have not deposed themselves, nor notoriously made themselves incapable, they will be *Rebels* in deposing them, though their defence was just.

A Civil warre doth hazard the happiness of a Nation, and therefore is not to be enterprized for any smaller crimes, or for the avoiding of any tolerable evil, but for that which is notoriously more dangerous to the Nation than the warre it self.

Indeed where all the Nation agree (as in the defence of *Jonathan* against *Saul*) or so many that there is no party to make warre against them, then if the King would break his Covenants, or violate their Liberties in a lower case (as *Jonathans* death was) they may as one man say, *This shall not be*: and hinder the execution of the evil, without a warre; yet so, that they nevertheless obey and honour the King in all things else.

And now concerning a Peoples defence of their happiness and safety against a King, that was restrained by the Constitution or his Consent; I must answer some of the Learned *Hadrians Saravia's* Objections,
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de Imperan. author. & Obed. li. 4. cap. 4. He argueth from the state of *Marriage*, 1. *That many Covenants about Dowry, Joyntures, &c. may be violated, without dissolving the marriage.* 2. *That the essential conditions may be violated without such dissolution.* 3. *That no stipulation can be made that will warrant the offended party to separate.*

To these I answer: 1. I grant him, that till a King do actually cast away his Government and become an Enemy, or else habitually make himself incapable or be made so by God, the people may not depart from their subjection. It is not *casting off subjection in state*, but *resisting in a particular case* that is now in question.

2. The case of *Marriage* and *Civil Government* so much vary, that the Objection is of no force. For

1. God hath already stated the power of Husband and Wife, and subjected the Wife to the Husband by his Laws, and that for all alike; so that they are not left at liberty to make any alterations, nor several *Species* of Husbands, as Commonwealths may have several *Species* of Government. God hath not determined in his Word, whether this or that Nation shall be governed by a Monarch, by the *Optimates*, or by a mixt Government. He hath left it free to them to put the Sovereignty into the hands of one, or two, or an hundred, or a thousand; and to make the division equall or unequall: much more to limit Rulers in the things that God hath left to their prudentiall determination. 2. Moreover God hath determined that *Marriage* shall be for *life*, and not for a *limited time*; and that it shall not be dissolvable on any terms but those of his description: But he hath not done so
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by Governours. He hath no where made it necessary that Kings shall be for life, and unremoveable : A Dictator for a year, or two year is not forbidden : A King for seven year, is not contrary to Gods Word. If a people that are free, may choose whether they will have a King or none, then may they say, *If you will accept the Crown for seven years, we will subject ourselves to you, else not.* If they resolve to have Kings by Rotation as Rome had Consuls, that every year or seven year they might have a new one, though I think it not fit, yet it is not against any word of God. And if they may *absolutely* stipulate with them, to be Kings but *for such a time*, then may they *conditionally* stipulate to be Kings no longer then *they do so* or so. e. g. To forfeit their Crowns, if they shall raise War against the Nation, or if they introduce a forraign power, or if they set up infidelity, or banish the Gospel, or if they dispossesse the people of their Proprieties. There is liberty for such contracts here, when there is none in Marriage, which God hath not left so much to the will of man.

3. And yet even in the case of marriage, I deny his conclusion, that *the violation of the essential Conditions doth not warrant a separation.* He confesseth that *Adultery* and *wilfull desertion*, are just Causes of divorce : and these are the violations of the essential Conditions. An obstinate perpetuated *negatio congressus*, is a desertion, His instances of *sterility*, *morosity*, and *adventitious impotency*, are not instances of a violation of the essential Conditions. A *scold* violateth not the essential Conditions and *voluntary sterility*, and *impotency* subsequent were never Covenanted against. *Voluntary self-debilitation* (yea involuntary)

voluntary) in many Christian States, is allowed as a just cause of Divorce. But if it be not so, yet

4. The case differeth in this : A Nation *must needs* have Government : But a man or a woman are not in such necessity of marriage : If a Husband be impotent, the woman may lawfully live without his use. But a Nation may not live ungoverned : And therefore if a King fall distracted, or stately incapable, they must be governed by others.

5. And lastly I answer, That even about Joynture, and Peace and outward Priviledges, though a Woman may not be divorc't for injury in these, yet hath she her remedy from the Magistrate, who is superiour to her Husband. By your similitude then, you should allow a Nation their remedy, in as great and much greater cases, which yet will not warrant a divorce, or withdrawing of their subjection.

There is somewhat *in exercitio*, that is essential to Governing; and somewhat that pertaineth but to *better Governing*. As he that *useth* not the former is *no Governour*, so he that is *incapable* of it, is *incapable of Governing*. If the *essential qualifications* be wanting, or the *essential conditions* violated, and the *essential ends* be stately subverted, the *Government is nullified* : Or else the *essence is not the essence*. If that part of the happiness of the people be subverted that is *next* to the essential end, they may retain and exercise the power of seeking a due Remedy.

The commonest remedy that Nations have thought meet to use in this case is, to keep all Subjects under the known Laws, and Courts of Justice, that they may

may not dare to execute unlawfull Commands, and to restrain Kings from pardoning or defending such malefactors as do endanger the Nations Rights and Peace: And so to let the Person of the King alone, and to punish the Subjects that break the Laws, though he command them. This is a resisting the Lusts, and the Wills of Princes, but not them, as to their Persons or their Power.

Augustine thought that some Justice was Essential to a Commonwealth (*Lib. 11. de Civitat. Dei.* cited by a great defender of Kings, *Apolog. Henrici. 4. Imperatoris in Freher. Vol. 1. pag. 177.*) [*Populum non omnem cœtum multitudinis, sed cœtum juris consensu & utilitatis communione sociatum esse determinant; & dicunt, tunc esse Rempublicam, id est, rem populi quum benè ac justè geritur, sive ab uno Rege, sive à paucis optimatibus, sive ab universo populo. Quum verò injustus est Rex, quem Tyrannum more Græco appellant, aut injusti optimates, quorum consensum dicunt esse factionem, aut injustus ipse populus, cui nomen usitatum non reperiunt, nisi etiam ipsum Tyrannum vocent, non jam dicunt Vitiosam sicut prius fuerat disputatum, sed sicut ratio ex his illis rationibus connexa docuisset, Omnino nullam esse Rempublicam: Quoniam non esset Res Populi quum Tyrannus eam factione capesseret. Nec ipse Populus jam Populus esset si esset injustus. Quoniam non esset multitudo juris consensu & utilitatis communione societas, sicut Populus fuerat definitus.*]

To conclude this point: If Princes violating their Covenants, and changing the Constitution, be not to be resisted, then all Princes have equal power, that is, their power is absolute and unlimited as to man:

For then they may all do what they list; which if we tell them, their *list* to exalt their Wills and Interest will be insatiable: And Covenants are vain, and afford not the least security for our Peace or Welfare, when *in foro exteriori*, the keeping and breaking them is all one. If Princes were sent down from Heaven, or meer Nature produced *Governing Families*, this Doctrine might have some pretence, which now hath none.

Thef. 373. *A notorious Atheist, and Enemy to the Essentials of Godliness, that sets himself to root it out, is an open Traitor or Rebel against the God of Heaven, from whom all Power must proceed: And therefore as he is a Magistrate but secundum quid, so it is but an answerable obedience that we owe him, as one that is tolerated by God in his Rebellion, for the maintaining of external Order among men, for the common good.*

Thef. 374. *If a Prince that hath not the whole Sovereignty, be conquered by a Senate that hath the other part, and that in a just Defensive Warre, that Senate as the conquering part, cannot assume the whole Sovereignty, but must suppose the Government in specie to remain, and therefore another King must be chosen, if the former be incapable.*

There respect the Senate as the remaining Sovereignty, and not as the Peoples Representative: And
 so

So the case is plain : Because, 1. They conquered not the *Species*, but the *Individual*. 2. They conquered not the *People*, but the *Prince* : And therefore they have no Power to change the *Constitution*, which was formed by *Contract* with the *People*. The Commonwealth hath not forfeited its *form of Government* when a Prince hath forfeited *his Interest* : And therefore *Rex non moritur* : The Constitution remains good; and the Conquerours have no power to change it, without the Peoples Consent.

Thes. 375. *If 'the whole Family with whom the People were in Covenant be extirpated, or become incapable, the People may new forme the Government as they please, (so they contradict not 'the Law of God :) not by Authority, but by Contract with the next chosen Governours; nor as Subjects, but as Free men, the Government being dissolved.*

When one party in Covenant is dead (naturally or civilly) the other is free: *Subjects as such*, have nothing to do to change the Government : nor *Subjects while such*, unless they expressly reserve that liberty. But when a whole Royal Family is extinct, or all that they were in Covenant with for succession, they are disobliged, and may offer the next, what terms they please, that are consistent with the Laws of God. But they cannot settle the *new Government*, either as *Subjects*, or as *Rulers*, but by *Contract* : For they can command no man to become their Governour, and submit to their terms; but they may offer it to any that is fit, who is as free to accept it, or refuse it.

Thef. 376. Where there are not Assemblies Representing the People, or some Trustees enabled to be the Preservers of their Liberties, it will be hard to imagine how a Warre can lawfully be raised for their Defence, in any of the fore-mentioned Cases, unless where they are almost all of a mind.

For it must be some private men that must be the beginners, whose actions are not the actions of the Nation; nor can they know whether the Nation approve of them, and would concur: so that the Possibility and Lawfulness of Defence will be questionable, where there are no Trustees.

Thef. 377. Though too many lay their Religion and Salvation at the feet of Princes, because they have first laid them at the feet of their fleshly interest and lusts, yet most men have more need to be called on to obey their Rulers, then told how farre they may disobey or resist: And in doubtfull cases, it is safest to suffer, rather than resist.

Every man is naturally selfish and proud, and apt to break the bounds that God hath set us, and to be Kings and Laws unto our selves. This Rebelling disobedient disposition, therefore should be first resisted and subdued, as a greater enemy to the peace of Nations (at least of many) then the faults of Prince are.

Theſ. 378. The proud cenſoriousneſs of Subjects, that think themſelves capable of Judging of all their Rulers actions, when they are ſo diſtant as never to know or hear the Reaſons of them, is the common Cauſe of ſinfull murmurings and Rebellions.

The moſt ignorant Country people are exceeding prone to paſs their cenſures upon the actions of Kings and Parliaments, and ſhoot their bolt before they ever ſaw the Mark. How confidently will they blame and reproach their Superiours, as if they were able themſelves to Govern better, or at leaſt were ſo much honeſter then their Rulers, that their honeſty would ſupply their lack of wit. In all ages, murmuring againſt Superiours, and ignorant cenſuring them, have been the common ſinne of the people: Though alas, Princes have given them too much occaſion and provocation.

Theſ. 379. The moſt excellent Policy is true Piety: and the principal way for Princes to oblige the Subjects to them, and remove all fears of Seditions and Rebellions, is heartily to devote all their Power and Intereſt to the Cauſe of God, and the common good.

This will engage the Lord to own them, that is the King of Kings, and the diſpoſer of all, in whoſe favour alone their ſafety lieth. And this will endear them to all that are good, and cauſe them to be as zealous in loving and honouring them, as children to

their Father. Yea, it will breed much Reverence in the minds of common and ungodly men, who will speak highly of Godliness in a Prince, though they like it not for themselves. And when they see that Princes are Fathers of their Countreys, and seek not themselves, but the common good: it is the most excellent means to procure them common Love and Reverence.

Thef. 380. A Prudent, Godly, Righteous Prince is so rare, and so great a mercy, that the People that enjoy such, are bound exceedingly to Love, Honour and Obey them, and daily pray for them, and cheerfully pay the Tributes they demand, and willingly venture their lives for their Defence.

Oh how few *Joshuah's*, *David's*, *Josiah's*, *Constantine's*, *Theodosius's*, &c. have the Kingdoms of the world enjoyed! At this day alas, how few are the Princes that have any zeal for God, and preferre his Kingdom and Interest before their own! How many are fighting their own warres, arising from the lusts that warre in their members, and making havock of the Church of God? But how few are studious to promote the Gospel, and the union of the Churches, and Peace of Christians, and the Conversion of the unbelieving world! Let them that God enricheth with so great a mercy, value it highly, and take heed of murmuring and ingratitude, or of neglect of those earnest prayers, and cheerfull obedience, by which so great a mercy may be continued and improved. How sad a blow was it to *England* that
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Edward the Sixth was so soon taken away! How many would have after redeemed his life with the dearest price, that before too much undervalued their happiness! One serious thought of the state of most of the Nations of the world, should turn the murmuring humour of too many into hearty Praise, and earnest Prayers to God for our Superiours. If that Nation that is most happy of any upon Earth, in a Government suited to the highest Interest, and to Gods Description, (*Rom.* 3. 3.) should yet murmur and despise that Government, it would be a most hainous sin, and a terrible Prognostick, especially to the guilty souls.

CHAP. XIII.

Of the late Warres.

HAVING laid down these fore-going Grounds, it would not be here unseasonable to render a publick account of my own actions, in answer to that Question, which I have been urged with by so many, [*By what Reasons was I moved to engage myself in the Parliaments Warre?*] But (though I have not leisure to render so full an account to each particular Quærist, as may be satisfactory, and therefore could be content to dispatch it here at once for all, yet) it will require so long a History of my own affairs, and also so many ungrateful recitals of the abuses and evils of those times, that I shall not undertake so unpleasant a task, till I am called to it by such necessity, as will excuse these inconveniences: but only cursorily shall cast in these following brief accounts instead of a fuller Declaration.

§. I. The malignant hatred of seriousness in Religion, did work so violently in the rabble where I lived, that I could not stay at home with any probable safety of my life. My life was sought before I went away: Sober, pious men of Neighbour-Parishes, that thought the rabble had been upon my head in a tumult

rumult (when indeed I was out of Town) were knockt down in the streets, to the hazzard of their lives, when they went among them to look after me; and meerly because they were accounted Puritans. And all this was but on a false rumour, that the Churchwardens were about to obey the Parliaments Order, in taking down the Images of the Trinity about the Church. The Warre was begun in our streets before the King or Parliament had any Armies. The hatred of the Puritans, and the Parliaments Reformation, inflamed the ignorant, drunken, and ungodly rout, so that I was forced to be gone even before the Warres; but when I returned, and the Armies came among us, I could then stay no longer; nor had I any place of safety from their rage, but the Armies and Garrisons of the Parliament: And multitudes of my Neighbours as well as I, were forced into Garisons to save their lives, that else would have lived at home in peace. And I only propose it, Whether those Subjects, that are utterly undeservedly deprived of the protection of Magistrates and Laws, are not discharged of their obligations, and turned out of their Relations to them, and are put to seek for other Protectours?

§. II. A Parliament (as farre as I have been able to learn) hath all these four or five capacities
1. It is a Representative of the People as free. 2. It Representeth the People as Subjects. 3. By the Constitution they have part in the Sovereignty. 4. They are the Kings chief Council. 5. And they are the Kings chief Court of Judicature.

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Of the Antiquity of their Power, and its Extent, I referre you to Mr. *Bacons* Treatise of Parliaments, and Mr. *Prin's* Book of the Power and Priviledges of Parliaments (to pass by others.) But it is no way necessary to the cause in hand to *prove* the *Antiquity* of their *Being*, or their *Power*. When ever they were established in that *Power*, it was by an *Explicite* or *Implicite Contract*, between the Prince and People, there being no other Ground that can bear them, except an immediate Divine Institution, which none pretend to. And the Prince and People have as much power in *this Age* to make such a Contract, and alter the Constitution, as they had three thousand years ago. And therefore if I find them in *possession* of the *Power*, and can prove but a *Mutual Consent* of Prince and People, I need no other proof of their Power.

§. III. When I say that the Parliament Representeth the People as *free*, I take it for undeniable, that the Government is *constituted* by *Contract*, and that in the *Contract*, the People have not *Absolutely* subjected themselves to the Sovereign, without *reserving any Rights or Liberties* to themselves; but that some *Rights* are reserved by them, and exempted from the Princes power: And therefore that the *Parliament* are their *Trustees* for the securing of *those exempted Rights*, and so *Represent the People as free*; not as *wholly free*, but as being *so farre free* as that exemption signifies. The *Rights and Freedom* of the *People as a People*, are in order of nature before the *Constitution*, and excepted, and so established and secured *in it*. And this is the first Capacity of Parliaments,

ments, *To Represent the People as a People, to secure their Liberties as Trustees.* If any man deny them this Capacity, he makes us *absolutely subject*, to an *unlimited arbitrary power*, contrary to all Law, and our long possessions, and to all reason. *To have no Rights, and to have none but what are wholly at the Princes will, and which we have no security for,* is in effect all one.

2. The Parliament as they *Represent the People as Subjects*, can do nothing but humbly manifest their grievances, and Petition for Relief.

3. The Parliament as having part in *the Sovereignty by the Constitution*, hath part in the Legislative power, and in the final Judgement.

4. As it is the Kings chief Council, he is ultimately to hear them in cases that concern the safety and Peace of the Commonwealth.

5. As it is his highest Court of Justice, they have power of judgement and execution, over all the Subjects; so that from them there is no Appeal: The King being to judge by his Judges in their several Courts, this is his highest Judicature; yet so as that the Power of Judging was not equally in both Houses.

The Disputers that oppose the Parliaments Cause, do commonly go on false suppositions, about the very Being and Power of Parliaments, and take it for granted, [*That the Sovereign Power was only in the King, and so that it was an Absolute Monarchy, and not a mixture of Monarchy, Aristocracy and Democracy; and that the Parliament had but the proposing of Laws, and that they were enacted only by the Kings Authority, upon their Request, and so that the Power*

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of *Armes*, and of *Warre*, and *Peace*, was in the King alone; and therefore they conclude, That the Parliament being Subjects may not take up *Armes* without him, and that it is *Rebellion* to resist him; and most of this they gather from the Oath of *Supremacy*, and from the Parliaments calling themselves his Subjects.

But their Grounds are sandy, and their Superstructure false, as I shall manifest.

1. The Oath of *Supremacy* secureth the Kings Title against all forrain claim, either of the Pope or any other, and consequently against all home-bred Usurpers: But the Name of *Supream*, or *Sovereign*, given peculiarly to the King, is no sufficient discovery of the constitution of the Commonwealth, nor any proof that it is an absolute Monarchy, and not a mixt Government, and that the sovereign Power is wholly in him: When the contrary is known in the Constitution, the *Name* or *Title* is no disproof. It's usual to honour the Prince with the Title of *Sovereign*, (for divers weighty Reasons) when yet the Senate or Nobles have a part in the sovereign Power. Such Oathes therefore bind us only to acknowledge the Kings Sovereignty as it is in the constitution, implying the Power of the Parliament, and they cannot be interpreted to be against the Constitution: Politicians and Lawyers commonly warn us to take heed of judging of the Power in the Commonwealth by meer Titles.

2. That the Parliament are Subjects is confessed; but as they are Subjects in one capacity, (both in their personal private states, and as the Representative of the Subjects as such) so have they part in the Sovereign-

raignty also, in their *higher capacity*, by the *Constitution*, as shall be proved. The same Persons may have part in the Sovereignty, that in other respects are Subjects.

3. Some go further, and would prove from Scripture, the full Sovereignty of the King, as from 1 *Pet.* 2. 13, &c. As if the *Species* of Government were universally determined of in Scripture; and so all forms of Government made unlawfull, except absolute Monarchy. If they could prove this, they might dispatch many Controversies in Christian States about their Constitutions, and all must be reduced to one form: But there is nothing in Scripture against other forms, but somewhat for a mixt Government in *Israel*. God hath not told us whether *England* and all other Nations shall be Governed by One or Two, or four Hundred: but *where the King is the Supream*, it is the will of God that the people should obey him, which is all that *Peter* requireth. The *Romans* hated the Name of a King: It was neither the intent of *Peter* here, or of *Paul*, *Rom.* 13. to determine whether the Emperour or the Senate were Supream: much less to determine that Kings must have the full Supremacy through the world.

This folly possesseth the Democratical party also, (that call themselves Commonwealths men:) they imagine that God himself hath given the Sovereign Power to the people; and consequently that no Government, but Popular is lawfull. Whereas it's certain, that God hath not tyed the Nations of the world to Monarchy, Aristocracy, Democracy, or any one form, but left that free to their own choice, under the Direction of his general Rules, and the ordering

dering of his Providential disposals.

2. And as the Objecters Grounds are manifestly rotten, so that their superstructure is unsound, and that indeed the Parliament hath a part in the Supremacy, I shall undeniably prove.

1. *Legislation is the most principal eminent part of the Sovereigns Right : But Legislation belonged to the two Houses of Parliament as well as to the King : therefore the Right of Sovereignty belonged to the Parliament in part, as well as to the King.*

The Legislative Power, is not only essential to Sovereignty, but is the *one half* of its essence, and the first and chiefest part. He that denyeth this, renounceth Policy and Reason. But that the Parliament had a part in the Legislative power, (even of *Enacting*, and not only of *proposing*,) is undoubted. I will not run to Records, or to Writers for proof, because here a contradicting wit may find some work ; but I will give you two proofs, that nothing but immodesty can contradict. The first is, Common Experience *de facto*. Parliaments do make Laws : the King was sworn to Govern by those Laws, *quas vulgus elegerit* : the Lawes expressly speak their Authors, [*Be it Enacted by the Authority of Parliament*] or [*by the Kings Majesty, and the Lords, and Commons in Parliament Assembled, &c.*] It is not [*upon their Petition or Proposal*] only, but [*by them*] or [*by their Authority.*]

2. The King himself (by the advice of his delinquent Council in the time of his separation from Parliament) doth confess as much as I desire : 1. That the Government of *England* is mixt of Monarchy, Aristocracy, and Democracy. 2. That it is not an
Ab-

Absolute Monarchy. 3. That the Ballance must hang even between the three Estates. 4. That the King, the Lords, and the Commons, are these three Estates. 5. That the Laws are made in *England* by a King, by a House of Peers, and by a House of Commons chosen by the people joyntly. 6. That the House of Commons are an excellent Conserver of the Peoples Liberties. 7. That they are solely entrusted with the first Propositions concerning the Levies of Monies, the sinews of Peace and Warre; and the Impeaching of those that violate the Law. 8. That the King is bound to protect the Law. 9. That he may not make use of his power to the hurt of those for whose good he hath it. 10. That the Commons are to Advise him for the Protection of the Law. 11. That the Lords are trusted with a power of Judicature. 12. That they are a Screen or Bank between the Prince and people, to assist each against the Encroachments of the other and by just Judgement to preserve the Law, which ought to be the Rule of every one of the Three. 13. That the Parliament have a Legal power, more than sufficient to restrain the power of Tyranny. 14. That the encroaching of one of these Estates upon the others power, is unhappy in the effects to all.] All this you shall have in the Kings own words in his Answer to the Parliaments 19 Propositions.

[*There being three kinds of Government, Absolute Monarchy, Aristocracy, and Democracy; and in all these their particular conveniences and inconveniences; the experience and wisdom of your Ancestours hath moulded this out of a mixture of these, with the conveniences of all three, without the inconveniences of any one, as long as the Ballance hangs even between the*
three

three Estates; and in their proper channell (begetting verdure and fertility in the meddows on both sides,) and then overflowing of either on either side, raised no deluge or inundation: The ill of Absolute Monarchy is Tyranny: The ill of Aristocracy is Faction, and Division: the ills of Democracy are Tumults, Violence, and Licentiousness. The good of Monarchy is the uniting of a Nation under one Head, to resist Invasion from abroad, and Insurrection at home. The good of Aristocracy is the conjunction of Councils in the ablest Persons of a State for the publique benefit. The good of Democracy is Liberty, and the courage and industry which Liberty begets.

In this Kingdome the Laws are joyntly made by a King, by a House of Peers, and by a House of Commons chosen by the People, all having free Votes, and particular Priviledges; the Government of these Laws are intrusted to the King; Power of Treaties of War and Peace, of making Peers, of choosing Officers and Counsellors of State, Judges for Law, Commanders for Forts and Castles, giving Commissions for raising men to make Warre abroad, or to prevent or provide against Invasions or Insurrections at home, Benefit of Confiscations, power of pardoning, and some more of the like kind are placed in the King. And this kind of regulated Monarchy having the power to preserve that Authority, without which it would be disabled to preserve the Laws in their force, and the Subjects in their Liberties, is intended to draw to him such a respect and relation from the great ones as may hinder the ills of Division and Faction, and such a fear and reverence from the people; as may hinder tumults, violence, and licentiousness. Again, that the Prince may not make use of this high,
and

and perpetual power, to the hurt of those for whose good
 e hath it, and make use of the name of publick necessity
 or the gain of his private Favorites and Followers; the
 House of Commons (an excellent Conserver of Liberty,
 ut never intended for any share in the Go-
 ernment, or the choosing of them that
 ould Govern) is sclely intrusted with
 the first Propositions, concerning the Le-
 ies of Money (the sinews of Peace and War) and
 he impeaching of those, who for their own ends have
 iolated that Law, which he is bound to protect, and to
 he protection of which they were bound to advise him.
 And the Lords being trusted with a Judicature power,
 re an excellent Screen or Bank, between the Prince and
 eople, to assist each against the Encroachments of the
 her, and by just Judgements to preserve that Law
 hich ought to be the Rule of every one of the three —
 nce therefore the Legal power in Parliaments is more
 an sufficient to restrain the power of Tyrannie—since
 he encroaching of one of these Estates upon the power
 f the other, is unhappy in the effect to all.]

He meaneth
 the execu-
 tive part.

You see here all the parliaments capacities acknow-
 dged: 1. That the Commons are chosen by the
 eople, as Trustees for their Liberties, (and that
 ey represent them as Subjects none deny.) 2. That
 ey are the Kings Advisers. 3. That the Lords have
 he power of Judicature, as the Commons of im-
 eaching, &c. 4. That the Legislative power, (that is,
 he Sovereignty) is joyntly in King, Lords and Com-
 ons as three Estates; and so that the Govern ment
 mixt of Monarchy, Aristocracy and Democracy.
 nd thus far we are agreed of the Constitution.

3. And if it were not thus confessed, we might
 H h prove

prove the Parliaments interest in the Supremacy, by some Judicial Instances, with the restraints of the King; (but that it's needless to debate a confessed thing.) *Grotius* saith, *de Imperio summar. Potestat. circa sacra* c. 1. p. 7, 8. [*Sunt qui objiciant, Reges quædam imperare non posse, nisi consensus Ordinum accesserit: sed hi non vident quibus in locis id juris est, ibi summum Imperium, non esse penes Reges, sed aut penes Ordines, aut certe penes id corpus, quod Rex & Functi constituent; ut Bodinus, Suarezius, Victoria, alijque abunde demonstrarunt. Certè summum Imperium totum habere, & aliquid imperare non posse, ideo tantum quod alter vetat aut intercedat, plane sunt à videri.*] (But in this last I dissent from him, unless that *aliter ille potestatem habeat illud imperandi, quod Rex imperare non potest*: For meerly to limit the power of the Ruler in things not necessary unto Government, proveth not a Copartnership in the Limiters: for it may be done by *Contract* and *Reserve*, by a people that *will be Governed* so farre and no further.)

§. IV. I was satisfied by Reason, and consent of Lawyers, even those that are most zealous for Monarchy, and most judicious, that in many Cases a King may be resisted: I will Instance these following out of *Grotius* (and *Barclay*, with whom in divers of them he consents, and adds the rest:) *de Jure Belli & Pacis*, li. 1. c. 4. pag. 86, 87, 90, 91. which I will not so much as translate, that none may suspect me to corrupt the words by the translation, or to tempt the vulgar to misunderstand them.

[*Gravior illa est Questio, An Lex de non Resistendo nos obliget in gravissimo & certissimo discrimine.*
Nam

Nam Leges etiam Dei quædam, quanquam generaliter prolatae, tacitam habent exceptionem summæ necessitatis. --- Quæ exceptio probata est ipsi Christo: ut et in lege altera de non edendis panibus propositionis. Et Hebræorum Magistri legibus de cibis vetitis, alijsque nonnullis ex veteri traditione eandem addunt exceptionem; recte quidem: Non quod Deo jus non sit ad certam mortem subeundam nos obstringere, sed quod Leges quædam ejus sint argumenti, ut non credibile sit datas ex tam rigida voluntate, quod in legibus humanis magis etiam procedit. Non nego à lege etiam humana quosdam virtutis actus posse precipi sub certo mortis periculo; ut de statione non deferendâ: sed nec temerè ea voluntas legis condentis fuisse intelligitur: neque videntur homines in se, & alios tantum jus accepisse, nisi quatenus summa necessitas id exigat. Ferri enim leges ab hominibus solent & debent eum sensu humane imbecillitatis. Hæc autem Lex de qua agimus pendere videtur à voluntate eorum, qui se primum in societatem civilem consociant, à quibus jus perro ad imperantes manat. (He meaneth that it is a contract between the Constitutors of the Policy, and not a proper Law, that must decide this case.) Hi vero si interrogarentur, an velint omnibus hoc onus imponere ut mori preoptent, quam ullo casu vim superiorum armis arcere, nescio an velle se fini responsuri, nisi forte cum hoc additamento, si resisti nequeat nisi cum maxima reipublicæ perturbatione, aut exitio plurimorum innocentium. Quod enim tali circumstantia Charitas commendaret, id in legem quoque humanam deduci posse, non dubito. Dicat aliquis, rigidam illam obligationem, mortem potius ferendi, quam ullam unquam superiorem injuriam repellendi non ex lege humana sed divina proficisci, sed

notandum est, primo homines non Dei præcepto, sed sponte adductos experimento infirmitatis familiarum segregum adversus violentiam, in societatem civilem coijisse, unde ortum habet potestas civilis, quam ideo humanam ordinationem Petrus vocat: (but here he is out, or dark, in his Politicks, and Exposition: Men are (ordinarily) obliged by the Law of Nature and Scripture, to Political Relations and Duties, and sin if they joyn not to some Commonwealth, when they may,) *quanquam alibi & divina ordinatio vocatur, quia hominum salubre institutum Deus probavit,* (This is true of the Species of Policy, and of the Individual Rulers, though not of Government in genere) *Deus autem humanam legem probans, sensetur probare ut humanam, & humano modo.* Barclaius, Regij imperij assertor fortissimus, huc tamen descendit ut populo, & insigni ejus parti jus concedat se tuendi adversus immanem sævitiam, cum tamen ipse fateatur totum populum Regi subditum esse. Ego facile intelligo, quo pluris est id quod concersatur, eo majorem esse æquitatem, quæ adversus legis verba exceptionem porrigat: attamen indiscriminatim damnere aut singulos, aut partem populi minorem, quæ ultimo necessitatis præsidio sic olim usa sit, ut interim & communis boni, respectum non deserat, vix ausim. Nam David, qui extra parca facta testimonium habet vitæ secundum leges exactæ, armatos circa se primum quadringentos, deinde plures aliquando habuit: quò nisi ad vim arcendam si inferretur? Simile potest videri factum Maccabæorum.----Nihil est quod Maccabæos tueatur præter summum certissimumque periculum.--Illa interim cautio tenenda est, etiam in tali periculo persone Regis parcendum.----

Diximus

Diximus summum imperium tenentibus resisti jure non posse: Nunc quadam sunt quæ Lectorem monere debemus, ne putet in hanc legem delinquere eos, qui revera non delinquant.

Primum ergo, qui principes sub populo sunt, siue ab initio talem acceperunt potestatem, siue postea ita convenit, ut Lacedæmone, si peccent in leges ac Rempublicam, non tantum vi repelli possint, sed si opus sit, puniri morte.

2. Si Rex aut alius quis imperium abdicavit, aut manifestè habet pro derelicto, in eum post id tempus omnia licent quæ in privatum—

3. Existimat Barclaius, si Rex regnum alienet, aut alii subiciat, amitti ab eo regnum. Ego hic subsisto—si tamen Rex reipsa etiam tradere Regnum aut subicere meliatur, quin ei resisti in hoc possit, non dubito. Aliud est enim, Imperium; aliud habendi modus, qui ne mutetur ob stare potest populus (N. B.) id enim sub Imperio comprehensum non est. Quo aon male aptes illud senecæ in re non dissimili: [Et si parendum in omnibus Patri, in eo non parendum quo efficitur ne Pater sit.]

4. Ait idem Barclaius, amitti Regnum si Rex vere hostili animo in totius populi exitiam feratur: quod concedo. Consistere enim simul non possunt voluntas imperandi, & voluntas perdendi. Quare qui se hostem populi totius profitetur, is eo ipso abdicat Regnum, sed vix videtur id accidere posse in Rege mentis compote, qui uni populo imperet: Quod si pluribus populis imperet accidere potest, ut unius populi, in gratiam alterum velit, perditum, ut colonias ibi faciat.

5. Si Regnum committatur, siue ex feloniam in eum cujus feudum est, siue ex clausula posita in ipsa delatione imperii, ut si hoc aut hoc Rex faciat, subditi omni obedientia vinculo salvantur, tunc quoque Rex in privatam personam recedit.

6. Si Rex partem habeat summi Imperij, partem alteram Pop. vel Sen. Regi in partem non suam involanti vis justa opponi poterit; quia eatenus Imperium non habet: Quod locum habere censeo, etiamsi dictum sit, Belli potestatem penes Regem fore (N. B.) Id enim de bello externo intelligendum est: Cum alioqui quisquis Imperij partem habeat, non possit non jus habere eam partem tuendi. Quod ubi fit, potest Rex etiam suam Imperij partem belli jure amittere.

7. Si indelatione Imperij dictum sit, ut certo eventu resisti Regi possit, etiamsi eo pacto pars imperij retenta censeri non possit, certe retenta est aliqua Libertas naturalis, & exempta Regio imperio. Potest autem qui jus suum alienat, id jus pactis imminuere.

You see here divers Cases in which Resisting is lawfull. In general, it's lawfull for them that have part in the Sovereignty, to defend their part: and it's lawfull for the people to defend their Liberties; in points exempted from the Princes Power: (but this must be with the exceptions, limitations and Cautions, which I have before expres't.)

S. V. The Laws in *England* are above the King: Because they are not his Acts alone, but the Acts of King and Parliament conjunctly, who have the Legislative (that is, the Sovereign) Power. This is confessed by the King in the forecited Answer to the 19 Propositions.

S. VI. The King was to execute Judgement according to these Laws, by his Judges in his Courts of Justice: and his Parliament was his highest Court (as

(as is said) where his personal will and word was not of sufficient Authority to suspend or cross the Judgment of the Court, except in some particular cases submitted to him.

§. VII. The peoples Rights were evidently invaded: Ship-money, and other impositions were without Law, and so without authority: The new Oath imposed by the Convocation, and the King: the ejecting and punishing Ministers for not reading the Books for Sports on the Lords Daies, for not bowing towards the Altar, for preaching Lectures, and twice on the Lords Day, with many the like, were without Law, and so without authority. If Bishops *jure Ecclesiastico* might have commanded them, yet could they not lay any corporal penalties or mulcts for them, nor should any man have lost his temporal livelihood or liberty, which Ecclesiasticks have no power over. Many thousands have suffered, or been forced to remove out of the Land, upon the account of illegal impositions.

§. VIII. The Parliament did Remonstrate to the Kingdom, the danger of the subversion of Religion, and Liberties, and of the common good and interest of the people, whose Trustees they were. And we were obliged to believe them both as the most competent Witnesses and Judges, and the chosen Trustees of our Liberties. We are our selves incapable of a full discovery of such dangers till it be too late to remedy them: And therefore the constitution of the Government having made the Parliament the Trustees of our Liberties, hath made them our eyes by

H h 4

which

which we must discern our dangers. Or else they had been useles to us.

§.IX. The former proceedings afforded us so much experience as made the Parliaments Remonstrance credible. We had newly seen a general endeavour to change the face of things among us. Many new orders in the Church; abundance of the most painfull Preachers (though peaceable) cast out: Abundance of ignorant, idle, scandalous Readers kept in; and practical serious godliness made the common scorn, though found in the conformable to all the legal Orders. I will forbear to rake any further into those calamities. Only I shall say, that I suppose my Reader to have been acquainted with those times, and with the course of the High Commission, and the Bishops Courts, and to have read the Articles in Parliament against Bishop *Land*, Bishop *Goodman*, Bishop *Wren*, Bishop *Pierce*, &c. and the charge against the Judges about Ship money; and Mr. *White's* Centuries: and Mr. *Prin's* Introduction, or Works of Darknes brought to Light; and his *Canterburies* Tryal, and his Popish Royal Favorite, and his *Romes* Master piece; and especially the sworn Articles of the *Spanish* and *French* Match.

§.X. It was time for us to believe a Parliament concerning our danger and theirs, when we heard so many impious persons rage against them; and when the Army then in the North was (by the confession of the chief Officers) about to have been drawn up towards *London*; to what end is easie to conjecture: when so many Delinquents were engaged & enraged
against

against them, who all took refuge with the King. And when we say the odious Irish Rebellion broke forth, and so many thousand barbarously murdered; no less (by credible testimony) then an hundred and fifty thousand murdered in the one Province of *Ulster* only: I suppose him that I dispute with to have read the Examinations by the Irish Justices, and Mr. *Clarks* Persecution of the Church in *Ireland*: else he is incompetent for the debate. If you say, *What was all this to England?* I Answer, We knew how great a progress the same party had made in *England*, and it was them that we were told by the Trustees of our safety, that we were in danger of, and the fire was too near us to be neglected; and our safety too much threatned, to be carelessly ventured in the heat of the peril; or to be wholly taken out of our Trustees hands, when thousands were thus suddenly butchered by the Papists in our own Dominions, and those Papists likely to have invaded *England*, when they had conquered *Ireland*, and their Friends were so powerfull about the Court, & through the Land, and the Parliament hated by them for opposing their attempts (the Irish professing to raise Arms for the King, to defend his Prerogative & their own Religion against our Parliament) I say, in such a time as this, we had reason to believe our entrusted Watchmen, that told us of the danger, & no reason to suffer our lives and liberties to be taken out of their Trust, & wholly put into the hands of the King. We had rather of the two be put upon the inconvenience of justifying our defence, then to have been butchered by thousands, or fall into such hands as *Ireland* did: For then complaining would have been vain. It would not have
made

made dead men alive, nor recovered *England* out of their hands, for the survivors to have accused them of perfidiousness or cruelty. It was then no time to discredit our Watchmen.

§. XI. We saw the King raise Forces against the Parliament, having forsaken them, and first sought to seize upon their Members, in a way which he confessed a breach of their priviledge.

Obj. *The Tumults at Westminster drove him away.*

Ans^r. Only by displeasing him; not by endangering him, or meddling with him.

Obj. *The Parliament was not free by reason of them.*

Ans^r. The Parliament knew best when they were free. If the major part had thought so, why did they not Vote against those tumults, and forbid, and bring the rude Petitioners to Justice? The disorders on both sides among the tumultuary, were unexcusable: but no just cause to cast the Nation into a Warre. A Prince may not raise War against his people, because Apprentices shew some rudeness in their behaviour.

Object. *But the Parliament began the War.*

Ans^r. For my part, I am satisfied of the contrary: but the cause dependeth not on that. And the debate is not easily managed to satisfaction on either side, because we agree not what was the beginning of the Warre. If the Apprentices tumultuous petitioning were a Warre, then it was begun long before on the other side, when the Army was to have been drawn up towards *London*, and by other waies; as when the King set a Guard on them against their wills, when the Lord *Digby* raised Forces near the City, and the King after-

afterward in *Yorkshire*, the Parliament had no Army : so that if actual raising force was the beginning of the Warre, it seems he begun. But yet he saith, *Their Commissions were dated before his*. It may be so : (I knew nothing of that.) But Forces may be raised before they have any written Commissions. It was long before that the Lord *Digby* wrote to him to withdraw into a place of safety, to these ends which he pursued. If you say, that *those began the War that gave the first occasion* ; 1. We must follow that so high as will make the discovery difficult, and the debate irksome. 2. And when we have done, no doubt (as in most fallings out) we shall find that both sides were too blame, though not *equally* too blame.

§. XII. All the Kings Counsellours and Souldiers were *Subjects*, and legally under the Power of the Parliament. They had Power to try any *Subject*, and judge them to punishment for their crimes. The Offenders whom they would have judged, fled from Justice to the King, and there defended themselves by force.

Object. *But the Parliament would have injured them.*

Ans^w. Who should be Judge of that, if not the Supream Court of Justice ? The Laws are above the King.

Object. *The Parliaments Souldiers were Subjects of the King, as well as the Kings Souldiers to the Parliament.*

Ans^w. True : but if Subjects break the Laws, the King is to judge them by his Courts of Justice, and so the King can do no wrong.

§. XIII. If inferiour Courts of Justice may prosecute the execution of their sentences, in several cases against the Kings Will, and the Sheriff may raise the Power of the County to assist that execution, much more may the Highest Court do thus: But the Antecedent is commonly acknowledged to be true: Therefore.

§. XIV. The Parliament did not raise War against the *Person or Authority of the King*; nor did I ever serve them on any such account: But their cause was, 1. To defend themselves and the Commonwealth from evil Subjects, that flying from Justice, had made up an Army by the Kings consent. 2. To bring Offenders to a Legal Trial. 3. And consequently to Defend themselves against the Kings misguided *Will*. So that their War was directly against Subjects, but remotely against the *Will* of the King, but not against his *Authority or Person*. And Subjects cease not to be Subjects, when they get into an Army, and procure his consent to their illegal enterprise. Unless every one of his Souldiers was a King, or some of them at least, I know not that I ever fought against the King. Nor really do I believe that every man is against him, that is against a *Subject* that hath *His Commission*, when by the Law which is *above the Will and Commission* of the King, he is a *Subject still*, and answerable for his offences.

That it was Subjects that the War was raised against, and not the King, appeareth, 1. In all the Parliaments Declarations of their Cause (though his misdoings they alledge as the occasion of their necessity.)

cessity.) 2. In their Commissions to their Souldiers. All that ever I saw were for *King and Parliament*: Yea it was the common word of their Souldiers, if they were asked, *Who they were for?* to say [*For King and Parliament.*] 3. We had two *Protestations*, and a *Solemne League and Covenant* imposed on the Nation, to be for *King and Parliament*. And if *Declarations*, *Professions*, *Commissions*, and *National Oaths and Covenants* will not tell us, what the *Cause of the War was*, then there is no discovery. I refer the Reader that would know the Parliaments Cause, to their *Remonstrance of the state of the Kingdom*; and *A Declaration of the Lords and Commons assembled in Parliament*, setting forth the *Grounds and Reasons*, that necessitate them at this time to take up *Defensive Armes*, for the *Preservation of his Majesties Person*, the *maintenance of the true Religion*, the *Laws and Liberties of this Kingdome*, and the *Power and Privileges of Parliament*. August 3. 1642.] These fully tell you the Parliaments Cause, being their profession of it.

§. X V. When the Parliament commanded us to obey them, and not Resist them, I knew not how to Resist and disobey them, without violation of the Command of God, *Rom. 13. Let every soul be subject to the Higher Power, &c.* And without incurring the danger of the Condemnation there threatened to Resisters. I think none doubts but that Command obliged Christians to obey the Senate as well as the Emperour. When it was confessed by the King, that the Legislative Power was in the three Estates
conjoint,

conjunct, and the State was Mixt, and consequently that the Parliament had a part in the Sovereignty, I thought it Treason to Resist them, as the Enemy did, apparently in order to their subversion, and unlawfull to disobey their just Commands, such as I thought these were.

§. XVI. When the Subjects were in doubt of the sense of the Law, (into which most of the Controversie was resolved) I took the Parliament to be *the Highest Interpreter of Lawes that was then existent in the Division*. And therefore that it was Law to us, which they declared to be Law, so it were not directly and clearly against our own Knowledge, or against that truth which in our callings we might well attain the Knowledge of. I knew no higher Judge of the Law then to appeal to. If in case of Ship-money the Judges of inferiour Courts did satisfie the King, then in case of the safety or danger of the Commonwealth, I thought the Judgment of the highest Court should satisfie me.

§. XVII. I had great reason to believe, that if the King had conquered a Parliament, *The Nation had lost all security of their Liberties, and been at his Mercy*, and not only under his Government: and that Warre is an act of Hostility: and that if he had conquered them by such persons as he then employed, it had not been in his power to have preserved the Commonwealth if he would: His impious and popish Armies would have ruled him, and used him as other Armies have done those that entrusted them. And therefore when *Ireland* was so used before

fore our eyes, and the Papists there so strong, and the Queens, and the Earl of *New-castles* forces (besides others) so many of them Papists, and the common Souldiers of the King were commonly known, where ever they came, by horrid Oaths and Curses, being called *Damn-me's*, because [*God damn me*] was their common word, and when a man was used by them as a Traitor, that was but noted for a Puritane, or was heard to read the Scripture, or to sing a Psalm in his Family; I say, when these were they that were imployed to conquer us, I knew that the safety of the Commonwealth lay in resisting them, and that they could have conquered the King, when they had conquered us.

§. XVIII. I had sufficient ground from what is cited before from *Grotius* (and more such like) to conclude that the Parliament having a part in the Sovereignty, might defend their part against any that invaded it: and exercise it upon any Subject. And that their part was invaded, the fore-mentioned evidences, with what is in their Remonstrances shew: And the very intermission and almost extinction of Parliaments sheweth it yet more. The King was entrusted with the Calling of Parliaments, on supposition that called they must be: The *seasonableness* which he was entrusted with, was but a circumstance; and if under pretence of *seasonable calling them*, he will *call none*, or to *no purpose*, or break them up before they can do the work to which they were appointed, this is but to betray the trust of the Commonwealth. Parliaments by Law were to be held yearly, and say some, before the Conquest
twice

twice a year. See *An. 36. E. 3, & 4. E. 3. Et inter leges Edgar. cap. 5. Cook Institut. part 4. p. 7.* (Of their Honour and Antiquity, see Mr. *Bacon* and *Pryn*, and *Cook Instit. Part 1. Sect. 164. & Prefat. lib. 9. Of Reports, fol. 1. 2, 3, 4, &c. & 7. H. 6.*) They that trusted the King to call a Parliament, thereby expressed that they were to be called, & it was not in his power to extinguish them, by not calling them.

§. XIX. I knew, that as the Parliament was the Representative Body of the People of the Commonwealth, who are the subject of the Common Good, so that the Common Good is the Essential End of Government, and therefore that it cannot be a just War that by their King is made against them (except in the fore-excepted Cases: And that the end being more excellent than the means, is to be preserved by us, and no means to stand in competition with the End. And therefore if I had known that the Parliament had been the beginners, and in most fault, yet the ruine of our *Trustees* and *Representatives*, and so of all the *Security* of the Nation, is a *punishment* greater, than any fault of theirs against a King can from him deserve; and that their faults cannot disoblige me from defending the Commonwealth. I owned not all that ever they did; but I took it to be my duty to look to the main end. And I knew that the King had all his Power for the Common Good, and therefore had none against it; and therefore that no Cause can warrant him to make the Commonwealth the party, which he shall exercise Hostility against. And that War against the Parliament (especially by such an Army, in such a Cause)

is Hostility against them; and so against the Commonwealth; all this seemed plain to me. And especially when I knew how things went before, and who were the Agents, and how they were minded, and what were their purposes against the people.

§. XX. When I found so many things Conjunct, as *two* of the *three Estates* against the *Will* of the King alone; the Kingdoms Representative and Trustees assaulted in the guarding of our Liberties, and the highest Court defending themselves against *offending Subjects*, and seeking to bring them to a Legal Tryal, and the Kingdoms safety, and the Common Good involved in their Cause (which may be more fully manifested, but that I would not stir too much in the evils of times past.) All these, and many more concurring, perswaded me, that it was *sinfull to be Neutrals*, and *Treacherous to be against the Parliament in that Cause*. These were my apprehensions, and on such grounds as these here briefly hinted. And it somewhat moved me to see what the Parties on both sides were, of whom I will now say no more, but that it were a wonder if so many humble honest Christians, fearfull of sinning, and praying for direction, should be all mistaken in so weighty a case, and so many *Dam me's* all in the right. But yet this was not the *Rule* I went by, but *some Motive* on the by.

So that the Cause of the Parliament which they engaged us to defend, 1. Was not the Sovereign Power of the People, as above the King, and the Original of Authority; as if the State of the Commonwealth had been Democratical. 2. Nor was it

to procure a change of the Constitution, and to take down Royaltie, and the House of Lords, but clean contrary, it was the Defence of the old Constitution against the changes which they affirmed were attempted. 3. Nor was it the altering of Laws, which is not to be done by force, but freely by the Law-givers. And therefore it was not to procure a cessation of the Magistrates Power in Religion, for encouraging well-doers, and restraining intollerable Deceivers, which some call *Liberty of Conscience*. 4. Nor was it to offer any violence to the Person of the King; but to rescue him from them that had seduced him into a War against his Parliament, to his peril. These were the Grounds that we were engaged on, and I knew no other.

And therefore whereas some Pamphlets now flie abroad, that would defame the Parliament and their Adherents, as having engaged in a Treasonable Cause, and make that Cause to have been, 1. The *Changing* of the Government into *Popular*. 2. Or the Defence of it as *Popular already*, as if the *People* had been the *Sovereign Power*. 3. The deposing or destroying of the King. 4. The vindicating of an illegal or unlimited exemption from the Magistrates Power in matters of Religion, which they call, *Religious Liberty*; these need no further confutation then the reading of the *Parliaments Remonstrance and Declaration aforesaid*, and the rest of their published Professions, and Oaths, and Covenants. The clean contrary to these they openly professed: As, 1. That King, Lords and Commons in Parliament were the Legislators, and so had highest power. 2. That it was the Peoples Proprieties and Liberties, (and

(and not their personal Sovereignty) that they defended. 3. That it was the *Defence* and not the *destruction* of the Laws that they endeavoured. And, 4. That it was former *connivance at Popery* that they were offended at, and not a *Liberty for Popery* that they fought for; and that *Herésie* and *Popery* were *Covenanted* against by them, is well known; though the Liberty of Truth and Godliness they defended. And, 5. That they intended no hurt, but preservation to the King. This was their *professed Cause*.

I know *Grotius* in the fore-cited passages goeth higher, That a King may lose his own part in the Sovereignty in a War, in which he invadeth the part of those that had a share with him: And I know that he concludeth that Hostility is inconsistent with Government; and that other Learned *Politicians* conclude, *That if a King will make himself the Enemy of the People, and engage in War against them, he deposeth himself, and may be used by them as an Enemy.* But these things belong not to the *Old Cause* of the Parliament; nor, for my own part, have I ever interested my self in any such Cause, and therefore am not to be accountable for it. Every man must answer for himself. It is only that *Old Cause* that I have been engaged in. And many things that since have been done, my soul lamenteth and disclaimeth.

Yet must I add, That though I own not all the ways of men, that have had a hand in our Changes, I am confident that these that have been cast down, had great cause to acknowledge the Justice of God against them, especially for their encouraging the scorn of Holiness through the Land, and the persecution of multitudes fearing God, which the right-

teous God would not put up.

2. That I am bound to submit to the present Government, as set over us by God, and to obey for Conscience sake, and to behave my self as a Loyal Subject towards them. For, 1. A full and free Parliament hath owned it, and so there is notoriously the *Consent of the People*, which is the evidence that former Princes had to justify their best Titles. They that plead Inheritance and Law, must fetch the original from *Consent* (Though, as I have shewed before, that *Consent* doth but *specifie*, and then *design the Persons*, on whom God himself doth confer the Power.)

When *Grotius* questioneth even *invasores Imperii* (*De Jure belli. lib.1. pag.91.*) he excepteth from any Question the Case, 1. *Postquam longa possessione.* 2. *Aut Pacto, jus nactus est invasor;* and even of others, he acknowledgeth some obligation to obey them. And *ib. cap.4. pag.93. §.20.* he giveth that safe and general Rule, which such as I that are private men, and not made Judges of the controvertible Title of Princes must be guided by, and which *Paul* commended, it seemeth to the Christians in his times, yea and before him, Christ himself [*Maxime autem in re controversa judicium sibi privatus sumere non debet, sed possessionem sequi, sic tributum solvi Cæsari Christus juvebat* (*Mat.22.20.*) *quia ejus imaginem nummus præferebat, id est, quia in Possessione erat Imperii.*] That is, Especially in a controverted matter, a private man ought not to become a Judge, but to follow Possession. So Christ commandeth that Tribute be paid to Cæsar, because the Money had his Image, that is, be-
cause

cause he was in possession of the Government.]

I have made this Confession to the world of my former actions, and the reason of them, 1. At once to satisfy the Many that demand satisfaction. 2. That if I have erred, I may not die without Repentance, but may be recovered by their advice.

And therefore I will further confess how I stand affected to these actions in the review, 1. The experiences of War, and the evils that attend and follow it, hath made me hate it incomparably more than I did before I tried or knew it: and the name of Peace, much more the Thing, is now exceeding amiable to me. 2. I unfeignedly believe that both Parties were too blame in the late Wars: The one Party in the things forementioned: and the other in too impatient undergoings the Prelates persecutions, and some in too peevish scrupling and quarrelling, where there was no cause, or not so much as was pretended. But who can be free from some causeless scruples, that hath any Faith of his own, and is not careless of his soul. 3. I think that all of us did rush too eagerly into the heat of Divisions and War, and none of us did so much as we should have done to prevent it: And, though I was in no capacity to have done much, yet I unfeignedly Repent that I did no more for Peace in my place, then I did, and that I did not pray more heartily against Contention and War before it came, and spake no more against it than I did; and that I spoke so much to blow the Coals. For this I daily beg forgiveness of the Lord, through the precious blood of

See the Life of Mr. Herbert Palmer in Clarks Martyrology, pag. 438. about the Kings Death.

the great Reconciler. 4. The hatred of Strife and War, and love of Peace, and observation of the lamentable miscarriages since, have called me oft to search my heart, and try my ways by the Word of God, Whether I did lawfully engage in that War or not? (which I was confident then was the greatest outward service that ever I performed to God :) And whether I lawfully encouraged so many thousands to it? And the issue of all my search is this, and never was any other but this, 1. The case of blood being a thing so dreadfull, and some wise and good men being against me, and many of their Arguments being plausible, and my understanding being weak, I shall continue with self-suspicion to search, and be glad of any information that may convince me, if I have been mistaken; and I make it my daily earnest prayer to God, that he will not suffer me to live or die impenitently, or without the discovery of my sin, if I have sinned in this matter: And could I be convinced of it, I would as gladly make a publick Recantation, as I would eat or drink: And I think I can say, that I am truly willing to know the truth.

2. But yet I cannot see that I was mistaken in the main Cause, nor dare I repent of it, nor forbear the same, if it were to do again in the same state of things. I should do all I could to prevent such a War; but if it could not be prevented, I must take the same side as then I did. And my judgement tells me, That if I should do otherwise I should be guilty of Treason or Disloyaltie against the Sovereign Power of the Land, and of perfidiousness to the Commonwealth, and of preferring

ring offending Subjects before the Laws and Justice, and the Will of the King above that safety of the Commonwealth, and consequently above his own welfare; and that I should be guilty of giving up the Land to blood (as *Ireland* was) or too much worse, under pretence of avoiding blood, in a necessary defence of all that is dear to us.

And it were too great folly, by *following accidents*, that were then unknown, for me to judge of the *former Cause*. That which is calamitous in the event, is not alway sinfull in the enterprize. Should the change of times make me forget the state that we were formerly in, and change my judgement by losing the sense of what then conducted to its information, this *folly and forgetfulness* would be the way to a *sinfull*. and not to an *obedient* Repentance. Nor can I be so unthankfull as to say, for all the sinnes and miscarriages of men since, that we have not received much mercy from the Lord: When Godliness was the common scorn, the prejudice and shame most lamentably prevailed to keep men from it, and so encouraged them in wickedness: But through the great mercy of God, many thousands have been converted to a holy upright life, proportionably more than were before, since the reproach did cease, and the prejudice was removed, and faithful Preachers took the places of scandalous ones, or ignorant Readers. When I look upon the place where I live, and see that the Families of the ungodly, are here one, and there one in a Street, as the Families of the godly were heretofore

fore (though my own endeavours have been too weak and cold) it forceth me to set up the Stone of Remembrance, and to say; [HITHERTO HATH THE LORD HELPED U S.]

And now I must say (to prevent the Cavills of malicious Readers,) That though I have here laid down the Grounds upon which I think my Engagement in the late War to have been justifiable, yet I intend not that every one of these distinctly, is a sufficient *Medium* to inferre the Conclusion; But all together shew you on what Grounds I shall proceed with any man that will ingenuously dispute the Point. I must profess, that if I had taken up Arms against the Parliament in that Warre, my Conscience tells me I had been a Traitor, and guilty of Resisting the Highest Powers. And such Writings, as the (pretended) *French Discovery of the Scotch and English Presbyterie*, abound with so much Ignorance of our Cause, or Serpentine malice, that they are much uncapable of changing mens judgements that know their vanity. But the Reading of such Books doth make me lament the misery of the World, through the partiality of Historians: This Book, and *Sanderson's History*, and many more that I have lately seen, upon my knowledge do abound with falsehoods, and delusory omissions, and are (in my judgement) as unfit to give Posterity a true Information of our late affairs, as the *Alcoran* is to tell them the right

right way to Heaven. I know I shall highly offend the Authors with saying so; but not so much as they offend God and wrong Posteritie by their falshoods. The foresaid (pretended) *French* Anti-Presbyterian, takes it for granted, that the total Sovereignty was in the King, and upon that, and many such false suppositions, he makes the Presbyterians the odiouslest Traitors under Heaven; So that I do not wonder that Forreign Nations do spit at the very name of an *English* Protestant, as at the name of the Devil: And that Papists make their Ideots believe, That the Protestants in *England* are run stark mad, and turn'd such Rebels as can never more for shame upbraid them with their Laterane Decrees, their Powder-plot, or their murdering of Kings: And what have those Protestants to answer for, that by odious lies do feed these reproaches of the ways of truth, and of the innocent servants' of the Lord? Yea the said (*English*) *French* Calumniator, most palpably contradicteth himself, and telleth all the world that he lieth: When he hath charged the Presbyterians with Hypocrisie and Treachery in their Oaths and Covenants for the safety of the King, the Priviledges of Parliament, &c. he proves by the breach of those Covenants, that they were false in making them: And yet confesseth, that it was other men that broke them, and pull'd them down, to enable them thereto. Our only comfort is, That malice and lying shall not carry it at'last, nor pass the final sentence on us.

If any of them can prove, that I was guilty of hurt to the Person, or destruction of the power
of

of the King, or of changing the Fundamental Constitution of the Commonwealth, taking down the House of Lords, without Consent of all Three Estates that had a part in the Sovereignty; or that I violated the Priviledges of Parliament by imprisoning or excluding the Members, and invaded the Liberties of the People, I will never gainsay them, if they call me a most perfidious Rebel, and tell me that I am guilty of far greater sin than Murder, Whoredom, Drunkenness, or such like. Or if they can solidly confute my Grounds, I will thank them, and confess my sin to all the world. But malicious railings of them I take for Rebellions themselves, I shall not regard.

April

April 25. 1659.

When I had gone thus far, and was about to proceed a little further, the sudden News of the Armies Representation, and of the dissolving of the Parliament, and of the displeasure against my Book against Popery, called, *A Key for Catholicks*, and some other passages, interrupted me, and cast me upon these *MEDITATIONS* and *LAMENTATIONS* following.

SECT. I.

GOD is not the God of Confusion, but of Order: Wonderfull! Whence then are all the wofull disorders of the world! Why are they permitted, while infinite Wisdom, Goodness and Power is at the Stern! He loveth and tenderly loveth his People: Why then are they tost up and down the world, as a Sea-rackt vessel, as the football of contempt! His Spirit is the Spirit of Love and Peace! and his servants have learn'd to be meek and lowly, and his Disciples are all humble, and teachable

teachable, and tractable as little children : How comes it to pass then that their habitation is in the flames ? and that they are hurried about the world with tempests ? and dwell so much in the stormy Region ? and that his Lambs must be sent forth among Wolves ? Nay that Homo homini Lupus, is turned to Christianus Christiano Lupus ! Surely a word, a beck, a will, of him that ruleth over all, is able to compose this raging World, and still these waves, and bring all into perfect order : How easily could he dispell our darkness, and reconcile our minds, and heal our breaches, and calm our passions, and subdue corruptions, and bring us into the way of pleasant Peace ? And can Infinite goodness be unwilling to do us good ? Astonishing Providence ! that the Vessel should be so tost that hath such a Pilot ! and the Kingdom so disordered that hath such a King ! and the Patient so almost deplorable that hath such a Physicion, that is able to cure us when he Will ! O what a wound is it to our souls, that the Churches enemies of all sorts stand by, and laugh at our folly and calamity, and hit us in the teeth with our God, and our Reformation, and our Godliness, and our Hopes ! with our Fasting and Prayer, and all our pretended brotherly love ! And thus it hath been from age to age ! and while we glory in the hopes of better days, and thought that Charity was reviving in the world though it cooled when iniquity did abound, new storms arise ; our hopes delude us ; we find our selves in the tempestuous Ocean, when even now we thought we had been almost at the shore ! What Age, what Nation hath so followed Holiness and Peace, as to overtake them ? Doth the most perfect Governour of the world delight in impious confusion ?

Oh

Oh no ! his works are glorious , and bear their share of the impress of his excellency. Shall we presume to call the heavenly Majesty to account ? Must he render a satisfactory reason of his ways, to every worm ? Is it not enough to assure us that they are the best, in that he is their Author who is infinitely good ? We that are in the Valley of Mortality, and the shadow of death , are yet incapable of seeing that, which on the Mount of Immortality we shall see to our satisfaction. We see but pieces of the works of God, both as to their extent and their duration. As all the Letters make one word, and all the words do make one sentence, and all the sentences and sections and chapters make one Book, & the use of the letters, syllables, words and sentences, cannot be rightly understood or valued, if taken separated from the whole: no more can we rightly understand & value the works of God , when we see not their relation to the whole. We parcel Arts and Sciences into fragments, according to the straitness of our capacities, and are not so pansophical as *uno intuitu* to see the whole ; and therefore we have not the perfect knowledge of any part. As the whole Creation is one entire frame, and no part perfectly known to any, but the comprehensive wisdom that knoweth all ; and as the holy Scripture is an entire frame of holy Doctrine ; and the work of Sanctification is one new man ; so also the works of disposing Providence, are perfectly harmonious, and make up one admirable Systeme, which our non-age hindereth us from understanding. We must learn the Books of God by degrees ; word by word, and line by line, and leaf by leaf ; but we shall never be ripe Scholars till we have learnt all :

And

And then we shall see that Nature and Grace, Scripture and Creatures, Physicks and Morals, and all the works of God for man, do constitute one most perfect frame, which we shall admire for ever. The knowledge of method, is necessary to our knowledge of the severall parts: They borrow much of their sense from their aspect on that which goeth before and cometh after; and the first hath some connexion to the last. The Wheels of a Watch considered separatedly, are useles toys: but in the Frame the smallest Pin is usefull. God seeth all his works at once: were it possible for us to have such a sight, it would answer all our doubts at once. The works of Providence are yet unfinished, and therefore not to be seen in their full beauty: six days sufficed to the Work of Creation; but almost six thousand years have not ended the disposals of this present World. Had we seen the Creation after the first or second or third days Work, we should not have seen it in its full beauty: But on the seventh day God rested in it all as very good. A scrap or broken parcel of the most curious picture containeth not the beauty of the *whole*, nor is seen in its *own beauty* but as joyned to the rest. One string of this Instrument maketh no great melody. But when we are perfected, we shall have a more perfect knowledg of the Providences that now we do but spell. What Christ is doing in planting and pulling up in all these disorders of the world, we know not now, but hereafter we shall know. The day makes haste, when all those actions shall be opened at once to a common view: when the men that make this busle in the world are dead and gone, and Prince and people, Par-

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aments and Armies are off this Stage, and appear undrest before the Lord, and have received their everlasting recompence, from him that is no respecter of Persons, then Judge of these present ways of Providence: The end will expound the actions of this day.

Till then, as we know they are the ways of the most wise, so we must consider how many minds he hath to govern! every man hath an understanding and will of his own! and, O how different! When so many thousand millions of men are of so many minds, or are principled and tempted to so many. We may wonder that such order is preserved in the world. Especially considering that their Interests are almost as various as their minds. Where they should agree they differ; where they are incapable of a joynt possession, they agree in the desire of that which is impossible. How many have a mind of the same Crowns, the same Honour or Office, or Land, or other bait of worldly vanity: And how easily might Satan set all the world together by the ears, by casting such a bone among them, if God were not the universal King. Mens interests engage them against each other: And their vices are suited to their carnal interests: When humane nature is so corrupt, that vices swarm in the hearts of the ungodly, as worms in a Carrion; when ignorance, self-conceitedness, unbelief, sensuality, pride, worldliness, hypocrisie, and passions of all sorts abound! When so many hearts are blinded and byassed: and all men by corrupted nature are enemies to a Holy Peace, & honest Unity must be attained by crossing the very natures and interests of so many; when the best have so much
of

of these corruptions, and grace that must overpower them is so weak; when the tempter is so subtile, diligent and uncessant, our temptations to evil, and hinderances to good, so many and so great, how wonderfull is that overruling Providence, that keepeth up so much order in the world! and preserveth us from utter confusion and Inormity? It is infinite power that so far uniteth such incoherent matter, and that so far restraineth such corrupted souls: that every Nation are not *Cannibals*, that every Prince is not a *Nero*, or *Dionysius*, and every person is not a *Cain*, is all from the wisdom and mercy of our Almighty King. Let God therefore have the honour of his transcendent Government; He attaineth his ends by that which seems to us Confusion. He is a perfect Governour that perfectly attaineth the ends of Government! His ends are known to him, but much unknown to us. The night is usefull as well as the day, and darkness is no dishonour to the Creator. Nor is it dishonourable to him that there are Toads and Serpents on the earth, & that he made not every worm a man, or every man a King, or an Angel: Much less that wicked men do wickedly, when he hath resolved to govern the world in a way consistent with the Liberty of their wills. If sin were perfectly restrained, and the world reduced to perfect order, we should not have the benefit of persecution, which must be expected by those that will live godly in Christ Jesus. How should we ever expresse and try our patience & self-denial and contempt of all for the sake of Christ, if we had all things here as we would have them? It argueth too carnal a frame of mind, when we are hearkning after felicity, or too great things

things on earth, and with the Jews would have a Kingdom of this world, and a Saviour that should make us great on earth: Should we not expect that God in equity and wisdom should keep a proportion of our comfort to our duty, and cause our prosperity to be answerable to our fidelity? If we have lesse here then we expect, and suffer after our faith and diligence, eternity is long enough to make amends for all: But that a sinfull, careles, hypocritical world, should yet be a prosperous world, is utterly incongruous, unless we would have our portion here. While the world is wilfully so vile; no wonder if it be so miserable. When sinne makes the greatest breach of order, and divideth our hearts from our Creatour, what wonder if lesser disorder do attend it, and we be all divided from each others? And whose conscience will scruple rebellion, resistance, or disobedience against the higher powers, that is hardned in rebellion, resistance, and disobedience against God?

It is a great mistake to expect perfection of so excellent a thing as holy order here on earth. If we are sure that there will be no perfection of knowledge, charity, self-denyal, patience, and all other graces necessary to our perfect order, how then can that order be perfect that must result from these? Can ignorant, froward, imperfect men, make up a perfect Church or Commonwealth? Or can we be greatly mistaken, then to ascribe to earth the Prerogatives of Heaven? Have we daily experience of imperfections and corruptions in our selves and others? Is not every soul imperfect and disquieted, and disordered? and every Family so too? and every Parish, Corporation, and society so? And can it then be

better in a Commonwealth? Can it be perfect and ordered aright, that is composed of imperfect disordered materials? The whole cannot be gold, where all the parts are stone or iron. Unbelieving souls! repine not in your ignorance against the Lord! When you come to Heaven, and see the perfect order of his Kingdom, and look back with better understanding on the affairs of the world that now offend you, then blame the Lord of imperfection in his Government if you can? All mercies on earth are but hatching in the shell: None are here ripe! We must know what earth is, that we may the more thankfully know what Heaven is. We must sow in tears, if we will reap in joy. We must know what sinne is, before we find what grace is; and what grace is, before we find what glory is. If sinne were not suffered to shew it self in the world, and play its part, it would not be sufficiently hated: nor Grace, or Christ, or Heaven sufficiently valued. We love the godly much the better, because the neighbourhood and tryal of the ungodly, sheweth us the difference. We are the more thankful for our own grace, because of the experience of our corruptions. Holy order will be the sweeter to the Saints, because of the odious confusions that stand by. And as it is necessary that Heresie arise, that those which are approved may be made manifest; so is it necessary that Warres, confusion, and rebellions arise, that the meek, and peaceable, and obedient may be manifest.

They are good works as from God, and as to the finall issue, which he accomplisheth by bad Instruments. And when the work is rough, and below his upright ones, he useth to leave it to polluted hands.

Even

Even evil Angels are oft his Instruments in afflicting: and God can do good by the Devils: But when there is such a difference between the principal cause and the instrument in the work, and each worketh as he is, and bringeth somewhat of his nature to the effect, no wonder if there be a mixture of order and confusion in the world: and that be sinfull and confusion as from men, that is good and orderly as from God. If there were nothing in the world but what is of God, there would be nothing but what is good. But when Satan hath got so great an Interest, and is become a Prince that ruleth in the Children of disobedience, shall we wonder to find the works of Satan? Or shall we dare to impute them to the Lord? or blame his Government because the enemy makes disturbance.

It is the reckoning day that sets all straight. Many are now triumphing whom God laughs to scorn, because he sees that their day is coming. Till then we must live a life of Faith. If fleshly props be taken from us, and we be left to live on God alone; our comforts will be the more pure, as having little of the creature to defile them. A sensual life is a bestial life. If God were not resolved to hold his servants to a life of Faith, with little mixture of sensible evidence, we should not have such seldom Messengers from the other world; and from age to age have scarce any more then Faith to tell us of the invisible things. When all men that we trusted to are gone, we shall comfort our selves only in the Lord our God. And is he not enough for us alone? How apt are we to draw out from God to men? But when some prove insufficient, and others treacherous, and their friend-

ship is as the waves and weathercocks, we shall cleave the closer to the Rock of Ages, and retire our selves with mortified and Heaven-devoted souls to God. And the more we converse with him, and see him in all the Creatures and their Products, the more we shall perceive his order in their confusions, and their confusions making up his order. But O when we see his blessed face, and behold the glory of the universal King, how sweet an harmony shall we then perceive in the concord of all the motions and affairs that now seem only tumultuary and discordant. We shall see how all these distant lines do meet in God, and in him we shall find all Providences reconciled, and making up one benighted frame.

SECT. II.

BUT it is not the disorder that is so much offence, as the quality of the persons from whom it doth proceed. Shall the work of God be hindered by them that seems his most resolved Servants? Must the cause of Christ be abused by its Friends? and his Church distressed by its Members? These are works that better be seem the enemies, even Satan himself then the Servants of the Lord. Shall we be guilty of the impenitency of the Churches enemies, while we seem to justify their actions by our own? Must we receive these wounds in the Houses of our Friends? Did we once think that the Gospel must have suffered so much by them that were so zealous for it? Our familiar friends, that took sweet counsel with us, and went with us in company to the House of God? Yea still it is professedly for God, that God is

abused and dishonoured: It is for Christ that Christ is so much resisted: It is for the Gospel that men have liberty to deny the Gospel, and dispute against it; and for the Scripture that men have leave to revile and argue against the Scripture, and draw as many as they can into the same condemnation: It is for the Church, that the Church is wounded and torn in pieces, and that the Pastours of it are by license vilified. It is for the godly that the godly are cast out: and it is for the interest of the Saints that liberty is granted to draw men from the waies of sanctity: It is for mens salvation, that liberty is granted to tempt and draw the people to damnation. And it is for the security of the Nation, our Religion, Peace and common good, that the Trustees of it are so used, and our security seized upon, as they have oft been: It is for Authority that Authority hath been brought into contempt: and made the football of the world: And if God were not wiser and faithfuller then man, the Church would be utterly destroyed in order to its preservation: and our common good would be procured, as the Irish did procure the Peace of Ireland: Our Brethren that hate us, and cast us out for the Lords Name sake, say, Let the Lord be glorified, Isa. 66. 5. O lamentable case, that God also must be called upon, and engaged in the Causes which he so abhorres! That he is feigned to be the Author of Satans works? That Prayers are engaged against Prayers? and so many Parties fast and pray, and cry to God from morning untill night, with greatest fervency, that he would direct them in his way, and acquaint them with his Truth and Will, and own his cause, and help them in his

work against their Brethren: and all rise up with strengthened confidence, that their cause is right, and are by Prayer animated to their contrary wayes, which in some of them must needs be very evil. Alas, that the ungodly should be thus tempted to scorn the Prayers of the Saints; and weak ones tempted to suspect their force.

But did we not know till now that offence must come? and that it will be woe to the world because of offences? (and to them also by whom the offence doth come?) Is it such a wonder for purblind men to stumble? or for children in their hasty running to catch a fall? May not friends fall out and hurt each other in their passion? Friendship is not seen, nor Judgement seen, when Passion is up; but a friend doth seem a very enemy, and a man of Reason seemeth mad. Much more if passion turn to phrensie! What wonder then if the dearest friends have foul words and blows from the distracted? especially if they are loose and armed. The remnants of ignorance will have their effects, according to the matter that we are imployed in. So far as corruption remaineth unmortified Satan hath so much interest in us: and therefore hath somewhat to make use of, and may easily make men Instruments in his work, when he gets the advantage against their graces. But instead of being scandalized with my God, or with his holy Truth and Work, let my soul be jealous of it self, and from all these things receive Instruction.

1. And first, I see here what *Man* is! How unmeet a Pillar for our confidence? too fickle to be a certain Friend: too feeble to be a sure Support:

too

too frail to stand in strong temptations, without relief from the Almighty strength: too vile for us to glory in: too blind, too selfish, sinfull, and infirm, to be the Guardian of the Church! Were Godlinesse chiefly entrusted in such hands, and did the Cause and honour of the Lord, depend most on their wisdom, fidelity and innocency, how soon, how certainly would all be lost; and prostituted to the enemies scorn? *Cease then from man, whose breath is in his Nostrils: for wherein is he to be accounted of? Isa. 2. 22. Thus saith the Lord, cursed be the man that trusteth in man, and maketh flesh his arm, and whose heart departeth from the Lord. For he shall be like the heath in the desert, and shall not see when good cometh, but shall inhabit the parched places in the Wildernesse, in a salt Land, not inhabited. Blessed is the man that trusteth in the Lord, and whose hope the Lord is: For he shall be as a tree planted by the waters, and that spreadeth out her root by the Rivers, and shall not see when heat cometh, but her lease shall be green, and shall not be carefull in the year of drought, neither shall cease from yeelding fruit, Jer. 7. 5, 6, 7, 8.* Though grace do elevate the soul, and tend to its perfection, yet being imperfect, it leaves man frail, and meeter to be our trouble then our Rest.

2. How dangerous a thing is it to have a mistaking Judgement, in practicals of greatest moment? How lamentably will it misguide their Prayers, their Speeches, and their Practices? And the greater is their zeal, the forwarder will they be to prosecute that evil which they take for good. While they

are pulling down the Church, supposing that they are building it, how resolutely will they proceed? Let but a zealous mans understanding be deluded, and it will engage him in a course of hainous sinne. He will distort all that he readeth or heareth, to the strengthening of his sinne. Sermons and Prayers, and Providences, shall all be prest to serve him in his evil way. How earnestly will he beg of God for assistance in his iniquity, when he thinks it is his duty? How joyfully will he give God thanks for prospering him in doing mischief? What evil will not a man do, if you can but make him think it good? If he kill the holiest Servants of the Lord, he will think that he doth God service by it, and that his peoples blood is an acceptable Sacrifice. Were it the killing of Christ, the Lord of life, they would not stick at it, but say, *Let his blood be on us, and on our Children.* It will drive back all the motions to Repentance, and confirm them in impenitency, and make them angry with all those that approve not of their transgressions, and will not be as bad as they: It will cause them to misinterpret all Gods Providences, and misapply his Promises and Threatnings; and their hearts will rise, with zealous indignation against all those that would recover them: Reproofs, though most necessary, they will call Reproaches: and those will be taken for sensorious railers, that tell them of their crimes, though with the tenth part of the plainnesse and seriousness as the case requireth. In a word, the disease is strengthened, and secured from the power of all Remedies. Let us therefore beg of God, that he would not leave us to a deluded mind,

mind, nor give us over to the error of our hearts. O what cause have we to be jealous of our understandings, and diffident of our selves, and to prove our way before we make too much hast in it; lest the faster we go, the further we go out of our way! What cause have we to hearken to the Judgements of the wise, and to be much in learning, and diligent in the use of holy meanes to increase our knowledge? What need have Babes to know their weaknels, and keep their due dependance on the strong, and *those that lack wisdom, to ask it of God, and withall, to seek for it as silver, and dig for it as for a hidden Treasure*, and to be fearful of falling into forbidden paths?

3. How dangerous a thing is *Pride of heart*? When once it grows to an enormous height, it will make men swell with self-conceit, and think none so fit to govern Countries and Nations as they: Nor any so fit to teach the Church: Nor any so meet to judge what is good or evil to the Commonwealth. They will think that God hath qualified them to hold the reines; and if he bring them within the reach of a Crown, or lower Government, they will think he offereth it them. How despicably look they on the Judgments and Counsels of men much wiser then themselves? Pride makes every Constable a Justice, and every Souldier a Commander, and every man a King, a Parliament, and a Pope in his own eyes. O what cause have we to watch against this tumifying deluding vice, and to learn of Christ to be meek and lowly, and to behave our selves as Children in his School, and to suspect our understandings, and

and walk humbly with our God ? What Slaughters, what Scandals, what Breaches in the Church, what Triumphs for the Devil, hath Pride wrought in the Earth, and that among them that professe the Faith ? And it fortifyeth and defends it self : It will not see it self, nor bear with the means that should disclose it. It hateth faithfull necessary plainnesse, and loveth foolish daubing flattery. With humble words, will men be proud : with formal confessions and daily reprehensions of the Pride of others, and complaints of the abounding of Pride in the world ; with high applauses of the humble, and zealous exhortations to humility, will men be proud and not observe it. When they read their condemnation in the Scripture, as that God abhorreth the proud, and knoweth them afar off, and humbleth them that exalt themselves. When they read the Prohibitions of Christ, against sitting down at the upper end, and seeking honour of men, against despising of Dominion, and speaking evil of dignities, and resisting the higher Powers as set over them by God ; they read all this as if they read it not : They perceive not the sense of it : They know not that it speaks to them : But as the ignorant unrenewed soul doth hear the substance of the Gospel, but as a lifelesse empty sound, as not understanding or favouring the things of the Spirit, so usually do Professors hear or read Texts that condemn the sins that they are guilty of.

4. How dangerous a thing is it, to grow strange at home ? and so unacquainted with our own hearts, as not to know their errours and enormities ? If we should but long neglect our Watch, and grow unob-

unobservant of our hearts, how vile will they be, when we think they are upright? and how hypocritically, when we think they are sincere? and what horrid things may we attempt with good pretences?

5. How deceitfull a thing is the heart of man? when after so much light and means, after so much teaching and enquiry, after so long self-observancy and use of means, and so many discoveries and confessions of sinne, most odious finnes should so easily creep in, and be indulged and undiscerned, yea befriended and maintained, as if they were the holiest Works? How deceitfull is that heart, that cannot discern the most ugly mountainous transgressions? Yea that entitleth them, the Work of God?

6. How dangerous is it for men to lean to their own understandings, or to hear none but those that are engaged in their own Cause? and to loose and reject the advice of impartial standers by, that have had better opportunities of knowledge than themselves.

7. And how dangerous is it to live under strong temptations? and to have a potent carnal Interest before them! What a byas will such an Interest be to the understanding, when it should try the good or evil of their wayes? After great Victories, Renown and Honour is become mens Interest: and how odious is any word or way that would eclipse their honour? If some of the Victories of *Alexander* or *Cesar* had been obtained by perfidious Rebellion, how hainously would they have taken it to have been told so, and called to
Repentance,

Repentance, for that which was the matter of their Renowne, and to have their acts of highelt Honour numbred with the most odious crimes? What cause have we daily to pray, that God would not lead us into temptation? When Honour, and Dignity, and Command and Wealth, are become a mans Interest, what will he not believe, and do to serve it, if wonderfull grace do not preserve him? Any cause shall seem righteous that promoteth that Interest; & any Arguments shall seem valid that do maintain it: Gain shall become Godliness: For nothing shall be Godliness that suiteth not with their gain, or other ends: and *Paul* and *Peter* should not be godly, if they crosse their Interest, and especially if they do it plainly and faithfully. And the *Herod* that hath revered *John* Baptist, and heard him gladly, will yield to the cutting off his Head, if *Herodias* be once dearer to him then the Lord. How excellent and necessary is self-denial? How dangerous a standing have the Rulers and Commanders of the world? What a folly is it to envy them, or desire to be in their Condition? What wonder, if few of the great and rich are saved? and if it be *as hard for them to enter into Heaven, as for a Camell to go through a needles eye*, how little cause have the low and poor to murmur at their condition? Experience hath taught me to resolve, that I will never put confidence in my nearest Friend, nor the best man that I know, if once he have a potent carnal Interest, and dwell among great and strong temptations. Though I doubt not but God hath his humble ones, whom he preserveth even in such assaults, yet how rare is it for Cedars long to stand, on the tops of Mountains? *Man being in honour*
and

and not understanding, is like the beasts that perish,
Psal. 49. 20.

8. How dangerous a thing is it to be once engaged in a sinful way? The further they go, the more their engagements will increase: How hard will it be to return, when once they have set foot in a course of sinne? Their interest then will lead them to impiety, and even to persecution it self; and to take Christ, and Scripture, and faithfull Ministers for their enemies. For all these are engaged against sinne, which the guilty soul is engaged in; Christ and Scripture do condemn it: Ministers must (as they have a Call) reprove it; and faithfull Christians must disown it: and this will enrage the guilty soul. The guilty have not the patience of the Innocent. Had I wrote that to the view of ten thousand that are Innocent, which hath so exasperated the guilty, it would not so much as have offended them. As *Seneca* saith, *It hurteth them that have sores, to think that they are touched, though you touch them not.* Fear makes them complain as if they were hurt: The sick and sore are impatient and querulous. And all that defendeth them in the sinfull way that they are engaged in, they like and own: And so they go on from sinne to sinne, deceiving and being deceived. And if God have so much mercy for them, as to recover them by Repenunce; How dear must it cost them, in comparison of what a prevention would have done?

9. How dangerous is it for uncalled men, to dream that every opportunity is a Call, to meddle with things above their reach, and seize upon Offices.

fices which they are unfit for? When men that have not had the inward and outward opportunities and helps for holy knowledge; which Ministers of Christ must have, will invade the Office upon a proud conceit of a fitness which they have not; or will be more peremptory in their judgement in Theological difficulties, then is suitable to the proportion of their knowledge; and when men unacquainted with the true Principles of Government, will be rashly condemning the actions of their Governours, and turning them besides the Saddle; that they may get up themselves, when ever they have a conceit that their Governours erre, and that themselves are wiser, and can govern better; what an Ocean of iniquity doth this presumption plunge them into?

10. What delusions doth a galled Conscience betray men to? When they have done evil, in stead of Repenting, they would fain bring others to approve their deeds, and fain have them justified before the world? And what if they were? Doth this conduce to their Justification before God? Is this any salve to a wounded soul? Will God absolve them, because men do it? What figg-leaves are these, that will not hide their nakednesse from Posterity, much lesse from God.

11. How abundantly hath experience satisfied me of the blessednesse of Peace, and the mischiefs of Warre, from the ordinary effects of them upon the soul. In Peace when we live in quiet Neighbourhood, and in Church-order, men are esteem-

esteemed among us according to their real worth : A poor Christian that is of excellent parts , and of a holy exemplary life , is he that bears the Bell among us , and the scandalous are presently discovered , and noted to their just contempt and shame , (*Psal.* 15. 4. *2 Thess.* 3. 14.) and froathy , wrangling , proud Professors , that know nothing but dote about words that gender strife , and edifie not , are looked upon as the spots in our Assemblies : so that Humility , Innocency and Edification here , bear all the glory and the sway. But in the Armies , some of our hopefull Professors turn'd Drunkards (and when they came home , we could scarce recover them ;) some turned away from Ministers , Ordinances , Scripture , Godlinesse , from Christ , and from common Sobriety and Civility : Some that sped best , lament their coolings , distempers , and discomposure of soul , and are other men in Peace , as to the beauty and integrity of their lives , than they were in Warre. And (which is the thing I aim at) true Godlinesse and Vice are seldom rightly estimated in Warre. A slip into excessse is excused there as a necessary evil. A railing word , or rude behaviour and unseemly carriage , is accounted not much unbeseeming Souldiers for the most part : A great deal of humility and real worth in a private Souldier is buried , and too little observed or operative on others : When an half-witted Officer , or one that is notional , and empty ; and ignorant , may be heard and regarded , as if his erroneous words were Oracles. So great is the Interest of Commanders in their Souldiers , that those have been there honoured and followed

as men of notable parts and piety, and born much sway, that when they have returned to their Trades, and lived among their able, humble, upright Neighbours, have appeared to be of the lowest forme. I doubt not but Armies, have persons of the highest worth: But I have seen that ignorance, pride and errour, have far more advantage to gain reputation, and play their game, to leaven others, and rule the roost in a military state, then they have in peaceable Church-state.

12. I see more and more, how impossible it is, that honest, plain, and faithful dealing, in Ministers or others, should ordinarily find acceptance in the world! We must expect to displease God or men, when men will swerve from the wayes of God: God or the guilty will condemn us: Conscience or engaged galled persons will censure us, and swell against us. While their Doctrines or Practices are unreconcilable to God, our Doctrine and reproofs will be offensive unto them. And whose pleasure and favour shall I chuse? Not mans, but Gods: For thy pleasure, O Lord, was I created: In thy favour is life: Or if men be permitted to deprive me of my life; thy loving kindnesse is better than life. Men are corrupt: and honesty will not alway please, when they pretend to honesty: They are giddy, and will not be long pleased with one thing: And I cannot change as fast as they. Their Interests call for that to please them, which is against the Interest of Christ, the Church, and my own, and others souls. And shall I sell all these for the favour of man! Of a lump of dirt, that shortly will be loathed by those that
now

now flatter them? Men are so many, and of so many contrary Interests and minds, that I cannot possibly please all, or many: and which then shall I please? Nay one mans mind is so contrary to it self, that if I please him in one thing, I must displease him in another. The holiest Apostles and Pastors of the Church, have not pleased them. Christ did not please them: God doth not please them: and how should I?

My God! I am satisfied! May I but please thee, I have enough. How easily may I spare the favour of man, whose breath is in his nostrils, if I have thy favour? He that cannot be satisfied in thee, will never be satisfied. I covenanted not with thee, for the favour of the best of men; when I became thy servant: but that thou shouldst be my God in Christ. Let me have this, and I declare to all the world, that thou hast made good thy holy Covenant, and I have that which I agreed for. O that I had more faithfully pleased thee, though I had displeased high and low, Princes and Armies, and all the world. The favour of man cannot continue my soul in life: I must be sick, and die, and rot in the grave, if I have the favour of all the world. But if God be for me, who shall be against me! All things shall work together for my good: Because Christ liveth, I shall live. The wounds of my soul are not for displeasing men, but thee! The frowns of the greatest leave no sting behind them in my heart: But who can bear the frowns of God? My God! it is not earthly men, that I must live with long! How long have I looked for thy Call! It is thee that I must live with for ever. And therefore,

how little doth it concern me, whether I be loved or hated here? Those that shall live with me in thy presence, will all be reconciled by the light of thy Face, and the power of thy Eternal Love. The rest are not of my Communion. It woundeth not my conscience that I have honoured thy Providence, which preserved this Nation from so much guilt: nor that I preferred the honour of thy Cause and Churches, before the honour of sinning men. *Wisdom and Holinesse* in any of thy servants, desire me not to defend their Neighbour enemy; nor to preferre their Honour before thine, much lesse to justify their sinne, which hath dishonoured thee, and which they must condemn themselves, that they may not be condemned for it. And the demands of *Folly and Impiety* are not regardable. I thank thee for weaning my soul from man! but let it not now be estranged from thee. I stand to my Covenant! I give up all! for all is nothing: But then let me have thee, that indeed art all! Forsake me not, that consent to forsake all for thee, and should not have consented, if thou hadst forsaken me. The darknesse and distance of my soul from thee, is more grievous to me than all the frowns of men! Alas my God, that I can know thee no more, after so many and gracious discoveries! That I love thee no more, that by so many mercies hast testified thy love, and done so much to convince me that thou art most Lovely; this, this is the prison, the famine, the sicknesse, and I had almost said the death of my languishing, drooping, fainting soul! That I have thought, and read, and heard, and said so much of Heaven,
the

the Rest of Saints; and yet my soul can reach no higher, and get no nearer, and believe, and love, and long no more; these, Lord are the wounds and scourges that I suffer! I may not open my brest with *Camero*, and say, *Feri miser*; but I may submit with *Luther*, and say, *Feri Domine; clementer feri*, if I had but more of the apprehensions of thy love, and more of the tastes of Heaven upon my soul. I refuse not the stocks of *Paul* and *Silas*, nor their scourges neither; so I might have their heavenly visits and elevation, which might tune my soul to their delightful melody. Were I but free from the Prison of my ignorance; unbelief, and other sinnes, how easily could I bear the imprisonment of my body! Were I with *John* in *Patmos*, so I might also be with him in the Spirit, I would rather call it a Paradise, than a Banishment. What can it be but thy presence or absence, that may denominate places and conditions, a *Homo*, or a *Banishment*, *Liberty* or *Imprisonment*, *Sweet* or *Bitter*, *Happy* or *Miserable*. Were there a Countrey on Earth that had more of God; and where the Sunne of his face doth shine more brightly; and where Heaven is opener unto earth, and the Spirit hath more illuminating, quickning influences on the souls of men; O that I were banished thither! How cheerfully; how speedily would I go seek that place? But while I carry my Gaoler and my Prison about me, and am fettered in my own corruptions and infirmities, alas; in *Liberty* I am *not free*; while I am honoured and applauded; I am ashamed of my self: While I am *Loved* of others; I *loath* my self: Though my bo-

dy be afflicted by none without me, (but by thy just and gracious castigations, which I have born even from my youth) yet how can it chuse but droop and languish, that is animated by an afflicted soul? How oft do my *Bodily* pains seem *nothing*, being over-sens'd with my souls more grievous languishings? So long have I been a Prisoner at *Home*, that I could long for a Prison that would but bring me nearer *Home*. The *darknesse* that I live in in the open light, doth make me think that *Dungeon* happy, where souls are more open to thy celestial Rayes. I wonder not at the Labours and Patience of holy *Paul*, when I consider what Spirit dwelt within him, and what a sight he had had of Christ, and whither he was wrapt, and what he saw. The sight of Christ in his Humiliation was much; but the glimpse of a glorified Christ was more, though mixt with somewhat of rebuke and terrour. To be taken up into the third Heavens, and there see things to us unutterable, must needs be an effectual Motive, to all that holy diligence and patience, and a reward exceeding all that we can do or suffer. Much more unworthy are the sufferings of this present life, to be compared with the glory that shall be revealed. It will be a small thing to him to be judged of men, that knoweth that there is one that judgeth, even the Lord; and seeth by faith, the Judge even at the door. Were I fully certain that my sinnes could do no more against me, at the barre of God, then all the censures, displeasures, reproaches or persecutions of men can do, how little should I fear that dreadful day! Might I but finish my course
with

with joy, why should I count life or liberty dear? Let me be equal with the most afflicted of thy Saints, so I may but believe, and love as much as the holiest. Might I but have their measure of the Spirit, how gladly should I submit to their measure of persecution! Might I see what *Stephen* saw, how gladly would I suffer what he suffered! But I dare not, I must not thus capitulate with God! The times and measures of the Reward are in thy hand. Much lower termes are very high. Dispose of me therefore according to thy gracious will. Thy will is the Original and the End, of me and all things. From it I seek for guidance, safety, strength and happiness.

By it let me be directed and disposed:

In it alone let my soul have Rest.

*Not my will, but thy
will be done.*

F I N I S.

The first part of the work is devoted to a general
description of the country, its climate, soil, and
resources. The author then proceeds to a detailed
account of the various tribes and nations which
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