

not bound to consent, to sin against God, or betray the church and their own souls, for the will or interest of unfaithful pastors.

6. And when all is done, we must never dream of attaining in this world a perfect unity and peace, nor till we come where knowledge, love, and holiness are all perfect: of which, see more in my small popular treatise called "Catholic Unity."

SERMON VI. (III.)

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KINGS AND EMPERORS ARE NOT RIGHTFUL SUBJECTS TO THE POPE; NEITHER HATH HE POWER, FOR PRETENDED OR REAL HERESY, TO EXCOMMUNICATE AND DEPOSE THEM, NOR TO ABSOLVE THEIR SUBJECTS FROM THEIR OATHS OF ALLEGIANCE: BUT EVEN THE CLERGY ARE SUBJECT TO SECULAR PRINCES, AND THEIR BODIES AND ESTATES UNDER THEIR GOVERNMENT.

KINGS AND EMPERORS NOT RIGHTFUL SUBJECTS TO THE POPE.

I think myself happy, king Agrippa, because I shall answer for myself this day before thee touching all the things whereof I am accused of the Jews.—Acts xxvi. 2.

THOUGH I cannot this day assume to myself that happiness [which] the apostle did,—that he did apologize before a king who was "expert in all the customs of the Jews;" (verse 3;) yet, I do suppose, I may account myself happy, that I am to apologize for kings and emperors, who do know and have assumed to themselves their royal prerogatives, granted to them from the King of kings "by whom they reign," (Prov. viii. 15,) confirmed to them by Him who is set upon the "holy hill of Zion," (Psalm ii. 6,) and infringed, eluded, or usurped by a pretended vicegerent, whose right and reason in his pretences are no greater than his humility or modesty in the claim and exercise of his power. Whilst I treat of this important affair, I hope you that are my auditors will do me reason to hear me patiently; and I humbly submit the discourse to those sacred persons whose cause needeth no more or greater advocates than have already appeared in it: and if the immodest restlessness of encroachers do occasion a necessary apology for this cause, it deserveth a much better than now is by others' desire, not his own choice, put upon it. If there be any thing less becoming the greatness of the cause and the excellency of the persons, and (as I foresee it will be) not worthy the favourable acceptance of the meanest prince; yet I humbly pray the

favourable interpretation and gracious pardon of all that my own weakness hath rendered defective ; and a condescending acceptance of what the strength of reason, the resentment of duty, the obligation of oaths, the dictates of nature, the command of God, and a vowed loyalty to my great and gracious sovereign, have in this (so much his) cause better performed. With this desired candour and hoped favour, I return to my work ; which lieth in the text [that] I have read, because in that, either directly or consequentially, lieth this

THESIS.

Kings and emperors are not rightful subjects to the pope ; neither hath he power, for pretended or real heresy, to excommunicate and depose them, nor to absolve their subjects from their oaths of allegiance : but even the clergy are subject to secular princes, and their bodies and estates under their government.

In which thesis I observe two different sorts of propositions,—the first *negative*, the other *positive* : and these kinds of propositions in the schools are differently treated ; for the positives are to be proved by the opponent, the negatives to be defended by the respondent. So should Rome, if the pope would carry his cause, prove his own right ; which he can as easily now as ever, and with just such arguments as formerly, make good.

THE SUMMARY OF THE POPE'S RIGHT, AND ITS PROOFS.

Whilst immodest claims, forcible usurpations, enslaved councils, citations of treasonable decretals, appellations to seditious canon-law, blasphemous appropriation of omnipotency, self-designing flatteries, and vowed obedience to the pope against nature, reason, and religion :—whilst these are accounted good proofs, what Romanists will think the pope an usurper, or his wars against the emperor rebellion ? May all Christian kings enjoy their undoubted rights, and keep in the undisturbed possession of them, until such arguments, of weak and senseless, become strong and reasonable ! His Roman Holiness will scarcely think the reversion worth his thanks, if it be bequeathed him—or worthy of his hope, if it be promised him—on such terms ; and on better, I trust, he will never have it. This **NEGATIVE** part of the position (for reasons kept to myself) I do cast into the latter part of my discourse. The **POSITIVE** position—namely, *The clergy are subject to secular princes, and their bodies and estates under their government*—I put in the first place, and shall first handle it ; whence the negative propositions will as consequences follow, and take their own place.

METHOD OF THE DISCOURSE.

Now here it is necessary I,

- I. *Explain the terms which are here used, and state the thesis.*
- II. *Confirm the thesis so stated.*
- III. *Discover the doctrine and doctors who avow the contrary.*
- IV. *Give you their reasons, and an answer to them.*
- V. *Present you with some corollaries from the discourse.*

Who meant by "clergy" in the sense of scripture and ecclesiastic writers.

I. SECTION I. The first term to be explained is "clergy;" which admits of both a scriptural sense and an ecclesiastical sense. In the *scripture-sense* it doth lay itself out to such extent as far exceedeth the meaning of it in ecclesiastical sense; as is evident from the use of the word κληρος both in the Old Testament * and in the New, where it comprehendeth all the people that are in the congregation of the Lord. Thus the laity are κληρος, "the inheritance" of the Lord. (1 Peter v. 3.)† But the favour of Rome is not so great toward the people as to understand them a part of those whom they do assert exempted from the secular government: it were too immodest to spoil princes of all their subjects.‡ In the *ecclesiastical sense*, as it hath been taken for many hundred years in all sort of writers, in the acts of councils, in the controversies of disputants, in the narratives of historians, and now in the common language of both Protestants and Papists, it is restrained to men in ecclesiastical office by ordination and dedication to divine ministrations; called by the church of England, as well as by Papists, *sacerdotes*, "priests;" § to whom Rome vindicates a freedom from the government of the secular power. In brief: I understand here, by "clergy," these last-mentioned, and all religious persons; (of whom multitudes are swarming under the Papacy;) such as abbots, priors, monks, friars, Jesuits, &c.; together with their feminine votaries, abbesses, nuns, &c. All these, whether jointly or apart considered, are the persons I understand by "clergy." These are,

SECT. II. "Subject;" that is, not only *de facto*, ["in fact,"] because the power of the secular prince is so formidable that they do not, because they dare not, deny him obedience; to which Henry VIII. might well ascribe the most of the good behaviour of the Papistical religious whom he subverted: but *de jure* ["of right"] they are subjected; God, nature, gratitude, oaths, religion, and necessary constitutions of human laws, have subjected them. In the words of the apostle, "Wherefore they must needs be subject, not only for wrath, but also for conscience' sake:" (Rom. xiii. 5:) that is, (as Grotius well paraphraseth it,) "Not only out of fear of

* Είναι αυτη λαον εγκληρον. "To be unto him a people of inheritance." (Deut. iv. 20.) And, Kai ουτος λαος σου και κληρος σου. "Yet they are thy people and thine inheritance." (Deut. ix. 29.) † Cleros autem vocat non diaconos aut presbyteros, sed gregem qui cuique sorte contigit gubernandus.—ERASMUS in loc. So VATABLUS and GROTIUS explain the word. "He calls not the deacons and presbyters 'the clergy' or 'inheritance,' but the people who might fall to the lot of each to govern."—EDIT. ‡ Non negamus appellationem istam antiquam esse, et ante multa secula in ecclesia obtinuisse.—*Syntagma Thes. theol. in Acad. Salmur.* "That this appellation is ancient, and for many ages obtained in the church, we do not deny."—EDIT. § Per sacerdotes intelligimus Novi Testamenti ministros, praesertim ecclesiae antistes; quos antiqui patres, quia non civili aliquo, sed sacro, munere funguntur, sacerdotes appellarunt.—DAVENANTI *Determinationes Quaestionum*, quaest. xv. "By 'priests' we understand ministers of the New Testament, especially prelates of the church; whom the ancient fathers called 'priests,' because they do not perform any civil, but a sacred, office."—EDIT.

punishment which the law threateneth; but out of conscience, because Christ hath commanded it." *

The subjection we speak of, then, is a voluntary, free, cheerful, and dutiful obedience which is due to the civil magistrate; and not an enforced subjection: it is the result of law, conscience, and love; not only the result of fear and compulsion. It is our duty and the magistrate's due.

Properly and strictly all princes are secular.

SECT. III. The next term to be explained is "secular princes." Where by the way note, that princes are properly secular: their dignity, power, and government is *quoad originem*, "in its rise," divine: "The powers that be are ordained of God;" (Rom. xiii. 1;) but *quoad objecta*, "as to the things [which] they do take cognizance of," they are (though not solely, yet) primarily secular. And *quoad externam formam*, "as to the manner of pomp and state" which may render the government more awful, it is, and justly is, ordered and determined *prout sapientiæ principis visum est*, "as seemeth good to the wisdom of the prince;" and so is secular.

Whence it is that we must now distinguish into princes secular and ecclesiastical, and who these are.

But what through the royal favour of some good princes; and more through the ambition and usurpations of Popish ecclesiastics, who have invested themselves with principalities and a power equal with the princes of this world; it is become necessary we should distinguish princes into *secular* and *ecclesiastical*: the *secular* being those princes whom we will call now "temporal and civil;" the *ecclesiastical*, such as the pope, his cardinals, and some bishops; such as the spiritual electors in the empire, &c.; to whom inferior clergy do with less scruple acknowledge and pay their ready subjection. Beside which, I doubt not to assert, (and hope I shall be able to prove,) they do owe a subjection and obedience to the temporal, civil, that is, secular, prince: of which a word or two, that we may not mistake or be mistaken.

Princes personally considered, or with respect to the government. Ecclesiastics rightful subjects to either monarchs [or] commonwealths; as was excellently and effectually asserted by the Venetians against Paul V.

Now this term "prince" may be taken either, 1. *In respect to the person*; or, 2. *In respect to the office*. In the *first* sense it referreth to governments in a single person, as in kingdoms: in the *latter* it referreth to government managed by a state or council; as of old in the Roman commonwealth; or now in the commonwealths of Venice, Genoa, or the Dutch. Neither of these may be excluded. Where the clergy are subjects to a king, as in France or Spain, they are his

* *Non solo pœna metu quam leges minantur, sed quia Christus id præcepit.*—GROTIUS *in loc.*

rightful subjects : where they are under a commonwealth, they are subjects to the secular power ; that is, they owe subjection to the supreme civil magistrate ; as, to their perpetual honour and to the good example of all Christendom, the illustrious republic of Venice made both the proud pope Paul V. and the stubborn clergy of their state to learn and acknowledge *δια την οργην*, “ out of fear of the magistrate’s power,” when they would not *δια την συνειδησιν*, “ out of sense of their own duty.”

Princes and subjects natural and perpetual.

Again, ere I leave this, a prince may be considered either,

1. *With respect to subjects that are born subjects, to whom the supreme magistrate is native prince ; to whom they owe fealty and allegiance, whether they have sworn it or not.*—Their oath strengthens a former, but createth not their first, obligation to allegiance. This is co-eval with their persons, and is natural. Or,

Each may be so occasionally and temporarily ; as merchants, students, and travellers abroad.

2. Princes may be considered *with respect to subjects that are such occasionally and pro tempore* [“ for a time ”].—As when either necessary occasions invite or call men into a foreign prince’s countries ; or when an arbitrary choice, out of curiosity or the like, bringeth men into a foreign jurisdiction : the case of merchants, students, and travellers. Whilst they are in those countries, they are in conscience bound by the just known laws of that land : and if they transgress those laws, to the forfeiture of estate, limb, or life ; the favour of the prince may save the criminal ; but there is no benefit of clergy [which] can exempt him from the jurisdiction of the prince, or rescue him from the execution of the law by their ministers of justice.

Fourth term explained.

SECT. IV. The next thing to be explained is, how their “ bodies ” are said to be “ under government of the civil or secular prince.”

The persons of ecclesiastics subject to restraints of law.

In short, their persons are,

1. Both liable to arrests, restraints, imprisonments, and coercion, as there shall be a just cause, or suspicion of just cause ;

Sentence of law against great crimes.

2. And obnoxious to the sentence of the law, according to the nature of their offence ; so as either to lose life or limb, or suffer by stripes or stigmatizing or exile or loss of liberty, or any like corporal penalty.

Common services for public good in extreme exigencies.

3. What personal services the community of the lay-subjects are bound to do for their country and their prince, the clergy are bound

to; (though usually exempt from it, through the favour of their prince;) and in an urgent necessity, on the command of their prince, they may be obliged and ought to afford their assistance: as, in case of an invasion, to arm; or, in an assault of a city, to defend it; or, in the danger of his prince's person, to rescue him with the labour, courage, and hazard of his own life. That clergyman who in a storm would not obey the pilot's order, and take his turn at the pump, to save the vessel and goods with his own life and the life of others, were as unworthy of a room in the ship, as other lading that is cast overboard to prevent a danger from its weight.

Fifth term explained: "estates" of clergy.

SECT. V. The "estates" of the clergy are next to be considered; and that in divers respects.

Hereditary, subjects as other inheritances.

1. Their inheritances from their fathers do not, by the son's being a clergyman, become free from the common burdens which authority layeth on the public, or generality of the subjects, for defraying public charges.

Beneficiary, chargeable for public good.

2. The lands and estates of their preferments, of what sort soever, are in like manner chargeable, if the magistrate judgeth it necessary and equal. And in such case they ought to obey as readily as other men, when their prince, with advice and consent of such council as duly impose it on others, hath imposed it on them.

Social, may be limited, taxed, regulated.

3. The estates of ecclesiastical societies are under the government of the secular authority, as well as the estates of lay-societies and corporations; to limit their increase by gifts, as by our Statute of Mortmain; to inquire and compel them to employ them to the uses for which they were given, as by Commission of Charitable Uses.

Beneficiaries may be suspended or deprived on mal-administration.

4. The estates of clergymen which are (*beneficia, &c.*) given as encouragement to them, and reward of their labour and duties discharged, are so under the civil magistrate's government, that he may eject and remove the negligent and incorrigible mal-administrators in that office, as in other cases of mal-administration. Though it may be most convenient to do this by clergymen, as coadjutors in the process; yet the authoritative determination deriveth itself from the supreme magistrate, who, as he judgeth the offender unworthy of the trust of such an office, so may dispossess him of the benefit and estate belonging to it.

Such estates may be conferred on others, who shall discharge the trust.

5. The estates so taken from the one may, by the power which justly took them away, be adjudged to another, who may better dis-

charge the office, and deserve the benefice. And in this case the clergyman must be subject, though possibly an error may be in the judgment passed, and no legal way be left for his relief; as fell out in the deprivation of the Protestant ministers by queen Mary.

Estates of clergymen forfeitable, as other men's.

6. The estates of clergymen are forfeitable on crimes of high nature, as well as other men's estates. Treason, of which (with or without leave from Rome, I say) a clergyman may be guilty, will forfeit his estate; and the prince may (on conviction, at least) seize it.

Sixth term opened: "under government," de jure, and not only facto.

SECT. VI. I come to the last term to be opened: "Are under their government:" where I do remind you, that we speak now of *matter of right*, not of *matter of fact* separate from right. Their persons and estates *ought to be* under the government of the secular prince, as their rightful lord and governor.

Protection of government clergy importunately claim: herein shavelings are immodest.

Now government,

1. *Is for protection and defence.*—Governors are "shields of the earth" and "heirs of restraint," "a praise to them that do well;" and they watch over their people as shepherds: whence the poet rightly called his prince *ποιμενα λαων* ["the shepherd of his people"]. And here, in this part, none do with such importunate clamours and immodest injunctions expect a share, as the disloyal shavelings; as if the secular arm were framed to the body politic only to defend the persons and estates of ecclesiastics, and to offend all others.

Directive government allowed by some: but this allowance vanisheth when to be exercised over Popish clergy.

2. *Is directive.*—And this some of them will indeed allow the secular magistrate over the clergy; but ere the magistrate can get clear of them with this small allowance of his right, it fares with him as they say it doth with those who receive money of witches or the devil:—when they come to use it, it is vanished, or turned into withered leaves.

Coercive government: this the Popish clergy reject. Directive, without coercive, power, an engine to debase sovereignty.

For, 3. The *coercive* power of the civil magistrate in governing them, they, with more wit than good manners or dutifulness, endeavour to wrest from the magistrate: and when he hath parted with the power of punishing the ill-natured disobedience of the clergy, he must content himself with such a measure of observance as may no whit infringe the clergy's immunities and rights of holy mother; which, you may be assured, their discretion will make less than their good nature would seem to allow. Indeed a *directive* power, without *coer-*

cive, is an engine to pull down the honour of a prince, and to exalt the stubborn humour of every malcontented subject; a fit project for Rome, and some brain-sick millenary, who in his hot fit dreameth of a crown for himself on earth. But our thesis intends to subject the clergy of Rome (for our own, they readily acknowledge it, and live in a subjection) to the directive government of the Christian magistrate, as the rule of their duty; and to the coercive government, as the just rule of punishment for neglect of their duties.

Civil government, though not Christian, hath both a power directive and coercive over the clergy.

4. Where the government secular is not Christian, yet, in all just and lawful commands, the clergy is subject to the directive power of it; and in commands unjust and unlawful, their persons and estates are under the coercive power, though it should be exercised to the highest degree of persecution. And I do not remember (beside prayers, supplications, patience, and tears) any remedy left them for the last relief, but an honest, peaceable, and justifiable flight from their rage and cruelty. I added this over and above, seeing our thesis speaks of subjection to princes who are supposed Christians, and not Heathens.

THE SUMMARY OF THE THESIS STATED.

Summarily then: *The clergy, who by the pope and his law are exempt from the jurisdiction of the secular prince in all cases, are so far from a due and rightful claim to such exemption, that, in all cases civil and criminal and ecclesiastical, they are, both as to their persons and estates, subject to the directive and coercive power of the secular prince, be he a Christian or Heathen magistrate; insomuch that the clergy owe him an active obedience in the due and lawful exercise of his directive power; and in the undue exercise thereof, the clergy, as others, owe him a passive obedience, and neither may resist by force, nor appeal from him to a foreigner, to evade or null his coercive power.*

GENERAL THESIS PROVED.

The state of the position thus laid down, I come to the second thing proposed; namely,

II. *To prove that the clergy are subject to the secular prince, &c.* And so,

St. Paul knew none, nor claimed any such exemption; therefore there was none for him.

1. First. I argue from the text *a majore ad minus* ["from the greater to the less"]: *St. Paul was a clergyman fitter to be trusted with such an exemption from obedience to the secular prince than any of our present clergy; and if any such privilege had been given by Christ, or had been inherent in the office, he would have known it, claimed it, and stood on it: But St. Paul knew none such, stood not upon any such, privilege: Therefore surely there is none such, inhe-*

rent in the clergy, or annexed to the clergy.—I think there is not much doubt to be made whether,

(1.) He were a clergyman, who had his commission from God and Christ, without the ceremonies with which men do ordain to that office. (Rom. i. 1; Gal. i. 1.) Or,

(2.) Whether he were concerned to plead his privilege, if he had any; for it was a case that touched his life wherein he now was engaged. (Acts xxv. 25; xxvi. 31.) Or,

(3.) Whether he might be bold on account of his innocency to claim his privilege; since his judges determined he had “done nothing worthy of death or of bonds.” (Acts xxvi. 31.)

Had one of our Roman priests been thus seized, imprisoned, impleaded, and endangered; we should soon have heard him excepting to the jurisdiction of the court, and appealing from an incompetent judge, and shuffling off the process, with importunate clamours that he was “a spiritual man, and not to be called to account by a temporal power.”* But here you find nothing of such an appeal: which cannot be imputed to the nescience of the apostle, who was inspired by the infallible Spirit; he would have known it, if there had been any such exemption. Nor may it with colour of reason be said, he would not make use of his privilege, and that he did relax of his right.† For, this would be supposed against all reason.

(1.) His life was then in question.

(2.) He was a man [that] would make use of his privileges; as when he pleaded himself a Roman.

(3.) He should have asserted his privilege, that from his testimony succeeding ecclesiastics might firmly prove theirs, though he could not have gotten clear of their hands.

(4.) His silence in the case hath done the church much wrong, which dates the immunities some centuries later than Paul's time.

(5.) Whereas, had he been as zealous and wise as our Roman priests now are, he had been more faithful to his trust, and we had more clearly proved our right. Farther yet:

(6.) It seemeth little short of a culpable dissimulation, that he should count, or profess to count, himself happy that he was to

* Anselm questioned whether an appeal to the vicar of St. Peter be a breach of allegiance to a terrene prince; but soon let William Rufus know what he must trust to; refused to do homage to Henry I., and bore it out on the authority of Urban and the council of Rome, and of Paschal III., then pope. Thomas Becket's *salvo ordine suo*, [“exception in favour of his order,”] and his inflexible opposition to Henry II., who promoted him, and was his native lord and sovereign, stands on record, a witness of his ingratitude and rebellious humour against his prince and benefactor; who found Thomas Becket most resolute to exempt the clergy, though guilty of murders, from the judgment of the secular prince; that he might preserve the usurped privileges of the church; when reason, law, and God's own word required just execution on such crimes proved against the clergy. And, of later years, the like bred a quarrel betwixt the serene republic of Venice and Paul V. † It is Bellarmine's evasion, and Suarez approves it, *qui dicit Paulum non jure sed facto Casarem appellasse; nam jurisdictione exemptus erat utique jure divino; sed quia aliâ ratione non poterat inimicorum insidias evitare*: “who says that Paul appealed to Cæsar, not by right, but in fact: for he was certainly exempt from his jurisdiction by divine right; but he could in no other way escape the snares of his enemies.”—EDIT.

answer before a secular prince. Nothing can be imagined more unbecoming him who was "set for the defence of the gospel," than such tame and soft cowardice as he was guilty of, on the supposition of these pretended exemptions. No; St. Paul would never have betrayed the preachers of the gospel and the religious in all ages succeeding; but have at least owned his right to the privilege (if there had been any such) before Festus, who was, under the Roman Cæsar, governor of Judea, and so judge in Paul's case, though Agrippa was but an honourable auditor.

I conclude, therefore, this argument: *The clergy of this present age, and of ages past, are as much under the secular government as was St. Paul: But he was so much under it, that he accounted himself happy that he might have a candid hearing before the secular power, and could find no privilege to exempt himself: Therefore neither have our present clergy any such privilege of exemption; and should acknowledge it a happiness, to defend a just cause before an impartial judge, and no wrong; to be adjudged to a deserved correction for any crime condemned by the righteous laws of their sovereign prince.*

2. *What was just and right, and ought to be owned by St. Paul, a clergyman, in the point of subjection to the secular power, that is just, right, and ought to be owned in the point of subjection to the secular authority now by the clergy.*—This proposition, I think, will need no proof; and if it should, we shall meet with due place for it. But St. Paul owned this subjection as what was just, right, and which ought to be. Now this proposition is almost in express terms in that: "I stand before Cæsar's judgment-seat,"* (which phrase comprehendeth the whole matter of his subjection,) "where I ought to be judged;" (Acts xxv. 10;) which passage excludeth any just exception. "I stand at Cæsar's judgment-seat;" *de facto* ["in regard of the fact"] he was now before the supreme authority civil: and lest any should surmise that he did tacitly repine at it,† or that we argue *a facto ad jus*, ["from the fact to the right,"] it is added by St. Paul, "Where I ought to be judged." I know, some say that St. Paul did not this as what was of right to be done, but what was then most safe to be done, and because he could not otherwise escape the hands of the Jews. To which I answer,

(1.) That the word $\delta\epsilon\iota$ may in some places be so taken to denote what "must" in a case be done, without respect to dueness and right; but from this, "It may be so taken," to the Jesuits' "must be so taken," is too weak an inference.

(2.) The Greek $\delta\epsilon\iota$ in the New Testament doth in most places denote that which "ought," *ex debito justoque ordine*, to be done; and so the "must" is a moral "must," resulting from the dueness of

* *Rectè tribunal Cæsaris vocat quod procurator habebat nomine et mandato Cæsaris.* —GROTIUS *in loc.* "The apostle rightly calls that 'the tribunal of Cæsar,' which the procurator occupied in the name and by the mandate of Cæsar." —EDIT. † As Belarmine and Suarez, and others, of that profession, (who are by profession, and would gladly be in practice, sons of Belial, that is, without a superior,) affirm *Paulum non jure sed facto Cæsarem appellasse.* [See the preceding page.]

the thing: and that this is so, the places cited in the margin will prove.* And yet farther we say,

(3.) Since St. Paul is most competent judge of his own meaning, we will view how he doth ordinarily take this *δει*. "Receiving in themselves that recompence of their error," *ἣν ἔδει*, "which was meet," (Rom. i. 27,) that is, "just and due" to them. And, "We know not what we should pray for as we ought," *καθὸ δει*. (Rom. viii. 26.) And, "I say to every man that is among you not to think of himself," *παρα' ὃ δει*, "above what he ought to think." (Rom. xii. 3.) And so in other his epistles his *το δεον*, or his "must," is "what is right and ought," *ex debito et justo rerum ordine* ["in the just and due order of things"]; not what must of necessity be done.† And this had so passed in the text, if it had not been so much against the privilege of these Roman clergy; who cannot now bear the plain and literal meaning of this word of God, because they will not keep in the place to which the word of God assigned them.

(4.) The apostle could not, without sin of a high nature, according to the doctrine of the church of Rome, thus appeal to a secular judge; ‡ and now think with yourselves, whether, to gratify the Jesuits and clergy of Rome, we shall make the apostle guilty in so high a nature, and transgressing his own rule, by "doing evil, that good may come of it;" (Rom. iii. 8;) the judgment for which sin "slumbers not."

(5.) So by this gloss we shall fairly make every resolute (not to call them "obstinate") priest, that refused to own the supreme power of his sovereign prince, and chose rather to die condemned according to just laws against traitors, and so died a stout and brave martyr for the truth and the church; § when Paul, through weakness

* *Ἡλιαν δεῖ ελθεῖν*. "Elias must come." (Matt. xvii. 10.) *Οὐκ εδει και σε ελεησαι*; "Shouldst not thou also have had compassion?" (Matt. xviii. 33.) *Ταυτα εδει ποιησαι*. "These ought ye to have done." (Matt. xxiii. 23.) And so Matt. xxiv. 6; xxv. 27; and five times in St. Mark. And St. Luke, whose phrase is most near the pure Greek, doth use it nineteen times; of which, I think, not one but requireth, or best beareth, the interpretation, *juxta debitum et ex jure* ["according to what is due and of right"]. And when he useth it in the Acts, of twenty-four or twenty-five places scarce two will bear other sense than "what comports with the dueeness of office or comeliness of order," or such-like, issuing into a moral "must," which is the same with "duty," and which is rightly expressed by, "We ought."

† *Ουδεν εγνωκε καθως δεῖ γινωσκειν*. "He knoweth nothing as he ought to know." (1 Cor. viii. 2.) *Δει γαρ αυτον βασιλευειν*. "For he must reign." (1 Cor. xv. 25.) *Αφ' ὧν εδει με χαιρεω*. "Of whom I ought to rejoice." (2 Cor. ii. 3.) *Ἡμας φανερωθηναι δεῖ*. "We must appear." (2 Cor. v. 10.) *Ὡς δεῖ με λαλησαι*. "As I ought to speak." (Eph. vi. 20; so Col. iv. 4.) *Πως δεῖ υμας περιπατεω*. "How ye ought to walk." (1 Thess. iv. 1.) And in his epistles to Timothy, and to Titus, and to the Hebrews, he still so useth the word *δει*, of which we now do treat.

‡ So Paschal chargeth king Henry I. of England, that he gave not honour to St. Peter nor to the Lord, because no appeals came to Rome, that is, [the] pope. Thomas Becket, by way of penance, suspended himself from priestly function for consenting once that priests should be tried by secular power for robberies, murders, &c.: and he calls the royal decrees of the king and parliament at Clarendon, for trying such crimes of the clergy, "wicked devices."—BARONII *Annales, ad annum* 1167, sect. 26. § Such a saint and martyr was Thomas Becket in disposition of mind, though (pity it was) he never was brought to legal trial for his reasonable practices. Such were Exmew, Middlemore, and Nidigate, executed for denying the supremacy in Henry VIII.'s time; and bishop Fisher, and also Sir Thomas More, with many others, who sacrificed their lives for a foreign usurper against their natural prince.

of courage or crafty shifts, betrays the just rights of the church; which aspersion you do as much abhor, I know, as becomes good Christians. Let *them* for ever remain traitors to their prince, *who* avow appeals from him to an alien pretended superior; St. Paul would not out of design do it. He was too honest: he knew he could not of right do so; though his person and cause were ecclesiastical, his supreme secular prince ought [to] have the hearing of it. "I stand," saith he, "at Cæsar's judgment-seat, where I ought to be judged."

(6.) Lastly. Whatever weakness or obscurity may be in my arguing from the text, yet I am sure the text doth more plainly and more irrefragably assert Cæsar's jurisdiction over this eminent ecclesiastic, than all the texts produced to that end do prove the exemption of the clergy from the civil magistrate's judgment, or their subjection to the pope. I cannot renounce common sense at so easy a rate as to say, "Christ said thrice to Peter, 'Feed,' &c.: therefore the pope is the supreme judge of ecclesiastic persons and causes in the whole church." Or if I were so easy an arguer, I should, through the frailty of clear sense, more readily make this heretical conclusion: "All clergymen inferior to St. Paul ought to own their subjection to the civil authority, without appeal from the supreme power of their prince; because St. Paul owned it his duty and Cæsar's right, by that confession: 'I stand before Cæsar's judgment-seat, where I ought to be judged.'" If the Romanists be of his opinion who, when he was told that it was the doctrine of St. Paul which was asserted in opposition to his tenet, made a quick reply, "I am not of Paul's mind;" I shall not take myself bound to reconcile them to his opinion. If we cannot have their company herein, we shall not much want it, whilst we have such good company as St. Paul and Cæsar.

Third proof from scripture.

In [the] next place,

3. I argue [that] clergymen, bodies and estates, are, as other subjects, under the government of the secular prince, thus: *They who are included in the community, on whom the word of God chargeth subjection to princes as a duty, are under the government of the prince.*—None can doubt this who doubt not that all is duty which the divine law chargeth on us in our places. *But now the clergy are included in the community;* which is apparent by that universal proposition of the apostle in Rom. xiii. 1: "Let every soul be subject unto the higher powers." It is now exploded, (though pretending to Origen as to the author,) that this is meant of the animal, not spiritual, man, that is, the clergyman.* Time was when such a gloss passed current with some whose interest it was [that] the scripture should be eluded, rather than plain duty understood, and the aspiring ambition of Papal clergy nipped in the bud. Now it is clear that the apostle retaineth the Hebrew dialect: "'Every soul,' that is,

* *Argutius quam verius*, saith Erasmus *in loc.* "More shrewdly than truly."—EDIT.

'every man.' * So that either our Papal clergy must disclaim their kindred with mankind, or else, with their whole family, be subject to the prince.

The persons of the clergy are comprised in that *πασα ψυχη*, "Let every soul;" their *estates*, in verse 7: "Render tribute to whom tribute is due." And, that you may know to whom tribute is due, the apostle telleth you, it is to him that "beareth the sword," who hath power civil and secular. (Verse 4.)

Neither would I advise Boniface to thrust-in here swaggering with his "two swords:" for here is not room for him; the place is designed for one who hath but one sword, and who came honestly by it, and can give a good account thereof, as "he is the minister of God, a terror to those that do evil, and revenger to execute wrath," (verses 3, 4.) not to excommunicate. In a word: this place doth so peremptorily subject all persons to the civil power, that I must needs, though somewhat related to the clergy, profess [that] the text makes equal subjection our duty; and gratitude to the favour of our prince maketh our exemptions (whatever they are) at once our privileges above our neighbours, and our debts to our prince.

Fourth scripture-proof.

4. The apostle St. Paul directeth Titus to preach obedience and subjection due "to principalities and magistrates" from Christians without any exception of persons. (Titus iii. 1.) Nay, if you inquire who they are that Titus must "put in mind to be subject," you cannot refer it to other than such persons as by St. Paul's direction were committed to his care and teaching; among whom you will find the clergy—"elders," *πρεσβυτεροι*, and "bishops," *επισκοποι*. (Titus 1. 5, 7.) These are some of those whom Titus must "put in mind to obey magistrates." How much doth the Papal clergy need such a monitor, to cool their fervours to their ecclesiastical immunities, and to kindle their decayed zeal for obedience to the civil powers! Whence I thus reason: *Those that Titus is commanded to mind of their obedience to magistrates, were of right under the government of the magistrate: But presbyters and bishops, that is, clergymen, were some of those who were to be so minded by him: Therefore they are of right under the government of the civil magistrate.* This is the *theopoliteia* ["divine polity"] of St. Paul. But lest you should doubt he had not good-will enough to the successors and clients of St. Peter, out of an old quarrel that fell out between him and St.

* *Omnis anima dixit pro omni homine.*—ERASMUS. *Unusquisque.*—VATABLUS. *Omnis anima pro quovis homine. In utroque Testamento* ["in both Testaments"]: "Give me the persons." (Gen. xiv. 21.)—*Versio Anglicana.* *Donne moi les personnes.*—*Gallica.* *Δος μοι τους ανδρας.*—The Seventy-two so rendering the Hebrew: *אֲנִי וְכָל־אֲנָשֵׁי* *Animas personas intelligit et homines captivos.* ["By 'souls' are here meant 'persons,' and the men who had been taken captives."] In the [same] sense *אֲנָשֵׁי* is taken, Gen. xvi. 15, 18, 22, 25—27; Exod. i. 5; xii. 4, 15, 19; Lev. v. 2; xx. 6; Num. xv. 27, 28; and many other places, too long to be cited, out of the Old Testament: in imitation whereof the New Testament so speaketh in Acts ii. 41, 43; iii. 23; vii. 14; xxvii. 37; Rom. ii. 9; 1 Peter iii. 20.

Peter, when the doctor of the Gentiles was so bold with the prince of apostles that he did charge him with dissimulation ;—a very small and dwarfish fault in St. Peter, and hugely improved in his successors. Who knows whether a spice of this old grudge were not strewed on the injunctions of obedience and subjection to the civil power? But what was St. Peter's opinion in the case?

Fifth scripture-proof.

5. St. Peter, then, in 1 Peter ii. 13—16, doth, very unluckily for his successors and their clergy, fall into the same strain of subjecting the clergy as well as others ; for he doth without exception require of all Christians that they "submit themselves," that is, their persons, and by consequence their estates, "to every ordinance of man for the Lord's sake : whether it be to the king, as supreme ; or unto governors, as unto them that are sent by him for the punishment of evil-doers, and for the praise of them that do well. For so is the will of God, that with well-doing ye may put to silence the ignorance of foolish men : as free, and not using your liberty for a cloke of maliciousness, but as the servants of God." How unhappily forgetful was he of his vicar ! Not one word of him and his supremacy, but all reserved entire to the king, and inferior magistrates sent by the king, to whom all Christians within his dominions are to submit themselves !

"But in those days Christians were under persecution, and it would not have been prudence to have published their privileges, and to have exempted the clergy." It seems, Rome hath long understood, by unwritten verities and apostolical traditions, that Peter thought one thing, and wrote another. But the spite is,—he doth *e cathedrâ* ["from the chair"] determine this, where certainly he is infallible ; since his successors in after-ages claim the infallible privilege in virtue of that first grant made to Peter ; who in practice did once (what his successors do very often without impair of their infallibility) err in *genere morum*, "as to practice," but cannot in doctrine. "Well, surely Peter did thus direct prudentially and temporizing." Not so ; his reasons do, as it falls out, assure us he did own it as a perpetual doctrine and rule : for,

(1.) It is "for the Lord's sake." (Verse 13.) And this, farther,

(2.) "Is the will of the Lord ;" and,

(3.) That by so doing they might stop the mouths of the foolish and ignorant ; (verse 15 ;) who, among the Heathens, were ready to charge the Christians, without any ground given, with that which on just reasons, from the seditious and rebellious practices of well-nigh a thousand years' contesting with the civil supreme power, Rome hath given the foolish heretics to object against them ; but, in the words of royal mouth, "Their faith is faction, and their religion rebellion."

Sixth scripture-proof.

6. Now to all these add we in the sixth place this scripture-argument : *That the clergy, whether ordinary priests or the high*

priests or prophets, once were, and that jure, "of right," subject to the government of the secular power, and were bound to appear and give account of themselves to the civil power in case they were accused and summoned.—So, when Ahimelech and the priests that dwelt at Nob were accused, and summoned to give account of themselves and what they had done for David; they obey, and appear before Saul their king; (1 Sam. xxii. 11;) who, indeed, did as cruelly and tyrannically adjudge them to death, as they had dutifully and readily obeyed his summons. (Verses 17—19.) But now, surely, if there had been any privilege of exemption, some one or other among those fourscore-and-five priests would have known it, and pleaded it before they had been so unmercifully butchered: but here is not one word of all this; no exception to the judge, as incompetent; no deprivation and degradation from the priesthood, in order to reduce them to the secular and lay-state; no delivering them by the ecclesiastic state into the hands of the secular power; in which and such-like formalities the Romish priest (if at any time he be so unbefriended and unhappy) is stripped of his clerical immunities, and delivered over to the civil sword. It is a riddle [which] Rome will hardly unfold with dexterity,—that eighty-five priests should have neither knowledge of such a privilege, nor courage to plead it for saving their life. I need not advise a seminary-priest, apprehended and in danger of condemnation, to seek a precedent at Nob; he knows he shall lose his labour: it is Rome only that shaves the head, and then, as sacred, forbids kings to meddle with it. Yet, lest the tyranny of Saul, (whom the scripture notes for this,) or the meanness of the sufferers, should any whit invalidate the instance, let us look a little lower; where we find Abiathar deprived of the priestly office by Solomon; (1 Kings ii. 26, 27;) who commanded that he should "get him to Anathoth," (verse 26,) and "thrust him out from being priest before the Lord." (Verse 27.) "The chief priests among the Hebrews, as they were put in by the kings, so for grievous faults they might be put out, or punished with death, by the kings: for they were subjects; and while the king sat, the high priest stood."* So Grotius on the place.

Now the case is altered at Rome, and hath been long since. Abiathar came, and on his appearance received sentence of judgment from his sovereign: but Sergius I. was of a more unyielding metal; (A.D. 688;) and though the emperor Justinian II. sent for him to Constantinople, to answer for his disobedience to his sovereign, who required him to receive the canons of the council of Trullo; yet this pope found partisans among his fellow-subjects, who had less manners than to obey their emperor, and more love to the pope than to let him take so dangerous a journey; and he, good man! would not be so unkind as to go against the will of those who offered violence to the

* *Summi sacerdotes apud Hebræos, ut a regibus instituebantur, ita et ab iisdem gravi ex culpâ destitui, imò, et morte puniri poterant. Erant enim subditi; ideoque, sedente rege, stabat summus sacerdos.*—HUGO GROTIUS in loc. So Grotius took it for granted that Ahimelech was high priest, to whom Zadok succeeded high priest. (1 Chron. xxix. 22)

extraordinary pursuivant that summoned him.* Nay, men of less authority have taken on them to refuse obedience to the summons of their sovereign. Thus Thomas Becket, though a greater saint than Sergius, yet of a lower rank in power, refused to appear before king Henry II. and his council of nobles at Northampton. (A.D. 1164, or thereabouts.) Nor was Anselm's carriage much more dutiful to his sovereign king Henry I.; to whom he refused to do homage, as was required and had been performed by his predecessors. (A.D. 1103.)

By these instances it appears that both ordinary priests, nay, the high priest himself, among the Jews, were under the coercive government of the kings of Israel; whose authority *the prophets*, though by extraordinary call they may with reason be thought in some respect above the high priest, submitted unto, without appeal to a superior, or exception to the incompetency of their judgment. So did the prophet submit to Asa, and patiently did bear the hasty judgment of his angry sovereign: (2 Chron. xvi. 10:) no noise here of an appeal; no mention made of immunities, of his office, or privilege of the clergy. The seer doth not (what once the servant of Philip the Macedonian king did) appeal from Asa, a good king in a bad humour, to Asa, a better judge in a good humour. How would an Anselm, a Becket, a Brandelino Valdemarino, or Scipio Saraceno, have huffed and hectorred his prince for such usage as Hanani from Asa, or Jeremiah from Zedekiah and his princes, (Jer. xxxviii. 5, 6,) found! But those great clerks (so let me call the prophets) pretended to no such exemption in those days; and yet Jeremiah had so ample commission, that the pope desireth no more to be granted him of kings and princes, and thinks this enough to set him above them all, whilst he offers a violence to that text,—“I have set thee over the nations and over the kingdoms” of the earth, “to root out, and to pull down, and to destroy, and to throw down, to build, and to plant,” (Jer. i. 10),—great as the violence he offers to the emperor's crown and sovereign dignity. But it admits a plea, (whether to his excuse in part, or to his greater shame, let the impartial judge,) [that,] without violence to both the text and princes, he had lost his longing; for neither do freely grant the popes that supremacy [which] they must have or they miscarry; though, I think, it was not the denial hereof [that] was the cause of the miscarriage of the female pope,† though both mother and brat too (I do guess; for I find not a word of this pope's nieces or nephews) died in child-bearing. Yet, be it or better or worse for our own clergy or the shavelings of Rome, the secular authority did once govern the clergy in the church of the Jews; and ordinary priests, the high priest and prophets themselves, submitted to it: whence our obedient and learned clergy have example to their dutifulness, and the Papal clergy a reproof of their disloyalty; and our thesis hath a good evidence of its truth: which I shall now endeavour to prove by some farther reasons, though, I think, enough to make

* Zacharias *proto-spatharius* [“the chief of the king's body-guards”]. † Pope Joan, who was called John III.: a story avowed by more than fifty authors of the Popish religion, as Dr. Prideaux and Blondel witness.

out the truth hath been already delivered. Perhaps reason may convince some who are not willing to see the truth in scripture-precedents.

REASONS.

REASON I. *The clergy are subject to the government secular, or else one of these two things will follow; namely,*

1. *Either each clergyman is a sovereign, and under no law and government: which no sober man ever yet dreamed of; for this were to make every of them a god or a king: * or else,*

2. *That they are, by a subordination of persons of their own profession, subjects and vassals to a supreme ecclesiastical independent or absolute power, without or above or against the civil power: which, as no loyal heart would wish, so no royal crowned head should endure, for such considerations as I shall now offer to the reader's consideration:—*

(1.) *This were to make either a native subject equal to his sovereign prince, or to render a considerable body of his people subjects to a foreigner.—Which appears thus: If the body of the clergy, and the orders of the professed religious, be only subject [to] and under the sole government of one of their own profession; and whoever is a native, this person is, and his successors will be, (when advanced to the supremacy and ecclesiastical sovereignty,) set up in a power independent on his prince, and uncontrollable by his prince; and so, of a subject, be made a sovereign over the clergy, whose obedience will be withdrawn from the prince to the ecclesiastical head and supreme: or if this person, who is supposed ecclesiastical sovereign, and who ought to govern the religious and the clergy, be a foreigner; then he that by birth and blood is a stranger to the prince becomes by this means the lord and sovereign over the whole body of the clergy and religious, which in many countries is no small part of the people.†*

(2.) *This would lessen all the princes and sovereigns of the world in three things essential to the very being and stability, as well as to the glory and grandeur, of their kingly thrones and majesty.*

(i.) *It would lessen their freedom and liberty in making laws for their whole kingdom.—And ere they can resolve on that ordinance which, they do apprehend, will be for [the] universal good of their kingdom, they must inquire of the ecclesiastical exempts whether such a law would not violate the ecclesiastical liberty, and ask them leave to make it; or else they shall be taught, as Anselm and Becket would teach their sovereigns; or as Paul V. taught the duke of Savoy and the state of Genoa, and would fain have taught the state of Venice; but they proved stubborn scholars, and enforced that presuming tutor to forego the lecture.*

* Stanislaus Orichorus affirms that "a common priest is as much better than a king, as a man is better than a beast."—*Chimera*, p. 97 (a). † In England, I believe, it was well-nigh one-third priests [or] religious: king James observes it in his Apology. *Unum Gallia regnum habet ultra trecenta hominum millia quæ, sub obtentu clericatûs, monachatus, functionisque ecclesiasticæ, jugum regis excusserunt.*—PETRUS DE MOULIN, *De Monarch. temp. Pontif. Raman.* cap. 18. For a translation of this passage, see p. 712.—EDIT.

(ii.) Next, it would lessen *their authority in commanding obedience to laws made*.—The exempt clergy would undoubtedly first consider whether the obedience required were not an infraction of their immunities, and how far it intrenched on the liberty of the church: and when this is brought to an issue, who does not see that the general privilege pretended untie the *vinculum necessariæ et debitæ observantiæ*, “bond of a necessary obedience which is due of right” to the magistrate; and leaves the exempt to the free determination, whether of good nature and voluntary choice he will comply with his prince, or whether prudence will not rather determine to secure their pretended privilege, and deny that to their prince which, they pretend, he hath no right to command? At most, by this means obedience, which by God and nature is made the prince’s due and the clergyman’s debt, is by a fraudulent pretext reduced to an uncertain and arbitrary benevolence. Here hence will ensue,

(iii.) The lessening of *the power which should execute laws made, and which should support the power in executing of them*.*—How feeble is a precarious power! It is next to none, which is but so much as the good nature of one, likely to suffer or be restrained by it, will allow it to be. All this [which] I have said is evident from an undeniable instance of Paul V.; who, better-informed or bolder-resolved, told the Venetians, he “would not endure them to judge ecclesiastical persons; who are not subjects unto princes; and whom they cannot chastise, though they be rebellious.”† By this princes may see how little power that indulgent father the pope would leave in their hands, who in criminal cases of highest nature will so boldly deny them all power to judge ecclesiastics. Certainly by the same justice [by which] he taketh away power of judging by laws civil, he will also (when time serveth, and with equal right) deny them a power to make laws to regulate the obedience of the ecclesiastics: or, if there be some daring prince [who] will venture to make the law, the pope, or whoever shall be supposed the absolute sovereign over the clergy, shall by the injured clergy have timely notice to interpose a prohibition, that the obedience be not exacted, nor a non-obedience to such laws punished. And what will remain to such a prince but a title and name, lessened to such a degree that he must owe the peace of his kingdom, the reverence of his royal dignity, the safety of his person, and the succession of his posterity, to the arbitrary will of every clergyman, or, at least, of the ecclesiastical prince?

REASON II. *They that are by the word of God bound to pray for the secular prince as for a sovereign under whose power and authority they do live and enjoy the quiet and prosperity of their life, are cer-*

* *Tenentur clerici obligatione non coactivâ sed directivâ*.—BELLARMINUS *De Clericis*, cap. 28. “The clergy are bound, not by a co-active, but by a directive, obligation.”—EDIT.

† Almost the third part of their subjects and of their territories is churchmen, and church-livings.—KING JAMES’S “*Epistle to Free Princes*,” p. 21; “*History of the Quarrels between Pope Paul V. and the Venetians, anno 1605*.” Paul V. envying the sovereign authority that was given to the Venetians by God, nature, and the liberality of emperors and popes, as soon as he had assumed the Papacy, he began to search out for ways to subvert it.—*Il Cardinal*, parte ii. lib. i. p. 127.

tainly under the government of the secular prince, both as to their persons or bodies, and as to their estates or goods, which have no small share in the peace and quiet that they should desire to enjoy.—I think, little doubt can be made of this proposition, or any thing contained in it. For it speaketh not of prayers which *ex debito charitatis*, “out of Christian charity,” we “ought” to make for all men; and specially for men in great power, who through a just favour may much advantage the church of God; but we speak of prayers that are to be made for particular rulers, under whom we either were born, or by God’s over-ruling providence are for present determined. Now the scripture doth thus direct: “I exhort therefore,” saith St. Paul, “that, first of all, supplications, prayers, intercessions, and giving of thanks, be made for all men; for kings, and for all that are in authority; that we may lead a quiet and peaceable life in all godliness and honesty.”* (1 Tim. ii. 1, 2.) In which words you have a canon of the apostle, directing and commanding Timothy, and in him obliging bishops, to pray for all, “for kings, and all in authority” over us; † that under their government our life may be peaceable and quiet to ourselves, whilst our persons are defended from violence of the cruel, and our estates are defended from the injuries of oppressors: which certainly is a benefit [that], as we enjoy in the place of our abode, so [we enjoy] by the government of the place where we abide. And this seems to be comprised in that of Eusebius, citing Dionysius: “Without ceasing we pray for your kingdom, that it may abide unshaken;” ‡ in the stability whereof our affairs will abide stable and safe. Now who sees not that this needs must be in that state or kingdom where those live who are bound thus to pray?

This text, then, requireth those that pray to look on those kings and magistrates—who in the apostle’s words are βασιλεις και παντες οι εν υπεροχη οντες—for whom they pray, as kings over them, as their rulers; and so, consequently, they must acknowledge themselves the ruled or subjects; according to the rule, that “relates do mutually suppose each other,” *Relata se mutuo ponunt*. In a word or two: that the clergy must pray “for kings, and for those that are in authority,” is certain enough from the comprehensive words of the text: but for what kings, &c.? If for foreign, how much more for their own! If for their own, then is it only that they may give good counsels, and by them direct the clergy? This hath very little availed with resolute and turbulent clergymen; and can as little contribute to quieting the life of the disturbed, as it can restrain, punish, and by coercive power chastise, the disturbers; which if it be (by an ill

* Παρακαλω, &c. *Sicut imperatores Romani mandata dare præsidiibus solebant, ita Paulus in Timotheo mandata dat episcopis.*—HUGO GROTIUS in loc. “As the Roman emperors were accustomed to deliver their mandates to the governors of provinces, so Paul in Timothy gives his commands to the bishops.”—EDIT. † Jeremiah

commands the priests to submit to the government of the king of Babylon; (Jer. xxvii. 17, 18;) and he enjoins them to pray for the government and governors: (Jer. xxix. 1, 7;) so that, put these together, they make up the proof that clergy are bound to pray for the civil government, as that [which] they ought to submit their necks to.

‡ Διηγεως υπερ της βασιλειας αυτων, όπως ασφαλευτος διαμεινη, προσευχομεθα.

chance, as often it hath been) found to proceed from the clergy, alas ! the prince is left helpless, and the laity is left hopeless. And we had need to have another manner of address ; namely, " That all men and kings and all in authority should pray for the clergy, that they may be good-natured, wise, and thankful to God for their immunities ; that they may abuse none of their immunities to the disturbance of the prince or laity : " and so had we need [that] the text be changed.

REASON III. The clergy are bound to give an exemplary obedience and fidelity to their king, that by their example the people who are committed to them for instruction may be induced to and settled in their obedience and allegiance : But such an example is not given, but rather a contrary example of disobedience, disrespect, and contumacy, by a pretended exemption of the clergy : They are not, then, exempt ; but ought to be, in body and estate or goods, under the civil government. Thus briefly : *They that by God are commanded to give exemplary obedience to civil government, are, as to their persons and goods, under the civil government : But the clergy are so commanded : Therefore they are under it.* The major proposition can admit no doubt ; for such a command from God makes our obedience due to such a government : the only dispute can be, whether God hath commanded the clergy to give example of such obedience now. Thus I prove it : God commands them [to be] exemplary [in] doing what is to be done for the Lord's sake, and what is to be done for conscience' sake ; the clergy, more than others, are bound by their profession to let the world know that they are conscientious, and that they act for the Lord's sake : But now obedience to civil magistrates is so commanded " for the Lord's sake ; " (1 Peter ii. 13 ;) and it is commanded " for conscience' sake " too. (Rom. xiii. 5.) That the clergy are comprehended in those general commands, as I have already proved ; so now I say, to confirm it, that, where the scripture doth not, they cannot except themselves.

Obedience to the civil government is, every where but at Rome and in her appendant schools, a moral virtue, and a necessary ingredient to make an honest and virtuous man : and therefore the loyal moralists, the wise lawgivers, with best warrant of reason and religion, always required it in all subjects. Only Rome (where it matters not, how much blind obedience to the pope, or how little religion toward God, they find in their clergy) taketh care that their clergy be not mancipated to the strict rules of political virtues ; lest, of good citizens and obedient subjects, they should insensibly lapse into a disserviceableness to the Papal tyranny. But we must, guided by reason and scripture, acknowledge allegiance a very great virtue, wherein (as in other virtues) the Reformed clergy are bound to be ensamples to their flocks.

REASON IV. *They who do defend their persons and their goods by the authority and power of the civil government, ought in all equity and reason to bear and profess true allegiance to the governors and government.*—The right which is done for them in such cases obligeth them to this duty, and the benefit from governors to the governed is a most

just reason for obedience from the subject to the prince. The apostle St. Peter intimates this as one ground of obedience: "Be ye subject," &c. : why? Because "governors are" *εις εκδικησιν κακοποιων*, "appointed to restrain the injurious and oppressive by judging, condemning, and punishing their injustice." They are also *εις επαινων αγαθοποιων*, "for the praise of those that do well;" (1 Peter ii. 13, 14;) protecting, rewarding, and praising them. The benefit [that] we enjoy should in reason bind us to the obedience and submission [which] we owe our governors.

By this argument St. Paul pressed the Christians at Rome to obedience: "For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? Do that which is good, and thou shalt have praise of the same." (Rom. xiii. 3.) So, verse 4: "The ruler is the minister of God for good," &c. : therefore "be ye subject." And this is the prophet's reason: "Pray for the peace of the city," &c. "But it is Babylon." True; but "in the peace thereof ye shall enjoy peace." (Jer. xxix. 1, with verse 7.) So, then, the argument holds good in the prophet's and apostle's logic: "They who enjoy the benefits of a government must be obedient to the government." And I would fain know, What will become of all the pleas which the Romanists make for the pre-eminence of clergymen, if this foundation be not solid and good? The great benefits [which] the laity reap from the counsel and labours of the clergy, they judge reason enough for the laity's subjection to them. In a word, to speak reason with impartiality in the case: let those that are benefited be submissive to and observant of those by whom they are benefited: then the common people and all the laity will duly observe in spiritual cases the counsel and authority of their spiritual guides; and the clergy in civil and secular cases will be left—where Christ and St. Peter did leave them—under the civil and secular prince, to be governed by him. There is, indeed, a dispute whether the right of governing be originally in the benefactor, because of the benefit he bestows, or on some other account; * but there is no dispute, nor will it admit any, whether the beneficiary be bound to his benefactor, and ought for that very cause to observe and obey him.†

REASON V. What privileges and exemptions, for their persons or estates, from common or public burdens and services the clergy do enjoy, they do enjoy through the favour of their prince or governor, who pleaseth to remit to them what there may be some reason to persuade, but no law or right to command, from the prince; who, as at first he saw reason to grant that favour, so will, I believe, continue it until he see a sufficient cause to recall his own grant; which future cause may (by conjecture from what already hath been acted in our view) soonest arise from an usurping ingratitude,—the hereditary infirmity of the Papal see, which never giveth to any what it can by

* *Beneficia conferunt jus et potestatem benefactori.* "Benefits bestowed confer right and power on the benefactor."—EDIT. † *Beneficia sunt argumenta juris postulandi, hominesque ad officium jure debitum commovendi.* "Benefits are arguments for demanding what is right and lawful, and for influencing men to the performance of their equitable duty."—EDIT.

fraud or force keep to itself; as the grave and impartial author of the "[History of the] Council of Trent"* well observeth, on the pompatic and ridiculous act of Paul IV., giving the kingly title over Ireland to queen Mary, who had derived it from her father and her brother, and had assumed it to herself at her first coming to the crown. Such legerdemain hath long passed at Rome, coined with the impress of gratitude or bounty: and when it hath cheated kings and princes into a degree that awakens their resentments and just indignation, they will resume the exorbitant grants of privileges, and teach the Papal clergy to use more manners, and acknowledge that none of their immunities, granted by princes, were intended to make them princes' fellows, or rebels against them without guilt or fear of answering at their secular judicatures.† And when this shall come to pass, the Christian world shall understand the mistake of the canonists in their law; who assert that "the clergy and all their goods are by divine right free from the power of secular princes."‡ Against which I shall now oppose no other authority than the concession of Bellarmine; one, as any other, able to say as much for, and as resolved to yield no more than he must needs in, the cause of the ecclesiastic liberty: who confesseth (*Lib. De Clericis*, cap. 28,) that "not one word can be produced from the word of God by which this exemption of the clergy can be proved." And therefore hence I shall briefly argue: *They who owe their exemption of body and goods from personal services and tribute to the power of their secular prince; though by such favour they are actually free, yet originally they were subject to him, and of right they still are: and if the prince see cause to require it of them, they are bound to serve him with their bodies and estates; which is certainly to be under his government.* What the favour of the prince granted once to any of his subjects is as encouragement to their obedience, not as security to their disobedience, granted; and it must be for common good: but when once it proveth an universal public inconvenience or mischief, it ought to be reversed. *Now ecclesiastic persons do owe their immunities from personal services and tributes to the favour of their secular prince: Therefore their persons and goods are under their government.* If this do not appear evident, I would have a Papist tell me, What had been the case of the clergy,

* *Illud herclè pontificibus in more positum, de alieno corio ludere; et quod justis dominis auferre nequeunt, id ipsis elargiri.*—*Historia Conc. Trident.* lib. v. "Truly it seems to be the general custom of the pontiffs, to play at another's risk; and what they cannot snatch away from the rightful owner, they pretend themselves to bestow upon him."—EDIT.

† *Clerici rebellio in regem non est crimen læsæ majestatis, quia non est subditus regi.*—EMMANUEL SA, *Aphorismi Confessariorum*, in voce Clericus. Edit. Antvorp. et Colon. "The rebellion of a clergyman against the king is not treason, because he is not a subject of the king."—EDIT. *Clerici non possunt a judice politico puniri, vel ullo modo trahi ad secularis magistratûs tribunal.*—BELLARMINUS *De Clericis*, cap. 28. "Clergymen cannot be punished by a civil judge, or by any means dragged to the tribunal of a secular magistrate."—EDIT.

‡ *Clerici et eorum bona omnia jure divino libera sunt a potestate secularium principum. Bona clericorum sunt et merito debent esse ab omnibus principum terrenorum tributis libera.*—*Propositione 4.* "The goods of clergymen are, and deservedly ought to be, free from all tributes to mundane princes."—EDIT. *At exemptio ista humano jure, non divino, introducta est.*—*Prop. 5.* "But this exemption was introduced by human, not divine, law."—EDIT.

if such immunities had never been granted? Had they not been under the civil magistrate? What, if necessity awaken the civil magistrate, and he seeth, in point of prudence and safety, that these exemptions and immunities may not be continued, and so by a law revokes them? Doth not the clergy thereby return to their pristine subjection? Ecclesiastical immunities for the bodies and goods of the ecclesiastics are introduced *jure humano*, "by the law of man:" if no such law had been made, or on just cause hereafter shall be repealed, no such exemption had ever been—or else had been nulled, though once—granted; if no such exemption had been granted, then had these ecclesiastics been equally subject with the non-exempt, and as much bound to obey the civil government as the lays.

REASON VI. *The clergy, as such, are, in the essential constitution of their office, and as to the immunities that are necessarily appendant to it or flowing from it, wholly of a different nature, namely, spiritual; and therefore cannot in reason claim immunities which are in their nature secular and civil.*—Such are these we have been discoursing of. Now, every one may soon know, that the privileges of every rank of men are suitable to the nature of that office or relation wherein they stand. So civil offices have the immunities which are civil, and spiritual offices are invested with spiritual immunities. As it is not a privilege due to a Christian, as Christian, to be exempt from the coercive power of the civil magistrate; so neither is the privilege of the clergy, by virtue of their office, so great as to advance them above the power of the prince. God, who knew what privileges were fittest for each order of men, would surely have told us that the clergy should be free from the government of the civil magistrate, if he had either made or intended [that] an exemption in all civil cases should be a privilege to ecclesiastic persons. But Bellarmine himself confesseth, that "there is not one word of God proving such immunities due to the clergy."* It were a great disorder, and would bring in a confusion upon the universe, to allow such a mixture: for why is not the irrational creature raised to the privileges of the human nature? What answer would a shaveling give me to the question? Or why is the human nature determined to a satisfaction with privileges below the angelical? Is it not because their natures are different? Well; why is this a satisfactory account of different privileges in different ranks of natural beings, and may not be alike satisfactory in the different kinds of moral and political beings and orders? These are as different as the other. It were a monstrous birth, should a brute bring forth somewhat half brute and half man; and I do not yet see any less than monster in this,—that the indelible characters of priesthood should stamp a licence of immunities in secular affairs.† Such misshapen births Rome may perhaps little wonder at and foster; but we must do with them as our laws,—inquire out the offender; and condemn all that are proved guilty: so may the fathers of this

* *Nullum potest proferri verbum Dei quo ista exemptio confirmetur.*—*Lib. De Clericis*, cap. 28.

† "Rome hath perverted the order of government, and made the temporal submit to the spiritual, contrary to the custom of so many ages."—*Il Nipontismo di Roma*, p. 4.

misshapen brat speed, whenever they are taken in their treasons, on the confidence that their indelible character protects them from the stroke of the secular sword!

REASON VII. *They who were born native subjects, and by priesthood or v-orders enter not on any relation that doth necessarily and justifiably abolish that former relation; these, though so ordained, remain subjects to their natural prince, and owe him obedience still.*—This proposition, surely, none in their wits will deny: for the native subject is, both as to person and estate, under the government of his native prince; and continues so, until somewhat *de jure*, “by right,” not only *ex consequenti*, “by consequence,” abolish that primeval bond which, with his swaddling-bands, nature and God put upon him. Now, then, one of these two must be asserted by the exempt clergy:—

1. *Either that they were never born subjects, and so were in different sense from the apostle born free.*—If they like not this, say,
 2. *Or else, though born subjects, their holy orders have null'd that natural allegiance, and defeated the prince of so many subjects as have been made clerks.**—If this be the case, I would inquire, Whence is this corroding quality in the indelible character, to eat out what is engraven so deep in our natures by the God of order and nature? Certainly Christ and his apostles never so tempered it: but Rome, who found [that] the bonds of allegiance were fetters on them, restraining them from their resolved usurpations, and hindering their growing ambition, resolved [that], whatever comes on it, these bonds must be broken, and these cords must be cast off: (to allude to that, Psalm ii. 3:) and it must be done by some curious engine, too; for, else, the noise of it would give an alarm. In one word: the grace of God in Christ to his church hath been so far from abolishing any, that it hath mightily fortified, on all, the bonds of natural and just necessary relations, in all sorts of men, civil and sacred; and commands ecclesiastical persons, as well as civil, to observe the just laws of those princes to whom nature had before made them subjects. It is not Christ's canon, but the canon of Antichrist, which, to make good clerks, spoils good citizens. Had the truth in this been as consistent with Papal designs, as the distinct duties of a good subject and sacred person are consistent in one person, I had neither troubled you and myself, nor had they troubled the world, with this controversy. It were time for princes to command [that] no more priests should be made, until Rome, or who else do pretend the same prerogative, had learned to preserve a loyal and good citizen, while they make an ecclesiastical officer. Might my motion be heard, *they* only should confer orders on subjects, *who* had learned this skill.

* *Unum Gallie regnum habet ultra trecenta hominum millia quæ, sub obtentu clericatus et monachatus functionisque ecclesiasticæ, jugum regis excusserunt, aliumque a rege summum principem agnoscunt, non modò in spiritualibus, sed et in temporalibus.*—PETRUS DU MOULIN, *De temp. Monar. Pont. Rom.* cap. 18. “The kingdom of France alone contains three hundred thousand men who, under pretext of clerical or monastic orders and ecclesiastical office, have shaken off the yoke of the king's government, and acknowledge as their supreme prince another than the king, not merely in spiritual, but also in temporal, matters.”—EDIT.

REASON VIII. And lastly. *Were this a truth, that the clergy were, both as to bodies and estates, not under the government of the civil magistrate; how could the primitive Christians, the martyred bishops, the persecuted clergy, avow it to the world, that Christianity did not teach any thing destructive or dangerous to commonwealths and civil governments?*

—How great an impudence would it be in itself to deny, or how greatly would it have been to the shame of the suffering Christians if that their adversaries could charge on them, that they professed a religion which directly spoiled the magistrate of his coercive power over their priests, and indirectly, that is, *in ordine ad spiritualia*, “in relation to spirituals,” spoiled him of his coercive power over the rest of his subjects! Julian’s sarcasm had been but a retaliation to them, if they had been so principled and persuaded.* Might he not with some colour of reason plead?—“You have spoiled me of supreme authority over sacred persons, their bodies and estates, as too holy to be commanded by the polluted hands of secular princes: and I judge the persons of priests and Christians too holy to meddle with the polluting things of this world; and will, *in ordine ad spiritualia*, free them from those cares and businesses.” Had there been a proof made before any one tribunal of the Roman emperors, that the Christian religion had published, maintained, and practised such a proposition; the impartial world would soon have pulled off the mask, and showed undeniably that those pretended martyrs were not condemned for the profession of their speculative opinions, or the owning of the truth of the history of Christ; but that these pretended martyrs were real and avowed traitors, enemies to Cæsar, to the civil government, and dangerous usurpers on the supreme authority of the prince. Such martyrs, indeed, may now be talked of in Rome; but what impartial judge will not condemn the treasonableness of the crime which deserved, and the impudence of the plea which defends the sufferers who died for disloyal rejection of their native prince, and traitorous subjecting themselves to the power of a foreigner, enemy to him in whose kingdom they do flourish or might flourish?

Now, after so much reason pleaded for the subjection of the clergy in civil causes to the civil magistrate, it may perhaps seem to some incredible that any doctrine by any doctor should be avowed contrary hereunto: “Can there be such an unreasonable opinion entertained or maintained by any?”

WHO THEY ARE THAT EXEMPT THE CLERGY FROM THE GOVERNMENT OF SECULAR PRINCES.

The next thing proposed for to be treated will plainly enough show,

III. *Both who are the teachers, and what [it] is that they teach in this point.*—Wherein I will be brief, and but name particulars.

The church of Rome generally.

The church of Rome hath, (excepting some few,) in all places where they durst act barefaced, owned this, and strongly contested for it,—

* He derided the Christians [whom] he robbed with this scoff,—that he would make their journey to heaven more expedite and easy.

that neither the goods nor the persons of their clergy, or religious, were under any coactive power of the civil magistrate. Indeed, some persons of the Roman communion, as loyal as learned, do disclaim such exemptions and immunities, content with the favour of their sovereign; to whom, they are ready to acknowledge, they owe their immunities, whatever they are, above the immunities that their fellow-subjects enjoy for their persons or goods. Nay, whole churches and seigniories that we rightly account Popish, (as the French, the Venetians,) do accord with the Protestant churches in the just opposition of such unlimited and absolute immunities for the clergy, and maintain the sovereign authority of the prince over the persons and estates of the ecclesiastics. Or, in the words of a person of honour who hath lately spoken to this case on the by: "God be thanked! that senseless usurpation and exemption of the clergy from the common justice of nations is pretty well out of countenance; and since the republic of Venice so notoriously baffled Paul V. in that very point, other kings and princes have chastised their own clergy for transcendent crimes, without asking leave of his Holiness, or treating them in any other manner than they do their ordinary malefactors." * This is the case now: but time was, when the pope and the clergy would not so easily have foregone their usurpations, and princes, how great soever, should have hardly exercised such an undoubted right; and time will come again, (if ever the pope can attain to a power that may encourage him to revive his pretended right,) when he will exempt the clergy from the jurisdiction of secular princes, and resume all the causes which concern the persons or estates of clergymen into his own hand, and determine them as proper only for his cognizance. Nor do I surmise more than I have ground for: it was, some ages past, the humour of the pope and his adherents; † and still is their aim, as will be evident to those who can and will consult at leisure,

1. *The treatises of some modern Jesuits.*—Excellent scholars, yet sworn supporters of the Popedom, and very zealous sticklers for the immunities of the clergy; as resolute soldiers, who defend the out-works, for the greater safeguard of the city. So Bellarmine, in his book *De Clericis*, avows "the clergy, by divine right, free from the authority of the secular princes." And Emanuel Sa tells you what he thought in the case, when he gives you a Jesuitical, that is, an impudent and treasonable, reason why a clergyman cannot be guilty of treason; namely, "Because the clergyman is not the prince's subject." So in the Colen [Cologne] and Antwerp editions of his book. ‡

2. *The constitutions of some councils.*—Nor is it to be wondered at, that since popes got usurped power in their hands, they can by the ecclesiastical diet assume what immunities may for [the] future estab-

* "Animadversions upon 'Fanaticism fanatically imputed, &c., by Dr. St.;' and the imputation refuted and retorted, by S. C.," pp. 143, 144. † "A common priest is as much better than a king, as a man is better than a beast: nay, as much as God Almighty doth excel a priest, so much doth a priest excel a king."—STANISLAUS ORICHORIUS in *Chimera*, fol. 97, cited by H. FOWLIS, p. 37. ‡ *Aphorismi Confessariorum, in voce Clericus.* Edit. Coloniens. et Antwerp.

lish their hierarchy, and confirm what hath been usurped, with much profit and advantage to their church and cause.

3. *The decretals of popes*, (which is as valid an authority as the ordinance of a prosperous rebel, determining himself and his confederates innocent persons and loyal subjects,) and *their Bulls*.—Among which that of Paul V. against the duke and republic of Venice, as it is late, so may suffice, being backed with nine or ten precedents of other popes in like cases: “Whereas of late it came to our ear, that the duke and council of Venice have enacted divers decrees contrary to the liberty and immunity ecclesiastic, and repugnant to the sacred canons and general councils and to the constitutions of the Roman popes; and the said duke and council have imprisoned, and detained in prison, Scipio Saracenus and Brandelino Valdemarino, persons in ecclesiastic dignity, for certain crimes by them committed: all which is done with pretence, that it was lawful for them (duke and senate) to do these things:” *

Here you have the act of the illustrious duke and state secretly traduced as an unjustifiable act, and the power by which they do it represented to the world as an usurpation prejudicial to the church-exemptions. The crimes of the persons were notoriously foul, especially of the abbot; namely, sorcery, rapes, incest, and many murders; which the Papal softness terms “certain pretended crimes (as was reported) by them committed:” † for which, as well they deserved, they were imprisoned. But, “The premisses being prejudicial to the rights of the apostolic see, and to our authority,” saith pope Paul V., “and to the privileges of the persons ecclesiastic; and for that they overthrow the liberty and immunity of the church.” ‡

His Holiness, good man! could not bear it, and therefore after much ado he comes to tell us what he will do, and with what good examples and warrant for it, in these words, and with the great names of ten popes: “We, who by no means ought to endure that the ecclesiastical liberty and immunity, or our authority and the authority of the apostolic see, should be violated and contemned; following the example of most general councils, and of fresh memory the examples of,” &c., “and other popes our predecessors; who have revoked the like statutes published against the ecclesiastic liberty, as statutes which in justice were null, invalid, and not ratified; and who have decreed and declared that they were null, invalid, and of no force:”—||

* *Superioribus mensibus ad nostram et apostolicæ sedis audientiam pervenit duces et senatum reipublicæ Venetorum diversa decreta, ecclesiasticæ libertati ac immunitati contraria, tum generalibus conciliis et sacris canonibus, necnon Romanorum pontificum constitutionibus repugnantia, statuissæ; eosdem duces et senatum Scipionem Saracenum, canonicum Vicentinum, et Brandelinum Valdemarinum, Forojuliensem Abbatem, personam in dignitate ecclesiasticâ constitutum, ob quædam crimina commissæ, carceri mancipasse, et mancipatos detinuisse, sub prætextu quòd eis hæc facere liceret.*

† *Quædam præterea crimina per illos, ut dicebatur, commissæ.* ‡ *Cumque præmissa sedi apostolicæ, nostræ autoritati, et ecclesiarum juribus, et ecclesiasticarum personarum privilegiis, præjudicium inferant, ipsamque libertatem et immunitatem ecclesiasticam tollant.* || *Nos, qui nullo pacto ferre debemus ut ecclesiasticæ libertas et immunitas, nostraque et sedis apostolicæ autoritas, violetur et contemnatur; inhærentes plurimorum generalium conciliorum decretis, ac vestigijs, recentis memoriæ, Innocentis III., Honorii III., Gregorii IX., Alexandri IV., Clementis IV., Martini IV.,*

In a little paragraph you see how much less the pope makes of the authority of free princes ; and how he doth pronounce that his predecessors and general councils have in like cases asserted the ecclesiastical immunities, and a sovereign prince may not punish rapes and murders in a person who is dignified with the orders of the church. If he doth, though they are nullities in themselves, they shall be (as in this case they were) declared anew from Rome nullities: "On mature deliberation with our venerable brethren the cardinals of the holy church of Rome, with their consent and counsel, (though the foresaid decrees, edicts, and commands, were in law itself null, invalid, and void,) by these presents we do decree and declare notwithstanding anew, that they were and are null, invalid, and void, of no force or moment ; and that none are bound to the observing of them."*

Excellently spoken ! and like the successor of an humble fisherman ! Though the duke of Venice may marry the Adriatic without a licence from Rome, he may not imprison a murderous abbot without the hazard of losing his principality. Who would not wish to be a denizen of Rome, if a conclave of the purple fathers may reverse a law which was made to restrain the enormous violences of clergymen ? compassionate fathers, that prefer the safety of their single sons to the safety of whole kingdoms !

By this, you see, Jesuits, cardinals, the consistory, the popes successively, and general councils, (if there be truth in the pope's Bull,) exempt the clergy from the *coactive* power of a civil magistrate, against nature, reason, and religion.† How far they would allow the *directive* power, if time favoured them, I give you leave to guess from the late instance of pope Urban, (1632,) and pope Innocent X. : this latter interposing between the French king, requiring cardinal De Retz to renounce his title or pretence to the archbishopric of Paris, reviving the old maxim, that "princes ought not to be suffered to meddle in ecclesiastical affairs, this being to put their sickle too boldly in another man's harvest : " † the former refusing to admit Ferdinand II.'s ambassador extraordinary, which was cardinal Pasman. "For avoiding," as the excellent historian Baptist Nani reports it, "to admit such an ambassador, he alleged, that a cardinal, honoured with the purple and a holy character, could not be employed in the service of secular princes." §

Bonifacii VII. et IX., Martini V., Nicolai V., et aliorum reverendissimorum patrum prædecessorum nostrorum, qui similia statuta aliàs contra libertatem ecclesiasticam edita, tanquam ipso jure nulla, invalida, et irrita, revocarunt, ac nulla, invalida, et irrita decreverunt et declararunt.

* *Habitu cum venerabilibus fratribus nostris sanctæ Romanæ ecclesiæ cardinalibus maturâ consultatione, de ipsorum consilio et assensu, (licet supra dicta decreta et edicta et mandata ipso jure nulla, invalida, et irrita, sint,) ea nihilominus ipso jure adhuc de novo nulla, invalida, et irrita, nulliusque roboris et momenti fuisse et esse, et neminem ad illorum observantiam teneri, per præsentis decernimus et declaramus.* † *Synodus secularis principes admonuit nec permissuros ut officiales ecclesiæ et personarum ecclesiasticarum immunitatem violent, &c.—Concil. Trident., sess. xxv. cap. 20.*

‡ "The synod admonished secular princes not to permit their officers to violate the immunity of the church and of ecclesiastical persons."—EDM. § "History of the Management of Cardinal Mazarine," tom. i. part iii. p. 267. § "History of Venice," lib. ix. p. 368.

This is plain dealing, however; and so far princes are obliged,— that they will speak their minds sometimes freely. Now I see, if clergymen offend the laws, princes are ill-natured to punish, because clergymen owe them obedience to directive laws; and if they employ them in a matter unwelcome to his Holiness, the princes make too bold with them that bear the impress of a holy character: so precarious must the rule of princes be over an exempted clergy! Yet what reason may be supposed for this? Certainly so great a privilege cannot in reason be pretended by wise and honest men to be warranted by light and trivial arguments!

THE REASONS FOR EXEMPTIONS ECCLESIASTIC.

IV. Two sorts of arguments I usually meet with urged:—

[The] *first* drawn *ab indecoro*, “from the unseemliness” of subjecting the clergy to the government of the civil magistrate: and this hath three indecencies in it; of which by-and-by.

The *second* drawn *a jure*, “from their right” to be exempted: and this also is threefold; of which ere long. Meantime return we to the first.

First. Ab indecoro.

1. “It is,” say the Papal orators, “a very unseemly thing that the clergy should be so subjected.” For my part, if there be an indecency in it, I could be glad the indecency were removed; I should think some advantage would thereby accrue to the Reformed clergy: but without spectacles of the Papal make, we shall never be able to descry the indecencies. Let us borrow cardinal Bellarmine’s, and with them look how unhandsome it is,

That shepherds be under their sheep.

(1.) *That the shepherd should be under the government of the sheep.*

ANSWER. This is a clear case: but the mischief is, similitudes are no demonstrations. Nor doth the scripture forbear to call kings “shepherds,” and perhaps oftener than the priest is called so; and the argument is retorted: Clergymen are in seculars and civil matters, to a man, (except some few crafty *foxes* among them,) sheep; the prince is their shepherd: It is undecent that the sheep should be exempt from the shepherd’s government: Therefore, undecent the clergy be exempt from the civil magistrate. So we dismiss the first.

Indecent that he who preacheth this day should to-morrow be judged by them [whom] he preached to.

(2.) It is an indecency, *that he who to-day governeth as the clergyman from the pulpit, in confession, or giving ghostly counsel to the prince, should to-morrow be cited before his tribunal, and be judged there.—* Very good!

What is truly indecent in the case. Indecencies as men fancy: no Protestant can see this indecency, and many Papists cannot see it.

ANSWER. An indecency, I confess, there is, that a clergyman should by any misdemeanour deserve it. But, as the fathers in the council of Trent sometime argued to their advantage, customs, manners, and humours alter; and what was handsome of old, becomes unhandsome now. And, besides, countries differ: nothing more graceful than to be mounted on a white ass among the Jews; but the pope would resent it as a high affront, if his catholic majesty should, by a strange activity, (like the transubstantiating act of the priest,) turn the white Neapolitan courser into an ass, for the tribute due to his Holiness for the kingdom of Naples, and send it for him to ride on. In a word, all we heretical Protestants (and a great many of the good Catholics of all countries) fancy to ourselves, that it is very meet to see a clergyman preaching to his prince from the word of God, whilst he is dutiful and loyal; and to see him imprisoned and executed for his treasons, when he is guilty. If this be an unlucky custom among us, let the clergy be (as the Protestant will be) loyal; or keep out of places where are practised such unhandsome customs and laws, as to hang murdering and felonious priests, in the common fashion of other rogues, without leave asked of the pope.

Indecent [that] the servants of God be subject to vassals of the world.

(3.) A third indecency is, *that the clergy, who are servants of God and sacred persons, should be judged by the vassals of the world, and the impure hands of laymen.*—A mighty absurdity, if well considered!

ANSWER. I never knew the full weight of this argument before I had met with the information that Stanislaus Orichorius gave me,—that “every common priest does as much excel a king as a beast does excel a man.” Now by this rule it were as much pity to see a king judge, condemn, and cause to be hanged or headed [beheaded], a priest, as it would be to see a horse or ass by an usurped power turn upon and execute his master and driver. In a word: when I see the usurping beast so use a man, I will endeavour to prevent the absurdity; but if ever it be my lot to see or hear a sovereign prince judge, condemn, and put to death a shaveling and one of Rome’s consecrated priests, (or one of a more Reformed profession,) under the guilt of capital crimes, I should desire the father to excuse me, until I saw, as clearly as Stanislaus did, [that] the priest was the man, and the king the beast; and ere that will be, my help will stand him in as much stead as a pardon doth after the criminal is hanged. Lastly: I wonder kings will endure such absurdities, when they might prevent it. Let Rome make their priests less, and account kings greater. Or, if this superlative greatness be essential to the priesthood, I humbly submit the resolution, whether it were not fitter [that] such a priesthood should be abolished than [that] all kings be thus made asses, and, (without impair of their intellectuals, and without the exemplary

miracle wrought on a proud Heathen,) only by the pride and ingratitude of a Papal clergy, be thus turned a-grazing with beasts.

The reason why the pleas are slighted in the answer of them.

This is the sum of Bellarmine's three arguments from the indecency of the thing, and this all the answer I think them worthy of: since his Eminency hath set up such scare-crows, and would fright us with them, let us have liberty to deride them, as men would the bugbears that children set up. If better arguments for the cause could (of this or any other kind) have been produced, the learned cardinal would have urged them; and then a better answer might have been given. But a puff will better blow away a feather, than a mighty engine; and all the cost and labour would be lost that were bestowed to bring cannon, spade, mattocks, and engineers, to overthrow a poor hut or cottage. From these pass we to the second sort of arguments.

Second sort of pleas: a jure divino.

2. *A jure divino*, saith the canonist, "by divine right."

ANSWER. But the canonist who saith it, hath the wit to let us seek the text; for he takes not himself bound in duty to cite it, and we deserve not the kindness that he should do more than he thinks himself obliged unto.

A jure humano, answered.

Others of the fraternity dissent, and think they have reason to pretend the immunities to be *jure humano* ["by human right"]: and until they agree how the clergy among them came by these immunities, we shall not think it breach of charity or good manners to tell them, we wish they came honestly by so rich a commodity. Certainly Christ never gave it them: nor do the more modest pretend his gift; they are content with the collation by pope's decretals first, or next by favour of general councils; ever since the Papal power grew too great for kings and emperors; ever since the one durst not contemn, and the other was so hardy as to denounce, excommunications against infringers of the immunities ecclesiastical. These two will prove their right to these immunities in any place and at any time, where power and injustice are too great to be called to account. And as good right they have to these immunities as the pope and councils could give them: and I hope you will believe [that] the pope and his councils would not fail to invest their sworn vassals with power enough to disturb the civil power and lessen it, that the monarchy of the Papal church might more speedily and safely be aggrandized. They have these privileges, indeed, from the ringleaders in the conspiracy, to strengthen it against the just authority and sovereignty of princes. And, now [that] you clearly see how honestly they come by it, ask their fellows whether they be thieves.

3. But a third plea is, [that] *from the favour of princes they enjoy these immunities*.—True; the more is their ingratitude and shame [that] they abuse that favour to the lessening of their prince; who

hath too often had many occasions given him to repent his grant, to restrain his favour, and to teach the unthankful clergy more duty by requiring more. What the prince giveth they enjoy without our envy or complaint; let them keep within those bounds, and I will not disturb them. Finally, to conclude this point: now the clergy, in all places of the world where the prince is Christian, enjoy many considerable immunities *jure humano*; which immunities they never had right to claim, till the prince had will to give; and which they may not expect to enjoy, when either abuse of them provokes the prince to revoke them, or emergent inconveniencies persuade him to diminish or null them. What is so granted is neither immutable in its constitution, nor ever intended to the public prejudice of the prince and state: nor can it exalt the clergy into a state of absoluteness and non-subjection to the prince. Or if you would imagine [that] a soft prince should so inadvertently, and in a transport of zeal to the clergy and church, grant them such a privilege, (as the Roman clergy, right or wrong, will pretend unto,) yet good statists and best reason will tell them that, the grant being made to the prejudice of the crown, it is neither good nature nor manners nor justice to require it of their prince, whose honour and dignity they are bound to conserve. *Errante clave*, ["when the key errs,"] the infallible decrees are null, say some Romanists: *errante sceptro*, ["when the sceptre errs,"] civil grants to subjects become nullities. And such are the uncontrollable immunities of the unsubjected Roman clergy; to whom princes had been less kind, had they foreseen what use would be made of their royal favours; and to whom they are not less equal and just, though for their crowns and honour more resolved and prudent, in recalling the ungovernable ecclesiastics to that subjection which they ought, in equal degrees and readiness with other subjects, [to] give unto their prince, whether by assistances from their estates, or by their persons; both being, as our thesis averreth, under the government of the civil, or secular, prince.

V. After so prolix discourse on the positive part of our position, I come to a briefer handling of the NEGATIVE parts of it; which was the fifth and last thing I proposed in the method of our proceeding. And so,

CONSECTARIES.

CONSECTARY I. *The highest power and authority ecclesiastical, as such, is lower than the sovereign and supreme in all matters civil and secular, in what man or body of men soever it be pretended de jure to be, or vi et fraude ["by force and fraud"] it be found by usurpation to be.*—This follows from the former suppositions, as they have been proved; and is evident enough in itself. If the clergy as to bodies and estates be under the civil government, then it follows, they are not, as clergymen, sovereign; for he is no sovereign in the same respect wherein he is under another's authority. These are inconsistent: for sovereignty and supremacy set the person in whom they are, above all within the limits of his jurisdiction; but ecclesiastical

dignity, or the holy character, leaves the person on whom it is impressed under the subjection he was in before.

It is possible (though the case hath seldom happened) that a sovereign prince may be a clergyman, or he that hath a right to a sovereignty may succeed in his right after he hath entered holy orders : * yet the powers are distinct ; and the civil [is] usually most esteemed and retained, while the other is laid by ; as in Rome it sometimes happens among the princes of the red hat, when, of a cardinal, they are well pleased to become duke or prince in hereditary principalities, descending on them by the death of the former heirs.† A sovereignty, I know, is annexed to some ecclesiastical titles and persons ; as in Germany to some bishops, and to the archbishops, electors. But they that know their constitutions can readily tell us, how much they owe to *jus humanum* for it, and how little they owe to their holy orders and the privilege of clergy stated *jure divino*, or, indeed, *jure ecclesiastico* ["by ecclesiastic right"]. And notwithstanding any such intervenient occurrence, it still holds a truth, [that] no clergyman, as such, and in virtue of his holy orders, is or can be *jure* and "of right" a sovereign and supreme ; but is still under the secular prince and his government in matters civil.

CONSECT. II. *Were the pope (what his flatterers say he is, and his infallibility confirms) the supreme ecclesiastical person and head to that stupendous body of ecclesiastics ; and were this proved his right by a better title than ever it was or ever it will be ; yet still this cannot raise him to the dignity of sovereign over secular princes or kings.*—For be the power whatever it is for its eminency, still it is an ecclesiastical power ; and the person in whom it is invested derives it to himself not immediately and *virtute personæ*, ["by virtue of his person,"] but *mediatè et virtute officii* ["mediately and by virtue of his office"] ; or, indeed, *jure ecclesiæ concessio*, "by a right granted to the church," and by the church to be conveyed on a fit person. And so the person chosen by the church receives not what power his boundless ambition can grasp, but what power the church can bestow ; which hath been proved to be still a power inferior to the secular power in all secular affairs. It is a sure rule in all cases, *Nihil dat quod in se non habet*.‡ Therefore, well did Sancho, brother of Alphonsus VII., proclaim to the world the ridiculous nothing [which]

* Girolamo Grimaldi, Cardinal, was born with the quality of sovereign, as prince of Monaco.—*Il Cardin.* parte ii. lib. ii. p. 151. † Giovanni Casimiro resigned his cap, in 1648, for the crown of Poland. Mauritio, son to the duke of Savoy, renounced for "a lady," that is, wife. Cæsar Borgia, second cardinal, murdered his brother, turned soldier, was made general of the church-armies, received in dowry the duchy of Valenza ; and, that by marriage he might perpetuate the dukedom in his family, I guess that this duke de Valentinois quitted his cardinal's cap in the time of Alexander VI., who entered the Popedom in 1492, and continued to 1502. Such-like metamorphosis you meet with in the match of the cardinal Camillo, nephew to Innocent X., A. D. 1655 or 1654. So church-dignities were exchanged for secular advantages with a wife. Such-like occasion inspired a passion into Pamphilio toward Donna Aldobrandina, princess of Rossano, and heiress of the family ; who outweighed all the cardinal's ecclesiastic concerns ; though she married not this her lover : as the "Managements of Cardinal Mazarine," tom. i. part iii. p. 75, &c. ‡ "No one can bestow aught beyond what is in his possession."—EDIT.

the pope gave him,—proclaiming him, if he would conquer it, king of Egypt,—and what his resentments were of such an idle conceit, when, in requital of his Holiness's bounty, he commanded him to be proclaimed caliph of Bendas, on the same condition of conquering it.*

In brief: the pope, pretended head of the state ecclesiastic, *de facto* ["in reality"] is now a free prince as he is pope, and hath a secular power annexed to his ecclesiastical office. But if Constantine's grant and some other princes' bounty be a forgery, it is easy to say how their Holinesses came by, and how honestly they continue the possession of, such power. And if prescription of time and possession will not bar a sovereign prince his claim, there may arise some brisk prince in the empire who may start a better title to those dominions, and reduce the pope to the primitive decorum of "bishop of the first see;" requiring him to be content with what immunities the imperial council shall judge fit to allow him, since in all likelihood they will be more than were ever given by Christ to St. Peter and his real or pretended successors. Let him, whilst he can, retain his temporal sovereignty, and within his own dominions be above all persons in all causes; yet this doth not flow out of his ecclesiastic office immediately, directly, and *per se*, ["of itself,"] as he is bishop, which is an order wholly of different nature to secular power and matters. And therefore, were he universal bishop, yet his power would be but the power of a bishop; that is, in spirituals: and the engine of their own making cannot draw in temporals *in ordine ad spiritualia* ["with reference to spiritual ends"]. That was as the huntsman's dog in his younger days, nimble and hold-fast; but the cur is now old, and his teeth worn out, and every free prince now will shake him off. They are weary of the cheat, and, I hope, will not let an usurper, *indirectè et consequenter*, ["indirectly and by consequence,"] take out of their hands that which God, nature, grace, and reason, have, *directè et necessariò*, ["directly and necessarily,"] intrusted in their hands.

CONSECT. III. The clergy being proved in body and estate, as to civil affairs, under the government of the secular prince; *no clergyman, of what degree soever he be, nor any body of clergymen combined together, can absolve the subjects of any prince or free state from their oaths of allegiance: and if it be pretended [that] he or they may do so, the pretence is wicked: and if the pretended power be executed, the subject notwithstanding is as much bound as ever; nay, somewhat more bound on this occasion, because the prince is in an apparent danger; out of which to rescue him, every good subject ought to contribute his assistance for his prince's safety.*—The excommunication, or the menace of an approaching excommunication, from such a proud pretender, may be just reason why princes should require renewed assurance of their subjects' allegiance, and why subjects should give new instances of their constant duty; but it can be no reason why

* Thus Adrian IV. was rebuked for his presumption between 1193 and 1197.—H. FOULIS's preface to "History of Popish Treasons," &c., p. 36.

subjects should think themselves free from their obedience and oaths. The condition of princes, through the multitude and weight of their affairs, is of all men's the most uneasy, when it is (the most it can be) eased by a ready and universal obedience in the subject: but how miserable would it be, on supposition that their kingdoms were at the disposal of a foreigner! How unfaithful are our historians, or how shameless hath the encroaching pride of the pope and the Papal clergy been! Either they who write the stories of ages past have most injuriously dealt with their own and other succeeding ages, or the Papal power hath with might and main set itself to ruin the regal and imperial power. Now what will become of the maxim which pleaded stiffly for the ecclesiastical power? It is retorted thus: All authority appointed of God is by him intrusted with power and authority sufficient to conserve itself and effect its proper ends: But if a bishop, who is a subject, may depose the prince, and release the sworn allegiance, the power of the prince is not sufficient to preserve itself among subjects; if the bishop be a foreigner, as the pope is to all princes, who doth excommunicate and depose and release subjects, then the prince's power is not sufficiently qualified to preserve itself against strangers and usurping enemies.

In brief: those that are Papal bishops, and were born subjects, are, equally with other subjects, natural liegemen to their prince; for we have proved that the dignity of bishops doth not exalt them above the condition of subjects. Now it is certain, subjects cannot absolve their fellow-subjects; none can loose the bond which doth as much tie himself as another, nor can rebellion acquit rebellion in a subject. Those bishops who, being foreigners to a prince, are always to be watched as suspicious, and mostly to be opposed as enemies; though bishops (as popes are accounted) can never be thought persons to be intrusted with a power over kings and princes, whom they treat with no other kindness than a man doth one whom he resolveth to overthrow or humble with the first opportunity: so that, as it is not in the dignity and office itself to convey an uncontrollable power to a native subject in any case over his sovereign, so neither is it in the office to convey such a power to a foreigner; and both are a weakening of the civil power to a degree of impotence that cannot defend its subjects, or preserve itself, or attain the necessary ends of government.

CONSECT. IV. If the dignity of the clergy be not sufficient to advance the clergyman high enough above the civil magistrate (as hath been proved) in civil matters; then, *were the pope universal bishop, and had he rightful power to excommunicate, (which yet is not proved by any of his parasites, nor yielded by any Protestant,) yet could he not deprive the prince or king, so excommunicated, of his dominions in part or whole.*—For in this case the pope must act as a bishop: and this office, as it is a spiritual office and the rules of it are spiritual, so the effects and ends of it are also spiritual, and ought to keep within these limits and bounds. But now, when, after admonition and entreaties prove vain, the universal bishop should excom-

municate, he hath gone to the utmost that his rule directs, or his authority can enable him to: the deposing of a king, the giving [of] his kingdom to any that have the hardiness to attempt and the success to gain it,—as it is wholly of a secular nature, so it is wholly foreign to the office of any bishop. And it hath brought the greatest confusion, wars, bloodshed, and desolation into the Christian world; that by this we might guess from whom this usurped power comes, since we know there have been such direful effects of it, and these effects the natural and proper effects of such unjust pretences.

The censure of the church is an execution of a spiritual power, and was never appointed to leap so prodigiously high as with its foot to kick down the crowns of kings and free princes. This *transitus de genere ad genus*, [“transit from one kind to another,”] skipping from a just execution of ecclesiastical power, into the usurpation of a boundless power in affairs secular over princes and kings,—is the most insolent and intolerable presumption, and [that] which gives God’s vicegerents in civils a justifiable plea to hate and oppose the pride and designs of the Papal clergy; who by this means have with a kind hand given their inferior clergy so happy a lift, that the meanest person in holy orders among them is, *jure et virtute officii*, [“by right and virtue of his office,”] a better man than his prince; whom he exceeds as much as a man exceeds a beast, or God exceeds the priests, if you will believe their flatterers.* Amongst whom the learned cardinal Bellarmine † (misemployed in the office of Master of the Ceremonies) does set kings below bishops, priests, and deacons too: “So glorious is this Roman church, that kings, like our drossy bodies, sons of the earth, fall short of the churchmen, as much as the body falls short of the soul.” ‡ Bravely spoken! What pity is it, that every ecclesiastical sacred head hath not an estate and revenues to maintain his grandeur as much in magnificence above kings as their office hath set them! If such transcendent honour be the effect of Papal ordination, our king and parliament have reason to continue the prohibition against the subjects of this kingdom going beyond the seas to take orders; it is not safe to have subjects so advanced: and I do not wonder that rebellion in a clergyman of the Roman mint is become so small a peccadillo, or rather thinned into an invisible mist; and though the priest be visible in the rebellion and treason, neither the traitor nor rebel can be seen or found. Alas, good men and precious! the world unkindly owneth not their excellency; and they by natural propensities, flowing from their constitutive principles, do innocently aspire to a state equal to their orders; which blind heretics nickname “rebellion,” and jealous princes brand as “treason:” and so the innocent clergy (when they have the luck to be taken in it) are condemned and executed for traitors.

But the comfort is [that] the enlightened consistory at Rome can see and distinguish the clergyman, *quoad substantiam*, [“substan-

* STANISLAUS ORICHORIUS. *De Laicis*, cap. 8.

† *De Pontifice*, lib. 1. cap. 7.

‡ BELLARMINUS

tially,"] innocent, nay, meritorious: it is the prince or state which mistook him, and, under the separate accidents and form of a traitor, bloodily cut off the man's head. Dull souls, that will not be informed in the mystery of transubstantiating rebels as well as bread! Well, however, it is, that their clergy must, being judged by a severe secular judge, die *sub formâ perduellium*, "in the" unhandsome "dress of traitors." Yet, by the most indulgent hands of his Roman Holiness, the world shall be informed of the error; and in compensation for the hard usage they met with, [the rebels shall] be made as substantial and real saints as ever the pope made any. So may Garnet be executed at Tyburn, but be St. Henry at Rome; and those that were boufeufs, ["incendiaries,"] and set the world on fire, and threatened more prodigious calamities to the world, are made stars of great light and glory in the Roman heaven. Such unintelligible doctrines and such intolerable practices have attended the licentious frisk of the bishop of Rome, when, *προσθε παπα*, he excommunicates and makes kings and princes his prey, and, *οπιθεντε λεων*, seizeth and devoureth the prey, and is thus become *μεσσητε χιμαιρα*, "chimera" real!* Which may not be too severely imputed to levity in me, since really I could not tell what to make of him: for in his fore-parts I find the mouth of a man, and hear the words of a father in admonitions; but when I have looked down to the feet, I see the paws of a lion, and his talons always bloody with the prey under his feet torn to pieces or deeply wounded.† So I clearly see him in the prospect [which] history gives of him. Their own "Glossary" represents him not much more to his advantage:

*Papa, stupor mundi, ———
Nec Deus es, nec homo; quasi neuter es inter utrumque.‡*

So, of a well-constituted officer, as Christ and Peter left him, (if you will believe them,) he is made a misshapen monster, and the wonder of the world; and now, in the unjust claim of "the father of lies," draws deceived proselytes to worship him, showing them the kingdoms of the world and the glory of them; with promise that, as they merit by their good service to the apostolic chair, he will give them a right, and when they can they may take possession of his gift; for unto him pertain all these things, and to whomsoever he will he giveth them; and, I assure you, it is neither *jure divino* nor *jure humano*, but *quasi neutro, id est, jure inferno*.§

* The Greek phrases quoted by our author appear to be the disjointed members of a hexameter. The second word, however, (*παπα*.) must be a mi-print. Perhaps the following is the correct reading:—

Προσθε παπας, οπιθεντε λεων, μεσσητε χιμαιρα.

"In front a father, behind a lion, and in the middle a chimera."—EDIT. † "Many have compared it (Rome) to the monkey, that hugs its young ones to death; for just so do the churchmen, who embrace every one with a paternal affection, but in those embraces they that receive them find their ruin."—*Il Nipotismo*, parte i. lib. i. p. 32. ‡ CLEMENT. *Proem. Gloss.*, *sub voce Papa*. "O pope, the astonishment of the world! thou art neither God nor man; but thou art, as it were, a neuter between the two."—EDIT. § "It is neither by divine right nor by human, but as if by a neutral, that is, infernal, right:" in allusion to the lines above-quoted from the "Glossary."—EDIT.

CONSECT. V. Hence it follows, that *emperors, kings, princes, and free states, are not rightful subjects to the pope, or to any other single ecclesiastical person; nor to any body of the clergymen, neither in synods with Presbyterians, nor in convocations with Episcopal, nor in pretended general councils with Papists, nor in the consistory or conclave with the cardinals and pope, collected together.*—He that designed the office in his church hath left these officers under the obedience of the civil magistrate in all civil matters which concern the government of their estates and persons. In which cause so many have appeared, and so clearly vindicated the royal prerogatives and sovereign authority of kings,—not only Protestant writers, but among the Papists themselves many very learned pens have asserted the supreme and sovereign power of free states,—that it is become in most countries a ridiculous claim [which] the pope maketh, or any of his vassals flatter him with,—that their prince is a vassal and subject to his Holiness; and that is now become, as long since it should have been, a traitorous tenet and worthy of death, which was, in the height of Popish tyranny, a necessary principle of the Papal religion.

How ill-natured soever the children of that church have proved, abridging their father of his power, I will not now inquire: but, might a stranger to the father and his children speak a few words indifferently to both, I would adventure to say, It had been justice and honesty in the ghostly father to have left his children the power and authority which *He* gave them *who* said the magistrates were “gods;” (Psalm lxxxii. 6;) and then the primitive kindness of kings, like Constantine the Great, would have insured the favours and observances of princes to the clergy. But since the Papal infallibility hath almost reduced this affair to this hard choice,—either that we must have no pope and exempt clergy, or no free and sovereign monarchs,—I am easily inclined to believe, the secular princes will rather choose that the ecclesiastics should part with their immunities, than that princes should part with their sovereignty; and how great a part of the Christian world would join with them, is not hard to guess.

The sovereignty of the pope is an article of the pope’s political faith; but I verily think, he hath more wit and care of his soul than to make it an article of his Christian faith: and if he will venture his soul and the souls of his sheep on gage that he may keep his present grandeur, I am well satisfied that he is not my shepherd: and I am not a little glad that there are so many Papists that do not make this an article of their faith. Free states and kingdoms do know that supreme sovereignty is not essential to Christ’s vicar, Peter’s successor, or universal bishop; that exemptions of the clergy are favours of the prince, and not natural and necessary properties of the office: and, which is ill news for Rome, have well considered the distinction between being of communion with the church catholic and with the pope as first bishop, and being in subjection to the pope as to a

sovereign. They now are skilled in the method of observing the church and opposing the court of Rome. And though I know not what may *per possibile* ["by possibility"] come to pass among men, and what king may make himself against all right a subject to the pope; yet I am sure, no king or emperor can ever be rightfully the subject of the pope, who at most is but bishop of the first see.

THE END OF THE FIFTH VOLUME.