

OF
TOLERATION:
AND
THE DUTY OF THE MAGISTRATE
ABOUT RELIGION.

THE times are busy, and we must be brief. Prefaces for the most part are at all times needless, in these troublesome. Mine shall only be, that *ἀνευ προοιμίων καὶ πατρῶν*, ‘without either preface or solemnity,’ I will fall to the business in hand. The thing about which I am to deal, is commonly called, Toleration in religion, or toleration of several religions. The way wherein I shall proceed, is not by contest, thereby to give occasion for the reciprocation of a saw of debate with any; but by the laying down of such positive observations, as being either not apprehended, or not rightly improved, by the most, yet lie at the bottom of the whole difference between men about this business, and tend in themselves to give light unto a righteous and equitable determination of the main thing contended about. And lastly, herein for method I shall first consider the grounds upon which that non-toleration, whereunto I cannot consent, had been, and is still endeavoured to be supported, which I shall be necessitated to remove.

I. By considering the arguments brought from holy writ.

II. From some other general observations. And then in order

III. I shall assert the positive truth, as to the substance of the business under contest.

All in these ensuing observations.

I. As to the first of these,

1. Although the expressions of toleration, and non-toleration, wherewith the thing in controversy is vested, do seem to cast the affirmative upon them who plead for a forbear-

ance in things of religion towards dissenting persons, yet the truth is, they are purely upon the negation, and the affirmative lies fully on the other part; and so the weight of proving, which oftentimes is heavy, lies on their shoulders. Though non-toleration sound like a negation, yet punishment (which terms in this matter are *ισοδυναμοῦντα*) is a deep affirmation. And therefore it sufficeth not men to say, that they have consulted the mind of God, and cannot find that he ever spake to any of his saints or people to establish a toleration of error. And yet this is the first argument to oppose it, produced in the late testimony of the reverend and learned assembly of the church of Scotland. Affirmative precepts must be produced for a non-toleration, that is, the punishing of erring persons. For actings of such high concernment, men do generally desire a better warrant than this: there is nothing in the word against them. Clear light is needful for men, who walk in paths which lead directly to houses of blood. God hath not spoken of non-toleration, is a certain rule of forbearance. But God hath not spoken of toleration, is no rule of acting in opposition thereunto. What he hath spoken, one way or other, shall be afterward considered. Positive actings must have positive precepts, and rules for them, as conscience is its own guide. If then you will have persons deviating in their apprehensions from the truth of the gospel, civilly punished, you must bring better warrant than this, that God hath not spoken against it, or I shall not walk in your ways, but refrain my foot from your path.

2. That undoubtedly there are very many things under the command of the Lord, so becoming our duty, and within his promise, so made our privilege, which yet if not performed, or not enjoyed, are not of human cognizance, as faith itself. Yet because the knowledge of the truth is in that rank of things, this also is urged as of weight, by the same learned persons, to the business in hand.

3. Errors, though never so impious, are yet distinguished from peace-disturbing enormities. If opinions in their own nature tend to the disturbance of the public peace, either that public tranquillity is not of God, or God alloweth a penal restraint of those opinions. It is a mistake to affirm, that those who plead for toleration, do allow of punishment for offences against the second table, not against the first.

The case is the same both in respect of the one, and the other. What offences against the second table are punishable? Doubtless not all; but only such, as by a disorderly eruption, pervert the course of public quiet and society. Yea, none but such fall under human cognizance. The warrant of exercising vindictive power amongst men, is from the reference of offences to their common tranquillity. 'Delicta puniri publice interest.' Where punishment is the debt, 'Bonum totius' is the creditor to exact it. And this is allowed, as to the offences against the first table. If any of them in their own nature (not some men's apprehensions) are disturbances of public peace, they also are punishable. Only let not this be measured by disputable consequences, no more than the other are. Let the evidence be in the things themselves, and 'Actum est,' let who will plead for them. Hence

Popish religion, warming in its very bowels a fatal engine against all magistracy amongst us, cannot upon our concessions plead for forbearance; it being a known and received maxim, that the gospel of Christ clashes against no righteous ordinance of man.

And let this be spoken to the third argument of the fore-named reverend persons, from the analogy of delinquencies against the first and second table.

4. The plea for the punishment of erring persons from the penal constitution under the Old Testament against idolaters (which in the next place is urged), seems not very firm and convincing. The vast distance that is between idolatry, and any errors whatsoever, as merely such, however propagated or maintained with obstinacy, much impaireth the strength of this argumentation.

Idolatry is the yielding unto a creature the service and worship due to the Creator. Reinold. de. Idol. lib. 2. cap. 1. sect. 1. 'Idololatria est circa omne idolum famulatus et servitus.' Tertul. de Pol. 'the attendance and service of any idol.' 'Idololatræ dicuntur qui simulachriseam servitutem exhibent, quæ debetur Deo.' August. lib. 1. de Trinit. cap. 6. 'They are idolaters who give that service to idols which is due unto God.' To render glory to the creature, as to God, is idolatry, say the Papists. Bell. de Eccles. Triump. lib. 2. cap. 24. Greg. de Valen. de Idol. lib. 1. cap. 1. Suitable to the description of it given by the apostle, Rom. i. 25.

plainly, that whereunto the sanction under debate was added, as the bond of the law against it (which was the bottom of the commendable proceedings of divers kings of Judah against such), was a voluntary relinquishment of Jehovah revealed unto them, to give the honour due unto him, to dunghill idols. Now though error and ignorance oftentimes lie at the bottom of this abomination, yet error properly so called, and which under the name of heresy is opposed, is sufficiently differenced therefrom. That common definition of heresy, that it is an error, or errors, in or about the fundamentals of religion, maintained with stubbornness and pertinacy after conviction (for the main received by most Protestant divines), will be no way suited unto that, which was before given of idolatry, and is as commonly received, being indeed much more clear, as shall be afterward declared. That this latter is proper and suitable to those scriptural descriptions, which we have of heresy, I dare not assert; but being received by them who urge the punishment thereof, it may be a sufficient ground of affirming, that those things whose definitions are so extremely different, are also very distant and discrepant in themselves, and therefore constitutions for the disposal of things concerning the one, cannot 'eo nomine' conclude the other. Neither is the inference any stronger, than that a man may be hanged for coveting, because he may be so for murdering.

The penal constitutions of the Judaical policy (for so they were, which yet I urge not), concerning idolaters, must be stretched beyond their limits, if you intend to inwrap heretics within their verge. If heretics be also idolaters, as the Papists (the poor Indians who worship a piece of red cloth, the Egyptians who adored the deities which grew in their own gardens, being not more besotted with this abomination than they, who prostrate their souls unto, and lavish their devotion upon a piece of bread, a little before they prepare it for the draught, so casting the stumbling block of their iniquities before the faces of poor heathens and Jews, causing Averroes to breathe out his soul, in this expression of that scandal, '*Quoniam Christiani manducant Deum quem adorant, sit anima mea cum Philosophis*'), I say then, the case seems to me to have received so considerable an alteration, that the plea of forbearance is extremely weakened, as

to my present apprehension. However, for the present, I remove such from this debate.

5. The like to this also may be said concerning blasphemy, the law whereof is likewise commonly urged in this cause. The establishment for the punishment of a blasphemer is in Lev. xxiv. 16. Given it was upon the occasion of the blaspheming and cursing of the son of an Egyptian, upon his striving and contending with an Israelite. Being, probably, in his own apprehension, wronged by his adversary, he fell to reviling his God. The word here used to express his sin, is נָקַב signifying also to pierce, and is twice so rendered, Isa. xxxvi. 6. Hab. iii. 14. Desperate expressions ! piercing the honour and glory of the Most High, willingly and wilfully, were doubtless his death-deserving crime. It is the same word that Balak used to Balaam, when he would have persuaded him to a deliberate cursing and pouring out of the imprecations on the people of God ; Numb. xxiii. 13, 14. A resolved piercing of the name and glory of God, with cursed reproaches, is the crime here sentenced to death. The schoolmen tells us, that to complete blasphemy, the perverse affection of the heart, in detestation of the goodness of God, joined with the reproaches of his name, is required.^p Which how remote it is from error of any sort (I mean within the compass of them whereof we speak), being a pure misapprehension of the understanding, embraced (though falsely), for the honour of God, I suppose is easily conceived ; and so consequently that the argument for the death of a person erring, because he came off no easier of old who blasphemed, is a ‘ baculo ad angulum.’

If any shall say that blasphemy is of a larger extent, and more general acceptation in the Scripture, I shall not deny it. But yet that that kind of blasphemy which was punishable with violent death, was comprehensive of any inferior crime, I suppose cannot be proved. However, blasphemy in the Scripture is never taken in any place, that I can remember, for a man’s maintaining his own error ; but for his reviling, and speaking evil of the truth, which he receiveth not : and so Paul before his conversion was a blasphemer.^q Now if men, to whom forbearance is indulged in by-paths

^p Thom. 22æ. g. 13. a 1. ad 1um.

^q Acts xviii. 6. xxvi. 11. 1 Tim. i. 15.

of their own, shall make it their work to cast dirt on the better ways of truth, it is to me very questionable whether they do not offend against that prime dictate of nature, for the preservation of human society, 'Quod tibi fieri non vis, alteri ne feceris:' and for such I will be no advocate. Neither can indeed the law of blasphemy be impartially urged by us in any case of heresy whatsoever. For,

(1.) The penal sanctions of the laws of God are not in England esteemed of moral equity, and perpetually indispensable: for if so, why do adulterers unmolested behold the violent death of stealers?

(2.) The blasphemer by that law was not allowed his clergy: die he must without mercy, no room being left for the intervention of repentance, as to the removal of his temporal punishment: when once the witnesses garments were rent he was anathema. But in case of any heresy repentance, yea, recantation is a sure antidote (at least for once, so it is among the Papists) against all corporal sufferings.

6. Neither doth that place in Zechariah, chap. xiii. 3. concerning the running through of the false prophet, more prove or approve of the punishment of death to be inflicted for misapprehensions in the matters of religion (and if it proves not that, it proveth nothing; for slaying is the thing expressed, and certainly if proofs be taken from the letter, the letter must be obeyed, or we force the word to serve our hypothesis) than that place of John x. 1. 'He that entereth not by the door is a thief and a robber;' which Bellarmine strongly urgeth to this very purpose, because thieves and robbers are so dealt withal righteously.^r If such deductions may be allowed, it will be easy to prove 'quidlibet ex quolibet,' at any time.

If the letter be urged, and the sense of the letter as it lies (*indeed the figurative sense of such places is the proper, literal sense of them) let that sense alone be kept to. Let parents then pass sentence, condemn, and execute their children, when they turn seducers; and that in any kind whatsoever, into what seduction soever they shall be en-

^r Bell. lib. de Laicis, cap. 21.

* August. de util. creden. cap. 3. Thom. pp. q. 1 a. 10. Zanch. de SS. q. 12. cap. 2. reg. 10. Tilen. Syntag. Theol. de interpret. S. thes. 8. Whitak. de SS. qu. 5. cap. 2. Armin. disput. pri. Thes. 9. 1. Ames. Med. Theol. cap. 34. Thes. 22.

gaged, be it most pernicious, or in things of less concernment. The letter allows of none of our distinctions; be they convinced, or not convinced; obstinate, or not obstinate, all is one; so it must be, thrust through, and slain by their parents, must they fall to the ground. Only observe, his father and his mother that begat him must be made magistrates, prophets with unclean spirits be turned into heretics, only thrusting through, that must be as it is in the letter; yea, though plainly the party, of whom it is said, 'Thou shalt not live,' ver. 3. is found alive, ver. 6. Surely such an Orlean's gloss is scarce sufficient to secure a conscience in slaying heretics. But when men please, this whole place shall directly point at the discipline of the churches, and their spiritual censures under the gospel, curing deceivers, and bringing them home to confession and acknowledgment of their folly. See the late Annot. of the Bible.

7. From the asserting of the authority and description of the duty of the magistrate, Rom. xiii. the argument is very easy that is produced for the suppressing, by external force, of erroneous persons. The paralogism is so foul and notorious, in this arguing, He is to suppress evil deeds; heresy is an evil deed, therefore that also, that it needs no confutation. That he is to punish all evil deeds was never yet affirmed. Unbelief is a work of the flesh, so is coveting; one the root sin, against the first, the other against the second table; yet in themselves both exempted from the magistrate's cognizance and jurisdiction. The evil doers, doubtless, for whose terror and punishment he is appointed, are such as by their deeds disturb that human society, the defence and protection whereof is to him committed. That among the number of these are errors, the depravations of men's understandings, hath not yet been proved.

8. The case of the seducer, from Deut. xiii. is urged with more shew of reason than any of the others, to the business in hand; but yet the extreme discrepancies between the proof, and the thing intended to be proved, make any argumentation from this place, as to the matter in hand, very intricate, obscure, and difficult. For,

(1.) The person here spoken of pretends an immediate revelation from heaven: he pretends dreams, and gives signs and wonders, ver. 1. and so exempts his spirit from any re-

gular trial. Heretics, for the most part, offer to be tried by the rule that is in 'medio,' acknowledged of all; a few dis-tempered enthusiasts excepted.

(2.) His business is to entice from the worship of Jehovah, not in respect of the manner, but the object, ver. 5. All heretics pretend the fear of that great name.

(3.) The accepting and owning idol, dunghill gods in his room, is the thing persuaded to, ver. 2. (and those were only stocks and stones) and this in opposition to Jehovah, who had revealed himself by Moses. Heretics worship him, own him, and abhor all thoughts of turning away from following after him, according to their erroneous apprehensions. Manichees, Marcionites, Valentinians, and such like names of infidels, I reckon not among heretics; neither will their brainsick paganish follies be possibly comprehended under that definition of heresy, which is now generally received. Mahometans are far more rightly termed heretics, than they.

(4.) This seducer was to die without mercy. And Ainsworth observes from the rabbins, that this offender alone had traps laid to catch him; and were he but once overheard to whisper his seduction, though never so secretly, there was no expiation of his transgression, without his own blood: but now this place is urged for all kind of restraint and punishment whatsoever. Now where God requires blood, is it allowed to man to commute at an inferior rate? So I confess it is urged. But yet what lies at the bottom, in the chambers of their bellies, who plead for the power of the magistrate to punish erring persons, from those, and such like places as these, is too apparent. Blood is there: swiftly or slowly they walk to the chambers of death.

(5.) Obstinacy after conviction, turbulency, &c. which are now laid down as the main weights that turn the scale on the side of severity, are here not once mentioned, nor by any thing in the least intimated. If he have done it, yea, but once, openly, or secretly, whether he have been convinced of the sinfulness of it or no, be he obstinate, or otherwise, it is not once inquired, die he must, as if he had committed murder, or the like indispensable death-procuring crime. If the punishment then of erring persons be urged from this place, all consideration of their conviction, obstinacy, per-

tinacy, must be laid aside : the text allows them no more plea in this business, than our law doth in the case of wilful murder.

(6.) Repentance and recantation will, in the judgment of all, relieve an erring person from any sentence of any punishment corporal whatsoever; and many reasons may be given, why they should so do. Here is no such allowance. Repent, or not repent; recant, or not recant; he hath no sacrifice of expiation provided for him, die he must.

(7.) The law contains the sanction of the third commandment, as the whole was a rule of the Jewish polity in the land of Canaan. This amongst us is generally conceived not binding, as such.

(8.) The formal reason of this law by some insisted on : because he sought to turn a man from Jehovah.

[1.] Is of force only in this case of the object whereunto seduction tends, viz. strange gods, and no other.

[2.] Turning from Jehovah respects not any manner of backsliding in respect of the way of worship, but a falling away from him as the object of worship.

Now there being these and many other discrepancies hindering the cases proposed from running parallel, I profess, for my part, I cannot see how any such evident deductions can possibly be drawn from hence, as to be made a bottom of practice and acting in things of so high concernment. What may be allowed from the equity of those and the like constitutions, and deduced by analogy and proportion to the business in hand, I shall afterward declare.

II. The sum of what is usually drawn from holy writ, against such forbearance, as I suppose may be asserted, and for the punishing heretics with capital punishments being briefly discussed; I proceed, in the next place, to such other general observations as may serve to the farther clearing of the business in hand, and they are these that follow.

The forbearance of, or opposition unto, errors, may be considered with respect either unto civil, or spiritual judicature.

First, For the latter, it is either personal, or ecclesiastical, properly so called. Personal forbearance of errors, in a spiritual sense, is a moral toleration or approbation of them; so also is ecclesiastical. The warrant for procedence

against them, on that hand is plain and evident: certainly this way no error is to be forborne. All persons, who have any interest and share in truth, are obliged in their several ways and stations to an opposition unto every error. An opposition to be carried on by gospel mediums, and spiritual weapons. Let them, according as they are called or opportuned, disprove them from the word, 'contending earnestly for the faith once delivered unto the saints.' Erring persons are usually '*bono animo*,' says Salvian, very zealous to propagate their false conceptions; and shall the children of truth be backward in her defence? Precepts unto this as a duty, commendations of it, encouragements unto it, are very frequent in the gospel. Alike is this duty incumbent on all churches walking to the rule. The spiritual sword of discipline may be lawfully sheathed in the blood of heresies. No spiritual remedy can be too sharp for a spiritual disease. When the cure is suited to the malady, there is no danger of the application. And this is not denied by any. He that submits himself to any church society, does it '*ea lege*,' of being obedient to the authority of Christ in that church, in all its censures. '*Volenti non fit injuria*.' Error is offensive, and must be proceeded against. Examples and precepts of this abound in the Scriptures. The blood of many erring persons, I doubt not, will one day have a '*Quo warranto*' granted them, against their (as to the particulars in debate) orthodox slayers, who did it to promote the service of God. Let them not fear an after reckoning, who use the discipline of Christ, according to his appointment.

This being considered, the occasion of a most frequent paralogism is removed. If errors must be tolerated, say some, then men may do what they please, without control. No means, it seems, must be used to reclaim them. But is gospel conviction no means? Hath the sword of discipline no edge? Is there no means of instruction in the New Testament established, but a prison and a halter? Are the hammer of the word, and the sword of the Spirit, which in days of old broke the stubbornest mountains, and overcame the proudest nations, now quite useless? God forbid! Were the churches of Christ established according to his appointment, and the professors of the truth so knit up 'in the unity of the spirit and bond of peace,' as they ought to be,

and were in the primitive times; I am persuaded those despised instruments would quickly make the proudest heretic to tremble. When the churches walked in sweet communion, giving each other continual account of their affairs, and warning each other of all, or any such persons, as either in practice, or doctrine, walked not with a right foot (as we have examples in Clem. Epist. ad Corinth. the churches of Vienna and Lyons to those of Asia, Euseb. of Ignatius to several persons and churches, of Irenæus to Victor. Euseb. Dionysius to Stephen, *ibid.* and the like), heretics found such cold entertainment, as made them ashamed, if not weary of their chosen wanderings. But this is not my present business.

Secondly, There is an opposition, or forbearance, in reference to a civil judicature, and procedence of things, which respecteth errors in a real sense, as to the inflicting, or not inflicting of punishment on religious delinquents. And this is the sole thing under debate, viz.

Whether persons enjoying civil authority over others, being intrusted therewithal, according to the constitutions of the place and nation, where the lot of them both, by providence is fallen, are invested with power from above, and commanded in the word of God, to coerce, restrain, punish, confine, imprison, banish, hang, or burn, such of those persons under their jurisdiction, as shall not embrace, profess, believe, and practise that truth and way of worship which is revealed unto them of God: or how far, into what degrees, by what means in any of these ways may they proceed?

The general propositions and considerations of the penal laws of God, which were before laid down, have, as I suppose, left this business to a naked debate from the word of truth, without any such prejudices on either part, as many take from a misapprehension of the mind of God in them; and therefore, by the reader's patience, I shall venture upon the whole anew, as if no such arguments had ever been proposed for the affirmative of the question in hand, not declining the utmost weight that is in any of them, according to equity and due proportion. And here first I shall give in a few things,

(1.) To the question itself.

(2.) To the manner of handling it.

(1.) To the question itself. For herein I suppose,

[1.] That the persons enjoying authority do also enjoy the truth, which is to the advantage of the affirmative.

[2.] That their power in civil things is just and unquestionable, which also looks favourably on that side.

[3.] That non-toleration makes out itself in positive infliction of punishment; which is so, or is nothing. Casting men out of protection, exposing them to vulgar violence, is confessedly unworthy of men representing the authority of God, and contrary to the whole end of their trust.

(2.) To the manner of handling this question among persons at variance. And here I cannot but observe,

[1.] That if I have taken my aim aright, there is no one thing under debate amongst Christians, that is agitated with more confidence, and mutual animosity of the parties litigant; each charging other with dreadful inferences, streams of blood, and dishonour to God, flowing out from their several persuasions. So that ofttimes instead of a fair dispute, you meet on this subject with a pathetical outcry, as though all religion were utterly contaminated and trampled under foot, if both these contradictory assertions be not embraced. Now seeing that in itself it is a thing wherein the gospel is exceedingly sparing, if not altogether silent, certainly there must be a farther interest than of judgment alone, or else that very much prejudicated with corrupt affections, or men could not possibly be carried out with so much violence, upon supposed self-created consequences, wherewith in this cause they urge one another.

[2.] That generally thus much of private interest appears in the several contesters, that non-toleration is the opinion of the many, and these enjoining the countenance of authority; toleration of the oppressed, who always go under the name of the faction, or factions, the unavoidable livery of the smaller number professing a way of worship by themselves, be it right or wrong. I do not desire to lay forth the usual deportment of men, seeking the suppressing of others differing from them, towards those in authority. It is but too clearly made out by daily experience. If they close with them, they are ‘*custodes utriusque tabulæ*,’ the churches nursing fathers, &c. what they please; but if they

draw back, for want of light or truth, to serve them, logs and storks find not worse entertainment from frogs, than they from some of them. Such things as these may, nay ought to be, especially heeded by every one, that knows what influence corrupt affections have upon the judgments of men, and would willingly take the pains to wipe his eyes for the discerning of the truth.

These things premised, I assert, that

Non-toleration in the latitude, which is for persons in authority enjoying the truth (or supposing they do enjoy it) to punish in an arbitrary way, according to what they shall conceive to be condign, men, who will not forsake their own convictions, about any head or heads of Christian religion whatsoever, to join with what they hold out, either for belief or worship, after the using of such ways of persuasion as they shall think fit, is no way warranted in the gospel; nor can any sound proof for such a course be taken from the Old Testament.

The testimonies out of the law, which I can apprehend to have any colour or appearance of strength in them, with the examples approved of God, that seem to look this way, I considered at our entrance into this discourse.

I speak of punishing in an arbitrary way, for all instances produced to the purpose in hand, that speak of any punishment, mention nothing under death itself; which yet, at least in the first place, is not aimed at by those that use them in our days, as I suppose. Now some divines of no small name, maintain, that God hath not left the imposition of punishment in any measure to the wills of men.

Some arguments for the proof of the former assertion as laid down, I shall in due place make use of; for the present, I desire to commend to the serious pondering of all Christians in general, especially of those in authority, these ensuing considerations.

1. That it is no privilege of truth to furnish its assertors with this persuasion, that the dissenters from it ought forcibly to be opposed, restrained, punished.

No false religion ever yet in the world did enthrone itself in the minds of men, enjoining a civil sovereignty over the persons of others, but it therewithal commanded them,

under pain of neglect and contempt of itself, to crush any underling worship that would perk up in inferior consciences.

The old heathens carried their gods into the war (as did the Philistines, 1 Chron. xiv. 12. and the Israelites the ark with heathenish superstition, 1 Sam. iv. 3.) to whom they ascribed the success they obtained; and in requital of their kindness, they forced the dunghill deities of the conquered nations, to attend the triumph of their victorious idols; and unless they adopted them into the number of their own gods, all farther worship to them was forbidden. Hence were these inventions among the old Romans, by spells and enchantments to entice away a deity from any city they besieged (they being as expert at the getting of a devil, as Tobias's Raphael, or the present Romanists at his fumigation) by which means they shrived into the honour of having thirty thousand unconquered idols,[†] and deserved worthily that change of their city's epithet, from *ἐπιτομή οἰκουμένης*, to *ἐπιτομή δεισιδαιμονίας*, which it justly inheriteth to this very day. Rabshakeh's provocation to the example of the gods of the nations, 2 Kings xviii. 33, 34. and the Roman senate's consultation concerning the admitting of Christ to a place among their idols, that he might have been freely worshipped (their consent being prevented, by his almighty providence, who will not be enrolled among the vilest works of his most corrupted creatures) do both declare this thing.

Now not to speak of Cain, who seems to me to have laid the foundation of that cruelty, which was afterward inserted into the church's orthodoxies, by the name of Hæreticidium; we find the four famous empires of the world to have drank in this persuasion to the utmost, of suppressing all by force and violence, that consented not to them in their way of worship.

Nebuchadnezzar, the 'crown of the golden head,' set up a furnace with an image; and a negative answer to that query, Do you not serve my gods, nor worship my image? served to cast the servants of the living God into the midst of the fire; Dan. iii.

Daniel's casting into the lion's den, chap. vi. shews that

[†] Varro in Augustin. de civit. Dei.

the Persian silver breast and arms, did not want iron hands, to crush or break the opposers of, or dissenters from, their religious edicts.

And though we find not much of the short-lived founder of the Grecian dominion; yet what was the practice of the branches of that empire, especially in the Syrian and Egyptian sprouts, the books of the Maccabees, Josephus, and others do abundantly manifest.

For the Romans, though their judgment and practice, which fully and wholly are given over from the dragon to the beast and false prophet, be written in the blood of thousands of Christians, and so not to be questioned; yet that it may appear, that we are not the only men in this generation, that this wisdom of punishing dissenters was not born with us, I shall briefly give in what grounds they proceeded on, and the motives they had to proceed as they did.

(1.) First then they enacted it as a law, that no religious worship should be admitted or practised without the consent, decree, and establishment of the senate. Mention is made of a formal law to this purpose in Tertullian, Apol. cap. 5. though now we find it not. The foundation of it was doubtless in that of the twelve tables; ‘*Separatim nemo habessit Deos, neve novos, sed ne advenas, nisi publice ascitos, privatim colunto*:’ ‘Let none have gods to himself, neither let any privately worship new or strange deities, unless they be publicly owned and enrolled.’ And that it was their practice, and in the counsels of the wisest amongst them, appears in that advice given by Mæcenas to Augustus, in Dion Cassius: ‘*Τὸ μὲν θεῖον πάντα πάντως αὐτός τε σέβου κατὰ τὰ πατριά, καὶ τοὺς ἄλλους τιμᾶν ἀνάγκαζε· τοὺς δὲ διὰ ξενίζοντάς τι περὶ αὐτὸ, καὶ μίσει καὶ κόλαζε, μὴ μόνον τῶν θεῶν ἕνεκα, ὧν καταφρονήσας οὐδ’ ἄλλον ἢν τις προτιμήσειεν, ἀλλ’ ὅτι καινὰ τινα δαιμόνια οἱ τοιοῦτοι ἀντεισφέροντες πολλοὺς ἀναπεύθουσιν ἀλλοτριονομεῖν· κᾶκ τούτου καὶ συνωμοσίαι καὶ συστάσεις, ἐταιρίαι τε γίγνονται, ἅπερ ἥκιστα μοναρχίᾳ συμφέρει*’ ‘Worship,’ saith he, ‘the divine power thyself according to the constitutions of thy country, always, and at all times, and compel others so to honour it: but hate and punish those who introduce foreign religions, not only for the gods’ sake, whom he who contemneth will regard nothing else, but because

such, introducing new deities, do persuade many to transgress [or to change affairs], whence are conjurations, seditions, private societies, things no way conducing to monarchy.' Hist. Rom. 1. 52.

Hence doubtless was that opposition, which Paul met withal in divers of the Roman territories. Thus at Athens (though, as I suppose, they enjoyed there their own laws and customs, very suitable as it should seem to those of the Romans) preaching Jesus, he was accused to be 'a setter forth of strange gods;' Acts xiv. For although, as Strabo observeth of the Athenians, that publicly by the authority of the magistrates, *πολλὰ τῶν ξενικῶν ἱερῶν παρεδέξαντο*, 'they received many things of foreign worships;' yet that none might attempt any such things of themselves, is notorious from the case of Socrates, who, as Laertes witnesseth, was condemned, as *οὐκ μὲν νομίζει θεοὺς ἢ πόλιν οὐ νομίζοντα, ἕτερα δὲ καινὰ δαιμόνια εἰσηγούμενον*, 'one who thought not those to be gods, whom the city thought so to be, but brought in certain new deities.' Hence, I say, was Paul's opposition, and his haling to Mars hill. Without doubt also this was the bottom of that stir and trouble he met withal about Philippi. It is true, private interest lay in the bottom with the chief opposers, but this legal constitution was that which was plausibly pretended. Acts xvi. 21. 'They teach customs which are not lawful for us to receive, neither to observe, being Romans:' *οὐκ ἔστι Πρωμαίοις*, 'it is not lawful for us Romans' to receive the religion they hold out, because statutes are made amongst us against all religious worship not allowed by public authority. Let Calvin's short annotation on that place be seen. Gallio's refusing to judge between Jews (as he thought) in a Jewish controversy, is no impeachment of this truth: had it been about any Roman establishment, he would quickly have interposed. Now this law amongst them was doubtless, 'fundi Christiani calamitas.'

This then in the first place was enacted, that no worship should be admitted, no religion exercised, but what received establishment and approbation from them, who supposed themselves to be intrusted with authority over men in such things. And this power of the dragon was given over to the beast and false prophet. The antichristian power succeeding in the room of the paganish, the pope and councils

of the emperors and senate, it was quickly confirmed that none should be suffered to live in peace, who received not his mark and name; Rev. xiii. 16, 17. Whereunto, for my part, I cannot but refer very many of those following imperial constitutions, which were made at first against the opposers of the church's orthodoxism, but were turned against the witnesses of Jesus in the close.

(2.) This being done, they held out the reasons of this establishment. I shall touch only one or two of them, which are still common to them, who walk in the same paths with them.

[1.] Now the first was, That toleration of sundry ways of worship, and several religions, tends to the disturbance of the commonwealth, and that civil society, which men under the same government do, and ought to enjoy. So Cicero tells us, lib. 2. *De leg.* 'Suosque Deos, aut novos, aut alienigenas coli, confusionem habet,' &c. It brings in confusion of religion and civil society. The same is clearly held out in that counsel of Mæcenas to Augustus before mentioned. 'They,' saith he, 'who introduce new deities, draw many into innovations, whence are conspiracies, seditions, conventicles, no way profitable for the commonwealth.'

[2.] The other main reason was, That hereby the gods, whom they owned and worshipped, were dishonoured and provoked to plague them. That this was continually in their mouths and clamours, all the acts at the slaying of the martyrs, the rescripts of emperors, the apologies of the Christians, as Tertullian, Justin Martyr, Arnobius, Minutius Felix, do abundantly testify. All trouble was still ascribed to their impiety, upon the first breaking out of any judgment, as though the cause of it had been the toleration of Christians, presently the vulgar cry was '*Christianos ad Leones.*' Now that those causes and reasons have been traduced to all those, who have since acted the same things, especially to the emperor's successor at Rome, needs not to be proved. With the power of the dragon, the wisdom also is derived. See that great champion, Cardinal Bellarmine, fighting with these very weapons, *Lib. de Laicis*, cap. 21. And indeed, however illustrated, improved, adorned, supported, flourished, and sweetened, they are the sum of all that to this day hath been said in the same case.

(3.) Having made a law, and supported it with such

reasons as these, in proceeding to the execution of the penalty of that law, as to particular persons (which penalty being, as now, arbitrary, was inflicted unto banishment, imprisonment, mine-digging, torturing in sundry kinds, maiming, death, according to the pleasure of the judges), they always charged upon those persons, not only the denying and opposing their own deities, religion, and worship; but also, that that which they embraced, was foolish, absurd, detestable, pernicious, sinful, wicked, ruinous to commonwealths, cities, society, families, honesty, order, and the like. If a man should go about to delineate the Christian religion, by the lines and features drawn thereof, in the invectives and accusations of their adversaries, he might justly suppose, that indeed that was their god, which was set up at Rome with this inscription, ‘*DEUS CHRISTIANORUM ONONYCHITES* :’ being an image with ass’s ears, in a gown, claws or talons upon one foot, with a book in his hand. Charged they were that they worshipped an ass’s head, which impious folly first fastened on the Jews by Tacitus, Hist. lib. 5. cap. 1. in these words, ‘*Effigiem animalis, quo monstrante, errorem sitimque depulerant, penetrali sacravere*’ (having before set out a feigned direction received by a company of asses), which he had borrowed from Appion, a railing Egyptian of Alexandria,^v was so ingrafted in their minds, that no defensative could be allowed. ^wThe sun, the cross, ‘*sacerdotis genitalia*,’ were either really supposed, or impiously imposed on them, as the objects of their worship. The blood and flesh of infants, at Thyestean banquets, was said to be their food and provision; promiscuous lust, with incest, their chiefest refreshment. Such as these it concerned them to have them thought to be, being resolved to use them, as if they were so indeed. Hence I am not sometimes without some suspicion, that many of the impure abominations, follies, villanies, which

^v Joseph. ad. App. lib. 1.

^w Moses novos ritus contrariosque cæteris mortalibus indidit. Profana illic omnia, quæ apud nos sacra; rursum concessa apud illos, quæ nobis incesta. Pro-jectissima ad libidinem gens alienarum concubitum abstinent, inter se nihil illicitum. Tacitus (de Judæis) Hist. lib. 5. Judæos, impulsore Chresto quotidie tumultuantes Roma expulit, falsely and foolishly. Suet. Claud. cap. 25. Quæsitissimis pœnis afflicbat, quos per flagitia invisos vulgus Christianos appellabat. Tac. An. lib. 15. Afflicti suppliciis Christiani, genus hominum superstitionis novæ ac mæficæ. Sueton. in Nerone, cap. 16.

are ascribed unto the primitive heretics, yea, the very Gnostics themselves (upon whom the filth that lies is beyond all possible belief*), might be feigned and imposed, as to a great part thereof. For though not the very same, yet things as foolish and opposite to the light of nature, were at the same time charged on the most orthodox.

But you will say, they who charged these things upon the Catholics, were Pagans, enemies of God and Christ; but these who so charged heretics, were Christians themselves. And so say I also, and therefore for reverence of the name (though perhaps I could), I say no more. But yet this I say, that story which you have in Minutius Felix (or Arnobius 8. book apologetical), of the meeting of Christians, the drawing away of the light by a dog tied to the candlestick, so to make way for adulteries and incests, I have heard more than once told with no small confidence of Brownists and Puritans. Hath not this very same course been taken in latter ages? Consult the writings of Waldensis, and the rest of his companions, about Wickliffe and his followers; see the occasion of his falling off from Rome in our own chronicles, in Fabian of old, yea, and Daniel of late, to gratify a popish court; of Eckius, Hosius, Staphylus, Bolsecte, Bellarmine, and the rest, who have undertaken to pourtray out unto us Luther and Calvin, with their followers; and you will quickly see, that their great design was to put on (as they did upon the head of John Huss at the council of Constance, when he was led to the stake) the ugly vizard of some devilish appearance, that under that form they might fit them for fire and fagot. And herein also is the polity of the dragon derived to the false prophet, and a colour tempered for persecutors to imbrue their hands in the blood of martyrs.

This was the old Roman way, and I thought it not amiss to cautionate those, enjoying truth and authority, that if it be possible, they may not walk in their steps and method. The course accounted so sovereign for the extirpation of error was, as you see, first invented for the extirpation of truth.

2. I desire it may be observed, that the general issue and tendance of unlimited, arbitrary persecution, or punishing

* Epiphan. tom. 2. lib. 1. Hær. 26.

for conscience sake (because in all ages, οἱ πλείονες κακοὶ, and the worst of men have set at the upper end of the world, for the most part more false worshippers having hitherto enjoyed authority over others, than followers of the Lamb), hath been pernicious, fatal, and dreadful to the profession and professors of the gospel, little, or not at all serviceable to the truth.

I have heard it averred by a reverend and learned personage, that more blood of heretics hath been shed by wholesome severity, in the maintenance of the truth, and opposition unto errors, than hath been shed of the witnesses of Jesus, by the sword of persecution, in the hands of heretics and false worshippers. An assertion, I conceive, under favour, so exceedingly distant from the reality of the thing itself, that I dare take upon me, against any man breathing, that in sundry Christian provinces, almost in every one of the west, more lives have been sacrificed to the one idol Hæreticidium, of those that bear witness to the truth, in the belief for which they suffered, than all the heretics properly so called, that ever were slain in all the provinces of the world, by men professing the gospel. And I shall give that worthy divine, or any other of his persuasion, his option among all the chiefest provinces of Europe, to tie me up unto which they please. He that shall consider that above sixty thousand persons were in six years, or little more, cut off in a judicial way, by duke D'Alva in the Netherlands, in pursuit of the sentence of the inquisition, will conclude that there is 'causa facilis' in my hand.

The ancient contest between the Homoousians and the Arians, the first controversy the churches were agitated withal, after they enjoyed a Christian magistrate (and may justly be supposed to be carried on to the advantage of error, beyond all that went before it, because of the civil magistrates interesting themselves in the quarrel), was not carried out to violence and blood, before the several persuasions lighted on several dominions and state interests: as between the Goths, Vandals, and the rest of their companions on one side, who were Arians; and the Romans on the other. In all whose bickerings, notwithstanding the honour of severity did still attend the Arians, especially in Africk, where they persecuted the Catholics with horrible

outrage and fury : five thousand at one time were barbarously exposed to all manner of cruel villany. Some eruptions of passion had been before among emperors themselves, but still with this difference, that they who arianized carried the bell for zeal against dissenters. Witness Valens, who gave place in persecution to none of his pagan predecessors, killing, burning, slaying, making havoc of all orthodox professors. Yea, perhaps, that which he did, at least was done by the countenance of his authority, at Alexandria, upon the placing in of Lucius an Arian in the room of Athanasius, thrusting Peter besides the chair, who was rightly placed according to the custom of those times ; perhaps, I say, the tumults, rapes, murders, then and there acted, did outgo what before had been done by the Pagans : see Theodoret, Eccles. Hist. lib. 4. cap. 22. It were tedious to pursue the lying, slandering, invectives, banishments, deaths, tumults, murders, which attend this council all along, after once they began to invoke the help of the emperors one against another. Yet in this space some magistrates, weary with persecuting ways, did not only abstain practically from force and violence, as most of the orthodox emperors did, but also enacted laws, for the freedom of such as dissented from them. Jovianus, a pious man, grants all peace, that will be peaceable ; offended only with them, who would offer violence to others. Socrates Eccles. Hist. lib. 4. cap. 21. Gratianus makes a law, whereby he granted liberty to all sects, but Manichees, Photinians, and Eunomians. Sozom. Eccles. Hist. lib. 7. cap. 1. Many more the like examples might be produced.

The next difference about the worship of God, to the Arian and its branches, that was controverted in letters of blood, was about images, and their worship ; in which, though some furious princes, in opposition to that growing idolatry, which by popes, bishops, priests, and especially monks, was in those days, violently urged, did mingle some of their blood with their sacrifices ; yet not to the tithe almost of what the Iconolatræ getting uppermost returned upon them and their adherents.

This, if occasion were, might be easily demonstrated from Paulus Diaconus, and others. After this, about the year 850, about which time the Iconolatræ having ensnared the

west by polity (the posterity of Charles the Great, who had stoutly opposed the worship of images, complying with the popes, the fathers of that worship, for their own ends), and wearied the east by cruelty, that contest growing towards an end, the whole power of punishing for religion became subservient to the dictates of the pope, the kings of the earth giving their power to the beast (unto which point things had been working all along); from thence, I say, until the death of Servetus in Geneva, the pursuit of Gentilis, Blandrata, and some other madmen in Helvetia, for the space well nigh of seven hundred years, the chiefest season of the reign of Satan and antichrist, all punishing for religion was managed by the authority of Rome, and against the poor witnesses of Jesus, prophesying in sackcloth in the several regions of the west. And what streams of blood were poured out, what millions of martyrs slain in that space, is known to all. Hence Bellarmine boasteth that the Albigenses were extinguished by the sword. *De Laic. cap. 22.* It is true there were laws enacted of old by Theodosius, Valentinian, Martian, as *C. De. hæreticis, l. Manichæis, l. Arriani. l. Unicuique*, which last provideth for the death of seducers; but yet truly, though they were made by Catholics, and in the favour of Catholics, considering to what end they were used, I can look upon them no otherwise, but as very bottom stones of the tower of Babel.

This then in its latitude proving so pernicious to the profession of the gospel, having for so long driven the woman into the wilderness, and truth into corners, being the main engine whereby the tower of Babel was built, and that which at this day they cry grace unto, as the foundation stone of the whole antichristian fabric,* we had need be cautious what use we make (as one terms it well) of the broom of antichrist, to sweep the church of Christ. Whether that we are in the truth, and they blinded with error, of whom we have spoken, be a sufficient plea, we shall see anon. In the mean time we may do well to remember what Lewis the Twelfth of France said, yea swore, concerning the inhabitants of Mirindol, whom, by the instigation of his prelates, he had ordered to be slain, when news was brought him, what was their conversation and way of life: 'Let them be heretics if

* *Becanus de fide hæreticis servanda. Bell. de Laicis, &c.*

you please,' saith he, 'but assuredly they are better than I, and my Catholics.' Take heed lest the punished be better than the punishers.

Let me add to this observation only this, That the attempt to suppress any opinions whatsoever by force, hath been for the most part fruitless. For either some few particular persons are proceeded against, or else greater multitudes: if some particulars only, the ashes of one hath always proved the seed of many opinionatists. Examples are innumerable; take one, which is boasted of, as a pattern of severity taken from antiquity. About the year 390, Priscillianus, a Manichee, and a Gnostic, by the procurement of Ithacius and Idacius, two bishops, was put to death by Maximus, an usurping emperor, who ruled for a season, having slain Gratianus; as that kind of men would always close with any authority that might serve their own ends. Now what was the issue thereof? Martinus, a catholic bishop, renounces their communion who did it. The historian that reports it, giving this censure of the whole: '*Sic pessimo exemplo sublati sunt homines luce indignissimi:*' though the men (Priscillian and his companions) were most unworthy to live, yet their sentence of death was most unjust. But no matter for this, Was not the heresy suppressed thereby? See what the same historian, who wrote not long after, and was able to testify the event, says of it:² '*Non solum non repressa est hæresis, sed confirmata, et latius propagata est,*' &c. 'The heresy was so far from being suppressed hereby, that it was confirmed and propagated.' His followers, who before honoured him as a saint, now adore him as a martyr. The like in all ages hath been the issue of the like endeavours.

But now, if this course be undertaken against multitudes, what is or hath been the usual end of such undertakings? Take some examples of late days. Charles the Fifth, the most mighty emperor of Germany, undertakes by violence to extirpate the Lutherans and Calvinists out of the empire. After a tedious war, the death of many thousands, the wasting of the nation, in the close of all, himself is driven out of Germany, and the business left much where it began. Sleid. Com. Philip of Spain, will needs force the inquisition upon

² Severus Sulpitius, lib. 2. Eccles. Hist.

the Netherlands. What is the issue ! After the expense of an ocean of blood, and more coin than would have purchased the country twice over, his posterity is totally deprived of all sovereignty over those parts.

Patrick Hamilton and George Wishart are put to death in Scotland, by the procurement of a cardinal ; the cardinal is instantly murdered by some desperate young men, and a war raised there about religion, which was never well quieted, until having hunted their queen out of her native kingdom, she had her head chopped off in England.^a The wars, seditions, tumults, murders, massacres, rapes, burnings, &c. that followed the same attempt in France, cannot be thought of without horror and detestation. Neither knew those things any end, until the present forbearance was granted. Instances might be multiplied, but these things are known to all. If any shall say, All these evils followed the attempting to suppress truth, not error : I shall answer him another time, being loath to do it, unless compelled. Only for the present I shall say, that error hath as much right to a forceable defence, as truth.

3. To stir us up yet farther to a serious consideration of the grounds and reasons which are laid down for the inflicting of punishment upon any for exorbitancies in things of religion (upon what hath been said) the perpetual coincidence of the causes by them held forth, who pretend to plead for just severity, with their pretences who have acted unjust persecution, would be well heeded.

The position is laid down in general on both sides, That erring persons are so and so to be dealt withal : that such is the power and duty of the magistrate in such cases. The definition of heresy is agreed on for the main ; only the Papists place the church's determination, where others thrust in the heretic's conviction, a thing much more obscure to bystanders and judges also. The appellations wherewith truth persecuted, and error pursued, are clothed still the same. The consequences urged on all sides of dishonour to God, trouble to the state, and the like, not at all discrepant. The arguments for the one and other, for the most part the same. Look what reasons one sect gives for the punishing of another, the names being changed are retorted. He blas-

^a History of Reformation in Scotland.

phemeth to the heretic, who chargeth blasphemy upon him. We use no other arguments, cite no other texts, press no other consequences for the punishing of other heretics, than the Papists, the wisest heretics breathing, do for the punishment of us.

No colour, no pretence, but hath been equally used in all hands. None can say, This is mine. To Luther's objection, that the church of Christ never burned a heretic, for Huss and Jerome were none; Bellarmine answers, they were heretics to them Catholics, which did suffice. *De Laic. cap. 21.* And indeed this vicissitude of things is very pernicious. All Christians almost are heretics to some enjoying authority (as Salvian said the case was, between the Homoousians and Arians in his time), and most of those enjoying authority are persuaded it is their duty to suppress them, whom they account heretics, and answerably have more or less acted according to this persuasion, until by blood, wars, and horrid devastations of nations, some of them have been wearied. From the first Croisade against the Albigenses, through the war of the Hussites under Zisca and the Procopii, those dreadful massacres before recounted, what a stage of blood hath Europe been made upon this account? I desire that to this point the declaration of the Netherlands, at the beginning of their troubles (whom Bellarmine affirms to have petitioned for liberty of conscience, as he was writing *de Hæreticidïo*, the thing being long before granted at Spira, at the convention of the states of the empire, in the year 1526.) may be seriously considered.

4. For the necessity of courses of extremity against erroneous persons for the upholding 'the faith once delivered to the saints,' and the keeping the churches in peace, it doth not appear to me to be so urgent as is pretended.

For three hundred years the church had no assistance from any magistrate against heretics; and yet in all that space there was not one long-lived, or far-spreading heresy, in comparison of those that followed. As the disease is spiritual, so was the remedy which in those days was applied, and the Lord Jesus Christ made it effectual. The Christians also of those days disclaimed all thoughts of such proceedings. The expressions of the most ancient, as Polycarpus, Ignatius, Irenæus, concerning heretics, are sharp and cut-

ting; their avoiding of them being admonished precise and severe; their confutations of them laborious and diligent; their church censures and ejections piercing and sharp; communion amongst the churches close, exact, and carefully preserved, so that a stubborn heretic was thrust out of Christian society. But for corporal punishment to be inflicted on them, in their writings not a syllable. Until Augustine was changed from his first resolution and persuasion, by the madness of donatistical Circumcellians, this doctrine had but poor footing in antiquity. And whether his reasons as to this point be convincing, let any impartial man read his Epistle 50. and determine. What some say, The Christians would have been of another mind, had they enjoyed Christian magistrates, is so suited to our present frame and temper, but so unworthy of them, that I should wrong them by a defensative. What was their sense of them in a spiritual way is clear. John, they say, would not abide in a bath where Cerinthus the heretic infected with Judaism and Paganism was; saying, Let us depart, lest the building fall on us where Cerinthus is. Iren. lib. 3. cap. 3. Euseb. Eccles. Hist. lib. 3. cap. 25. Marcion meeting Polycarpus, and asking him whether he knew him, or acknowledged him; his answer was, 'Yea, to be the first-born of the devil.' Euseb. lib. 4. cap. 14. Ignatius's epistles are full of the like expressions. Irenæus says, he would have no words with them, lib. 3. cap. 3. Tertullian's books testify for him at large, with what keenness of spirit he pursued the heretics of his days, though before the end of them he had the unhappiness to be almost one himself. Cyprian cries out, 'Nulla cum talibus convivia, nulla colloquia, nulla commercia misceantur.' Epist. 3. ad Cornel. 'Neither eat, nor talk, nor deal with them.' Antonius the hermit leaves testimony when he was dying, 'That he never had peaceable conference with them all his days.' Vita Anton. inter Oper. Athan. Surely had these men perceived the mind of God for their bodily punishment, they would not have failed to signify their minds therein; but truly their expressions hold out rather the quite contrary. Τοὺς μισοῦντας τὸν Θεόν, μισεῖν χρὴ καὶ ὑμᾶς, καὶ ἐπὶ τοῖς ἑχθροῖς αὐτοῦ ἐκτῆκεσθαι· οὐ μὲν καὶ τύπτειν αὐτούς, καὶ διώκειν, καθὼς τὰ ἔθνη τὰ μὴ εἰδότα τὸν κύριον καὶ Θεόν, ἀλλὰ ἐχθρούς μὲν ἡγείσθαι καὶ χωρίσεσθαι

ἀπ' αὐτῶν, says Ignatius, *Epist. ad Philad.* 'Count them enemies, and separate from them who hate God; but for beating or persecuting them, that is proper to the heathen who know not God, nor our Saviour; do not you so.' Tertullian in very many places lays down general maxims tending to more liberty than is now pleaded for. One or two places may be pointed at: '*Videte ne et hoc ad irreligiositatis elogium concurrat, adimere libertatem religionis, et interdicare optionem divinitatis, ut non liceat mihi colere quem velim, sed cogar colere quem nolim. Nemo se ab invito coli vellet, ne homo quidem.*' *Apol. cap. 23.* And again to Scapula the governor of Carthage, to dissuade him from the persecution he intended: '*Tamen humani juris et naturalis potestatis est unicuique quod putaverit colere, nec alii obest, aut prodest alterius religio: sed nec religionis est cogere religionem, quæ sponte suscipi debeat, non vi; cum et hostiæ ab animo libenti expostulantur: ita et si nos compuleritis ad sacrificandum, nihil præstabitis diis vestris, ab invitis enim sacrificia non desiderabunt.*' And I desire to know, whether that which he maketh to be the plea of Christians, may not also be used by all erring persons. '*Totum quod in nos potestis, nostrum est arbitrium. Certe si velim, Christianus sum, tunc ergo me damnabis, si damnari velim. Cum vero quod in me potes, nisi velim, non potes, jam meæ voluntatis est quod potes, non tuæ potestatis.*' *Apol. cap. ult.* Hence was that query of Lactantius: '*Quis imponet mihi necessitatem aut credendi quod nolim, aut quod velim non credendi?*' And long after these Gregory of Rome, lib. 2. *Epist. 52.* tells us, '*Nova et inaudita est ista prædicatio, quæ verberibus exigit fidem;*' to beat in faith with stripes, was then a new kind of preaching. These and the like were their expressions.

It is true, in the three first centuries many fond, foolish, corrupt opinions were broached by sundry brainsick men; but they laid little hold of the churches, kept themselves in the breasts of some few disorderly wanderers, and did very little promote the mystery of iniquity: but afterward, when the Roman emperors, and the great men of the earth, under and with them, began to interpose in the things of religion, and were mutually wooed, instigated, and provoked by the parties at variance (as indeed it is a shame to consider upon

all meetings, assemblies, disputes, councils, what running, what flattering, what insinuation at court were used on all hands), what root did divers heresies take, how far were they propagated? Witness Arianism which had almost invaded the whole world.

Furthermore, by the ways which were invented oft from the rule, for the extirpation of errors, when by the instigation of prelates, the emperors were (to their own ruin) persuaded to them, the man of sin walked to his throne. Those very laws, edicts, and declarations, which were obtained against erring persons, did the bishops of Rome invert and use against all the witnesses of Jesus. The devil durst not be so bold as to employ that his grand agent in his apprenticeship against the saints; but he first suffers him to exercise his hand against heretics, intending to make use of him afterward to another purpose. In most of those contests, which the Roman pontiffs had with their fellow-bishops, by which they insensibly advanced their own supremacy, it was the defence of Catholics they undertook, as in the case of Athanasius and others.

Neither did the Christians of old at once step into the persuasion of punishing corporally in case of religion. Constantine makes a decree at first, *Τὴν ἐλευθερίαν θρησκείας οὐκ ἀρνούμενον εἶναι*, ‘that liberty of worship is not to be denied, and therefore the Christians, as others, should have liberty to keep the faith of their religion and heresy.’ Euseb. Eccles. Hist. lib. 10. cap. 5. And in the same edict he saith (how truly I know not, but yet great Constantine said it), ‘That it is most certain, that this is conducing to the peace of the empire, that free option and choice of religion be left to all.’ Afterward, when he began a little farther to engage himself in the business of religion, being indeed wearied with the petitions of bishops and their associates, for the persecution of one another, what troubles in a few years did he intricate himself withal? Perplexed he was in his spirit to see the untoward revengefulness of that sort of people; insomuch that he writes expressly to them, being assembled in council at Tyre, ‘That they had neither care of the truth, nor love to peace, nor conscience of scandal, nor would by any means be prevailed on to lay down their malice and animosities.’ Socrat. Hist. lib. 1. cap. 22. At

length an Arian priest curries favour with his sister Constantia: she gets him into the esteem of her brother: after some insinuations of his, new edicts, new synods, new recallings, new banishments of other persons, follow one upon the neck of another. Ruffin. Eccles. Hist. lib. 1. cap. 11. And when this knack was once found out of promoting a sect by imperial favour, it is admirable to consider, how those good princes, Constantine and his sons, were abused, misled, enraged, engaged into mutual dissensions, by the lies, flatteries, equivocations of such as called themselves bishops. Ruffin. lib. 1. cap. 15, 16, &c. As also how soon with the many the whole business of religion was hereupon turned into a matter of external pomp and dominion. But it is besides my purpose to rake into that hell of confusion, which by this means brake in upon the churches in succeeding ages. Only for the following imperial edicts and constitutions in the behalf of the faith catholic, and for the punishing of erring persons, I desire to observe,

(1.) That the emperors were stirred up to them by turbulent priests, and aspiring prelates. Let the pope's letters to them witness this. Leo E. st. 75. &c.

(2.) That they were still bottomed upon such and such councils, that were not to be opposed or spoken against, when all of them were spent for the most part about things quite besides and beyond the Scripture (as feastings, and fastings, and bishops' jurisdictions); and some of them were the very ulcers, and impostumations of Christian religion, as those of Nice and Ephesus, both the second; and in general all of them the sea, upon which the whore exalted her seat and throne. And these things did those good men, either deceived by the craft of heretics, or wearied by the importunity of the orthodox.

And yet notwithstanding all this (as I shall afterward declare), I cannot close with that counsel which Themistius a philosopher gave to Valens the emperor, and am most abhorrent from the reason of his counsel, viz. 'That he should let all sects alone, because it was for the glory of God to be honoured with diversities of opinions and ways of worship.' Yet though this reason be false and impious, yet the advice itself was well conducing at that time to the peace of the churches, something qualifying the spirit of that heretical

emperor, who before had cruelly raged against all orthodox professors of the Deity of Christ. Socrat. lib. 4. cap. 27.

5. Lastly, add unto all that hath been said, ‘vice coronidis,’ for the use of such as enjoying authority, may have misapprehensions of some truths of Christ, a sad consideration concerning the end and issue, which the Lord in his righteous judgment hath in all ages given to persecutors and persecution.

Nero (of whom says Tertullian, ‘Tali dedicatore gaudet sanguis Christianus’), who was the first that employed the sword against our religion, being condemned by the senate to be punished ‘more majorum,’ slew himself, with this exprobration of his own sordid villany, ‘Turpiter vixi, turpius morior.’ Sueton. in Ner. Domitian, the inheritor of his rage and folly, murdered in his own house by his servants. Idem in Domit. Trajan, by a resolution of his joints, numbness of body, and a choking water, perished miserably. Dio Cassius de Traj. This is he, whose order not to seek out Christians to punishment, but yet to punish them appearing, you have in his epistle to Pliny, a provincial governor under him; Plin. Epist. 97. which though commended by Eusebius, Eccles. Hist. lib. 3. cap. 30. yet is canvassed by Tertullian, as a foolish, impious, wicked constitution, Apol. cap. 2. Hadrian perishing with a flux, and casting of blood, paid some part of the price of the innocent blood which he had shed. Ælius Spart. in Had. Severus poisoned himself, to put an end to his tormenting pains. Jul. Capitol. Maximinus, with his son yet a child, was torn in pieces of the soldiers, all crying out, ‘That not a whelp was to be left of so cursed a stock.’ Decius having reigned scarce two years, was slain with his children. Euseb. lib. 7. cap. 1. Valerian being taken by Sapoires king of Persia, was carried about in a cage, and being seventy years old, was at length flayed alive. Euseb. lib. 7. cap. 9. Another Valerian, of the same stamp with his brother and kindred, was murdered at Milan. Dioclesian being smitten with madness, had his palace consumed with fire from heaven, and perished miserably. The city of Alexandria, in the time of Gallienus, was for its persecution so wasted with variety of destroying plagues and judgments, that the whole number of its inhabitants answered not the gray-headed old men that were in

it before. Dionys. apud Euseb. lib. 7. cap. 20. What was the end of Julian, is known to all. Now truly of many of these we might well say, as one of old did, ‘Quales Imperatores?’ As Trajan, Hadrian, Severus, Julian, what excellent emperors had they been, had they not been persecutors? And all this, says Tertullian, is come to pass, that men might learn *μὴ Σεισμαχεῖν*. He that desires to see more of this, let him consult Tertul. Apol. et ad Scap. Euseb. Eccles. Hist. lib. 7. cap. 21. August. de civit. Dei, lib. 18. cap. 52. Eutrop. lib. 8. It would be tedious to descend to examples of latter ages, our own and the neighbour nations do so much, too much, abound with them. Let this that hath been spoken suffice to cautionate mortal men, how they meddle with the vessels of the sanctuary.

But now may some say, What will be the issue of this discourse? Do you then leave every one at liberty in the things of God? Hath the magistrate nothing to do in or about religion? Is he to depose the care thereof? Shall men, exasperated in their spirits by different persuasions, be suffered to devour one another as they please?

III. I have only shewed the weakness of those grounds, which some men make the bottom of their testimonies, against the toleration of any thing, but what themselves conceive to be truth; as also taken away the chief of those arguments, upon which such a proceeding against erring persons is bottomed, as tends to blood and death: what positively the civil magistrate may, nay, ought to do, in the whole business of religion, comes in the next place to be considered, being the third and last part of our discourse.

Now my thoughts unto this I shall hold out under these three heads.

1. What is the magistrate’s duty as to the truth, and persons professing it.

2. What in reference to the opposers and revilers of it.

3. What in respect of dissenters from it.

1. I shall begin with the first, which to me is much of chiefest importance.

His power, or rather his duty herein, I shall hold out in these ensuing propositions.

(1.) As all men in general, so magistrates, even as such,

are bound to know the mind and will of God, in the things which concern his honour and worship. They are bound, I say, to know it. This obligation lies upon all creatures capable of knowing the Creator, answerably to that light which of him they have, and the means of revelation which they do enjoy. He, of whom we speak, is supposed to have that most sovereign and supreme of all outward teachings, the word of God, with such other helps as are thereby revealed, and therein appointed; so as he is bound to know the will of God in every thing him concerning; wherein he fails, and comes short of the truth, it is his sin; the defect being not in the manner of the revelation, but in the corruption of his darkened mind. Now that he is to make this inquiry, in reference to his calling, is evident from that of David, 2 Sam. xxiii. 3. 'He that ruleth over men must be just, ruling in the fear of the Lord.' This fear is only taught by the word. Without a right knowledge of God, and his mind, there can be no true fear of him. That command also, for the Jewish magistrate, to study it day and night, and to have the book of the law continually before him, because it was the rule of that civil polity, whereof he was under God the head and preserver, by analogy confirmeth this truth; Deut. xviii.

(2.) If he desire this wisdom sincerely, and the Lord intend him 'as a light of the morning, as a rising sun, a morning without clouds,' to his people, doubtless he will reveal himself to him, and teach him his mind; as he did David and Solomon, and other holy men of old. And as to this, I shall only with due reverence cautionate the sons of men, that are exalted in government over their brethren, that they take heed of a lifted up spirit, the greatest closer of the heart against the truth of God. He hath promised to teach the humble, and the lowly in mind; the proud he beholdeth afar off. Is not this the great reason that the rulers believe not on him, and the nobles lay not their necks to the yoke of the Lord, even because their hearts are lifted up within them, and so lie in an unteachable frame before the Lord?

(3.) The truth being revealed to them, and their own hearts made acquainted therewith, after their personal engagements to the practice of the power of godliness, ac-

cording to the 'revelation of God in the face of Jesus Christ,' three things are incumbent on him in reference thereunto.

[1.] That according to the measure of its revelation unto him he declare, or take care that it be declared unto others, even all committed to his governing charge. The general equity that is in the obligation of 'strengthening others, when we are confirmed,' desiring them to be like ourselves in all participation of grace from God, the nature of true zeal for the glory and name of the Lord, are a sufficient warrant for this, yea, demand the performance of this duty. So Jehoshaphat, being instructed in the ways of God, sent princes and priests to teach it in all the cities and towns of Judah; 2 Chron. xvii. 8—10. As also did Hezekiah; 2 Chron. xxx. 6—8. Let this then be our first position:

1. It belongs to the duty of the supreme magistrate, the governor, or shepherd of the people in any nation, being acquainted with the mind of God, to take care that the truth of the gospel be preached to all the people of that nation, according to the way appointed, either ordinary, or extraordinary.

I make no doubt but God will quickly reject them from their power, who knowing their master's will are negligent herein.

[2.] As he is to declare it, so he is to protect it from all violence whatever. Jesus Christ is the great king of nations, as well as the holy king of saints. His gospel hath a right to be preached in every nation, and to every creature under heaven. Whoever forbids or hinders the free passage of it, is not only sinful and impious towards God, but also injurious towards men. Certainly the magistrate is to protect every one, and every thing in their own right, from the violence and injury of unruly men. In the preaching and receiving the gospel there is a right acted, superior to all earthly privileges whatever. In this then the magistrate is to protect it, that under him the professors thereof 'may lead a quiet and peaceable life, in all godliness and honesty.' And for this cause they to whom the sword is committed, may with the sword lawfully defend the truth, as the undoubted right and privilege of those who do enjoy it, and of which they cannot be deprived without the greatest in-

jury. Jephthah laid it down as the ground of the equity of the wars he waged against the Ammonites, 'That they would possess what the Lord their God gave them to possess;' the defence whereof he pursued to the subversion of their (at first) invading enemies; Judges xi. 24. 33. It is no new thing to begin in defence, and end in offence. Now if the truth be given us of the Lord our God to possess, certainly it may be contended for by those who owe protection thereunto. And if this were not so, we may pray, and prevail, for the prosperity of those in authority; and yet when we have done, not have a right to a quiet and peaceable life. Let this then be the second assertion:

11. The gospel being preached, and declared as of right it ought to be, it is the duty of the magistrate, by the power wherewith he is intrusted, to protect and defend it against all, or any persons, that by force, or violence, shall seek to hinder the progress, or stop the passage of it, under what pretence soever.

And that a neglect of this also will be attended with the anger of the Lord, and the kindling of his wrath, shall not long be doubted of any.

[3.] The protecting, assisting, and supporting of all the professors of it in that profession, and in ways of truth's appointment, for the practice of that which is embraced, and the furtherance of it towards them who as yet embrace it not, is also required. And of this there are sundry parts.

1st. That seeing Christ Jesus hath appointed his disciples to walk in such societies, and requireth of them such kind of worship, as cannot be performed without their meeting together *ὁμοθυμαδὸν*, 'in one place;' that he either provide, or grant being provided, the use of such places under his protection, as may in all, or any kind be suited and fitted for that end and purpose. And the ground of this is,

(1st.) From the right which the gospel of Christ hath to be received amongst men, according to his own appointment; whether that be the appointment of Christ, or not, amongst us is no question.

(2dly.) Because the magistrate hath the sole power of all public places, and the protection of them is committed to

him alone, by virtue of that consent into government which is among any people. This proved as above.

2dly. A protection in the use of those places, and all things exercised in them, answerable to that which he doth, and is bound to grant unto men in their own private dwellings and families. The reason why I am protected from all hurt or violence in my family is, because I have a right to dispose of all things in my family being my own, and so hath not another. It was asserted before, that Christians have a right to the ordinances of Christ, and truth a right to be at liberty; and therefore if any shall invade, disturb, or trouble them in their rights and liberties, he is bound 'ex officio' to give them a protection, 'not bearing the sword in vain.'

Now being in my family, in my private house, the assistance of those in authority is due,

(1st.) In respect of them without.

(2dly.) In respect of them within.

(1st.) For them without, if any one will, against my consent, intrude himself upon my family enjoyments, to share with me, or violently come to take away that is mine, or disturb me in the quiet possession of it; the magistrate takes cognizance of such disturbances, and punisheth them according to equity. Suitably, if any person, or persons whatsoever, shall with violence put themselves upon the enjoyments of such ordinances, as those enjoying the rights of the gospel have obtained to themselves, or shall come in their celebration of them, to cause disturbance; certainly that magistrate protects not every one in his undoubted rights, who doth not accommodate the wronged parties with the assistance of his power, to the punishment of the transgressors.

(2dly.) For house dwellers, servants, or any others, who may break out into such offences, and incorrigibleness, as the amendment thereof may be beyond what I am intrusted to do to any, by law of God or man; shall not the magistrate here also interpose? is not his assistance here abundantly required, and always granted?

From parity of reason is it not as due for their protection, who in the enjoyment of their public religious rights may receive disturbance, and be under force, from some, incorri-

gible by any rule among themselves? For instance; suppose a person justly excommunicated, and ejected any society of Christians as to any spiritual communion, yet will with outward force and violence put himself upon them in their closest acts of communion; doubtless their rights are here to be by power preserved.

3dly. That whereas the preachers of the gospel are now to be maintained in an ordinary way, and to expect their supportment in a usual course of providence; and seeing that many to whom we have proved that the gospel is to be declared, by the care of the magistrate, will not, or cannot make such provisions for them as is needful, in these last evil days of the world; it is incumbent on those nursing fathers to provide for them, who because of their continual labours in the work of the Lord, are disabled to make provision for themselves. Where churches are settled according to the rule of the gospel, and not too much straitened by reason of want, there may be an alteration as to this proposal. That this engagement lies first upon the churches, was seen of old. Hence that caution, or canon, of the council of Chalcedon, cap. 6. *μηδείς χειροτονείτω ἀπολελυμένος*, ‘let none be ordained at large:’ ‘Ne dicatur, Mendicat in palæstra infelix clericus,’ says the scholiast, ‘lest he should be driven to beg for want of maintenance.’

This being the sum of what, as to this head, I have to assert, I shall give in the proofs of it, and then draw some farther positions.

Reason 1. The bottom of the whole ariseth from that right which the gospel hath to be preached to all nations and people, and that right paramount to all civil sanctions and constitutions, which every soul hath to receive it in the profession thereof. And all this flows from the donation of the Father unto Jesus Christ, whereby ‘he is made heir of all things;’ Heb. i. 3. ‘Having the nations given him for his inheritance, the utmost parts of the earth for his possession;’ Psal. ii. 8. Being also ‘Lord of lords, and King of kings,’ acting nothing in taking possession of his own, but what his sovereignty bears him out in.

Reason 2. All this tends to the apparent good of those committed to his charge, that they may lead their lives in godliness and honesty, which is the very chief end of magis-

tracy committed unto men. This is directly intended ; all other things come in by accident, and upon suppositions.

Reason 3. No person living can pretend to the least injury by this, none is deprived, none wronged.

Reason 4. The precepts given unto them, and the promises made concerning them, do abundantly confirm all that hath been asserted. Psal. ii. 10, 11. they are commanded as kings and judges to serve the Lord, in promoting the kingdom of the Lord Jesus Christ. And it is promised, Isa. xlix. 23. that ‘they shall be nursing fathers, and nursing mothers to the church’ of Christ, even then, when she shall ‘suck the breasts of kings’ (earthly things are the milk of kingly breasts), ‘when her officers shall be peace, and her exactors righteousness ;’ Isa. lx. 16, 17. This at least reacheth to all we have ascribed to them. All is but bowing the knee of magistracy at the name of Jesus.

Hence are these positions.

III. The providing, or granting of places requisite for the performance of that worship, which in the gospel is instituted, is the duty of the Christian magistrate.

IV. Protection as to peace and quietness, in the use of the ordinances of the Lord Jesus Christ, from violent disturbers, either from without or within, is also incumbent on him.

V. Supportment and provision as to earthly things, where regularly failing, is of him required.

And in the neglect of any of these that takes place, which is threatened, Isa. lx. 12. two or three consecratories added hereunto shall close this part of the magistrate’s power or rather duty about the things of religion. As,

Consect. 1. Positive actings by way of supportment and assistance, maintenance, allowance of public places, and the like, in the behalf of persons deviating from the truth, in those things wherein they deviate, is contrary to the rule of the word, and duty of them in authority. For,

Error hath neither right, nor promise, nor is any precept given in the behalf thereof.

Consect. 2. The defence and protection of erring persons from violence and injury, in those things wherein they have a right, is no acting of his duty about religious things, but a mere dealing for the preservation of human society,

by the defence of persons not acting against the rules thereof.^b

Consect. 3. Every particular minute difference among the professors of the truth cannot be proved to come under the cognizance of the magistrate, he being to attend the worship which for the main is acceptable to God in Christ; neither do any testimonies extend his duty any farther. Hence

Corollary 1. The present differences about church society, and the subject or seat of discipline, which are between those dissenters who are known by the names of Presbyterians and Independents, as they are in themselves (not heightened by the prejudices, lusts, corruptions, and interests of men), hinder not at all, but that the magistrate is bound to the performance of the duties before mentioned unto both parties. And the reasons of this are, because

Reason 1. The things wherein they are agreed are clearly as broad, as the magistrate's duty can be stretched to cover them.

Reason 2. Neither party, I am persuaded, in their retired thoughts dare avow the main of the worship by their dissenters embraced, to be, as such, rejected of the Lord.

Reason 3. No example in the world can be produced out of the Old Testament, or New, or ecclesiastical history, of a forcible decision of such minute differences. See Socrat. Eccles. Hist. lib. 6. cap. 20.

Corollary 2. All the plea of persons erring in doctrine, or worship, is not from what the magistrate must do, but from what he may not do.

And this for the first part shall suffice.

2. There is another part of the magistrate's power, the other side of his sword, to be exercised towards the opposition of that truth which he hath embraced.

And this hath a twofold object.

(1.) Things.

(2.) Persons.

(1.) Things are of two sorts:

[1.] Ways of worship.

[2.] Outward appearances, monuments, accommodations, and declarations of those ways.

^b For this cause the emperors of old still allowed the Novatians the liberty of worship.

Of the first I shall speak afterward.

By the second I mean all the outward attendances of any false or erroneous worship, which are either helps to, or declarations of, the superstition, idolatry, error, or falseness of it; as temples for idolatrous service, crosses, pictures, and the like abused relics of old unwarranted zeal. Now concerning these I affirm,

1st. That the magistrate ought not to make provision of any public places, for the practice of any such worship, as he is convinced to be an abomination unto the Lord. When I say he ought not to make provision, I understand not only a not actual caring that such be, but also a caring that such may not be. He should not have a negation of acting as to any thing of public concernment. His not opposing here is providing. For instance, he must not allow, that is, it is his duty to oppose, the setting apart of public places under his protection, for the service of the mass (as of late in Somerset-house) or for any kind of worship in itself disallowed, because not required, and so not accepted. This were to be bound to help forward sin, and that such sin whereof he is convinced, which is repugnant to the whole revealed will of God. A magistrate, I told you before, is not to act according to what he may do, but what he must do. Now it cannot be his duty to further sin.

2dly. Outward monuments, ways of declaring and holding out false and idolatrous worship, he is to remove; as the Papists' images, altars, pictures, and the like; Turks' mosques; prelates' service-book. Now these are of two sorts;

(1st.) Such things as in their whole use and nature serve only for the carrying on of worship in itself wholly false, and merely invented; as altars, images, crosses.

(2dly.) Such as were used for the carrying on of worship true in itself, though vilely corrupted, as praying, and preaching; such are those places commonly called churches.

The first are to be abolished, the latter aright used. I speak as to public appearances, for private disquisitions after such things I may be otherwise minded. The reason of this difference is evident to all.

Thus in days of old, Constantine shut up pagans' temples, Euseb. De vita Constant. lib. 4. cap. 23, 24. and demolished

some of the most filthy of them: lib. 3. cap. 52. Theodosius utterly cast them to the ground, though not without some blows and bloodshed. Socrat. Eccles. Hist. lib. 5. cap. 16. The command of God for the abolishing all monuments of idolatry, Deut. xii. 1—3. with the commendation of those kings of Judah, who accordingly performed this duty, 2 Chron. [xvii. 6. xxx. 14. are enough to confirm it, and to bottom this position.

vi. It is the duty of the magistrate not to allow any public places for (in his judgment) false and abominable worship, as also to demolish all outward appearances and demonstrations of such superstitious, idolatrous, and unacceptable service.

Let Papists who are idolaters, and Socinians who are anthropolatræ, plead for themselves.

(2.) Now for persons there seems something more of difficulty; yet certain clear rules may be proposed concerning them also, to hold out when they and their proceedings come under the cognizance of the civil magistrate, and are obnoxious to the sword which he beareth. And they are these:

[1.] Such persons, as having embraced any false principles and persuasion in, or about things concerning God and his worship, do pursue the upholding or propagating of such principles, in a disorderly manner to the disturbance of civil society, are doubtless under his restraining power, to be acted and put forth in such ways, as to other persons, running out into the same, or the like compass of disorder, upon other grounds, and from the instigation of other lusts. The pretence of disturbance and confusion, upon the bearing with differences in opinion about things commanded in religion, we before rejected, as a colour fitted chiefly for the wearing of persecution. But actual disturbances indeed must have actual restraints. For instance, if a man being persuaded that the power of the magistrate is in Christian religion groundless, unwarrantable, unlawful, should thereupon stir up the people to the abolishing, and removal of that power, such stirrings up, and such actings upon that instigation, are as opposite to the gospel of Christ (which opposeth no lawful regimen among the sons of men) so also prejudicial to human society, and therefore to be proceeded against by them, who bear not the sword in vain. This

case we know happened once in Germany, and may do so again in other places. If such as these suffer, it is ‘as murderers, or thieves, or evil doers, or busy-bodies in other men’s matters;’ which is a shameful thing, no way commendable or praiseworthy; 1 Pet. iv. 15.

[2.] If any persons whatsoever, under any pretence whatsoever, shall offer violence or disturbance to the professors of the true worship of God, so owned, established, and confirmed as above said, in and for the profession of that true, so owned worship, service, and declaration of the mind of God; such persons are to fear that power, which is the minister of God, and a revenger to them that do evil. Let us suppose of them, what they suppose, and for their own justification and support in irregular ways bear out of themselves, that they enjoy the truth, others walking in paths of their own; yet then this practice is contrary to that prime dictate of nature, which none can pretend ignorance of, viz. ‘Do not that to another which thou wouldest not have done unto thyself.’ If men that would not think it equitable to be so dealt with, as they deal with others, supposing themselves in their conditions, do yet so deal with them, they are *αὐτοκατάκριτοι*, and do pronounce sentence against themselves, out of their own mouths. This then deserveth punishment, and breaking out to the disturbance of public order, ought to be punished. We before proved the protection of public places to belong to the magistrate; so that he not only may, but if he will not be false to him, by whom he is intrusted, he must put forth his authority for the safe-guarding and revenging of them. Yea also and this rule may pass, when some things in the way publicly established are truly offensive. What the ancient Christians thought of the zeal of Audas, a Christian bishop, who would needs demolish a pagan temple in Persia, I know not; but I am sure his discretion is not much extolled, who by that one fiery act of destroying *πυρρίον*, that is, ‘a temple of fire’ (for the Persians looked upon fire as a god, as the historian observes), occasioned a cruel persecution of thirty years’ continuance. Theod. Eccles. Hist. lib. 5. cap. 38.

[3.] When any have entertained any singular opinion, in matters of great weight and importance, such as nearly concern the glory of God, and the minds of Christians in reve-

rence of his holy name are most tenderly affected withal, so that without much horror of mind they can scarce hear those errors, whereby those grand truths are opposed; yet those persons, who have entertained such uncouth opinions, shall not be content so to have done, and also in all lawful ways (as to civil society) endeavoured to propagate the said opinions to others, but in the pursuit of this their design of opposing truth, shall publicly use such expressions, or perform such acts, as are fit to pour contempt and scorn upon the truth which they do oppose, reviling it also, or God himself so represented, as he is in the truth they abominate, with odious and execrable appellations (as for instance, the calling the Holy Trinity, 'Tricipitem Cerberum'); if the question be put, whether in this case the magistrate be not obliged to vindicate the honour of God by corporal restraints, in some degrees at least, upon the persons of those men, truly, for my part, I incline to the affirmative. And the reason hereof is this: though men, through the incurable blindness of their minds falling into error of judgment, and misinterpretation of the word, may disbelieve the deity of Christ, and the Holy Spirit; yet that any pretence from the word, persuasion of conscience, or dictate of religion, should carry them out to reviling, opprobrious speeches of that, which of God is held out contrary to their apprehensions, is false and remote from reason itself. For this cause Paul says he was a blasphemer, not because being a Jew he disbelieved the gospel; but because so disbelieving it, he moreover loaded the truths thereof with contumelious reproaches. Such expressions indeed differ not from those piercing words of the holy name of God, which he censured to death, Lev. xxiv. 15. but only in this, that there seemeth in that to be a plain opposition unto light, in this not so. The like may be said of a Jew's crucifying a dog.

[4.] There are a sort of persons termed in Scripture ἀτάκτοι, 1 Thess. v. 14. ἀγοραῖοι, Acts xvii. 5. ἀνόμοιοι, 2 Thess. iii. 2. ἀναπότακτοι, 1 Tim. i. 9. and the like, disorderly, vagabond, wandering, irregular persons, fixed to no calling, abiding in no place, taking no care of their families, that under a pretence of teaching the truth, without mission, without call, without warrant, uncommanded, undesired, do go up and down, from place to place, creeping into houses, &c.

Now that such ways as these, and persons in these ways, may be judicially inquired into, I no way doubt. The story is famous of Sesostris king of Egypt, who made a law, that all the subjects of his kingdom should once a year give an account of their way and manner of living, and if any one were found to spend his time idly, he was certainly punished; and the laws of most nations have provided that their people shall not be wanderers, and whosoever hath not a place of abode and employment, is by them a punishable vagabond. And in this by much experience of the ways, walking, and converse of such persons, I am exceedingly confirmed in. I did as yet never observe any other issue upon such undertakings, but scandal to religion, and trouble to men in their civil relations.

[5.] When men by the practice of any vice or sin draw others to a pretended religion, or by pretence of religion draw men to any vice or known sin, let them be twice punished, for their real vice, and pretended religion. The truth is, I have been taught exceedingly to disbelieve all the strange imputations of wickedness and uncleanness, that are imposed upon many, to be either the end or the medium of the practice of that communion in religion, which they do profess and embrace. I remember that when I was a boy, all those stories were told me of Brownists and Puritans, which afterward I found to have been long before the forgeries of Pagans, and imposed on the primitive Christians. I dare boldly say, I have heard stories of them a hundred times, holding out that very thing, and those deeds of darkness, which Minutius Felix holds out in the tongue of an infidel concerning the Christians of those days; but yet because sundry venerable persons, to whom antiquity hath given sanctuary from being arraigned in the point of false testimony, have left it upon record of sundry heretics in their days, as the Gnostics and others, that they were conjoined into ‘societates tessera pollutionis,’ and some assert that the like iniquities are not wholly buried; I made the supposition, and hope that if they depose themselves from common sense and reason, the magistrate will never exalt them to the privilege and exemption of religion.

In these, and such like cases as these, when men shall break forth into disturbance of common order and enormities

against the light of nature, beyond all positive command of any pretended religion whatsoever, that the magistrate ought to set hedges of thorns in their ways, sharpened according to their several delinquencies, I suppose no man not abhorred of common sense can once hesitate, or doubt. And I am the more inclined to assert a restraint to all such as these, because it may be established to the height, without the least prejudice unto the truth, though persons erring should enjoy the place of authority.

3. That which now remaineth in this head to be considered is, concerning persons maintaining and upholding any great and pernicious errors, but in such ways, as are not by any of the former disorders to be brought under the cognizance of the civil magistrate, but good, honest, allowable, and peaceable in themselves, not at all to be questioned, but in reference to the things that are carried on in and by those ways; as communication by discourse, and private preaching, and the like.

Now concerning these it is generally affirmed, that persons maintaining any error in or against any fundamental article of faith, or religion, and that with obstinacy or pertinacy, after conviction, ought to be proceeded against by the authority of the civil magistrate, whether unto death or banishment, imprisonment or confiscation of goods.

(1.) Now unto this, supposing what I have written heretofore, concerning the incompetency of all, and the non-constitution of any judge in this case, with the answers given at the beginning of this treatise to most of the places produced usually for the affirmative, I shall briefly give in my thoughts; reserving the consideration of pressing conformity to the next head to be handled. And,

[1.] That I cannot but observe, that in the question itself there are sundry things gratis assumed. As,

1st. That it is known and confessed, what articles in religion are fundamental, and this also to the magistrate; when no one thing among Christians is more questionable, most accounting them so (be they what they will) wherein they differ from others. So that one way or other, all dissenters shall be hooked in, directly or indirectly, to clash upon fundamentals. In this Papists are secure, who make the church's propositions sufficient to make an article fundamental.

2dly. That the persons holding the error are convinced, when perhaps they have been only confuted, between which two there is a wide difference. He that holds the truth may be confuted, but a man cannot be convinced but by the truth. That a man should be said to be convinced of a truth, and yet that truth not shine in upon his understanding, to the expelling of the contrary error, to me is strange. To be convinced is to be overpowered by the evidence of that, which before a man knew not. I myself once knew a scholar invited to a dispute with another man, about something in controversy in religion; in his own, and in the judgment of all the by-standers, the opposing person was utterly confuted; and yet the scholar within a few months, was taught of God, and clearly convinced, that it was an error which he had maintained, and the truth which he opposed; and then, and not till then did he cease to wonder, that the other person was not convinced by his strong arguments, as before he had thought. May not a Protestant be really worsted in a dispute by a Papist? hath it not so ere now fallen out? If not, the Jesuits are egregious liars. To say a man is convinced, when either for want of skill and ability, or the like, he cannot maintain his opinion to and against all men, is a mere conceit. The truth is, I am so far from this morose severity of looking upon all erring persons as convinced, that have been confuted; that I rather in charity incline to believe, that no erring person, whilst he continues in his error, is convinced. It will not easily enter into my dull apprehension, how a man can be convinced of an error, that is enlightened with a contrary truth, and yet hold that error still. I am loath to charge more corrupt and vile affections upon any, than do openly appear. That of Paul, affirming that some men are self-condemned, is quite of another nature. I think a person is said to be convinced, not when there is a sufficiency in the means of conviction, but when there is such an efficacy in them, as to lay hold upon his understanding.

3dly. That they are obstinate and pertinacious is also a cheap supposal, taken up without the price of a proof. What we call obstinacy, they call constancy; and what we condemn them for as pertinacy, they embrace as perseverance. As the conviction is imposed, not owned, so is this obstinacy; if we may be judges of other men's obstinacy, all will be plain;

but if ever they get uppermost, they will be judges of ours. Besides, I know not what good it will do us, or how it will advantage our cause, to suppose men obstinate and convinced, before we punish them, no such qualifications being any where in the book of God urged in persons deserving punishment: if they have committed the crime, whereunto the penalty is annexed, be they obstinate or not, they shall be punished.

[2.] But now supposing all this, that we are clear in all fundamentals, that we are convinced that they are convinced, and doubt not but that they are obstinate; if they keep themselves in the former bounds, what is to be done? I say, besides what we spake at the entrance of this discourse, I shall as to any ways of corporal coercion and restraint, oppose some few things.

1st. The non-constitution of a judge in case of heresy, as a thing civilly criminal. As to spiritual censures, and an ecclesiastical judgment of errors, and false doctrines, we find them appointed, and a lawful judge as to the determining concerning them, divinely instituted; so that in such ways they may be warrantably proceeded against; Rev. xxi. 3. But now, for any judge that should make disquisition concerning them, or proceed against them as things criminal, to be punished with civil censures, I conceive the Scripture is silent. And indeed, who should it be? The custom of former ages was, that some persons of one sort should determine of it as to right, viz. that such or such a thing was heresy, and such or such a one a heretic; which was the work of priests and prelates; and persons of another sort should 'de facto' punish, and determine to be punished, those so adjudged by the former, and these were, as they called them, the secular magistrates, officers of this world. And indeed, had not the God of this world blinded their eyes, and the God of the spirits of all flesh hardened their hearts, they would not have so given up their power to the man of sin, as to be made so sordidly instrumental to his bloody cruelty. We read, Jer. xxvi. 10, 11. that the priests and prophets assemble themselves in judgment, and so pronounce sentence upon the prophet Jeremiah, that he should die for a false prophet, ver. 12. Jeremiah makes his appeal to the secular magistrate, and all the people, who taking cog-

nizance of the cause, pronounce sentence in the behalf of the condemned person, against the priests and prophets, and deliver him whether they will or not, ver. 16. I spare the application of the story: but that princes and magistrates should without cognizance of the thing, or cause, proceed to punishment or censure of it, upon the judgment of the priests condemning such or such a man for a heretic, or a false prophet, blessed be the Lord, we have no warrant. Had this proceeding been regular, Jeremiah had died without mercy for a false prophet, as thousands since standing before the Lord in his spirit have done. This course then, that the civil magistrate should proceed to sentence of corporal punishment upon others judging of the fault, is vile, sordid, unwarrantable, and exceedingly unworthy of any rational man, much more such as are set over the people of the land. That the same persons must determine of the cause, and appoint the punishment is clear.

Now who must these be?

(1st.) Are they the ministers of the gospel? Of all others they are the most likely to be the most competent judges in spiritual causes; let it be so: but then also, they must be the determiners and inflictors of the punishment upon default; now let them pour out upon obstinately erring persons all the vengeance that God hath entrusted them withal, 'The weapons of our warfare are not carnal, but mighty through God,' &c. By this course, admonition, avoiding, rejection, excommunication, will be the utmost that can be inflicted on them; which for my part I desire may be exercised to the utmost extent of the rule.

(2dly.) Shall the magistrate be made judge of the cause, as well as of the person? Is he intrusted to determine what is error, what not; what heresy, what not; who is an heretic, who not; and so what punishment is due to such and such errors, according to the degrees wherein they are?

[1st.] I desire an institution of this ordinance in the church. Where is the magistrate intrusted with such a power? Where are rules prescribed to him, in his proceedings?

[2dly.] Is not a judiciary determination concerning truth and error (I mean truths of the gospel) a mere church act? and that church power, whereby it is effected? Must not

then the magistrate, 'quâ talis,' be a church officer? Will men of this mind tolerate Erastianism?

[3dly.] If there be a twofold judicature appointed for the same person, for the same crime, is it not because one crime may in divers respects fall under several considerations? and must not these considerations be preserved imixed, that the formal reason of proceeding in one court may not be of any weight in the other? We proved before, and it is granted of all, that the church is judge in case of heresy and error, as such, to proceed against them, as contrary to the gospel: their opposition to the faith delivered to the saints, is the formal reason upon which that proceedeth to censure: if now this be afterward brought under another sentence, of another judicature, must it not be under another consideration? Now what can this be, but its disturbance of civil society, which when it doth so, not in pretence, but really and actually, none denies it to be the magistrate's duty to interpose with his power.

[4thly.] If the magistrate be judge of spiritual offences, and it be left to him to determine, and execute judgment in such proportion as he shall think meet, according to the quality and degrees thereof; it is a very strange and unlimited arbitrariness over the lives and estates of men: and surely they ought to produce very clear testimonies, that they are entrusted from the Lord herewith, or they can have no great quiet in acting.

[5thly.] It seems strange to me, that the Lord Jesus Christ should commit this architechtonical power in his house unto magistrates, foreseeing of what sort the greatest number of them would be, yea, determining that they should be such, for the trial and affliction of his own. View the times that are past, consult the stories of former ages, take a catalogue of the kings and rulers that have been, since first magistrates outwardly embraced Christian religion in this and other nations, where the gospel hath been planted; and ask your own consciences whether these be the men, to whom this high trust in the house of God is committed? The truth is, they no sooner left serving the dragon in the persecution of the Pagans, but presently in a very few years, they gave up their power to the beast, to set up another state in opposition to the Lord Jesus Christ and his gospel,

in the supportment whereof the most of them continue labouring till this very day. ‘Hæ manus Trojam exigent?’ What may be added in this case, I refer to another opportunity.

2dly. Gospel constitutions in the case of heresy or error seems not to favour any course of violence, I mean of civil penalties. Foretold it is, that heresies must be; 1 Cor. xi. 19. but this for the manifesting of those that are approved, not the destroying of those that are not; I say destroying, I mean with temporal punishment, that I may add this by the way; for all the arguments produced for the punishment of heretics, holding out capital censures, and these being the tendance of all beginnings in this kind, I mention only the greatest, including all other arbitrary penalties, being but steps of walking to the utmost censures. Admonitions, and excommunication upon rejection of admonition, are the highest constitutions (I suppose) against such persons: ‘Waiting with all patience upon them that oppose themselves, if at any time God will give them repentance to the acknowledgment of the truth.’ Imprisoning, banishing, slaying, is scarcely a patient waiting. God doth not so wait upon unbelievers. Perhaps those who call for the sword on earth, are as unacquainted with their own spirits, as those that called for fire from heaven; Luke xi. And perhaps the parable of the tares gives in a positive rule as to this whole business: occasion may be given of handling it at large; for the present I shall not fear to assert, that the answers unto it, borrowed by our divines from Bellarmine, will not endure the trial. We hope that spiritual quiet, and inoffensiveness in the whole mountain of the Lord, which is wrapped up in the womb of many promises, will at length be brought forth to the joy of all the children of Sion.

3dly. Sundry other arguments taken from the nature of faith, heresy, liberty of conscience, the way of illumination, means of communication of truth, nature of spiritual things, pravitious tendance of the doctrine opposed, if it should be actually embraced by all enjoying authority, and the like, I thought at present to have added; but I am gone already beyond my purposed resting place.

(2.) Come we in a few words to the last thing proposed (wherein I shall be very brief, the main of what I intended

being already set down) the power of the magistrate to compel others to the embracing of that religion and way of worship, which he shall establish and set up; which for the greater advantage we shall suppose to be the very same, both for the things proposed to be believed, and also practised, which God himself hath revealed, and requireth all men every where to embrace. What is to be done for the settling and establishing of the profession of the gospel, and the right apprehension of the mind of God therein, contradistinct from all those false and erroneous persuasions, which in these, or former days, or have been held forth in opposition thereunto, was before declared; how it is to be supported, maintained, protected, defended, safe-guarded from all oppositions, disturbances, blasphemings, was then and there set down.

Now supposing that sundry persons, living under the power, and owning civil obedience to the magistrate, will not consent to sound doctrine, nor receive in some things (fewer or more, less or greater) that form of wholesome words, which he holds forth, and owns as the mind of Christ in the gospel, nor communicate with him in the worship, which by the authority of those words, or that truth, he hath as before established, it is inquired, What is the duty of the magistrate, in reference to the bringing of them into that subjection, which is due unto, and an acknowledgment of, the truth?

And to this I shall briefly give in my answer in these following positions.

[1.] In reference unto us, in this nation, the greatest difficulty in giving a full return to this question ariseth from the great disorder of the churches of God amongst us. Were the precious distinguished from the vile, churches rightly established, and church discipline exercised, that Christians were under some orderly view, and men might be considered in their several capacities wherein they stand, an easy finger would untie the knot of this query. But being in that confusion wherein we are, gathering into any order being the great work in hand, I suppose, under favour, that the time is scarce come for the proposal of this question: but yet something may be given in unto it, though not so clear, as the former supposal being effected would cause it to be.

[2.] The constant practice of the churches in former ages,

in all their meetings for advice and counsel, to consent into some form of wholesome words, that might be a discriminating 'tessera' of their communion in doctrine, being used in prime antiquity, as is manifest in that ancient symbol, commonly esteemed apostolical, of the chief heads whereof mention in the like summary is made in the very first writers among them, having also warrant from the word of God, and being of singular use to hold out unto all other churches of the world our apprehensions of the mind of God in the chief heads of religion, may be considered. If this be done by the authority of the magistrate, I mean, if such a declaration of the truth, wherein the churches by him owned and protected do consent, be held out as the confession of that truth which he embraceth, it will be of singular use unto, yea indeed must necessarily precede, any determination of the former question. Of the nature and use of confessions, &c. so much hath of late been learnedly disputed, that I shall not pour out any of mine own conceptions for the present about them, in that hasty, tumultuary manner, wherein I am enforced to expose this essay.

[3.] Those who dissent from the truth so owned, so established, so decreed, do so either in less matters of small consequence, and about things generally confessed not fundamental; or in great and more weighty heads of doctrine, acts of worship, and the like: both agreeing in this, that they will not hold communion as either to all, or some parts and duties thereof, which those churches and persons who do embrace the truth so owned, as before, and act accordingly.

1st. For the first of these, or such as dissent about things of no great concernment, in comparison of those other things wherein they do agree with them from whom they do dissent, I am bold positively to assert, that, saving and preserving the rules and qualifications set down under the second head, the magistrate hath no warrant from the word of God, nor command, rule, or precept, to enable him to force such persons to submit unto the truth as by him established, in those things wherein they express a conscientious dissent; or to molest them with any civil penalty in case of refusal, or non-submission: nor yet did I ever in my life meet with any thing in the shape of reason to prove it, although the

great present clamour of this nation is punctually as to this head: whatever be pretended, this is the Helena about which is the great contest.

What I pray will warrant him then to proceed? Will the laws against idolatry and blasphemy, with their sanctions towards the persons of blasphemers, and idolaters (for I must ingenuously confess, all that which in my poor judgment looks with any appearance of pressing toward Hæreticidium, is the everlasting equity of those judicial laws; and the arbitrariness of magistrates from a divine rule in things of the greatest concernment, to the glory of God if free from them, and that these laws I doubt will scarcely be accommodated unto any thing under contest now in this age of the world among Christians) but shall I say, a warrant taken from hence for the compelling of men sound in so many fundamentals, as were it not for the contest with them we would acknowledge sufficient for the entertainment of the Lord Jesus in their bosoms, to subject to, and close with the things contrary to their present light and apprehension (though under a promise of being taught of God), or to inflict penalties upon a refusal so to do? ‘Credat Apella.’

Shall the examples of extraordinary judgments upon idolaters, false prophets, by sword and fire from heaven, on magicians, apostates, and the like, be here produced? Though such arguments as these have made thousands weep tears of blood, yet the consequence in reason cannot but provoke laughter to all men not wholly forsaken of directing principles.

What then shall be done, they will say? they have been admonished, rebuked, convinced, must they now be let alone?

Something as to this I shall add, in the close of this discourse; for the present let learned Whitaker answer for me. And first to the first, of their being confuted: ‘*Possunt quidem controversiæ ad externum forum deferri, et ibi desiniri; sed conscientia in eo foro non acquiescit, non enim potest conscientia sedari sine Spiritu sancto.*’ Let controversies (saith he) be determined how you please, until the conscience be quieted by the holy Spirit, there will be little peace. Unto which I shall not add any thing, considering

what I said before of conviction. And to the latter, of letting them alone to their own ways: '*Ecclesiæ quidem optatius est levibus quibusdam dissensionibus ad tempus agitari, quam in perfida pace acquiescere; non ergo sufficit aliquo modo pacem conservari, nisi illam esse sanctam pacem constiterit,*' Whit. con. 4. de Rom. Pont. qu. 1. cap. 1. sect. 2. Better some trouble, than a perfidious compelled peace. See him handle this more at large, with some excellent conclusions to this purpose, Con. 4. de Rom. Pont. qu. 1. cap. 1. sect. 19. p. 48. et 50.

For these then (and under this head I compare all such persons, as keeping in practice within the bonds before laid forth do so far forth hold the foundation, as that neither by believing what is not, or disbelieving what indeed is, they do take in, or keep off, any such thing as wherewithal being embraced, or without which being rejected, the life of Christ cannot in any case possibly consist, nor salvation by him be obtained) as the magistrate is not bound by any rule or precept to assist and maintain them, in the practice of those things wherein they dissent from the truth, so he is bound to protect them in peace and quietness, in the enjoyment of all civil rights and liberties; nor hath he either warrant or allowance to proceed against them, as to the least penalty, for their dissent in those things they cannot receive. Attempts for uniformity among saints, or such as for ought we can conclude, either from their opinions or practices may be so, by external force are purely antichristian.

2dly. Now for those that stand at a greater distance from the publicly owned and declared truths, such as before we spake of, the orderly way of dealing with such is, in the first place, to bring them off from the error of the way, which they have embraced; and until that be done, all thoughts of drawing in their assent to that, from which at such a distance they stand, is vain and bootless. Now what course is to be taken for the effecting of this? Spiritual ways of healing are known to all, let them be used, and in case they prove fruitless, for ought that yet I can perceive, the person of men so erring must be left in the state and condition we described under the second head.

And now to drive on this business any farther by way of contest I will not; my intention at the beginning was only

positively to assert, and to give in briefly, the scriptural and rational bottoms, and proofs of those assertions ; wherein I have gone aside, to pull or thrust a line of debate, I have transgressed against my own purpose, I hope it will be pardoned : though I am heartily desirous any thing which passeth my pen, may be brought to the test, and myself reduced where I have gone amiss ; yet my spirit faints within me, to think of that way of handling things in controversy, which some men by reciprocation of answers and replies have wound themselves into. Bolsecte, and Staphylus, and Stapleton, seem to live again, and much gall from beneath to be poured into men's ink. Oh, the deep wounds the gospel hath received by the mutual keen invectives of learned men ! I hope the Lord will preserve me from being engaged with any man of such a frame of spirit. What hath been asserted may easily be cast up in a few positions, the intelligent reader will quickly discern what is aimed at, and what I have stood to avow.

If what is proposed be not satisfactory, I humbly offer to the honourable parliament, that a certain number of learned men, who are differently minded as to this business of toleration, which almost every where is spoken against, may be desired and required to a fair debate of the matter in difference before their own assembly ; that so, if it be possible, some light may be given to the determination of this thing, of so great concernment in the judgments of all men, both on the one side and on the other, that so they may ' try all things, and hold fast that which is good.'

Corol. 1. That magistrates have nothing to do in matters of religion, as some unadvisedly affirm, is exceedingly wide from the truth of the thing itself.

Corol. 2. Corporal punishments for simple error were found out to help to build the tower of Babel.

*Si quid novisti rectius istis,
Candidus imperti ; si non, his utere mecum.*