THE OCEANA
OF
James Harrington,
AND HIS OTHER WORKS:
Som wherof are now first publish'd from his own MANUSCRIPTS.
The whole Collected, Methodiz'd, and Review'd,
WITH An Exact Account of his LIFE
Prefix'd,
By JOHN TOLAND.

RES PUBLICA Res est Populi cum benè ac justè geritur, fuisse ab uno Rege, fuisse paucis Optimatis, fuisse ab universo Populo. Cum vero injustus est Rex (quem Tyrannum voco) aut injusti Optimates (quorum Confusus Factio est) aut injustus ipse Populus (cui non est Lex nullum reperio, nisi ut illum Tyrannum appellam) non jam vitiosi sed omnino nulla Respublica est, quoniam non RES est POPULI cum Tyrannus cum Factio capite: nec ipse Populus jam Populus est si sit injustus, quoniam non est Multitudo Juris confendi & Utilitatis communione sociata.

Fragmentum Ciceronis ex lib. 3. de Republica, apud Augustin., de Civ. Dei, l. 2. c. 21.

LONDON,
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[Signature]
TO THE
LORD MAYOR,
ALDERMEN,
SHERIFS,
AND
COMMON COUNCIL
OF
LONDON.

It is not better known to you, most worthy Magistrates, that Government is the preserving Cause of all Societies, than that every Society is in a languishing or flourishing condition, answerable to the particular Constitution of its Government: And if the Goodness of the Laws in any place be thus distinguishable by the Happiness of the People, so the Wisdom of the People is best discern'd by the Laws they have made, or by which they have chosen to be govern'd. The truth of these Observations is no where more conspicuous than in the present State of that most Antient and Famous Society you have the honor to rule, and which reciprocally enjoys the cheerful influence of your Administration. 'Tis solely to its Government that London owes being universally acknowledg'd the largest, fairest, richest, and most populous City in the World; all which glorious Attributes could have no Foundation in History or Nature, if it were not likewise the most free. 'Tis confess'd indeed that it derives infinite Advantages above other places.
places from its incomparable Situation, as being an inland City, seated in the middle of a Vale no less delicious than healthy, and on the Banks of a Noble River, in respect of which (if we regard how many score miles it is navigable, the clearness and depth of its Channel, or its smooth and even Course) the Seine is but a Brook, and the celebrated Tyber it felt a Rivulet: Yet all this could never raise it to any considerable pitch without the inestimable Blessings of Liberty, which has chosen her peculiar Residence, and more eminently fixt her Throne in this place. Liberty is the true Spring of its prodigious Trade and Commerce with all the known parts of the Universe, and is the original Planter of its many fruitful Colonies in America, with its numberless Factories in Europe, Asia, and Africa: hence it is that every Sea is cover’d with our Ships, that the very Air is scarce exmeted from our Inventions, and that all the Productions of Art or Nature are imported to this common Storehouse of Mankind; or rather as if the whole Variety of things wherewith the Earth is flockt had bin principally design’d for our profit or delight, and no more of ‘em allow’d to the rest of Men, than what they muft necessarily ufe as our Purveyors or Laborers. As Liberty has elevated the native Citizens of London to so high a degree of Riches and Politeness, that for their stately Houfes, fine Equipages, and sumptuous Tables, they exceed the Port of some Foren Princes; so is it naturally become every Man’s Country, and the happy Refuge of those in all Nations, who prefer the secure enjoyment of Life and Property to the glittering pomp and slavery, as well as to the arbitrary luft and rapine of their several Tyrants. To the fame Cause is owing the Splendor and Magnificence of the public Structures, as Palaces, Temples, Halls, Colleges, Hospitals, Schools, Courts of Judicature, and a great many others of all kinds, which, tho’ fingly excell’d where the Wealth or State of any Town cannot reach further than one Building, yet, taking them all together, they are to be equal’d no where besides. The delicate Country Seats, and the large Villages crowded on all hands around it, are manifest Indications how happily the Citizens live, and makes a Stranger apt to believe himself in the City before he approaches it by fom miles. Nor is it to the felicity of the prefent times that London is only indebted: for in all Ages, and under all Changes, it ever shew’d a most passionate love of Liberty, which it has not more
more bravely preserv'd than wifely manag'd, infusing the
fame Genius into all quarters of the Land, which are in-
fluen't from hence as the several parts of the Animal Body
are duly supply'd with Blood and Nourishment from the
Heart. Whenever therefor the execrable design was hatch'd
to inflame the Inhabitants of this Country, the first At-
tempts were still made on the Government of the City,
as there also the strongest and most successful Efforts were
first us'd to restore Freedom: for we may remember (to
name one instance for all) when the late King was fled,
and every thing in confusion; that then the chief Nobility
and Gentry retorted to Guildhall for protection, and to con-
cent proper methods for settling the Nation hereafter on a
Basis of Liberty never to be shaken. But what greater
Demonstration can the World require concerning the Ex-
cellency of our National Government, or the particu-
lar Power and Freedom of this City, than the B a n k of En-
gland, which, like the Temple of Saturn among the Romans,
is esteem'd so sacred a Repository, that even Forenres think
their Treasure more safely lodg'd there than with them-
selves at home; and this not only don by the Subjects of
Absolute Princes, where there can be no room for any
Public Credit, but likewise by the Inhabitants of the Common
wealths where alone such Banks were hitherto reputed
secure. I am the more willing to make this Remark, be-
cause the Constitution of our Bank is both preferable to that
of all others, and comes the nearest of any Government to
H a r r i n g t o n's Model. In this respect a particular Com-
mandation is due to the City which produced such Persons
to whose Wisdom we owe so beneficial a Establishment:
and therefore from my own small observation on Men or
Things I fear not to prophesy, that, before the term of years
be expir'd to which the Bank is now limited, the desires of
all people will gladly concur to have it render'd perpetual.
Neither is it one of the last things on which you ought to va-
luce your selves, most worthy Citizens, that there is scarce a way
of honoring the Deity known any where, but is either already
allow'd, or may be safely exercis'd among you; Toleration
being only deny'd to immoral Practices, and the Opin-
ions of Men being left as free to them as their Poffessions,
excepting only Popery, and such other Rites and Notions as
directly tend to disturb or dissolve Societys. Besides the poli-
tical Advantages of Union, Wealth, and numbers of Peo-
ple, which are the certain Consequent of this impartial Liberty, 'tis also highly congruous to the nature of true Religion; and if any thing on Earth can be imagin'd to ingage the Interest of Heaven, it must be specially that which procures it the sincere and voluntary respect of Mankind. I might here display the Renown of the City for Military Glory, and recite those former valiant Achievements which our Historians carefully record; but I should never finish if I enlarg'd on those things which I only hint, or if I would mention the extraordinary Privileges which London now enjoys, and may likely possest hereafter, for which the well deserves the name of a New Rome in the West, and, like the old one, to become the Soverain Mistress of the Universe.

The Government of the City is so wisely and completely contriv'd, that Harrington made very few Alterations in it, tho' in all the other parts of our National Constitution he scarce left any thing as he found it. And without question it is a most excellent Model. The Lord Mayor, as to the Solemnity of his Election, the Magnificence of his Stare, or the Extent of his Authority, tho' inferior to a Roman Consul (to whom in many respects he may be fitly compar'd), yet he far outshines the figure made by an Athenian Archon, or the grandeur of any Magistrat presiding over the best City's now in the World. During a vacancy of the Throne he is the chief Person in the Nation, and is at all times vested with a very extraordinary Trust, which is the reason that this Dignity is not often confer'd on undeserving Persons; of which we need not go further for an Instance than the Right Honorable Sir Richard Levet, who now so worthily fills that eminent Post, into which he was not more freely chosen by the Suffrages of his Fellowcitizens, than he continues to discharge the Functions of it with approv'd Moderation and Justice. But of the great Caution generally us'd in the choice of Magistrats, we may give a true judgment by the present Worshipful Sheriffs, Sir Charles Duncombe and Sir Jeffery Jefferies, who are not the Creatures of petty Factions and Cabals, nor (as in the late Reigns) illegally obtur'd on the City to serve a Turn for the Court, but unanimously elected for those good Qualities which alone should be the proper Recommendations to Magistracy; that as having the greatest Stakes to lose: they will be the more concerned for securing the Property of others, so their willingness to serve their

* Country
Country is known not to be inferior to their Zeal for King William; and while they are, for the Credit of the City, generously equaling the Expences of the Roman Praetors, such at the same time is their tender care of the Distressed, as if to be Overseers of the Poor were their sole and immediate Charge. As the Common Council is the Popular Representative, so the Court of Aldermen is the Aristocratical Senate of the City. To enter on the particular Merits of those Names who compose this Illustrious Assembly, as it must be own'd by all to be a labor no less arduous than extremely nice and invidious, yet to pass it quite over in such a manner as not to give at least a Specimen of so much Worth, would argue a pusillanimity inconsistent with Liberty, and a disrespect to those I wou'd be always understood to honor. In regard therefore that the eldest Alderman is the same at London with what the Prince of the Senate was at Rome, I shall only presume to mention the Honorable Sir Robert Clayton as well in that capacity, as by reason he universally passes for the perfect Pattern of a good Citizen. That this Character is not exaggerated will be evident to all those who consider him, either as raising a plentiful Fortune by his Industry and Merit, or as disposing his Estate with no less liberality and judgment than he got it with honesty and care: For as to his public and privat Donations, and the provision he has made for his Relations or Friends, I will not say that he is unequal'd by any, but that he deserves to be imitated by all. Yet these are small Commendations if compar'd to his steady Conduct when he supply'd the highest Stations of this Great City. The danger of defending the Liberty of the Subject in those calamitous times is not better remember'd than the courage with which he acted, particularly in bringing in the Bill for excluding a Papish Successor from the Crown, his brave appearance on the behalf of your Charter, and the general applause with which he discharg'd his Trust in all other respects; nor ought the Gratitude of the People be forgot, who on this occasion first stil'd him the Father of the City, as Cicero for the like reason was the first of all Romans call'd the Father of his Country. That he still afflicts in the Government of London as eldest Alderman, and in that of the whole Nation as a Member of the High Court of Parliament, is not so great an honor as that he deserves it; while the Posterity of those Familys he supports, and the memory
memory of his other laudable Actions, will be the living
and eternal Monuments of his Virtue, when time has con-
sum'd the most durable Brass or Marble.

TO whom therefore shou'd I inscribe a Book containing
the Rules of good Polity, but to a Society so admirably
constituted, and producing such Great and Excellent Men?
That elsewhere there may be found who understand Go-
vernment better, distribute Justice wiser, or love Liberty
more, I could never persuade my self to imag'in: nor can
the Person wish for a nobler Address, or the Subject be
made happy in a more fuitable Patronage than THE
SENAT AND PEOPLE OF LONDON; to
whose uninterrupted increase of Wealth and Dignity, none
can be a heartier Wels wisher, than the greatest admirer of their
Constitution, and their most humble Servant;

JOHN TOLAND.
THE PREFACE.

HOW allowable it is for any man to write the History of another, without intitling himself to his Opinions, or becoming answerable for his Actions, I have expressly treated in the Life of JOHN MILTON, and in the just defence of the same under the Title of AMYNTOR. The Reasons there alleged are Excuse and Authority enough for the Task I have since imposed on myself, which is, to transmit to Posterity the worthy Memory of JAMES HARRINGTON, a bright Ornament to useful Learning, a hearty Lover of his Native Country, and a generous Benefactor to the whole World; a Person who obscure'd the false Laflire of our Modern Politicians, and that equal'd (if not exceeded) all the Antient Legislators.

BUT there are some People more formidable for their Noise than Number, and for their Number more considerable than their Power, who will not fail with open mouths to proclaim that this is a felonious Attempt against the very Being of Monarchy, and that there's a pernicious Design on foot of speedily introducing a Republican Form of Government into the Britannic Islands; in order to which the Person (continue they) whom we have for some time distinguished as a zealous promoter of this Cause, has now published the Life and Works of Harrington, who was the greatest Commonwealth in the World. This is the substance of what these roaring and howse Trumpeters of Distraction will sound; for what's likely to be said by men who talk all by rote, is as easy to guess as to answer, the'tis commonly so silly as to deserve no Animadversion. Those who in the late Reigns were insidiously nicknab'd Commonwealths, are by this time sufficiently clear'd of that Imputation by their Actions, a much better Apology than any Words: for they valiantly resist'd our antient Government from the devouring Jaws of Arbitrary Power, and did not only unanimously concur to fix the Imperial Crown of England on the most deserving Head in the Universe, but also settle'd the Monarchy for the future, not as if they intended to bring it soon to a period, but under such wise Regulations as are most likely to continue it for ever, consisting of such excellent Laws as indeed set bounds to the Will of the King, but that render him by the more safe, equally binding up his and the Subject's hands from unjustly seizing one another's Privileges.

'TIS confess'd, that in every Society there will be always found some Persons prepar'd to enterprize any thing (the never so flagitious) grown desperate by their Villanies, their Profaneness, their Ambition, or the more raging madness of Superstition; and this Evil is not within the compass of Art or Nature to remedy. But that a whole People, or any considerable number of them, should rebel against a King that well and wisely administers his Government, as it cannot be imagined out of any History, so it is a thing in it self impossible. An infallible Expedient therefore to exclude a Commonwealth, is for the King to be the Man of his People, and, according
according to his present Majesty's glorious Example, to find out the secret of
so happily uniting too seemingly incompatible things, Prinipality and Li-
berty.

'T IS strange that men should be cheated by mere Names: yet how fre-
quently are they seen to admire under one denomination, what going
under another they would undoubtedly detest; which Observation made
TACITUS lay down for a Maxim, That the secret of setting up a new
State consists in retaining the Image of the old. Now if a Common-
wealth be a Government of Laws enacted for the common Good of all the
People, not without their own Consent or Approbation, and that they are not
wholly excluded, as in absolute Monarchy, which is a Government of Men
who forcibly rule over others for their own private Interest: Then it is un-
deniably manifest that the English Government is already a Commonwealth,
the most free and best constituted in all the world. This was frankly ac-
knowledged by King JAMES the First, who set himself the Great Ser-
vant of the Commonwealth. It is the Language of our best Lawyers, and
allow'd by our Author, who only makes it a less perfect and more unequal
Form than that of his Ocean, wherein, he thinks, better provision is
made against external Violence or internal Difeases. Nor dos it at all import
by what names either Persons, or Places, or Things are call'd, since the
Commonwealthsman finds he enjoys Liberty under the security of equal
Laws, and that the rest of the Subjects are fully satisfy'd they live under
a Government which is a Monarchy in effect as well as in name. There's
not a man alive that exceed my affection to a mixt Form of Government, by
the Antients count'd the most perfect: yet I am not so blinded with admiring
the good Constitution of our own, but that every day I can discern in
it many things deficient, som things redundant, and others that require e-
mandation or change. And of this the supreme Legislative Powers are so
sensible, that we see nothing more frequent with them than the enacting,
abrogating, explaining, and altering of Laws, with regard to the very Form
of the Administration. Nevertheless I hope the King and both Houses of
Parliament will not be count'd Republicans: or, if they be, I am the read-
liest in the world to run the same good or bad Fortune with them in this as
well as in all other respects.

BUT, what HARRINGTON was oblig'd to say on the like occasion, I
must now produce for my self. It was in the time of ALEXANDER, the
greatest Prince and Commander of his Age, that ARISTOTLE (with
some inferior Apallus, and equal Fame) wrote that excellent piece of Pru-
dence in his Closet which is call'd his Politics, going upon far other Principles
than ALEXANDER'S Government which it has long outliv'd. The like
did LIVY without disturbance in the time of AUGUSTUS, Sir THO-
MAS MORE in that of HENRY the Eighth, and MACCHIAVEL
when Italy was under Princes that afforded him not the ear. If these and
many other celebrated Men wrote not only with honor and safety, but even
of Commonwealths under Despotick or Tyrannical Princes, who can be so
notoriously stupid as to wonder that in a free Government, and under a
King that is both the reforcer and supporter of the Liberty of Europe, I
should do justice to an Author who far outdid all that went before him in
his exquist knowledge of the Politics?

THIS Liberty of writing freely, fully, and impartially, is a part of those
Rights which in the last Reigns were so barbarously invaded by such as
had no inclination to hear of their own enormous Violations of the Laws
of God and Man; nor is it undeserving Observation, that such as raise the
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the loudest Clamours against it now, are the known Enemies of King William's Title and Person, being sure that the Abdicated King James can never be reinstro'd so long as the Pres is open for brave and free Spirits to display the Mischiefs of Tyranny in their true Colors, and to shew the infinit Advantages of Liberty. But, not to dispirit even such unreasonable People without perfect satisfaction, let 'em know that I don't recommend a Commonwealth, but write the History of a Commonwealth, fairly divulging the Principles and Pretences of that Party, and leaving every Body to approve or dislike what he pleases, without imposing on his judgment by the deluding Arts of Sophistry, Eloquence, or any other specious but unfair methods of persuasion. Men, to the best of their ability, ought to be ignorant of nothing; and while they talk so much for and against a Commonwealth, 'tis fit they should at least understand the Subject of their Discourse, which is not every Body's case. Now as Harrington's Oceana is, in my Opinion, the most perfect Form of Popular Government that ever was: so this, with his other Writings, contain the History, Reasons, Nature, and Effects of all sorts of Government, with so much Learning and Perspicuity, that nothing can be more preferably read on such occasions.

Let not those therefore, who make no opposition to the reprinting or reading of Plato's Heathen Commonwealth, ridiculously deni the better and Christian Model of Harrington; but peruse both of them with as little prejudice, passion, or concern, as they would a Book of Travels into the Indys for their improvement and diversion. Yet so contrary are the Tempers of many to this equitably disposition, that Dionysius the Sicilian Tyrant, and such British Subjects of Prey, are the worthy Examples they would recommend to the imitation of our Governors, tho', if they could be able to persuade 'em, they would still mis' of their foolish aim: for it is ever with all Books, as formerly with those of Cremonius Cordus, who was condemn'd by that Monster Tiberius for speaking honorably of the immortal Tyrannicides Brutus and Cassius. Tacitus records the last words of this Historian, and subjoins this judicious Remark: The Senator says, order'd his Books to be burnt by the Ecles; but some Copies were conceiv'd, and afterwards publish'd; whence we may take occasion to laugh at the fortieths of those who imag' that their present Power can also aboli the memory of succeeding time: for on the contrary, Authors acquire additional Reputation by their Punishment; nor have Fore Kings, and such others as have us'd the like severity, got any thing by it, except to themselves Disgrace, and Glory to the Writers. But the Works of Harrington were neither suppress'd at their first publication under the Deter, nor ever since call'd in by lawful Authority, but as inestimable Treasures p'ered by all that had the happiness to possess 'em intire; so that what was a precious rarity before, is now become a Public Good, with extraordinary advantages of Correctness, Paper, and Print. What I have perform'd in the History of his Life, I leave the Readers to judge for themselves; but in that and in all my other Studies, I constantly aim'd as much at least at the benefit of Mankind, and especially of my fellow Citizens, as at my own particular Entertainment or Reputation.

The Politics, no less than Arms, are the proper Study of a Gentleman, who he shou'd confine himself to nothing, but carefully adorn his Mind and Body with all useful and becoming Accomplishments; and not imitat the servile drudgery of those mean Spirits, who, for the sake of...
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Some one Science, neglect the knowledge of all other matters, and in the end are many times neither masters of what they profess, nor vers'd enough in any thing else to speak of it agreeably or pertinently: which renders 'em untractable in Conversation, as in Debate they are opinionative and passionate, envious of their Fame who eclipse their littleness, and the sworn Enemy of what they do not understand.

But Heaven be duly prais'd, Learning begins to flourish again in its proper Soil among our Gentlemen, in imitation of the Roman Patricians who did not love to walk in Leading-strings, and to be guided blindly, nor lazily to abandon the care of their proper Business to the management of Men having a distinct Profession and Interest: for the greatest part of their best Authors were Persons of Consular Dignity, the ablest Statesmen, and the most gallant Commanders. Wherefore the amplest satisfaction I can enjoy of this sort will be, to find those delighted with reading this Work, for whose service it was intended by the Author; and which with the study of other good Books, but especially a careful perusal of the Greek and Roman Historians, will make 'em in reality deserve the Title and Respect of Gentlemen, help 'em to make an advantageous Figure in their own time, and perpetuate their illustrious Names and solid Worth to be admired by future Generations.

As for myself, tho' no employment or condition of Life shall make me disfavour the lasting entertainment which Books afford; yet I have resolved not to write the Life of any modern Person again, except that only of one Man still alive, and whom in the ordinary course of nature I am like to survive a long while, he being already far advanced in his declining time, and I but this present day beginning the thirtieth year of my Age.

Canon near Bansted, Novemb. 30. 1699.
THE LIFE OF James Harrington.

1. JAMES HARRINGTON (who was born in January 1611) was descended of an Antient and Noble Family in Rutlandshire, being Great Grandson to Sir JAMES HARRINGTON; of whom it is observ'd by the Historian of that County, that there were sprung in his time eight Dukes, three Marquises, seventy Earls, twenty-seven Viscounts, and thirty-six Barons; of which number sixteen were Knights of the Garter: to confirm which Account, we shall annex a Copy of the Inscription on his Monument and that of his three Sons at Exton, with Notes on the same by an uncertain hand. As for our Author, he was the eldest Son of Sir SARPOTES HARRINGTON, and JANE the Daughter of Sir WILLIAM SAMUEL of Upton in Northamptonshire. His Father had Children besides him, WILLIAM a Merchant in London; ELIZABETH marry'd to Sir RALPH ASHTON in Lancashire, Baronet; ANN marry'd to ARTHUR EVELYN Esq. And by a second Wife he had JOHN kill'd at Sea; EDWARD a Captain in the Army, yet living; FRANCES marry'd to JOHN BAGSHAW of Culworth in Northamptonshire Esq; and DOROTHY marry'd to ALLAN BELLINGHAM of Levens in Westmorland Esq. This Lady is still alive, and, when she understood my Design, was pleas'd to put me in possession of all the remaining Letters, and other Manuscript Papers of her Brother, with the Collections and Observations relating to him, made by his other Sister the Lady ASHTON, a Woman of very extraordinary Parts and Accomplishments. Thence, with the Account given of him by ANTHONY WOOD in the second Volume of his Athenae Oxonienses, and what I could learn from the Mouths of his surviving Acquaintance, are the Materials whereof I compos'd this Infuling History of his Life.

2. IN his very Childhood he gave sure hopes of his future Abilities, as well by his Inclination and Capacity to learn whatever
was propos'd to him, as by a kind of natural gravity; whence his Parents and Masters were wont to say, That he rather kept them in awe, than needed their correction: yet when grown a Man, none could easily surpass him for quickness of Wit, and a most facetious Temper. He was enter'd a Gentleman Commoner of Trinity College in Oxford in the year 1629, and became a Pupil to that great Master of Reason Dr. Chillingworth, who discovering the Errors, Improbities, and Tyranny of the Popish Church (whereof he was for sometime a Member) attack'd it with more proper and successful Arms than all before, or perhaps any since have done. After considerably improving his Knowledge in the University, he was more particularly fitting himself for his intended Travels, by learning several Foren Languages, when his Father dy'd, leaving him under Age. Tho the Court of Wards was still in being, yet by the Soccage Tenure of his Estate he was at liberty to chuse his own Guardian; and accordingly pitch'd upon his Grandmother the Lady Samuel, a Woman eminent for her Wisdom and Virtue. Of her and the rest of his Governors, he soon obtain'd a permission to satisfy his eager desire of seeing som other parts of the World, where he cou'd make such Observations on Men and Manners, as might best fit him in due time to serve and adorn his Native Country.

3. HIS first step was into Holland, then the principal School of Martial Disciplin, and (what touchd him more sensibly) a place wonderfully flourishing under the influence of their Liberty which they had so lately afford'd, by breaking the Yoke of a severer Master, the Spanish Tyrant. And here, no doubt, it was that he begun to make Government the Subject of his Meditations; for he was often heard to say, that, before he left England, he knew no more of Monarchy, Anarchy, Aristocracy, Democracy, Oligarchy, or the like, than as hard words whereof he learnt the signification in his Dictionary. For som months he lifted himself in my Lord Craven's Regiment and Sir Robert Stone's; during which time being much at the Hague, he had the opportunity of further accomplishing himself in two Courts, namely those of the Prince of Orange, and the Queen of Bohemia, the Daughter of our King James I. then a Fugitive in Holland, her Husband having bin abandon'd by his Father in Law, betray'd by the King of Spain, and stript of all his Territories by the Emperor. This excellent Prince's entertain'd him with extraordinary favor and civility on the account of his Uncle the Lord Harrington, who had bin her Governor; but particularly for the sake of his own Merit. The Prince Elector also coursed him into his Service, ingag'd him to attend him in a Journey he made to the Court of Denmark, and, after his return from travelling, committed the chief management of all his Affairs in England to his care. Nor were the young Princes less delighted with his Company, his Conversation being always extremely pleasant, as well as learn'd and polite; to which good qualities those unfortunate Ladies were far from being strangers, as appears by the Letters of the great Philosopher Cartesian, and by the other Writers of those times.

4. THO he found many Charms inviting his longer stay in this place, yet none were strong enough to keep him from pursuing his main design of travelling; and therefore he went next thro' Flanders into France, where having perfected himself in the Language, seen what deserv'd
deserv’d his curiosity, and made such Remarks on their Government as will best appear in his Works, he remov’d thence into Italy. It happen’d to be then (as it is now) the Year of Jubilee. He always us’d to admire the great dexterity wherewith the Popish Clergy could maintain their severe Government over so great a part of the World, and that Men otherwise reasonable enough should be enchanted out of their Senes, as well as cheated out of their Mony, by these ridiculous Tricks of Religious Pageantry. Except the small respect he shew’d to the Miracles they daily told him were perform’d in their Churches, he did in all other things behave himself very prudently and indifferently. But going on a Candlemas’s day with several other Protestants, to see the Pope perform the Ceremony of consecrating Wax Lights; and perceiving that none could obtain any of those Torches, except such as kist the Pope’s To (which he expos’d to ‘em for that purpose) tho he had a great mind to one of the Lights, yet he would not accept it on so hard a condition. The rest of his Companions were not so scrupulous, and after their return complain’d of his fiqueamniness to the King; who telling him he might have don it only as a respect to a temporal Prince, he presently reply’d, that since he had the honor to kiss his Majesty’s hand, he thought it beneath him to kiss any other Prince’s foot. The King was pleas’d with his answer, and did afterwards admit him to be one of his Privy Chamber extraordinary, in which quality he attend’d him in his first Expedition against the Scots.

5. H E prefer’d Venice to all other places in Italy, as he did its Government to all those of the whole World, it being in his Opinion immutable by any external or internal Causes, and to finis only with Mankind; of which Assertion you may find various proofs alleg’d in his Works. Here he furnish’d himself with a Collection of all the valuable Books in the Italian Language, especially treating of Politics, and contracted acquaintance with every one of whom he might receive any benefit by instruction or otherwise.

6. A F T E R having thus seen Italy, France, the Low Countries, Denmark, and some parts of Germany, he return’d home into England, to the great joy of all his Friends and Acquaintance. But he was in a special manner the Darling of his Relations, of whom he acknowledg’d to receive reciprocal satisfaction. His Brothers and Sistors were now pretty well grown, which made it his next care to provide for each of ‘em as might render ‘em independent of others, and easy to themselves. His Brother William he bred to be a Merchant, in which calling he became a considerable Man; he was a good Architect, and was so much notice’d for his ingenious Contrivances, that he was receiv’d a Fellow of the Royal Society. How his other Brothers were dispos’d, we mention’d in the beginning of this Discourse. He took all the care of a Parent in the education of his Sistors, and would himself make large Dicou’res to ‘em concerning the Reverence that was due to Almighty God; the benevolence they were oblig’d to shew all mankind; how they ought to furnish their minds with knowledge by reading of useful Books, and to shew the goodness of their disposition by a constant practice of Virtue: In a word, he taught ‘em the true Rules of humanity and decency, always inculcating to ‘em that good Manners did not so much consist in a fashionable carriage (which ought not to be neglected) as in becoming words and actions, an obliging address, and a modest behavior. He treated his Mother in Law
as if she were his own, and made no distinction between her Children and the rest of his Brothers and Sistors; which good Example had such effect on 'em all, that no Family has bin more remarkable for their mutual Friendship.

7. He was of a very liberal and compassionat nature, nor could he endure to see a Friend want any thing he might spare; and when the Relief that was necessary exceed the bounds of his Estate, he persuaded his Sistors not only to contribute themselves, but likewise to go about to the rest of their Relations to complete what was wanting. And if at any time they alleg'd that this Bounty had bin thrown away on ungrateful Persons, he would answer with a Smile that he saw they were mercenary, and that they plainly fold their Gifts since they expected so great a return as Gratitude.

8. His natural inclinations to study kept him from seeking after any publick Employments. But in the year 1646, attending out of curiosity the Commissioners appointed by Parliament to bring King CHARLES the First from Newcastle nearer to London, he was by form of 'em nam'd to wait on his Majesty, as a Person known to him before, and ingag'd to no Party or Faction. The King approv'd the Proposal, yet our Author would never presume to com into his presence except in public, till he was particularly commanded by the King; and that he, with THOMAS HERBERT (created a Baronet after the Restoratior of the Monarchy) were made Grooms of the Bedchamber at Holmby, together with JAMES MAXWELL and PATRICK MAULE (afterwards Earl of Penmoore in Scotland) which two only remain'd of his old Servants in that Station.

9. He had the good luck to grow very acceptable to the King, who much convers'd with him about Books and Foreign Countries. In his Sistors Papers I find it expres't, that at the King's command he translated into English Dr. Sanderson's Book concerning the Obligation of Oaths: but ANTHONY WOOLD says it was the King's own doing, and that he shew'd it at different times to HARRINGTON, HERBERT, Dr. JUXON, Dr. HAMMOND, and Dr. SHELDON for their approbation. However that be, 'tis certain he serv'd his Mastre with untainted fidelity, without doing any thing inconsistent with the Liberty of his Country; and that he made use of his Interest with his Friends in Parliament to have Matters accommodated for the satisfaction of all Parties. During the Treaty in the Isle of Wight, he frequently warn'd the Divines of his acquaintance to take heed how far they preft the King to infift upon any thing which, however it concern'd their Dignity, was no essential point of Religion; and that such matters driven too far wou'd infallibly ruin all the endeavors us'd for a Peace, which Prophecy was prov'd true by the Event. — His Majesty lov'd his company, says ANTHONY WOOD, and, finding him to be an ingenious Man, chose rather to converse with him than with others of his Chamber: They had often discourse concerning Government; but when they happen'd to talk of a Commonwealth, the King seem'd not to indure it. Here I know not which most to commend, the King for trusting a Man of Republican Principles, or HARRINGTON for owning his Principles while he serv'd a King.

10. AFTER the King was remov'd out of the Isle of Wight to Hurstcastle in Hampshire, HARRINGTON was forcibly turn'd out of service, because he vindicated som of his Majesty's Arguments against
against the Parliament Commissioners at Newport, and thought his Con-
cessions not so unsatisfactory as did some others. As they were taking
the King to Windsor, he beg’d admittance to the Boot of the Coach
that he might bid his Master farewell; which being granted, and he
preparing to kneel, the King took him by the hand, and pull’d him in
to him. He was for three or four days permitted to stay; but because
he would not take an Oath against assisting or concealing the King’s
Escape, he was not only discharged from his Office, but also for some
time detain’d in custody, till Major General Ireton obtain’d his
Liberty. He afterwards found means to see the King at St. James’s,
and accompany’d him on the Scaffold, where, or a little before, he
received a Token of his Majesty’s Affection.

II. AFTER the King’s Death he was observ’d to keep much in
his Library, and more retir’d than usually, which was by his Friends a
long time attributed to Melancholy or Discontent. At length when they
weary’d him with their importunities to change this sort of Life, he
thought fit to shew ’em at the same time their mistake and a
Copy of his Oceana, which he was privately writing all that
while: telling ’em withal, that ever since he began to examin
things seriously, he had principally addicted himself to the study
of Civil Government, as being of the highest importance to the
Peace and Felicity of mankind; and that he succeeded at last to his
own satisfaction, being now convinc’d that no Government is op. fo
accidental or arbitrary an Institution as people are wont to imagine,
there being in Society’s natural causes producing their necessary effects,
as well as in the Earth or the Air. Hence he frequently argu’d that the
Troubles of his time were not to be wholly attributed to wilfulness or
faction, neither to the misgovernment of the Prince, nor the stubborness
of the People; but to a change in the Balance of Property, which
ever since Henry the Seventh’s time was daily falling into the Scale
of the Commons from that of the King and the Lords, as in his Book
he evidently demonstrates and explains. Not that hereby he approv’d
either the Breaches which the King had made on the Laws, or excus’d
the Severity which some of the Subjects exercis’d on the King; but to
shew that as long as the Causes of these Disorders remain’d, so long
would the like Effects unavoidably follow: while on the one hand a King
would be always endeavoring to govern according to the example of his Predecessors when the best part of the National Property was in their
own hands, and consequently the greatest command of Money and Men,
as one of a thousand pounds a Year can entertain more Servants, or influence
more Tenants, than another that has but one hundred, out of
which he cannot allow one Valet; and on the other hand he said, the
People would be sure to struggle for preserving the Property wherof
they were in possession, never failing to obtain more Privileges, and
to enlarge the Bases of their Liberty, as often as they met with any suc-
cesses (which they generally did) in quarrels of this kind. His chief
aim therefore was to find out a method of preventing such Disaffairns,
or to apply the best Remedies when they happen’d to break out. But
as long as the Balance remain’d in this unequal state, he affirm’d that
no King whatsoever could keep himself easy, let him never so much in-
defavor to please his People; and that tho’ a good King might manage
Affairs tolerably well during his life, yet this did not prove the Go-
vernment to be good, since under a lefs prudent Prince it would fall to

pieces
pieces again, while the Orders of a well constituted State make wicked men virtuous, and fools to act wisely.

12. THAT Empire follows the Balance of Property, whether lodg'd in one, in a few, or in many hands, he was the first that ever made out; and is a noble Discovery, wherof the Honor solely belongs to him, as much as those of the Circulation of the Blood, of Printing, of Guns, of the Compas, or of Optic Glasses, to their several Authors. 'Tis incredible to think what grofs and numberless Errors were committed by all the Writers before him, even by the best of them, for want of understanding this plain Truth, which is the foundation of all Politics. He no sooner discours'd publicly of this new Doctrin, being a man of universal acquaintance, but it engag'd all sorts of people to busy themselves about it as they were variously affected. Som, because they understood him, despis'd it, alleging it was plain to every man's capacity, as if his highest merit did not consist in making it so. Others, and those in number the fewest, disput'd with him about it, merely to be better inform'd; with which he was well pleas'd, as reckoning a pertinent Objection of greater advantage to the discovery of Truth (which was his aim) than a complaint applaus or approbation. But a third sort, of which there never wants in all places a numerous company, did out of pure envy strive all they could to lessen or defame him; and one of 'em (since they could not find any precedent Writer out of whose Works they might make him a Plagiary) did endeavor, after a very singular manner, to rob him of the Glory of this Invention: for our Author having friendly lent him a part of his Papers, he publish'd a small piece to the same purpose, intitl'd, A Letter from an Officer of the Army in Ireland, &c. Major Wildman was then reputed the Author by som, and Henry Nevil by others; which latter, by reason of this thing, and his great intimacy with Harrington, was by his detractors reported to be the Author of his Works, or that at least he had a principal hand in the composing of them. Notwithstanding which provocations, so true was he to the Friendship he profest to Nevil and Wildman, that he avoided all harsh Expressions or public Centuries on this occasion, contenting himself with the Justice which the World was soon oblig'd to yield him by reason of his other Writings, where no such clubbing of Brains could be reasonably suspected.

13. BUT the publication of his Book met with greater difficulties from the opposition of the several Parties then set against one another, and all against him; but none more than som of those who pretended to be for a Commonwealth, which was the specious name under which they cover'd the ranket Tyranny of Oliver Cromwel, while Harrington, like Paul at Athens, endeavor'd to make known to the People what they ignorantly ador'd. By shewing that a Commonwealth was a Government of Laws, and not of the Sword, he could not but detect the violent administration of the Protector by his Bafhaws, Intendants, or Majors General, which created him no small danger: while the Cavaliers on the other side tax'd him with Ingratitude to the memory of the late King, and prefer'd the Monarchy even of a Usurper to the best order'd Commonwealth. To these he answer'd, that it was enough for him to forbear publishing his Sentiments during
during that King's life; but the Monarchy being now quite dissolved, and the Nation in a state of Anarchy, or (what was worse) groaning under a horrid Usurpation, he was not only at liberty, but even obliged as a good Citizen to offer a helping hand to his Countrymen, and to show them such a Model of Government as he thought most conducive to their Tranquillity, Wealth, and Power: That the Cavaliers of all People to be left pleased with him, since if his Model succeeded, they were sure to enjoy equal Privileges with others, and so be deliver'd from their present Oppression; for in a well constituted Commonwealth there can be no distinction of Parties, the passage to Preferment is open to Merit in all persons, and no honest man can be uneasy: but that if the Prince should happen to be restored, his Doctor of the Balance would be a fight to shew him what and with whom he had to do, and so either to mend or avoid the Miscarriages of his Father; since all that is said of this doctrine may as well be accommodated to a Monarchy regulated by Laws, as to a Democracy or more popular form of a Commonwealth. He used to add on such occasions another reason of writing this Model, which was, That if it should ever be the fate of this Nation to be, like Italy of old, overrun by any barbarous People, or to have its Government and Records destroyed by the rage of some merciless Conqueror, they might not be then left to their own Invention in framing a new Government; for few People can be expected to succeed so happily as the Venetians have done in such a cafe.

14. In the mean time it was known to some of the Courtiers, that the Book was a printing; whereupon, after hunting it from one Press to another, they seized their prey at last, and conveyed it to Whitehall. All the solicitations he could make were not able to retrieve his Papers, till he remembered that Oliver's favorite Daughter, the Lady Claypole, acted the part of a Prince's very naturally, obliging all persons with her civility, and frequently interceding for the unhappy. To this Lady, tho an absolute stranger to him, he thought fit to make his application; and being led into her Antichamber, he entreated in his Name, with his humble request that she would admit him to her presence. While he attended, some of her Women coming into the room were followed by her little Daughter about three years old, who flaid behind them. He entertain'd the Child so divertingly, that she suffered him to take her up in his arms till her Mother came; whereupon he stretching towards her, and setting the Child down at her feet, said, Madam, 'tis well you are com at this nick of time, or I had certainly stolen this pretty little Lady: Stollen her, reply'd the Mother! pray, what to do with her? for the is yet too young to become your Mistress. Madam, said he, tho her Charms allure her of a more considerable Conquest, yet I must confess it is not love but revenge that prompted me to commit this theft. Lord, answer'd the Lady again, what injury have I don you that you should steal my Child? None at all, reply'd he, but that you might be induc'd to prevail with your Father to do me justice, by restoring my Child that he has stolen. But the urging it was impossible, because her Father had Children enough of his own; he told her at last it was the issue of his brain which was misrepresented to the Protector, and taken out of the Press by his order. She immediately promised to procure it for him, if it contain'd nothing prejudicial to her Father's Government; and he assur'd her it was only a kind of a Political Romance, so far from any
Treason against her Father, that he hop'd she would acquaint him
that he design'd to dedicate it to him, and promis'd that she her self
should be present with one of the first Copies. The Lady was so
well pleas'd with his manner of Address, that he had his Book speedi-
ly return'd to him; and he did accordingly inscribe it to O L I V E R
C R O M W E L , who, after the peril of it, said, the Gentleman had
like to trapan him out of his Power, but that what he got by the
Sword he would not quit for a little paper Shot: adding in his usual
chant, that he approv'd the Government of a single Person as little as any
of 'em, but that he was forc'd to take upon him the Office of a High
Constable, to preserve the Peace among the several Parties in the Na-
tion, since he saw that being left to themselves, they would never agree
to any certain form of Government, and would only spend their
whole Power in defeating the Designs, or destroying the Persons of
one another.

15. BUT nothing in the world could better discover C R O M
W E L ' s Diffusion than this Speech, since H A R R I N G T O N
had demonstrated in his Book, that no Commonwealth could be so
easily or perfectly established as one by a sole Legislator, it being in
his power (if he were a man of good Invention himself, or had a
good Model propos'd to him by others) to set up a Government in the
whole piece at once, and in perfection; but an Assembly, being of
better Judgment than Invention, generally make patching work in
forming a Government, and are whole Ages about that which is f e-
dom or never brought by 'em to any perfection: but is commonly ru-
in'd by the way, leaving the nobleft Attempst under reproach, and the
Authors of 'em expos'd to the greatest dangers while they live, and
to a certain infamy when dead. Wherefore the wisest As-
semblys, in mending or making a Government, have pitch'd upon a
sole Legislator, whose Model they could rightly approve, tho' not so
well digest; as Musicians can play in comfort, and judge of an Air that
is laid before them, tho' to invent a part of Music they could never a-
gree, nor succeed so happily as one Person. If C R O M W E L thera-
fore had meant as he spoke, no man had ever such an opportunity of refor-
mimg what was amiss in the old Government, or setting up one wholly
new, either according to the Plan of Oceana, or any other. This
would have made him indeed a Hero superior in lasting fame
and render his Glory far more repleudent, his Security greater, and his
Renown more durable than all the Pomp of his ill acquir'd Greatnes
could afford: whereas on the contrary he liv'd in continual fears of
those he had inflav'd, dy'd abhor'd as a monftrous betrayer of thosc
Liberties with which he was intrusted by his Country, and his Posterity
not posessing a foot of what for their only fakes he was generally
thought to uturp. But this laft is a mistaken Notion, for som of the moit
notorious Tyrants liv'd and dy'd without any hopes of Children; which
is a good reafon why no mortal ought to be trusted with too much
Power on that score. L Y C U R G U S and A N D R E W D O R I A , who,
when it was in their power to continue Princes, chose rather to be the
founders of their Countrys Liberty, will be celebrated for their Vir-
tue thro' the course of all Ages, and their very Names convey the
highest Ideas of Godlike Generosity; while J U L I U S C E S A R ,
O L I V E R C R O M W E L , and such others as at any time inflav'd
their
JAMES HARRINGTON.

their fellow Citizens, will be for ever remember'd with detestation, and cited as the most execrable Examples of the vilest Treachery and Ingratitude. It is only a retin'd and excellent Genius, a noble Soul ambitious of solid Praife, a sincere lover of Virtue and the good of all Mankind, that is capable of executing so glorious an Undertaking as making a People free. 'Tis my fix'd opinion, that if the Protector's mind had the least tincture of true greatness, he could not be proof against the incomparable Rewards propos'd by HARRINGTON in the Corollary of his Oceana; as no Prince truly generous, whether with or without Heirs, is able to refti their Charms, provided he has an opportunity to advance the happiness of his People. 'Twas this Disposition that brought the Prince of Orange to head us when we lately contend'd for our Liberty; to this we ow those inestimable Laws we have obtain'd, since out of a grateful confidence we made him our King; and how great things, or after what manner, we may expect from him in time to com, is as hard to be truly conceiv'd as worthily express'd.

16. I SHALL now give some account of the Book it self, intitle'd by the Author, *The Commonwealth of Oceana*, a name by which he design'd England, as being the nobleft Iland of the Northern Ocean. But before I proceed further, I must explain some other words occurring in this Book, which is written after the manner of a Romance, in imitation of Plato's *Atlantic Story*, and is a method ordinarily follow'd by Lawgivers.

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<td>Verulamius</td>
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17. T H E Book consists of Preliminary divided into two parts; and a third Section call'd the Council of Legislators; then follows the Model of the Commonwealth, or the Body of the Book; and lastly comes the Corollary or Conclusion. The Preliminary Discourses contain the Principles, Generation, and Effects of all Governments, whether Monarchical, Arifocratical, or Popular, and their several Corruptions, as Tyranny,
Tyranny, Oligarchy, and Anarchy, with all the good or bad mixtures that naturally result from them. But the first part does in a more particular manner treat of ancient Prudence, or that genius of Government which most prevailed in the world till the time of Julius Caesar. None can consult a more certain Oracle that would conceive the nature of Foren or Domestick Empire; the Balance of Land or Mony; Arms or Contraets; Magistracy and Judicatures; Agrarian Laws; Elections by the Ballot; Rotation of Officers, with a great many such heads, especially the inconveniences and preeminent of each kind of Government, or the true comparison of 'em all together. These Subjects have bin generally treated distinctly, and every one of them seems to require a Volum; yet I am of opinion that in this short Discourse there is a more full and clearer account of them, than can be easily found elsewhere: at least I must own to have receiv'd greater satisfaction here than in all my reading before, and the same thing has bin frankly own'd to me by others.

18. THE second part of the Preliminary treats of modern Prudence, or that genius of Government which has most obtain'd in the world since the expiration of the Roman Liberty, particularly the Gothic Constitution, beginning with the inundation of the barbarous Northern Nations over the Roman Empire. In this Discourse there is a very clear account of the English Government under the Romans, Saxons, Danes, and Normans; till the foundations of it were cunningly undermin'd by Henry VII. terribly shaken by Henry VIII. and utterly ruin'd under Charles I. Here he must read who in a little compas would completely understand the antient Feuds and Tenures, the original and degrees of our Nobility, with the inferior Orders of the rest of the People: under the Saxons, what was meant by Earl's, or Earls; King's Thane; middle Thane or Vavasors; their Shiremoots, Sheriffs, and Vifcounts; their Halyoomts, Weidenagoomts, and such others. Here likewise one may learn to understand the Baronage of the Normans, as the Barons by their Poissions, or Writ, or by Letters Patent; with many other particulars which give an insight into the springs and management of the Barons Wars, so frequent and famous in our Annals. The rest of this Discourse is spent in shewing the natural Causes of the dissolution of the Norman Monarchy under Charles the First, and the generation of the Commonwealth, or rather the Anarchy that succeeded.

19. NEXT follows the Council of Legislatots: for Harrington being about to give the most perfect Model of Government, he made himself master of all the Antient and Modern Politicians, that he might as well imitate whatever was excellent or practicable in them, as his care was to avoid all things which were impracticable or inconvenient. These were the justest measures that could possibly be taken by any body, whether he design'd to be rightly informed, and sufficiently furnish'd with the best materials; or whether he would have his Model meet with an easy reception: for since his own Sentiments (tho never so true) were sure to be rejected as privat Speculations or impracticable Chimeras, this was the readiest way to make 'em pass currently, as both authorize'd by the wisest men in all Nations, and as what in all times and places had bin practis'd with success. To this end therefore he introduces, under sign'd names, nine Legislatots, who perfectly understood the severall Governments they were appointed
appointed to represent. The Province of the first was the Commonwealth of Israel; that of the second, Athens; of the third, Sparta; of the fourth, Carthage; of the fifth, the Athenians, Etruscans, and Lyrians; of the sixth, Rome; of the seventh, Venice; of the eighth, Switzerland; and of the ninth, Holland. Out of the Excellencies of all these, supply'd with the Fruits of his own Invention, he fram'd the Model of his Ocean: and indeed he shews himself in that work so truly vers'd in their several Histories and Constitutions, that to any man who would rightly understand them, I could not easily recommend a more proper Teacher: for here they are dissected and laid open to all Capacities, their Perfections applauded, their Inconveniences expos'd, and parallels frequently made between 'em no less entertaining than useful. Nor are the Antient and Modern Eastern or European Monarchys forgot, but exhibited with all their Advantages and Corruptions, without the least dimification or partiality.

20. As for the Model, I shall say nothing of it in particular, as well because I would not forestall the pleasure of the Reader, as by reason an Abridgment of it is once or twice made by himself, and inserted among his Works. The method he observes is to lay down his Orders or Laws in so many positive Propositions, to each of which he subjoins an explanatory Discourse; and if there be occasion, adds a Speech supposed to be deliver'd by the Lord Archon, or form of the Legislators. These Speeches are extraordinary fine, contain a world of good Learning and Observation, and are perpetual Commentaries on his Laws. In the Corollary, which is the conclusion of the whole Work, he shews how the last hand was put to his Commonwealth; which we must not imagin to treat only of the Form of the Senate and Assembly of the People, or the manner of waging War and governing in Peace. It contains besides, the Discipline of a National Religion, and the Security of a Liberty of Conscience; a Form of Government for Scotland, for Ireland, and the other Provinces of the Commonwealth; Governments for London and Westminster, proportionably to which the other Corporations of the Nation are to be model'd; Directions for the encouraging of Trade; Laws for regulating Academies; and most excellent Rules for the Education of our Youth, as well to the Wars or the Sea, to Manufactures or Husbandry, as to Law, Physic, or Divinity; and chiefly to the breeding and true figure of accomplishments Gentlemen: There are admirable Orders for reforming the Stage; the number, choice, and busines of the Officers of State and the Revenue, with all sorts of Officers; and an exact account both of their Salaries, and the ordinary yearly charge of the whole Commonwealth, which for two rarely consistent things, the grandeur of its State, and the frugal management of its Revenues, exceeds all the Governments that ever were. I ought not to omit telling here, that this Model gives a full answer to those who imagin that there can be no Distinctions or Degrees, neither Nobility nor Gentry in a Democracy, being led into this mistake, because they ignorantly think all Commonwealths to be constituted alike; when, if they were but never so little vers'd in History, they might know that no Order of men now in the world can come near the Figure that was made by the Noblemen and Gentlemen of the Roman State; nor in this respect dos the Commonwealth of Ocean com any thing behind them: for, as Harrington says, very truly, an Army may as well consist of Soldiers without Officers, or of Officers
Officers without Soldiers, as a Commonwealth (especially such a one as is capable of Greatness) consist of a People without a Gentry, or of a Gentry without a People. So much may suffice for understanding the scope of this Book: I shall only add, that none ought to be offended with a few odd terms in it, such as the Prime Magnitude, the Pillar of Niles, the Galaxy, and the Tropic of Magiftrats, since the Author explains what he means by 'em, and that any other may call 'em by what more significative names he pleases; for the things themselves are absolutely necessary.

21. NO sooner did this Treatise appear in public, but it was greedily bought up, and became the subject of all men's discourse. The first that made exceptions to it was Dr. Henry Ferne, afterwards Bishop of Chester. The Lady Ashton presented him with one of the Books, and desired his opinion of it, which he quickly sent in such a manner as Shew'd he did not approve of the Doctrine, tho' he treated the Perfon and his Learning with due respect. To this Letter a reply was made, and some Queries sent along with it by Harrington, to every one of which a distinct Answer was return'd by the Doctor; which being again confuted by Harrington, he publish'd the whole in the year 1656, under the title of Plan Piano, or an Intercourse between H. Ferne Doctor in Divinity, and James Harrington Esq; upon occasion of the Doctor's Confute of the Commonwealth of Oceana. 'Tis a Treatife of little importance, and contains nothing but what he has much better discourse'd in his answers to other Antagonists, which is the reason that I give the Reader no more trouble about it.

22. THE next that wrote against Oceana was Matthew Wren, eldest Son to the Bishop of Ely. His Book was intitul'd Considerations, and restrain'd only to the first part of the Preliminary. To this our Author publish'd an answer in the first Book of his Prerogative of Popular Government, where he enlarges, explains, and vindicates his Assertions. How inequial this Combat was, and after what manner he treated his Adversary, I leave the Reader to judge; only minding him that as Wren was one of the Virtuosi who met at Dr. Wilkins's (the Seminary of the now Royal Society) Harrington jokingly said, That they had an excellent faculty of magnifying a Leafe, and diminishing a Commonwealth. But the Subjects he handles on this occasion are very curious, and reduced to the twelve following Questions.

(1.) WHETHER Prudence (or the Politics) be well distinguisht into Antient and Modern?

(2.) WHETHER a Commonwealth be rightly defin'd to be a Government of Laws and not of men; and Monarchy to be a Government of som men or a few men, and not of Laws?

(3.) WHETHER the Balance of Dominion in Land be the natural caufe of Empire?

(4.) WHETHER the Balance of Empire be well divided into National and Provincial? and whether these two, or any Nations that are of a distinct Balance, coming to depend on one and the same head, such a mixture creates a new Balance?

(5.) WHETHER there be any common Right or Interest of Mankind distinct from the Interest of the parts taken severally? and how by the orders of a Commonwealth this may beft be distinguisht from privat Interest?

(6.) WHE-
(6.) WHETHER the Senatusconsulta, or Decrees of the Roman
Senat, had the power of Laws?

(7.) WHETHER the Ten Commandments, propos'd by God
or Moses, were voted and past into Laws by the People of
Israel?

(8.) WHETHER a Commonwealth, coming up to the perfection
of the Kind, comes not up to the perfection of Government, and has no
flaw in it? that is, whether the best Commonwealth be not the best
Government?

(9.) WHETHER Monarchy, coming up to the perfection of
the Kind, comes not short of the perfection of Government, and has
not som flaw in it? that is, whether the best Monarchy be not the
worst Government? Under this head are also explain'd the Balance of
France, the Original of a Landed Clergy, Arms, and their several
kinds.

(10.) WHETHER any Commonwealth, that was not fist broken
or divided by it self, was ever conquer'd by any Monarch? where
he shews that none ever were, and that the greatest Monarchys have
bin broken by very small Commonwealths.

(11.) WHETHER there be not an Agrarian, or som Law or
Laws to supply the defects of it, in every Commonwealth? Whether
the Agrarian, as it is stated in Oceana, be not equal and satisfactory to
all Interests or Parties?

(12.) WHETHER a Rotation, or Courses and Turns, be necessa-
ry to a welorder'd Commonwealth? In which is contain'd the Parem-
bole or Courses of Israel before the Captivity, together with an Epitome
of the Commonwealth of Athens, as also another of the Common-
wealth of Venice.

23. THE second Book of the Prerogative of Popular Government
chiefly concerns Ordination in the Christiaan Church, and the Orders of
the Commonwealth of Israel, against the opinions of Dr. Hammond,
Dr. Seaman, and the Authors they follow. His Dispute with these
learned Persons (the one of the Episcopal, and the other of the Presby-
terian Communion) is comprehended in five Chapters.

(1.) THE first, explaining the words Chirotonia and Chirotheia,
paraphrastically relates the Story of the Perambulation made by the
Apostles Paul and Barnabas thro the Citys of Lycaonia, Pisidias, &c.

(2.) THE second shews that those Citys, or most of 'em were at
the time of this Perambulation under Popular Government; in which
is also contain'd the whole Administration of a Roman Province.

(3.) THE third shews the deduction of the Chirotonia, or holding
up of hands, from Popular Government, and that the original of Or-
dination is from this custom: in which is also contain'd the Institution
of the Sanhedrin or Senat of Israel by Moses, and of that of Rome
by Romulus.

(4.) THE fourth shews the deduction of the Chirotheia, or the
laying on of hands, from Monarchical or Aristocratical Government,
and to the second way of Ordination procedes from this custom: here
is also declar'd how the Commonwealth of the Jews stood after the
Cattivity.

(5.) THE fifth debates whether the Chirotonia as'd in the Citys
mention'd was (as is pretended by Dr. Hammond, Dr. Seaman,
and the Authors they follow) the same with the Chirotheia, or a far
different
The LIFE of

different thing. In which are contain'd the divers kinds of Church Government introduc'd and exercis'd in the age of the Apostles. By these heads we may perceive that a great deal of useful Learning is contain'd in this Book; and questionless he makes those Subjects more plain and intelligible than any Writer I ever yet consulted.

24. AGAINST Oceana chiefly did RICHARD BAXTER write his Holy Commonwealth, of which our Author made so flight that he vouchsaf'd no other answer to it but half a sheet of Cant and Ridicule. It does not appear that he raised at all the Ministers as a parcel of Fools and Knaves. But the rest of BAXTER's complaint seems better grounded, as that HARRINGTON maintain'd neither he nor any Ministers understood at all what Policy was, but prated against they knew not what, &c. This made him publish his Holy Commonwealth in answer to HARRINGTON's Heathenish Commonwealth; in which, adds he, I plead the Cause of Monarchy as better than Democracy or Aristocracy; an odd way of modelling a Commonwealth. And yet the Royalists were so far from thinking his Book for their service, that in the year 1683 it was by a Decree of the University of Oxford condemn'd to be publicly burnt, which Sentence was accordingly executed upon it, in company with some of the Books of HOBBES, MILTON, and others; whereas no cenure past on HARRINGTON's Oceana, or the rest of his Works. As for Divines meddling with Politics, he has in the former part of the Preliminarys to Oceana deliver'd his Opinion, That there is something first in the making of a Commonwealth, then in the governing of it, and last of all in the leading of its Armies, which (the there be great Drones, great Lawyers, great Men in all Professions) seems to be peculiar only to the genius of a Gentleman: for it is plain in the universal series of story, that if any man founded a Commonwealth, he was first a Gentleman; the truth of which Affertion he proves from MOSES downwards.

25. BEING much importun'd from all hands to publish an Abridgment of his Oceana, he conferen at length; and so, in the year 1659, was printed his Art of Lawgiving (or of Legislation) in three Books. The first, which treats of the Foundation and Superstructures of all kinds of Government, is an abstract of his Preliminarys to the Oceana: and the third Book, flowing a Model of Popular Government fitted to the present State or Balance of this Nation, is an exact Epitome of his Oceana, with short Discourses explaining the Propositions. By the way, the Pamphlet called the Rota is nothing else but these Propositions without the Discourses, and therefore to avoid a needless repetition not printed among his Works. The second Book between these two, is a full Account of the Commonwealth of Israel, with all the variations it underwent. Without this Book it is plainly impossible to understand that admirable Government concerning which no Author wrote common sense before HARRINGTON, who was persuaded to complete this Treatise by such as observed his judicious Remarks on the same Subject in his other Writings. To the Art of Lawgiving is annex'd a small Dissertation, or a Word concerning a House of Peers, which to abridge were to transcribe.

26. IN the same year, 1659, WREN comes out with another Book call'd Monarchy asserted, in vindication of his Considerations. If he could not press hard on our Author's Reasonings, he was resolve'd to overbear him with impertinence and calumny, treating him neither with the respect due to a Gentleman, nor the fair dealing becoming an inge-
ingenious Adversary, but on the contrary wish the utmost Chicanery and Infolence. The least thing to be admir'd is, that he would needs make the University a Party against him, and bring the heavy weight of the Church's displeasure on his holders: for as corrupt Miniffers file themfelves the Government, by which Artifice they oblige better men to suppress their Complaints, for fear of having their Loyalty suspected; so every ignorant Pedant that affronts a Gentleman, is presently a Learned University; or if he is but in Deacons Orders, he's forthwith transform'd into the Catholic Church, and it becomes Sacrilege to touch him. But as great Bodys no lefs than privat Perfon, grow wifer by Experience, and come to a clearer difcernment of their true Interett: so I believe that neither the Church nor Universities will be now so ready to elpoufe the Quarrels of thofe, who, under pretence of serving them, ingage in Disputes they no ways understand, whereby all the difcreet redounds to their Patrons, themfelves being too mean to fuffer any diminution of Honor. Harrington was not likewifc lefs blamable in being provok'd to fuch a degree by this pitiful Libel, as made him forget his natural charactcr of gravity and greatnefs of mind. Were not the beft of men fubjeft to their fpecu- lar weaknesses, he had never written fuch a Paffage as his Politicall, or Comical Discours in anfwer to Mr. Wren. It relates little or nothing to the Argument, which was not fo much amis, confidering the ignorance of his Antagonift: but it is of fo very small merit, that I would not infert it among his other Works, as a piece not capable to instruct or please any man now alive. I have not omitted his Answer to Dr. Stubbe concerning a select Senate, as being fo little worth; but as being only a repetition of what he has much better and more amply treated in fome of his other pieces. Now we muft note that upon the firft appearance of his Oceana this Stubbe was fo great an admirer of him, that, in his Preface to the Good Old Cause, he fays he would inflafe in his prafie, did he not think his elfe too inconfiderable to add any thing to thofe Apologies which the understanding part of the World muft be flow upon him, and which, tho' Eloquence should turn Panegyfr, he not only merits but transcends.

27. OTHER Treatifes of his, which are omitted for the fame reafon, are, 1. A Discours upon this Saying: The Spirit of the Nation is not yet to be trusted with Liberty, left it introduce Monarchy, or invade the Liberty of Conscience; which Proposition he disapprov'd. 2. A Discours showing that the Spirit of Parliaments, with a Council in the intervals, is not to be trusted for a Settlement, left it introduce Monarchy, and Perfonation for Conscience. 3. A Parallel of the Spirit of the People with the Spirit of Mr. Rogers, with an Appeal to the Reader whether the Spirit of the People, or the Spirit of men like Mr. Rogers be the fitter to be trusted with the Government. This Rogers was an Anabaptift, a feditious Enthufiaft, or fithmonarchy man. 4. Pour encloceur le canon, or the nailing of the Enemies Artilley. 5. The stumbling block of Disobedience and Rebellion, cunningly impated by Peter Heylin to Calvin, remov'd in a Letter to the faid P. H. who wrote a long Anfwer to it in the third part of his Letter combat. This obvious by the bare perufal of the Titles, that there are but Pamphlets solely calculated for that time; and it certainly argues a mighty want of Judgment in thofe Editors who make no diftinction between the elaborate Works which an Author intended for universal benefit, and his more flight,
flight or temporary Compositions, which were written to serve a present turn, and become afterwards not only useless, but many times not intelligible. Of this nature are the Pieces I now mention'd: all their good things are much better treated in his other Books, and the personal Reflections are (as I said before) neither instructive nor diverting. On this occasion I must signify, that tho' the History I wrote of Milton's Life be prefix'd to his Works, yet I had no hand in the Edition of those Volumes; or otherwise his Logic, his Grammar, and the like, had not increased the bulk or price of his other useful Pieces. Our Author translated into English Verse from of Virgil's Ecloges, and about six Books of his Aeneis; which, with his Epigrams, and other Poetical Conceits, are neither worthy of him nor the light.

28. Some other small Books he wrote which are more deserving, and therfore transmitted to posterity with his greater Works; namely, 1. Valerius and Publicola, or, the true form of a Popular Commonwealth, a Dialog. 2. Political Aphorisms, in number 120. 3. Seven Models of a Commonwealth, Ancient and Modern; or brief Directions how a just and perfect Model of Popular Government may be made, found, or understood. There are all the Commonwealths in the World for their kinds, tho' not for their number. 4. The Ways and means whereby an equal and lasting Commonwealth may be suddenly introduc'd, and perfectly founded, with the free consent and actual confirmation of the whole People of England. 5. There is added, The Petition of divers well affected Persons, drawn up by Harrington, and containing the Abstract of his Oceana; but presented to the House of Commons by Henry Nevil the 6th of July 1659, to which a satisfactory answer was return'd, but nothing done. Besides all these, finding his Doctrin of Elections by Balloting not so well understood as could be desir'd, he publish'd on one side of a large sheet of Paper, his Use and Manner of the Ballot, with a copper Cut in the middle representing such an Election in the great Assembly of the Commonwealth: but 'tis now infirmer in its proper place in the body of Oceana. Most of these contain Abridgments of his Model, adapted to the various Circumstances and Occurrences of those times; but containing likewise some Materials peculiar to themselves, and for that reason thought fit to be printed a second time. He did not write the Grounds and Reasons of Monarchy exemplify'd in the Scotch Line (which Book is prefix'd to his Works) but one John Hall, born in the City of Durham, educated at Cambridge, and a Student of Gray's Inn. Being commanded by the Council of State (of whom he had a yearly Pension) to attend Oliver into Scotland, it occasion'd him to publish that Piece. He wrote several other things in Prose and Verse, and dy'd before he was full thirty, lamented as a Prodigy of his Age.

29. Harrington having thus exhausted all that could be written on this Subject, he likewise endeavor'd to promote his Cause by public discourses at a nightly meeting of several curious Gentlemen in the New Palace Yard at Westminster. This Club was call'd the Rota, of which I shall give a short account from Anthony Wood, who mortally hated all Republicans, and was as much prejudic'd in favor of the Royalists, tho' to his honor be it spoken, he never deny'd justice to either side. "Their Discourses about Government, says he, and of ordering a Commonwealth, were the most ingenious and smart that
ever were heard; for the Arguments in the Parliament house were but flat to those. This Gang had a Balloting Box, and balloted how things should be carry'd by way of Eslay; which not being us'd or known in England before on this account, the room was every evening very full. Besides our Author and H. NEVIL, who were the prime men of this Club, were CYRIAC SKINNER, Major WILDMAN, Major VENNER, CHARLES WOLSELEY afterwards knighted, ROGER COKE the Author of the Detection of the four last Reigns, WILLIAM POULTNEY afterwards made a Knight, JOHN AUBRY, MAXIMILIAN PETTY, and Dr. PERTY who was afterwards Sir WILLIAM, Sir JOHN HOSKYNs, and a great many others, from whom are still living. — The Doctrin was very taking, and the more because, as to human foresight, there was no possibility of the King's return. The greatest effect of the Parliamentmen hated this Rotation and Balloting, as being against their Power. Eight or ten were for it, of which number H. NEVIL was one, who propos'd it to the House, and made it out to the Members, that, except they imbrac'd that sort of Government, they must be ruin'd. The Model of it was, that the third part of the Senate or House should rote out by Ballot every year (not capable of being elected again for three years to com) so that every ninth year the Senate would be wholly alter'd. No Magistrate was to continue above three years, and all to be chosen by the Ballot, than which nothing could be invent'd more fair and impartial, as 'twas then thought, those oppos'd by many for several reasons. This Club of Commonwealthsman lasted till about the 21st of Feb. 1659, at which time the secluded Members being restor'd by General GEORGE MONK, all their Models vanish'd.

30. WHEN the whole matter is duly consider'd, it's impossible a Commonwealth should have succed'd in England at that time, since CROMWELL, who alone had the Power, yet wanted the Will to fet it up. They were comparatively but very few that entertain'd such a Design from the beginning of the Troubles; and, as it usually happens, a great part of these did afterwards defer their Principles, being seduce'd by the Honors and Preferments whereby they were retain'd in the Service of the reigning Powers. The body of the People were either exasperate'd on a religious account, only to obtain that Liberty which they afterwards mutually deny'd each other, or by the change of the Balance they grew weary of Monarchy, and did not know it. TheRepublicans indeed made an advantage of their Difficulties to destroy the established Government, without acquainting 'em with their real Designs; and when this was effectually don, the People (who had no sett'd Form in their view, and thought all things safe by the Victory they had gain'd over the King and the Church) fell in with what was first offer'd by those in whom they confided, and would as well have accepted a better Government if they had bin manag'd by men of honest and public Designs. But the Multitude can feel, tho' they cannot see. Instead of injoying their defir'd Liberty, they soon found themselves under a most heavy Yoke, which they naturally labor'd to shake off; and yet in all the changes then made, two things were remarkable, that every one of 'em would be still'd a Commonwealth, and yet none of 'em would mend or take warning by the Errors of those that preceded, but still continu'd to abuse the Nation,
Nation, and unnaturally to ingrosf the Government into a few hands. The People being all this while told they were under a Commonwealth, and not being able to see thro the deceit, begun to think themselves mistaken in the choice they had made, since their sufferings under these pretended Commonwealths were infinitely greater than what indued’em to dissolve the former Monarchy. In this condition the several Parlys might (as Harrington us’d to say) be fitly compar’d to a company of Puppydogs in a bag, where finding themselves uneasy for want of room, every one of ’em bites the tail or foot of the next, supposing that to be the cause of his misery. By this means whatever was said against a Commonwealth obtain’d ready belief, as, that it is the most feticious fort of Government, and that instead of one Tyrant there are a great many who enrich themselves by laying intolerable Taxes on others. All this and much more the People in Eng’d then experience’d, and therefore detesting their new Commonwealth, they restor’d the old Monarchy. But to do all Governments the Justice due from an impartial Historian, they never had a Commonwealth, but were interchangeably under Anarchy, Tyranny, and Oligarchy, to which Commonwealths have ever bin the greatest enemies, and have frequently lent their voluntary assistence to deliver other Nations from the like oppressions. Thus the People of Eng’d came to hate the name of a Commonwealth, without loving their Liberty the leas.

31. BUT to return whence we digres’ed: Our Author, not concern’d in the excessive fears and hopes of those that favor’d or oppos’d the Restoration of Charles the Second, continu’d to live in a peaceable manner at his one house, demeaning himself as became a person blindly ingagi’d to no Party or factions. But tho his Life was retir’d, it was not solitary, being frequented with people of all sorts, som with a malignant design to find something to his prejudice, and others to gain advantage to themselves by his learned Conversation, or to put him upon something towards the better settlement of the Kingdom. Among these there was an eminent Royalist who prevail’d with him to draw up som Instructions for the King’s service, whereby he might be instru’d to govern with satisfaction to the People and safety to himself: which being perform’d and sign’d with his one hand, his Friend after shewing it to severall of the Courtiers, found they did not approve a Scheme that was not likely to further their selfish Designs. At last he put his Paper into the hands of a great Minister about the King; and how well our Author was rewarded for his good Intentions, we are now going to relate. About this time he was busy in reducing his Politics into short and easy Aphorisms, yet methodically digested in their natural order, and fitted to the most vulgar capacities. Of this he made no secret, and freely communicated his Papers to all that visit’ed him. While he was putting the last hand to this System, and as an innocent man apprehensive of no danger, he was by an Order from the King, on the 28th of December 1661, seiz’d by William Pultney and others, and committed to the Tower of London for treasonable Designs and Practices. He had the written sheets of his Aphorisms then lying loose on the table before him, and understanding they intended to carry ’em to the Council, he begg’d the favor that he might flitch ’em together; which was granted, and so remov’d with som other Papers to Whitehall. I have that Manuscript now in my hands, and another Copy
of the fame which was given me by one of his acquaintance, from both
which I have printed it among the rest of his Works. It is a complete
System of Politics, and discovers the true Springs of the rise, temper,
and dilution of all sorts of Governments, in a very brief and peripi-
cuous manner.

32. He had no time given him to take leave of any body, but was
straight convey'd to the Tower, where none were allow'd to com to
his fight or speech. His Sifters were inconfable, and the more so, he
let they knew what was laid to their Brother's charge. One of them,
who on another occasion had experience'd the King's favor, threw her fell
now at his feet, and petition'd him to have compassion on her Brother,
who thro' a great mistake was fallen under his Majesty's displeasure:
for as he was sure that none of his Subjects exceed his Loyalty, so his
Majesty might fee he was not the man they design'd, since the Warrant
was for Sir James Harrington, wheras her Brother was never
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Lord. WERE you not with him at som public meeting?
Har. MY Lord, the publiquest meeting I have bin with him at, was at dinner at his own lodging, where I met Sir Bernard Gas
coin, and I think Col. Leg.
Sir Edw. Walker. THEY were good safe company.
Lord. WHAT time was it?
Har. IN Venison time I am sure, for we had a good Venison party.
Lord. DO you know one Portman?
Har. NO, my Lord, I never heard of his name before.
Sir G. C. THIS is strange!
Lord. COM, deal ingeniously, you had better confess the things.
Har. MY Lord, you do not look upon me (for I saw he did not
firmly) I pray look upon me. Do you not know an innocent face
from a guilty one? com, you do, my Lord, every one dos: My Lord,
you are great Men, you com from the King, you are the Messengers
of Death.
Lord. IS that a small matter? (at which my Lord gave a shrug.)
Har. IF I be a Malefactor, I am no old Malefactor: why am not I
pale? why do not I tremble? why dos not my tongue falter? why
have you not taken me tripping? My Lord, these are unavoidable
symtoms of guilt. Do you find any such thing in me?
Lord. NO (which he spoke with a kind of amazement) and then
added, I have said all that I think I have to say.
Har. MY Lord, but I have not.
Lord. COM then.
Har. THIS plainly is a practice, a wicked practice, a practice
for innocent Blood; and as weak a one as it is wicked. Ah, my Lord,
if you had taken half the pains to examin the Guilty that you have
don to examin the Innocent, you had found it; it could not have
escap'd you. Now, my Lord, consider if this be a practice, what
kind of persons you are that are thus far made instrumental in the hands
of wicked men. Nay, whither will wickedness go? Is not the King's
Authority (which should be facred) made instrumental? My Lord,
for your own sake, the King's sake, for the Lord's sake, let such Vil
lains be found out and punish'd. At this my Lord Landerdale,
as was thought somewhat out of countenance, rose up; and fumbling
with his hand upon the Table, said:
Lord. WHY if it be as you say, they deserve punishment enough,
but otherwise look it will com severely upon you.
Har. MY Lord, I accepted of that condition before.
Lord. COM, Mr. Vice-Chamberlain, it is late.
Har. MY Lord, now if I might I could ansver the Preamble.
Lord. COM, say; and so he sat down again.
Har. MY Lord, in the Preamble you charge me with being emi
nent in Principles contrary to the King's Government, and the Laws of
this Nation. Som, my Lord, have aggravated this, saying, that I being
a privat man have bin so mad as to meddle with Polities: what had a
privat man to do with Government? My Lord, there is not any public
Perfon, nor any Magilftrat, that has written in the Polities worth a
button. All that have bin excellent in this way, have bin privat
men, as privat men, my Lord, as my self. There is Plato, there
is Aristotle, there is Law, there is Macchiavel. My
Lord, I can sum up Aristotle's Polities in a very few words;
he says, there is the barbarous Monarchy (such a one where the People have no Votes in making the Laws) he says there is the Heroic Monarchy (such a one where the People have their Votes in making the Laws) and then he says there is Democracy; and affirms that a man cannot be said to have Liberty, but in a Democracy only.

MY Lord LAUDERDALE, who thus far had bin very attentive, at this shew'd some impatience.

Har. I SAY, ARISTOTLE says so; I have not said so much. And under what Prince was it? Was it not under ALEXANDER, the greatest Prince then in the World? I befeech you, my Lord, did ALEXANDER hang up ARISTOTLE, did he molest him? LIVY for a Commonwealth is one of the fullest Authors; did not he write under AUGUSTUS CESAR? did CESAR hang up LIVY, did he molest him? MACCHIAVEL what a Commonwealthman was he? But he wrote under the Medic when they were Princes in Florence; did they hang up MACCHIAVEL, or did they molest him? I have don no otherwise than as the greatest Politicians, the King will do no otherwise than as the greatest Princes. But, my Lord, these Authors had not that to say for themselves that I have; I did not write under a Prince, I wrote under a Usurper, OLIVER. He having started up into the Throne, his Officers (as pretending to be for a Commonwealth) kept a murmuring, at which he told them that he knew not what they meant, nor themselves; but let any of them shew him what they meant by a Commonwealth (or that there was any such thing) they should see that he fought not himself; the Lord knew he fought not himself, but to make good the Cause. Upon this from other men came to me and told me, if any man in England could shew what a Commonwealth was, it was my self. Upon this persuasion I wrote; and after I had written, OLIVER never answer'd his Officers as he had don before, therefore I wrote not against the King's Government. And for the Law, if the Law could have punished me, OLIVER had don it; therefore my Writing was not obnoxious to the Law. After OLIVER the Parliament said they were a Commonwealth; I said they were not, and prov'd it; in so much that the Parliament accounted me a Cavalier, and one that had no other design in my writing, than to bring in the King; and now the King shew'd of any man makes me a Roundhead.

Lord. THESE things are out of doors; if you be no Plotter, the King do not reflect upon your Writings.

AND so rising up, they went out: my Lord being at the head of the flairs, I said to him, My Lord, there is one thing more; you tax me with Ingratitude to the King, who had suffered me to live undisturbed: truly, my Lord, had I been taken right by the King, it had (by this Example already given) bin no more than my due. But I know well enough I have been mistaken by the King; the King therefore taking me for no Friend, and yet using me not as an Enemy, is such a thing as I have mention'd to all I have convers'd with, as a high Character of Ingenuity and Honor in the King's Nature.

Lord. I AM glad you have had a sense of it; and so went down.

Har. MY Lord, it is my duty to wait on you no farther.

34. NOTWITHSTANDING the apparent Innocence of our Author, he was still detain'd a close Prisoner; and Chancellor

HIDE,
HIDE, at a Conference of the Lords and Commons, charg'd him with being concern'd in a Plot, whereof one and thirty persons were the chief managers after this manner: That they met in Bowstreet Courtyard, in St. Martins le Grand, at the Mill Bank, and in other places; and that they were of seven different Partys or Interests, as three for the Commonwealth, three for the Long Parliament, three for the City, three for the Purchasers, three for the Disbanded Army, three for the Independents, and three for the Fifthmonarchy men. That their first Consideration was how to agree on the choice of Parliamentmen against the influing Session; and that a special care ought to be had about Members for the City of London, as a precedent for the rest of the Kingdom to follow, wherupon they nominated the four Members after chosen, and now sitting in Parliament: but three of these, being then present, stood up, and clear'd themselves of this Aperision. Their next care was to frame a Petition to the Parliament for a preaching Ministry, and Liberty of Conscience. Then they were to divide and subdivide themselves into several Councils and Committees, for the better carrying on their business by themselves or their Agents and Accomplices all over the Kingdom. In these Meetings Harrington was said to be often in the Chair; that they had taken an Oath of Secrecy, and concerted measures for levying Men and Mony.

35. THE Chancellor added, that tho he had certain Information of the times and places of their meetings, and particularly those of Harrington and Wildman, they were nevertheless so fixt in their nefarious design, that none of those they had taken would confess any thing, not so much as that they had been or spoken to one another at those times or places; which obstinacy, he thought, must needs proceed from a faithfulness to their Oath. But a Committee of Lords and Commons, after several sittings, could make nothing of this imaginary Plot, and did not ever name our Author in all their Reports.

36. HIS Sisters in the mean time being impatient to see him, and to know his Condition, after several fruitless Petitions, obtained an order of Council at last to be admitted into the Tower, where they found him barbarously treated by the Lieutenant, whom they often'd into more humanity with a present of fifty pounds under the notion of Fees. By them he deliver'd a Petition to the King, importing that in the late times he was no public Person, nor acted to any man's detriment in his Life, Body, or Estate, but on the contrary had done his endeavors to help all persons in distress; that he had oppos'd the Usurper in such a manner as was judged even by the Royalists themselves to be very much to his disadvantage; and that it was not probable that he, who had liv'd so peaceably before, would attempt any Novelty after his Majesty's Restoration: wherefore he beg'd the favor of a public Trial, or a more easy confinement. But tho he had bin now a prisoner during the space of five months, neither he nor any on his behalf could receive an Answer to their Petitions; which made him somewhat impatient, not so much to enjoy his Liberty, as to vindicate himself from the base Aperisions of his Enemies. He thereupon continually urg'd his sister Ashton to procure him a Trial, which he not being able to effect, he petition'd the Parliament, shewing that he had lain a close Prisoner in the Tower for five months upon a bare suspicion of some disaffection to the Government, which in all his Examinations did not in the least appear; and that he hop'd e'er that time to have clear'd his innocence by a public Trial,
Trial, as to deserve his Liberty. But because he understood these matters were in some measure represented to their House, he would not presume, without first making his application to them, to sue for his freedom by other legal means. "May it therefore please this honorable House, says he, to take tender consideration of the sufferings of an Englishman hitherto innocent; and that the long continuance of him in prison without trial may be hereafter the cafe of others, and a precedent for the like case: and that this honorable House would please to move his Majesty that your Petitioner may be proceeded against by a legal way of Trial, or that he may have his freedom; that so he may no longer languish in Prison to the ruin of his Health and Estate. Thes are not the words of a man conscious of Guilt, or afraid of Power.

37. HIS Sisfer could get no Member to deliver this Petition, or to give her any encouragement; from alleging that she was more likely to destroy than serve her Brother, and others that by unreasonable preferring this might precipitate his danger; whereas if he would be patient under his sufferings, he might be safe in his restraint. Then he advis'd her to move for his habeas corpus; which at first was flatly deny'd, but afterwards when it was granted and duly serv'd, his Warder came one day to his Sister's at Westminster, and acquainted them that between one and two a clock that morning their Brother was put on board a Ship to be transported he knew not whither, without any time given him either to see his Friends, or to make provision of Mony, Linen, or other necessaries. For could his Relations for a whole fortnight, either at the Tower or in the Secretary's Office, learn what was become of him, till they receiv'd a note from himself on board one of the King's Ships then lying under Harf Castle, informing them that he believ'd he was bound for Plymouth. About a month after he sent 'em word by another letter that he was landed on a kind of Rock opposit to Plymouth, call'd St. Nicholas's Island, whence he afterwards had frequent opportunities of writing to 'em many pious and moral Admonitions, as well as Letters of bufines and entertainment.

38. BUT his close restraint to this small spot of Earth, where there was no fresh Water, and scarce any room to move his Body, quickly chang'd the state of his Health; this occasion'd him to petition he might be remov'd to Plymouth, which was grant'd, his Brother William, and his Uncle Anthony Samuel, obliging themselves in a Bond of 5000l. for his safe Imprisonment. Here he had not only the liberty of walking on the Hoe, but was alfo us'd with extraordinary Respect by the Deputy Governor of the Fort Sir John Skelton, who frequently invited him to his Table, and much lov'd his Conversation. Among the other Acquaintance he made at Plymouth, one was Dr. Dunstan, who advis'd him to take a preparation of Guascum in Coffee, as a certain cure for the Scurvy, with which he was then troubl'd. He drank of this Liquor in great quantity, every morning and evening. But after using it for some time, his Sisters, to their no small amazement, receiv'd no more Answers to their Letters. At length Advice was brought 'em from his Landlady, that his Fancy was much disorder'd, and describing from body might soon to look after him. Immediately one of them advis'd her self to the Earl of Bath, then chief Governor of Plymouth, and inform'd him of his Prisoneer's sad condition. This noble Lord, who laid
laid many Obligations on him before, and gave frequent orders for his good Ufage, went hereupon to intercede for him with the King, representing the danger of his Life if he were not remov'd from that unwholesome place to London, where he might have the Advice of able Physicians; and the King was accordingly pleas'd to grant a Warrant for his Release, since nothing appear'd against him supported by good Proof or probable Presumptions.

39. THE next day the Lady Ashton, with another of his Sisters, took their Journey towards Plymouth, where they found their poor Brother so transform'd in Body and Mind, that they scarce could persuade themselves it was the same person. He was reduc'd to a Skeleton, not able to walk alone, slept very little, his imagination disturb'd, often fainted when he took his drink, and yet so fond of it that he would by no means be advis'd to forbear it. Dr. Puitean, and other eminent Physicians, greatly blame'd Dr. Dunstan's prescriptions, giving their Opinion under their hands that Guaiacum and the other drying things, which he administer'd to his Patient in Coffee, were enough of themselves to beget Melancholy or Phrenzy, where there was no previous disposition to it. A rumor at Plymouth, that Harrington had taken from drink which would make any man mad in a month; the furliness of his Doctor, and something blab'd by a Maid that was put against his will to attend him, made his Sister suspect he had foul play left he should write any more Oceana. No certain, that (the his Recovery was never perfect) he mended finely as soon as he was persuaded to abstain from this Liquor. In less than a month he was able to bear the Journey to London in a Coach, where he was no sooner arriv'd but Sir John Skelton, who was then in Town, paid him a visit. My Lady Ashton complaining to him that she had not timely notice of her Brother's Distemper, he protested he would have sent her word of it, had not his Doctor assur'd him that he only counterfeited; and yet at the same time he made him take strong Doses of Hellebor, and God knows what besides.

40. HE past some time at Ashde in Surrey to drink the Epomwaters, by which he found no benefit. At London he was put wholly under the care of Doctor Puitean, who with all his Art could afford little help to the weakness of his Body, and none at all to the disorder of his Mind, to his dying day. He was allow'd to discourse of most other things as rationally as any man, except his own Distemper, fancying strange things in the operation of his animal Spirits, which he thought to transpire from him in the shape of Birds, of Flys, of Bees, or the like. And those about him reported that he talk'd much of good and evil Spirits, which made them have frightful apprehensions. But he us'd, they said, sometimes to argue so strenuously that this was no deprav'd imagination, that his Doctor was often put to his shifts for an Answer. He would on such occasions compare himself to Democritus, who for his admirable discoveries in Anatomy was reckon'd disaffected by his fellow Citizens, till Hippocrates cur'd them of their mistake. I confess I did not know at first what to make of these things from the informations of his Acquaintance, till I met with a Letter of Dr. Burthogge to his Sister, wherein are contain'd certain Queries propos'd to him by Harrington, with a state of his Cafe written by the Doctor, who was his intimate Friend, and
and a very good judge, whether consider'd as a Physician or a Philosopher, as appears by his late Treatise of the Soul of the World, &c., and as I have particular reason to affirm from his Letters to my Lady Ashton, which are all now before me. Among other things, the Doctor says, that he ever express'd the highest satisfaction in thinking of what he had at any time written, as the best Service he was capable to do his Country, and sincerely intended by him to the glory of God, which he thought in some measure to be the good of mankind: so far was he from being under any remorse of Conscience on that score, as his ill willers maliciously reported. Now, tho' I was somewhat flattered concerning the nature of his Distemper by Dr. Burton's Letter, I grew perfectly amazed when I found among his Papers the beginning of a little Treatise written by himself, wherein (without railery) he proves 'em to be all mad that thought him so with respect to what he discours'd of Nature, which he maintain'd to work mechanically or mathematically, as Bellini, Borelli, Dr. Pitcairn, and other eminent men have since evidently shewn. It appears there that his pretended Visions of Angels and Devils were nothing else but good or bad animal Spirits, and that his Flies and Bees were only Similitudes whereby he us'd to express the various figures and forms of those Particles. I own that he might probably enough be much decay'd in his understanding, by reason of his great and long weakness of body; but I shall never be convinced that he was delirious in that only instance which they allege: and to satisfy the Learned in this point (which, in my opinion, is a memorable Story that concerns 'em all) I shall subjoin his own discourse to this History.

41. WERE he really out of order, it had been his misfortune, not his fault, and was the case of some of the best men that ever liv'd. An action that will better persuade the world he was not truly himself, was his marrying in this condition. The Lady was a very agreeable woman, whose Person and Conversation he always admir'd; she was the Daughter of Sir Marmaduke Dorrel of Buckinghamshire, fam'd for wit more than became her pretensions to good sense, had long liv'd among his Relations with the respect of a Friend and a Sister; but now would needs change the office of a voluntary Attendant for the name of a Wife. It soon appear'd that this match was not so much disinterested as she would pretend, which occasion'd some difference between 'em; but they were quickly reconcil'd, and she was always treated by him afterwards with the highest Generosity, tho' she did not use him so handsomely when they were both young and healthy, and might have made a more fashionable match than at this time. Towards his latter end he was subject to the Gout, and enjoy'd little ease, but languishing and drooping a good while, he fell at last into a Palsy, and departed this Life at Westminster, the 11th of September, in the Year 1677 (leaving his Estate to his Brother's Children) and lyes bury'd there in St. Margaret's Church, on the South side of the Altar, next to the Grave of Sir Walter Raleigh, with this Inscription over him: His jacet Jacobus Harrington Armiger (filius maximus natu Sarcotis Harrington de Rand, in Com. Linc., Equitis auratus, & Jane uxoris ejus, filia Gulielmi Samuel de Opton in Com. Northampton, militiae) quod obiit septimo die Septembris statis juxta hexagesimo sexto, anno Dom. 1677. Nec virtus, nec animi doctus (arba licet aeterni in animam amoris Der) corruptione eximere quaeant corpus.

42. THUS
42. THUS dy'd JAMES HARRINGTON, whose Name is sure to live so long as Learning and Liberty bear any Reputation in England. But tho' he did not think so highly of himself, yet he was strongly perswaded that his Oceana was the Model of an equal Commonwealth, or a Government wherein no Party can be at variance with or gaining ground upon another, and never to be conquer'd by any foreign Power; whence he concluded it must needs be likewise immortal: for as the People, who are the materials, never dy; so the Form, which is the Motion, must (without som opposition) be endless. The Immortality of a Commonwealth is such a new and curious Problem, that I could not affure my self of the Reader's pardon, without giving him som brief account of the Arguments for it, and they run much after this manner. The perfection of Government is such a Liberation in the frame of it, that no Man or Men under it can have the interest, or (having the interest) can have the power to disturb it with Sedition. This will be granted at first sight, and HARRINGTON appeals to all Mankind, whether his Oceana (examined by this principle) be not such an equal Government, completely and entirely fram'd in all its necessary Orders or fundamental Laws, without any contradiction to it self, to Reason, or Truth. If this be so (as the contrary does not yet appear) then it has no internal cause of Dissolution, and consequently such a Government can never be ruin'd any way; for he further shews (what all History cannot contradict) that a Commonwealth, if not first broken or divided by factions at home, was never conquer'd by the Arms of any Monarch from the beginning of the World to this day: but the Commonwealth of Oceana having no factions within, and so not to be conquer'd from without, is therefore an equal, perfect, and immortal Government. For want of this equality in the frame he clearly demonstrats how the Commonwealths of Rome, Athens, and others, came to be destroy'd by their contending and overtopping parties; whereas that of Venice can never change or finish. He proves that this Equality is yet more wanting in Monarchies; for in absolute Monarchy (as that of the Turk, for example) the Senate have frequent interest, and perpetual power to raise Sedition to the ruin of the Emperor, and, when they please, of the Empire: This cannot be said of the Armies of Oceana, and therefore an absolute Monarchy is not a perfect Government. In what they improperly call a mixed Monarchy the Nobility are sometimes putting Chains on the King, at other times domineering over the People; the King is either oppressing the People without control, or contending with the Nobility as their Protectors; and the People are frequently in arms against both King and Nobility, till at last one of the three Estates becomes master of the other two, or till they mutually weaken one another that either they fall a prey to some more potent Government, or naturally grow into a Commonwealth: therefore mixt Monarchy is not a perfect Government; and if no such Parties or Contentions can possibly exist in Oceana, then on the contrary is it a most equal, perfect, and immortal Commonwealth, Quod est demonstrandum.

43. IT will not be objected to the disparagement of this Model, that it was no better receiv'd by OLIVER CROMWELL; nor is it fair to judge of things at any time by their Success. If it should be said, that after the expiration of his Tyranny, the People did not think fit to establish it; I shall only answer, that all the Attempts which have bin'd for introducing Arbitrary Power have prov'd as unfortunate, where-
by it appears at least that the character which Tacitus gave the Romans of his time, may as well agree to the People of England: and it is, that They are able to bear neither absolute Liberty, nor absolute Slavery.

**Conclusion.**

I am disposed to believe that my Lady Ashton's memory fail'd her, when she said that her Brother was at Rome during the Jubilee; for as Chronology seems to contradict it, so the might easily mistake the Jubilee for the Ceremony of consecrating Candles, or any other solemnity; his remarks being equally applicable to all those of the Popish Church. But as to the whole of this History, tho' it be managed with due moderation, and contains nothing but bare matters of fact, or such observations as they naturally suggest; yet I was sensible before I wrote it, that I could not escape the displeasure of three sorts of persons: such as have a relish to be angry at whatever I do; such as either rightly understand what is written by me nor any body else; and those who, without any particular spite against an Author, yet to get a penny will pretend to answer any book that makes a considerable figure. Therefore I find my self oblig'd beforehand to disclaim all explanations made of my meaning, beyond what is warranted by the express words of my Book; having constantly endeavor'd not only to write intelligibly, but so as that none can possibly misunderstand me. I renounce all the designs that may be imputed to me by such as are so far from being admitted into my secret, that they were never in my company; but I specially disown whatever is said by those who first presume to divine my thoughts, and then to vent their own rash conjectures as my undoubted opinions. I flight their artifice who, when unable to object against the point in question, labor to engage their Adversary in matters wholly besides the purpose; and when their Evasions have no better fortune than their Attacks, fall to railing against his Person, because they cannot confute his Arguments. I am as much above the malice of them, as they are below my reproofs; and I would at any time choose to be rather the object of their Envy than of their Favor: but as I am far from thinking my self exempt from all the indiscretions of Youth, or the frailties of human Nature; so I am not conscious of entertaining higher thoughts of my own performances than are becoming, or meaner of others men than they deserve. I know that to enterprize any thing out of the common road is to undergo undoubted envy or peril; and that he who is not beforehand resolv'd to bear opposition, will never do any great or beneficial exploit: yet 'tis no small encouragement to me, that from the beginning of the world to this time not a single instance can be produce'd of one who either was or would be eminent, but he met with Enemies to his Person and Fame. Notwithstanding this consideration be just, yet if I write any thing hereafter (either as oblig'd by Duty, or to amuse idle time) I have determin'd it shall not concern personal disputes, or the narrow interests of jarring Factions, but of things of universal benefit, and which all sides are indifferent to read. Without such provocations as no man ought to indulge, this is my fixed resolution; and I particularly desire that none may blame me for acting otherwise, who force me to do so themselves. I shall never be wanting to my own defence, when either the Cause or the Aggressor deserves it: for as to those Authors who conceal their names, if they write matters of fact 'tis a sign they cannot make them good; and all men are agreed to reject their Testimony, except such as resolve to deny others common justice: but the ill opinion of these prejudic'd persons can no more injure any man,
man, than their good opinion will do him honor. Besides other reasons of mentioning my suppos'd designs, one is to disabuse several people who (as I am told) are made to believe that in the History of Socrates I draw a Parallel between that Philosopher and Jesus Christ. This is a most scandalous and unchristian calumny, as will more fully appear to the world whenever the Book it self is publish'd: for that I have bin fon time about it, I freely avow; yet not in the manner those officious Informers report, but as becomes a disinterested Historian, and a friend to all mankind.

The Inscription on the Monument of Sir James Harrington and his three Sons, at Exton in Rutlandshire.

Here lieth Sir James Harrington of Exton Kt. with (a) Lucy his Wife, Daughter to Sir William Sidney Kt. by whom he had 18 Children, whereof three Sons and 8 Daughters marry'd as follows.

The eldest Son, Sir (b) John, marry'd the Heiress of Robert Keylany Surveyor of the Court of Wards and Liverys. The 2d Son, Sir (c) Henry, took to Wife one of the Coheirs of Francis Agar, one of his Majesty's Privy Council in Ireland. The 3d Son, James (d) Harrington Esq.; had to Wife one of the Coheirs of Robert Sapcotes Esq. The eldest Daughter, Elizabeth, was marry'd to Sir Edward (e) Montague Kt. The 2d, Frances, to Sir William (f) Lee Kt. The 3d, Margaret, to Don (g) Bonitto de Sifnoros of Spain, of the Family of the Dukes of Brantagalu. The 4th, Katherine, to Sir Edward (h) Dimnock Kt. The 5th, Mary, to Sir Edward (i) Wingfield Kt. The 6th, Maball, to Sir Andrew (k) Noll Kt. The 7th, Sarah, was marry'd to the Lord Hastings, Heir to the Earl of Huntingdon. The 8th, Theodora, (l) to the Lord Dudley of Dudley Castle.

The same Sir James and Lucy were marry'd fifty years: She died first, in the 72d year of her Age; he shortly after yielded to Nature, being 80 years old, in the year of our Lord 1591, and of Queen Elizabeth's Reign 34: their Son James being made sole Executor to them both; that he might as well perform to his Parents their Rites, as leave a Testimony of his own Piety to Posterity, hath ered and dedicated this Monument to their eternal Memory.

(a) And Sifier to Sir Philip Sidney Kt. (b) Who was afterwards created Ed Harrington, and his Lady was Governess to the Queen of Bohemia. His Family is extinct as to Heirs Male: One of his Daughters was marry'd to the Earl of Bed ford, and was Groom of the Stole to Queen Anne. The other was marry'd to a Scotch Lord whose name is Lord Bruce Earl of Elgin; his Grandson now Lord Athol. (c) Who happened to be President of Ireland; and from him descended my Lady Fethertail's Father, my Lady Moreson, and my Lord Falkland's Lady. (d) Afterwards Baronet: To him were born Sir Edward: Harrington, Sir Sapcotes Harrington, and Mr. John Harrington, who had issue both Sons and Daughters. (e) Who was Father to the Lord Montague, the Earl of Manchester, and Lord Privy Seal; and Sir Sidney Montague, who was afterwards created Earl of Southampton, and to the Earl of Rutland's Lady, and Judg Montague. (f) Who was afterwards created Lord Chichester and Earl of Danbymore, and marry'd one of his Daughters to the Earl of Southampton, by whom he had the present Lady Northumberland. And his other Daughter marry'd her Self to Col. Villiers, and is now Governess to the Lady Mary the Duke of York's eldest Daughter. (g) Which Dukedom afterwards fell to him; and by this Lady he had two Sons: Daughter and Heir, who is said to have marry'd the Duke of Berne, and by him to have had one Daughter, who is marry'd to a King of Portugal. (h) Of Lincolnshire, the King's Standard-bearer. (i) An ancient noble Family in Kent. (j) Now Lord Camden, Owner of the place where this Monument is. (k) One of whose Daughters marry'd the Earl of Hume in Scotland, and had by him two Daughters: one married my Lord Averies, and the other my Lord Maitland now Duke of Lauderdale. The other Daughter of my Lady Dudley was Heir to the Honour of Dudley Castle; of whose Issue by the Mother's side is the present Lord Dudley.
The LIFE of
The Mechanics of Nature:

An Imperfect Treatise written by James Harrington during his sickness, to prove against his Doctors that the Notions he had of his own Distemper were not, as they alleg'd, Hypochondriac Whimseys or Delirious Fancies.

The PREFACE.

HAVING bin about nine months, som say in a Difice, I in a Cure, I have bin the wonder of Physicians, and they mine: not but that we might have bin reconcil'd, for Books (I grant) if they keep close to Nature must be good ones, but I deny that Nature is bound to Books. I am no stud'd Naturalist, having long since given over that Philosophy as inscrutable and uncertain: for thus I thought with myself: "Nature, to whom it is given to work as it were under her Veil or behind the Curtain, is the Art of God: now if there be Arts of Men who have wrought openly enough to the understanding (for example that of Titian) nevertheless whose excellency I shall never reach; How shall I thus, sticking in the Bark at the Arts of Men, be able to look thence to the Roots, or dive into the Abyss of things in the Art of God? And nevertheless, Si placidum caput undis exsulterit, should Nature afford me a sight of her, I do not think so meanly of myself but that I would know her as soon as another, the more learn'd man. Laying therefore Arts wholly, and Books almost all aside, I shall truly deliver to the world how I felt and saw Nature; that is, how she came first into my senses, and by the senses into my understanding. Yet for the sake of my Readers, and also for my own, I must invert the order of my Discourse; For theirs, because, till I can speak to men that have had the same Sentations with myself, I must speak to such as have a like understanding with others: For my own, because, being like in this Discourse to be the Monkey that play'd at Chefs with his Master, I have need of some Cushion on my head, that being in all I have spoken hitherto more laid than my Reason. My Discourse then is to consist of two parts: the first, in which I appeal to his understanding who will use his Reason, is a Platform of Nature drawn out in certain Aporithems; and the second, in which I shall appeal to his senses who in a Difice very common will make further trial, is a Narrative of my Case.

A Platform or Scheme of Nature.

1. NATURE is the Fiat, the Breath, and in the whole Sphere of her activity the very Word of God.
2. SHE is a Spirit, that same Spirit of God which in the beginning mov'd upon the Waters, his plasifer Virtue, the άνάμνησις καταθλίφης, άπειρον κέφαλη.
3. SHE is the Providence of God in his Government of the things of this world, even that Providence of which it is said, that without it a Sparrow cannot fall to the ground, Matt. 10. 29.
4. SHE
4. SHE is the Anima Mundi, or Soul of the World;

Principio Celum, ac Terrae, campisque liquentes,
Lucemque globum Luna, Titanique astra
SPIRITUS intus altis, atque effusa per artus
Mens agitat molem, & magno fe corpore miscer.
Indeb enim auctor rerum, in usque volantium,
Et qua marmoreo fert monstrua sub aereum pontus.
Ipse est ells vigor, & celestis Origo
Seminibus, quantum non nostra corpora tardant,
Terrenique hebant artus, moribundaque membr.
Hinc mutuant, cupiuntque, dolent, gaudentque, neque auras
Disipiant clauso tenebris & careere caco.  
Virgil.Æn.6.

5. SHE is infallible: for the Law of an infallible Lawgiver must needs be infallible, and Nature is the Law as well as the Art of God.

6. THO Nature be not fallible, yet she is limited, and can do nothing above her matter; thence no Miracles are to be expected from her.

7. AS Defects, Redundancies, or such other rude qualities of matter, ought not to be attributed to the Artificer or his Art; so neither is Nature, or the Art of God, to be charg'd with Monsters or imperfections, the things so reputed being the regular Effectats both of the Matter and the Art that forms it.

8. NATURE is not only a Spirit, but is furnish'd, or rather furnishes her self with innumerable ministerial Spirits, by which the operates on her whole matter, as the Univerfe; or on the separat parts, as man's Body.

9. THESE ministerial Spirits are certain Ætherial Particles invisibly mix'd with elementary Matter; they work ordinarily unseen or unfelt, and may be call'd Animal Spirits.

10. AS in found Bodys there must needs be GOOD SPIRITS managing the Oeconomy of Health; so in unfound Bodys, as in chronical Dileafes, there must needs be EVIL SPIRITS managing the Oeconomy of Distempers.

11. ANIMAL Spirits, whether in the Univerfe, or in man's Body, are good or evil spirits, according to the Matter wherein and wherof they are generated.

12. WHAT is a good Spirit to one Creature, is evil to another, as the food of some Beasts is poison to man; whence the gentleness of the Dove, and the fierceness of the Hawk.

13. BETWEEN the Animal Spirits of the whole or Univerfe, and of the parts, as of man's Body, there is an intercourse or cooperation which prefers the common order of Nature unseen; and in some things often foretells or discovers it, which is what we call Prefages, Signs, and Prodigys.

14. THE work of good Spirits, as Health for example, is felicitous, and as it were Angelical; and that of evil Spirits, as in Dileafes, is noxious, and as it were diabolical, a sort of fascination or witchcraft.

15. ALL Fermentation is caus'd by unlocking, unbinding, or letting loose of Spirits; as all Attenuation is occasion'd by stirring, working, or provoking of Spirits; and all Transpiration by the emission or sending abroad of Spirits.

16. NOTHING in Nature is annihilated or loft, and thence whatever is transpir'd, is receiv'd and put to some use by the Spirits of the Univerfe.

17. SCARCE
17. Scarce any man but at some time or other has felt such a motion as Country people call the Lifeblood; if in his Ey, perhaps there has flown out something like a dusky cloud, which is a transpiration or emission of Spirits; perhaps as it were a flash of Fire, which also was an emission of Spirits, but different according to the matter wherein and wherof they were wrought, as Choler, &c.

18. Animal Spirits are ordinarily emitted stinking themselves into various figures, answerable to little arms or hands, by which they work out the matter by Transpiration, no otherwise than they unlock'd it, and wrought it up in the body by attenuation, that is, by manufacture: for these operations are perfectly mechanical, and downright handywork as any in our shops or workhouses.

19. If we find Nature in her operations not only using hands, but likewise forming analogous to any Art, Tool, Engin, or Instrument which we have or use, it cannot be said that Nature had these things of men, because we know that men must have these things of Nature.

20. In Attenuation and Transpiration, where the matter of the Diseafe is not only copious but inverater, the Work will not as I may say be inarticulat, as in the trembling call'd the Lifeblood; but articulat, and obviously go to the senfe of the Patient by immediate strokes of the Humor upon his Organs, which sometimes may be strong enough (tho' not ordinarily) to reach another.

21. Nature can work no otherwise than as God taught her, nor any man than as she taught him.

22. When I see a curious piece from the hands of an Apprentice, I cannot imagin that his Master was a bungler, or that he wrought not after the same manner as his Servant learn'd of him; which I apply to God and Nature.

23. Physicians sometimes take the Prudence of Nature for the Phrenzy of the Patient.

24. If any man can shew why these things are not thus, or that they may be otherwise, then I have done, and there is said in this part already more than enough; but if they can neither shew that these things are not thus, nor know how they should be otherwise, then so far I stand my ground, and am now arm'd for my Narrative Cap a pè.

'Tis a thousand pity that we have not this Narrative, to which no doubt he apply'd these Principles, and thence form'd the state of his Distemper. But the Manuscript containing no more, we may however evidently conclude that the Writer of it was not so greatly disorder'd in his thoughts, which are for the most part very just, and all as close and coherent as any man's.
THE

Grounds and Reasons

OF

MONARCHY

Consider'd:

And Exemplify'd in the Scottish Line,

out of their own best Authors and Records.
THE PREFACE.

THere is nothing that has more confounded Knowledge among men, than the reciprocal violences of the Understanding and the Will; or, to speak plainly, the Passion of the one and Blindness of the other: Since from by chance or interest take up Principles which they force the Understanding by strain'd Arguments to maintain; others by the habit of some Opinion to bewitch the Will into confederacy, that they can never quit it, even after confutation. To remedy this Disorder, since I had resolve'd with myself to say something to this Point (which tho' it be but as a small Wyre, yet the great weight of civil Felicity hangs upon it) I knew no better Method than to take the Scales from the Eyes of the Understanding, and to shew the Will how better to bring about her great Design of Good. And in the prosecution of this, I would not skirmish with every Argument, which had bin a thing of immense slavery, and not for every Eye; but I chose rather to strike at the Foundations, that the Understanding might lose its Passion, and more freely consider upon what Quicksands they lay. And in this I needed not to be positive, because I undertake a Task in which most Men are commonly successful, that is, to support Error rather than to assert Truth. Hence I consider Kingship simply, not troubling my self to maintain any other Form, or to consider Oaths, Ends, Changes of Government, or the particular Necessity or Reasons of Safety: they being distinct Considerations and Subjects by themselves. Now if this negative Method satisfies not, I see no such great cause to be discourag'd; for, I confess, I do not perceive it so easy a thing to discover an Error; and I had rather tell a Man he was out of the way, than by endevoring to bring him to the end of his Journey, lead him further about. And it is my opinion, that as Scepticism is not only useless, but dangerous; if in setting our Thoughts in a posture of Defence, it makes us absolutely wavering and incredulous: yet had I rather be sceptical in my Opinion, than maintain it upon grounds taken upon trust, and not demonstrated.

THE Second Part is merely an instance accommodated to the Arguments of the First, wherein I would not be understood to be a Writer of an Epitome (for I have other Employments for my Time and Thoughts, and those nobler too) but to set down a true Series by way of Example; and therefore I was only to note Accesses to Government, and Recesses from it, with the Effects proceeding from the Persons of Governors. And here as I needed not much trouble Chronology: So left it might be a bare Skeleton, I sprinkled some Observations that came to hand, and seem to afford either Pleasure or Use. Thus much, lest I might be misunderstood, I thought necessary to premise.
THE
Grounds and Reasons
OF
MONARCHY.
The First Part.

I HAVE often thought it strange, that among all the Government, either past or present, the Monarchial should so far in Extent and Number exceed the Popular, as that they could never yet come into comparison. I could never be persuaded but it was more happy for a People to be dispos'd of by a number of Persons jointly interested and concern'd with them, than to be number'd as the Herd and Inheritance of One, to whom Lust and Madnes they were absolutely subject; and that any Man of the weakest Reason and Generosity would not rather chuse for his Habitation that spot of Earth where there was access to Honor by Virtue, and no Worth could be excluded, rather than that where all Advancement should proceed from the Will of one scarcely hearing and seeing with his own Organs, and gain'd for the most part by means lewd and indirect: and all this in the end to amount to nothing else but a more splendid and dangerous Slavery. To clear this Point, I consider'd how infuturabily Providence carries on the turns and stops of all Governments, so that most People rather found than made them. The Constitutions of Men, from not fit to be Masters of their Liberty, from not capable, from not willing; the Ambition of settled Tyrants, who breaking their own Bonds have brought in violent Alterations; and lastly, civil Discord, have either corrupted or alter'd better Settlements.

BUT these are Observations rather than Arguments, and relate to Fact rather than Reason. That which astonish'd me most was to see those of this Heroic and Learn'd Age, not only not rising to Thoughts of Liberty, but instead thereof foolishly turning their Wits and Swords against themselves in the maintenance of them whose Slaves they are: and indeed they can be no weak Causes that produce so long and settled a Distemper; tho' some of those I mention'd, if not most of them, are the true ones.

HE knows nothing that knows not how superstitiously the generality of Mankind is given to retain Traditions, and how pertinacious they are in the maintenance of their first Prejudices, insomuch that a Discovery or more refin'd Reason is as infupportable to them, as the Sun is to an Eye newly brought out of Darkness. Hence Opiniativens (which is commonly proportion'd to their Ignorance) and a generous Obstinance fomtimes to Death and Ruin. So that it is no wonder if we see many Gentlemen, whose Education enabled them only
to use their Sense and first Thoughts, so dazzled with the Splendor of a Court, prepossessed with the Affection of a Prince, or bewitch’d with some fabulous Favor, that they chuse rather any hazard than the Inchantment should be diffolv’d. Others, perhaps a degree above these, yet in respect of some Title stuck upon the Family (which has bin as fortunat a Mystery of Kingscraft as any other) or in reference to some glorious former Achievements (minding not that in all these cases the People are the only effectuie means, and the King only imaginary) think they should degenerat from Bravery in bringing on a Change. Others are withheld by Sloth and Timorousness, either not daring, or unwilling to be happy; some looking no further than their privat Welfare, indifferent at the multiplication of public Evils; others (and these the worst of all) out of a pravity of Nature sacrificing to their Ambition and Avarice, and in order to that, following any Power, concurring with any Machinations, and supporting their Authors: while Princes themselves (train’d up in these Arts, or receiving them by Tradition) know how to wind all their humors to their own advantage, now foisting the Divinity of their Titles into Pulpits, now amusing the People with Pomp and Sheuws, now diverting their Hot Spirits to some unprofitable foreign War (making way to their accrue’d ends of Revenge or Glory, with the effusion of that Blood which should be as dear to them as their own) now stroking the People with some feeble but infore’d Law, for which notwithstanding they will be paid (and ’tis observ’d, the most notorious Tyrants have taken this Course) now giving up the eminenceft of their Ministers (which they part with as indifferently as their Robes) to the Rage and Fury of the People; so that they are commanded and condemn’d by the same Mouth, and the credulous and ignorant, believing their King divinely set over them, fit still, and by degrees grow into Quiet and Admiration, especially if lul’d asleep with some small continuance of Peace (be it never so injuft, unfound, or dangerous) as if the Body Politic could not languish of an internal Diseafe, tho’ its Complexion be fresh and chearful.

Those are the Reasons which (if I conceive aright) have fluxify’d the lefs knowing part of Mankind. Now, how the more searching part have foolishly misconstruy’d, will fall under consideration.

First then, we need not take the pains to demontrat how easily a thing it is for men of Acutenefs, not conversant in Civil Affairs, not only to misconstruy the Apprehension, but even in their Judgment of them: for they, instead of bringing the Series and Reason of things into Rule and Method, use on the contrary to measure them by their own presuppos’d Speculation; and by that means become incapable of weighing rightly the various Incidences and Circumstances of Business. For it is to be observ’d, that the Theorems of no Art or Profession are either more easily found, or of more difficult practice than those of Policy; so that it is no wonder if Men merely contemplative, fail so oft in the very laying of Grounds, as we shall anon inculce. Now how fruitful Dainty’s Error and Absurdity are, we all know. But more especially the Contenions of contemplative Men are most numerous, various, and endless; for wrangling is with them an Art, and they are indu’d with that ungenerous Shame, never to acknowlge their Mistakes. Moreover, their Principles are most times ill-grounded, and it is to be fear’d that in their Superstructures they as often call in their
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their Imaginations as their Judgment to frame Arguments. Besides, these men fighting only with Pen, Ink, and Paper, seldom arrive at a means to decide the Quarrel, by which he that gains the last word is suppos'd Conqueror; or the other leaves almost as inglorious a Conquest to the Victor, as if he had bin overthrown.

THAT which I would infer from all this, is, that the Generality of speculative Men, for the most part guiding their Understandings by those Notions which they find in Books, fall not seldom by this means into considerable Errors. For all Books,those I mean that are human, and fall directly under our Consideration, either lay down practical Things and Observations of Kingship, or propose general and universal Notions, or else controversially infer Monarchy against some Opposers. Now in the two latter there are generally found two grand and insupportable Fallacies, the first whereof is, that they fraudulently convert in Generals, and (to borrow the School-terms) speak of that in the Abstract which they should do in the Concrete: As for example, where they should assert the particular Right of this or that Prince, they cunningly or ignorantly lay out most of their Discourse about Monarchy in general, and often weary and amaze the Dispute before they come to the true ground and settling of the Quarrel, whereby the Readers (diverted by such Prepossession, and intangled by general Notions of Authority, Power, and Government) seldom descend into the consideration of Particulars, where the great Scruple and Difficulty for the most part lies. So that any King (be his Access to the Government never so fraudulent and unjustifiable) comes to be look'd on as sacred, authoritative, and by degrees begins not to blush at the Attributes of Sacred Majesty, Grace, and Highness, or any other Terms that the fervil Flattery and witty Barbarity of Courtiers can give to them: nay, from even of the wickedest of the Roman Emperors could be content to be faltered with Peremtity and Divinity; whereas if Men would call their Reason into counsel, they might find that these blazing Stars were opece Bodies, and did shine only by Reflection: These Men having no more Luster than either the Cabal of their own State and Distance, or the wretched Imposture upon the People, casts on them. For did Men deserve the Authority from the Person, they would then commonly find it inconsiderable, if not positively evil. And again, consider Authority in it itself as a thing fixt, real, immutable, and (when justlyadminister'd) sacred, they might find, that granting a Prince to be the most regular, just Person in all the world, yet many Men as good join'd with him, intrusted, and concurring to the same end, might do much more good; and that to deny this, were to be as irrational as to deny that one Person could do any good at all. But however, this I take to be certain and demonstrable out of their own Principles, that Kings being only to be consider'd in respect of the Trust and Power lodged in them, a number of Men by as just means (not to say better) invested with the same Trust and Power, are every jot as sacred, and of as much Divine Right as any Monarch is, the Power being essentially the same, united or divided, as if a Communion be to one or three. It will follow then, that Republics may be as just and authoritative as Kingdoms; and then their radical Argument of the Jure Divino of Kingship is wholly enervated, and the other render'd equally as Sovereign. And I am to note (but this is only transtently) the Poorefs, or, to say better, the Blasphemy of that Argument which flourishe our Kings
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Kings as the Types of Divinity, and vainly lavishes from Metaphysics, to prove that all things have a natural tendency to Oneness; nay, the rich of 'em merry Wits has carry'd them to run over most of the Divine Attributes (as from English Lawyers have talk'd of the legal, I must say phantastical Ubiquity and Omnificience of our Kings, tho' we see the contrary; and from Civilians have said as much about the Emperor before them); whereas they should consider, that the immense Simplicity of God flows out in its several Operations with ineffable variety, God being every where and the same, or, as the Platonists say, a Center in every part of its Circle, a Spirit without Quantity, Distances, and Comprehension; whereas Man is a determinate narrow Being, who doing one thing, ceases to do another, and thinking of one thing is forc'd to quit his former thought. Now how fit he is to be a Shadow of this Archetype, let any judge, unless he could be refin'd from his Corporeity, and inlarg'd into a proportionable Immensity. Besides, I know not whether it be safe to think or no, That as God, who, for the most part, indues Men with Gifts suitable to the places to which he calls them, would in some measure pour out his Spirit proportionat to these Men, whereas most commonly we find them, notwithstanding their extraordinary advantages of Society, Education, and Busines, as weak Men as any other: and good Princes being fway'd by the Advice of Men, good and wife, and the bad seduce'd by Men of their own Inclinations, what are all Monarchies but in reality Optimacy? for a few only essentially govern under the name of one, who is utterly as unable as the meanest of those over whom he claims Superiority.

The second Fallacy is this, That Men, while they labor thus to support Monarchy, tell us not what kind of Monarchy it is, and consequently gain nothing, tho' we should grant them the former Proposition to be true. For what does it avail to tell me of the Title of such a Prince, if I know not by what Title he holds? Grant it were visible to me that such a Man was mark'd out by Providence to be my Governor, yet if I cannot tell what kind of one, whether absolute, mixt, limited, merely executive, or only first in order, how shall I know to direct my Obedience? If he be absolute, my very natural Liberty is taken away from me; nor do I know any Power that can make any Man such, the Scripture setting just limitations and restrictions to all Governors. If mixt and limited, I must know the due Temper and Bounds whereby he is to rule, or else he may usurp or be mistaken, and I oppress or injur'd. If executive, the Power fundamentally resides not in him, but in the Great Council, or them intrusted by the People; then I adore only a Shadow. Now if any Prince of Europe can really clear up these Mists, and shew the Lines of his Government drawn fairly, and his Charter whole and authentic, like that of Venice and ancient Rome, for my part, I'll be the first man shall swear him Allegiance, and the last that will preferve him. But you will find that they will tell you in general about their Office, and in particular of their Claims of Succession, Inheritance, and Ancestors; when look but three or four Storys back, and you will meet either from savage unnatural Intrusion, disguised under some forc'd Title or chimerical Cognition, or else from violent Alteration, or possibly from slender Oath or Articles, hardly exerted and imperfectly kept. Now if any man that will but run over these Rules, and apply them to any History whatever (as we shall exemplify in that of Scotland, upon which for the present we have pitcht)
and not find most Titles ambiguous, the Effects of former Monarchy's (for where, in a Catalogue of forty Kings, can you almost shew me three good ones, but things merely striving to maintain their Titles and domestic Interest?) ruinous to the People, who for the most part consider them no other wise than as to be redu'd from violent Confusion, not as they tend to the positive Happiness of a civil Life; I say; all this will be found to be true, or my small Conversation in Books is extremely false. And truly I conceive reading of History to be the most rational Course to set any Judgment right, because it instructs by Experience and Effects, and grounds the Judgment upon material Observations, and not blindly gropes after Notions and Causes, which to him are tantum non inferabili; but of that anon. A main Mistake under this Topic has bin an erroneous comparison and application of matters Civil and Military; for Men observing that mixt Councils about Generals, Plurality, Equality of Commands, frequent and sudden Military Alterations, have brought no small Diffemper and Dangers to several Governments and Attempts; therefore they presently conclude, that in Civils also it is the safest to continue a Command in one hand for preventing the like Disturbances. But here they are deceiv'd; Civil matters consist in long debate, great consideration, patient expectation, and wary foresight, which is better to be found in a number of choice experience'd Heads, than in one single Person, whose Youth and Vigor of Spirit inables him rather to Action, and fills him with that noble Temperance which is commonly so happy in Martial Affairs; that must be guided always to improve Occasions, which are seldom to be found again, and, which mistaken, are to be fearfully amended. Besides, the Ferocity of daring Spirits can hardly be bounded while they stand level; so that it is no wonder if they extinguish all Emulations by putting the Power into the hands of one, whereas in a Commonwealth it is quite otherwise: and Factions (unless they be cruelly exorbitant) do but poise and balance one another; and many times, like the discord of Humors upon the natural Body, produce real good to the Government. That slender conceit, that Nature seems to dress out a Principality in most of her works, as among Birds, Bees, &c. is so slender indeed (in regard they are no more Chiefs than what they fancy them, but all their Prepotency is merely predatory or oppressive; and even Lions, Elephants, Crocodiles and Eagles, have small incon siderable Enemies, of which they stand in fear, and by which they are often ruin'd) that the Recital confutes it; and if it were so, yet unless they could prove their One Man to be as much more excellent than the rest as those are, and that solely too, I see not what it would advantage them, since to comply with the design of Nature in one, they would contradict it in others, where she is equally concern'd. But these Philosophical and Rhetorical Arguments have not a little hinder'd the severer Disquisition of Reason, and preposess'd the more easy Minds with Notions so much harder to be laid aside, as they are more erroneous and pleasing.

These are the fundamental Errors that have misled the Judgment; now those which have misguided the Conscience, have principally proceeded from the Misinterpretation of Scripture; and therefore seeming Sacred, have bin less examin'd and doubted, as carrying the most Authority. Thus in the Old Testament, there being such frequent mention of Kings, which notwithstanding were given in Wrath, they
they superstitiously maintain not only the necessity, but even the impurity of Kings; whereas we know not their Powers and Limitations, and it is inconsequent to argue, That because *Judea* was so governed, we should follow the same Pattern, when we find neither Precept, Consequence, nor Necessity convincing us. And it is madness to think that while the Divine Spirit so freely and vehemently exclaims against the Iniquity of men, God would authorize it so far as to leave it in them only unpunishable who should exterminate and reform it. As for the Antiquity from *Adam*, it is true, before his Fall his Dominion was large and wide, but it was over the Beasts that after his Fall learn'd to rebel against him; and economically, not despotically, over his Wife and Children. But what is this to Civil Government? In the New Testament (for I the briefest pass over this head, in regard it has bin so copiously treated upon by those under whose Profession it falls, and that it does not immediately conduce to my Design) the principal Argument has bin the meekness of *Christ* and his compliance with Civil Powers, which certainly, if he had bin disposed to have resifted, say they, he could as easily have overthrown, as with a few Cords whip the Buyers and Sellers out of the Temple. But he, that was the Wisdom of his Father, rather thought fit to build up his Kingdom (which is not earthly, nor known of earthly men) in Meekness and Obedience to Civil Powers, which are perpetually chang'd and hurry'd at the Will of the first Mover, otherwise he would never have concerned himself so much in giving Dues to *Cæsar*, and to God what is Gods; intimating the distinct Obedience owing by all men, as Christians, and Citizens. When, granting Monarchy the most and only lawful Government, yet every one knows, that knows any thing of the *Roman* Story, that *Augustus* had no more Title to that Government, than to any of those over whom he usurped, and that his Access to the Government was as fraudulent and violent as could be. Another Error is the mis-taking of the word *Powers*, when it's clear the Scripture speaks of it in a Latitude, as extending it to all sorts of established Governments. Now men have falsely pretended, that those Powers were only meant of Kings; and what by an indiscriminate collation of the places of the Old, and violent wrestings of others of the New Testament, they pervert the other grand Mixture; which since it has bin already clear'd up, and as we said is but collateral with us for the present, we shall no further mention it.

A S for the alleg'd Examples and Speeches of the Primitive Times, I see not much in them considerable: for tho Inquisitions against Princes cannot be produc'd, or rather much is said against them, yet we are to consider, that the Gospel of *Christ* (which was at that time not much des'd by the World) engages not to any Domination, but (wholly taken up with its own Extrafys, spiritual Delights and Expectations) neglects all other Affairs as strange and dangerous. And moreover (tho I know what has bin said to the contrary) I cannot find, after well considering those Ages, any probable ground how; if they would have rebel'd, they could have made any Head. They were indeed numerous, but then they had Legionarys among them; and who knows not what an ineffectual thing a People is (be it never so desirous) when overaw'd by the Soldiery? And they were a People (as Greatness to God and Man is different) not considerable for their worldly Power (for how few eminent Commanders were
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converted in the first Ages?) but out of his own mere choice, so that it was not strange if they could not do much. For God, as he chose the weakest means in planting the Gospel, even Fishermen; so, in the primitive Propagation he called the weaker Men, the Christianities afterwards grew ample and augment, and Kings were proud to give their Names to it.

A S for the Fathers (supposing them free of their many Adulterations, Interpolations, and all those Errors and Incertainties which the procefs of time and fraud of men has foisted into them) they are to be accepted only as Witnesses, not as Judges: that is to say, they may prove matter of Fact, but none of their words matter of Right; especially if we consider their Writings, either Homilies, Commentaries, or Controversies, which are ever directed to another end than this is, and they themselves (men secluded from Civility) are so much more unable to judge and resolve civil Controversies, in regard the unhappy of the latter times has produc'd many Controversies not known or thought of in their days, which not falling directly under their Profession, cannot receive any Light or Authority from them.

HAVING thus consider'd Kingship, and how well it has appear'd thro' the false Lights of the Understanding, we shall now consider, whether, taking it by it self, its Foundations be laid upon a Cylinder or upon a Cube: and this, I think, we are the likeliest to do, if we consider them in their Rights and Uses, or, to speak plain, in their Legality and Policy; so that if we find that none of the ways of retaining their Crowns can be authentic except one, and that one makes against them, we shall see we have no just causes of blind Adoration or implicit Obligation to truckle under any of their Commands. And if again we discover that fort of Government it self is not so profitable to the end of civil Happiness, but rather diametrically opposite to it; we may suppose that men are either strangely obstinate, or else they might eradicate an Error which not only offers so many Prejudices to their Understanding, but that has such an evil Influence upon their external Well-being.

We have then to consider, that for One man to rule over Many, there must necessarily be pretended some Right, tho' it be but colorable; for either he must be chosen by the People as their Arbiter and supreme Judge, or else he must by force of Arms invade them, and bring them to Obedience, which he by force preferring for his Sons or Successors, makes way for a third Claim, which is Inheritance. A fourth come have invented, tho' were it real, it is but a difference of the last, and I therefore shall mention it under that Head. But to the Consideration.

FIRST therefor Election, supposing the People, either finding themselves unable to wield their own Happines, or for preventing of Disorders, make choice of one Man to be set over them, it here instantly follows, that the Authority is in the People, and flowing from them; for Choice argues a Power, and being elected a Subordination to it; in the end, I mean, tho' not in every act. Now there is none chosen but for som End, or for som Intentions reciprocal betwixt both Parties; for otherwise such a choice were but Dotation, and consequently invalid: Wherefore thus it will follow, that those who pretend to King it upon this Topic, must either shew a formal Election (which I think many Kings are not able to do) or if he can shew one, pro-duce
duce also the Conditions and Ends for which he was chosen. Now all parts being either implicit or explain'd, let him exhibit the Covenant, that it may be known whether he governs according to it or not; for if he transgresses, he forfeits, and the others are absolv'd from their promis'd Obedience. If the Agreement be unwritten or intentional, either Party is relatively ty'd; and then if he does any thing against the welfare of the People (that Soverain Law and end of all Governments) the People may not only justly supposse the former Capitulation broken, but even endeavor, by what possible means they can, to restore themselves to their former Rights: for why should the making of a Compact prejudice any when it is once broken? And here comes in another Fallacy, with which the Affectors of Royalty have so flourisht'd, that an Agreement between a People and one Man shou'd defend to his Politery; whereas it is to be consider'd, that the People chusing one man is commonly in consideration of his Person and personal Merit; which not being the same in his Son (as commonly Families in the Horizon are in the Meridian, the Founders being braver than any that follow after them) that very intent is frustrated and ceases; and the People providing for the Happines of a few years, which are determinable with uncertainty of the latter part of the Life of one man, run themselves and their Politery into an eternal Inconvenience (for any thing they know) of bad Governors. And if the People would never so formally agree with him, that in regard of his Merits or feciency of Actions, his Son should be receiv'd in that place, yet would they not stand to it, that very Pact expiring with the life of either. For my Father may leave me notionally a Slave in a Tenure (a thing frequent with our Anceftors) or as Civilians term it, a Feodary, with which I am content, in respect of the Advantage it brings me, or because my own Eftate is too little to be independent, and therefore I think it good prudence to be shelter'd under the protetion of the greater; but my natural Liberty, that is to say, to make my Life as justly happy and advantageous to me as I may, he can no more give away from me than my Understanding or Eyesight: for these are Privileges with which God and Nature have indu'd me, and these I cannot be deny'd but by him that will also deny mea Being. But to go on, Suppose a second Generation should accept the Son, and a third a Grandson, yet this confirms not a fourth; and the People very impoliticly strengthen and confirm the Power by continuance, and in a manner with their own hands lay the Foundation of Absolutenes; their Governors themselves growing in Interests, increasing in Alliances and Forces: so it is very improbable but that within a little they grow too big and formidable, and leave nothing of Liberty except the Name, and (if they be less cunning) not that. A pertinent Example of this, and so near us that I cannot pass it, we see in young Oränge and the Low Countries at this day, who continuing his Progenitors for their signal Services, and him for theirs, are now punish'd for their generous and indiscrete rewarding of Virtue, that their Liberty was lately almost blown up before they well perceiv'd it to be undermin'd, and they are now at charge to maintain their own Oppreffion. As for that formal Election and Stipulation, who fees not what a vain and ridiculous cheat it is, they coming with Swords in their hands to demand the Scepter of a weak and stupid multitude that appears only to gaze upon the Ceremonys, and whose refusal were ineffectual? but it is a gracious piece of the Cabal of Tyranny to deceive the People with Shadows, Fantasms, and names of Liberty.
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As for those that intrude by Force, they cannot certainly have the Forhead to infer any Right, they being but, as the Pirat said to Alexander, public and more magnificent Robbers. Certainly these are the Nimrods, the great Hunters, Gods Scourges, and the Burdens of the Earth; and whether they be Founders of Empires, or great Captains (as Boccasin distinguishes them) they ought rather to be remember'd with horror and detestation, than have that undue Reverence with which they commonly meet.

Yet these are they that lay the Foundations of Succession, and from these do the Successors claim, and enjoy with the least reluctance, because the regret of the Violences, and hate of the first daily wears out; whether it be by the continuance of Peace that charms men into a love of cafe, or that the continuance of Slavery enfeebles their Minds, that they rather chufe to look at their present Enjoyment than real Happines; so that it is not strange if the Person of their Oppreffer becomes in time adorable, and he himself thinks that confirm'd and justly'd to him in process of time, to which in the beginning he had no right. But if we consider the busines a little higher, we might find that since neither the People (as we have prov'd before) have power to make themselves Vaffals, and the Intruders themselves cannot pretend any just Title; their Domination is merely illegal, and apt to be shaken off with the first conveniency, it being every whit as equitable, that these men should be judg'd Enemies of Mankind, and condemn'd to die the death of Parricides for usurping a Power, as Nero for abusing it. But I would fain ask the Regious Defenders, by what Law they can maintain Governments to be inherent in one, and to be transmitted to his Offspring? If they fay by the Law of God, I would demand again how they can make this Law appear to me? If they fay that the Scripture contains the Right and sacredness of Kings, I ask them again, How they know that God extends that Privilege and Authority to this King? If they fay, that he is involv'd in the general Right, they do but run into a Circle; unless they can show me, that all his Approches to the Government were regular, and such as God was pleas'd with, or else God had by som Sign and Wonder declar'd his approbation of him; for without these two, they must make God the Author of Evil, which is impious, and pretend his Commission for an unlawful Act; and by the fame right, any other (as a Tyrant, for example) may pretend it to an Action never fo unjust, it being no inusual thing to borrow the face of Divinity, even upon som foul Impositions, as (to forbear further Instances) Numa's Conference with Egeria, Scipio's Retirement into the Capitol, and Sertorius's white Hart.

Now if they pretend the Law of Nature, they must demonstrat to us, both that the endow'd men with inequal Freedom, and that the shap'd out such a Man to rule; whereas it appears on the contrary, that all Men naturally are equal: for the Nature with a noble Variety has made different the Features and Lineaments of Men, yet as to Freedom, till it be lost by som external means, she has made every one alike, and given them the same Desires. But suppose she had intended such a Family for Government, and had given them som illustrious Marks, as we read of som that had, whether by the imagination of their Mothers, or by Deceit; yet then would Nature fall into a double Irregularity, first in defering her Method of making all free, and secondly...
The Grounds and

condly in making her general Work merely subservient, and secondar
ty to her particular; which how contrary it is to that beautiful Har
mony of hers, I need not much insist. Now if they say, they are Fa
thers of the People, and for that reason they call themselves the Heads, inferring the People to be no more than a Trunk, it's only metaphorical, and proves nothing: for they must remember, that since Father
has a relation upon which it depends, and upon whose removal it van
ishes, they themselves cannot bring any such; for by physical pro
creation they will not offer it; and for metaphorical Dependence, it
will come to nothing, we seeing People languish when their Princes are
fullest, and, like Leeches, rather willing to burst than to fall of; and
on the contrary, the People upon the removal of a Prince cheerful and re
liev'd. Now if there were so strict a Union between these two, such a Contrariety and Antipathy could never appear; for certainly when
any two Persons endeavour to gain ground one upon another, there is
an Enmity, whatever is pretended. Besides, if these men would be
Fathers, it were then their duty to do like Fathers, which is to pro
vide for, defend and cherish; whereas on the contrary, it is they them
selves that eat the bread out of the mouths of their Children, and
thor the groans of the Poor. And whereas Flattery has said, that what
they draw up in Vapors they send down in Showers, yet are we sure
that such rains are for the most part unfruitful, if not ominous and in
fectious. If they pretend the Law of Nations, it were well they would
declare to us first what this Law is, and whether generally agreed on or
no by Nations. If they say, yes, they must resolve whether explicitly
or implicitly: if they say the former, let them produce them; if the
latter, they must demonstrate, that all Nations are agreed in such and
such Notions, and all men of these Nations, since every one must be
equal capacity: When on the contrary, tho the Understandings of most men, whom we know or have convers'd with, seem to agree
in some general maxims, but unpolish'd, unnumber'd, and unmethodiz'd,
yet we see many Nations differing from us in many things, which
we think clearly, fundamentally, and naturally true; neither do Cli
mats and Education only so diversify the Minds of men, but even their
Understandings, and the different ways of thinking so diversely
even those of one Country, that tho we may please our selves in thinking that all mens thoughts follow the fantastical method of ours, yet we might find, if we were perfectly conversant with all men of the
World, and well read in their Authors (as we are not with half of
them, no, nor any one man with the twentieth part) that there are
scarce four or five Axioms, excepting as they make a part of the Law
of nature, would be universally receiv'd. Now (for I have bin the
longer by reason that this imaginary Law has bin so hold up by the Ci
vilians, and made the subterfuge of so many considerable Disputes) if
it be so weak as that we can scarce tell whether it has a being or no, for
even that which we account the most facer piece of it, the violation
of public Messengers, the Tartar and Muscovite, unless restrain'd by
fear, break it every day. What then are the Arguments deduc'd from
it? or if there were such a Law, what would it avail such a particular
man? for why should other Nations impose a Governor where they
are not concern'd? And if they pretend this Law as to the preferva
tion and impunity of their Persons, the same Answer will serve again,
with this addition, That they make an Offender incapable of punish
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ment, which is but to give them a Commission to offend. Now, if they run upon that distinction of suspending only, and not punishing (as if forsooth this kind of People must be preferred, tho by the ruin of Mankind, to immediat Vengeance) then I say, That Suspension is really a Punishment; and if his Demerits can deserve that, I see not but that upon a proportionable Incresse, they may deserve Dethronization or Death, as clearly as two and two make four, and four more make eight. If they allege positive or municipal Laws, and number Homages, they are not much the nearer, since that all such Laws are but Rivuletts and Branches of them we before examin'd; and since we found that those speak so little in their favor, that which these do cannot signify much, especially since Princes, who are ever watchful to improve all occasions of this nature, can either by terror or artifice draw Assemblies, or the major part of them, to their own Lure; nay, even the worse of them have not forgot to be solicitous in this case. But it must be remark'd, That whatever positive Laws are repugnant to those general ones, they are injurious, and ought to be repeal'd. And truly it is a sad Observation, that as Monarchs grow, either out of the weakness of Government, and (as I may say) its Pupillage, as Romulus and Theseus did at Rome and Athens, or else out of the difeafe or depravation of it, as Cæsar again invaded Rome: to have the People bin never more fond of them, than when Manners were at the highest corruption, which ever gave access of strength to them; nor have they more diftafted them, than when their Spirits and Disciplin were the most brave and healthful: so fatally disagreeing are true Liberty, which is the very fource of Virtue and Generosity, and the impotent Domination of a Single Tyrant, who commonly reigns by no other means than the Difcurls of braver Citizens, who can neither induce Equality or Superiority among themselves, and rather admit a general Vassalage, than just Equality; or by the Vices of the bater fort, which naturally reconcile them and Kings, and concern them both in a bad Example. But suppole Suceffion a thing sacred and inviolable, yet once break and interrupt it, it is little worth, either the Usurper being to be acknowl'dg'd regular, or the whole Series daff'd out of order. Nay, we fee Apirers themselves either fo blinded with their Pretences, or with Animosity, and fo crying up their own Titles, that it is almost impossible for any privat Judgment to do right in this cafe, themselves thwarting one another; and it cannot be in the power of Nature that both should be right. But who can instance one Monarch whose Crown is come to him by untainted Suceffion? and what History will not confirm the Example I shall anon bring? Certainly the Suceffion were a thing that had not so little reason or reality, yet I see not why men should with such a strange pertinacity defend it. Matters of Government ought to be manag'd by Prudence; but Suceffion puts them into the hands of Fortune, when a Child incapable or infirm, under the regiment of a Nurse, must (possibly) be Supreme Governor, and those whom either their Abilities or Virtues fit for it, subordinat or laid aside. But what if the Perfon whom necessity has set at the helm be incapable, lunatic, weak, or vittious, is not this a good way to prevent Controversys? yet this plainly ener-vats all good Counsil, when a King should have need of Tutors, and that a multitude of People should be commanded by one who commands not himself; and, when we scarce obey even excellent Princes, to adore Shadows and weak ones.
A S for Boxhornius's distinction of Succession, wherein the next Heir must necessarily sucede by the original Right of the former, I would ask him, whether the Predecessor were a Possessor or Юфуfructuary? If the first, all our former Arguments fall on him; if the latter, it makes not for his Successor, the People being Owners: and besides, the distinction is one of his own coinage, never pretended before; upon the first controversy it is invalid, altho' the first Founder had a Right, as we have prov'd the contrary.

HAVING, with what brevity I could, brought to an end my first Intention, I shall now fall upon the second, which is the intrinsic value and expediency of this Government, and som little comparision with others; but herein we shall be short, and only so far as concerns this. And indeed it is a busines to ticklish, that even Mr. Hob's in his piece de Cive, tho' he affur'd himself that the rest of his Book (which is principally calculated for the affertation of Monarchy) is demonstrated, yet he douts whether the Arguments which he brings to this busines be to firm or not; and Malvezzi contrarily remonstrats (in his Discourses upon Tacitus) that Optimacys are clearly better than Monarchys, as to all advantages. And indeed if we look on the Arguments for Monarchy, they are either Flourishes, or merely Notions; such are the reference and perfection of Unity, which, say they, must needs work better and more naturally, as one simple cause (besides that it stills and restrains all other claims) than many coordinat: whereas they never consider that among many joint Causes there may be some jarring, yet like crofs Wheels in an Engin, they tend to the regulation of the whole. What violent Mischiefs are brought in by the Contentions of Pretenders in Monarchys, the Ambiguities of Titles, and lawles Ambition of Aspirers? whereas in a settled Republic all this is clear and unperplex'd; and in case any particular man aspires, they know against whom to join, and punish as a common Enemy. As for that reason which alleges the advantage of Secrecy in busines, it carries not much with it, in regard that under that even most pernicious designs may be carried on; and for whom Councils (bating iom more nice Transactions) it matters not how much they be toft among those who are so much intrusted and concern'd in them, all bad designs being never in probability so feeble and ineffectual, as when there are many eyes to overlook them, and voices to decry them. As for that expedition in which they say Monarchs are so happy, it may as well further a bad intention, as give effect to a just Council, it depending on the Judgment of a single man, to whose will and ends all must refer; whereas a felect number of intrusted Perions may happen every opportunity with a just slowness as well as they, tho' indeed (unles it be in som Military critical Minutes) I see not such an Excellency in the swiftness of heady Dispatch, precipitation in Counsels being to dangerous and ominous. As for what concerns privat Suitors, they may as freely and effectually (if not more) be answer'd in itaid Republics, as in the Court of a King, where Bribery and unworthy Favorits do not what is just, but what is desir'd.

WITH theses and many others as considerable (which partly willingly, and partly in this penury of Books, forgettingly I pats) do they intend to strengthen this fantafical and airy Building; but as fly Controverseters many times leave out the principal Text or Argument, because should it be produc'd, it could not be so easily answer'd: tho' these
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these men tell us all the Advantages of Monarchy, supposing them still well settled, and under virtuous men; but you shall never hear them talk of it in its corrupt state under loud Kings and unsettled Laws; they never let fall a word of the dangers of Interreigns, the Minoritys and Vices of Princes, Misgovernments, evil Councils, Ambitions, Ambiguities of Titles, and the Animositys and Calamities that follow them, the necessary Injustices and Oppressions by which Monarchs (using the Peoples Wealth and Blood against themselves) hold them fast in their Seats, and, by som suspension of Divine Justice, dy not violently.

WHEREAS other Governments, establih'd against all these Evils, being ever of Vigor and just Age, setled in their own Right, freed from pretences, serv'd by experienced and engag'd Councils, and (as nothing under the Moon is perfect) somtimes gaining and advantage'd in their Controversys, which have not seldom (as we may see in Old Rome) brought forth good Laws and Augmentations of Freedom; whereas once declining from their Purity and Vigor, and (which is the effect of that) ravish'd by an Invader, they languish in a brutish Servitude, (Monarchy being truly a Disease of Government) and like Slaves, stupid with hardnefs and continuance of the lafh, wax old under it, till they either arrive at that Period which God prescribes to all People and Governments, or else better Stars and Pofferties awaken them out of that Lethargy, and restore them to their priftin Liberty, and its daughter Happinefs.

BUT this is but to converse in Notions, wandring, and ill abstracted from things; let us now descend to practical Observation, and clearly manifest out the whole Series of Time and Actions, what Circumstances and Events have either usher'd or follow'd one Race of Kings, That if there were all the Justice in the World that the Government of a Nation should be intail'd upon one Family, yet certainly we could not grant it to such a one whose criminal Lives and formidable Deaths have bin Evidences of God's Wrath upon it for so many Generations.

AND since no Country that I know yields such an illustrious Example of this as Scotland dos, and it may be charity to bring into the way such as are misled, I have pitch'd upon the Scotifb History, wherein as I have only consult'd their own Authors, as my fittest Witnesses in this cafe; so have I (not as a just History, but as far as concerns this purpose) faithfully, and as much as the thing would permit, without glosses represented it: so that any calm Understanding may conclude that the Vengeance which now is level'd against that Nation, is but an attendant of this new introduc'd Person; and that he himself, tho' for the pretent he seems a Log among his Frogs, and suffers them to play about him, yet God will suffer him (if the English Army prevents not) to turn Stark and devour them, while their Crys shall not be heard, as those that (in spite of the warning of Providence, and the light of their own Reason, for their own corrupt Interest and greedy Ambition) brought these Miseries upon themselves.
An Instance of the preceding REASONS out of the SCOTISH HISTORY.

The Second Part.

And now we com to our main busines, which is the review of Story, wherein we may find such a direct and uninterrupted Series, such mutual Endearments between Prince and People, and so many of them crown'd with happy Reigns and quiet Deaths (two successively scarce dying naturally) that we may conclude, they have not only the most reason, but a great deal of excellent Interest who espouse the Person and Quarrel of the hopeful Descendent of such a Family: nor shall we be so injurious to the Glory of a Nation, proud with a Catalogue of Names and Kings, as to expunge a great part of their number; tho' hom, who have don it, affirm there can be no probability that they had any other being than what Hector Boyes, and the black book of Paisley (out of which Buchanan had moss't of his Materials) are pleas'd to bestow on them, there being no mention of the name of Scot in any Authentic Writer, till four hundred years after Christ. No, we shall no more envy these old Heroes to them, than their placing the Red Lion in the dexter Point of their Escutcheon. But tho' we might in justice reject them as fabulous and monkish, yet since they themselves acknowledge them, and they equally make against them, we shall run them over like genuine History. The first of this blessed Race was Fergus; first General, and afterward got himself made King: but no sooner cast away on the Coast of Ireland, but a Contention aries about the validity of their Oath to him, and Uncles are appointed to succede, which argues it Elective: so Firtharis Brother to Fergus is King, but his Nephew forms a Conspiracy against him, forces him to resign and fly to the Isles, where he dy'd. Firtharis dying soon after, was suspected to be poison'd. After him coms in Main (Fergus's second Son) who with his Son Dornadilla, reign'd quietly fifty seven years. But Reuther his son not being of age, the People make his Uncle Notthat take the Government; but he misrules, Reuther, by the help of one Doual, rais'd a Party against him, and beheads him, makes himself King with the indignation of the People that he was not elect'd: so that by the Kindred of Notthat he is fought, taken, and displac'd; but afterwards makes a Party, and regains. His Son Thereus was too young, so that his Brother Reuther succeeds, but after seventeen years was glad to resign. Well, Thereus reigns, but after six years declines to such Lendness that they force him to fly, and govern by a Prorex. After his Death Josina his Brother, and his Son Finan are Kings, and quietly dy'd. But then coms Dus't, one who slays all the Nobility at a Banquet, and is by the People slain. After his Death the validity of the Oath to Fergus is call'd in question, and the elective Power vindicated; but at length Even his Brother is admitted, who tho' he ru'd
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ru'd valiantly and well, yet he had Gillausa Baffard Son, Vater & Regni caput. The next of the Line are Twins, Docham and Dorgal, Sons of Durst: they while they disputed about priority of Age, are, by the artifice of Gillausa, slain in a Tumult; who makes a strong Party, and feizing of a Hold, says he was made Supervisor by his Father, and so becomes King, cuts off all the Race of Durst: but is after forc'd out of the Kingdom, and taken by Even the Second his Successor (who was chosen by the People) and by him put to death in Ireland. After Even comes Eder: after Eder his Son Even the Third, who for making a Law, that the Nobility should have the enjoyment of all new marry’d Women before they were touch’d by their Husbands, was doom’d to Prifon during his Life, and there strangle’d. His Successor was his Kineman Metellan: after whom was elected Caratag, whom his Brother Corbreit succeed. But then came Dardan (whom the Lords made to take on him the Government, by reason of the Nonage of Corbreit’s Son) who for his Leudnfs was taken by the People, and beheaded.

AFTER him Corbreit the Second, whose Son Luctac for his Leudnfs was by the People put to death; then was elected Mogleid, who following his vicious Predecessors steps, found his Death like theirs violent.

His Son Conar, one of the Conspirators against him, succeed, but misgoverning, was clapt in Prison, and there dy’d.

Ethodius his Sifter’s Son succeeded, who was slain in the night in his Chamber by his Piper.

His Son being a Minor, Satriel his Brother was accepted, who seeking to place the Succession in his own Line, grew so hateful to the People, that, not daring to com abroad, he was strangle’d in the night by his own Servants, which made way for the youngest Brother Donald, who outdid the others Vices by contrary Virtues, and had a happy Reign of one and twenty years.

Ethodius the Second, Son of the first of that name, was next, a dull inactive Prince, Familiarium tumultu occisus.

His Son Athirco promis’d fair, but deceiv’d their expectations with most horrid Leudnfs, and at length vitiated the Daughters of Nathalock a Nobleman, and caus’d them to be whip’d before his eyes; but seeing himself surrounded by Conspirators, eluded their Fury with his own Sword; his Brother and Children being forc’d to fly to the Piets. Nathalock, turning his Injury into Ambition, made himself King, and govern’d answerably; for he made most of the Nobility to be strang’le, under pretence of calling them to Council, and was after slain by his own Servants.

AFTER his Death Athirco’s Children were call’d back, and Findoc his Son, being of excellent hopes, accepted, who made good what his Youth promis’d: he beat in fundry Battels Donald the Hander; who seeing he could not prevail by force, sent two as Renegados to the King, who (being not accepted) conspire with his Brother, by whose means one of them flew him with a Spear when he was hunting.

His Brother Donald succeses (the youngest of the three) who, about to revenge his Brother’s Death, hears the Hander is enter’sd Murray;
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ray; whom he incontruing with inequal Forces, is taken Prisoner with thirty of the Nobility, and whether of Grief, or his Wounds, dy's in Prison.

33. THE Ilander that had before usurp'd the Name, now assum'd the Power (the Nobles, by reason of their kindred Prisoners, being overaw'd) This man wanting nothing of an exquist Tyrant, was, after twelve years Butcherys, slain by CRATHLIN'TH Son of FINDOC, who under a disguise found Address and Opportunity. The brave Tyrannicid was universally accepted, and gave no caufe of Repentance; his Reign is famous for a War begun between the Scots and Piets about a Dog (as that between the TROJANS and ITALIANS for a white Hart) and the defection of CARUSUS from DIOCLESIAN, which happen'd in his time.

35. HIS Kinman FINCORMAC succeeded, worthy of memory for little but the Piety of the CALDES (an Order of religious Men of that time overborn by others succeding) He being dead, three Sons of his three Brothers contended for the Crown: ROMACH as the eldest, strengthen'd by his Alliance with the Piets, with their affixence feiz'd on it, forcing others to fly; but proving cruel, the Nobility conspir'd and flew him.

37. ANGUSIAN, another Pretender, succeeds, who being allay'd by NECTHAM King of the Piets, who came to revenge ROMACH, routed his Army in a pitch Battel; but NECTHAM coming again, he was routed, and both he and NECTHAM slain.

38. FETHIELMAC, the third Pretender, came next, who beating the Piets, and wafting their Fields, HERGUST, when he saw there could be no advantage by the Sword, suborn'd two Piets to murder him, who drawing to conspiracy the Piper that lay in his Chamber (as the manner was then) he at the appointed time admitted them, and there flew him.

39. THE next was EVGEN Son of FINCORMAC, who was slain in a Battel with the Piets, to the almost extirpation and banishment of the Scots; but at the Piets, taking disafft at the Romans, enter'd into a secret League with the Scots, and agreed that FERGUS (whose Uncle the last King was) being then in banishment, and of a military breeding and inclination, should be chosen King. With him the DANES maintain'd a long War against the Romans, and pull'd down the Piets wall: at last he and the King of Piets were in one day slain in a Battel against them. This Man's access to Government was strange, ignotus Rex ab ignoto populo accersitus, and may be thought temerarious; he having no Land for his People, and the Roman Name inimical; yet founded he a Monarchy, there having been Kings ever since; and we are to note, this is the first man that the founder Writers will allow to be real and not fabulous. Him succeeded his Son EUGENIUS (whose Grandfather GRAHAM had all the power) a warlike Prince, whom some say slain, some dead of a disease. After him his Brother DONARD, who after the spending of five superstitious years, left the Crown (as they call it) to his youngest Brother CONSTANTIN; who from a good privat Man turn'd a lead Prince, and was slain by a Nobleman, whose Daughter he had ravish'd.

44. He was succeeded by CONGAL, CONSTANTIN'S Son, who came a tolerable good Prince to a loose People; and having spent from two and twenty years in flight excursions against the SAXONS, left the rule.
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to his Brother Goran, who notwithstanding he made a good League against the Britans, which much conduc'd to his and the Peoples settlement, yet in requital, after thirty four years, they made away with him; which brought in Eugenius, the Third of that name, the Son of Congal, who was strongly suspested to have a hand in his Death, intemach that Goran's Widow was forc'd to fly into Ireland with her Children. This man in thirty three years time did nothing but reign, and make short Incursions upon the Borders; he left the Rule to his Brother Congal, a monaftical, superfluous, and inactive Prince, who reign'd ten years. Kinnatell his Brother was design'd for Successor; yet Aidan, the Son of Goran, laid his claim, but was content to suspend, in respect of the Age and Discafe of. Kinnatell, which after fourteen Months took him out of the World, and clear'd the controversy, and Aidan by the content of Columba (a Brief that govern'd all in those days) came to be King; a Man that, after thirty four years turbulently spent, being beaten by the Saxons, and struck with the Death of Columba, dy'd of Grief.

After him was chosen Kenneith, who has left nothing behind him but his Name. Then came Eugenius the Fourth, the Son of Aidan (to irregular is the Scots Succession, that we fee it inverted by Ufurpation or crofs Elections in every two or three Generations) This man left an ambiguous Fame; for Hector Boetius says he was peaceable; the Manuscript, implacably severe: He reign'd sixteen years, and left his Son Fercbard Successor, who, endeavoring to heighten the Prerogative by the Difensions of the Nobility, was on the contrary impeach'd by them, and call'd to an account, which he denying, was clapt in Prison, where he himself faw'd the Executioner a labor. So that his Brother Donald succeed'd, who being taken up with the Piety of those days, left nothing memorable, except that he in perfon interpreted Scots Sermons to the Saxons. He was follow'd by his Nephew Fercbard, Son to the first of that Name, a Thing like a King in nothing but his Exorbitancy, who in hunting was wounded by a Wolf, which caft him into a Fever, wherein he not observing the impos'd Temperance, brought on himself the lousy Diseafe; upon which discomfited, he was by the perufion of Colman (a religious Man) brought out in his Bed cover'd with Hair-cloth, where he made a public Acknowledgement to the People, and soon after dy'd. Malduin, Donald's Son, follow'd, who after twenty years ignoble Reign was triangled by his Wife. Eugenius the Fifth succeed'd, Son (they fay) of King Donnard, the Chronology seems to refute it. This man spent five years in flight Incursions, and was succeed'd by Eugenius the Sixth, Son of Fercbard. This man is famous for a little Learning, as the times went, and the Prodigy of raining Blood feven days, all Milkmeats turning into blood. Amberkellet, Nephew to Eugenius the Fifth, who succeed'd this rude Prince, while he was discharging the burden of Nature, was slain by an Arrow from an unknown hand. Eugenius the Seventh follow'd, who being attended by Conspirators, had his new marry'd Wife slain in bed beside him; for which he being accus'd, produc'd the Murderers before his Trial, and was acquitted, and so ended the reft of his 17 years in Peace, recommending to the People Mordac, Son of Amberkellet.
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61. KELLETH, who continuing a blank Reign, or it may be a happy one, in regard it was peaceable, left it to EFVYN Son of EUGENIUS the Seventh: the first part of his Reign was peaceable; but Age obliging him to put the Government into the hands of four of his Servants, it happen'd to him, as it do to other Princes, whose Fortunes decay commonly with their Strength, that it was very unhappy and turbulent: Which Miferys EUGENIUS the Eighth, Son of MORDAC, refrain'd. But he, it seems, having a Nature fitter to appease Tumults than to enjoy Reft, at the first enjoyment of Peace broke into such Leudnels, that the Nobility at a meeting flabb'd him, and made way for FERGUS the Son of EFVYN, one like his Predecessor in manner, death, and continuance of Reign, which was three years; the only diffimilitude was, that the latters Wife brought his Death; for which others being impeach'd, she stept in and confed it; and to avoid punishment, punifh'd her self with a knife. SOLUATH, Son of EUGENIUS the Eighth, follow'd him, who tho' his Gout made him of less Action, yet it made his Prudence more visible, and himself not illaudable: His Death brought in ACHAIUS the Son of EFVYN, whose Reign was innocled with an Irish War, and many learned Men; besides the Affifance lent HUNGUS to fight against the Northumbrians, whom he beat in a famous Battel, which (if I may mention the matter) was prefignify'd to HUNGUS in a Dream, St. Andrew appearing to him, and affuring him of it; and in the time of Battel a white Cross (that which the Herald's call a Saltier, and we see commonly in the Scots Banners) appear'd in the Sky; and this I think to have bin the occasion of that bearing, and an Order of Knights of St. Andrew, sometimnes in reputation in Scotland, but extinguih'd, for ought I can perceive, before the time of JAMES the Sixth, tho' the Collar and Pendant of it are at this day worn about the Scots Arms. To this man CONGA, his Cousin succeeded, who left nothing behind him but five years to stretch out the account of time.

62. DONAGAL the Son of SOLUATH came next, who being of a Nature fierce and insupportable, there was an endeavor to set up ALPIN Son of ACHAIUS, which Design by ALPIN himself was frustrate, which made the King willinger to affift ALPIN in his prenention to the Kingdom of PIIST; in which Attemt he was drown'd, and left to ALPIN that which he before had so nobly refus'd, who making use of the former, rais'd an Army, beat the PIIST in many signal Victories; but at last was flain by them, leaving his name to the place of his Death, and the Kingdom to his Son KENNETH. This man seeing the People broken with the late War, and unwilling to fight, drew them on by this Subtilty; he invites the Nobility to dinner, and after plying them with Drink till midnight, leaves them sleeping on the floor (as the manner was) and then hanging Pilshkins about the Walls of the Chamber, and making one speak thro' a Tube; and call them to war; they waking, and half asleep, suppos'd somthing of Divinity to be in it, and the next morning not only confentted to War, but (to strange is deluded imagination) with unspeakable Courage fell upon the Enemy and put them to the rout; which being confirm'd by other great Victories, utterly ruin'd the PIISTH Name. This man may be added to the two FERGUSES, and truly may be faid to be the Founder of the Scots Empire, not only in making that the middle of his Dominion, which was once the bounds, but in confirming his

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Acquisitions with good Laws, having the opportunity of a long Peace, which was sixteen years, his whole time of Government being twenty. This was he that place'd that Stone, famous for that illusory Prophecy, *Ni fallat statum, &c.* (which first was brought out of Spain into Ireland, and from thence into Argyle) at Scon; where he put it in a Chair, in which all his Successors (till Edward the First brought it away) were crown'd, and since that all the Kings of England, till the happiness of our Commonwealth made it useless. His Brother Donald was his Successor, a man made up of extremities of Virtues and Vices; no man had more bravery in the Field, nor more Vice at home, which increasing with his yeras, the Nobility put him in prison, where either for fear or scorn he put an end to his days, leaving behind him his Brother Constantine, a Man wanting nothing of him but his Vices, who struggling with a potent Enemy (for the Pict's had call'd in the Danes) and driving them much into despair (a Bravery that has not seldom rain'd many excellent Captains) was taken by them, put into a little Cave, and there slain. He was succeeded by Ethus his Brother, who had all his eldest Brother's Vices, and none of his second's Virtues; Nature, it seems, making two extremes and a middle in the three Brethren. This man volupptuous and cowardly, was forc'd to reign; or, as others say, dy'd of Wounds receiv'd in a Duel from his Successor, who was Gregory Son of Dungal, who was not only an excellent Man, but an excellentPrince, that both recover'd what the others had lost, and victoriously travers'd the Northern Counties of England, and a great part of Ireland; of whose King a Minor, and in his power, he generously made no advantage, but settled his Country, and provided faithful and able Guardians for him. These things justly yield him the name of Great. Donald Son of Constantine the Second, by his recommendation, succeed in his Power and Virtues, notwithstanding some fay he was remov'd by Poison. Next was Constantine the Third, Son of Ethus, an unstable person, who afflietth the Danes, which none of his Predecessors would do; and after they had deferred him safely, yet yielded them Success, confining of the chief of the Scots Nobility, which with the whole Danish Army were rout'd by the Saxons. This struck him so, that he retir'd among the Caedys (which were as the Grec Caelyers, or Romish Monks at this day) and there bury'd himself alive. After him was Malcolm, Son of Donald the Third, who tho a good Prince, and well skill'd in the Arts of Peace, was slain by a Conspiracy of those to whom his Virtue was burdenish. His Successor was Indulf (by what Title I find not) who fighting with the Danes that with a Navy unexpectedly came into the Frith, was slain. Due son succedes, famous for an Accident, which if it be true, seems nearly distant from a Fable. He was suddenly afflicted by a sweating Diseafe, by which he painfull languished, yet no body could find the cause, till at last a Girl, that had scatter'd from words, after torments, confess'd that her Mother and some other women had made an Image of Wax, which, as it waffed, the King should wait, by sweating much the place being diligently search'd, it was found accordingly; so the Image being broke, he instantly recover'd. That which disturb'd his five years Reign was the turbulency of the Northern People, whom, when he had reduc'd and taken, with intent to make exemplary Punishment, Donald the Commander.
Commander of the Castle of Forres, where he then lay, interceded for some of them; but being repuls'd, and exasperated by his Wife, after he had made all his Servants drunk, flew him in his Bed, and bury'd him under a little Bridg (left the cutting of Turfs might discover a Grave) near Kitros Abby; tho' others say, he turn'd aside a River, and after he had bury'd him, suffer'd it to take its former Chanel. Cullen the Son of Indule, by the Election of Parliament, or Convention of the People, succeded, good only in this one Action, of inquiring and punishing his Predecessor's Death; but after, by the neglect of Discipline, and the exquisitens of his Vices, became a Moniter, and so continued three years, till being weakened and exhaught in his Body, and vexed with perpetual Dificayes, he was summon'd by the Parliament, and in the way was slain by a Thane (so they then call'd Lieutenants of Counties) whose Daughter he had ravish'd.

Then came Kenneth, Brother to Duf (the forepart of his Reign was totally unlike his) who being invaded by the Danes, beat them in that famous Battle, which was won by the three hays, Husbandmen (from whom all the hays now give three Shields Gules) who with their Sythes reinforce'd the left Battle; but in his latter time he lost this reputation, by poisoning Milcolm Son of Duf, to preserve the Crown for a Son of his Name, tho' of less merit (for says Buchanan, They use to chuse the fittest, not the nearest) which being don, he got ordain'd in a Parliament, that the Succession should be lineal, the Son should inherit, and be call'd Prince of Scots; and if he were a Minor, be govern'd by som wife Man (here coms the pretence of Succession, whereas before it was clearly Elective) and at fifteen he should chuse his Guardian himself. But the Divine Vengeance, which seldom, even in this life, paffes by Murder, overtook him; for he was ensnair'd by a Lady, whose Son he had caus'd to be executed, and slain by an Arrow out of an Ambush she had laid.

Constantin the son of Cullen, notwithstanding all the Artifice of Kenneth, by his reasoning against the Act, perswaded most of the Nobility to make him King, so that Milcolm the Son of Kenneth and he made up two Factions, which tore the Kingdom; till at length Milcolm Baffard Brother (himself being in England assiting the Danes) fought him, routed his Army, and with the loss of his own Life took away his, they dying of mutual Wounds. Grime, of whose Birth they do not certainly agree, was chosen by the Constantinians, who made a good Party; but at the Intercession of Forard (an accounted Rabbi of the times) they at last agreed, Grime being to enjoy the Kingdom for his Life, after which Milcolm should succede, his Father's Law standing in force. But he, after declining into Leudnes, Crueltie and Spoile (as Princes drunk with Greatnes and Prosperity ufe to do) the People call'd back Milcolm, who rather receiving Battle than giving it (for it was upon Ascension-day, his principal Holy-day) routed his Forces, wounded himself, took him, pull'd out his Eyes, which altogether made an end of his Life, all Factions and Humors being reconcil'd.

Milcolm, who with various Fortune fought many signal Battles with the Danes, that under their King Sueno had invaded Scotland, in his latter time grew to such Covetousnes and Oppression, that
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All Authors agree he was murder’d, tho’ they disagree about the manner; from by Confederacy with his Servants; from by the Friends of a Maid whom he had ravish’d. DONALD his Grandchild succeeded, a good-natur’d and inactive Prince, who with a Strategem of sleepy Drink destroy’d a Danish Army that had invaded and distress’d him; but at last being instigart’d by his Kinsman MACKBETH, (who was pricket’d forward by Ambition, and a former Vision of three Women of a four human shape, whereof one saluted him Thane of Angus, another Earl of Murray, the third King) he was beheaded.

The Severity and Cruelty of MACKBETH was so known, that both the Sons of the murder’d King were forced to retire, and yeild to the times, while he courted the Nobility with Largeoffs. The first ten years he spent virtuously, but the remainder was so savage and tyrannical, that MACDUFF Thane of Fife fled into England to MILCOLM Son of DONALD, who by his persuasions, and the assistance of the King of England, enter’d Scotland, where he found such great aecessions to his Party, that MACKBETH was forced to fly; his Death is hid in such a mist of Fables, that it is not certainly known.

MILCOLUMB, the third of that name, now being quietly feared, was the first that brought in those gay inventions and distinctions of Honors, as Dukes, Marqueeses (that now are become so airy, that from carry them from places to which they have as little relation as to any Island in America, and others from Cortages and Dovecoets.) His first trouble was FORFAR, MACKBETH’s Son, who claim’d the Crown, but was soon after cut off. Som War he had with that WILLIAM whom we call fallly the Conqueror, from with his own People, which by the intercession of the Bishops were ended. At length quarrelling with our WILLIAM the Second, he laid siege to Alnwick Castle, which being force’d to extremity, a Knight came out with the Keys on a Spear, as if it were to present them to him, and and to yield the Castle; but he, not with due heed receiving them, was run through the Ey and flank. Som from hence derive the name of PRIECE (how truly I know not.) His Son and Successor EDWARD following his Revenge too hotly, receiv’d from Wounds, of which within a few days he dy’d.

DONALD BANE (that is in Irfill, White) who had fled into the Isles for fear of MACKBETH, promis’d them to the King of Norway, if he would procure him to be King, which was done with ease, as the times then stood; but this Usurper being hated by the People, who generally lov’d the memory of MILCOLUM, they set DUNCAN, MILCOLUM’s Baitard, against him, who forc’d him to retire to his Isles. DUNCAN a military Man knew’d himself unfit for Civil Government; so that DONALD, waiting all advantages, caus’d him to be beheaded, and reftor’d himself: But his Reign was so turbulent, the Ilanders and English invading on both sides, that they call’d in EDGAR Son of MILCOLUM, then in England, who with small Assitances posset himself, all Men deserting DONALD, who being taken and brought to the King, dy’d in Priiton. EDGAR secure by his good Quality, and strengthen’d by the English Alliance, spent nine years virtuously and peaceably; and gave the People leave to breathe and rest, after so much trouble and bloodshed. His Brother ALEX...
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The beginning of whose Reign being disturb'd by a Rebellion, he speedily met them at the Spey, which being a swift River, and the Enemy on the other side, he offer'd him self to ford it on Horseback: but Alexander Car taking the Employment from him, forded the River with such Courage, that the Enemy fled, and were quiet the rest of his Reign. Som say he had the name of Acer, because some Conspirators being by the fraud of the Chamberlain admitted into his Chamber, he casually waking, first flew the Chamberlain, and after him six of the Conspirators, not ceasing to pursue the rest, till he had slain most of them with his own hands: this with the building of some Abbys, and seventeen years Reign, is all we know of him.

His Brother David succeeded, one whose profuse Prodigality upon the Abbys brought the Revenue of the Crown (to prevalent was the Superfluitation of those days) almost to nothing. He had many Battles with our Stephen about the Title of Maud the Empress; and having loft his excellent Wife and hopeful Son in the flower of their days, he left the Kingdom to his Grandchildren, the eldest whereof was Mickle a simple King, baff'd and led up and down into France by our Henry the Second; which brought him to such content, that he was vex'd by frequent Insurrections, especially them of Murray, whom he almost extirpated. The latter part of his Reign was spent in building Monasteries; he himself ty'd by a Vow of Chastity, would never marry, but left for his Successor his Brother William, who expostulating for the Earlom of Northumberland, gave occasion for a War, in which he was surpriz'd and taken, but afterwards releas'd upon his doing Homage for the Kingdom of Scotland to King Henry, of whom he acknowledg'd to hold it, and putting in caution the Castles of Roxboro (once strong, now nothing but Ruins) Barnie, Edinburg, Sterling, all which notwithstanding was after releas'd by Richard Cœur de Lyon, who was then upon an Expedition to the Holy War; from whence returning, both he and David Earl of Huntingdon, Brother to the King of Scots, were taken Prisoners. The rest of his Reign (except the rebuilding of St. John's, which had bin destroy'd by Waters, whereby he loft his eldest Son, and som Treatys with our King John) was little worth memory; only you will wonder that a Scots King could reign forty nine years, and yet die in peace.

Alexander his Son succeeded, famous for little, except som Expeditions against our King John, som Insurrections, and a Reign two years longer than his Father's. His Son was the third of that name, a Boy of eight years old, whose Minority was inflected with the turbulent Cumin's; who when he was of age, being call'd to account, not only refus'd to appear, but surpriz'd him at Sterling, governing him at their pleasure. But soon after he was awak'd by a furious Invasions of Acho King of Norway (under the pretence of som Islands given him by Macbeth) whom he forc'd to receive a Peace, and spent the latter part amidst the Turbulencies of the Priests (drunk at that time with their Wealth and Eafe) and at last having seen the continu'd Funerals of his Sons David, Alexander, his Wife, and his Daughter, he himself with a fall from Horse broke his neck, leaving of all his Race only a Grandchild by his Daughter, which dy'd soon after.
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THIS Man's Family being extinguisht, they were for'd to run to another Line, which, that we may see how happy an expedient immediat Succession is for the Peace of the Kingdom, and what Miseries it prevents, I shall, as briefly and as pertinently as I can, set down.

DAVID, Brother to K. WILLIAM, had three Daughters, MARGARET married to ALLAN Lord of Galloway, ISABEL married to ROBERT BRUCE Lord of Annandale and Cleveland, ADA married to HENRY HASTINGS Earl of Huntingdon. Now ALLAN begot on his Wife DORNADILLA, married to JOHN BALIOL afterwards King of Scotland, and two other Daughters. BRUCE on his Wife got ROBERT BRUCE Earl of Carick, having married the Heretrix therof. As for HUNTINGDON he defiled his claim. The question is, whether BALIOL in right of the eldest Daughter, or BRUCE being com of the second (but a Man) should have the Crown, he being in the same degree, and of the more worthy Sex. The Controversy being toft up and down, at last was refer'd to EDWARD, the First of that name, King of England. He thinking to fish in thee troubled waters, fisrs up eight other Competitors, the more to entangle the busines, and wish twenty four Counsellors, half English, half Scots, and abundance of Lawyers fit enough to perplex the matter, so handled the busines, after cunning delays, that at length he secretly tampers with BRUCE (who was then conceiv'd to have the better right of the busines) that if he would acknowledge the Crown of him, he would adjudg it for him; but he generously anwering, that he valu'd a Crown at a less rate, than for it to put his Country under a foren Yoke: He made the same motion to BALIOL, who accepted it; and so we have a King again, by what Right we all fee; but it is good reason to think that Kings, com they by their Power never so unjustly, may justly keep it.

BALIOL having thus got a Crown, as unhappily kept it; for no sooner was he crown'd, and had don hommage to EDWARD, but the ABERNEITHYS having slain MACDUFF Earl of Fife, he not only pardon'd them, but gave them a piece of Land in controversy: whereupon MACDUFF's Brother complains against him to EDWARD, who makes him rise from his Seat in Parliament, and go to the Bar: He hereupon enrag'd, denies EDWARD assistance against the French, and renounces his Homage. EDWARD immediatly coms to Bernard, takes and kills seven thousand, most of the Nobility of Fife and Lothian, and afterwards gave them a great Defeat at Dunbar, whose Cattle instantly surrender'd. After this he march'd to Montrose, where BALIOL resign'd himself and Crown, all the Nobility giving hommage to EDWARD. BALIOL is sent Prisoner to London, and from thence, after a years detention, into France. While EDWARD was poffelt of all Scotland, one WILLIAM WALLACE rose, who being a privat man, beftir'd himself in the Calamity of his Country, and gave the English severel notable foils. EDWARD coming again with an Army, beat him that was already overcome with Envy and Emulation as well as Power; upon which he laid by his Command, and never acted more, but only in flight Incursions. But the English being beaten at Rossin, EDWARD coms in again, takes Sterling, and makes them all render Homage; but at length BRUCE seeing all his Promises nothing but smoke, enters into League with CUMMIN to get the Kingdom: but being betray'd by him to EDWARD, he stab'd CUMMIN at
at Drumfreis, and made himself King. This man, tho he came with dis-advantage, yet wanted neither Patience, Courage, nor Conduct; so that after he had miserably lurk'd in the Mountains, he came down, and gathering together from Force, gave our Edward the Second such a defeat near Sterling, as Scotland never gave the like to our Nation: and continu'd the War with various fortune with the Third, till at last Age and Lepro-phy brought him to his Grave. His Son David, a Boy of eight years, inherited that which he with so much danger obtain'd, and wisdom kept. In his Minority he was govern'd by Thomas Randolph Earl of Murray, whose severity in punishing was no less dreaded than his Valor had bin honor'd. But he soon after dying of poison; and Edward Balio, Son of John, coming with a Fleet, and strengthen'd with the assistance of the English, and Tom Robbers, the Governor the Earl of Mar was routed; so that Balio makes himself King, and David was glad to retire into France. Amidst these Parties (Edward the Third backing Balio) was Scotland miserably torn, and the Bruces in a manner extinguih'd, till Robert (after King) with them of Argyle and his own Family and Friends, began to renew the claim, and bring it into a War again; which was carried on by Andrew Murray the Governor, and afterwards by himself: So that David, after nine years banishment, durst return, where making frequent Incursions, he at length in the fourth year of his return march'd into England, and in the Bishopric of Durham was routed, and fled to an obscure Bridge, shew'd to this day by the Inhabitants. There he was by John Copland taken prisoner, where he continu'd nine years, and in the thirty ninth year of his Reign he dy'd.

Robert his Sisters Son, whom he had intended to put by, succeed, and first brought the Stuarts (which at this day are a plague to the Nation) into play. This man after he was King, whether it were Age or Sloth, did little; but his Lieutenants and the English were perpetually in action. He left his Kingdom to John his baffard Son by the Lady More his Concubin, whom he marry'd, either to legitimat the three Children (as the manner was then) he had by her, or else for old Acquaintance, his Wife and her Husband dying much about a time. This John would be crown'd by the name of Robert (his own, they say, being unhappy for Kings) a wretched inactive Prince, lame, and only govern'd by his brother Walter, who having David the Prince upon complaint of sum Exorbitancy's deliver'd to his care, caus'd him to be starv'd; upon which the King intending to send his Son James into France, the Boy was taken at Flamburg, and kept by our Henry the Fourth: upon the hearing of which his Father flourished, and soon after dy'd. His Reign was memorable for nothing but his breaking with George Earl of March (to whose Daughter, upon the payment of a great part of his Portion which he never would repay, he had promis'd his Son David for a Husband) to take the Daughter of Douglas who had a greater; which occasion'd the Earl of March to make many inroads with our Henry Hotspur; and a famous Duel of three hundred men a piece, whereof on the one side ten remain'd, and on the other one, which was the only way to appease the deadly Feuds of these two Families. The Interreign was govern'd by Robert, who enjoying the Power he had too much coveted, little minded the Liberty
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Liberty of his Nephew, only he sent from Auxiliaries into France, who, they say, behav'd themselves worthily; and his faithfull Son Mordef, who making his Sons so bold with Indulgence, that one of them kill'd a Falcon on his fitt, which he deny'd to give him: he in revenge procure'd the Parliament to ransom the King, who had bin eighteen years a Prisoner. This James was the Firth of that name, and tho he was an excellent Prince, yet had a troublesome Reign; first, in regard of a great Pension rais'd for his Ransom; next, for domestic Commotions; and lastly, for raising of Mony; which, tho the Revenue was exhausted, was call'd Covetousness. This having offended Robert Graham, he conspir'd with the Earl of Athol, flew him in his Chamber, his Wife receiving two wounds, endeavoring to defend him.

This James left the Second, a Boy of six years, whose Infancy, by the misguidance of the Governor, made a miserable People, and betray'd the Earl Douglas to death, and almost all that great Family to ruin; but being supplanted by another Earl Douglas, the King in his just age suffer'd Minority under him, who upon displeasure rebel'd, and was kill'd by the King's own hand. Afterwards having his middle years perpetually molested with civil Broils, yet going to assist the Duke of York against Henry the Sixth, he was diverted by an English Gentleman that counterfeited himself a Name (which I mention out of a Manuscript, because I do not remember it in our Stories) and broke up his Army. Soon after besieging Ramburgh, he was slain by the bursting of a Cannon in the twenty ninth year of his Age.

James the Second left a Boy of seven Years, govern'd by his Mother, and afterwards by the Boys; thro' the persuasions of Astrologers and Witches, to whom he was strongly addicted, he declin'd to Cruelty; which so inrag'd the Nobility, that, headed by his Son, they conspir'd against him, routing his Forces near Sterling, where he flying to a Mill, and asking for a Confessor, a Priest came, who told him, that tho he was no good Priest, yet he was a good Leech, and with that stab'd him to the heart. A Parliament approv'd his death, and order'd Indemnity to all that had fought against him.

James the Fourth, a Boy of fifteen Years, is made King, govern'd by the Murderers of his Father; a prodigal, vainglorious Prince, slain at Flodden Field, or, as soon supposeth, at Kelso by the Humes, which (as the Manuscript alleges) seems more probable, in regard that the Iron Belt (to which he added a Ring every Year) which he wore in repentance for the death of his Father, was never found, and there were many, the day of Battle, habited like him. His Successor was his Son James, the Fifth of that name, a Boy of not above two years of age; under whose Minority, what by the misgovernment of Tutors, and what by the Factions of the Nobility, Scotland was wafted almost into Famine and Solitude: however in his just Age he prov'd an indifferious Prince, yet could not so satisfy the Nobility, but that he and they continued in a mutual hate, till that barbarous execution of young Hamilton so fill'd him with Remorse, that he dream'd he came and cut off his two Arms, and threaten'd after to cut off his Head. And he displeas'd the People so much, that he could not make his Army fight with the English then in Scotland; whereupon he dy'd of grief, having first heard the death of his two Sons, who dy'd at the
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infant of his Dream, and leaving a Daughter of five days old, whom he never saw.

THIS was that Mary under whose Minority (by the weakness of the Governor, and ambition of the Cardinal) the Kingdom felt all those Woes that are threaten’d to them whose King is a Child; till at length the prevalency of the English Arms (awak’d for her cause) brought the great design of sending her into France to perfection: So at five Years old she was transported, and at fifteen marry’d to the Dolphin Francis, after King; while her Mother, a Daughter of the Guise, in her Regency, exercis’d all Rage against the Professors of the pure Religion then in the dawn. Francis after two Years left her a childless Widow, so that at eighteen she return’d into Scotland to succede her Mother (then newly dead) in her Exorbitancies.

I had almost forgot to tell, that this young Couple in the transport of their nuptial Solemnities took the Arms and Title of England; which indiscrete Ambition we may suppose first quicken’d the jealousy of Elizabeth against her, which after kindl’d so great a flame.

In Scotland she shew’d what a strange influence loose Education has upon Youth, and the weaker Sex. All the French Effeminacies came over with her, and the Court lost that little Severity which was left. David Rizzo, an Italian Fidler, was the only Favorit, and it is too much fear’d, had those enjoyments which no Woman can give but she that gives away her Honor and Chastity.

But a little after, Henry Lord Darnly coming with Matthew Earl of Lenox, his Father, into Scotland, she cast an eye upon him, and marry’d him. Whether it were to strengthen her pretension to England, he being com of Henry the Seventh’s Daughter, as we shall tell anon, or to color her Adulteries, and hide the shame of an Impregnation (tho from have whisper’d, that she never conceiv’d, and that the Son was suppositious) or from Phrenzy of Affection drew her that way; certain it is she soon declin’d her Affection to her Husband, and increas’d it to David (he being her perpetual Companion at board, and managing all Affairs, while the King with a contentible Train was sent away) infomuch that som of the Nobility that could not digest this, enter’d a Conspiracy, which the King head’d, and slew him in her Chamber.

This turn’d all her neglect of the King into rage, so that her chiefest busines was to appease her Favor’s Ghost with the slaughter of her Husband; poison was first attempted, but it being (it seems) too weak, or his Youth overcoming it, that expectation fail’d. But the Devil and Bothwel furnish’d her with another that succeded; she so intices him, being to sick that they were forc’d to bring him in a Horrifier to Edinburgh, where the cherish’d him extremely, till the credulous young man began to lay aside suspicion, and to hope better: So she puts him into a ruinous house near the Palace, from whence no news can be had, brings in her own bed, and lies in the house with him; and at length when the design was ripe, cau’d him one Sunday night, with his Servant, to be strangl’d, thrown out of the Window, and the house to be blown up with Gunpowder, her own rich Bed having bin before secretly convey’d away. This and other performances made her favor upon Bothwel so hot, that she must marry him;
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him; the only obstacle was, he had a Wife already; but she was compelld to sue for a Divorce, which (so great Persons being concern'd) it was a wonder it should be granting so long as ten days. Well, she marrys; but the more honeit Nobility amaz'd at those Exorbitancies, assemble together, and with Arms in their hands begin to expostulat. The newmarryd Couple are forc'd to make back Southwards; where finding but slender assistance, and the Queen foolishly coming from Dunbar to Leith, was glad at last to delay a parly till her Dear was escap'd; and then (clad in an old tatter'd coat) to yield her self a Prizoner.

BEING brought to Edinburg, and us'd rather with hate of her former Enormities, than pity of her present Fortune, the receiv'd a Message, that the must either resign the Crown to her Son James (that was born in the time of her marriage with Darnly) or else they would procede to another Election, and was forc'd to obey. So the Child then in his Cradle was acknowleg'd James the Sixth, better known afterwards by the Title of Great Britain.

THE wretched Mother flying after into England, was entertain'd (tho' with a Guard) by Queen Elizabeth, but after that being suborn'd by the Papists, and exasperated by the Guizers, she enter'd into Plots and Machinations, so inconsistent with the Safety of England, that by an Act of Parliament she was condemn'd to death, which she receiv'd by a Hatchet at Fotheringay Castle.

THE Infancy of her Son was attended with those dometick Evils that accompany the Minority of Kings. In his Youth he took to Wife the Daughter of Denmark (a Woman I hear little of, having the Character Salust gives Sempronia, that she could dance better than became a virtuous Woman) with whom he supposing the Earl Gowry too much in League, caus'd him and his Brother to be slain at their own house whither he was invited; he giving out, that they had an intent to murder him; and that by miracle and the assistance of som men (whom he had instructed for that purpose, and taught their tale) he escap'd. For this Deliverance (or to say better, Affallination) he blasphe'em God with a solemn Thanksgiving once a Year all the remainder of his Life.

WELL had it bin for us, if our Forefathers had laid hold of that happy opportunity of Elizabeth's Death (in which the Tersthors took a period) to have perform'd that which, perhaps in due punishment, has cost us so much blood and sweat; and not have bow'd under the way of a Stranger, disdain'd by the most generous and wise at that time, and only supported by the Faction of some, and the Sloth of others; who brought but a slender Title, and (however the flattery of the times cry'd him up for a Solomon) weak Comendations for such an advancement.

HIS Title stood thus, MARGARET, eldest Daughter to Henry the Seventh, was marry'd to James the Fourth, whose Son James the Fifth had Mary the Mother of James the Sixth. MARGARET after her first Husband's death, marry'd ARCHIBALD DOUGLAS Earl of Angus, who upon her begot MARGARET Wife of MATTHEW Earl of Lenox, and Mother of that Henry Darnley, whose tragical End we just now mention'd. Now upon this slender Title, and our internal Distensions (for the Cecilians and Hessians, for several ends, made perpetual Applications) got JAMES.
Jamy from a Revenue of 30000/ to one of almost two Millions, tho there were others that had as fair pretences (and what else can any of them make?) the Statute of 25 Edw. 3, expressly excluding Foreners from the Crown; and so the Children of Charles Brandon by Mary the second Daughter, Dowager of France, being next to com in. And the Lady Arabella being sprung from a third Husband (the Lord Stuart) of the said Margaret, and by a Male Line, carry'd surely so formidable a pretension (it should seem) that even that Iniquity which was, personly inherent to her, made her days very unhappy, and for most part captive, and her death ('tis thought) from what too early; so cruel are the Persecutions of cowardly minds, even against the weakest and most unprotected Innocence.

And indeed his Right to the Crown was so unsatisfactory even to the most judicious of those days, that Toby Matthews having fuit about some Privileges which he claim'd to his Bishopric (which was then Durham) wherein the King oppos'd him; and having one day slated the Cafe before som of his Friends, who seem'd to approve of it; yes, says he, I could with he had but half so good a Title to the Crown. And 'tis known that from Speeches of Sir Walter Rawley, too generous and English for the times, was that which brought him to Trial and Condemnation for a feign'd Crime; and afterwards so facilitated that barbarous Design of Gundamar, to cut off his Head for a Crime, for which he was condemn'd fourteen years before, and which by the Commissions he after receive'd (according to the opinion of the then Lord Chancellor, and the greatest Lawyers) was in Law pardon'd.

This may appear besides our purpose; but we could not sever this consideration, unless we would draw him with a half face, and leave as much in umbrage as we express'd. That which most solemniz'd his Person was, first the consideration of his adhering to the Protestant Religion; whereas we are to consider that those flight Veneration he had with Bellarmin and the Romanists, tended rather to make his own Authority more intrinsecally intense and venerable, than to confute any thing they said: for he had before shak'd them off as to foren Jurisdiction; and for matter of Popery, it appear'd in his latter time that he was no such enemy to it, both by his own compliances with the Spanisb Embassadors, the design of the Spanisb Match (in which his Son was personally embarkt) and the slow affiassites sent to his Daughter, in whose safety and protection Protestantism was at that time so much concern'd.

For his Knowledge, he had som glancings and nibles, which the Severity of the excellent Buchanan forc'd into him in his younger time, and after conversation somewhat polished. But tho I bear not so great a content to his other Works, as Ben Johnson did to his Poetry, yet if they among many others were going to the fire, they would not be one of the first I should rescue, as possibly expecting a more severe and refin'd Judgment in many others; and knowing that he that had so many able Wits at command, might easily give their Oracles thro his Mouth. But suppose the things generous and fit to live (as I am not yet convinced) yet what commendation is this to a King, who should have other businessthan spinning and weaving fine Theories, and engaging in School Chiquaneries? which was well understood
derstood by Henry the Fourth, who hearing from men celebrate him with these Attributes; yes (answer'd he, very tartly) He is a fine King, and writes little Books.

'TIS true, he was a good Drol, and possibly after Greece Wine somwh'at factious: But of his substantial and heroic Wisdom I have not heard any great Instances. He himself us'd to brag of his King-craft, which was not to render his People happy, and to prosecute the ends of a good King, but to secure up the Prerogative, divert Parliaments from the due disquisition and prosecution of their Freedoms, and to break them up at pleasure; and indeed his parting with the Cautionary Towns of the Low Countries, and that for so small a Sum, shew'd him a Perfon not fo quicksighted, or unfit to be overreach'd.

FOR his peaceable Reign, honorable and just Quarrels he wanted not; but sloth and cowardice withheld him: and indeed the ease and luxury of those times fomented and nourish'd those lurking and pestilent humors, which afterwards so dangerously broke out in his Son's Reign.

WE shall not trouble his Affairs with the mention of his personal Faults; only, if we may compare God's Judgments with apparent Sins, we may find the latter end of his Life neither fortunate nor comfortable to him. His Wife disdained by him, and from, say, languishing of a foul Disease; his eldest Son dying with two violent symptoms of Poison, and that, as is fear'd, by a hand too much ally'd; his second (against whom he ever had a secret antipathy) scarce return'd from a mad and dangerous Voyage; his Daughter (all that was left of that Sex) banish'd, with her numerous Issue, out of her Husband's Dominion, and living in miserable Exile; and lastly, himself dying of a violent death by poison, in which his Son was more than suspected to have a hand, as may be infer'd from Buckingham's Plea, that he did it by the Command of the Prince, and Charles's dissolution of the Parliament that took in hand to examine it; and lastly, his indifference at Buckingham's death (tho he pretended all love to him alive) as glad to be rid of so dangerous and so considerable a Partner of his Guilt. Yet the miter'd Parfuts of those times could say, that one went to Heaven in Noah's Ark, the other in Elifba's Chariot, he dying of a pretended Fever, she (as they said) of a Dropy.

Charles having now obtain'd his Brother's Inheritance, carry'd himself in managing of it like one that gain'd it as he did. The first of his Acts was that glorious attempt upon the Isle of Rue. The next, that Noble and Christian betraying of Rochel, and consequently in a manner the whole Protestant Interest in France. The middle of the Reign was heightening of Prerogative and Prelacy, and conforming our Churches to the pattern of Rome; till at last just Indignation brought his Subjects of Scotland into England, and so force'd him to call a Parliament: which tho he shamelessly says in the first line of the Book, call'd his, was out of his own inclination to Parliament, yet how well he like'd them, may appear by his first tampering with his own Army in the North, to surprize and dissolve them; then with the Scots, who at that time were Court proof; then raising up the Irith Rebellion, which has wafted millions of Lives; and lastly, his open secession from Weftminster, and hostility against the two Houffes, which maintain'd a first and second sharp War, that had almost ruin'd the Nation, had not Providence in a manner immediately interpos'd and resolv'd
refosc'd us to Liberty, and made us such signal Instruments of his Vengeance, that all wicked Kings may tremble at the example.

In a word, never was Man so resolute and obstinate in a Tyranny; never People more strangely befotted with it. To paint the Image of David with his face, and blasphemously to parallel him with Christ, would make one at first thought think him a Saint: But to compare his Protestantations and Actions; his Actions of the Day, his Actions of the Night; his Protestant Religion, and his courting of the Pope; and obedience to his Wife; we may justly say, he was one of the most confummat in the Arts of Tyranny that ever was. And it could be no other than God's hand that arrested him in the height of his Designs and Greatness, and cut off him and his Family, making good his own Imprecations on his own Head.

Our Scene is again in Scotland, which has accepted his Son, whom for distinction sake we will be content to call Charles the Second. Certainly these People were strangely blind as to God's Judgment perpetually pour'd out upon a Family; or else wonderfully addicted to their own Interest, to admit the Spray of such a Stock; one that has so little to commend him, and so great improbability to further their Designs and Happines; a Popish Education, if not Religion too, however for the present he may seem to dilimble it; France, the Jesuits, and his Mother, good means of such an improvement; the dangerous Maxims of his Father, besides the Revenge he owns his Death, of which he will never totally acquit the Scots; his Hate to the whole Nation; his Sense of Montrose's Death; his backwardness to come to them till all other means fail'd (both his foren beg'd Affiances, his Propositions to the Pope, and Commissions to Montrose) and lastly, his late running away to his old Friends in the North: so that any man may see his present compliance to be but hitronical and forc'd, and that as soon as he has led them into the Snare, and got power into his own hands, so as that he may appear once more bare-faced, he will be a scourge upon them for their gross Hypocrify, and leave them a sad Inheritance all Nations, how dangerous it is to espouse such an Interest, against which God with so visible and severe a hand does fight, carry'd on by and for the support of a tyrannizing Nobility and Clergy, and wherein the poor People are blindly led on by those afrighting (but false and ungrounded) pretensions of Perfidy and Perjury, and made instrumental with their own Estates and Blood towards inflaving and ruining themselves.
THE
Commonwealth
OF
OCEANA.
To his HIGHNESS
The Lord Protector of the Common-
wealth of England, Scotland, and Ireland.

—Quid rides? mutato nomine, de te
Fabula narratur.—Horat.
The Introduction, or Order of the Work.

Pliny's Description of Oceanus.

OCEANA is saluted by the Panegyrist after this manner; O the most blest and fortunate of all Countries, OCEANA! How deservedly hast Nature with the bounties of Heaven and Earth indu'd thee? Thy ever-fruitful Womb not clos'd with Ice, nor dissoled by the raging Star; where CERES and BACCHUS are perpetual Twins. Thy Woods are not the harbor of devouring Beasts, nor thy continual Verdure the ambush of Serpents; but the food of innumerable Herds and Flocks pentesting thee their Shepherds with disfledged Dugs, or golden Fleeces. The wings of thy Night involve thee not in the horror of darkness, but have still som white feather; and thy Day is (that for which we esteem Life) the longest. But this Eextasy of Pliny (as is observ'd by BERTIUS) seems to allude as well to MARPESA and Panopea, now Provinces of this Commonwealth, as to Oceanas it self.

The Nature of the People.

To speak of the People in each of these Countries, this of Oceanas, for so fott a one, is the most marital in the whole World. Let States that aim at Greatness (says VERULAMIIUS) take heed how their Nobility and Gentlemen multiply too fast, for that makes the common Subject grieve to be a Peasant and base Swain driven out of heart, and in effect but a Gentleman's Laborer; just as you may see in Coppice Woods, if you leave the Staddels too thick, you shall never have clean Underwood, but Shrubs and Bushes: So in Countries, if the Gentlemen be too many, the Commons will be base; and you will bring it to that at last, that not the hundredth Poll will be fit for a Helmet, specially as to the Infantry, which is the nerve of an Army, and so there will be great Population and little Strength. This of which I speak has bin no where better seen than by comparing of Oceanas and France, whereof Oceanas, tho far lefts in Territory and Population, has bin nevertheless an overmatch, in regard the middle People of Oceanas are good Soldiers, which the Peasants in France do not. In which words VERULAMIIUS (as MACCHIAVEL has don before him) harps much upon a fitting which he has not perfectly tun'd, and that is the balance of Dominion or Property: as it follows more plainly in his praise of the profound and admirable device of PANURGUS King of Oceanas, in making Farms and Houfes of Husbandry of a Standard; that is, maintain'd with such a proportion of Land to them, as may breed a Subject to live in convenient plenty, and no servile condition, and to keep the Plow in the hand of the owners, and not mere hirelings. And thus indeed (says he) you shall attain to VIRGIL'S Character * which he gives of ancient Italy.

But the Tillage bringing up a good Soldiery, brings up a good Commonwealth; which the Author in the praise of PANURGUS did not mind, nor PANURGUS in deferring that praise: for where the owner of the Plow coms to have the Sword too, he will use it in defence of his own; whence it has happen'd that the People of Oceanas in proportion to their property have bin always free. And the Genius of

* Terra potens armis etque ubere gleba.
The Introduction.

this Nation has ever had some resemblance with that of antient Italy; which was wholly addicted to Commonwealths, and where Rome came to make the greatest account of her rustic Tribes, and to call her Consuls from the Plow; for in the way of Parliaments, which was the Government of this Realm, men of Country-lives have bin still intrusted with the greatest Affairs, and the People have constantly had an aversion to the ways of the Court. Ambition loving to be gay, and to have a Gallantry look'd upon as having somthing in it of the Livery; and Husbandry, or the country way of Life, tho of a groser spinning, as the best stuff of a Commonwealth, according to Aristotle, such a one being the most obfident Afftors of her Liberty, and the least subject to Innovation or Turbulency. Wherefore till the Foundations (as will be hereafter shew'd) were remov'd, this People wasobserv'd to be the least subject to Shakings and Turbulency of any: Whereas Commonwealths, upon which the City Life has had the stronger influence, as Athens, have seldom or never bin quiet; but at the best are found to have injur'd their own busineses by over-doing it. Whence the Urban Tribes of Rome, consisting of the Turba forensis, and Libertins that had receiv'd their Freedom by manumission, were of no reputation in comparison of the Rusticks. It is true, that with Venice it may seem to be otherwise, in regard the Gentlemen (for so are all such call'd as have a right to that Government) are wholly addicted to the City Life: but then the Turba forensis, the Secretaries, Cittadini, with the rest of the Populace, are wholly excluded. Otherwise a Commonwealth, consisting but of one City, would doubtless be stormy, in regard that Ambition would be every man's trade: but where it consists of a Country, the Plow in the hands of the owner finds him a better calling, and produces the most innocent and freedy Genius of a Commonwealth, such as is that of Oceanus.

Marpestia, being the Northern part of the same Island, is the dry Nurse of a populous and hardy Nation, but where the Stad-}

dels have bin formerly too thick: whence their Courage answer'd not their hardiness, except in the Nobility, who govern'd that Country much after the manner of Poland; but that the King was not elective till the People receiv'd their Liberty, the yoke of the Nobility being broke by the Commonwealth of Oceanus, which in grateful return is thereby provided with an inexhaustible Magazin of Auxiliars.

Panaea, the soft Mother of a fruitful and pusillanimous People, is a neighbor Island, antiently subject to the Arms of Oceanus; since almost depopulated for shaking the Yoke, and at length replanted with a new Race. But (tho what virtues of the Soil, or vice of the Air ever it be) they com still to degenerat. Wherefore seeing it is neither likely to yield men fit for Arms, nor necessary it shold; it had bin the Interest of Oceanus fo to have dispos'd of this Province, being both rich in the nature of the Soil, and full of commodious Ports for Trade, that it might have bin order'd for the best in relation to her Purfie: which in my opinion (if it had bin thought upon in time) might have bin best don by planting it with Jews, allowing them their own Rites and Laws; for that would have brought them suddenly from all parts of the World, and in sufficient numbers. And tho the Jews be now altogether for Merchandize, yet in the Land of Canaan (except since their exile from whence they have not bin
The Introduction.

Landlords) they were altogether for Agriculture; and there is no cause why a man should doubt, but having a fruitful Country, and excellent Ports too, they would be good at both. Panopea well peopled, would be worth a matter of four millions dry rents; that is, besides the advantage of the Agriculture and Trade, which, with a Nation of that Industry, coms at least to as much more. Wherefor Panopea being farm'd out to the Jews and their Heirs for ever, for the pay of a provincial Army to protect them during the term of seven years, and for two Millions annual Revenue from that time forward, besides the Customs which would pay the provincial Army, would have bin a bargain of such advantage both to them and this Commonwealth; as is not to be found otherwise by either. To receive the Jews after any other manner into a Commonwealth, were to maim it: for they of all Nations never incorporat, but taking up the room of a Limb, are of no use or office to the body, while they suck the nourishment which would sustain a natural and useful Member.

If Panopea had bin so dispos'd of, that Knapsack, with the Marpesian Auxiliary, had bin an inestimable Treasure; the Situation of these Countries being Islands (as appears by Venice how advantageous such a one is to the like Government) seems to have bin design'd by God for a Commonwealth. And yet that, thro' the fretfulness of the place and defect of proper Arms, can be no more than a Commonwealth for Preservation: whereas this, reduc'd to the like Government, is a Commonwealth for increase, and upon the mightiest foundation that any has bin laid from the beginning of the World to this day.

Iam arètā captiens Neptunus compede stringit:  
Hanc autem glaenis captus complectitur ulnis.

THE Sea gives law to the growth of Venice, but the growth of Oceana gives law to the Sea.

These Countries having bin antiently distinct and hostil Kingdoms, came by Morphēus the Marpesian (who succeeded by hereditary right to the Crown of Oceana) not only to be join'd under one head; but to be cast, as it were by a charm, into that profound sleep, which, broken at length by the Trumpet of Civil War, has produc'd those effects, that have given occasion to the infusing Discourse, divided into four parts.
1. The Preliminary, shewing the Principles of Government.

2. The Council of Legislators, shewing the Art of making a Commonwealth.

3. The Model of the Commonwealth of Oceana, shewing the effect of such an Art.

4. The Corollary, shewing some Consequences of such a Government.

The Preliminary, shewing the Principles of Government.

JANOTTI, the most excellent Describer of the Commonwealth of Venice, divides the whole Series of Government into two Times or Periods. The one ending with the Liberty of Rome, which was the Course or Empire, as I may call it, of Antient Prudence, first discover'd to mankind by GOD himself in the Fabric of the Commonwealth of Israel, and afterwards pick'd out of his Footsteps in Nature, and unanimously follow'd by the Greeks and Romans. The other beginning with the Arms of Cæsar, which, extinguishing Liberty, were the Transition of Antient into Modern Prudence, introduc'd by those Inundations of Huns, Goths, Vandals, Lombards, Saxons, which, breaking the Roman Empire, deform'd the whole face of the World with those ill features of Government, which at this time are become far worse in those Western parts, except Venice, which escaping the hands of the Barbarians, by virtue of its impregnable Situation, has had its eye fix'd upon antient Prudence, and is attain'd to a perfection even beyond the Copy.

RELATION being had to these two times, Government (to define it de jure, or according to antient Prudence) is an Art whereby a Civil Society of Men is instituted and preferr'd upon the Foundation of common Right or Interest; or (to follow ARISTOTLE and LIVY) It is the Empire of Laws, and not of Men.

AND Government (to define it de facto, or according to modern Prudence) is an Art whereby som man, or som few men, subject a City or a Nation, and rule it according to his or their privat Interest: which, because the Laws in such cases are made according to the interest of a man, or of som few Familys, may be said to be the Empire of Men, and not of Laws.
THE former kind is that which Machiavel (whose Books are neglected) is the only Politician that has gone about to retrieve; and that Leviathan (who would have his Book imposed upon the Universities) goes about to destroy. For, it is (says he) another Error of Aristotle's Politics, that in a well-ordered Commonwealth not Men should govern, but the Laws. What man that has his natural senses, who can neither write nor read, does not find himself governed by them he fears, and believes can kill or hurt him when he obeys not? Or, who believes that the Law can hurt him, which is but Words and Paper, without the Hands and Swords of men? I confess, that the Magistrate upon his Bench is that to the Law, which a Gunner upon his Platform is to his Cannon. Nevertheless, I should not dare to argue with a man of any Ingenuity after this manner. A whole Army, tho' they can neither write nor read, are not afraid of a Platform, which they know is but Earth or Stone; nor of a Cannon, which without a hand to give fire to it, is but cold Iron; thence a whole Army is afraid of one man. But of this kind is the Ratiocination of Leviathan (as I shall shew in divers places that com in my way) through his whole Politics, or worse; as where he says of Aristotle and of Cicero, of the Greeks, and of the Romans, who live'd under popular States, that they derive'd those Rights not from the Principles of Nature, but transfer'd them into their Books, out of the practice of their own Common-wealths, as Grammarians describe the Rules of Language out of Poets. Which is as if a man should tell famous Hervey, that he transcrib'd his Circulation of the Blood not out of the Principles of Nature, but out of the Anatomy of this or that Body.

To go on thereon with this Preliminary Discourse, I shall divide it (according to the two definitions of Government relating to Janot-ti's two times) into two parts. The First treating of the Principles of Government in general, and according to the Antients: The Second treating of the late Governments of Oceana in particular, and in that of modern Prudence.

Government, according to the Antients, and their learn'd Disciple Machiavel, the only Politician of later Ages, is of three kinds; The Government of One Man, or of the Better fort, or of the whole People: which by their more learn'd names are call'd Monarchy, Aristocracy, and Democracy. These they hold, thro' their proneness to degenerate, to be all evil. For whereas they that govern should govern according to Reason, if they govern according to Passion, they do that which they should not do. Wherefore as Reason and Passion are two things, so Government by Reason is one thing, and the corruption of Government by Passion is another thing, but not always another Government: as a Body that is alive is one thing, and a Body that is dead is another thing, but not always another Creature, tho' the Corruption of one comes at length to be the Generation of another. The Corruption then of Monarchy is call'd Tyranny; that of Aristocracy, Oligarchy; and that of Democracy, Anarchy. But Legislators having found these three Governments at the best to be naught, have invented another consisting of a mixture of them all, which only is good. This is the Doctrine of the Antients.

*Magistrates cfs lex armata.

†
OCEANA.

BUT LEVIATHAN is positive, that they are all deceiv'd, and that there is no other Government in Nature than one of the three; as also that the Flesh of them cannot flink, the names of their Corruptions being but the names of mens Phantasies, which will be understood when we are shown which of them was Senatus Populusque Romanus.

TO go my own way, and yet to follow the Antients, the Principles of Government are twofold; Internal, or the goods of the Mind; and External, or the goods of Fortune. The goods of the Mind are natural or acquire'd Virtues, as Wisdom, Prudence, and Courage, etc. The goods of Fortune are Riches. There be goods also of the Body, as Health, Beauty, Strength; but these are not to be brought into account, upon this score, because if a Man or an Army acquires Victory or Empire, it is more from their Disciplin, Arms, and Courage, than from their natural Health, Beauty, or Strength, in regard that a People conquer'd may have more of natural Strength, Beauty and Health, and yet find little remedy. The Principles of Government then are in the goods of the Mind, or in the goods of Fortune. To the goods of the Mind answers Authority; to the goods of Fortune, Power or Empire. Wherfore LEVIATHAN, tho' he be right where he says that Riches are Power, is mistaken where he says that Prudence, or the reputation of Prudence, is Power: for the Learning or Prudence of a Man is no more Power than the Learning or Prudence of a Book or Author, which is properly Authority. A learned Writer may have Authority tho he has no Power; and a foolish Magistrate may have Power, tho he has otherwife no Esteem or Authority. The difference of these two is observ'd by Livy in EVANDER, of whom he says, * that he govern'd rather by the Authority of others, than by his own Power.

TO begin with Riches, in regard that Men are hung upon these, not as much as he who wants Bread is his Servant that will feed him; if a Man thus feeds a whole People, they are under his Empire. EMPIRE is of two kinds, Domestic and National, or Foreign.

DOMESTIC Empire is founded upon Dominion. DOMINION is Property real or personal, that is to say, in Lands, or in Mony and Goods.

LANDS, or the parts and parcels of a Territory, are held by the Proprietor or Proprietors, Lord or Lords of it, in som proportion; and such (except it be in a City that has little or no Land, and whose Revenue is in Trade) as is the proportion or balance of Dominion or Property in Land, such is the nature of the Empire.

IF one Man be sole Landlord of a Territory, or overbalance the People, for example three parts in four, he is Grand Signior; for so the Turk is call'd from his Property; and his Empire is absolute Monarchy.

IF the Few or a Nobility, or a Nobility with the Clergy be Landlords, or overbalance the People to the like proportion, it makes the Gothic balance (to be shewn at large in the second part of this Discourse) and the Empire is mix'd Monarchy, as that of Spain, Poland, and late of Oceana.

* Regedit magis Autoritate quam Imperio.
AND if the whole People be Landlords, or hold the Lands to
divided among them, that no one Man, or number of Men, within
the compass of the Few or Aristocracy, overbalance them, the Empire
(without the interposition of Force) is a Commonwealth.

IF Force be interpos'd in any of these three cases, it must either
frame the Government to the Foundation, or the Foundation to the
Government; or holding the Government not according to the balance,
it is not natural, but violent: and therefore if it be at the devotion of a
Prince, it is Tyranny; if at the devotion of the Few, Oligarchy; or
if in the power of the People, Anarchy. Each of which Confusions,
the balance standing otherwise, is but of short continuance, because
against the nature of the balance, which, not destroy'd, destroys that
which opposeth it.

BUT there be certain other Confusions, which, being rooted in
the balance, are of longer continuance, and of worse consequence; as
first, where a Nobility holds half the Property, or about that pro-
portion, and the People the other half; in which case, without altering
the balance, there is no remedy but the one must eat out the other: as
the People did the Nobility in Athens, and the Nobility the People in
Rome. Secondly, when a Prince holds about half the Dominion, and
the People the other half (which was the case of the Roman Em-
perors, planted partly upon their military Colonies, and partly upon the
Senat and the People) the Government becomes a very flambles both
of the Princes and the People. Somewhat of this nature are certain
Governments at this day, which are said to subsist by confusion.
In this case, to fix the balance, is to entail misery; but in the three for-
mer, not to fix, is to lose the Government. Wherefore it being un-
lawful in Turk, that any should possess Land but the Grand Signior,
the balance is fix'd by the Law, and that Empire firm. Nor, tho' the
Kings often fell, was the Throne of Oceana known to shake, until
the Statute of Aliens broke the Pillars, by giving way to the No-
bility to sell their Estates. * While Lacedemon held to the division of
Land made by Lycurgus, it was immovable, but, breaking that,
could stand no longer. This kind of Law fixing the balance in Lands
is call'd Agrarian, and was first introduc'd by God himself, who di-
vided the Land of Canaan to his People by Lots, and is of such virtue,
that wherever it has held, that Government has not alter'd, except by
consent; as in that unparalleled example of the People of Israel, when
being in liberty they would needs chuse a King. But without an
Agrarian, Government, whether Monarchical, Aristocratical, or Popu-
lar, has no long Leafe.

AS for Dominion personal or in Mony, it may now and then fir
up a Melius or a Manlius, which, if the Commonwealth be
not provided with some kind of Dictatorian Power, may be dangerous,
for it has bin seldom or never successful: because to Property produ-
cing Empire, it is requir'd that it should have som certain root or
foothold, which, except in Land, it cannot have, being otherwise as
it were upon the Wing.

NEVERTHELESS, in such Cities as subsist mostly by Trade,
and have little or no Land, as Holland and Genoa, the balance of Tre-
asure may be equal to that of Land in the cases mention'd.

* Si terra recedat, Ionium Aega丛 fraagat marc.

BUT
OCEANA.

BUT LEVIATHAN, tho' he seems to scow at Antiquity, following his furious Master CARENADES, has caught hold of the public Sword, to which he reduces all manner and matter of Government; as, where he affirms this opinion [that any Monarch receives his Power by Covenant, that is to say, upon conditions] to proceed from the not understanding this easy truth, That Covensants being but Words and Breath, have no power to oblige, contain, constrain, or protect any Man, but what they have from the public Sword. But as he said of the Law, that without this Sword it is but Paper; so he might have thought of this Sword, that without a Hand it is but cold Iron. The Hand which holds this Sword is the Militia of a Nation; and the Militia of a Nation is either an Army in the field, or ready for the field upon occasion. But an Army is a Beast that has a great belly, and must be fed; wherfore this will come to what Pastures you have, and what Pastures you have will come to the balance of Property, without which the public Sword is but a name or mere spitirg. Wherfore to set that which LEVIATHAN says of Arms and of Contracts a little strighter; he that can graze this Beast with the great belly, as the Turk does his Timarions, may well derive him that imagins he receive'd his Power by Covenant, or is obliged to any such toy: it being in this cafe only that Covensants are but Words and Breath. But if the Property of the Nobility, flock'd with their Tenants and Retainers, be the pasture of that Beast, the Ox knows his Master's Crib; and it is impossible for a King in such a Constitution to reign otherwise than by Covenant; or if he breaks it, it is words that come to blows.

BUT says he, when an Assembly of Men is made Soverain, then no Man imagins any such Covenant to have past in the Institution. But what was that by PUBLICOLA of appeal to the People, or that whereby the People had their Tribuns? It says he, no body is so dull as to say, that the People of Rome made a Covenant with the Romans, to hold the Soverainty on such or such conditions; which not perform'd, the Romans might depose the Roman People. In which there be several remarkable things; for he holds the Commonwealth of Rome to have consist'd of one Assembly, whereas it consist'd of the Senat and the People; That they were not upon Covenant, whereas every Law enacted by them was a Covenant between them; That the one Assembly was made Soverain, whereas the People who only were Soverain, were such from the beginning, as appears by the antiquitie of their Covensants or Laws, *The Senat has resolvd, the People have decreed; That a Council being made Soverain, cannot be made such upon conditions, whereas the Decemvirs being a Council that was made Soverain, was made such upon conditions; That all Conditions or Covensants making a Soverain, the Soverain being made, are void; whence it must follow that, the Decemvirs being made, were ever after the lawful Government of Rome, and that it was unlawful for the Commonwealth of Rome to depose the Decemvirs; as also that CICERO, if he wrote otherwise out of his Commonwealth, did not write out of Nature. But to come to others that fee more of this balance.

YOU have ARISTOTLE full of it in divers places, especially E. 5, 3-3:5, where he says, that inmoderat Wealth, as where One Man or the Few have greater Possessions than the Equality or the Frame of the Commonwealth.

* Seniicere putas, Jufcite popular.
AND if the whole People be Landlords, or hold the Lands so divided among them, that no one Man, or number of Men, within the compass of the Few or Aristocracy, overbalance them, the Empire (without the interposition of Force) is a Commonwealth.

IF Force be interpos'd in any of these three cafes, it must either frame the Government to the Foundation, or the Foundation to the Government; or holding the Government not according to the balance, it is not natural, but violent: and therefore if it be at the devotion of a Prince, it is Tyranny; if at the devotion of the Few, Oligarchy; or if in the power of the People, Anarchy. Each of which Confusions, the balance standing otherwise, is but of short continuance, because against the nature of the balance, which, not destroy'd, destroys that which opposes it.

BUT there be certain other Confusions, which, being rooted in the balance, are of longer continuance, and of worse consequence; as first, where a Nobility holds half the Property, or about that proportion, and the People the other half; in which case, without altering the balance, there is no remedy but the one must eat out the other: as the People did the Nobility in Athens, and the Nobility the People in Rome. Secondly, when a Prince holds about half the Dominion, and the People the other half (which was the case of the Roman Emperors, planted partly upon their military Colonies, and partly upon the Senate and the People) the Government becomes a very flammable both of the Princes and the People. Somewhat of this nature are certain Governments at this day, which are said to subsist by confusion. In this case, to fix the balance, is to entail misery: but in the three former, not to fix it, is to lose the Government. Wherfore it being unlawful in Turkey, that any should possess Land but the Grand Signior, the balance is fix'd by the Law, and that Empire firm. Nor, tho' the Kings often fell, was the Throne of Oceana known to shake, until the Statute of Alienation broke the Pillars, by giving way to the Nobility to fell their Estates. *While Lacedemon held to the division of Land made by Lycurgus, it was immovable, but, breaking that, could stand no longer. This kind of Law fixing the balance in Lands is call'd Agrarian, and was first introduced by God himself, who divided the Land of Canaan to his People by Lots, and is of such virtue, that wherever it has held, that Government has not alter'd, except by consent; as in that unparallel'd example of the People of Israel, when being in liberty they would needs chuse a King. But without an Agrarian, Government, whether Monarchical, Aristocratical, or Popular, has no long Leafe.

AS for Dominion personal or in Mony, it may now and then stir up a MELIUS or a MANLIUS, which, if the Commonwealth be not provided with some kind of Dictatorian Power, may be dangerous, tho' it has bin seldom or never successful: because to Property producing Empire, it is requir'd that it should have some certain root or foothold, which, except in Land, it cannot have, being otherwise as it were upon the Wing.

NEVERTHELESS, in such Cities as subsist mostly by Trade, and have little or no Land, as Holland and Genoa, the balance of Treasure may be equal to that of Land in the cafes mention'd.
BUT LEVIATHAN, tho' he seems to scowl at Antiquity, following his furious Master CARNEADES, has caught hold of the public Sword, to which he reduces all manner and matter of Government; as, where he affirms this opinion [that any Monarch reserves his Power by Covenant, that is to say, upon conditions] to proceed from the not understanding this easy truth, That Covenants being but Words and Breath, have no power to oblige, contain, constrain, or protect any Man, but what they have from the public Sword. But as he said of the Law, that without this Sword it is but Paper; so he might have thought of this Sword, that without a Hand it is but cold Iron. The Hand which holds this Sword is the Militia of a Nation; and the Militia of a Nation is either an Army in the field, or ready for the field upon occasion. But an Army is a Beast that has a great belly, and must be fed; wherfore this will come to what Pastures you have, and what Pastures you have will come to the balance of Property, without which the public Sword is but a name or mere spitfog. Wherfore to fet that which LEVIATHAN says of Arms and of Contracts a little freeright; Arms and Contracts may well deride him that imagines he receiv'd his Power by Covenant, or is obliged to any such toy: it being in this case only that Covenants are but Words and Breath. But if the Property of the Nobility, flock'd with their Tenants and Retainers, be the pasture of that Beast, the Ox knows his Master's Crib; and it is impossible for a King in such a Constitution to reign otherwise than by Covenant; or if he breaks it, it is words that come to blows.

BUT says he, when an Assembly of Men is made Sovereign, then no Man imagines any such Covenant to have past in the Institution. But what was that by PUBLICOLA of appeal to the People, or that whereby the People had their Tribuns? If, says he, no body is so dull as to say, that the People of Rome made a Covenant with the Romans, to hold the Sovereignty on such or such conditions; which not perform'd, the Romans might depose the Roman People. In which there be several remarkable things; for he holds the Commonwealth of Rome to have consist'd of one Assembly, whereas it consist'd of the Senate and the People; That they were not upon Covenant, whereas every Law enacted was a Covenant; whereas the People who only were Sovereign, were from the beginning, as appears by the antient title of their Covenants or Laws, *The Senat has resolv'd, the People have decreed; That a Council being made Sovereign, cannot be made such upon conditions, whereas the Decemvirs being a Council that was made Sovereign, was made such upon conditions; That all Conditions or Covenants making a Sovereign, the Sovereign being made, are void; whence it must follow that the Decemvirs being made, were ever after the lawful Government of Rome, and that it was unlawful for the Commonwealth of Rome to depose the Decemvirs; as also that CICERO, if he wrote otherwise out of his Commonwealth, did not write out of Nature. But to com to others that see more of this balance.

YOU have ARISTOTLE full of it in divers places, especially E. 5, 3. 3. 7. where he says, that immoderate Wealth, as where One Man or the Few have greater Possessions than the Equality or the Frame of the Commonwealth

* Conficere patres, jussit populus.
AND if the whole People be Landlords, or hold the Lands so divided among them, that no one Man, or number of Men, within the compass of the Few or Aristocracy, overbalance them, the Empire (without the interposition of Force) is a Commonwealth.

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Nevertheless, in such Cities as subsist mostly by Trade, and have little or no Land, as Holland and Genoa, the balance of Treasure may be equal to that of Land in the cases mention'd.

* Si terra recedat, Ionium Agro frangat mare.
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his furious Master CARNEADES, has caught hold of the public
Sword, to which he reduces all manner and matter of Government;
as, where he affirms this opinion [that any Monarch receives his Power
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derstanding this easy truth, That Covenants being but Words and Breath,
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this Sword it is but Paper; so he might have thought of this
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* Seniitere parvis, jussis populis.
MACCHIAVEL has miss'd it very narrowly and more dangerously; for not fully perceiving that if a Commonwealth be galled by the Gentry, it is by their overbalance, he speaks of the Gentry as hostile to popular Governments, and of popular Governments as hostile to the Gentry; and makes us believe that the People in foch are so inrag'd against them, that where they meet a Gentleman they kill him: which can never be prov'd by any one example, unless in civil War; seeing that even in Switzerland the Gentry are not only safe, but in honor. But the Balance, as I have laid it down, tho' unseen by MACCHIAVEL, is that which interprets him, and that which he confirms by his Judgment in many others as well as in this place, where he concludes, That he who will go about to make a Commonwealth where there be many Gentlemen, unless he first destroys them, undertakes an Impossibility. And that he who goes about to introduce Monarchy where the condition of the People is equal, shall never bring it to pass, unless he call out such of them as are the most turbulent and ambitious, and make them Gentlemen or Noblemen, not in name but in effect; that is, by enriching them with Lands, Castles, and Treasures, that may gain them Power among the rest, and bring in the rest to dependence upon themselves, to the end that they maintaining their Ambition by the Prince, the Prince may maintain his Power by them.

WHEREFORE as in this place I agree with MACCHIAVEL, that a Nobility or Gentry, overbalancing a popular Government, is the utter bane and destruction of it; so I shall shew in another, that a Nobility or Gentry, in a popular Government not overbalancing it, is the very life and soul of it.

What has bin laid, it should seem that we may lay aside further disputes of the public Sword or of the right of the Militia; which, be the Government what it will, or let it change how it can, is inseparable from the overbalance in Dominions; nor, if otherwise stated by the Law or Custom (as in the Commonwealth of Rome, where the People having the Sword, the Nobility came to have the overbalance) avails it to any other end than destruction. For as a Building swaying from the Foundation must fall, so it fares with the Law swaying from Reason, and the Militia from the balance of Dominions. And thus much for the balance of National or Domestick Empire, which is in Dominions.

THE balance of Foren or Provincial Empire is of a contrary nature. A man may as well say, that it is unlawful for him who has made a fair and honest purchase to have Tenants, as for a Government that has made a just progress, and enlargement of it self, to have Provinces. But how a Province may be justly acquired, appertains to another place. In this I am to shew no more than how or upon what kind of balance it is to be held; in order whereto I shall first shew upon what kind of balance it is not to be held. It has bin said, that national or independent Empire, of what kind soever, is to be exercis'd by
by them that have the proper balance of Dominion in the Nation; wherfore provincial or dependent Empire is not to be exercis'd by them that have the balance of Dominion in the Province, because that would bring the Government from Provincial and Dependent, to National and Independent. Absolute Monarchy, as that of the Turks, neither plants its People at home nor abroad, otherwise than as Tenants for life or at will; wherfore its National and Provincial Government is all one. But in Governments that admit the Citizen or Subject to Dominion in Lands, the richest are they that share most of the Power at home; whereas the richest among the Provincials, tho native Subjects, or Citizens that have bin transplanted, are least admitted to the Government abroad: for men, like flowers or roots being transplanted, take after the foil wherein they grow. Wherfore the Commonwealth of Rome, by planting Colonies of its Citizens within the bounds of Italy, took the best way of propagating itself, and naturalizing the Country; whereas if it had planted such Colonies without the bounds of Italy, it would have alienated the Citizens, and given a root to Liberty abroad that might have sprung up foreign, or savage, and hostile to her: wherfore it never made any such dispersion of itself and its strength, till it was under the yoke of the Emperors, who disburdening themselves of the People, as having less apprehension of what they could do abroad than at home, took a contrary course.

THE Mamaluce (which till any man shew me the contrary, I shall presume to have bin a Commonwealth consisting of an Army, whereof the common Soldier was the People, the Commission Officer the Senate, and the General the Prince) were Foreiners, and by Nation Circassians, that governed Egypt; wherfore these never durst plant themselves upon Dominion, which growing naturally up into the National Interest, must have dissolved the foreign yoke in that Province.

THE like in form fort may be said of Venice, the Government whereof is usually mistaken: for Venice, tho it does not take in the People, never excluded them. This Commonwealth, the Orders whereof are the most Democratical or Popular of all others, in regard of the exquisite Rotation of the Senate, at the first institution took in the whole People; they that now live under the Government without participation of it, are such as have since either voluntarily chosen to do, or were subdu'd by Arms. Wherfore the Subject of Venice is governed by Provinces; and the balance of Dominion not standing, as has been said, with Provincial Government: As the Mamaluces durst not cast their Government upon this balance in their Provinces, let the National Interest should have rooted out the Foreign; for neither dare the Venetians take in their Subjects upon this balance, lest the foreign Interest should root out the National (which is that of the 3000 now governing) and by diffusing the Commonwealth throughout their Territories, lose the advantage of her Situation, by which in great part it subsists. And such also is the Government of the Spaniards in the Indies, to which he deputes Natives of his own Country, not admitting the Creolios to the Government of those Provinces, tho descended from Spaniards.

But if a Prince or a Commonwealth may hold a Territory that is foreign to this, it may be ask'd, why he may not hold one that is native in the like manner? To which I answer, because he can hold a foreign by a native Territory, but not a native by a foreign: and as hitherto I have shewn what is not the provincial Balance, so this answer it may
may appear what it is, namely the Overbalance of a native Territory to a foren; for as one Country balances it self by the distribution of Property according to the proportion of the same, so one Country overbalances another by advantage of divers kinds. For example, the Commonwealth of Rome overbalanc'd her Provinces by the vigor of a more excellent Government oppos'd to a crazier, or by a more exquisit Militia oppos'd to one inferior in Courage or Disciplin. The like was that of the Masmules, being a hardy People, to the Egyptians that were a soft one. And the balance of Situation is in this kind of wonderful effect; seeing the King of Denmark, being none of the most potent Princes, is able at the Sound to take Toll of the greatest: and as this King by the advantage of the Land can make the Sea tributary; so Venice, by the advantage of the Sea, in whose arms she is impregnable, can make the Land to feed her Gulf. For the Colonys in the Indies, they are yet Babes that cannot live without fucking the breasts of their Mother City, but such as I mistake if when they com of age they do not wean themselves: which causes me to wonder at Princes that delight to be exhausted in that way. And so much for the principles of Power, whether National or Provincial, Domestic or Foreign: being such as are external, and founded in the goods of Fortune.

I COM to the principles of Authority, which are internal, and founded upon the goods of the Mind. Thefe the Legislator that can unite in his Government with those of Fortune, coms nearest to the work of God, whose Government consifts of Heaven and Earth: which was faid by Plato, tho in different words, as, when Princes should be Philosophers, or Philosophers Princes, the World would be happy. And says Solomon, There is an evil which I have seen under the Sun, which proceeds from the Ruler (enimvero neque nobilém, neque ingenium, nec libertiém quidem armis præponère, regi utilitas eft) folly is set in great dignity, and the Rich (either in Virtue and Wildom, in the goods of the Mind, or thefe of Fortune upon that balance which gives them a fenfe of the National Interett) sit in low places. I have seen Servants upon horses, and Princes walking as Servants upon the earth. Sad complaints, that the principles of Power and of Authority, the goods of the Mind and of Fortune, do not meet and twine in the Wreath or Crown of Empire! Wherfore, if we have any thing of Piety or of Prudence, let us raise our selves out of the mire of privat Interett to the contemplation of Virtue, and put a hand to the removal of this evil from under the Sun; this evil against which no Government that is not secur'd, can be good; this evil from which the Government that is secure must be perfect. Solomon tells us, that the caufe of it is from the Ruler, from thefe principles of power, which, balanc'd upon earthly trash, exclude the heavenly treasures of Virtue, and that influence of it upon Government, which is Authority. We have wander'd the Earth to find out the balance of power: but to find out that of Authority, we must ascend, as I faid, nearer Heaven, or to the Image of God, which is the Soul of Man.

THE Soul of Man (whose life or motion is perpetual Contemplation or Thought) is the Miftrefs of two potent Rivals, the one Reason, the other Passion, that are in continual fuit; and, according as the gives up her will to thefe or either of them, is the felicity or misery which Man partakes in this mortal life.
FOR as whatever was Passion in the contemplation of a man, being brought forth by his will into action, is Vice and the bondage of Sin; so whatever was Reason in the contemplation of a man, being brought forth by his will into action, is virtue and the freedom of Soul.

AGAIN, as those actions of a man that were Sin acquire to himself Repentance or Shame, and affect others with Scorn or Pity; so those actions of a man that are Virtue acquire to himself Honor, and upon others Authority.

NOW Government is no other than the Soul of a Nation or City: wherefore that which was Reason in the debate of a Commonwealth being brought forth by the refult, must be Virtue; and forasmuch as the Soul of a City or Nation is the Soverain Power, her Virtue must be Law. But the Government whose Law is Virtue, and whose Virtue is Law, is the same whose Empire is Authority, and whose Authority is Empire.

AGAIN, If the Liberty of a man consists in the Empire of his Reason, the absence whereof would betray him to the bondage of his Passions; then the Liberty of a Commonwealth consists in the Empire of her Laws, the absence whereof would betray her to the Luft of Tyrants. And these I conceive to be the Principles upon which Aristotle and Livy (injuriously accus'd by Leviathan for not writing out of nature) have grounded their Affertion, That a Commonwealth is an Empire of Laws, and not of Men. But they must not carry it so. For, says he, the Liberty, whereof there is so frequent and honorable mention in the Histories and Philosophy of the ancient Greeks and Romans, and the Writings and Discourses of those that from them have receiv'd all their Learning in the Politics, is not the Liberty of particular Men, but the Liberty of the Commonwealth. He might as well have saied, that the Estates of particular Men in a Commonwealth are not the Riches of particular Men, but the Riches of the Commonwealth; for equality of Estates caues equality of Power, and equality of Power is the Liberty not only of the Commonwealth, but of every Man. But sure a Man would never be thus irreverent with the greatest Authors, and poffitive against all Antiquity, without some certain demonstration of Truth: and, what is it? Why, there is written on the Towers of the City of Lucca in great Characters at this day the word LIBERTAS; yet no Man can thence infer, that a particular Man has more Liberty or Immunity from the Service of the Commonwealth than in Constantinople. Whether a Commonwealth be Monarchical or Popular, the Freedom is the same. The Mountain has brought forth, and we have a little Equivocation! For to say, that a Lucches is no more Liberty or Immunity from the Laws of Luke, than a Turk has from the of Constantinople; and to say that a Lucches has no more Liberty or Immunity by the Laws of Luke, than a Turk has by the of Constantinople, are pretty different Speeches. The first may be said of all Governments alike; the second scarce of any two; much less of these, seeing it is known, that whereas the greatest Bajba is a Tenant, as well as all his Head as of his Estate, at the Will of his Lord, the meanest Lucches that has Land, is a Freholder of both, and not to be control'd but by the Law, and that fram'd by every privat Man to no other end (or they may thank themselves) than to protect the Liberty of every privat Man, which by that means comes to be the Liberty of the Commonwealth.

BUT
BUT seeing they that make the Laws in Commonwealths are but
Men, the main Questiôn seems to be, how a Commonwealth coms to
be an Empire of Laws, and not of Men? or how the Debate or Re-
sult of a Commonwealth is so sure to be according to Reason; seeing
they who debate, and they who reslove, be but Men? And as often
as Reason is against a Man, so often will a Man be against Reason.

THI5 is thought to be a threâld saying, but will do no harm; for
be it so that Reason is nothing but Interest, there be divers Interests,
and so divers Reasons.

AS first, there is privat Reason, which is the Interest of a privat
Man.

SECONDLY, There is Reason of State, which is the Interest
(or Error, as was sayd by SOLOMON) of the Ruler or Rulers, that
is to say, of the Prince, of the Nobility, or of the People.

THIRDLY, There is that Reason, which is the Interest of Man-
kind, or of the whole. Now if we see even in those natural Agents
that want sense, that as in themselves they have a Law which directs them in
the means whereby they tend to their own perfection, so likewise that another
Law there is, which touches them as they are sociable parts united into one
Body, a Law which binds them each to serve to others good, and all to pre-
fer the good of the whole, before whatsoever their own particular; as when
stones, or heavy things forake their ordinary wont or center, and fly up-
wards, as if they heard themselves commanded to let go the good they pri-
vately wish, and to relieve the present distress of Nature in common.
There is a common Right, Law of Nature, or Interest of the whole; which
is more excellent, and so acknowledg'd to be by the Agents
themselves, than the Right or Interest of the Parts only. Wherefore
the is may be truly said that the Creatures are naturally carry'd forth to
their proper utility or profit, that ought not to be taken in too general a
sense; seeing divers of them abstain from their own profit; either in regard
of those of the same kind, or at least of their young.

MANKIND then must either be let us just than the Creature, or ac-
knowledge also his common Interest to be common Right. And if Rea-
on be nothing else but Interest, and the Interest of Mankind be the
right Interest, then the Reason of Mankind must be right Reason. Now
compute well; for if the Interest of popular Government com the
nearest to the Interest of Mankind, then the Reason of popular Gov-
ernment must com the nearest to right Reason.

BUT it may be said, that the difficulty remains yet; for be the Interest
of popular Government right Reason, a Man does not look upon Reason
as it is right or wrong in it self, but as it makes for him or against him.
Wherefore unless you can shew such Orders of a Government, as, like
those of God in Nature, shall be able to constrain this or that Creature
to shake off that Inclination which is more peculiar to it, and take up
that which regards the common Good or Interest; all this is to no more
end, than to persuade every man in a popular Government not to carve
himself of that which he defires most, but to be mannerly at the public
Table, and give the best from himself to Decency and the common
Interest. But that such Orders may be establisht, as may, may must
give the upper hand in all cafes to common Right or Interest, notwith-
standing the nearest of that which sticks to every man in privat, and
this in a way of equal certainty and facility, is known even to Girls,
being no other than those that are of common practice with them in divers
divers cafes. For example, two of them have a Cake yet undivided, which was given between them: that each of them therefore may have that which is due, Divide, says one to the other, and I will chufe; or let me divide, and you shall chufe. If this be but once agreed upon, it is enough: for the divident, dividing unequally, loses, in regard that the other takes the better half; wherfore the divides equally, and so both have right. O the depth of the Wisdom of God! and yet by the mouths of Bakers and Sucklings has he set forth his strength; that which great Philosophers are disputing upon in vain, is brought to light by two harmless Girls, even the whole Mystery of a Commonwealth, which lies only in dividing and chufing. Nor has God (if his Works in Nature be understood) left so much to Mankind to dispute upon, as who shall divide, and who chufe, but distributed them for ever into two Orders, whereof the one has the natural right of dividing, and the other of chufing. For Example: A COMMONWEALTH is but a civil Society of Men: let us take any number of Men (as twenty) and immediately make a Commonwealth. Twenty Men (if they be not all Idiots, perhaps if they be) can never come together, but there will be such a difference in them, that about a third will be wiser, or at least less foolish than all the rest; these upon acquaintance, tho' it be but small, will be discover'd, and (as Stags that have the largest heads) lead the herd: for while the sixe discoursing and arguing one with another, shew the eminence of their parts, the fourteen discover things that they never thought on; or are clear'd in divers Truths which had formerly perplex'd them. Wherfore in matter of common concernment, difficulty, or danger, they hang upon their lips as Children upon their Fathers; and the influence thus acquired by the six, the eminence of whose parts is found to be a stay and comfort to the fourteen, is the Authority of the Fathers. Wherfore this can be no other than a natural Aristocracy diffus'd by God through the whole Body of Mankind to this end and purpose; and therefore such as the People have not only a natural, but a positive Obligation to make use of as their Guides; as where the People of Israel are commanded to take wise men, Deut. i. 13: and understanding, and known among their Tribes, to be made Rulers over them. The six then approved of, as in the present case, are the Senat, not by hereditary Right, or in regard of the greatness of their Estates only (which would tend to such Power as might force or draw the People) but by election for their excellent Parts, which tends to the advancement of the influence of their Virtue or Authority that leads the People. Wherfore the Office of the Senat is not to be Commanders, but Counsellors of the People; and that which is proper to Counsellors is first to debate, and afterward to give advice in the business wherupon they have debated; whence the Decrees of the Senat are never Laws, nor so called: and these being maturely fram'd, it is their duty || to propose in the cafe to the People. Wherfore the Senat is no more than the debate of the Commonwealth. But to debate, is to discern or put a difference between things that, being alike, are not the same; or it is separating and weighing this reason against that, and that reason against this, which is dividing,
THE Senat then having divided, who shall chufe? Ask the Girls; for if she that divided must have chosien all, it had bin little woorie for the other in case she had not divided at all, but kept the whole Cake to her self, in regard that being to chufe too, she divided accordingly. Wherfore if the Senat have any farther power than to divide, the Commonwealth can never be equal. But in a Commonwealth confting of a sngle Council, there is no other to chufe than that which divided; whence it is, that such a Council fails not to scramble, that is, to be factious, there being no other dividing of the Cake in that case but among themselves.

Nor is there any remedy but to have another Council to chufe. The Wisdom of the Few may be the Light of Mankind; but the Interest of the Few is not the Profit of Mankind, nor of a Commonwealth. Wherfore seeing we have granted Interest to be Reason, they must not chufe, left it put out their Light. But as the Council dividing conftits of the Wisdom of the Commonwealth, so the Assembly or Council churning should conftit of the Interest of the Commonwealth: as the Wisdom of the Commonwealth is in the Aristocracy, so the Interest of the Commonwealth is in the whole body of the People. And whereas this, in case the Commonwealth conftits of a whole Nation, is too unwieldy a body to be assembled, this Council is to conftit of such a Representativa as may be equal, and so constituted, as can never contract any other Interest than that of the whole People; the manner wherof, being such as is best shown by Exemplification, I remit to the Model. But in the present case, the six dividing, and the fourteen chewing, must of necessity take in the whole interest of the twenty.

DIVIDING and chewing in the language of a Commonwealth is debating and resolving; and whatsoever upon debate of the Senat is propos'd to the People, and resolve'd by them, is enacted * by the authority of the Fathers, and by the power of the People, which concurring, make a Law.

But the Law being made, saies LEVIATHAN, is but Words and Paper without the Hands and Swords of Men; wherfore as those two Orders of a Commonwealth, namely the Senat and the People, are Legislativa, so of necessity there must be a third to be executive of the Laws made, and this is the Magistracy; in which order, with the rest being wrought up by art, the Commonwealth consists of the Senat proposing, the People resolving, and the Magistracy executing: whereby partaking of the Aristocracy as in the Senat, of the Democracy as in the People, and of Monarchy as in the Magistracy, it is complete. Now there being no other Commonwealth but this in Art or Nature, it is no wonder if MACCHIAVEL has shew'd us that the Antients held this only to be good; but it seems strange to me, that they should hold that there could be any other: for if there be such a thing as pure Monarchy, yet that there should be such a one as pure Aristocracy, or pure Democracy, is not in my understanding. But the Magistracy both in number and function is different in different Commonwealths. Nevertheless there is one condition of it that must be the same in every one, or it dissolves the Commonwealth where it is wanting. And this is no less than that as the hand of the Magistrat is the executive

* Authoritate Parum & justa Populi.
Power of the Law, so the head of the Magistrat is answerable to the People that his execution be according to the Law; by which Leviathan may see that the hand or sword that executes the Law is in it, and not above it.

NOW whether I have rightly transcrib'd these Principles of a Commonwealth out of Nature, I shall appeal to God and to the World. To God in the Fabric of the Commonwealth of Israel: and to the World in the universal Series of ancient Prudence. But in regard the same Commonwealths will be open'd at large in the Council of Legislators, I shall touch them for the present but slightly, beginning with that of Israel.

The Commonwealth of Israel consisted of the Senat, the People, of Israel, and the Magistracy.

The People by their first division, which was genealogical, were contain'd under their thirteen Tribes, Housës, or Familys; whereof the firstborn in each was Prince of his Tribe, and had the leading of it: Num. 1: the Tribe of Levi only being set apart to serve at the Altar, had no other Prince but the High Priest. In their second division they were divided locally by their Agrarian, or the distribution of the Land of Joth. ch. 13, 10 Canaan to them by lot, the Tithe of all remaining to Levi; whence according to their local division, the Tribes are reckon'd but twelve.

The Assemblies of the People thus divided were methodically gather'd by Trumpets to the Congregation; which was, it should seem, of two forts. For if it were call'd by one Trumpet only, the Princes of the Tribes and the Elders only assembil'd; but if it were call'd with two, the whole People gather'd themselves to the Congregation, for so it is render'd by the English; but in the Grec it is call'd Eclesias, Judg. 20: 2.

or the Church of God, and by the Talmud, the great Synagogue. The word Eclesias was also antiently and properly us'd for the Civil Congregations or Assemblies of the People in Athens, Lacedemon, and Ephesus, where it is so call'd in Scripture, tho' it be otherwise render'd by the Translators, not much as I conceive to their commendation, seeing by that means they have left us a good leson, the Apostles borrowing that name for their spiritual Congregations, to the end that we might feeth they intended the Government of the Church to be Democratical or Popular, as is also plain in the rest of their Constitutions.

The Church or Congregation of the People of Israel assembled in a military manner, and had the refult of the Commonwealth, or Judg. 20: 2.

the power of confirming all their Laws, tho' propos'd even by God himself; as where they make him King; and where they reject or depose him as Civil Magistrat, and elect Saul. It is manifest that he gives no such example to a Legislator in a popular Government as to deny or evade the power of the People, which were a contradiction: but tho' he deservedly blames the ingratitude of the People in that action, he commands Samuel, being next under himself Supreme Magistrat, to hearken to their Voice (for where the suffrage of the People gos for nothing, it is no Commonwealth) and comforts him, saying, They have not rejected thee, but they have rejected me that I should not reign over them. But to reject him that he should not reign over them, was as Civil Magistrat to depose him.

The Power therefore which the People had to depose even God himself as he was Civil Magistrat, leaves little doubt but that they had power to have rejected any of those Laws confirm'd by them throughout the
Scripture, which (to omit the several parcels) are generally contain'd under two heads, those that were made by Covenant with the People in the Land of Moab, and those which were made by Covenant with the People in Horeb: which two, I think, amount to the whole body of the Israelitish Laws. But if all and every one of the Laws of Israel being propos'd by God, were no otherwise enacted than by Covenant with the People, then that only which was resolv'd by the People of Israel was their Law; and so the resuit of that Commonwealth was in the People. Nor had the People the resuit only in matter of Law, but the Power in som cafes of Judicature; as also the right of levying War; cognizance in matter of Religion; and the election of their Magistrats, as the Judge or Dictator, the King, the Prince: which functions were exercis'd by the Synagoga magna or Congregation of Israel, not always in one manner; for somtimes they were perform'd by the suffrage of the People, vivâ voce; somtimes by the Lot only; and at others by the Ballot, or by a mixture of the Lot with the Suffrage, as in the case of Eldad and Medad, which I shall open with the Senat.

The Senat of Israel, call'd in the Old Testament the Seventy Elders, and in the New the Sanhedrim (which word is usually translated the Council) was appointed by God, and consil'd of Seventy Elders besides Moses, which were at first elected by the People; but in what manner is rather intimated than shewn. Nevertheless, because I cannot otherwise understand the passage concerning Eldad and Medad, of whom it is said, that they were of them that were written, but went not up to the Tabernacle, then with the Tabernacle, I conceive that Eldad and Medad had the suffrage of the Tribes, and so were written as Competitors for Magistracy; but coming afterwards to the lot, fail'd of it, and therefore went not up to the Tabernacle, or place of Confirmation by God, or to the Seisconhouse of the Senat with the Seventy upon whom the lot fell to be Senators: for the Sessionhouse of the Sanhedrim was first in the Court of the Tabernacle, and afterwards in that of the Temple, where it came to be call'd the fone Chamber or Pavement. If this were the Ballot of Israel, that of Venice is the same transpos'd: for in Venice the Competitor is chosen as it were by the lot, in regard that the Electors are so made, and the Magistrat is chosen by the Suffrage of the great Council or Assembly of the People. But the Sanhedrim of Israel being thus constituted, Moses for his time, and after him his Successor, sat in the midst of it as Prince or Archon, and at his left hand the Orator or Father of the Senat; the rest of the bench coming round with either horn like a Crescent, had a Scribe attending upon the tip of it.

This Senat, in regard the Legislator of Israel was infallible, and the Laws given by God such as were not fit to be alter'd by men, is much different in the exercis of their Power from all other Senats, except that of the Areopagis in Athens, which also was little more than a Supreme Judicatory; for it will hardly, as I conceive, be found that the Sanhedrim propos'd to the People till the return of the Children of Israel out of Captivity under Esdras, at which time there was a new Law made, namely, for a kind of Excommunication, or rather Banishment, which had never bin before in Israel. Nevertheless it is not to be thought that the Sanhedrim had not always that right, which from the time of Esdras it more frequently exercis'd, of proposing to
the People, but that they forbore it in regard of the fulness and infallibility of the Law already made, whereby it was needful. Wherefore the function of this Council, which is very rare in a Senate, was executive, and confisled in the administration of the Law made; and whereas the Council itself is often understood in Scripture by the Priest {Deut. 17:9}, and the Levites, who otherwise had no Power at all, being in the younger years of this Commonwealth, those that were best studied in the Laws were the most frequently elected into the Sanhedrin. For the Courts consisting of three and twenty Elders sitting in the Gates of every City, and the Triumvirats of Judges constituted almost in every Village, which were parts of the executive Magistracy subordinat to the Sanhedrin, I shall take them at better leisure, and in the larger Discourse; but the being that part of this Commonwealth which was instituted by Moses upon the advice of Jethro the Priest of Midian (as I conceive a Heathen) are to me a sufficient warrant even from God himself who confirm’d them, to make farther use of human Prudence, wherever I find it bearing a Testimony to it self, whether in Heathen Commonwealths or others: And the rather, because it is, that we who have the holy Scriptures, and in them the Original of a Commonwealth, made by the same hand that made the World, are either altogether blind or negligent of it; while the Heathens have all written theirs, as if they had had no other Copy: As, to be more brief in the present account of that which you shall have more at large hereafter;

Athen's consisted of the Senat of the {Beau} proposing, of the of Athens; Church or Assembly of the People resolving, and too often debating, which was the ruin of it; as also of the Senat of the Aropagis, the nine Archons, with divers other Magistrats executing.

Lacedemon consisted of the Senat proposing; of the of Lacedemon; Church or Congregation of the People resolving only and never debating, which was the long life of it; and of the two Kings, the Court of the Ephors, with divers other Magistrats executing.

Carthage consisted of the Senat proposing and somtimes of Carthage, resolving too; of the People resolving and somtimes debating too, for which fault she was reprehended by Aristotle; and she had her Suffetes, and her hundred Men, with other Magistrats executing.

Rome consisted of the Senat proposing, the Consilium or People of Rome resolving, and too often debating, which caus’d her storms; as also of the Confuls, Senators, Adels, Tribuns, Pretors, Questors, and other Magistrats executing.

Venice consists of the Senat or Reggatus proposing, and somtimes of Venice, resolving always; of the great Council or Assembly of the People, in whom the result is constitutively; as also of the Doge, the Signory, the Council, the Diet, the Quaenzories, and other Magistrats executing.

The proceeding of the Commonwealths of Switzerland and Holland is of a like nature, tho after a more obscure manner: for the Sovereintys, whether Cantons, Provinces, or Citys, which are the People, fend their Deputies commissiion’d and instructed by themselves (wherin they reserve the Result in their own power) to the Provincial or general Convention, or Senat, where the Deputies debate, but have no other power of Result than what was confer’d upon them by the People, or is farther confer’d by the Senate upon farther occasion. And
for the executive part they have Magistrates or Judges in every Canton, Province or City, besides those which are more public, and relate to the League, as for adjusting Controversies between one Canton, Province or City, and another; or the like between such persons as are not of the same Canton, Province or City.

BUT that we may observe a little farther how the Heathen Politicians have written, not only out of Nature, but as it were out of Scripture: As in the Commonwealth of Israel God is said to have bin King; so the Commonwealth where the Law is King, is said by Aristotle to be the Kingdom of God. And where by the Lufts or Passions of Men a Power is set above that of the Law deriving from Reason, which is the dictat of God, God in that sense is rejected or depos'd that he should not reign over them, as he was in Israel.

And yet Leviathan will have it, that by reading of these Greek and Latin (he might as well in this sense have said Hebrew) Authors, young Men, and all others that are unprovided of the antidot of solid Reason, receiving a strong and delightful impression of the great Exploits of War, achieved by the Conductors of their Arms, receive withal a pleasing Idea of all they have done besides; and imagin their great prosperity not to have proceeded from the emulation of particular Men, but from the virtue of their popular form of Government, not considering the frequent Seditions and Civil Wars produced by the imperfection of their Polity.

Where, first, the blame he lays to the Heathen Authors is in his sense laid to the Scripture; and whereas he holds them to be young Men, or Men of no antidot that are of like opinions, it should seem that Machiavel, the sole retriever of this ancient Prudence, is to his solid Reason a beardless Boy that has newly read Livy. And how solid his Reason is, may appear, where he grants the great prosperity of ancient Commonwealths, which is to give up the Controversy. For such an effect must have some adequate cause; which to evade he infinuates that it was nothing else but the emulation of particular Men; as if so great an Emulation could have bin generated without as great Virtue; so great Virtue without the best Education; the best Education without the best Laws; or the best Laws any other wise than by the excellency of their Polity.

BUT if some of these Commonwealths, as being less perfect in their Polity than others, have bin more sedulous, it is not more an argument of the infirmity of this or that Commonwealth in particular, than of the excellency of that kind of Polity in general; which if they, that have not altogether reach'd, have nevertheless had greater prosperity, what would befall them that should reach?

In answer to which Question let me invite Leviathan, who of all other Governments gives the advantage to Monarchy for perfection, to a better disquisition of it by these three assertions.

The first, That the perfection of Government lies upon such a liberation in the frame of it, that no Man or Men in or under it can have the interest; or having the interest, can have the power to disturb it with Sedition.

The second, That Monarchy, reaching the perfection of the kind, reaches not to the perfection of Government; but must have some dangerous flaw in it.

The third, That popular Government, reaching the perfection of the kind, reaches the perfection of Government, and has no flaw in it.

The first assertion requires no proof. FOR
FOR the proof of the second; Monarchy, as has bin shewn, is of two kinds, the one by Arms, the other by a Nobility, and there is no other kind in Art or Nature: for if there have bin antiently some Governments call'd Kingdoms, as one of the Goths in Spain, and another of the Vandals in Africa, where the King rul'd without a Nobility, and by a Council of the People only; it is expressly saide by the Authors that mention them, that the Kings were but the Captains, and that the People not only gave them Laws, but depo'd them as often as they pleas'd. Nor is it possible in reason that it should be otherwise in like cases; wherfore these were either no Monarchys, or had greater flaws in them than any other.

BUT for a Monarchy by Arms, as that of the Turk (which of all models that ever were comes up to the perfection of the kind) it is not in the wit or power of Man to cure it of this dangerous flaw, That the Janizaries have frequent interest and perpetual power to raise Sedition, and to tear the Magistrat, even the Prince himself, in pieces. Therfore the Monarchy of Turkey is no perfect Government.

AND for a Monarchy by a Nobility, as of late in Ocean (which of all other models before the declination of it came up to the perfection in that kind) it was not in the power or wit of Man to cure it of that dangerous flaw, That the Nobility had frequent interest and perpetual power by their Retainers and Tenants to raise Sedition; and (wheras the Janizaries occasion this kind of Calamity no sooner than they make an end of it) to levy a lasting War, to the vast effusion of Blood, and that even upon occasions wherein the People, but for their dependence upon their Lords, had no concernment, as in the feud of the Red and White. The like has bin frequent in Spain, France, Germany, and other Monarchys of this kind; wherfore Monarchy by a Nobility is no perfect Government.

FOR the proof of the third affertion; Leviathan yields it to me, that there is no other Commonwealth but Monarchical or Popular: wherfore if no Monarchy be a perfect Government, then either there is no perfect Government, or it must be popular; for which kind of Constitution I have something more to say, than Leviathan has said or ever will be able to say for Monarchy. As,

FIRST, That it is the Government that was never conquer'd by any Monarch, from the beginning of the World to this day: for if the Commonwealths of Greece came under the yoke of the Kings of Macedon, they were first broken by themselves.

SECONDLY, That it is the Government that has frequently led mighty Monarchs in Triumph.

THIRLDLY, That it is the Government, which, if it has bin seditious, it has not bin so from any imperfection in the kind, but in the particular Constitution; which, wherever the like has happen'd, must have bin inequal.

FOURTHLY, That it is the Government, which, if it has bin any thing near equal, was never seditious; or let him shew me what Sedition has happen'd in Lacedemon or Venice.

FIFTHLY, That it is the Government, which, attaining to perfect equality, has such a liberation in the frame of it, that no Man living can shew which way any Man or Men, in or under it, can contract any such Interest or Power as should be able to disturb the Commonwealth with Sedition; wherfore an equal Commonwealth is that only
only which is without flaw, and contains in it the full perfection of Government. But to return.

By what has been shewn in Reason and Experience it may appear, that the Commonwealths in general be Governments of the Senat proposing, the People resolving, and the Magistracy executing; yet some are not so good at these Orders as others, thro' some impediment or defect in the frame, balance, or capacity of them, according to which they are of divers kinds.

The first division of them is into such as are single, as Israel, Athens, Lacedemon, &c. and such as are by Leagues, as those of the Aebeans, Etolians, Lyceans, Switz, and Hollanders.

The second (being Macchiavel's) is into such as are for preservation, as Lacedemon and Venice, and such as are for increase, as Athens and Rome; in which I can see no more than that the former takes in no more Citizens than are necessary for defence, and the latter so many as are capable of increase.

The third division (unseen hitherto) is into equal and unequal, and this is the main point, especially as to domestic Peace and Tranquility; for to make a Commonwealth unequal, is to divide it into parties, which sets them at perpetual variance, the one party endeavoring to preserve their Eminence and Inequality, and the other to attain to Equality: whence the People of Rome deriv'd their perpetual strife with the Nobility or Senat. But in an equal Commonwealth there can be no more strife than there can be overbalance in equal weights; wherefore the Commonwealth of Venice, being that which of all others is the most equal in the Constitution, is that wherein there never happen'd any strife between the Senat and the People.

An equal Commonwealth is such a one as is equal both in the balance or foundation, and in the superstructure; that is to say, in her Agrarian Law, and in her Rotation.

An equal Agrarian is a perpetual Law establishing and preferring the balance of Dominion by such a distribution, that no one Man or number of Men, within the compass of the Few or Aristocracy, can come to overpower the whole People by their posessions in Lands.

As the Agrarian answers to the Foundation, so does Rotation to the Superstructures.

Equal Rotation is equal vicissitude in Government, or succession to Magistracy confer'd for such convenient terms, enjoying equal vacations, as take in the whole body by parts, succeeding others, thro' the free election or suffrage of the People.

The contrary wherunto is prolongation of Magistracy, which, trafficking the wheel of Rotation, destroy's the life or natural motion of a Commonwealth.

The election or suffrage of the People is most free, where it is made or given in such a manner, that it can neither oblige nor disoblige another; nor thro' fear of an Enemy, or bashfulness towards a Friend, impair a Man's liberty.

Wherefore, says Cicero, the Tablet or Ballot of the People of Rome (who gave their Votes by throwing Tablets or little pieces of Wood secretly into Urns mark'd for the negative or affirmative.)

* Qui beneficium accepta libertatem vendidit. † Gratia populo eft tabella quae frontes aperit businum, mentes regit, datque cuam libertatem ut quod velit faciat.
tive) was a welcome Constitution to the People, as that which, not impairing the assurance of their brows, increas'd the freedom of their Judgment. I have not fixed upon a more particular description of this Ballot, because that of Venice exemplify'd in the Model is of all others the most perfect.

A New equal Commonwealth (by that which has bin said) is a Government establish'd upon an equal Agrarian, arising into the Superstructure, or three Orders, the Senate debating and proposing, the People resolving, and the Magistracy executing by an equal rotation thro' the suffrage of the People given by the Ballot. For thro' Rotation may be without the Ballot, and the Ballot without Rotation, yet the Ballot not only as to the infusing Model includes both, but is by far the most equal way; for which cause under the name of the Ballot I shall hereafter understand both that and Rotation too.

Now having reason'd the Principles of an equal Commonwealth, I should come to give an instance of such a one in experience, if I could find it; but if this work be of any value, it lies in that it is the first example of a Commonwealth that is perfectly equal. For Venice, tho' it coms the nearest, yet is a Commonwealth for preservation; and such a one, considering the paucity of Citizens taken in, and the number not taken in, is externally unequal: and tho' every Commonwealth that holds Provinces must in that regard be such, yet not to that degree. Nevertheless Venice internally, and for her capacity, is by far the most equal, tho' it has not in my judgment arriv'd at the full perfection of equality; both because her Laws supplying the defect of an Agrarian, are not so clear nor effectual at the Foundation, nor her Superstructures by the virtue of her Ballot or Rotation exactly librated; in regard that thro' the paucity of her Citizens, her greater Magistracies are continually wheel'd thro' a few hands, as is conteft by Janotti where he says, that if a Gentleman comes once to be Savio di terra ferma, it seldom happens that he fails from thenceforward to be adorn'd with some one of the greater Magistracies, as Savio di mare, Savio di terra ferma, Savio Grandi, Counsellors, thefe of the Decemvirats or Dicatiorian Council, the Auroratori or Cenfors which require no vacation or interval. Therefor if this in Venice, or that in Lacedemon, where the Kings were hereditary, and the Senators (the elected by the People) for life, caufe no inequality (which is hard to be conceiv'd) in a Commonwealth for preservation, or such a one as consists of a few Citizens; yet is it manifest, that it would cause a very great one in a Commonwealth for increase, or consisting of the Many, which by infringing the Magistracies in a few hands, would be obstructed in their Rotation.

But there be who say (and think it a strong Objection) that let a Commonwealth be as equal as you can imagin, two or three Men when all is don will govern it; and there is that in it, which, notwithstanding the pretended sufficiency of a popular State, amounts to a plain confession of the imbecility of that Policy, and of the Prerogative of Monarchy: for as much as popular Governments in difficult cases have had recourse to Dicatiorian Power, as in Rome.

To which I answer, That as Truth is a spark to which objections are like bellows, so in this respect our Commonwealth shines; for the Eminence acquire'd by suffrage of the People in a Commonwealth, especially if it be popular and equal, can be ascended by no other steps than
than the universal acknowledgement of Virtue; and where men excel in Virtue, the Commonwealth is stupend and iniquit, if accordingly they do not excel in Authority. Wherfore this is both the advantage of Virtue, which has her due encouragement, and of the Commonwealth which has her due services. These are the Philosophers which PLATO would have to be Princes, the Princes which SOLOMON would have to be mounted, and their Steeds are those of Authority, not Empire; or, if they be buck'd to the Chariot of Empire, as that of the Dic- torian Power, like the Chariot of the Sun, it is glorious for terms and vacations, or intervals. And as a Commonwealth is a Government of Laws and not of Men, so is this the Principality of Virtue, and not of Man; if that fail or set in one, it rises in another * who is created his immediat Successor. And this takes away that vanity from under the Sun, which is an Error preceding more or less from all other Rulers under Heaven but an equal Commonwealth.

THOSE things consider'd, it will be convenient in this place to speak a word to such as go about to instinuat to the Nobility or Gentry a fear of the People, or to the People a fear of the Nobility or Gentry, as if their interests were destructive to each other; when indeed an Army may as well consist of Soldiers without Officers, or of Officers without Soldiers, as a Commonwealth (especially such a one as is capable of Greatness) of a People without a Gentry, or of a Gentry without a People. Wherfore this (tho not always so intended, as may appear by MACCHIAVEL, who else would be guilty) is a pernicious error. There is something first in the making of a Commonwealth, then in the governning of it, and last of all in the leading of its Armys; which (tho there be great Divines, great Lawyers, great men in all professions) seems to be peculiar only to the Genius of a Gentleman. For so it is in the universal series of Story, that if any man has founded a Commonwealth, he was first a Gentleman. MOSES had his Education by the Daughter of PHARAOH; THESEUS and SOLOM, of noble Birth, were held by the Athenians worthy to be Kings; LYCURGUS was of the Royal Blood; ROMULUS and NUMA Princes; BRUTUS and PUBLICOLA Patricians; the GAGCH, that left their lives for the People of ROME, and the restitution of that Commonwealth, were the Sons of a Father adorn'd with two Triumphs, and of CORNELIA the Daughter of SCIPIO, who being demand- ed in marriage by King PTOLOMY, disdain'd to become the Queen of Egypt. And the most renown'd OLPHAUS MEGALETOR, sole Legislator (as you will see anon) of the Commonwealth of OCEANA, was deriv'd from a noble Family: nor will it be any occasion of scruple in this case, that LEVIATHAN affirms the Politics to be no anti- enter than his Book de Civit. Such also as have got any fame in the Civi Government of a Commonwealth, or by the leading of its Armys, have bin Gentlemen; for so in all other respects were those plebeian Magistrats elected by the People of ROME, being of known Defects, and of equal Virtues, except only that they were excluded from the name by the Usurpation of the Patricians. HOLLAND, thro' this defect at home, has borrow'd Princes for Generals, and Gentlemen of divers Nations for Commanders: And the SWITZERS, if they have any defect in this

* Uno avulso, non desicat alter
Aureus, & simul froni defect vitræ metallo.
kind, rather lend their People to the Colors of other Princes, than make that noble use of them at home, which should affect the Liberty of Mankind. For where there is not a Nobility to hearten the People, they are flothful, regardles of the World, and of the public interest of Liberty, as even those of Rome had bin without their Gentry: wherefore let the People embrace the Gentry in peace, as the light of their eyes; and in war, as the trophy of their arms. And if CORNELIA disdain'd to be Queen of Egypt, if a Roman Consul look'd down from his Tribunal upon the greatest King; let the Nobility love and cherish the People that afford them a Throne so much higher in a Commonwealth, in the acknowledgment of their Virtue, than the Crowns of Monarchs.

But if the equality of a Commonwealth consist in the equality first of the Agrarian, and next of the Rotation, then the inequality of a Commonwealth must consist in the absence or inequality of the Agrarian, or of the Rotation, or of both.

ISRAEL and Lacedemon, which Commonwealths (as the People of this, in JOSPHUS, claims kindred of that) have great resemblance, were each of them equal in their Agrarian, and inequal in their Rotation; especially Isreal, where the Sanhedrin or Senat, first elected by the People, as appears by the words of Moses, took upon them ever after, without any precept of God, to substitute their Successors by Ordinance; which having bin there of civil use, as Excommunication, Community of Goods, and other Customs of the Eftsans, who were many of them converted, came afterward to be introduc'd into the Christian Church. And the election of the Judge, Suffix or Dictator, was irregular, both for the occasion, the term, and the vacation of that Magistracy; as you find in the Book of Judges, where it is often repeated, That in those days there was no King in Israel, that is, no Judge; and in the first of Samuel, where ELIJAH judg'd Israel forty years, and SAMUEL all his life. In Lacedemon the election of the Senat being by suffrage of the People, tho for life, was not altogether so inequal; yet the hereditary Right of Kings, were it not for the Agrarian, had ruin'd her.

ATHENS and Rome were inequal as to their Agrarian, that of Athens being infirm, and this of Rome none at all; for if it were more antiently carry'd, it was never observ'd. Whence by the time of TIBERIUS GRACCHUS the Nobility had almost eaten the People quite out of their Lands, which they held in the occupation of Tenants and Servants: Wherupon, the remedy being too late, and too vehemently apply'd, that Commonwealth was ruin'd.

These also were inequal in their Rotation, but in a contrary manner. Athens, in regard that the Senat (chofen at once by lot, not by suffrage, and chang'd every year, not in part, but in the whole) consist'd not of the natural Aristocracy; nor sitting long enough to understand, or to be perfect in their office, had no sufficient Authority to restrain the People from that perpetual Turbulence in the end, which was their ruin, notwithstanding the efforts of NICIAS, who did all a man could do to help it. But as Athens by the headines of the People, so Rome fell by the Ambition of the Nobility, thro the want of an equal Rotation; which, if the People had got into the Senat, and timely into the Magistracies (wherof the former was always usurp'd by

An unequal Commonwealth.
by the Patricians, and the latter for the most part) they had both carry'd and held their Agrarian, and that had render'd that Commonwealth immovable.

BUT let a Commonwealth be equal or inequal, it must consist, as has bin shewn by Reason and all Experience, of the three general Orders; that is to say, of the Senat debating and proposing, of the People resolvling, and of the Magiftracy executing. Wherefore I can never wonder enough at Levia than, who, without any reason or example, will have it, that a Commonwealth consists of a fingle Perfon, or of a fingle Assembly; nor can I sufficiently pity tho[us]and Gentlemen, whose Minds, which otherwise would have waver'd, he has fram'd (as is affirm'd by himself) into a conscientious obedience (for so he is pleas'd to call it) of such a Government.

BUT to finish this part of the Discourse, which I intend for as complete an Epitome of antient Prudence, and in that of the whole Art of Politics, as I am able to frame in so short a time;

THE two firft Orders, that is to say, the Senat and the People, are Legislative, wherunto anwers that part of this Science which by Politicians is intitul'd * of Laws; and the third Order is executive, to which anwers that part of the fame Science which is fill'd † of the Frame and Cours of Courts or Juridicatorys. A word to each of these will be necessary.

AND firft for Laws, they are either Ecclesiastical or Civil, such as concern Religion or Government.

LAWS Ecclesiastical, or such as concern Religion, according to the universal course of antient Prudence, are in the power of the Magiftrat; but according to the common practice of modern Prudence, since the Papacy, torn out of his hands.

BUT, as a Government pretending to Liberty, and yet suppressing Liberty of Conscience (which, because Religion not according to a man's Conscience can to him be none at all, is the main) must be a contradiction; so, a man that, pleading for the Liberty of privat Conscience, refuses Liberty to the National Conscience, must be abjur'd.

A COMMONWEALTH is nothing else but the National Conscience. And if the conviction of a mans privat Conscience produces his privat Religion, the conviction of the national Conscience must produce a national Religion. Whether this be well reason'd, as also whether these two may stand together, will beft be shewn by the examples of the antient Commonwealths taken in their order.

IN that of Israel the Government of the National Religion appertain'd not to the Priests and Levits, otherwise than as they happen'd to be of the Sanhedrim or Senat, to which they had no right at all but by election. It is in this capacity therfore that the People are commanded under pain of death to hearken to them, and to do according to the sentence of the Law which they should teach; but in Israel the Law Ecclesiastical and Civil was the same, therefore the Sanhedrim having the power of one, had the power of both. But as the National Religion appertain'd to the Jurisdiction of the Sanhedrim, so the Liberty of Conscience appertain'd, from the same date, and by the same right, to the Prophets and their Disciples; as where it is said, I will raise up a Pro-

* De Legibus. † De Judicibus.
OCEANA.

phet—and whoever will not hearken to my words which be shall speak in my name, I will require it of him. The words relate to prophetic Right, which was above all the Orders of this Commonwealth; whence Elijah not only refus’d to obey the King, but destroy’d his Messengers with fire. And wheras it was not lawful by the National Religion to sacrifice in any other place than the Temple, a Prophet was his own Temple, and might sacrifice where he would, as Elijah did in Mount Carmel. By this right John the Baptist and our Savior, to whom it more particularly related, had their Disciples, and taught the People; whence is deriv’d our present right of GATHER’D CONGREGATIONS: Wherefore the Christian Religion grew up according to the Orders of the Commonwealth of Israel, and not against them. Nor was Liberty of Convenience infringing’d by this Government, till the civil Liberty of the fame was lost, as under Herod, Pilat, and Tiberius, a threepil’d Tyranny.

To procede, Athens preferv’d her Religion, by the testimony of Paul, with great Superfiction: If Alcibiades, that Atheistical fellow, had not shew’d them a pair of heels, they had shaven off his head for shaving their Mercury, and making their Gods look ridiculous upon them without beards. Nevertheless, if Paul reason’d with them, they lov’d news, for which he was the more welcome; and if he converted Dionysius the Areopagit, that is, one of the Senators, there follow’d neither any hurt to him, nor loss of honor to Dionysius. And for Rome, if Cicero, in his most excellent Book de natura Deorum, overthrew the National Religion of that Commonwealth, he was never the farther from being Conful. But there is a meanness and perverseness in modern Prudence, not only to the damage of Civil Government, but of Religion itself: for to make a man in matter of Religion, which admits not of sensible demonstration (jurare in verba Magistris) engage to believe no otherwise than is believ’d by my Lord Bishop, or Goodman Presbyter, is a Pedantism, that has made the Sword to be a Rod in the hands of Schoolmasters; by which means, whereas the Christian Religion is the farthest of any from countenancing War, there never was a War of Religion but since Christianit: For which we are beholden to the Pope; for the Pope not giving liberty of Conscience to Princes and Commonwealths, they cannot give that to their Subjects which they have not themselves: whence both Princes and Subjects either thro his infatuation, or their own disputes, have introduc’d that execrable custom, never known in the world before, of fighting for Religion, and denying the Magistrats to have any jurisdiccon concerning it; whereas the Magistrats losing the power of Religion looses the Liberty of Conscience, which in that case has nothing to protect it. But if the People be otherwise taught, it concerns them to look about them, and to distinguish between the shrieking of the Lapwing, and the voice of the Turtle.

To com to Civil Laws, if they stand one way and the balance another, it is the case of a Government which of necessity must be new model’d; wherfore your Lawyers advising you upon the like occasions to fit your Government to their Laws, are no more to be regarded, than your Taylor if he should desire you to fit your body to his duner. There is also danger in the plausible pretence of reforming the Law, except the Government be first good, in which case it is a good tree.
Tree, and (trouble not your selves overmuch) brings not forth evil fruit; otherwise, if the Tree be evil, you can never reform the fruit: or if a Root that is naught bring forth fruit of this kind that seems to be good, take the more heed, for it is the ranker poison. It was no-wis probable, if Augustus had not made excellent Laws, that the bowels of Rome could have com to be so miserably eaten out by the Tyranny of Tiberius and his Successors. The best Rule as to your Laws in general is, that they be few. Rome by the testimony of Cicero was best govern'd under those of the twelve Tables; and by that of Tacitus, Plurima leges, corruptissima respublica. You will be told, That where the Laws be few, they leave much to Arbitrary Power; but where they be many, they leave more: The Laws in this case, according to Justinian and the best Lawyers, being as litigious as the Suits of Solon made few; Lycurges fewer Laws: and Commonwealths have the fewest at this day of all other Governments.

Of Courts. NOW to conclude this part with a word de Judicia, or of the Constitution or Course of Courts; it is a Discourse not otherwise capable of being well manag'd but by particular examples, both the Constitution and Course of Courts being divers in different Governments, but best beyond compare in Venice, where they regard not so much the Arbitrary Power of their Courts, as the Constitution of them; whereby that Arbitrary Power being altogether unable to retard or do hurt to business, produces and must produce the quickest dispatch, and the most righteous dictates of Justice that are perhaps in human nature. The manner I shall not stand in this place to describe, because it is exemplify'd at large in the Judicature of the People of Oceana. And thus much of antient Prudence, and the first branch of this preliminary Discourse.
The Second Part of the Preliminarys.

In the second Part I shall endeavor to shew the Rise, Progress, and Declination of modern Prudence.

The date of this kind of Policy is to be computed, as was shewn, from those Inundations of Goths, Vandals, Hans, and Lombards, that overwhelm'd the Roman Empire. But as there is no appearance in the Bulk or Constitution of modern Prudence, that it should ever have bin able to com up and grapple with the Antient, so somthing of necessity must have interpos'd, whereby this came to be enervated, and that to receive strength and encouragement. And this was the execrable Reign of the Roman Emperors taking rife from (that felix seetur) the Arms of Caesar, in which form the Ship of the Roman Commonwealth was forc'd to disburden itself of that precious Freight, which never since could emerge or raise its head but in the Gulf of Venice.

It is laid in Scripture, Thy evil is of thy self, O Israel! To which the Translators answer that of the Morals, * None is hurt but by himself, as also the Ancients and Moderns. In the whole matter of the Politics; at present this Example of the Romans, who, thro a negligence committed in their Agrarian Laws, let in theSink of Luxury, and forfeited the immeasurable Treasure of Liberty for themselves and their Posterity.

Their Agrarian Laws were such, whereby their Lands ought to have bin divided among the People, either without mention of a Colony, in which case they were not oblig'd to change their abode; or with mention and upon condition of a Colony, in which case they were to change their abode; and leaving the City, to plant themselves upon the Lands so assign'd. The Lands assign'd, or that ought to have bin assign'd in either of these ways, were of three kinds: Such as were taken from the Enemy and distributed to the People; or such as were taken from the Enemy, and under color of being serv'd to the Public use, were thro stealth possess'd by the Nobility; or such as were bought with the Public Mony to be distributed. Of the Laws offer'd in these cases, those which divided the Lands taken from the Enemy, or purchas'd with the Public Mony, never occasion'd any dispute; but such as drove at disposing the Nobility of their Usurpations, and dividing the common purchase of the Sword among the People, were never touch'd but they caus'd Earthquakes, nor could they ever be obtain'd by the People; or being obtain'd, be obtayn'd by the Nobility, who not only serv'd their prey, but growing vastly rich upon it, bought the People by degrees quite out of those Shares that had been confer'd upon them. This the Gracchi coming too late to perceive, found the Balance of the Commonwealth to be lost; but putting the People (when they had least force) by forcible means upon the recovery of it, did ill, seeing it neither could nor did tend to any more than to shew them by worse effects, that what the Wisdom of their Leaders had discover'd was true. For (quite contrary to what has happen'd in Oceana, where, the Balance falling to the Peo-

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* Nemo nocet nisi ex fe.
ple, they have overthrown the Nobility) that Nobility of Rome, under the conduct of Sylla, overthrew the People and the Commonwealth: seeing Sylla first introduced that new Balance, which was the Foundation of the succeeding Monarchy, in the plantation of Military Colonys, instituted by his distribution of the conquer'd Lands, not now of Enemies, but of Citizens, to forty seven Legions of his Soldiers; so that now he came to be Perpetual Dictator, or other Magistrats to succeed him in like Power, is no Miracle.

These Military Colonys (in which manner succeeding Emperors continu'd, as Augustus by the distribution of the Veterans, whereby he had overcom Brutus and Cassius, to plant their Soldiery) consist'd of such as I conceive were they that are call'd Milites beneficiarii; in regard that the Tenure of their Lands was by way of Benefices, that is for Life, and upon condition of Duty or Service in the War upon their own Charge. These Benefices Alexander Severus granted to the Heirs of the Incumbents, but upon the same conditions. And such was the Dominion by which the Roman Emperors gave their Balance. But to the Beneficiaries, as was no less than necessary for the safety of the Prince, a matter of eight thousand by the Example of Augustus were added, which departed not from his fides, but were his perpetual Guard, call'd Pretorian Bands; tho' these, according to the incurable flaw already observ'd in this kind of Government, became the most frequent Butchers of their Lords that are to be found in Story. Thus far the Roman Monarchy is much the same with that at this day in Turkey, consisting of a Camp, and a Horfequarter; a Camp in regard of the Spalys and Janizaries, the perpetual Guard of the Prince, except they also chance to be liquorish after his Blood; and a Horfequarter in regard of the distribution of his whole Land to Tenants for Life, upon condition of continual Service, or as often as they shall be commanded at their own charge by Timars, being a word which they say signifies Benefices, that it shall save me a labor of opening the Government.

But the Fame of Mahomet and his Prudence, is especially founded in this. That whereas the Roman Monarchy, except that of Israel, was the most imperfect, the Turkish is the most perfect that ever was. Which happen'd in that the Roman (as the Israelites of the Sanhedrim and the Congregation) had a mixture of the Senate and the People; and the Turkish is pure. And that this was pure, and the other mix'd, happen'd not thro' the Wisdom of the Legislators, but the different Genius of the Nations; the People of the Eastern Parts, except the Israelites, which is to be attributed to their Agrarian, having bin such as scarce ever knew any other Condition than that of Slavery; and thefe of the Western having ever had such a relish of Liberty, as thro' what despair forever could never be brought to stand still while the Yoke was putting on their Necks, but by being fed with some hopes of reserving to themselves some part of their Freedom.

Wherefore Julius Caesar (faith * Suetonius) contented himself in naming half the Magistrats, to leave the rest to the suffrage of the People. And Macenas, tho' he would not have Augustus to give the People their Liberty, would not have him

* Comitia cum populo forsitus eft.
take it quite away †. Whence this Empire being neither Hawk nor Buzzard, made a flight accordingly; and the Prince being perpetually tost (having the Avarice of the Soldiery on this hand to satisfy upon the People, and the Senat and the People on the other to be defended from the Soldiery) seldom dy’d any other death than by one Horn of this Dilemma, as is noted more at large by MACCHIAVEL. But P. cap. 19. the Pretorian Band, those belial executioners of their Captain’s Tyranny upon others, and of their own upon him, having continued from the time of AUGUSTUS, were by CONSTANTIN the Great (incens’d against them for taking part with his Adversary MAXENTIUS) remov’d from their strong Garison which they held in Rome, and distributed into divers Provinces. The Benefices of the Soldiers that were hitherto held for Life and upon Duty, were by this Prince made Hereditary: so that the whole Foundation wherupon this Empire was first built being now remov’d, shews plainly, that the Emperors must long before this have found out Something other way of support; and this was by stipenditating the Goths, a People that, deriving their Roots from the Northern parts of Germany, or out of Sweden, had (thro their Victories obtain’d against DOMITIAN) long since spread their Branches to so near a Neighborhood with the Roman Territory, that they began to overshadow them. For the Emperors making use of them in their Armies (as the French do at this day of the Switz) gave them that under the notion of a Stipend, which they receiv’d as Tribute, coming (if there were any default in the payment) so often to distress for it, that in the time of HONORIUS theyack’d Rome, and possest themselves of Italy. And such was the transition of anterior into modern Prudence; or that breach which being follow’d in every part of the Roman Empire with Inundations of Vandals, Huns, Lombards, Franks, Saxons, overwhelm’d ancient Languages, Learning, Prudence, Manners, Cities, changing the names of Rivers, Macchiavel. Countries, Seas, Mountains, and Men; CAMILLUS, CAESAR and POMPEY, being comm to EDMUND, RICHARD, and GEOFFREY.

TO open the Groundwork or Balance of these new Politicians: *The Gothic Race*, says CALVIN the Lawyer, is a Gothic word of divers significations; for it is taken either for War, or for a possession of conquer’d Lands, distribut’d by the Victor to such of his Captains and Soldiers as had merited in his Wars, upon condition to acknowledge him to be their perpetual Lord, and themselves to be his Subjects.

Of these there were three Kinds or Orders: The first of Nobility, distinguishing’d by the Titles of Dukes, Marquisses, Earls; and these being gratified with the Cities, Castles, and Villages of the conquer’d Italians, their Feuds participated of Royal Dignity, and were call’d Regalia, by which they had right to coin Money, create Magistrates, take Toll, Customes, Confiscations, and the like.

FEUDS of the second Order were such as, with the consent of the King, were bestowed by these Feudatory Princes upon men of inferior Quality, call’d their Barons, on condition that next to the King they should defend the Dignitys and Fortunes of their Lords in Arms.

† Neque id exillimare debes autorem me tibi esse, ut cyramdem in S. P. Q. R. in servitutem rediutam renes: quod neque dicere meum, neque facere num efi.
THE lowest Order of Feuds were such as being confer'd by those of the second Order upon privat men, whether Noble or not Noble, oblig'd them in the like Duty to their Superiors; these were call'd Vassals. And this is the Gothic Balance, by which all the Kingdoms this day in Christendom were at first erect'd; for which cause, if I had time, I should open in this place the Empire of Germany, and the Kingdoms of France, Spain, and Poland: But so much as has bin said being sufficient for the discovery of the Principles of modern Prudence in general, I shall divide the remainder of my Discourse, which is more particular, into three parts.

THE first shewing the Constitution of the late Monarchy of Oceana.

THE second, the Dissolution of the same. And

THE third, the Generation of the present Commonwealth.

THE Constitution of the late Monarchy of Oceana is to be consider'd in relation to the different Nations by whom it has bin successively subdu'd and govern'd. The first of these were the Romans, the second the Teutons, the third the Scandians, and the fourth the Neustrians.

THE Government of the Romans, who held it as a Province, I shallomit, because I am to speak of their Provincial Government in another place; only it is to be remember'd here, that if we have given over running up and down naked, and with dapp'd hides, learn'd to write and read, and to be instructed with good Arts, for all these we are beholden to the Romans, either immediately, or mediately by the Teutons: for that the Teutons had the Arts from no other hand, is plain enough by their Language, which has yet no word to signify either writing or reading, but what is deriv'd from the Latin. Furthermore, by the help of these Arts to learn'd, we have bin capable of that Religion which we have long since receiv'd; whereof it seems to me, that we ought not to detract from the memory of the Romans, by whose means we are, as it were, of Beasts become Men, and by whose means we might yet of obscure and ignorant Men (if we thought not too well of our selves) become a wife and a great People.

THE Romans having govern'd Oceana provincially, the Teutons were the first that introduc'd the Form of the late Monarchy. To thefe suceeded the Scandians, of whom (because their Reign was short, as also because they made little alteration in the Government as to the Form) I shall take no notice. But the Teutons, going to work upon the Gothic Balance, divided the whole Nation into three forts of Feuds, that of Elderman, that of Kings Thane, and that of Middle Thane.

WHEN the Kingdom was first divided into Precincts will be as hard to shew, as when it began first to be govern'd; it being impossible that there should be any Government without some Division. The Division that was in use with the Teutons, was by Counties, and every County had either its Elderman, or High Reeve. The title of Elderman came in time to Earl, or Earl, and that of High Reeve to High Sheriff.
EARL of the Shire or County denoted the Kings Thane, or Tenant by Grand Serjeantry or Knights Service, in chief or in capite; his Possessions were fomtimes the whole Territory from whence he had his denomination, that is, the whole County, fomtimes more than one County, and fomtimes less, the remaining part being in the Crown. He had also fomtimes a third, or fom other customary part of the profts of certain Citys, Boroughs, or other places within his Earldom. For an example of the possessions of Earls in antient times, Ethelred had to him and his Heirs the whole Kingdom of Mercia, containing three or four Counties; and there were others that had little less.

KINGS Thane was also an honorary Title, to which he was qualify’d that had five Hides of Land held immediately of the King by service of personal attendance; infomuch that if a Churl or Countryman had thriven to this proportion, having a Church, a Kitchin, a Belfouse (that is, a Hall with a Bell in it to call his Family to dinner) a Boroughgate with a feat (that is, a Porch) of his own, and any distinctive Office in the Kings Court, then was he the Kings Thane. But the proportion of a Hide Land, otherwise call’d Caruc, or a Plow Land, is difficult to be understood, because it was not certain; nevertheless it is generally conceiv’d to be so much as may be manag’d with one Plow, and would yield the maintenance of the same, with the appurtenances in all kinds.

THE Middle Thane was feudal, but not honorary; he was also Middle Thane; call’d a Vavasor, and his Lands a Vavasory, which held of som Meñ Lord, and not immediatly of the King.

POSESSIONS and their Tenures, being of this nature, shew the Balance of the Tenon Monarchy; wherein the Riches of Earls were so vast, that to arise from the Balance of their Dominions to their Power, they were not only call’d Regali or little Kings, but were such indeed; their Jurisdiction being of two sorts, either that which was exercis’d by them in the Court of their Counties, or in the High Court of the Kingdom.

IN the Territory denomiating an Earl, if it were all his own, the Courts held, and the Profits of that Jurisdiction were to his own use and benefit. But if he had but som part of his County, then his Jurisdiction and Courts (having perhaps in those possessions that were his own) were held by him to the King’s use and benefit; that is, he commonly supply’d the Office which the Sheriffs regularly executed in Counties that had no Earls, and whence they came to be call’d Vesto-counts. The Court of the County that had an Earl was held by the Earl and the Bishop of the Dioces, after the manner of the Sheriffs Turns to this day; by which means both the Ecclesiastical and Temporal Laws were given in charge together to the Country. The Causes of Vavasors or Vavasorys appertain’d to the cognizance of this Court, where Wills were prov’d, Judgment and Execution given, Cafes criminal and civil determin’d.

THE Kings Thanes had the like Jurisdiction in their Thane Lands, as Lords in their Manors, where they also kept Courts.

BESIDES thefe in particular, both the Earls and Kings Thanes, together with the Bishops, Abbots, and Vavasors, or Middle Thanes, had in the High Court or Parliament of the Kingdom, a more public Jurisdiction, confirting First of deliberative Power for advising upon, and...
and assenting to new Laws: Secondly, of giving counsel in matters of State: and Thirdly, of Judicature upon Suits and Complaints. I shall not omit to enlighten the obscurity of these times (in which there is little to be found of a methodical Constitution of this High Court) by the addition of an Argument, which I conceive to bear a strong testimony to it self, tho' taken out of a late Writing that conceals the Author. "It is well known, says he, that in every quarter of the Realm "a great many Boroughs do yet send Burgesses to the Parliament, "which nevertheless be so antiently and so long since decay'd and gone "to nought, that they cannot be shew'd to have bin of any Reputation "since the Conquest, much less to have obtain'd any such Privilege by the grant of any succeeding King: wherfore these must have "had this right by more antient usage, and before the Conquest, they "being unable now to shew whence they deriv'd it.

T HIS Argument (the there be more) I shall pitch upon as sufficient to prove; First, that the lower sort of the People had right to Session in Parliament during the time of the Teutons. Secondly, that they were qualify'd to the same by election in their Boroughs, and, if Knights of the Shire (as no doubt they are) be as antient in the Countries. Thirdly, If it be a good Argument to say, that the Commons during the reign of the Teutons were elected into Parliament, because they are so now, and no man can shew when this custom began; I see not which way it should be an ill one to say, that the Commons during the reign of the Teutons constituted also a distinct House, because they do so now; unless any man can shew that they did ever sit in the same House with the Lords. Wherfore to conclude this part, I conceive for these, and other reasons to be mention'd hereafter, that the Parliament of the Teutons consisted of the King, the Lords Spiritual and Temporal, and the Commons of the Nation, notwithstanding the file of divers Acts of Parliament, which runs as that of Magna Charta in the King's name only, seeing the same was nevertheless enabled by the King, Peers, and Commons of the Land, as is testified in those words by a subsequent Act.

THE Monarchy of the Teutons had stood in this posture about two hundred and twenty years; when Turbo Duke of Neustria making his claim to the Crown of one of their Kings that dy'd childless, follow'd it with successful Arms; and being possess'd of the Kingdom, us'd it as conquer'd, distributing the Earldoms, Thanes Lands, Bishoprics and Prelacies of the whole Realm among his Neustria. From this time the Earl came to be call'd Comes, Consul, and Dux (the Consul and Dux grew afterward out of use) the Kings Thanes came to be call'd Barons, and their Lands Baronys; the Middle thane holding full of a mean Lord, retain'd the name of Vavasour.

THE Earl or Comes continu'd to have the third part of the Pleas of the County paid to him by the Sheriff or Vice-comes, now a distinct Officer in every County depending upon the King; saving that such Earls as had their Counties to their own use, were now Counts Palatin, and had under the King Regal Jurisdiction: in so much that they constituted their own Sheriffs, granted Pardons, and issu'd Writs in their own names; nor did the Kings Writ of ordinary Justice run in their Dominions till a late Statute, whereby much of this privilege was taken away.
FOR Barons, they came from henceforth to be in different times of their Barons, three kinds; Barons by their Estates and Tenures, Barons by Writ, and Barons created by Letters Patents. From TURBO the first to ADONUS the seventeenth King from the Conquest, Barons had their denomination from their Possessions and Tenures. And these were either Spiritual or Temporal; for not only the Thanes Lands, but the possessions of Bishops, as also of some twenty six Abbots, and two Priors, were now erected into Barony, whence the Lords Spiritual had suffrage in the NEFTRON Parliament as Spiritual Lords, came to have it in the Neufrian Parliament as Barons, and were made subject (which they had not formerly bin) to Knights service in chief. Barony coming henceforth to signify all honorary possessions as well of Earls as Barons, and Baronage to denote all kinds of Lords as well Spiritual as Temporal having right to sit in Parliament, the Barony in this sense were fomtimes more, and fomtimes fewer, but commonly about 200 or 250, containing in them a matter of sixty thousand scuta militum, or Knights Fees, whereof some twenty eight thousand were in the Clergy. It is ill luck that no man can tell what the Land of a Knights Fee (reckon'd in some Writs at 40 l. a year, and in others at 10) was certainly worth; for by such a help we might have exactly demonstrated the Balance of this Government. But says COOK, it contain'd twelve Plow Lands, and that was thought to be the most certain account. But this again is extremely uncertain; for one Plow out of some Land that was fruitful, might work more than ten out of some other that was barren. Nevertheless, seeing it appears by BRACON, that of Earldoms and Barony it was wont to be said, that the whole Kingdom was compos'd; as also, that these consisting of 6000 Knights Fees, furnish'd 6000 men for the King's service, being the whole Militia of this Monarchy, it cannot be imagin'd, that the Vasals or Freeholds in the People amounted to any considerable proportion. Wherefore the Balance and Foundation of this Government was in the 6000 Knights Fees, and these being possessed by the 250 Lords, it was a Government of the Few, or of the Nobility; wherein the People might also assemble, but could have no more than a mere name. And the Clergy holding a third to the whole Nation, as is plain by the Parliament Roll; it is an absurdity (seeing the Clergy of France came first thro' their Riches to be a State of that Kingdom) to acknowledge the People to have bin a State of this Realm, and not to allow it to the Clergy, who were so much more weighty in the Balance, which is 4 Bich. 2; that of all other whence a State or Order in a Government is denomi- nated. Wherefore this Monarchy consist'd of the King, and of the three (ordines Regni, or) Estates, the Lords Spiritual and Temporal, and the Commons: It consist'd of these I say as to the balance, tho during the Reign of some of these Kings, not as to the administration.

FOR the ambition of TURBO, and fom of thofe that more immediately succed'd him, to be absolute Princes, strove against the nature of their Foundation, and, inasmuch as he had divided almost the whole Realm among his Neufrians, with fom encouragement for a while. But the Neufrians while they were but foren Plants, having no security against the Natives, but in growing up by their Princes fides, were no sooner well rooted in their vast Dominions, than they came up according to the infallible conquence of the Balance domestic.
and, contriving the National interest of the Barony, grew as fierce in the vindication of the antient Rights and Liberties of the same, as if they had bin always Natives: Whence, the Kings being as obdinate on the one side for their absolute Power, as the other for their Immunitys, grew certain Wars which took their denomination from the Barons.

THIS fire about the middle of the Reign of ADoxus began to break out. And whereas the Predecessors of this King had divers times bin fore'd to summon Councils resembling those of the Tenants, to which the Lords only that were Barons by Domination and Tenure had hitherto repair'd, ADoxus seeing the effects of such Domination, began first not to call such as were Barons by Writ (for that was according to the practice of antient times) but to call such by Writs as were otherwise no Barons; by which means striving to avoid the consequence of the Balance, in coming unwillingly to set the Government fright, he was the first that set it awry. For the Barons in his Reign, and his Successors, having vindicated their antient Authority, refr'd the Parliament with all the Rights and Privileges of the same, faving that from thenceforth the Kings had found out a way whereby to help themselves against the mighty, by Creatures of their own, and such as had no other support but by their favor. By which means this Government, being indeed the Masterpiece of modern Prudence, has bin cry'd up to the Skys, as the only invention whereby at once to maintain the Sovereignty of a Prince, and the Liberty of the People. Whereas indeed it has bin no other than a wrestling match, wherein the Nobility, as they have bin stronger, have thrown the King; or the King, if he has bin stronger, has thrown the Nobility; or the King, where he has had a Nobility, and could bring them to his party, has thrown the People, as in France and Spain; or the People where they have had no Nobility, or could get them to be of their party, have thrown the King, as in Holland, and of later times in Ocean. But they came not to this strengh but by such approaches and degrees, as remain to be further open'd. For whereas the Barons by Writ (as the sixty four Abbats, and thirty six Priors that were so call'd) were but pro tempore, DICOTOME being the twelfth King from the Conquest, began to make Barons by Letters Patents, with the addition of honorary Pen- sions for the maintenance of their Dignity to them and their Heirs; so that they were hands in the King's Purse, and had no shoulders for his Throne. Of these when the House of Peers came once to be full, as will be seen hereafter, there was nothing more emty. But for the present, the Throne having other supports, they did not hurt that so much as they did the King: For the old Barons taking DICOTOME's Prodigality to such Creatures so ill, that they depos'd him, got the trick of it, and never gave over fettling up and pulling down their Kings according to their various interests, and that faction of the White and Red, into which they had bin thenceforth divided, till PANURGUS the eighteenth King from the Conquest, was more by their Favor than his Right advanc'd to the Crown. This King thro' his natural fuitility reflecting at once upon the greatnes of their Power, and the inconstancy of their favor, began to find another Flaw in this kind of Government, which is also noted by MACCHIAVEL, namely that a Throne supported by a Nobility, is not so hard to be ascended, as kept warm. Wherfore his secret Jealousy, left the diffusion of the Nobility, as it brought
brought him in, might throw him out, made him travel in ways undiscover'd by them, to ends as little foreseen by himself: while to eftablish his own safety, he by mixing Water with their Wine, first began to open those Sluces that have since overwhelm'd not the King only, but the Throne. For whereas a Nobility strikes not at the Throne without which they cannot subsist, but at som King that they do not like; popular Power strikes thro the King at the Throne, as that which is incompatible with it. Now that Panurgus in abating the Power of the Nobility, was the cause whence it came to fall into the hands of the People, appears by those several Statutes that were made in his Reign, as that for Population, those against Retainers, and that for Alienations.

By the Statute of Population, all houses of Husbandry that were us'd with twenty Acres of Ground and upwards, were to be maintain'd, and kept up for ever with a competent proportion of Land laid to them, and in no wife, as appears by a subsequent Statute, to be fiver'd. By which means the houses being kept up, did of necessity enforce Dwellers; and the proportion of Land to be till'd being kept up, did of necessity enforce the Dweller not to be a Beuger or Cot-tager, but a Man of some substance, that might keep Hinds and Servants, and set the Plow a going. This did mightily concern (says the Historian of that Prince) the might and manhood of the Kingdom, and in effect amortize a great part of the Lands to the hold and poffeffion of the Yeomanry or middle People, who living not in a servile or indigent fashion, were much unlik'd from dependence upon their Lords, and living in a free and plentiful manner, became a more excellent Infantry; but such a one upon which the Lords had so little Power, that from henceforth they may be computed to have bin disfarm'd.

And as they lost their Infantry after this manner, so their Cavalry and Commanders were cut off by the Statute of Retainers: for whereas it was the custom of the Nobility to have younger Brothers of good houses, metal'd fellows, and such as were knowing in the feats of Arms about them; they who were longer follow'd with so dangerous a train, efcap'd not such Punishments, as made them take up.

Henceforth the Country-lives, and great Tables of the Nobility, which no longer nourish'd veins that would bleed for them, were fruitless and loathfom till they chang'd the Air, and of Princes became Courtiers; where their Revenues, never to have bin exhausted by Beef and Mutton, were found narrow, whence follow'd rack ing of Rents, and at length sale of Lands: the riddance thro the Statute of Alienations being render'd far more quick and facil than formerly it had bin thro the new invention of Intails.

To this it happen'd, that Coraunus the Successor of that King dissolving the Abyss, brought with the declining state of the Nobility so vail a prey to the Industry of the People, that the Balance of the Commonwealth was too apparently in the popular Party, to be unseen by the wise Council of Queen Parthenia, who converting her reign thro the perpetual Lovetrickts that past between her and her People into a kind of Romance, wholly neglected the Nobility. And by these degrees came the House of Commons to raise that head, which since has bin so high and formidable to their Princes, that they have look'd pale upon those Assemblies. Nor was there any thing now wanting to the destruction of the Throne, but that the People,
People, not apt to see their own strength, should be put to feel it; when a Prince, as stiff in disputes as the nerve of Monarchy was grown slack, receiv’d that unhappy incouragement from his Clergy which became his utter ruin, while trusting more to their Logic than the rough Philosophy of his Parliament, it came to an irreparable breach; for the House of Peers, which alone had stood in this gap, now finking down between the King and the Commons, shew’d that C RASSUS was dead, and the Ilium broken. But a Monarchy de vested of its Nobility, has no refuge under Heaven but an Army. Wherfore the dissolution of this Government caus’d the War, not the War the dissolution of this Government.

Of the King’s success with his Arms it is not necessary to give any further account, than that they prov’d as ineffectual as his Nobility; but without a Nobility or an Army (as has bin shew’d) there can be no Monarchy. Wherfore what is there in nature that can anile out of these Ashes, but a popular Government, or a new Monarchy to be erected by the victorious Army?

To erect a Monarchy, be it never so new, unless like L E V I A than you can hang it, as the Country-fellow speaks, by Geometry (for what else is it to say, that every other Man must give up his will to the will of this one Man without any other foundation?) it must stand upon old Principles, that is, upon a Nobility or an Army planted on a due balance of Dominion. A u t v i v i a m i n v e n t i a m a u t f a c i a m , was an Adage of C E S A R; and there is no standing for a Monarchy unless it finds this Balance, or makes it. If it finds it, the work’s don to its hand: for, where there is inequality of Estates, there must be inequality of Power; and where there is inequality of Power, there can be no Commonwealth. To make it, the Sword must extirpate out of Dominion all other roots of Power, and plant an Army upon that ground. An Army may be planted Nationally or Provincially. To plant it Nationally, it must be in one of the four ways mention’d, that is, either Monarchically in part, as the Roman Beneficentii; or Monarchically in the whole, as the Turkish Timariots; Aristocratically, that is, by Earls and Barons, as the Neufrians were planted by T U R B O; or Democratically, that is, by equal lots, as the Israelitish Army in the Land of Canaan by J O S H U A. In every one of these ways there must not only be Confi cations, but Confi cations to such a proportion as may answer to the work intended.

Confi cation of a People that never fought against you, but whose Arms you have born, and in which you have bin victorious, and this upon premeditation, and in cold blood, I should have thought to be against any example in human Nature, but for those alleg’d by M A C C H I A V E L L O A G A T H O C L E S, and O L I V E R E T T O of Fermo: the former wherof being Captain General of the Syracusan, upon a day assembled the Senat and the People, as if he had somthing to communicat with them, when at a sign given he cut the Senators in pieces to a man, and all the riches of the People, by which means he came to be King. The proceedings of O L I V E R E T T O in making himself Prince of Fermo, were somewhat different in circumstances, but of the same nature. Nevertheles C A T I L I N, who had a spirit equal to any of these in his intended mischief, could never bring the like to pass in Rome. The head of a small Commonwealth, such a one as was that of Syracusa or Fermo, is easily brought to the block;
block; but that a populous Nation, such as Rome, had not such a one, was the grief of Nero. If Sylla or Caesar attain'd to be Princes, it was by Civil War, and such Civil War as yielded rich spoils, there being a vast Nobility to be confiscated; which also was the case in Oceana, when it yielded earth by Earloms and Baronys to the Neufrian, for the plantation of his new Potentats. Where a Conqueror finds the Riches of a Land in the hands of the Few, the Forfeitures are easy, and amount to vast advantage; but where the People have equal shares, the Confiscation of many coms to little, and is not only dangerous, but fruitless.

The Romans, in one of their defeats of the Volsci found among the Captives certain Tusculans, who, upon examination, confess that the Arms they bore were by command of their State; wherupon information being given to the Senate by the General Camillus, he was forthwith commanded to march against Tusculum; which doing accordingly, he found the Tusculum Fields full of Husbandmen, that stir'd not otherwise from the Plow, than to furnish his Army with all kind of Accommodations and Victuals; drawing near to the City, he saw the Gates wide open, the Magistrates coming out in their Gowns to salute and bid him welcome: entering, the Shops were all at work, and open; the Streets founded with the noise of Schoolboys at their Books; there was no face of War. Wherupon Camillus causing the Senate to assemble, told them, Tho the Art was understood, yet had they at length found out the true Arms whereby the Romans were most undoubtedly to be conquer'd, for which cause he would not anticipate the Senate, to which he desired them forthwith to send, which they did accordingly; and their Dictator with the rest of their Embassadors being found by the Roman Senators as they went into the House standing sadly at the door, were sent for in as Friends, and not as Enemies. Where the Dictator having said, If we have offended, the fault was not so great as is our Penitence and your Virtue; the Senate gave them peace forthwith, and soon after made the Tusculans Citizens of Rome.

But putting the case, of which the World is not able to shew an example, That the forfeiture of a populous Nation, not conquer'd, but Friends, and in cool blood, might be taken; your Army must be planted in one of the ways mention'd. To plant it in the way of absolute Monarchy, that is, upon feuds for life, such as the Timars, a Country as large and fruitful as that of Greece, would afford you but sixteen thousand Timariots, for that is the most the Turc (being the best husband that ever was of this kind) makes of it at this day; and if Oceana, which is less in fruitfulnes by one half, and in extent by three parts, should have no greater a force, whoever breaks her in one battle, may be sure she shall never rise; for such (as was noted by Machiavel) is the nature of the Turkish Monarchy, if you break it in two battels, you have destroy'd its whole Militia; and the rest being all slaves, you hold it without any further resistance. Wherefore the creation of an absolute Monarchy in Oceana, or in any other Country that is no larger, without making it a certain prey to the first Invader, is altogether impossible.

To plant by halves, as the Roman Emperors did their Beneficiaries, or military Colonys, it must be either for life; and this an Army of Oceavers in their own Country (especially having Estates of Inheritance)
tance) will never bear; because such an Army so planted is as well confiscated as the People; nor had the Mamaluce bin contented with such usage in Egypt, but that they were Foremen, and daring not to mix with the Natives, it was of absolute necessity to their being.

OR planting them upon Inheritance, whether Aristocratically as the Neufrians, or Democratically as the Israelites, they grow up by certain consequence into the national Interest: and this, if they be planted popularly, comes to a Commonwealth; if by way of Nobility, to a mix'd Monarchy, which of all other will be found to be the only kind of Monarchy, whereof this Nation, or any other that is of no greater extent, has bin or can be capable: for if the Israelites (tho their Democratic Balance, being fix'd by their Agrarian, stood firm) be yet found to have elected Kings, it was because, their Territory lying open, they were perpetually invaded, and being perpetually invaded, turn'd themselves to any thing which thro' the want of experience they thought might be a remedy; whence their mistake in election of their Kings (under whom they gain'd nothing, but on the contrary lost all they had acquir'd by their Commonwealth, both Estates and Libertys) is not only apparent, but without parallel. And if there have bin (as was shewn) a Kingdom of the Goths in Spain, and of the Vandals in Africa, consisting of a single Person and a Parliament (taking a Parliament to be a Council of the People only, without a Nobility) it is expressly said of those Councils, that they depos'd their Kings as often as they pleas'd: nor can there be any other consequence of such a Government, seeing where there is a Council of the People, they do never receive Laws, but give them; and a Council giving Laws to a single Person, he has no means in the World whereby to be any more than a subordinate Magistrate, but force: in which case he is not a single Person and a Parliament, but a single Person and an Army, which Army again must be planted as has bin shewn, or can be of no long continuance.

It is true, that the Provincial Balance being in nature quite contrary to the National, you are no way to plant a Provincial Army upon Dominion. But then you must have a native Territory in Strength, Situation, or Government, able to overbalance the foren, or you can never hold it. That an Army should in any other case be long supported by a mere Tax, is a mere phanzy as void of all reason and experience, as if a Man should think to maintain such a one by robbing of Orchards: for a mere Tax is but pulling of Plamtrees, the roots whereof are in other Mens grounds, who suffering perpetual Violence, com to hate the Author of it: And it is a Maxim, that no Prince that is hated by his People can be safe. Arms planted upon Dominion extirpate Enemies, and make Friends; but maintain'd by a mere Tax, have Enemies that have roots, and Friends that have none.

To conclude, Oceana, or any other Nation of no greater extent, must have a competent Nobility, or is altogether incapable of Monarchy: for where there is equality of Estates, there must be equality of Power; and where there is equality of Power, there can be no Monarchy.

To come then to the generation of the Commonwealth; it has bin shewn how thro' the ways and means us'd by Panurgus to abase the Nobility, and so to mend that flaw which we have averted to be incurable in this kind of Constitution, he suffer'd the Balance to fall into
into the power of the People, and so broke the Government: but the Balance being in the People, the Commonwealth (tho they do not see it) is already in the nature of *them. There wants nothing else but Time (which is slow and dangerous) or Art (which would be more quick and secure) for the bringing those native Arms (wherewith they are found already) to reft, they know not how every thing that oppofes them, to such maturity as may fix them upon their own strength and bottom.

BUT whereas this Art is Prudence; and that part of Prudence which regards the present Work, is nothing else but the skill of raising such Superstructures of Government, as are natural to the known Foundations: they never mind the Foundation, but thro' certain animosities (wherwith by striving one against another they are infected) or thro' freaks, by which, not regarding the course of things, nor how they conduce to their purpose, they are given to building in the Air, com to be divided and subdivided into endless Parties and Factions, both Civil and Ecclesiastical: which briefly to open, I shall first speak of the People in general, and then of their Divisions.

A PEOPLE (says Machiavel) that is corrupt, is not capable of a Commonwealth. But in shewing what a corrupt People is, he has either involv'd himself or me; nor can I otherwise come out of the Labyrinth, than by saying, that the Balance altering a People, as to the foregoing Government, must of necessity be corrupt: but Corruption in this sense signifies no more than that the Corruption of one Government (as in natural Bodys) is the Generation of another. Wherfore if the Balance alters from Monarchy, the Corruption of the People in this case is that which makes them capable of a Commonwealth. But whereas I am not ignorant, that the Corruption which he means is in Manners, this also is from the Balance. For the Balance leading from Monarchical into Popular, abates the Luxury of the Nobility, and, enriching the People, brings the Government from a more privat to a more public Interett; which coming nearer, as has been shewn, to Justice and right Reafon, the People upon a like alteration is so far from such a Corruption of Manners, as should render them incapable of a Commonwealth, that of necessity they must thereby contract such a Reformation of Manners as will bear no other kind of Government. On the other side, where the Balance changes from Popular to Oligarchical or Monarchical, the public Interett, with the Reafon and Justice included in the same, becomes more privat; Luxury is introduc'd in the room of Temperance, and Servitude in that of Freedom; which causes such a corruption of Manners both in the Nobility and People, as, by the Example of Rome in the time of the Triumvirs, is more at large discover'd by the Author to have bin altogether incapable of a Commonwealth.

BUT the Balance of Ocean changing quite contrary to that of Rome, the Manners of the People were not thereby corrupted, but on the contrary adapted to a Commonwealth. For differences of Opinion in a People not rightly inform'd of their Balance, or a division into Partys (while there is not any common Ligament of Power suffi-

* Cornua noti prior vinulo, quam frontibus extant.
icient to reconcile or hold them) is no sufficient proof of Corruption. Nevertheless, seeing this must needs be matter of scandal and danger, it will not be amis, in shewing what were the Party's, to shew what were their Errors.

The Parties into which this Nation was divided, were Temporal, or Spiritual: and the Temporal Party were especially two, the one Royalists, the other Republicans: each of which asserted their different Causes, either out of Prudence or Ignorance, out of Interest or Conscience.

For Prudence, either that of the Antients is inferior to the Modern (which we have hitherto bin setting face to face, that any one may judge) or that of the Royalist must be inferior to that of the Commonwealthman. And for Interest, taking the Commonwealthman to have really intended the Public (for otherwise he is a Hypocrit and the worst of Men) that of the Royalist must of necessity have bin more privat. Wherefore the whole dispute will come upon matter of Conscience; and this, whether it be urg'd by the Right of Kings, the Obligation of former Laws, or of the Oath of Allegiance, is absolv'd by the Balance.

For if the Right of Kings were as immediately deriv'd from the Breath of God as the Life of Man, yet this excludes not Death and Diffolation. But, that the diffolution of the late Monarchy was as natural as the Death of a Man, has bin already shewn. Wherefore it remains with the Royalists to discover by what Reason or Experience it is possible for a Monarchy to stand upon a popular Balance; or, the Balance being popular, as well the Oath of Allegiance, as all other Monarchical Laws imply an impossibility, and are therefore void.

To the Commonwealthman I have no more to say, but that if he excludes any Party, he is not truly such; nor shall ever found a Commonwealth upon the natural Principle of the same, which is Justice. And the Royalist for having oppos'd a Commonwealth in Oceana (where the Laws were so ambiguous that they might be eternally disputed, and never reconcil'd) can neither be justly for that cause excluded from his full and equal share in the Government; nor prudently, for this reason, that a Commonwealth confunding of a Party will be in perpetual labor of her own destruction: Whence it was that the Romans having conquer'd the Albans, incorporated them with equal Right into the Commonwealth. And if the Royalists be fleth of your fleth, and nearer of Blood than were the Albans to the Romans, you being also both Christians, the Argument's the stronger. Nevertheless there is no reason that a Commonwealth should any more favor a Party remaining in fix'd opposition against it, than Brutus did his own Sons. But if it fixes them upon that opposition, it is its own fault, not theirs; and this is don by excluding them. Men that have equal Possessions, and the same security for their Estates and their Liberties that you have, have the same caufe with you to defend both: But if you will be trampling, they fight for Liberty, tho for Monarchy; and you for Tyranny, tho under the name of a Commonwealth: The nature of Orders in a Government rightly instituted being void of all jealousy, because, let the Party which it embrases be what they will, its Orders are such as they neither would relish if they could,
could, nor could if they would, as has bin partly already shewn; and will appear more at large by the following Model.

THE Party's that are Spiritual are of more kinds than I need mention; for in a National Religion, and others for Liberty of Conscience, with such animosity on both sides, as if these two could not conflict together, and of which I have already sufficiently spoken, to shew, that indeed the one cannot well subsist without the other. But they of all the rest are the most dangerous, who, holding that the Saints must govern, go about to reduce the Commonwealth to a Party, as well for the Reasons already shewn, as that their Pretences are against Scripture, where the Saints are commanded to submit to the Higher Powers, and to be subject to the Ordinance of Man. And that men, pretending under the notion of Saints or Religion to Civil Power, have hitherto never fail'd to dishonor that Profession, the World is full of Examples, wherein I shall confine my self at present only to a couple, the one of Old, the other of New Rome.

IN old Rome the Patricians or Nobility pretending to be the godly Party, were question'd by the People for ingrossing all the Magistracies of that Commonwealth, and had nothing to say why they did so, but * that Magistracy requir'd a kind of Holiness which was not in the People: † at which the People were fill'd with such Indignation as had com to cutting of Throats, if the Nobility had not immediatly laid by the Infolency of that Plea; which nevertheless when they had don, the People for a long time after continu'd to elect no other but Patrician Magistrats.

THE Example of New Rome in the rise and practice of the Hierarchy (too well known to require any further illustration) is far more immodest.

THIS has bin the course of Nature: and when it has pleas'd, or shall please God to introduce any thing that is above the course of Nature, he will, as he has always done, confirm it by Miracle; for so in his Prophecy of the Reign of Christ upon Earth, he expressly promis'd: seeing that the Souls of them that were beheaded for Jesus, shall be seen to live and reign with him; which will be an object of Sense, the rather, because the rest of the Dead are not to live again till the Thousand Years be finish'd. And it is not lawful for men to persuade us that a thing already is, tho there be no such object of our Sense, which God has told us shall not be till it be an object of our Sense.

THE Saintship of a People as to Government, consists in the election of Magistrats fearing God, and hating Covetousness, and not in their confining themselves, or being confin'd to men of this or that Party or Profession. It consists in making the most prudent and religious choice they can; yet not in trusting to Men, but, next God, to their own Orders. Give us good Men, and they will make us good Laws, is the Maxim of a Demagogue, and is (thro the alteration which is commonly perceivable in men, when they have power to work their own Wills) exceeding fallible. But give us good Orders, and they

* Quod nemo plebeius auspiciam habere. † Plebs ad id maximam indignationem exercit, quod auspiciari, an quum invitis Diis immortalibus, negare curauit. T. Liv. 4. 8.
willsmakeusgoodMen,istheMaximofaLegillator,andthemostinfallibleinthePolitics.

BUTthesedivisions(howevertheretherebefomgoodMenthatlookfaddlyonthem)aretrivialthings;firstastothecivilconcern,becausethegovernment,wherofthisNationiscapable,beingonceseen,takesinallinterests.And,secondly,astothespiritual;becauseasthe

pretenceofReligionhasalwayssbeeninvariablyinbrokenGovern-

ments,sowherethegovernmenthasbeenfoundandstedy,Religion

haverneverseeneditselfwithanyotherface thanthatofthenatural

sweetness,andTranquillity:noristherenoreasonwhyitshould;

whereforetheerrors of the People are occasion'd by their Governors.

Iftheybedoubtfuloftheway,orwanderfromit,itisbecausetheir

Guides misled them; and the Guides of the People are never so well

qualify'd for leading by any Virtue of their own, as by that of the Go-

vernment.

THE Government of Oceana (as it stood at the time wherof we
discourse, consisting of one single Council of the People, exclusively

of the King and the Lords) was call'd a Parliament: Nevertheless the

Parliaments of the Teutons and of the Nefrians consisted, as has

been shewn, of the King, Lords and Commons; wherof this under an

old name was a new thing: A Parliament consisting of a single As-

sembly elected by the People, and invested with the whole power of

the Government, without any Covenants, Conditions, or Orders what-

soever. So new a thing, that neither antient nor modern Prudence

can shew any avow'd Example of the like. And there is scarce any

thing that seems to mostrange as that (wheras there was nothing

more familiar with these Counsellors, than to bring the Scripture to

the Houfe) there should not be a Man of them that so much as of-

fer'd to bring the Houfe to the Scripture, wherein, as has been shewn,

is contain'd that Original, wherof all the rest of the Commonwealths

seem to be Copy's. Certainly if Leviathan (who is furer of

nothing than that a popular Commonwealth consists but of one Coun-

cil) transcrib'd his Doctrin out of this Assembly, for him to except a-

gainst Aristotle and Cicero for writing out of their own

Commonwealths, was not so fair play; or if the Parliament transcrib'd

out of him, it had bin an honor better due to Moses. But where

one of them should have an Example but from the other, I cannot

imagin, there being nothing of this kind that I can find in history, but

the Oligarchy of Athens, the thirty Tyrants of the fame, and the Ro-

man Decemvirs.

For the Oligarchy, Thucydides tells us, that it was a Senat

or Council of Four hundred, pretending to a Balancing Council of the

People consisiting of Five thousand, but not producing them; wherein

you have the definition of an Oligarchy, which is a single Council both

debating and revolting, dividing and chusing; and what that must

come to, was shewn by the Example of the Girls, and is apparent by

the experience of all times: wherfore the Thirty set up by the Lacede-

monians (when they had conquer'd Athens) are call'd Tyrants by all

Authors, Leviathan only excepted, who will have them against all the World to have bin an Aristocracy; but for what reason I

cannot imagin, these also, as void of any Balance, having bin void of that

which is essentail to every Commonwealth, whether Aristocratical or

Popular;
Popular; except he be pleas’d with them, because that, according to the Testimony of Xenophon, they kill’d more men in eight months, than the Lacedemonians had done in ten years; oppressing the People (to use Sir Walter Raleigh’s words) with all base and intolerable Slavery.

The usurp’d Government of the Decemvirs in Rome was of the same kind. Wherefore in the fear of God let Christian Legislators (setting the Pattern given in the Mount on the one side, and these execrable Examples on the other) know the right hand from the left; and so much the rather, because those things which do not conduce to the good of the Govern’d, are fallacious, if they appear to be good for the Governors. God in chastising a People, is accustomed to burn his Rod. The Empire of these Oligarchys was not so violent as short, nor did they fall upon the People, but in their own immediate ruin. A Council without a Balance is not a Commonwealth, but an Oligarchy; and every Oligarchy, except it be put to the defence of its Wickedness or Power against jot outward danger, is factious. Wherefore the Errors of the People being from their Governors (which Maxim in the Politics bearing a sufficient testimony to it self, is also prov’d by Macchiavel) if the People of Oceana have bin factious, the Cause is apparent: But what Remedy?

In answer to this Question, I com now to the Army; of which the most victorious Captain, and incomparable Patriot Olphaus Megaletor was now General: who being a much greater master of that Art, whereof I have made a rough draught in these Preliminarys, had such sad reflections upon the ways and proceedings of the Parliament, as cast him upon Books, and all other means of diversion, among which he happen’d on this place of Macchiavel:

"Thrice happy is that People which chances to have a Man able to give them such a Government at once, as without alteration may secure them of their Liberties; seeing it is certain that Lacedemon, in observing the Laws of Lycurgus, continu’d about eight hundred years without any dangerous Tumult or Corruption. My Lord General (as it is said of Themistocles, that he could not sleep for the Glory obtain’d by Miltiades at the Battel of Marathon) took so new and deep an Impression at these words of the much greater Glory of Lycurgus, that, being on this side assaulted with the emulation of his illustrious Object, and on the other with the Mifery of the Nation, which seem’d (as it were ruin’d by his Victory) to cast it self at his feet, he was almost wholly depriv’d of his natural reft, till the debate he had within himself came to a firm resolution, that the greatest Advantages of a Commonwealth are, first, that the Legislator should be one Man: And, secondly, that the Government should be made altogether, or at once. For the first, It is certain, says Def. B. I. c. 5. Macchiavel, that a Commonwealth is seldom or never well turned or constituted, except it has bin the Work of one Man; for which caufe a wife Legislator, and one whole mind is firmly set, not upon privat but the public Interest, not upon his Posterity but upon his Country, may justly endeavor to get the sovereign Power into his own hands: nor shall any man that is Master of Reason blame such extraordinary means as in that case will be necessary, the end proving no other than the Constitution of a well-order’d Commonwealth. The reason
reason of this is demonstrable: for the ordinary means not failing, the Commonwealth has no need of a Legislator; but the ordinary means failing, there is no recourse to be had but to such as are extraordinary. And, whereas a Book or a Building has not bin known to attain to its perfection, if it has not had a sole Author or Architect; a Commonwealth, as to the Fabric of it, is of the like nature. And thus it may be made at once; in which there be great advantages: for a Commonwealth made at once, takes Security at the same time it lends its Mony; and truths not it self to the Faith of Men, but lanches immediately forth into the Empire of Laws: and being set freight, brings the Manners of its Citizens to its rule; whence follow'd that uprightness which was in Lacedemon. But Manners that are rooted in men, bow the tendernefs of a Commonwealth coming up by twigs to their bent; whence follow'd the obliquity that was in Rome, and those perpetual Repairs by the Consuls Axes, and Tribuns Hammers, which could never finish that Commonwealth but in destruction.

MY Lord General being clear in these Points, and of the necessity of som other course than would be thought upon by the Parliament, appointed a meeting of the Army, where he spoke his sense agreeable to these Preliminarys with such successe to the Soldiery, that the Parliament was soon after depos'd: and he himself (in the great Hall of the PANTHEON or Palace of Justice, situated in EMPIRIUM the capital City) was created by the universal Suffrage of the Army, Lord ARCHON, or sole Legislator of OCEANA: upon which Theatre you have, to conclude this piece, a Perfon introduc'd, whose fame Shall never draw its Curtain.

THE Lord ARCHON being created, fifty select Persons to assist him (by laboring in the Mines of antient Prudence, and bringing its hidden Treasures to new light) were added, with the title also of LEGISLATORS, and sat as a Council, whereof he was the sole Director and President.
The Council of Legislators.

Of this piece, being the greater half of the whole work, I shall be able at this time to give no farther account, than very briefly to shew at what it aims.

My Lord Archon in opening the Council of Legislators, made it appear how unsafe a thing it is to follow Phanty in the Fabric of a Commonwealth; and how necessary that the Archives of ancient Prudence should be ransack'd before any Counsellor should presume to offer any other matter in order to the work in hand; or towards the consideration to be had by the Council upon a Model of Government. Wherefore he caus'd an Urn to be brought, and every one of the Counsellors to draw a Lot. By the Lots as they were drawn,

| ISRAEL | PHOSPHORUS DE AUGE. |
| ATHENS | NAVARCHUS DE PARALO. |
| LACEDEMON | LACO DE SCYTALAE. |
| CARTHAGE | MAGO DE SYRTIBUS. |
| the ACHEANS, | ARATUS DE ISTHMO. |
| ÆTOLIANS, | ALEPSTER DE FULMINE. |
| and the LYCIANS | GLAUCUS DE ULNA. |
| the SWITZ | DOLABELLA DE ENYLO. |
| HOLLAND, and the | LYNCEUS DE STELLA. |
| UNITED PRO. | |
| VINCES | |
| ROME | |
| VENICE | |

These contain'd in them all those Excellencies whereof a Commonwealth is capable; so that to have added more, had bin to no purpose. Upon time given to the Counsellors, by their own Studies and those of their Friends, to prepare themselves, they were open'd in the Order, and by the Persons mention'd at the Council of Legislators; and afterwards by order of the same were repeated at the Council of the Prytans to the People: for in drawing of the Lots, there were about a dozen of them inscrib'd with the letter P. whereby the Counsellors that drew them became Prytans.

The Prytans were a Committee or Council sitting in the great Hall of Pantheon, to whom it was lawful for any man to offer any thing in order to the Fabric of the Commonwealth: for which cause, that they might not be oppress'd by the throng, there was a Rail about the Table where they sat, and on each side of the same a Pulpit; that on the right hand for any man that would propose any thing, and that on the left for any other that would oppose him. And all Parties (being indemnify'd by Proclamation of the Archon) were invited to dispute their own Interests, or propose whatever they thought fit (in order to the future Government) to the Council of the Prytans, who (having a Guard of about two or three hundred men, left the heat of dispute might break the peace) had the Right of Moderators, and were to report
report from time to time such Propositions or Occurrences as they thought fit, to the Council of Legislators sitting more privately in the Palace call'd Alme.

This was that which made the People (who were neither safely to be admitted, nor conveniently to be excluded in the framing of the Commonwealth) verily believe when it came forth, that it was no other than that whereof they themselves had bin the makers.

Moreover, this Council sat divers months after the publishing, and during the promulgation of the Model to the People; by which means there is scarce any thing was said or written for or against the said Model, but you shall have it with the next impression of this work by way of Oration addrest to, and moderated by the Prytans.

By this means the Council of Legislators had their necessary Solitude and due aim in their greater work, as being acquainted from time to time with the pulse of the People, and yet without any manner of interruption or disturbance.

Wherefore every Commonwealth in its place having bin open'd by due Method; that is, First, by the People; Secondly, by the Senat; And, Thirdly, by the Magistracy: The Council upon mature debate took such results or orders out of each, and out of every part of each of them, as upon opening the same they thought fit; which being put from time to time in writing by the Clerc or Secretary, there remain'd no more in the conclusion, than putting the Orders so taken together, to view and examine them with a diligent eye, that it might be clearly discover'd whether they did interfere, or could any wise com to interfere or jostle one with the other. For as such Orders jolting, or coming to jostle one another, are the certain dissolution of the Commonwealth; so taken upon the proof of like experience, and neither jostling, nor shewing which way they can possibly com to jostle one another, they make a perfect, and (for ought that in human Prudence can be foreseen) an immortal Commonwealth.

And such was the Art whereby my Lord Archon (taking Council of the Commonwealth of Israel, as of Moses; and of the rest of the Commonwealths, as of Jethro) fram'd the Model of the Commonwealth of Ocean.
WHEREAS my Lord Archon being from Moses and Lycurgus the first Legislator that hitherto is found in History to have introduced or erected an entire Commonwealth at once, happen'd, like them also, to be more intent upon putting the same into execution or action, than into writing; by which means the Model came to be promulgated or published with more brevity and less illustration than is necessary for their understanding who have not been acquainted with the whole Proceedings of the Council of Legislators, and of the Prytans, where it was all discover'd and clear'd from all objections and doubts: To the end that I may supply what was wanting in the promulgated Epitome to a more full and perfect Narrative of the whole, I shall rather take the Commonwealth practically, and as it has now given an account of it self in some years Revolutions (as Dicearchus is said to have done that of Lacedemon, first translated by his hand some three or four hundred years after the Institution) yet not omitting to add for proof to every Order such Debates and Speeches of the Legislators in their Council, or at least such parts of them as may best discover the reason of the Government; nor such ways and means as were us'd in the institution or rite of the Building, not to be so well conceive'd, without some knowledge given of the Engines wherewithal the mighty Weight was mov'd. But thro' the entire omission of the Council of Legislators or Workmen that squar'd every stone to this Structure in the Quarries of ancient Prudence, the proof of the first part of this Discourse will be lame, except I insert, as well for illustration, as to avoid frequent repetition, three remarkable Testimonials in this place.

THE first is taken out of the Commonwealth of Israel: So Mo- Exod. 18. 24; see hearken'd to the voice of (Jethro) his Father in law, and did all that he had said. And Moses chose able men out of all Israel, and Numb. 1. 16; made them heads over the People; Tribuns, as it is in the vulgar Latin; or Phyarch, that is, Princes of the Tribes, sitting upon twelve Thrones, and judging the twelve Tribes of Israel: and next to these he chose Rulers of Thouands, Rulers of Hundreds, Rulers of Fiftys, and Rulers of Tens, which were the steps or rite of this Commonwealth from its foundation or root to its proper elevation or accomplishment in the Sanhedrim, and the Congregation, already open'd in the Preliminary.

* Sellis Caralibus. Grot.
THE Second is taken out of *Lacedemon, as Lycurgus* (for the greater impression of his Institutions upon the minds of his Citizens) pretended to have receiv'd the Model of that Commonwealth from the Oracle of Apollo at Delphos, the words wherof are thus recorded by *Plutarch* in the Life of that famous Legislator: 'When thou shalt have divided the People into Tribes (which were fix) and *Obas* (which were five in every Tribe) thou shalt constitue the Senat, consisting, with the two Kings, of thirty Counsellors, who, according as occasion requires, shall cause the Congregation to be assembled between the Bridg and the River Gnation, where the Senat shall propose to the People, and dismis them without sufferin them to debate. The *Oba* were Linages into which every Tribe was divided, and in each Tribe there was another Division containing all tho' of the same that were of military Age; which being call'd the *Mora*, was subdivided into Troops and Companies that were held in perpetual Disciplin under the Command of a Magistrat call'd the *Polemarch*.

THE Third is taken out of the Commonwealth of Rome, or those parts of it which are compriz'd in the first and second Books of *Livy*, where the People, according to the institutition by Romulus, are first divided into thirty *Curias* or Parishes, wherof he elecr'd (by three out of each *Curia*) the Senat, which from his Reign to that of Servius Tullus proposed to the Parishes or Parochial Congregations; and these being call'd the *Comitia Curiata*, had the election of the *Kings*, the Confirmation of their *† Laws*, and the last appeal in matters of Judicature, as appears in the case of Horatius that kill'd his Sister; till in the Reign of Servius (for the other Kings kept not to the institutition of Romulus) the People being grown fonwad, the Power of the *Curia* was for the greater part translated to the *Centuriata Comitia* instituted by this King, which distributed the People according to the cense or valuation of their Estates into six Classis, every one containing about forty Centurys, divided into Youth and Elders; the Youth for field-service, the Elders for the defence of their Territory, all arm'd and under continual Disciplin, in which they assemble both upon military and civil occasions. But when the Senat propos'd to the People, the Horde only, wherof there were twelve Centurys consisting of the richest fort over and above those of the Foot enumerated, were call'd with the first Classis of the Foot to the suffrage; or if these accord'd not, then the second Classis was call'd to them, but seldom or never any of the rest. Wherfore the People after the expulsion of the Kings, growing impatient of this inequality, releas'd not till they had reduc'd the suffrage as it had bin in the *Comitia Curiata* to the whole People again: But in another way, that is to say, by the *Comitia Tributa*, which therupon were institut'd, being a Council where the People in exigencies made Laws without the Senat; which Laws were call'd *Plebiscita*. This Council is that in regard wherof Cicero and other great Wits so frequently inveigh against the People, and somtimes even Livy, as at the first institution of it. To say the truth, it was a kind of Anarchy, wherof the People could not

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* Quirites, Regem creata; jts patriibus viifum eft: Tulliam Hoftilium Regem Populos jubifie, Pares autem faecul. † Ut ab Romulo tradatum, sufragium virum edunvi, codemque jure comitibus darum eft. ‡ Hunc annum in fumeo maximam Comitia Tributa efficiunt; re major victorid effe, ceretit quom quia ufa, plus enim dignitatis Comitiae ipsius detractum eft, patriibus ex Consilio fulmenovendis, quam virium aut plebi additum aut dentum patriibus.
be excusable, if there had not, thro the Coursel taken by the Senat, bin otherwise a necessity that they must have seen the Commonwealth run into Oligarchy.

The manner how the Comitia Curiata, Centuriata or Tributa were call'd, during the time of the Commonwealth, to the suffrage, was by lot: the Curia, Century, or Tribe, wheron the first lot fell, being still'd Principium, or the Prerogative; and the other Curia, Centuries, or Tribes, wheron the second, third, and fourth Lots, &c. fell, the Jure vocata: From henceforth not the first Classis, as in the times of Servius, but the Prerogative, whether Curia, Century, or Tribe, came first to the Suffrage, whose Vote was call'd Omne Prerogativum, and seldom fail'd to be leading to the rest of the Tribes. The Jure vocata in the order of their Lots came next: the manner of giving suffrage was, by casting wooden Tablets, mark'd for the Affirmative or the Negative, into certain Urns standing upon a Scaffold, as they march'd over it in files; which for the resemblance it bore, was call'd the Bridg. The Candidat or Competitor, who had most Suffrages in a Curia, Century, or Tribe, was said to have that Curia, Century, or Tribe; and he who had most of the Curiae, Centuries, or Tribes, carry'd the Magistracy.

These three places being premis'd, as such upon which there will be frequent reflection, I come to the Narrative, divided into two parts, the first containing the Institution, the second the Constitution of the Commonwealth; in each wherof I shall distinguish the Orders, as tho' which contain the whole Model, from the rest of the Discourse, which tends only to the explanation or proof of them.

In the institution or building of a Commonwealth, the first work Institution of (as that of Builders) can be no other than fitting and distributing the Materials.

The Materials of a Commonwealth are the People; and the People of Oceana were distributed by casting them into certain Divisions, People, regarding their Quality, their Age, their Wealth, and the places of their residence or habitation, which was done by the infusing Orders.

The first Order distributes the People into Freemen or Citizens, and Servants, while such; for if they attain to Liberty, that is to live of themselves, they are Freemen or Citizens.

This Order needs no proof, in regard of the nature of Servitude, which is inconsistent with Freedom or participation of Government in a Commonwealth.

The second Order distributes Citizens into Youth and Elders (such as are from 18 years of age to 30, being accounted Youth; and such as are of 30 and upwards, Elders) and establishes that the Youth shall be the marching Armies, and the Elders the standing Garisons of this Nation.

A COMMONWEALTH whose Arms are in the hands of her Servants, had need be situated (as is elegantly said of Venice by Contarini) out of the reach of their clutches; witness the
danger run by that of Carthage in the Rebellion of SPENDIUS and MATHO. But tho a City (if one Swallow makes a Summer) may thus chance to be safe, yet shall it never be great; for if Carthage or Venice acquird any Fame in their Arms, it is known to have happen’d thro the mere virtue of their Captains, and not of their Orders: wherefore Israel, Lacedemon, and Rome intail’d their Arms upon the prime of their Citizens, divided (at least in Lacedemon and Rome) into Youth and Elders; the Youth for the Field, and the Elders for defence of the Territory.

The third ORDER distributes the Citizens into Horse and Foot by the cense or valuation of their Estates; they who have above one hundred Pounds a year in Lands, Goods, or Monys, being oblig’d to be of the Horse; and they who have under that Sum, to be of the Foot. But if a man has prodigiously wast’d and spent his Patrimony, he is neither capable of Magistracy, Office, or Suffrage in the Commonwealth.

CITIZENS are not only to defend the Commonwealth, but according to their abilities, as the Romans under SERVIIUS TULLUS (regard had to their Estates) were som inrol’d in the Horse Centurys, and others of the Foot, with Arms injoin’d accordingly; nor could it be otherwise in the rest of the Commonwealths, tho out of Historical Remains, that are so much darker, it be not so clearly provable. And the necessary Prerogative to be given by a Commonwealth to Estates, is in some measure in the nature of Industry, and the use of it to the Public. *The Roman People, says JULIUS EXUPERANTIUS, were divided into Classes, and tax’d according to the value of their Estates. All that were worth the Summs appointed were impol’d in the Wars; for they most eagerly contend for the Victory, who fight for Liberty in defence of their Country and Possessions. But the poorer sort were pol’d only for their Heads (which was all they had) and kept in Garison at home in time of War: For these might betray the Arms for Bread, by reason of their Poverty; which is the reason that MARIUS, to whom the care of the Government ought not to have bin committed, was the first that led ‘em into the field; and his Success was accordingly. There is a mean in things; as exorbitant Riches overthrow the Balance of a Commonwealth, so extreme Poverty cannot hold it, nor is by any means to be trusted with it. The Clause in the Order concerning the Prodigal is Athenian, and a very laudable one; for he that could not live upon his Patrimony, if he comes to touch the public Mony, makes a Commonwealth Bankrupt.

The fourth ORDER distributes the People according to the places of their Habitation, into Parishes, Hundreds, and Tribes.

For except the People be methodically distributed, they cannot be methodically collected; but the being of a Commonwealth consists in the methodical Collection of the People: wherefore you have the

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* Populus Romanus per Clases divisi erat, &c pro Patrimonii facultate consubstantium: ex ilii omnes quibus reserarit, ad militiae ducabantur; dilectissimum enim pro victoria laborabant, qui ex libertate bona patriam defendebant: illi aereem quibus nullus opes erant, capere fuisse, quod fuisse possidebant, consubstantia, & bellis temporis in maximus resedebant; tale enim poenam exiree prodest, quis egestas haud facile habuerit sine damno. Hos igitur Marius, quibus non fieret Reipsa commissenda, duxit ad bellum.
OCEANA.

Israeltisb Divisions into Rulers of Thousands, of Hundreds, of Fiftys, and of Tens; and of the whole Commonwealth into Tribes: The Laconic into Obas, Moras, and Tribes; the Roman into Tribes, Centuries, and Claffes: and somthing there must of necessity be in every Government of the like nature; as that in the late Monarchy, by Countrys. But this being the only Institution in Oceana (except that of the Agrarian) which requir'd any charge, or included any difficulty, ingages me to a more particular Description of the manner how it was perform'd, as follows.

A THOUSAND Surveyors commissinonated and instructed by the Lord ARCHON and the Council, being divided into two equal numbers, each under the inspection of two Surveyors General, were distributed into the Northern and Southern parts of the Territory, divided by the River Hemisfaca, the whole whereof contains about ten thousand Parishes, som ten of those being assign'd to each Surveyor: For as to this matter there needed no great exactness, it tending only (by shewing whither every one was to repair, and wherabout to begin) to the more orderly carrying on of the work; the nature of their Instructions otherwise regarding rather the number of the Inhabitants, than of the Parishes. The Surveyors therefore being every one furnish'd with a convenient proportion of Urns, Balls and balloting Boxes (in the use whereof they had bin formerly exercis'd) and now arriving each at his respective Parishes, began with the People, by teaching them their first lesson, which was the Ballot; and tho they found them in the beginning somthing froward as at toys, with which (while they were in expectation of greater matters from a Council of Legislators) they conceiv'd themselves to be abus'd, they came within a little while to think them pretty sport, and at length such as might very soberly be us'd in good earnest: whereupon the Surveyors began the Institution included in

THE fifth ORDER, requiring, That upon the first Monday next following the last of December, the bigger Bell in every Parish through the Nation be rung at eight of the Clock in the morning, and continue ringing for the space of one hour; and that all the Elders of the Parish respectively repair to the Church, before the Bell has done ringing; where dividing themselves into two equal Numbers, or as near equal as may be, they shall take their places according to their Dignities (if they be of divers qualities) and according to their Seniority (if they be of the same) the one half on the one side, and the other half on the other, in the body of the Church: which done, they shall make Oath to the Overseers of the Parish for the time being (instead of these the Surveyors were to officiat at the Institution or first Assembly) by holding up their hands, to make a fair Election according to the Laws of the Ballot, as they are hereafter explain'd, of such Persons, amounting to a fifth part of their whole number, to be their Deputies, and to exercise their Power in manner hereafter explain'd, as they shall think in their Consciences to be fittest for that trust, and will acquit themselves of it to the best advantage of the Commonwealth. And Oath being thus made, they shall proceed to Election, if the Elders of the Parish amount to one thousand by the Ballot of the Tribe (as it is in due place explain'd) and if the Elders of the Parish amount to fifty or upwards, but within the number of one thousand, by the Ballot of the hundred (as it is in due place explain'd). But if the Elders amount not to fifty, then they shall...
shall proceed to the Ballot of the Parish, as it is in this place and after this manner explain’d. The two Overseers for the time being shall set themselves at the upper end of the middle Ally, with a Table before them, their faces being towards the Congregation: And the Constable for the time being shall set an Urn before the Table, into which he shall put so many Balls as there be Elders present, whereof there shall be one that is gilded, the rest being white; and when the Constable has shaken the Urn sufficiently to mix the Balls, the Overseers shall call the Elders to the Urn, who from each side of the Church shall come up the middle Ally in two files, every man passing by the Urn, and drawing out one Ball; which is to be open, he shall cast into a Bowl standing at the foot of the Urn, and return by the outward Ally on his side to his place. But he who draws the golden Ball is the Proposer, and shall be seated between the Overseers, where he shall begin in what order he pleases, and name such as (upon his Oath already taken) he conceives fittest to be chosen, one by one, to the Elders; and the Party named shall withdraw while the Congregation is balloting his name by the double Box or Boxes appointed and marked on the outward part, to show which side is Affirmative and which Negative, being carried by a Boy or Boys appointed by the Overseers, to every one of the Elders, who shall hold up a peler made of linen Rags, between his finger and his thumb, and put it after such a manner into the Box, as tho no man can see into which side he puts it, yet any man may see that he puts in but one peler or suffrage. And the suffrage of the Congregation being thus given, shall be return’d with the Box or Boxes to the Overseers, who opening the same, shall pour the affirmative Balls into a white Bowl standing upon the Table on the right hand, to be numbered by the first Overseer; and the Negative into a green Bowl standing on the left hand, to be numbered by the second Overseer: and the suffrages being numbered, he who has the major part in the Affirmative is one of the Deputies of the Parish: and when so many Deputies are chosen as amount to a full fifth part of the whole number of the Elders, the Ballot for that time shall cease. The Deputies being chosen are to be lifted by the Overseers in order as they were chosen, except only that such as are Horse must be lifted in the first place with the rest, proportionable to the number of the Congregation, after this manner:

Anno Dom.

The Lift of the first Mover.

A. A. Ord. Eq. 1 Dep. of the Parish of——in the Hundred
B. B. 2 Dep. of——and the Tribe of——which
C. C. 3 Dep. Parish at the present Election contains
D. D. 4 Dep. 20 Elders, whereof one is of the Horse
E. E. 5 Dep. or Equestrian Order.

The first and second in the Lift are Overseers by consequence: the third is the Constable, and the fourth and fifth are Churchwardens; the Persons so chosen are Deputies of the Parish for the space of one year from their Election, and no longer; nor may they be elected two years together. This Lift being the Primum Mobile, or first Mover of the Commonwealth, is to be register’d in a Book diligently kept and prefer’d by the Overseers, who are responsible in their places for these and other Duties to be hereafter mention’d, to the Censors of the Tribe: and the Congregation is to observe the
the present Order, as they will answer the contrary to the Phyrrarch, or Pre-
rogative Troop of the Tribe; which, in case of failure in the whole or any part of it, have power to fine them or any of them at discretion, but un-
der an Appeal to the Parliament.

FOR proof of this Order; First, in Reason: It is with all Politicians past dispute, that paternal Power is in the right of Nature; and this is no other than the derivation of Power from Fathers of Families, as the natural root of a Commonwealth. And for Experience, if it be o-
therwise in that of Holland, I know no other example of the like kind. In Israel, the sovereign Power came clearly from the natural Root, the Jof 24. 1.
Elders of the whole People; and Rome was born (Comitis Curiatius) in her Parochial Congregations, out of which Romulus first rais’d her Senat, then all the rest of the Orders of that Commonwealth, which role so high: For the depth of a Commonwealth is the just height of it.

* She raiseth up her Head unto the Skies,
Near as her Root unto the Center lies.

AND if the Commonwealth of Rome was born of thirty Parishes, this of Ocean a was born of ten thousand. But whereas mention in the birth of this is made of an Equestrian Order, it may startle such as know that the division of the People of Rome, at the Institution of that Com-
monwealth into Orders, was the occasion of its ruin. The distinction of the Patrician as a hereditary Order from the very Institution, ingross-
ing all the Magistracies, was indeed the destruction of Rome; but to a Knight or one of the Equestrian Order, says Horace,

Si quadringentis sex septem milia desunt,
Piebs eris.

By which it should seem that this Order was not otherwise hereditary than a mans Estate, nor did it give any claim to Magistracy; where-
fore you shall never find that it disquieted the Commonwealth; nor do.
s the name denote any more in Ocean a, than the Duty of such a mans
Estate to the Public.

But the Surveyors both in this place and in others, forasmuch as they could not observe all the Circumstances of this Order, especially that of the time of Election, did for the first as well as they could; and, the Elec-
tions being made and register’d, took each of them Copys of those
Lists which were within their Allotments; which don, they produc’d

THE sixth ORDER, directing, in case a Parson or Vicar of a Pa-
risb com to be remov’d by Death or by the Censor’s, that the Congregation of
the Parish assemble and depote one or two Elders by the Ballot, who upon the
charge of the Parish shall repair to one of the Universities of this Nation with
a Certificate sign’d by the Overseers, and address to the Vice-Chancellor:
which Certificate giving notice of the Death or Removal of the Parson or
Vicar, of the value of the Parishion or Vicarage, and of the desire of the

* Ipsa haren Scopulis, & tantum vertice ad Auras
Ethereas, quantum radice ad Tartara, sendit.
Congregation to receive a Probationer from that University; the Vice-Chancellor upon the receipt thereof shall call a Convocation, and having made choice of a fit Person, shall return him in due time to the Parish, where the Person so return'd shall receive the full fruits of the Benefice or Vicarage, and do the duty of the Parson or Vicar, for the space of one year, as Probationer: and that being expired, the Congregation of the Elders shall put their Probationer to the Ballot: and if he attains not to two parts in three of the Suffrage affirmative, he shall take his leave of the Parish, and they shall send in like manner as before for another Probationer; but if their Probationer obtains two parts in three of the Suffrage affirmative, he is then Pastor of that Parish. And the Pastor of the Parish shall pray with the Congregation, preach the Word, and administer the Sacraments to the same, according to the Directory to be hereafter appointed by the Parliament. Nevertheless such as are of gathering Congregations, or from time to time shall join with any of them, are in no wise obliged to this way of electing their Teachers, or to give their Votes in this case, but wholly left to the liberty of their own Consciences, and to that way of Worship which they shall choose, being not Popish, Jewish, or Idolatrous. And to the end they may be the better protected by the State in the free exercise of the same, they are desired to make choice, in such manner as they best like, of certain Magistrates in every one of their Congregations, which we could wish might be four in each of them, to be Auditors in cases of differences or disputes, if any through variety of opinions, that may be grievous or injurious to them, should fall out. And such Auditors or Magistrates shall have power to examine the matter, and inform themselves, to the end that if they think it of sufficient weight, they may acquaint the Phyſical with it, or introduce it into the Council of Religion; where all such Cases as those Magistrates introduce, shall from time to time be heard and determined according to such Laws as are or shall hereafter be provided by the Parliament for the just defence of the Liberty of Conscience.

THIS Order consists of three parts, the first restoring the power of Ordination to the People, which, that it originally belongs to them, is clear, tho' not in English yet in Scripture, where the Apostles ordain'd Elders by the holding up of hands in every Congregation, that is, by the suffrage of the People, which was also given in fom of tho' Citys by the Ballot. And tho' it may be shewn that the Apostles ordain'd fom by the laying on of hands, it will not be shewn that they did so in every Congregation.

EXCOMMUNICATION, as not clearly provable out of the Scripture, being omitted, the second part of the Order implies and establishes a National Religion: for there be degrees of Knowledge in divine things; true Religion is not to be learnt without searching the Scriptures; the Scriptures cannot be search'd by us unless we have them to search; and if we have nothing else, or (which is all one) understand nothing else but a Translacion, we may be (as in the place alleg'd we have bin) beguil'd or misled by the Translacion, while we should be searching the true sense of the Scripture, which cannot be attain'd in a natural way (and a Commonwealth is not to presume upon that which is supernatural) but by the knowlege of the Original and of Antiquity, acquire'd by our own studys, or those of fom others, for even Faith coms by hearing. Wherfore a Commonwealth not making provision of men from time to time, knowing in the original Languages wherein the Scriptures were written, and vers'd in tho' Antiquitys...
riquitys to which they so frequently relate, that the true sense of them depends in great part upon that Knowledge, can never be secure that she shall not lose the Scripture, and by consequence her Religion; which to preserve she must institute some method of this Knowledge, and from use of such as have acquired it, which amounts to a National Religion.

THE Commonwealth having thus performed her duty towards God, as a rational Creature, by the best application of her Reason to Scripture, and for the preservation of Religion in the purity of the same, yet pretends not to Infallibility, but comes in the third part of the Order, establishing Liberty of Conscience according to the Instruction given to her Council of Religion, to raise up her hands to Heaven for further light; in which proceeding she follows that (as was shewn in the Preliminary) of Israel, who tho her National Religion was always part of her Civil Law, gave to her Prophets the upper hand of all her Orders.

BUT the Surveyors having now done with the Parishes, took their leaves; for a Parish is the first division of Land occasion'd by the first Collection of the People of Oceana, whose Function proper to that place is comprised in the first preceding Orders.

THE next step in the progress of the Surveyors was to a meeting of the nearest of them, as their work lay, by twentys; where conferring their Lifts, and computing the Deputy's contain'd therin, as the number of them in Parishes, being nearest Neighbours, amounted to one hundred, or as even as might conveniently be brought with that account, they call them and those Parishes into the Precinct which (be the Deputy's ever since more or fewer) is still called the Hundred: and to every one of these Precincts they appointed a certain place, being the most convenient Town within the same, for the annual Rendezvous; which done, each Surveyor returning to his Hundred, and summoning the Deputy's contain'd in his Lifts to the Rendezvous, they appear'd and received.

THE seventh ORDER, requiring, That upon the first Monday next infusing the last of January, the Deputy of every Parish annually assemble in Arms at the Rendezvous of the Hundred, and there elect out of their number one Justice of the Peace, one Juryman, one Captain, one Ensign of their Troop or Century, each of these out of the Horse; and one Juryman, one Crowner, one High Constable, out of the Foot; the Election to be made by the Ballot in this manner. The Jurymen for the time being are to be Overseers of the Ballot (instead of these, the Surveyors are to officiate at the first Assembly) and to look to the performance of the same according to what was directed in the Ballot of the Parishes, stating that the High Constable setting forth the Urn, shall have five several fates of Gold Balls, and one dozen of every fate; whereof the first shall be marked with the Letter A, the second with the letter B, the third with C, the fourth with D, and the fifth with E: and of each of these fates shall cast one Ball into his Hat, or into a little Urn, and shaking the Balls together present them to the first Overseer, who shall draw one, and the fate which is so drawn by the Overseer shall be of use for that day, and no other: for example, if the Overseer drew an A, the High Constable shall put seven Gold Balls marked with the letter A into the Urn, with so many Silver ones as shall bring them even with the number of the Deputy, who
being sworn, as before, at the Ballot of the Parish to make a fair Election, shall be call'd to the Urn; and every man coming in manner as was there shew'd, shall draw one Ball, which if it be Silver, he shall cast it into a Bowl standing at the foot of the Urn, and return to his place; but the first that draws a Gold Ball (shewing it to the Overseers, who if it has not the letter of the present Ballot, have power to apprehend and punish him) is the first Elector, the second the second Elector, and so to the seventh; which Order they are to observe in their function. The Electors as they are drawn shall be plac'd upon the Bench by the Overseers, till the whole number be complete, and then be conducted, with the List of the Officers to be chosen, into a Place apart, where being privat, the first Elector shall name a Person to the first Office in the List; and if the Person so nam'd, being balloted by the rest of the Electors, attains not to the better half of the Suffrages in the Affirmative, the first Elector shall continue nominating others, till one of them so nominated by him attains to the plurality of the Suffrages in the Affirmative, and be written first Competitor to the first Office. This done, the second Elector shall observe in his turn the like order; and to the rest of the Electors naming Competitors each to his respective Office in the List, till one Competitor be chosen to every Office: and when one Competitor is chosen to every Office, the first Elector shall begin again to name a second Competitor to the first Office, and the rest successively shall name to the rest of the Offices till two Competitors be chosen to every Office; the like shall be repeated till three Competitors be chosen to every Office. And when three Competitors are chosen to every Office, the List shall be return'd to the Overseers, or such as the Overseers, in case they or either of them happen'd to be Electors, have substituted in his or their place or places: and the Overseers or Substitutes having caus'd the List to be read to the Congregation, shall put the Competitors, in order as they are written, to the Ballot of the Congregation: and the rest of theProceedings being carry'd on in the manner directed in the Fifth Order, that Competitor, of the three written to each Office, who has most of the Suffrages above half in the Affirmative, is the Officer. The List being after this manner completed, shall be enter'd into a Register, to be kept at the Rendezvous of the Hundred, under inspection of the Magistrats of the same, after the manner following:

Anno Domini
The List of the Nebulosa.

A. A. Ord. Eq. Justice of the Peace
B. B. Ord. Eq. First Jurymen
C. C. Ord. Eq. Captain of the Hundred
D. D. Ord. Eq. Ensign
E. E. Second Jurymen
F. F. High Constable
G. G. Crowner

The List being enter'd, the High Constable shall take three Copies of the same, whereof he shall presently return one to the Lord High Sheriff of the Tribe, a second to the Lord Custos Rotulorum, and a third to the Censors; or thefe, thro' the want of such Magistrats at the first muster, may be return'd to the Orator, to be appointed for that Tribe. To the observance of all and every part of this Order, the Officers and Deputies of the Hundred are all and every of them oblig'd, as they will answer it to the Phy-
larch, who has power in case of failure in the whole or any part, to fine all or any of them so failing at discretion, or according to such Laws as shall hereafter be provided in that case; but under an Appeal to the Parliament.

There is little in this Order worthy of any further account, but that it answers to the Rulers of Hundreds in Israel, to the Mors or Military part of the Tribe in Lacedemon, and to the Century in Rome. The Jurymen, being two in a Hundred, and so forty in a Tribe, give the Latirude allow'd by the Law for exceptions. And whereas the Golden Balls at this Ballot begin to be mark'd with Letters, whereof one is to be drawn immediately before it begins; this is to the end that the Letter being unknown, Men may be frustrated of tricks or foul play, whereas otherwise a Man might bring a Golden Ball with him, and make as if he had drawn it out of the Urn. The Surveyors, when they had taken Copies of these Lifts, had accomplish'd their work in the Hundreds.

So a Hundred is the second Division of Land occasion'd by the second Collection of the People, whose Civil and Military Functions proper to this place are compriz'd in the foregoing Order.

Having stated the Hundreds, they met once again by Twenties, where there was nothing more easy than to cast every twenty Hundreds, as they lay most conveniently together, into one Tribe; so the whole Territory of Oceana, consisting of about ten thousand Parishes, came to be cast into one thousand Hundreds, and into fifty Tribes. In every Tribe at the place appointed for the annual Rendez-vous of the same, were then, or soon after, begun those Buildings which are now call'd Pavilions; each of them standing with one open side upon fair Columns, like the porch of some ancient Temple, and looking into a Field, capable of the muster of some thousand Men: Before each Pavilion stand three Pillars sustaining Urns for the Ballot, that on the right-hand equal in height to the brow of a Horse-man, being call'd the Horse Urn; that on the left-hand, with Bridges on either side to bring it equal in height with the brow of a Footman, being call'd the Foot Urn; and the middle Urn with a Bridge on the side towards the Foot Urn, the other side, as left for the Horse, being without one: and here ended the whole work of the Surveyors, who return'd to the Lord Archon with this

Account of the Charge.

1. IMPRIMIS, Urns, Balls, and Balloting Boxes for ten thousand Parishes, the same being wooden Ware, 20000 00
2. ITEM, Provisions of the like kind for a thousand Hundreds, 3000 00
3. ITEM, Urns and Balls of Metal, with Balloting Boxes for fifty Tribes, 2000 00
4. ITEM, For erecting of fifty Pavilions, 60000 00
5. ITEM, Wages for four Surveyors General at 1000 l. a man, 4000 00
6. ITEM, Wages for the rest of the Surveyors, being 1000, at 250 l. a man, 250000 00

Sum Total, 339000 00

N 2

THIS
being sworn, as before, at the Ballot of the Parish to make a fair Election, shall be call'd to the Urn; and every man coming in manner as was there shown, shall draw one Ball, which if it be Silver, he shall cast it into a Bowl standing at the foot of the Urn, and return to his place; but the first that draws a Gold Ball (bidding it to the Overseers, who if it has not the letter of the present Ballot, have power to apprehend and punish him) is the first Elector, the second the second Elector, and so to the seventh; which Order they are to observe in their function. The Electors as they are drawn shall be placed upon the Bench by the Overseers, till the whole number be complete, and then be conducted, with the List of the Officers to be chosen, into a Place apart, where being privat, the first Elector shall name a Person to the first Office in the List; and if the Person so named, being balled, the rest of the Electors, attains not to the better half of the Suffrages in the Affirmative, the first Elector shall continue nominating others, till one of them so nominated by him attains to the plurality of the Suffrages in the Affirmative, and be written first Competitor to the first Office. This done, the second Elector shall observe in his turn the like order; and so the rest of the Electors, naming Competitors each to his respective Office in the List, till one Competitor be chosen to every Office: and when one Competitor is chosen to every Office, the first Elector shall begin again to name a second Competitor to the first Office, and the rest successively shall name to the rest of the Offices till two Competitors be chosen to every Office; the like shall be repeated till three Competitors be chosen to every Office. And when three Competitors are chosen to every Office, the List shall be return'd to the Overseers, or such as the Overseers, in case they or either of them happen to be Electors, have substituted in his or their place or places: and the Overseers or Substitutes having caus'd the List to be read to the Congregation, shall put the Competitors, in order as they are written, to the Ballot of the Congregation: and the rest of the Proceedings being carry'd on in the manner directed in the Fifth Order, that Competitor of the three written to each Office, who has most of the Suffrages above half in the Affirmative, is the Officer. The List being after this manner completed, shall be entered into a Register, to be kept at the Rendezvous of the Hundred, under inspection of the Magistrates of the same, after the manner following:

Anno Domini

The List of the Nebuloa.

A. A. Ord. Eq. Justice of the Peace
B. B. Ord. Eq. First Juryman
C. C. Ord. Eq. Captain of the Hundred
D. D. Ord. Eq. Ensign
E. E. Second Juryman
F. F. High Constable
G. G. Crowner

THE List being entered, the High Constable shall take three Copies of the same, whereby he shall presently return one to the Lord High Sheriff of the Tribe, a second to the Lord Custos Rotulorum, and a third to the Censores; or thew, that the want of such Magistrates at the first muster, may be return'd to the Orator, to be appointed for that Tribe. To the observation of all and every part of this Order, the Officers and Deputies of the Hundred are all and every of them obliged, as they will answer it to the Phy-
larch, who has power in case of failure in the whole or any part, to fine all or any of them so failing at discretion, or according to such Laws as shall hereafter be provided in that case; but under an Appeal to the Parliament.

There is little in this Order worthy of any further account, but that it answers to the Rulers of Hundreds in Israel, to the Mora of Military part of the Tribe in Lacedemon, and to the Century in Rome. The Jury men, being two in a Hundred, and so forty in a Tribe, give the Latitude allow'd by the Law for exceptions. And whereas the Golden Balls at this Ballot begin to be mark'd with Letters, whereas one is to be drawn immediately before it begins; this is to the end that the Letter being unknown, Men may be frustrated of tricks or foul play, whereas otherwise a Man might bring a Golden Ball with him, and make as if he had drawn it out of the Urn. The Surveyors, when they had taken Copies of the Lifts, had accomplished their work in the Hundreds.

So a Hundred is the second Division of Land occasion'd by the second Collection of the People, whose Civil and Military Functions proper to this place are compriz'd in the foregoing Order.

Having stated the Hundreds, they met again by Twenty's, where there was nothing more easy than to cast every twenty Hundreds, as they lay most conveniently together, into one Tribe; so the whole Territory of Ocean, consisting of about ten thousand Parishes, came to be cast into one thousand Hundreds, and into fifty Tribes. In every Tribe at the place appointed for the annual Rendezvous of the same, were then, or soon after, begun those Buildings which are now call'd Pavilions; each of them standing with one open side upon fair Columns, like the porch of some ancient Temple, and looking into a Field, capable of the muster of 50 four thousand Men; Before each Pavilion stand three Pillars sustaining Urns for the Ballot, that on the right-hand equal in height to the brow of a Horseman, being call'd the Horse Urn; that on the left-hand, with Bridges on either side to bring it equal in height with the brow of a Footman, being call'd the Foot Urn; and the middle Urn with a Bridge on the side towards the Foot Urn, the other side, as left for the Horse, being without one: and here ended the whole work of the Surveyors, who return'd to the Lord Archon with this

Account of the Charge.

IMPRIMIS, Urns, Balls, and Balloting Boxes for $2000
ITEM, Provisions of the like kind for a thousand Hundreds, $3000
ITEM, Urns and Balls of Metal, with Balloting Boxes for fifty Tribes, $2000
ITEM, For erecting of fifty Pavilions, $6000
ITEM, Wages for four Surveyors General at 1000 l. a man, $4000
ITEM, Wages for the rest of the Surveyors, being 1000, at 250 l. a man, $25000

Sum Total, $339000

THIS
THIS is no great matter of charge for the building of a Commonwealth, in regard that it has cost (which was pleaded by the Surveyors) as much to rig a few Ships. Nevertheless that proves not them to be honest, nor their account to be just; but they had their Mony for once, tho' their reckoning be plainly guilty of a Crime, to cost him his Neck that commits it another time, it being impossible for a Commonwealth (without an exact provision that it be not abus'd in this kind) to subfist: for if no regard should be had of the Charge (tho' that may go deep) yet the Debauchery and Corruption, wherto, by negligence in Accounts, it inallibly exposes its Citizens, and thereby leffens the public Faith, which is the Nerve and Ligament of Government, ought to be prevented. But the Surveyors being dispatch'd, the Lord ARCHON was very curious in giving names to his Tribes, which having caus'd to be written in Scrolls caff into an Urn, and presented to the Counsellors, each of them drew one, and was accordingly sent to the Tribe in his lot, as Orators of the same, a Magistracy no otherwise instituted, than for once and pro tempore, to the end that the Council upon so great an occasion might both congratulate the Tribes, and assist at the first muster in some things of necessity to be differently carry'd from the establish'd Administration, and future Course of the Commonwealth.

THE Orators being arriv'd, every one as soon as might be, at the Rendezvous of his Tribe, gave notice to the Hundreds, and summon'd the Muster, which appear'd for the most part upon good Horses, and already indifferently well arm'd; as to infinitance in one for all, the Tribe of Nubia, where HERMES DE CADUCEO, Lord Orator of the same, after a short salutation and a hearty welcome, apply'd himself to his business, which began with

2. ORDER. THE eighth ORDER, requiring, That the Lord High Sheriff as Commander in Chief, and the Lord Ciftos Rotulorum as Mustermaster of the Tribe (or the Orator for the first Muster) upon receipt of the Lists of their Hundreds, return'd to them by the High Constables of the same, presently cause them to be cast up, dividing the Horse from the Foot, and listing the Horse by their names in Troops, each Troop containing about a hundred in number, to be inscrib'd, first, second, third, or fourth Troop, &c., according to the Order agreed upon by the said Magistrates: Which done, they shall lift the Foot in like manner, and inscribe the Companys in like order. These Lists upon the Eve of the Muster shall be deliver'd to certain Trumpeters and Drummers, whereof there shall be fifteen of each sort (as well for the present as other uses to be hereafter mention'd) stipendiated by the Tribe. And the Trumpeters and Drummers shall be in the Field before the Pavilion, upon the day of the Muster, so soon as it is light, where they shall stand every one with his Lift in his hand, at a due distance, placed according to the Order of the Lift; the Trumpeters with the Lifts of the Horse on the right-hand, and the Drummers with the Lifts of the Foot on the left-hand: where having sounded a while, each of them shall begin to call, and continue calling the names of the Deputies, as they come into the field, till both the Horse and Foot be gather'd by that means into their due Order. The Horse and Foot being in order, the Lord Lieutenant of the Tribe shall call for many Gold Balls mark'd with the figures 1, 2, 3, 4, &c., as there be Troops of Horse in the Field, together with so many Silver Balls as there be Companys, mark'd in the same manner, into a little Urn, to which
which he shall call the Captains; and the Captains drawing the Gold Balls shall command the Horse, and those that draw the Silver the Foot, each in the order of his Lot. The like shall be done by the Conductor at the same time for the Ensigns at another Urn; and they that draw the Gold Balls shall be Cornets, the rest Ensigns.

This Order may puzzle the Reader, but tends to a wonderful speed of the Mutter, to which it would be a great matter to lose a day in ranging and martalling, whereas by virtue of this the Tribe is no sooner in the field than in Battalia, nor sooner in Battalia than call'd to the Urns or the Ballot by virtue of

The ninth ORDER, whereby the Censors (or the Orator for the first Mutter) upon reception of the Lists of the Hundreds from the High Constables, according as is directed by the seventh Order, are to make their Notes for the Urns beforehand, with regard had to the Lists of the Magistrates, to be elected by the ensuing Orders; that is to say, by the first List call'd the prime Magnitude, six; and by the second call'd the Galaxy, nine. Wherefore the Censors are to put into the middle Urn for the Election of the first List twenty-four Gold Balls, with twenty-six Blanks or Silver Balls, in all sixty; and into the side Urns sixty Gold Balls divided into each according to the different number of the Horse and the Foot: that is to say, if the Horse and the Foot be equal, equally; and if the Horse and the Foot be unequal, unequally, by an Arithmetical Proportion. The like shall be don the second day of the Mutter, for the second List, except that the Censors shall put into the middle Urn 36 Gold Balls with 24 Blanks, in all sixty; and sixty Gold Balls into the side Urns, divided respectively into the number of the Horse and the Foot: and the Gold Balls in the side Urns at either Ballot are by the addition of Blanks to be brought even with the number of the Ballotants at either Urn respectively. The Censors having prepar'd their Notes, as has been shewn, and being som at the day appointed into the Field, shall present a little Urn to the Lord High Sheriff, who is to draw twice for the Letters to be us'd that day, the one at the side Urns, and the other at the middle. And the Censors having fitted the Urns accordingly, shall place themselves in certain movable Seats or Pulpits (to be kept for that use in the Pavilion) the first Censor before the Horse Urn, the second before the Foot Urn, the Lord Lieutenant doing the Office of Censor pro tempore at the middle Urn; where all and every one of them shall cause the Laws of the Ballot to be diligently observ'd, taking a special care that no Man be suffer'd to come above once to the Urn (whereof it more particularly concerns the Subcenors, that is to say, the Overseers of every Parish, to be careful; they being each in this regard responsible for their respective Parishes) or to draw above one Ball, which if it be Gold, he is to present to the Censor, who shall look upon the Letter; and if it be not that of the day, and of the respective Urn, apprehend the Party, who for this or any other like disorder, is obnoxious to the Phylarch.

This Order being observ'd by the Censors, it is not possible for the People, if they can but draw the Balls, tho' they understand nothing at all of the Ballot, to be out. To philosophize further upon this Art, tho' there be nothing more rational, were not worth the while; because in writing it will be perplex'd, and the first practice of it gives the demonstration: whence it came to pass, that the Orator, after
after form needles' pains in the explanation of the two foregoing Orders, betaking himself to exemplify the same, found the work done to his hand; for the Tribe, as eager upon a business of this nature, had retain'd one of the Surveyors, out of whom (before the Orator arriv'd) they had got the whole Mystery by a stolen Mutter, at which in order to the Ballot they had made certain Magistrates pro tempore. Wherefore he found not only the Pavilion (for this time a Tent) erected with three Posts supplying the place of Pillars to the Urns; but the Urns being prepar'd with a just number of Balls for the first Ballot, to become the Field, and the occasion very gallantly, with their Covers made in the manner of Helmets, open at either ear to give passagio to the hands of the Ballotants, and fashioning with noble Plumes to direct the March of the People. Wherefore he proceeded to

10. Order.  

The tenth ORDER, requiring of the Deputies of the Parishes, That upon every Monday next ensuing the last of February, they make their personal appearance, Horse and Foot in Arms accordingly, at the Rendezvous of the Tribe; where being in Discipline, the Horse upon the right, and the Foot upon the left, before the Pavilions, and having made Oath by holding up their hands upon the tender of it by the Lord High Sheriff, to make Election without favour, and of such only as they shall judge fittest for the Commonwealth: The Conductor shall take three Balls, the one inscrib'd with these words [outward Files] another with these words [middle Files] and the third with these [middle Files] which Balls be shall cast into a little Urn, and present it to the Lord High Sheriff, who, drawing one, shall give the words of Command, as they are therupon inscrib'd, and the Ballot shall begin accordingly. For example, if the Ball be inscrib'd middle Files, the Ballot shall begin by the middle; that is, the two Files that are middle to the Horse, shall draw out first to the Horse Urn, and the two Files that are middle to the Foot, shall draw out first to the Foot Urn, and be follow'd by all the rest of the Files as they are next to them in order. The like shall be done by the inward, or by the outward Files, in case they be first call'd. And the Files, as every Man has drawn his Ball, if it be Silver, shall begin at the Urn to countermarch to their places; but he that has drawn a Gold Ball as a side Urn, shall proceed to the middle Urn, where if the Ball be drawn be Silver, he also shall countermarch: But if it be Gold, he shall take his place upon a form set crofs the Pavilion, with his face toward the Lord High Sheriff, who shall be seated in the middle of the Pavilion, with certain Clerks by him, one of which shall write down the names of every Elector, that is, of every one that drew a Gold Ball at the middle Urn, and in the order his Ball was drawn, till the Electors amount to six in number. And the first six Electors, Horse and Foot promiscuously, are the first Order of Electors; the second six (still accounting them as they are drawn) the second Order; the third six, the third Order; and the fourth six, the fourth Order of Electors: every Elector having place in his order, according to the order wherein he was drawn. But so soon as the first Order of Electors is complete, the Lord High Sheriff shall send them with a Copy of the following Lift, and a Clerc that understands the Ballot, immediately to a little Tent standing before the Pavilion in his eye, to which no other Person but themselves, during the Election, shall approach. The Lift shall be written in this manner:

Anno
The List of the Prime Magnitude or first days Election of Magistrats.

1. The Lord High Sheriff, Commander in Chief of the Tribe of Nubia, containing at this preent Master 700 Horse, and 1500 Foot, in all 2200 Deputies.

AND the Electors of the first hand or order, being six, shall each of them name to his respective Magistracy in the left such as are not already elected in the Hundreds, till one Competitor be chosen to every Magistracy in the List by the Ballot of the Electors of the first Order; which done, the List with the Competitors therunto annex'd shall be return'd to the Lord High Sheriff by the Clerc attending that Order, but the Electors shall keep their places: for they have already given their Suffrage, and may not enter into the Ballot of the Tribe. If there arises any Dispute in an Order of Electors, one of the Conforrs or Sub-conforrs appointed by them in case they be Electors, shall enter into the Tent of that Order; and that Order shall stand to his Judgment in the decision of the Controversy. The like shall be done exactly by each other Order of Electors, being sent as they are drawn, each with another Copy of the same List, into a distinct Tent, till there be return'd to the Lord High Sheriff four Competitors to every Magistracy in the List; that is to say, one Competitor elected to every Office in every one of the four Orders: which Competitors the Lord High Sheriff shall cause to be pronounced or read by a Cryer to the Congregation; and the Congregation having heard the whole Lists repeated, the Names shall be put by the Lord High Sheriff to the Tribe, one by one, beginning with the first Competitor in the first Order, thence proceeding to the first Competitor in the second Order, and so to the first in the third and fourth Orders. And the Suffrages being taken in boxes by boys (as has bin already shewn) shall be pour'd into the Bowls standing before the Conforrs, who shall be seated at each end of the Table in the Pavillion, the one numbering the Affirmatives, and the other the Negatives; and he, of the four Competitors to the first Magistracy, that has most above half the Suffrages of the Tribe in the Affirmative, is the first Magistrat. The like is to be don successively by the rest of the Competitors in their order. But because soon after the Boxes are sent out for the first name, there be others sent out for the second, and so for the third, &c. by which means divers names are successively at one and the same time in ballotting; the Boy that carries a Box shall sing or repeat continually the name of the Competitor for whom that Box is carrying, with that also of the Magistracy to which he is propos'd. A Magistrat of the Tribe happening to be an Elector, may substitute any one of his own Order to execute his other Function. The Magistrats of the Prime Magnitude being thus elected, shall receive the present Charge of the Tribe.

IF it be objected against this Order, that the Magistrats to be elected by it, will be Men of more inferior rank than those of the Hundreds, in regard that those are chosen first; it may be remem-ber'd,
ber'd, that fo were the Burgesses in the former Government, nevertheles the Knights of the Shire were Men of greater quality: And the Election at the Hundred is made by a Council of Electors, of whom lets cannot be expected than the discretion of naming Perfons fitteft for thofe Capacities, with an ey upon thofe to be elected at the Tribe. As for what may bee objected in point of Difficulty, it is demontrable by the foregoing Orders, that a Man might bring ten thousand Men (if there were occasion) with as much care, and as suddenly to perform the Ballot, as he can make five thousand Men (drawing them out by double Files) to march a quarter of a mile. But because at this Ballot, to go up and down the Field, distributing the linen Pellets to every Man, with which he is to ballot or give suffrage, would lofe a great deal of time, therafore a Mans Wife, his Daughters, or others, make him his provision of Pellets before the Ballot; and he comes into the field with a matter of a score of them in his pocket. And now I have as good as don with the port. The next is

11. Order.

THE eleventh ORDER, explaining the Dutys and Functions of the Magiftrats contain'd in the List of the Prime Magnitude: And thofe of the Hundreds, beginning with the Lord High Sheriff, who, over and above his more ancient Offices, and thofe added by the former Order, is the fift Magifrat of the Phylarch, or Prerogative Trop. The Lord Lieutenant, over and above his Duty mention'd, is Commander in Chief of the Masters of the Youth, and second Magifrat of the Phylarch. The Cuflos Rotulorum is to return the yearly Master-rolls of the Tribe, as well that of the Youth as of the Elders, to the Rolls in Emporium, and is the third Magifrat of the Phylarch. The Censors by themfelves, and their Subcensors, that is, the Overseers of the Parifhes, are to fee that the refpective Laws of the Ballot be obferv'd in all the popular Assemblys of the Tribe. They have power also to put such National Ministers, as in Preaching fhall intermediate with matters of Government, out of their Livings; except the Party appeals to the Phylarch, or to the Council of Religion, where in that cafe the Censors fhall prosecute. All and every one of thofe Magiftrats, together with the Justices of Peace, and the Jurymen of the Hundreds, amounting in the whole number to threefcore and fix, are the Prerogative Trop or Phylarch of the Tribe.

THE Function of the Phylarch or Prerogative Trop is fivefold.

FIRST, They are the Council of the Tribe, and as such to govern the Masters of the fame according to the foregoing Orders, having cognizance of what has paff in the Congregation or Elections made in the Parifhes or the Hundreds, with power to punish any undue practices, or variation from their refpective Rules and Orders, under an Appeal to the Parliament. A Marriage legitimately is to be pronounce'd by the Parochial Congregation, the Master of the Hundred, or the Phylarch. And if a Tribe have a defire (which they are to express at the Master by their Captains, every Trop by his own) to petition the Parliament, the Phylarch, as the Council, fhall frame the Petition in the Pavilion, and propose it by Caujes to the Ballot of the whole Tribe; and the Caujes that fhall be affirme'd by the Ballot of the Tribe, and sign'd by the hands of the fix Magiftrats of the Prime Magnitude, fhall be receiv'd and eftreme'd by the Parliament as the Petition of the Tribe, and no other.

SECOND-
SECONDLY, The Phylarch has power to call to their assistance what other Troops of the Tribe they please (be they Elders or Youth, whose Discipline will be hereafter directed) and with these to receive the Judges Itinerant in their Circuits, whom the Magistrates of the Phylarch shall assent upon the Bench, and the Jyrs elsewhere in their proper functions according to the more antient Laws and Customs of this Nation.

THIRDLY, The Phylarch shall hold the Court call'd the Quarter Sessions according to the antient Customs, and therein shall also hear Causes in order to the protection of Liberty of Conscience, by such Rules as are or shall hereafter be appointed by the Parliament.

FOURTHLY, All Commissions, iss'd into the Tribes by the Parliament, or by the Chancery, are to be directed to the Phylarch, or some of that Troop, and executed by the same respectively.

FIFTHLY, In the case of Leys of Mony the Parliament shall tax the Phylarchs, the Phylarchs shall tax the Hundreds, the Hundreds the Parishes, and the Parishes shall levy it upon themselves. The Parishes having levy'd the Tax Mony, accordingly shall return it to the Officers of the Hundreds, the Hundreds to the Phylarchs, and the Phylarchs to the Exchequer. But if a man has ten Children living, he shall pay no Taxes; if he has five living, he shall pay but half Taxes; if he has bin marry'd three years, or be above twenty five years of Age, and has no Child or Children lawfully begotten, he shall pay double Taxes. And if there happen to grow any dispute upon these or such other Orders as shall or may hereafter be added hereafter, the Phylarchs shall judge the Tribes, and the Parliament shall judge the Phylarchs. For the rest, if any man shall go about to introduce the right or power of Debate into any popular Council or Congregation of this Nation, the Phylarch or any Magistrate of the Hundred, or of the Tribe, shall cause him presently to be sent in custody to the Council of War.

THE part of the Order relating to the Rolls in Emporium being of singular use, is not unworthy to be somewhat better open'd. In what manner the Lifts of the Parishes, Hundreds, and Tribes are made, has been shewn in their respective Orders, where after the Partys are elected, they give an account of the whole number of the Elders or Deputies in their respective Assemblies or Musters: the like for this part exactly is done by the Youth in their Discipline (to be hereafter shewn) wherefore the Lifts of the Parishes, Youth and Elders, being sum'd up, give the whole number of the People able to bear Arms; and the Lifts of the Tribes, Youth and Elders, being sum'd up, give the whole number of the People bearing Arms. This account, being annually recorded by the Master of the Rolls, is call'd the Pillar of Niles, because the People being the Riches of the Commonwealth, as they are found to rise or fall by the degrees of this Pillar, like that River, give an account of the public Harvest.

THUS much for the Description of the first days work at the Muster, which happen'd, as has been shewn, to be done as soon as said: for as in practice it is of small difficulty, so requires it not much time, seeing the great Council of Venice, consisting of a like number, begins at twelve of the Clock, and elects nine Magistrates in one Afternoon. But the Tribe being dismiss'd for this night, repair'd to their Quarters, under the conduct of their new Magistrates. The next morning returning into the field very early, the Orator proceeded to
THE twelfth ORDER, directing the Master of the Tribe in the second days Election, being that of the Lift call'd the Galaxy; in which the Censors shall prepare the Urns according to the Directions given in the ninth Order for the second Balloes; that is to say, with 36 Gold Balls in the middle Urn, making four Orders, and nine Electors in every Or- der, according to the number of the Magistrats in the Lift of the Galaxy, which is as follows:

1. Knight] to be chosen out of the Horse.
2. Knight
3. Deputy to be chosen out of the Horse.
4. Deputy
5. Deputy
6. Deputy
7. Deputy
8. Deputy
9. Deputy

THE rest of the Balloes shall proceed exactly according rothst of the first day. But forasmuch as the Commonwealth demands as well the fruits of a man's body as of his mind, be that has not bin marry'd shall not be capable of these Magistrats till he be marry'd. If a Deputy, already chosen to be an Officer in the Parish, in the Hundred, or in the Tribe, be afterwards chosen in the Galaxy, it shall be lawful for him to delegat his Office in the Parish, in the Hundred, or in the Tribe, to any one of his own Order, being not already chosen into Office. The Knights and Deputies being chosen, shall be brought to the head of the Tribe by the Lord High Sheriff, who shall administer to them this Oath; Ye shall well and truly observe and keep the Orders and Customs of this Commonwealth which the People have chosen. And if any of them shall refuse the Oath, be shall be rejected, and that Competor which had the most voices next shall be call'd in his place; who if he takes the Oath shall be entred in the Lift; but if he also refuses the Oath, he who had most voices next shall be call'd, and so till the number of nine out of those Competors which had most voices be sworn Knights and Deputies of the Galaxy. [This Clause, in regard of the late Divisions, and to the end that no violence be offer'd to any mans Conscience, to be of force but for the first three years only.] The Knights of the Galaxy being elected and sworn, are to repair, by the Monday next infusing the last of March, to the Pantheon or Palace of Justice, situated in the Metropolis of this Commonwealth (except the Parliament, by reason of a contagious Sick- nes, or some other occasion, has adjourn'd to another part of the Nation) where they are to take their places in the Senate, and continue in full Power and Commission as Senators for the full term of three years next infusing the date of their Election. The Deputies of the Galaxy are to repair by the same day (except as before excepted) to the Hallo situated in Empori- um, where they are to be lifted of the Prerogative Tribe, or equal Repr- entative of the People; and to continue in full Power and Commission as their Deputies for the full term of three years next infusing their Elec- tion. But forasmuch as the term of every Magistrat or Office in this Commonwealth requires an equal vacation, a Knight or Deputy of the Galaxy,
Galaxy, having fulfilled his term of three years, shall not be reelected into the same Galaxy, or any other, till he has also fulfilled his three years vacation.

Whoever shall rightly consider the foregoing Orders, will be as little able to find how it is possible, that a worshipful Knight should declare himself in Ale and Beef worthy to serve his Country, as how my Lord High Sheriff's Honor, in case he were protected from the Law, could play the knave. But tho' the foregoing Orders, so far as they regard the Constitution of the Senat and the People, requiring no more as to an ordinary Election than is therein explain'd, that is but one third part of their Knights and Deputies, are perfect; yet must we in this place, and as to the Institution, of necessity erect a Scaffold. For the Commonwealth to the first creation of her Councils in full number, required thrice as many as are eligible by the foregoing Orders. Wherefore the Orator, whose aid in this place was most necessary, rightly informing the People of the reason, laid them two days longer at the Mutter, and took this course. One Lift containing two Knights and seven Deputies, he caus'd to be chosen upon the second day; which Lift being call'd the first Galaxy, qualify'd the Party elected of it with power for the term of one year and no longer: another Lift containing two Knights and seven Deputies more, he caus'd to be chosen the third day, which Lift being call'd the second Galaxy, qualify'd the Party elected of it with Power for the term of two years and no longer. And upon the fourth day he chose the third Galaxy, according as it is directed by the Order, impower'd for three years; which Lifts successively falling (like the Signs or Constellations of one Hemisphere, which setting, cause those of the other to rise) cast the great Orbs of this Commonwealth into an annual, triennial, and perpetual Revolution.

The business of the Mutter being thus happily finish'd, Hermes de Caduceo, Lord Orator of the Tribe of Nubia, being now put into her first Rapture, caus'd one of the Centors Pulpits to be planted in front of the Squadron, and ascending into the same, spake after this manner.

My Lords, the Magistrats and the People of the Tribe of Nubia.

We have this day solemniz'd the happy Nuptials of the two greatest Princes that are upon the Earth or in Nature, Arms and Councils: in the mutual Embraces wherof consiifts your whole Commonwealth; whose Councils upon their perpetual Wheelings, Marches, and Counter marches, create her Armies; and whose Armies with the golden Volleys of the Ballot at once create and salute her Councils. There be those (such is the World at present) that think it ridiculous to see a Nation exercising its Civil Functions in Military Discipline; while they, committing their Buff to their Servants, com themselves to hold Trenchards. For what avails it such as are unarmed, or (which is all one) whose Education acquaints them not with the proper use of their Swords, to be call'd Citizens? What were two or three thousand of you, tho' never so well affected to your Country, but naked, to one Troop of
Mercenary Soldiers? If they should come upon the Field and say, Gentlemen, It is thought fit that such and such Men should be chosen by you; where were your Liberty? Or, Gentlemen, Parliaments are exceeding good, but you are to have a little patience, these times are not so fit for them; where were your Commonwealth? What causes the Monarchy of the Tyres but Servants in Arms? What was it that begot the glorious Commonwealth of Rome, but the Sword in the hands of her Citizens? Wherefore my glad eyes salute the Serenity and Brightness of this day with a showr that shall not cloud it. Behold the Army of Israel become a Commonwealth, and the Commonwealth of Israel remaining an Army, with her Rulers of Tens and of Fiftys, her Rulers of Hundreds and Thouands, drawing near (as this day throw out our happy Fields) to the Lot by her Tribes, increased above threefold, and led up by her Phylarchs or Princes, to fit upon fifty Thrones, judging the fifty Tribes of Oceana! Or, Is it Ancient, breaking from her Iron Sepulcher, where she has bin so long trampled by Hofts of Janizarys? For certainly that is the voice of Theseus, having gather'd his scatter'd Athenians into one City.

† This freeborn Nation lives not upon the Dole or Bounty of one man, but distributing her annual Magistracies and Honors with her own hand, is her self King PEOPLE—(at which the Orator was a while interrupted with shout's, but at length proceeded)—Is it grave Lacedemon in her arm'd Tribe divided by her Oba and her Mora, which appears to chide me that I teach the People to talk, or conceive such Language as is dreft like a Woman, to be a fit Usher of the Joys of Liberty into the hearts of men? Is it Rome in her victorious Arms (for so he held her Concio or Congregation) that congratulats with us, for finding out that which she could not hit on, and binding up her Comitia Curiata, Centuriata, and Tributa, in one inviolable League of Union? Or is it the Great Council of incomparable Venice, bowing forth by the self same Ballot her immortal Commonwealth? For, neither by Reason nor by Experience is it impossible that a Commonwealth should be immortal; seeing the People being the Materials, never dy; and the Form, which is Motion, muft, without opposition, be endless. The Bowl which is thrown from your hand, if there be no rub, no impediment, shall never ceafe: for which caufe the glorious Luminaries that are the Bowls of God, were once thrown for ever; and next thefe, those of Venice. But certainly, my Lords, whatever these great Examples may have shewn us, we are the fift that have shewn to the World a Commonwealth eftablish'd in her rife upon fifty fuch Towers, and fo garnizon'd as are the Tribes of Oceana, containing a hundred thousand Elders upon the annual Lift, and yet but an Out-guard; besides her marching Armys to be equal in the Disciplin, and in the number of her Youth.

AND forasmuch as Soverain Power is a neceffary but a formidable Creature, not unlike the Poudre which (as you are Soldiers) is at once your Safety and your Danger, being subject to take fire

* Sellis Carulibus.
† ———Hae juris fii
   Fustere Domino Civitas uni sagrat:
   Rex ipsa Populus annuis mandat Vices
   Honoris huiu ilive——.
against you as well as for you; how well and securely is she by your
Galaxy's so collected as to be in full force and vigor, and yet so distri-
buted that it is impossible you should be blown up by your own Mag-
azine? Let them who will have it, that Power if it be confin'd
cannot be Soverain, tell us, whether our Rivers do not enjoy a more
secure and fruitful Reign within their proper banks, than if it were
lawful for them, in ravaging our Harvests, to spill themselves?
Whether Souls, not confin'd to their peculiar Bodys, do govern them
any more than those of Witches in their Trances? Whether Power,
not confin'd to the bounds of Reason and Virtue, has any other
bounds than those of Vice and Passion? Or if Vice and Passion be
boundless, and Reason and Virtue have certain Limits, on which of
these Thrones holy men should anoint their Soverain? But to blow
away this duff, The Soverain Power of a Commonwealth is no more
bounded, that is to say confined, than that of a Monarch; but is
balanc'd. The Eagle mounts not to her proper pitch, if she be
bound; nor is free, if she be not balanc'd. And left a Monarch
should think he can reach further with his Scepter, the Roman Eagle
upon such a Balance spread her Wings from the Ocean to Euphrates.
Receive the Soverain Power; you have receiv'd it, hold it fast, im-
brace it for ever in your shining Arms. The virtue of the Loadstone
is not impress'd or limited, but receives strength and nourishment by
being bound in Iron. And so giving your Lordships much Joy, I
take my leave of this Tribe.

The Orator descendent, had the period of his Speech made with a
vaft applause and exultation of the whole Tribe, attending him for that
night to his quarter, as the Phyarch with form commanded Troops did
the next day to the Frontiers of the Tribe, where leave was taken on
both sides with more Tears than Grief.

So, a Tribe is the third Division of Land occasion'd by the third
Collection of the People, whose Functions proper to that place are
contain'd in the five foregoing Orders.

The Institution of the Commonwealth was such as needed those
Props and Scaffolds which may have troubled the Reader; but I shall
here take them away, and come to the Constitution which stands by
itself, and yields a clearer prospect.

The motions, by what has bin already shewn, are Spherical; and
Spherical Motions have their proper Center: for which cause (c're I
proceed further) it will be necessary, for the better understanding of
the whole, that I discover the Center wherupon the Motions of this
Commonwealth are form'd.

The Center, or Basis of every Government, is no other than the
Fundamental Laws of the same.

Fundamental Laws are such as state what it is that a
Man may call his own, that is to say, Property; and what the Means
be whereby a Man may enjoy his own, that is to say, Protection. The
first is also call'd Dominion, and the second Empire or Soverain Power,
wherof this (as has bin shewn) is the natural product of the former;
for such as is the Balance of Dominion in a Nation, such is the nature
of its Empire.

Wherefore the Fundamental Laws of Oceana, or the Center
of this Commonwealth, are the Agrarian and the Ballot: The Agrar-
ian
rian by the Balance of Dominion preserving Equality in the Root; and the Ballot by an equal Rotation conveying it into the Branch, or Exercice of Soverain Power: As, to begin with the former, appears by

13. Order. THE thirteenth ORDER, constituting the Agrarian Laws of Oceana, Marpefia and Panopea, whereby it is ordained, First, for all such Lands as are lying and being within the proper Territories of Oceana, that every Man who is at present possesse, or shall hereafter be possesse of an Estate in Land exceeding the Revenue of two thousand Pounds a year, and having more than one Son, shall leave his Lands either equally divided among them, in case the Lands amount to above 2000 l. a year to each; or so near equally in case they com under, that the greater part or portion of the same remaining to the eldest, exceed not the value of two thousand Pounds Revenue. And no man, not in present possession of Lands above the value of two thousand Pounds by the year, shall receive, enjoy (except by lawful Inheritance) acquire, or purchase to himself Lands within the said Territories, amounting, with those already in his possession, above the said Revenue. And if a man has a Daughter, or Daughters, except be an Heirress, or they be Heiresses, he shall not leave or give to any one of them in Marriage or otherwise, for her Portion, above the value of one thousand five hundred Pounds in Lands, Goods, and Monys. Nor shall any Friend, Kinman, or Kinwoman, add to her or their Portion or Portions that are so provided for, to make any one of them greater. Nor shall any man demand, or have more in marriage with any Woman. Nevertheless an Heirress shall enjoy her lawful Inheritance, and a Widow, whatsoever the Bounty or Affection of her Husband shall bequeath to her, to be divided in the first Generation, wherein it is divisible according as has been shown.

SECONDLY, For Lands lying and being within the Territories of Marpefia, the Agrarian shall hold in all parts as it is established in Oceana, except only in the Standard or Proportion of Estates in Land, which shall be fixed for Marpefia at five hundred Pounds. And,

THIRDLY, For Panopea, the Agrarian shall hold in all parts, as in Oceana. And whatsoever possess[in] above the proportion allowed by these Laws, shall be lawfully convicted of the same, shall forfeit the Overplus to the use of the State.

AGRARIAN Laws of all others have ever bin the greatest Bug-bears, and so in the Institution were these, at which time it was ridiculous to see how strange a fear appear'd in every body of that which, being good for all, could hurt no body. But instead of the proof of this Order, I shall out of those many Debates that happen'd ere it could be past, insert two Speeches that were made at the Council of Legislators, the first by the Right Honorable Philautus De Garbo, a young Man, being Heir apparent to a very Noble Family, and one of the Counsellors, who express'd himself as follows.

May
May it please your Highness, my Lord Archon of Oceana.

"IF I did not, to my capacity, know from how profound a Councellor I dissent, it would certainly be no hard task to make it as light as the day: First, That an Agrarian is altogether unnecessary. Secondly, That it is dangerous to a Commonwealth. Thirdly, That it is insufficient to keep out Monarchy. Fourthly, That it ruins Families. Fifthly, That it destroys Industry. And last of all, that tho it were indeed of any good use, it will be a matter of such difficulty to introduce in this Nation, and so to settle that it may be laeting, as is altogether invincible.

"FIRST, That an Agrarian is unnecessary to a Commonwealth, what clearer Testimony can there be, than that the Commonwealths which are our Cotemporarys (Venice, to which your Highness gives the upper hand of all Antiquity, being one) have no such thing? And there can be no reason why they have it nor, seeing it is in the Soverain Power at any time to establish such an Order, but that they need it not; wherfore no wonder if Aristotle, who pretends to be a good Commonwealthsman, has long since derided Phales, to whom it was attributed by the Greeks, for his invention.

"SECONDLY, That an Agrarian is dangerous to a Commonwealth is affirm'd upon no flight Authority, seeing Machiavel is positive, that it was the Diffension which happen'd about the Agrarian that caus'd the Destruction of Rome; nor do I think that it did much better in Lacedemon, as I shall shew anon.

"THIRDIY, That it is insufficient to keep out Monarchy cannot without impiety be deny'd, the holy Scriptures bearing witness, that the Commonwealth of Israel, notwithstanding her Agrarian, submitted her neck to the arbitrary Yoke of her Princes.

"FOURTHLY, Therefore to come to my next Affertion, That it is destructive to Families; this also is so apparent, that it needs pity rather than proof. Why, alas, do you bind a Nobility (which no Generation shall deny to have bin the first that freely sacrifice'd their Blood to the antient Libertys of this People) on an unholy Altar? Why are the People taught, That their Liberty, which, except our noble Ancestors had bin born, must have long since bin bury'd, cannot now be born except we be bury'd? A Commonwealth should have the innocence of the Dove. Let us leave this purchase of her Birth to the Serpent, which eats it self out of the womb of its Mother.

"FIFTHLY, But it may be said, perhaps, that we are fallen from our first Love, becom proud and idle. It is certain, my Lords, that the hand of God is not upon us for nothing. But take heed how you admit of such assaulds and fallys upon Mens Estates, as may flacken the Nerve of Labor, and give others also reason to believe that their Sweat is vain; or els, whatsoever be pretended, your Agrarian (which is my Fifth Affertion) muft indeed destroy Industry. For, that so it did in Lacedemon is most apparent, as also that it could do no otherwife, where every Man having his 40 Quarters of Barly, with Wine proportionable, supply'd him out of his
his own Lot by his Laborer or Helot; and being confirm'd in that to the scantling above which he might not live, there was not any such thing as a Trade, or other Art, except that of War, in exercite. Wherfore a Spartan, if he were not in Arms, must sit and play with his fingers, whence inuit'd perpetual War, and, the Estate of the City being as little capable of increase as that of the Citizens, her inevitable Ruin. Now what better ends you can propose to your selves in the like ways, I do not so well see as I perceive that there may be worfe: For Lacedemon yet was free from Civil War: But if you imploy your Citizens no better than she did, I cannot promise you that you shall fare so well, because they are still deinous of War that hope it may be profitable to them; and the strongest Security you can give of Peace, is to make it gainful. Otherwife Men will rather chufe that whereby they may break your Laws, than that whereby your Laws may break them. Which I speake not so much in relation to the Nobility or such as would be holding, as to the People or them that would be getting; the passion in these being so much the stronger, as a Man's felicity is weaker in the fruition of things, than in their prosecution and increase.

TRUELY, my Lords, it is my feare, that by taking of more hands, and the beft from Industry, you will further indamge it, than can be repair'd by laying on a few, and the worft; while the Nobility must be forc'd to fend their Sons to the Plow; and, as if this were not enough, to marry their Daughters alfo to Farmers.

SIXTHLY, But I do not see (to com to the laft point) how it is possible that this thing should be brought about, to your good I mean, tho' it may to the destruktion of many. For that the Agrarian of Israel, or that of Lacedemon might stand, is no such miracle; the Lands, without any confideration of the former Proprietor, being survey'd and caft into equal Lots, which could neither be bought, nor fold, nor multiply'd: so that they knew whereabout to have a Man. But in this Nation no fuch Division can be introduc'd, the Lands being already in the hands of Proprietors, and fuch whose Estates ly very rarely together, but mix'd one with another; being alfo of Tenures in nature fo different, that as there is no experience that an Agrarian was ever introduc'd in fuch a cafe, so there is no appearance how, or reafon why it should: but that which is againft Reafon and Experience is impossible.

THE cafe of my Lord Philautus was the moft concern'd in the whole Nation; for he had four younger Brothers, his Father being yet living to whom he was Heir of ten thoufand Pounds a year. Wherfore being a Man both of good Parts and Efeeme, his Words wrought both upon Mens Reafon and Passions, and had born a Stroke at the head of the busineses, if my Lord Archon had not interpos'd the Buckler in this Oration.

My Lords, the Legislators of Oceana.

"MY Lord Philautus has made a thing which is easy to seem hard; if the Thanks were due to his Eloquence, it would be worthy of less praise, than that he ows it to his Merit, and
and the Love he has most deservedly purchas'd of all Men: nor is
it rationally to be fear'd, that he who is so much beforehand in his
privat, should be in arrrear in his public Capacity. Wherefore my
Lord's tendernefs throw out his Speech arising from no other Prin-
ciple than his Solicitude left the Agrarian should be hurtful to his
Country; it is no less than my duty to give the best satisfaction I am
able to fo good a Patriot, taking every one of his Doubts in the Or-
der propos'd. And,

"FIRST, Whereas my Lord, upon observation of the modern
Commonwealths, is of opinion, that an Agrarian is not necessary:
It must be confest, that at the first sight of them there is som
appearance favoring his Affertion, but upon Accidents of no prece-
dent to us. For the Commonwealths of Switzerland and Holland, I
mean of those Leagues, being situated in Countrys not alluring the In-
habitants to Wantonness, but obliging them to universal Industry,
have an implicit Agrarian in the nature of them: and being not ob-
nnoxious to a growing Nobility (which, as long as their former
Monarchy's had spread the wing over them, could either not at all
be hatch'd, or was soon broken) are of no example to us, whose
Experience in this point has bin to the contrary. But what if even
in thefe Governments there be indeed an explicit Agrarian? For
when the Law commands an equal or near equal distrifution of a
Man's Eftate in Land among his Children, as it is don in those
Countrys, a Nobility cannot grow; and fo there needs no Agrar-
ian, or rather there is one. And for the growth of the Nobility
in Venice (if fo it be, for Macchiavel observes in that Re-
public, as a caufe of it, a great mediocrity of Eftates) it is not a
point that flie is to fear, but mightf study, feeing the conflits of no-
thing else but Nobility; by which, whatever their Eftates fluck from
the People, espeffially if it coms equally, is digefted into the better
Blood of that Commonwealth, which is all, or the greatefl benefi
they can have by accumulation. For how inequal foever you will
have them to be in their Incomes, they have Officers of the Pomp,
to brin them equal in expences, or at leaff in the offentation or fiew
of them. And fo unlefs the advantage of an Eftate conflits more
in the meafeure than in the use of it, the Authority of Venice dos
but inforfe our Agrarian; nor shall a Man evade or elude the Prud-
dence of it, by the Authority of any other Commonwealth. For
if a Commonwealth has bin introduce'd at once, as thofe of Israel
and Laedemon, you are certain to find her underlaid with this as the
main Foundation; nor, if fhe is oblig'd more to Fortune than Prud-
dence, has fhe rais'd her head without mufing upon this manner, as
appears by that of Athens, which thro' her defect in this point, says
Aristotle, introduce'd her Ofraction, as moft of the Demo-
cracy's of Greece. But, not to refrain a Fundamental of fuch la-
titude to any one kind of Government, do we not yet fee, that if
there be a fole Landlord of a vaft Territory, he is the Tare? That
if a few Landlords overbalance a populous Country, they have fore
of Servants? That if a People be in an equal balance, they can have
no Lords? That no Government can otherwife be erected, than
upon fom one of thefe Foundations? That no one of thefe Foun-
dations (each being elfe apt to change into fom other) can give
any security to the Government, unlefs it be fix'd? That thro' the
I want
want of this fixation, potent Monarchys and Commonwealths have "falln upon the heads of the People, and accompany’d their own sad "Ruins with vast effusions of innocent Blood? Let the Famine, as was "the merit of the antient Nobility of this Nation, be equal to, or "above what has bin already said, or can be spoken; yet have we "seen not only their Glory, but that of a Throne, the most indulgent "to, and leaf advovcive for so many Ages upon the Liberty of a People "that the World has known, throu the mere want of fixing her foot "by a proportionable Agrarian upon her proper Foundation, to have "falln with such horror, as has bin a Spectacle of Affrontment to the "whole Earth. And were it well arg’d from one Calamity, that "we ought not to prevent another? Nor is Aristotle so good "a Commonwealthman for deriding the invention of Phaleas, as "in recollecting himself, where he says, That Democracies, when a "less part of their Citizens overtop the rest in Wealth, degenerat "into Oligarchys and Principalities: and, which comes nearer to the "present purpose, that the greater part of the Nobility of Tarantum "coming accidentally to be ruin’d, the Government of the Few came "by consequence to be chang’d into that of the Many. "THESE things consider’d, I cannot see how an Agrarian, as "to the fixation or security of a Government, can be less than necessa- "ry. And if a Cure be neccessary, it excuses not the Patient, his "Disease being otherwise desperat, that it is dangerous; which was "the case of Rome, not so stated by Machiavel, where he "says, That the strife about the Agrarian caus’d the Destruction of that "Commonwealth. As it when a Senator was not rich (as Crassus "held) except he could pay an Army, that Commonwealth could "expect nothing but Ruin, whether in strife about the Agrarian, or "without it. * Of late, says Livy, Riches have introduc’d Avarice; "and voluptuos Pleasures abounding, have thro Lust and Luxury "begot a desire of blasting and destroying all good Orders. If the greatest "Security of a Commonwealth consist in being provided with the "proper Antidote against this Poison, her greatest danger must be "from the abstinence of an Agrarian, which is the whole truth of the "Roman example. For the Lacones, I shall refer the farther explication of it, as my Lord also did, to another place: and first see "whether an Agrarian proportion’d to a popular Government be "sufficient to keep out Monarchy. My Lord is for the Negative, "and fortify’d by the People of Israel electing a King. To which I "say, That the Action of the People therein expresst is a full Answer to "the Objection of that Example: For the Monarchy neither grew "upon them, nor could, by reason of the Agrarian, possibily have "invaded them, if they had not.pull’d it upon themselves by the "election of a King. Which being an Accident, the like wherof is "not to be found in any other People so planted, nor in this, till, as it "is manifest, they were given up by God to infatuation (for says he "to Samuel, They have not rejected thee, but they have rejected Me, "that I should not reign over them) has somthing in it which is ap- "parent, by what went before, to have bin besides the course of Na- "ture, and by what follow’d. For the King having no other Foun- "

* Nuper divitie avaritiam, & abundantes voluptates desiderium, per luxum atque libidinem, percosendi perpendendiqve omnia invisce. Liv. in Prof. dation
OCEANA.

dation than the Calamities of the People, so often beaten by their E-
"nemy's, that despairing of themselves, they were contented with a-
ny change; if he had Peace as in the days of SOLOMON, left but
a slippery Throne to his Successor, as appear'd by REHOBOAM.
And the Agrarian, notwithstanding the Monarchy thus introduc'd,
so faithfully preferv'd the Root of that Commonwealth, that it
shot forth oftner, and by intervals continu'd longer than any other
Government, as may be computed from the Institution of the same
by JOSHUA, 1465 years before CHRIST, to the total disfollution
of it, which happen'd in the Reign of the Emperor ADEIAN,
135 years after the Incarnation. A People planted upon an equal
Agrarian, and holding to it, if they part with their Liberty, must
do it upon good will, and make but a bad title of their Bounty. As
to instance yet further in that which is propos'd by the present Or-
der to this Nation, the Standard whereof is at 2000 l. a year: The
whole Territory of Oceana being divided by this proportion, a-
mounts to 5000 Lots. So the Lands of Oceana being thus distribut-
ed, and bound to this Distribution, can never fall to fewer than five
thousand Proprietors. But five thousand Proprietors so seiz'd will
not agree to break the Agrarian, for that were to agree to rob one
another; nor to bring in a King, because they must maintain him,
and can have no benefit by him; nor to exclude the People, because
they can have as little by that, and must spoil their Militia. So the
Commonwealth continuing upon the balance propos'd, tho' it should
come into five thousand hands, can never alter; and that it should
ever come into five thousand hands, is as improbable as any thing in
the World that is not altogether impossible.

"MY Lords, other Considerations are more privat: As that this
Order defroys Familys; which is as if one should lay the ruins of
from antient Cattle to the Herbs which usuall grow out of them;
the destruction of those Familys being that indeed which naturally
produce this Order. For we do not now argue for that which
we would have, but for that which we are already possess'd of;
as would appear, if a note were but taken of all such as have at
this day above two thousand Pounds a year in Oceana. If my Lord
should grant (and I will put it with the most) that they who are
Proprietors in Land, exceed this proportion, exceed not three
hundred; with what brow can the Interest of so few be balance'd
with that of the whole Nation? or rather, what Interest have
they to put in such a Balance? They would live as they have bin ac-
custom'd to do; Who hinders them? They would enjoy their E-
states; who touches them? They would dispose of what they have
according to the Interest of their Family: It is that which we de-
fire. A Man has one Son; let him be call'd: Would he enjoy his
Father's Estate? It is his, his Son's, and his Son's after him.
A Man has five Sons; let them be call'd: Would they enjoy their
Father's Estate? It is divided among them: for we have four Votes
for one in the same Family, and therefore this must be the Interest of
the Family, or the Family knows not its own Interest. If a Man
shall dispose otherwise, he must draw his Arguments from Custom,
and from Greatnes, which was the Interest of the Monarchy, not
of the Family: and we are now a Commonwealth. If the Mo-
narchy could not bear with such Divisions because they tended to a

P 2 " Com-
"Commonwealth; neither can a Commonwealth connive at such Acc-
ulations, because they tend to a Monarchy. If the Monarchy
might make bold with so many for the good of one, we may make
bold with one for the good of so many; nay, for the good of all.
My Lords, it comes into my mind, that which upon occasion of the
variety of Parties enumerated in our late Civil Wars, was said by a
Friend of mine coming home from his Travels, about the latter
end of those Troubles; That he admir'd how it came to pass, that
younger Brothers, especially being so many more in number than
their Elder, did not unite as one man against a Tyranny, the like
whereof has not bin exercised in any other Nation. And truly,
when I consider that our Countrymen are none of the worst natur'd,
I must confess I marvel much how it comes to pass, that we should
use our Children as we do our Puppys; take one, lay it in the lap,
feed it with every good bit, and drown five: nay yet worse;
forasmuch as the Puppys are once drowned, whereas the Children are
left perpetually drowning. Really, my Lords, it is a flinty Cui-
scum! And all this for his cruel Ambition, that would raife himself a
Pillar, a golden Pillar for his Monument, tho he has Children, his
own reviving Fleth, and a kind of Immortality. And this is that
Interest of a Family, for which we are to think ill of a Govern-
ment that will not indure it. But quiet your selves: The Land thro
which the River Nilos wanders in one stream, is barren; but where
it parts into feven, it multiplies its fertile shores by distributing, yet
keeping and improving such a Propriety and Nutrition, as is a pru-
dent Agrarian to a wellorder'd Commonwealth.

"N O R (to com to the fifth Affertion) is a political Body render'd
any fitter for Industry, by having one gouty and another wither'd
Leg, than a natural. It tends not to the improvement of Mer-
chandize that there be som who have no need of their Trading, and
others that are not able to follow it. If Confinement discourages
Industry, an Eftate in Mony is not confin'd; and left Industry
should want wherupon to work, Land is not ingroft or intail'd
upon any man, but remains at its devotion. I wonder whence the
computation can arise, that this should discourage Industry. Two
thousand Pounds a year a man may enjoy in Oceanas, as much in
Panopea, five hundred in Marpea: There be other Plantations, and
the Commonwealth will have more. Who knows how far the
Arms of our Agrarian may extend themselves? and whether he
that might have left a Pillar, may not leave a Temple of many
Pillars to his more pious Memory? Where there is som measure in
Riches, a man may be rich; if you will have them to be in-
finite, there will be no end of starving himself, and wanting what he
has: and what pains dos such a one take to be poor! Furthermore,
if a man shall think that there may be an Industry left grafy, or
more noble, and so cast his thoughts upon the Commonwealth,
he will have leisure for her, and the Riches and Honors for him;
his Sweat shall smell like Alexan der's. My Lord Phi-
la tus is a young Man, who enjoying his ten thousand Pounds
a year, may keep a noble House in the old way, and have homely
Guests; and having but two, by the means propos'd, may take the
upper hand of his great Ancestors; with reverence to whom, I
may say, there has not bin one of them would have disputed his
place
place with a Roman Consul. My Lord, do not break my heart; the Nobility shall go to no other Shows than those from which we call our Consuls. But, says he, it having bin so with Lacedemon, that neither the City nor the Citizens were capable of incense, a blow was given by that Agrarian, which ruin'd both. And what are we concern'd with that Agrarian, or that blow, while our Citizens and our City (and that by our Agrarian) are both capable of increafe? The Spartan, if he made a Conquest, had not Citizens to hold it; the Oceaner will have enow: the Spartan could have no Trade, the Oceaner may have all. The Agrarian in Laconia, that it might bind on Knapfacs, forbidding all other Arts but that of War, could not make an Army of above 30,000 Citizens. The Agrarian in Ocean provides us in the fifth part of the Youth an annual Source or fresh Spring of 100,000, besides our Provincial Auxiliaries, out of which to draw marching Armies; as many Elders, not feeble, but men of good will, are the flower of their Age, and in Arms for the defence of our Territories. The Agrarian in Laconia banish'd Mony, this multiplies it: That allow'd a matter of twenty or thirty Acres to a man; this two or three thousand: There is no comparison between them. And yet I differ so much from my Lord, or his Opinion that the Agrarian was the ruin of Lacedemon, that I hold it no less than demonstrable to have bin her main support. For if, banishing all other diversions, it could not make an Army of above 30,000; then letting in other diversions, it must have broken that Army. Wherefore Lyxander bringing in the golden spoils of Athens, irrecoverably ruin'd that Commonwealth; and is a warning to us, that in giving encouragement to Industry, we also remember, that Covetousness is the root of all Evil. And our Agrarian can never be the cause of those Seditions threaten'd by my Lord, but the proper cure of them, as Lucan notes well in the State of Rome before the Civil Wars, which happen'd thro the want of such an Antidote.

Why then are we mistaken, as if we intended not equal advantages in our Commonwealth to either Sex, because we would not have Women's Fortunes confin'd in that metal, which expostes them to Curpeties? If a man cuts my Purse, I may have him by the heels, or by the neck for it; whereas a man may cut a woman's purse, and have her for his pains in fetters. How brutish, and much more than brutish, is that Commonwealth, which prefers the Earth before the Fruits of her Womb? If the People be her Treasure, the staff by which she is sustain'd and comforted, with what Justice can she suffer them, by whom she is most inrich'd, to be for that cause the most impoverish'd? And yet we fee the Gifts of God, and the Bountys of Heaven in fruitful Families, thro this wretched custom of marrying for Mony, become their inturable grief and poverty. Nor falls this so heavy upon the lower sort, being better able to shifit for themselves, as upon the Nobility or Gentry. For what avails it in this case, from whence their Veins have deriv'd their

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* Hinc uifera vorgae, rapidumque in rempor Fainus
* Hinc concusla fides, & multa usile bellum.

" Blood"
Blood; while they shall see the Tallow of a Chandler sooner converted into that Beauty which is requir'd in a Bride? I appeal, whether my Lord *Philautus* or my self be the Advocate of Nobility; against which in the case propos'd by me, there would be nothing to hold the balance. And why is a Woman, if she may have but fifteen hundred pounds, undone? If she be unmarr'd, what Nobleman allows his Daughter in that case a greater Revenu, than for much Money may command? And if she marry, no Nobleman can give his Daughter a greater portion than she has. Who is hurt in this case? no, who is not benefited? If the Agrarian gives us the sweat of our brows without diminution; if it prepares our Table, if it makes our Cup to overflow; and above all this, in providing for our Children, anoints our Heads with that Oil which takes away the greatest of worldly cares; what man, that is not besotted with a Covetousness as vain as endless, can imagin such a Constitution to be his Poverty? seeing where no woman can be considerable for her portion, no portion will be considerable with a woman; and so his Children will not only find better preferments without his Brocage, but more freedom of their own Affections. We are wonderful feverous in Laws, that they shall not marry without our consent; as if it were care and tenderness over them: But is it not, left we should not have the other thousand Pounds with this Son, or the other hundred Pounds a year more in Jointure for that Daughter? These, when we are crost in them, are the Sins for which we water our couch with tears, but not of Penitence; seeing whereas it is a mischief beyond any that we can do to our Enemies, we persift to make nothing of breaking the affection of our Children. But there is in this Agrarian a Homage to pure and spotless Love, the consequencewhereof. I will not give for all your Romances. An Alderman makes not his Daughter a Countess till he has given her 20000l. nor a Romance a considerable Mistris till she be a Princess; these are Characters of bastard Love. But if our Agrarian excludes Ambition and Covetousness, we shall at length have the care of our own breed, in which we have bin curious as to our Dogs and Horses. The Marriage-Bed will be truly legitimat, and the Race of the Commonwealth not ptorious.

"But (impar magnanimis auit, imparque dolori) I am hir'd from all my hopes by my Lords last affirmtion of Impossibility, that the Root from whence we imagin these Fruits, should be planted or thrive in this Soil. And why? because of the mixture of Estates, and variety of Tenures. Nevertheless, there is yet extant in the Exchequer an old Survey of the whole Nation; wherof such a thing is not impossible. Now if a new Survey were taken at the present rates, and the Law made, that no man should hold hereafter as much Land as is valuer'd therin at 2000l. a year, it would amount to a good and sufficient Agrarian. It is true, that there would remain some difficulty in the different kind of Rents, and that is a matter requiring not only more leisurse than we have, but an Authority which may be better able to bow men to a more general Consent, than is to be wrought out of them by such as are in our capacity. Wherfore, as to the manner, it is necessary that we refer it to the Parliament; but as to the matter, they cannot otherwise fix their Government upon the right Balance."
I SHALL conclude with a few words to some parts of the Order, which my Lord has omitted. As first to the Consequences of the Agrarian to be settled in Marpesia, which irreparably breaks the Aristocracy of that Nation; being of such a nature, as standing, it is not possible that you should govern. For while the People of that Country are little better than the Cattel of the Nobility, you must not wonder if according as these can make their Markets with foreign Princes, you find those to be driven upon your Grounds. And if you be so tender, now you have it in your power, as not to hold a hand upon them that may prevent the slaughter which must otherwise infuse in like cafes, the Blood will ly at your door. But in holding such a hand upon them, you may settle the Agrarian; and in settling the Agrarian, you give that People not only Liberty, but Lands; which makes your Protection necessary to their Security; and their Contribution due to your Protection, as to their own Safety.

FOR the Agrarian of Panopea, it allowing such proportions of good Land, men that conceive themselves straiten'd by this in Oceana, will begin there to let themselves forth, where every Citizen will in time have his Villa. And there is no question, but the improvement of that Country by this means must be far greater than it has bin in the best of former times.

I HAVE no more to say, but that in those antient and heroic Ages (when men thought that to be necessary which was virtuous) the Nobility of Athens having the People so much ingag'd in their debt, that there remain'd no other question among these, than which of those should be King, no sooner heard Solon speak than they quitted their Debts, and refor'd the Commonwealth; which ever after held a solemn and annual Feast call'd the Sisachthia, or Recision, in memory of that Action. Nor is this example the Phenix; for at the institution by Lycurgus, the Nobility having Estates (as ours here) in the Lands of Laconis, upon no other valuable consideration than the Commonwealth propos'd by him, threw them up to be parcel'd by his Agrarian. But now when no man is defin'd to throw up a farthing of his Mony, or a Shovel full of his Earth, and that all we can do is but to make a virtue of necessity; we are disputing whether we should have Peace or War: For Peace you cannot have without some Government, nor any Government without the proper Balance. Wherfore if you will not fix this which you have, the rest is Blood, for without Blood you can bring in no other.

BY these Speeches made at the Institution of the Agrarian, you may perceive what were the Grounds of it. The next is

THE fourteenth ORDER, constituting the Ballot of Venice, as it is fitted by several Alterations, and appointed to every Assembly, to be the constant and only way of giving Suffrage in this Commonwealth, according to the following Scheme.
I SHALL endeavor by the preceding Figure to demonstrate the Manner of the *VENETIAN BALLOT* (a thing as difficult in discourse or writing, as facil in practice) according to the use of it in *Oceana*. The whole Figure represents the Senate, containing, as to the House or form of sitting, a square and a half; the Tribunal at the upper end being ascended by four steps. On the uppermost of these fits the Magistrats that constitute the Signory of the Commonwealth, that is to say, A the Strategus; B the Orator; C the three Commissioners of the Great Seal; D the three Commissioners of the Treasury, wherof one, E, exerces for the present the Office of a Censor at the middle Urn F.

To the two upper steps of the Tribunal answer G G. G G. the two long Benches next the Wall on each side of the House; the outwardmost of which are equal in height to the uppermost step, and the innermost equal in height to the next. Of these four Benches consists the first Seat; as the second Seat consists in like manner of those four Benches H H. H H. which being next the Floor, are equal in height to the two innermost steps of the Throne. So the whole House is distributed into two Seats each consisting of four Benches.

This distribution causes not only the greater conveniency, as will be shewn, to the Senators in the exercise of their Function at the Ballot, but a greater grace to the aspect of the Senate. In the middle of the outward benches stand I. I. the chairs of the Censors, those being their ordinary places, tho upon occasion of the Ballot they descend, and sit where they are shewn by K K. at each of the outward Urns L L. Those M M. that sit with their Tables, and the Bowls N N. before them, upon the half space or second step of the Tribunal from the floor, are the Clerks or Secretaries of the House. Upon the short Seats O O. on the floor (which should have bin represented by Woolfacks) sit P the two Tribuns of the House; Q the two Tribuns of the Foot; and R R R R. the Judges: all which Magistrats are Assilants, but have no suffrage. This posture of the Senate consider'd, the Ballot is perform'd as follows.

FIRST, whereas the gold Balls are of several futes, and accordingly mark'd with several Letters of the Alphabet, a Secretary presents a little Urn (wherin there is one Ball of every fute or mark) to the Strategus and the Orator; and look what Letter the Strategus draws, the same and no other is to be us'd for that time in the middle Urn F; the like for the Letter drawn by the Orator is to be observ'd for the side Urns L L. that is to say, if the Strategus drew a Ball with an A, all the gold Balls in the middle Urn for that day are mark'd with the Letter A; and if the Orator drew a B, all the gold Balls in the side Urn for that day are mark'd with the Letter B: which don immediately before the Ballot, and so the Letter unknown to the Ballotants, they can use no fraud or juggling; otherwise a man might carry a gold Ball in his hand, and feem to have drawn it out of an Urn. He that draws a gold Ball at any Urn, delivers it to the Censor or Assessor of that Urn, who views the Character, and allows accordingly of his Lot.

THE Strategus and the Orator having drawn for the Letters, the Urns are prepar'd accordingly by one of the Commissioners and the two
two Cenfors. The preparation of the Urns is after this manner. If the Senate be to elect, for example, the Lift call'd the Tropic of Magiftrats, which is this;

1. The Lord STRATEGUS;
2. The Lord ORATOR;
3. The third COMMISSIONER of the Great Seal;
4. The third COMMISSIONER of the Treasury;
5. The first CENSOR;
6. The second CENSOR;

This Lift or Schedule consists of six Magiftrats, and to every Magiftracy there are to be four Competitors, that is, in all four and twenty Competitors propos'd to the House. They that are to propose the Competitors are call'd Electors, and no Elector can propose above one Competitor: wherfore for the proposing of four and twenty Competitors you must have four and twenty Electors; and whereas the Ballot consists of a Lot and of a Suffrage, the Lot is for no other use than for the designation of Electors, and he that draws a gold Ball at the middle Urn is an Elector. Now, as to have four and twenty Competitors propos'd, you must have four and twenty Electors made; so to have four and twenty Electors made by lot, you must have four and twenty gold Balls in the middle Urn; and these (because otherwise it would be no Lot) mix'd with a competent number of Blanks, or silver Balls. Wherfore to the four and twenty gold Balls cast fix and twenty silver ones, and those (reckoning the Blanks with the Prizes) make fifty Balls in the middle Urn. This done (because no man can come to the middle Urn that has not first drawn a gold Ball at one of the side Urns) and to be sure that the Prizes or gold Balls in this Urn be all drawn, there must come to it fifty persons: therefore there must be in each of the side Urns five and twenty gold Balls, which in both come to fifty; and to the end that every Senator may have his Lot, the gold Balls in the side Urns are to be made up with Blanks equal to the number of the Ballotants at either Urn: for example, the House consisting of 300 Senators, there must be in each of the side Urns 125 Blanks and 25 Prizes, which come in both the side Urns to 300 Balls. This is the whole Mystery of preparing the Urns, which the Cenfors having skill to do accordingly, the rest of the Ballot, whether the parties balloting understand it or no, must of necessary consequence come right; and they can neither be out, nor fall into any confusion in the exercise of this Art.

But the Ballot, as I said, is of two parts, Lot and Suffrage, or the Proposition and Result. The Lot determines who shall propose the Competitors; and the Result of the Senat, which of the Competitors shall be the Magiftrats. The whole, to begin with the Lot, proceeds in this manner.

The first Secretary with an audible Voice reads first the Lift of the Magiftrats to be chosen for the day; then the Oath for fair Election, at which the Senators hold up their hands; which down, another Secretary presents a little Urn to the Strategus, in which are four Balls, each of them having one of these four Inscriptions: FIRST SEAT AT THE UPPER END. FIRST SEAT AT THE LOWER END. SECOND SEAT AT THE UPPER END.
END. SECOND SEAT AT THE LOWER END, and look which of them the Strategus draws, the Secretary pronouncing the Inscription with a loud Voice, the Seat so call'd comes accordingly to the Urns: this in the Figure is the SECOND SEAT AT THE UPPER END. The manner of their coming to the side Urns is in double Files, there being two holes in the cover of each side Urn, by which means two may draw at once. The Senators therefore SS, SS. are coming from the upper end of their Seats HH, HH, to the side Urns L, L. The Senators T T, T are drawing. The Senator V has drawn a gold Ball at his side Urn, and is going to the middle Urn F, where the Senator W having don the like at the other side Urn, is already drawing. But the Senators X X, X X, having drawn Blanks at their side Urns, and thrown them into the Bowls Y, Y, standing at the feet of the Urns, are marching by the lower end into their Seats again; the Senator a having don the like at the middle Urn, is also throwing his blank into the Bowl b, and marching to his Seat again: for a man by a prize at a side Urn gains no more than right to com to the middle Urn, where if he draws a Blank, his Fortune at the side Urn comes to nothing at all; wherefore he also returns to his place. But the Senator c has had a Prize at the middle Urn, where the Commissioner having viewed his Ball, and found the mark to be right, he marches up the steps to the Seat of the Electors, which is the form a fet crois the Tribunal, where he places himself according as he was drawn with the other Electors eee drawn before him. These are not to look back, but fit with their Faces towards the Signory or State, till their number amount to that of the Magistrates to be that day chosen, which for the present, as was shewn, are six; wherefore six Electors being made, they are reckon'd according as they were drawn: First, second, third, fourth, fifth, sixth, in their Order; and the first six that are chosen are the FIRST ORDER OF ELECTORS.

THE first Order of Electors being made, are conducted by a Secretary, with a copy of the Lift to be chosen, out of the Senate, and into a Committee or Council-Chamber, being neither suffer'd by the way, nor in their room (till the Ballot be ended) to have conference with any but themselves; wherefore the Secretary, having given them their Oath that they shall make Election according to the Law and their Confidence, delivers them the Lift, and seats himself at the lower end of the Table with his Pen and Paper, while another Secretary keeps the Door.

By such time as the first Order of Electors are thus seated, the second Order of Electors is drawn, who with a second Copy of the same Lift are conducted into another Committee-Chamber, by other Secretaries performing the same Office with the former.

THE like exactly is don by the third and by the fourth Orders (or Hands, as the Venetians call them) of Electors; by which means you have the four and twenty Electors divided according to the four Copies of the same Lift, by six, into four Hands or Orders; and every one of these Orders names one Competitor to every Magistracy in the Lift; that is to say, the first Elector names to the first Magistracy, the second Elector to the second Magistracy, and so forth. But tho the Electors, as has bin shewn, are chosen by mere lot, yet the Competitors by them nam'd are not chosen.
fen by any Lot, but by the Suffrage of the whole Order: For example; The first Elector in the first Order proposeth a Name to be Strategus, which Name is balloted by himself and the other five Electors; and if the Name so balloted attain not to above half the Suffrages, it is laid aside, and the first Elector names another to the same Magistracy; and so in case this also fails, another, till one he has named, whether it be himself, or some other, has attained to above half the Suffrages in the affirmative; and the name so attaining to above half the Suffrages in the Affirmative is written to the first Magistracy in the Lift by the Secretary; which being done, the second Elector of the first Order names to the second Magistracy till one of his nomination be chosen to the same. The like is done by the rest of the Electors of the first Order, till one Competitor be chosen, and written to every Magistracy in their Lift. Now the second, third, and fourth Orders of Electors doing exactly after the same manner, it comes to pass that one Competitor to every Magistracy being chosen in each Order, there be in all four Competitors chosen to every Magistracy.

If any Controversy arises in an Order of Electors, one of the Senators (these being at this game the Groomsmen) is advertised by the Secretary, who brings him in, and the Electors disputing are bound to acquiesce in his Sentence. For which cause it is that the Senators do not ballot at the Urns; the Signory also abstains, lest it should deform the House: whereas the Blanks in the side Urns are by so many the fewer. And so much for the Lot, which is of the greater Art but less Consequence, because it concerns Proposition only: But all (except the Tribuns and the Judges, which being but Attendants have no Suffrage) are to ballot at the Result, to which I now come.

The four Orders of Electors having perfected their Lifts, the face of the House is changed: for the Urns are taken away, and every Senator and Magistrat is seated in his proper place, having the Electors, who, having given their Suffrages already, may not sit out of their chambers, till the House have given theirs, and the rest of the Ballot be performed; which follows in this manner.

The four Lifts being presented by the Secretary of each Council of Electors to the Signory, are first read, according to their Order, to the House with an audible Voice; and then the Competitors are put to the Ballot or Suffrage of the whole Senate in this manner: A. A. nam'd to be Strategus in the first Order; wherupon eight Ballotins or Pages, such as are express'd by the Figures А. А. take eight of the Boxes represented, the rudest, by the Figures Г. Г. and go four on the one, and four on the other side of the House, that is, one to every Bench, singin' A. A. nam'd to be the Strategus in the first Order: and every Magistrat and Senator (beginning by the Strategus and the Orator first) holds up a little Pellet of Linen, as the Box passes, between his Finger and his Thumb, that men may see he has but one, and then puts it into the same. The Box consisting in the inner part of two Boxes, being painted on the outside white and green, to distinguish the Affirmative from the Negative side, is so made, that when your hand is in it, no man can see to which of the sides you put the Suffrage, nor hear to which it falls, because the Pellet being Linen, makes no noise. The Strategus and the Orator having begun, all the rest do the like.

The Ballotins having thus gathered the Suffrages, bring them
before the Signory, in whose presence the outward Boxes being open'd, they take out the inner Boxes, wherof the Affirmative is white, and the Negative green, and pour the white into the Bowl N on the right hand, which is white also, and the green into the Bowl N on the left, which is also green. These Bowls or Balons (better represented at the lower end of the Figure by b. l.) being upon this occasion set before the Tables of the Secretaries at the upper end N. N. the white on the right hand, and the green on the left, the Secretaries on each side number the Balls: by which if they find that the Affirmatives amount not to above one half, they write not the Name that was balloted; but if they amount to above one half, they write it, adding the number of above half the Suffrages to which it attain'd. The first name being written, or laid aside, the next that is put is B. B. nam'd to be Strategus in the second Order; the third C. C. nam'd to be Strategus in the third Order; the fourth D. D. nam'd to be Strategus in the fourth Order: and he of thefe four Competitors that has most above half in the Affirmative, is the Magistrat; or if none of them attain to above half, the nomination for that Magistracy is to be repeated by such new Electors as shall be chosen at the next Ballot. And so, as is exemplify'd in the first Magistracy, proceeds the Ballot of the reft; first in the first, then in the second, and so in the third and fourth Orders.

NOW whereas it may happen that A. A. (for example) being nam'd Strategus in the first Order, may also be nam'd to the fame or from one or more other Magistracies in one or more of the other Orders; his name is first balloted where it is first written, that is, to the more worthy Magistracy, whereof if he misses, he is balloted as it com's in course for the next, and so for the reft, if he misses of that, as often as he is nam'd.

And because to be nam'd twice, or oftener, whether to the fame or from other Magistracy, is the stronger recommendation; the note must not fail to be given upon the name, at the proposition, in this manner; A. A. nam'd to be Strategus in the first, and in the second Order; or A. A. nam'd to be Strategus in the first and the third; in the first and the fourth, &c. But if he be nam'd to the fame Magistracy in the first, second, third, and fourth Orders, he can have no Competitor; wherefore attaining to above half the Suffrages, he is the Magistrat. Or thus: A. A. nam'd to be Strategus in the first, to be Canfor in the second, to be Orator in the third, and to be Commissioner of the Seal in the fourth Order, or the like in more or fewer Orders: In which cases if he misses of the first Magistracy, he is balloted to the second; if he misses of the second, to the third; and if he misses of the third, to the fourth.

THE Ballot not finifh'd before Sunfet, tho' the Election of the Magistrats already chosen be good, voids the Election of such Competitors as being chosen are not yet finifh'd with Magistracies, as if they had never bin nam'd (for this is no Jugling Box, but an Art that must see the Sun) and the Ballot for the remaining Magistracies is to be repeated the next day by new Orders of Electors, and such Competitors as by them shall be elected. And so in the like manner, if of all the names propos'd to the same Magistracy, no one of them attains to above half the Suffrages in the Affirmative.

THE Senatorian Ballot of Oceanu being thus describ'd, those of the Parish, of the Hundred, and of the Tribe, being so little different, that in this they are all contain'd, and by this may be easily understood,
are yet fully describ'd, and made plain enough before in the 5th, 6th, 7th, 8th, 9th, and 10th Orders.

THIS therefore is the general Order, whence those branches of the Ballot, from wherof you have already seen, are deriv'd; which, with those that follow, were all read and debated in this place at the Institution, When my Lord EPHIMONUS DE GARRULA, being one of the Counsellors, and having no farther patience (tho' the Rules were compos'd by the Agent of this Commonwealth, refiding for that purpose at Venice) than to hear the direction for the Parishes, stood up and made way for himself in this manner.

May it please your Highness, my Lord ARCHON.

UNDER correction of Mr. PEREGRIN SPY, our very learned Agent and Intelligencer, I have seen the World a little, Venice, and (as Gentlemen are permitted to do) the Great Council balloting. And truly I must needs say, that it is for a dumb fowle the goodliest that I ever beheld with my eyes. You should have somewould take it ill, as if the noble Venetians thought themselves too good to speak to strangers, but they observ'd them not so narrowly. The truth is, they have nothing to say to their Acquaintance; or Men that are in Council here would have Tongues: For a Council, and not a word spok'en in it, is a contradiction. But there is such a pudder with their marching and countermarching, as, tho' never a one of them draw a sword, you would think they were training; which till I found that they did it only to entertain strangers, I came from among them as wife as I went thither. But in the Parliament of Ocean, you had no Balls, nor Dancing, but sober Conversation; a man might know and be known, shew his parts, and improve 'em. And now if you take the advice of this same fellow, you will spoil all with his whimsies. Mr. Speaker,—Cry you mercy, my Lord ARCHON, I mean; Set the wisest man of your House in the Great Council of Venice, and you will not know him from a fool. Wheres nothing is more certain, than that flat and dull fellows in the judgment of all such as we'd to keep company with them before, upon election into our House, have immediately chittered like Barly in the fat, where it acquires a new Spirit, and flow'd forth into Language, that I am as confident as I am here, if there were not such as delight to abuse us, is far better than TULLY's; Or, let any body but translate one of his Orations, and speak it in the House, and see if every body do not laugh at him. This is a great matter, Mr. Speaker; they do not cant it with your Booklearning, your Orbs, your Centers, your prime Magnitudes, and your Nebulones, things I profest that would make a sober man run stark mad to hear 'em; while we, who should be considering the Honor of our Country, and that it goes now or never upon our hand, whether it shall be ridicule to all the World, are going to Nineholes, or trow Madam for our businesses, like your dumb Venetian, whom this same Sir Politic your Refident, that never saw him do any thing but make faces, would insnare into you, at this distance, to have the only knack of State. Wheras if you should take the pains, as I have don, to look a little nearer, you would find these same wonderful things
things to be nothing else but mere natural Fopperys, or Capricios, as they call them in Italian, even of the meanest of that Nation. For, put the case you be travelling in Italy, ask your Contadino, that is, the next Country fellow you meet, som quetion, and presently he ballots you an answver with a nod, which is affirmative; or a shake with his head, which is the negative box; or a shrug with his shoulder, which is the Boffolo di non sinceri.—Good! You will admire S A N D S for telling you, that Grotta di Case is a Miracle: and I shall be laugh'd at for asuring you, that it is nothing else but such a damp (contin'd by the neighborhood of certain Sulphur Mines) as tho accidental heat dos somtimes happen in our Coalpits. But Ingratitude must not discourag an honest man from doing good. There is not, I say, such a tonguey'd Generation under Heaven as your Italian; that you should not wonder if he makes signs. But our People must have somthing in their Diurnals, we must ever and anon be telling 'em our minds; or if we be at it when we raise Taxes, like thofe Gentlemen with the finger and the thumb, they will swear that we are Cutoffers.—Com, I know what I have heard 'em say, when som men had mony that wrought hard enough for it; and do you conceive they will be better pleas'd when they shall be told, that upon like occasions you are at munchance or foolball? I do not speak for my self; for tho I shall always acknowledge, that I got more by one years fitting in the House, than by my three years Travels, it was not of that kind. But I hate that this same S P Y, for pretending to have play'd at Billiards with the most Serene Commonwealth of Venice, should make such fools of us here, when I know that he must have had his intelligence from som Corncutter upon the Rialta; for a noble Venetian would be hang'd if he should keep such a fellow company. And yet if I do not think he has made you all dore, never trust me, my Lord A R C H O N is somtimes in such strange Raptures. Why, good my Lord, let me be heard as well as your Apple Squire; Venice has freth blood in her Cheeks, I must confefs, yet she is but an old Lady. Nor has he pick'd her Cabinet; there he sends you are none of her Recete I can assure you, he bought them for a J u l i o at St. M a r c e s of a Mountebank. She has no other wash, upon my knowlege, for that same envy'd Complexion of hers but her M a r s b e i , being a little better fcented, faving your presence, than a Chamberpot. My Lords, I know what I say, but you will never have don with it, That neither the Great Turse, nor any of those little Turses her Neighbors, have bin able to spoil her! Why you may as well wonder that Weefels do not suck eggs in Swans neafs. Do you think that it has lain in the devotion of her Beads; which you that have puk'd so much at Popery, are now at length releav'd shall conference M. Parson, and be drop'd by every one of his Congregation, while those fame whimsical Intelligences your Surveyors (you will break my heart) give the turn to your p r i m u m m o b i l e ? and so I think they will; for you will find, that Mony is the p r i m u m m o b i l e , and they will turn you thus out of som three or four hundred thousand Pounds: a pretty Sum for Urns and Balls, for Boxes and Pills, which these fame Quacksalvers are to administer to the Parishes; and for what Difeafe I marvel! Or how dost it work? Out cons a Constable, an Overseer, and a Churchwarden! M r. Speaker, I am amaz'd!
NEVER was there Goose so stuck with Lord as my Lord EPI-
MONUS's Speech with Laughter; the ARCHON having much
ado to recover himself, in such manner as might unable him to return
these thanks.

"I

N your whole lives, my Lords, were you never entertain'd
with so much Inguinity; my Lord EPI-MONUS having at
once mended all the faults of Travellers. For, first, whereas
they are abominable liars, he has not told you (except som mal-
tious body has misinform'd him concerning poor SPY) one syllable
of falshood. And, secondly, whereas they never fail to give the
upper hand in all their Discourses to faried Nations, still jostling their
own into the kennel; he bears an Honor to his Country that
will not dissolve in Cephalonia, nor be corrupted with Figs
and Melons, which I can assure you is no ordinary obligation.

And thencefore hold it a matter of public concern, that we be no
occasion of quenching my Lord's Affections; nor is there any
such great matter between us, but in my opinion might be easily
reconcili'd: for tho that which my Lord gain'd by sitting in the
House, I stedfastly believe, as he can affirm, was got fairly;
yet dare I not, nor do I think, that upon consideration he will
promise so much for other Gamesters, especially when they were
at it so high, as he intimats not only to have bin in ufe, but to
be like enough to com about again. Wherfore, say I, let them
throw with boxes; for unlefs we will be below the Politics of
an ordinary, there is no such bar to cogging. It is known to
his Lordship, that our Game is moft at a throw, and that every
cast of our Dice is in our Suffrages; nor will he deny, that partiality
in a Suffrage is downright cogging. Now if the Venetian Boxes be
the moft soverain of all Remedy's against this same cogging, is it not
a strange thing that they should be thrown first into the fire by
a fair Gamester? Men are naturally subject to all kinds of Pax-
ions: Som you have that are not able to withstand the brow
of an Enemy; and others that make nothing of this, are lefs
proof against that of a Friend. So that if your Suffrage be bare-
face'd, I dare say you shall not have one fair cast in twenty. But
whatever a man's fortune be at the box, he neither knows whom
to thank, nor whom to challenge. Wherfore (that my Lord may
have a charitable opinion of the choice Affection which I confefs
to have, above all other Beauties, for that of incomparable Venice)
there is in this way of Suffrage no less than a demonstration that
it is the moft pure: and the purity of the Suffrage in a popular Go-
vernment is the Health, if not the Life of it; seeing the Soul is no
otherwise breath'd into the Sovereign Power, than by the Suffrage
of the People. Wherfore no wonder if POSTELLUS be of
opinion, that this ufe of the Ball is the very fame with that
of the Bean in Athens; or, that others, by the Text concerning
ELDAD and MEDAD, derive it from the Commonwealth of Is-
rael. There is another thing, tho not so material to us, that my
Lord will excuse me if I be not willing to yield, which is, that Ve-
nice subsists only by her Situation. It is true, that a man in time of
War may be more secure from his Enemies by being in a Citadel,
but not from his Diseases: wherfore the first cause, if he lives long,
is his good Constitution, without which his Citadel were to little purpole; and it is not otherwise with Venice.

WITH this Speech of the Archon I conclude the proof of the Agrarian, and the Ballot, being the Fundamental Laws of this Commonwealth; and com now from the Center to the Circumferences or Orbs, wherof som have bin already shewn: As how the Parishes annually pour themselves into the Hundreds, the Hundreds into the Tribes, and the Tribes into the Galaxys; the Annual Galaxy of every Tribe consisting of two Knights and seven Deputies, whereof the Knights constitute the Senat; the Deputies, the Prerogative Tribe, commonly call'd the People; and the Senat and People constitute the Sovereign Power, or Parliament of Oceana. Wherefore to shew what the Parliament is, I must first open the Senat, and then the Prerogative Tribe.

TO begin with the Senat, of which (as a Man is differently represented by a Pictureedraver, and by an Anatomist) I shall first discover the Face or Aspect, and then the Parts, with the use of them. Every Monday morning in the Summer at seven, and in the Winter at eight, the great Bell in the Clockhouse at the Pantheon begins, and continues ringing for the space of one hour; in which time the Magistrats of the Senat, being attended according to their Quality, with a respective number of the Ballots, Doorkeepers, and Messengers; and having the Ensigns of their Magistracys born before them, as the Sword before the Strategus, the Mace before the Orator, a Mace with the Seal before the Commissioners of the Chancery, the like with the Purse before the Commissioners of the Treasury; and a Silver Wand, like those in use with the Universtys, before each of the Censores, being Chancellors of the same. These with the Knights, in all three hundred, assemble in the Houfe or Hall of the Senat.

The Houfe or Hall of the Senat, being situated in the Pantheon or Palace of Justice, is a Room consisting of a Square and a half. In the middle of the lower end is the Door; at the upper end hangs a rich State overshadowing the greater part of a large Throne, or half pace of two Stages; the first ascended by two steps from the floor, and the second about the middle rising two steps higher. Upon this stand two Chairs, in that on the right hand sits the Strategus, in the other the Orator, adorn'd with Scarlet Robes, after the fashion that was us'd by the Dukes in the Aristocracy. At the right end of the upper Stage stand three Chairs, in which the three Commissioners of the Seal are plac'd; and at the other end sit the three Commissioners of the Treasury, every one in a Robe or Habit like that of the Earls. Of these Magistrats of this upper Stage consists the Signory. At either end of the lower Stage stands a little Table, to which the Secretaries of the Senat are set with their tufted Sleeves in the habit of civil Lawyers. To the four steps, whereby the two Stages of the Throne are ascended, answer four long Benches, which successively deriving from every one of the steps, continue their respective height, and extend themselves by the side Walls towards the lower end of the Houfe, every Bench being divided by numeral Characters into the thirty seven parts or places. Upon the upper benches sit the Censores in the Robes of Barons; the first in the middle of the right hand bench, and the second directly opposite to him on the other side. Upon the rest of the Benches sit the Knights, who if they be call'd to the Urns, distributing
themselves by the Figures, com in equal files, either by the first Seat, which consists of the two upper Benches on either side; or by the second Seat, consisting of the two lower Benches on either side: beginning alfo at the upper, or at the lower ends of the fame, according to the Lot whereby they are called; for which end the Benches are open, and ascended at either end with easy stairs and large paffages. The rest of the Ballot is conformable to that of the Tribe; the Centrors of the House sitting at the side Urns, and the youngest Magiftrat of the Signory at the middle: the Urns being plac'd before the Throne, and prepared according to the number of the Magiftrats to be at that time chozen by the Rules already given to the Centrors of the Tribes. But before the Benches of the Knights on either side flands one being shorter; and at the upper end of this fit the two Tribuns of the Horfe. At the upper end of the other, the two Tribuns of the Foot in their Arms; the rest of the Benches being cover'd by the Judges of the Land in their Robes. But these Magiftrats have no Suffrage, nor the Tribuns, tho they derive their presence in the Senat from the Romans; nor the Judges, tho they derive theirs from the antient Senat of Oceana. Every Monday this Assembly fits of course; at other times, if there be occafion, any Magiftrat of the House by giving order for the Bell, or by his Lictor or Ensignbearer, calls a Senat. And every Magiftrat or Knight during his Session has the Title, Place, and Honor of a Duke, Earl, Baron, or Knight, respectively. And every one that has born the fame Magiftracy by his third Session, has his respective Place and Title during the term of his life, which is all the Honor confer'd by this Commonwealth, except upon the Master of the Ceremonys, the Master of the Horfe, and the King of the Heralds, who are Knights by their places. And thus you have the face of the Senat, in which there is scarce any Feature that is not Roman or Venetian; nor do the Horns of the Crescent extend themselves much unlike those of the Sanhedrim, on either hand of the Prince, and of the Father of that Senat. But upon Beauty, in which every Man has his phanfy, we will not otherwise philosophize than to remember that there is somthing more than decency in the Robe of a Judg, that would not be well fpar'd from the Bench; and that the graviest Magiftrat, to whom you can commit the Sword of Justice, will find a quickness in the Spurs of Honor, which if they be not laid to Virtue, will lay themselves to that which may rout a Commonwealth.

To com from the Face of the Senat, to the Constitution and Use of the Parts: It is contain'd in the peculiar Orders. And the Orders which are peculiar to the Senat, are either of Election or Infruction.

ELECTIONS in the Senat are of three forts, Annual, Biennial, and Extraordinary.

ANNUAL Elections are perform'd by the Schedule call'd the Tropic: And the Tropic consists of two parts; the one containing the Magiftrats, and the other the Councils to be yearly elected. The Schedule or Tropic of the Magiftrats is as follows in

THE fifteenth ORDER, requiring, That upon every Monday next ensuing the left of March, the Knights of the Annual Galaxies taking their places in the Senat, be call'd the third Region of the fame; and that the House having dismiss the first Region, and received the third, proceed to election of the Magiftrats contain'd in the first part of the Tropic, by the ensuing Schedule:
The Lord Strategus;
The Lord Orator,
The first Censor,
The second Censor,
The third Commissioner of the Seal,
The third Commissioner of the Treasury,

\{ Annual Magistrats. \}

\{ Triennial Magistrats. \}

THE Annual Magistrats (provided that no one Man bears above one of those Honors during the term of one Session) may be elected out of any Region. But the Triennial Magistrats may not be elected out of any other than the third Region only, lest the term of their Session expire before that of their Honor; and (it being unlawful for a Man to bear Magistracy any longer than he is thereto qualified by the Election of the People) cause a Fraction in the Rotation of this Commonwealth.

THE Strategus is first President of the Senate, and General of the Army, if it be commanded to march; in which case there shall be a second Strategus elected to be first President of the Senate, and General of the second Army; and if this also be commanded to march, a third Strategus shall be chosen; and so on, as long as the Commonwealth sends forth Armies.

THE Lord Orator is the second and more peculiar President of the Senate, to whom it appertains to keep the House to Orders.

THE Censors, whose first by consequence of his Election is Chancellor of the University of Clio, and the second of that of Calliope, are Presidents of the Council for Religion and Magistrats, to whom it belongs to keep the House to the order of the Ballot. They are also Inquisitors into the ways and means of acquiring Magistracy; and have power to punish indirect proceedings in the same, by removing a Knight or Magistrat out of the House, under appeal to the Senate.

THE Commissioners of the Seal being three, whose the third is annually chosen out of the third Region, are Judges in Chancery.

THE Commissioners of the Treasury being three, whose the third is annually chosen out of the third Region, are Judges in the Exchequer; and every Magistrat of this Schedule has right to propose to the Senate.

BUT the Strategus with the six Commissioners, are the Signory of this Commonwealth, having right of Session and Suffrage in every Council of the Senate, and Power either jointly or severally to propose in all or any of them.

I HAVE little in this Order to observe or prove, but that the Strategus is the same Honor both in name and thing that was born, among others, by Philoemen and Aratus in the Commonwealth of the Achaean; the like having bin in use also with the Aeliani. The Orator, call'd otherwise the Speaker, is with small alteration the same that had bin of former use in this Nation. These two, if you will, may be compar'd to the Consuls in Rome, or the Suffetes in Carthage; for their Magistracy is scarce different.

THE Censors derive their power of removing a Senator from those of Rome; the Government of the Ballot, from those of Venice; and that
that of Animadversion upon the Ambitus, or canvas for Magistracy, from both.

THE Signory, with the whole Right and Use of that Magistracy, to be hereafter more fully explain’d, is almost purely Venetian.

THE second part of the Tropic is directed by

The sixteenth ORDER, whereby the Constitution of the Councils, being four, that is to say, the Council of State, the Council of War, the Council of Religion, and the Council of Trade, is rendered conformable in their Revolutions to that of the Senate. As, first, by the annual Election of five Knights out of the third Region of the Senate, into the Council of State, consisting of fifteen Knights, five in every Region. Secondly, by the annual Election of three Knights out of the third Region of the Council of State, to be propos’d by the Provoosts, and elected by that Council, into the Council of War, consisting of nine Knights, three in every Region, not excluded by this Election from remaining Members also of the Council of State. The four Tribuns of the People have right of Suffrage and Suffrage in the Council of War. Thirdly, by the annual Election of four Knights out of the third Region of the Senate into the Council of Religion, consisting of twelve Knights, four in every Region: Of this Council the Censors are Presidents. Fourthly, by the annual Election of four Knights out of the third Region of the Senate into the Council of Trade, consisting of twelve Knights, four in every Region. And each Region, in every one of these Councils thus constituted, shall weekly and interchangeably elect one Provoost, whose Magistracy shall continue for one Week; nor shall be relected into the same, till every Knight of that Region in the same Council has once born the same Magistracy. And the Provoosts being one in every Region, three in every Council, and twelve in all, besides their other Capacities, shall assemble and be a Council, or rather an Academy apart, to certain ends and purposes to be hereafter further explain’d, with those of the rest of the Councils.

This Order is of no other use than for the frame and turn of the Councils, and yet of no small one: for in Motion consists Life; and the Motion of a Commonwealth will never be current, unless it be circular. Men that, like my Lord Epimetheus, not indulging the resemblance of this kind of Government to Orbs and Spheres, fall on physicizing and purging it, do no more than is necessary; for if it be not in Rotation both as to Persons and Things, it will be very sick. The People of Rome, as to Persons, if they had not bin taken up by the Wheel of Magistracy, had overturn’d the Charriot of the Senate. And those of Lacedemon, as to Things, had not bin so quiet when the Senate traffick’d their Business, by incroaching upon the Refufts, if by the Institution of the Ephors they had not brought it about again. So that if you allow not a Commonwealth her Rotation, in which consists her Equality, you reduce her to a Party, and then it is necessary that you be Physicians indeed, or rather Farriers; for you will have strong Patients, and such as must be halter’d and caft, or your selves may need Bonefetters. Wherefore the Councils of this Commonwealth, both in regard of their Elections, and, as will be shewn, of their Affairs, are uniform with the Senate in their Revolutions; not as Whirlpits to swallow, but to bite, and with the Scrues of their Rotation to hold and turn a Business (like the Vice of a Smith) to the Hand
Hand of the Workman. Without Engines of which nature it is not possible for the Senat, much less for the People, to be perfect Artificers in a political Capacity. But I shall not hold you longer from

THE seventeenth ORDER, directing biennial Elections, or the Constitution of the Orb of Ambassadors in ordinary, consisting of four Residences, the Revolution whereof is performed in eight years, and prescribed thro' the Election of one Ambassador in two years by the Ballot of the Senat to repair to the Court of France, and reside there for the term of two years; and the term of two years being expired, to remove thence to the Court of Spain, there to continue for the space of two years; and thence to remove to the State of Venice; and after two years residence in that City, to conclude with his residence at Constantinople for a like term of time, and so to return. A Knight of the Senat, or a Deputy of the Prerogative, may not be elected Ambassador in Ordinary, because a Knight or Deputy so chosen, must either lose his Session, which would cause an unevenness in the motion of this Commonwealth, or accumulat Magnificacy, which agrees not with the equality of the same. Nor may any Man be elected into this Capacity, that is above five and thirty years of Age, lest the Commonwealth lose the charge of his Education, by being deprived at his return of the Fruit of it, or else enjoy it not long thro' the defects of Nature.

THIS Order is the Perspective of the Commonwealth, whereby the foresees Danger, or the Traffic; wherby she receives every two years the return of a Stateman in which'd with eight years experience, from the prime Marts of Negotiation in Europe And so much for the Elections in the Senat that are ordinary; such as are extraordinary follow in

THE eighteenth ORDER, appointing all Elections upon emergent occasions, except that of the Dictator, to be made by the Scrutiny, or that kind of Election, whereby a Council coms to be a fifth Order of Electors, ordinary, or by

For Example, if there be occasion of an Ambassador Extraordinary, the Provosts of the Council of State, or any two of them shall propose to the same, till one Competitor be chosen by that Council: and the Council having chosen a Competitor, shall bring his name into the Senat, which in the usual way shall choose four more Competitors to the same Magnificacy; and put them, with the Competitor of the Council, to the Ballot of the House, by which he of the five that is chosen is said to be elected by the Scrutiny of the Council of State. A Vice-Admiral, a Polemarch, or Field Officer, shall be elected after the same manner, by the Scrutiny of the Council of War. A Judge or Sergeant at Law, by the Scrutiny of the Commissioners of the Seal. A Baron, or considerable Officer of the Exchequer, by the Scrutiny of the Commissioners of the Treasury. Men in Magnificacy, or out of it, are equally capable of Election by the Scrutiny; but a Magnificat or Officer elected by the Scrutiny to a military Employment, if he be neither a Knight of the Senat, nor a Deputy of the Prerogative, ought to have his Office confirm'd by the Prerogative, because the Seditia in a Commonwealth, where the People are Sovereign, is not lawful to be touch'd injurly to the Populi.
T H E Romans were so curious, that tho' their Consuls were elected in the * Centurias Assembly, they might not touch the Militia, except they were confirm'd in the † Parochial Assembly: for a Magistrat not receiving his Power from the People, takes it from them; and to take away their Power, is to take away their Liberty. As to the Election by the Scrutiny, it is easily perceiv'd to be Venetian, there being no such way to take in the Knowledge, which in all reason must be best in every Council of such men as are most fit for their turns, and yet to keep them from the biais of particular Affection or Interest under that pretence: For the cause why the Great Council in Venice scarce ever elects any other than the Name that is brought in by the Scrutiny, is very probable to be, that they may.... This Election is the last of those appertaining to the Senat. The Councils being chosen by the Orders already shewn, it remains that we com to those where by they are instructed: and the Orders of Instruction to the Councils are two, the first for the Matter whereupon they are to proceed; and the second for the Manner of their proceeding. The Matter of the Councils is distributed to them by

16. Order.
Instructions of the Councils to their Matter.

T H E nineteen ORDER, distributing to every Council such Business as are properly to belong to their Consciusance, whereof some they shall receive and determine; and others they shall receive, prepare, and introduce into the House: As, first,

For the Council of State.

The Council of State is to receive all Addresses, Intelligences, and Letters of Negotiation; to give audience to Ambassadors sent to, and to draw up Instructions for such as shall be sent by, this Commonwealth; to receive Propositions from, and hold Intelligence with the Provincial Councils; to consider upon all Laws to be enacted, amended, or repeal'd; and upon all Laws of Men or Mony, War or Peace, Leagues or Associations to be made by this Commonwealth, so far forth as is conducible to the orderly preparation of the same to be introduced by them into the Senat. Provided that all such Affairs, as otherwise appertaining to the Council of State are, for the good of the Commonwealth, to be carry'd with greater secrecy, be managed by the Council of War, with Power to receive and send forth Agents, Spies, Emmissaries, Intelligencers, Frigots; and to manage Affairs of that nature, if it be necessary, without communication to the Senat, till such time as it may be bad without detriment to the Business. But they shall have no Power to engage the Commonwealth in a War, without the consent of the Senat and the People. It appertains also to this Council to take charge of the Fleet as Admiral; and of all Storehouses, Armorys, Arsenals, and Magazines appertaining to this Commonwealth. They shall keep a diligent Record of the military Expeditions from time to time reported by him that was Strategus or General, or one of the Polemarchs in that Affair; or at least so far as the Experience of such Commanders may tend to the improvement of the military Discipline, which they shall digest and introduce into the Senat: and if the Senat shall upon some any Article, they shall see that it be observed in the Musters or Education of the Youth. And whereas the Council of War is the Sentinel or Scout of this Commonwealth, if any Person or Persons shall go about to introduce Debate into any popular Assembly of the same, or otherwise to alter the present Govern-
ment, or strike at the root of it, they shall apprehend, or cause to be apprehended, seize'd, imprison'd; and examine, arraign, acquit, or condemn, and cause to be executed any such Person or Persons, by their proper Power and Authority, and without appeal.

THE Council of Religion, as the Arbiter of this Commonwealth in the cases of Conscience more peculiarly appertaining to Religion, Christian Charity, and a pious Life, shall have the care of the National Religion, and the protection of the Liberty of Conscience, with the cognizance of all Causes relating to either of them. And first as to the National Religion; They shall cause all Places or Preferments of the best Revenue in either of the Universities to be confer'd upon no other than such of the most learned and pious Men, as have dedicated themselves to the study of Theology. They shall also take a special care that by such Augmentations as be or shall hereafter be appointed by the Senate, every Benefice in this Nation be improv'd at least to the value of one hundred pounds a year. And to the end that there be no interest at all, whereby the Divines or Teachers of the National Religion may be corrupted, or corrupt Religion, they shall be capable of no other kind of Employment or Preferment in this Commonwealth.

And whereas a Directory for the Administration of the National Religion is to be prepar'd by this Council, they shall in this and other Debates of this nature proceed in manner following: A Question arising in matter of Religion shall be put and stated by the Council in writing; which Writing the Censors shall send by their Beadles (being Professors chosen to attend them) each to the University whereof he is Chancellor; and the Vice-Chancellor of the same receiving the Writing, shall call a Convocation of all the Divines of that University, being above forty years of Age. And the University upon a point so propos'd, shall have no manner of Intelligence or Correspondence one with another, till their Debates be ended, and they have made return of their Answers to the Council of Religion by two or three of their own Members, that may clear their sense, if any doubt should arise, to the Council; which done, they shall return, and the Council having receive'd such information, shall proceed according to their own Judgments, in the preparation of the whole matter for the Senate: That so the Interest of the Learned being remove'd, there may be a right application of Reason to Scripture, which is the Foundation of the National Religion.

SECONDLY, This Council, as to the protection of the Liberty of Conscience, shall suffer no coercive Power in the matter of Religion to be exercis'd in this Nation: The Teachers of the National Religion being no other than such as voluntarily undertake that calling; and their Auditors or Hearies, no other than are also voluntary. Nor shall any gather'd Congregation be molest'd or interrupted in their way of Worship (being neither Jewish nor Idolatrous) but vigilant and vigorously protected and defended in the Enjoyment, Practice, and Profession of the same. And if there be Officers or Auditors appointed by any such Congregation for the introduction of Causes into the Council of Religion, all such Causes so introduc'd shall be receive'd, heard, and determin'd by the same, with recourse had, if need be, to the Senate.

THIRDLY, Every Petition address'd to the Senate, except that of a Tribe, shall be receive'd, examin'd, and debated by this Council; and such only as they, upon such examination and debate had, shall think fit, may be introduc'd into the Senate.

THE Council of Trade being the Vena Porta of this Nation, shall For the Council of Trade, hereafter receive Instructions more at large. For the present, their Ex- perience
perience attaining to a right understanding of those Trades and Mysteries that feed the Veins of this Commonwealth, and a true distinction of them from those that suck or exhaust the same, they shall acquaint the Senat with the Conveniences and Inconveniences, to the end that Inconveniences may be apply’d to the one, and Remedy to the other.

The Academy of the Provosts, being the Affability of the Commonwealth, shall assemble every day towards the Evening in a fair Room, having certain withdrawing Rooms thereto belonging. And all sorts of Company that will repair thither for Conversation or Discourse, so it be upon matters of Government, News, or Intelligence, or to propose anything to the Counsels, shall be freely and assiduously received in the outer Chamber, and heard in the way of civil Conversation, which is to be managed without any other An or Ceremony than is thereto usually appertaining; to the end that every Man may be free, and that what is propos’d by one, may be argued or discours’d by the rest, except the matter be of secrecy; in which case the Provosts, or some of them, shall take such as desire Audience into one of the withdrawing Rooms. And the Provosts are to give their minds, that this Academy be so govern’d, adorn’d, and preferred, as may be most attractive to Men of Parts and good Affections to the Commonwealth, for the excellency of the Conversation.

Furthermore, If any Man, not being able or willing to come in person, has any advice to give which he judges may be for the good of the Commonwealth, he may write his mind to the Academy of the Provosts, in a Letter sign’d or not sign’d; which Letter shall be left with the Doorkeeper of the Academy. Nor shall any Person delivering such a Letter be jealin’d, molested, or detain’d, tho’ it should prove to be a Libel. But the Letters so deliver’d shall be present’d to the Provosts; and in case they be so many that they cannot well be perus’d by the Provosts themselves, they shall distribute them as they please to be read by the Gentlemen of the Academy, who finding any thing in them material, will find matter of Discourse: Or if they happen upon a business that requires privity, return it with a Note upon it to a Provost. And the Provosts by the Secretaries attending shall cause such Notes out of Discourses or Letters to be taken as they please, to the end that they may propos’d, as occasion serves, what any two of them shall think fit out of their Notes so taken to their respective Counsels: to the end that not only the Ear of the Commonwealth be open to all, but that Men of such Education being in her eye, be may upon emergent Elections or Occasions be always provided of her choice of fit Persons.

EVERT Council being adorn’d with a State for the Signory, shall be attended by two Secretaries, two Doorkeepers, and two Messengers in ordinary, and have power to command more upon Emergencies, as occasion requires. And the Academy shall be attended with two Secretaries, two Messengers, and two Doorkeepers; this with the other Counsels being provided with their farther Conveniences at the charge of the State.

But whereas it is incident to Commonwealths, upon Emergencies requiring extraordinary speed or secrecy, either thro’ their natural delays or unnatural halt, to incur equal danger, while holding to the slow pace of their Orders, they come not in time to defend themselves from some sudden blow; or breaking them for the greater speed, they but hast to their own destruction: If the Senat shall at any time make Election of nine Knights extraordinary, to be added to the Council of War, as a Juncta for the term of three Months, the Council of War, with the Juncta so added, is for the term of the same Dictator of Occana, having power to levy Men and Money,
OCEANA.

Men, to make War and Peace, as also to enact Laws, which shall be good for the space of one year (if they be not sooner repeal'd by the Senat and the People) and for no longer time, except they be confirm'd by the Senat and the People. And the whole Administration of the Commonwealth for the term of the said three Months shall be in the Dictator; provided, that the Dictator shall have no Power to do any thing that tends not to his proper end and institution, but all to the preservation of the Commonwealth as it is established, and for the sudden restitution of the same to the natural Channel and common course of Government. And all Acts, Orders, Decrees, or Laws of the Council of War with the Juncta, being thus created, shall be sign'd,

DICTATOR OCEANÆ.

THIS Order of Instructions to the Councils being (as in a matter of that nature is requisite) very large, I have us'd my best skill to abbreviat it in such manner as might shew no more of it than is necessary to the understanding of the whole; tho' as to the parts, or further duties of the Councils, I have omitted many things of singular use in a Commonwealth. But it was discours'd at the Council by the Archon in this manner.

My Lords, the Legislators;

"YOUR Councils, except the Dictator only, are proper and native Springs and Sources, you see, which (hanging a few sticks and straws, that, as let's considerable, would otherwise be more troublesome, upon the banks of their peculiar Channels) derive the full stream of business into the Senat, so pure, and so far from the possibility of being troub'd or stain'd (as will undoubtedly appear by the Courfe contain'd in the influing Order) with any kind of privat Interest or Partiality, that it shall never be possible for any Assembly hearkning to the advice or information of this or that worthy Member (either instrueted upon his Pillow, or while he was making himself ready, or by the Petition or Ticker which he receiv'd at the door) to have half the Security in his Faith, or advantage by his Wildom; such a Senat or Council being, thro' the uncertainty of the Winds, like a wave of the Sea. Nor shall it otherwise mend the matter by flowing up into dry ditches, or referring business to be better examin'd by Committees, than to go further about with it to let's purpose; if it does not back again with the more mud in it. For in a cale refer'd to an occasional Committee, of which any Member that is defirous may get himself nam'd, and to which no body will come, but either for the sake of his Friend, or his own Interest; it fares little better as to the Information of the Senat, than if it had bin refer'd to the Party of, Wherefore the Athenians being distributed into four Tribes, out of which by equal numbers they annually chose four hundred Men, call'd the Senat of the Bean (because the Ballot at their Election was perform'd by the use of Beans) divided them by Fifteys into eight parts. And every Fifty in their turn, for one eighth part of the year, was a Council apart call'd the Prytanes. The Prytanes in their distinct Council receiving all Comers, and giving ear to every Man that had any thing to propose concerning the Commonwealth, S had
had power to debate and prepare all the business that were to be introduced into the Senate. The Achaean had ten selected Magistras, called the Demiurge, constituting a Council apart called the Synarchy, which with the Strategus prepared all the business that was introduced into their Senate. But both the Senate of the Athenians, and that of the Achaean, would have wondered if a man had told them, that they were to receive all Comers and Discourses, to the end that they might refer them afterwards to the Prytanes or the Synarchy; much less to an occasional Committee, exposed to the catch that catch may of the Party's interest. And yet Venice in this, as in most of her Orders, excels them all by the Constitution of her Councils, that of the College, and the other of the Dici, or Council of Ten. The course of the College is exactly described in the infusing Order: And for that of the Dici, it is little differs from what it has below'd upon our Dictator, that I need not make any particular description of it. But to Dictatorial Power in general, and the use of it, because it must needs be of difficult digestion to such as, being still at ancient Prudence, shew themselves to be in the Nurtury of Motherwit; it is no less than necessary to say something. And, First, in a Commonwealth that is not wrought up, or perfected, this Power will be of very frequent, if not continual use; wherefore it is said more than once, upon defects of the Government, in the Book of Judges, That in those days there was no King in Israel. Nor has the Translator, tho' for no King he should have said no Judge, abused you so much; seeing that the Dictator (and such was the Judge of Israel) or the Dictatorial Power being in a single Person, so little differs from Monarchy, which follow'd in that, that from the same cause there has bin no other effect in any Commonwealth; as in Rome was manifast by Sylla and Cesar, who to make themselves Absolute or Sovereign, had no more to do than to prolong their Magistracy; for the Dictatorial Power was reputed Divine, and therefore irresistible. Nevertheless, so it is, that without this Power, which is so dangerous, and subject to introduce Monarchy, a Commonwealth cannot be safe from falling into the like dissolution; unless you have an Expedition in this case of your own, and bound up by your Providence from recolling. Expedients in some cases you must not only have, but be beholden for them to such whom you must truft at a pinch, when you have not leisure to stand with them for Security; which will be a thousand times more dangerous. And there can never be a Commonwealth otherwise than by the Order in debate wrought up to that perfection; but this necessity must sometimes happen in regard of her natural flounets and opennels, and the suddenness of Affairs that may be made upon her, as also the Secrecy which in some cases may be of absolute necessity to her Affairs. Whence Macchiavel concludes it positively, That a Commonwealth unprovided of such a Refuge, must fall to ruin: for her course is either broken by the blow in one of those cases, or by her self, while it startles her out of her Orders. And indeed a Commonwealth is like a Greyhound, which having once coasts, will never after run fair, but grow fowltul; and when it comes to make a common practice.
of taking nearer ways than its Orders, it is disfavour'd: for the being of a Commonwealth consists in its Orders. Wherefore at this last you will be expos'd to danger, if you have not provided beforehand for the safety of your Reforit in the like cafes: for is it sufficient that your Reforit be safe, unless it be as secret and quick; for if it be slow or open, your former Inconveniences are not remed'y'd. Now for our imitation in this part, there is nothing in experience like that of the Council of Ten in Venice; the benefit whereof would be too long to be shewn in the whole piece, and therefore I shall take but a pattern out of Janotti. In the War, says he, which the Venetians had with Florence in Cafentin, the Florentins finding a necessity in their affairs far from any other inclination in themselves to ask their Peace, sent Ambassadors about it to Venice, where they were no sooner heard, than the bargain was struck up by the Council of Ten: and every body admiring (seeing this Commonwealth stood upon the higher ground) what should be the reason of such hast; the Council upon the return of the Ambassadors imparted Letters to the Senat, whereby it appear'd, that the Turc had newly lanch'd a formidable Fleet against their State; which had it bin understood by the Florentins, it was well enough known they would have made no Peace. Wherefore the service of the Ten was highly applauded by the Senat, and celebrated by the Venetians. Wherby may appear, not only in part what use there is of Dictatorian Power in that Government, but that it is assim'd at the disposition of that Council; whereas in this of Oceana it is not otherwise intrusted than when the Senat, in the Election of nine Knights extraordinary, gives at once the Commission, and takes security in a balance, added to the Council of War, the securer before by the Tribuns of the People than that of Venice, which yet never incur'd Jealousy: For if the younger Nobility have bin often girding at it, that happen'd not so much thro the apprehension of danger in it to the Commonwealth, as thro the aw of it upon themselves. Wherefore the Graver have doubtless shewn their Prudence in the Law; whereby, the Magistracy of these Counsellors being to laift till their Successors be created, the Council is establish'd.

THE Instructions of the Councils for their matter being shewn, it remains that I shew the Instructions for the manner of their proceeding, as they follow in

THE twentieth ORDER, containing the Method of Debates to be observed by the Magistrates and the Counsellors successively, in order to a Decree of the Senat.

THE Magistrates of the Signory, as Counsellors of this Commonwealth, shall take into their consideration all matters of State, or of Government; and, having right to propose in any Council, may any one or more of them propose what business he or they please in that Council to which it most properly belongs. And, that the Councils may be held to their duty, the said Magistrates are superintendents and inspectors of the same, with right to propose to the Senat.

THE Censors have equal Power with these Magistrates, but in relation to the Council of Religion only.
ANT two of the three Provosts in every Council may propose to, and are the more peculiar Proposers of, the same Council; to the end that there be not only an inspection and superintendency of business in general, but that every work be also committed to a peculiar hand.

ANT one or more of the Magistrates, or any two of the Provosts respectively having propos'd, the Council shall debate the business so propos'd, to which they of the third Region that are willing shall speak first in their order; they of the second, next; and they of the first, last: and the opinions of those that propos'd or spoke, as they shall be thought the most considerable by the Council, shall be taken by the Secretary of the same in writing, and each of them sign'd with the name of the Author.

THE Opinions being thus prepar'd, any Magistrate of the Signory, the Censor, or any two of the Provosts of that Council, upon this occasion may assemble the Senate.

THE Senate being assembled, the Opinions (for example, if they be four) shall be read in their Order, that is, according to the Order or Dignity of the Magistrates or Counsellors by which they were sign'd. And being read, if any of the Council introducing them will speak, they, as being acquainted with the business, shall have precedence; and after them the Senators shall speak according to their Regions, beginning by the third first, and so continuing till every man that will has spoken: and when the Opinions have been sufficiently debated, they shall be put all together to the Ballot after this manner.

FOUR Secretaries carrying each of them one of the Opinions in one hand, with a white Box in the other, and each following the other, according to the order of the Opinions, shall present his Box, naming the Author of his Opinion to every Senator; and one Secretary or Ballotin with a green Box shall follow the four white ones; and one Secretary or Ballotin with a red Box shall follow the green one: and every Senator shall put one Ball into some one of these six Boxes. The Suffrages being gather'd and open'd before the Signory, if the red Box or Nonincere had above half the Suffrages, the Opinions shall be all cast out, for the major part of the House is not clear in the business. If no one of the four Opinions had above half the Suffrages in the Afirmative, that which had fewest shall be cast out, and the other three shall be balloted again. If no one of the three had above half, that which had fewest shall be cast out, and the other two shall ballot again. If neither of the two had above half, that which had fewest shall be cast out, and the remaining Opinion shall be balloted again. And if the remaining Opinion has not above half, it shall also be cast out. But the first of the Opinions that arrives at most above half in the Afirmative, is the Decree of the Senate. The Opinions being all of them cast out by the Nonincere, may be reviewed, if occasion permits, by the Council, and brought in again. If they be cast out by the Negative, the case being ofadvice only, the House approves not, and there is an end of it: the case being necessary, and admitting delay, the Council is to think again upon the business, and to bring in new Opinions; but the Case being necessary, and not admitting delay, the Senate immediately electing the Juncta, shall create the Dictator. * And let the Dictator, as the Roman saying is, take care that the Commonwealth receives no harm.

THIS in case the Debate concludes not in a Decree. But if a Decree be past, it is either in matter of State or Government according to Law enacted already, and then it is good without going any further: or it is in

* Ex vides Desci Diisar ne quid Respub. incremuni capiat. matter
matter of Law to be enacted, repealed, or amended; and then the Decree of the Senate, especially if it be for a War, or for a Levy of Men or Money, is invalid, without the refuse of the Commonwealth, which is in the Prerogative Tribe, or Representative of the People.

THE Senate having prepared a Decree to be propose'd to the People, shall appoint their Proposers; and no other may propose for the Senate to the People but the Magistrates of the House: that is to say, the three Commissioners of the Seal, or any two of them; the three of the Treasury, or any two of them; or the two Censor.

THE Senate having appointed their Proposers, shall require of the Tribuns a muster of the People at a set time and place: and the Tribuns or any two of them having muster'd the People accordingly, the Proposers shall propose the Senate or Decree of the Senate by clauses to the People. And that which is propose'd by the Authority of the Senate, and resolve'd by the Command of the People, is the Law of Oceana.

TO this Order, implicitly containing the sum very near of the whole Civil part of the Commonwealth, my Lord Archon spoke thus in Council.

My Dear Lords;

"HERE is a Saying, That a man must cut his Coat according to his Cloth. When I consider what God has allow'd or furnished to our present work, I am amaz'd. You would have a popular Government, he has weigh'd it to you in the present balance, as I may say, to a dram; you have no more to do, but to fix it. For the Superstructures of such a Government, they require a good Aristocracy: and you have, or have had a Nobility or Gentry the best study'd, and the best Writers, at least next that of Italy, in the whole World; nor have they been inferior, when so exercised, in the leading of Armies. But the People are the main body of a Commonwealth; shew me from the Treasuries of the Snow (as it is in Jove) to the burning Zone, a People whose shoulders so universally and so exactly fit the Corset. Nevertheless it was convenient to be well provided with Auxiliaries. There is Marsyas thro' her fruitfulness inexhaustible of men, and men thro' her barrenness not only incur'd to hardship, but in your Arms. It may be said, that Venice, excepting only that she takes not in the People, is the most incomparable Situation of a Commonwealth. You are Venice taking in your People and your Auxiliaries too. My Lords, the Children of Israel were makers of Brick, before they were builders of a Commonwealth: But our brick is made, our Mortar temper'd, the Cedars of Lebanon are hew'd and squared to our hands. Has this bin the work of man? or is it in man to withstand this work? Shall he that contends with the Almighty, instruct him? He that reproves God, let him answer it. For our parts, every thing is so laid, that when we come to have use of it, it is the next at hand; and unlimess we can conceive that God and Nature do any thing in vain, there is no more for us to do but to dispatch. The Piece, which we have reach'd to us in the foregoing Orders, is the Aristocracy. And, as has bin shewn, was plainly loit thro' the want of a good Aristocracy. But the sufficiency of an Aristocracy is demonstrably upon the hand of the Nobility or Gentry: for that the Politics
can be master'd without study, or that the People can have leisure to study, is a vain imagination; and what kind of Aristocracy Divines and Lawyers would make, let their incurable running upon their own narrow biafs, and their perpetual invectives against Machiavel (tho in form places justly reprovable, yet the only Politician, and incomparable Patron of the People) serve for instruction. I will stand no more to the Judgment of Lawyers and Divines in this work, than to that of so many other Trademen; but if this Model chances to wander abroad, I recommend it to the Roman Speculativus (the most complete Gentlemen of this age) for their censure: or, with my Lord Epimonus his leave, send three or four hundred Copys to your Agent at Venice, to be presented to the Magistrats there; and when they have consider'd them, to be propos'd to the debate of the Senat, the most competent Judges under Heaven, who, tho they have great Affairs, will not refuse to return you the Oracle of their Ballot. The Counsellors of Princes I will not trust; they are but Jourymen. The Wisdom of these later times in Princes Affairs (says Verulamius) is rather fine deliveries and shiftings of dangers when they be near, than solid and grounded courses to keep them off. Their Counsellors do not derive their proceedings from any found root of Government that may contain the demonstration, and assure the success of them, but are expedient-mongers, givers of themselves to help a lame dog over a stile; else how comes it to pafs, that the fame of Cardinal Richlieu has bin like Thunder, whereof we hear the noife, but can make no demonstration of the reason? But to return, if neither the People, nor Divines, and Lawyers, can be the Aristocracy of a Nation, there remains only the Nobility; in which stile, to avoid farther repetition, I shall understand the Gentry also, as the French do by the word Nobleffe.

NOW to treat of the Nobility in such a fort as may be left unnoxious to mistake, it will be convenient, and answerable to the present occasion, that I divide my Discourse into four parts.

THE First treating of Nobility, and the kinds of it.
THE Second, of their capacity of the Senat.
THE Third, of the divers kinds of Senats.
THE Fourth, of the Senat, according to the foregoing Orders.

Nobility may be defin'd divers ways; for it is either antient Riches, or antient Virtue, or a Title confer'd by a Prince or a Commonwealth.

Nobility of the first kind may be subdivided into two others, such as hold an overbalance in Dominion or Property to the whole People, or such as hold not an overbalance. In the former cafe, a Nobility (such was the Gothic, of which sufficient has bin spoken) is incompatible with popular Government; for to popular Government it is essential that Power shou'd be in the People, but the overbalance of a Nobility in Dominion draws the Power to themselves. Wherefore in this sense it is that Machiavel is to be understood, where he says, * That these are pernicious in a Commonwealth; and of France, Spain, and Italy, that they are

* Quelli tali sono perniciosi in ogni Republica, & in ogni Provincia.

Nations
Nations by which for this cause are the corruption of the World: for otherwise Nobility may according to his definition (which is, That they are such as live upon their own Revenues in plenty, without engagement either to the tilling of their Lands, or other work for their livelihood) hold an underbalance to the People; in which case they are not only safe, but necessary to the natural mixture of a well-ordered Commonwealth. How else can you have a Commonwealth that is not altogether mechanic? or what comparison is there of such Commonwealths as are, or com nearest to mechanic, for example, Athens, Switzerland, Holland, to Lacedemon, Rome, and Venice, plum'd with their Ariffocracies? Your Mechanics, till they have first feather'd their nests, like the Fowls of the Air, whose whole employment is to seek their food, are so busy'd in their privat concerns, that they have neither leisure to study the public, nor are safely to be trusted with it, because a Man is not faithfully imbark'd in this kind of Ship, if he has no share in the freight. But if his share be such as gives him leisure by his privat advantage to reflect upon that of the public, what other name is there for this sort of Men, being a leur aife, but (as Macchiavel you see calls them) Nobility? especially when their Familys com to be such as are noted for their Services don to the Commonwealth, and fo take into their antient Riches antient Virtue, which is the second definition of Nobility, but such a one as is scarce possible in nature without the former. For as the Baggage, says Verulamius, is to an Army, so are Riches to Virtue; they cannot be sparingly left behind, tho they be impediments, such as not only hinder the march, but sometimes thro the care of them lose or disturb the Victory. Of this latter sort is the Nobility of Oceana; the best of all others, because they, having no flamp whence to derive their price, can have it no otherwise than by their intrinsic value. The third definition of Nobility, is a Title, Honor, or distinction from the People, confer'd or allowed by the Prince or the Commonwealth. And this may be two ways, either without any flampe or privilege, as in Oceana; or with such privileges as are incon siderable, as in Athens after the battle of Platee, whence the Nobility had no right, as such, but to religious Offices, or inspection of the public Games, to which they were also to be elected by the People; or with Privileges, and those considerable ones, as the Nobility in Athens before the battle of Platee, and the Patricians in Rome, each of which had right, or claim'd it, to the Senat and all the Magistracies; wherein for some time they only by their flamp were current. 

BUT to begin higher, and to speak more at large of Nobility in their several capacities of the Senat. The Phyarchs or Princes of the Tribes of Israel were the most renown'd, or, as the Latin, the moost noble of the Congregation, wherof by hereditary right they had the leading and judging. The Patriarchs, or Princes of Families, according as they declar'd their Pedigrees, had the like right as to their Familys; but neither in these nor the former, was there any hereditary right to the Sanhedrim: tho there be little question but the wise men, and understanding, and known among their Tribes, which the Peo-

† Le quali vive in seme sono la corruzione del mondo. || Egli con facil tenerezza fine dannar.
OCEANA.


The text is not entirely legible, but it appears to be a continuation of the discussion on the merit system and the election of rulers in ancient societies. The passage mentions Solon's reforms in Athens, the distribution of land and property, and the nature of the Athenian democracy. It also references the role of the Senate and nobility in Rome and the differences between Athenian and Roman systems. The text mentions the use of lot and suffrage, as well as the distinction between the nobility and the commonwealth. The final part of the text appears to be discussing the nobility of Rome and the capacity of the Senate, with a comparison to the Athenian system.
icians. Nor, tho the People had many disputes with the Nobility, did this ever come in controversy, which, if there had bin nothing else, might in my judgment have bin enough to overturn that Commonwealth.

"THE Venetian Nobility, but that they are richer, and not military, resemble at all other points the Lacedemonian, as I have already shewn. These MACCHIAVEL, excepts from his rule, by saying, that their Eftates are rather personal than real, or of any great revenue in Land; which comes to our account, and shews, that a Nobility or party of the Nobility, not overbalancing in Domination, is not dangerous, but of necessary use in every Commonwealth, provided it be rightly order'd: for if it be so order'd as was that of Rome, tho they do not overbalance in the beginning, as they did not there, it will not be long ere they do, as is clear both in reason and experience towards the latter end. That the Nobility only be capable of the Senate, is there only not dangerous, where there be no other Citizens, as in this Government and that of Lacedemon.

"THE Nobility of Holland and Switzerland, tho but few, have Privileges not only distinct from the People, but so great, that in form Sovereignty they have a negative voice; an example which I am far from commending, being such as (if those Governments were not cantoniz'd, divided, and subdivided into many petty Sovereignties, that balance one another, and in which the Nobility, except they had a Prince at the head of them, can never join to make work) would be the most dangerous that ever was but the Gothic, of which it favors. For in ancient Commonwealths you shall never find a Nobility to have had a negative but by the Poll, which, the People being far more in number, came to nothing; whereas these have it, be they never so few, by their stamp or order.

"OURS of Oceana have nothing else but their education and their leasure for the public, furnish'd by their Eafe and competent Riches; and their intrinsic value, which, according as it comes to hold weight in the judgment or suffrage of the People, is their only way to honor and preferment. Wherefore I would have your Lordships to look upon your Children as such, who if they come to shake off som part of their baggage, shall make the more quick and glorious march: for it was nothing else but the baggage fordidly plunder'd by the Nobility of Rome, that loft the victory of the whole World in the midst of her Triumph.

"HAVING follow'd the Nobility thus close, they bring us, according to their natural course and divers kinds, to the divers Constitutions of the Senat.

"THAT of Israel (as was shew'd by my Right Noble Lord PHOSPHORUS DE AUGE, in the opening of the Commonwealth) consisted of seventy Elders, elected at first by the People. But wheras they were for life, they ever after (tho without any divine precept for it) substituted their Successors by Ordination, which Ceremony was most usually perform'd by imposition of hands; and by this means a Commonwealth of as popular institution as can be found, became, as it is accounted by JOSPEHUS, Aristocratical.

"From this Ordination derives that which was introduc'd by the Apostles into the Christian Church; for which cause I think it is, that the
the Presbyterians would have the Government of the Church to be Arifocratical: Tho the Apohtles, to the end, as I conceive, that they might give no occasion to such a mistake, but shew that they intended the Government of the Church to be popular, ordain'd Eleders, as has bin shewn, by the holding up of hands (or free Suffrage of the People) in every Congregation, or Ecclesia: for that is the word in the Original, being borrow'd from the civil Congregations of the People in Athens and Lacedemon, which were so call'd; and the word for holding up of hands in the Text, is also the very fame, which signify'd the Suffrage of the People in Athens, χορεοτησιοτητις; for the Suffrage of the Athenians was given per Chirotonian, says Emmius.

"THE Council of the Bean (as was shewn by my Lord N. Varchus de Perafo in his full Discourse) being the proposing Senat of Athens (for that of the Areopagis was a Judicatory) confis'd of four, som say five hundred Senators, elected annually, all at once, and by a mere lot without suffrage. Wherefore tho the Senat, to correct the temerity of the Lot, had power to cast out such as they should judge unworthy of that honor; this related to manners only, and was not sufficient to repair the Commonwealth, which by such means became impotent: and forasmuch as her Senat confis'd not of the natural Arifocracy, which in a Commonwealth is the only spur and rein of the People, it was call'd headlong by the rashness of her Demagoggs or Grandees into ruin; while her Senat, like the Roman Tribuns (* who almost always, instead of governing, were rather govern'd by the multitude) propos'd not to the Reful't only, but to the Debate also of the People, who were therefore call'd to the Pulpits, where som vomited, and others drank poison.

"THE Senat of Lacedemon, most truly discover'd by my Lord Laco de Scytale, confis't but of 3o for life, wherof the two Kings having but single Votes, were hereditary, the rest elect'd by the free Suffrage of the People, but out of such as were sixty years of age. These had the whole debate of the Commonwealth in themselves, and propos'd to the Refult only of the People. And now the riddle which I have heretofore found troublesome to unfold, is out; that is to say, why Athens and Lacedemon, confis'ing each of the Senat and the People, the one should be held a Democracy, and the other an Arifocracy, or laudable Oligarchy, as it is term'd by I.ocrates; for that word is not, wherever you meet it, to be branded, seeing it is us'd also by Aristotelus, Plutarch, and others, somtimes in a good fense. The main difference was, that the People in this had the Refult only, and in that the Debate and Refult too. But for my part, where the People have the election of the Senat, not bound to a distinct order, and the Refult, which is the Soverain Power, I hold them to have that share in the Government (the Senat being not for life) wherof, with the safety of the Commonwealth, they are capable in nature; and such a Government, for that cause, to be Democracy: tho I do not deny, but in Lacedemon, the paucity of the Senators confider'd, it might be call'd Oligarchy, in comparison of Athens; or, if we look on their continuance for life, tho they had bin more, Arifocracy.

* qui feret temper regemutur à multimodo magis quam regulant.
THE Senat of Rome (whose Fame has been heard to thunder in the Eloquence of my Lord DOLABELLA D'ENYO) confining of 300, was, in regard of the number, less Oligarchical than that of Lacedemon; but more in regard of the Patrician, who, having a hereditary Capacity of the fame, were not elected to that Honor by the People; but, being confrib'd by the Cenfors, injoy'd it for life. Wherfore thefe, if they had their wills, would have resolv'd as well as debated; which fet the People at fuch variance with them, as diffolv'd the Commonwealth: whereas if the People had injoy'd the Refult, that about the Agrarian, as well as all other strife, must of necelfity have ceas'd.

THE Senats of Switzerland and Holland (as I have learnt of my Lords ALPESTER and GLAUCUS) being bound up (like the sheaf of Arrows which the latter gives) by Leagues, ly like thofe in their Quivers: But Arrows, when they com to be drawn, fly from this way, and from that; and I am contented that thefe concern us not.

THAT of Venice (by the faithful Testimony of my moft excellent Lord LINCEUS DE STELLA) has oblig'd a World, sufficiently punish'd by its own blindnefs and ingratitude, to repent and be wiser: for whereas a Commonwealth in which there is no Senat, or where the Senat is corrupt, cannot fland; the Great Council of Venice, like the Statue of Nilus, leans upon an Urn or Waterpot, which pours forth the Senat in fo pure and perpetual a stream, as being unable to flagnat, is for ever incapable of Corruption. The fuller Description of this Senat is contain'd in that of Oceana; and that of Oceana in the foregoing Orders. To every one of which, because somthing has bin already faid, I shall not speake in particular. But in general, your Senat, and the other Assemblies, or the Prerogative, as I fhall shew in due place, are perpetual, not as Lakes or Puddles, but as the Rivers of Eden; and are beds made, as you have feen, to receive the whole People, by a due and faithful vicifitude, into their current. They are not, as in the late way, alternat. Alternat Life in Government is the alternat * Death of it.

THIS was the Gothic work, whereby the former Government (which was not only a ship, but a guff too) could never open her fails, but in danger to overfet her fel; neither could make any voy- age, nor ly safe in her own harbor. The Wars of later ages, says VERULAMIIUS, seem to be made in the dark, in regard of the glory and honor which reflect on men from the Wars in antient times. Their shipping of this sort was for Voyages, ours dare not launch; nor lys it safe at home. Your Gothic Politicians seem to me rather to have invented som new Ammunition or Gunpowder, in their King and Parliament, than Government. For what is becom of the Princes (a kind of People) in Germany? blown up. Where are the States, or the Power of the People in France? blown up. Where is that of the People in Aragon, and the reft of the Spanish Kingdoms? blown up. On the other side, where is the King of Spain's Power in Holland? blown up. Where is that of the Aufrian Princes in Switzerland? blown up. This perpetual pcevillnefs and jealoufy, under the alternat Empire of the Prince, and of the

* Ut fratrem pollus altum morte redemis.
People, is obnoxious to every Spark. Nor shall any man shew a
reason that will be holding in prudence, why the People of
Oceans have blown up their King, but that their Kings did not
first blow up them. The rest is discourse for Ladies. Wherefore
your Parliaments are not henceforth to com out of the Bag of Æo-
lus, but by your Galaxys, to be the perpetual food of the Fire of
Vesta.

YOUR Galaxys, which divide the House into so many Regi-
on, are three: one of which constituting the third Region is an-
ually chosen; but for the term of three years; which causes the
House (having at once Blossoms, Fruit half ripe, and others drop-
ing off in full maturit) to resemble an Orange-tree, such as is at
the same time an Education or Spring, and a Harvest too: for the
People have made a very ill choice in the Man, who is not easily ca-
pable of the perfect knowledge in one year of the Senatorian Orders;
which Knowledge, allowing him for the first to have bin a Novice,
brings him the second year to practice, and time enough. For at
this rate you must always have two hundred knowing Men in the
Government. And thus the Vicissitude of your Senators is not perce-
ivable in the headiness and perplexity of your Senate; which, like
that of Venice, being always changing, is for ever the same. And
the other Politicians have not so well imitated their Pattern, there is
nothing more obvious in Nature, seeing a Man who wears the fame
Flesh but a short time, is nevertheless the same Man, and of the
dame genius; and whence is this but from the constancy of Nature,
in holding a Man to her Orders? Wherefore keep alo to your Or-
ders. But this is a mean Request, your Orders will be worth little, if
they do not hold you to them; wherefor imberk. They are like a
Ship, if you be once aboard, you do not carry them, but they you;
and see how Venice stands to her tackling; you will no more forsake
them, than you will leap into the Sea.

BUT they are very many, and difficult. O, my Lords, what
Seaman caests away his Card, because it has four and twenty Points
of the Compass? and yet those are very near as many, and as dif-
ficult as the Orders in the whole circumference of your Commonwealth. Consider, how have we bin toft with every wind of Doc-
trin, loft by the glib Tongues of your Demagoggs and Grandees in
our own Havens? A company of Fidlers that have disturb’d your
rest for your Great; two to one, three thousand pounds a year to
another, has bin nothing. And for what? Is there one of them
that yet knows what a Commonwealth is? And are you yet afraid
of such a Government in which these shall not dare to scrape, for
fear of the Statute? Themistocles could not fiddle, but could
make of a small City a great Commonwealth: these have fiddel’d,
and for your Mony, till they have brought a great Commonwealth
to a small City.

IT grieves me, while I consider how, and from what caufes im-
aginary Difficultys will be aggravatet, that the foregoing Orders
are not capable of any greater clearnefs in discourse or writing:
But if a Man should make a Book, describing every trick or pa-
fage, it would fare no otherwise with a game at Cards; and this is
no more, if a Man plays upon the square. There is a great diffe-
rence, says Verulamius, between a cunning Man and a wise
Man.
"Man (between a Demagoge and a Legislator) not only in point of honesty, but in point of ability: As there be such can pack the Cards, and yet cannot play well; so there be som that are good in Countafes and Factsions, that are otherwise weak men. Allow me but these Orders, and let them com with their Cards in their sleeves, or pack if they can. Again, says he, it is one thing to understand Persons, and another to understand Matters; for many are perfect in men humors, that are not greatly capable of the real part of Business: which is the constitution of one that has study'd Men more than Books. But there is nothing more hurtful in a State, than that cunning men should pass for wise. His words are an Oracle. As Dionysius, when he could no longer exercise his Tyranny among men, turn'd Schoolmaster, that he might exercise it among Boys. Allow me but these Orders, and your Grandees so well skil'd in the Baits and Palats of Men, shall turn Ratcatchers.

A N D whereas Councils (as is discretely observ'd by the same Author in his time) are at this day, in most places, but familiar meetings (somewhat like the Academy of our Provosts) where matters are rather talk'd on than debated, and run too swift to order an Act of Council; give me my Orders, and see if I have not puzzl'd your Demagogues.

I T is not so much my desire to return upon hants, as theirs that will not be satisfy'd; wherefore if, notwithstanding what was said of dividing and chusing in our preliminary Discourses, men will yet be returning to the Question, Why the Senate must be a Council apart (the even in Athens, where it was of no other Constitution than the popular Assembly, the distinction of it from the other was never held less than necessary) this may be added to the former Reasons, that if the Aristocracy be not for the Debate, it is for nothing; but if it be for debate, it must have convenience for it: And what convenience is there for debate in a crowd, where there is nothing but jolling, treading upon one another, and stirring of Blood, than which in this case there is nothing more dangerous? Truly, it was not ill said of my Lord Epimonus, That Venus plays her game, as it were, at Billiards or Nineholes; and so may your Lordships, unless your Ribs be so strong, that you think better of Football: for such sport is Debate in a popular Assembly, as, notwithstanding the distinction of the Senate, was the destruction of Athens.

TH I S Speech concluded the Debate which happen'd at the Institution of the Senate. The next Assembly is that of the People or Prerogative Tribe.

The face, or mien of the Prerogative Tribe for the Arms, the Horfe, and the Disciplin, but more especially for the select men, is that of a very noble Regiment, or rather of two; the one of Horfe, divided into three Troops (besides that of the Provinces, which will be shewn hereafter) with their Captains, Cornets, and two Tribunes of the Horfe at the head of them; the other of Foot in three Companies (besides that of the Provinces) with their Captains, Ensigns, and two Tribunes of the Foot at the head of them. The first Troop is call'd the Phoenix; the second the Pelican; and the third the Swallow. The first Company the Cypress; the second the Myrtle; and the third
the Spray. Of these again (not without a near resemblance of the Roman division of a Tribe) the Phœnix and the Cypris constitute the first Class; the Pelican and the Myrtle the second; and the Swallow with the Spray the third, renew'd every Spring by

THE one and twentieth ORDER, directing, that upon every Monday next ensuing the last of March, the Deputies of the annual Galaxy arriving at the Pavilion in the Halo, and electing one Captain and one Cornet of the Swallow (triennial Officers) by and out of the Cavalry at the Horse Urn, according to the Rules contain'd in the Ballot of the Hundred; and one Captain with one Ensign of the Spray (triennial Officers) by and out of the Infantry at the Foot Urn, after the same way of balloting; constitute and become the third Classes of the Prerogative Tribe.

SEVEN Deputies are annually return'd by every Tribe, whereof three are Horse, and four are Foot; and there be fifty Tribes: so the Swallow must consist of 150 Horse, the Spray of 200 Foot. And the rest of the Classes being two, each of them in number equal; the whole Prerogative (besides the Provinces, that is, the Knights and Deputies of Marsopa and Panopea) must consist of 1550 Deputies. And these Troops and Companies may as well be call'd Centuries as thoes of the Romans; for the Romans related not, in so naming theirs, to the number. And wheres they were distributed according to the valuation of their Estates, so are these; which by virtue of the last Order, are now accommodated with their triennial Officers. But there be others appertaining to this Tribe, whole Election, being of far greater importance, is annual, as follows in

THE twenty second ORDER; whereby the first Class having elected their triennial Officers, and made Oath to the Old Tribuns, that they will neither introduce, cause, nor to their power suffer Debate to be introduced into any popular Assembly of this Government, but to their utmost be aiding and assisting to seize and deliver any Person or Persons in that way offending, and striking at the Root of this Commonwealth, to the Council of War; are to proceed with the other two Classes of the Prerogative Tribe to election of the new Tribuns, being four annual Magistrats, whereof two are to be elected out of the Cavalry at the Horse Urn, and two out of the Infantry at the Foot Urn, according to the common Ballot of the Tribes. And they may be promisuously chosen out of any Class, provided that the same Person shall not be capable of bearing the Tribunitian Honor twice in the term of one Galaxy. The Tribuns thus chosen shall reserve the Tribe (in reference to the Power of mastering and disciplining the same) as Commanders in chief; and for the rest as Magistrats, whose proper Function is prefer'd by the next Order. The Tribuns may give leave to any number of the Prerogative, not exceeding one hundred at a time, to be absent, so they be not Magistrats, nor Officers, and return within three months. If a Magistrat or Officer has a necessary occasion, he may also be absent for the space of one month; provided, that there be not above three Cornets or Ensigns, two Captains, or one Tribun so absent at one time.

TO this the Archon spoke at the Institution after this manner.

*
My Lords;

It is affirm'd by Cicero in his Oration for Flaccus, that the Commonwealths of Greece were all shaken or ruin'd by the intemperance of their Comitia, or Assemblies of the People. The truth is, if good heed in this point be not taken, a Commonwealth will have bad legs. But all the world knows he should have excepted Lacedemon, where the People, as has bin shewn by the Oracle, had no power at all of Debate, nor (till after Lysander, whose Avarice open'd a gulf, that was not long ere it swallow'd up his Country) came it ever to be exercised by them. Whence that Commonwealth stood longest and firmest of any other, but this, in our days, of Venice: which having underlaid her fell with the like Institution, owes a great, if not the greatest part of her steddiness to the same principle; the great Council, which is with her the People, by the Authority of my Lord Epimetheus, never speaking a word. Nor shall any Commonwealth, where the People in their political capacity is talkative, ever see half the days of one of these: But being carried away by vain-glory, glorious Men (that, as Overbury says, pits more than they drink) swim down the stream; as did Athens, the moft prating of these Dames, when that same ranting fellow Alcibiades fell a demagogging for the Sicilian War. But whereas Debate by the authority and experience of Lacedemon and Venice, is not to be committed to the People in a well-order'd Government, it may be said, That the Order specify'd is but a flight bar in a matter of like danger; for so much as an Oath, if there be no recourse upon the breach of it, is a weak tie for such hands as have the Sword in them: wherfore what should hinder the People of Oceana, if they happen not to regard an Oath, from assuming Debate, and making themselves as much an Anarchy as those of Athens? To which I answer, Take the common fort in a privat capacity, and, except they be injur'd, you shall find them to have a bashfulness in the presence of the better fort, or wiser Men; acknowledging their Abilities by attention, and accounting it no mean honor to receive respect from them: But if they be injur'd by them, they hate them, and the more for being wise or great, because that makes it the greater injury. Nor refrain they in this case from any kind of intemperance of Speech, if of Action. It is no otherwise with a People in their political capacity; you shall never find that they have assumed Debate for it self, but for something else. Wherefore in Lacedemon where there was, and in Venice where there is nothing else for which they should assume it, they have never shewn so much as an inclination to it. Nor was there any appearance of such a desire in the People of Rome (who from the time of Romulus had bin very well contented with the power of Refult either in the * Parochial Assemblies, as it was settled upon them by him; or in the meetings of the † Hundreds, as it was alter'd in their regard for the worse by Servius Tullius) till news was brought from fifteen years after the exile of Tarquin their late King (during

* Comitii Curarum. † Centuriae.
OCEANA.

"which time the Senat had govern'd pretty well) that he was dead at the Court of ARISTODEMUS the Tyrant of Caria. * Whereupon the Patricians, or Nobility, began to let out the hitherto chibembl'd Venom, which is inherent in the root of Oligarchy, and fell immediately upon injuring the People beyond all moderation. For whereas the People had serv'd both gallantly and contentedly in Arms upon their own charges, and, the joint Purchasers by their Swords of the conquer'd Lands, had not participated in the fame to above two Acres a man (the rest being secretly usurp'd by the Patricians) they thro' the meanness of their support, and the greatness of their expense, being generally indebted, no sooner return'd home with Victory to lay down their Arms, than they were snatch'd up by their Creditors, the Nobility, to cram Goals. Whereupon, but with the greatest modesty that was ever known in the like case, they first fell upon debate, affirming, † that they were oppressed and captivated at home, while abroad they fought for Liberty and Empire; and that the Freedom of the common People was safer in time of War than Peace, among their Enemies than their fellow-citizens. It is true, that when they could not get the Senat, thro' fear, as was pretended by the Patricians, to assemble and take their grievances into consideration, they grew so much the warmer, that it was glad to meet; where APPIUS CLAUDIUS, a fierce Spirit, was of opinion, that recourse should be had to Confular power, whereby som of the brands of Sedition being taken off, the flame might be extinguish'd. SERVIlius being of another temper, thought it better and safer to try if the People might be bow'd than broken. But this debate was interrupted by tumultuous news of the near approach of the Volsci, a cafe in which the Senat had no recourse but to the People, who contrary to their former custom upon the like occasions would not sit a foot, but fell a laughing, and saying, Let them fight that have somthing to fight for. The Senat that had purses, and could not sing so well before the Thief, being in a great perplexity, found no possible way out of it, but to bee-such SERVIlius, one of a Genius well known to be popular, That he would accept of the Confuslibit, and make som such use of it as might be helpful to the Patrician Interest. SERVIlius accept- ing of the Offer, and making use of his Interest with the People, persuaded them to hope well of the good intention of the Fathers, whom it would little be seem to be forc'd to those things which would lose their Grace, and that in view of the Enemy, if they came not freely; and withal publish'd an Edict, that no Man should withhold a Citizen of Rome by imprisonment from giving his name (for that was the way, as I shall have opportunity hereafter to shew more at large, whereby they drew out their Armys) nor to seize or fell any man's Goods or Children that was in the Camp. Whereupon the People with a mighty concourse immediately took Arms, march'd forth, and (which to them was as easy as to be put into the humor, and that, as appears in this place, was not

* Eo nomine erexit parres, creafa plebs. Sed patribus nimis luxuriosae ea fuit latinitas; plebe, cui ad eam diem fumma ope intervius erat; injurias ad primumque fueri expeter. Liv. i, 2.
† Se foris pro liberarue & imperio dimisse, domi a civibus captus & oppressi esset, ruinore merque in bello quum in pace, inter hostes quum inter cives, liberatem plebs esset. Parres militari, parres arma opeream, ut penes eosdem pericula bellis, penes quos praevis, efficien.
hard, totally defeated the 
neighbor Nations, hoping to have had a good bargain of the Di-
cord in Rome, were up in arms; on all sides; and after the Sabinus, 
the Aurunci. Whence returning victorious in three Battles, they 
expected no less than that the Senate would have made good their 
words: when Appius Claudius, the other Consul, of his 
innate Pride, and that he might retract the Faith of his Colleague, 
could the Soldiers (who being fee at liberty, had behav'd them-
selves with such valor) to be restored to their return to their Credi-
tors and their Goals. Great reformation upon this was made by the Peo-
ple to Servilius, shewing him their Wounds, calling him 
to witness how they had behav'd themselves, and minding him of 
his promise. Poor Servilius was sorry, but so overaw'd 
with the headiness of his Colleague, and the obstinacy of the whole 
faction of the Nobility, that not daring to do any thing either way, 
he left both Parties: the Fathers conceiving that he was ambitious, 
and the People that he was false; while the Consul Claudius 
continuing to countenance such as daily feiz'd and imprison'd any of 
the inclined People, had still new and dangerous Controversies with 
them, insomuch that the Commonwealth was torn with horrid 
Division, and the People (because they found it not so safe, or so 
effectual in public) minded nothing but laying their heads together 
in privat Conventicles. For this Aulus Virginius, and 
Titus Veturius, the new Consuls, were reprovd by the 
Senat as slothful, and upbraided with the Virtue of Appius 
Claudius. Whereupon the Consuls having defir'd the Senat, 
that they might know their pleasure, shew'd afterwards their 
readines to obey it, by summoning the People according to com-
mand, and requiring names whereby to draw forth an Army for di-
version, but no man would answer. Report hereof being made to 
the Senat, the younger fort of the Fathers grew so hot with the 
Consuls, that they defir'd them to abdicate the Magistracy, which 
they had not the courage to defend.

"THE Consuls, tho they conceiv'd themselves to be roughly 
handled, made this short Anfwcr: Fathers Conscript, that you may 
please to take notice it was foretold from horrid Sedition is at hand, 
we shall only defir, that they whose valor in this place is so great, 
may stand by us to see how we behave our selves, and then be as 
refolute in your Commands as you will: your Fatherhoods may 
know if we be wanting in the performance.

"AT this som of the hot young Noblemen return'd with the 
Consuls to the Tribunal, before which the People were yet standing; 
and the Consuls having generally requir'd names in vain, to 
put it to somthing, requir'd the name of one that was in their eye 
particularly; on whom, when he mov'd not, they commanded a 
Lictor to lay hands: but the People thronging about the Party 
summon'd, forbade the Lictor, who durft not touch him; at which 
the Hotspurs that came with the Consuls, inrag'd by the afront, 
defended from the Throne to the aid of the Lictor; from whom 
in so doing they turn'd the indignation of the People upon them-
selves with such heat, that the Consuls interposing, thought fit, by 
remitting the Assembly, to appease the Tumult; in which never-
theless there had bin nothing but noise. Nor was there les in the 

"Senat,
"Senat, being suddenly rally'd upon this occasion, where they that receiv'd the repulse, with others whose heads were as addle as their own, fell upon the business as if it had bin to be determin'd by clama-
"mor, till the Consuls, upbraiding the Senat that it differ'd not from
the Marketplace, reduc'd the House to Orders. And the Fathers
having bin consult'd accordingly, there were three Opinions; Pub-
lius Virginius conceiv'd, that the confidereation to be had upon the
matter in question, or aid of the indebted and imprison'd
People, was not to be further extended than to such as had in-
gag'd upon the promise made by Servilius: Titus Lar-
gius, that it was no time to think it enough, if mens Merits were
acknowledg'd, while the whole People, sunk under the weight of
their debts, could not emerge without som common aid; which to
restrain, by putting som into a better condition than others, would
rather more inflame the Discord than extinguish it. Appius
Claudius (still upon the old hant) would have it, that the
People were rather wanton than fierce: It was not oppression that
neeceiticated, but their power that invited them to these freaks; the
Empire of the Consuls since the appeal to the People (wherby a
Flebeian might ask his fellows if he were a Thief) being but a
mere scarecrow. Go to, says he, let us create the Dictator, from
whom there is no appeal, and then let me fee more of this work,
or him that shall forbid my Lictor. The advice of Appius was
abhor'd by many; and to introduce a general recission of Debts with
Larcius, was to violat all Faith: That of Virginius, as
the most moderat, would have paft best, but that there were privat
Interests, that constant bane of the Public, which withstood it.
So they concluded with Appius, who also had bin Dictator, if
the Consuls and som of the graver fort had not thought it altogether
unseasonable, at a time when the Volsefs and the Sabins were up
again, to venture so far upon alienation of the People: for which
caufe Valerius, being descended from the Publicolas, the
most popular Family, as also in his own person of a mild nature,
was rather trusted with so rigid a Magistracy. Whence it hap-
pen'd, that the People, tho' they knew well enough against whom
the Dictator was created, fear'd nothing from Valerius; but
upon a new promife made to the same effect with that of Servi-
lius, hop'd better another time, and throwing away all difputes,
gave their names roundly, went out, and, to be brief, came home
again as victorious as in the former Action, the Dictator entering the
City in Triumph. Nevertheless when he came to press the Senat
to make good his promisse, and do somthing for the eafe of the Peo-
ple, they regarded him no more as to that point than they had don
Servilius. Whereupon the Dictator, in disdain to be made a
slave, abdicated his Magistracy, and went home. Here then was
a victorious Army without a Captain, and a Senat pulling it by the
beard in their Gowns. What is it (if you have read the Story, for
there is not such another) that must follow? Can any man imagin,
that such only should be the opportunity upon which this People
could run away? Alas, poor men, the Aequi and the Volsefs, and the
Sabins were nothing, but the Fathers invincible! There they sat
form three hundred of them arm'd all in Robes, and thundering with
their Tongues, without any hopes in the earth to reduce them to
any
any tolerable conditions. Wherefore, not thinking it convenient to
abide long so near them, away marches the Army, and incamps in
the fields. This Retreat of the People is call’d the Secession of Mount
Aventin, where they lodg’d very far at their condition; but not let-
ting fall so much as a word of murmur against the Fathers. The
Senat by this time were great Lords, had the whole City to them-
selves; but certain Neighbors were upon the way that might com
to speak with them, not asking leave of the Porter. Wherefore
their minds became troubl’d, and an Orator was posted to the Peo-
ple to make as good conditions with them as he could; but, what-
ever the terms were, to bring them home, and with all speed.
And here it was covenanted between the Senat and the People, that
these should have Magistrats of their own Election, call’d the Tri-
butes; upon which they return’d.
To hold you no longer, the Senat having don this upon ne-
ceessity, made frequent attempts to retract it again; while the Tri-
bunes on the other side, to defend what they had got, insinuated their
Tributa Comitia, or Council of the People; where they came in time,
and, as Disputes increas’d, to make Laws without the Authority of
the Senat, call’d Plebisita. Now to conclude in the point at which
I drive; such were the steps whereby the People of Rome came to
assume Debate: nor is it in Art or Nature to debar a People of the
like effect, where there is the like cause. For Romulus having
in the Election of his Senat squar’d out a Nobility for the support
of a Throne, by making that of the Patricks a distinct and here-
ditary Order, planted the Commonwealth upon two contrary In-
terefts or Roots, which shooting forth in time produc’d two Com-
monwealths, the one Oligarchical in the Nobility, the other a mere
Anarchy of the People, and ever after caus’d a perpetual feud and
enmity between the Senat and the People, even to death.
There is not a more noble or useful question in the Politics
than that which is started by Macchiavel. Whether means
were to be found whereby the Enmity that was between the Senat
and the People of Rome could have bin remov’d. Nor is there
any other in which we, or the present occasion, are so much con-
cern’d, particularly in relation to this Author; forasmuch as his
Judgment in the determination of the question standing, our Com-
monwealth falls. And he that will erect a Commonwealth against
the Judgment of Macchiavel, is oblig’d to give such reasons
for his enterprize as must not go a begging. Wherefore to repeat
the Politician very honestly, but from what more briefly, he disputes
thus.
There be two sorts of Commonwealths, the one for preserva-
tion, as Lacedemon and Venice; the other for increase, as Rome.
Lacedemon being governed by a King, and a small Senat,
could maintain it self a long time in that condition, because the Inha-
itants, being few, having put a bar upon the reception of Strangers,
and living in a strict observation of the Laws of Lycurgus, which
now had got reputation, and taken away all occasion of Tumults, might
well continue long in Tranquillity. For the Laws of Lycurgus in-
troduced a greater equality in Estates, and a less equality in Honors,
whence there was equal Poverty; and the Plebeians were less ambitious,
because the Honors or Magistracies of the City could extend but to a few,
and were not communicable to the People: nor did the Nobility by using them ill, ever give them a desire to participat of the same. This proceeded from the Kings, whose Principalit being place'd in the midst of the Nobility, had no greater means whereby to support itself, than to shield the People from all injury; whence the People not fearing Empire, desir'd it not: And so all occasion of enmity between the Senator and the People was taken away. But this Union happen'd effectually from two causes; the one, that the Inhabitants of Lacedemon being few, could be govern'd by the Few: the other, that, not receiving Strangers into their Commonwealth, they did not corrupt it, nor increase it to such a proportion as was not governable by the Few.

VENICE has not divided with her Plebeians, but all are called Gentlemen that be in administration of the Government; for which Government she is more beholden to Chance than the Wisdom of her Lawmakers:

For many retiring to those Islands, where that City is now built, from the inundations of Barbarians that overwhelm'd the Roman Empire, when they were increas'd to such a number, that to live together it was necessary to have Laws; they ordain'd a form of Government, whereby assembling often in Council upon Affairs, and finding their number sufficient for Government, they put a bar upon all such as repairing afterwards to their City should become Inhabitants, excluding them from participation of Power.

Whence they that were included in the Administration had right; and they that were excluded, coming afterwards, and being receiv'd upon no other conditions to be Inhabitants, had no wrong; and therefore had no occasion, nor (being never trusted with Arms) any means to be tumultuous. Wherefore this Commonwealth might very well maintain itself in Tranquillity.

These, things consider'd, it is plain that the Roman Legislators, to have introduc'd a quiet State, must have don one of these two things: either that one Strangers, as the Lacedemonians; or, as the Venetians, not allow'd the People to bear Arms. But they did neither. By which means the People having power and increase, were in perpetual tumult.

Nor is this to be help'd in a Commonwealth for increase, seeing if Rome had cut off the occasion of her Tumults, she must have cut off the means of her Increase, and by consequence of her Greatness.

Wherefore let a Legislator consider of himself, whether he would make his Commonwealth for preservation, in which case she may be free from Tumults; or for increase, in which case she must be infest'd with them.

If he makes her for preservation, she may be quiet at home; but will be in danger abroad. First, Because her Foundation must be narrow, and therefore weak, as that of Lacedemon, which lay but upon 3000 Citizens; or that of Venice, which lay but upon 3000. Secondly, Such a Commonwealth must either be in Peace, or in War: If she be in Peace, the Few are loose, effeminate, and corrupted, and so obnoxious also to Faction. If in War, succeeding ill, she is an easy prey; or succeeding well, ruin'd by increase: a weight which her Foundation is not able to bear. For Lacedemon, when she had made her self Mistribs, upon the matter, of all Greece, thro a slight accident, the Rebellion of Thebes, occasion'd by the Conspiracy of Pelopidas discovering this infirmity of her nature, the rest of her conquer'd Cities immediately fell off, and in the turn as it were of a hand reduc'd her from the fullest tide to the lowest eb of her fortune. And Venice having possess'd her self of a great part of Italy by her purfe, was no sooner in defence of it put to the trial of Arms, than she lost all in one Battel.

WHENCE
WHENCE I conclude, That in the Ordination of a Common-
wealth a Legislator is to think upon that which is most honorable: and
laying aside Models for Preservation, to follow the example of Rome
concurring at, and temporizing with the enmity between the Senat and the
People, as a necessary step to the Roman Greatness. For that any Man
should find out a balance that may take in the Conveniences, and put out
the Inconveniences of both, I do not think it possible. These are the
words of the Author, tho' the method be somewhat alter'd, to the
end that I may the better turn them to my purpose.

MY LORDS, I do not know how you hearken to this sound;
but to hear the greatest Artist in the modern World, giving sentence
against our Commonwealth, is that with which I am nearly con-
cern'd. Wherefore, with all honor due to the Prince of Politicians,
let us examine his reasoning with the same liberty which he has affect-
ed to be the right of a free People. But we shall never come up to
him, except by taking the business a little lower, we defend from
effects to their causes. The causes of Commotion in a Common-
wealth are either external or internal. External are from Enemies,
from Subjects, or from Servants. To dispute then what was the cause
why Rome was infested by the Italian, or by the Servil Wars; why
the Slaves took the Capitol; why the Lacedemonians were near as
frequently trouble'd with their Helots, as Rome with all those; or
why Venice, whose Situation is not trusted to the faith of Men, has
as good or better quarter with them whom she governs, than Rome
had with the Latins; were to dispute upon external causes. The
question put by Macchiavel is of internal causes; Whether
the enmity that was between the Senat and the People of Rome
might have bin remov'd. And to determin otherwise of this ques-
tion than he dos, I must lay down other Principles than he has don.
To which end I affirm, that a Commonwealth internally con-
sider'd, is either equal or inequal. A Commonwealth that is inter-
nally equal, has no internal cause of Commotion, and therefore can
have no such effect but from without. A Commonwealth inter-
nally inequal has no internal cause of quiet, and therefore can have
no such effect but by diversion.

To prove my Assertions, I shall at this time make use of no
other than his examples. Lacedemon was externally unequale, be-
cause she was externally inequal, that is to her Helots; and the
was internally at rest, because she was equal in her self, both in
root and branch: In the root by her Agrarian, and in branch by
the Senat, inasmuch as no Man was thereto qualify'd, but by election
of the People. Which Institution of Lycurgus is mention'd by Aristotle, where he says, that rendering his Citizens B.2.
emulous (not carefull) of that honor, he assign'd to the People
the election of the Senat. Wherefore Macchiavel in this, as
in other places, having his eye upon the division of Patrician and
Plebeian Families as they were in Rome, has quite mistaken the Or-
ders of this Commonwealth, where there was no such thing. Nor
did the quiet of it derive from the Power of the Kings, who were
so far from shielding the People from the injury of the Nobility, of
which there was none in his fente but the Senat, that one declar'd
end of the Senat at the institution was to shield the People from the
Kings, who from that time had but single Votes. Neither did it

pro-
procede from the straitnesses of the Senat, or their keeping the People excluded from the Government, that they were quiet, but from the equality of their administration, seeing the Senat (as is plain by the Oracle, their fundamental Law) had no more than the De- bate, and the Refult of the Commonwealth belong’d to the People. Wherfore when Theopomphus and Polydorus Kings of Laecedemon, would have kept the People excluded from the Govern- ment, by adding to the ancient Law this Clause, If the determina- tion of the People be faulty, it shall be lawful for the Senat to resume the Debate; the People immediately became unquiet, and return’d that Debate, which ended not till they had set up their Ephors, and caus’d that Magnificacy to be confirm’d by their Kings. * For when Theopomphus first ordain’d that the Ephori or Overseers should be created at Laecedemon, to be such a restraint upon the Kings there as the Tribunes were upon the Confuls at Rome, the Queen complain’d to him, that by this means he transmitted the Royal Authority greatly diminu’d to his Children: I leave indeed less, answer’d he, but more lasting. And this was excellently said; for that Power only is safe which is limited from doing hurt. Theopomphus therefore, by confining the Kingly Power within the bounds of the Law, did recommend it by so much to the Peoples Affection, as he remov’d it from being Arbitrary. By which it may appear, that a Commonwealth for preservation, if she coms to be unequal, is as obnoxious to enmity between the Senat and the People, as a Commonwealth for increase; and that the Tranquility of Laecedemon was deriv’d from no other cause than her Equality.

* For Venice, to say that she is quiet because she disarms her Subjects, is to forget that Laecedemon disarm’d her Helots, and yet could not in their regard be quiet; wherfore if Venice be defended from external caufes of Commotion, it is first thro’ her Situation, in which respect her Subjects have no hope (and this indeed may be attributed to her fortune) and, secondly, thro’ her exquisit Justice, whence they have no will to invade her. But this can be attributed to no other caufe than her Prudence; which will appear to be greater, as we look nearer; for the effects that proceed from Fortune, if there be any such thing, are like their cause, inconstant. But there never happen’d to any other Commonwealth so undisturb’d and constant a Tranquillity and Peace in her self, as is that of Venice; wherfore this must proceed from some other caufe than Chance. And we see that as she is of all others the most quiet, so the most equal Commonwealth. Her Body consists of one Order, and her Senat is like a rolling stone, as was said, which never did, nor, while it continues upon that rotation, never shall gather the moss of a divided or ambitious interest; much less such a one as that which grasp’d the People of Rome in the talons of their own Eagles. And if Macchiavel, averse from doing this Commonwealth right, had consider’d her Orders, as his Reader
shall easily perceive he never did, he must have bin so far from attributing the Prudence of them to Chance, that he would have touch'd up his admirable work to that perfection, which, as to the civil part, has no pattern in the universal World but this of Venice. 

ROME, secure by her potent and victorious Arms from all external caufes of Commotion, was either behelden for her Peace at home to her Enemies abroad, or could never rest her head. My LORDS, you that are Parents of a Commonwealth, and so freer Agents than such as are merely natural, have a care. For, as no man shall shew me a Commonwealth born fright, that ever became crooked: so, no man shall shew me a Commonwealth born crooked, that ever became fright. Rome was crooked in her birth, or rather prodigious. Her twins the Patricians and Plebian Orders came, as was shewn by the foregoing story, into the World, one body but two heads, or rather two bellies: for, notwithstanding the Fable out of AESOP, whereby MEnENIUS AGrippa the Orator that was sent from the Senat to the People at Mount Aven- tin, shew'd the Fathers to be the Belly, and the People to be the Arms and the Legs (which except that, how slothful forever it might seem, they were nourish'd, not these only, but the whole Body must languish and be dislik'd) it is plain, that the Fathers were a distinct Belly; such a one as took the meat indeed out of the Peoples mouths, but abhorring the Agrarian, return'd it not in the due and necessary nutrition of a Commonwealth. Never- theless, as the People that live about the Cataraets of Nius are said not to hear the noise, so neither the Roman Writers, nor MACCHIAVEL, the most convertant with them, seem among fo many of the Tribunitian forms, to hear their natural voice: for tho they could not mis of it so far as to attribute them to theULE of the People for participation in Magistrate, or, in which MAC- CHIAVEL more particularly joins, to that about the Agrarian; this was to take the business short, and the remedy for the disease. 

A PEOPLE, when they are reduc'd to misery and despair, becom their own Politicians, as certain Beasts when they are sick becom their own Physicians, and are carry'd by a natural instinct to the desire of such Herbs as are their proper cure: but the People, for the greater part, are beneath the Beasts in the use of them. Thus the People of Rome, tho in their misery they had recourse by instinct, as it were, to the two main Fundamentals of a Com- monwealth, participation of Magistrate, and the Agrarian, did but taste and spit at them, not (which is necessary in Physic) drink down the potion, and in that their healths. For when they had obtain'd participation of Magistrate, it was but lamely, not to a full and equal Rotation in all Elections; nor did they greatly regard it in what they had got. And when they had attain'd to the Agrarian, they neglected it so far as to suffer the Law to grow ob- solute: but if you do not take the due dose of your Medicines (as there be flight tafts which a man may have of Philosophy that in- cline to Atheism) it may chance to be poison, there being a like taft of the Politics that inclines to Confusion, as appears in the Institution of the Roman Tribuns, by which Magistrate and no more, the People were so far from attaining to Peace, that they in getting but so much, got but heads for an eternal feud; whereas if
they had attain'd in perfection either to the Agrarian, they had intro-
duced the equality and calm of Lacedemon, or to Rotation, and
they had introduce'd that of Venice: And so there could have bin no
more enmity between the Senat and the People of Rome, than there
was between those Orders in Lacedemon, or is now in Venice. Where-
fore Machiavel seems to me, in attributing the Peace of Ve-
nice more to her luck than her prudence, of the whole fable to have
saddled the wrong Horse; for the Rome * in her military part could
bear it better, beyond all comparison, upon the foundling hoof, Venice
for the civil part has plainly had the wings of Pegasus.

The whole Question then will come upon this point, Whether
the People of Rome could have obtain'd these Orders? And first, to
say, that they could not have obtain'd them without altering the
Commonwealth, is no Argument; seeing neither could they, with-
out altering the Commonwealth, have obtain'd their Tribuns, which
nevertheles were obtain'd. And if a man considers the posture
that the People were in when they obtain'd their Tribuns, they
might as well, and with as great ease (forasmuch as the reason why
the Nobility yielded to the Tribuns was no other, than that there
was no remedy) have obtain'd any thing else. And for experience,
it was in the like case that the Lacedemonians did set up their Ephors,
and the Athenians after the battle of Platea bow'd the Senat (so hard
a thing it is for a Commonwealth that was born crooked to becom
'treat Is) as much the other way. Nor, if it be objected, that this
muff have ruin'd the Nobility (and in that depriv'd the Commo-
wealth of the Greatnes which she acquire'd by them) is this opinion
holding; but confused by the sequel of the story, shewing plainly,
that the Nobility thro' the defect of such Orders, that is to say, of
Rotation and the Agrarian, came to eat up the People: and batter-
ing themselves in Luxury, to be, as Sallust speaks of them, * a
most sluggisb and lazy Nobility, in whom, besides the name, there was no
more than in a statue; and to bring so mighty a Commonwealth,
and of so huge a Glory, to so deplorable an end. Wherfore means
might have bin found to remove the enmity that was between the
Senat and the People of Rome.

My Lords, If I have argu'd well, I have given you the com-
fort and assurance, that notwithstanding the judgment of Machiavell,
your Commonwealth is both safe and found: but if I
have not argu'd well, then take the comfort and assurance which he
gives you while he is firm, That a Legislator is to lay aside all other
examples, and follow that of Rome only, conniving and temporizing
with the enmity between the Senat and the People, as a necessary
step to the Roman Greatnes. Whence it follows, that your Com-
monwealth, at the worst, is that which he has given you his word
is the best.

I have held your Lordships long, but upon an account of no
small importance, which I can now sum up in these few words:
Where there is a liquorishnes in a popular Assembly to debate, it
proceeds not from the Constitution of the People, but of the Com-

* Qui nimiose & non immutabile fulmen

Æs, & cornipedum curis simulatur equorum.

† Inerulliini nobilis, in quisquis, fuit in fuma, prater nomen nihil erat addiamentum.

* * * monwealth,
monwealth. Now that your Commonwealth is of such a Constitution as is naturally free from this kind of intemperance, is that which to make good, I must divide the remainder of my Discourse into two Parts.

"THE First, shewing the several Constitutions of the Assemblies of the People in other Commonwealths.

"THE Second, comparing our Assembly of the People with theirs; and shewing how it excludes the Inconveniences, and embraces the Conveniences of them all.

"IN the beginning of the first Part I must take notice, that among the popular Errors of our days it is no small one, that men imagin the ancient Governments of this kind to have consisted for the most part of one City, that is, of one Town; whereas by what we have learnt of my Lords that open'd them, it appears that there was not any considerable one of such a Constitution but Carthage, till this in our days of Venice.

"FOR to begin with Israel, it consisted of the twelve Tribes, locally spread or quarter'd throout the whole Territory; and these being call'd together by Trumpers, constituted the Church or Assembly of the People. The vaitness of this weight, as alfo the flowness thence unavoidable, became a great caufe (as has bin shewn at large by my Lord Phosphorus) of the breaking that Commonwealth; notwithstanding that the Temple, and thofe religious Ceremonys for which the People were at left annually oblig'd to repair thither, were no small Ligament of the Tribes, otherwife but slightly tack'd together.

"ATHENS consisted of four Tribes, taking in the whole People both of the City and of the Territory; not fo gather'd by the Selis into one Town, as to exclude the Country, but to the end that there might be bom Capital of the Commonwealth: tho the real be, that the Congregation consisting of the Inhabitants within the Walls, was sufficient to all intents and purpofoes, without those of the Country. Thofe alfo being exceeding numerous, became burdenfom to themselves, and dangerous to the Commonwealth; the more for their ill education, as is observe'd by Xenophon and Polybius, who compare them to Mariners that in a calm are perpetually disputeing and swaggering one with another, and never lay their hands to the common tackling or safety, till they be all in danger'd by fom form. Which caus'd Thucydides, when he saw this People thro the purchase of their misfery becom fo much wifer, as to reduce their Comitia or Assemblies to five thousand, to say in his eighth Book; And now, at leaft in my time, the Athenians seem to have order'd their State aright, consisting of a moderat temper both of the Few (by which he means the Senat of the Beam) and of the Many, or the five thousand. And he do not only give you his judgment, but the best proof of it; for thus, says he, was the first thing that, after fo many misfortunes past, made the City again to raise her head. The place I would defire your Lordships to note, as the firt example that I find, or think is to be found, of a popular Assembly by way of Representative.

X

"LACE-
"LACEDEMON consisted of thirty thousand Citizens dispers'd throught Laconia, one of the greatest Provinces in all Greece, and divided, as by som Authors is probable, into six Tribes. Of the whole body of these, being gather'd, consifted the great Church or Assembly, which had the Legislative Power; the little Church, gather'd for matters of concern within the City, consifted of the Spartans only. These happen'd, like that of Venice, to be good Constitutions of a Congregation, but from an ill caufe the infancy of a Commonwealth, which thro' her paucity was Oligarchical.

"WHEREFORE, go which way you will, it should seem, that without a Representative of the People, your Commonwealth consifting of a whole Nation, can never avoid falling either into Oligarchy or Confusion.

"THIS was seen by the Romans, whose rustic Tribes extending themselves from the River Arno to the Volturnus, that is, from Fesulae or Florence to Capua, invented a way of Representative by Lots: the Tribe upon which the first fell, being the Prerogative; and from two or three more that had the rest, the "Jure vocata. These gave the Suffrage of the Commonwealth in *two meetings; the Prerogative at the first Assembly, and the "Jure vocata at a second.

"NOW to make the parallel, all the Inconveniences that you have observ'd in thefe Assemblies are shut out, and all the Conveniences taken into your Prerogative. For first it is that for which Athens, shaking off the blame of Xenophon and Polybius, came to deprive the praise of Thucydides, a Representative. And, secondly, not as I suspect in that of Athens, and is past suspicion in this of Rome, by lot; but by suffrage, as was also the late House of Commons, by which means in your Prerogatives all the Tribes of Oceana are "Jure vocata; and if a man shall except against the paucity of the standing number, it is a wheel, which in the revolution of a few years turns every hand that is fit, or fits every hand that it turns to the public work. Moreover, I am deceiv'd if upon due consideration it doth not feel your Tribes, with greater equality and ease to themselves and to the Government, from the Frontiers of Marpesia, than Rome ever brought any one of hers out of her Pomaria, or the nearest parts of her adjoining Territories. To this you may add, That whereas a Commonwealth, which in regard of the People is not of facility in execution, were sure enough in this Nation to be cast off thro' impatience; your Muffets and Galaxys are given to the People, as milk to Babes, whereby when they are brought up thro' four days election in a whole year (one at the Parish, one at the Hundred, and two at the Tribe) to their strongest meat, it is of no harder digestion, than to give their Negative or Affirmative as they see caufe. There be gallant men among us that laugh at such an Appeal or Umpire; but I refer it whether you be more inclining to pardon them or me, who confess have bin this day laughing at a sober man, but without meaning him any harm, and that is PETrus CUNEUS, where speaking of the nature of the People, he says, that taking them apart, they are very simple, but yet in their Assembly they see and know somthing: and so runs away without troubling himself with what that somthing is. Whereas the People,
taken apart, are but so many privat Interests; but if you take them
together, they are the public Interest. The public Interest of a
Commonwealth, as has bin shewn, is nearest that of mankind, and
that of mankind is right reafon; but with Aristocracy (whose Rea-
fon or Interet, when they are all together, as appear'd by the Patri-
cians, is but that of a Party) it is quite contrary: for as, taken apart,
they are far wiuer than the People confider'd in that manner; so be-
ing put together, they are fuch fools, who by deposing the People,
as did thole of Rome, will saw off the branch herupon they fit,
or rather deftroy the root of their own Greatness. Wherefore
Macchiavel following Aristotle, and yet going before
him, may well affert, * That the People are wiuer and more constant in
their Refolutions than a Prince; which is the Prerogative of popular
Government for Wisdom. And hence it is that the Prerogative of
your Commonwealth, as for Wisdom fo for Power, is in the People:
which (tho I am not ignorant that the Roman Prerogative was fo
call'd à Prerogando, becaufe their Suffrage was firft ask'd) gives the
denomination to your Prerogative Tribe.

THE Elections, whether Annual or Triennial, being shewn by the
twenty second, that which coms in the next place to be confider'd is

THE twenty third ORDER, showing the Power, Function, and
manner of Proceeding of the Prerogative Tribe.

THE Power or Function of the Prerogative is of two parts, the one of
Resift, in which it is the Legislative Power; the other of Judicature, in which
regard it is the highest Court, and the laft appeal in this Commonwealth.

FOR the former part (the People by this Constitution being not oblig'd
by any Law that is not of their own making or confirmation, by the refult of
the Prerogative, their equal Representative) it shall not be lawful for the
Senat to require obedience from the People, nor for the People to give obei-
dence to the Senat in or by any Law that has not bin promulga
ted and published for the space of six weeks; and afterwards propos'd by the
Authority of the Senat to the Prerogative Tribe, and refer'd by the major
Vote of the same in the Affirmative. Nor shall the Senat have any power to
levy War, Men, or Money, otherwife than by the confent of the People
so given, or by a Law so enacted, except in caufes of Exigence, in which it
is agreed, that the Power both of the Senat and the People shall be in the
Dictator, so qualify'd, and for such a term of time, as is according to that
Constitution already prescrib'd. While a Law is in promulga
tion, the Con-
sors shall animadvert upon the Senat, and the Tribuns upon the People, that
there be no laying of heads together, no Conventicles or conuoying to carry
on or oppose any thing; but that all may be don in a free and open way.

FOR the latter part of the Power of the Prerogative, or that whereby
they are the Supreme Judicatory of this Nation, and of the Provinces of
the same, the cognizance of Crimes against the Majesty of the People, such
as High Treason, as also of Peculat, that is, robbery of the Treasury, or
defraudation of the Commonwealth, appertains to this Tribe. And if any
Perfon or Perfons, Provincials or Citizens, shall appeal to the People, it
belongs to the Prerogative to judge and determin the cafe; provided that if
the Appeal be from any Court of Justice in this Nation or the Provinces,

* Che la multitudine è più savia & più confacente che un Prencipe.
the Appellant shall first deposit a hundred Pounds in the Court from which he appeals, to be forfeited to the same, if he be cast in his Suit by the People. But the Power of the Council of War being the expedition of this Commonwealth, and the martial Law of the Strategus in the Field, are those only from which there shall be no Appeal to the People.

THE Proceeding of the Prerogative in case of a Proposition, is to be thus order'd. The Magistrates, proposing by Authority of the Senat, shall reserve the whole matter, and expound it to the People: which done, they shall put the whole together to the Suffrage, with three Boxes, the Negative, the Affirmative, and the Non-sincere: and the Suffrage being return'd to the Tribuns, and number'd in the presence of the Proposers, if the major Vote be in the Non-sincere, the Proposers shall defect, and the Senat shall resume the Debate. If the major Vote be in the Negative, the Proposers shall defect, and the Senat too. But if the major Vote be in the Affirmative, then the Tribe is clear, and the Proposers shall begin and put the whole matter, with the Negative and the Affirmative (leaving out the Non-sincere) byClauses; and the Suffrages being taken and number'd by the Tribuns in the presence of the Proposers, shall be written and reported by the Tribuns to the Senat. And that which is propos'd by the Authority of the Senat, and confirm'd by the Command of the People, is the Law of Oceana.

THE Proceeding of the Prerogative in a case of Judicature is to be thus order'd. The Tribuns being Auditors of all Causes appertaining to the cognizance of the People, shall have notice of the Suit or Trial, whether of Appeal or otherwise, that is to be commenced; and if any one of them shall accept of the same, it appertains to him to introduce it. A Cause being introduced, and the People must'd or assent'd for the decision of the same, the Tribuns are Presidents of the Court, having power to keep it to Orders, and shall be seated upon a Scaffold erected in the middle of the Tribe. Upon the right hand shall stand a Seat, or large Pulpit assigned to the Plaintiff, or the Accuser; and, upon the left, another for the Defendant, each if they please with his Council. And the Tribuns being attended upon such occasions with so many Ballotins, Secretaries, Doorkeepers, and Messengers of the Senat as shall be requisite, one of them shall turn up a Glass of the nature of an Hourglass, but such a one as is to be of an hour and a half's running; which being turn'd up, the Party or Council on the right hand may begin to speak to the People. If there be Papers to be read, or Witnesses to be examined, the Officer shall lay the Glass sideways till the Papers be read, and the Witnesses examined, and then turn it up again; and so long as the Glass is running, the Party on the right hand has liberty to speak, and no longer. The Party on the right hand having had his time, the like shall be done in every respect for the Party on the left. And the Cause being thus heard, the Tribuns shall put the question to the Tribe with a white, a black, and a red Box (or Non-sincere) whether Guilty, or not Guilty. And if the Suffrage being taken, the major Vote be in the Non-sincere, the Cause shall be reheard upon the next juridical day following, and put to the question in the same manner. If the major Vote consents the second time in the Non-sincere, the Cause shall be heard again upon the third day: but at the third hearing the question shall be put without the Non-sincere. Upon the first of the three days in which the major Vote consents in the white Box, the Party accused is absolved; and upon the first of them in which it consents in the black Box, the Party accused is condemn'd. The Party accused being condemn'd, the Tribuns (if the cause be criminal) shall put with the white and
the black Box these Questions, or such of them, as, regard had to the case, they shall conceive most proper.

1. WHETHER he shall have a Writ of ease.
2. WHETHER he shall be find'd so much, or so much.
3. WHETHER he shall be confiscated.
4. WHETHER he shall be render'd incapable of Magistracy.
5. WHETHER he shall be banish'd.
6. WHETHER he shall be put to death.

THESE, or any three of these Questions, whether simple or such as shall be thought fitly mix'd, being put by the Tribuns, that which has most above half the Votes in the black Box is the Sentence of the People, which the Troop of the third Classis is to see executed accordingly.

BUT whereas by the Constitution of this Commonwealth it may appear that neither the Propositions of the Senat, nor the Judicature of the People, will be of great as to hold the Prerogative in continual employment; the Senat, a main part of whose Office it is to teach and instruct the People, shall duly (if they have no greater Affairs to divert them) cause an Oration to be made to the Prerogative by some Knight or Magistrat of the Senat, to be chosen out of the ablest men, and from time to time appointed by the Orator of the House, in the great Hall of the Pantheon, while the Parliament resides in the Town; or in some Grove or sweet place in the field, while the Parliament for the heat of the year shall reside in the Country; upon every Tuesday, morning or afternoon.

AND the Orator appointed for the time to this Office, shall first repeat the Orders of the Commonwealth with all possible brevity; and then making choice of one or some part of it, discourse thereof to the People. An Oration or Discourse of this nature, being afterward pens'd by the Council of State, may as they see cause be printed and published.

THE ARCHON'S Comment uppon the Order I find to have bin of this sente.

My Lords,

"TO crave pardon for a word or two in farther explanation of what was read, I shall briefly shew how the Constitution of this Tribe or Assembly answers to their Function; and how their Function, which is of two parts, the former in the Refult or Legislative Power, the latter in the supreme Judicature of the Commonwealth, answers to their Constitution. MACCHIAVEL has a Discourse, where he puts the question, Whether the guard of Liberty may with more security be committed to the Nobility, or to the People. Which doubt of his arises thro' the want of explaining his terms; for the guard of Liberty can signify nothing else but the Refult of the Commonwealth: so that to say, that the guard of Liberty may be committed to the Nobility, is to say, that the Refult may be committed to the Senat, in which case the People signify nothing. Now to shew it was a mistake to affirm it to have bin thus in Lacedemon, sufficient has bin spoken; and whereas he will have have it to be so " in
in Venice also, *They, says Contarini, in whom resides the Supreme Power of the whole Commonwealth, and of the Laws, and upon whose Orders depends the Authority as well of the Senat as of all the other Magistrats, is the GREAT COUNCIL. It is inlinutively in the Great Council, by the judgment of all that know that Commonwealth; tho for the Reasons shewn, it be sometimes exercis'd by the Senat. Nor need I run over the Commonwealths in this place for the proof of a thing so doub'tles, and such as has bin already made so apparent, as that the Refult of each was in the popular part of it. The popular part of yours, or the Prerogative Tribe, consists of seven Deputys (wherof three are of the House) annually elected out of every Tribe of Oceana; which being fifty, amounts to one hundred and fifty Horfe, and two hundred Foot. And the Prerogative consisting of three of these Lifts, consists of four hundred and fifty Horfe, and fix hundred Foot, besides those of the Provinces to be hereafter mention'd; by which means the overbalance in the Suffrage remaining to the Foot by one hundred and fifty Votes, you have to the support of a true and natural Aristocracy, the deepest root of a Democracy that has bin ever planted. Wherefore there is nothing in Art or Nature better qualified for the Refult than this Assembly. It is noted out of Cicero by Macchiavel, That the People, tho they are not so prone to find out Truth of themselves, as to follow Custum, or run into Error; yet if they be shewn Truth, they not only acknowledge and embrace it very suddenly, but are the most constant and faithful Guardians and Conventors of it. It is your Duty and Office, wherto you are also qualified by the Orders of this Commonwealth, to have the People as you have your Hauks and Greyhounds, in Leaves and Slips, to range the Fields, and beat the Bushes for them; for they are of a nature that is never good at this sport, but when you spring or start their proper quarry. Think not that they will stand to ask you what it is, or let's know it than your Hauks and Greyhounds do theirs; but presently make such a flight or course, that a Huntsman may as well undertake to run with his Dogs, or a Falconer to fly with his Hauk, as an Aristocracy at this game to compare with the People. The People of Rome were poss'd of no less a prey than the Empire of the World, when the Nobility turn'd tails, and perch'd among Daws upon the Tower of Monarchy. For tho they did not all of them intend the thing, they would none of them indure the Remedy, which was the Agrarian. BUT the Prerogative Tribe has not only the Refult, but is the Supreme Judicature, and the ultimát Appeal in this Commonwealth. For the popular Government that makes account to be of any standing, must make sure in the first place of the Appeal to the People. As an Estate in trust becomes a man's own, if he be not answerable for it; so the Power of a Magistracy not accountable to the People, from whom it was receiv'd, becoming of privat use, the Commonwealth loses her Liberty. Wherfore the Right of Su-

*Quello appresso il quale e la somma autorità di tutta la città, e delle leggi & decreti, de i quali pend e l'autorità così del Senato come ancora di tutti i Magistrati, e il Consiglio Grande. +Alleuomine de provocazione adversus Magistratus ad Populum, faciendoque cum bono capite ejus, qui regni occupandi confidit inillum.*

"preme"
preme Judicature in the People (without which there can be no such thing as popular Government) is confirm'd by the constant practice of all Commonwealths; as that of Israel in the cases of Achan, and of the Tribe of Benjamin, adjudg'd by the Congregation. The Dissectorian or Court call'd the Helias in Athens, which (the Comitia of that Commonwealth consisting of the whole People, and so being too numerous to be a Judicatory) was constituted from time of five hundred, at others of one thousand, or, according to the greatest of the caufe, of fifteen hundred, elected by the Locus of the whole Body of the People, had with the nine Archons that were Presidents, the cognizance of such Causes as were of highest importance in that State. The five Ephors in Lacedemon, which were popular Magistrats, might question their Kings, as appears by the cases of Pausanias, and of Agis, who being upon his Trial in this Court, was cry'd to by his Mother to appeal to the People, as Plutarck has it in his Life. The Tribuns of the People of Rome (like, in the nature of their Magistracy, and for some time in number, to the Ephors, as being, according to Halicarnasus and Plutarck, instituted in imitation of them) had power to summon any man, his Magistracy at least being expired (for from the Dictator there lay no Appeal) to answer for himself to the People. As in the case of Corio-olanus, who was going about to force the People, by withholding Corn from them in a Famin, to relinquish the Magistracy of the Tribuns; in that of Spurius Cassius for affecting Tyranny; of Marcus Sergius for running away at Veii; of Caius Lucretius for spoiling his Province; of Junius Silanus for making War, without a command from the People, against the Cimbri; with divers others. And the Crimes of this nature were call'd Lasa Majestatis, or High Treason. Examples of such are arraing'd or try'd for Pecular, or Defraudation of the Commonwealth, were Marcus Curius, for intercepting the Mony of the Samsii; Salinator, for the inequal division of Spoils to his Soldiers; Marcus Posthumus, for cheating the Commonwealth by a feign'd Shipwreck. Causes of these two kinds were of a more public nature; but the like Power upon Appeals was also exercis'd by the People in privat matters, even during the time of the Kings; as in the case of Horatius. Nor is it otherwise with Venice, where the Doge Loredo was senten'd by the Great Council; and Antonio Grimani, afterwards Doge, question'd, for that he being Admiral had suffer'd the Tare to take Lepanto in view of his Fleet.

Nevertheless, there lay no Appeal from the Roman Dictator to the People; which if there had, might have coll the Commonwealth dear, when Spurius Melsius affirming Empire, circumvented and debauch'd the Tribuns: wherupon Titus Quintius Cincinnatus was created Dictator; who having chosen Servilius Ahala to be his Lieutenant, or Magister Equitum, sent him to apprehend Melsius, whom, while he dispu'd the Commands of the Dictator, and implor'd the aid of the People, Ahala cut off upon the place. By which example

† Diem dicere.
you may see in what cases the Dictator may prevent the Blow which
is ready sometimss to fall e're the People be aware of the Danger.
Wherefore there lys no Appeal from the Dicei, or the Council of Ten,
in Fensce, to the Great Council, nor from our Council of War to
the People. For the way of proceeding of this Tribe, or the Bal-
lot, it is, as was once said for all, Venetian.

This Discourse of Judicatorys wherupon we are fain, brings
us rather naturally than of design from the two general Orders of
every Commonwealth, that is to say, from the debating part or the
Senat, and the resolving part or the People, to the third, which is
the executive part or the Magistracy, wherupon I shall have no need
to dwell: For the executive Magistrats of this Commonwealth are
the Stratogus in Arms; the Signory in their several Courts, as the
Chancery, the Escheuer; as also the Councils in divers cafes with-
in their Infrustions; the Censors as well in their proper Magistra-
cy, as in the Council of Religion; the Tribus in the Government
of the Prerogative, and that Judicatory; and the Judges with their
Courts: Of all which so much is already said or known as may
suffice.

The Tuesday Lectures or Orations to the People will be of
great benefit to the Senat, the Prerogative, and the whole Nation.
To the Senat, because they will not only teach your Senators Elocu-
tion, but keep the System of the Government in their memories.
Elocution is of great use to your Senators; for if they do not un-
derstand Rhetoric (giving it at this time for granted, that the Art
were not otherwise good) and com to treat with, or vindicate the
cause of the Commonwealth against som other Nation that is good
at it, the advantage will be subject to remain upon the merit of the
Art, and not upon the merit of the Cause. Furthermore, the Geo-
nius or Soul of this Government being in the whole and in every
part, they will never be of ability in determination upon any par-
ticular, unlefs at the same time they have an Idea of the whole.
That this therefore must be, in that regard, of equal benefit to the
Prerogative, is plain; tho these have a greater concernment in it.
For this Commonwealth is the Effate of the People: and a man,
you know, tho he be virtuous, yet if he dos not understand his
Effate, may run out or be cheated of it. Last of all, the Treas-
ures of the Politics will by this means be fo open'd, rifled, and di-
vers'd, that this Nation will as soon dote, like the Indians, upon
glas Beads, as disturb your Government with Whimsy and Freaks
of Motherwit; or suffer themselves to be flutter'd out of their Li-
bertys. There is not any reason why your Grandees, your wife
men of this Age, that laugh out and openly at a Commonwealth as
the most ridiculous thing, do not appear to be, as in this regard they
are, mere Idiots, but that the People have not eyes.

There remains no more relating to the Senat and the People

24. ORDER.
Confirnation of the provincial
part of the Senate and the People.

The twenty fourth ORDER, whereby it is lawful for the Prov-
ince of Marpaein to have 30 Knights of their own election continually
present in the Senate of Oceana, together with 60 Deputies of Horfe, and
120 of Foot in the Prerogative Tribe, inda'd with equal Power (respekt,
had
had to their quality and number) in the Debate and Result of this Commonwealth: provided that they observe the Course or Rotation of the same by the annual Return of 16 Knights, 20 Deputies of the Horse, and 40 of the Foot. The like in all respects is lawful for Panopea; and the Horse of both the Provinces amounting to one Troop, and the Foot to one Company, one Captain and one Cornet of the Horse shall be annually chosen by Marpeia, and one Captain and one Ensign of the Foot shall be annually chosen by Panopea.

The Orb of the Pretogative being thus complete, is not unaturally compar'd to that of the Moon, either in consideration of the Light borrow'd from the Senat, as from the Sun; or of the ebs and floods of the People, which are mark'd by the Negative or Affirmative of this Tribe. And the Constitution of the Senat and the People being shewn, you have that of the Parliament of Oceana, consisting of the Senat proposing, and of the People resolving; which amounts to an Act of Parliament. So the Parliament is the Heart, which, consisting of two Ventricle, the one greater and replenish'd with a groffer matter, the other less and full of a purer, sucks in, and spouts forth the vital Blood of Oceana by a perpetual Circulation. Wherefore the life of this Government is no more unnatural or obnoxious upon this score to dilution, than that of a Man; nor to giddiness than the World: seeing the Earth, whether it be it self or the Heavens that are in rotation, is so far from being giddy, that it could not subsist without motion. But why should not this Government be much rather capable of duration and freedom by motion? than which God has ordain'd no other to the universal Commonwealth of Mankind: seeing one Generation comes, and another goes, but the Earth remains firm for ever; that is, in her proper Situation or Place, whether she be mov'd or not mov'd upon her proper Center. The Senat, the People, and the Magistracy, or the Parliament so constituted, as you have seen, is the Guardian of this Commonwealth, and the Husband of such a Wife as is elegantly describ'd by Solomon. She is like the Merchant's Ship; she brings her Food from far. She considers a Field, and buys it: With the fruit of her hands she plants a Vineyard. She perceives that her Merchandise is good. She stretches forth her hands to the Poor. She is not afraid of the Snow for her Household; for all her Household are cloth'd with Scarlet. She makes her self Coverings of Tapestry; her Clothing is Silk and Purple. Her Husband is known (by his Robes) in the Gates, when he sits among the Senators of the Land. The Gates, or inferior Courts, were branches as it were of the Sanhedrim or Senat of Israel. Nor is our Commonwealth a worse Husband, or she has less regard to her Magistrats; as may appear by

The twenty fifth ORDER: That, whereas the public Revenue is thro' the late Civil Wars dilapidated, the Excise, being improv'd or improvable to the Revenue of one Million, be appli'd for the space of eleven years to com, to the reparation of the same, and for the present maintenance of the Magistrats, Knights, Deputies, and other Officers, who according to their several Dignity and Functions, shall annually receive towards the Support of the same, as follows.
THE Lord Strategus Marching, is, upon another account, to have Field Pay as General.

<table>
<thead>
<tr>
<th>Position</th>
<th>Amount lib. per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>THE Lord Strategus sitting</td>
<td>2000</td>
</tr>
<tr>
<td>THE Lord Orator</td>
<td>2000</td>
</tr>
<tr>
<td>THE three Commissioners of the Seal</td>
<td>4500</td>
</tr>
<tr>
<td>THE three Commissioners of the Treasury</td>
<td>4500</td>
</tr>
<tr>
<td>THE two Censors</td>
<td>3000</td>
</tr>
<tr>
<td>THE 290 Knights, at 500 l. a man</td>
<td>145000</td>
</tr>
<tr>
<td>THE 4 Embassadors in Ordinary</td>
<td>12000</td>
</tr>
<tr>
<td>THE Council of War for Intelligence</td>
<td>3000</td>
</tr>
<tr>
<td>THE Master of the Ceremonys</td>
<td>5000</td>
</tr>
<tr>
<td>HIS Substitute</td>
<td>5000</td>
</tr>
<tr>
<td>THE 12 Ballots for their Winter Liverys</td>
<td>240</td>
</tr>
<tr>
<td>FOR their Summer Liverys</td>
<td>1200</td>
</tr>
<tr>
<td>FOR their Boardwages</td>
<td>4800</td>
</tr>
<tr>
<td>FOR the keeping of three Coaches of State, 24 Coachhorses, with Coachmen and Postillions</td>
<td>1500</td>
</tr>
<tr>
<td>FOR the Grooms, and keeping of 16 great Horses for the Master of the Horse, and for the Ballots whom he is to govern and instruct in the Art of Riding</td>
<td>480</td>
</tr>
<tr>
<td>THE 20 Secretaries of the Parliament</td>
<td>2000</td>
</tr>
<tr>
<td>THE 20 Doorkeepers, who are to attend with Poleaxes; for their Coats</td>
<td>200</td>
</tr>
<tr>
<td>FOR their Boardwages</td>
<td>1000</td>
</tr>
<tr>
<td>THE 20 Messengers, which are Trumpeters, for their Coats</td>
<td>200</td>
</tr>
<tr>
<td>FOR their Boardwages</td>
<td>1000</td>
</tr>
<tr>
<td>FOR Ornament of the Masters of the Toath</td>
<td>5000</td>
</tr>
<tr>
<td><strong>Sum</strong></td>
<td><strong>189370</strong></td>
</tr>
</tbody>
</table>

OUT of the personal Estates of every man, who at his Death bequeath not above forty [illegible] to the Master of that Hundred wherein it lies, shall be kept a one per cent. till the solid Revenue of the Master of the Hundred amounts to 50 l. per annum for the Prizes of the Toath.

THE twelve Ballots are to be divided into three Regions, according to the course of the Senate; the four of the first Region to be elected at the Tropic out of such Children as the Knights of the same shall offer, not being under eleven years of Age, nor above thirteen. And their Election shall be made by the Lot at an Urn set by the Sergeant of the House for that purpose in the Hall of the Pantheon. The Livery of the Commonwealth for the fashion or the color may be changed at the Election of the Strategus according to his pleasure. But every Knight during his Session shall be bound to give to his Footman, or some one of his Footmen, the Livery of the Commonwealth.

THE Prerogative Tribe shall receive as follows.

<table>
<thead>
<tr>
<th>Position</th>
<th>Amount lib. by the week</th>
</tr>
</thead>
<tbody>
<tr>
<td>THE 2 Tribuns of the Horse</td>
<td>14</td>
</tr>
<tr>
<td>THE 2 Tribuns of the Foot</td>
<td>12</td>
</tr>
<tr>
<td>THE 3 Captains of Horse</td>
<td>15</td>
</tr>
</tbody>
</table>
OCEANA.

| THE 3 Cornets                  | 9  |
| THE 3 Captains of Foot        | 12 |
| THE 3 Ensigns                 | 7  |
| THE 442 Horse, at 2l. a man   | 884|
| THE 502 Foot, at 1l. 10s. a man| 888|
| THE 6 Trumpeters              | 7  |
| THE 3 Drummers                | 2  |

SUM by the Week 1850 15s.

SUM by the Year 96239

THE Total of the Senat, the People, and the Magistracy, 287459 15s.

THE Dignity of the Commonwealth, and Aids of the several Magistracies and Offices thereof belonging, being provided for as aforesaid, the Overplus of the Excise, with the Product of the Sum rising, shall be carefully managed by the Senat and the People thro the diligence of the Officers of the Exchequer, till it amounts to eight Millions, or to the purchase of about four hundred thousand Pounds solid Revenue. At which time, the term of eleven years being expired, the Excise, except it be otherwise order'd by the Senat and the People, shall be totally remitted and abolished for ever.

AT this Institution the Taxes, as will better appear in the Corollary, were abated about one half, which made the Order when it came to be tasted, to be of good reisish with the People in the very beginning; tho' the Advantages then were no ways comparable to the Consequences to be hereafter shewn. Nevertheless, my Lord E PIN OUS, who with much ado had bin held till now, found it midsummer Moon, and broke out of Bedlam in this manner.

My Lord ARCHON,

I HAVE a singing in my head like that of a Cartwheel, my Brains are upon a Rotation; and som are so merry, that a man cannot speak his griefs, but if your highfhood Prerogative, and those fame flouting Fellow's your Tribuns, do not take my Lord Strategus's, and my Lord Orator's heads, and yole them together under the Canopy, then let me be ridiculous to all Pofterity. For here is a Commonwealth, to which if a man should take that of the Pretices in their ancient Administration of Justice at Shrovetide, it were an Aristocracy. You have fet the very Rabble with Troncheons in their hands, and the Gentry of this Nation like Cocks with Scarlet Gills, and the Golden Combs of their Salaries to boot, left they should not be thrown at.

NOT a Night can I sleep for som horrid Apparition or other; one while these Myrmidons are measuring Silks by their Quarter-staves; another, stuffing their greasy Pouches with my Lord High Treasurers Jacobusses. For they are above a thousand in Arms to three hundred, which, their Gowns being pul'd over their ears, are but in their Doublets and Hole. But what do I speak of a thousand? there be two thousand in every Tribe, that is, a hundred thousand in the whole Nation, not only in the posture of an Army, but
but in a civil Capacity sufficient to give us what Laws they plaetc.
Now every body knows, that the lower sort of People regard no-
thing but Mony; and you say it is the Duty of a Legislator to pre-
sume all men to be wicked: wherfore they must fall upon the
richer, as they are an Army; or, left their minds should misgive them
in such a villany, you have given them encouragement that they
have a nearer way, seeing it may be don every whit as well as by
the overbalancing Power which they have in Elections. There is
a Fair which is annually kept in the Center of these Territories at
Kiberton, a Town famous for Ale, and frequented by good Fel-
lows; where there is a Solemnity of the Pipers and Fidlers of this
Nation (I know not whether Lacedemon, where the Senat kept ac-
count of the stops of the Flutes and of the Fiddlerings of that
Commonwealth, had any such Custom) call’d the Balrunning;
and be that catches and holds the Bull, is the annual and supreme
Magistrat of that Comitia or Congregation, call’d King Piper;
without whose Licence it is not lawful for any of those Citizens to
joy the liberty of his Calling; nor is he otherwise legitimately
qualify’d (or crevitate donatus) to lead Apes or Bears in any Per-
ambulation of the same. Mine Hoyt of the Bear, in Kiberton, the
Father of Ale, and Patron of good Football and Cudgelplayers, has
any time since I can remember, bin Grand Chancellor of this Order.
Now, say I, seeing great things arife from small beginnings, what
should hinder the People, prone to their own Advantage, and lov-
ing Mony, from having Intelligence convey’d to them by this fame
King Piper and his Chancellor, with their Loyal Subjects the Min-
istrils and Bearwards, Masters of Ceremonys, to which there is
great recourse in their respective Perambulations, and which they
will commission and instruct, with Directions to all the Tribes,
will ing and commanding them, that as they with their own good,
they chufe no other into the next primum Mobile, but of the ablest
Cudgel and Footballplayers? Which don as soon as said, your
primum Mobile consisting of no other stuff, must of necessity be
drawn forth into your Nebuloses, and your Galimofrys; and to the
skilken Purfes of your Senat and Prerogative being made of Sows
ears, most of them Blacksmiths, they will strike while the Iron is
hot, and beat your Effates into Hobbails; mine Hoyt of the Bear
being Strategus, and King Piper Lord Orator. Well, my Lords, it
might have bin otherwise expreft, but this is well enough a con-
spicence. In your way, the Wit of man shall not prevent this or the
like Inconvenience ; but if this (for I have confer’d with Artists)
be a mathematical Demonstration, I could kneel to you, that e’re
it be too late we might return to som kind of Sobriety.
"IF we emty our Purfes with thefe Poms, Salarys, Coaches,
Lacquys, and Pages, what can the People say less, than that we
have dreft a Senat and a Prerogative for nothing, but to go to the
Park with the Ladys?"

MY Lord Archon, whose meekness resembld that of Moses, vouchsaF’d this Answr.
My Lords;

"F"or all this, I can see my Lord Epimonus every night in the Park, and with Ladys; nor do I blame this in a young Man, or the Respect which is and ought to be given to a Sex that is one half of the Commonwealth of Mankind, and without which the other would be none: But our Magistrates, I doubt, may be form-what of the oldlest to perform this part with much acceptation; and, as the Italian Proverb says, & Servire & non gradire è cosa da far morire. Wherfore we will lay no certain Obligation upon them in this Point, but leave them, if it please you, to their own fate or discretion. But this (for I know my Lord Epimonus loves me, tho I can never get his esteem) I will say, if he had a Mistrefs he should use him so, he would find it a sad Life; or I appeal to your Lordships, how I can reftent it from such a Friend, that he puts King Piper’s Politicks in the Balance with mine. King Piper, I deny not, may teach his Bears to dance, but they have the worst ear of all Creatures. Now how he should make them keep time in fifty several Tribes, and that two years together, for else it will be to no purpose, may be a small matter with my Lord to promise; but it seems to me of impossible performance. First, Thro the nature of the Bean; and, Secondly, throu that of the Balot; or how what he has hitherto thought so hard, is now com to be easy: but he may think, that for expedition they will eat up these Balls like Apples. However, there is so much more in their way by the Constitution of this, than is to be found in that of any other Commonwealth, that I am reconcil’d; it now appearing plainly, that the Points of my Lord’s Arrows are direct’d at no other White, than to shew the excellency of our Government above others; which, as he proceeds further, is yet plainier; while he makes it appear, that there can be no other elected by the People but Smiths,

"Bromesque Steropeque & nudus membra Pyramon:

"Otthoniel, Aod, Gideon, Jephtha, Samson, as in Israel: Miltiades, Aristides, Themistocles, Cimon, Pericles, as in Athens: Papyrius, Cinsinquatus, Camillus, Fabius, Scipio, as in Rome: Smiths of the fortune of the Commonwealth; not such as for’d Hobnails, but Thunderbolts. Popular Elections are of that kind, that all the rest of the World is not able, either in number of glory, to equal thofe of the three Commonwealths. Thofe indeed were the ableft Cudgel and Footbal-players; bright Arms were their Cudgels, and the World was the Ball that lay at their feet. Wherefore we are not fo to understand the Maxim of Legislators, which holds all men to be wicked, as if it related to Mankind or a Commonwealth, the Interests wherof are the only ftrait lines they have whereby to reform the crooked; but as it relates to every Man or Party, under what color soever he or they pretend to be trusted

* To love and not injy, is the way to break ones heart.

"apart,
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apart, with or by the whole. Hence then it is deriv’d, which is
made good in all experience, that the Aristocracy is ravenous; and
not the People. Your Highwaymen are not such as have Trades,
or have bin brought up to Industry; but such commonly whole
Education has pretended to that of Gentlemen. My Lord is so hon-
neft, he dos not know the Maxims that are of absolute necessity to
the Arts of Wickedness; for it is most certain, if there be not more
Purses than Thieves, that the Thieves themselves must be forc’d to
turn honest, because they cannot thrive by their Trade: But now
if the People shold turn Thieves, who fees not that there would
be more Thieves than Purses? Wherfore a whole People
should turn Robbers or Levellers, is as impossible in the end as in
the means. But that I do not think your Artift which you men-
tion’d, whether Astronomer or Arithmetician, can tell me how
many Barlycorns would reach to the Sun; I could be content he
were call’d to the account, with which I shall conclude this Point:
when by the way I have chid my Lords the Legitimators, who, as
if they doubted my Tackling could not hold, would leave me to flag
in a perpetual Calm, but for my Lord Epimonus, who breaths
now and then into my Sails, and flits the Waters. A Ship makes not
her way so briskly, as when she is handomly brusht by the Waves,
and tumbles over those that seem to tumble against her; in which
case I have perceiv’d in the dark, that Light has bin struck even out
of the Sea, as in this place, where my Lord Epimonus seignign
to give us a demonftration of one thing, has given it of another,
and of a better. For the People of this Nation, if they amount
in each Tribe to two thousand Elders, and two thousand Youths,
on the annual Roll, holding a fifth to the whole Tribe; then
the whole of a Tribe, not accounting Women and Children, must a-
dount to twenty thousand; and to the whole of all the Tribes, be-
ing fifty, to one Million. Now you have ten thousand Parishes,
and reckoning thefe one with another, each at one thousand pounds
a Year dry Rent, the Rent or Revenue of the Nation, as it is or
might be let to Farm, amounts to ten Millions; and ten Millions
in Revenue divided equally to one Million of men, oms but to
ten pounds a year to each wherewith to maintain himself, his Wife
and Children. But he that has a Cow upon the Common, and
earns his Shilling by the day at his labor, has twice as much already
as this would come to for his share; because if the Land were thus
divided, there would be no body to set him on work. So my Lord
Epimonus’s Footman, who cofts him thrice as much as one of
these could thus get, would certainly lose by this bargain. What
should we speak of those innumerable Trades whereupon men live,
not only better than others upon good shares of Lands, but becom
also purchasers of greater Estates? Is not this the demonstration
which my Lord meant, that the Revenue of Industry in a Nation,
at least in this, is three or fourfold greater than that of the mere
Rent? If the People then obftruct Industry, they obftruct their
own livelihood; but if they make a War, they obftruct Industry.
Take the Bread out of the Peoples mouths, as did the Roman Patri-
cians, and you are sure enough of a War, in which case they may
be Levellers; but our Agrarian caufes their Industry to flow with
Milk and Hony. It will be own’d, that this is true, if the People
were
were given to understand their own happiness; But where is it they do that? Let me reply with the like question. Where do they not? They do not know their happiness it should seem in France, Spain, and Italy: but teach them what it is, and try whose Sense is the truest. As to the late Wars in Germany, it has bin affirmd to me there, that the Princes could never make the People to take Arms while they had Bread, and have therfore suffered Countries now and then to be wasted, that they might get Soldiers. This you will find to be the certain pulse and temper of the People; and if they have bin already provd to be the most wise and constant Order of a Government, why should we think (when no man can produce one Example of the common Soldierly in an Army mutinying because they had not Captains pay) that the Prerogative should jole the heads of the Senat together, because these have the better Salaries; when it must be as evident to the People in a Nation, as to the Soldierly in an Army, that it is no more possible their Emoluments of this kind should be afforded by any Commonwealth in the World to be made equal with those of the Senat, than that the common Soldiers should be equal with the Captains? It is enough for the common Soldier, that his Virtue may bring him to be a Captain, and more to the Prerogative, that each of them is nearer to be a Senator.

If my Lord thinks our Salaries too great, and that the Commonwealth is not Houswife enough; whether is it better Houswife that she should keep her Family from the Snow, or suffer them to burn her Houfe that they may warm themselves? for one of these must be. Do you think that the came off at a cheaper rate, when men had their Rewards by a thousand, two thousand pounds a Year in Land of Inheritance? If you say, that they will be more godly than they have bin, it may be ill taken; and if you cannot promise that, it is time we find out som way of sitting at least, if not curing them of that fame saecia Fames. On the other side, if a poor man (as such a one may have a City) gives his sweat to the Public, with what conscience can you suffer his Family in the mean time to starve? But he that lays his hand to this Plow, shall not lose by taking it off from his own; and a Commonwealth that will mend this, shall be penny wife. The Sanhedrim of Israel being the Supreme, and a constant Court of Judicature, could not chuse but be exceeding gainful. The Senat of the Bean in Athens, because it was but annual, was moderately falariated; but that of the Areopagis being for Life, bountifully: and what advantages the Senators of Lacedemom had, where there was little Mony or use of it, were in Honors for life. The Patricians having no profit, took all. Venice being a Situation, where a man gos but to the door for his Employment, the Honor is great, and the Reward very little: but in Holland a Counsellor of State has fifteen hundred Fifteen Pounds a Year, besides other Accommodations. The States General have more. And that Commonwealth looks nearer her Penny than ours needs to do.

* O fortunati nimium, bona et sacra mors, Agricola!
FOR the Revenue of this Nation, besides that of her Industry, it amounts, as has been shown, to ten Millions; and the Salaries in the whole corn not to three hundred thousand Pounds a Year. The Beauty they will add to the Commonwealth will be exceeding great, and the People will delight in this Beauty of their Commonwealth; the Encouragement they will give to the study of the Public being very profitable, the Accommodation they will afford to your Magistrats very honorable and easy. And the Sum, when it or twice as much was spent in Hunting and Housekeeping, was never any grievance to the People. I am afraid'd to hand huckling upon this Point; it is forbid. Your Magistrats are rather to be provided with further Accommodations. For what if there should be Sickness? whither will you have them to remove? And this City in the soundest Times, for the heat of the Year, is no wholesome abode: have a care of their Healths to whom you commit your own. I would have the Senat and the People, except they see cause to the contrary, every first of June to remove into the Country Air for the space of three months. You are better fitted with Summer-houses for them, than if you had built them to that purpose. There is from twelve miles distant the Convallium upon the River Halcyonia, for the Tribuns and the Prerogative, a Palace capable of a thousand Men; and twenty miles distant you have Mount Celis, reverend as well for the Antiquity as State of a Castle completely capable of the Senat: the Proposers having Lodgings in the Convallium, and the Tribuns in Celis, it holds the Correspondency between the Senat and the People exactly. And it is a small matter for the Proposers, being attended with the Coaches and Officers of State, besides other Conveniences of their own, to go a matter of five or ten miles (those Seats are not much further distant) to meet the People upon any Heath or Field that shall be appointed: where, having dispatch'd their business, they may hunt their own Venizon (for I would have the great wall'd Park upon the Halcyonia to belong to the Signory, and those about the Convallium to the Tribuns) and go to supper. Pray, my Lords, see that they do not pull down these Houses to fell the Lead of them; for when you have consider'd on't, they cannot be far'd. The Founders of the School in Hiera provided that the Boys should have a Summer Seat. You should have as much care of these Magistrats. But there is such a felling, such a Jewish humor in our Republicans, that I cannot tell what to say to it; only this, any man that knows what belongs to a Commonwealth, or how diligent every Nation in that cafe has bin to preserve her Ornament, and shall see the waft lately made (the Woods adjoining to this City, which serv'd for the delight and health of it, being cut down to be fold for three pence) will tell you, that they who did such things would never have made a Commonwealth. The like may be said of the Ruin or Damage don upon our Cathedrals, Ornaments in which this Nation excels all others. Nor shall this ever be excus'd upon the score of Religion; for tho it be true, that God dwells not in Houses made with hands, yet you cannot hold your Assemblies but in such Houses, and these are of the best that have bin made with hands. Nor is it well argu'd that they are pompous, and therefore profane, or less proper for Divine Service; seeing the Christians in the Primitive Church chafe
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chose to meet with one accord in the Temple; so far were they from any inclination to pull it down.

THE Orders of this Commonwealth, so far, or near so far as they concern the Elders, together with the several Speeches at the Institution, which may serve for the better understanding of them as so many Commentaries, being shewn; I should now come from the Elders to the Youth, or from the Civil Constitution of this Government to the Military, but that I judge this the fittest place whereto, by the way, to infer the Government of the City, tho' for the present but perfunctorily.

THE Metropolis or Capital City of Oceana is commonly call'd Emporium, the it consists of two Cities distinct, as well in Name as in Government, whereof the other is call'd Hieria: For which cause I shall treat of each apart, beginning with Emporium.

EMPORIUM with the Libertys is under a twofold Division, the one regarding the National, and the other the Urban or City Government. It is divided, in regard of the National Government, into three Tribes, and in respect of the Urban into twenty six, which for distinction sake are call'd Wards, being contain'd under the three Tribes but unequally: Wherefore the first Tribe containing ten Wards is call'd Scazon, the second containing eight Metoche, and the third containing as many, Telicouta; the bearing of which names in mind concerns the better understanding of the Government.

EVERT Ward has her Wardmote, Court, or Inquest, consisting Wardmote, of all that are of the Clothing or Livery of Companies residing within the same.

SUCH are of the Clothing or Clothing as have attain'd to the dignity the Liverys to wear Gowns and particular'd Hoods or Tippets, according to the Rules and ancient Customs of their respective Companies.

A COMPANT is a Brotherhood of Tradesmen professing the same Art, governed according to their Charter by a Master and Wardens. Of these there be about forty, whereof twelve are of greater dignity than the rest, that is to say, the Mercers, Grocers, Drapers, Flibmongers, Goldsmiths, Skinners, Merchant-Tailors, Haberdashers, Salters, Ironmongers, Vintners, Clothworkers; which, with most of the rest, have common Halls, divers of them being of antient and magnificent Structure, wherein they have frequent meetings at the Sammons of their Masters or Wardens, for the managing and regulation of their respective Trades and Mysteries. These Companies, as I shall shew, are the Roots of the whole Government of the City. For the Liverys that reside in the same Ward, meeting at the Wardmote Inquest (to which it belongs to take cognizance of all sorts of Nuisances, and violations of the Customs and Orders of the City, and to present them to the Court of Aldermen) have also power to make election of two sorts of Magistrats or Officers; the first of Elders or Aldermen of the Ward, the second of Deputies of the same, otherwise call'd Common Council men.

THE Wards in these Elections, because they do not elect all at once, but from one year, and from another, observe the distinction of the three Tribes; for example, the Scazon consisting of ten Wards, makes election the first Year of ten Aldermen, one in each Ward, and of one hundred and fifty Deputies, fifteen in each Ward: all which are Triennial.
Magistrates or Officers, that is to say, are to bear their dignity for the space of three Years.

THE second Year, the Metoche, consisting of eight Wards, elects eight Aldermen, one in each Ward, and a hundred and twenty Deputies, fifteen in each Ward; being also Triennial Magistrates.

THE third Year Telicona, consisting of a like number of Wards, elects an equal number of like Magistrates for a like term. So that the whole number of the Aldermen, according to that of the Wards, amounts to twenty six; and the whole number of the Deputies, to three hundred and ninety.

The Court of Aldermen.

THE Aldermen thus elected have divers Capacities: for, first, they are Justices of the Peace for the term, and in consequence of their Election. Secondly, They are Presidents of the Wardmote, and Governors each of that Ward whereby he was elected. And last of all, these Magistrates being assembled together, constitute the Senate of the City, otherwise called the Court of Aldermen; but no man is capable of this Election that is not worth ten thousand Pounds. This Court upon every new Election, makes choice of nine Censors out of their own number.

The Common Council.

THE Deputies in like manner being assembled together, constitute the Prerogative Tribe of the City, otherwise called the Common Council; by which means the Senate and the People of the City were comprehended, as it were, by the motion of the National Government, into the same Wheel of annual, triennial, and perpetual Revolution.

The Common Hall.

BUT the Liverys, over and above the right of these Elections by their Divisions mentioned, being assembled all together at the Guild of the City, constitute another Assembly called the Common Hall.

The Election of the Lord Mayor and Sheriffs.

THE Common Hall has the right of two other Elections; the one of the Lord Mayor, and the other of the two Sheriffs, being annual Magistrates. The Lord Mayor can be elected out of no other than one of the twelve Companies of the first Ranks; and the Common Hall agrees by the plurality of Suffrages upon two Names: which being presented to the Lord Mayor for the time being, and the Court of Aldermen, they elect one by their Scrutiny; for so they call it, tho' it differs from that of the Commonwealth. The Orator or Assistant to the Lord Mayor in holding of his Courts, is some able Lawyer elected by the Court of Aldermen, and called the Recorder of Emporium.

THE Lord Mayor being thus elected, has two Capacities; one regarding the Nation, and the other the City. In that which regards the City, he is President of the Court of Aldermen, having power to assemble the same, or any other Council of the City, as the Common Council or Common Hall, at his will and pleasure: and in that which regards the Nation, he is Commander in Chief of the three Tribes wherein the City is divided; one of which he is to bring up in Person at the National Muster to the Ballot, as his Viccomites, or High Sheriffs, are to do by the other two, each at their distinct Pavilions, where the nine Aldermen, elected Censors, are to assist by three in each Tribe, according to the Rules and Orders already given to the Censors of the rustic Tribes. And the Tribes of the City have no other than one common Phylarch, which is the Court of Aldermen and the Common Council; for which cause they elect not at their Muster the first Lift called the Prime Magnitude.

Sum Conveniences in this Alteration. OCEANA.

THE Conveniences of this Alteration of the City Government, besides the bent of it to a conformity with that of the Nation, were many, whereby I shall mention but a few: As first, whereas men under the former admistration,
nistration, when the burden of some of these Magistracies lay for life, were oftentimes chosen not for their fitness, but rather unfitness, or at least unwillingness to undergo such a weight, whereby they were put at great Rates to sue for their place; a man might now take his share in Magnificy with that equity which is due to the Public, and without any inconvenience to his private Affairs. Secondly, Whereas the City (insomuch as the Aths of the Aristocracy, or Court of Aldermen, in their former way of proceeding, were rather Impositions than Propositions) was frequently disquieted with the inevitable confluence of disorder in the power of Debate exercised by the popular Part, or Common Council; the right of Debate being henceforth established in the Court of Aldermen, and that of Refute in the Common Council, kill'd the branches of Division in the Root. Which for the present may suffice to have bin said of the City of Emporium.

That of Hiera consists as to the National Government of two Tribes, the first called Agores, the second Propola: But as to the peculiar Policy, of twelve Manipuls, or Wards divided into three Cohorts, each Cohort containing four Wards; whereof the Wards of the first Cohort elect for the first Year four Burgess, one in each Ward; the Wards of the second Cohort for the second year four Burgess, one in each Ward; and the Wards of the third Cohort for the third Year four Burgess, one in each Ward; all triennial Magistrates: by which the twelve Burgess, making one Court for the Government of the City, according to their Instructions by All of Parliament, fell likewise into an Annual, Triennial, and perpetual Revolution.

This Court being thus constituted, makes election of divers Magistrates; As first of a High Steward, who is commonly son of Person of Quality, and this Magnificy is elected in the Senate by the Scrutiny of this Court; with him they choose a fore Lamour to be his Deputy, and to hold the Court; and last of all they elect out of their own Number six Censors.

The High Steward is Commander in Chief of the two Tribes, whereof he in Person brings up the one at the National Mutter to the Ballot, and his Deputy the other at a distinct Partition; the six Censors chosen by the Court, officiating by three in each Tribe at the Urns: and those Tribes have no other Phylarch but this Court.

As for the manner of Elections and Suffrage, both in Emporium and Hiera, it may be said once for all, that they are perform'd by the Ballot, and according to the respective Rules already given.

There be other Cities and Corporations throughout the Territory, whose Policy being much of this kind, would be tedious and not worth the labor to insert, nor dare I say. Juvenum manus emicat ardens.

I return, according to the method of the Commonwealth, to the remaining part of her Orbs, which are Military and Provincial; the Military, except the Strategus, and the Polemarchs or Field Officers, confining of the Youth only, and the Provincial confining of a mixture both of the Elders and of the Youth.

To begin with the Youth, or the military Orbs, they are Circles to which the Commonwealth must have a care to keep close. A Man is a Spirit rais'd by the Magic of Nature; if the doth not stand safe, and so that she may set him to som good and useful work, he spits fire, and blows up Castles: for where there is life, there must be motion of work; and the work of idleness is mischief, but the work of industry is health. To fet Men to this, the Commonwealth must begin betimes with them, or it will be too late: and the means whereby she fets them
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to it, is EDUCATION, the plastic art of Government. But it is as frequent as sad in experience (whether thro negligence, or, which in the consequnce is all one or vvere, overfound in the domestic performance of this Duty) that innumerable Children com to ow their utter Perdition to their own Parents; in each of which the Commonwealth loves a Citizen. Wherfore the Laws of a Government, how vvholfully ever in themselves, are such as, if Men by a con-
gruity in their Education be not bred to find a reliif in them, they will be fure to loath and detest. The Education threfore of a Man's own Children is not vvholly to be committed or trusted to himself. You find in * Livy the Children of Brutus having bin bred under Monarchy, and us'd to a Court life, making faces at the Common-
vealth of Rome: A King (say they) is a Man with whom you may pre-
vail when you have need there shou'd be Law, or when you have need there shou'd be no Law; he has Favors in the right, and he frowns not in the wrong place; he knows his Friends from his Enemies. But Laws are dead inexorable things, such as make no difference between a Gentleman and an ordinary fellow; a Man can never be merry for them, for to trust altogether to his own innocence is a sad life. Unhappy vvants! Scipio on the other side, vvhen he was but a Boy (about two or three and twenty) being inform'd that certain Patricians or Roman Gentlemen, thro a qualm upon the defeat which Hannibal had given them at Cannae, vvere laying their heads together and contriving their Flight vvith the transportation of their Goods out of Rome, drew his Sword, and setting himself at the door of the Chamber vvhich they were at Council, protested, That who did not immediately swear not to desert the Commonwealth, he would make his Soul to desert his Body. Let Men argue as they please for Monarchy, or against a Commonwealth, the vworld shall never see any Man so forifi or vvicked as in cool blood to prefer the Education of the Sons of Brutus before that of Scipio; and of this mould, except a Melius or a Manlius, was the whole youth of that Commonwealth, tho not ordinarily so well call'd. Now the health of a Government, and the education of the Youth being of the same pulse, no wonder if it has bin the constant practice of well order'd Commonwealths to commit the care and feeling of it to public Magistrats. A duty that was perform'd in such a man-
ner by the Areopagits, as is elegantly prais'd by Isocrates. The Athenians, says he, write not their Laws upon dead Walls, nor con-
tent themselves with having ordain'd Punishments for Crimes, but pro-
vide in such a way by the Education of their Youth, that there be no Crimes for Punishment. He speaks of those Laws which regarded Manners, not of those Orders which concern'd the Administration of the Common-
wealth, left you should think he contradicts Xenophon and Polybius. The Children of Lacedemon, at the seventh year of their age, were deliver'd to the Pedagogos, or Schoolmasters, nor mercenary, but Magistrats of the Commonwealth, to which they were accountable for their charge: and by thee at the age of fourteen they were prefented to other Magistrats call'd the Beidici, having the in-

* Affueri more regio vvere—inser fe conquerebamus—Begem hominum elle à quo
imperter ubi ju, ubi inuctis open fit; elle gratia locum, elle benefici, & inalti & ignotere
polec; inter amicum & inimicium discrimen nelle. Leges rem sundam, inexorabebm elle: inal-
terlocem, melioresqne impi quam potent: nihil luxamen non venix habere, fi modum ex-
ceferis; periodicam elle in certa humana errcessus sola innocencia vvere. Liv. I. 2.
OCEANA.

specification of the Games and Exercises, among which that of the Pla-
ceania was famous, a kind of Fight in Squadrons, but somewhat too
fierce. When they came to be of military age, they were lifted of the
Mora, and so continu’d in readiness for public Service under the Disci-
plin of the Polemarchus. But the Roman Education and Discipline by
the Centurys and Classes is that to which the Commonwealth of
Oceana has had a more particular regard in her three Essays, being cer-
tain degrees by which the Youth commence as it were in Arms for
Magistracy, as appears by

THE twenty sixth ORDER, instituting, That if a Parent has
but one Son, the Education of that one Son shall be wholly at the disposition
of that Parent. But whereas there be Free Schools erected and endowed, or
to be erected and endowed in every Tribe of this Nation, to a sufficient pro-
portion for the Education of the Children of the same (which Schools, to
the end there be no detriment or hindrance to the Scholars upon ease of
removing from one to another, are every of them to be governed by the strict
instruction of the Censors of the Tribes, both upon the Schoolmasters man-
ner of Life and Teaching, and the proficiency of the Children, after the
rules and method of that in Hieros) if a Parent has more Sons than one,
the Censors of the Tribes shall animadvert upon and punish him that sends
not his Sons within the ninth year of their age to some one of the Schools of
a Tribe, there to be kept and taught if he be able at his own charges; and if
he be not able, gratis, till they arrive at the age of fifteen years. And a
Parent may dispose of his Sons at the fifteenth year of their age according
to his choice or ability, whether it be to Service in the way of Apprentices
for some Trade or otherwise, or to further study, as by sending them to the
Inns of Court, of Chancery, or to one of the Universities of this Nation.
But he that takes not upon him one of the Professions proper to some of those
places, shall not continue longer in any of them than till he has attained to
the age of eighteen years; and every Man having not at the age of eight-
teen years taken upon him, or addicted himself to the profession of the
Law, Theology, or Physet, and being no Servant, shall be capable of the
Essays of the Youth, and no other person whatsoever: except a Man, having
taken upon him such a profession, happens to lay it by, ere he arrives at three
or four and twenty years of age, and be admitted to this Capacity by the
respective Physet, being satisfied that he kept not out so long with any
design to evade the Service of the Commonwealth; but, that being no sooner
at his own disposal, it was no sooner in his choice to come in. And if any
Youth or other Person of this Nation have a desire to travel into foreign
Countries upon occasion of business, delight, or further improvement of his
Education: the same shall be lawful for him upon a Pass obtained from the
Censors in Parliament, putting a convenient limit to the time, and recom-
mending him to the Embassadors by whom he shall be assisted, and to whom
he shall yield Honor and Obedience in their respective Residences. Every
Youth at his return from his Travel is to present the Censors with a Paper of
his own writing, containing the Interest of State or Form of Government
of the Countries, or some one of the Countries where he has been; and if it
be good, the Censors shall cause it to be printed and published, prefixing a
Line in commendation of the Author.

EVERY Wednesday next after the last of December, the whole
Youth of every Parish, that is to say every Man (not excepted by the fore-
going part of the Order) being from eighteen years of age to thirty, shall
repair
repair at the sound of the Bell to their respective Church, and being there assembled in presence of the Overseers, who are to govern the Ballot, and the Constable who is to officiate at the Urn, shall, after the manner of the Elders, elect every fifth Man of their whole number (provided that they shall not above one of two Brothers at one Election, nor above half if they be four or upward) to be a Stratton or Deputy of the Tenth; and the Lifes of the Strattons so elected being taken by the Overseers, shall be entered in the Parish Book, and diligently preserved as a Record, call'd the first Essay. Their whole Estates by the Law are able, or whose Friends are willing to mount them, shall be of the Horse, the rest are of the Foot. And he who has his one year of this Life, is not capable of being reelected till after another year's interval.

Every Wednesday next ensuing the last of January, the Strattons being muster'd at the Rendezvous of their respective Hundred, shall in the presence of the Jurymen, who are Overseers of that Ballot, and of the High Constable who is to officiate at the Urn, elect out of the Horse of their Troop or Company one Captain, and one Ensign or Cornet, to the command of the same. And the Jurymen having entered the Life of the Hundred into a Record to be diligently kept at the Rendezvous of the same, the first public Game of this Commonwealth shall begin and be performed in this manner. Whereas there is to be at every Rendezvous of a Hundred one Cannon, Culverin, or Saker; the prize Arms being forg'd by sworn Armorer of this Commonwealth, and for their proof, besides their Beauty, view'd and try'd at the Tower of Emporium, shall be expos'd by the Justice of Peace appertaining to that Hundred (the said Justice with the Jurymen being Judges of the Game) and the Judges shall deliver to the Horseman that gains the Prize at the Carre, one fust of Arms being of the value of twenty Pounds; to the Pikeman that gains the Prize at throwing the Bullet, one fust of Arms of the value of ten Pounds; to the Musketeer that gains the Prize at the Mark with his Musket, one fust of Arms of the value of ten Pounds; and to the Cannoner that gains the Prize at the mark with the Cannon, Culverin, or Saker, a Chain of Silver being of the value of ten Pounds; provided, that no one man at the same Muster plays above one of the Prizes. Whosoever gains a Prize is bound to wear it (if it be his) upon Service; and no man shall sell or give away any Armor thus won, except he has lawfully attained to two or more of them at the Games.

The Games being ended, and the Muster dismiff, the Captain of the Troop or Company shall repair with a Copy of the Life to the Lord Lieutenant of the Tribe, and the High Constable with a Duplicate of the same to the Cuflos Rotulorum, or Master Martial General, to be also communicated to the Censors; in each of which the Jurymen giving a note upon every name of an only Son, shall certify that the Life is without Subterfuge or evasion: or, if it be not, an account of those upon whom the Evasion or Subterfuge lies, to the end that the Phylarch or the Censors may animadvert accordingly.

And every Wednesday next ensuing the last of February, the Lord Lieutenant, Cuflos Rotulorum, the Censors, and the Conductor, shall receive the whole Muster of the Tenth of that Tribe at the Rendezvous of the same, distributing the Horse and Foot with their Officers, according to the Directions given in the like case for the distribution of the Elders; and the whole Squadron being put by that means in Battalia, the second Game of this Commonwealth shall begin by the exercise of the Tenth in all the
the parts of their military Discipline according to the Orders of Parliament, or direction of the Council of War in that case. And the hundred Pounds allow'd by the Parliament for the Ornament of the Master in every Tribe, shall be expended by the Pythagoras upon such artificial Castles, Citadels, or the like Devices, as may make the best and most profitable sport for the Youth and their Spectators. Which being ended, the Centurions having prepar'd the Urns by putting into the Horse Ura 220 Gold Balls, whereof ten are to be mark'd with the letter M, and other ten with the letter P; into the Foot Ura 700 Gold Balls, whereof 50 are to be mark'd with the letter M, and 50 with the letter P; and after they have made the Gold Balls in each Urn, by the addition of Silver Balls to the same, in number equal with the Horse and Foot of the Stratiots, the Lord Lieutenant shall call the Stratiots to the Urns, where they that draw the Silver Balls shall return to their places, and they that draw the Gold Balls shall fall off to the Pavilion, where, for the space of one hour, they may chop and change their Balls according as one can agree with another, whose Lot he likes better. But the hour being out, the Conductor separating them whose Gold Balls have no letter, from those whose Balls are mark'd, shall cause the Cryer to call the Alphabet, as first A; whereupon all they whose Gold Balls are not mark'd, and whose names begin with the letter A, shall repair to a Cleric appertaining to the Cultos Rotularum, who shall first take the names of that letter; then those of B, and so on, till all the names be alphabetically enrol'd. And the Youth of this List being fix hundred Foot in a Tribe, that is, 3000 Foot in all the Tribes; and two hundred Horse in a Tribe, that is, 1000 Horse in all the Tribes, are the second Essay of the Stratiots, and the standing Army of this Commonwealth to be always ready upon command to march. They whose Balls are mark'd with M, amounting, by 20 Horse and 50 Foot in a Tribe, to 2500 Foot, and 500 Horse in all the Tribes; and they whose Balls are mark'd with P, in every point correspondent, are parts of the third Essay: they of M being straight to march for Marpessa, and they of P for Panopea, to the ends, and according to the further directions following in the Order for the provincial Orbs.

If the Polemarchs or Field Officers be elected by the scrutiny of the Council of War, and the Strategus commanded by the Parliament or the Dictator to march, the Lords Lieutenants (who have power to muster and discipline the Youth so often as they receive Orders for the same from the Council of War) are to deliver the second Essay, or so many of them as shall be commanded, to the Conductors, who shall present them to the Lord Strategus at the time and place appointed by his Excellency to be the general Rendezvous of Oceana, where the Council of War shall have the accommodation of Horses and Arms for his men in readiness; and the Lord Strategus having arm'd, mounted, and distributed them, whether according to the recommendation of their Prize Arms, or otherwise, shall lead them away to his Shippings, being also ready and provided with Victuals, Ammunition, Artillery, and all other necessities commanding them, and disposing of the whole Conduct of the War by his sole Power and Authority. And this is the third Essay of the Stratiots, which being ship'd, or march'd out of their Tribes, the Lord Lieutenants shall relieve the second Essay out of the remaining part of the first; and the Senate another Strategus.

If any Veteran or Veterans of this Nation, the term of whose Youth or Militia is expired, having a desire to be entertained in the further service of the Commonwealth, shall present him or themsevles at the Rendezvous of Oceana to the Strategus, it is in his power to take on such and so many of them.
them as shall be agreed by the Polemarchs, and to send back an equal number of the Stratagems.

AND for the better managing of the proper Forces of this Nation, the Lord Strategus, by appointment of the Council of War, and out of such Levys as they shall have made in either or both of the Provinces to that end, shall receive Auxiliaries by Sea or elsewhere at some certain place, not exceeding his proper Arms in number.

AND who-soever shall refuse any one of his three Essays, except upon cause shewn be he dismissed with all the Phylarch; or, if the Phylarch be not assembled, by the Censors of his Tribe, shall be deemed a Helot or public Servant, shall pay a fifth part of his yearly Revenue, besides all other Taxes, to the Commonwealth for his Protection, and be incapable of bearing any Magistracy except such as is proper to the Law. Nevertheless if a man has but two Sons, the Lord Lieutenant shall not suffer above one of them to come to the Urn at one Election of the second Essay: and tho he has above two Sons, there shall not come above half the Brothers at one Election: and if a man has but one Son, he shall not come to the Urn at all without the consent of his Parents, or his Guardians; nor shall it be any reproach to him, or impediment to his bearing of Magistracy.

THIS Order, with relation to foreign Expeditions, will be prov'd and explain'd together with

27. Order.

THE twenty seventh ORDER, providing, in case of Invasion apprehended, that the Lords High Sheriffs of the Tribes upon Commands received from the Parliament, or the Dictator, distribute the Bands of the Elders into divisions after the nature of the Essays of the Youth; and that the second Division or Essay of the Elders, being made and consisting of 30,000 Foot, and 10,000 Horse, be ready to march with the second Essay of the Youth, and be brought also by the Conductors to the Strategus.

THE second Essay of the Elders and Youth being marched out of their Tribes, the Lords High Sheriffs and Lieutenants shall have the remaining part of the annual Bands both of Elders and Youth in readiness, which, if the Beacons be for'd, shall march to the Rendezvouz to be in that case appointed by the Parliament, or the Dictator. And the Beacons being for'd, the Curtiata Comitia, or Parochial Congregations, shall elect a fourth both of Elders and Youth to be immediately upon the Guard of the Tribes, and dividing themselves as aforesaid, to march also in their Divisions according to Orders: which method in case of extremity shall precede to the election of a third, or the levy of a second, or of the last man in the Nation, by the Power of the Lords High Sheriffs; to the end that the Commonwealth in her utmost pressure may show her trust that God in his Justice will remember Mercy, by humbling her self, and yet preferring her Courage, Discipline and Constancy, even to the last drop of her blood, and the utmost farthing.

THE Services performed by the Youth, or by the Elders, in case of Invasion, and according to this Order, shall be at their proper cost and charges that are ways able to indure it; but if there be such as are known in their Parishes to be so indigent that they cannot march out of their Tribes, nor undergo the burden in this case incumbent, then the Congregations of their Parishes shall furnish them with sufficient sums of Money to be repaid upon the Certificat of the same by the Parliament when the Action shall be over. And of that which is respectively rejoind by this Order, any Tribe, Parish, Magistrates, or Person that shall fail, is to answer for it at the Council of War, as a Defender of his Country.
THE ARCHON, being the greatest Captain of his own, if not of any age, added much to the Glory of this Commonwealth, by interweaving the Militia with more Art and Lufter than any Legislator from or before the time of Servius Tullius, who constituted the Roman Militia. But as the Bones or Skeleton of a man, tho the greatest part of his Beauty be contain’d in their Proportion or Symmetry, yet shewn without Flesh, are a spectacle that is rather horrid than entertaining; so without Discourses are the Orders of a Commonwealth: which, if she go forth in that manner, may complain of her Friends that they stand mute, and staring upon her. Therefore this Order was thus flesh’d by the Lord ARCHON.

My Lords;

"Diogenes seeing a young fellow drunk, told him that his Father was drunk when he begot him. For this in natural Generation I must confess I see no reason; but in the Political it is right. The Vices of the People are from their Governors; those of their Governors from their Laws or Orders; and those of their Laws or Orders from their Legislators. * Whatever was in the Womb imperfect, as to her proper work, coms very rarely, or never at all to perfection afterwards; and the formation of a Citizen in the Womb of the Commonwealth is his Education.

"EDUCATION by the first of the foregoing Orders is of six kinds: At the School, in the Mechanics, at the University, at the Ins of Court or Chancery, in Travels, and in military Discipline: som of which I shall but touch, and som I shall handle more at large.

"THAT which is propos’d for the erecting and endowing of Schools throuout the Tribes, capable of all the Children of the same, and able to give to the Poor the Education of theirs gratis, is only matter of direction in cafe of very great Charity, as eating the needy of the charge of their Children from the ninth to the fifteenth year of their age, during which time their work cannot be profitable; and restoring them when they may be of use, furnish’d with tools wherever there are advantages to be made in every work, seeing he that can read and use his Pen has som convenience by it in the meanest Vocation. And it cannot be conceiv’d, but that which coms, tho in small parcels, to the advantage of every man in his Vocation, must amount to the advantage of every Vocation, and so to that of the whole Commonwealth. Wherfore this is commended to the Charity of every wifehearted and welminded man, to be don in time, and as God shall fit him up or able him; there being such provision already in the cafe, as may give us leave to procede without obsfruction.

"PARENTS, under animadversion of the Censors, are to differentiate of their Children at the fifteenth year of their age to something, but what, is left, according to their ability or inclination, at their own choice. This, with the multitude, must be to the Mechanics, that is to say, to Agriculture or Husbandry; to Manufactures, or to Merchandize.

* ut male potius in vita, sic carere sequuntur. Cae.  
A a  
AGRI-
AGRICULTURE is the Bread of the Nation; we are hung
upon it by the teeth; it is a mighty Nursery of Strength, the best
Army, and the most asur'd Knappac; it is manag'd with the least
turbulent or ambitious, and the most innocent hands of all other
Arts. Wherefore I am of ARISTOTLE'S opinion, that a Comm-
ion of Husbandmen, and such is ours, must be the best of
all others. Certainly, my Lords, you have no meature of what
ought to be, but what can be don for the incouragement of this
Profession. I could with I were Husband good enough to direct
somthing to this end; but racking of Rents is a vile thing in the
richer sort, an uncharitable one to the poorer, a perfect mark of
Slavery, and nips your Commonwealth in the fairest Blossom. On
the other side, if there should be too much ease given in this kind,
it would occasion Sloth, and so destroy Industry, the principal
nerves of a Commonwealth. But if ought might be don to hold
the Balance even between these two, it would be a work in this Na-
tion equal to that for which FABRIS was famed MAXIMUS by
the Romans.

IN Manufactures and Merchandize the Hollander has gotten the
start of us; but at the long run it will be found, that a People work-
ing upon a foren Commodity dos but farm the Manufacture, and
that it is really intail'd upon them only, where the growth of it is
native: as also that it is one thing to have the carriage of other mens
Goods, and another for a man to bring his own to the best market.
Wherefore (Nature having provided incouragement for these Arts in
this Nation above all others, where, the People growing, they of
necessity must also increase) it cannot but establish them upon a far
more sure and effectual Foundation than that of the Hollander. But
these Educations are in order to the first things, or necessities of Na-
ture; as Husbandry to the Food, Manufacture to the Clothing, and
Merchandize to the Purse of the Commonwealth.

THERE be other things in Nature, which being second as to
their Order, for their Dignity and Value are first, and such to which
the other are but Accommodations; of this sort are especially these,
Religion, Justice, Courage, and Wisdom.

THE Education that answers to Religion in our Government is
that of the University. MOSES the Divine Legislator was not
only skilful in all the Learning of the Egyptians, but took also into
the Fabric of his Commonwealth the Learning of the Midianites in
the advice of JETHRO: and his Foundation of a University laid
in the Tabernacle, and finish'd in the Temple, became that Pinnacle
from whence (according to many Jewish and Christian Authors)
all the Learning in the world has taken wing; as the Philosophy of
the STOICS from the Pharisees; that of the Epicureans from the SAD-
duces; and from the Learning of the Jews, so often quoted by our
SAVIOR, and fulfill'd in Him, the Christian Religion. ACHILLES
was the most famous University in her days; and her Senators, that
is to say, the AREOPAGIS, were all Philosophers. LASEDemon, to
speak truth, tho' he could write and read, was not very bookish.
But he that disputes hence against Universities, disputes by the same
Argument against Agriculture, Manufacture, and Merchandize;
every one of these having bin equally forbid by LYCURGUS, not
for it self (for if he had not bin learn'd in all the Learning of CRETE,
and well travel'd in the knowlege of other Governments, he had never made his Commonwealth) but for the diversion which they must have given his Citizens from their Arms, who, being but few, if they had minded any thing else, must have deserted the Commonwealth. For Rome, she had ingenium par imperio, was as learned as great, and held her College of Augurs in much reverence. Venice has taken her Religion upon trust. Holland cannot attend it to be very fluidous. Nor does Switzerland mind it much; yet are they all addicted to their Universitys. We cut down Trees to build Houfes; but I would have som body threw me, by what reacon or experience the cutting down of a University should tend to the fering up of a Commonwealth. Of this I am fure, that the perfection of a Commonwealth is not to be attain'd without the knowlege of ancient Prudence; nor the knowlege of antient Prudence without Learning; nor Learning without Schools of good Literature: and these are fuch as we call Univerfities. Now tho' more Univerfity learning of it felf be that which (to speak the words of Verumentiaus) crafty men contend, and simple men only admire, yet is it fuch as wise men have use of; for Study do not teach their own use, but that is a Wisdom without and above them, won by obervation. Expert men may execute, and perhaps judg of Particulars one by one; but the general Counfels and the Plott, and the marshaling of Affairs, com beft from thofe that are learned. Wherfore if you would have your Chil- dren to be Statefmen, let them drink by all means of these Foun- tains, where perhaps there were never any. But what tho the Wa- ter a man drinks be not nourishment; it is the Vehicle without which he cannot be nourish'd. Nor is Religion les concern'd in this point than Government; for take away your Univerfities, and in a few years you lofe it.

The Holy Scriptures are written in Hebrew and Greek: they that have neither of these Languages may think light of both; but find me a man that has one in perfection, the study of whole Life it has not bin. Again, this is apparent to us in daily Conversation, that if four or five Perfons that have liv'd together be talking, another speaking the fame Language may com in, and yet un- derstand very little of their Discourse, in that it relates to Circum- stances, Perfons, Things, Times and Places, which he knows not. It is no otherwife with a man, having no insight of the times in which they were written, and the Circumstances to which they relate, in the reading of antient Books, whether they be divine or hu- man. For example, when we fall upon the Discourse about Baptifm and Regeneration that was between our Saviour and Nicodemus, where Christ reproaches him with his ignorance in this matter: Art thou a Doctor in Israel, and understandest not these things? What shall we think of it? or wherfore should a Doctor in Israel have understood thefes things more than another, but that both Baptifm and Regeneration, as was shew'd at large by my Lord Phosphorus, were Doctrins held in Israel? I instance in one place of a hundred, which he, that has not matter'd the Circumstances to which they relate, cannot understand. Wherfore to the understanding of the Scripture, it is necifary to have antient Languages, and the knowlege of antient times, or the aid of them who have fuch knowlege: and to have fuch as may be always able and ready to give
"give such aid (unless you would borrow it of another Nation, which would not only be base, but deceitful) it is necessary to a Commonwealth that she have Schools of good Literature, or Universities of her own. We are commanded, as has bin laid more than once, to search the Scriptures; and which of them search the Scriptures, they that take this pains in ancient Languages and Learning, or they that will not, but trust to Translations only, and to words as they found to present Circumstances than which nothing is more fallible, or certain to lose the true sense of Scriptures, pretended to be above human Understanding, for no other cause than that they are below it. But in searching the Scriptures by the proper use of our Universities, we have bin heretofore blest with greater Victories and Trophies against the purple Hofts and golden Standards of the Roman Hierarchy, than any Nation; and therefore, why we should relinquish this upon the pretension of som, that because there is a greater Light which they have, I do not know. There is a greater Light than the Sun, but it doeth not extinguish the Sun, nor does any Light of God giving extinguish that of Nature, but increase and sanctify it. Wherefore, neither the Honor born by the [Tertullian, Roman], or any other Commonwealth that I have shewn, to their Ecclesiastics, consisted in being govern'd by them, but in consulting them in matters of Religion; upon whose Refponses or Oracles they did afterwards as they thought fit. Nor would I be here mistaken, as if, by affirming the Universities to be, in order both to Religion and Government, of absolute necessity, I declar'd them or the Ministry in any wise fit to be trusted, so far as to exercise any power not deriv'd from the Civil Magistrat in the administration of either. If the Jewish Religion were directed and establishes'd by Moses, it was directed and establish'd by the Civil Magistrat; or if Moses exercis'd this Administration as a Prophet, the fame Prophet did invest with the same Administration the Sanhedrim, and not the Priests; and so do our Commonwealth the Senat, and not the Clergy. They who had the supreme Administration or Government of the National Religion in Athens, were the first Archon, the Rex Sacrifici, or High Priest, and a Polemarch; which Magistrats were ordain'd or elected * by the holding up of hands in the Church, Congregation, or Comitia of the People. The Religion of Lacedemon was govern'd by the Kings, who were also High Priests, and officiated at the Sacrifice; these had power to substitute their Pythia, Embassadors, or Nuncios, by which, not without concurrence of the Senat, they held intelligence with the Oracle of Apollo at Delphos. And the Ecclesiastical part of the Commonwealth of Rome was govern'd by the Pontifex Maximus, the Rex Sacrifici, and the Flaminius, all ordain'd or elected by the People, the Pontifex by the 4 Tribes, the King by the 2 Centuries, and the Flaminius by the 3 Parishes. I do not mind you of these things, as if, for the matter, there were any parallel to be drawn out of their Superstitions to our Religion; but to shew that for the manner, ancient Prudence is as well a rule in divine as human things; nay, and such a one as the Apostles themselves, ordaining Elders by the holding up of hands in every Con-

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* For 3o2o2o2o. † Tribus. || Centurieci. || Curianti Comites.
gregation, have exactly follow'd: for som of the Congregations
where they thus ordain'd Elders were those of Antioch, Iconium,
Lystra, Derbe, the Country of Lycania, Pisidia, Pampylia, Perga,
with Attalia. Now that these Citys and Countryes, when the Rom
mans propagated their Empire into Asia, were found most of them
Commonwealths, and that many of the reit were indu'd with like
power, so that the People living under the protection of the Roman
Emperors, continu'd to elect their own Magistrats, is so known a
thing, that I wonder whence it is that men, quite contrary to the
universal proof of these examples, will have Ecclesiastical Govern-
ment to be necessarily distinct from Civil Power, when the Right
of the Elders ordain'd by the holding up of hands in every Congre-
gation to teach the People, was plainly deriv'd from the same Civil
Power by which they ordain'd the reit of their Magistrats. And it
is not otherwise in our Commonwealth, where the Parochial Con-
gregation elects or ordains its Pastor. To object the Common-
wealth of Venice in this place, were to shew us that it has bin no
otherwise but where the Civil Power has left the liberty of her
Conscience by imbracing Popery; as also that to take away the
Liberty of Conscience in this Administration from the Civil Power,
were a proceeding which has no other precedent than such as is Po-
pish. Wherfore your Religion is settled after the following man-
ner: the Universitie are the Seminaries of that part which is na-
tional, by which means others with all safety may be permitted to follow
the Liberty of their own Consciences, in regard that, however
they behave themselves, the ignorance of the unlearned in this cafe
cannot lose your Religion nor disturb your Government, which oth-
erwise it would most certainly do; and the Universitie with their
Emoluments, as also the Benefices of the whole Nation, are to be
improv'd by such Augmentations as may make a very decent and
comfortable subsistence for the Ministry, which is neither to be al-
low'd Synods nor Assemblies, except upon the occasion shewn in
the Universitie, when they are consult'd by the Council of State,
and suffer'd to meddle with Affairs of Religion, nor to be capable
of any other public Preferment whatsoever; by which means the
Interest of the Learned can never com to corrupt your Religion, nor
disturb your Government, which otherwise it would most certainly
do. Venice, tho' she does not fee, or cannot help the corruption of
her Religion, is yet so circumspicct to avoid disturbance of her Go-
vernment in this kind, that her Council procedes not to election of
Magistrats, till it be proclaim'd, Fora Papalini, by which words
such as have confanguity with red Hats, or relation to the Court
of Rome, are warn'd to withdraw. If a Minifter in Holland meddles
with matter of State, the Magistrat sends him a pair of Shoes;
wherupon, if he does not go, he is driven away from his charge.
I wonder why Ministers, all men, shou'd be perpetually tamper-
ing with Government; first because they, as well as others, have it
in express charge to submit themselves to the Ordinances of men;
and secondly, because these Ordinances of men must go upon such
political Principles, as they of all others, by any thing that can be
found in their Writings or Actions, least underfand: whence you
have the suffrage of all Nations to this fente, that an ounce of Wit-
dom is worth a pound of Clergy. Your greatest Clerks are not

" your
your wisest men: and when form foul Absurdity in State is com-
mited, it is common with the French, and even the Italians, to call
it Pat de Clerc, or, Governo da Prete. They may bear with men
that will be preaching without study, while they will be govern-
ing without Prudence. My Lords, if you know not how to rule
your Clergy, you will most certainly, like a man that cannot rule
his Wife, have neither quiet at home, nor honor abroad. Their
honest Vocation is to teach your Children at the Schools and the
Universities, and the People in the Parishes; and yours is concern'd
to see that they do not play the thieves: of which parts doss con-

tific the Education of your Commonwealth, so far as it regards Re-
ligion.

"TO J U S T I C E, or that part of it which is commonly executive,
answers the Education of the Ins of Court and Chancery. Upon
which to philosophize requires a peculiar kind of Learning that I have
not. But they who take upon them any Profession proper to the E-
ducations mention'd, that is, Theology, Physic, or Law, are not
at leisure for the Effays. Wherefore the Effays being Degrees where-
by the Youth commence for all Magistracies, Offices, and Honors in
the Parish, Hundred, Tribe, Senat or Prerogative; Divines, Phys-
icians, and Lawyers, not taking these Degrees, exclude themselves
from all such Magistracies, Offices, and Honors. And whereas
Lawyers are likest to exact further reason for this, they (growing
up from the most gainful Art at the Bar to those Magistracies upon
the Bench, which are continually appropriated to themselves, and
not only indow'd with the greateft Revenues, but alto held for
life) have the least reason of all the rest to pretend to any other;
especially in an equal Commonwealth, where Accumulation of Ma-
gistracy, or to take a Person ingag'd by his Profit to the Laws, as
they stand into the Power which is Legislative, and which should keep
them to what they were, or ought to be, were a Solecism in Pru-
dence. It is true, that the Legislativ Power may have need of Ad-
vice and Affiliation from the executive Magistracy, or such as are
learn'd in the Law; for which cause the Judges are, as they have here-
tofore bin, Affiliates in the Senat. Nor, however it came about,
can I see any reason why a Judge, being but an Affiliat or Lawyer,
should be Member of a Legislativ Council.

"I D E N Y not, that the Roman Patricians were all Patrons, and
that the whole People were Clients, from one Family, and from to
another, by which means they had their Causes pleaded and defend-
ed in form appearance gratia; for the Patron took no Mony, tho if
he had a Daughter to marry, his Clients were to pay her Portion:
nor was this so great a grievance. But if the Client accus'd his
Patron, gave testimony or suffrage against him, it was a crime of
such a nature, that any man might lawfully kill him as a Traitor;
and this, as being the nerve of the Optimacy, was a great cause of
ruin to that Commonwealth: for when the People would carry
any thing that pleas'd not the Senat, the Senators were ill provided
if they could not intercede, that is, oppose it by their Clients;
with whom, to vote other wise than they pleas'd, was the highest
Crime. The observance of this Bond till the time of the GRAC-
CHI, that is to say, till it was too late, or to no purpose to break it,
was the cause, why in all the former heats and disputes that had

* happen'd
happen'd between the Senate and the People, it never came to blows, which indeed was good: but withal, the People could have no remedy, which was certainly evil. Wherefore I am of opinion, that a Senator ought not to be a Patron or Advocate, nor a Patron or Advocate to be a Senator: for if his Practice be gran't, it debauches the People; and if it be mercenary, it debauches himself: take it which way you will, when he should be making of Laws, he will be knitting of Nets.

LYCURGUS, as I said, by being a Traveller became a Legislator, but in times when Prudence was another thing. Nevertheless we may not shut out this part of Education in a Commonwealth, which will be her self a Traveller; for those of this make have seen the World, especially because this is certain (tho' it be not regarded in our times, when things being left to take their chance, it fares with us accordingly) that no man can be a Politician, except he be first a Historian or a Traveller; for except he can see what must be, or what may be, he is no Politician. Now if he has no knowledge in Story, he cannot tell what has bin; and if he has not bin a Traveller, he cannot tell what is: but he that neither knows what has bin, nor what is, can never tell what must be, or what may be. Furthermore, the Embassies in ordinary by our Constitution are the Prizes of young men, more especially such as have bin Travellers, Wherfore they of these inclinations having leave of the Seniors, ow them an account of their time, and cannot chuse but lay it out with some ambition of Praise or Reward, where both are open: whence you will have eyes abroad, and better choice of public Ministers; your Gallants shewing themselves not more to the Ladys at their Balls, than to your Commonwealth at her Academy, when they return from their Travels.

BUT this Commonwealth being constituted more especially of two Elements, Arms and Councils, drives by a natural instinct at Courage and Wisdom; which he who has attain'd, is arriv'd at the perfection of human nature. It is true, that these Virtues must have from natural root in him that is capable of them; but this amounts not to so great a matter as from will have it. For if Poverty makes an indolent, a moderate Estate a temper, and a lavish Fortune a wanton man, and this be the common course of things; Wisdom then is rather of necessity than inclination. And that an Army which was meditating upon flight, has bin brought by despair to win the Field, is so far from being strange, that like causes will evermore produce like effects. Wherfore this Commonwealth drives her Citizens like Wedges; there is no way with them but thorow, nor end but that Glory whereof Man is capable by Art or Nature.

That the Genius of the Roman Families commonly preserved its self throout the line (as to instance in fem, the MANLI were Hill severe, the PUBLICOLE lovers, and the APPII haters of the People) is attributed by MACCHIavel to their Education: nor, if Interest might add to the reason why the Genius of a PATRIAN was one thing, and that of a Plebian another, is the like so apparent between different Nations, who, according to their different Educations, have yet as different manners. It was antiently noted, and long confirm'd by the actions of the french, that in their first affairs their Courage was more than that of Men; and for the reft left than,
than that of Women: which nevertheless, thro' the amendment of
their Disciplin, we see now to be otherwise. I will not say,
but that from Man or Nation upon an equal improvement of this
kind may be lighter than from other; but certainly, Education is the
scale without which no Man or Nation can truly know his or
her own weight or value. By our History, we can tell when one
Marpeian would have beaten ten Oceaners, and when one Oceaner
would have beaten ten Marpeians. MARC ANTHONY was a
Roman, but how did that appear in the embraces of CLEOPATRA?
You must have from other Education for your Youth; or they, like
that passage, will shew better in Romance than true Story.

THE Custom of the Commonwealth of Rome in distributing
her Magistrates without respect of age, happen'd to do well in
CORVINUS and SCIPIO; for which cause MACCHIAVEL
(with whom that which was don by Rome, and that which is well
don, is for the most part all one) commends this course. Yet how
much it did worse at other times, is obvious in POMPEY and CA-
SAR; Examples by which BOCCALINI illustrates the Prudence of
Venus in her contrary practice, affirming it to have bin no small step
to the ruin of the Roman Liberty, that these (having tasted in
their Youth of the supreme Honors) had no greater in their age to
hope for, but by perpetuating of the same in themselves; which
came to Blood, and ended in Tyranny. The opinion of VERU-
LAMUS is safe: The Errors, says he, of young men are the ruin of
business; whereas the Errors of old men amount but to this, that more
might have bin done, or sooner. But tho' their Wisdom be little, their
Courage is great: Wherefore (to come to the main Education of
this Commonwealth) the Militia of Ocean is the Province of
Youth.

THE distribution of this Province by the Essays is so fully de-
scribed in the Order, that I need repeat nothing; the Order it self
being but a Repetition or Copy of that Original, which in antient
Prudence is of all others the fairest; as that from whence the Com-
monwealth of Rome more particularly deriv'd the Empire of the
World. And there is much more reason in this age, when Govern-
ments are universally broken, or swerv'd from their Foundations,
and the People groan under Tyranny, that the same causis (which
could not be withstood when the World was full of popular Go-
vernments) should have the like effects.

THE Caufes of the Commonwealth of Rome, wherof the Em-
pire of the World was not any miraculous, but a natural (may I may
safely say a necessary) consequence, are contain'd in that part of her
Disciplin which was domestic, and in that which the exercis'd in her
Provinces or Conquest. Of the latter I shall have better occa-
on to speak when we come to our provincial Orbs; the former
divided the whole People by Tribes, amounting, as LIVY and
CICERO shew, at their full growth to thirty five, and every
Tribe by the Centfe or Valuation of Ephates into five Classes: for the
sixth being PROLETARY, that is the Nurcery, or such as tho' their po-
verty contributed nothing to the Commonwealth but Children, was
not reckon'd, nor us'd in Arms. And this is the first point of the
Militia, in which modern Prudence is quite contrary to the antient;
for whereas we, excusing the rich, and arming the poor, become the

"Vassals
Vassals of our Servants, they, by excusing the poor, and arming such as were rich enough to be Freemen, became Lords of the Earth. The Nobility and Gentry of this Nation, who understand so little what it is to be Lords of the Earth, that they have not bin able to keep their own Lands, will think it a strange Education for their Children to be common Soldiers, and oblig'd to all the Duties of Arms: nevertheless it is not for 4 s. a week, but to be capable of being the best man in the Field or in the City; the latter part of which consideration makes the common Soldier herein a better man than the General of any monarchical Army. And whereas it may be thought, that this would drink deep of noble Blood, I dare boldly say, take the Roman Nobility in the heat of their fiercest Wars, and you shall not find such a shambles of them as has bin made of ours by mere Luxury and Slothfulness; which, killing the Body, kill the Soul also; Animasque in vulnere ponunt. Whereas common Right is that which who stands in the vindication of, has us'd that Sword of Justice for which he receives the Purple of Magistracy. The Glory of a man on Earth can go no higher, and if he falls he rises again, and coms sooner to that reward which is so much higher as Heaven is above the Earth. To return to the Roman Example: Every Clafis was divided, as has bin more than once shewn, into Centurys, and every Century was equally divided into Youth and Elders; the Youth for foren Service, and the Elders for the guard of the Territory. In the first Clafis were about eighteen Centurys of Horfe, being those which by the Institution of Servius were first call'd to the Suffrage in the Centurial Assemblies. But the Deletus, or Levy of an Army, which is the present business, proceeded, according to Polybius, in this manner.

Apon a War decreed, the Consuls elected four and twenty military Tribuns or Colonels; whereof ten, being such as had merited their tenth Stipend, were younger Officers. The Tribuns being chosen, the Consuls appointed a day to the Tribes, when those in them of military age were to appear at the Capitol; the day being come, and the Youth assembled accordingly, the Consuls ascended their Tribunal, and the younger Tribuns were straight divided into four parts after this manner: four were assign'd to the first Legion (a Legion at the most consist'd of 6000 Foot, and 300 Horse) three to the second, four to the third, and three to the fourth. The younger Tribuns being thus distributed, two of the elder were assign'd to the first Legion, three to the second, two to the third, and three to the fourth. And the Officers of each Legion thus assign'd, having drawn the Tribes by Lots, and being seated according to their divisions at a convenient distance from each other, the Tribe of the first Lot was call'd: wherupon they that were of it knowing the business, and being prepar'd, presently bolith out four of their number, in the choice whereof such care was taken, that they offer'd none that was not a Citizen; no Citizen that was not of the Youth; no Youth that was not of some one of the five Clafis; nor any one of the five Clafis that was not expert at his Exercises. Moreover, they us'd such diligence in matching them

* Centuriatis.
for Age and Stature, that the Officers of the Legions, except they happen'd to be acquainted with the Youth so bolted, were forc'd to put themselves upon fortune, while they of the first Legion chose one; they of the second, the next; they of the third another; and the fourth Youth fell to the last Legion: and thus was the Election (the Legions and the Tribes varying according to their Lots) carry'd on till the Foot were complete. The like courie with little alteration was taken by the Horfe Officers till the Horfe also were complete. This was call'd giving of Names, which the Children of Israel did also by Lot; and if any man refus'd to give his Name, he was fold for a Slave, or his Eftate confcripted to the Commonwealth. When * M A R C U S C U R I U S the Conful was forc'd to make a sudden Levy, and none of the Youth would give in their Names, all the Tribes being put to the Lot, he commanded the forth Name drawn out of the Urn of the Pollian Tribe (which happen'd to come first) to be call'd; but the Youth not answering, he order'd his Goods to be fold: which was conforable to the Law in Israel, according to which S A U L took a yoke of Oxen, and hew'd them in pieces, and sent them throout the Tribes, saying, Whovever cometh not forth to battle after S A U L and S A M U E L, fo [hall it be done to his Oxen. By which you may observe alfo, that they who had no Cartel were not of the Militia in Israel. But the age of the Roman Youth by the Tullian Law determin'd at 30; and by the Law (tho it should feem by MACCHIavel and others, that this was not well observ'd) a Man could not stand for Magiftracy till he was Miles emeritus, or had fulfill'd the full term of his Militia, which was complete in his tenth Stipend or Service: nor was he afterwards oblig'd under any penalty to give his name, except the Commonwealth were invad'd, in which cafe the Elders were as well oblig'd as the Youth. † The Conful might alfo levy Milites evocatos, or Soldiers, commanded Men out of such as had serv'd their turn, and this at his discretion. The Legions being thus complete, were divided by two to each Conful; and in thefe no Man had right to serve but a Roman Citizen: now becaufe two Legions made but a small Army, the Romans added to every one of their Armies an equal number of Foot, and a double number of Horfe levy'd among their Latin or Italian Aflociates: fo a Confular Army, with the Legions and Auxiliaries, amounted to about thirty thoufand: and wheras they commonly levy'd two fuch Armies togethers, thofe being join'd made about fifty thoufand.

† T H E Steps whereby our Militia follows the greatest Captain, are the three Essays; the firft, elect'd by a fifth man in the Parish, and amounting in the whole to one hundred thoufand, chufe their Officers at the ** Hundreds, where they fall alfo to their Games or Exercifes, invited by handfom Prizes, fuch as for themselves and the honor of them will be covet'd; fuch as will render the Hundred a place of Sports, and exercife of Arms all the year long; fuch as in the space of ten years will equip 30000 Men

* Marcus Curius Conful cum filiicum defecum edirete coftus effe, & junctum nemo respondifter, conjicis in fortis omnibus, Pollici quer proxima exterrae, primum nomen unum extrahitum certe juit, neque eo respondenter, bone adolescentum hafta falcitae. Val. † Quod per magnum tumultum feri follem crat, justiciis invidio, delectiis fine vacanestion habitus eff. Liv. || Curius. ** Centurio
Horfe and Foot, with fuch Arms for their Forge, Proof, and Beaut-
y, as (notwithfanding the Argyropides, or silver Shields of
Alexander's Guards) were never worn by fo many; fuch
as will prefent marks of Virtue and Diretion to your General or
Strategus in the diftribution of his Army, which doubles the va-
ue of them to the Proprietors, who are bound to wear them, and
eafes the Commonwealth of fo much Charge, fo many being arm'd
already.

"BUT here will be the Objection now. How fhall fuch a Revenue
be compass'd? Fifty pounds a year in every Hundred is a great deal,
not fo easily rais'd: Men will not part with their Mony; nor would
the fum as it is propos'd by the Order of Pompe, rife in many years.
These are difficulties that fit our Genius exactly: And yet a thou-
and pounds in each Hundred once levy'd, eftablishe the Revenue for
ever. Now the Hundreds one with another are worth ten thoufand
pounds a year; dry Rent, over and above personall Eftates, which
bring it to twice the value: So that a twentith part of one year's
Revenue of the Hundred does it. If you cannot afford this while
you pay Taxes, tho' from henceforth they will be but small ones, do
it when you pay none. If it be then too much for one year, do it
in two: If it be two much for two years, do it in four. What
Husbands have we hitherto bin? What is becom of greater Sums?
My Lords, if you should thus caft your Bread upon the Waters,
after many days you would find it:Stand not huckling when you
are offer'd Corn and your Mony again in the mouth of the Sack.

"BUT to procede: The firit Eflay being officer'd at the Hundreds,
and mutter'd at the * Tribes (where they are entertain'd with other
Sports, which will be very fine ones), procedes to the Election of the
second Eflay, or Standing Army of this Nation, confifting of thirty
thoufand Foot, and ten thoufand Horfe; and thefe, upon a War
decree, being deliver'd at the Rendezvous of Oceana to the Stra-
tegus, are the third Eflay, which anfwers to the Roman Legions.
But you may obferve, that wheras the Confuls elected the military
Tribuns, and rais'd commanded Men out of the Veterans at their
own discretion; our Polemarchs or Field Officers are elected by the
Scrutiny of the Council of War: and our Veterans not otherwife
taken on than as Volunteers, and with the content of the Pole-
marchs; which may ferve for the removal of certain Scruples which
might otherwife be incident in this place, tho' without encourage-
ment by the Roman way of proceding, much lefs by that which
is propos'd. But wheras the Roman Legions in all amounted not
in one Army to above 30000 Men, or little more, you have here
forty thoufand; and wheras they added Auxiliaries, it is in this
regard that Marpeja will be a greater Revenue to you, than if you
had the Indys; for wheras heretofore she has yielded you nothing
but her native Thiftles, in plowing out the ranknes of her Ariflo-
cracy by your Agrarian, you will find her an inexhaustible Magazin
of Men, and to her own advantage, who will make a far better
account by the Arms, than by the Pins of Poland. Wherfore as a
Confular Army confifted of an equal number of Auxiliars
added to their Legions by their Latin or Italian Asociats, you may

* Tributis.
add to a Parliamentary Army an equal number of Marphysians or Pa-
nopenans, as that Colony shall hereafter be able to supply you: By
which means the Commonwealth will be able to go forth to Battel
with fourscore thousand Men. To make Wars with small Forces
is no Husbandry, but a waft, a diseafe, a lingering and painful con-
sumption of Men and Mony; the Romans making theirs thick, made
them short, and had little regard to Mony, as that which they who
have Men enow, can command where it is fittest that it should be
levy'd. All the ancient Monarchys by this means got on wing, and
attein'd to vaft Riches. Whereas your modern Princes being dear
purchasers of small parcels, have but empty pockets. But it may
be som will accuse the Order of rashnes, in that it commits the fele
Conduft of the War to the General; and the Cutfom of Venice by
her Proveditori, or checks upon her Commanders in chief, may
seem to be of greater Prudence: but in this part of our Government
neither Venice nor any Nation that makes use of mercenary Forces
is for our instruction. A mercenary Army, with a standing Gene-
ral, is like the fatal Sifter that spins; but proper Forces, with an
annual Magiftrate, are like her that cuts the thred. Their Interests
are quite contrary, and yet you have a better Proveditore than the
Venetian, another Strategus fittinf with an Army standing by him;
whereupon that which is marching, if there were any probability it
should; would find as little possibility that it could recoil, as a
foren Enemy to invade you. These things consider'd, a War will
appear to be of a contrary nature to that of all other reckonings,
inasmuch as of this you must never look to have a good account if
you be strict in imposing checks. Let a Council of Huntermen
affemb'd beforehand, tell you which way the stag shall run, where
you shall cast about at the fault, and how you shall ride to be in at
the chase all the day: but these may as well do that, as a Council
of War direct a General. The hours that have painted wings, and
of different colors, are his Council: he must be like the Ey that
makes not the Scene, but has it fo soon as it changes. That in many
Councilors there is ftrenght, is spoken of Civil Administrations:
as to those that are military, there is nothing more certain, than
that in many Councilors there is weaknes. Joint Commissions in
military affairs, are like hunting your Hounds in their Couples. In
the Attic War Cleomenes and Demaratus, Kings of
Lacedemon, being thus coupl'd, tug'd one against another; and
while they should have join'd against the Persians, were the caufe
of the common calamity: whereupon that Commonwealth took
better Council, and made a Law, whereby from thenceforth there
went at once but one of her Kings to Battel.

"THE Fidenati being in rebellion, and having slain the Colony of
the Romans, four Tribunes with Confural Power were created by the Peo-
ples of Rome, whereof one being left for the guard of the City, the other
three were sent against the Fidenati, who, thro' the division that happen'd
among them, brought nothing home but Difhonor: whereupon the Ro-
mans created the Dictator, and Livy gives his judgment in these
words: * The three Tribunes with Confural Power were a leffon how useles"
in War is the joint Command of several Generals; for each following
his own Counsels, while they all differ'd in their opinions, gave by this
opportunity an advantage to the Enemy. When the Consuls Quinctius
and Agrippa were sent against the Aequi, Agrippa for this
reason refused to go with his College, saying, * That in the admini-
stration of great Actions it was most safe that the chief Command
should be lodged in one Person. And if the Ruin of modern Armies
were well considered, most of it would be found to have lain upon this
point: it being in this case far safer to trust to any one Man of common
Prudence, than to any two or more together of the greatest Parts. The
Consuls indeed being equal in Power, while one was present with
the Senate, and the other in the Field with the Army, made a good
Balance; and this with us is exactly follow'd by the Election of a
new Strategus upon the march of the old one.

THE seven and twentieth Order, whereby the Elders in case
of Invasion are oblig'd to equal duty with the Youth, and each
upon their own charge, is suitable to Reason (for every Man de-
fends his own Estate) and to our Copy, as in the War with the
Samnites and Tuscans. † The Senate order'd a Vacation to be proclaimed,
and a Levy to be made of all sorts of Persons: And not only the Free-
men and Youth were lifted, but Cohorts of the old Men were likewise
form'd. This Nation of all others is the least obnoxious to Invasion.
Oceana, says a French Politician, is a Beast that cannot be devour'd
but by her self; nevertheless, that Government is not perfect which
is not provided at all points; and in this (ad Triarios ves reedit)
the Elders being such as in a martial State must be Veterans, the
Commonwealth invaded gathers strength like Anteus by her
fall, while the whole number of the Elders consisting of five hun-
dred thousand, and the Youth of as many, being brought up ac-
cording to the Order, give twelve successive Battels, each Battel
consisting of eighty thousand Men, half Elders and half Youth.
And the Commonwealth whole Constitution can be no stranger to
any of those Virtues which are to be acquire'd in human life, grows
familiar with Death ere the dys.  If the hand of God be upon her
for her Transgressions, the shall mourn for her Sins, and ly in the
dust for her Iniquities, without losing her Manhood.

Si fraetus illabatur orbis,
Impavidam serient ruina.

THE remaining part, being the Constitution of the Provincial
Orb, is partly Civil, or confining of the Elders; and partly Military,
or confining of the Youth. The Civil part of the provincial Orb is
directed by

THE twenty eighth ORDER, whereby the Council of a Province
being constituted of twelve Knights, divided by four into three Regions
(for their term and revolution conformable to the Parliament) is perpetuated
by the annual election at the Tropic of four Knights (being triennial

* Subtraherint in administratione magnarum rerum, summam imperii apud unum esse.
† Senatus judicium indici, delectum omnis generis hominum haberi suffert: nec ingenii modo, &
juniores Sacram ent adhibitis, sed veteranum etiam cohortes habet.
Magnifrcats) out of the Region of the Senate whose term expires; and of one Knight out of the same Region to be Strategus or General of the Province, which Magnificacy is annual. The Strategus or Magifrat thus chosen, shall be as well President of the Provincial Council with power to propose to the same, at General of the Army. The Council for the rest shall elect weekly Provofts, having any two of them also right to propose after the manner of the Senatorial Councils of Oceana. And whereas all Provincial Councils are Members of the Council of State, they may and ought to keep diligent correspondence with the same, which is to be done after this manner: Any Opinion or Opinions legitimately propos'd and debated at a Provincial Council, being therupon sign'd by the Strategus, or any two of the Provofts, may be transmitted to the Council of State in Oceana; and the Council of State proceeding upon the same in their natural course (whether by their own Power, if it be a matter within their Instructions, or by Authority of the Senate therupon consulted, if it be a matter of State which is not in their Instructions; or by Authority of the Senate and Command of the People, if it be a matter of Law, as for the Laws of Men or Many upon common use and safety) shall return such Answers, Advice, or Orders, as in any of the ways mention'd shall be determin'd upon the case. The Provincial Councils of Marpeia and Panopea respectively shall take special care that the Agrarian Laws, as also all other Laws that be or shall from time to time be enacted by the Parliament of Oceana, for either of them, be duly put in execution: they shall manage and receive the Customs of either Nation for the Shipping of Oceana, being the common Guard: they shall have a care that moderate and sufficient pay upon the respective Province be duly rais'd for the support and maintenance of the Officers and Soldiers, or Army of the same, in the most effectual, constant and convenient way: they shall receive the Revenues, or public Revenues of those Nations, out of which every Counselor shall have for his term, and to his proper use, the Sum of 500 l. per annum, and the Strategus 500 l. as President, besides his Pay as General, which shall be 1000 Pounds; the remainder to go to the use of the Knights and Deputies of the respective Provinces, to be paid, if it will reach, according to the rates of Oceana; if not, by an equal distribution, respectively; or the overplus, if there be any, to be return'd to the Treasury of Oceana. They shall manage the Lands (if there be any such held in either of the Provinces by the Commonwealth of Oceana, in Dominion) and return the Rents into the Exchequer. If the Commonwealth comes to be possess'd of richer Provinces, the Pay of the General or Strategus, and of the Councils, may be respectively increas'd. The People for the rest shall elect their own Magifrats, and be govern'd by their own Laws, having Power also to appeal from their native or provincial Magifrats, if they please, to the People of Oceana. And whereas there may be such as receiving Injury, are not able to prosecute their Appeals at so great a distance, eight Sergeants at Law being sworn by the Commissioners of the Seal, shall be sent by four into each Province once in two years; who, dividing the same by Circuits, shall bear such Causes; and having gather'd and introduc'd them, shall return to the several Appellants, gratis, the Determinations and Decrees of the People in their several cases.

T H E term of a Knight in a Provincial Orb, as to domestic Magnificacy, shall be esteemed a Vacation, and no bar to present Election to any other Honor, his provincial Magnificacy being expir'd.

*
THE Quorum of a Provincial Council, as also of every other Council or Assembly in Oceana, shall in time of health consist of two parts in three of the whole number proper to that Council or Assembly; and in a time of sickness, of one part in three: But of the Senate there can be no Quorum without three of the Signory; nor of a Council without two of the Provoysts.

THE Civil part of the Provincial Orb being declar'd by the foregoing Order; the Military part of the same is constituted by

THE twenty ninth ORDER; whereby the Stratios of the third Essay having drawn the Gold Balls marked with the Letter M5 and being the Military Confination of the Provincial Orb, ten Horse and fifty Foot in a Tribe, that is to say, five hundred Horse, and two thousand five hundred Foot in all, the Tribes shall be deliver'd by the respective Commanders to the provincial Strategus or General, at such a time and place, or Rendezvous, as he shall appoint by Order and Certificate of his Election: and the Strategus having receiv'd the Horse and Foot mentioned, which are the third Classis of his provincial Guard or Army, forthwith lead them away to Marpelia, where the Army consists of three Classis, each Classis containing three thousand men, whereof five hundred are Horse; and receiving the new Strategus with the third Classis, the old Strategus with the first Classis shall be dismiss'd by the Provincial Council. The same method with the Stratios of the letter P, is to be observed for the provincial Orb of Panopea: and the Commonwealth coming to acquire new Provinces, the Senate and the People may erect new Orbs in like manner, consisting of greater or less numbers, according as is required by the respective occasion. If a Stratios has once serv'd his term in a Provincial Orb, and happens afterwards to draw the Letter of a Province at the Election of the second Essay, he may refuse his Lot; and if he refuses it, the Censor of that Orn shall cause the Files balloting at the same to make a halt; and if the Stratios produces the Certificate of his Strategus or General, that he has serv'd his time accordingly, the Censor throwing the Ball that he drew into the Urn again, and taking out a Blank, shall dismiss the Touth, and cause the Ballot to proceed.

TO perfect the whole Structure of this Commonwealth, some Directions are given to the third Essay, or Army marching, in

THE thirtieth ORDER. When thou goest to battle against thy Enemies, and feect Horse and Chariots, and a People more than thou; be not afraid of them, for the Lord thy God is he that gos with thee to fight for thee against thy Enemies. And when thou dividest the Spoil, it shall be as a Statute and an Ordinance to thee, that as his part is that gos down to the battle, so shall his part be that tarry by the Stuff: that is, (as to the Commonwealth of Oceana) The Spoil taken of the Enemy (except Clothes, Arms, Horses, Ammunition and Victuals, to be divided to the Soldiers by the Strategus and the Polemarchs upon the place according to their disposition) shall be deliver'd to four Commissarys of the Spoils elected and sworn by the Council of War; which Commissarys shall be allowed Shipping by the State, and Convoys according as occasion shall require by the Strategus; to the end that having a Bill of Lading sign'd by three or more of the Polemarchs, they may ship and bring, or cause such Spoils to be brought to the Prize-Office in Oceana, where they shall
be sold; and the Profit arising by such Spoils shall be divided into three parts, whereof one shall go to the Treasury, another shall be paid to the Soldiers of this Nation, and a third to the Auxiliaries at their return from their Service, provided that the said Auxiliaries be equal in number to the proper Forces of this Nation, otherwise their Share shall be so much less as they themselves are fewer in number: the rest of the two thirds to go to the Officers and Soldiers of the proper Forces. And the Spoils so divided to the proper Forces, shall be subdivided into three equal parts, whereof one shall go to the Officers, and two to the common Soldiers: The like for the Auxiliaries. And the Share allotted to the Officers shall be divided into four equal parts, whereof one shall go to the Strategus, another to the Polemarchus, a third to the Colonels, and a fourth to the Captains, Cornets, Ensigns, and under Officers, receiving their share of the Spoils as common Soldiers: The like for the Auxiliaries. And this upon pain, in the case of failure, of what the People of Oceana (to whom the Cognizance of Peculiat or Crimes of this nature is properly appertaining) shall adjudge or decree.

UPON these three last Orders the Archon seem'd to be haranguing at the head of his Army in this manner.

My Dear Lords and Excellent Patriots;

A GOVERNMENT of this make is a Commonwealth for Increafe. Of those for Preservation, the Inconveniences and Frailties have been shewn: Their Roots are narrow, such as do not run, have no Fibers, their tops weak and dangerously expos'd to the weather; except you chance to find one, as Venice, planted in a Flowerpot; and if the grows, the grows top-heavy, and falls too. But you cannot plant an Oak in a Flowerpot; she must have Earth for her Root, and Heaven for her Branches.

Imperium Oceano, famam que terminat astra.

"ROME was said to be broken by her own weight, but poetically: For that weight by which she was pretended to be ruin'd, was supported in her Emperors by a far fligher Foundation. And in the common experience of good Architecture, there is nothing more known, than that Buildings stand the firmer and the longer for their own weight; nor ever swerve thro' any other cainfue, than that their Materials are corruptible: But the People never dy; nor, as a political Body, are subject to any other Corruption than that which derives from their Government. Unles a Man will deny the Chain of Cauces, in which he denies God, he must also acknowledge the Chain of Effects; wherefore there can be no effect in Nature, that is not from the first Cauze, and those successive Links of the Chain, without which it could not have bin. Now except a Man can fhew the contrary in a Commonwealth; if there be no caufe of Corruption in the first make of it, there can never be any fuch Effect. Let no Man's Superstition impose Profanefes upon this Affertion; for as Man is finful, but yet the Univerfe is perfect, so may the Citizen be finful, and yet the Commonwealth be perfect. And as Man, seeing the World is perfect, can never commit any fuch Sin as fhall render it imperfect, or bring"
it to a natural dissolution; so the Citizen, where the Commonwealth is perfect, can never commit any such Crime as will render it imperfect, or bring it to a natural dissolution. To come to experience; *Venice*, notwithstanding we have found some flaws in it, is the only Commonwealth in the Make wherof no man can find a caufe of dissolution; for which reason we behold her ( tho' the consits of men that are not without fin) at this day with one thousand Years upon her back, yet for any internal caufe, as young, as fresh, and free from decay, or any appearance of it, as she was born: but whatever in nature is not feasible of decay by the course of a thousand Years, is capable of the whole Age of Nature; by which Calculation, for any check that I am able to give my self, a Commonwealth, rightly order'd, may, for any internal causes, be as immortal or longliv'd as the World. But if this be true, those Commonwealths that are naturally fall'n, must have deriv'd their Ruin from the rife of them. *Israel* and *Athens* dy'd not natural but violent deaths; in which manner the World it self is to dy. We are speaking of those causes of Dissolution which are natural to Government; and they are but two, either Contradiction or Inequality: If a Commonwealth be a Contradiction, she must needs destroy her self; and if she be inequal, it tends to strife, and strife to ruin. By the former of these fell *Lacedemon*, by the latter *Rome*. *Lacedemon* being made altogether for War, and yet not for Increase, her natural Progress became her natural Dissolution, and the building of her own victorious Hand too heavy for her Foundation; so that she fell indeed by her own weight. But *Rome* perich'd thro' her native Inequality, which how it inveterated the Bofoms of the Senat and the People each against other, and even to death, has bin shown at large.

"LOOK well to it, my Lords, for if there be a contradiction or inequality in your Commonwealth, it must fall; but if it has neither of these, it has no principle of Mortality. Do not think me insipid; if this be truth, I should commit a gross indifferency in concealing it. Sure I am that *Machiavel* is for the immortality of a Commonwealth upon far weaker Principles. If a Com. Diss. B.3. c.22. monwealth, says he, were so happy as to be provided often with men b.3. c.22. that, when he is serving from her Principles, should reduce her to her Institution, she would be immortal. But a Commonwealth, as we have demonstrated, swerves not from her Principles, but by and thro' her Institution; if she brought no Biafs into the world with her, her course for any internal Caufe must be straight forward, as we see is that of *Venice*. She cannot turn to the right hand, nor to the left, but by som rub, which is not an internal but external caufe; against such she can be no way fortify'd, but thro' her Situation, as is *Venice*; or thro' her Militia, as was *Rome*; by which Examples a Commonwealth may be secure of thofe also. Think me not vain, for I cannot conceal my opinion here; a Commonwealth that is rightly institut'd can never swerve, nor one that is not rightly institut'd be secure'd from swerving by reduction to her first Principles: Wherefore it is no lefs apparent in this place, that *Machiavel* understood not a Commonwealth as to the whole piece, than where having told you, *That a Tribun, or any other Ci- Diss. B.1.c.18. *izen of Rome, might propose a Law to the People, and debate it with Cc them;"
them; he adds, this Order was good, while the People were good; but when the People became evil, it became most pernicious. As if this Order (thro' which, with the like, the People most apparently became evil) could ever have bin good; or that the People, or the Commonwealth could ever have been good, by being reduc'd to such Principles as were the Original of their Evil. The Decease of Rome was, as has bin shewn, from the native inequality of her Balance, and no otherwise from the Empire of the World, than as, this falling into one Scale, that of the Nobility (an evil in such a Fabric inevitable) kick'd out the People. Wherefore a Man that could have made her to throw away the Empire of the World, might in that have reduc'd her to her Principles; and yet have bin so far from rendring her immortal, that going no further, he should never have cur'd her. But your Commonwealth is founded upon an equal Agrarian; and it the Earth be given to the Sons of men, this Balance is the Balance of Justice, such a one as in having due regard to the different Industry of different men, yet faithfully judges the Poor. And the King that faithfully judges the Poor, his Throne shall be establisht'd for ever; much more the Commonwealth, seeing that equality which is the necessary dissolution of Monarchy, is the Generation, the very Life and Soul of a Commonwealth. And now, if ever, I may be excusable, seeing my assertion, that the Throne of a Commonwealth may be establisht'd for ever, is consonant to the holy Scriptures.

THE Balance of a Commonwealth that is equal, is of such a nature, that whatever falls into her Empire, must fall equally; and if the whole Earth falls into your Scales, it must fall equally; and so you may be a greater People, and yet not swerve from your Principles one hair. Nay, you will be so far from that, that you must bring the world in such a case to your Balance, even to the Balance of Justice. But hearken, my Lords; are we on Earth? do we fee the Sun? or are we visiting those shady places which are feign'd by the Poets?

Continud audita voces, vagitum & ingen.

These Gothic Empires that are yet in the world, were at the first, tho' they had legs of their own, but a heavy and unwieldy burden; but their Foundations being now broken, the Iron of them enters even into the Souls of the Oppreft; and hear the voice of their Comforters: My Father hath chastis'd you with Whips, but I will chastise you with Scorpions. Hearken, I say; if thy Brother cries to thee in affliction, wilt thou not hear him? This is a Commonwealth of the Fabric, that has an open ear and a public concern; she is not made for her self only, but given as a Magifrat of God to Mankind, for the vindication of common Right, and the Law of Nature. Wherefore says CICERO of the like, that of the Romans, * We have rather undertaken the Patronage, than the Empire of the World. If you, not regarding this Example, like from other Nations that are upon the point to forecast for it, shall, having attain'd to your own Liberty, bear the Sword of your common Magiftracy in vain, fit still, and

* Nos magis Patronatum orbis terrarum sulpipimus, quam Imperium.
fold your Arms, or which is worse, let out the Blood of your Peo-
ple to Tyrants, to be shed in the defence of their Yokes like Water,
and so not only turn the Grace of God into wantonness, but his Justice
into Wormwood: I say if you do thus, you are not now making a Com-
monwealth, but heaping coals of fire upon your own heads. A Com-
monwealth of this make is a Minister of God upon Earth, to the end
that the World may be govern'd with Righteousness. For which cause
(that I may com at length to our present busines) the Orders lait
rehears'd are buds of Empire, such as with the blessing of God may
spread the Arms of your Commonwealth, like a holy Asylum, to the
distrefs'd World, and give the Earth her Sabbath of years, or reft
from her Labors, under the shadow of your Wings. It is upon this
point where the Writings of Machiavel, having for the
rest exceld all other Authors, com as far to excel themselves.

Commonwealths, says he, have had three ways of pro-
ducing themselves, one after the manner of Monarchys, by impos-
ing the Yoke, which was the way of Athens, and towards the latter
times of Lacedemon; another by equal Leagues, which is the way of
Switzerland; (I shall add of Holland, tho' since his time) a third by
inequal Leagues, which, to the shame of the World, was never prac-
tis'd, nor so much as seen or minded, by any other Common-
wealth but that only of Rome. They will each of them, either for
cautions or imitation, be worthy to be well weigh'd, which is the
proper work of this place. Athens and Lacedemon have bin the
occasion of great scandal to the world, in two, or at least one
of two regards: the first their Emulation, which involv'd Greece
in perpetual Wars; the second their way of Propagation, which by
imposing Yokes upon others, was plainly contradictory to their own
Principles.

For the first: Governments, be they of what kind soever, if
they be planted too close, are like Trees, that impatient in their
growth to have it hinder'd, eat out one another. It was not un-
known to these in speculations, or, if you read the story of Age-
silaus, in action, that either of them with thirty thousand men
might have matter'd the East; and certainly, if the one had not
stood in the others light, Alexander had com too late to that
end, which was the means (and would be if they were to live a-
again) of ruin, at least to one of them: wherefore with any man
that understands the nature of Government this is excusable. So it
was between Ocean and Marpea; so it is between France and
Spain, tho' less excusable; and so it ever will be in the like cases. But
to come to the second occasion of Scandal by them given, which was
in the way of their propagation, it is not excusable: for they
brought their Confederats under bondage; by which means Athens
gave occasion of the Peloponnesian War, the wound of which the
dy'd thinking, when Lacedemon, taking the fame Infection from
her Carcafe, soon follow'd.

Wherefore, my Lords, let these be warnings to you, not
to make that Liberty which God has given you a snare to others, in
practising this kind of enlargement of your selves.

The second way of Propagation or Enlargement us'd by Com-
monwealths, is that of Switzerland and Holland, equal Leagues:
This, tho' it be not otherwise mischievous, is useful to the World,
and dangerous to themselves; useless to the World; for as the former Governments were Storks, these are Blocks, have no sense of Honor, or concern in the Sufferings of others. But as the Artolians, a State of the like Fabric, were reproach'd by Philip of Macedon, to prostitute themselves, by letting out their Arms to the Luffs of others, while they leave their own Liberty barren, and without legitimat illue; so I do not defame these People: the Switzer for Valor has no Superior, the Hollander for Industry no equal; but themselves in the mean time shall to much the less excuse their Governments, seeing that to the Switz it is well enough known that the Ensigns of his Commonwealth have no other Motto than in te convert manus: and that of the Hollander, tho he sweats more Gold than the Spaniard digs, lets him languish in debt; for the her self lives upon charity. These are dangerous to themselves, precarious Governments, such as do not command, but beg their Bread from Province to Province, in Coats that being patch'd up of all colors are in effect of none. That their Cantons and Provinces are so many Arrows, is good; but they are so many Bows too, which is naught.

LIKE to these was the Commonwealth of the ancient Tuscius, hung together like Bobbins, without a hand to weave with them; thercfore easily overcom by the Romans, tho at that time, for number, a far less considerable People. If your Liberty be not a Root that grows, it will be a Branch that withers; which consideration brings me to the Paragon, the Commonwealth of Rome.

THE ways and means whereby the Romans acquire'd the Patronage, and in that the Empire of the World, were different, according to the different condition of their Commonwealth in her rife, and in her growth: in her rife she proceeded rather by Colonys; in her growth by unequal Leagues. Colonys without the bounds of Italy she planted none (such dispersion of the Roman Citizen as to plant him in foreen parts, till the contrary Interest of the Emperors brought in that Practice, was unlawful) nor did she ever demolish any City within that compass, or devest it of Liberty; but whereas the most of them were Commonwealths, stir'd up by emulation of her great felicity to war against her, if she overcome any, she confiscat'd som part of their Lands that were the greatest Incendiarys, or caufes of the Trouble, upon which she planted Colonys of her own People, preferring the rest of their Lands and Libertys for the Natives or Inhabitants. By this way of proceeding, that I may be as brief as possible, she did many and great things. For in confirming of Liberty, she propagated her Empire; in holding the Inhabitants from Rebellion, she put a curb upon the incursion of Enemies; in exonerating her self of the poorer fort, she multiply'd her Citizens; in rewarding her Veterans, she render'd the rest less seditious; and in acquiring to her self the reverence of a common Parent, she from time to time became the Mother of newborn Citys.

IN her farther growth the way of her Propagation went more upon Leagues, which for the first division were of two kinds, Social and Provincial.

A G A I N, Social Leagues, or Leagues of Society, were of two kinds.
"THE first call'd Latinity or Latin, the second Italian Right.
"THE League between the Romans and the Latini, or Latin Right, approach'd nearest to jus quiritium, or the Right of a native Roman. The Man or the City that was honor'd with this Right, was Civitate donatus eum suffragio, adopted a Citizen of Rome, with the right of giving Suffrage with the People in form of votes, as those of Confirmation of Law, or Determination in Judicature, if both the Confuls were agreed, not otherwise; wherefore that coming to little, the greatest and most peculiar part of this Privilege was, that who had born Magistracy (at least that of Aedil or Quaestor) in any Latin City, was by consequence of the same, a Citizen of Rome at all points.
"ITALIAN Right was also a donation of the City, but without Suffrage: they who were in either of these Leagues, were governed by their own Laws and Magistrats, having all the Rights, as to Liberty, of Citizens of Rome, yielding and paying to the Commonwealth as head of the League, and having in the conduct of all Affairs appertaining to the common Cause, such aid of Men and Money as was particularly agreed to upon the merit of the Cause, and specifying in their respective Leagues, whence such Leagues came to be call'd equal or unequal accordingly.
"PROVINCIAL Leagues were of different extent, according to the Merit and Capacity of a conquer'd People; but they were all of one kind: for every Province was govern'd by Roman Magistrats, as a Praetor or a Proconsul, according to the dignity of the Province, for the Civil Administration and Conduct of the Provincial Army; and a Quaestor for the gathering of the public Revenue, from which Magistrats a Province might appeal to Rome.
"FOR the better understanding of these Particulars, I shall exemplify in as many of them as is needful: and first in Macedon.
"THE Macedonians were thrice conquer'd by the Romans, first under the Conduct of Titus Quintus Flaminius; secondly, under that of Lucius Aemilius Paulus; and, thirdly, under that of Quintus Cæcilius Metellus, thence call'd Macedonicus.
"FOR the first time Philip of Macedon, who (pois't of Aegcrorum) boasted no less than was true, that he had Greece in letters, being overcomen by Flaminius, had his Kingdom restor'd to him, upon condition that he should immediately sell all the Cities which he held in Greece and in Asia at liberty; and that he should not make war out of Macedon, but by leave of the Senat of Rome; which Philip (having no other way to save any thing) agreed should be don accordingly.
"THE Grecians being at this time assembl'd at the Isthmian Games, where the Concourse was mighty great, a Crier, appointed to the office by Flaminius, was heard among them proclaiming all Greece to be free; to which the People being amaz'd at so hopeless a thing, gave little credit, till they receiv'd such testimony of the truth as put it past all doubt: whereupon they fell immediately on running to the Proconsul with Flowers and Garlands, and such violent expressions of their Admiration and Joy, as, if Flaminius, a young man, about thirty three, had not alfo bin very fhoung, he must have dy'd of no other death than their kindness, while every one
one striving to touch his hand, they bore him up and down the field with an unruly throng, full of such ejaculations as these: How! Is there a People in the world, that at their own charge, at their own peril, will fight for the Liberty of another? Did they live at the next door to this fire? Or what kind of men are these, whose buffoons it is to pass the Seas, that the World may be govern'd with Righteousness? The City's of Greece and of Asia shake off their Iron Fetters at the voice of a Cryer! Was it madness to imagin such a thing, and is it don? O Virtue! O Felicity! O Fame! IN this Example your Lordships have a donation of Liberty, or of Italian Right to a People, by restitution to what they had formerly enjoy'd; and from particular Men, Families, or Cities, according to their merit of the Romans, if not upon this, yet upon the like occasions, were gratify'd with Latinity.

BUT PHILIP's share by this means did not please him, wherefore the League was broken by his Son PERSEUS; and the Macedonians therupon for the second time conquer'd by AEIMILUS PAULUS, their King taken, and they from time after the Victory summon'd to the Tribunal of the General; where remembering how little hope they ought to have of Pardon, they expected some dreadful Sentence: When AEIMILUS in the first place declar'd the Macedonians to be free, in the full possession of their Lands, Goods, and Laws, with Right to elect annual Magistrates, yielding and paying to the People of Rome one half of the Tribute which they were accustomed to pay to their own Kings. This don he went on, making so skillful a division of the Country in order to the methodizing of the People, and casting them into a form of popular Government, that the Macedonians, being first surpriz'd with the Virtue of the Romans, began now to alter the scene of their Admiration, that a Stranger should do such things for them in their own Country, and with such facility, as they had never so much as once imagin'd to be possible. Nor was this all, for AEIMILUS, as if not dictating to conquer'd Enemies, but to them well deserving Friends, gave them in the last place Laws soutable, and contriv'd with such care and prudence, that long use and experience (the only Correc'tress of Works of this nature) could never find a fault in them.

IN this Example you have a Donation of Liberty, or of Italian Right, to a People that had not tafted of it before, but were now taught how to use it.

MY LORDS, The Royalists should compare what we are doing, and we what hitherto we have don for them, with this example. It is a shame that while we are boating up our selves above all others, we should yet be so far from imitating such examples as these, that we do not so much as understand that if Government be the Parent of Manners, where there are no Heroic Virtues, there is no Heroic Government.

BUT the Macedonians rebelling, at the name of a false PHILIP, the third time against the Romans, were by them judg'd incapable of Liberty, and reduce'd by METELLUS to a Province,

NOW whereas it remains, that I explain the nature of a Province,

I shall rather chuse that of Sicily, because having bin the first which the Romans made, the descriptions of the rest relate to it.
WE have so receiv'd the Sicilian City into Amity, says CICERO, that they enjoy their ancient Laws; and upon no other condition than of the same obedience to the People of Rome, which they formerly yielded to their own Princes or Superiors. So the Sicilians, whereas they had bin parcel'd out to divers Princes, and into divers States (the cause of perpetual Wars, whereby, hewing one another down, they became Sacrifices to the Ambition of their Neighbors, or of fom Invader) were now receiv'd at the old rate into a new Protection which could hold them, and in which no Enemy durst touch them; nor was it possible, as the case then stood, for the Sicilians to receive, or for the Romans to give more.

A ROMAN Province is defin'd by SIGONIUS, a Region having Provincial Right. Provincial Right in general was to be govern'd by a Roman Prætor, or Consul, in matters at least of State, and of the Militias: And by a Quæstor, whose Office it was to receive the Public Revenue. Provincial Right in particular was different, according to the different Leagues or Agreements between the Commonwealth, and the People reduc'd into a Province. SICERO.

culis hoc iure sunt, ut quod civis cum civi agat, domi certis suis legibus; quod Siculus cum Siculo non ejusdem Civitatis, ut de eo Prætor judices, ex P. Rupili Decrdeo, sortiatur. Quod privatus a Populo petit, aut populus a privato, Senatus ex aliqua Civitate, qui judicet, datur, cui altera Civitates rejiciat sunt. Quod civis Romanus a Siculo petit, Siculus Judex datur; quod Siculus a civie Romano, civis Romanus datur. Ceterarum rerum feleti Judices ex civibus Romanis conventu proponi solent. Inter avatores & decumanos lege frumentaria, quam Hieronicum appellant, judicia sunt. Because the reft would oblige me to a discourse too large for this place, it shall suffice that I have shew'd you how it was in Sicily.

MY LORDS, Upon the Fabric of your Provincial Orb I shall not hold you; because it is sufficiently describ'd in the Order, and I cannot believe that you think it inferior to the way of a Prætor and a Quæstor. But whereas the Provincial way of the Roman Commonwealth was that whereby it held the Empire of the World, and your Orbs are intended to be capable at least of the like use; there may arise many Controversies: As whether such a course be lawful; whether it be feasible; and, seeing that the Romans were reduc'd upon that point, whether it would not be to the destruction of the Commonwealth.

FOR the first, If the Empire of a Commonwealth be an occasion to consider whether it be lawful for a Commonwealth to aspire to the Empire of the World, it is to ask whether it be lawful for it to do its duty, or to put the World into a better condition than it was before.

AND to ask whether this be feasible, is to ask why the Oceano, being under the like administration of Government, may not do as much with two hundred men as the Romans did with one hundred; for comparing their Commonwealths in their rise, the difference is yet greater. Now that Rome (siris Avaritis Luxuriae) thro' the natural thirst of her constitution, came at length with the fulness of her Provinces to burst her self, this is no otherwise to be understood, than as when a man that from his own evil Constitution had contracted the Dropify, dys with drinking: It being apparent that in cafe her Agrarian
Agrarian had held, she could never have bin thus ruin'd; and I have already demonstrated that your Agrarian being once pois'd, can never break or swerve.

WHEREFORE to draw towards som conclusion of this Discourse, let me inculcat the use, by selecting a few Considerations out of many. The regard had in this place to the Empire of the World appertains to a well-order'd Commonwealth, more especially for two reasons.

1. THE facility of this great Enterprize, by a Government of the Model propos'd.

2. THE danger that you would run in the omission of such a Government.

THE facility of this Enterprize, upon the grounds already laid, must needs be great, forasmuch as the Empire of the World has bin, both in Reason and Experience, the necessary consequence of a Commonwealth of this nature only: for tho it has bin given to all kinds to drive at it, since that of Athens or Lacedemon, if the one had not hung in the others light, might have gain'd it; yet could neither of them have held it: not Athens, tho the manner of her propagations, which, being by downright Tyranny, could not preferre what she had; nor Lacedemon, because she was overthrown by the weight of a left Conquest. The facility then of this great Enterprize being peculiar to popular Government, I shall consider it, first, In gaining; and secondly, In holding.

FOR the former, Volenti non fit injuria; it is said of the People under Eumenes, that they would not have chang'd their subjection for Liberty; wherfore the Romans gave them no disturbance. If a People be contented with their Government, it is a certain sign that it is good, and much good do them with it. The Sword of your Magistracy is for a terror to them that do evil. Eumenes had the fear of God, or of the Romans before his eyes; concerning such he has given you no Commission.

BUT till we can say here are the Romans, where is Eumenes? Do not think that the late appearances of God to you have bin altogether for your selves; he has surely seen the Affliction of your Brethren, and heard their cry by reason of their Taskmasters. For to believe otherwise, is not only to be mindless of his ways, but altogether deaf. If you have ears to hear, this is the way in which you will certainly be call'd upon: For if, while there is no streak of Liberty, no sanctuary of the afflicted, it be a common object to behold a People casting themselves out of the Pan of one Prince into the Fire of another; what can you think, but if the World should see the Roman Eagle again, she would renew her age, and her flight? Nor did ever she spread her Wings with better Omen, than will be read in your Ensigns; which if, call'd in by an oppress'd People, they interpose between them and their Yoke, the People themselves must either do nothing in the mean time, or have no more pains to take for their wish'd Fruit than to gather it, if that be not likewise done for them. Wherefore this must needs be easy, and yet you have a greater facility than is in the arm of flesh; for if the Cause of Mankind be the Cause of God, the Lord of Heavens will be your Captain, and you shall be a Praise to the whole Earth.

*THE
"THE facility of Holding is in the way of your Propagation; if you take that of Athens and Lacedemon, you shall rain Snares; but either catch, or hold nothing. Lying lips are an abomination to the Lord: If setting up for Liberty, you impose Yokes, he will infallibly destroy you. On the other side, to go about a work of this nature by a League without a Head, is to abdicate that Magistracy, wherewith he has not only indu’d you, but whereof he will require an account of you; for, curst is he that dos the Work of the Lord negligently. Wherfore you are to take the course of Rome: if you have subdu’d a Nation that is capable of Liberty, you shall make them a present of it, as did Flaminius to Greece, and Aemilius to Macedon, referring to your selves rom part of that Revenue which was legally paid to the former Government, together with the right of being Head of the League, which includes such Levys of Men and Mony as shall be necessary for the carrying on of the Public Work. For if a People have by your means attain’d to freedom, they owe both to the Caufe and you, such Aid as may propagat the like Fruit to the rest of the World. But whereas every Nation is not capable of her Liberty to this degree, left you be put to doing and undoing of things, as the Romans were in Macedon, you shall diligently observe what Nation is fit for her Liberty to this degree, and what not: Which is to be done by two Marks, the first if she be willing to help the Lord against the Mighty; for if she has no care of the Liberty of Mankind, she deserves not her own. But because in this you may be deceiv’d by Pretences, which, continuing for a while specious, may afterwards vanish; the other is more certain, and that is if she be capable of an equal Agrarian; which that it was not observ’d by excellent Aemilius in his donation of Liberty, and introduction of a Popular State among the Macedonians, I am more than mov’d to believe for two reasons: the first, because at the same time the Agrarian was odious to the Roman Patricians; the second, that the Pseudo-Philip could afterwards so easily recover Macedon, which could not have happen’d but by the Nobility, and their impatience, having great Estates, to be equal’d with the People; for that the People should otherwise, at the mere found of a Name, have thrown away their Liberty, is incredible. Wherefore be assur’d, that the Nation where you cannot establîsh an equal Agrarian, is incapable of its Liberty as to this kind of Donation. For example, except the Aristocracy in Marpessa be dissolv’d, neither can that People have their Liberty there, nor you govern at home; for they continuing still liable to be fold by their Lords to foren Princes, there will never (especially in a Country of which there is no other profit to be made) be want of such Merchants and Drovers, while you must be the Market where they are to receive their second Payment. "NOR can the Aristocracy there be dissolv’d but by your means, in relation wherto you are provided with your Provincial Orb; which being proportion’d to the measure of the Nation that you have vindicated or conquer’d, will easily hold it: for there is not a People in the World more difficult to be held than the Marpessians, which tho by themselves it be acrib’d to their own nature, is truly to be attributed to that of their Country. Nevertheless you having nine thousand men upon the continual guard of it, that, three-
"OCEANA.

"ten'd by any sudden insurrec'tion, have places of retreat; and an
"Army of forty thousand men upon a day's warning ready to march
"to their rescue; it is not to be rationally shewn which way they can
"possib'y flip out of your hands. And if a man shall think that upon
"a Province more remote, and divided by the Sea, you have not
"the like hold, he has not so well consider'd your Wings as your
"Talons; your shipping being of such a nature, as makes the defective
"of your Arm'y almost of equal facility in any Country: so that
"what you take you hold, both because your Militia, being already
"populous, will be of great growth in it self; and also thro your
"Confederats, by whom in taking and holding you are still more in-
"abled to do both.
"NOR shall you easie'ly hold, than the People under your Em-
"pire or Patronage may be held. My Lords, I would not go to the
"door to see whether it be close shut; this is no underhand dealing,
"nor a game at which he shall have any advantage against you who
"sees your Cards, but on the contrary the Advantage shall be your
"own: for with eighteen thousand men (which number I put, be-
"cause it circulates your Orb by the annual change of six thousand)
"having establish'd your matters in the order thown, you will be able
"to hold the greatest Province; and eighteen thousand men, allow-
"ing them greater pay than any Prince ever gave, will not stand
"the Province in one million Revenue; * in consideration whereof,
"they shall have their own Estates free to themselves, and be govern'd
"by their own Laws and Magistrates; which, if the Revenue of the
"Province be in dry Rent (as there may be som that are four times
"as big as Oceana) forty millions, will bring it with that of Indus-
"try, to speak with the leaft, to twice the value: So that the Peo-
"ple there, who at this day are so opprett that they have nothing at
"all wheron to live, shall for one Million paid to you, receive at
"leaft seventy nine to their proper use: in which place I appeal to any
"man, whether the Empire describ'd can be other than the Patronage
"of the World.
"NOW if you add to the propagation of Civil Liberty (so na-
"tural to this Commonwealth that it cannot be omitted) the propa-
"gation of the Liberty of Conscience, this Empire, this Patronage of
"the World is the Kingdom of Christ: For as the Kingdom of God
"the Father was a Commonwealth, so shall be the Kingdom of God
"the Son; The People shall be willing in the day of his Power.
"HAVING shew'd you in this and other places, som of those
"ineffimable Benefits of this kind of Government, together with the
"natural and facil Emanation of them from their Fountain, I com-
"(left God, who has appear'd to you, for he is the God of Nature,
"in the glorious Constellation of the subordinate Causes, whereof we
"have hitherto bin taking the true Elevation, shoud shake off the
"dust of his Feet against you) to warn you of the Dangers which
"you, not taking the opportunity, will incur by omission.
"MACCHIABEL speaking of the defect of Venice, thro her
"want of proper Arms, cries out, * This cut her Wings, and spoil'd her
"mount to Heaven. If you lay your Commonwealth upon any other

† Quello ragiongj le gambe & montar in cielo.

"Foundation"
Foundation than the People, you frustrate yourself of proper Arms; and so lose the Empire of the World; nor is this all, but from other Nation will have it.

*Columbus* offered Gold to one of your Kings, thro' whose happy incredulity another Prince has drunk the Poison, even to the confusion of his People; but I do not offer you a Nerve of War that is made of Pursestrings, such as has drawn the face of the Earth into Convulsions, but such as is natural to her Health and Beauty. Look you to it, where there is tumbling and toffing upon the bed of sicknes, it must end in death or recovery. Tho' the People of the World, in the dregs of the Gothic Empire, be yet tumbling and toffing upon the bed of sicknes, they cannot dy; nor is there any means of recovery for them but by antient prudence, whence of necessity it must come to pass, that this Drug be better known. If France, Italy, and Spain, were not all sick, all corrupted together, there would be none of them so; for the sick would not be able to withstand the found, nor the found to preserve their health without curing of the sick. The first of these Nations (which, if you stay her leisure, will in my mind be France) that recovers the health of antient Prudence, shall certainly govern the World; for what did Italy when she had it? And as you were in that, so shall you in the like case be reduced to a Province; I do not speak at random. Italy, in the Confulship of Lucius Emilius Papus, and Catius Attius Regulus, arm'd upon the Gallic Tumult that then happen'd of her self, and without the Aid of foren Auxiliarys, seventy thousand Horse, and seven hundred thousand Foot: But as Italy is the least of those three Countries in extent, so is France now the most populous.

I, decus, I, nosfrum, melioribus utere fatis.

"My dear Lords, Oceana is as the Rose of Sharon, and the Lily of the Valley. As the Lily among Thorns, such is my Love among the Daughters. She is comely as the Tent of Kedar, and terrible as an Army with Banners. Her Neck is as the Tower of David, builded for an Armory, wherof there hang a thousand Bucklers and Shields of mighty Men. Let me hear thy Voice in the morning, whom my Soul loves. The South has drop'd, and the West is breathing upon thy Garden of Spices. Arise, Queen of the Earth, Arise, holy Spouse of Jesus; for lo the Winter is past, the Rain is over and gone; the Flowers appear on the Earth, the time for the singing of Birds is come, and the Voice of the Turtle is heard in our Land. Arise, I say, come forth, and do not tarry: Ah! wherefore should my eyes behold thee by the Rivers of Babylon, hanging thy Harps upon the Willows, thou fairest among Women?"

"EXCELLENT PATRIOTS; If the People be Soverain, here is that which establishes their Prerogative: If we be sincere, here is that which disburdens our Souls, and makes good all our Engagements: If we be charitable, here is that which imbraces all Partys: If we would be fetted, here is that which will stand, and last for ever.

"If our Religion be any thing else but a vain boaste, scratching and defacing human Nature or Reason, which, being the Image of God,
**OCEANA.**

"God, makes it a kind of Murder; here is that Empire whence Justice shall run down like a River, and Judgment like a mighty Stream. Who is it then that calls us? or what is in our way? a Lion! is it not the Dragon that old Serpent? for what wretched thirts are these? Here is a great deal, might we not have som of this at one time, and som at another?"

"MY LORDS, permit me to give you the Sum, or brief

**Epitome of the whole Commonwealth.**

THE Center or Fundamental Laws are, first, the Agrarian, proportion'd at two thousand Pounds a Year in Land, lying and being within the proper Territory of Oceana, and stating Property in Land at such a balance, that the Power can never sweare out of the hands of the Many.

SECONDLY, The Ballot conveying this equal Sap from the Root, by an equal Election or Rotation, into the Branches of Magistracy or Sovereign Power.

THE Orbs of this Commonwealth being Civil, Military or Provincial, are, as it were, cast upon this Mold or Center by the Divisions of the People; First into Citizens and Servants: Secondly, into Youth and Elders: Thirdly, into such as have one hundred Pounds a year in Lands, Goods or Monys, who are of the Horse; and such as have under, who are of the Foot: Fourthly, they are divided by their usual residence, into Parishes, Hundreds, and Tribes.

THE Civil Orbs consist of the Elders, and are thus created; every Monday next ensuing the last of December, the Elders in every Parish elect the fifth man to be a Deputy; which is but half a days work; every Monday next ensuing the last of January, the Deputies meet at their respective Hundred, and elect out of their number one Justice of the Peace, one Juryman, one Coroner, and one High Constable of the Foot; one days work.

EVERY Monday next ensuing the last of February, the Hundreds meet at their respective Tribe, and there elect the Lords High Sherif, Lieutenant, Custos Rotulorum, the Conductor, the two Gengers out of the Horse, the Magistrates of the Tribe and of the Hundreds, with the Jurymen constituting the Phyarch, and who assist in their respective Offices at the Assizes, hold the Quarter Sessions, &c. The day following the Tribe elects the annual Galaxy, consisting of two Knights, and three Deputies out of the Horse, with four Deputies out of the Foot, thereby indeed with Power, as Magistrates of the whole Nation, for the term of three years. An Officer chosen at the Hundred may not be elected a Magistrate of the Tribe; but a Magistrate or Officer either of the Hundred or of the Tribe, being elected into the Galaxy, may substitute any one of his own Order to his Magistracy or Office in the Hundred, or in the Tribe. This of the Muller is two days work. So the body of the People is annually, at the charge of three days work and a half, in their own Tribes, for the perpetuation of their Power, receiving over and above the Magistrates so divided among them.

EVERY Monday next ensuing the last of March, the Knights, being a Hundred in all the Tribes, take their places in the Senate; the Knights, having
having taken their places in the Senat, make the third Region of the same; and the Houfe proceeds to the Senatorian Elections. Senatorian Elections are annual, biennial, or emergent.

THE annual are performed by the Tropic.

THE Tropic is a Sceudule consisting of two parts; the first by which the Senatorian Magistrates are elected; and the second, by which the Senatorian Councils are perpetuated.

THE first part is of this Tenor.

THE Lord Strategus, Annual Magistrates, and therefore such as may be elected out of any Region; the term of every Region having at the Tropic one year at the least unexpi'red.

THE first Censor, Triennial Magistrates, and therefore such as can be chosen out of the third Region only, as that alone which has the term of three years unexpi'red.

THE second Censor, Triennial Magistrates, and therefore such as can be chosen out of the third Region only, as that alone which has the term of three years unexpi'red.

THE Strategus and the Orator sitting, are Consuls, or Presidents of the Senat.

THE Strategus marching is General of the Army, in which case a new Strategus is elected to sit in his room.

THE Strategus sitting with the six Commissioners, being Counsellors of the Nation, are the Signory of the Commonwealth.

THE Censors are Magistrates of the Ballot, Presidents of the Council for Religion, and Chancellors of the Universities.

THE second part of the Tropic perpetuates the Council of State, by the election of five Knights out of the first Region of the Senat, to be the first Region of that Council consisting of fifteen Knights, five in every Region.

THE like is done by the election of four into the Council of Religion, and four into the Council of Trade, out of the same Region in the Senat; each of these Councils consisting of twelve Knights, four in every Region.

But the Council of War consisting of nine Knights, three in every Region, is elected by and out of the Council of State, as the other Councils are elected by and out of the Senat. And if the Senat add a Junta of nine Knights more, elected out of their own number, for the term of three months, the Council of War, by virtue of that addition, is Dictator of Occana for the said term.

THE Signory jointly or severally has right of Session and Suffrage in every Senatorian Council, and to propose either to the Senat, or any of them, And every Region in a Council electing one weekly Provost, any two of those Provosts have Power also to propose to their respective Council, as the proper and particular Proposers of the same: for which cause they hold an Academy, where any man either by word of mouth, or writing, may propose to the Proposers.

Next to the Elections of the Tropic is the biennial Election of one Embassador in ordinary, by the Ballot of the House, to the Residence of France; at which time the Resident of France removes to Spain, he of Spain to Venice, he of Venice to Constantinople, and he of Constantinople returns. So the Orb of the Residens is wheel'd about in eight years, by the biennial Election of one Embassador in Ordinary.
THE last kind of Election is emergent. Emergent Elections are made by the Scrutiny. Election by Scrutiny is when a Competitor being made by a Council, and brought into the Senat, the Senat choses four more Competitors to him; and putting all five to the Ballot, he who has most above half the Suffrages, is the Magistrat. The Polemarchs or Field Officers are chosen by the Scrutiny of the Council of War; an Ambassador Extraordinary by the Scrutiny of the Council of State; the Judges and Servants at Law by the Scrutiny of the Seal; and the Barons and Prime Officers of the Exchequer, by the Scrutiny of the Treasury.

THE Opinion or Opinions that are legitimately propos'd to any Council must be debated by the same, and so many as are resolved upon the Debate are introduced into the Senat, where they are debated and resolved, or rejected by the whole House: that which is resolved by the Senat is a Decree, which is good in matters of State, but no Law, except it be propos'd to, and resolved by the Prerogative.

THE Deputies of the Galaxy being three Horse and four Foot in a Tribe, amount in all the Tribes to one hundred and fifty Horse, and two hundred Foot; which, having enter'd the Prerogative, and chosen their Captains, Cornet and Ensign (triennial Officers) make the third Clasps, consisting of one Troop, and one Company; and so joining with the whole Prerogative, elect four annual Magistrats, called Tribuns, whereof two are of the Horse, and two of the Foot. These have the Command of the Prerogative Sessions, and Suffrage in the Council of War, and Sessions without Suffrage in the Senat.

THE Senat having past a Decree which they would propose to the People, cause it to be printed and published, or promulgated for the space of six weeks; which being ordered, they choose their Proposers. The Proposers must be Magistrats, that is, the Commissioners of the Seal, those of the Treasury, or the Censor. These being chosen, desire the master of the Tribuns, and appoint the day. The People being assembled at the day appointed, and the Decree propos'd, that which is propos'd by authority of the Senat, and commanded by the People, is the Law of Oceana, or an Act of Parliament.

So the Parliament of Oceana consists of the Senat proposing, and the People resolving.

THE People or Prerogative are also the Supreme Judiciary of this Nation, having Power of hearing and determining all Causes of Appeal from all Magistrats, or Courts Provincial, or Domestick; as also to question any Magistrat, the term of his Magistracy being expired, if the Council be introduced by the Tribuns, or any one of them.

THE Military Orbs consist of the Youth, that is, such as are from eighteen to thirty years of Age; and are created in the following manner.

E V E R T Wednesday next insuring the last of December, the Youth of every Parish assembling, elect the fifth of their number to be their Deputies; the Deputies of the Youth are called Stratiots, and this is the first Essay.

E V E R T Wednesday next insuring the last of January, the Stratiots assembling at the Hundred, elect their Captain and their Ensign, and fall to their Games and Sports.

E V E R T Wednesday next insuring the last of February, the Stratiots are received by the Lord Lieutenant their Commander in Chief, with the Conductor and the Censors; and, having him disciplined and entertained with other Games, are called to the Orns, where they elect the second Essay, consisting of two hundred Horse and six hundred Foot in a Tribe; that is, of
ten thousand Horse, and thirty thousand Foot in all the Tribes, which is the standing Army of this Nation, to march at any warning. They also elect at the same time a part of the third Essay, by the mixture of Balls marked with the letter M, and the letter P, for Marpesta and Panopea; they of either mark being ten Horse and fifty Foot in a Tribe; that is, five hundred Horse and two thousand five hundred Foot in all the Tribes, which are forthwith to march to their respective Provinces.

But the third Essay of this Nation more properly so call'd, is when the Strategus with the Polemarchs (the Senat and the People, or the Dictator having decreed a War) receive in return of his Warrant the second Essay from the hands of the Conductors at the Rendezvous of Oceana; which Army marching with all Accommodations provided by the Council of War, the Senat elects a new Strategus, and the Lords Lieutenants a new second Essay.

A Truth, except he be an only Son, refusing any one of his three Essays, without sufficient cause shewn to the Phylarch or the Censors, is incapable of Magistracy, and is fin'd a fifth part of his yearly Rent, or of his Estate, for Protection. In case of Invasion the Elders are oblig'd to like duty with the Truth, and upon their own charge.

The Provincial Orb consisting in part of the Elders, and in part of the Truth, is thus created.

Four Knights out of the first Region falling, are elected in the Senat to be the first Region of the Provincial Orb of Marpesta; these being triennial Magistrates, take their places in the Provincial Council, consisting of twelve Knights, four in every Region, each Region chosing their weekly Provosts of the Council thus constituted. One Knight more chosen out of the same Region in the Senat, being an annual Magistrate, is President, with Power to propose; and the Opinions proposed by the President, or any two of the Provosts, are debated by the Council, and, if there be occasion of farther Power or Instruction than they yet have, transmitted to the Council of State, with which the Provincial is to hold Intelligence.

The President of this Council is also Strategus, or General of the Provincial Army; wherefore the Conductors upon notice of his Election, and appointment of his Rendezvous, deliver to him the Stratagems of his Letter, which he takes with him into his Province: and the Provincial Army having receiv'd the new Strategus with the third Classis, the Council dismisses the old Strategus with the first Classis. The like is done for Panopea, or any other Province.

But whereas the term of every other Magistracy or Election in this Commonwealth, whether triennial or triennial, requires an equal Vacation, the term of a Provincial Counsellor or Magistrate requires no Vacation at all. The Quorum of a Provincial, as also that of every other Council and Assembly, requires two thirds in a time of health, and one third in a time of sickness.

"I think I have omitted nothing but the Props and Scaffolds, which are not of use but in building. And how much is here? Show me another Commonwealth in this compass? How many things? Show me another intire Government consisting but of thirty Orders. If you now go to Law with any body, there ly to som of our Courts two hundred Original Writs: If you stir your hand, there go more Nerves and Bones to that motion: If you play, you have more Cards in the pack, may you could not fit with your cafe"
safe in that Chair, if it consisted not of more parts. Will you not
then allow to your Legislator, what you can afford your Upholder;
or to the Throne, what is necessary to a Chair?
"MY LORDS, If you will have fewer Orders in a Common
wealth, you will have more; for where she is not perfect at first,
every day, every hour will produce a new Order, the end wherof is
to have no Order at all, but to grind with the clack of fom Dema-
gog. Is he providing already for his golden Thum? Lift up your
heads; Away with Ambition, that fultom complexio of a State-
man, temper'd, like SYL L A's, with blood and muck. And the
Lord give to his Senators Wisdom; and make our faces to shine, that
we may be a Light to them that sit in darkness and the shadow of death,
to guide their feet in the way of Peace.—In the name of God,
what's the matter! —

PHILADELPHUS the Secretary of the Council having per-
form'd his task in reading the several Orders as you have seen, upon the
receipt of a Packet from his Correspondent BOC CAL INI, Secretary of
Parasifius, in reading one of the Letters, burst forth into such a
violent passion of weeping and downright howling, that the Legisla-
tors being startled with the apprehension of fom horrid news; one of
them had no sooner snatch'd the Letter out of his hand, than the rest
crying, Read, Read, he obey'd in this manner.

THE 38 instant his Phœbus Majesty having taken the nature of Free
States into his Royal consideration, and being freedly persuaded that the
Laws in such Governments are incomparably better and more surely directed
to the good of Mankind than in any other; that the Courage of such a
People is the aptest tender to noble fire; that the Genius of such a Soil is
that wherein the roots of good Literature are least worm-eaten with Pede-
tism, and where their Fruits have ever com to the greatest maturity and
highest relish; conceived such a loathing of their Ambition and Tyranny,
who, supplanting the liberty of their native Countries, become slaves to them-
selves, inasmuch as (be it never so contrary to their own Nature or Con-
sciences) they have taken the earnest of Sin, and are ingag'd to persecute
all Men that are good with the same or greater rigor than is ordain'd by
Laws for the wicked: For * none ever administer'd that Power by good,
which he purchased by ill Arts: PHOEBUS, I say, having con-
ider'd this, assembled all the Senators residing in the learned Court at the
Theater of MELPOMENE, where he caus'd CESAR the Dictator to
come upon the stage, and his Sister ACTIA, his Nephew AUGUSTUS,
JULIA his Daughter, with the Children which she had by MARCUS
AGrippa, LUCIUS and CAIUS CESARIS, AGrippa Post-
thumus, JULIA, and AGrippina, with the numerous Progeny
which she bore to her renowned Husband GERMANICUS, to enter. A
miserable Scene in any, but most deplorable in the eyes of CESAR, thus
beholding what havoc his prodigious Ambition, not satisfy'd with his own
bloody Ghost, had made upon his more innocent Remains, even to the total
extinction of his Family. For it is (seeing where there is any humanity,
there must be compassion) not to be spoken without tears, that of the

* Nemo tamquam imperium flagravit quinquis bonis aribus exercerit.
full branches deriving from Octavia the elder Sister, and Julia the Daughter of Augustus, there should not be one fruit or blossom that was not cut off or blasted by the Sword, Famine, or Poison. Now might the great Soul of Cæsar have bin full; and yet that which pour'd in as much or more, was to behold that execrable race of the Claudii, having hunted and seek'd his Blood with the thirst of Tigers, to be rewarded with the Roman Empire, and remain in full possession of that famous Patrimony: a Spectacle to pollute the Light of Heaven! Nevertheless as if Cæsar had not yet enough, his Plebeian Majesty caus'd to be introduced on the other side of the Theater, the most illustrious and happy Prince Andrea Doria, with his dear Posterity, embrac'd by the soft and constant arms of the City of Genoa, into whose bosom, ever fruitful in her gratitude, he had dropt her fair Liberty like the dew of Heaven; which when the Roman Tyrant beheld, and how much more fresh that Laurel was worn with a firm root in the Hearts of the People, than that which he had torn off, he fell into such a horrid distortion of limbs and countenance, that the Senators who had thought themselves feel and flint at such an object, having hitherto stood in their reverend snowlike shawling Alps, now cover'd their faces with their large sleeves.

"MT Lords, said the Archon rising, witty Philadelphus has given us a grave admonition in a dreadful Tragedy. Difcite justitiam monti, & non te mere Divos. Great and glorious Cæsar, the highest character of flesh, yet could not rule but by that part of Man which is the beast: but a Commonwealth is a Monarchy; to her God is King, in as much as Reason, his dictator, is her Sov'reign Power.

Which said, he adjourn'd the Council. And the Model was soon after promulgated. Quod bonum, felix, fameaque sit huc Republica. Agite Quireses, censuerete Patres, jubate Populus: The Sea roard, and the Floods clap their hands.

LIBERTAS.

The Proclamation of his Highness the Lord Archon of Oceana upon Promulgation of the Model.

Whereas his Highness and the Council, in the framing of the Model promulgated, have not had any pretbar interest, or ambition, but the fear of God, and the good of this People before their eyes; and it remains their desire that this great Work may be carry'd on accordingly: This present greeting is to inform the good People of this Land, that as the Council of Praying for during the framing of the Model, to receive from time to time such Propositions as should be offer'd by any wise-hearted or public spirited man, towards the institution of a well order'd Commonwealth, so the said Council is to sit as formerly in the great hall of the Pantheon during Promulgation (which is to continue for the space of three months)
to receive, weigh, and, as there shall be occasion, transmit to the Council of Legislators, all such Objections as shall be made against the said Model, whether in the whole, or in any part. Wherefore, that nothing be done rashly, or without consent of the People, such, of what party soever, with whom there may remain any doubts or difficulties, are directed with all convenient speed to address themselves to the said Prytans; where, if such objections, doubts, or difficulties receive solution to the satisfaction of the Auditor, they shall have public thanks: but if the said objections, doubts or difficulties, receive no solution to the satisfaction of the Auditor, then the Model promulgated shall be reviewed, and the party that was the occasion of the review, shall receive public thanks, together with the best Horse in his Highness’s Stable, and be one of the Council of Legislators. And so God have you in his keeping.

I SHOULD now write the same Council of the Prytans, but for two reasons; the one, that having had but a small time for that which is already done, I am over-labor’d; the other, that there may be new Objections. Wherefore if my Reader has any such as to the Model, I intreat him to address himself by way of Oration, as it were, to the Prytans, that when this rough draught comes to be a work, his Speech being faithfully inserted in this place, may give, or receive correction to amendment: For what is written will be weigh’d. But Conversation, in these days, is a game, at which they are best provided that have light Gold: It is like the sport of Women that make Flowers of straws, which must be fluck up, but may not be touch’d. Nor, which is worse, is this the fault of Conversation only: But to the Examiner, I say, If to invent method, and to teach an art, be all one, let him shew that this Method is not truly invented, or this Art is faithfully taught.

I CANNOT conclude a Circle (and such is this Commonwealth) without turning the end into the beginning. The time of Promulgate being expire’d, the Surveyors were sent down, who having in due season made report that their work was perfect, the Orators follow’d; under the administration of which Officers and Magistrates the Commonwealth was ratify’d and establisht by the whole body of the People, in their * Parochial, Hundred, and County Assemblies. And the Orators being, by virtue of their Scrols or Lots, Members of their respective Tribes, were elected each the first Knight of the third Lift, or Galaxy: wherfore having at their return assisted the Archon in putting the Senate, and the People or Prerogative into motion, they abdicated the Magistracy both of Orators and Legislators.

* Curiaei, Centuriarum, & Tribuni Comitis.
The COROLLART.

FOR the rest (says PLUTARCH, closing up the story of LYCURGUS) when he saw that his Government had taken root, and was in the very Plantation strong enough to stand by itself, he conceived such a delight within him, as GOD is describ'd by PLATO to have don when he had finish'd the Creation of the World, and saw his own Orbs move below him: For in the Art of Man (being the imitation of Nature, which is the || Art of GOD) || HEBR.

there is nothing so like the first call of Beautiful Order out of Chaos and Confusion, as the Architecture of a welorder'd Commonwealth. Wherefore LYCURGUS seeing in effect, that his Orders were good, fell into deep Contemplation how he might render them, so far as could be effect'd by human Providence, inalterable and immortal. To which end he assemble'd the People, and remonstrated to them, That for ought he could perceive, their Policy was already such, and so well establish'd, as was sufficient to intail upon them and theirs all that Virtue and Felicity whereof human Life is capable: Nevertheless that there being another thing of greater concern than all the rest, whereof he was not yet provided to give them a perfect account, nor could, till he had consulted the Oracle of APOLLO, he desire'd that they would observe his Laws without any change or alteration whatsoever, till his return from DELPHOS; to which all the People cheerfully and unanimously ingag'd themselves by promise, defiring him that he would make as much hast as he could. But LYCURGUS before he went, began with the Kings and the Senators, and thence taking the whole People in order, made them all swear to that which they had promis'd, and then took his Journey. Being arriv'd at DELPHOS, he sacrific'd to APOLLO, and afterwards inquir'd if the Policy which he had establish'd, was good and sufficient for a virtuous and a happy Life? By the way, it has bin a Maxim with Legislators not to give checks to the present Superstition, but to make the best use of it, as that which is always the most powerful with the People; otherwise tho PLUTARCH being a Priest, was interested in the cause, there is nothing plainer than CICERO in his Book De Divinatione has made it, that there was never any such thing as an Oracle, except in the cunning of the Priests. But to be civil to the Author, The God answer'd to LYCURGUS, that his Policy was exquisit, and that his City, holding to the strict observance of his form of Government, should attain to the height of fame and glory. Which Oracle LYCURGUS caus'd to be written, fail'd not of tranmitting to his Lacedemon. This done, that his Citizens might be for ever inviolably bound by their Oath, that they would alter nothing till his return, he took fo firm a resolution to dy in the place, that from thence-forward receiving no manner of Food, he soon after perform'd it accordingly. Nor was he deceiv'd in the consequence; for his City became the first in glory and excellency of Government in the whole World. And so much for LYCURGUS according to PLUTARCH.
MY Lord ARCHON when he beheld not only the rapture of motion, but of joy and harmony, into which his Spheres (without any manner of obtruction or interfering, but as if it had bin naturally) were cast, conceiv'd not less of exultation in his Spirit; but saw no more necessity or reason why he should administer an Oath to the Senat and the People that they would observe his Institutions, than to a Man in perfect health and felicity of Constitution, that he would not kill himself. Nevertheles wheras Christiinity, tho it forbids violent hands, consits no less in selfdenial than any other Religion, he resolv'd that all unreasonable Desires should dy upon the spot; to which end that no manner of food might be left to Ambition, he enter'd into the Senat with a unanimous Applause, and having spoken of his Government as LYCURGUS did when he assembld the People, he abdicated the Magistracy of ARCHON. The Senat, as struck with astonishment, continued silent; Men upon fo sudden an Accident being altogether unprovided of what to lay; till the ARCHON withdrawing, and being almost at the door, divers of the Knights flew from their Places, offering as it were to lay violent hands on him, while he escaping left the Senat with the tears in their Eyes of Children that had lost their Father; and to rid himself of all farther importunity, retir'd to a Country House of his, being remote, and very privat, in so much that no man could tell for som time what was becom of him. Thus the Lawmaker happen'd to be the first object and reflection of the Law made: For as Liberty of all things is the most welcom to a People, so is there nothing more abhorrent from their nature than ingratitude. We, accusing the Roman People of this Crime against som of their greatest Benefactors, as CAMILLUS, heap mistake upon mistake; for being not to competent Judges of what belongs to Liberty as they were, we take upon us to be more competent Judges of Virtue. And wheras Virtue, for being a vulgar thing among them, was of no less rate than Jewels are with such as wear the most; we are selling this precious Stone, which we have ignorantly rak'd out of the Roman ruins, at such a rate as the Switzers did that which they took in the Baggage of CHARLES of Burgundy. For that CAMILLUS had stood more firm against the ruin of Rome than her Capitol, was acknowledge'd; but on the other side that he stood as firm for the Patrisians against the Liberty of the People, was as plain: wherefore he never wanted those of the People that would dy at his foot in the Field, nor that would withstand him to his beard in the City. An example in which they that think CAMILLUS had wrong, neither do themselves right, nor the People of Rome; who in this dignify no less than that they had a scorn of Slavery beyond the fear of Ruin, which is the height of Magnanimity. The like might be shewn by other examples objected against this, and other Popular Governments, as in the Banishment of ARISTIDES the Just from Athens, by the Ofracism, which, first, was no punishment, nor ever understood for so much as a disparagement; but tended only to the Security of the Commonwealth, thro the removal of a Citizen (whose Riches or Power with a Party was suspect'd) out of harms way for the space of ten years, neither to the diminution of his Eflate or Honor. And next, tho the virtue of ARISTIDES might in it fell be unquestion'd, yet for him under the name of the Just to become Universal Umpire of the People in all cases, even to the neglect of the
legal ways and orders of the Commonwealth, approach'd so much
to the Prince, that the Athenians, doing Aristides no wrong,
did their Government no more than right in removing him; which
therefore is not so probable to have com to pass, as Plutarch
presumes, thro' the envy of Themistocles, seeing Aristides
was far more popular than Themistocles, who soon after
took the fame walk upon a worse occasion. Wherefore as Maccavael,
for any thing since alleg'd, has irrefragably prov'd that Po-
pular Governments are of all others the least ingratitude; so the ob-
scenity, I say, into which my Lord Archon had now withdrawn
himself, caus'd a universal falsness and cloud in the minds of Men upon
the glory of his rising Commonwealth.

Much had bin ventilated in privat discourse, and the People
(for the Nation was yet divided into Partys that had not lost their
animositys) being troubl'd, bent their eyes upon the Senat, when, after
time spent in devotion, and the solemn action of Thanksgiving,
his Excellency Navarchus de Paralo in the Tribe of De-
reum, Lord Strategos of Oestra (the in a new Commonwealth a very
prudent Magistrat) propos'd his part or opinion in such a manner to
the Council of State, that passing the Ballot of the fame with great
unanimity and applause, it was introduc'd into the Senat, where it
paft with greater. Wherfore the Decree being forthwith printed and
publish'd, Copies were return'd by the Secretary's to the Phylarchs (which
is the manner of Promulgation) and the Commissioners of the Seal,
that is to say, the Right Honorable Phosphorus de Auge in
the Tribe of Eudia, Dolabella d' Enyo in the Tribe of Tur-
ma, and Linceus de Stella in the Tribe of Nubis, being
elect'd Proposers pro tempore, bespoke of the Tribuns a Master of the
People to be held that day six weeks, which was the time allow'd for
Promulgation at the Halo.

The Satisfaction which the People throw out the Tribes receiv'd
upon promulgation of the Decree, loaded the Carriers with weekly
Letters between Friend and Friend, whether Magistrats or privat
Persons. But the day for Proposition being come, and the Prerogative
upon the Place appointed in Disciplin, Sanguine de Ring-
wood in the Tribe of Saltum, Captain of the Phanix, march'd by
order of the Tribuns with his Troop to the Piazza of the Pantheon,
where his Trumpeters entering into the great Hall by their Blazon gave
notice of his Arrival; at which the Sergeant of the House came down,
and returning inform'd the Proposers, who defending were receiv'd
at the foot of the Stairs by the Captain, and attended to the Coaches
of State, with which Calcar de Gilvo in the Tribe of Pha-
lera Master of the Horfe, and the Ballotins upon their great Horses,
follow waiting at the Gate.

The Proposers being in their Coaches, the Train for the Pomp,
the fame that is us'd at the reception of Embassadors, proceed in this
order: In the Front march'd the Troop with the Cornet in the
Van, and the Captain in the Rear: next the Troop came the twenty
Messengers or Trumpets; the Ballotins upon the Curvet with their
Uffer in the Van, and the Master of the Horfe in the Rear: Next
the Ballotins, Broncus de Rauco in the Tribe of Beftia King
of the Heralds, with his Fraternity in their Coats of Arms; and
next to Sir Bronchus, Boristhenes de Holiwater in the
the Tribe of Ave. Master of the Ceremonys: The Mace and the Seal of the Chancery went immediately before the Coaches; and on either side, the Doorkeepers or Guard of the Senat, with their Pole-axes, accompany’d with som three or four hundred Footmen belonging to the Knights or Senators; the Trumpeters, Ballotins, Guards, Positions, Coachmen and Footmen, being very gallant in the Liverys of the Commonwealth; but all, except the Ballotins, without Hats, in lieu wherof they wore black velvet Calots, being pointed with a little peak at the forehead. After the Proposers came a long file of Coaches full of such Gentlemen as use to grace the Commonwealth upon the like occasions. In this posture they mov’d flowly thro the streets (affording in the gravity of the Pomp, and the Welcome of the end, a most reverend and acceptable Prospect to the People all the way from the Pantheon, being about half a mile) and arriv’d at the Halo, where they found the Prerogative in a close body environ’d with Scaffolds that were cover’d with Spectators. The Tribuns receiv’d the Proposers, and conducd them into a Seat plac’d in the front of the Tribe, like a Pulpit, but that it was of som length, and well adorn’d by the Heralds with all manner of Birds and Beastes, except that they were ill painted, and never a one of his natural color. The Tribuns were plac’d at a Table that stood below the long Seat, those of the Horle in the middle, and those of the Foot at either end, with each of them a Boul or Bason before him, that on the right hand being white, and the other green: In the middle of the Table stood a third which was red. And the Houfekeeper of the Pavilion, who had already deliver’d a proportion of linen Balls or Pellets to every one of the Tribe, now present’d Boxes to the Ballotins. But the Proposers as they enter’d the Gallery, or long Seat, having put off their Hats by way of Salutation, were answer’d by the People with a shout; whereas the younger Commissioners seat’d themselves at either end; and the first standing in the middle, spoke after this manner.

My Lords, the People of Oceana.

WILE I find in my self what a Felicity it is to salute you by this Name, and in every Face, anointed as it were with the Oil of Gladness, a full and sufficient testimony of the like sense, to go about to feast you with words, who are already fill’d with that Food of the mind, which being of pleasing and wholesome digestion, takes in the definition of true Joy, were a needless Enterprize. I shall rather put you in mind of that thankfulness which is due, than puff you up with any thing that might seem vain. Is it from the arms of fleeth that we derive these Blessings? Behold the Commonwealth of Rome falling upon her own victorious Sword. Or is it from our own Wisdom, whose Counsils had brought it even to that pafs, that we began to repent our selves of Victory? Far be it from us, my Lords, to sacrifice to our own Nests, which we our selves have so narrowly escap’d! Let us rather lay our mouths in the dust, and look up (as was taught the other day when we were better instructed in this Lesson) to the Hills with our Gratitude. Neverthelesse seeing we read how God upon the neglect of his Prophets has bin provok’d to wrath, it must needs follow that he expects Honor should be given to them by whom he has chosen to work
work as his Instruments. For which cause, nothing doubting of
my Warrant, I shall proceed to that which more particularly con-
cerns the present occasion, the discovery of my Lord Archon's
Virtues and Merit, to be ever placed by this Nation in their true Me-
ridian.

My Lords;

"I AM not upon a Subject which persuades me to balk, but nea-
cessitats me to seek out the greatest Examples. To begin with
Alexander erecting Trophys common to his Sword and the
Petifiance; To what good of Mankind did he infect the Air with his
heaps of Carcasses? The Sword of War, if it be any otherwise
us'd than as the Sword of Magistracy, for the fear and punishment
of thee that do evil, is as guilty in the fight of God, as the Sword
of a Murderer; nay more, for if the Blood of Abel, of one in-
ocent Man, cry'd in the ears of the Lord for Vengeance, what
shall the Blood of an innocent Nation? Of this kind of Empire, the
Throne of Ambition, and the Quarry of a mighty Hunter, it has
bin truly said, that it is but a great Robbery. But if Alexander
had reftor'd the Liberty of Greece, and propagated it to
mankind, he had don like my Lord Archon, and might have
bin truly call'd the Great. Alexander could not to steal a
Victory that would be given: But my Lord Archon has torn
away a Victory which had bin stol'n, while we were tamely yield-
ing up Obedience to a * Nation reaping in our Fields, whose Fields * The Scotch
he has subjected to our Empire, and nail'd them with his victorious
Sword to their native Cancafas.

"Machiavel gives a handson caution, Let no man, says
he, be circumvented with the Glory of Cæsar, from the false re-
collection of their Pens, who thro' the longer continuance of his Em-
pire in the Name than in the Family, chang'd their Freedom for
Flattery. But if a man would know truly what the Romans
thought of Cæsar, let him observe what they said of Cat-
lin.

"And yet by how much he who has perpetrated so
Crime, is more execrable than he who did but attempt it; by so
much is Cæsar more execrable than Catilin. On the con-
trary, let him that would know what antient and heroic Times,
what the Grees and Romans would both have thought and said of
my Lord Archon, observe what they thought and said of Sol-
on, Lycurgus, Brutus, and Publicola. And yet
by how much his Virtue, that is crown'd with the perfection of
his Work, is beyond theirs, who were either inferior in their aim,
or in their performance; by so much is my Lord Archon to be
prefer'd before Solon, Lycurgus, Brutus, and Publico-

cola.

"NOR will we shun the most illustrious Example of Scipio:
This Hero, tho' never so little let, yet was he not the founder of a
Commonwealth; and for the rest, allowing his Virtue to have bin
of the most untainted Ray, in what did it outshine this of my
Lord Archon? But if dazzling the Eys of the Magistrates it over-
aw'd Liberty, Rome might be allow'd som excuse that she did not

"like
like it, and I, if I admit not of this comparison: For where is my
Lord Archon? Is there a Genius, how free soever, which in his
prefence would not find it self to be under power? He is shrunk in-
to Clouds, he feels Obscurity in a Nation that fees by his Light.
He is impatient of his own Glory, left it should stand between you
and your Liberty.

LIBERTY! What is even that, if we may not be grateful?
And if we may, we have none: For who has any thing that he dos
not ow? My Lords, there be som hard conditions of Virtue: If
this Debt were exacted, it were not due; whereas being cancel'd,
we are all enter'd into Bonds. On the other side, if we make such
a payment as will not stand with a free People, we do not inrich
my Lord Archon, but rob him of his whole Estate, and this
immense Glory.

THese Particulars had in due deliberation and mature debate,
according to the Orders of this Commonwealth, It is propos'd by Au-
thority of the Senat, to you my Lords the People of Oceana.

I. THAT the Dignity and Office of Archon, or Protector
of the Commonwealth of Oceana, be, and is hereby confer'd by
the Senat and the People of Oceana, upon the most Illustrious Prince,
and sole Legislator of this Commonwealth, O P H A U S M E G A-
L E T O R, Pater Patria, whom God preserve, for the term of his
natural Life.

II. THAT three hundred and fifty thousand pounds per annum
yet remaining of the ancient Revenue, be exacted upon the said Il-
lustrious Prince, or Lord Archon, for the said term, and to the
proper and peculiar use of his Highness.

III. THAT the Lord Archon have the reception of all foren
Embassadors, by and with the Council of State, according to the
Orders of this Commonwealth.

IV. THAT the Lord Archon have a standing Army of
twelve thousand men, defray'd upon a monthly Tax, during the
term of three years, for the protection of this Commonwealth a-
gainst ditfercing Partys; to be govern'd, direct'd, and commanded
by and with the advice of the Council of War, according to the Or-
ders of this Commonwealth.

V. THAT this Commonwealth make no distinction of Perfons
or Partys, but every man being elected and sworn, according to the
Orders of the same, be equally capable of Magistracy; or not elected,
be equally capable of Liberty, and the enjoyment of his Estate free
from all other than common Taxes.

VI. THAT a man putting a distinction upon himself, re-
fusing the Oath upon Election, or declaring himself of a Party
not conformable to the Civil Government, may within any time
of the three years standing of the Army, transport himself and
his Estate, without molestation or impediment, into any other Na-
tion.

VII. THAT in case there remains any distinction of Partys not
conforming to the Civil Government of this Commonwealth, af-
ter the three years of the standing Army be expir'd, and the Com-
monwealth be thereby forc'd to prolong the term of the said Ar-
my, the pay from thenceforth of the said Army be levy'd upon the

* Estates
The proposer having ended his Oration, the Trumpets sounded; and the Tribuns of the Horse being mounted to view the Ballot, cau'd the Tribe (which thronging up to the Speech, came almost round the Gallery) to retreat about twenty paces, when Linceus de Stella receiving the Propositions, repair'd with Bronchus de Rauc O the Herald, to a little Scaffold erected in the middle of the Tribe, where he seated himself, the Herald standing bare upon his right hand. The Ballotins having their Boxes ready, stood before the Gallery, and at the command of the Tribuns march'd, one to every Troop on Horseback, and one to every Company on Foot; each of them being follow'd by other Children that bore red Boxes: now this is putting the Question, whether the Question should be put. And the Suffrage being very suddenly return'd to the Tribuns at the Table, and number'd in the view of the Proposers, the Votes were all in the Affirmative: whereupon the red or doubtful Boxes were laid aside, it appearing that the Tribe, whether for the Negative or Affirmative, was clear in the matter. Wherefore the Herald began from the Scaffold in the middle of the Tribe, to pronounce the first Proposition, and the Ballotins marching with the Negative and Affirmative only, Bronchus with his Voice like Thunder, continu'd to repeat the Proposition over and over again, so long as it was in Ballotting. The like was done for every Clause, till the Ballot was finish'd, and the Tribuns assembling, had sign'd the Points, that is to say, the number of every Suffrage, as it was taken by the Secretary upon the table of the Tribuns, and in the fight of the Proposers; for this may not be omitted, it is the pulse of the People. Now whereas it appertains to the Tribuns to report the Suffrage of the People to the Senate, they cast the Lot for this Office with three silver Balls, and one gold one; and it fell upon the Right Worshipful Argus de Crookhorn in the Tribe of Pasqua, first Tribun of the Foot. Argus being a good sufficient man in his own Country, was yet of the mind that he should make but a bad Spokesman; and therefore became something blank at his luck, till his Colleagues persuaded him that it was no such great matter, if he could but read, having his Paper before him. The Proposers taking Coach, receiv'd a Volly upon the Field, and return'd in the same order, save that being accompany'd with the Tribuns, they were also attend'd by the whole Prerogative to the Piazza of the Pantheon, where with another Volly they took their leaves. Argus, who had not thought upon his Wife and Children all the way, went very gravely up; and every one being seated, the Senate by their Silence seem'd to call for the Report; which Argus standing up, deliver'd in this wise,

Right Honorable Lords and Fathers assembld in Parliament;

"So it is, that it has fall'n to my lot to report to your Excellencys the Votes of the People, taken upon the third initant, in the first year of this Commonwealth, at the Halo; the Right Honorable Phosphorus de Augæ in the Tribe of Eadis, Dolabel-lä de Enyo in the Tribe of Turma, and Linceus de Ff Stella
"OCEANA.

"Stella in the Tribe of Nubia, Lords Commissioners of the
"Great Seal of Oceana, and Proposers pro temporibus—together
"with my Brethren the Tribuns, and my self being present. Where-
"fore these are to certify to your Fatherhoods, that the said Votes
"of the People were as follows; that is to say:

"To the first Proposition, Neminem contradicente—
"To the second, Neminem contradicta—
"To the third, the like.
"To the fourth 211, above half.
"To the fifth 201, above half.
"To the sixth 150, above half, in the Affirmative.
"To the seventh, Neminem again, and so forth—

"My Lords, It is a Language that is out of my Prayers, and
"if I be out at it, no harm—

"But as concerning my Lord Archon (as I was saying)
"there are to signify to you the true-heartedness and good-will which
"is in the People, seeing by joining with you, as one man, they confess
"that all they have to give, is too little for his Highness. For truly,
"Fathers, if he who is able to do harm, and does none, may well be
"called honest; What shall we say to my Lord Archon's High-
"ness, who having had it in his power to have don us the greatest
"mischief that ever befell a poor Nation, so willing to trust such as
"they thought well of, has don us so much good, as we should never
"have known how to do our selves? which was so sweetly deliver'd
"by my Lord Chancellor Prosoporus to the People, that I dare
"say there was never a one of them could forbear to do as I do—
"An't please your Fatherhoods, they be tears of Joy. Ay, my Lord
"Archon shall walk the streets (if it be for his ease I mean)
"with a Switch, while the People run after him, and pray for him:
"he shall not wet his foot; they will strew flowers in his way; he
"shall sit higher in their hearts, and in the Judgment of all good men,
"than the Kings that go up stairs to their Seats; and one of these had
"as good pull two or three of his fellows out of their great Chairs,
"as wrong him, or meddle with him; he has two or three hundred
"thousand men, that when you say the word, shall fell themselves
"to their shirts for him, and dy at his foot. His Pillow is of Down,
"and his Grave shall be as soft, over which they that are alive shall
"wring their hands. And to com to your Fatherhoods, most truly
"so call'd, as being the loving Parents of the People, truly you do
"not know what a feeling they have of your Kindness, seeing you
"are so bound up, that if there coms any harm, they may thank
"themselves. And, alas! poor Souls, they see that they are given
"to be of so many minds, that tho they always mean well, yet if
"there coms any good, they may thank them that teach them better.
"Wherefore there was never such a thing as this invented, they do ve-
"rily believe that it is no other than the same which they always
"had in their very heads, if they could have but told how to bring
"it out. As now for a sample; My Lords the Proposers had no
"sooner said your minds, than they found it to be that which heart
"could wish. And your Fatherhoods may comfort your selves, that
"there is not a People in the world more willing to learn what is for
"their
their own good, nor more apt to see it, when you have shew’d it
them. Wherefore they do love you as they do their own selves;
“honor you as Fathers; resolve to give you as it were Obedience
“for ever: and so thanking you for your most good and excellent
“Laws, they do pray for you as the very Worthys of the Land,
“Right Honorable Lords and Fathers assembled in Parliament.

ARGUS came off beyond his own expectation; for thinking right,
and speaking as he thought, it was apparent by the House, and the
thanks they gave him, that they esteem’d him to be absolutely of the
best fort of Orators; upon which having a mind that till then mis-
gave him, he became very courteous, and much delighted with that which
might go down the next week in print to his Wife and Neighbors.
Livy makes the Roman Tribuns to speak in the same style with the
Confus, which could not be, and therefore for ought in him to the
contrary, Volero and Caunuleius might have spoken in no
better style than ARGUS. However, they were not created the first
year of the Commonwealth; and the Tribuns of Oceana are since
becom better Orators than were needful. But the Laws being enacted,
 had the Preamble annex’d, and were deliver’d to BRONCHUS, who
lov’d nothing in the Earth so much as to go straying and bellewning
and down the Town, like a Stag in a Forest, as he now did, with
his fraternity in their Coats of Arms, and I know not how many
Trumpets, proclaiming the Act of Parliament; when meeting my
Lord Archon, who from a retreat that was without Affectation,
as being for Devotion only, and to implore a Blessing by Prayer and
Fasting upon his Labors, now newly arriv’d in Town, the Herald of
the Tribe of Belfis set up his throat, and having chanteth out his
Lesson, past as haughtily by him, as if his own had bin the better
Office; which in this place was very well taken, the BRONCHUS
for his high mind happen’d afterwards upon some disfashers, too long to
tell, that spoil’d much of his Embroidery.

 MY Lord Archon’s Arrival being known, the Signory, ac-
company’d by the Tribuns, repair’d to him, with the news he had
already heard by the Herald; to which my Lord Strategus added,
That his Highness could not doubt upon the Demonstrations given,
but the minds of Men were firm in the opinion, that he could be no
feeler of himself in the way of earthly Pomp and Glory: and that
the Gratitude of the Senat, and the People, could not therefore be un-
derstood to have any such reflection upon him. But so it was, that in
regard of Dangers abroad, and Partys at home, they durst not trust
themselves without a standing Army, nor a standing Army in any
man’s hands but those of his Highness.

THE Archon made answer, that he ever expected this would
be the sense of the Senat and the People; and this being their sense,
he should have bin forry they had made choice of any other than him-
sell for a standing General: First, Because it could not have bin more
to their own safety: And, Secondly, Because so long as they should
have need of a standing Army, his work was not done: That he would
not dispute against the Judgment of the Senat and the People, nor ought
that to be. Nevertheless, he made little doubt but experience would
shew every Party their own Interest in this Government, and that bet-
ter improv’d than they could expect from any other; that Mens ani-
mositys
motions should overbalance their Interest for any time, was impossible; that humor could never be lasting, nor, thro' the Constitution of the Government, of any effect at the first charge. For supposing the worst, and that the People had chosen no other into the Senate and the Prerogative than Royalists, a matter of fourteen hundred men must have taken their Oaths at their Election, with an intention to go quite contrary, not only to their Oaths so taken, but to their own Interest; for being vested in the Soverain Power, they must have decreed it from themselves (such an example for which there was never any experience, nor can there be any reason) or holding it, it must have don in their hands as well every whit as in any other. Furthermore, they must have remov'd the Government from a Foundation that apparently would hold, to set it upon another which apparently would not hold; which things if they could not com to pass, the Senate and the People consulting wholly of Royalists, much less by a parcel of them elected. But if the fear of the Senate and of the People deriv'd from a Party without, such a one as would not be elected, nor ingage themselves to the Commonwealth by an Oath; this again must be so large, as would go quite contrary to their own Interest, they being as free and as fully elated in their Liberty as any other, or so narrow that they could do no hurt, while the People being in Arms, and at the beck of the Strategus, every Tribe would at any time make a better Army than such a Party; and there being no Parties at home, fears from abroad would vanish. But seeing it was otherwise determin'd by the Senate and the People, the best course was to take that which they held the safest, in which with his humble thanks for their great bounty, he was resolv'd to serve them with all Duty and Obedience.

A VERY short time after the Royalists, now equal Citizens, made good the ARCHON'S Judgment, there being no other that found any thing near so great a sweet in the Government. For he who has not bin acquainted with Affliction, says SENECA, knows but half the things of this world.

MOREOVER they faw plainly, that to restore the ancient Government, they must cast up their Estates into the hands of three hundred men; wherfore in case the Senate and the Prerogative, consisting of thirteen hundred men, had bin all Royalists, there must of necessity have bin, and be for ever, one thousand against this or any such Vote. But the Senate being inform'd by the Signory, that the ARCHON had accepted of his Dignity and Office, caus'd a third Chair to be set for his Highness, between those of the Strategus and the Orator in the House, the like at every Council; to which he repair'd, not of necessity, but at his pleasure, being the best, and, as ARGUS not vainly said, the greatest Prince in the World; for in the Pomp of his Court he was not inferior to any, and in the Field he was follow'd with a Force that was formidable to all. Nor was there a cause in the nature of this Constitution to put him to the charge of Guards, to spoil his stomach or his sleep: Infomuch, as being handsomely disput'd by the Wits of the Academy, whether my Lord ARCHON, if he had bin ambitious, could have made himself so great, it was carry'd clear in the Negative; not only for the Reasons drawn from the present balance, which was Popular; but putting the case the balance had bin Monarchical. For there be som Nations, wherof
wherof this is one, that will bear a Prince in a Commonwealth far higher than it is possible for them to bear a Monarch. Spain look'd upon the Prince of Orange as her most formidable Enemy; but if ever there be a Monarch in Holland, he will be the Spanish's best friend. For whereas a Prince in a Commonwealth derives his Greatness from the root of the People, a Monarch derives his from one of those balances which nip them in the root; by which means the Low Countries under a Monarch were poor and inconsiderable, but in bearing a Prince could grow to a miraculous height, and give the Glory of his Actions by far the upper hand of the greatest King in Christendom. There are Kings in Europe, to whom a King of Oceana would be but a petit Companion. But the Prince of this Commonwealth is the Terror and the Judge of them all.

THAT which my Lord Archon now minded most, was the Agrarian, upon which Debate he incessantly thirst the Senate and the Council of State; to the end it might be planted upon some firm root, as the main point and basis of perpetuity to the Commonwealth.

AND these are some of the most remarkable Passages that happen'd in the first year of this Government. About the latter end of the second, the Army was disbanded, but the Taxes continued at thirty thousand Pounds a month, for three years and a half. By which means a piece of Artillery was planted, and a portion of Land to the value of £50 a year purchased for the maintenance of the Games, and of the Prize arms for ever, in each Hundred.

WITH the eleventh year of the Commonwealth, the term of the Excise, allotted for the maintenance of the Senate and the People, and for the raising of a public Revenue, expired. By which time the Exchequer, over and above the annual Salaries, amounting to three hundred thousand Pounds, accumulating every year out of one Million incom, seven hundred thousand Pounds in Banco, brought it with a profit of the Sum, rising to about eight Millions in the whole: whereby at several times they had purchased to the Senate and the People four hundred thousand Pounds per annum solid Revenue; which, besides the Lands held in Panopea, together with the Perquisites of either Province, was held sufficient for a public Revenue. Nevertheless, Taxes being now wholly taken off, the Excise of no great burden (and many specious advantages not vainly propos'd in the heightning of the public Revenue) was very cheerfully established by the Senate and the People, for the term of ten years longer; and the same course being taken, the public Revenue was found in the one and twentieth of the Commonwealth, to be worth one Million in good Land. Whereupon the Excise was so abolished for the present, as withal resolved to be the beet, the most fruitful and easy way of raising Taxes, according to future Exigencies. But the Revenue being now such as was able to be a yearly Purchaser, gave a jealousy that by this means the balance of the Commonwealth, consisting in private Fortunes, might be eaten out; whence this year is famous for that Law whereby the Senate and the People forbidding any further purchase of Lands to the Public within the Dominions of Oceana and the adjacent Provinces, put the Agrarian upon the Commonwealth her self. These Increases are things which Men, addicted to Monarchy, deride as impossible, whereby they unwarily urge a strong Argument against that which they would defend. For having their eyes fix'd upon the Pomp and Expence,
Ex pense, by which not only every Child of a King being a Prince, 
exhausts his Father's Co f fers; but Favorits and servil Spirits, devoted 
to the flattery of those Princes, grow insolent and profuse, returning 
a fit Gratitude to their Masters, whom while they hold it honorable 
to deceive, they fuck and keep eternally poor: It follows that they 
do not see how it should be possible for a Commonwealth to clothe 
her self in Purple, and thrive so strangely upon that which would 
make a Prince's hair grow thro his hood, and not afford him bread. 
As if it were a Miracle that a careless and prodigal Man should bring 
ten thousand Pounds a year to nothing, or that an industrious and frugal 
Man brings a little to ten thousand Pounds a year. But the fruit of 
one man's industry and frugality can never be like that of a Common 
wealth; First, because the greatnefs of the Increafe follows the great 
efs of the Stock or Principal; And, Secondly, because a frugal Father 
is for the moft part succeeded by a lavifh Son; whereas a Commonwealth 
is her own Heir.

T H I S year a part was propos'd by the Right Honorable Au 
reus de Woodsack in the Tribe of Pecus, firft Commissioner 
of the Treafury, to the Council of State, which soon after past the 
Ballot of the Senat and the People: by which the Lands of the Public 
Revenue, amounting to one Million, were equally divided into five 
thousand Lots, enter'd by their names and parcels into a Lotbook pre 
serv'd in the Exchequer. And if any Orphan, being a Maid, should 
cast her Eftate into the Exchequer for fourteen hundred Pounds, the 
Treafury was bound by the Law to pay her quarterly two hundred 
Pounds a year, f free from Taxes, for her Life, and to affign her a Lot 
for her Security: if she marry'd, her Husband was neither to take 
out the Principal without her confent (acknowledg'd by her felf to 
one of the Commissions of the Treafury, who according as he found 
it to be free, or forc'd, was to allow or difallow of it) nor any other 
way engage it, than to her properufe. But if the Principal were 
taken out, the Treafury was not bound to repay any more of it than 
one thousand Pounds; nor might that be repaid at any time, five 
within the firft year of her Marriage: the like was to be done by a half 
or quarter Lot reftpectively.

T H I S was found to be a great Charity to the weaker Sex, and as 
from fay, who are more skilful in the like Affairs than my felf, of good 
Profit to the Commonwealth.

N O W began the native Spleen of Oceana to be much purg'd, and 
Men not to affect Sullenness and Pedantifm. The Elders could re 
member that they had bin Youth. Wit and Gallantry were fo far 
from being thought Crimes in themselves, that care was taken to pre 
serve their innocence. For which caufe it was propos'd to the Coun 
cil for Religion by the Right Honorable Cadiscus de Clero, 
in the Tribe of Stamnum, firft Cenfor, That such Women as living 
in Gallantry and View about the Town, were of evil fame, and could 
not shew that they were maintain'd by their own Eftates or Industry; 
or such as having Eftates of their own, were yet wastful in their way 
of life, and of ill example to others, should be obnoxious to the animadversion of the Council of Religion, or of the Cenfors: In 
which the proceding should be after this manner. Notice should be 
first given of the Scandal to the party offending, in privati: if there 
were no amendment within the space of fix months, the should be 
summon'd
summon'd and rebuild'd before the said Council or Censors; and, if after other six months it were found that neither this availed, she should be censured not to appear at any public Meeting, Games, or Recreations, upon penalty of being taken up by the Doorkeepers, or Guards of the Senate, and by them to be detain'd, till for every such Offence, five Pounds were duly paid for her enlargement.

FURTHERMORE, if any common Strumpet should be found, or any lewdness or profaneness represented at either of the Theaters, the Prelates for every such Offence should be fined twenty Pounds by the said Council, and the Poet, for every such offence on his part, should be whipped. This Law relates to another, which also was enacted the same year upon this occasion.

The Youth and Wits of the Academy having put the Business to home in the defence of Comedies, that the Provosts had nothing but the Consequences provided against by the foregoing Law to object, prevailed so far, that two of the Provosts of the Council of State joined in a Proposition, which after much ado came to a Law, whereby one hundred thousand pounds was allotted for the building of two Theaters on each side of the Piazza of the Hali: and two annual Magnificats call'd Prelate, chosen out of the Knights, were added to the Tropic, the one call'd the Prelate of the Buskin, for inspection of the Tragic Scene call'd Medomene; and the other the Prelate of the Sock, for the Comic call'd Thalsis, which Magnificats had each five hundred pounds a year allow'd out of the Profits of the Theaters; the rest, except eight hundred a year to four Poets, payable into the Exchequer.

A Poet Laureat created in one of these Theaters, by the Strategus receives a Wreath of five hundred pounds in Gold, paid out of the said Profits. But no man is capable of this Creation, that had not two parts in three of the Suffrages at the Academy, assembled after six weeks warning, and upon that occasion.

THOSE things among us are sure enough to be censur'd, but by such only as do not know the nature of a Commonwealth: for to tell men that they are free, and yet to curb the genius of a People in a lawful Recreation, to which they are naturally inclin'd, is to tell a tale of a Tub. I have heard the Protestant Ministers in France, by men that were wise, and of their own profession, much blame in that they forbade Dancing, a Recreation to which the genius of that Air is so inclining, that they left many who would not lose that: Nor do they less than blame the former determination of ralhnefs, who now gently connive that which they had so roughly forbidden. These Sports in Oceana are so govern'd, that they are pleasing for privat diversion, and profitable to the Public: For the Theaters soon defray'd their own charge, and now bring in a good Revenue. All this is so far from the detriment of Virtue, that it is to the improvement of it, seeing Women that heretofore made havoc of their Honors that they might have their Pleasures, are now incapable of their Pleasures, if they lose their Honors.

ABOUT the one and fortieth year of the Commonwealth, the Censors, according to their annual Custom, reported the Pillar of Nius, by which it was found that the People were increas'd very near one third. Whereupon the Council of War was appointed by the Senate to bring in a State of War, and the Treasurers the State of the Treasury. The State of War, or the Pay and Charge of an Army, was soon after exhibited by the Council in this Account:
The Field Pay of a Parliamentary Army.

THE Lord Strategus, Marching
General of the Horse
Lieutenant General
General of the Artillery
Commissary General
Major General
Quartermaster General
Two Adjutants to the Major General
Forty Colonels
100 Captains of Horse, at 500 l. a Man
300 Captains of Foot, at 200 l. a Man
100 Cornets, at 100 l. a Man
300 Ensigns at 50 l. a Man
800 Quartermasters
800 Serjeants
800 Trumpeters
800 Drummers
10000 Horse, at 2 s. 6 d. per day each
30000 Foot, at 1 s. per day each
Chirurgeons

Sum—111,440.

40000 Auxiliaries, amounting to within a little as much—110,000.
THE Charge of mounting 20000 Horse—30,000.
THE Train of Artillery, holding a 3d to the whole—90,000.

Summa totalis—141,440.

ARMS and Ammunition are not reckon’d, as those which are furnished out of the Store or Arsenal of Emporium: Nor waftage, as that which goes upon the account of the Fleet, maintain’d by the Customs; which Customs, thro’ the care of the Council for Trade, and growth of Traffic, were long since improv’d to about a Million Revenue. The House being thus inform’d of a State of War, the Commissioners brought in

THE state of the Treasury this present year, being the one and fortieth of the Commonwealth.

RECEIVED from the one and twentieth of this Commonwealth, by 700,000 l. a year in bank, with the Product of the Sum rising

l. 160,000.
EXPENDED from the one and twentieth of this Commonwealth.

IMPRIMIS, For the Addition of Arms for 100000

Men, to the Arsenal, or Tower of Emporium 100000.

FOR the ploring of the same with Artillery 300000.

FOR the ploring of the same with Ammunition 200000.

FOR beautifying the Citys, Parks, Gardens, Public Walks, and Places for Recreation of Emporium and Hier, with Public Buildings, Aqueducts, 1500000.

Statues, and Fountains, etc. 150000.

EXTRAORDINARY Embassys 3150000.

BY comparison of which Accounts, if a War with an Army of 80000 Men were to be made by the Penny, yet was the Commonwealth able to maintain such a one above three years, without levying a Tax. But it is against all Experience, Sense and Reason, that such an Army should not be soon broken, or make a great progress; in either of which cases the Charge ceases; or rather, if a right course be taken in the latter, Profit coms in: for the Romans had no other considerable way but Victory whereby to fill their Treasury, which nevertheless was seldom empty. ALEXANDER did not consult his Purse upon his Design for Persia; it is obser'd by MACCHIAVEL, that LIVY arguing what the event in reason must have bin had that King invaded Rome, and diligently measuring what on each side was necessary to such a War, never speaks a word of Money. No man imagines that the Gauls, Goths, Vandals, Huns, Lombards, Saxons, Normans, made their Inroads or Conquests by the strength of the Purse; and if it be thought enough, according to the dialect of our Age, to say in answer to these things, that those times are past and gone; what Money did the late GUSTAVUS, the most victorious of modern Princes, bring out of Sweden with him into Germany? An Army that goes upon a golden Leg, will be as lame as if it were a wooden one; but proper Forces have Nerves and Muscles in them, such for which, having four or five Millions, a Sum easy enough, with a Revenue like this of Oceans, to be had at any time in readiness, you need never, or very rarely charge the People with Taxes. What influence the Commonwealth by such Arms has had upon the World, I leave to Historians, whose custom it has bin of old, to be as diligent Observers of foren Actions, as carelesse of those domestic Revolutions which (lefts pleasing it may be, as not partaking so much of the Romance) are to Statesmen of far greater profit; and this Fault, if it be not mine, is so much more frequent with modern Writers, as has caus'd me to undertake this Work; on which to give my own Judgment, it is perform'd as much above the time I have bin about it, as below the dignity of the matter.
BUT I cannot depart out of this Country, till I have taken leave of my Lord Archon, a Prince of immense Felicity, who having built as high with his Counsellors, as he dig'd deep with his Sword, had now seen fifty years measure'd with his own inerring Orbs.

TIMOLEON (such a hater of Tyrants, that not able to persuade his Brother Timophanes to relinquish the Tyranny of Corinth, he flew him) was afterwards elected by the People (the Sicilians groaning to them from under the like burden) to be sent to their relief: Whereupon Teleclides the Man at that time of most Authority in the Commonwealth of Corinth, stood up, and giving an Exhortation to Timoleon, how he should behave himself in his Expedition, told him, that if he refus'd the Sicilians to Liberty, it would be acknowledg'd that he had destroy'd a Tyrant; if otherwise, he must expect to hear that he had murder'd a King. TIMOLEON taking his leave, with a very small Provision for so great a Design, pursu'd it with a Courage not inferior to, and a Felicity beyond any that had bin known to that day in mortal Flesh, having in the space of eight years utterly rooted out of all Sicily those Weeds of Tyranny, thro' the detraction whereof men flee'd in such abundance from their Native Country, that whole Citys were left deforlar; and brought it to such a pass, that others thro' the fame of his Virtues, and the excellency of the Soil, flockt as fast from all Quarters to it, as to the Garden of the World: While he, being presented by the People of Syracuse with his Townhouse, and his Country Retreat, the sweetest Places in either, liv'd with his Wife and Children a most quiet, happy, and holy Life; for he attributed no part of his Success to himself, but all to the Blessing and Providence of the Gods. As he past his time in this manner, admir'd and honor'd by Mankind, LAPISTIUS an envious Demagog, going to summon him upon some pretence or other to answer for himself before the Assembly, the People fell into such a Mutiny, as could not be appeas'd but by TIMOLEON, who understanding the matter, reprov'd them, by repeating the pains and travel which he had gon thro', to no other end than that every Man might have the free use of the Laws. Wherfore when DEMENTUS another Demagog, had brought the same Design about again, and blamed him impertinently to the People for things which he did when he was General, TIMOLEON answer'd nothing, but raising up his hands, gave the Gods thanks for their return to his frequent Prayers, that he might but live to see the Syracusans so free, that they could question whom they pleas'd.

NOT long after being old, thro' some natural imperfection, he fell blind; but the Syracusans by their perpetual visits held him, tho' he could not see, their greatest Object: if there arriv'd Strangers, they brought them to see this sight. Whatever came in debate at the Assembly, if it were of small consequence, they determin'd it themselves; but if of importance, they always sent for TIMOLEON; who being brought by his Servants in a Chair, and set in the middle of the Theater, there ever follow'd a great shout, after which some time was allow'd for the Benedictions of the People; and then the matter propos'd, when TIMOLEON had spoken to it, was put to the Suffrage; which given, his Servants bore him back in his Chair, accompany'd by the People clapping their hands, and making all expressions of Joy and Applause, till leaving him at his House, they return'd
OCEANA.

turn'd to the dispatch of their Business. And this was the Life of Timoleon, till he dy'd of Age, and drop'd like a mature Fruit, while the Eys of the People were as the Showers of Autumn.

THE Life and Death of my Lord ARCHON (but that he had his Senses to the last, and that his Character, as not the Restorer, but the Founder of a Commonwealth, was greater) is so exactly the same, that (seeing by Men wholly ignorant of Antiquity, I am accus'd of writing Romance) I shall repeat nothing; but tell you that this year the whole Nation of Oceana, even to the Women and Children, were in mourning, where so great or sad a Funeral Pomp had never bin seen or known. Sometime after the performance of the Exequys, a Colosse, mounted on a brazen Horse of excellent Fabric, was erected in the Piazza of the Pantheon, ingрав'd with this Inscription on the Eastern side of the Pedestal:

HIS

NAME

IS AS

Precious Ointment.

And on the Western with the following:

GG 2

GRATA
GRATA PATRIA
Piae & Perpetuae Memoriae
D. D.

Olphaus Megaletor

Lord Archon, and sole Legislator
of

OCEANA

Pater Patriae.

Invincible in the Field.
Inviolable in his Faith.
Unsai led in his Zeal.
Immortal in his Fame.

The Greatest of Captains.
The Best of Princes.
The Happiest of Legislators.
The Most Sincere of Christians.

Who setting the Kingdoms of Earth at Liberty,
Took the Kingdom of the Heavens by Violence;

Æetat. sue æ 116.
Anno Hujus Reipub. 50.
THE PREROGATIVE OF Popular Government.

BEING A POLITICAL DISCOURSE In Two Books.

The former

Containing the first Preliminary of Oceana, inlarg'd, interpreted, and vindicated from all such Mistakes or Slanders as have bin alleg'd against it under the Notion of Objections.

The Second

Concerning Ordination, against Dr. H. Hammond, Dr. L. Seaman, and the Authors they follow.

In which Two Books is contain'd the whole Commonwealth of the Hebrews, or of Israel, Senat, People, and Magiltracy, both as it stood in the Institution by Moses, and as it came to be form'd after the Captivity.

As also the different Policies introduc'd into the Church of Christ, during the time of the Apostles.

Without Council Purposes are disappointed; but in the multitude of Counsellors they are established. Solomon.
La multitudine è più Spera è più costante ch'un Principe. Machiavelli.
EPISTLE to the READER:

WHOSOEVER sheds man's blood, by man shall his blood be shed; for in the Image of God made he Man. If this Rule holds as well in shedding the blood of a Turk as of a Christian, then that wherein Man is the Image of God is REASON. Of all Controversies, those of the Pen are the most honorable: for in those of Force, there is more of the Image of the Beast, but in those of the Pen there is more of the Image of God. In the Controversy of the Sword, there is but too often no other Reason than Force; but the Controversy of the Pen has never any Force but Reason. Of all Controversies of the Pen next those of Religion, those of Government are the most honorable, and the most useful; the true end of each, tho' in a different way, being that the Will of God may be don in Earth as it is in Heaven. Of all Controversies of Government, those in the vindication of Popular Government are the most noble, as being that Constitution alone, from whence all we have that is good is descended to us; and which, if it had not existed, Mankind at this day had bin but a Herb of Beasts. The Prerogative of Popular Government must either be in an ill hand, or else it is a game against which there is not a Card in the whole pack; for we have the Books of MOSES, those of the Greeks and of the Romans, not to omit MACCHIAVEL, all for it. What have the Assertors of Monarchy; what can they have against us? A Sword; but that ruffs, or must have a Scabbard; and the Scabbard of this kind of Sword is a good frame of Government.

A MAN may be possed of a piece of Ground by force, but to make use or profit of it, he must build upon it, and till it by Reason; for whatever is not founded upon Reason, cannot be permanent. In Reason there are two parts, Invention and Judgment: As to the latter, In a multitude of Counsellors (say both SOLOMON and MACCHIAVEL) there is strength. Nay as for Judgment, there is not that Order in Art or Nature that can compare with a Popular Assembly. THE VOICE OF THE PEOPLE IS THE VOICE OF GOD. Hence it is that in all well-order'd Politics the People have the utmost resile: but unless there be some other to invent, a Popular Assembly can be of no effect at all but Confusion. Invention is a solitary thing. All the Physicians in the world put together, invented not the Circulation of the Blood, nor can invent any such thing, tho' in their own Art; yet this was invented by one alone, and being invented, is unanimously voted and embrac'd by the generality of Physicians. The Plow and Wheels were at first, you must think, the invention of some rare Artists; but who or what shall ever be able to tear the use of them from the People? Hence, where Government is at a loss, a sole Legislator is of absolute necessity; nay where it is not at a loss, if well model'd, as in Venice, the Propoters, tho' frequently changeable, as in that cafe is necessary, are very few, as the Counsellors, the Savi, the Provofts. Wherever a Commonwealth is thus propos'd to, the Balance or Popular Assembly will do her duty to admiration, but till then never. Yet so it has bin with us of late years, that altho' in Royal Authority
To the Reader.

authority there was no more than the right of Proposing, and the King himself was to stand (legibus & confuetudinibus quas vulgus elegerit) to the refult of the People, yet the popular Council has bin put upon Invention, and they that have bin the prevailing Party have us'd means to keep the Refult to themselves, quite contrary to the nature of Popular Administration. Let one speake, and the rest judg. Of whatever any one man can say or do, Mankind is the natural and competent Judge, in which is contain'd the very reason of Parliaments; thro' the want of understanding this came in confusion. Man that is in Honor, and has no understanding, is like the Beasts that perish. Nor can we possibly return to Order, but by mending the Hedge where it was broken. A prudent, intire and fit Proposition made to a free Parliament, recovers all. To them who are of the greatest Eminency or Authority in a Commonwealth, belongs naturally that part of Reason which is Invention; and using this, they are to propose: but what did our Grandees ever invent or propose, that might shew so much as that themselves knew what they would be at? and yet how confidently do they lay the fault upon the People, and their unfitness, forsooth, for Government: in which they are wondrous wise! For, this I will boldly say, Where there was an Aristocracy that perform'd their duty, there never was, nor ever can be a People unfit for Government; but on the contrary, where the Aristocracy have fail'd, the People being once under Orders, have held very often. But while they are not under Orders, if they fail it is not their fault, but the fault of the Aristocracy; for who else should model a Government but men of Experience? There is not in England, I speak it to their shame, one Grandee that has any perfect knowledge of the Orders of any one Commonwealth that ever was in the World. Away with this same grave complexion, this stuff of Wisdom maintain'd by making faces. The People cannot do their duty consisting in Judgment, but by virtue of such Orders as may bring them together, and direct them; but the duty of the Aristocracy consisting in Invention, may be done by any one man, and in his study; and where is that one man among all the Grandees that studys? They are so far from knowing their own duty, that a man for proposing that in which none can find a flaw, has done enough to be ridiculous to them, who are themselves ridiculous to the whole World, in that they could never yet propose anything that would hold.

But if this amounts to a Demonstration, it amounts to a clear detection of your profound Grandees, and a full proof that they are Phantastic Persons, State Jesuits, such as have reduc'd the Politicks to mental Refervation and implicit Faith in their minds or nightcaps.

GOD, to propose his Commandments to the People of Israel, wrote them on two Tables; the Decemviri, to propose their Commandments to the People of Rome, wrote them on twelve Tables; the Athenians propos'd in writing, sign'd with the name of the particular Inventor; after this pattern do the Venetians, as was said, the same at this day. But no Fool-quill, no Scribbling; Your Grandees are above this.

MOSES, who was the first Writer in this kind, shall be pardon'd; but Maccius, the first in later time; that has receiv'd his Principles, or trod in his steps, is deservedly pelted for it by Sermons. They are not for the Scripture, but the Cabala.

I WILL tell you a story out of Boccalini: Apollo having sign'd the Philosopher and great Master of Silente Harpocrates in the Court of Parmaus, us'd such importunity with him, that for once he was permitted to speak; upon which such apparent discovery was made
To the Reader.

made of the Hypocrite, and the gross ignorance he had so long harbor'd under a deceitful silence, that he was immediately banish'd the Court. Were there cause, I could be modest; but this Virtue, to the diminution of sound and wholesome Principles, would be none: wherefore let a Grandee write, and I will shew you Harpocrates.

Thus having sufficiently defy'd Sir Guy, I may with the least impeachment of reputation descend to Tom Thum. Not that I hold myself a fit Person to be exercis'd with Boys play, but that some, who should have more wit, have so little as to think this somthing. A good Rat-catcher is not so great a blessing to any City, as a good Juggler-catcher would be to this Nation. Now because I want an Office, I shall shew my Parts to my Country, and how fit I am for the white Staff, or long Pole of so worshipful a Preferment.

Ridiculus ne fìs, eftò.
THE FIRST BOOK,

CONTAINING

The first Preliminary of Oceana, inlarg'd, interpreted, and vindicated from all such Mistakes or Slanders as have bin alleg'd against it under the notion of Objections.
A full Answer to all such OBJECTIONS as have hitherto bin made against OCEANA.

NEITHER the Author or Authors of the Considerations upon OCEANA, nor any other, have yet so much as once pretended one Contra&iota;tion or one Inequality to be in the whole Commonwealth. Now this is certain, That Frame of Government which is void of any contradiction, or any inequality, is void of all internal causes of Dif\solution, and must, for so much as it embraces, have attain'd to full per\fection. This by wholesale is a full Answer to the Considerations, with all other Objections hitherto; and will be (with any man that comprehends the nature of Government) to thousands of such Books, or Myriads of such tittle tattle. Nevertheless, because every man is not provided with a Sum, in the following Discouer I shall comply with them that must have things by Retail, or somwhat for their Far\thing.
The Preface.

It is commonly said, and not without encouragement by some who think they have Parraflus by the horns, that the University has lath'd me: so it seems I have to do with the University, and losing is lawful; with both which I am contented. In Moorfields, while the People are busy at their shops, they often and ridiculously lose their Buttons, their Ribbands, and their Purces; where if they light, as sometimes they do, upon the Matters of that Art, they fall a kicking them a while (which one may call a rude charge) and then to their work again. I know not whether I invite you to Moorfields, but (difficile est Satyrum non scribere) all the flavor I desire at your hands is but this, that you would not so condemn one man for kicking, as in the same Art to pardon another for cutting of Purces. A Gentleman that commits a fallacious Argument to writing, or goes about to satisfy others with such Reasons as he is not satisfied with himself, is no more a Gentleman but a Pickpocket; with this in my mind, I betake my self to my work, or rather to draw open the Curtain, and begin the Play.

One that has written Considerations upon Oceanum, speaks the Prolog in this manner: I beseech you Gentlemen, are not we the Writers of Politics somewhat a ridiculous sort of People? Is it not a fine piece of Folly for privat men fitting in their Cabinets to rack their brains about Models of Government? Certainly our Labors make a very pleasant recreation for those great Perfonages, who, fitting at the Helm of Affairs, have by their large Experience not only acquired the perfect Art of Ruling, but have attained also to the comprehension of the Nature and Foundation of Government. In which egregious Complement the Condiver has lost his considering Cap.

It was in the time of Alexander, the greatest Prince and Commandeur of his age, that Aristotle, with scarce inferior Applause and equal Fame, being a privet man, wrote that excellent piece of Prudence in his Cabinet, which is called his Politics, going upon far other Principles than those of Alexander's Government, which it has long outlived. The like did Titus Livius in the time of Augustus, Sir Thomas Moor in the time of Henry the Eighth, and Macchiavel when Italy was under Princes that afforded him not the ear. These Works nevertheless are all of the more esteemed and applauded in this kind; nor have I found any man, whose like Indexors have bin persecuted since Plato by Dionysius. I study not without great Examples, nor of my Calling; either Arms or this Art being the proper Trade of a Gentleman. A man may be intrusted with a Ship, and a good Pilot too, yet not understand how to make Sea-charts. To say that a man may not write of Government except he be a Magifrat, is as absurd as to say, that a man may not make a Sea-chart, unless he be a Pilot. It is known that Christopher Columbus made a Chart in his Cabinet, that found out the Indies. The Magifrat that was good at his Steereage never took it ill of him that brought him a Chart, seeing whether he would use it or no, was at his own choice; and if Flatterers, being the worst sort of Crows, did not pick out the eye of the living, the Ship of Government at this day.
The Preface.

through Christendom had not struck so often as she has done. To treat of Af-
fares, says Machiavel, which as to the conduct of them appertain to
others, may be thought a great boldness; but if I commit Errors in
writing, these may be known without danger; whereas if they com-
mit Errors in acting, such com not otherwise to be known, than in the
ruin of the Commonwealth. For which cause I presume to open the
Scene of my Discourse, which is to change according to the variety of these
following Questions.

1. WHETHER Prudence be well distinguish'd into Antient and
Modern?
2. WHETHER a Commonwealth be rightly defin'd to be a Go-
vernment of Laws, and not of Men; and Monarchy to be a Govern-
ment of som Man, or a few Men, and not of Laws?
3. WHETHER the Balance of Dominion in Land be the natu-
ral cause of Empire?
4. WHETHER the Balance of Empire be well divided into Na-
tional and Provincial? and whether these two, or any Nations that are
of distinct Balance, coming to depend upon one and the same head, such
a mixture creates a new Balance?
5. WHETHER there be any common Right or Interest of Man-
kind distinct from the parts taken severally? and how by the Orders of
a Commonwealth this may best be distinguish'd from privat Interest?
6. WHETHER the Senatusconsulta, or Decrees of the Roman
Senat, had the power of Laws?
7. WHETHER the ten Commandments propos'd by God or
Moses were voted by the People of Israel?
8. WHETHER a Commonwealth coming up to the perfection
of the kind, coms not up to the perfection of Government, and has no
flaw in it?
9. WHETHER Monarchy, coming up to the perfection of the
kind, coms not short of the perfection of Government, and has not
som flaw in it? in which is also treated of the Balance of France, of the
Original of a landed Clergy, of Arms, and their kinds.
10. WHETHER a Commonwealth that was not first broken
by it self, was ever conquer'd by any Monarch?
11. WHETHER there be not an Agrarian, or som Law or Laws
of that nature to supply the defect of it, in every Commonwealth?
and whether the Agrarian, as it is flated in Oceana, be not equal and
satisfactory to all Interests or Party's?
12. WHETHER Courses or a Rotation be necessary to a well-
order'd Commonwealth? In which is contain'd the Pamphlete or
Courses of Israel before the Captivity; together with an Epitome of
the whole Commonwealth of Athens, as also another of the Common-
wealth of Venice.

Ancient
Antient and Modern Prudence.

CHAP. I.

Whether Prudence be well distinguished into Antient and Modern;

The Considerer (where by Antient Prudence I understand the Policy of a Commonwealth, and by Modern Prudence that of King, Lords, and Commons, which introduced by the Goths and Vandals upon the ruin of the Roman Empire, has since reign'd in these Western Countries, till by the predominating of som one of the three parts, it be now almost universally extinct'd;) thinks it enough for the confusion of this distinction, to shew out of Thucydides that of Monarchy to be a more antient Policy than that of a Commonwealth. Upon which occasion, I must begin here to discover that which, the further I go, will be the more manifest; namely, that there is a difference between quoting Authors, and laying som part of them without book: this may be done by their words, but the former no otherwise than by keeping to their sense. Now the sense of Thucydides, as he is translated by Mr. Horbs in the place alleg'd, is thus: The manner, says he, of living in the most antient times of Greece was Thieving; the stronger going abroad under the conduct of their most puissant Men, both to enrich themselves, and fetch home maintenance for the weak: for there was neither Traffic, property of Lands, nor constant Abode, till Minos built a Navy, and expelling the Malefactors out of the Islands, planted Colonies of his own, by which means they who inhabited the Sea-coasts, becoming more addicted to Riches, grew more constant to their dwellings: of whom soon, grown now rich, compass'd their Towns about with Walls, For out of a desire of Gain, the meaneer sort underwent Servitude with the Mighty; and the Mighty (thus overbalancing at home) with their Wealth, brought the lesser Cities (abroad) into subjection. Thus Pelops, tho' he was a stranger, obtain'd such Power in Peloponnesus, that the Country was call'd after his name. Thus Atreus obtain'd the Kingdom of Mycene; and thus Kingdoms with Honors limited came to be hereditary; and rising to Power, proceeded afterwards to the War against Troy. After the War with Troy, tho' with much ado, and in a long time Greece had constant rest (and Land without doubt came to Property) for shifting their seats no longer, at length they sent Colonies abroad; the Athenians into Ionia with the Islands, the Peloponnesians into Italy, Sicily, and other parts. The Power of Greece thus improv'd, and the desire of Mony wish'd, their Revenues (in what? not in Mony, if yet there was no Usury; therfore except a man can shew that there was Usury in Land) being inlarg'd, in most of the Cities there were erected Tyranns. Let us lay this place to the former, when out of a desire of Gain the meaneer sort underwent Servitude with the Mighty, it caus'd hereditary Kingdoms with Honors limited, as happen'd also with us since the time of the Goths and Vandals. But when the People came to Property in Land, and their Revenues were inlarg'd, such as allum'd Power over them,
them, not according to the nature of their Property or Balance, were Tyrians: well, and what remedy? why, then it was, says the Con-

iderer, that the Grecians out of an extreme overage to that which was the cause of their present Sufferings, flit into Popular Government, not that upon calm and mature Debates they found it best, but that they might put themselves at the greatest distance (which Spirit usually accompanies all Re-

formations) from that with which they were grown into dislike. Whereby he agrees exactly with his Author in making out the true Force and Nature of the Balance, working even without deliberation, and whether men will or no. For the Government that is natural and easy, being in no other direction than that of the respective Balance, is not of choice but of necessity. The Policy of King, Lords and Com-

mons, was not so much from the Prudence of our Ancestors as from their necessity. If three hundred men held at this day the like over-

balance to the whole People, it was not in the power of Prudence to institute any other than the same kind of Government, thro the same necessity. Thus the meaner fort with Thucydides submitting to the Mighty, it came to Kingdoms with hereditary Honors: but the People coming to be wealthy, call'd their Kings, tho they knew not why, Tyrants; nay, and using them accordingly, found out means, with as little deliberation it may be as a Bull takes to toss a Dog, or a Hen to split a Haulk (that is, rather, as at the long-run they will ever do in the like cafes, by Inflation, than Prudence or Debate) to thro down that, which by the mere information of sense they could no longer bear; and which being thrown down, they found them-

selves eas'd. But the question yet remains, and that is, forsooth, whether of thee is to be call'd Antient Prudence. To this end, never man made a more unlucky choice than the Considerer has don for himself of this Author, who in the very beginning of his Book, speaking of the Peloponnesian War, or that between the Common-

wealths of Athens and Lacedemon, says, that the Actions which pre-

ceded this, and those again that were more antient, tho the truth of them thro length of time cannot by any means be clearly discover'd; yet for any Argument that (looking into times far past) he bad yet lighted on to per-

suade him, he does not think they have bin very great either for matter of War, or otherwise; that is, for matter of Peace or Government. And left this should not be plain enough, he calls the Prudence of the three Periods, observ'd by Mr. Hobbs, viz. that from the beginning of the Grecian Memory to the Trojan War, that of the Trojan War it self, and that from thence to the present Commonwealths and Wars, Thu. E. t. p. 34. whereof he treats, The Imbecility of antient Times. Wherfore certainly this Prevaricator, to give him his own fees, has left disfession than a common Attorney, who will be sure to examin only those Witnesses that seem to make for the Cause in which he is entertain'd. Seeing that which he affirms to be Antient Prudence is depos'd by his own witnesses to have bin the Imbecility of antient Times, for which I could have so many more than I have leasure to examin, that (to take only of the most

Authentic) as you have heard one Greece, I shall add no more than one Roman, and that is Florus in his Prolog, where (computing the Ages of the Romans, in the same manner Thucydides did those of the Greeks) he affirms the time while they liv'd under their Kings, to have bin their Infancy; that from the Confuds till they conquer'd Italy, their Youth; that from hence to their Emperors, their manly age; and
of Popular Government.

and the rest (with a Complement or Salvo to Trajan: his present Lord) their Duties.

These things, tho originally all Government among the Greeks and the Romans was Regal, are no more than they who have not yet past their Novitates in story, might have known. Yet says the Confiderer, it seems to be a defect of experience to think that the Greeks and the Roman Actions are only considerable in Antiquity. But is it such a defect of experience to think them only considerable, as not to think them chiefly considerable in Antiquity, or that the name of Antient Prudence does not belong to that Prudence which was chiefest in Antiquity? True, says he, it is very frequent with such as have bin conversant with Greek and Roman Authors, to be led by them into a belief that the rest of the World was a rude inconsiderable People, and, which is a term they very much delight in, altogether Barbarous. This should be som fine Gentleman that would have Universitys pull'd down; for the Office of a University is no more than to preserve so much of Antiquity as may keep a Nation from flinking, or being barbarous; which Salt grew not in Monarchys, but in Commonwealths: or whence has the Christian World that Religion and those Laws which are now common, but from the Hebrews and Romans? or from whence have we Arts but from these or the Greeks? That we have a Doctor of Divinity, or a Master of Arts, we may thank Popular Government; or with what Languages, with what things are Scholars conversant that are otherwise defended? will they so plead their own Cause as to tell us it is possible there shou'd be a Nation at this day in the world without Universitys, or Universitys without Hebrew, Greek and Latin, and not be Barbarous, that is to say, rude, unlearn'd, and inconsiderable? Yes, this humor even among the Greeks and Romans themselves was a fervil addition to narrow Principles, and a piece of very pedantical Pride. What, man! the Greeks and the Romans that of all other would not serve, fervil! their Principles, their Learning, with whose Fraser's we set up for Batchelors, Masters, and Doctors of fine things, narrow! their inimitable Elocution a piece of very pedantical Pride! The World can never make sense of this any otherwise than that since Heads and Fellows of Colleges became the only Greeks and Romans, the Greeks and Romans are become fervily addicted, of narrow Principles, very Pedants, and prouder of those things they do not understand, than the other were of those they did: For, say they, in this Question, the Examples of the Babylonians, Persians and Egyptians (not to omit the ancient and like modern Discoveries of the Queen of the Amazons, and of the King of China) cannot without gross partiality be neglected. This is pretty; they who say nothing at all to the Policy of these Governments, accuse me, who have fully open'd it, of negligence. The Babylonian, Persian, and, for ought appears to the contrary, the Chinese Policy, is sum'd up, and far excell'd by that at this this day of Turky; and in opening this latter, I have open'd them all, far from neglect, that I every where give the Turke his due, whose Policy I affect to be the best of this kind, tho not of the best kind. But they will bear me down, and but with one Argument, which I befech you mark, that it is absolutely of the best kind; for say they, it is of a more absolute form (has more of the Man and less of the Law in it) than is to be met with in any Kingdom of Europe.
The Prerogative

Book I. I AM amaz'd! This is that kind of Government which to hold Barbarous, was in the Greeks and Romans Pedantical Pride, but would be in us who have not the same Temptation of Interest, downright Folly. The Interest of a People is not their Guide but their Temptation! We that hold our Land divided among us, have not the same Temptation of Interest that had the servile Hebrews, Greeks, and Romans; but the same that had the free People of Babylon, Persia, and Egypt, where not the People but the Prince was sole Landlord! O the Arts in which these men are Masters! To follow the pedantical Pride of Moses, Lycurgus, Solon, Romulus, were with us downright Folly; but to follow humble and learned Mahomet or Ottoman, in whose only Model the Perfection of the Babylonian, Persian, Egyptian Policy is consummated, is Ancient Prudence! Exquisite Politicians! egregious Divinies, for the leading of a People into Egypt or Babylon! These things consider'd, whether Ancient Prudence, as I have flated it, be downright Folly, or as they have flated it, be not downright Knavery, I appeal to any Court of Claims in the world, where the Judges, I mean, have not more in their Caps than in their Heads, and in their Sleeves than the Scarlet. And whereas Men love compendious works, if I gain my Caufe, the Reader, for an answer to the Oxford Book, needs look no further than this Chapter. For if Riches and Freedom be the end of Government; and these Men propose nothing but Slavery, Beggary, and Turfim, what need more words?

CHAP. II.

Whether a Commonwealth be rightly defin'd to be a Government of Laws and not of Men, and a Monarchy to be the Government of some Man, or a few Men, and not of Laws?

T H A T part of the Preliminary which the Prevaricator, as is usual with him, recites in this place fallly and fraudulently, is thus: Relation had to these two times (that of Antient and that of Modern Prudence) the one, as is computed by Janotti, ending with the Liberty of Rome, the other beginning with the Arms of Cesar (which extinguishing Liberty, became the Translation of Antient into Modern Prudence, introduced in the Ruin of the Roman Empire by the Goths and Vandals) GOVERNMENT (to define it de jure, or according to Antient Prudence) is an Art whereby a civil Society of Men is instituted and preserved, upon the Foundation of Common Right or Interest; or (to follow Aristotle and Livy) it is an Empire of Laws, and not of Men.

A ND Government, to define it de facto, or according to Modern Prudence, is an Art whereby some Man, or some few Men, subject a City or a Nation, and rule it according to his or their privat Interest; which, because Laws in such cases are made according to the Interest of a Man, or some few Families, may be said to be an Empire of Men, and not of Laws. HEREBY it is plain, whether in an Empire of Laws, and not of Men, as a Commonwealth; or in an Empire of Men, and not of Laws, as Monarchy: First, That Law must equally proceed from
of Popular Government.

Will, that is either from the Will of the whole People, as in a Commonwealth; from the Will of one Man, as in an Absolute, or from the Will of a few Men, as in a Regulated Monarchy:

SECONDLY, That Will, whether of one, or more, or all, is not presum'd to be, much less to act without a Mover.

THIRDLY, That the Mover of the Will is Interest.

FOURTHLY, That Interests also being of one, of more, or of all; those of one Man, or of a few Men, where Laws are made accordingly, being more privat than cons duly up to the Law, the nature whereof lyes not in Partiality but in Justice, may be call'd the Empire of Men, and not of Laws: And that of the whole People coming up to the public Interest (which is no other than common Right and Justice, excluding all Partiality or privat Interest) may be call'd the Empire of Laws, and not of Men. By all which put together, whereas it is demonstrable that in this division of Government I do not stay at the Will, which must have some Motive or Mover, but go to the first and remotest Notion of Government, in the Foundation and Original of it, in which lyes the Credit of this Division, and the Definition of the several Members, that is to say, of Interests, whether privat or public; the Prevaricator tells me, That this division of Government Confis. p. 4. having (he knows not how) lost its Credit, the definitions of the several Members of it need not be consider'd further, than that they composed us all up to the first and remotest Notion of Government in the Foundation and Original of it, in which lyes all the difficulty; and being here neglected, there is little hope the subsequent Discourse can have in it the light of probable Satisfaction, much less the force of infallible Demonstration.

VERY good! Interest is but then is not the first and remotest Notion of Government, but that which he will outthrow; and at this cast, by saying, that the Declaration of the Will of the Sovereign Confis. p. 8. Power is call'd Law; which if it outlives the Person whose Will it was, it is only because the Persons who succeed in Power are presum'd to have the same Will, unless they manifest the contrary; and that is the Abrogation of the Law; so that still the Government is not in the Law, but in the Person who gave a being to that Law. I might as well say, The Declaration to all men by these presents that a man owes Money is call'd a Bond; which if it outlives the Person that entered into that Bond, it is only because the Persons that succeed him in his Estate, are presum'd to have the same Will, unless they manifest the contrary; and that is the abrogation or cancelling of the Bond; so that still the Debt is not in the Bond, but in his Will who gave a being to that Bond. If it be alleg'd against this example, that it is a privat one, the case may be put between several Princes, States, or Governments, or between several States of the same Principality or Government, whether it be a Regulated Monarchy or a Commonwealth; for in the like Obligation of the States (as of the King, the Lords, and Commons) or Parties agreeing, Authoritate Patrum & jussu Populi, till the Parties that so agreed to the Obligation, shall agree to repeal or cancel it, lyes all Law that is not merely in the Will of one Man, or of one State, or Party, as the Oligarchy. But not to dispute these things further in this place, let the Government be what it will, for the Prevaricator to fetch the Origination of Law no further than the Will (while he knows very well that I fetch'd it from Interest, the Antecedent of Will) and yet
to boast that he has outthrown me, I say he is neither an honest Man, nor a good Bowler. No matter, he will be a better Gunner; for where I said that the Magistrat upon the Bench is that to the Law, which a Gunner upon his Platform is to his Cannon, he goes about to take better aim, and says, If the proportion of things be accurately considered, it will appear that the laden Cannon answers not to the Laws, but to the Power of the Person whose Will created those Laws: Which if it come of them that the Power of the Person whose Will created them, intended should be of as good stuff or Carriage as the rest, do not, nevertheless according to the nature of their Matter or of their Charge, com short or over, and others break or recoil; sure this Report of the Prevaricator is not according to the bore of my Gun, but according to the bore of such a Gunner. Yet again, if he be not so good a Gunner, he will be a better Anatomist: for whereas I affirm, that to say, ARISTOTLE and CICERO wrote not the Rights or Rules of their Politics from the Principles of Nature, but transfrib'd them into their Bobks out of the practice of their own Commonwealths, is as if a man should say of famous HARVEY, that he transfrib'd his Circulation of the Blood, not out of the Principles of Nature, but out of the Anatomy of this or that Body: He answers, that the whole force of this Objection amounts but to this, that because HARVEY in his Circulation has follow'd the Principles of Nature, therefore ARISTOTLE and CICERO have done so in their Discourses of Government.

PRETTY! It is said in Scripture, Thy Word is sweet as Honey: Amounts that but to this, Because Honey is sweet, therefore the Word of God is sweet? To say that my Lord Protector has not conquer'd many Nations, were as if one should say, that CESAR had not conquer'd many Nations: Amounts that but to this, that because CESAR conquer'd many Nations, therefore my Lord Protector has conquer'd many Nations? What I produce as a Similitude, he calls an Objection; where I say, as, he says, because: what ingenious man does not detect such a cheat? A Similitude is brought to shew how a thing is or may be, not to prove that it is so; it is us'd for Illustration, not as an Argument: The Candle I held did not set up the Poit, but shew where the Poit was set, and yet this blind Buzzard has run his head against it. Nor has he yet enough; if he be not the better Naturalist, he will be the better Divine, tho' he should make the worse Sermon. My Doctrin and Use upon that of SOLOMON, I have seen Servants upon Horses, and Princes walking as Servants upon the Ground, discovers the true means whereby the Principles of Power and Authority, the Goods of the Mind and of Fortune, may so meet and twine in the Wreath or Crown of Empire, that the Government standing upon Earth like a holy Altar, and breathing perpetual Incense to Heaven in Justice and Piety, may be somthing, as it were, between Heaven and Earth; while that only which is propos'd by the bell, and resolv'd by the mould, becomes Law; and so the whole Government an Empire of Laws, and not of Men. This he says, is a goodly Sermon; it is honest, and Sense. But let any man make Sense or Honesty of this Doctrine, which is his own; To say that Laws do or can govern, is to annull our felvses with a Form of Speech, as when we say Time, or Age, or Death, do such a thing; to which indeed the Plaids of Poets, and Superstition of Women, may adapt a Person, and give a Power of Action: but wise Men know they are only Ex-

Confid. p. 7.
of Popular Government.

professions of such Actions or Qualifications as belong to Things or Persons.

SPEAK out; Is it the Word of God, or the Knavery and Non-sense of such Preachers that ought to govern? Are we to hearken to that of the Talmud, There is more in the word of a Scribe, than in the words of the Law; or that which Christ therupon says to the Pharisees, You have made the Word of God of no effect by your Traditions? Say, is the Commonwealth to be govern'd in the Word of a Priest or a Pharisee, or by the Vote of the People, and the Interest of Mankind?

CHAP. III.

Whether the Balance of Dominion in Land be the natural Cause of Empire?

The Doctrine of the Balance is that, tho' he strains at it, which choaks the Prevaricator: for this of all others is that Principle which makes the Politics, not so before the invention of the same, to be undeniable through, and (not to meddle with the Mathematics, an Art I understand as little as Mathematicians do this) the most demonstrable of any whatsoever.

For this cause I shall rather take pleasure than pains to look back, or tread the same path with other, and perhaps plainer steps: as thus; If a man having one hundred pounds a year may keep one Servant, or have one man at his command, then having one hundred times so much, he may keep one hundred Servants; and this multiply'd by a thousand, he may have one hundred thousand men at his command. Now that the single Person, or Nobility of any Country in Europe, that had but half so many men at command, would be King or Prince, is that which I think no man will doubt. But * no Men, no Switzers, as the French speak: If the Mony be flown, so are the Men also. Tho Riches in general have Wings, and be apt to bate; yet tho' in Land are the most hooded, and ty'd to the Perch, wheras tho' in Mony have the least hold, and are the swiftest of flight. A Bank where the Mony takes not wing, but to com home seiz'd, or like a Coyduck, may well be great; but the Treasure of the Indies going out, and not upon returns, makes no Bank. Whence a Bank never paid an Army; or paying an Army, soon became no Bank. But where a Prince or a Nobility has an Estate in Land, the Revenue wherof will defray this Charge, there their Men are planted, have Toes that are Roots, and Arms that bring forth what Fruit you please.

Thus a single Person is made, or a Nobility makes a King, not with difficulty, or any great prudence, but with ease, the rest coming home, as the Ox that not only knows his Master's Crib, but must starve or repair to it. Nor for the same reason is Government acquir'd with more ease than it is preserv'd; that is, if the Foundation of Property

* Point de Argent, point de Sulfe.

i 2 be
be in Land: but if in Mony, lightly com, lightly go. The reason why a single Person, or the Nobility that has one hundred thousand men, or half so many at command, will have the Government, is that the Estate in Land, whereby they are able to maintain so many, in any European Territory, must overbalance the rest that remains to the People, at least three parts in four, by which means they are no more able to dispute the Government with him or them, than your Servant is with you. Now for the same reason, if the People hold three parts in four of the Territory, it is plain there can neither be any single Person nor Nobility able to dispute the Government with them; in this case therefore, except Force be interposed, they govern themselves. So by this computation of the Balance of Property or Dominion in Land, you have according to the threefold Foundation of Property, the Root or Generation of the threefold kind of Government or Empire.

Occurs, p. 39.

Thus, if one man be sole Landlord of a Territory, or overbalance the whole People, three parts in four, or therabouts, he is Grand Signior; for so the Ture, not from his Empire, but his Property is call’d; and the Empire in this case is absolute Monarchy.

If the Few, or a Nobility, or a Nobility with a Clergy, be Landlords to such a proportion as overbalances the People in the like manner, they may make whom they please King; or if they be not pleas’d with their King, down with him, and set up whom they like better; a Henry the Fourth, or the Seventh, a Guise, a Montfort, a Neville, or a Porter, should they find that best for their own ends and purposes: For as not the Balance of the King, but that of the Nobility in this case is the cause of the Government, so not the Estate or Riches of the Prince or Captain, but his Virtue or Ability, or fitness for the ends of the Nobility, acquires that Command or Office, This for Aristocracy, or mix’d Monarchy. But if the whole People be Landlords, or hold the Land so divided among them, that no one man or number of men within the compass of the Few, or Aristocracy overbalance them, it is a Commonwealth. Such is the Branch in the Root, or the Balance of Property naturally producing Empire; which not confounded, no man shall be able to batter my Superstructures, and which confounded, I lay down my Arms. Till then, if the cause necessarily precede the effect, Property must have a being before Empire, or beginning with it, must be still first in order.

PROPERTY comes to have a being before Empire or Government two ways, either by a natural or violent Revolution. Natural Revolution happens from within, or by Commerce, as when a Government erected upon one Balance, that for example of a Nobility or a Clergy, thro the decay of their Estates comes to alter to another Balance; which alteration in the Root of Property, leaves all to confusion, or produces a new Branch or Government, according to the kind or nature of the Root. Violent Revolution happens from without, or by Arms, as when upon Conquest there follows Confiscation. Confiscation again is of three kinds, when the Captain taking all to himself, plants his Army by way of military Colonys, Benefices, or Timars, which was the Policy of Mahomet; or when the Captain has som Sharers, or a Nobility that divides with him, which was the Policy introduce’d by the Goths and Vandals; or when the Captain divides the Inheritance by Lots, or otherwise, to the whole People; which
of Popular Government.

which Policy was instituted by God or Moses in the Common-Chap. 3: wealth of Israel. This triple distribution, whether from natural or violent Revolution, returns as to the generation of Empire to the same thing that is to the nature of the Balance already stated and demonstrated. Now let us see what the Prevaricator will say, which first is this.

THE Assertion, that Property producing Empire consists only in Land, Confd. 7. 14. appears too positive. A Pig of my own Sow; this is no more than I told him, only there is more imply'd in what I told him, than he will see; which therefore I shall now further explain. The balance in Mony may be as good or better than that of Land in three cafes. First, where there is no Property of Land yet introduc'd, as in Greece during the time of her ancient Imbecillity; whence, as is noted by Thucydides, the meaner fort thro' a desire of Gain undermet the Servitude of the Mighty. Secondly, in Cities of small Territory and great Trade, as Holland and Genoa, the Land not being able to seed the People, who must live upon Traffic, is overbalanc'd by the means of that Traffic, which is Mony. Thirdly, in a narrow Country, where the Lots are at a low scantling, as among the Israelites, if care be not had of Mony in the regulation of the same, it will eat out the balance of Land. For which cause tho' an Israelite might both have Mony, and put it to Usury (Thou shalt lend (upon usury) to many Nations) yet might he not lend it upon usury to a Citizen or Brother: whence two & things are manifest: First, that Usury in it self is not unlawful: And next, that Usury in Israel was no otherwise forbidden, than as it might com to overthrow the Balance or Foundation of the Government: for where a Lot as to the general amounted not perhaps to four Acres, a man that should have had a thousand Pounds in his Purse, would not have regarded such a Lot in comparison of his Mony; and he that should have bin half so much in debt, would have bin quite eaten out. Usury is of such a nature, as, not forbidden in the like cafes, must devour the Government. The Roman People, while their Territory was no bigger, and their Lots, which exceeded not two Acres a man, were yet scantier, were flead alive with it; and if they had not help'd themselves by their Tumults, and the Institution of their Tribuns, it had totally ruin'd both them and their Government. In a Commonwealth, whose Territory is very small, the Balance of the Government being laid upon the Land, as in Lacedemon, it will not be sufficient to forbid Usury, but Mony it self must be forbidden. Whence Lycurgus allow'd of none, or of such only as being of old, or otherwise useless, was little better, or, if you will, little worse than none. The Prudence of which Law appear'd in the neglect of it, as when Lyssander, General for the Lacedemonians in the Peloponnesian War, having taken Athens, and brought home the spoils of it, occasion'd the Ruin of that Commonwealth in her Victory. The Land of Canaan compar'd with Spain or England, was at the most but a Yorkshire, and Laconia was less than Canaan. Now if we imagin Yorkshire divided, as was Canaan, into six hundred thousand Lots, or as was Laconia, into thirty thousand; a Yorkshire man having one thousand Pounds in his Purse, would, I believe, have a better Estate in Mony than in Land; wherfore in this case, to make the Land hold the Balance, there is no way but either that of Israel by forbidding Usury, or that of Lacedemon by forbidding Mony. Where a small Sum may com to over-
overbalance a man's Estate in Land, there I say Usury, or Mony for the preservation of the Balance in Land, must of necessity be forbidden, or the Government will rather rest upon the Balance of Mony, than upon that of Land, as in Holland and Genoa. But in a Territory of such extent as Spain, or England, the Land being not to be overbalanc'd by Mony, there needs no forbidding of Mony or Usury. In Lacedemon Merchandize was forbidden, in Israel and Rome it was not exercis'd; wherfore to these Usury must have bin the more destructive: but in a Country where Merchandize is exercis'd, it is so far from being destructive, that it is necessary; else that which might be of profit to the Commonwealth would rust unprofitably in privat purses, there being no man that will venture his Mony but thro' hope of some Gain; which if it be so regulated that the Borrower may gain more by it than the Lender, as at four in the hundred, or therabouts, Usury becomes a mighty Profit to the Public, and a Charity to privat Men; in which sense we may not be perfuaded by them that do not observe these different caufes, that it is against Scripture. Had usury to a Brother bin permitted in Israel, that Government had bin overthrown: but that such a Territory as England or Spain cannot be overbalanc'd by Mony, whether it be a scarce or a plentiful Commodity, whether it be accumulated by Farsimony, as in the purfe of Henry the 7th, or presented by Fortune, as in the Revenue of the Indies, is sufficiently demonstrat'd, or shall be.

FIRST, by an Argument ad hominem, one good enough for the Prevaricat or, who argues thus; The Wisdom or the Riches of another man can never give him a Title to my Obedience, nor oblige Mr. Harrington to give his Clothes or Mony to the next man he meets, wiser or richer than himself.

If he had said stronger, he had spoil'd all; for the parting with a mans Clothes or Mony in that case, cannot be help'd: now the richer, as to the case in debate, is the stronger, that is, the advantage of Strength remains to the Balance. But well; he presumes me to have Clothes and Mony of my own, let him put the fame case in the People, or the similitude dos not hold. But if the People have Clothes and Mony of their own, those must either rise (for the bulk) out of Property in Land, or at least out of the cultivation of the Land, or the Revenue of Industry; which if it be dependent, they must give such a part of their Clothes and Mony to preserve that dependence out of which the rest ariseth to him or them on whom they depend, as he or they shall think fit, or parting with nothing to this end, must lose all; that is, if they be Tenants, they must pay their Rent, or turn out. So if they have Clothes and Mony dependently, the Balance of Land is in the Landlord or Landlords of the People: but if they have Clothes and Mony independently, then the Balance of Land must of necessity be in the People themselves, in which case they neither would, if there were any such, nor can, because there be no such, give their Mony or Clothes to such as are wiser, or richer, or stronger than themselves. So it is not a man's Clothes and Mony or Riches, that oblige him to acknowlege the Title of his Obedience to him that is wiser or richer, but a man's no Clothes or Mony, or his Poverty, with which, if the Prevaricat should come to want, he could not so finely prevaricat but he must serve from body, so he were rich, no matter if less wise than himself. Wherfore seeing the People cannot be faid to have
of Popular Government.

have Clothes and Mony of their own without the balance in Land, Chap. 3., and having the balance in Land, will never give their Clothes, or Mony, or Obedience to a single Person, or a Nobility, tho' these should be the richer in Mony; the Prevaricator by his own Argument has evinced that in such a Territory as England or Spain, Mony can never come to overbalance Land.

For a second Demonstration of this Truth, Henry the Seventh, tho' he mis'd of the Indies, in which for my part I think him happy, was the richest in Mony of English Princes. Nevertheless his accession of Revenue did not at all preponderate on the King's part, nor change the balance. But while making Farms of a Standard he increased the Yeomanry, and cutting off Retainers he abas'd the Nobility, began that Breach in the balance of Land, which proceeding has ruin'd the Nobility, and in them that Government.

For a third, the Monarchy of Spain, since the Silver of Potosi sail'd up the Guadalquivir, which in English is, since that King had the Indies, stands upon the same balance in the Lands of the Nobility on which it always floated.

And so the learned Conclusion of the Prevaricator (That it is Confid. p. 16, not to be doubted but a Revenue sufficient to maintain a Force able [to cry ware horns] or beat down all opposition, do equally conducive to Empire, whether it arises from Reuts, Lands, Profits of ready Mony, Duties, Customs, &c.) asks you no more than where you saw her Prefices. For unless they afforded his Moniz, and his Banks, it is not to be imagin'd which way they went; and with these, because he is a profet Zealot for Monarchy, I would with him by no means to be montebanking or meddling; for the purse of a Prince never yet made a Bank, nor, till spending and trading Mony be all one, ever shall. The Genoese, which the King of Spain could never do with the Indies, can make you a Bank out of Letters of Exchange, and the Hollander with Herrings. Let him com no more here; where there is a Bank, ten to one there is a Commonwealth. A King is a Soldier, or a Lover, neither of which makes a good Merchant; and without Merchandize you will have a lean Bank. It is true, the Family of the Medici were both Merchants, and made a Bank into a Throne: but it was in Commonwealth of Merchants, in small Territory, by great purchases in Land, and rather in a mere confusion than under any settl'd Government; which Causes, if he can give them all such another meeting, may do as much for another man. Otherwife let it be agreed and resolv'd, that in a Territory of any extent, the balance of Empire consists in Land, and not in Mony; always provided that in case a Prince has occasion to run away, as Henry the Third of France did out of Poland, his Balance in ready Mony is absolutely the most proper for the carrying on of so great and sudden an Enterprize.

It is an excellent way of disputing, when a man has alleg'd no experience, no example, no reason, to conclude with no doubt. Certainly upon such occasions it is not unlawful nor unreasonable to be merry. Reasons, says one Comedian, are not so common as Blackberries. For all that, says another Comedian, no doubt but a Revenue in Taxes is as good as a Revenue in Feeshome; for this, in brief, is the fere of his former particular, or that part of it, which, the Moniz and the Banks being already discharge'd, remains to be answer'd. Yet that the Rents and Profits of a man's Land in Feeshome or Property, com
The Prerogative

Book I. in naturally and easily, by common consent or concernment, that is, by virtue of the Law founded upon the public Interest, and therefore voluntarily established by the whole People, is an apparent thing. So a man that will receive the Rents and Profits of other mens Land, must either take them by mere force, or bring the People to make a Law devesting themselves of so much of their Property; which upon the matter is all one, because a People possest of the Balance, cannot be brought to make such a Law, further than they see necessary for their common defence, but by force, nor to keep it any longer than that Force continues. It is true, there is not only such a thing in nature as health, but sickness too; nor do I deny that there is such a thing as a Government against the Balance. But look about, seek, find where it flowd, how it was nam'd, how lik'd, or how long it lasted. Otherwise the comical Proposition coms to this, *It is not to be doubted but that Violence may be permanent or durable,* and the Blackerry, for it is because Nature is permanent or durable! What other construction can be made of these words? *It is not to be doubted but a Revenue sufficient to maintain a Force able to beat down all opposition* (that is, a Force able to raise such a Revenue) *does equally (on which word grows the Blackerry) conduc to Empire;* that is, as much as could any natural Balance of the same! He may stain mouths, as he has don som, but he shall never make a Politician. The Earth yields her natural increase without losing her heart; but if you com once to force her, look your Force continue, or she yields you nothing: and the balance of Empire consisting of Earth, is of the nature of her Element.

DIVINES are given to speak much of things which the Conderer balks in this place that would check them, to the end he may fly out with them in others, wherto they do not belong, as where he says, that Government is founded either upon Paternity, and the natural Advantage the first Father had over all the rest of Mankind, who were his Sons; or else from the increase of Strength and Power in some Man or Men, to whose Will the rest submit, that by their submission they may avoid such mischief, as otherwise would be brought upon them. Which two Vagaries are to be fetch'd home to this place.

FOR the former; If ADAM had liv'd till now, he could have seen no other than his own Children; and so that he must have bin King by the right of Nature, was his peculiar Prerogative. But whether the eldest Son of his Houfe, if the Prevaricator can find him at this time of day, has the same right, is somewhat disputable; because it was early when ABRAHAM and LOT dividing Territories, became several Kings; and not long after when the Sons of JACOB being all Patriarchs, by the appointment of God, whose Right sure was not inferior to that of ADAM, tho' he had liv'd, came under Popular Government. Wherfore the advantage of the first Father is for grave men a pleasant fancy; nevertheless if he had liv'd till now, I hope they understand that the whole Earth would have bin his Demesne, and to the Balance of his Property must have answer'd to his Empire, as did that also of ABRAHAM and LOT to theirs. Wherfore this way of Deduction coms directly home again to the Balance.

Paterfamilias

De jure bellii, Latifundia possident, & neminem aliæ legē in suis terras recipiunt quam ut ditioni suse, qui recipiuntur, se subjiciant, est Rex, says GROTIUS.

Fathers of Families are of three sorts, either a sole Landlord, as ADAM, and then he is an absolute Monarch; or a few Landlords,
of Popular Government.

AS LOT and ABRAHAM, with the Patriarchs of those days; who if they join’d not together, were so many Princes; or if they join’d, made a mix’d Monarchy; or, as Grotius believes, a kind of Commonwealth administ’d in the Land of Canaan by MELCHISEDEC, to whom as King and Priest ABRAHAM paid Tithes of all that he had. Such a Magistracy was that also of JETHRO, King and Priest in the Commonwealth of Midian. Fathers of Families for the third fort, as when the Multitude are Landlords (which happen’d in the division of the Land of Canaan) make a Commonwealth. And thus much, however it was out of the Prevaricator’s head in the place now deduced, he, excepting no further against the Balance than that it might confit as well in Money as in Land, had confit before.

His second Vagary is in his deduction of Empire from increase of Strength, for which we must once more round about our Coalshe. The Strength whereby this effect can be expected, confits not in a pair of Puffs, but in an Army; and an Army is a Beast with a great Belly, which subfits not without very large pastures: so if one man has sufficient pasture, he may feed such a Beast; if a few have the pasture, they must feed the Beast, and the Beast is theirs that feed it. But if the People be the Sheep of their own pastures, they are not only a flock of Sheep, but an Army of Lions, thro’ som accidents, as I confit before, they be for a season confinable to their dens. So the advantage or increase of Strength depends also upon the Balance. There is nothing in the world to swear this Principle out of countenance, but the fame of PHALARIS, GELEON, DIONYSIUS, AGATHOCLES, NABIS, &c. with which much good do them that like it. It is proper to a Government upon the Balance to take root at home, and spread outwards; and to a Government against the Balance to seek a root abroad, and to spread inwards. The former is sure, but the latter never successful. AGATHOCLES for having conquer’d Africa, took not the better root in Syracuse. Parvi sunt arma foras, nisi sit consilium domi.

To conclude this Chapter; the Prevaricator gives me this thanks for finding out the Balance of Dominion (being as antient in Nature as her self, and yet as new in Art as my Writing) that I have given the world cause to complain of a great disappointment, who, while at my hand that Satisfaction in the Principles of Government was expected, which several great Wits had in vain study’d, have in diversifying Riches in words only, as Property, Dominion, Agrarian, Balance, made up no more than a new Lexicon, expressing the same thing that was known before; seeing the opinion that Riches are Power is (as antient as the first Book of Thucydides, or the Politics of Aristotle, and) not omitted by Mr. Hobbes, or any other Politician. Which is as if he had told Mr. Harvey, that whereas the Blood is the Life was an Opinion as antient as Moses, and no Girl ever prick’d her finger, but knew it must have a course; he had given the world cause to complain of great disappointment in not shewing a Man to be made of Gingerbread, and his Veins to run Malmsey.
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CHAP. IV.

Whether the Balance of Empire be well divided into National and Provincial; and whether these two, or any Nations that are of distinct Balance, coming to depend upon one and the same Head, such a mixture creates a new Balance.

The Balance of Empire that is National, as it is stated in the former Chapter, stands in a regulated or mix'd Monarchy upon the Property or native Interest of the Nobility; in a Commonwealth, upon the Property or native Interest of the People; so these are very natural. But the Balance of absolute Monarchy, partaking of Force as well as Nature, is a mix't thing, and not much different from the Balance of Provincial Empire, or the manner of holding a Province or conquer'd Country. In a Province, if the Native that is rich be admitted to Power, the Power grows up native, and overtops the foren: thencefore you must either not plant your Citizens in your Provinces, where in time they will become native; or, so planting them, neither trust them with Power nor with Arms. Thus the provincial Balance comes to be contrary to the National. And as where Empire is native or national, the administration of it can be no otherwise than according to the national Balance; so where Empire is foren or provincial, the administration of it can be no otherwise than contrary to the national Balance. That this may be admitted without opposition the Con siderer is inclining to allow, always provided he be satisfied in this demand, Whether distinct Balances under the same Head or Governor, as those of Castile and Arragon, the Power of the King (I presume he means by the Balance of a Nobility) being greater in the one, and that of the People in the other, may not so poise one the other, as to produce a new Balance. To which I answer, That no one Government whatsoever has any more than one of two Balances; that, except in the cases excepted, of Land which is national, or that of Arms which is provincial. Wherefore if the King of Spain by his War against the Commons alter'd the Balance of Arragon, it must have bin one of two ways, either by strengthening the Balance of the Nobility, and governing the Arragonian People by them, in which case their Balance, tho' alter'd, remain'd yet National; or by holding both Nobility and People by a provincial Governor and an Army, in which case his Empire in that Kingdom is provincial. There is no third way; nor, putting the case that the Balance of Castile be national, and that of Arragon provincial, dos this any more create in the Monarchy of Spain a third Balance of Empire, than did the multiplication of Associations and Provinces, divers for their Balances, in the Commonwealth of Rome, England and Scotland being united in one Prince, made, if it had bin rightly us'd, an increas of Strength, but not a third Balance; nor do the Kingdoms in Spain. Whether a Soverainity has many Territoris and Provinces in subjection, or in League, it is all one as to this point; the stronger Union or League will give the stronger Balance; and the case of the present Soverainitys in Europe being no other, the more nice than wise Speculation of the Con siderer, who has not bin able to discern the Balance of a League from that of Empire, is a Mares neft.
of Popular Government.

CHAP. V.

Whether there be any common Right or Interest of Mankind distinct from the parts taken severally; and how by the Orders of a Commonwealth it may best be distinguished from privat Interest.

In the next place the Prevaricator dos not go about to play the man, but the unlucky boy. Where I say that the Soul of Man is Mistress of two potent Rivals, Reason and Passion; he dos not stand to weigh the truth of the thing, or the fittnes of the comparison, either of which had bin fair; but tumbles Dick upon Sic, the Logic upon the Rhetoric, the Sense upon the Figure, and scuds away in this manner: If I could be perswaded Mr. Harrington was so far in earnest, as to expect any man should be convinced by the metaphorical use of two or three words, some farther consideration might be propos'd. This is to urge his Readers as the Fox does the Dogs, when having pift upon his Tail, and slapt it in their Eyes, he gets away. Dos not his Book deserve to be gilded and carry'd in Statefens Pockets? Alas! mine are nothing? Quis leges habet vel duo vel nemo: they break the Stationer. And yet let me comfort my self, Whose are better? the Prevaricator seems to set every whit as light by those of Hooker and Grotius, at least where they favor me. The Opinions of Grotius, says he, cannot oblige us beyond the Reasons whereon they are founded; and what are those? he will dispute against that which he dares not repeat: that his Comment may take you by the Nose, he has left out the Text. The words of Grotius are of this sense: Tho' it be truly said that the Creatures are naturally carry'd to their proper Utility, this ought not to be by a Proven. In Proleg. de taken in too general a sense, seeing divers of them abstain from their own Profit, either in regard of those of the same kind, or at least of their Young. Which words, says the Prevaricator, carry a great restriction in them, and the way of producing Actions in Beasts is so different from the emansation of human Reason (mark the Impostor!) the Author is speaking of natural Affection, and he wipes out that, and puts in human Reason) that the Inferences from the natural Affection of the one, to the degree of Reason which is in the other, must needs be very weak. Excellent! dos it threfore follow that the eminent degree of Reason, wherewithal God has indu'd Man, mult in him deface that natural Affection, and deferrion in som cafes of privat for common good, which is apparent even in Beasts? What do reverend Divines mean to cry up this Infidel? Nay, is not he worse than an Infidel that provides not for his own Family? A Commonwealth is but a great Family; and a Family is a little Commonwealth. Even Beasts, in sparing out of their own mouth, and exposing themselves to danger for their young, provide for their Familys; and in providing for their Familys, provide for their whole Commonwealth; that is, forake in som things their privat good and safetey, for the good of the public, or of the kind. In this case it is that even Stones or heavy things, says Hooker, forake their ordinary wont or center, and fly upwards to relieve the distress of Nature in common: Wretch that he is, shall a Stone upon this occasion fly upwards, and will he have a Man to go down-
downwards! Yes, Mr. Hooker's Expression, says he, is altogether figurative; and it is easier to prove from thence that things wanting Sense make Discourses, and all by Election, than that there is such a thing as a common Interest of Mankind. This is like the rest, Hooker speaks of the necessity that is in Nature, and this Gentleman translates that Sense into the word Election. So because a Stone is necelluated to comply with the common interest of Nature, without Discourse or Election; therefore it rather follows from hence, that things wanting Sense make Discourses, and all by Election, than that there is such a thing as a common Interest of Mankind. His old trick. I do not say, that because it is so with the other Creatures, therefore it must be so with Man: but as we see it is with the Creatures in this part, so we find it to be with Man. And that so, and more than so, we find it to be with Man (who the he be evil, gives good things to his Children, will work hard, lay up, deny himself, venture his Life for his little Commonwealth) is thus further demonstrated. All civil Laws acknowledge that there is a common Interest of Mankind, and all civil Laws proceed from the Nature of Man; therefore it is in the Nature of Man to acknowledge that there is a common Interest of Mankind. Upon this acknowledgment of Mankind, a Man that steals is put to death, which certainly is none of his privat Interest; nor is a man put to death for any other Man's privat Interest: therefore there is a common Interest of Mankind distinct from the parts taken severally. But this, the acknowledgment in part by all Governments, yet thro' their natural frailty is nothing so well provided for in form as in others: for if the Power be in one or a few Men, one or a few Men, we know, may be Thieves, and the rather, because applying Mony that is public, without a consideration that is public, to uses that are privat, is thieving. But such Thieves will not be hang'd; in this case therefore the Government goes not upon public but privat Interest. In the frame of such a Government as can go upon no other than the public Interest, consifts that whole Philosophy of the Soul which concerns Policy: and this whole Philosophy of the Soul being througout the Commonwealth of Oceana demonstrated; for the Prevaricator to infinat that I have omitted it, is to shew what it is that he loves more than Truth. The main of this Philosophy consifts in depoying Paffion, and advancing Reason to the Throne of Empire. I expected news in this place, that this were to promife more for the Magistrat or the People than has bin perform'd by the Stoics; but two Girls, meaning no body any harm, have provok'd his Wrath, forsooth, to such extravagancy by the way, that tho' in all modesty it were forbid, as he confeffes, by their checks, which discovering the Green-ficknes, shew'd that they were past the rod, he has taken them up! Tantae animi caelestibus ira! What he may have in School-Divinity for so rude a charge, I do not know; but he shall never be able to shew any Maxim for this kind of Discipline or Philosophy of the Soul, either in Chevalry or the Politics. The offence of the Girls was no more, than that having a Cake (by the gift of an Uncle or Aunt, or by purchase, or such a one perhaps as was of their own making) in common, or between them, the one had most accurately divided, and the other was about to chufeth; when

Confid. P. 23. in cons this rude fellow: How now Gentlewomen, says he, What, dividing and chusing! Will no lefs serve your turn than the whole Mystery of a well-order'd Commonwealth? Who has taught you to cast away Paffion, as't please you,
of Popular Government.

like the Bran, and work up Reason as pure as the Flower of your Cake?

Are you acquainted with the Author of Oceana, that has seen four
Countries, convers'd with the Speculativi, learn'd of the most serene Lady
VENETIA to work with Bobbins, makes you a Majestry like a Pippin
Py, and sells Butterprints with S.P. Q.R.? Have don, as you dread
Ballad, saufy Pamphlets, or the Ostracism of Billingigate. Have don, I
say; will you say that green in your Cheeks with the purple of the State?
must your Mother, who was never there her self, seek you in the Ovew
Com, when I live to see MACCHIANEL in puspa, a Commonwealth
com out of a Bakehouse, where Smocks were the Boulter, let me be a Mil-
horse,—But now you must know coms the best Jeff of all, and I
need not say that it comes from Oxford; he tells them that their Cake is
Dow (let it not be lost I befeech you) and so snatching it away, eats
it, for all the world as Jackpudding eats the Cuffard. Did you ever
see such a Befia?

BUT whereas either office, that of dividing or chusing, was com-
municable to either of the Girls, it is not indifferent in the distribution
of a Commonwealth, because dividing is separating one thing, one
reason, one intereft, or consideration from another, which they that
can do discern in privat affairs are call'd different, but they that can do it
in public are prudent; and the way of this kind of dividing in the
language of a Commonwealth is Debating. But they that are capa-
ble of this kind of dividing or debating are few among many, that
when things are thus divided and debated, are able enough to chufe,
which in the language of a Commonwealth is to resolve. Hence it
is that the Debate of the Few, because there be but few that can de-
bate, is the wisest Debate; and the Result of the Many (because
every man has an Interet what to chufe, and that choice which futes
with every man's Interet, excludes the distinct privat Interet or
Paffion of any man, and so coms up to the common and public Inter-
et or Reason) is the wisest Result. To this end, God, who does no-
thing in vain, has so divided Mankind into the Few or the natural
Arbitocray, and the Many or the natural Democracy, that there can
hardly be upon any ocation a meeting of twenty men, wherein it
will not be apparent, or in which you may not fee all thofe Lines
which are requifit to the face of a beautiful Commonwealth. For
example, among any twenty men, occasionally met, there will be
som few, perhaps fix, excelling the fourteen in greatness of Parts.
These fix falling into difcourse of business, or giving their judgment
upon Perfons or Things, tho' but by way of mere Conversation, will
discover their Abilits; wherupon they shall be liven'd to and regard-
ed by the Fourteen; that is, the Six will acquire an Authority
with, and imprint a Reverence upon the Fourteen: which Action and
Paffion in the Roman Commonwealth were call'd Authoritas Patrum,
& Vereundia Plebis. Nevertheless if the Six indevor to extend the
Authority, which they find thus acquir'd, to Power, that is, to bring
the Fourteen to terms or conditions of Obedience, or such as would be
advantageous to the Few, but prejudicial to the Many; the Fourteen
will soon find, that confenting, they hurt not only themselves by in-
damaging their own Interests, but hurt the Six also who by this means
com to lose their Virtue, and fo spoil their Debate, which, while fuch
advantages are procurable to themselves, will go no further upon the
common Good, but their privat Benefit. Wherfore in this cafe they
will
will not consent, and not confecting, they preserve not only their own Liberty, but the integrity of the Six also, who perceiving that they cannot impair the common interest, have no other interest left but to improve it. And neither any conversation, nor any people, how dull soever and subject by fits to be deluded, but will soon see thus much, which is enough, becaufe what is thus propos'd by the Authority of the Six or of the Senat, and refovd by the Fourteen, or by the people, is enacted by the Whole, and becomes that Law, than which, tho Mankind be not infallible, there can be nothing less fallible in Mankind. Art is the imitation of Nature; by observation of such Lines as thefe in the face of Nature, a Politician limns his Commonwealth.

Confid. p. 26. But says the Prevaricator, the Paradigm thus in this, that the twenty men are first suppose'd to be a Commonwealth, and then it is consider'd how they would dispose of the Government. What is this? Art is the imitation of Nature; therefore Art presumes Nature to be Art. A Picture is the representation of a Face; therefore the Picture-drawer presume'd the Face to be a Picture; and in this fame, there is lying, being, or squattting, a thing call'd a Paradigm. Did you ever hear such a Raketifim? for to speake a word without understanding the fentence of it, is like a Parrat. And yet I wrong the Parrat in this comparifon; for thefe, tho thefe do not understand her felf, is understood by others, whereas neither can this Prevaricator tell what he means, nor any man else. Or riddle me, riddle me what is this? The fentence of want among men that are in equality of Power may beget a desire of exchange; as let me have your Horse, and you shall have my Cow, which is the fountain of privat Contracts: but it is not to be with reason imagin'd, that this should be enough to make a man part with a natural Freedom, and put himself into the hands of a Power from which he can afterwards have no shield, tho it should be us'd to his own destruction.

MOST victorious Nonfence! for he that says nothing, cannot be answer'd. It should seem, if the twenty men were indeed a Common-wealth, or in equality of Power, for so he puts the cafe, they might truck Horses and Cows, but not by any means consider, or once let it enter into their heads, how by Art to make good their natural Freedom: That (unless they let up a Prince, as you shall see anon) were to part with their natural Freedom, and put themselves into the hands of a Power from which (there being no other Power but themselves) they can afterwards have no shield. To read it throughly for the understanding, as is intimat'd in his Epiftle, will be more, I doubt, than his Book will obtain of any Reader. Yet is he, in his own conceit, as sure-footed as any Mule, and knows the Road. But Mr. Harrington has not left his way without company; his Brother Grotius complains, that they who treat of Jus Gentium, do commonly mistake some part of the Roman Jus Civile for it; and even so he laments (can't please you) that while men profess to consider the Principles of Government, they fall upon Notions which are the mere effects of Government. But as an Ape is the more ugly for being like a Man; so this Prevaricator, for making Faces like Grotius. I, who am complain'd of, deriving Government from the true Principle of the fame, in the Balance or Foundation, fer the Superstructures accordingly; and he who complains thereof, never so much as proposes any thing like a Principle or Superftructure, but runs altogether upon mere Notions:

Confid. p. 28. As where he asks me, What Security will you give, that the Six in their
of Popular Government.

Confisations shall not rather aim at their own advantage, than that of the Fourteen, and so make use of the eminence of their parts to circumvent the rest? In another place he can answer himself and say, that the Fourteen, or the People in this Constitutions, have the Vote and the Sword too. How then should the Six circumvent them? What Security has a Prince, that his People will not pull him out of his Throne? why, a Nobility or an Army: And are not the People in a Commonwealth their own Army? Is this to mind Principles? On the other side, how, says he, shall we satisfy them the Fourteen will not soon begin to think themselves wise enough to consult too, and making use of their excess in Power, pull the Six off their Cubitions? As if there were any experience public or privat, any fente or reason, that men having the whole Power in their own hands, would deprive themselves of Counsellors; or that ever a Commonwealth depos'd the Senat, or can depose the Senat, and remain a Commonwealth. The People of Capua being inrag'd to the full height, resolve'd and affembld together (the Senat, if the People will, being always in their power) on purpose to cut the throats of the Senators, when Pacuvius Calavius exhorted them that ere they went upon the design, they would first make election among themselves of a new Senat, which, the throats of the old being cut, might for the safety of the Commonwealth immediately take their places; for, said he, *You must either have a King, which is to be abhor'd, or whatever becomes of this, you must have some other Senat: for the Senat is a Council of such a nature as without it no free City can subsist.* By which Speech of Pacuvius, the People, who thought themselves, as the Considerer has it, wise enough to consult, being convince'd, fell to work for the Election of a succeeding Senat out of themselves (the Prevaricator should not tell me of Notions, but learn that in a Commonwealth there must be a Senat, is a Principle) while the People of Capua were intent upon chusing this new Senat, the Partys propos'd seem'd to them to be so ridiculously unfit for such an Office, that by this means coming to a nearer sight of themselves, they were secretly so fill'd with the shame of their Enterprize, that sinking away, they would never after be known so much as to have thought upon such a thing. Nor ever went any other People so far, not the Florovus themselves, tho' addicted to Innovation or changing of the Senat beyond all other examples. Sons of the University, Brothers of the College, Heads and Points; you love fine words. Whether tends to bring all things into servitude, my Hypothesis, or his Hypotheses? For says he, *I am willing to gratify Mr. Harrington with his partition of the twenty men into six and fourteen; but if I had bin in a humor of contradiction, it had bin as free for me to have said that some of the twenty would have exceed all the rest in Judgement, Experience, Courage, and height of Genius, and then told him, that this had bin a natural Monarchy, establish'd by God himself over Mankind: As if the twenty would give their Clothes or Money to the next man they meet wiser or richer than themselves, which before he deny'd; Oportet mendacem esse memorum.* God establish'd Kings no otherwise than by election of the People; and the twenty will neither give their Clothes nor Money: How then? why in coms a Gallant with a file

* Senatum omnino non habebo non vulsa: Quippe est Rex, quod abominandum; aut, quod libera civitatis Concilium est, Senatus habebus est. *
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Book I. of Musketeers; What, says he, are you dividing and chusing here? Go to, I will have no dividing, give me all. Down go the pots, and up go their heels: What is this? why a King! What more? by Divine Right! As he took the Cake from the Girls!

CHAP. VI.

Whether the Senatusconsulta, or Decrees of the Roman Senat, had the Power of Laws.

Among divers and weighty Reasons why I would have that Prince look well to his file of Musketeers, this is no small one, that he being upon no balance, will never be able to give Law without them. For to think that he succedes to the Senat, or that the power of the Senat may serve his turn, is a presumption that will fail him. The Senat, as such, has no power at all, but mere Authority of proposing to the People, who are the makers of their own Laws; whence the Decrees of the Senat of Rome are never Laws, nor so call'd, but Senatusconsulta. It is true that a King coming in, the Senat, as there it did, may remain to his aid and advantage; and then they propose not as formerly to the People, but to him, who coms not in upon the right of the Senat, but upon that of the People: whence says Justinian; *The Prince's Pleasure has the force of Law, since the People have by the Lex Regia concerning his Power, made over to him all their own Empire and Authority. Thus the Senatusconsultum Macedonicum, with the rest that had place allow'd by Justinian in compliment of the Roman Laws, were not Laws in that they were Senatusconsulta, or propo'd by the Senat, but in that they were allow'd by Justinian or the Prince, in whom was now the right of the People. Wherfore the Zealot for Monarchy has made a pas de clere, or foul step in his procession, where he argues thus out of Cujacius: It was soon agreed that the distinct Decrees of the Senat and People should be extended to the nature of Laws; therfore the distinct Decrees of the Senat are Laws, whether it be so agreed by the People, or by the Prince, or no. For thus he has no sooner made his Prince, than he kicks him heels over head; seeing where the Decrees of the Senat are Laws without the King, that fame is as much a King as the Prevaricator a Politician. A Law is that which was past by the Power of the People, or of the King. But out of the Light; in this place he takes a Welsh Bait, and looking back, makes a multer of his Victories, like the buffing Gadon, who, to shew what he had thrown out of the windows in his Debauchery, made a formal repetition of the whole Inventory of the House.

* Quod Principi placuit legis habet vigorem, quae lege Regia quae de eo in imperio Late est, Populis ei, & in eum omne imperium suum & poeystatem concedat.
Whether the Ten Commandments were propos'd by God or Moses, and voted by the People of Israel.

ONE would think the Gaffcon had don well; Is he satisfy'd? No, he will now throw the House out of the windows. The principal Founders being already taken from the Foundation, he has a bag of certain Winds wherewithal to reverse the Superstructures. The first Wind he lets go is but a Puff, where he tells me, that I bring Switzerland and Holland into the enumeration of the Heathen Commonwealths: which if I had done, their Liberties in many parts and places being more antient than the Christian Religion in those Countries (as is plain by Tacitus, where he speaks of Civilis, and of the Customs of the Germans) I had neither wrong'd them nor my self; but I do no such matter, for having enumerated the Heathen Commonwealths, I add that the Proceedings of Holland and Switzerland, tho' after a more obfuscure manner, are of the like nature. The next is a Storm, while reproaching me with Rudeness, he brings in Dr. Fern and the Clergy by head and shoulders, who till they undertake the quarrel of Monarchy, to the confusion of the Commonwealth of Israel, at least so far that there be no weight or obligation in such an Example, are posted. As if for a Christian Commonwealth to make so much use of Israel as the Roman did of Athens, whose Laws the transcrib'd, were against the Interest of the Clergy, which, it seems, is so hoftil to popular Power, that to say the Laws of Nature, tho' they be the Fountains of all Civil Law, are not the Civil Law, till they be the Civil Law; or thus, that thou shalt not kill, thou shalt not steal, tho' they be in natural Equity, yet were not the Laws of Israel or of England, till voted by the People of Israel, or the Parliament of England, is to assert the People into the mighty Liberty of being free from the whole moral Law; and, inasmuch as to be Adviser or Persuader of a thing, it les than to be the Author or Commander of it, to put an Indignity upon God himself. In which Foppery the Prevaricator, boating of Principles, but minding none, first confounds Authority and Command or Power; and next forgets that the dignity of the Legislator, or, which is all one, the Senat succeeding to his Office, as the Schedrim to Moses, is the greatest dignity in a Commonwealth: and yet that the Laws or Orders of a Commonwealth derive no otherwise, whether from the Legislator, as Moses, Lycurgus, Solomon, or the Senat, as those of Israel, Lacon, or Athens; than from their Authority receiv'd and confirm'd by the Vote or Command of the People. It is true, that with Almighty God it is otherwise than with a mortal Legislator, but thro' another Nature which to him is peculiar, from whom as he is the cause of being, or the Creator of Mankind, Omnipotent Power is inseparable; yet so equal is the good-ness of this Nature to the greatness thereof, that as he is the cause of wellbeing by way of Election, for example in his Chosen People Israel, or of Redemption, as in the Christian Church, himself has prefer'd his Authority or Proposition before his Empire. What else is the meaning
meaning of these words, or of this proceeding of his? Now therefore if ye will obey my Voice indeed, and keep my Covenant, ye shall be to me a Kingdom, or I will be your King; which Proposition being voted by the People in the Affirmative, God proceeds to propound to them the ten Commandments in so dreadful a manner, that the People being exceedingly aghast, say to Moses, Speak thou with us, and we will hear thee: that is, be thou henceforth our Legislator or Propositor, and we will resolve accordingly; but let not God speak with us, left we die. From henceforth God propounds to the People no otherwise than by Moses, whom he instructs in this manner; These are the Judgments which thou shalt propose or set before them. Wherfore it is said of the Book of Deuteronomy, containing the Covenant which the Lord commanded Moses to make with the Children of Israel in the Land of Moab, besides the Covenant which he made with them in Horeb: This is the Law which Moses set before the Children of Israel. Neither did God in this case make use of his Omnipotent Power, nor Christ in the like, who also is King after the same manner in his Church, and would have bin in Israel, where when to this end he might have mustered up Legions of Angels, and bin victorious with such Armies, or Argynsides, as never Prince could shew the like, he says no more than, O Jerusalem, Jerusalem, how often would I have gathered thee and thy Children, as a Hen gathers her Chickens under her wings, and ye would not: where it is plain that the Jews rejecting Christ, that he should not reign over them, the Law of the Gospel came not to be the Law of the Jews; and so if the ten Commandments came to be the Law of Israel, it was not only because God propos'd them, seeing Christ also propos'd his Law, which nevertheless came not to be the Law of the Jews, but because the People receiv'd the one, and rejected the other. It is not in the nature of Religion that it should be thought a profane saying, that if the Bible be in England, or in any other Government, the Law or Religion of the Land, it is not only because God has propos'd it, but also because the People or Magistrat has receiv'd it, or resolv'd upon it; otherwise we must set lighter by a Nation or Government than by a privat Person who can have no part nor portion in this Law, unless he vote it to himself in his own Conscience, without which he remains in the condition he was before, and as the Heathen, who are a Law to themselves. Thus wheras in a Covenant there must be two Partys, the Old and New Testament being in sum the Old and New Covenant; there are that Authority and Proposition of God and Christ, to which they that refuse their Vote or Refusl may be under the Empire of a Clergy, but are none of his Commonwealth. Nor, seeing I am gon to far, dos this at all imply Freewill, but, as admirably observ'd by Mr. Hobbs, the freedom of that which naturally precedes Will, namely, Deliberation or Debate, in which, as the Scale by the weight of Reason or Passion comes to be turn'd one way or other, the Will is caus'd, and being caus'd, is necessitated. When God comes in thus upon the Soul of Man, he gives both the Will and the Deed; from which like Office of the Senator in a Commonwealth, that is, from the excellency of their Deliberation and Debate, which prudently and faithfully unfolded to the People, dos also frequently cause and necessitate both the Will and the Deed. God himself has said of the Senator, that they are Gods: an expression, tho divine, yet not unknown to the Heathens; Homo
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hominis Deus, one man, for the excellency of his Aid, may be a God to another. But let the Prevaricatore look to it; for he that leads the blind out of his way, is his Devil.

For the things I have of this kind, as also for what I have said upon the words Chiriontonia and Ecelesfia, the Prevaricatore is delighted to make me beholden underhand to Mr. HOBES, notwithstanding the open enmity which he says I profest to his Politics. As if JOSÉPHUS upon that of SAMUEL, They have not rejected thee, but they have rejected me 1 Sam. 8. 7; that I should not reign over them, had not said of the People (ονοματεραν και μακάδαν) that they unchristoniz'd or unvoted God of the Kingdom. Now if they unchristoniz'd or unvoted God of the Kingdom, then they had christoniz'd or voted him to the Kingdom; and if not only the Doctrin that God was King in Israel by Compact or Covenant, but the use of the word Chirononia also in the sense I understand it, is more antient than Mr. HOBES. I might add that of CÆPELLUS, * God was a Political King and Civil Legislator of the Jews. And for the use I have made of the word Ecelesfia, as no man can read such as have written of the Grecian Commonwealths, and mis it, so I do not remember that Mr. HOBES has spoken of it. To these things fuller satisfaction will be given in the second Book; which nevertheless I do not speak to the end I might wave Obligation to so excellent an Author in his way. It is true, I have oppos'd the Politics of Mr. HOBES, to shew him what he taught me, with as much disdain as he oppos'd tho'f the greatest Authors, in whose wholom Fame and Doctrin the good of Mankind being concern'd, my Conscience bears me witness that I have don my duty. Nevertheless in most other things I firmly believe that Mr. HOBES is, and will in future Ages be accounted the best Writer, at this day, in the world. And for his Treaties of human Nature, and of Liberty and Necessitie, they are the greatest of new Lights, and those which I have follow'd, and shall follow.

CHAP. VIII.

Whether a Commonwealth coming up to the perfection of the kind, com not up to the perfection of Government, and has no flaw in it.

WHAT a Commonwealth coming up to the perfection of the kind is, I have shown both by the definition of an equal Commonwealth, and the Exemplification of it in all the parts.

The Definition is contain'd in the first of my Preliminary; which, because it is short, I shall repeat.

An equal Commonwealth is a Government established upon an equal Agrarian, arising into the Superstructures or three Orders, the Senate debating and proposing, the People resolving, and the Magistracy executing, by an equal Rotation, or interchangeable Election, thro' the suffrage of the People given by the Ballot. The Exemplification is the whole Commonwealth.

The Prerogative

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C H A P. VIII.

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Book I.

wealth of Oceana. Each of which by him, who, if his Doctrine of pure and absolute Monarchy be observ’d, can be no Englishman, is call’d an Irish Bag; as in form so in fact it is, seeing the Prevaricator has fet never a foot in it that will stand, nor has more to say, than that Where there is one ambitious poor man, or one vicious rich man, it is impossible there should be any such Government as can be secure from Sedition.

WHICH, First, is rather to make all Governments ineffectual, or to make all Governments alike, than to object against any, seeing that there should not be one ambitious poor man, or one vicious rich man, is equally, if not more, improbable in a Monarchy than in a Commonwealth.

SECONDLY, That one man alone, whether he be rich or poor, should without a Party be able to disturb a Commonwealth with Sedition, is an absurdity; nor is such a party, as may be able in some sort to disturb the Peace by robbing upon the Highway, or from such disorder, always able to disturb a Government with Sedition. Whereas this feat goes not so much upon the ability of any one man, rich or poor, as the Power of the Party he is able to make; and this strength of the Party goes upon the nature of the Government, and the content or discontent then deriving to the Few, or the Many. The Disscontents, whether of the Few or the Many, derive from that which is, or by them is thought to be, an bar to their Interest; and those Interests which are the causes of Sedition are three, the desire of Liberty, the desire of Power, and the desire of Riches; nor be there any more: for where the People thro want of Bread, thro Violence offer’d to their Women, or Oppression, rise up against their Governors, it relates to the desire of Liberty; those also under the name of Religion make not a fourth, but come to one of the three.

NOW to speak in the first place of the Many, and anon of the Few; the People in an equal Commonwealth have none of these three Interests: Not the desire of Liberty, because the whole Frame of an equal Commonwealth is nothing else but such a method whereby the Liberty of the People is secured to them: Not of Power, because the Power which otherwise they could not exercise, is thus effaced in them: Nor of Riches, because where the Rich are so bounded by an Agrarian that they cannot overbalance (and therefore neither oppress the People, nor exclude their Industry or Merit from attaining to the like Estate, Power, or Honor) the whole People have the whole Riches of the Nation already equally divided among them; for that the Riches of a Commonwealth should not go according to the difference of mens Industry, but be distributed by the Poll, were inequal. Whereas the People in an equal Commonwealth having none of those Interests which are the causes of Sedition, can be subject to no such effect.

To affirm then with the Considerer, that the whole of this Liberation is reduc’d to the want of Power to disturb the Commonwealth, must needs be a mistake, seeing in the Commonwealth propos’d the People have the Power, but can have no such Interest; and the People having no such Interest, no Party can have any such Power, it being impossible that a Party should come to overbalance the People, having their Arms in their own hands. The whole matter being thus reduc’d to the want of Power to disturb the Government; this, according to his own Argument, will appear to be the Liberation in which the Power, whereof...
of Popular Government.

the Governor is possess'd, so vastly exceeds the Power remaining with those who are to obey (which in case of contest must be so small a Party) that it would be deferentially unreasonable for them to hope to maintain their cause. If the true method then of attaining to perfection in Government be to make the Governor absolute, and the People in an equal Commonwealth be absolute, then there can be none in this Government, that upon probable terms can dispute the Power with the Governor, and so this State by his own Argument must be free from Sedition. Thus far upon occasion of the ambitious poor Man objected. I have spoken of the Many; and in speaking of the Many, implicitly of the Few: for as in an equal Commonwealth, for example in England during the Peerage or Aristocracy, the Many depended upon or were included in the Few; so in an equal Commonwealth the Few depend upon or are included in the Many, as the Senat of Venice depends upon, or is included in the Great Council, by which it is annually elected in the whole or in some parts. So what was said in an equal Commonwealth of the Many or the poorer part, is also said of the Few or of the Richer; who, thro' the virtue of the Agrarian, as in Oceana, or of other Orders suppling the defect of an Agrarian, as in Venice, not able to overbalance the People, can never have any Power to disturb the Commonwealth in case they had such an Interest, nor can have any such Interest in case they had such Power. For example in Oceana, putting the case that the Few were as powerful as it is possible they should be; that is, that the whole Land was fallen into five thousand hands: The five thousand, excluding the People, could get no more Riches by it, because they have the whole Land already; no more Liberty by it, because they were in perfect Liberty before; nor any more Power by it, because thro' the equality of the Balance, or of their Estates, they can be no more by themselves than an equal Commonwealth, and that they were already with the People: but would be much less, the Power or Commonwealth, in which there be five thousand Equals, being not greater, but much less than the Power or Commonwealth wherein the whole People are equal; because the Power or Effect of a greater People is proportionally greater than the Power or Effect of a lesser People, and the Few by this means would get no more than to be the lesser People. So the People being no bar to the Riches, Liberty, nor Power of the five thousand, and the desire of Liberty, Riches, and Power, being the only causes of Sedition; there could arise no Sedition in this Commonwealth by reason of the Nobility, who have no such Interest if they had the Power, nor have any such Power if they had the Interest, the People being equally possess'd of the Government, of the Arms, and far superior in number. In sum, an equal Commonwealth consists but of one hereditary Order, the People, which is by election divided into two Orders, as the Senat and the Congregation in Lacedemon, or the Senat and the Great Council in Venice; for the Gentlemen of Venice, as has bin often said, are the People of Venice, the rest are Subjects. And an unequal Commonwealth consists of two hereditary Orders, as the Patricians and Plebeians in Rome, whereof the former only had a hereditary Capacity of the Senat: whence it comes to pass that the Senat and the People in an equal Commonwealth having but one and the same Interest, never were nor can be at variance; and that the Senat and the People in an unequal Commonwealth having two distinct Interests,
terefts, never did nor can agree. So an equal Commonwealth cannot be seditious, and an unequal Commonwealth can be no other than seditious.

If a man be resolv'd, as the Con fierer is, to huddle these things together, there is no making any thing of this kind of Policy; of which thencefore it will be a folly to talk. For example, Lacedemon is either to be consider'd as not taking in the Helots; and then in her self she was an equal Commonwealth void of any Sedition, or cause of it, how much soever she were troubl'd with the Helots: So the Objection made by him, of her Troubles by the Helots, is imperiously urg'd, to shew that she was a seditious Commonwealth; Or if he will needs have it, that she took in the Helots, it is undeniable that she took them in unequally, and so was unequal; whence the Troubles by the Helots must needs be imperiously urg'd against an equal Commonwealth.

AGAIN, when I allege Venice from Piero Gradengo, that is, for the space of about four hundred years from the present date, at which time the Reformation, yet in force, began, as an Example of an equal Commonwealth; for him to instance in the times before, when tho the Commonwealth, according to the intention, was as equal as now, yet being not bound by sufficient Orders to give her self Security of her native Liberty, her Dukes on the one side did what they pleas'd, and the inrag'd People on the other side banished, condemn'd to death, or murder'd them; who sees not the Impropriety? Indeed he blushes at it himself. Wherefore my Assertion being not yet knock'd on the head, he promises to kill it better, first by the example of Lacedemon leaving out the Helots, and next by that of Venice since the time of Piero Gradengo.

FOR the first you must know that once upon a time there was a quarrel between Cleomenes and Demaratus Kings of Lacedemon about Succession, which was determin'd by the Ephors, that is, by a Court of Justice, and not by the Sword; the like happen'd in Leotychides the known Baltard of Alcibiades, or so confess to be by his Mother to divers of her Maids. Now this is a Maxim in the Politics, Where the differences of Kings can go no farther than a Court of Justice, there the Government is seditious. Most ridiculous! Is there a stronger Argument that such a Government is not seditious? No matter, give him room; Much more fatal was the contest between Cleonymus and his Brother Areus the Son of Acrotatus, by whose War Zarax was ruin'd, and Pyrrhus came into the game, who besieged the Capital City: the Reign of Agis and Cleomenes was so full of turbulence, as would put a man out of breath to relate. Fair and softly: was not all this after Lysander, and the Spoils of Athens had broken the Agrarian, and so ruin'd Lacedemon? I affirm there can be no Sedition in an equal Commonwealth; and he to oppose me, shews that there was Sedition in an unequal one; whether does this affirm his Assertion or mine?

BUT for better luck in Venice. This City by Mr. Harrington's own confession is possess of several Advantages. Yes, I say that the Commonwealth of Venice, thus seated, is like a man in a Citadell, who thereby may be the safer from his Enemies, but ne're a whit the safer from diteales. What conclusion would you expect he should infer from hence? Why among these therefore there is good cause to reckon her

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Immunity from Seditions: Does not our Logician repeat faithfully, and Chap. 8.
dispute honestly? Again, Sir, he is like a Ship ready to be boarded by
Pirates, has the Turk on this Frontier, the Pope on that, the King of
Spain on another. As if this were an Argument every Government
must not be void of Sedition, seeing there is none except they be Islands,
whose Frontiers are not bounded by the Territories of other Princes.
Well, but since the last Reglement (in English, Reformation) in the
time of Gradignigo, you have had three Seditions in Venice, that
of Marino Boccioni, that of Baiamonte Tiepolo,
and that of Marino Faliero.

BODIN has bin long since beaten for this like Stockfish, and yet our
Author will be serving it up for a Courtly dill. Bocconi
would have kill’d the Duke, but was hang’d before he could do it. Fel-
ton kill’d a Duke that had greater power here than the other in
Venice, and was hang’d afterwards, therefore England was a seditious
Government; for this must either be undeniable for Felton’s fake,
or why must the other be so for Bocconi’s? Again, Faliero
and his Complices would have destroy’d the Great Council, but were
hang’d before they could do it. Vaux and his Accomplices would
have blown up the Parliament, but were hang’d before they could do
it; therefore England was in this relation a seditious Government, else
why was Venice? There_SEA not a month but there dy Rogues at
Tyburn, is the Government therefore seditious? or is this one regard
in which it is not? Where all that fo invade the Government are by
virtue of the fame brought to that end, there the Commonwealth,
or the Orders of it, are not the cause but the cure of Sedition; and
so these are undeniable Arguments that Venice is not seditious, where
since the Reformation, there has not bin a cut finger upon this score,
save only thro the conspiracy of Baiamonte, which indeed came
to blows. Nor for this yet can Venice be call’d a seditious Com-
monwealth. You find no man accusing Rome of Sedition, in that she had
a Manlius or a Melius that dangerously affected Monarchy,
because to thefe her Orders, by which they suffer’d Death, as soon ap-
ply’d the Remedy. But Rome was a seditious Commonwealth, be-
cause the perpetual feud that was between the Senat and the People
sprung out of her Orders, and was that to which there was no Re-
medy to apply. England was not a seditious Government because it
had a Vaux of a Felton, but because the Power antiently of
the Nobility, and late of the People, was such by the Orders of the
fame as might at any time occasion Civil War. Put the case a Slave
or some desperat fellow has kill’d the Great Turk, the Govern-
ment for that cannot be said to be seditious, but in this, that thro the
very nature of the Policy, the Janizarys at any time may do as much,
it is undeniable seditious. Baiamonte’s Conspiracy he will not
say was of this nature. It was not a Diseafe in the Bones of the Com-
monwealth, but a thing that no sooner appear’d, or broke out (tho
it be true, there happen’d a little scratching first) than it fell off like a
Seab; such an accident may befall the belt Constitution, and Venice
never had the like but once: if he could say as much of a Monarchy,
he gains no advantage; yet let him say it, and prove it, I give him
all. I omit many Fallhoods and Absurdities in the proceeding of the
Prevaricator, as where he intimats the Power of the Dukes to have
bin that whereby Venice gain’d I know not what, and yet to have
bin
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Book I.

bin that also by which FALE R T O had like to have spoil'd all: each
of which, the Duke of Venice having no power at all, is known to
be false. Why should I stay to put you in mind that having affirm'd
Venice to derive her Immunity from intestine Discord no other wise
than a Ship that is ready to be boarded by Pirates, he instances in such
examples to the contrary, as took occasion by the hair of a foren
scalp, while in those of BOC CONI and TIEPOLO the Common
wealth by her Wars with the Genefoes and Ferrara, was put to her
plunges, and in that of FALE R T O reduce'd to the last extremity? I shall
only note, that if such sudden flashes as these may com under the name
of Sedition, he has don a fine Office for Monarchy, seeing no Senat is so
much expos'd to like blows as any Prince.

W E L L ; but for all this it is confest that there may be such a thing
as a feditous Commonwealth, in that the feud between the Senat and
Confid. f. 48. the People of Rome could not be cur'd; What Security, says he, will
you give us, that the like may not happen in Oceana, or that the whole
body of the People being intrusted with giving a Vote, and keeping a Sword,
may not by way of Counsil or Arms, fall to such work as levelling the five
thousand, or bringing the Agrarian from two to one thousand pounds a year,
or less, as they fancy?

T O which I answer by a like question, What security will he give
me that the People of any Commonwealth shall not cast themselves
into the Sea? A Prince may be mad, and so do, but the People are na-
 turally incapable of such madness. If men will boast of their know-
ledge in Principles, and yet talk of nothing but effects, why may not a
Man fly as well as a Bird? but if Cauties may be regarded, let him
once shew how the Will, seeing it is not free, nor mov'd without som
Object, should move the People in such a manner; or for what, they
having all the Liberty and all the Power that can be had, should it
arrive? Well, that is soon don, for the Land may com into the hands of
five thousand, and so the Booty may be great, and the resistance small.
Good: The Romans being the wisest of all People, went no further
towards the Remedy of their Grievances, than to strive for the intro-
duction of an Agrarian, in which they faint'd too, even to the de-
struction of that Government. Except these, none have bin so wise;
and if there be any such thing familiar with the nature of the People,
why appear'd it but once, and then vanish'd without effect? why did
not the People for example under the late Monarchy (when the Domi-
nion or Freehold of the Nation, by greater shares, was in a smaller
Party, and they had not only Riches, but Liberty and Power too, to
what them on) ever so much as think of levelling three hundred Men?
for the Nobility and Clergy, in whom was the Balance, were no more.
If it be reply'd that the People were not arm'd; by whom did the
Barons make War with the Kings? If they were not trust'd with a
Vote; what was that of the House of Commons? Let Domi-
nion or Freehold stand upon what balance you will, inequal or equal,
from the beginning of the world you shall never find a People turning
Levellers. And as Reason is Experience in the root, so Experience is
Reason in the branch, which might therfore be sufficient in the case.
Nevertheless for clearer satisfaction in a point of such concernment,
I shall endeavor to dig up and discover the root of this branch, or
the reaon of this Experience. That which in Beats is Inintinct,
wherof they can give no account, is in it self that Wisdom of God

4

wherby
of Popular Government.

wherby he provides for them; so it is with the People, they are not Levellers, nor know they why, and yet it is, because to be Levellers were to destroy themselves. For, seeing I must repeat, to repeat briefly; There is no Territory of any Extent and Populoutness where the Revenue of Industy is not twice as much as the dry Rent. This has bin demonstrated in Oceana. The Revenue of Industy is in thofe that work, that is, the People: Wherfore the Revenue of the People, where their Industy is not obftructed, is twofold to that of the Nobility, holding the whole Territory in Freehold. But where their Industy is obftructed, their Revenue is nothing. Civil War being of all other the greatest Obftruction of Industy, the People in taking Arms must venture all they have, for that, which if they obtain they lofe two for one; and if they obtain not, all for nothing. Wherfore a People never will, nor ever can; never did, nor ever shall take Arms for Levelling. But they are intrufed with a Vote; and therefore taking away the Lands of the five thousand, or diminishing the Agrarian by way of Counfil, they need not obftruct their Industy: but, preferring the Revenue of that, may bring themselves into the pofteflion of the Land too. This will they, this can they lefs do, because being in Counfil they must propofe fonfthing for the advantage of the Commonwealth, or of themselves, as their end in fuch an Action. But the Land coming to be in the pofteflion of five thousand, falls not into a number that is within the compafs of the Few, or fuch a one as can be Princes, either in regard of their Number, or of their Estates; but to fuch a one as cannot confent to aboli fh the Agrarian, because that were to confent to rob one another: nor can they have any Party among them, or againft their common Intereft, strong enough to force them, or to break it; which remaining, the five thousand neither are nor can be any more than a Popular State, and the Balance remains every whit as equal, as if the Land were in never so many more hands. Wherfore the Commonwealth being not to be better’d by this means, the People by Counfil can never go about to level, nor diminish the Agrarian for the good of the Commonwealth. Nor can they undertake it for the enrichment of themselves, because the Land of Oceana, as has bin demonstrated, being level’d or divided equally among the Fathers of Familys only, comes not to above ten pounds a year to each of them, whereas every Footman cofis his Master twenty pounds a year; and there is not a Cottager having a Cow upon the Common, but with his own Labor, at one flilling a day, gets twenty pounds a year; which, the Land being level’d, were imposfible, because there would be no body able to let a Laborer on work, or to keep a Servant: wherfore neither would, nor could the People by Counfil go about any fuch buinfefs. So there being no poffible caufe of Difagreement between the Few and the Many, the Senat and the People, there can be no fuch effeft; whence this is the Government, which being perfectly equal, has fuch a Libration in the frame of it, that no man in or under it can contrive fuch an Intereft or Power, as fhou’d be able to difurb the Common- wealth with Sedition. Yet after all this, the Prevaricator will only tell Counsil, p. 57.

Mr. Harrington (for to deny the Conclusion is a fair way of disputing) that this Libration is of the fame nature with a Perpetual Motion in the Mechanics. But let me tell him, that in the Politics there is nothing mechanic, or like it. This is but an Idiotim of Tom Mathe- matician
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Book I. mathematician resembling his, who imagin’d the Stream of a River to be like that of his Spigget.

Rusticus exspectat dum deflant annis, at ille
Labitur & labetur in omne volubilitate currum.

The silly Swain upon a River flood,
In hope the rolling bottom of the Flood
Would once unmind it self, whose liquid Crew
The silver Thred for ever shall renew.

THE Mathematician must not take God to be such a one as he is,
Is that of the Sun, of the Stars, of a River, a perpetual Motion?

Even so one Generation goes and another comes. Nature, says GALEN,
has a tendency to make her Creature immortal, if it were in the capacity
of the matter on which she has to work; but the People never dys. This
motion of theirs is from the hand of a perpetual Mover, even God
himself, in whom we live, and move, and have our being; and to this
Current the Politician adds nothing but the Banks, to which end, or
none, the fame God has also created human Prudence. Wherefore
there is not any thing that rais’es it self against God or right Reason,
if I say that it is in human Prudence so to apply these Banks, that
they may stand as long as the River runs; or let this Considerer
consider again, and tell me out of Scripture or Reason, why not.
Mathematicians, it is true, pretended to be the Monopolists of Demon-
stration; but speak ingenuously, have they, as to the Politics, hi-
therto given any other Demonstration, than that there is a difference be-
tween Seeing, and making of Spectacles? Much more is that comparion
of the Politics, going upon certain and demonstrable Principles, to
Astrologers and Fortunetellers, who have none at all, vain and inju-
rious. For as in relation to what DAVID has said, and Experience
confirm’d, of the Age of Man, that it is three-score years and ten; I
may say, that if a Man lyes bedrid, or dys before three-score years and
ten, of any natural Infirmity or Diseafe, it was not thro’ any imper-
fection of Mankind, but of his particular Constitution: So in rela-
tion to the Principles and Definition of an equal Commonwealth
yet unshaken, may untouch’d by this Prevaricatior, I may safely affirm,
that a Commonwealth is a Government, which if it has bin sedious,
it has not bin from any imperfection in the kind, but in the particular
Constitution, which where the like has happen’d, must have bin in-
equal. My Retreat to these Principles is call’d running into a Bog; as
if such as have no Principles were not Bogs, Infirmis limus, Stygiaque
paludes.

CHAP.
CHAP. IX.

Whether Monarchy coming up to the perfection of the kind, comes not short of the perfection of Government, and has not some flaw in it. In which is also treated of the Balance of France; of the Original of a landed Clergy; of Arms, and their kinds.

ON Monarchy I have said, that whereas it is of two kinds, the one by Arms, the other by a Nobility; for that by Arms, as (to take the most perfect model) in Turkey, it is not in Art or Nature to cure it of this dangerous flaw, that the Janizaries have frequent Interest, and perpetual Power to raise Sedition, or tear the Magistrat in pieces. For that by a Nobility, as (to take the most perfect Model) of late in Oceanus, it was not in Art or Nature to cure it of that dangerous flaw, that the Nobility had frequent Interest and perpetual Power by their Retainers and Tenants to raise Sedition, and levy War: whencesoever I conclude that Monarchy reaching the perfection of the kind, reaches not the perfection of Government, but must still have some dangerous flaw in it.

This place (for I did not intend but to make work for a Tinker) could not be of less concernment, than it proves to the Prevaricator, who, as if he were oblig'd to mend all, falls first to patching with a Monarchy by Arms, then with a Monarchy by a Nobility; at length despairing, throws away each, and betakes himself with egregious confidence, to make out of both a new Monarchy, which is neither. By observation of these three flourishes, the present Chapter may be brought into some method. The first blow of his Hammer, or that whereby he intends the flaw or hole in Monarchy by Arms shall henceforth be mended and tite, is this: That the Guards of the King's Condescension in France, must be not much beyond the necessity of security; that they be not suffer'd to stagnate at Court, but be by a perpetual circulation drawn out upon service; and chiefly that they consist not of one whole Body united under the same Head, but be divided into distinct Parties and Commands; as we may see in France, where the (in proportion to the extent of their Dominions) the King's Guards be more numerous than those of the Roman or Turkish Emperors; yet being divided into distinct Bods of French, Scots and Switzers, under their several Colonels and Captains, they have never bin the Authors of any the least Sedition. And in Turkey of late years they begin to learn the Art of poisoning the Janizaries by the Spahis, and so have frequently caused the danger of their Mutinies. Which fine work at first view goes upon this false ground, that the Foundation of Monarchy by Arms is laid upon the Prince's Guards, or the Court Militia, whereas Monarchy by Arms consists in no other Balance than the Prince being sole Landlord, which, where imperfect, as it was in that of the Roman Emperors, the Empire is the most troubled, and where perfect, as in Turkey, the Empire is less sedulous. For that which he says of France, it relates to Monarchy by a Nobility; and therefore is not to be confounded, according to his method, with this, but refer'd to the next branch.
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A S to Monarchy by Arms, tho' it be true that the balance of Dominion in any of the three kinds may be said to be natural, in regard of the effect; yet seeing God has given the Earth to the Sons of Men, that of a sole Landlord, as Turky, is not so natural in the cause or foundation, as the Timars, and therefore requires the application of some kind of force, as the Janizars, who are not the root of the Government, that being planted in the Earth of the Timars, or military Farms and Colonys (for that the Janizars are not the Foundation of this Empire, which was founded long before, is plain, in that this Order was not introduced till Amurath the Second) but the Dragon that lies at that root, and without which the Fruit would fall into the mouths of the Timariots by way of Property (as when the Knights Fees granted first for life, became afterwards hereditary in Oceana) which would cause such a fall from Monarchy, that it would become, as we have seen, the rise of popular Power (the Lots, in case this should happen, of the Timariots, little differing from those divided by Joshua to the Children of Israel) wherefore when this happens in the Turkish Monarchy, it is at an end. And that this does not happen, tho' there be divers other concurrent Policies, I would have any man shew me, how it could be but for the Janizars. Otherwife it is plain that the Janizars being a flying Army, on wing at all games, and upon all occasions, are not so much the Guard of the Prince, as of the Empire; which ruin'd, the Prey falls to the Timariots, as those that are in possession, except those be ruin'd too, who being all Horle, and far greater in number than the Janizars that are Foot, would (in case the aw of the Prince, and the Policy of the Government which holds them divided, were broken) be invincible by the Janizars, who nevertheless by these aids can easily contain them. Whence the Sedition of the Janizars, like that of a Nobility, may be dangerous to the Prince, but never threatens the Throne; whereas the Sedition of the Timariots, like that of a People, would be more against the Throne than the Prince. These things consider'd, and in them the Nature, Constiution, or Disease of Monarchy by Arms, we may consult the more rationaly with the Considerer upon the Applications or Remedys by him offer'd, which are three.

FIRST, That the Guards of the King's Person be not increas'd beyond the necessity of Security. But of what Security, that of his Person, or of his Empire, or of both? for speaking of a Monarchy by Arms, in this latter sense only it is true; and if, then this singular Maxim of State (Frastra sit per pluram, quod fieri posset per punctum) might have bin spar'd (Cela s'en va sans le dire, comme les heures de notre cœu.)

SECONDLY, That they be not suffer'd to flagrant at Court, but be by a perpetual circulation drawn out upon service; for if there be not perpetual service, it should seem, men might be apt to think that Government was instituted for Peace as well as War. I add no more than is imply'd in his words, which as to this of Turky have chance'd well; where not the Stagnation for the Janizars only, but of the Court it self (which by the infirmitie should always be in exercise of Arms) is the caufe of that present decay, so perceivable in this Empire. But the Prince fitting still or flagrantly, to what the Circulation of the Janizars (whose Alienation from the Government, or Intelligence with the Timariots, must needs be of dangerous consequence) could tend,
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...should have bin thought on: otherwise to expose the Empire to Chap. 9. danger for the safety of the Prince, is no cure of the Government.

BUT his chief Remedy remains: This Court Militia must not consist of one entire body united under the same head, but be divided under several Colonels, Captains, Parties, Brigades, and distributed to several Quarters. As if this were a cure, there were any Army that could be mutinous: but where he says, not united under the same Head, he intimates perhaps divers Generals, and divers Armies; now such are the Turkifh Beglerbegs, and the Provinces under their Governments. That these therefore be kept divided, so that not any two of them can lay their heads together without having them cut off, nor any Son succeed the Father in Government, requires that there be always a sufficient force (dilinct from the Interel of the Timariots and Beglerbegs) united, and still ready upon occasion of this service; and the Janizaries with the Spahis or Court-Horse being united, are no more than sufficient for this service. Wherefore if these also were so divided as thereby to be weaken’d, they could not be sufficient for this service; and their division, except such as might weaken them, would be of no security to the Prince. That the Provinces, under this aw, are less apt to rebel, than the Court-Guards to mutiny, is no wonder; but the Court-Guards being cur’d by the prescription of this Physician, of the possibility of Mutiny, which without weakening them is impossible, the Provinces, if Liberty, or Riches, or Power be desirable, would never indure the yoke of this Government. Wherefore it being inavoidable in the Turkifh Empire, that either the Janizaries, or the Timariots may do what they list (in regard that whether of them be able to give Law to the other, must at the same time be able to give Law to the Prince; and to bring them to an equal Balance, were to make a Civil War, or at leaft to sow the Seed of it) the native Wound of Monarchy by Arms remains incur’d and incurable. What more may be done for Monarchy, founded upon a Nobility, comes next to be try’d. In this the Confiderer gives his word, that there never rises any danger to the Crown, but when either a great part of the Sovereign Power is put into the hands of the Nobility, as in Germany and Poland (where it should seem by him, that the ElecKrs and the Gentry do not put Power into the hands of the Emperor, or King, but the Emperor or King puts Power into the hands of the ElecKers or Gentry) or when som Person or Family is suffer’d to overtop the rest in Riches, Commands, and Dependence, as the Princes of the Blood and Lorraine, not long since, in France; and of old the Monteforts and Nevils in England. The firft of these he declares to be a vicious Government, and a Monarchy only in name: The second he undertakes shall easily admit of this Remedy: That the great ones be reduce’d (decimo sexto) to a lesser Volumen, and level’d into an Equality with the rest of their Order.

His Pupin is pretty: The Emperor puts Power into the hands of the ElecKers; and the King of Poland puts Power into the hands of the Gentlemen: Which Governments therefore (and all such like, as when the King of England did put Power into the hands of the Barons, at such a time as he was no longer able to keep it out of their fingers, by which means the antient and late Government of King, Lords and Commons, was restor’d) are vicious Constitutions, and Monarchys only in name; such as he will not meddle with, and therfore let them go. Well; but where is the Patient then? if these be not Monarchys by Nobility, what
what do we mean by that thing? or what Government is it that we are to cure? Why such a one, wherefrom Person or Family is suffer'd to overtop the rest in Riches, Commands, and Dependence, as the Princes of the Blood and Lorraine, not long since, in France: and of old the Montforts and the Nevils in England. So then the fame again (for these are no other) upon recollection, are those that admit of this easy cure. Let the great Ones be reduc'd to a lesser Volume, and level'd with the rest of their Order. But how? if they be the weaker Party, they are not the Great Ones; and if they be the stronger Party, how will he reduce them? Put the cæfe a man has the Gout, his Physician does not bid him reduce his overtopping Toes to the Volum of the other Foot, nor to level them to equality with the rest of their Order, but prescribes his Remedys, and institutes the Method that should do this feat. What is the Method of our Aesculapius? Point de Novelle; or where are we to find it? 'En where you please. The Princes of the Blood, and of Lorraine in France; the Montforts and the Nevils in England, overtop'd not their Order by their own Riches or Power, but by that of the Party, which for their Fidelity, Courage, or Conduct, intruded them with the managing of their Arms or Affairs. So the Prince that would have level'd them, must have level'd their Party; which in cæfe the Controversy be upon the Right, or pretended Right of the Nobility in the Government, which commonly makes them hang together, may com to the whole Order: what then? Why then, says he, the Prince must preferve his Nobility weighty enough to keep the People under, and yet not tall enough in any particular Person to measure with himself: which, abating the figure, is the fame again; and so I have nothing to answer but the figure. Now for this, the Prince himself is no otherwife tall, than by being fet upon the shoulders of the Nobility; and so if they set another upon the fame shoulders (as in Henry the 4th or the 7th, who had no Titles to the Crown, nor could otherwife have measured with the Prince) be he never so low, he coms to be tall enough in his particular person to measure with the Prince, and to be taller too, not only by those old examples, but others that are younger than our selves, tho' such (the Nobility having not of late bin weighty enough to keep the People under) as derive from another Principle, that of popular Balance. A Prince therefore preserving his Nobility weighty enough to keep the People under, must preserve in them the balance of that kind of Empire: and the balance containing the Riches, which are the Power, and so the Arms of the Nation; this being in the Nobility, the Nobility, when willing, must be able to dispoze of the King, or of the Government. Nor under a lefs weight is a Nobility qualify'd to keep down the People, as by an Argument from the contrary. Henry the 7th having found the strength of his Nobility, that fet him in a Throne to which he had no right, and fearing that the Tide of their Favor turning, they might do as much for another, abated the dependence of their Tenants, and cut off their Train of Retainers; which diminution of their weight, releasing the People by degrees, has caus'd that Plain or Level into which we live to see the Mount of that Monarchy now sunk and swallow'd: wherefore the Balance of the Nobility being such as failing, that kind of Monarchy comes to ruin; and not failing, the Nobility, if they join, may give Law to the King, the inherent disease of a Monar-
of Popular Government.

chy by a Nobility remains also uncur'd, and incurable. These are points to which I had spoken before; but somthing concerning France and foren Guards was mumbli'd by the Prevaricator in a wrong place, while he was speaking of Turk, where there is no such thing. This, left I be thought to have courted opposition for nothing, I shall open a new Scene; while I take the occasion in this place to speak first of the Balance of the French Monarchy, and next of the Nature and Use of Foren Guards.

The whole Territory of France, except the Crown Lands, which on this account are not considerable, consists of three shares or parts, whereof the Church holds one, the Nobility another; and the Presidents, Advocats, other Officers of the Parlaments, Courts of Justice, the Citizens, Merchants, Tradefmen, the Treafurers, Receivers of the Cuttoms, Aids, Taxes, Impositions, Gabels, all which together make a vast body, hold a third: by how equal Portions I am sorry that I do not know, nor where to learn; but this is the Balance of the French Monarchy, to which the Peafant holding nothing, but living (to one of the best Countrys of the World) in the meanest and most miserable condition of a Laborer, or Hynd, is of no account at all.

The Parties that hold the Balance in a Territory are those of whom the Government does naturally confisit, wherof these are call'd Estates; so the Clergy, the Nobility, and the Commons, are the three Estates of France. The the third, because the Peafant partaking not of the Balance can (in relation to Government) be of no account, is not call'd the Commons, but only the third Estate: whereas the Yeomanry and Gentry in England having weight'd as well in the Balance as the Church and the Nobility, the three Estates of England (while the Monarchy was in vigor) were the Clergy, the Nobility, and the Commons. The Content of Nations evinces that the Function of the Clergy, or Priest, except where otherwise determin'd by Law, appertains to the Magistrat. By this right Noah, Abraham, Job,

circa facta.

with the rest of the Patriarchs, instructed their Families, or sacrificed. There seems to have bin a kind of Commonwealth in Canaan, while Melchizedek was both King and Priest. Such also was Moses till he was consecrated Aaron, and confer'd the Priestship upon the Levites, who are expressly said to succeed to the firstborn, that is to the Patriarchs, who still then exercised that Function. Nor was it otherwise with the Gentils, where they, who had the Soverain Power, or were in eminent Magistracy, did also the Priestly Office (omnia apud veteres qui rerum potiebantur, idem Auguria tenebant: ut enim facerit, sic dividare, regale ducabant, satis Cicero; and Virgil, Rex Anius, Rex idem hoinum, Phoebique Sacerdos.) You find the Heros, that is Princes, in Poets, sacrificing. The Ethiopian, Egyptian, Lacedemonian Kings did the like. In Athens constantly and in Rome, when they had no Kings, occasionally they elected a Rex facrorum, or King Priest. So that a free People had thus far Power of electing their Priests, is not deny'd by any man. This came, it should seem, to be otherwise establi'd by the Law in Egypt, where the Priests (wholly) were of the three Estates of the Realm. And it is clear in Scripture that the People, till they fold their Lands, became not Servants to Pha-
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Book I. PHARAOH. While Agesilaus was in Egypt they depos'd their King, which implys the recovery of their Balance; but fo, seeing they set up another, as withal shews the Balance of the Nobility to have bin predominant. These Particulars seem to con near to the account of Diodorus Siculus, by whom the Balance of Egypt should have stood thus: The whole Revenue was divided into three Parts, whereof the Priest had the first, the King the second, and the Nobility the third. It seems to me that the Priests had theirs by their antient Right and Title, untouch'd by Joseph; that the Kings had all the rest by the purchase of Joseph; and that in time, as is usual in like cases, a Nobility came thro' the bounty of succeeding Kings to share with them in one half. But however it came about, Egypt by this means is the first example of a Monarchy upon a Nobility, at least distributed into three Estates by means of a Landed Clergy, which by consequence came to be the greatest Counsellors of State, and, fitting Religion to their uses, to bring the People to be the most superstitious in the whole World.

WERE it not for this Example, I should have said, that the Indowment of a Clergy or religious Order with Lands, and the erecting of them into an Estate of the Realm or Government, were no antienter than the Goths and Vandals, who introducing a like Policy, which to this day takes place thro'out the Christian World, have bin the caufe;

FIRST, Why the Clergy have bin generally great Counsellors to Kings, while the People are led into Superstition.

SECONDLY, By planting a religious Order in the Earth, why Religion has bin brought to serve worldly ends.

AND, Thirdly, by rendring the Miter able to make War; why of latter Ages we have had such a thing as War for Religion, which till the Clergy came to be a third State or Landlords, was never known in the World: For that from Cities of Greece, taking Arms upon the Upruption or Violation of from Temple, have call'd it the Holy War; such Disputes having bin put upon matter of Fact, and not of Faith, in which every man was free, came not to this account. Moses was learn'd in all the Learning of the Egyptians; but a Landed Clergy introduce'd he not in Israel: nor went the Apostles about to lay any such Foundation of a Church. Abating this one example of Egypt, till the Goths and Vandals, who brought in the third Estate, a Government, if it were inequal, consist'd but of two Estates; as that of Rome, whether under the Kings or the Commonwealth, consist'd of the Patricians and Plebeians, or of the Nobility and the People. And an equal Commonwealth consist'd but of one, which is the People: for example of this you have Lacedemon and Venice, where the People being few, and having many Subjects or Servants, might also be call'd a Nobility, as in regard of their Subjects they are in Venice, and in regard of their Helots or Servants, they might have bin in Lacedemon. That, I say, which, introducing two Estates, caueth Division, or makes a Commonwealth inequal, is not that she has a Nobility, without which she is depriv'd of her most special Ornament, and weaken'd in her Conduct, but when the Nobility only is capable of Magistracy, or of the Senat; and where this is so order'd, she is inequal, as Rome. But where the Nobility is no otherwise capable of Magistracy, nor of the Senat, than by Election of the People,
of Popular Government.

People, the Commonwealth consists but of one Order, and is equal, as Chap. 9.

Lacedemon or Venice.

But for a Politician commend me to the Considerer, he will have Rome to have bin an equal Commonwealth, and Venice to be an unequal one, which must be convinc'd by wiredrawing. For having elsewhere, as has bin shewn, admitted without opposition that the Balance of Empire is well divided into national and provincial, the humor now takes him to spin that wedg into such a thirds, as by intangling of these two, may make them both easy to be broken. Here he be-takes himself in this manner. As Mr. Harrington has well ob-fer'd (p. 40.) where there are two Partrys in a Republic with equal Power (as in that of Rome, the People had one half, and the Nobility had the other half) Confusion and Misery are there intaint'd. For remedy where-of, or to avoid this, there can be no way but to make the Commonwealth ver-y unequal.

In answer to this, there will need no more than to repeat the same things honestly. Mr. Harrington speaks of the national Bal-ance of Empire (p. 48.) to this sense: Where the Nobility holds half the Property, or about that proportion, and the People the other half (the shares of the Land may be equal; but in regard the Nobility have much among Few, and the People little among Many, the Few will not be contented to have Authority, which is all their proper share in a Commonwealth, but will be bringing the People under Power, which is not their proper share in a Commonwealth; wherefore this Commonwealth must needs be unequal. And except by altering the Balance, as the Athenians did by the Sifacibia, or recision of Debts; or as the Romans went about to do by an Agrarian, it be brought to such an equality, that the whole Power be in the People, and there remain no more than Authority to the Nobility) there is no remedy but the one (with perpetual feud) will eat out the other, as the People did the Nobility in Athens, and the Nobility the People in Rome. Where the Carafe is, there will be the Eagles also; where the Riches are, there will be the Power. So if a few be as rich as all the rest, a few will have as much Power as all the rest; in which case the Common-wealth is unequal, and there can be no end of having and tailing, till it be brought to equality. Thus much for the national Balance; For the provincial, there Power does not follow Property, but the contrary: This the Prevaricator having acknowledg'd, lets slip, to the end he may take a grie of Venice, which (because the three or four thousand of which originally confis't, and now confis't that whole Government, having acquir'd Provinces, and increafe of their City by latercomers, do not admit thefe to participation of Power) he says is an unequal Commonwealth. He will be a Mill-hoefe, whether the Cake be dev or not; for this is to draw in a circle: and Rome, which by his former Arguments should have bin equal, by this again must be unequal, seeing Rome as little admitted her Provinces into the body of the Commonwealth, as do Venice. This clash is but by way of Parenthesis; to return threfore to the bufinefs in prent agitation.

The Estates, be they one, or two, or three, are such (as was said) by virtue of the Balance, upon which the Government must naturally depend. Wherfore constitutively the Government of France (and all other Monarchys of like Balance) was adminis'ter'd by an
Assembly of the three Estates; and thus continu'd till that Nation being vanquish'd by the English, CHARLES the 7th was put to such shits as, for the recovery of himself in the greatest diffrels, he could make. To which recovery, while the Estates could not be legally call'd, he happening to attain without them, so order'd his affairs, that his Successors, by adding to his Inventions, came to rule without this Assembly; a way not fusing with the nature of their Balance, which therefor requir'd some Assistance by force, and other concurring Policies of like nature, wherof the foren Guards of that Monarchy are one; the great baits alluring the Nobility another; and the emergent Interest of the Church a third.

TO begin with the last of these; the Church (except it be in a War for Religion, as when they join'd with the Princes of Lorrain, and what Party of the French Nobility were made, or they could make against the King of Navar) are not of themselves so hot at hand, or prompt to Arms: but the King being (to use their word) no Heretic, thro' their great apprehension of the third Estate, as that which is most addicted to the Protestant Religion, may be confident they will never fide with the People. So by this emergent Interest or Accident he has the Church fure enough.

FOR the Nobility, which is exceeding gallant, this Change has the greatest baits; for wheras the Church being not fpar'd, the third Estate is laden, and the Peasant overlaid with Taxes, the Nobility is not only at better eafe in this regard, but for the greater or more considerable part, receives advantage by it: the King having always, whether in Peace or War, a great Cavalry, than which there is no better in the world for the Exercise, Entertainment, and Profit of the Nobility; Governments of Cities, Castles, Provinces in abundance, which he rarely distributes to any other. The greater Nobility are Marechals, Generals, the less Officers in the Armys, specially of the Horfe, the Emoluments wherof they receive alfo in time of Peace; and many of this Order being Pensioners, taste of the King's Liberality, without taking pains, or having any Employment at all. By which both that France is a Monarchy by a Nobility, and how she holds her Nobility, is apparent.

NOW the Church and the Nobility standing thus ingag'd to the King, by which means he has two parts of the Balance to one, it is demonstrable that the Government must be quiet. Nor, seeing the Church for the reason shewn is fure enough, does the Government (since the Protestant Cities and Holds were demolish'd) to be otherwise disquieted than by the flying out of the Nobility, which, whenever it happens in any party considerable, either for the Number, or the Interest, caufes the Crown to shake; for it seldom coms to pafs upon this occasion, but the third Estate, or som part of it, takes Arms immediately. In which place it is worthy to observ'd, that Wealth, according to the distribution of the Balance, has contrary motions. The third Estate in France having Riches, and those laden with Taxes, com to have somthing to lose, and somthing to save: which keeps them in continual fear or hope. The Nobility holding to the King, the third Estate has somthing to lose, which withholds them from Arms thro' fear; but the Nobility flying out, the third Estate has somthing to save, which precipitates them into Arms thro' hope: wheras the Peasant having nothing to save or to lose, to hope or to fear,
never ftirs. The case standing thus, the sufficiency of the French Chap. 9.

Polician (since the Masterpiece of Cardinal Richlieu, in demolishing those Walls of the Protestants, which had otherwife by this time bin a Refuge for the third Estate, and perhaps overturn’d the Monarchy) lyes altogether in finding for the Nobility work abroad, or balancing them in such fort at home, that if a Party flies out, there may be a stronger within to reduce it, or at least to be oppos’d to it.

In this cafe, left the native Interest of the Nobility, since the Assemblies of the three Estates were abolisht’d, might cool the remaining Party, or make them flower in the redres of such Difforders or Discontents than were requir’d, the King is wisely provided of Foren Guards; which being always in readiness, and not obnoxious to the native Interest, may upon like occasions be of more Expedition and Truft. Being com thus to foren Arms, which is the point I more especially propos’d to my self in the preuent Discourse, one Objection in relation to what has bin already faid, seems to interpofe it self. Seeing France, while it is not govern’d by the Assembly of States, is yet of the fame Balance it was when govern’d by the Assembly of States; it may be faid that a Government of the fame Balance may admit of divers administrations.

To which I need make no other anfwcr, than to put you in mind that while this Government was natural, or administer’d by the Assembly of States, it is celebrat’d by Machiavel to have bin the beft order’d of any Monarchy in the world; and that what it is, or has bin of later times, you may believe your own eyes or ears.

There be yet, before I can com to foren Guards, some previous Considerations. All Government, as is imp’d by what has bin already shewn, is of thefe three kinds: A Government of Servants: A Government of Subjects; or, a Government of Citizens. The firft is absolute Monarchy, as that of Turky: The second Aristocratical Monarchy, as that of France: The third a Commonwealth, as thofe of Israel, of Rome, of Holland. Now (to follow Machiavel in part) of thefe, the Government of Servants is the harder to be conquer’d, and the eafier to be held: The Government of Subjects is the eafier to be conquer’d, and the harder to be held. To which I fhall presume to add, that the Government of Citizens is both the hardeft to conquer’d, and the hardeft to be held.

My Authors Reafons, why a Government of Servants is the hardeft to be conquer’d, com to this, that they are under perpetuall Discipline and Command, void of fuch Interests and Facions, as have Hands or Power to lay hold upon Advantages or Innovation; whence he that invades the Turk muft truft to his own Strength, and not rely upon Difforders in the Government, or Forces which he fhall be fure enough to find united.

His Reafons why this Government, being once broken, is eaily held, are, that the Arms once past hope of rallying, there being no fuch thing as Familys hanging together, or Nobility to stir up their Dependents to further Resistance for the preuent, or to preferv themfelves by complacence with the Conquerors for future Difforders or Advantages, he that has won the Garland has no more to do but to extinguifh the Royal Line, and wear it ever after in Security. For the People having bin always Slaves, are fuch whose condition he may better, in which cafe they are Gainers by their Conqueror, but can never
never make worse, and therefor they lose nothing by him. Hence
Alexander having conquer'd the Persian Empire, he and his Cap-
tains after him could hold it without the least dispute, except it arose
among themselves. Hence Mahomet the Second having taken
Constantinople, and put Palaologus the Greek Emperor (whose
Government was of like nature with the Persian) together with his
whole Family, to the Sword, the Turk has held that Empire without
reluctancy.

On the other side, the Reasons why a Government of Subjects is
easilier conquer'd, are these: That it is supported by a Nobility so an-
tient, so powerful, and of such hold and influence upon the People,
that the King without danger, if not ruin to himself or the Throne
(an example wherof was given in Hen. 7th of England) can nei-
ter invade their Privileges, nor level their Estates; which remaining,
they have power upon every discontent to call in an Enemy, as
Robert Count of Artois did the English, and the Duke of Guise
the Spaniard into France.

The Reasons why a Government of Subjects being so easily con-
er'd, is notwithstanding the harder to be held, are these: That the No-
bility being soon out of countenance in such a cafe, and repenting
themselves of such a bargain, have the same means in their hands
wherby they brought in the Enemy, to drive him out, as those of
France did both the English and the Spaniard.

For the Government of Citizens, as it is of two kinds, an equal
or an unequal Commonwealth, the Reasons why it is the hardest to be
conquer'd, are also of two kinds; as first, the Reasons why a Gov-
ernment of Citizens, where the Commonwealth is equal, is hardest to
be conquer'd, are, that the Invader of such a Society must not only study
to his own strength, inasmuch as the Commonwealth being equal,
he must needs find them united, but in regard that such Citizens, be-
ing all Soldiers or train'd up to their Arms, which they use not for
the defence of Slavery, but of Liberty (a condition not in this world
to be better'd) they have more specially upon this occasion the highest
Soul of Courage, and (if their Territory be of any extent) the valiant
Body of a well disciplin'd Militia that is possible in nature: where-
fore an example of such a one overcom by the Arms of a Monarch, is not
to be found in the World. And if so small City of this Frame has
happen'd to be vanquish'd by a potent Commonwealth, this is her
Prerogative, her Towers are her Funeral Pile, and she expires in her own
flame, leaving nothing to the Conqueror but her Ashes, as Saguntum over-
whelm'd by Carthage, and Numantia by Rome.

The Reasons why a Government of Citizens, where the Com-
monwealth is unequal, is, next the former, the hardest to be conquer'd,
are the same, with this difference, that tho her Peace be not perfect
within, her condition is not to be better'd by any thing without.
Wherefore Rome in all her strife never call'd in an Enemy; and if an
Enemy upon occasion of her strife, and hopes of advantage by it,
came without calling, he presented her with her most Soverain Cure,
who had no leisure to destroy her self, till having no Enemy to find
her work, she became her own.

---Nondum tibi desit hostis,
In te verte manus---

Nor
Nor is there any example that a Government of this kind was ever subdued by the Arms of a Monarch; tho form indeed may be found that have call’d or suffer’d foren Princes or Force to com in, as Holland by Marriages of their Princes, and Genoa thro her Factions, as those of the Fieschi and Adorni.

To conclude this part as to the Reasons why a Government of Citizens so acquire’d or possesst, as thro Marriage, or Faction, is the hardest to be held, there needs no more than that men accusstom’d to their Arms and their Libertys will never indure the Yoke. Wherefore the Spaniard, tho a mighty King, no sooner began in Holland, a small Commonwealth, to innovat or break her Orders, than she threw him off with such Courage and Disdain, as is admirable to the World. And from what of the like kind did Genoa by the help of her Doria in the vindication of her Liberty from France.

To com by this farthest way about as I think the nearest way home: Arms are of two sorts, Proper or Improper; that is, Native or Foren.

Proper and Native Arms are, according to the triple nature of Government, of three kinds; Servants in Arms, as the Helots in Lacedemon, the Timarots and Janizars in Turky; Subjects in Arms, as the Horse in France, and the Seaguards or Forces in Venice; or Citizens in Arms, as those upon the Lexitarchs in Athens, of the Mora in Lacedemon, and the Legions in Rome.

Improper or Foren Arms are of two sorts; Auxiliary, and Mercenary.

Auxiliary are such as are supply’d by virtue of some League, as were those of the Latins and Italians to the Romans; and those of the Cantons of Swiss (except Lyric) to the King of France: or they may be such as are occasionally lent freely, or let forth for Mony by one State to another, the latter wherof differ not much from Mercenarists.

Mercenary are Soldiers of Fortune that have no other Trade than their Arms, and let out themselves for Mony; of such confin’d the greatest part of the Carthaginian Strength, such is the Land Force of Venice, and, notwithstanding the ancien League of France with those Nations, such at this day are the Swiss and Scots Guards (and somtimes a good part of the Foot) in France.

MACCHIAVEL discourses upon these Particulars in his Art of War, to admiration: by whom I shall therfore fleer.

Where the Arms in bulk are proper, and confin’d of Citizens, they have other Trades, and therefore are no Soldiers of Fortune; and yet because the Commonwealth has Arms for her Trade (in regard she is a Magistrat given for the good of Mankind, and bears not her Sword in vain) they are all educated as well in Military as Civil Discplin, having their turns in service of either nature according to the occasion, and the Orders of the Commonwealth, as in Israel, Athens, Lacedemon, and Rome, which had (if their Territoris permitted, and somtimes, as I may say, whether their Territoris permitted or no, as in Israel) the valettiest, the highest temper’d, and the best disciplin’d Militia, that is to be found in the whole compass of Story. Som Armys of Israel have confin’d of three or four hundred thousand men: Rome upon the rumor of a Gallic Tumult, arm’d in Italy only, without foren Aid, seventy thousand Horse and seven hundred thousand Foot; Titus Regulo things Cos.
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things in our days (when the Turk can hardly arm half so many) not to be credited.

HENCE that a Commonwealth, which had not first broken her self, or bin broken by som other Commonwealth, should not be found to have bin conquer'd by the Arms of any Monarch, is not miraculous, but a natural effect of an apparent Cause. In this place, or upon this Text, Divines whom I would defire not to be Enemyss of popular Power, but to give Macchiavel his due, shall, if they please, hear him make a goodly Sermon, in these words: If antient Commonwealths and Governmentes us'd Diligence in any other Order to make their People lovers of Peace, faithful to their Country, and to have the fear of God before their eyes, they doubld it in this of their Militia: for of whom should your Country except greater Faith, than of such as have offer'd themselves to dy for her? Whom should the indeserues to make greater Lovers of Peace, than them who only can influece her by force? In whom should there be greater Fear of God, than in such as carry their Lives in their hands? This, when Lawgivers and Captains rightly consider'd, was the cause why Soldiers were esteem'd, honor'd, follow'd, and imitated above all men in the World; whereas since such Orders are broken, and Custom is altogether deviavt from the course of antient Prudenc, men are com to detesct the Iniquity of the Camp, and fly the Conversation of such as are in Arms, as the Peffalence. Where the Arms in bulk are proper, but confitt of Subjects, they are the best next; and but the best next, as appears by all Examples antient and modern. The Arms with which Pyrrhus Prince of Epirus invaded the Romans, were of Subjects; yet that Prince, tho he was not vanquish'd by the Romans, confet their advantage, and gave them over. The Spaniard being a far more potent King than was Pyrrhus, has acknowleg'd as much to the Hollanders, tho a far lefs Commonwealth than Rome: So have the Princes of Austria, and of Bargundy, to the Switzers. That the Arms of Subjects are nevertheless as much superior to the Arms of Servants, as inferior to the Arms of Citizens, is as plain; seeing as Alexander, with thirty thousand Subjects, vanquish'd Darius, having innumerable Slaves; so thirty thousand Christians are at this day a match for any Army of Turks: and we fee Venice, whose Force by Sea consists of Subjects, to have made him quit that Element near as fully to her Dominion or Empire, as did the Persian to Athens.

To Arms that are proper, but confitt of Servants, all the pre-eminence that can be given is, that they are better than foren Arms; a proof whereof we have in those of Selimus, whereby he conquer'd the Mamaluc; who being but a foren Force that held Egypt in Subjection, the Country was irrecoverably loft, and, for the reasons already thewn, as easily kept.

Improper Arms, whether Auxiliary or Mercenary, where the Force of a Prince or of a Commonwealth confitts, for the bulk or greater part, of no other, are the least effectual, and the most dangerous of all. For Auxilliars, or what effect has bin found of them by Princes or Commonwealths, it was seen in France during the League by the Spaniard; and in Holland during the Reign of Queen Elizabeth by the English; but especially in the Gaths and Vandals, who having bin Auxilliars or Mercenarys, rely'd upon by the later Emperors, came therby to ruin the Roman Empire.
MERCAVARYS who make their Arms their Trade, must of Chap. 9. all others be the most pernicious; for what can we expect les of such whole Art is not otherwise fo profitable, than that they should (as MACCHIAVEL SHOVS) be breakers of their Faith, given up to Rapin, Enemies of Peace and Government?

TO instance in some Commonwealhths, that of Carthage after her first War with the Romans, fell thro the Rebellion of SPENIUS and MATHO, Ringleaders of her Mercenarys, into another that was far more dangerous. Of such a Dilemma were the Arms of this State, that if HANNIBAL had conquer’d Rome, he must have bin King of Carthage; and not conquering Rome, Carthage was ruin’d. The Commonwealth of Milan, trusting her self to F. SFORZA and his Mercenarys, became the Subject of her Servant, and he her Duke. Nor is Venice, whose Land-Forces are of the same kind, otherwise in safety as to these, than by her Situation. To give some instances of the same nature in Princes: The Father of F. SFORZA being Captain of a like mercenary Army, forc’d JOAN Queen of Naples, whom he left disarmed in the midst of her Enemies, to lay her self at the feet of the King of Aragon; and BRACCO by such another Treachery had plainly possest himself of the Kingdom of Naples, had he not bin broken at Aquila, where Death intercepted his design. From what has bin said (first of Government, and then of Arms) if a Government of Servants be harder to be conquer’d, and easier to be held, then in this fores Arms must needs be least necessary, and most dangerous.

IF a Government of Subjects be easier to be conquer’d, and harder to be held, then in this fores Arms may be more necessary, but must be les dangerous.

BUT tho a Government of Citizens be both hardest to be conquer’d, and hardest to be held, yet as it is again in this regard of two kinds, this cannot be said of each kind alike; wherefore I must distinguished.

IN a Government of Citizens, if the Commonwealth be not for increase, but preservation only, as Lacedemon, Carthage, Venice, fores Arms are both necessary and dangerous; but in a Government of Citizens, where the Commonwealth is both for increase and preservation, as Rome, fores Arms are neither necessary nor dangerous.

TO repeat the parts of this Conclusion, which being brief is obscure; more fully and particularly.

THE Empire of Turk is of the harder kind to be conquer’d, wherefore the Turk needs not fores Guards to defend him, but it is of the easier to be held; wherefore let him take heed of intrusting his Person with fores Guards, who having a fores Interest, may have a fores Nation to affit them; and so the Person of the Prince being in their hands, they have no more to do than to extinguish the Royal Line; and the Empire being easily held, is their own thenceforth with security. Thus the Mamalouck which were at first fores Guards, extinguishing the Royal Line of the Kings of Egypt, came to poffefs and hold that Realm without opposition. Who well considers this point, will never enough admire the Policy of the Turk in the creation (as it were) of his Janizarys, free from any national Interest that might make them dream of, or desire Liberty; and yet so void of all fores Interest or Knowlege, that they know not what, or who were their Country or Parents. Hence tho they have Interest to murder the Turk
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Book I. Turk, and sometimes do accordingly, they have no further Interest in
the world but what depends upon the Government; and so the Em-
prise is safe, tho' the Prince be in danger: whereas if they were foren
Guards, or had any native Interest, not only the Prince, but the Em-
prise too would be in danger, the rest being Servants, and such whose
condition might be better'd by a change, but could be no worse.
Wherfore a Government of Servants must by no means admit of foren
Guards or Mamalukes.

BUT the Empire of France, where the Nobility are not only subject
to fly out, but to call in Strangers, may have use of foren Guards, which
not obnoxious to native Interest and Faction, as those of the Nobili-
ity, are the readiest and best help at this lift; yet not dangerous, tho'
having the Prince in their power, because by him they are safe from
the Nobility, who, were it not for the Prince, would be so far from
bearing or brooking foren Guards, that in case a Forener came in up-
on their call, having the same means to help themselves whereby they
brought him in, they would shake the Yoke, and the ends why they
called him in, being satisfy'd or repent'd of, drive him out again, as
they did the Spaniard and the English. But if this Government being
invaded or conquer'd, be so hard to be kept, how much harder be
surpriz'd? Wherfore in a Government by Subjects, foren Arms may be
more necessary, but must be less dangerous.

IN a Commonwealth for preservation, as Lacedemon, Carthage, Ve-
nice, foren Arms are necessary: So Lacedemon, tho' able to defend her
self by her proper Forces against any one City, yet the Wars in Greece
going much upon Leagues and Confederates, was forc'd also to make use
of her Confederates, and fomtimes of her Helots.

BUT as antiently to Carthage, so now to Venice, foren or merce-
nary Forces are essential, because for Land-service such a Constitution
can have no other: Yet is this course extremely dangerous, as appear'd
by Lacedemon, who (being ever in fear of her Helots) when she had
acquir'd upon the matter the whole Empire of Greece, came, by the
Rebellion of her Confederates, not only to lose all, but likewise to ru-
in. For Carthage, upon the Mutiny of SPENDIUS and MATHO,
she escap'd, as at other times upon like occasions, very narrowly. That
such an Accident neither has befal'n Venice, nor can befal her, is to be
attributed to her Situation, by which, in this regard, she is secure:
Nevertheless, her Progress or Increase, which by this means either
cannot be great, or being great, must render her but the more infirm,
is fully bar'd.

TO a Commonwealth for increase, which always takes in the
whole body of the People, foren Arms (seeing she abounds above all
other kinds of Policy, with such as are proper) must needs be the
least necessary; and they are the most safe, because never admitting
them, but for her mere convenience and frugality in expence of native
Blood, she receives no such charge of them as can recoil, but must car-
ry point blank, and as vigorously at her proper Interest, very near as
her proper Arms. Thus did the Latin and Italian Auxiliaries, of which,
join'd with the Roman Legions, confist'd a Confular Army.

BY thus much it seems that an inference from the success of Arms to
the perfection of Government, and from the perfection of Government to
the success of Arms, should be no fallacious way of disputing.
of Popular Government.

BUT this being sweatey work with the Confiderer, who loves his chap. 9. eafe, it is enough to argue thus: The Switz, Scotifh, and French Guards, have never bin the Authors of any Sedition, therefor the Seditions of a Nobility may be mended by forren Guards: which is, as if one should say, such a Physician has never bin the caufe of the Gout; therfore the Gout may be cur'd by such a Physician. That forren Arms may be well enough apply'd in the cafe of a seditious Nobility, and have some good effects, is not deny'd: but is France therfore cur'd of her Sedition, or remains she, notwithstanding her forren Guards, the most seditious Example in the world? If thus she has not bin, nor be, what has he read of the Princes of the Blood in former times, or heard of late from them? But if thus she has bin, and be, is it not a fine way of Cure to give us an example of the Diseafe for the Remedy? Nor are her Guards so void of Sedition neither; but the Switzer, if he wants his pay, dares threaten Paris: the Scots, at least of late years, has not bin so bold; but if a Prince flies out, the Ensigns of the French Guards will one way or other be Captains, while Soldier and Officer too follows his Affections or Interests, which way foever they frame. I should be glad to know when a Dragon fell from that Court, that did not bear down Stars with his Train. But the Prevaricator is set upon it: whereas of late years the janizarys are known to have bin far more imbru'd in the Blood of their Princes than ever; he gives us his honest word, that of late years in Turkish they begin to learn the art of poising the Janizarys (who are the Foot of the Princes Guard) by the Skabs (who are the Horfe of the fame) and fo have frequently evaded the danger of their Mutiny. At which rate, seeing every Army consists of Horfe and Foot, no Army could be mutinous. If thefe had not bin meer flights, and fo intended, he might have don well to have shewn us one Mutiny of the Janizarys appeas'd by the Skabs. But all the parts of his Politics, as was said of thefe in Rhetoric, confift of Pronunciation.

THUS the Wounds of Monarchy, notwithstanding the former, or this laft Remedy of forren Guards, are still bleeding or seething.

BUT his Courage is undaunted (aut viam inventem aut faciet) he will either mend a Government, or make one, by affenting without any example, but with egregious confidence, That the perfection of Monarchy is free from those flaws which are charg'd upon it, and that it consists in governing by a Nobility, weighty enough to keep the People under, yet not tall enough in any particular Person to measure with the Prince; and by a moderat Army kept under the notion of Guards and Garifons, which may be sufficient to strangle all Sedition in the Cradle: from which mixture, or counterpoife of a Nobility and an Army, arises the most excellent form of Monarchical Government.

THERE's for your learning now, A Model which is a short Horfe, and a Legilator that has soon curry'd him. To the parts of it, consisting of a Nobility, and in force, I have already spoken severally. I shall now speake to the whole together; that is, to the imagin'd mixture or counterpoise of a Nobility and an Army; and because there is nothing in Nature that has not had a natural effect by som example.

THE scale of Arms, or of Iron, continu'd in the Line of William the Conqueror; and the scale of Property, or Gold, continu'd in the Barons of England, and their Successors. But in this before the Barons Wars conflicted not the perfection of the Monarchy, because
because it preponderated too much on the side of Arms; nor after
the Barons Wars, because the King, putting Power (which he
could not keep out of their fingers) into the hands of the Nobility,
it became a vicious Constitution, and a Monarchy only in name (to
says the Considerer) theryfore the Balance being then only even,
when neither the King could overbalance or get the better of the
Barons, nor the Barons overbalance or get the better of the King; the
perfection of Monarchy consisted in the Barons Wars! Lycurgus
the Second!

MARK; the King by all means must have a Nobility weighty
enough to keep down the People; and then he must have an Army to
hold Gold weight with his Nobility: as if the Nobility in that cafe
would keep down the People, and not fetch them up (as did the Ba-
rons) into their Scale, that fo together they might weigh down the
Army; which sooner or later is the infallible consequence of this
Phanfy, or let it be shewn where it was ever otherwise. To instance
in France is quite contrary, where all the considerable Offices and
Commands being in the Nobility, or the richer sort of that Nation,
the Balance of Arms and of Property are not two, but one and the
same. There is no way for Monarchy, but to have no Army, or no
other than the Nobility, which makes the regulated Monarchy, as in
France, Spain, &c. or to have an Army that may weigh down No-
bility and People too; that is, destroy them both, which makes the ab-
olute way of Monarchy, as in Turkey: the wit of man never found,
nor shall find a third, there being no such thing in Nature.

THIS Chapter is already with the longest, and yet I must give you
a Corollary, pounce de roy, or a piece above measure; relating to a Questi-
on which the greenest Politician that ever brought his Verjuice to
the Press, has spurr’d me.

WHERE he desires to know my opinion of the way of governing by
Counsils, which he confesses he has always thought admirable; he do not
Confld. p. 45, mean such as are coordinat with the Prince (which have bin seen in the
Worid) but such as those of Spain, purely of Advice and Dispatch, with
power only to inform and persuade, but not limit the Princes Will. For al-
most all the Weaknesses which have bin thought incident to Monarchy, are by
this course prevented; and if there be any steadiness and maturity in the
Senat of a Commonwealth, this takes it all in.

TO give my Counsil without a Fee, and deal sincerely with a Pre-
varicator: Let the Prince (that is, such a one as his) hold himself
contended with his Divan, or Cabinet. If this be that he means, we
are agreed; but if he would have more, I can make no les of his
words, than a handkering after such Counsils as I have propos’d, and
that these are such as he always thought admirable, such as prevent almost
all the Weaknesses incident to Monarchy, and take in the steadiness and ma-
turity of a Commonwealth.

HOW may we make this agree with that other place, where he
says, that there is no frame of Laws, or Constitution of Government,
which will not decay and com to ruin, unleas repair’d by the Prudence and
Confld. p. 68. Dexterity of them that govern? Now that this may not be expected from
a Monarch, as well as from a Senat or Assembly of Men, he has not yet
met with any conviction, but rather finds it reasonable to think that where
Debates are clearest, the refult of them most secret, and the execution sud-
den (which are the advantages of Monarchy) there are disorders of a

* State
of Popular Government.

State will soonest be discover'd, and the necessary Remedy best apply'd, Chap. 9.

In that former place he bethought himself, that the Debates of Rome were as clear as those of Antiochus, that her Refuils were as secret as those of Philip or Perseus, and of more sudden execution than either of theirs. He doubted it might be true, which is affirm'd by good Authors, and commonly enough known, that for the clearness of Debate, and secrecy of Refult, the world never saw any thing like the Senat of Venice; and that in all appearance they are for execution as quick with the Divan, as the Divan can be with them. Now when all this is done, to banish so generous Thoughts without shewing us for what cause, and knock under the table, is sad news. But he shall find me, in any thing that is reasonable, most ready to serve him. To the Question then, how such Councils as I have propos'd would do with a Prince; I answer, truly the best of them, I doubt, but unowardly. One, that is the popular Assembly, has no mean, but is either the wisest in Nature, or has no brains at all. When affairs go upon no other than the public Interests, this having no other Interest to follow, nor eyes to see withal, is the wisest Council: but such ways are destructive to a Prince, and they will have no Nay.

The Congregation of Israel, when Rehoboam would not hearken to their advice, depos'd him; and we know what popular Councils, so soon as they came to sufficient Power, did in England. If a Prince put a popular Council from this Ward, he does a great matter, and to little purpose; for they understand nothing else but themselves. Wherefore the Kings of France and of Spain have disfavour'd all such Assemblies. It is true, where a Prince is not strong enough to get Mony out of them but by their consent, they are necessary; yet then they are not purely of Advice and Dispatch, but share in the Government, and he cannot be meddling with their Purses, but they will be medling with his Laws. The Senat is of fitter use for a Prince, and yet, except he has the way of Tiberius, but a ticklish piece, as appears by Maximinus, who was destroy'd by Pupienus and Balbinus, Captains set up against him by this Order. To go to the root: These things are not otherwife in Prudence or Choice than by direction of the Balance; where this is popular, no Remedy but the Prince must be advis'd by the People, which if the late King would have indu'd, the Monarchy might have subsifted somewhat longer: but while the Balance was Aristocratical, as during the great Estates of the Nobility and the Clergy, we find not the People to have bin great or wise Counsellors. In sum, if a King governs by a popular Council, or a Houfe of Commons, the Throne will not stand long: If he governs by a Senat, or a Houfe of Lords, let him never fear the Throne, but have a care of himself: there is no third, as I have said often enough, but the Divan.
Whether a Commonwealth that was not first broken by her self, was ever conquer'd by the Arms of any Monarch?

I COM in this Chapter to resume the Discourse, where I broke off in the former, making good my assertion, That a Commonwealth is the Government, which from the beginning of the world to this day was never conquer'd by any Monarch; for if the Commonwealths of Greece came under the yoke of the Kings of Macedon, they were first broken by themselves.

WHEN I speak of a Commonwealth, in relation to this point, I am no more to be argu'd against out of the little Citys in Asia, or those of Regusa, and San Marino, which cannot be shewn to have had the command of any considerable Army, than I argue against the Prevaricator, where he afferts Monarchy to consist of a mixture of Arms and of a Nobility, from the King of Tuetos, who had neither.

THIS Affertion in the judgment of any rational man ought not to be encounter'd, but where there was a natural possibility of defence, in regard that a City which has no Army at all, as Geneva (which yet being invaded by the Duke of Savoy, found means to defend her self) or such a one as is not considerable, should be subdu'd by some potent Monarch (if we could find the example) concerns the Government no more, than if it had bin overwhelm'd by some Inundation, or swallower'd up by some Earthquake. And yet all that is oppos'd by the Considerer, amounts not to thus much. The Testimony he brings out of Pausanias comes far short; for it is recorded (says the Author speaking of the Lacedemonians) that being corrupted by the Bounty of Cresus, they were the first that contracted Amity with the Barbarians at the time when that King added the Territories inhabited by the Dorians upon the border of Caria, with other Commonwealths in Asia, to his Empire. So that Cresus corrupted the Lacedemonians with Gifts, Pausanias is express; but whether he obtain'd the Asiatic Citys (likely in this case to have bin earlier corrupted than the Lacedemonians) by Arms or by Purchase, he is not express; and the prefunction of the latter, as in other regards, fo in this, is the stronger, that Cresus by the testimony of Solon, was more potent in Gold than in Iron. Now if it were fo (and if otherwise, let the Considerer shew) that these Commonwealths, inveigl'd by the Treasures of Cresus, came first under the Lycian, and fell with that under the Persian Empire, when Cresus was subdu'd by Cyrus; all I can learn by this example is no more than that Cresus, for ought that is perceivable, might have bought those Commonwealths as Cosimo of Medicis did Florence; from whom it is affirm'd by Machiavel, that there was not a considerable Man in the whole City that had not receiv'd some considerable Sum. So this example preumes; but in the next, which is of Sicily, there is not so much as a Prefumption in favor of the Affertor: the State of Sicily, before that which the Romans call the first Carthaginian War, being clear in Story against his design. For that Africa for the generation
ration of Monsters is not more famous than Sicily for that of Tyrants, Chip. 10.
who have past'd their Novitatis in Story are not ignorant; nor how
when Timoleon had freed her of this Vermin, and with Liberty de
she had recover'd som strength and virtue, she relaps'd under A G A
Thocles and his horrid violation of Faith, while he was trusted
with the Arms of her Citizens; how after him Pyrrhus was
call'd in from Epirus; after Pyrrhus, Hiero usurp'd; all by the
same Arts, getting firft into truft or charge, and then recoiling upon
them that would take no warning; by which it is apparent that the
Commonwealths of Sicily, like thofe of Greece, were ruin'd by them-
selves, and their own Diorders; and no more subdu'd upon these
changes by foren Arms, than was Israel by the Canaanites, or Rome by
the Gauls or Decemvirs.

Israel, having broken her Orders, was indeed fomtumes op-
preft by the Canaanites; Rome was lack'd by the Gauls, and usurp'd
by the Decemvirs. But as the man that having got a fall in a Duel,
throws off his Adverfary, recovers himfelf and his Sword, is not con-
quered, fo neither the Commonwealth: wherefore neither Holland nor
Genoa, tho they have bin under, being yet standing, can be faid to be
conquered by the Arms of Spain or France, but rather the contrary;
seeing the Liberty of Holland (in many Ciyts more antient than any
Records or other Monuments there can witness, and in it felf than
that of Tacitus, whereby Civillis, born of Princely Blood, is
affirm'd to have vindicated the Batavian Freedom) is flill the fame;
and Genoa, the happy in her Doria, remains as she was before he was
born. Nor did the Family of the Medicis banish'd out of Flo-
tence (where, by virtue of their prodigious Wealth, and the inevi-
table confequence of the Balance, their Anceftors had bin Princes many
years before Charles the Fifth was a Soldier) any more by the
help of his Arms, thofe of the Pope (at that time of the fame Fa-
mily) and their Party at home, than get into their known faddle.
To infift a little more at large upon the Storys of Genoa and Florence
(because upon thofe the Prevaricator sets up his ref't that Mr. Har-
rington muft needs be afflicted) Genoa was and is an Oligarchy
confifting of twenty eight Families, making the Great Council, or Ag-
tegation, as they call it, none but thofe being capable of the Senat
or of Magnificacy; and if ever it could be faid of a Commonwealth,
that she had broken her felf, it might be faid, at the time related to,
of Genoa, where not only the Faction of the Guelphs and Gibelins,
which had destroy'd many Ciyts in Italy, then reign'd; but the feud
between the People included, and the Subject excluded, was as great
as ever had bin between the Nobility and the People in Rome. Be-
sides the quarrel of the Fieschi and the Adorni, two Families,
lke Cesar and Pompey, which having many years together as
it were ingroft the Magnificacy of Duke, were neverthelefs perpetu-
ally thriving each with other, which fhou'd have it; and if one of thofe
(as it did) brought in the King of France, there is nothing plainer than
that this Commonwealth was subdu'd by her own Sedition, nor is
there a man knowing any thing of her affairs, that makes any doubt
of it. That of Florence indeed, if the Prevaricator could fhow it
had bin ever up, fhou'd grant were down; but to relate the Story of
this City, I muft relate that of the Houfe of Medicis. From
Cosimo, a Citizen famous throout Europe both for his Wisdom and
his
his Riches, this Family for the space of sixty years exercis'd, under the pretext of som Magistracy, very great Power in Florence. To Cosimo succeeded Peter, to Peter Laurence, a man in Prudence and Liberality resembling his Grandfather, savy that he us'd more absolute Power in managing the Commonwealth; yet with gentlenes, and not altogether to the Suppression of Liberty. Nevertheless he obtain'd of the Signory (which did for the most part as he would have them) som small Guard for his Person; he was a man renown'd thro' Italy, and look'd upon by foren Princes with much respect. To him succeed his Son, another Peter, who thro' Youth and Rashes conceiving the Power exercis'd by his Predecessors to be no more than his due, took upon him the Government as absolute Lord of all; and standing most formidable upon his Guard, grew frightfully profuse of the public Mony, and committed many Absurdities and Violences: By which means having incur'd the hatred of the Citizens, he was banish'd by the Signory, with Cardinal John and Julian his Brothers. This John coming after to be Pope Leo the Tenth, require'd the revocation of his Brother's Banishment, and the restitution of the House of Medicis; to which finding the prevailing Party of the Florentins to be refractory, he stir'd up the Arms of the Emperor Charles the Fifth against them, by whole joint aid the City, after a long Siege, was reduc'd to her old Ward, and Alexander of Medicis, Nephew to the Pope and Son in Law to the Emperor, fet in the known Saddle of his Ancestors. This is the Action for which the Prevaricatior will have a Commonwealth to have bin conquer'd by the Arms of a Monarch, tho' whoever reads the Story may very falsely affirm. First, That Florence never attain'd to any such Orders as could deserve the name of a Commonwealth; and next, That the Purse of Cosimo had don that long before, which is here attributed to the Arms of the Pope and the Emperor. Reason and Experience, as I said, are like the Roots and the Branches of Plants and Trees: As of Branches, Fruits, and Flowers, being open and obvious to the eye, the smell, the touch, and taste, every Girl can judge; so examples to vulgar capacitie are the best Arguments. Let him that says a Commonwealth has bin at any time conquer'd by a Monarch, to it again, and shew us the example. But the Fruits and Flowers be easily known each from other, their Roots are latent, and not only so, but of such resemblance, that to distinguish of these a man must be a Gardiner or a Herbalist. In this manner, the reason why a Commonwealth has not bin overcome by a Monarch, has bin shewn in the distribution of Arms, those of a Prince confining of Subjects or Servants, and those of a Commonwealth rightly order'd of Citizens, which difference relates plainly to the perfection or imperfection of the Government,

But, says the Prevaricator, this seems intended for a trial of our Notes, whether they will serve us to discover the fallacy of an inference from the prosperous success of Arms to the perfection of Government. If the Univerity, who should have some care of the Vineyard of Truth, shall dip the pigging of wild Boars, to grunt in this manner and fear with their tusks, and I happen to ring some of them (as I have don this Marcus for rooting) there is nothing in my faith why such trial of their Notes should be Sin; but for fallacious Inferences, such I leave to them whose Caps are squarer than their Play.
OF Popular Government.

For all that, Great and well policy'd Empires, says he, have bin subverted by People so eloign'd from the perfection of Government, that we scarce know of any thing to try them together, but the desire of Booty. Where, or how came he to know this? What Reason or Experience does he allege for the proof of it? May we not say of this, it is for the trial of our Noses, whether they will serve us to discover that a Conclusion should have from Premises? He gives us leave to go look, and all the Premises that I can find are quite contrary.

The Arms of Israel were always victorious, till the death of Joshua, wherupon the Orders of that Commonwealth being neglected, they came afterwards to be seldom prosperous. Isocrates in his Oration to the Areopagits, speaks thus of Athens: The Lacedemonians, who when we were under Oligarchy, every day commanded us something; now while we are under popular Administration, are our Petitioners that we would not see them utterly ruin'd by the Thebans. Nor did Lacedemon fall to ruin till her Agrarian, the Foundation of her Government, was first broken. The Arms of Rome (ever noted by Histriomancers, and clearly evinc'd by Macchiavel to have bin the refult of her Policy) during the popular Government were at such a pitch, as if Victory had known no other wings than those of her Eagles: nor seeing the Goths and Vandals are the Legisllators, from whom we derive the Government of King, Lords, and Commons, were those when they overcame the Roman Empire, a People so eloign'd from the perfection of Government, but their Policy was then far better than that of the Emperors, which having bin at first founded upon a broken Senat, and a few military Colonys, was now com to a Cenabist, and a mercenary Army. The Judgment of all Ages and Writers upon the Policy of the Roman Emperors, is in this place worthy, and thro' the pains already taken by Erasmus and Seldan, easy to be inferred. O miserable and deplorable State, says Erasmus, the Authority of the Senat, the Power of the Law, the Liberty of the People being trod underfoot! to a Prince, that got up in this manner, the whole World was a Servant, while he himself was a Servant to such, as no honest man would have indu'd the like Servants in his House: the Senat dreaded the Emperor, the Emperor dared his execrable Militia: the Emperor gave Laws to Kings, and receiv'd them from his Mercenaries. To this is added by Seldan, That the condition of these Princes was so desperat, it was a wonderful thing Ambition it self could have the Courage to run such a hazard; seeing from Caius Cæsar slain in the Senat to Charles the Great, there had bin above thirty of them murder'd, and four that had laid violent hands upon themselves: For there was always something in them that offended the Soldier, which whether they were good or bad, was equally subjeft to pick Quarrels, upon the least occasion raise'd Tumults, and dispatch'd even such of them as they had forc'd to accept of that Dignity, for example, Elius Pertinax. But if this be true, that of the Goths and Vandals, when they subdu'd this Empire, must have bin the better Government; for fo ill as this never was there any, except that only of the Kings of Israel, which certainly was much worse. Those of the Britains and the Gauls were but the dreggs of this of Rome, when they were overcome by the Saxons and Franks, who brought in the Policy of the Goths and Vandals.
WHEN TAMERLAN OVERCAME BAJAZET, the Turkish Policy had not attain'd to that extent of Territory which is plainly necessary to the nature of it, nor was the Order of the Janizaries yet instituted. The Hollander, who under a potent Prince was but a Fisherman, with the restitution of the popular Government, is become the better Soldier; nor has he bin match'd but by a rising Commonwealth, whose Policy you will say was yet worse, but then her Balance (being that especially which produces men) was far better. For Vastness, for Fruitfulness of Territory, for Bodys of Men, for Number, for Courage, Nature never made a Country more potent than Germany: yet this Nation, antiently the Seminary of Nations, has of late years, merely thro' the defect of her Policy (which intending one Commonwealth, has made a hundred Monarchys in her Bowels, whose crofs Interests twist her guts) bin the Theater of the faddest Tragedys under the Sun; nor is the curable, unleas from Prince falling to work with the Hammer of War, be able totally to destroy the old, and forge her a Government entirely new. But if this comes to pass, neither shall it be said, that a well-policy'd Empire was subverted, nor by a People so elogion'd from perfection of Government, but theirs must be much better than the other. Let me be as ridiculous as you will, the World is (in face Romuli) ripe for great Changes which must come. And look to it, whether it be Germany, Spain, France, Italy, or England, that comes first to set her self upon a firm Foundation of Policy, she shall give Law to, and be obey'd by the rest. There was never so much fighting as of late days to do little purpose; Arms, except they have a root in Policy, are altogether fruitless. In the War between the King and the Parliament, not the Nation only, but the Policy of it was divided; and which part of it was upon the better Foundation?

Confid. p. 51. B̅UT, says he, Ragusa and San Marino are commended for their upright and equal frame of Government, and yet have hardly extended their Dominion beyond the size of a handsome Manor.

HAVE Ragusa or San Marino bin conquer'd by the Arms of any Monarch? For this (I take it) is the question: tho' if they had, these being Commonwealths unarm'd, it were nothing to the purpose. The question of Increas is another point. Lacedemon could not inrease (because her frame was of another nature) without ruin; yet was she not conquer'd by any Monarch.

Confid. p. 52. COM, com, says he, for all this: It is not the perfection of Government, but the populousness of a Nation, the natural valour of the Inhabitants, the abundance of Horses, Arms, and other things necessary for equipping of an Army, assist'd with a good military Discipline, that qualify a People for Conquest; and where these concur, Victory is intial'd upon them. Very fine!

AS if these could concur any otherwys than by virtue of the Policy. For example, there is no Nation under Heaven more populous than France: Yet, says Sir FRANCIS BACON, If the Gentlemen be too many, the Commons will be base, and not the hundredth Poll fit for a Helmet, as may be seen by comparision of England with France, whereof the former, tho' far les in Territory and Populousness, has bin nevertheless the overmatch; in regard the middle People in England make good Soldiers, which the Peasants in France do not. This therfore was from the Policy, by which the one has bin the freest, and the other the most
of Popular Government.

not inflav’d Subject in the World; and not from Populousness, in Chap. 10.

which cause France must have bin the Overmatch.

THE like is observable in the natural valor of the People, there being no greater courage of an Infantry, than that of the middle People in England, whereas the Peasant having none at all, is never us’d in Arms. Again, France has one of the best Cavalry in the World, which the English never had, yet it avail’d her not. Victory is more especially intail’d upon Courage, and Courage upon Liberty; which grows not without a Root planted in the Policy or Foundation of the Government.

ALEXANDER with a handful of Freemen overcame the greatest abundance of Horses, Arms, and other things necessary for the equipping of an Army, the hugest Armies, the most vast and populous Empire in the World; and when he had done, could not by all these subdue that handful of freer men (tho he kill’d CLYDUS with his own hand in the quarrel) to the servile Customs of that Empire. And that the best military Disciplin deriv’d from the Policy of the Romans, I intimated before, and have shewn at large in other places.

BUT the Prevaricator neither minds what is said, nor cares what he says; to affirm that a Commonwealth was never conquer’d by any Monarch, and that a Commonwealth has conquer’d many Monarchs, or frequently led mighty Kings in triumph, is to run upon the foil, the second Proposition being with him no more than only the conversion of the first. As if that Rome was not conquer’d by the World, and that the World was conquer’d by Rome, were but a simple conversion. So the World having not conquer’d Venice, it must follow, that Venice has conquer’d the World. Do we take, or are we taken? Nor is he thus satisfy’d to burn his fingers, but he will blister his tongue.

WHERE I said that the Commonwealth of Venice, consisting of all them that first fled from the main Land to those Islands where the City is now planted, at the Institution took in the whole People, he would make you believe I had said that the Senat of Venice, at the first Institution, took in the whole People: It is matter of fact, and that in which his Integrity will be apparent to every man’s judgment. I pray see the places. And yet when he has put this trick upon me, he tells me, perhaps it is not true; and this only I grant him past peradventure is false, whether that I said it, or that the thing is possible. For how is it possible, that the Senat, which is no otherwise such than as it confinis of the Aristocracy, or sole part of the People, should take in the whole People? It is true, that good Authors, both antient and modern, when they speak of the Senat of Rome, or of Venice historically, imply the People. MACCHIABEL speaks of the Magistracy of PUBLIUS PHILO, as prolong’d by the Senat of Rome, without making any mention of the People, by whom nevertheless it was granted: the like is usial with other Authors. THUANUS seldom mentions the Commonwealth of Venice, but by the name of the Senat; which not understood by the learned Conferer, where CONTARINI speaks in the same manner of the Courteses taken by the Commonwealth of Venice, for withholding the Subject in the City from Sedition, he takes him to be speaking of the means whereby the Senat (an’t please you) keeps the People under: and so having put one trick upon me, and another upon
The Prerogative

CONTARINI, these two are his Premises, whence he draws this Conclusion, That Venice is as much as any in the World an unequal Commonwealth. Now the Conclusion you know no body can deny.

CHAP. XI.

Whether there be not an Agrarian, or some Law or Laws of that nature, to supply the defect of it in every Commonwealth: and whether the Agrarian, as it is stated in Oceana, be not equal and satisfactory to all Interests.

In this Chapter the Prevaricator’s Devices are the most wellfavor’d: for whereas the Agrarian of Oceana does no more than pin the basket, which is already fill’d, he gets up into the Tree where the Birds have long since eaten all the Cherries, and with what Clouts he can rake up, makes a most ridiculous Scarecrow. This pains he needed not to have taken, if he had not flighted overmuch the Lexicon, of which he allows me to be the Author; yet will have it, that he understood the words before, som of which nevertheless his ill understanding requires should be further interpreted in this place, as Property, Balance, Agrarian, and Levelling.

PROPERTY is that which is every mans own by the Law of the Land; and of this there is nothing fir’d, but all entirely left as it was found by the Agrarian of Oceana.

PROPERTY in Mony (except, as has bin shewn, in Citys that have little or no Territory) comes not to the present account. But Property in Land, according to the distribution that happens to be of the fame, causes the political Balance producing Empire of the like nature: that is, if the Property in Lands be so diffus’d thro’ the whole People, that neither one Landlord, nor a few Landlords overbalance them, the Empire is popular. If the Property in Lands be so ingross’d by the Few, that they overbalance the whole People, the Empire is Aristocratical, or mix’d Monarchy; but if Property in Lands be in one Landlord, to such a proportion as overbalances the whole People, the Empire is absolute Monarchy. So the political Balance is threefold, Democratical, Aristocratical, and Monarchical.

Each of these Balances may be introduc’d either by the Legislator at the institution of the Government, or by civil Vicissitude, Alinement, or Alteration of Property under Government.

EXAMPLES of the Balance introduc’d at the Institution, and by the Legislator, are first those in Israel and Lacedemon, introduc’d by God or Moses, and Lycurgus, which were Democratical or Popular. Secondly, Those in England, France and Spain, introduc’d by the Goths, Vandals, Saxons, and Franks, which were Aristocratical, or such as produc’d the Government of Kings, Lords, and Commons. Thirdly, Those in the East and Turkey, introduc’d by Nimrod, and Mahomet or Ottoman, which were purely Monarchical.

EXAMPLES of the Balance introduc’d by civil Vicissitude, Alinement, or Alteration of Property under Government, are in Florence, where
where the Medici attaining to excessive wealth, the Balance alter'd Chap. II.
from Popular to Monarchical: In Greece, where the Argives being lovers of Equality and Liberty, reduc'd the Power of their Kings to so small a matter, that there remain'd to the Children and Successors of Cæsar little more than the Title, where the Balance alter'd from Monarchical to Popular. In Rome, about the time of Cæsar, having eaten the People out of their Lands, the Balance alter'd from Popular, first to Aristocratical, as in the Triumvirs, Cæsar, Pompey and Cæsus; and then to Monarchical, as when Cæsus being dead, and Pompey conquer'd, the whole came to Cæsar. In Tarentum, not long after the War with the Medes, Aristotelian.
the Nobility being wasted, and overcome by Iapyges, the Balance, and with L. 5. C. 3.
that the Commonwealth chang'd from Aristocratical to Popular: The like of late has discover'd it fell in Oceania. When a Balance com's into the civil Vicissitude to be chang'd, that the change cannot be attributed to human Providence, it is more peculiarly to be ascribed to the hand of God; and so when there happens to be an irresistible change of the Balance, not the old Government which God has repeal'd, but the new Government which he dictates as present Legislator, is of Divine Right.

This Volubility of the Balance being apparent, it belongs to Legislators to have eyes, and to occur with some prudential or legal Remedy or Prevention: and the Laws that are made in this case are call'd Agrarian. So An Agrarian is a Law fixing the Balance of a Government in such a manner that it cannot alter.

This may be done divers ways, as by intailing the Lands upon certain Families, without power of Alienation in any case, as in Israel and Lacedæmon; or, except with leave of the Magistrate, as in Spain: But this, by making some Families too secure, as those in possession, and others too despairing, as those not in possession, may make the whole People less industrious.

Wherefore the other way, which by the regulation of Purchases ordains only that a man's Land shall not exceed from certain proportion; for example, two thousand Pounds a year; or, exceeding such a proportion, shall divide in descending to the Children, so soon as being more than one, they shall be capable of such a division, or subdivision, till the greater share exceeds not two thousand pounds a year in Land, lying and being within the native Territory, is that which is receiv'd and established by the Commonwealth of Oceania.

By Levelling, they who use the word seem to understand, when a People rising invades the Lands and Estates of the richer part, and divides them equally among themselves; as for example, —No where in the World; this being that, both in the way and in the end, which I have already demonstrated to be impossible. Now the words of this Lexicon being thus interpreted, let us hearken what the Prevaricator will say, and out it comes in this manner.

To him that makes Property, and that in Lands, the Foundation of Confid. 7. 75.
Empire, the establishing of an Agrarian is of absolute necessity, that by it the Power may be fix'd in those hands to whom it was at first committed.

What need we then proceed any further, while he, having no where disprov'd the Balance in these words, gives up the whole Cause? For as to that which he says of Mono, seeing neither the vast Treasure of Henry the 7th alteration the Balance of England, nor the Revenue of

P p 2
Book I. the Indies alters that of Spain, this Retreat (except in the Cases except-
ed) is long since barricado'd. But he is on and off, and, any thing to
the contrary notwithstanding, gives you this for certain.

THE Examples of an Agrarian are so infrequent, that Mr. Har-
ington is constrain'd to wave all but two Commonwealths; and can
find in the whole extent of History only Israel and Lacedemon to fasten
upon.

A MAN that has read my Writings, or is skill'd in History, cannot
chufe but see how he flurs his Dice; neverthelefs to make this a
little more apparent, It has seem'd to some (says Aristotelé) the
main point of Institution in Government, to order Riches right; whence
otherwise derives all civil Discord. Upon this ground Phæas the Chal-
cedonian Legislator made it his first work to introduce equality of Goods;
and Plato in his Laws allows not increase to a possition beyond cer-
tain bounds. The Argives and the Meffienians had each their Agrari-
an after the manner of Lacedemon. If a man shall translate the words
Plut. Lyceg. (οὐ τι, δύναμις πολιτική, vūris & facultas civitatis) Political Virtue or
Faculty, where he finds them in Aristotlé's Politics (as I make
bold, and appeal to the Reader whether too bold to do) by the
words Political Balance, understood as I have flated the thing, it will
give such a light to the Author, as will go nearer than any thing
alleg'd (as before by this Prevaricator) to deprive me of the honor
of that invention. For example, where Aristotlé says, If one
man, or such a number of men, as to the capacity of Government com-
 within the compass of the Few, excel all the rest (κατ' ἀγέρτιν), in balance, or in
such a manner, that the (δύναμις πολιτική) Political Faculties or Estates of
all the rest be not able to hold weight with him or them, they will never
condefend to share equally with the rest in power, whom they excel in Balance;
nor is it to any purpose to give them Laws, who will be as the Gods, their
own Laws, and will answer the People as the Lions are said by Antis-
thenes to have answer'd the Hares, when they had concluded, that
every one ought to have an equal Portion. For this cause (he adds) Cities
that live under Popular Power, have instituted the Ofracism for the preser-
vation of Equality; by which, if a man increase in Riches, Retinue, or
Popularity, above what is safe, they can remove him (without loss of
Honor or Estate) for a time.

If the Considerer thinks that I have strain'd courtely with Aris-
totlé (who indeed is not always of one mind) further than is war-
rantable, in relation to the Balance, be it as he pleases; I who must either
have the more of Authority, or the less of Competition in the point, shall
lodge neither way. However, it is in this place enough that the Ofracism
being of like nature, was that which supply'd the defect, in the Grecian
Cities, of an Agrarian. To proceed then to Rome, that the People there,
by striving for an Agrarian, strive to fave their Liberty, is apparent,
in that thro the want of such a Law, or the nonobservance of it, the
Commonwealth came plainly to ruin. If a Venetian should keep a
Table, or have his House furnisht with Retainers, he would be obnoxious
to the Council of Ten; and if the best of them appear with other
State or Equipage than is allow'd to the meanest, he is obnoxious to the
Officers of the Pomp: which two Orders in a Commonwealth, where
the Gentry have but small Estates in Land, are as much as needs be in
lieu of an Agrarian. But the German Republics have no more to sup-
ply the place of this Law, than that Estates descendiug are divided
among
among the Children; which sure no man but will say must needs be Chap. ii.
both just and pious: and we ask you no more in Oceana, where grant
this, and you grant the whole Agrarian. Thus had I set him all the
Commonwealths in the World before; and so it is no fault of mine,
that he will throw but at three of them: These are Israel, Lacedemon,
and Oceana.

FIRST the Israel: Mr. Harrington (says he) thinks not upon Confl. p. 77:
the Promise of God to Abraham (whence the Israelites derived their
Right to the Land of Canaan) but considers the division of the Lands as
a Politico Constitution upon which the Government was founded, tho in
the whole History of the Bible there be not the least footstep of such a desig.

WHAT means the man! the Right of an Israelite to his Land derived
from the Promise of God to Abraham, therefore the Right of an Oceaner to his Land must derive from the Promise of God to
Abraham? Or, why else should I in speaking of Oceana (where
Property is taken as it was found, and not thir'd a hair) think on the
Promise to Abraham? Nor matters it for the manner of division,
seeing that was made, and this was found made, each according to the
Law of the Government. But in the whole Bible (says he) there is not
the least footstep that the end of the Israelitish Agrarian was Political, or
that it was intended to be the Foundation of the Government.

THE Footsteps of God, by the Testimony of David, may be seen
in the deep Waters, much more, by the content of the whole Bible, in
Land, or in the foundation of Empire; unless we make the Footsteps
of God to be one thing, and his ways another, which as to Govern-
ment are thefe.

God by the Ballot of Israel (more fully describ'd in the next Book) Grot. ad
divided the Land (som respect had to the Princes and Patriarchs for
the rest) to everyone his inheritance, according to the number of names,
which were drawn out of one Urn first, and the Lots of Land (the
measure with the goodnes of the same consider'd) drawn afterwards
out of the other Urn to those names. Wherefore God ordaining the
Cause, and the Cause of necessity producing the Effect, God in ordi-
ning this Balance intended Popular Government. But when the
People admitting of no Nay, would have a King, God therupon com-
manding Samuel to shew them the manner of the King, Samuel
declar'd to the People concerning the manner or policy of the King, say-
ing, He will take your Fields and your Vineyards, and your Oliveyards, even 1 Sam. 8,
the best of them, and give to his Servants (which kind of proceeding
must needs create the Balance of a Nobility;) over and above this, he
will take the tenth of your Seed, and of your Vineyards, and of your Sheep
(by way of Tax, for the maintenance of his Armys) and thus your
Daughters shall come to be his Cooks and Confectioners, and your Sons to
run before his Chariot. There is not from the Balance to the Super-
structures a more perfect descrip'tion of a Monarchy by a Nobility.
For the third Branch, the People of Egypt in time of the Famin,
which was very fore, com to Joseph, laying, Buy us and our Land Gen. 47, 19, 20;
for Bread, and we and our Land will be Servants to Pharaoh. And
Joseph bought all the Land of Egypt (except that of the Priests) for
Pharaoh. So the Land became Pharaoh's: who, left the re-
membrane of their former Property by lively marks and continual re-
membrancers should fit them up (as the Vandals in Africa, strip'd in Grot. ad
Dwellings,
Dwellings, were stir'd up by their Women) to Sedition, remov'd the People thus fold, or drave them like Cattel even from one end of the borders of Egypt to the other end thereof. In which you have the Balance of a sole Landlord or abolurte Prince, with the miserable, and yet necessary consequence of an infull'd People. Now the Balance of Governments throuth the Scriptures being of these kinds, and no other, the Balance of Oceanas is exactly calculated to the most approved way, and the clearest Footsteps of God in the whole History of the Bible: and whereas the Jubile was a Law instituted for preservation of the popular Balance from alteration, so is the Agrarian in Oceanas.

BUT says the Prevaricator, Hocus Pocus, or in the name of Wonder, how can this Agrarian be the Foundation of that Government which had subsisted more than forty five years without it? For they were so long after the giving of this Law for the division of the Land, before they had the Land to divide.

 WHICH is as one should say upon that other Law of the like date, Judges and Officers shall thou make thee in all thy gates; Hocus Pocus, or in the name of Wonder, how should the Children of Israel make them Judges and Officers in their gates, before they had any gates to make them in? fine sport to be play'd by an Attorney for the Clergy with Scripture, where it is plain enough that the Laws of a Commonwealth were given by Moses to an Army, to be put in execution when that Army should become a Commonwealth, as happen'd under Joshua.

BUT no saying will serve his turn. If this Agrarian were meant as fundamental to the Government, the Provision (he will have it) was weak, and not proper for attaining the end propos'd, there being nothing in the nature of the Agrarian to hinder, but that the whole Country might for the space of near fifty years, that is, the time between the two Jubiles, have come into the hands of one man, and so have defray'd Balance, Agrarian, Government and all.

THIS they that boast of their Mathematics might have taken the pains (before they had bin so confident) to have demonstrated possible; as how or by what means one Lot could com in fifty years to be multiply'd fix hundred thousand times, and that without Ufury, which bar (the Israelites being no Merchants) was thought sufficient to be given: or thus to call the Prudence of God by their impracticable Phancies in question, is abominable.

I WOULD have Divines (as this Prevaricator persuades, and it should seem has persuad'd som of them) to overthrow the Commonwealth of Israel; for otherwise I will give them my word they shall never be able to touch that of Oceanas, which, except in the hereditary Succession and Dignity of the Princes of the Tribes, and the Patriarchs, and that the Sat in was for life, differs not from the former: for as to the divers working up of the Superstructures in divers Commonwealths, according to the diversity of occasions, it comes to no accountable difference; and much, I conceive, of this carving or finishing in Israel (which had it bin extant, would perhaps have shewn a greater resemblance) is lost. For the Senats, as to their numbers, that of the 360 in Oceanas, considering the bulk of the People, exceeds not that of the Seventy in Israel; the Succession and Dignity of the Princes of the Tribes and of the Patriarchs was ordain'd for the preservation of the Pedigrees, which (Christ being born) are not any more to be of like
of Popular Government.

like consequence; and that the Senators were for life, deriv'd from a Chap. 11.
former Custom of such a number of Elders exercizing som Authority in Egypt (tho not that of the Senate till it was instituted by God) from the descent of the Patriarchs into that Land, who being at their
defect seventy Persons, and governing their Familiys by the right of Paternity, as the People increas'd, and they came to dy, had their Successors appointed in such a manner that the number of Seventy, in remembrance of those Patriarchs, was diligently prefered. And
forasmuch as the Patriarchs governing their own Familiys (which at first were all) in their own right, were consequently for life, this also pleas'd in the substritution of others. These things rightly consider'd, I have not vary'd from the Authority of Israel in a tittle, there being neither any such necessary use of Pedigrees, nor uninterrupted Succession of Elders for life in Oceana; and unless a man will say, That we ought to have the like Effect where there is not the like Cause (which were absurd) the Authority of a Commonwealth holds no otherwise than from the Cause to the Effect.

O C E A N A, I say, cannot be wounded but by piercing the Authoriy of Israel, with which she is arm'd Cap a Pe. It is true, as the Prevaricator says in another place, that Law can oblige only those Confid. p. 35. to whom it was given; and that the Laws of Israel were given, as to the Power or Obligation of them, only to the Children of Israel. But the Power, as has been shewn, of a Commonwealth, and her Authority are different things; her Power extends no further than her own People, but her Authority may govern others, as that of Athens did Rome, when the latter wrote her twelve Tables by the Copy of the former. In this manner, tho a Man, or a Commonwealth, writing out of antient Governments, have liberty to chuse that which suits best with the occasion, out of any; yet (whether we consider the Wisdom and Justice of the Legislator supremely good, or the excellency of the Laws) the Prerogative of Authority, where the nature of the thing admits it, must needs belong to Israel. That this opinion should go fore with Divines, is strange; and yet, if there be any feeling of their pule by this their Advocate or Attorny, it is as true.

F O R while he finds me writing out of Venice, he tells me, I have in his Egypt. wisely put my self under her Protection or Authority, against whom he dares not make War, lest he should take part with the Turk.

B U T when he finds me writing out of Israel, he tells me, that he Confid. p. 35 is not aware of any Prerogative of Authority belonging to the Israelitish more than any other Republic: which is to take part with the Devil.

S O much for Israel. Now for Lacedemon; but you will permit me to shoke a Friend or two by the hand, as I go.

THE first is ARISTOTLE, in these words:

INEQUALIT is the source of all Sedition, as when the Riches Fol. I. 5. c. 3.
of one or the few com to cause such an Overbalance as draws the Commonwealth into Monarchy or Oligarchy; for prevention whereof the Ofracism has bin of use in divers places, as at Argos and Athens. But it were better to provide in the beginning, that there be no such Disease in the Commonwealth, than to com afterwards to her Cure.

THE
THE second is PLUTARCH, in these words:

LYC UR GUS judging that there ought to be no other inequality among Citizens of the same Commonwealth than what derives from their Virtues, divided the Land so equally among the Lacedemonians, that on a day beholding the Harvest of their Lots lying by Cocks or Ricks in the field, he laughing said, that it seem'd to him they were all Brothers.

THE third should have bin the Considerer, but he is at feud with us all.

Confid. p. 78. THE Design of LYCURGUS, he professest, was not so much to attain an Equality in the frame of his Government, as to drive into exile Riches, and the effects of them, Luxury and Debauchery.

GENTLEMEN, What do you say? you have the Judgment of three great Philosophers, and may make your own choice; only except he that has but one hundred pounds a year, can have Wine and Women at as full command, and Retainers in as great plenty, as he that has ten thousand, I should think these advantages accrue'd from Inequality, and that LYCURGUS had skill enough in a Commonwealth to see as much. No, says the Prevaricator, it appears far otherwise, in that he admitted of no Mony but old Iron, a Cartload of which was worth little. Well, but in Israel, where Silver and Gold was worth enough, my Gentleman would have it, that one man in the compass of fifty years might purchase the whole Land, tho' that Country was much larger than this: and yet where, if the People had us'd Mony, they would have us'd Trade, and using both, such a thing, thro' the straitness of the Territory, might have happen'd, he will not conceive the like to have bin possible. No, tho' he has an example of it in LYSANDER, who by the spoil of ATHENS ruin'd the Agrarian, first by the overbalance that a man's Mony came to hold to his Lot; then by eating out the Lots themselves, and in those the Equality of the Commonwealth. But these things he interprets pleasantly, as if the Vow of voluntary Poverty (to he calls it) being broken, the Commonwealth, like a forsworn Wretch, had morn and hang'd her self: a Phanfy too rank, I doubt, of the Cloyster, to be good at this work.

BUT wheras PLUTARCH, upon the narrowness of these Lots (which had they bin larger, must have made the Citizens fewer than thirty thousand, and so unable to defend the Commonwealth) and use of this same old and rufty Iron instead of Mony, observes it came by this means to pass that there was neither a fine Orator, Fortuneteller, Band, nor Goldsmith to be found in Lacedemon; our Considerer professest.

THAT it is to him as strange as anything in History, that LYCURGUS should find credit enough to settle a Government, which carry'd along with it so much want and hardships to particular men, that the total defence of Government could scarce have put them into a worse condition; the Laws that he made prohibiting the use of those things, which to injoy with security, is that only to other men that makes the Toke of Laws supportable.

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of Popular Government.

HERE he is no Monk again; I would ask him no more, than that he would hold to something, be it to any thing. It is true, we, who have bin us'd to our Plumpottage, are like enough to make faces (as did the King of Pontus) at the Lacedemonian black broth: But who has open'd his mouth against Plumpottage, gilded Coaches, Pages, Lacquys, fair Mannorhoules, good Tables, rich Furniture, full Purles, Universitys, good Benefices, Scarlet Robes, square Caps, rich Jewels, or said any thing that would not multiply all this? Why, says he, you are so far right, that the Vioce of LYCURGUS's Agrarian was, Every man shall be thus poor; and that of yours is, That no man shall be more than thus rich. This is an Argument (an't please you) by which he thinks he has prov'd, that there is no difference between the Agrarian that was in Lacedemon, and that which is in Oceana: For, Sir, whatsoever is thus and thus, is like: But the Agrarian of Lacedemon was thus, A man could have no Mony, or none that deferv'd that name; and the Agrarian of Oceana is thus, A mans Mony is not confin'd: Therefore the Agrarian of the one, and of the other, are like. Was it not a great grievance in Lacedemon, think you, that they had no such Logic nor Logician? Be this as it will, It had bin impossible, says he, for LYCURGUS to have sett'd his Government, had he not wisely obtain'd a Response from the Oracle at Delphos, magnifying and recommending it: After which all resistence would have bin downright Impiety and Difobedience, which concerns Mr. HARRINGTON very little. The Bible then is not so good an Oracle as was that at Delphos. But this Reflection has a tang with it, that makes me think it relates to that where he says, I know not how, but Mr. HARRINGTON has confid. p. 18. taken up a very great unkindness for the Clergy. He will know nothing; neither that the Oracle of the Scripture is of all other the clearst for a Commonwealth, nor that the Clergy being generally against a Commonwealth, are in this below the Priests of Delphos, who were more for LYCURGUS than these are for MOSES. But hav'at the Agrarian of Oceana with the whole bail of Dice, and at five throws.

THE first throw is, That it is unjust: For, IF it be truly asser'd (in Oceana, Page the 39th) that Government Confid. p. 81. is founded on Property, then Property consists in Nature before Government, and Government is to be fitted to Property, not Property to Government. How great a Sin then would it be against the first and purest notion of Justice, to bring in a Government not only different from but directly destructive to the sett'd Property of Oceana, where (in the 107th Page) there are consent to be three hundred Persons, whose Estates in Land exceed the Standard of two thousand pounds a year. Let me not be chok'd with the Example of Lacedemon, till Mr. HARRINGTON has shown us the Power of his Persuasion with the Nobility of Oceana, as LYCURGUS with them of Lacedemon, to throw up their Lands to be parcel'd by his Agrarian (as Page III.) and when that is don, I shall cease to complain of the Injustice of it. Nor need any one of these three hundred be put to own a blame, for preferring his own Interest before that of a whole Nation; for tho' when Government is once fix'd, it may be fit to submit private to public Utility, yet when the question is of shifting a Government, every particular man is left to his own native Right, which cannot be preferred against by the Interest of all the rest of Mankind.
HOW many false Dice there are in this throw (because you see
I have little to do) will be worth counting.

WHEREAS I no where deny Property to derive her being from
Law; he infinuates that I presume Property to be in Nature. There's
One.

WHEREAS in natural and domestic Vicisitude, I asser, That
Empire is to follow the Legal State of Property; he imposes, as if
I had assered, that Empire must follow the natural state of Property.
Two.

WHEREAS in violent or foren Vicisitude (as when the Israelites
possest themselves of the Land of Canaan, the Goths and Vandals of
Italy, the Franks of France, the Saxons of England) Property, in or-
der to the Government to be introduc'd, is alterable; he infinuates as
if I had faid, that Empire must always follow the State of Property,
not as it may be alter'd in that relation, but as it is found. Three.

WHEREAS the Government of Oceana is exactly fitted to Pro-
erty, as it was settl'd before; he infinuates it to be destructive to the
settl'd Property. Four.

WHEREAS I say, that to put it with the most, they that are
Proprietors of Land in Oceana, exceeding two thousand pounds a year,
do not exceed three hundred Perfons; he says, that I have confess'd they
be three hundred. Five.

WHEREAS I shew that the Nobility of Lacedemon, upon the
perfusion of Lycurgus, threw up their Estates to be parcel'd by
his Agrarian; but that in Oceana, it is not needful or requireth that
any man should part with a Farthing, or throw up one shovelful of
his Earth: he imposes, as if I went about to persuade the Nobility to
throw up their Lands. Six.

WHEREAS I have shewn that no one of those within the three
hundred can have any Interest against the Agrarian; he, without
shewing what such an Interest can be, infinuates that they have an
Interest against it. Seven.

WHEREAS the Government of Oceana goes altogether upon con-
sent, and happens not only to fit privat to public, but even public to
privat Utility, by which means it is void of all Objection; he infinuates,
that it is against privat Utility. Eight.

WHERE he says, that in chusing a Government every man is
left to his own native Right; he infinuates that the Agrarian (which
does no more than fix Property, as he found it) is against native Right.
Nine.

WHEREAS God has given the Earth to the Sons of men, which
native Right (as in case a man for hunger takes so much as will feed him,
and no more, of any other mans meat or herd) prescribes against legal
Property, and is the cause why the Law esteemeth not such an Action
to be Theft; he infinuates that there is a native Right in legal Proper-
ty, which cannot be prescrib'd against by the Interest of all the rest of
Mankind. Ten.

WHILE he pleaded the case of Monarchy, Levelling was con-
cluded lawful; in the case of a Commonwealth, which asks no such
favor, Levelling is concluded unlawful. Eleven.

IN the Reformation or Level as to Monarchy, tho' Property sub-
setfied before that Level, yet Property was to be fitted to the Govern-
ment, and not the Government to Property; but in the case of a Com-
monwealth

*
monwealth the Government is to be fitted to Property, and not Pro-Chap. 11.

In that, any man was bound to relinquish his native Right, else how could a Prince level his Nobility? In this, no man is bound to relinquish his native Right. Thirteen.

In that, this same native Right might be prescribed against by the Prince; in this, it cannot be prescribed against by the Interest of Man-kind. Fourteen.

In that, no Nobleman but ought to own a shame if he prefer'd his Interest before that of the Prince; in this, no Nobleman ought to own a shame for preferring his own Interest before that of a whole Nation. Fifteen.

Would you have any more? these fifteen majors and minors, or fall'c Dice, are soop'd up again, and put all into this Conclusion or Box, like themselves.

Thus the Interest of the three hundred is not balanced with that of a whole Nation, but that of some few extravagant Spirits; who, by making Dams in the Current of other mens Estates, hope to derive from Water to their own parch'd Fortunes.

Calumniare forit, nihil adhæredit. If a River has but one natural Bed or Channel, what Dam is made in it by this Agranian? but if a River has had many natural Beds or Channels, to which the has forgot to reach her Breast, and whose Mouths are dry'd up or obstructed; these are Dams which the Agranian does not make, but remove: and what parch'd Fortunes can hereby hope to be water'd, but theirs only, whose Veins having drunk of the same Blood, have a right in Nature to drink of the same Milk? The Law of Moses allow'd the first-born but a double portion: was his an extravagant Spirit?

His second throw is, That the nature of the Agranian is such as cannot be fix'd, in regard that the People being intrusted with a Vote and a Sword, may alter it for the left, or come to downright Levelling. But as to this, in the 8th Chapter I have bar'd his Dice, that being the place in which I thought most proper to give a full Answer to this Objection.

At the third throw, he is extreme awkward. For whereas the Israelites (notwithstanding the Voyages of Solomon, and what is said of the Ships of Tarl's) during their Agrarian, or while they had Land, were a Commonwealth of Husbandmen, and not of Merchants, nor came to the exercise of this Trade, till they had no Land, or after their dispers'sion by the Emperor Adrian; he screes it in, after this manner—As the Jews have no Lands, are everywhere great Traders; so the possession of Lands being limited by this Agranian, men who are either covetous or ambitious (as it Estates were not got by Industry, but by Covetousness and Ambition) will imploy themselves and their Estates in foreign Traffic, which being in a manner wholly ingroft by the Capital City of Oceana, that City, already too great, will immediately grow into an excess of Power and Riches, very dangerous to the Commonwealth; Amsterdam being com by such means to exercise of late a Tyranny in the disposal of some public Affairs, much to the prejudice both of the Liberty and Interest of the rest of the Union. An equal, if not greater Incommodity to Oceana, would be created by the Agrarian, which making Emporium a City of Princes, would render the Country a Commonwealth of
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Book I. Cottagers, able to dispute Precedence with the Beggers Bust.

NEWs, not from Tripoli, nor any other corner of the whole World but one. Bate me this, and shew me in what other City increafe of Houfe or new Foundations was ever held a Nuance. This sure is a Phanfly that regards not the old Folks, or antient Prude-

cnce.

ONE of the Blessings that God promis’d to ABRaHAm, was, that his Seed should be multiply’d as the Stars of Heaven: And the Com-
monwealth of Rome, by multiplying her Seed, came to bound her Territory with the Ocean, and her Fame with the Stars of Heaven. That such a Populousness is that without which there can be no great Commonwealth, both Reason and good Authors are clear; but whether it ought to begin in the Country, or in the City, is a scruple I have not known them make. That of Israel began in the Country, that of Rome in the City. Except there be obftrufion or impediment by the Law, as in Turkey where the Country, and in England where the City is forbid to increase; wherever there is a populous Country, for example France, it makes a populous City, as Paris; and wherever there is a populous City, as Rome after the ruin of Alba, and Amsterdam after the ruin (as to Trade) of Antwerp, it makes a populous Territory, as was that of the Rustie Tribes, and is that of Holland.

BUT the ways how a populous City comes to make a populous Country, and how a populous Country comes to make a populous City, are contrary; the one happening thro’ fucking, as that of the City, and the other thro’ weaning, as that of the Country.

FOR proof of the former: the more mouths there be in a City, the more meat of necessity must be vended by the Country, and so there will be more Corn, more Cattel, and better Markets; which breeding more Laborers, more Husbandmen, and richer Farmers, bring the Country so far from a Commonwealth of Cottagers, that where the Blessings of God, thro’ the fruitfulness of late years with us, render’d the Husbandman unable to dispute Precedence with the Beggers Bust, his Trade thus uninterrupted, in that his Markets are certain, goes on with increafe of Children, of Servants, of Corn, and of Cattel: for there is no reason why the Fields adjoining to Emporium, being but of a hard foil, should annually produce two Crops, but the Populousness of the City.

THE Country then growing more populous, and better stock’d with Cattel, which also increases Manure for the Land, must proportionally increase in fruitfulness. Hence it is that (as the Romans also were good at such works) in Holland there is scarce a puddle un-drain’d, nor a bank of Sand cast up by the Sea, that is not cover’d with Earth, and made fruitful by the People; these being so strangely, with the growth of Amsterdam, increas’d, as comes perhaps to two parts in three; nor the Agrarian taking place in Orctana, would it be longer disputed, whether she might not destroy Piftles to plant Men. Thus a populous City makes a Country milch, or populous by fucking; and whereas som may say, that such a City may fuck from foren parts, it is true enough, and no where more apparent than in Amsterdam. But a City that has recourse to a foren Dug, ere she had first fuck’d that of her proper Nurfe or Territory dry, you shall hardly find; or finding (as in som Plantation not yet wean’d) will hardly be
be able to make that Objection hold, seeing it will not ly so much against the Populousness of the place, as the contrary.

But a populous Country makes a populous City by weaning; for when the People increase so much, that the dung of Earth can do no more, the overplus must seek from other way of Livelihood: which is either Arms, such were those of the Goths and Vandals; or Merchandize and Manufacture, for which ends it being necessary that they lay their Heads and their Stock together, this makes populous Citys. Thus Holland being a small Territory, and suck'd dry, has upon the matter wean'd the whole People, and is therby become as it were one City that suck's all the World.

But by this means, says the Considerer, Emporium being already too great (while indeed Amsterdam, considering the narrowness of the Territory, or the smallness of Holland, is much more populous) would immediately grow into an excess of Power and Riches, very dangerous to Liberty, an example whereof was seen in the late Tyranny of that City: As if it were not sufficiently known that Amsterdam contributes, and has contributed more to the defence of the Commonwealth, or United Provinces, than all the rest of the League, and had in those late Actions which have bin scandaliz'd, refi'd not the Interest of Liberty, but of a Lord. That the increase of Rome, which was always study'd by her best Citizens, should make her Head too great for her Body, or her Power dangerous to the Tribes, was never so much as imagin'd; and tho' she were a City of Princes, her rustic Tribes were ever had in great esteem and Honor; insomuch, that a Patrician would be of no other.

But the Authority of antient Commonwealths is needles; the Prerocurator by his own Argumentation or Might, lays himself neck and heels.

For, says he, Were this Agrarian once settl'd, Emporium would dress'd p. 53. be a City of Princes, and the Nobility fo tholy plan'd, that they would be just as strong as wing, as wild Fowl in moulting time. There would be a City of Princes, and yet no Nobility. He is so fa't that I have pity on him, if I knew but which way to let him loose. He means perhaps, that the Merchants growing rich, would be the Nobility; and the Nobility growing poor, would be Graffers.

But so for ought I know it was always, or worse, that is, men attain'd to Riches and Honors by such or worse Arts, and in Poverty made not always to honet Retreats. To all which Infirmities of the State, I am deceiv'd if this Agrarian do not apply the proper Remedys. For such an Agrarian makes a Commonwealth for increafe: the Trade of a Commonwealth for increafe, is Arms; Arms are not born by Merchants, but by Noblemen and Gentlemen. The Nobility therefore having th'Arms in their hands, by which Provinces are to be acquir'd, new Provinces yield new Estates; so whereas the Merchant has his returns in Silk or Canvas, the Soldier will have his return in Land. He that represents me as an Enemy to the Nobility, is the man he speaks of; for if ever the Commonwealth attains to five new Provinces (and such a Commonwealth will have Provinces now) it is certain, that (besides Honors, Magnificacey, and the Revenues annex'd) there will be more Estates in the Nobility of Oceana, of fourteen thousand pounds Land a year, than ever were, or can otherwise be of four; and that without any the least danger to the Common-
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Commonwealth: for if Rome had but look'd so far to it, as to have made good her Agrarian in Italy, tho she had neglected the rest, the Wealth of her Nobility might have suck'd her Provinces, but must have enrich'd the People; and so rather have water'd her Roots, than starv'd and destroy'd them, as it did. In this case therefore the Nobility of Oceana would not moulder like wild Fowl, but be strong of wing as the Eagle.

One Argument more I have heard urg'd against the Populousness of the Capital City, which is, That the Rich in time of sickness forsaking the place, by which means the Markets com to fail, the Poor, left they should starve, will run abroad, and infect the whole Country. But should a man tell them at Paris, or Grand Cairo (in the latter whereof the Plague is more frequent and furious than happens with us) that they are not to build Houfes, nor increase so much, left they should have the Plague; or that Children are not to be born so fast, left they dy, they would think it strange news. A Commonwealth is furnish'd with Laws, and Power to add such as the shall find needful. In case a City be in that manner visit'd, it is the duty of the Country, and of the Government, to provide for them by contribution.

Confid. p. 87. The difficulty in making the Agrarian equal and stedy thro the rise or fall that may happen in Mony, which is the fourth throw of the Prevaricat, is that which it might have bin for his cafe to have taken notice was long since sufficiently bar'd, where it is said, That if a new Survey at the present Rent was taken, an Agrarian ordaining that no man should thenceforth hold above fo much Land as is there valu'd at the rate, however Mony might alter, would be equal and stedy enough.

Confid. p. 85. His last cast is, That the Agrarian would make War against universal and immemorial Custom; which being without doubt more prevalent than that of Reason, there is nothing of such difficulty as to persuade men at once, and cruely, that they and their Forefathers have bin in an Error.

Wise men, I see, may differ in Judgment or Counsell: for, says Sir Francis Bacon, Surely every Medicin is an Innovation, and he that will not apply new Remedys must expect new Evils: for Time is the greatest Innovator; and if Time of course alters things to the worse, and Wisdom and Counsell may not alter them to the better, what must be the end?

But the case of the Agrarian receives equal strength from each of these Counsellors or Opinions: from the latter, in that it goes upon grounds which Time has not innovated for the worse, but for the better; and so according to the former comes not to have bin at once, and crudely persuaded, but introduc'd by Custom, now grown universal and immemorial. For who remembers the Gentry of this Nation to have worn the blew Coats of the Nobility, or the lower sort of People to have liv'd upon the smaok of their Kitchens? On the contrary, Is it not now a universal Custom for men to rely upon their own Fortunes or Industry, and not to put their Trust in Princes, seeking in their Liberality or Dependence the means of living? The Prevaricator might as well jump into his great Grandfather's old Breches, and persuade us that he is a la mode, or in the new cut, as that the ways of our Forefathers would agree with our Customs. Dos not every man now
of Popular Government.

now see, that if the Kings in those days had setl'd the Estates of the Nobility by a Law, refraining them from selling their Land, such a Law had bin an Agrarian, and yet not warning against their ancient Customs, but preferring them? Wherefore neither dos the Agrarian propos'd, taking the Balance of Estates as the now finds them, make War against, but confirm the present Customs. The only Objection that can seem in this place to ly, is, that whereas it has bin the Custom of Oceana that the bulk of the Estate should descend to the eldest Son, by the Agrarian he cannot, in case he has more Brothers, inherit above two thousand pounds a year in Land, or an equal share. But neither dos this, whether you regard the Parents or the Children, make War with Custom. For putting the case the Father has twenty thousand pounds a year in Land, he gros not the less in his custom or way of Life for the Agrarian, because for this he has no less: and if he has more or fewer Sons to whom this Estate descends by equal or unequal portions, neither do they go less in their ways or customs of Life for the Agrarian, because they never had more. But, says Aris Pol. L. 3. c. 9. TOTLE (spaking of the Ostracism as it supplys the defect of an Agrarian) this course is as necessary to Kings as to Commonwealths. By this means the Monarchys of Turkey and of Spain preferve their Balance; thro the neglect of this has that of the Nobility of Oceana bin broken: and this is it which the Prevaricator, in advising that the Nobility be no further level'd than will serve to keep the People under, requires of his Prince. So, That an Agrarian is necessary to Government, be it what it will, is on all hands concluded.

CHAP. XII.

Whether Courses or a Rotation be necessary to a well-order'd Commonwealth. In which is contain'd the Courses or Farembole of Israel before the Captivity, together with the Epitome of Athens and Venice.

Our first and we have don: This (as reason good) will Oceana, p. 54. be upon Wheels or Rotation: For,

AS the Agrarian answers to the equality of the Foundation or Root, so does Rotation to the equality of the Superstructures or Branches of a Commonwealth.

EQUAL Rotation is equal Vicissitude in, or Succession to Magistracy confer'd for equal terms, injoying such equal Vacations, as cause the Government to take in the Body of the People, by parts succeeding others, thro the free Election or Suffrage of the whole.

THE contrary wherto is prolongation of Magistracy, which, trafficing the wheel of Rotation, destroys the Life or natural Motion of a Commonwealth.

THE Prevaricator, whatever he has don for himself, has don this for me, that it will be out of doubt whether my Principles be capable of greater Obligation or Confirmation, than by having Objections made against them. Nor have I bin altogether ingrateful, or nice of my Labor, but gon far (much farther than I needed) about, that I might return with the more valuable Prefent to him that sent me on the errand:
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Book 1. errand: I shall not be short of like proceeding upon the present Subject, but rather over.

ROTATION in a Commonwealth is of the Magistracy, of the Senat, of the People; of the Magistracy and the People; of the Magistracy and the Senat; or of the Magistracy, of the Senat, and of the People: which in all com to fix kinds.

FOR example of Rotation in the Magistracy, you have the Judg of Israel, call’d in Hebrew Shophet. The like Magistracy after the Kings I T H O B A L and B A A L came in use with the Tyrants; from thence, with their Potestity the Carthaginians, who also call’d their supreme Magistrats, being in number two, and for their Term Annual, Shophetim, which the Latins by a softer Pronunciation render Suffetes.

THE Shophet or Judg of Israel was a Magistrat, not, that I can find, oblig’d to any certain term, through the Book of Judges; nevertheless, it is plain, that his Election was occasional, and but for a time, after the manner of a Dicṭator.

TRUE it is, that E L I and S A M U E L rule’d all their lives; but upon this such impatience in the People follow’d, thro’ the corruption of their Sons, as was the main caufe of the succeeding Monarchy.

THE Magistrats in Athens (except the Areopagis, being a Judicatory) were all upon Rotation. The like for Lacedemon and Rome, except the Kings in the former, who were indeed hereditary, but had no more Power than the Duke in Venice, where all the rest of the Magistrats (except the Procuratori, whose Magistracy is but mere Orna ment) are also upon Rotation.

FOR the Rotation of the Senat you have Athens, the Acheans, Aetolians, Lycians, the Amphictyonium; and the Senat of Lacedemon re prov’d, in that it was for life, by A R I S T O T L E: Modern Examples of like kind are the Diet of Switzerland, but especially the Senat of Venice.

FOR the Rotation of the People, you have first Israel, where the Congregation (which the Greeks call Ecclesia; the Latins, Comitia, or Concil) having a twofold capacity; first, that of an Army, in which they were the constant Guard of the Country; and, secondly, that of a Represenative, in which they gave the Vote of the People, at the creation of their Laws, or election of their Magistrats, was Monthly.

1 Chron. 27.1. Now the Children of Israel after their Number, to wit, the chief Fathers and Captains of thousands and hundreds, and their Officers that serv’d the King in any matter of the Courses, which came in and went out month by month, through all the months of the year, of every Course were twenty and four thousand.

Grot. ad loc. Such a multitude there was of military Age, that without inconvenience, four and twenty thousand were every month in Arms, whose term expiring, others succeded, and so others; by which means the Rotation of the whole People came about in the space of one year. The Tribuns, or Commanders of the Tribes in Arms, or of the Prerogative for the month, are nam’d in the following part of the Chapter, to the sixteenth Verse; where begins the enumeration of the Princes ( tho G A D and A S H U R, for what reason I know not, be omitted) of the Tribes, remaining in their Provinces, where they judg’d the People, and as they receiv’d Orders, were to bring or fend such further Inforcement or Recruits as occasion requir’d to the Army: after these, some other
of Popular Government.

other Officers are mention’d: There is no question to be made but this Chap. 12; Rotation of the People, together with their Prerogative or Congregation, was prefered by the monthly Election of two thousand Deputies in each of the twelve Tribes, which in all came to four and twenty thousand; or let any man shew how otherwise it was likely to be done, the nature of their Office being to give the Vote of the People, who therefore surely must have chosen them. By these the Vote of the People was given to their Laws, and at Elections of their Magistrates.

To their Laws, as where David proposes the reduction of the Ark: And David consulted with the Captains of thousands and hun. 1 Chron. 13; dreds, and with every Leader. And David said to all the Congregation of Israel, If it seems good to you, and it be of the Lord God, let us send abroad to our Brethren every where (the Princes of the Tribes in their Provinces) that are left in the Land of Israel, and with them also to the Priests and Levites, which are in the Cities and Suburbs, that they may gather themselves to us; and let us bring again the Ark of our God to us, for we inquire not at it in the days of Saul. And all the Congregation (gave their Suffrage in the Affirmative) said that they would do so; for the thing was right in the eyes of the People. Nulla lex subjiciatur justitiae Grot. 2 Tertul. facie debet; sed eis a quibus obequium expectat. Now that the same Congregation or Representative gave the Vote of the People also in the Election of Priests, Officers and Magistrates; Moreover David and 1 Chron. 25; the Captains of the Host separated to the Service of the Sons of Asaph, and of Heman, and of Jeduthun, who should prophesy with Harps, with Psalteries, and with Cymbals. But upon the occasion to which we are more especially beholden for the preservation and discovery of this admirable Order (David having propos’d the business in a long and pious speech) the Congregation made Solomon the Son of David King the second time, and anointed him to the Lord to be Chief Governor, 1 Chron. 2:22; and Zadok to be Priest. For as to the first time that Solomon was made King, it happen’d, thro’ the Sedition of Adonijah, to have bin done in haste and tumultuously by those only of Jerusalem; and the reason why Zadok is here made Priest, is, that Abiathar was put out for being of the Conspiracy with Adonijah.

I may expect (by such Objections as they afford me) it should be alleg’d, that to prove an Order in a Commonwealth, I instance in a Monarchy; as if there were any thing in this Order monarchical, or that could, if it had not bin so receiv’d from the Commonwealth, have bin introduc’d by the Kings, to whom in the judgment of any sober man (the Prevaricator only excepted, who has bin huckling about from such Council for his Prince) no less could have follow’d upon the first frown of the People, than did in Rehoboam, who having us’d them roughly, was depos’d by the Congregation, or the major part. It is true, that while Israel was an Army, the Congregation, as it needed not to assemble by way of Election or Representative, so I believe it did not; but that by all Israel assemble’d to this end, should be meant the whole People after they were planted upon their Lots, and not their Representative, which in a political sense is as properly foci’d, were absurd and impossible. Nor need I go upon presumption only, be the same never so strong, seeing it is said in Scripture of the Korathites, that they were keepers of the Gates of the Tabernacle, and their Fas. 1 Chron. 9; others being over the Host of the Lord, were keepers of the Entry: That is, (according to the Interpretation of Grotius) the Korathites were
now keepers of the Gates, as it appears in the Book of Numbers, their Ancestors the Kophabites had bin in the Camp, or while Israel was yet an Army. But our Translaction is lame in the right foot, as to the true discovery of the antient manner of this Service, which according to the Septuagint and the vulgar Latin was thus, they were keepers of the Gates of the Tabernacle (κατα τας πυραμοιας, & familiae ejus per vices) and their Fathers by turns, or Rotation. So that Offices and Services by Courses, Turns, or Rotation, are plainly more antient than Kings in the Commonwealth of Israel: tho' it be true that when the Courses or Rotation of the Congregation or Representative of the People were first introduce'd, is as hard to shew, as it would be how, after the People were once planted upon their Lots, they could be otherwise assembled. If Writers argue well and lawfully from what the Sanhedrim was in the institution by Jehosaphat, to what it had more antiently bin; to argue from what the Congregation was in the institution by David, to what it had more antiently bin, is sufficiently warranted.

These things rightly consider'd, there remains little doubt but we have the Courses of Israel for the first example of Rotation in a popular Assembly. Now to come from the Hebrew to the Grecian Prudence, the same is approved by Aristotle, which he exemplifies in the Commonwealth of Thales Milesius, where the People, as he says, assembled (των μη σωματικων, διακρnio πνευματικων) by turns or Rotation. Nor is the Roman Prudence without some shadow of the like Proceeding, where the Prerogative (pro tempore) with the jure vocato, being made by Lot, gave frequently the Suffrage of the whole People. But the Gothic Prudence in the Policy of the third State, runs altogether upon the Collection of a Representative by the Suffrage of the People (who not so diligently regulated, by Terms and Vacations, as to a standing Assembly were necessary, by Turns, Rotation, Parembole or Courses) as in the election of the late House of Commons, and the constitutive Vicissitude of the Knights and Burgesses, is known by sufficient experience.

When the Rotation of a Commonwealth is both in the Magistracy and the People, I reckon it to be of a fourth kind, as in Israel, where both the Judges and the Congregation were so elected.

The fifth kind is when the Rotation of a Commonwealth is in the Magistracy and the Senate, as in those of Athens, of the Achaia, of the Arcadian, of the Lycian, and of Venice; upon which Examples, rather for the influence each of them, at least Athens, may have upon the following Book, than any great necessity from the present occasion, I shall enlarge in this place.

The Commonwealth of Athens was thus administered.

The Senate of the Bears being the proposing Assembly (for that of the Areopagists, call'd also a Senat, was a Judicatory) consisted of four hundred Citizens chosen by Lot, which was performed with Beans. These were annually remov'd all at once: By which means Athens became frustrated of the natural and necessary use of an Aristocracy, while neither her Senators were chosen for their parts, nor remain'd long enough in this Function to acquire the right understanding of their proper Office. These thus elected, were subdivided by Lot into four equal parts, call'd Prytanes, each of which for one quarter of the year was
of Popular Government.

was in office. The Prytany, or Prytans in office, elected ten Presi-
dents, call’d Proedri, out of which Proedri or Presidents they weekly
chose one Provost of the Council, who was call’d the Episata. The
Episata and the Proedri were the more peculiar Propoers to the Pry-
tans, and to the Prytans it belond’d especially to prepare business
for the Senat, They gave also au-
dience to any that would propose any thing concerning the Common-
wealth, which if, when reported by the Prytans, it were approv’d by
the Senat, the party that propos’d might promulgate the busines; and
Promulgation being made, the Congregation assemb’ld, and deter-
min’d of it. Sic data concio Latio est, prossefit ille, & Gracus apud Gracos
non de culpa sua dixit, sed de pana questius est; porrexerunt manus, Pse-
phisma natum est.

THE Prytans and their Magistrats had right to assemble the Senat,
and propose to them; and what the Senat determin’d upon such a Propo-
sition, if forthwith to be offer’d to the People, as in privat cafes,
was call’d Proboileme; but if not to be propos’d till the People had a
years trial of it, as was the ordinary way in order to Laws to be enact-
ed, it was call’d Psephisma; each of which words, with that difference,
signifies a Decree. A Decree of the Senat in the latter sense had for
one year the power of a Law, after which trial it belong’d to the Thes-
motheta (σωσθήθητε) to hang it in writing upon the Statues of the Her-
os, and assemble the Congregation. These Magistrats were of the
number of the Archons, which in all were nine; the chief, more pecu-
larly so call’d, was ARCHON EPO NY MUS, he by whose name the year
was reckon’d or denominated (his Magistracy being of a Civil
concernment) the next was the King (a Magistrat of a Spiritual con-
cernment) the third the Polemarch (whose Magistracy was of a Mili-
tary concernment) the other fix were the Thesmotheta, who had se-
veral Functions common with the nine; others peculiar or proper to
themselves, as (σωσθήθητε) to give the People (by Placarts) notice
when the Judicatorys were to assemble, that is, when the People were
to assemble in that capacity, and to judge according to the Law made;
or, when the Senat or the People were to assemble upon an ευπαρχία,
a Crime that was not provided against by the Law, as that of ALCI-
BIADES (the Wits about that time in Athens being most of them
Atheists) for laughing at CERES, discovering her Secrets, and shav-
ing of the MERCURY. If an Archon or Demagog was guilty of such
a Crime, it belong’d to the cognizance of the Senat, otherwise to that
of the People, whom the Thesmotheta were also in like manner to warn.
when they were to come to the Suffrage.

THESE fix, like the Electors in Venice, presided at all Elections
of Magistrats, whether made by the Lot as the Judges, or by Suffrage
as the new Archons, the Strategus or General, and most of the rest.
They also had the hearing and introducing of all Causes into the Judi-
catorys.

BUT the right of assembling the Ecclesia or Congregation belong’d
do the Prytans, by whom the Senat propos’d to the People.

THE Congregation consisted of all them that were upon the Roll of
the Lexiarcha, that is to say, of the whole People having right to the
City. The Prytans seate upon a Tribunal, were Presidents of this
Assembly; the Assembly having sacrific’d and made Oath of Fideli-
ty to the Commonwealth, the Proedri or Presidents of the Prytans
propo’d.
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Book I. propos'd by Authority of the Senat to the People in this manner: June
the 16th Policles being Archon, and the Tribe of Pandion in the
Pyssanat, Demosthenes Pæneus thought thus, or was of
this opinion. The same Custom whereby the first Propoer subscribes
his Opinion or Part with his Name, is at this day in Venice. Proposi-
tion being made, such of the People as would speake were call'd to the
Pulpit; they that were fifty years of Age, or upwards, were to com
first, and the younger afterwards; which custome of prating in this
manner made excellent Orators or Demagogs, but a bad Common-
wealth.

FROM this, that the People had not only the Refult of the Com-
monwealth, but the Debate also, Athens is call'd a Democracy; and
this kind of Government is oppos'd to that of Lacedemon, which, be-
cause the People there had not the power of Debate, but of Refult
only, was call'd an Aristocracy, somtimes an Oligarchy: thus the Greeks
commonly are to be understood, to distinguish these two; while ac-
cording to my Principles, if you like them, Debate in the People
makes Anarchy; and where they have the Refult and no more, the
reft being manag'd by a good Aristocracy, it makes that which is pro-
perly and truly to be call'd Democracy, or Popular Government. Nei-
ther is this Opinion of mine new, but according to the Judgment of
som of the Athenians themselves; for says Isocrates in his Ora-
tion to the Areopagites for Reformation of the Athenian Government,
I know the main reason why the Lacedemonians flourish to be, that their
Commonwealth is popular. But to return. As many of the People as
would, having shew'd their Eloquence, and with these the Demagogs,
who were frequently brib'd, conceal'd their Knavery; the Epistates,
or Provost of the Proorei, put the Decree or Question to the Vote, and
the People gave the Refult of the Commonwealth by their Chirotonias,
that is, by holding up their hands: the Refult thus given, was the
Law or Psephisms of the People.

Dem. Phil. 1. N O W for the Functions of the Congregation, they were divers;
as first, Election of Magistrates (such Ishoromata αι ευθυς δια της
Taqesias και Στρατα τον ευπρεπον και επονομασχημαν αυτων;) namely, the Ar-
chos, the Strategus or General, the Field Officers, the Admirals,
with divers others, all, or the chief of them annual, and com-
monly upon Terms and Vacations; tho' it be true, as Plutarch
has it, that Phocion was Strategus four years together, having
that Honor still put upon him by the Congregation, without his seek-
ing. The next Office, of this Assembly was to elect Judges into five
Courts or Judicatorys; for the People being in the Bulk too unwieldy
a Body for the performance of this duty, they exercis'd the supreme
Judicature by way of Representative, into which Election was made
by Lottery, in such a manner that five hundred, one thousand, or
1500 of them (according to the importance of the occasion) being
above thirty years of Age, and within the rest of the Qualifications in
that case provided by the Law, became the Soverain Judicatory, calld the Helias. In all Elections, whether by Lot or Suffrage, the
Theomsithere were Presidents, and order'd the Congregation. Fur-
thermore, if they would amend, alter, repeal, or make a Law, this
also was don by a Representative, of which no man was capable
that had not bin of the Helias, for the rest elected out of the whole
People: this amounting to one thousand, was call'd the Nomothete or
Legilla-
Legislators. No Law receiv'd by the People could be abrogated but Chap. 12. by the Nomotheta; by these any Athenian, having obtain'd leave of the Senat, might abrogate a Law, provided withal he put another in the place of it. These Laws the Proedri of the Prytanes were to put to the Suffrage.

FIRST, the old, whether it agreed with the Athenian People, or not? then the new; and whether of these happen'd to be chirotoniz'd or voted by the Nomotheta, was ratify'd, according to that piece of the Athenian Law cited by Demosthenes against Timocrates, ὃν τινα ἕνεκ ἥρωον χειροτόνησον ἐκ τοῦ ἅγιου Ἑραλδευτη, τοῦ πρόεργου εἶναι. What has bin said of the Commonwealth of Athens, in relation to the present purpose, amounts to thus much. That not only the Senat and the Magistracy in this Policy was upon Rotation, but even the People also, at least as to the Nomotheta, or their Legislative Power, and the Supreme Judicatory of the Helias, each of these being a Representative, constituted of one thousand, or fifteen hundred Citizens.

BUT for what follows in the second Book, it is necessary that I observe in this place the proceeding of certain Divines, who endeavor to make use of this Commonwealth for ends of their own, as particularly Dr. Seaman; who in his Book call'd Four Propositions, argues after this manner.

CHIROTONIA (as Suidas has it) signifies both Plebiscitum, a Law made by the People, and Psephisma. Now, says he, Psephisma is the ordinary word us'd in the Attic Laws, and in Demosthenes for Senatusconsultum, a Law made by the Senat: whence he draws this Conclusion; As, when the People make a Law, they are said to Chirotonize; so may the Rulers, in like manner, in those Laws that are made by themselves alone.

These ways with Divines are too bad. The words of Suidas are these (χειροτονια, ἔλεγχος, τοῦ προεργος) Chirotonia is Election or Ratification by the Many: which expressly excludes the Few or the Senat from being otherwise contain'd by the word Chirotonia, than a part is by the whole. Nor has the Author the word Psephisma or Plebiscitum in the place. I would fain know what other word there is in Greece for Plebiscitum but Psephisma; and yet the Doctor puts it upon Suidas, that he distinguishes between these two, and taking that for granted where he finds Psephisma in Demosthenes and the Attic Laws, will have it to signify no more than a Decree of the Senat. It is true that from Decrees of the Senat were so call'd, but those of the People had no other name; and whenever you find Psephisma in Demosthenes or the Attic Laws, for a Law, there is nothing more certain than that it is to be understood of the People: for to say that a Law in a Popular Commonwealth can be made without the People, is a Contradiction.

The second Passage is a What think you of these words of Pollux, Pollib. 2. 6. 9, Pollux, ιδε δι' εἰ μέν ἀπελευθερακές προφάρεα, πάντα δέ διαδίδει τὰ διαφό-

τιαρά, εἰς τοῦ οὕτως εἶναι εἰς τὸν μὲν ἤκτος χειροτονια. Which the Doctor having engliish'd in this manner, The Thermothetæ do privately preferbe when Judgment is to be given, and promulge public Accusations and Suffrages to the People, asks you whose Suffrages were those, if not the Rulers? By which strange Construction, where Pollux having
having first related in what part the function of the Thesmothetae was common with that of the nine Archons, cons (i.e. 9) to shew you what was peculiar to themselves, namely, to give notice when the Helia or other Judicatorys were to assemble; the Doctor renders it, they do privately prescribe: as if the Session of a Court of Justice, and such a one as contain'd a thousand Judges, being the Representative of the whole People, were to be privately prescribed. Then to this privat prescribing of Justice, he adds, that they do publicly promulge (ὅσοι ἤκουσαν) Citations upon Crimes not within the written Law; as if privat Prescription and public Promulgation could stand together. Next, whereas Promulgation in the very nature of the word signifies an Act before a Law made, he presumes the Law to be first made by the Rulers, and then promulgated by the Thesmothetae to the People, kim kam to the experience of all Commonweaths, the nature of Promulgation, and the sense of his Author, whose words, as I shew'd before, declare it to have bin the proper or peculiar office of the Thesmothetae to give the People notice when they were to assemble for Judicature, or when for giving their Chirorton or Suffrage, by Promulgation of the Cause (οὐ δὲ ἐνὶ προσώποι) upon which they were to determin.

FOR the fourth passage, the Doctor quoting a wrong place for these words, ἄρα ἐν αὐτῷ ὁ λαός, that the Nomothetae (being a Representative, as I shew'd, of the whole People, chosen by Lot, and in number one thousand) chirortoniz'd, or gave the Legislative Suffrage; thence infers, that the Rulers chirortoniz'd, voted or made Laws by themselves without the People: which is as if one should say, that the Prerogative Tribe in Rome, or the House of Commons in England, gave their Vote to such or such a Law, therefore it was made by the Rulers alone, and not by the People of Rome or of England.

FOR the fourth Passage, Stephanus quotes Demosthenes at large in these words, ἐφεξής ἐφ' ὦ πόλεμον ἐπεδοκινήσατε αὐτῷ. This the Doctor interprets of an Officer; to which I shall say more, when he shews me where the Sentence is, or what went before: for as yet I do not know of an Officer in any Commonwealth, whose Election was indifferently made, either by the Senat or by the People; nor do I think the Doctor has look'd further for this than Stephens, who has not interpreted it.

THE fifth passage is, That a Decree of the Senat in Athens had the force of a Law for one year, without the People. So had the Edicts of the Prators in Rome: but I would fain know, whence the Senat in Athens, or the Prators in Rome, originally deriv'd this Right (which was no more than that such Laws might be Probationers, and so better understood when they came to the voice) but from the Chirorton, or Suffrage of the People.

THE sixth passage stops the mouths of such as having nothing to say to the matter of my writing, pick quarrels with the manner or freedom of it, the Liberty I take in the defence of Truth; seeing the Doctor takes a greater liberty upon other terms, while he bids his Antagonist (one that defended the Cause now in my hand) go and confute his Authors, namely, Stephens and Budeus again: for, says he, you wrong those learned Men, while you would have us believe that they were as ignorant of the Greek Story as your self, or that things are to be found in them which are not. To which Confidence I have better leave
leave to say, that the Doctor should do well to take no worse Council than he gives.

But what is becom of my Prevaricator? I have quite lost him; else I should have intreated him to compare his Notes out of my Sermon, with these out of the Doctor's; or retract that same affectation, in saying, I know not bow, but Mr. Harrington has conceiv'd a great unkindness for the Clergy. As if these their Stratagemas, with which they make perpetual War against the unwar People, did not concern a man that has undertaken the caufe of Popular Government.

The Policy of the Achauns consist'd of divers Commonwealths under one, which was thus administer'd. The City's sent their Deputy's twice every year of course, and oftner if they were summon'd by their Strategus, or their Demiurges, to the place appointed. The Strategus was the Supreme Magistrat both Military and Civil, and the Demiurges being ten, were his Council, all Annual Magistrats elected by the People. This Council thus constituted, was call'd the Synarchy, and perform'd like Dutys, in relation to the Senat, consisting of the Deputy's sent by their peculiar Sovereainty's or City's, as the Prytans to that in Athens. The Policies of the Attolians and Lyceans are so near the same again, that in one you have all. So both the Senats and the Magistracy of these Commonwealths were upon Rotation. To conclude with Venice.

The Commonwealth of Venice consists of four parts; the Great Council, the Senat, the College, and the Signory. The Great Council is the aggregate Body of the whole People, or Citizens of Venice, which, for the paucity of their number, and the Antiquity of their Extraction, are call'd Gentlemen, or Noble Venetians. Every one of them at five and twenty years of age has right of Sessio and Suffrage in this Council; which right of Suffrage, because throughtout this Commonwealth, in all Debates and Elections, it is given by the Ballot, is call'd the right of Balloting, whereby this Council being the Sovereign Power, creates all the rest of the Orders, Councils, or Magistracies; and has constitutively the ultimat Result, both in cases of Judicature, and the Constitution of Laws.

The Senat, call'd also the Reggati, consists of sixty Senators properly so call'd, wherof the Great Council elects six on a day, beginning so long before the month of October, that these being all chosen by that time, then receive their Magistracy: it consists also of sixty more, call'd the Junta, which are elected by the Scrutiny of the Old Senat, that is, by the Senat propoling, and the Great Council resolving; the rest of their Creation is after the same manner with the former. In the Sixty of the Senat, there cannot be above three of any one Kindred or Family, nor in the Junta so many, unless there be fewer in the former. These Magistracies are all annual, but without interval, so that it is at the pleasure of the Great Council, whether a Senator having finish'd his year, they will elect him again.

The College is a Council constituting more especially of three Orders of Magistrats, call'd in their Language Savì; as the Savì grandi, to whose cognizance or care belong the whole affairs of Sea and Land; the Savì di Terra ferma, to whose care and cognizance belong the affairs of the Land; and the Savì di Mare, to whose cognizance appertain
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Book I.

The certain the affairs of the Sea, and of the Islands. These are elected by the Senat, not all at once; but for the Savii grandi, who are six, by three at a time, with the interposition of three months; and for the Savii di Terra ferma, and the Savii di Mare, who are each five, after the same manner, save only that the first Election consists of three, and the second of two. Each Order of the Savii elects weekly one Provost, each of which Provosts has Right in any affair belonging to the cognizance of his Order, to propose to the College. Audience of Embassadors, and matters of foreign Negotiation, belong properly to this Council.

The Signory consists of the Duke and of his Councillors. The Duke is a Magistracy created by the Great Council for life, to whom the Commonwealth acknowledges the Reverence due to a Prince, and all her Acts run in his name; tho without the Councillors he has no Power at all, while they can perform any Function of the Signory without him. The Councillors, whose Magistracy is annual, are elected by the Scrutiny of the Senat, naming one out of each Tribe (for the City is locally divided into six Tribes) and the Great Council approving; so the Councillors are fixed, whose Function in part is of the nature of Masters of Requests, having withal power to grant certain Privileges: but their greatest preeminence is, that all or any one of them may propose to any Council in the Commonwealth.

The Signory has Seccion and Suffrage in the College, the College has Seccion and Suffrage in the Senat, and the Senat has Seccion and Suffrage in the Great Council. The Signory, or the Provosts of the Savii, have power to assemble the College, the College has power to assemble the Senat, and the Senat has power to assemble the Great Council; the Signiori, but more peculiarly the Provosts of the Savii, in their own Offices and Functions, have power to propose to the College, the College has power to propose to the Senat, and the Senat has power to propose to the Great Council. Whatever is thus proposed and resolved, either by the Senat (for sometimes, thro the security of this Order, a Proposition goes no further) or by the Great Council, is ratify'd, or becomes the Law of the Commonwealth. Over and above these Orders, they have three Judicatory, two Civil and one Criminal, in each of which forty Gentlemen elected by the Great Council are Judges for the term of eight months; to these Judicatory belong the Avogadori and the Auditori, who are Magistrats, having power to hear Causes apart, and, as they judge fitting, to introduce them into the Courts.

If a man tells me, that I omit many things, he may perceive I write an Epitome, in which no more should be comprehended, than that which understand may make a man understand the rest. But of these principal parts consists the whole body of admirable Venice.

The Council de Dicti, or Council of Ten, being that which partakes of Dictatorship Power, is not a limb of her but as it were a Sword in her hand. This Council (in which the Signory also Seccion and Suffrage) consists more peculiarly of ten annual Magistrats, created by the Great Council, who afterwards elect three of their own number by Lot, which so elected are call'd Capi de Dicti, their Magistracy being monthly; Again, out of the three Capi, one is taken by Lot, whose Magistracy is weekly: this is he, who over against the Tribunal in the Great Council sits like another Duke, and is call'd the Provost.
of Popular Government.

Provost of the Dieci. It belongs to these three Magistrates to assemble the Council of Ten, which they are oblig’d to do weekly of course, and oftner as they see occasion. The Council being assembled, any one of the Signory, or two of the Capî may propose to it: the power which they now exercise (and wherin for their affittance they create three Magistrates call’d the Grand Inquisitors) consists in the punishment of certain heinous Crimes, especially that of Treason; in relation wherto they are as it were Sentinels, standing upon the guard of the Commonwealth: But constitutively (with the addition of a Junta, consisting of other fifteen, together with some of the chief Magistrates having Right in causes of important speed or secrecy to this Council) they have the full and absolute Power of the whole Commonwealth as Dictator.

THAT Venice either transcrib’d the whole and every part of her Constitution out of Athens and Lacedemon, or happens to be fram’d as if she had so done, is most apparent. The Result of this Commonwealth is in the Great Council, and the Debate in the Senat: so was it in Lacedemon. A Decree made by the Senat of Athens had the power of a Law for one year without the People, at the end wherof the People might revoke it: A Decree of the Senat of Venice stands good without the Great Council, unless these see reason to revoke it. The Prytans were a Council preparing busines for the Senat; so is the Collegio in Venice: the Presidents of the Prytans were the ten Proedri; thole of the Collegio are the three Provosts of the Savî. The Archons or Princes of Athens being nine, had a kind of Soverain Inspection upon all the Orders of the Commonwealth; so has the Signory of Venice, constisting of nine besides the Duke. The Quarantins in Venice are Judicatorys of the nature of the Helis in Athens; and as the Thesmophore were heard and introduc’d the causes into that Judicatory, so do the Avogadori and the Auditori into these. The Consiglio de Dieci in Venice is not of the Body, but an Appendix of the Commonwealth; so was the Court of the Ephori in Lacedemon: and as there had power to put a King, a Magistrat, or any Delinquent of what degree soever to death, so has the Consiglio de Dieci. This again is wrought up with the Capî de Dieci, and the weekly Provost, as were the Prytans with the Proedri, and the weekly Ephori; and the Ballot is lineally descended from the Bean: yet is Venice in the whole, and in every part, a far more exquisit Policy than either Athens or Lacedemon.

A POLITICAL is like a natural Body. Commonwealths resemble and differ, as Men resemble and differ; among whom you shall not see two Faces, or two Dispositions, that are alike. PETER and THOMAS in all their parts are equally Men, and yet PETER and THOMAS of all Men may be the most unlike; one may have his greater strength in his Arms, the other in his Legs; one his greater Beauty in his Soul, the other in his Body; one may be a fool, the other wise; one valiant, the other cowardly. These two, which at a distance you will not know one from the other, when you look nearer, or come to be better acquainted with, you will never mistake. Our Considerer (who in his Epistle would make you believe that Oceana is but a mere Transcription out of Venice) has Companions like himself; and how near they look into matters of this nature is plain, while one knows not JETHRO from MOSES, and the other
other takes a state of Civil War to be the best model of a Civil Government.

Let a Man look near, and he shall not find any one Order in Oceana (the Ballot only excepted) that has not as much difference from, or resemblance to any one Order in Rome or Venice, as any one Order in Rome or Venice has from, or to any one Order in Athens or Laucemon: Which different temper of the parts must of necessity in the whole yield a Refult, a Soul or Genius, altogether new in the World, as inscribing both the Arms of Rome, and the Counsils of Venice; and yet neither obnoxious to the Turbulency of the one, nor the narrowness of the other.

But the sum of what has been said of Venice, as to the business in hand, comes to no more than that the Senat and the Magiftracy of this Commonwealth are upon Rotation. No more: say I am well if it comes to so much. For the Prevaricator catching me up, where I say, that for all this the greater Magiftracies in Venice are continually wheel'd thro a few hands, tells me, that I have confess it to be otherwise. I have indeed confess, that tho the Magiftracies are all confer'd for certain terms, yet those terms do not necessitate Vacations; that is, the term of a Magiftracy being expir'd, the Party that bore it is capable upon a new Election of bearing it again without interval or vacation: which does not altogether frustrate the Rotation of the Commonwealth, tho it renders the fame very imperfect. This infirmity of Venice derives from a complication of Causes, none of which is incident to a Commonwealth consisting of the Many: wherefore there lays no obligation upon me to discover the reason in this place. But on the contrary, seeing, let me shew things never so new, 'they are flighted as old, I have an obligation in this place, to try whether I may get esteem by concealing somthing. What is said, every body knew before; this is not said, who knows it?

A Riddle.

Riddle me, Riddle me, what is this? The Magiftracies in Venice (except such as are rather of Ornament than of Power) are all annual, or at most biennial. No man whose term is expir'd, can hold his Magiftracy longer, but by a new Election. The Elections are most of them made in the Great Council, and all by the Ballot, which is the most equal and impartial way of Suffrage. And yet the greater Magiftracies are perpetually wheel'd thro a few hands.

If I be worthy to give advice to a man that would study the Politics, let him understand Venice; he that understands Venice right, shall go nearest to judge (notwithstanding the difference that is in every Policy) right of any Government in the World. Now the assault of the Considerer deriving but from som Fique or Emulation which of us should be the abler Politician, if the Council of State had the curiosity to know either that, or who understands Venice, this Riddle would make the discovery; for he that cannot easily unfold this Riddle, does not understand her.

The sixth kind of Rotation is when a Commonwealth goes upon it in all her Orders, Senat, People, and Magiftracy. Such a one taking in the Many, and being fix'd upon the loot of a steady Agrarian, has attain'd to perfect Equality. But of this an example there is none, or you must accept of Oceana.

The
THE Rotation of Oceana is of two parts, the one of the Electors which is annual, and the other of the Elective which is triennial.

Speaking of Electors in this sense, I mean as the Great Council in Venice are Electors of all other Orders, Councils or Magistrats. But the Commonwealth of Oceana taking in the whole People, cannot, as does the Great Council of Venice (wherin they that have right are but a few) attain to this capacity at one step: for which cause she takes three steps; one at the Parishes, where every fith Elder is annually elected by the whole People. There is no doubt but there was fom such Order in Israel whereby the monthly Rotation of her Congregation or Prerogative, by election of two thousand in each Tribe, was prevind. The next step she takes is at the Hundred, whereby election of Officers and Magistrats, the Troops chosen at the Parishes, are very near form'd. Her third step is at the Tribe, where the whole body of her Deputies are in exact Form, Discipline and Function, headed by proper Officers and Magistrats, these altogether consisting of one fith part of the whole People. This Rotation being in it self annual, coms in regard of the body of the People to be quinquennial, or such as in the space of five years gives every man his turn in the power of Election.

But tho every man be so capable of being an Elector, that he must have his turn; yet every man is not so capable of being elected into those Magistracies that are Soverain, or have the leading of the whole Commonwealth, that it can be safe to lay a necessity that every man must take his turn in these also: but it is enough that every man, who in the Judgment and Conscience of his Country is fit, may take his turn. Wherefore upon the Conscience of the Electors, so constituted as has bin shewn, it goes to determin who shall partake of Soverain Magistracy, or be at the Assembly of a Tribe elected into the Senat or Prerogative; which Assemblys are so triennial, that one third part of each falling every year, and another being elected, the Parliament is thereby perpetuated.

Such was the Constitution of those Councils which the Prevaricator has confett he always thought admirable, but now the toy takes him to be quite of another mind; for, says he, That antient Republics have Cond. p. 30, thro a malicious Jealousy (let them take it among them) made it unlawful even for Persons of the clearest merit to continue long in command, but have by perpetual vicissitude substituted new men in the Government; is manifext enough; but with what success they did this, will best appear by Veturius, Varro, and Mancinus. He is still admirable: One would wonder what he means; if it be that there were but three weak or unfortunat Generals in the whole course of Rome, how strange is it to urge this as an Argument against Rotation, which is as strong a one as can be urg'd for Rotation? If the Romans by this way of Election having experience of an able General, knew ever after where to have him; or lighting upon one they found not so fit for their purpose, could in the compafs of one year be rid of him of course, without dishonor or reproach to him, taking therby a warning to com no more there; was this a proceeding to favor malice? or such as one as, removing the cause of malice, left no root for such a branch or possibility of like effect? Certainly by this allertion the Prevaricator has jollet his presumtuous Head not only against the prudence of antient Commonwealths, but of God himself in that of Israel.
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Book I. *Israel. Veturius, Varro, and Manchinus* (the son of them cannot be at all points excus’d) by this mark upon them, may be thought harder of than is needless; for which cause there being that also in their Storys which is neither unpleasant nor unprofitable, I shall endeavor to make the Reader somwhat better acquainted with them. One of the greatest blows Rome ever receiv’d was by Pontius, Captain General of the Samnites, who having drawn her Confuls, Posthumius and Veturius, by Stratagem into the Straits of Caudium, a Vally of narrow entrance, and shut up the mouth of it by possesting himself of the only Passage, the rest being inviron’d with insuperable Rocks, the Samnit came to have both the Armies, and so upon the matter the whole strenght (in those days) of Rome inevitably at his discretion. Hereupon, having leisure, and being defirous (in a matter of such moment) of good advice, he dispatch’d a Messenger to his Father Herennius, the ablest Counsellor in Samnium, to know what might be his best course with the Romans now inadvertently at his mercy, who answer’d, that he should open the Pass, and let them return untouched. The young General amaz’d at this counsel, defir’d farther direction; wherupon Herennius for the second time made answer, that he should cut them off to a man. But the General, upon the strange disagreement of such opinions, having his Fathers Age (for he was very old) in suspicion, took a third course, which neither (according to the first advice of his wife Herennius) making Friends, nor, according to the second, destroying Enemies, became as he prophesy’d the utter Ruin of the Commonwealth of Samnium. For the Romans being diffus’d far, but ignominiously, the Senat upon their return fell into the greatest strait and conferration that had bin known among them. On the one side, to live and not revenge such an affront was intolerable; on the other, to revenge it was against the Faith of the Confuls, whose necessity (the loss of two Armies lying upon it) had in truth forc’d them to accept of a dishonorable League with the Samnites. Now not the Armies, but the Senat it self was in Caudium, not a man of them could find the way out of this Vale inviron’d with Rocks, but he only that could not find it out of the other; Posthumius, who having first shew’d, that neither War nor Peace could be so made, as to engage the Commonwealth (inossa Populi) without the Command of the People, declar’d that the Senat returning the Confuls, with such others as had consented to fo wicked and dishonorable a Peace, naked, and bound to the Samnites, were free: nor ceas’d he till the Senat (thereby by the necessity of the Commonwealth) resolving accordingly, He, Veturius, and fom of the Tribuns were deliver’d to the Samnites; who, nevertheless, to hold the Romans to their League, dismist them with safety. The Disputes on either side that arose hereupon, and, coming to Arms, ended with the destruction of Samnium, I omit. That which as to the present occasion is material, is the Reputation of the Confuls; and Veturius, tho he were not the leading man, being for the rest as deep in the Action as Posthumius, the People were so far from thinking themselves deceived in this choice, that the Confuls were more honor’d in Rome for having loft, than Pontius in Samnium for having won the day at Caudium.
of Popular Government.

I DO not rob Graves, nor steal Winding-sheets; my Controversy Chap. 12 of the syrs are not but with the Living, with none of these that have not shew'd themselves capable for their own defence; nor yet with such, but in the prosecution of Truths oppos'd by them to the damage of Mankind: yet the Prevaricator accuses me of rude charges. What are his then in defence of Falsehood, and against such as cannot bite? or whether of these is the more noble?

FOR Varro, who being Consul of Rome, loft the Battel of Cannae to Hannibal, Captain General for the Carthaginians, tho' without Cowardice, yet by Rashness, he is not so excusable.

But for Mancinus, brought (as was Posthumius by Florus, l. 2, the Samnites) to dishonorable conditions by Megera, Captain General of the Numantins, there be excuses: As first, the Numantins, for their number not exceeding four thousand fighting men, were the gallantest of so many, on which the Sun ever shone.

Fourteen years had their Commonwealth held tack with the Romans, in Courage, Conduct, and Virtue, having worshft Pompey the Great, and made a League with him, when he might have made an end of him, ere ever Mancinus (of whom Cicero gives a fair Character) came in play: So his Misfortunes, having great examples, cannot want some excuse. But suppose none of them deprived any excuse, what is it at which these examples drive? against a Commonwealth? Sure the Samnites, the Carthaginians, the Numantins were as well Commonweals as the Romans; and so wherever the advantage goes, it must stay upon a Commonwealth: or if it be Rotation that he would be at (for we must guess) granting Pontius the Samnit, and Megera the Numant, to have but no more upon Rotation, than Hannibal the Carthaginian; yet is it plain that Rome upon her Rotation overcame not only Pontius, Hannibal and Megera, but Samnium, Carthage and Numantia.

So much for Rome; but, says he, No less appears by the Rabble of Generals often made use of by the Athenians, while men of Valor and Conduct have lain by the walls.

A RABBLE of Generals did I never hear of before; but not to meddle with his Rhetoric, whereas each of his Objections has at least from one Contradiction in it, this has two (one à priori, another à posteriori) one in the snout, another in the tail of it. For had there bin formerly no Rotation in Athen, how should there have bin men of Valor and Conduct to ly by the Walls? And if Rotation thenceforth should have ceased, how could those men of Valor and Conduct have don otherwise than ly by the Walls? So this inavoidably confesses, that Rotation was the means whereby Athens came to be flour'd with Persons of Valor and Conduct, they to be capable of Employment, and the Commonwealth to employ the whole Virtue of her Citizens: And it being, in his own words, an Argument of much imperfection in a Government not to dare to employ the whole Virtue of the Citizens, this wholly routs a standing General; for the Government that dares imployle but the Virtue of one, dares not imploy the Virtue of all. Yet he jogs on.

Those Orders must needs be against Nature, which, excluding Perocond, in 91, sons of the best Qualifications, give admission to others, who have nothing to commend them but their Art in canvassing for the suffrage of the People. He never takes notice that the Ballot bars Canvassing beyond all possibility.
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Book I. bility of any such thing; but we will let that go. Canvassing, it is conflent, was more frequent in Rome and Athens than is laudable, where nevertheless it is the stronger Argument for the integrity of popular Suffrage, which, being free from any aid of Art, produc'd in those Commonwealths more illustrious examples (if a man гос no further than Plutarch's Lives) than are to be found in all the rest of Story.

Confid. p. 51. TET, says he, this Law has bin as often broken as a Commonwealth has bin brought into any exigence; for the hazard of trusting Affairs in weak hands then appearing, no scruple has bin made to trample upon this Order, for giving the Power to some able man at that time render'd incapable by the Vacation this Law requires. The continuation of the Consulship of Marius is sufficient to be alleg'd for the proof of this, tho', if occasion were, it might be back'd by plenty of examples. His choice confutes his pretended variety, which sets with edge'd tools: this example above all will cut his fingers; for by this prolongation of Magistracy, or, to speak more properly, of Empire (for the Magistracy of the Conful was Civil, and confer'd by the People Centuriatis Comitiis, but his Empire was Military, and confer'd Curtiatis) Rome began to drive those wheels of her Rotation heavily in Marius, which were quite taken off in Caesar.

I have heretofore in vain persuaded them upon this occasion, to take notice of a Chapter in Macchiavel, to worthy of regard, that I have now inferred it at length, as follows:

Macchi. Discor. THE Proceedings of the Roman Commonwealth being well consider'd, two things will be found to have bin the causes of her disolution. The Contention that happen'd thro' the endeavor of the People (always oppos'd or eluded by the Nobility) to introduce an Agrarian, and the damage that accr'd from the prolongation of Empire; which Mischiefs, had they bin foreseen in due time, the Government by application of fit Remedys might have bin of longer life and better health. The Diseases which this Commonwealth, from contention about the Agrarian, contracted, were acute and tumultuous; but those being sower, and without tumult, which she got by promulgation of Empire, were Chronic, and went home with her, giving a warning by her example, how dangerous it is to States that would enjoy their Liberty, to suffer Magistracy (how dearly keep'd forever confer'd) to remain long in the possession of the same man. Certainly if the rest of the Romans, whose Empire happen'd to be prolong'd, had bin as virtuous and provident as Lucius Quintius, they had never run into this inconvenience. Of such wholesome example was the goodness of this man, that the Senat and the People, after one of their ordinary Disputes, being come to som accord, whereas the People had prolong'd the Magistracy of their present Tribuns, in regard they were Perions more fitly oppos'd to the Ambition of the Nobility, than by a new Election they could readily have found; when hereupon the Senat (to shew they needed not be worne at this game) would have prolong'd the Consulat to Quintius, he refus'd his consent, saying, that all examples were to be corrected by good ones, and not encourag'd by others like themselves; nor could they stir his Resolution, by which means they were necessitated to make new Consuls. Had this Wisdom and Virtue, I say, bin duly regard'd, or rightly understand'd, it might have sav'd Rome, which thro' this neglect came to ruin. The first whole Empire happen'd to be prolong'd was PUBLILIUS PHILO, his Consul at expiring at the Camp before Palapopis, while it seem'd to the Senat that he
he had the Victory in his hand (aetum cum Tribunis Plebis eft, ad Popu-
lim ferrent ut cum Philo Consulatu abilibet, Proconsul rem gereret) they sent him no Successor, but prolong’d his Empire, by which means he came to be the first Proconsul. An Expedient (the introduced for the pub-
lic good) that came in time to be the public bane: For by how much the Roman Army’s march’d further off, by so much the like course seeming to be the more necessary, became the more customary; whence ensued two per-
nicious consequences: The one, that there being fewer Generals, and Men of known Ability for Conduct, the Art with the reputation of the same came to be more ingross’d, and obnoxious to Ambition: the other, that a General standing long, got such hold upon his Army, as could take them off from the Senate, and hang them on himself. Thus MARIUS and SYLLA could be follow’d by the Soldierry to the detriment of the Commonwealth, and CESAR to her perdition. Whereas had Rome never prolong’d Empire, she might perhaps not so soon have arrive’d at Greatness or Acquisation, but would have made less haste to destruction.

ALL the Dilemma that MACCHIAVEL observes in these words is, that if a Commonwealth will not be so flow in her acquisation as is requir’d by Rotation, she will be lesse sure than is requirist to her pre-
servation. But the Prevaricator (not vouchsafing to shew us upon what reasons or experience he grounds his Maxim) is positive, That Confl. p 52.
the Dilemma into which a Commonwealth is in this case brought, is very dangerous; for either she must give her self a mortal blow by gaining the habit of infringing such Orders as are necessary for her preservation, or re-
ceive one from without.

THIS same is another Parakeetism: these words are spoken by me, after MACCHIAVEL, in relation to Dictatorian Power, in which they are so far from concluding against Rotation, that this in case of a Dictator is more especially necessary (maxima libertatis custo-
diae est, ut magna imperia diuturna non sint, & temporis modus imponatur, pud Liv. 1. 4.
qui quis juris imponi non poteat which could not be more confirm’d than by him, who in the example of MARIUS shews that the con-
trary course spoil’d all.

THE Romans, if they had sent a Successor to PUBLILIUS PHILIPO at Palaopolis, it may be it may have let the Victory slip out of his hands, it may be not; however this had bin no greater wound to the Commonwealth, than that her Acquisation would have bin flower, which ought not to com in competition with the safety of a Government, and therefore amounts not to a Dilemma, this being a kind of Argument that should not be flub’d of one horn, but have each of equal length and danger. Nor is it so certain that increase is flower for Rotation, seeing neither was this interrupted by that, nor that by this, as the greatest Actions of Rome, the Conquest of Carthage by SCIPIO AFRICANUS, of MACEDON by FLA-
MINIUS, and of ANTIOCHUS by ASIATICUS, are irrefraga-
ble Testimonys.

I WOULD be loth to spoil the Considerer’s preferment; but he is not a safe Counsellor for a Prince, whose Providence not supplying the defect of Rotation, whether in civil or military affairs, with some-
thing of like nature, exposes himself if not his Empire as much to danger as a Commonwealth. Thus the Sons of ZERVIAH, JOAB 2 Sam. 3 39.
Captain of the Hoft, and ABISHAI his Brother, were too strong for DAVID; thus the Kings of Israel and of JUADA fell most of them by
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by their Captains or Favorits, as I have elsewhere observ'd more particularly. Thus Brutus being standing Captain of the Guards, could cast out Tarquin; thus Sfianus had means to attempt against Tiberius; Otho to be the Rival of Galba, Cassius of Nerva, Cassius of Antonius, Perennis of Commodus, Maximinus of Alexander, Philippus of Gordian, Emilianus of Gallus, Ingebus Lollianus, Aureolus, of Gallienus; Magnesius of Constantius, Maximus of Gratian, Arbogastes of Valentinian, Ruffinus of Arcadius, Stilico of Honorius. Go from the West into the East; upon the death of Marcius, Asperis alone, having the command of the Arms, could prefer Leo to the Empire; Phocas deprive Mauritius of the same; Heraclius depose Phocas; Leo Isaurius do as much to Theodosius Adramyttenus, Nicephorus to Irene, Leo Armenius to Michael Curopalates, Romanus Lagapanus to Constantine, Nicephorus Phocas to Romanus Puer, Johannes Zismisces to Nicephorus Phocas, Isaac Comnenus to Michael Stratificus, Botoniates to Michael the Son of Ducas, Alexius Comnenus to Botoniates: which work continu'd in such manner till the destruction of that Empire. Go from the East to the North: Gustavus attain'd to the Kingdom of Sweden, by his Power and Command of an Army; and thus Scechus came near to supplant Boleslaus the Third of Poland. If Wallestein had liv'd, what had becom of his Master? In France the Race of Pharamond was extinguish'd by Pipin; and that of Pipin in like manner, each by the Major of the Palace, a standing Magnifracy of exorbitant Truft. Go to the Indies: You shall find a King of Pegu to have bin thrust out of the Realm of Tangu by his Captain General. Nay go where you will, tho this be pretty well, you shall add more than one example. But as to the Prevaricator, if he was not given to make such mouths, as eat up nothing else but his own words, I needed not have brought any other Testimony to absolve a Commonwealth of Malice in this order than his own, where he

Confes. p. 47, says, that when some Person overtakes the rest in Commands, it is a Disservice

of Monarchy which easily admits of this care, that he be reduc'd to a less Volum, and level'd to an equality with the rest of his Order. Now a Prince can no otherwise level a Nobleman, that excels the rest thro Command, to equality with his Order, than by causing those of the same Order to take their turns in like command. Good Wits have ill

Confes. p. 53, Memory. But, says he, I know not what advantage Mr. Harrington may foresee from the Orders of this Rotation, for my part I can discover no other effect of it than this, that in a Commonwealth like that of Oceania, taking in the Many (for in Venice he confesses it to be otherwise) where every man will press forward towards Magnificacy, this Law by taking off at the end of one year some Officers, and all at the end of three, will keep the Republic in a perpetual Minority: No man having time allow'd him to gain that Experience, which may serve to lead the Commonwealth to the understanding of her true Interest either at home or abroad.

WHAT
of Popular Government.

WHAT I have confessed to be otherwise in Venice, I have shewn already at least so far as concerns the present occasion, the causes of that defect being incompatible with a Commonwealth consisting of the Many; otherwise why was not the like found in Athens or Rome? where the very man press forward towards Magistracy, yet the Magistrates were, for illustrious examples, more in weight and number than are to be found in all the rest of the world.

If where Elections were the most expos'd to the Ambition of the Competitor, and the humors of the People, they yet fail'd not to excel all others that were not popular, what greater Vindication can there be of the natural integrity of popular Suffrage even at the worst? But this, where it is given by the Ballot, is at the best, and free from all that preffing for Magistracy in the Competitor, or Faction of the People that can any ways be laid to the former: or let the Considerer consider again, and tell me by what means either of these in such a State can be dangerous or troublesome; or if at worst the Orders for Election in Oceana must not perform that part, better than a Crowd and a Sheriff. Well; but putting the case the Elections which were not quarrled much withal be rightly stated, yet this Law for Terms and Vacations, by taking off at the end of one year from Officers, and all at the end of three, will keep the Republic in perpetual Minority, no man having time allow'd him to gain that Experience, which may serve to lead the Commonwealth to the understanding of her true Interest at home or abroad. Because every man will press forward for Magistracy, therefore there ought not to be Terms and Vacations, left these should keep the Commonwealth in perpetual Minority. I would once see an Argument that might be reduc'd to Mode and Figure. The next Objection is, that these Orders take off at the end of one year from Officers, which is true, and that at the end of three years they take off all, which is false; for whereas the Leaders of the Commonwealth are all triennial, the Orders every year take off no more than such only as have finished their three years' term, which is not all, but a third part. Wherefore let him speak out; three years is too short a term for acquiring that knowledge which is necessary to the leading of a Commonwealth. To let the course of Israel which were monthly, and the annual Magistracies of Athens and Rome go, if three years be too short a term for this purpose, what was three months? A Parliament in the late Government was rarely longer liv'd than three months, nor more frequent than once in a year: so that a man having bin twelve years a Parliament-man in England, could not have born his Magistracy above three years, tho' he were not necessarily subject to any Vacation. Whereas a Parliament in Oceana may in twelve years have born his Magistracy six, notwithstanding the necessity of his Vacations. Now which of these two are most liable to the time necessary to the gaining of due experience or knowledge for the leading of a Commonwealth? Nevertheless the Parliament of England was seldom or never without men of sufficient Skill and Ability; tho' the Orders there were more in number, less in method, not written, and of greater difficulty than they be in Oceana. There, if not the Parliament-man, the Parliament itself was upon Terms and Vacations, which to a Council of such a nature is the most dangerous thing in the world, seeing Dissolution, whether to a Body natural or political, is Death. For if Parliaments happen'd to rise again and again, this was
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Book I. not so much coming to themselves (seeing a Council of so different Genius has not bin known) as a new Birth; and a Council that is every year new born indeed must keep a Commonwealth in perpetual Minority, or rather Infancy, always in danger of being overlaid by her Nurfe, or strangl'd by her Guardian: wheras an Assembley continu'd by Succession, or due Rotation regulat'd by Terms, giving sufficient time for digestion, grows up, and is like a man, who tho he changes his Flesh, neither changes his Body nor his Soul. Thus the Senat of Venice changing Flesh, tho not so often as in a Commonwealth consisting of the Many were requisi't, yet ofteneft of any other in the world, is, both in Body and Soul, or Genius, the moft unchangeable Council under Heaven. Flesh must be chang'd, or it will think of it self; there is a Term necessary to make a man able to lead the Commonwealth to her Interest, and there is a Term that may enable a man to lead the Commonwealth to his Interest. In this regard it is, that, according to Mamercus, the Vacations are (maxima libertatis custodia) the Keepers of the Liberties of Oceana.

The three Regions into which each of the leading Councils is divided, are three Forms, as I may say, in the School of State: for them of the third, tho there be care in the choice, it is no such great matter what be their Skill; the Ballot which they practis'd in the Tribe being that in the performance wherof no man can be out: and this is all that is necessary to their Novitiat or first year, during which time they may be Auditors. By the second, they will have seen all the Scenes, or the whole Rotation of the Orders, so facile, and so intelligible, that at one reading a man understands them as a Book, but at once acting as a Play; and so methodical, that he will remember them better. Tell me then what it is that can hinder him for the second year from being a Speaker; or why for the third, should he not be a very able Leader.

The Senat and the Prerogative, or Representative of the People, being each of like constitution, drop annually four hundred, which in a matter of ten years amount to four thousand experience'd Leaders, ready upon new Elections to resume their leading.

Another thing which I would have consider'd is, whether our most eminent men found their Parts in Parliament, or brought them thither. For if they brought them, think you not the military Orders of the Youth, the Discipin of the Tribes, the eight years Orb of the Embassadors, the provincial Armys of Oceana, likely to breed men of as good Parts, as to such matters? Nor have Astronomers that familiarity with the Stars, which men without these Orbs will have with such as are in them. He is very dull, who cannot perceive that in a Government of this frame the Education must be universal, or diffus'd through the whole Body. Another thing which is as certain as comfortable, is that the pretended depth and difficulty in matters of State is a mere cheat. From the beginning of the World to this day, you never found a Commonwealth where the Leaders having honesty enough, wanted skill enough to lead her to her true Interest at home or abroad: that which is necessary to this end, is not so much Skill as Honesty; and let the Leaders of Oceana be dishonest if they can. In the leading of a Commonwealth aright, this is certain, Wisdom and Honesty are all one: and tho you shall find defects in their Virtue, those that have had the fewest, have ever bin, and for ever shall be, the wisest.

R O M E
of Popular Government.

ROME was never ruin’d, till her Balance being broken, the Nobility Chap. 12:
forfaking their antient Virtue, abandon’d themselves to their Lufts;
and the Senators, who, as in the case of JUGURTHA, were all
brib’d, turn’d Knaves; at which Turn all their Skill in Government
(and in this never men had bin better skill’d) could not keep the
Commonwealth from overturning. CICERO, an honest man, la-
bor’d might and main; POMPONIUS ATTICUS, another, de-
spair’d; CATO tore out his own Bowels; the Poigniards of BRU-
TUS and CASSIUS neither consider’d Prince nor Father: But the
Commonwealth had sprung her Planks, and spilt her Ballast; the
world could not save her.

FOR the close, the Prevaricatore, who had judg’d before, that
there was much reason to expect some of the Clergy (against all of whom
Mr. HARRINGTON has declar’d War) would undertake the Quarro,
tells me in the last line, that there be to whom he has recommended the
Disquisition of the Jewish Commonwealth.

IT is a miserable thing to be condemn’d to the perpetual Budget;
once turn an honest man to me. In the mean time, that it may be fur-
ther seen, how much I am delighted in fair play, since som Divines,
it may be, are already at work with me, and I have not so fully
explain’d my self upon that Point, which with them is of the greatest
concernment, that they can yet say, they have peep’d into my hand,
or seen my game; as I have won this trick, Gentlemen, or speak, so
I play them out the last Card in the next Book for Up.

An Advertisement to the Reader, or a Direction contain’d in certain Queries, how the Common-
wealth of OCEANA may be examin’d or answer’d
by divers sorts of men, without spoiling their
high Dance, or cutting off any part of their
Elegance, or freshness of Expression.

To the Scholar that has pass’d his Novitiat in Story.

I. WHETHER the Balance of Property in Land coming thro
Civil Vicissitude by slow and undiscover’d degrees, to alter as it did,
and to stand as it dos in Oceana, any other Government could have bin
introdue’d, otherwise than by the interposition of foren Arms, that
could have subsisted naturally without Violence or Releaguey, or steadily
without frequent Changes, Alterations, and Plunges, except that only
of the Commonwealth propos’d?

II. WHETHER the Balance in Land so standing, as has bin shewn,
the Commonwealth propos’d, being once establish’d, were without the
immediate hand of God, as by Pestilence, Famin, or Inundation, to
be alter’d or broken; and which way?
To the Godly Man.

I. WHETHER Human Prudence be not a Creature of God, and to what end God made this Creature?

II. WHETHER the Commonwealth of Israel in her main Orders, that is to say, the Senate, the People, and the Magistracy, was not erected by the same Rules of human Prudence with other Commonwealths?

III. WHETHER JETHRO were not a Heathen?

IV. WHETHER God did not approve of the Advice of JETHRO, in the Fabric of the Commonwealth of Israel?

V. WHETHER the natural Body of a Godly Man can any otherwise be said to support and nourish it self in the Air, or between Heaven and Earth, than by a figurative Speech? or whether it be any more possible for the Political Body of a People so to do, than for the natural Body of a Godly Man?

To the Grandee, or Learned Commonwealthsman.

I. WHETHER a noble Housekeeper has a Horsekeeper, that is as well to live as himself; and whether the Housekeeper, should be lose his Estate, would not be a Horsekeeper rather than want Bread?

II. WHETHER Riches and Poverty, more or less, do not introduce Command or Obedience, more or less, as well in a public as in a private Estate?

III. WHETHER the Introduction of Command or Obedience, more or less, either in a public or private Estate, does not form or change the Genius of a Man, or of a People accordingly? Or what is the reason why the Peasant in France is base, and the lower People in England of a high Courage?

IV. WHETHER the Genius of the People of Oceana has bin of late years, or be devoted or addicted to the Nobility and the Clergy as in former times?

V. WHETHER the Genius of the People of Oceana, not being addicted to the Nobility and Clergy as formerly, can be said to be for Monarchy, or against it?

VI. WHETHER the People be not frequently mistaken in Names, while as to Things they mean otherwise; or whether the People of Oceana desiring Monarchy in Name, do not in Truth desire a Government of Laws, and not of Men?

VII. WHETHER for these Reasons, not to know how to hold the Balance or Foundation of a Government steady, nor yet to reform, or vary the Orders of the same (as the Foundation comes to vary) be not to deliver a Nation to certain Ruin and Destruction?

To the Rational Man.

I. WHETHER there be anything in this Fabric or Model that is contradictory to itself, to Reason, or to Truth?

II. WHETHER a Commonwealth that is framed entire or complete in all her necessary Orders, without any manner of contradiction to her self, to Reason, or to Truth, can yet be false or insufficient?

* THE
THE SECOND BOOK; OR, A
Political Discourse Concerning ORDINATION:
Against
Dr. H. HAMMOND,
Dr. L. SEAMAN,
And the Authors they follow.

Optat Aprum aut fulvum descendere monte Leonem.
E. W.
Advertisement to the Reader.

BOOKS, especially whose Authors have got themselves Names, are Leaders; wherefore in case of these err in Leading, it is not only lawful, but matter of Conscience to a man that perceives it, as far as he is able, to warn others. This were Apology enough for my writing against Dr. Hammond and Dr. Seaman; and yet I have happen'd to be brought under a farther Obligation to this enterprise, their Books having bin sent me by way of Objection against what I have formerly said of Ordination, and am daily more and more confirm'd I shall make good. However, there can be no great hurt in this Essay, Truth being, like Venison, not only the best Quarry, but the best Game.

Order of the Discourse.

To manage the present Controversy with the more Clearness, I have divided my Discourse into five Parts or Chapters.

THE First, explaining the words Chirotonia and Chirothelia, paraphrastically relates the Story of the Perambulation made by the Apostles Paul and Barnabas thro the Cities of Lycaonia, Pitydia, &c. by way of Introduction.

THE Second shews those Cities, or most of them, at the time of this Perambulation, to have bin under popular Government. In which is contain'd the whole Administration of a Roman Province.

THE Third shews the Deduction of the Chirotonia from Popular Government, and of the Original Right of Ordination from the Chirotonia. In which is contain'd the Institution of the Sanhedrim or Senate of Israel by Moses, and of that at Rome by Romulus.

THE Fourth shews the Deduction of the Chirothelia from Monarchical or Aristocratical Government, and the second way of Ordination from the Chirothelia. In which is contain'd the Commonwealth of the Jews as it stood after the Captivity.

THE Fifth debates whether the Chirotonia, us'd in the Cities mention'd, was (as is pretended by Dr. Hammond, Dr. Seaman, and the Authors they follow) the same with the Chirothelia, or a far different thing. In which are contain'd the divers kinds of Church-Government introduc'd and exercis'd in the age of the Apostles.

I am entering into a Discourse to run much, for the Words, upon a Language not vulgar, which therefore I shall use no other wise than by way of Parenthefs, not obtruding the Sense; and for the Things, upon Customs that are forrein, which therefore I shall interpret as well as I can. Now so to make my way into the parts of this discourse, that (wheras they who have heretofore manag'd it in English, might in regard of their Readers have near as well written it in Greek) I may not be above the vulgar capacity, I shall open both the Names whereof, and the Things wherupon we are about to dispute, by way of Introduction.
Political Discourse
CONCERNING
ORDINATION.
The INTRODUCTION,
OR
First Chapter.

THE Names or Words wherof we are about to dispute are GREECE, the one CHIROTONIA, the other CHIROTHESIS. The first significations of the word CHIROTONIA, in SUIDAS, imports a certain lead action of the hand, which seems also by the GREECE that renders it by the same word, to have bin intimated in Isa. 5.9. In the second significations with SUIDAS, it is εἰδοχή, πιστεύω νόμον, Election (that is no way of Magistrates) or Ratification (that is to say of Laws) by the Many; which amounts both by his Testimony, and that generally of antiquit Authors, to this, that the most usual and natural significations of the word CHIROTONIA is Popular Suffrage, whether given, as when they speak of ATHENS, by the holding up of hands; or as when they speak (as dos SUIDAS in the place mention'd) of ROME, and other Commonwealths (whose Suffrage was not given with this Cremony) without holding up of hands.

CHIROTHESIS (ἐκχοροῖς χαζόν) is a word that in the strict significations imports laying on of hands, and no more: but the Jews using to confer their Ordination most commonly by laying on of hands, and yet sometimes by word of mouth, or by letter, the word both as it relates to the custom of the Jewish Commonwealth, and Ordination thence transplanted into the Church of CHRIST, signifieth Ordination confer'd by one man, or a few men, that is to say, by some distinct Order from the People, whether with imposition of hands, or without it.

These words thus interpreted, I shall through my discourse (which else must have run altogether upon the GREECE) premise, as already I have done, to take for good English, and so procede to the things wherof we are to dispute; first, by opening the Scene of this Perambulation, which will be done best by the help of ERASMUS, a man as for his Learning not inferior to any, so for his freedom not addicted to Interests or Parties. For the remainder then of this Introduction, I shall begin with the nineteenth Verse of the eleventh, and continue my discourse to the end of the fourteenth Chapter of the Acts; interweaving the Text where it is darker with the Paraphrase of that excellent Author, for light, and his Paraphrase with the Text, where it is clearer, for brevity, in manner following.

* THET
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Book II.

T H E T whom the beat of Persecution from the Death of S t e p h e n had dispers'd, travel'd thro' the Citys and Villages as far as Phenicis, and the adjacent Island of Cyprus; as also thro' Antochia, which lies between Phenicis and Cilicia, preaching the Gospel receiv'd from the Apostles, which nevertheless they dar'd not to communicat but to such only as were of the Jewisht Nation, not out of Every, but a kind of Superstition, they believing that to do otherwise were to give the Children's Bread to Dogs, which Christ had forbid.

B U T some of them that believ'd, being of Cyprus and Cyrene, when they came to Antioch, had the boldness to speake of C h r i s t to the Greekes, preaching the Lord J e s u s, in which they made such progress thro' the Blessing of God upon them and their Labors, that a great number of these also believing the Gospel, were turn'd to the Lord. The tidings of these things coming to the ears of the Church which was at Jerufalem, a man of Apostolical Sincerity, B a r n a b a s the Levite, a Cyprian born, was sent by the Apostles to take a view of what was done upon the places; and if he found it to be according to the will of God, to approve of it, by authority of the Apostles. So great caution in receiving the Gentils to the Gospel was not, that the thing was not greatly desir'd by the Apostles; but lest it should afterwards be repeal'd or made void by the Jews, as done rashly, or that the Gentils should rely too much upon what was done, as conceiving it needed ratification by the Law. Wherfore B a r n a b a s so soon as he came to Antioch, and found the Greekes by Faith, and without profession of the Law, to have receive'd the same Grace of God with the Jews, was very much joy'd that the number of Believers increas'd, and exhorted them to remain confant in their Enterprize of adhering to the Lord. For he was a good man, and full of the Holy Spirit, and of Faith. Wherfore thro' his ministry it came to pass, that a multitude of other Believers were added to the former. Now Antioch being not far from Cilicia, the Neighbourhood of the place invited him to seek P a u l, the fittest helper in this work, as chosen by C h r i s t to preach his Name to the Gentils and Kings of the Earth. For when P a u l fled from Jerufalem, the Disciples had conduct'd him to Cefarea of Phenicis, whence he went to Tarfus; whom therefore when B a r n a b a s had found there, he brought to Antioch, hoping in a City both famous and populous (but with a confus'd mixture of Jews and Greekes) to receive the better fruit thro' the aid of an Apostle more peculiarly design'd to this work. These two being conversant a whole year in the Church of Antioch, which by the confluence both of Jews and Greekes became very numerous, so many were added by their preaching, that whereas hitherto, not exposing the name of C h r i s t to every, they had bin call'd Disciples, they now began first at Antioch from the name of their Founder to be call'd Christians. In these times certain Prophets came from the City of Jerufalem to Antioch, whereof one named A g a b u s standing up in the Congregation, signifi'd by inspiration, that there should be a great Dearth thro' the whole world; which came to pass under C l a u d i u s C e s a r, the Successor of C a l i g u l a. At this time they at Jerufalem, partly because they were poor at their conversion to the Gospel, partly because they had depoited their Goods in common, and partly because they had bin spoil'd by the Priests for their profession of C h r i s t, ordain'd that by the contribution of such as had with-hold, especially among the believing Gentils, Money should be sent to the relief of the Christians dwelling in Judea; but so that this Contribution was not to be forc'd but free, and according to every mans ability. This Money thus gather'd was sent by P a u l and B a r n a b a s to the Elders at
of Popular Government.

at Jerusalem, to be distributed at their discretion to such as were in need. Chap. 1.

While Paul and Barnabas were thus employ'd, King Herod, the same that beheaded John, and returned Christ cloth'd, thoro derision, in white, to Pilat, being griev'd to see this kind of People increase, and the Name of Jesus King of the Jews to grow famous in divers Nations, became concerned to root out such a Faction, and so spreading; wherefore he stretch'd forth his hand to vex certain of the Church, kild James the Brother of John with the Sword; and because he saw it pleas'd the Jews, proceeded further to take Peter also, who being imprison'd, was afterward miraculously deliver'd. But Paul and Barnabas having perform'd the Truth committed to them by the Brethren, and deliver'd the Contribution for relief of the Poor to the Apostles, return'd from Jerusalem to Antioch, taking with them John, whose Surname was Marc.

NOW the Church of Antioch flourished in such manner, that she had from fill'd with the gift of Prophecy, and others with that of Teaching; among whom was Barnabas and Simeon, alias Niger, together with Lucias a Cirenian, and Manaen who had been brought up with Herod the Tetrarch, whom he left to come to Christ: but the chief of them was Saul, indow'd with all the Gifts and Graces Apostolical. While all these were intent upon the Ministry of the Church, employing their several Gifts to the Glory of God, and in his most acceptable Service, the Salvation of Souls, with fasting and prayer, the Holy Ghost being stirr'd up by their zeal, signify'd his Will by the Prophets, saying, Separate me Barnabas and Paul for the Work whereinto I have called them, namely, to be Doctors of the Gentiles, that by them I may propagate the Gospel. The command of the Spirit was obey'd, and Barnabas with Paul, to the end that every one might see who were chosen, were separated from the rest; and when the Congregation had unanimously implored the favor of God by prayer and fasting, the most eminent in Authority among them laid their hands upon the Persons so separated, and sent them wherever the Spirit of God should direct them. By this impulse therefore Barnabas and Paul went to Seleucia, being a Promontory of Antioch, and thence sail'd into the Island of Cyprus, where they land'd at Salamis, a famous City upon the Eastern part of the Island; they preach'd not human Inventions, but the Word of God, nor that by stealth, but in the Synagogues of the Jews, whereof thro the Neighborhood of Syria there was store. This Honor by the Commandment of Christ was always deferred to the Jews, that the Gospel should be first offer'd to them, lest they being a querulous and repining Nation, should complain that they were despis'd. Thus travel'd these Apostles thro the whole Island, till they came to Paphos, a City consecrated to Venus upon the Western Coast of Cyprus. Here they found a certain Magician call'd Barjesus, that is, the Son of Jesus a Jew, both by Nation and Religion, under which color he falsely pretended to the gift of Prophecy. This man follow'd the Court of Sergius Paulus, Proconsul or Governor of the Island for the Romans, otherwise a prudent man; but this sort of Vermin insinuates itself into the base to chuse, that so their Corruption may do the greater and more compenious mischief to mankind. The Proconsul nevertheless having underlood the Gospel to be planting throvth Cyprus, not only forbore to stop the ears of others, but by sending for Barnabas and Paul seem'd desirous to open his own. Wherefore Barjesus indevoring to resist the growth of the Word, as an Enemy to Christ, and resisting the Truth with Falsity, a strife arose between the true Prophets and a false one (for such is the Interpretati-
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Book II

of the Syriac word Blymas) whom Paul at length confuted of spiritual blindness, by taking away the eyes of his body, miraculously struck in the presence of the Proconsul, who at the same time receiving the light of the Gospel, embraced the Christian Faith. This being done at Paphos, Paul embarked there with his Associates for the latter Asia, and came to Perga, being a City of Pamphylia; here John, whose Surname was Mark, left them, and returned to Jerusalem, while they, when they had visited Pamphylia, traveled to Antioch, a City of Pisidia, where having entered a Synagogue they sat after the usual manner with the rest, attentive to the Law and the Prophets; whereas when the Parts appointed were read, and no man stood up, the Rulers of the Synagogue perceiving that the Strangers by their habit were Jews, and such as by their aspect promised more than ordinary, sent to them, desiring that if they had any word of exhortation for the People, they would speak. Wherupon Paul standing up, preached to them Christ; whence came the Word of the Lord to be divulged throughout that Region, so the Jews out of envy to the Gentiles, stirring up the devout eff Matrons in this, and by them the chief of the City, raised such Statism in it, and tumult against the Apostles, that Paul and Barnabas being cast out, took off the dust from their feet against them, and went thence to Iconium, a City of Lycaonia. When they were come to Iconium, entering with the Jews after the custom into the Synagogue, they preached, as they had at Antioch, the Gospel of Jesus Christ, and with such efficacy, that multitudes both of the Jews and Greeks believed. Here again the Envy of the Jews became the Author of Statism, by which means the City was divided into two Parts or Factions, whereof one stood for the unbelieving Jews, and the other for the Apostles. At length when such of the Gentiles as were join’d with the Jews, and the Rulers of the City, made an assault upon the Apostles, to offer violence and slay them; they being aware of it, fled to Lystra (a City of Lycaonia, which is a part of Pamphylia) and Derbe. At Lystra there was a man lame of his feet from the Womb, who having lien’d to Paul with great Attention and Zeal, was miraculously cur’d by the Apostle; when the People seeing what Paul had done, cried out, The Gods were descended in the likeness of men; a persuasion that might gain the more easily upon the minds of the Lycaonians for the Fable of Jupiter and Mercury, said to have descended in human shape, and bin entertain’d by Lycaon, from whom the Lycaonians receiv’d their name. Wherefore they call’d Barnabas, for the gravity of his aspect, Jupiter; Paul for his Eloquence, Mercury; and the Priest of Jupiter, who dwelt in the Suburbs, brought Bulls and Garlands to the Gates of the House where the Apostles were, to have offer’d Sacrifice with the People, which the Apostles abhorring, vigorously dissuaded. In the mean time certain Jews by Nation that were Unbelievers, coming from Antioch of Pisidia, and Iconium, drew the People to the other extreme, who from sacrificing to the Apostles fell on stoning them; a work which was brought so near to an end, that Paul being drawn by them out of the City, was left for dead, tho’ he soon after recover’d, and went thence with Barnabas to Derbe: when they had propagated the Gospel there also, they returned to Lystra, Iconium, and Antioch, confirming the Disciples whom they had converted. Now because the propagation of the Gospel requireth that the Apostles should be moving thro’ divers Nations, they chirotonizing them Elders in every Congregation or Church, that is, ordaining them Elders by the Votes of the People in every City, left them to perform the Duties of the absent Apostles, and
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and when they had fasted and prayed, commanded them to the Lord. These things being brought to a conclusion, or finish'd at Antioch in Pisidia, when they had perambulated this Country, they also visited Pamphylia, sowing the Gospel where it was not yet sown, and confirming those who already believed, till they came to Perga: where having order'd their affairs, they proceeded to Attalia, being a maritime City of Pamphylia; and from thence they sail'd back to Antioch of Syria, whence first they set out, with Commission from the Elders, to preach the Gospel to the Gentiles, and where by the Chirothepia, or Impofition of hands, Prayer and Fasting, they had bin recommended to the Grace of God, and design'd to the Work now finish'd.

IN this Narrative you have mention both of the Chirothepia and of the Chirothepia, or Impofition of hands, but of the former as of Ordination; for by that such were made Presbyters or Church-Officers as were not so before: of the latter not, I think, as of Ordination, at least in the sense we now take it; but as of designation of Persons to an occasional and temporary employment, that had bin ordain'd before, for so sure had Paul at least. However, that which is offer'd by this Narrative to present consideration, is no more than the bare Story.

CHAP. II.

That the City, or most of them nam'd in the Perambulation of the Apostles Paul and Barnabas, were at that time under popular Government. In which is contained the Administration of a Roman Province.

THE Romans of all Nations under Heaven were in dower'd, as with the highest Virtues, so with the greatest human Glory; which proceeded from this especially, that they were in love with such as were in love with their Liberty. To begin with their dawn, the Priovernates (a free People inhabiting the City and Parts adjoining, which at this day is call'd Pirena, som fifty miles from Rome, and five from Seffo) being the second time conquer'd by the Romans, it was consul'ted in the Senat what course should be taken with them; where while som, according to the different temper of men, shew'd themselves hotter, and others cooler, one of the Priovernates more mindful of the condition wherein he was born, than of that wherein he was fain, happen'd to render all more doubtful; for being ask'd by a Senator of the severer judgment, what Punishment he thought the Priovernates might deserve, Such (says he) as they deserve who believe themselves worthy of Liberty. At the courage of which answer, the Conful (perceiving in them that had bin vehement enough before against the Priovernates but the greater animosity, to the end that by a gentler Interrogatory he might draw som softer answer from him) reply'd, And what if we inflict no punishment at all, but pardon you; what Peace may we expect of you? Why, if you give us a good one (laid the other) a steady and perpetual Peace, but if an ill one, not long. At which a certain Senator falling openly upon ruffling and threatening the Priovernat, as it those words of his tend'd to som practice or intention to stir up the City in Peace to Sedition, the better part of the Fathers being quite of another mind, declar'd, That they had heard the voice of a Man, and of a Freeman. For why, said they, should
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Book II. Should it be thought that any Man or People will remain longer under such a Burden as they are not able to bear, than till they can throw it down? There a Peace is faithful, where it is voluntary; if you will have Slaves, you are not to trust them, but their Fetters. To this opinion the Conful especially inclining, inclin'd others, while he openly profefl, That they, who had no thought but upon their Liberty, could not but be thought worthy to be Romans: whereupon the Decree past by Authority of the Fathers, which was afterwards propos'd to the Congregation, and ratify'd by the Command of the People, wherby the Priuernates were made Citizens of Rome. Such was the Genius of the Roman Commonwealth; where by the way you may also observe the manner of her Debate and Refult (Authoritate Patrum et Jufiæ POPuli) by the Advice of the Senat, and the Chiristian of the People.

BUT that which in this place is more particularly offer'd to consideration, is her usual way of proceeding in cafe of Conquest with other Nations: for tho bearing a haughty brow towards such as, not contented to enjoy their Liberty at home, would be her Rivals abroad, she dealt far otherwise, as with Carthage; this cafe excepted, and the pilling and pollng of her Provinces, which happen'd thro the Avarice and Luxury of her Nobility, when the Balance of popular Power being broken, her Empire began towards the latter end to languish and decline; the way which she took with the Priuernates was that which she usually observ'd with others throout the course of her Victories, and was after the Change of Government made good at least in form part by the Roman Emperors, under whom were now these Cities mention'd in the present Perambulation of the Apoftles PAUL and BARNAABAS. STRABO for his credit among human Authors is equal to any; he liv'd about the time of this Perambulation, and being a Grecian, is least likely to be partial: Of that therefore which I have affirm'd to have bin the course of the Romans in their Victories, I shall make choice of this Author for a witness; first where he epitomizes the Story of Athens after this manner: When the Carians by Sea, and the Boeotians by Land wafted Attica, CECROPS the Prince, to bring the People under shelter, planted them in twelve Cities, Cecropia, Tetrapolis, Epacrea, Decelea, Eleufis, Aphydna, Thoricus, Brauron, Cytherus, Sphettus, Cephissia, Phalerus; which THESEUS is said to have contrasted into one called Athens. The Government of this City had many changes; at first it was Monarchial, then Popular; This again was usurp'd by the Tyrants PISISTRATUS and his Sons, whence recover'd, it fell afterwards into the hands of the Few, as when the four hundred once, and again the thirty Tyrants were impos'd by the Lacedemonians, in the War of Peloponnesus: which Took the Athenians (by means of their faithful Army) Inhabiting, restored their popular Government, and held it till the Romans attain'd to the Dominion of Greece. Now tho' it be true that they were not a little disturb'd by the Kings of Macedon, to whom they were forc'd to yield some kind of obedience; they nevertheless prefer'd the form of their Commonwealth so intire, that there be who affirm it never to have bin better administered, than at such time as Macedon was govern'd by CASSANDER: for this Prince, tho' in other things more inclining towards the Tyrant, having taken Athens by surrender, us'd not the People ill, but made DEMETRIUS PHALERUS the Disciple of THEOPHRASTUS the Philosopher, chief Magistrat among them; a man so far from ruining their popular State (as in the Commentaries he wrote upon this kind of Government
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Nevertheless, whether suspected or envied for his Greatness without support by the Macedonians, after the death of Cassander he fled into Egypt, while his Enemies breaking down his Statues (as some say) made homely Vessels of them. But the Romans having received the Athenians under their popular form, left them their Laws and Liberty untouched, till in the war with Mithridates they were forc'd to receive such Tyrants as that King was pleas'd to give them; whereas Aristion the greatest, when the Romans had re-taken the City from him, being found trampling upon the People, was put to death by Sylla, and the City pardon'd, which to this day (he wrote about the Reign of Tiberius) not only enjoys her Liberty, but is high in honor with the Romans. This is the Testimony of Strabo agreeing with that of Cicero, where disputing of Divine Providence, he says, that to affirm the World to be govern'd by Chance, or without God, is as if one should say that Athens were not govern'd by the Areopagists. Nor did the Romans by the deposition of the same Author (or indeed of any other) behave themselves worse as in Asia (the scene of our present Discourse, where the fame Paul, of whom we are speaking, being born at Tarsus, a City of Cilicia, that had acquire'd like or greater Privilege by the fame bounty, was also a Citizen of Rome) than in Greece. Asia is understood in three significations: First, for the third part of the World answering to Europe and Africa. Secondly, for that part of Asia which is now call'd Notchia. Thirdly, for that part of it which Attalus King of Pergamum, dying without Heirs, bequeath'd and left to the People of Rome: this contain'd Mysia, Phrygia, Aeolis, Ionia, Caria, Doris, Lydia, Lycia, Pisidia, and by consequencethe Citys whereof we are speaking. To all these Countries the Romans gave their Liberty, till in favor of Aristonicus, the Baffard of Eumenes, many of them taking Arms, they were recover'd, brought into subjection, and fram'd into a Province.

When a Conful had conquer'd a Country, and the Romans intended to form it into a Province, it was the custom of the Senat to send (decem Legatos) ten of their Members, who with the Conful had power to introduce and establisht heir provincial way of Government. In this manner Asia was form'd by Marcus Aquilius Conful; afterwards to excellently reform'd by Scævola, that the Senat in their Edicts us'd to propose his example to succeeding Magistrats, and the Inhabitants to celebrat a Feast to his Name. Nevertheless Mithridates King of Pontus (all the Romans in this Province being masacr'd in one day) came to possess himself of it, till it was recover'd at several times by Sylla, Murena, Lucullus and Pompey. The Romans in framing a Country into a Province, were not accustomed to deal with all the Inhabitants of the fame in a like manner, but differently according to their different merit. Thus divers cities in this were left free by Sylla, as those of the Illyrians, the Chians, Rhodians, Lycians, and Magnesians, with the Cucians, tho' the last of these afterwards for their practices against the Romans forfeited their Liberty to Tiberius, in whose Reign they were for this reason depriv'd of the same.

Taking Asia in the first sense, that is, for one third part of the World, the next Province of the Romans in this Country was Cilicia, containing Pamphylia, Iauria, and Cilicia more peculiarly so call'd: Here Cicero was somtimes Proconful, in honor to whom part of Phrygia,
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Book II. Phrygia, with Pisidia and Lycaonia, were taken from the former, and added to this Jurisdiction, by which means the Citys whereof we are speaking came to be of this Province. Adjoining hereto was the Commonwealth of the Lycians, which the Romans left free: into this also the City of Attalia by Roman consent, but Iconium both by Strabo and Cicero; the latter whereof being Proconful, in his Journey from Laodicea, was received by the Magistrats and Deputies of this City. Lystra and Derbe, being Citys of Lycaonia, must also have bin of the same Province. Next to the Province of Cilicia was that of Syria, containing Comagene, Seleucia, Phoenicia, Colophonia, and Judea or Palestine. In Seleucia were the four famous Citys, Seleucia, Antonia, Apamea (the last intire in her Liberty) and Laodicea. Comagene and Judea were under Kings, and not fram'd into Provinces, till in the time of the Emperors.

The fourth Province of the Romans in Asia was that of Bithynia with Pontus: these were all acquir'd or confirm'd by the Victories of Pompey the Great. Strabo, who was a Cappadocian born at Amasia, relates a story worthy to be remember'd in this place. From the time, says he, that the Romans, having conquer'd Antonus, became Moderators of Asia, they contracted Leagues of Amity with divers Nations; where there were Kings, the honor of address was confer'd on them, with whom the Treaties that concern'd their Countries were concluded. But as concerning the Cappadocians, they treated with the whole Nation, for which cause the Royal Line of this Realm coming afterwards to fail, the Romans gave the People their freedom or leave to live under their own Laws: and when the People hereupon sending Embassadors to Rome, renounce'd their Liberty, being that to them which they found intolerable, and demand'd a King; the Romans amaz'd there should be men that could so far despair, permitted them to choose, of their Nation, whom they pleas'd; so Ariobarzanes was chosen, whose Line again in the third Generation coming to fail, Archelaus was made King by Antony. (where you may observe, in passing, that the Romans impos'd not Monarchical Government, but for that matter us'd to leave a People as they found them) Thus at the same time they left Pontus under King Mithridates, who not containing himself within his bounds, but extending them afterwards as far as Colchis and Armenia the Less, was reduc'd to his terms by Pompey; who deceiving him of those Countries which he had usurp'd, distributed some part of them to such Princes as had assisted the Romans in that War, and divided the rest into twelve Commonwealths, of which, added to Bithynia, he made one Province. When the Roman Emperors became Monarchs, they also upon like occasions made other distributions, constituting Kings, Princes, and Cities, som more, som less, som wholly free, and others in subjection to themselves. Thus came a good, if not the greater part of the Citys in the Leiffer Asia, and the other adjoining Provinces, to be som more, som less free; but the most of them to remain Commonwealths, or to be erect'd into popular Governments, as appears yet clearer by the intercoure of Pliny, while he was Preator or Governor of Bithynia, with his Master the Emperor Trajan; a piece of which I have inserted in the Letters following.
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Pliny to Trajan.

Sir;

"I T is provided by Pompey's Laws for the Bithynians, that no man under thirty years of Age be capable of Magistracy, or of the Senate: by the same it is also established, that they who have born Magistracy may be Senators. Now because by a latter Edict of Augustus, the lesser Magistracies may be born by such as are above one and twenty; there remains with me those doubts, whether he that being under thirty, has born Magistracy, may be elected by the Censors into the Senate; and if he may, whether of those also that have not born Magistracy, a man being above one and twenty, seeing at that age he may bear Magistracy, may not by the same interpretation be elected into the Senate, tho' he has not born it: which is here practis'd and pretended to be necessary, because it is somewhat better, they say, that the Senate be fill'd with the Children of good Families, than with the lower sort. My opinion being ask'd upon these points by the new Censors, I thought such as being under thirty have born Magistracy, both by Pompey's Laws, and the Edict of Augustus, to be capable of the Senate; seeing the Edict allows a man under thirty to bear Magistracy, and the Law, a man that has born Magistracy, to be a Senator. But as to those that have not born Magistracy, tho' at the age in which they may bear it, I demur till I may understand your Majesty's pleasure, to whom I have sent the Heads both of the Law and of the Edict.

Trajan to Pliny.

"You and I, dearest Pliny, are of one mind. Pompey's Laws are so far qualify'd by the Edict of Augustus, that they who are not under one and twenty may bear Magistracy, and they who have born Magistracy may be Senators in their respective Cities: but for such as have not born Magistracy, tho' they might have born it, I conceive them not eligible into the Senate till they be thirty years of age.

Pliny to Trajan.

Sir;

"Power is granted to the Bithynian Citys by Pompey's Law, to adopt to themselves what Citizens they please, so they be not Forerens, but of the same Province; by the same Law it is shewn in what cases the Censors may remove a man from the Senate: Among which nevertheless it is not provided what is to be done in case a foren Citizen be a Senator. Wherefore certain of the Censors have thought fit to consult me, whether they ought to remove a man that is of a foren City for that cause out of the Senate. Now because the Law, tho' it forbids the adoption of a Forerener, commands not that a Forerener for that cause should be remov'd out of the Senate, and I am inform'd there be foren Citizens almost in every Senate; so that many, not only Men, but Citys might suffer Concussion by the


"restitution of the Law in that part, which thro a kind of content seems to be now grown obsolete; I conceive it necessary to have your Majestys Resolution in the case, to which end I have sent a Breviat of the Law annex'd.

T R A J A N T O P L I N Y.

"W I T H good cause, dearest P l i n y, have you doubted what answer to return to the Seniors, inquiring whether they ought to elect a man into the Senate that is of another City, tho of the same Province; seeing on the one side the Authority of the Law, and of Custom on the other to the contrary, might well disorder you. To invent nothing for the time past, I think well of this expedient: they who are already elected Senators, tho not according to the Law, of what City soever they be, may remain for the present; but for the future P o m p e y's Laws should return to their full virtue, which if we should cause to look back, might create troubles.

T H I S might serve, but there will be no hurt in being a little fuller in the discovery of Provincial Government. T H E Provinces fo fram'd, as has bin shewn, were subdivided into certain Circuits call'd D i o c e s e s; that of A s i a had six, A l a b a n d a, S a r d i s (antiently the Senate of C r e s s i s) S m y r n a, E p h e s i s, A d a r a n t i s, P e r g a m o n. That of C i l i c i a had also six, the P a m p h l y i a n, I s a r i a n, and C i l i c i a n, the Metropolis whereof was T a r s u s, a free City; to these were taken out of the Province of A s i a, C i b r a , S i n n a d a , A p a m e a: what were the Dioceses of the other two, S i g o n i a u s, whom I follow, dos not shew. At these in the Winter (for the Summer was spent commonly with the Army) the People of the Province assembled at fit times, as at our Affizes, where the R o m a n Governors did them Justice.

T H E Governors or Magistrates, to whose care a Province was committed, were of two kinds: the first and chief was Consul or Pretor, which appellations differ'd not in Power, but in Dignity, that of Consul being more honorable, who had twelve Lictors, whereas the Pretor had but six; if the annual Magistracy of either of these came to be prorog'd, he was call'd P r o c o n s u l or P r e t o r.

T H E second kind of Magistrate in a Province was the Q u e e f f o r, Receiver or Treasurer, who being also annual, was attended by Lictors of his own; if he dy'd within his year, the Consul, Proconsul or Pretor might appoint one for that time in his place, who was call'd Proqueffor. The Power of the Consul, Proconsul, or Pretor, was of two kinds, the one Civil, the other Military; the former call'd Magiftracy, the latter Empire.

T H E Pomp of these assuming and exercising their Magistracy was reverend; the Consul or Proconsul had Legats, sometimkse more, but never under three, appointed him by the Senator: these were in the nature of Counsellors to assist him in all Affairs of his Province; he had Tribuns, Colonels, or Field Officers, for the military part of his Administration; he had also Secretaries, Serjeants, Heralds or Criiers, Lictors or Insignbearers, Interpreters, Messengers, Divines, Chamberlains, Physicians; and besides these his Companions, which for the
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most part were of the younger sort of Gentlemen or Gallants that ac-
company'd him for his Ornament, and their own Education. Into
this the somewhat like Train of the Queflor (who by the Law was in
place of a Son to the Proconfal, and to whom the Proconfal was to
give the regard of a Father) being caft, it made the Pretorian Co-
hort or Guard always about the Person of the Proconfal, who in this
Equipage having don his Devotions at the Capitol, departed the City,
Palatine, that is in his Royal Mantle of Gold and Purple, follow'd
for form part of the way with the whole Train of his Friends, with-
ning him much joy and good speed.

In his Province he executed his twofold Office, the one of Captain
General, the other of the supreme Magiftrat. In the former relation
he had an Army either receiv'd from his Predecessor, or new levy'd in
the City; this consifted in the one half of the Legions (as I have else-
where shewn) and in the other of Assistans: for the greatness of the
fame, it was proportion'd to the Province, or the occasion; to an or-
dinary Province in times of Peace, I believe an Army amounted not to
above one Legion with as many Auxiliars, that is, to a matter of
twelve thoufand Foot, and twelve hundred Horse. The Magiftracy
or Jurifdiction of the Proconfal, or Pretor, was executed at the Met-
ropolitan City of each Divis, which upon this occasion was to fur-
fnish the Pretorian Cohort with Lodging, Salt, Wood, Hay, and Stable-
room at the charge of the Country. These, the Cicero would
hardly receive any of them, were, towards the latter time of the Com-
monwealth, extended by the Provincial Magiftrates to fo great a bur-
den to the People, that it caus'd divers Laws to be pass'd in Rome
(de repetundis) for refutation to be made to the Provinces, by fuch as
had injur'd them. Upon fuch Laws was the prosecution of Ver-
res by Cicero. When and where this kind of Court was to be
held, the Consul, Proconfal, or Pretor, by Proclamation gave timely
notice. Being assembled at the time, and the City appointed, in the
Townhall stood a Tribunal; upon this the Sella Curulis, or Chair of
State, in which sat the Consul, Proconfal, or Pretor, with his Preto-
rian Cohort or Band about him, furnish'd with all manner of Pomp,
and Officers requifit to the Ornament or Administration of fo high a
Magiftracy. The Jurifdiction of this Court was according to the
Laws made for the administration of the Province; but because they
could not forefee all things (as appeard by the Questions which Plin-
ny put upon the Laws of Pompey, to Trajan) it came to pass,
that much was permitted to the Edicts of the Provincial Pretors, as
was also in use at Rome with the Pretors of the City: and if any man
had judg'd otherwife in his Province, than he ought to have don in
the City, made an Edict contrary to the Law of his Province, or
judg'd any thing otherwise than according to his own Edict, he
was held guilty of, and questionable for a hainous Crime. But
what the Law of this or that Province (which differed in each)
was, would be hard particularly to say; only in general it was for the
main very much retembling that of Sicily, call'd R apilia.

L E G E R apilia, or by the Law of Rupiltus, a Caufe between one
Citizen and another being of the fame City, was to be try'd at home by their
own Laws. A Caufe between one Provincial and another being of divers
Cities, was to be try'd by Judges whom the Pretor should appoint by lot.
What a privat man claim'd of a People, or a People of a privat man,
was to be refer'd to the Senate of some third City. Upon what a Roman claimed of a Provincial, a Provincial was to be appointed Judge. Upon what a Provincial claimed of a Roman, a Roman was to be appointed Judge. For decision of other Controversies, select Judges from among the Romans (not out of the Pretorian Cohort, but out of such Romans, or other Citizens free of Rome, as were present in the same Court) were to be given. In criminal Causes, as Violence, Peculat, or Treacon, the Law, and the manner of proceeding was the same in the Provinces, as in Rome.

For the Tributs, Customs, Taxes, levys of Men, Money, Shipping, ordinary or extraordinary, for the common defence of the Roman Republic, and her Provinces, the Consuls, Proconsuls, or Prefets, proceeding according to such Decrees of the Senate as were in that cafe standing or renew'd upon emergent occasions; in gathering these by the Magistracy or office of the Quetoet: if the Proconsul were indilpos'd, or had more busines than he could well turn his hand to, Courts of this nature might be held by one or more of his Legates. With matters of Religion they meddle'd not; every Nation being to far left to the liberty of Conscience, that no violence for this cause was offer'd to any man: by which means both Jews and Christians, at least till the time of the persecuting Emperors, had the free exercice of their Religion through the Roman Provinces. This the Jews lik'd well for themselves, nor were they troubld at the Heathens; but to the Christians they always grudgd the like privilege. Thus when they could no otherwise induce Pilat to put Christ to death, they accus'd Christ of affecting Monarchy, and so affrighted Pilat, being a mean condition fellow, while they threaten'd to let Tiberius know he was not Cesar's Friend, that he comply'd with their ends. But when at Corinth where Gallio (a man of another temper) was Proconsul of Achaia, they would have bin at this sport again, and with a great deal of Tumult had brought Paul before the Tribunal, Gallio took it not well, that they should think he had nothing else to do than to judge of Words, and Names, and Questions of their Law; for he car'd no more for the Disputes between the Christians and the Jews, than for those between the Epicureans and the Stoics. Wherefore his Lictors drove them from the Tribunal, and the officious Corinthians, to shew their love to the Proconsul, fell on knocking them out of the way of other busines.

Now the the Commonwealth of the Achaia, being at this time a Roman Province under the Proconsul Gallio, injoy'd no longer her common Senat, Strategus, and Demiurgus, according to the model shown in the former Book; yet remain'd each particular City under her antient form of Popular Government, so that in these, especially at Corinth, many of the Greeks being of the same judgment, the Jews could not dispute with the Christians without Tumult. Of this kind was that which happen'd at Ephesus, where Christiainity growing so fast, that the Silversmiths of Diana's Temple began to fear they should lose their Trade; the Jews liking better of Heathenism than Christiainity, set Alexander, one of their pack, against Paul.

This place (in times when men will understand no otherwise of human story than makes for their ends) is fallen happily into my hand; seeing that which I have said of a Roman Province, will be thus no les than prov'd out of Scripture. For the Chancellor of Ephesus perceiving the Ecclesia (so it is in the Original) or Assembly (as
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(as in our Translaction) uncalled by the Senat, or the Magistracy to Chap. 2. be tumultuously gather'd in the Theater (their usual place, as in Syracuse and other Citys, of meeting) betakes himself to appease the People with divers arguments: among which he has thefe. First, as to matter of Religion, You have brought this here, says he, these men which are neither robbers of Temples (Churches our Bible has it, before there was any Church to be rob'd) nor yet blasphemers of the Goddesfs: In which words (seeing that they offering no scandal, but only propagating that which was according to their own judgment, were not obnoxious to Punishment) he shews that every man had liberty of Conscience. Secondly, as to LAW: If Demetrius and the Craftsmen which are with him have a matter against any man, the Law, says he, is open. Thirdly, as to the matter of Government, which appears to be of two parts, the one Provincial, the other Domestic: For the former, says he, there are (as he says) Proconsuls (he speaks in the plural number with relation to the Legats, by whom the Proconsul fomtimes held his Courts; otherwise this Magistrat was but one in a Province, as at this time for Asia PUBLIUS SUILLIUS) and to the latter, says he, if you defire any thing concerning other matters, that is, such as appertain to the Government of the City (in which the care of the Temple was included) it shall be determin'd in a lawful Ecclesia, or Assembly of the People. By which you may see that notwithstanding the Provincial Government, Ephesus, tho she was no free City, (for with a free City the Proconsul had nothing of this kind to do) had (auoversus) the Government of her self (as those other Citys mention'd in Pliny's Epiftles) by the Senat, and the People; for wherever one of these is nam'd, as the Senat by Pliny, or the People by Luke, the other is understood. When the Chancellor had thus spoken, he dismissed the Ecclesia. It is Luke's own word, and so often as I have now repeated it, so often has he us'd it upon the same occasion. Wherfore I might henceforth expect two things of Divines; firft, that it might be acknowledg'd that I have good Authors, Luke and the Chancellor of Ephesus, for the word Ecclesia in this fentence; and secondly, that they would not perswade us, the word Ecclesia has lost this significat, left they condemn this place of Scripture to be no more understood. The manner of Provincial Government being thus prov'd, not only out of profane Authors, but out of Scripture it self; and the Citys that were least free having had such power over themselves, and their Territories; why, if the Romans took no more of them for this protection, than was paid to their former Lords, did they not rather undertake the patronage of the World than the Empire; seeing Venice, and Dantzie, while the one was tributary to the Turk, the other to the King of Poland, were nevertheless so free Etates, that of a King, or a Commonwealth that should have put the reit of the world into the like condition, no less in our day could have bin paid? And yet that the Romans, when the nature of the Eastern Monarchys shall be rightly consider'd, took far less of these Citys than their old Masters, will admit of little doubt. Ciceron surely would not ly; he, when Proconsul of Cilicia, wrote in this manner concerning his Circuit, to his friend Servilius: Two days I laid at Laodicca, at Apamea five, at Sinnada three, at Pilometis five, at Iconium ten; than which Jurisdiction or Government there is nothing more just or equal. Why then had not those Citys their Senats and their
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Ecclesius, or Congregations of the People, as well as that of Ephesus; and those whereof Pliny gives an account to Trajan.

Corinth was in Achaia; Perga of Pamphylia, Antioch of Pisidia, Iconium, Lystra, Derbe of Lycaonia, were in Cilicia; and with these, as I some reckon, Attalia. Ephesus and the other Antioch were in Syria. Achaia, Cilicia, and Syria, were Roman Provinces at the time of this Perambulation of the Apostles: The Citys under Provincial Administration, whether free or not free, were under Popular Government; whence it follows, that Corinth, Ephesus, Antioch of Syria, Antioch of Pisidia, Perga, Iconium, Lystra, Derbe, Attalia, being at this time under Provincial Administration, were at the same time under Popular Government. There has bin no hurt in going about, for the proof of this; tho' indeed to shew that these Citys (had quondam xevonias) were under Popular Government, we needed to have gos no further than the Text, as where the Chancellor of Ephesus, to get rid of a tumultuous Ecclesius or Assembly of the People, promises them a lawful one. In Iconium, Lystra, Derbe, and the rest, you hear not of any King (as where herod stretch'd out his hand to please the Jews, and vex the Church) but of the People, of their Rulers, of their Assembly, and of their tumults. The People at Lystra are now agreed to give the Apostles divine Honors: and anon, both at Iconium and Lystra, to stone them. Now to determine of divine Honor, or of Life and Death, are acts of Soverain Power. It is true, these nevertheless may happen to be usurped by a mere tumult; but that cannot be said of these Congregations, which consist of all the Magistrates and Rulers, as of the People, and where the Magistrates shew that they had no distinct Power whereby to restrain the People, nor other means to prevail against them, than by making of Partys: Which Passages, as they prove these Commonwealths on the one side to have bin ill constituted, evince on the other, that these Citys were under Popular Government.

CHAP. III.

The Dedication of the Chirotonia from Popular Government, and of the Original Right of Ordination from the Chirotonia. In which is contain'd the Institution of the Sanhedrim or Senat of Israel by Moses, and of that of Rome by Romulus.

Divines generally in their way of disputing have a bias that runs more upon Words than upon Things; so that in this place it will be necessary to give the Interpretation of some other Words, whereof they pretend to take a strong hold in their Controversys. The chief of these has bin spoken already: Chirotonia being a word that properly signifies the Suffrage of the People, wherewith or by the Senat decrees by Suffrage as well as the People, yet there being no more in a Decree of the Senat than Authority, the Senat is never said to Chirotonize, or very seldom and improperly, this word being peculiar to the People. And thus much is implied in what went before.
of Popular Government.

This next Word in Controversy is ἔφθισμα, which signifies a Decree or Law; and this always implying Power, always implies the Suffrage of the People, that is, where it is spoken of popular Government: for the P'hθισμα or Decree of the Athenian Senat was a Law for a year before it came to the Suffrage or Chirotonia of the People, yet the Law or Constitution of Sôlon, whereby the Senat had this Power, originally deriv'd from the Chirotonia of the People.

This third Word (ἐξαναχώρει) signifies to constitute or ordain; this in the political sense of the same implies not Power, but Authority: for a man that writes or proposes a Decree or Form of Government, may be said (ἐξαναχώρει) to propose or constitute it, whether it be confirm'd by the Chirotonia of the People or not; nay with Halicarnassœus the Word signifies no more than barely to call or assemble the Senat, μετὰ τὸν ἐξαναχώρει.

Now if these Words be sometimes otherwife taken, what Words be there in any Language that are not often us'd improperly? But that underfoot politically, they must of necessity be understood as I have shewn, or will so intangle and disorder Government, that no man shall either make head or foot of it, is that which I make little question to evince in the surest way, that is, by opening the nature of the Things whence they derive, and wherof they are spoken by the best Authors.

And because the Words (tho the Things they signify were much more antient) derive all from Athens, I shall begin by this Constitution to shew the proper use of them. Chirotonia in Athens, as has been shewn out of Suidas (who speaking of Rome refers to this) was Election of Magistrats, or enacting Laws by the Suffrage of the People; which, because they gave by holding up their hands, came thence to be call'd Chirotonia, which signifies holding up of hands. The Legislative Assembly, or Representative of the People, call'd the Nomotheta, upon occasion of repealing an old Law, and enacting a new one, gave the Chirotonia of the People: And yet says the Athenian Law: (εἰςχρηστοτοῦ καὶ πᾶν τῆς πολίτευσε πρὸς τῆς ἐπαύσεις) by Themistocles.

Let the Proedri give or make the Chirotonia to either Law. The Proedri, as was shewn in the former Book, were the ten Presidents of the Prytans; which Prytans upon this occasion were Presidents of the Nomotheta. Again, whereas it was the undoubted Right and Practice of the People to elect their Magistrats by their Chirotonia (καὶ νῦν ἔσται καὶ, καὶ πᾶσαι, καὶ ἡ δῆμος, καὶ ἐντὸς χρηστοτοῦτας εὐθυτείας) it is nevertheles.

Lef shewn by Pollux to have bin the peculiar Office of the Theomorpheta (ἐφομορφεῖται) to chirotonize the Magistrats. For as the Proedri were Presidents of the People in their Legislative Capacity, so were the Theomorpheta, upon occasion of Elections; thus the Chirotonia of the Proedri or of the Theomorpheta, signifies nothing else but the Chirotonia of the People, by which they enacted all their Laws, and elected all their Civil or Ecclesiastical Magistrats or Priests, as the Rex Sacrificus, and the Orgeones, except from by Lot; which Ordination, as is observ'd by Aristotle, is equally popular. This, whether ignorantly or willfully unregarded, has bin, as will be seen hereafter, the cause of great absurdity; for who fees not that to put the Chirotonia, or Soverain Power of Athens upon the Proedri or the Theomorpheta, is to make such a thing of that Government as can no wife be understood?

WHAT
WHAT the People had past by their Chirotonia, was call’d Phêphisma, an Act or Law. And because in the Nomothetê there were always two Laws put together to the Vote, that is to say, the old one, and that which was offer’d in the room of it, they that were for the old Law were said (κατακριπητειν) to pronounce in the Negative; and they that were for the new (κατακριπητειν) to pronounce for the Affirmative.

THESE Laws, these Propositions, or this frame of Government, having bin propos’d first by Sólon, and then ratify’d or establisht by the Chirotonia of the Athenian People; Aristotelês says of him (τω βδομενης κατακρισιν) that he instituted or constituted the popular Government; which Constitution implies not any Power in Sólon, who absolutely refuse’d to be a King, and therefore the word κατακρισιν as to him implies no more than Authority. I have shew’d you the Words in controversy, and the Things together in the Mint; now whether they that as to Athens introduc’d them both, understood either, I leave my Reader by comparing them to judge.

IT is true that the Things express’d by these Words have bin in som Commonwealths more, in others less antient than the Grecian Language; but this hinders not the Greeks to apply the Words to the like Constitutions or Things, wherever they find them, as, by following Hálicarnasseus, I shall exemplify in Rome.

O δε Ραμνύντης, επειδη τετωτε δεινδε εκειν, βελτιωτεις υμος έγγυς κατακρισιν, Ρομνολος, when he had distributted the People into Tribes and Parishes, proceed to ordain the Senat: in this manner the Tribes were three, and the Parishes thirty; out of every Tribe he elected three Senators, and out of every Parish three more, all by the Suffrage of the People. These threfore came to ninety nine chosen by the Chirotonia; to which he added one more, not chosen by the Chirotonia, but by himself only: Which Election we may threfore say was made by the Chirothæia; for as in this Chapter I am shewing that the Chirotonia is Election by the Many, so in the next I shall shew that the Chirothæia is Election by One, or by the Few. But to keep to the matter in hand; the Magistrat thus chosen by R o m u l u s w a s (praefectus urbi) the Protecor of the Commonwealth, or he who, when the King was out of the Nation or the City, as upon occasion of war, had the exercize of Royal Power at home. In like manner with the Civil Magistracy were the Priests created (tho som of them not so antiently) for the Pontifex Maximus, the Rex Sacrificius, and the Flamens, were all ordain’d by the Suffrage of the People (Pontifex Tributis, Rex Centurias, Flamines Curias) the latter of which, being no more than Parish Priests, had no other Ordination than by their Parishes. All the Laws, and all the Magistrats in Rome, even the Kings themselves, were according to the Orders of this Commonwealth to be created by the Chirotonia of the People; which nevertheless is by Appian somtimes call’d δεμαργος χειροτος, the Chirotonia of the Tribuns, whether these Magistrats were Presidents of the Assemblys of the People, or elected by them. Sic Romani Historie non raro loguuntur, Conspicium qui comitia habuerit creafse novos Magistratus, non aliam ob causam nisi quia suffragia receperit, & Populam moderatus est in eligendo.

WHAT past the Chirotonia of the People, by the Greeks is call’d

* When the Congregation of the People

Psêphisma: χρωματινδ διαλογαν ὅ τις ἰδιοκος, ἄνωθεν δέ μάρτυς καθι & πανεκτισματι δεινον ὑμῶν ἢ ἔκει καλός.
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ple was to be dismiss'd, Marcus standing up, said, Your Plephisma, Chap. 3.

that is your Alt., is exceeding good, &c.

THIS Policy, for the greater part, is that which Romulus (as was fhewn) is said (xv testamentum Plephisma) to have instituted or ordain'd, tho' it be plain that he ordain'd it no otherwise than by the Chirotonia of the People.

Thus you have another example of the three words in controversy (Chirotonia, καθὸ τοῦτο Ρλεφίσματι) still apply'd in the same sense, and to the same things. Have I not also discover'd already the original Right of Ordination, whether in civil or religious Orders? This will be scandalous. How! derive Ordination as it is in the Church of Christ, or as it was in the Church of the Jews, from the Religion, or rather Superfition of the Heathens! I meddle not with their Religion, nor yet with their Superfition, but with their Ordination which was neither, but a part of their Policy. And why is not Ordination in the Church or Commonwealth of Christ, as well a political thing as it was in the Churches or Commonwealths of the Jews, or of the Heathens? Why is not Election of Officers in the Church as well a political thing, as Election of Officers in the State? and why may not this be as lawfully perform'd by the Chirotonia in the one, as in the other?

THAT Moses introduced the Chirotonia, is expressly said by Philo de Inf., Princ.

Pliolo; tho' he opposes it to the Ballot, in which I believe he is mistaken, as not seeing that the Ballot including the Suffrage of the People, by that means came as properly under the denomination of the Chirotonia, as the Suffrage of the Roman People, which tho' it were given by the Tablet, is so call'd by Greek Authors. All Ordination of Magistrates, as of the Senators or Elders of the Sanhedrin, of the Judges or Elders of inferior Courts, of the Judg or Scribes of Israel, of the King, of the Priests, of the Levits, whether with the Ballot or civis voces, was perform'd by the Chirotonia or Suffrage of the People. In this (especially if you admit the Authority of the Jewish Lawyers, and Divines call'd the Talmudists) the Scripture will be clear, but their Names are hard; wherfore not to make my Discourse more rough than I need, I shall here set them together. The Authors or Writings I use, by way of Paraphrase upon the Scripture, are the Gemara Babylonia, Midrash Rabba, Sepher Siphri, Sepher Tanchuma, Solomon Jarchius, Chistcury, Abarbanel, Ain Israel, Pesikta Zuterba. These and many more being for the Election of the Sanhedrin by the Ballot, I might have spoken them more briefly; for the truth is, in all that is Talmudical I am afdified by Selden, Grotius, and their Quotations out of the Rabbys, having in this Learning so little Skill, that if I miscall'd none of them, I hew'd you a good part of my acquaintance with them.

Nor am I wedded to Grotius or Selden, whom somtimes I follow, and somtimes I leave, making use of their Learning, but of my own Reason. As to the things in this present Controversy, they were no other in Athens and Rome than they had bin in the Commonwealth of Israel.

When Moses came to institute the Senate, he ask'd counsel of Numb. 13.

God. And the Lord said, Gather to me seventy men of the Elders of Israel; and Moses went out and told the People the words of the Lord: that is, propos'd the Dictat of the supreme Legislator to the Chirotonia of the Congregation. What else can we make of these words of Mo-
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Book II. se's to the People? Take ye wise men, and understanding, and known among your Tribes (υνία της κατακρίσεως αὐτῶν εστὶν ἡ μονακοστίαμν ἡμῶν) and I will constitute them Rulers over you. Now how the People could otherwise take or chuse these Rulers or Magistrats thus propos'd, than by their Chirotonia, let Divines—shew; or notwithstanding the constitution of MoseS, both the Senat of Israel, and the inferior Courts, were decreed by the Chirotonia of the People. For the People upon this Proposition resolv'd in the Affirmative, or answer'd and said, The thing which thou hast spoken is good for us to do. This then was the Psephisms, or Decree of the People of Israel, wherupon says Moses (κατιστέω αὐτες νομιμής) I constituted or ordain'd them Governors. In which example you have the three words, or the three things again; nor as to the things, is it, or ever was it, otherwise in any Commonwealth. Whence it is admirable in our Divines, who will have κατίστεω, constituted, to be the word of Power; that they do not fee by this means they must make two Powers in the same Government; the κατίστεω, or Constitution of the Legislator, and the Chirotonia or Suffrage of the People; or else say that the Commonwealth of Israel was instituted by the Power of the Legislator, and the Authority of the People, than which there is nothing more absurd. But the People said not upon their first Psephism, or Refult, that the thing was good for them to do, but did accordingly. The manner of their proceeding at different times was somewhat different; for it was somtimes visis euer, somtimes by the Lot, without the Suffrage, and somtimes by the Ballot, which consisted not of the Lot only, but of the Suffrage. Each of these are equally popular (for neither of them gives an advantage to any Person or Party) but not equally prudent ways of proceeding; the Lot committing too much to Fortune, except in some kinds of business, as first in the division of Lands, whence the Suffrage was properly excluded; for the Divisions being made by three Deputies out of each Tribe, if there happen'd to fall som advantage or disadvantage to any man by the Lot, it was equal or impartial; whereas if it had fallen by the Suffrage, it must have bin unequal, or partial. Such was the caufe why the Lot in the Division of the Land of Canaan was us'd without the Suffrage. In case of a Crime committed by an unknown Author, but among many of whom som one or more must have bin guilty, as in the case of Achan and Jonathan, the Lot was also us'd without the Suffrage, somewhat after the manner of Decimation in an Army, when many that are guilty throw the Dice, and he on whom the Lot falls is punish'd; yet with considerable difference, for whereas Decimation is not us'd but for punishment, where the Persons are as well known as the Guilt; this use of the Lot in Israel was for the discovery of the unknown Author of som known Crime, that som one of many being put to the question (who if either by his own confession, or other proof he were found guilty, was punish'd accordingly, otherwise not) Men might have less encouragement that their Crimes would be the more hidden, or less punishable for company, or the shadow of it.

WHEN the People were fet upon the introduction of a new Magistracy, and car'd not at all who should be the man, as in the Election of Saul, at which time the Philistines lay hard upon them, and they look'd upon the Eafe they hop'd from a King, without coveting the trouble which he was like to have; it seems to me there was a third use of the Lot without the Suffrage.
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But that the common use of the Lot in Israel imply'd also the Chap. 3: Suffrage, and was of the nature of the Ballot at this day in Venice, is little to be doubted; or you may satisfy your self, when you have consider'd the manner how the Senat or Sanhedrim was first elected (κατακλήμα) or constitted by Moses.

Upon the Psephisma, or decree of the Legislator and the People, The thing which thou hast spoken is good for us to do, they proceeded to election of Competitors in this manner. Each of the twelve Tribes (to be hereafter as well locally, as they were yet but genealogically divided) were to make the Election, not excluding the Thirteenth, nor yet nominally taking it in; for Levi, tho genealogically as distinct a Tribe as any of them, yet was not design'd locally so to be, but to have the right of promiscuous Inhabiting, Cohabiting, or Marriage with all or any of the rest, and with right of Suffrage accordingly; for this cause the Tribes being Thirteen, are reckon'd but Twelve. So each of the twelve Tribes elected among themselves by their Suffrages, fix wife men, and understanding, and known among them; who being elected, were written; and being written, were deliver'd each in a several Scrol to Moses. Moses having receiv'd all the Scrols, had seventy two Competitors, which caus'd a Fractiion; for the Senat, as is plain by the Text (gather me seventy men, that they may stand with thee) was to confit but of Seventy with Moses, that is, in all, of seventy one. So Moses having two Competitors more than he needed, caus'd two Urns to be brought, into one of which he cast the seventy two Competitors, or Names written in the Scrols; and into the other seventy two Scrols, of which two were blanks, and seventy were inscrib'd with the word Presbyter. This being don, the whole Congregation pray'd, and when they had pray'd, gave forth their Lots.

The Lots were given forth after this manner. First a Lot was drawn out of the Urn of the Magistracies, then another out of the Urn of the Competitors. The Competitor to whose name a Blank was drawn, depart'd: but he to whose name a Prize was drawn, or given forth, became a Magistrat.

They who had thus gain'd Magistracy were συναξατος ψηφισματοι, by this Psephisma decreed to be together of the number of the seventy Elders. But whereas in the Urn of Magistracies there were two Blanks, two that had bin written Competitors must of necessity have fail'd of Magistracy. So Eldad and Medad being of them that were Num. 11. 25, written Competitors by the Tribes, yet went not up to the Tabernacle; that is, attain'd not to be (συναξατος ψηφισματοι) numbered among the seventy, who were to sit in the Court of the Tabernacle; as afterwards they did in the Pavement, or stone-Chamber, in the Court of the Temple.

In this place I shall mind you but once more of the three Words in controversy. Moses the Legislator (κατακλήμα) constituted, the People chirotoniz'd; and that which they had chirotoniz'd, was Psephisma, their Decree.

There be in these times that are coif'd with such Opinions, that to shew Scripture to be Reason, is to make it lose weight with them; and to talk of the Talmudists, is to profane it: Of these I shall only desire to know how they understand that place of Eldad and Medad; for if they can no otherwise make sense of it than as
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I have done, it is a sufficient proof (letting the Talmudists go) of all that I have said. What thencefore has the Hierarchy, and the Presbytery for their opinion that the Sanhedrim was instituted by the Chirotheia, or Imposition of Hands?

THERE is in the Old Testament no mention of laying on of Hands by way of Ordination, or Election, but only by Moses in the designation of Joshua for his Successor: and in this Moses did first as Romulus afterwards in the Election of the Prefect or Protector of Rome, but upon a far greater exigence; for the Commonwealth of Rome, when Romulus did the like, was seated or planted, but the Commonwealth of Israel, when Moses did this, was neither seated nor planted, nor indeed a Commonwealth, but an Army design'd to be a Commonwealth. Now between the Government that is necessary to an Army, and that which is necessary to a Commonwealth, there is a vast difference. The Government even of the Army of Rome, when she was a Commonwealth, was nevertheless Monarchical; in this regard Moses himself exercis'd a kind of Dictatorian Power for his life; and the Commonwealth being not yet planted, nor having any Balance wherupon to weigh her self, must either have bin left at his death to the care of some Man whom he knew best able to lay her Foundation, or to extreme hazard. Wherefore this Ordination, which was but accidental, regarding the present military condition of the People, Moses most prudently distinguishes from the other; in that he shew'd them how they should manage their Commonwealth, in this he bequeathes them the Man whom he thinks the most likely to bring them to be a Commonwealth: of which judgment and undertaking of Moses, Joshua the next illustrious Example, most worthily acquitted himself.

THERE is in these Elections another remarkable passage, but such a one as, being so far from political that it is supernatural, does not properly appertain to this discourse, and so I shall but point at it. When the Elders, thus chosen, were set round about the Tabernacle, the Lord came down in a cloud, and took of the Spirit of Moses, and gave it unto the seventy Elders; and it came to pass, that when the Spirit rested upon them, they prophesy'd and did not cease. So Joshua was full of the Spirit of Wisdom, for Moses had laid his hands upon him. And Paul minds Timothy, Stir up the gift of God which is in thee by the laying on of my hands. But the Talmudists themselves do not pretend that their Ordination was further accompany'd with supernatural endowments than the first Institution; and if Divines were as ingenious, no less might be acknowledg'd of theirs. Moses was a Prophet, the like to whom has not bin in Israel; and has there bin an Apostle like Paul in the Christian Church? Every body cannot do Miracles, we fee they can't. Take heed how you deny Senec, for then bread may be flesh. If we be not to make choice of a political Institution without a miraculous test or recommendation; either Ordination was at first accompany'd with supernatural Gifts, and from thenceforth, as I conceive, neither. Divines methinks as such should not be so much concern'd in the Ordination of the Sanhedrim, or of Joshua, who were Magistrats, as the People or the Magistrat: yet if these should hence infer that their Election, Ordination, or Designation of persons confer'd supernatural Gifts, Divines would hardly allow of it; and why are the People, or the Magistrat oblig'd to
allow more to that of a Clergy? To return.

SUCH as I have shewn was the Ordination of the Senat, or great Sanhedrim, that of the lesser Sanhedrim, or inferior Courts, was of like nature, for it follows; I took the chief of your Tribes, wise men and Dec. 1. 15. known (αιωνιοι) and made them Heads over you, Captains of thousands, and Captains of hundreds, &c. which were other Magistrats than, according to our custom, we should readily expect to be intimated by such words, for they were the Judges of the inferior Courts, those that sat in the gates of each City, and others that appertain'd to the Villages, as in the next Verfe: And I charg'd your Judges at that time, saying, Hear the Causes, and judge righteously.

The next Magistrat whose Election coms to be consider'd is the Dictator, or Judg of Israel. Where it is said of this People, that the Lord rais'd them up Judges, which deliver'd them out of the hands of Judges 2. 16. those that spoil'd them, it is to be understood, says S I G O N I U S, that God De Rep. Hebr. put it into the mind of the People to elect such Magistrats, or Captains over them. For example, when the Children of Ammon made war against Israel, God rais'd up J E P H T H A, whose Election was after this manner: The Elders went to fetch JEPHTHA out of the Land of Judges 11. Tob, and when they had brought him to Mizpeh (which in those days was the place, where εκλογης, the Congregation of Israel usually assembl'd) the People made him Head and Captain over them. Now that the Election of the King was as much in the Chirotonia of the People, as that of the Judg, is past all controversy, seeing the Law speaking of the People says thus: One from among thy Brehren shall Deut. 17. 15. thou set King over thee; and accordingly when the Government was chang'd to Monarchy, it was not S A M U E L, but the People that would have it so; thus S A U L was chosen King by the Lot. Where the contradiction of G R O T I U S is remarkable, who in this place to shew that the Lot is of Popular Institution, quotes A R I S T O T L E; and yet A R I S T O T L E when he comes to speak of the Lots that were cast at the Election of M A T T H I A S, says it was that it might appear not whom the Multitude, De Imp. S. P. but whom God had ordain'd; as if the Magistrat lawfully elected by the People, were not elected by God, or that the Lot which thus falls into the lap were not at the disposing of the Lord. But if the League by which the People receiv'd D A V I D into the Throne, or the Votes by which first the People of J e r u s a l e m, and afterwards the Congregation of Israel (as was shewn in the former Book) made S O L O M O N King, were of the Lord; then Election by the People was of the Lord, and the Magistrat that was elected by the Chirotonia of the People, was elected by the Chirotonia of God: for as the Congregation of Israel is call'd in Scripture (ἐκλογής ἐκσ) the Ecclesia or Congregation of God; so the Chirotonia of this Congregation is call'd by J O S E P H U S (ἐκλογής Χιροτονίας) the Chirotonia of God, who as I noted jot. 1. 4. before out of C A P E L L U S, was in this Commonwealth Political King, or Civil Legillator (Suns comparation) as S O L O N in Athens, and R O M E L U S in Rome; that is to propose to the People (Hec est lex quam Moses propulsit) and whatever was propos'd by God, or the lawful Magistrat under him, and chirotoniz'd or voted by the People, was Law in Israel, and no other. Nay, and the People had not only power to reject any Law that was thus propos'd, but to repeal any Law that was thus enacted: for if God intending Popular Government should have ordain'd it otherwise, he must have contradicted himself.
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Book II. himself; wherfore he plainly acknowledges to them this power, where 
Josephus, I. 6. 
c. 5. (whom they had for- 
merly chirotoniz'd or chosen King) that he should not reign over them; 
and elected Saul. This if God had withstood by his Power, he 
must have introduc'd that kind of Monarchy which he had declar'd 
against; wherfore he chose rather to abandon this fruitless and ingrate-
ful People to the most inextricable yoke of deferv'd slavery, telling 
them, when he had warn'd them and they would not hear him, that 
they should cry to him and he would not hear them, one title of whose 
words pas'd not unfulfil'd.

By this time I have shewn that all the Civil Magistrats in Israel 
were chosen by the Chirotonia of the People, or, to follow Josephus, 
by the Chirotonia of God, which is all one; for the Chirotonia of the 
President of the Congregation, as I have instanc'd in that of the 
Procuri. of the Thebii, of the Consuls, of the Tribuns, and the 
Chirotonia of the Congregation is the same thing; and of the Con-
gregation of Israel God, except only at the voting of a King, was 
President.

To come then from the Civil Magistrats to the Priests and Levites, 
these were chosen in two ways, either by the lot, or by the Chiro-
tonia.

The office and dignity of the High Priest being the greatest in 
Israel, and by the institution to be hereditary, caus'd great disputes in 
the Election: to this Moses by the command of God had design'd 
Aaron his Brother; which Designation, the Command of God be-
ing at first either not so obvious as that relation, or the ambition of 
others so blind that they could not or would not see it, caus'd great 
combustion. First, thro' the conspiracy of Korah, Dathan, 
and Abiram; and next by the murmuring of the Princes of the 
Tribes, all emulous of this Honor. Korah being not only a great 
man, but of the Tribe of Levi, could not see why he was not as 
worthy of the Priesthood, consideration had of his Tribe, as Aaron; 
and if any other Tribe might pretend to it, Dathan and Abi-
ram being descended from Reuben were not only of the elder 
House, but troubld to see a younger prefer'd before them. Wher-
fore these having gain'd to their party three hundred of the most 
powerful men of the Congregation, accus'd Moses of affecting Ty-
ranny, and doing those things which threaten'd the Liberty of the 
Commonwealth; as under pretence of Divination to blind the eys of 
the People, preferring his Brother to the Priesthood without the 
Suffrage of the Congregation: of which charge Moses acquitting 
himself in the Congregation, tells the People that Aaron was chosen 
both by God, and (συν οὖσαν γενόμενον αὐτῷ πυρηνών) by their 
Suffrages, which (Korah being upon this occasion miraculously 
defray'd) were therupon once more given by the People. Never-
theless the Princes of the Tribes continuing still discontented, and full 
of murmurs, God decided the Controversy by a second miracle, the 
putting of Aaron's Rod: (and fo 6 οὐς οὕτω οὐς χειροτονη-
τος εἰς τὸν πρώτο) being thrice confirm'd by the Chirotonia of 
God, he was confirm'd in that honor. Now that the Chirotonia of 
God in this place of Josephus signifies the Chirotonia of the 
Chron. p. 22. People, is plain by that in Scripture, where they made Sol-
mon King, and Zadok to be Priest. After the Captivity, as
in other things, so in this power the Sanhedrim came, as I conceive, to overreach the People: Joshua the son of Joseph being thus elected High Priest by the Sanhedrim, and this honor thenceforth (as appears by Maimonides) being at the disposing of this Court. Nor could any inferior Priest serve at the Altar, except he had acquired that right by the Lot, as is not only deliver'd by the same Author, and by Josephus, but in Scripture. Now the Lot, as was shewn, giving no Prerogative either to any person or party, is as popular an Institution as the Chirotonia. So in election of Priests, the Orders of Israel differ'd not from human Prudence, nor those of other Commonwealths, the Priest of Jupiter having bin elected after the same manner in the Commonwealth of Syracuse; the Augurs, and the Vestals in that of Rome: and if the right of bearing holy Magistracy, being in Israel confin'd to one Tribe or Order, may seem to make any difference, it was for some time no otherwise in Athens, nor in Rome, where the Patricks or Nobility assum'd thefe Offices, or the greatest of them to themselves, till the People in those Cities dispufted that Cuffom, as introduc'd without their consent, which the People of Israel could not fairly do, because it was introduc'd by their consent.

To come to the Levits in their original Ordination, God commanded Moses saying, Thou shalt bring the Levits before the Tabernacle of the Congregation, and thou shalt gather the whole assembly of the Children of Israel, and they shall put their hands upon the Levits. This in the sound of the words may seem to imply the Chirothefia, or Impoifion of Hands, but take heed of that; Divines will not allow the Chirothefia to be an Act of the People: but in this proceeding the whole people acted in the Ordination of the Levits, wherefore the Levits also were ordain'd by the Chirotonia, Confeft, Vote, or Suffrage of the whole People imply'd in this action. But for the Ordination of Priests and Levits, whatever it was, it is not to the present purpose; Divines deriving not theirs from Priests and Levits, but from Dukes, Generals and Magistrates, from that of Joshua and of the Sanhedrim, always provided, that this were of the fame nature with the former, that is, by the Chirothefia, or Impoifion of Hands, and not by the Chirotonia of the People. However the Ordination of the Magistracy was certainly Political; and so in this deduction they themselves confess that their Ordination also is a Political Constitution: yet whereas Moses is commanded by God to bring Aaron and his Sons to the door of the Tabernacle of the Congregation, and having washed them there, to adorn them with the Priestly Robes, with the Miter, and to anoint them; whereas he is commanded (the Children of Israel having first laid their Hands upon the Levits) to cleanse them, and offer them for an Offering; Divines of the Hierarchy and the Presbytery (that be otherwise with Wallerus and such as acknowledge Popular Government) give the Congregation, or Confeft of the People for nothing, and put the whole Ordination of the Priests and Levits upon the washing and cleansing, or other Ceremonies of Confeeration; as if to put the Ordination of Samuel upon the Ceremon of anointing by Samuel, the perform'd by the immediate Command of God, were not absolutely contradictory to Scripture, and to the known Law of Israel, which speaking of the People, expressly says, One from among thy Brethren shall thou set King over thee;
upon which place says Phile, Moth wise Mozes never intended that the Royal Dignity should be acquir'd by lot, but chose rather that the Kings should be elected by the Chirotonia, or Suffrage of the whole People. The Congregations of the People assembled upon this as upon other public affairs, and requir'd a proof or confirmation from God: forasmuch as by his will Man is to the rej of Nature, what the Face is to the Body. Wherto agrees that of the Heathens, Os homini subline dedit, Calamque tueri jussit, and their Divinations upon the like occasions by Intrals, none of which were ever under flood as destructive of the liberty of the People, or of the freedom of their Chirotonia.

WHERE Solomon is made King, and Zadock Priest by the People, tho the Ceremony of anointing was doublets perform'd, and perhaps by the Prophet Nathan, it is wholly omitted in the place as not worth the speaking of. The opinion that the Ordination of the Priests and Levits lay in the Ceremonies of their Confrècation, is every whit as sober and agreeable to reason, as if a man should hold the Kings of England to have bin made by the Union of the Bishops. Israel from the institution of Moses to the Monarchy, was a Democracy, or Popular Government; in Popular Government the Consent of the People is the Power of the People, and both the Priests and Levits were ordain'd by the Consent of the People of Israel.

To bring these things to the Citys in the perambulation of the Apostles, which by the former Chapter I have prov'd to have bin Popular Governments; it is acknowledg'd by Grotius to the Citys of Asia, not only that they us'd the Chirotonia, but in the strictest sense of the word, that is, to give their Suffrage by the holding up of Hands. And that they had the liberty of their Religion, the choice of their Magistrats, both Civil and Ecclesiastical in their Ecclesia, or Congregations, has bin also undeniably evidenc'd; whence it must needs follow that there were Citys in Asia (κρητοτονος αυτες τορεβανος κατ εκκλησίαν) chirotonizing or ordaining them Elders, that is, Magistrates and Priests in every Congregation (with Reverence be it spoken) long before Christ was in the flesh, or the Apostles any of them were born. Wherfore to sum up what in this Chapter I conceive to be sufficiently prov'd, I may boldly conclude, That the Chirotonia derives from popular Constitution, and that there was a way of Ordination by the Chirotonia.

CHAP. IV.

The deduction of the Chirothesia from Monarchical or Aristocratical Government, and of the second way of Ordination from the Chirothesia. In which is contain'd the Commonwealth of the Jews as it stood after the Captivity.

What pleases the Prince, says Justinian, has the force of a Law, seeing the People in his Creation have devolv'd their whole Power upon his Person; which is with the most. But when Popular Government is chang'd into Monarchical, either the whole Power of the People, or a great part of it must of necessity accrue to the King. Hence
Hence says Samuel, he will appoint him Captains over Thousands, and Captains over Fiftys: in which words perhaps is intimated the Judges of the inferior Courts, or Jethronian Prefectures; so that hereby Samuel tells the People they shall no more have the Election of their Rulers, but the King will have it; who, it may be, changed the nature of form of thee Magistracies, or added others: for when David came to reign over all Israel, Joab was over the Host (his Strategus or General) Jehoshaphat was Recorder, Zadoc and Abimelec were the Priests, Seraiah was the Scribe, and Benaiah was over the Pelethits, and the Cherethits; that is, was Captain of his Regiments of Guard, call'd perhaps by these names, as those of Romulus were call'd Celeres. But it should seem that few or none of these Officers were elected by the Chirotonis, that is by the People, but by the Prince, which kind of Election, as will be shewn anon, may be call'd Chirotheisa. For the deduction of this kind of Ordination, or Election, we shall do well to hearken first to Dr. Hammond; who in his Query, or Discourse concerning Ordination by the Imposition of Hands, puts it thus. To lift up the Hands was a Ceremony in Prayer, and accordingly to lay hands on any (differing Exod. 17. 11; no otherwise from lifting up, than by the determining that Action to a peculiar Object, the Person that was pray'd for) was generally among the Jews a Ceremony of benediction as'd first by the Father to the Children, in bestowing the Blessing upon them (and with that the succession to some part of his Estate or Inheritance) as appears in Jacob's blessing the Children of Joseph: he stretch'd out his right hand, and laid it upon Ephraim's head, and his left hand on Manasse, and so he blest, &c. From thence it was accommodated among them to the communicating of any part of Power to others as assistants, or to the deriving of any succedane Office from one to another. Thus when Moses had from Heaven received, and long us'd his Commission to be under God the Ruler of the People, the seventy Elders were by God's appointment assum'd to assist him: NUMB. 11. 17; it being certain from the Jewish Writings, tho the sacred Scripture has no occasion to mention it, that the succession of the seventy Elders under the name of Sanhedrim or Council was continued thro all Ages by their creating others in the place of those that dy'd, by this Ceremony of Imposition of Hands. To this purpose are the clear words of MAIMONIDES: The Sanhed, Moses our Master created the seventy Elders by Imposition of hands, &c. and the Divine Majesty refitted on them; and those Elders impos'd Hands on others, and others on others, &c. So a little before the departure of Moses out of this life, when a Successor was to be provided for him, God commands him to take Joshua, and lay his hands upon him. And Moses laid his hands upon him, and gave him a Charge as the Lord commanded by the hand of Moses; that is, deriv'd to him by this Ceremony the Authority which himself had, and constituted him his Successor in that Government. And so it is repeated, Joshua Deut. 34. 9; was full of the spirit of Wisdom, for Moses had laid his Hands upon him. THIS is the Doctor's deduction of the Chirotheisa, or Ordination by the laying on of Hands, from the Commonwealth of Israel: and, says he, from the three Uses of this Ceremony there, that is, first in praying for another; secondly, in paternal benediction; thirdly, in creating Successors in power, either in whole, or in part, derive three sorts of things in the New Testament, to which this Ceremony of laying on of Hands is accom-
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accommodated. That of Prayer simply taken was of two sorts, either for the cure of Diseases, or pardoning of Sins. For Diseases: They shall lay hands on the sick, and they shall recover. For Sins they were done away also by this Ceremony in the absolution of Penitents, to which belongs that Exhortation of Paul to Timothy, Lay hands suddenly on no man, that is, not without due examination and proof of his Penitence, lest thou be partaker of other mens Sins. From the second, that of Paternal Benediction, was borrow'd, first that of blessing Infants with the Ceremony of Imposition of Hands, as it differ'd from Baptism. And secondly, that of conferring those of fuller age, that had bin formerly baptiz'd. Lastly, to the creating Successors in any Power, or communicating any part of Power to others, as to Assistants, is answerable that Imposition of Hands in Ordination so often mention'd in the New Testament, sometimes in the lower degree, as in the ordaining of Deacons, elsewhere in the highest degree, setting Governors over particular Churches, as generally when by that laying on of Hands it is said, they receiv'd the Holy Ghost; whereas the Holy Ghost contains all the powers required to the pastoral function, and so signifies Power from on high: the Authority and Function it self, so it be given by Imposition of Hands, makes the parallel exact between this of Christian Ordination, and that observe'd in the creating Successors in the Jewish Sanhedrin. So far the Doctor.

Deut. 1. 

NOW say I, if the Scripture be silent as to the Ordination of the Elders in Israel, what means that place; Take ye wife men, and understanding, and known among your Tribes, and I will make them Rulers over you? Once in their lives let them give us the sense of it, or of that other, where Elidad and Medad are of those that were written, and yet went not up to the Tabernacle: Otherwife that we hear no more of these, is from the silence of Divines, and not of the Scripture. But if the Scripture be not silent in this point, is there not a great deal of fancy in going on to cure the Sick, to pardon Sins, to bless Infants, confirm the Baptiz'd, ordain Ministers, yea, give the Holy Ghost, and all the Graces belonging to the pastoral function, from a place that has no such thing in it? for if the Sanhedrin according to Scripture were not ordain'd by the Chirotheia, there is no such thing to be deriv'd by the Chirotheia from the Sanhedrin. The first Chirotonia indeed of the Sanhedrin was accompany'd with miraculous endowments; wherfore if they will derive these Gifts and Graces from the Sanhedrin, why are they sworn Enemies to the Chirotonia? Again, the Sanhedrin was a Civil Court or Senate; wherfore then by this Title should not these Gifts and Graces be rather pretended to by the Civil Magistrat, than by Divines? what becoms of the Priest Aaron and his Lots? is he left to the Civil Magistrat, while Divines derive themselves from General Joshua and his Chirotheia? But if the Sanhedrin and inferior Judicators were otherwise ordain'd originally; then no Magistrat in Israel was originally ordain'd by the Chirotheia, but only Joshua. It is admirable that Divines should look upon God, as if in the institution of a Commonwealth he had no regard at all to human Prudence, but was altogether fix'd upon their vain advantages. Who made human Prudence? or to what end was it made? Any man that understandeth the Politics, and considereth that God was now proceeding according to this Art (as in his constitution of the Senate, and of the People or Congregation, is most obvious) must needs see that this Power he indulg'd to Moses of making his own choice of one man,
of Popular Government.

man, could not possibly be intended as a permanent Constitution; Chap. 4.

for whereas he intended Popular Government, nothing is plainer than

that a People not electing their own Magistrates can have no Popular

Government. How absurd it is to conceive that God having already

made an express Law, that the People if at any time they came under

Monarchy, should yet have the election of their King, would now

make a Law that the People being under a Commonwealth, should no

longer have the election of their Magistrates? For who sees not that to

introduce the Chirotebia as a standing Ordinance, had bin to bar the

People of this power? Israel at this time, tho' design'd for a Common-

wealth, had no Land, no foundation to balance her self upon, but

was an Army in a Wilderness, incompar'd about with Enemies.

To permit to the People in this case, the choice of all their Civil Ma-

gistrates was neverthelies safe enough, may best of all: for at the

election of wise men, and understanding, and known among their Tribes,

so far as was needful to civil administration, their skill must needs

have bin at any time sufficient; but the Commonwealth was yet in

absolute necessity of a Protector, and of Dictatorian Power. Now

to know who was fittest in this case to succeed Moses, require's the

Wildom of God, or of Moses; and threfore was not yet safe to be

ventur'd upon a People so new in their Government. For these rea-

sons, I say, Moses us'd the Chirotebia for once, and no more; or let

them fiew me among all the Dictators, Judges, or Kings, that suc-

ceeded Joshua, any one that was chosen by the Chirotebia, and be

all Dictators. It is now above three thousand years since the in-

stitution of the Sanhedrin, from which time the ambitious Elders first,

then the Talmudists, and of latter ages Divines have bin perpetually

strivin for, or possesting themsevles of this fame Oligarchical Invention

of the Chirotebia pretended to be deriv'd from Moses; tho' there be

neither any such Precept of God or Christ in the Old or New Testa-

ment, nor any unanimous refult upon the point, either by the Talmu-

dists or Divines themsevles. And for the clear words quoted by the

Doctor out of MAimonides, they are such to which I shal in due

time fiew MAimonides to be elsewhere of a clear contrary opi-

nion. But in this Controversy, without som clearer deduction of the

Chirotebia, we shall make no happy progress; in this therfore I shal

follow Seldan the ablest Talmudist of our age, or of any.

THE Commonwealth of Lacedemon (if I could stand to fiew it)

has strange resemblances to that of Israel, not only in the Agrarian,

which is nothing to the present purpose, but in the Senat, which to

prevent catching another time, I do not say was a Judicatory only, but

not only a Senat, but a Judicatory also. For Lycurgus of all

other Legislators was in this the likest to God, or to Moses, that

his work was so exquifitly perfected at once, and his Laws so com-

prehensive, that if the Senat had had no other function than to make

or propone new Laws, there being little or nothing of that wanting,

they would have had little or nothing to do. Now it being thus, and

much more than thus in Israel, the Sanhedrin was not only the Senat,

but the suprême Judicatory. And because one Court in a Territory of

any Extent is no where sufficient to this end; threfore the Sanhedrin

had divers branches diffended not only to the Cities of Judæa, but even
to the Villages; thefe were call'd the Lesser Sanhedrim, or the Jethro-

nian Prefeétures.
THE Great Sanhedrin consisting, as has been shewn, of 70 Elders, fat first in the Tabernacle, and afterwards in the Court of the Temple.

THE Ἰεθρονιαν Prefectures consisted of three and twenty Elders, and others but of three. Of the former kind there were two in the gates of the Temple, and one sitting in the gates of every City; of the latter there was one almost in every Village.

THE power of the Ἰεθρονιαν Court, consisting of twenty three Elders, was in matter of Judicature equal with that of the great Sanhedrin, only in cases of difficulty they observ’d this Precept. If there arise a matter too hard for thee in judgment between Blood and Blood, between Plea and Plea, between Stroke and Stroke, being matter of Controversy within thy gates; then shalt thou arise, and get thee up into the place which the Lor’d thy God shall choose (in the future, for the Commonwealth was yet but design’d, not planted) and thou shalt come to the Priests and the Levites, and to the Judge that shall be in those days, and inquire, and they shall shew thee the sentence of Judgment: That is, thou shalt consult the Sanhedrin, or if there be no Sanhedrin, the Suffix or Judge of Israel. The reason why the Sanhedrin in this Text is mention’d under the name of the Priests and Levites is, that these about the beginning of this Commonwealth having (as were also the Egyptian Priests at the same time) bin the learned Men, whether for Lawyers, or Physicians, there were scarce any other chosen into the Sanhedrin, tho’ towards the latter end it happen’d to be far otherwise. For whereas sacrificing was fasting, the Priests enjoying a fat Idleness, became in latter times so heavy, that as to the Election of the Sanhedrin not only the Levites of inferior rank were upon the matter wholly laid by, but the High-Priest himself sometimes omitted, the rest of the Tribes far excelling this in Learning.

THE power of the Triumvirates, or three Judges in the Villages, extended no farther than to inflict stripes to a certain number, and pecuniary multcts to a certain sum. These possibly had the same recourse upon occasion of difficulty to the Judges in the Gates, as the Judges in the Gates had to the Sanhedrin: but their power is not so much to the present purpose, which regards only their manner of Election. This having bin infititively exercis’d, as has bin shewn by the Chirothetia, or Ballot of the People, came sooner or later (I find no man that can resolve upon the certain time) to the Chirothetia. For tho’ when a Judge in the Gates was dead, that Court elected his Succesor out of their Disciples (each Court in the Gates had 99 Disciples that were their constant Auditors) or out of the Triumvirates; and when an Elder of the Sanhedrin dy’d, the Sanhedrin elected his Succesor out of the Courts in the Gates, more particularly those in the Gates of the Temple by Suffrages; yet no man was capable of being elected into any of these Courts that was not a Presbyter, nor was any man a Presbyter that had not receiv’d the Chirothetia: nor could any man confer the Chirothetia that had not first receiv’d it, or bin so ordain’d a Presbyter himself: nor tho’ he were so ordain’d, could he confer the like Ordination, but in the presence of two others, whether ordain’d or not ordain’d: and no Ordination could be confer’d but either this way, or by som one of the Judicatorys. The manner how this Ordination was confer’d, if the party were present, was either by laying on of Hands, or by saying a Verfe or Charm; or if he were absent, by a Letter, or Patent.
AN Elder thus ordain'd was call'd Rabbi, might have Disciples, teach, practice, or expound the Law, declare what was therby free or forbidden (which with them was call'd binding and loosing) ordain others with the assistance mention'd, or be capable of Election into som one, or any Court of Justice, according to the nature of his Ordination, the Conditions mention'd at the conferring of the same, or the gift that was in him by the laying on of the hands of the Presbytery; which in som extended no farther than to shew how Meat should be kill'd and dress'd, how Uncleanliness should be purify'd, what were Vices of the body, what might be eaten or drunk, and what not; in others it extended to som one or more, or all the Faculty express'd: but I am inclining to believe that a plenary Ordination us'd not to be confer'd but by the Great Sanhedrim, or at least som one of the Jethronian Courts.

The use'd also to confer this Ordination som time occasionally, and for a season in this manner. Receive the gift of judiciary Ordination, or the right of binding and loosing, till such time as you return to see in the City. Where the Christian Jews still following their former Customs in higher matters, as the observation of the Sabbath, and of Circumcision, even to such a degree, that Paul not to displease them took Timothy and circumcised him, seem to me to have follow'd this custom, who when the Prophets at Antioch had inform'd them that Paul and Barnabas were to be separated to an extraordinary work, laid their hands upon them, and sent them away: for otherwise Acts 13. 3, as to Ordination Paul and Barnabas had that before; at least Paul by Ananias, and for any such Precept in the Christian Religion there was none.

Josephus, Philo, and other Authors that tell us the Commonwealth of Israel was an Arithocracy, look no farther than the introduction of the Chirotheia by the Presbyterian Party, which must have taken date som time after the Captivity, or the restitution of the Commonwealth by Ezra, there being not one syllable for it in Scripture, but enough to the contrary, seeing God introduce'd the Chirotonia. By which it is demonstrable that a Presbyterian Party may bring a Popular Government to Oligarchy, and deride even the work of God himself, so that it shall not be known to after ages; as also that Ecclesiastical Writers (for such are the Talmudists) may pretend that for many hundred years together, as Divines also have don, to be in Scripture, which neither is, nor ever was there. But have I yet said enough to shew that Ordination, especially as in this Example, not of a Clergy, but of a Magistracy, whether by the Chirotonia, or Chirotheia, is a Political Institution? or must I rack my brains for Arguments to prove that an Order or a Law having such influence upon the Commonwealth, that being introduc'd or repeal'd, it quire alters the whole frame of the Government, must needs be of a political nature, and therefore not appertain to Divines, or to a Clergy, but to the Magistrat, unlese their Traditions may be of force to alter the Government as they please? All is one, they can abate nothing of it, let what will com of the Government, the Chirotheia they must and will have. Then let them have Monarchy too, or Tyranny; for one of these, according as the balance happens to stand with or against their Chirotheia, is the certain consequence; either Tyranny as in Israel, or Monarchy as in the Papacy, and, from that or the like Principle, in all

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Book II. Gothic Empires: which Examples, to begin with Israel, well deserve the pains to be somwhat more diligently unfolded.

ALL Elections in Israel, save those of the Priests who were eligible by the Lot, being thus usurped by the Presbyterian Party, and the People by that means deceived of their Chirotonia; from three hundred years before Christ, Hillel Senior High Priest, and Archon, or Prince of the Sanhedrim, found means to draw this Power of Ordination, in shew somewhat otherwise, but in effect to himself, and his Chirotheria: for by his influence upon the Sanhedrim it was brought to pass, that whereas formerly any man ordained might, in the manner shewn, have ordained his Disciples; it was now agreed that no man should be ordained without the Licence of the Prince, and that this Power should not be in the Prince, but in the presence of the Father of the Sanhedrim, or Speaker of the House. Thus the Aристocracy of Israel becoming first Oligarchical, took (according to the nature of all such Governments) long steps towards Monarchy, which succeeding in the Amonian Family, commonly call'd the Maccabees, was for their great merit, in vindicating the Jews from the Tyranny of Antiochus, confirm'd to them by the universal consent and Chirotonia of the People. Nevertheless to him that understands the Orders of a Commonwealth, or has read the Athenian, Lacedemonian, or Roman Story, it will be plain enough that but for their Aristocracy they needed not to have bin so much beholden to, or to have stood so much in need of one Family. It is true, both the merit of these Princes, and the manner of their free Election by the People, seem to forbid the name of Tyranny to this Institution: but so it is, that let there be never so much Merit in the Man, or Inclination of the People to the Prince, or the Government that is not founded upon the due balance, the Prince in that case must either govern in the nature of a Commonwealth, as did those of this Family, reforming the policy after the Lacedemonian Model; or turn Tyrant, as from their time, who liv'd in the Age of the Grecian Monarchy, did all their Successors, till under the Romans this Nation became a Province: From which time such Indeavors and Insurrections they us'd for the recovery of their antient Policy, that under the Emperor Adrian (who perceiv'd at what their Ordination, being not of Priests, but of Magistrates, and of a Senat pretending to Soverain Judicature and Authority, seem'd to aim) there came, says the Talmud, against the Israelites an Edict out of the Kingdom of the Wicked (meaning the Roman Empire) whereby who soever should ordain, or be ordain'd, was to be put to death, and the School or City in which such an Act should be done, to be destroy'd: whereupon Rabbi Jehuda Ben Baba (left Ordination should fail in Israel) went forth, and standing between two great Mountains, and two great Cities, and between two Sabbathdays journeys from Ofa and Sephara, ordain'd five Presbyters. For this Fears the Rabbi is remember'd by the Talmudists under the name of Ordinator; but the fame, as it follows, being discover'd by the Roman Guards, they shot his Body thro' with so many Darts, as made it like a Sieve: Yet staid not the bruisers here, but so obstinat continu'd the Jews in the Superfition to which this kind of Ordination was now grown, that whereas by the same it was unlawful for them to ordain in a foren Land, and at home they could not be brought to abstain, the Emperor banish'd them all out of their own
of Popular Government.

own Country; whence happen'd their total Dispersion. That of a Chap. 4. thing which at the first was a mere delusion, such Religion should come in time, and with education to be made that not only they who had receiv'd advantage could suffer Martyrdom, but they that had lost by it, would be utterly lost for it, were admirable in the case of this People, if it were not common in the case of most in the World at this day: Cuffom may bring that to be receiv'd as an Ordinance of God, for which there is no color in Scripture. For to confute MAIMONIDES a little better upon this point: Whereas, says he, they grant, in case it should happen that in all the Holy Land there remain'd but one Presbyter, that Presbyter, assisting by two other Israelites, might ordain the seventy, or great Sanhedrim, and the Sanhedrim so constituted might constitute and ordain the lesser Courts, I am of opinion that were there no Presbyter in the Land, yet if all the Wise Men of Israel should agree to constitute or ordain Judges, they might do it lawfully enough. But if so, then how comes it to pass that our Ancestors have bin so solicitous, left Judicature should fail in Israel? Surely for no other cause than that from the time of the Captivity the Israelites were so dispers'd that they could not upon like occasions be brought together. Now I appeal whether the clear Words of MAIMONIDES, where he says, that our Master MOSES ordain'd the Sanhedrim by the Chirotebia, be not more clearly and strongly contradicted in this place, than affirm'd in the other, since acknowledging that if the People could assemble, they might ordain the Sanhedrim, he gives it for granted, that when they did assemble, they had power to ordain it; and that MOSES did assemble them upon this occasion, is plain in Scripture. Again, if the power of Ordination falls ultimately to the People, there is not a stronger argument in Nature that it is thence primarily deriv'd. To conclude, the Chiroteria of the Presbyterian Party in Israel is thus confess'd by the Author no otherwise necessary, than thro the defect of the Chiroteria of the People; which Ingenuity of the Talmud, for any thing that has yet past, might be worthy the imitation of Divines.

IN tracking the Jews from the restitution of their Commonwealth after the Captivity to their dispersion, it seems that the later Monarchy in Israel was occasion'd by the Oligarchy, the Oligarchy by the Aristocracy, and the Aristocracy by the Chiroteria; but that this Monarchy, tho erected by magnificent and popular Princes, could be no less than Tyranny deriv'd from another Principle, that is, the insufficiently of the balance: For tho from the time of the Captivity, the Jubilee was no more in use, yet the Virgin MARY as an Heirefs, is affirm'd by tom to have bin marri'd to JOS'PH by virtue of this Law: Every Daughter that possesse's an Inheritance in any Tribe of the Children of Israel, shall be Wife to one of the Family of the Tribe of her Fathers, &c. By which the Popular Agrarian may be more than suspected to have bin of greater vigor than would admit of a well-balanc'd Monarchy.

The second Presbyterian, which is now litain'd to a well balanc'd Empire in the Papacy, has infinitely exceed the pattern, the Lands of Italy being most of them in the Church. This, if I had leisure, might be track'd by the very same steps: At first it consist'd of the seventy Parish Priests, or Presbyters of Rome; now seventy Cardinals creating to themselves a High Priest, or Prince of their Sanhedrim, the Pope, but for the Superstition wherto he has brought Re-
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Legion, and continues by his Chirotheia to hold it, a great and a Re-
verend Monarch, establish'd upon a solid Foundation, and governing
by an exquisit Policy, not only well balanc'd at home, but deeply root-
ed in the greatest Monarchys of Christendom, where the Clergy by
virtue of their Lands are one of the three States.

THE Maxims of Rome are profound; for there is no making use
of Princes without being necessary to them, nor have they any regard
to that Religion which does not regard Empire. All Monarchys of the
Gothic Model, that is to say, where the Clergy by virtue of their
Lands are a third estate, subsist by the Pope, whose Religion creating
a reverence in the People, and bearing an aw upon the Prince, preserves
the Clergy, that else being unarm'd, become a certain Prey to the
King or the People; and where this happens (as in Henry the
Eighth) down goes the Throne; for so much as the Clergy loses,
falls out of the Monarchical into the Popular Scale. Where a Clergy
is a third Estate, Popular Government wants Earth, and can never
grow: but where they dy at the root, a Prince may sit a while, but is
not safe; nor is it in nature (except he has a Nobility or Gentry able
without a Clergy to give balance to the People) that he should subsist
long or peaceably: For wherever a Government is founded on an
Army, as in the Kings of Israel or Emperors of Rome, there the fa-
dest Tragedys under Heaven are either on the Stage, or in the Tiring-
house. These things consider'd, the Chirotheia being originally no-	hing else but a way of Policy excluding the People, where it attains
not to a balance that is sufficient for this purpose, brings forth Oli-
garchy or Tyranny, as among the Jews: And where it attains to a
balance sufficient to this end, produces Monarchy, as in the Papacy,
and in all Gothic Kingdoms.

THE Priests of Egypt, where (as it is describ'd by Siculus)
their Revenue came to the third part of the Realm, would no question
have bin exactly well fitted with the Chirotheia pretended to by mo-
dern Divines. Suppose the Apostles had planted the Christian Re-
ligion in those Parts, and the Priests had bin all converted, I do not
think that Divines will say, that having alter'd their Religion they
needed to have deferr'd their being a third Estate, their overbalance
to the People, their Lands, their Preeminence in the Government, or
any part of their Policy for that: and I am as far from faying so as
themselves.

ON the other side, as Paul was a Citizen of Rome, let us suppose
him to have bin a Citizen of Athens, and about (as he say'd) to consti-
tute the Christian Religion in this Commonwealth, where any Cit-
izen might speak to the People: Imagine then he should have said thus:
Men of Athens, that which you ignorantly seek I bring to you, the true
Religion; but to receive this, you must not alter your former Belief only,
but your ancient Customs. Your Political Assemblies have bin hitherto call'd
Ecclensis; this word must lose the ancient sense, and be no more understood
but of Spiritual Consiours; and so where as it has bin of a Popular, it must
henceforth be of an Aristocratical, or Presbyterian Signification. For
your Chirotonia, that also must follow the same rule; in so much as on
whomsoever one or more of the Aristocrats or Presbyters shall lay their hands,
the same is understood by virtue of that Action to be chirotoniz'd. How
well would this have founded in Egypt, and how ill in Athens? Cer-
tainly
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Whether the Chirotonia mention'd in the fourteenth of the Acts be indeed, as is pretended by Dr. Hammond, Dr. Seaman, and the Authors they follow, the same with the Chirothesia, or a far different thing. In which are contain'd the divers kinds of Church-Government introduc'd and exercis'd in the age of the Apostles.

Either I have impertinently intruded upon the Politics, or cannot be said so much to meddle in Church matters, as Churchmen may be said to have meddled in State matters: For if the Chirotonia be Election by the many, and the Chirothesia be Election by one, or by the Few, the whole difference between Popular and Monarchical Government falls upon these two words; and so the question will be, Whether the Scriptures were intended more for the advantage of a Prince, of a Hierarchy or Presbytery, than of the People. But that God in the Old Testament instituted the Chirotonia, not only in the Commonwealth, as by the Election of the Sanhedrim, but in the Monarchy, as in the Election of the Kings, is plain: So if there remains any advantage in Scripture to Kings, to the Hierarchy or Presbytery, it must be in the New Testament. Israel was God's chosen People, and God was Israel's chosen King: That God was pleas'd to bow the Heavens, and com down to them, was his choice, not theirs; but in that upon his Proposition, and thofe of his Servant Moses, they refolv'd to obey his Voice, and keep his Covenant, they chose him their King. In like manner, the Church is Christ's chosen People, and Christ is the Church's chosen King. That Christ taking flesh was pleas'd to bow the Heavens, and com down in a more familiar capacity of propinging himself to Mankind, was his own choice, not theirs: but in that the Church upon his Proposition, or thofe of his Apostles sent by him, as he was sent by the Father, refolv'd to obey his Voice, and keep his Covenant, she has chosen him her King. Whatever in Nature or in Grace, in Church or in State, is chosen by Man according to the Will of God, is chosen by God, of whom is both the Will and the Deed. Which things consider'd, I wonder at Dr. Hammond, who says, Sure the Jewish and Heathen Citys, to whom the Gospel by Christ's Command was to be preach'd, were not to chuse their Guides or Teachers. Christ was not chosen by them to whom he preach'd; for says he, ye have not chosen me. He came from Heaven, sent by his Father on that Errand; and happy they whom he was thus pleas'd to chuse, to call, and...
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and preach to. And when his Apostles, after his example, go and preach to all Nations, and actually gather Disciples, they chose their Auditors, and not their Auditors them. To make short work, I shall answer by explaining his Words as they fall.

A ROMAN chusing whether he would speak to the Senate or the People, chose his Auditors, and not they him: Nevertheless if it were the Confus, they chose him, and not he them. It is one thing to be a Speaker to a People, that have the liberty, when that's done, to do as they think fit; and another thing to be a Guide, whom the People have consented, or oblig'd themselves to follow: which distinction not regarded, makes the rest of his Argumentation recoil upon himself; while he proceeds thus: And they that gave up their Names to the Obedience of the Gospel (chose the Preachers, as I should think, of that Gospel their Guides) one branch of this Obedience obliges them (by their own consent it seems, because before they gave up their Names) to observe those that (being thus plac'd over them by their consent) are plac'd over them by God: such not only are their Civil Magistrates (who succeed to their places by, and govern according to the Laws which the People have chosen) but also their Bishops, whom the Holy Ghost either mediately (according to the Rules of Church Discipline in Scripture) or immediately (upon whom such miraculous Call, as the People shall judge to be no imposture) has fet over them. From which words the Doctor, not considering those Qualifications I have shewn all along to be naturally inherent in them, concludes that a Bishop is made by the Holy Ghost, and not by the People.

If he would stand to this yet it were somthing; for if the Holy Ghost makes a Bishop, then I should think that the Holy Ghost ordain'd a Bishop, and so that the Election and Ordination of a Bishop were all one. But this hereafter will appear to be a more dangerous Conceiption than perhaps you may yet apprehend. Wherfore when all is don, you will not find Divines, at least Dr. HAMMOND, to grant that the Holy Ghost can ordain: he may elect indeed, and that is all; but there is no Ordination without the Chirotheia of the Bishops, or of the Presbytery. Take the Doctor's word for it.

WHEN St. PAUL says of the Bishops of Asia, that the Holy Ghost had set them Overseers, I suppose that it is to be understood of their Election or Nomination to those Dignities: for so CLEMENT speaks of St. JOHN, who constituted Bishops of those that were signified by the Spirit; where the Spirit's Signification notes the Election or Nomination of the Persons, but the constituting them was the Ordination of St. JOHN.

God may propose, as the Electors do to the great Council of Venice; but the Power of the Council, that is, to resolve or ordain, is in the Bishop, says Dr. HAMMOND, and in the Presbytery, says Dr. SEAMAN. Indeed that Election and Ordination be distinct things, is to Divines of so great importance, that losing this hold, they lose all: For, as I said before, whatever is chosen by Man according to the Will of God, that is, according to Divine Law, whether natural or positive, the same, whether in State or Church, is chosen by God; or by the Holy Ghost, of whom is both the Will and the Deed. To evade this, and keep all in their-own hands, or Chirotheia, Divines have invented this distinction, that Election is one thing, and Ordination another: God may elect, but they must constitute; that is, God may propose, but they must resolve. And yet GROTIUS, who
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who in these things is a great Champion for the Clergy, has little more to say upon this Point than this. Whether we consider ancient or modern Times, we shall find the manner of Election very different, not only in different Ages and Countries, but in different years of the same age, and places of the same Country; so uncertain it is to determine of that which the Scripture has left uncertain. And while men dispute not of Right, but of Convenience, it is wonderful to see what probable Arguments are brought on all sides. Give me Cyprian and his times, there is no danger in popular Election. Give me the Nicene Fathers, and let the Bishops take it willingly. Give me Theodosius, Valentinian, and Charles the Great, than Royal Election there is nothing safer. Upon the heels of these Words treats Dr. Hammond in this manner: That Election and Ordination are several things, is sufficiently known to every man that measures the nature of Words either by usage or Dictionary; only for the convincing of such as think not themselves obliged to the observation of so vulgar Laws, I shall propose these evidences. In the Story of the Creation of the Deacons of Jerusalem, there are two things distinctly set down, one propos'd to the multitude of Disciples to be done by them, another refer'd to the Apostles; that which was propos'd to the Multitude was to elect, &c. Election of the Persons was by the Apostles permitted to them, but fill the (καινοστοιχον) constituting is refer'd to the Apostles. Then comes Dr. Seaman: Be it granted, as it of Ordinat, is by Protestants generally, that Paul and Barnabas made Elders, with the consent of the People, their Consent is one thing, and their Power another.

WHERE in the first place I for my particular, who have had the Books of Dr. Hammond and Dr. Seaman sent to me by way of Objection, need not go a step further. All that I have inflected in my Oceana concerning Ordination, is in these three Voes acknowledg'd and confirm'd: For the Probationer to be there sent by a University to a Cure that is vacant, may by a Doctor, or the Doctors of the same University already ordain'd, receive Imposition of Hands, if that be thought fit to be added, and then the Election of the same Probationer by the People dos no hurt, nay, says Grotius, is of the right of Nature; for it is naturally permitted to every Congregation to procure those things which are necessary to their conservation, of which number is the Application of Function. So Merchants have the right of electing of a Master of their Ship; Travellers of a Guide in their way, and a free People of their King. The Merchant, it seems, dos not make the Master of his Ship, the Traveller his Guide, nor the free People their King, but elect them. As if Van Trump had bin Admiral, a Robber upon the Highway had bin a Scout, or the Guide of an Army, or Saul a King before they were elected. The point is very nice, which instead of proving, he illistrates in the beginning of the same Chapter by these three similitudes.

THE first is this, The Power of the Husband is from God, the Application of this Power to a certain Person is from consent, by which nevertheless the right is not given; for if this were by consent, the Matrimonial might be disolved by consent, which cannot be. As it an apparent Retraction of Matrimonial Consent, as when a Wife consents to another than her own Husband, or commits Adultery, did not deliver a man from the bond of Marriage by the Judgments of Christ. There is an imperfection or cruelty in those Laws, which make Marriage to
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Book II. if a man in humanity may be judg’d to be a Husband, or a Woman a Wife: To think that Religion destroys Humanity, or to think that there is any defending of that by Religion which will not hold in Justice, or natural Equity, is a vast error.

THE second Similitude is this: Imperial Power is not in the Person that are Electors of the Empire; wherefore it is not given by them, but applied by them to a certain Person.

1 Pet. 2. 13. THIS is answer’d by Peter, where he commands Obedience to every Ordinance of Man (or, as from nearer the Original, every Power created by men) whether it be to the Roman Emperor as Supreme, or to the Proconsuls of Asia and Phrygia, as sent by him; for this is the sense of the Greeks, and thus it is interpreted by Grotius.

Now if the then Roman Emperor were a Creature of Man, why not the now Roman Emperor?

THE last Similitude runs thus: The Power of Life and Death is not in the Multitude before they be a Commonwealth; for no private Man has the right of Revenge; yet it is appl’d by them to some Man, or Political Body of Men. But if a man invades the Life of another, that other, whether under Laws or not under Laws, has the right to defend his own Life, even by taking away that (if there be no other probable Remedy) of the Invader. So that men are so far from having been void of the power of Life and Death before they came under Laws, that Laws can never be so made as wholly to deprive them of it after they come under them: wherefore the power of Life and Death is deriv’d by the Magistrat from, and confer’d upon him by the consent or Chirotonia of the People, whereof he is but a mere Creature; that is to say, an Ordinance of Man.

THUS these Candles being so far from lighting the Houfe, that they dy in the Socket, Grotius has bin no less bountiful than to grant us that the People have as much right (where there is no human Creature or Law to the contrary) to elect their Churchmen, as Merchants have to elect their Seamen, Travellers their Guides, or a free People their King; which is enough a conscience. Nor is Dr. Hammond straiter handed: Election, says he, was permitted by the Apostles to the Multitude, and therefore the same may be allow’d, always provided the (constituted) constituting be refer’d to the Pastors, or ordain’d Doctors and Preachers. And Dr. Seaman, upon condition the People will not say that it was done by their power, but think it fair that it was done by their consent, is also very well contented. So all stands freight with what I have heretofore propos’d. Let no man then say, whatever follows, that I drive at any Ends or Interests, these being already fully obtain’d and granted; nevertheless for truth sake I cannot leave this Discourse imperfect.

If a Politician should say that the Election and the Ordination of a Roman Consul or Pontifex were not of like nature; that the Consul, Contraét of the Senat of Rome with the People in the Election of Nummus (at cum populus regem jussisset, id se ratum esset, s se patres aures fierent) included or implied the Sovereign power to be in the Fathers; that the Consent of this People was one thing, and their Power another: if, I say, he should affirm these or the like in Athens, Lacedemon, or any other Commonwealth that is or has bin under the Sun, there would be nothing under the Sun more ridiculous than that Politician. But should men pretending to Government of any
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any kind be not oblig'd to some consideration of these Rules in Nature Chap. 5. and universal Experience; yet I wonder how the word (καθαρσία) to constitute, with which they make such a flourith, did not lead them, otherwife than they follow; this, as it was said of Solon by Aristotle, being that which I have already shewn to be us'd both in the Greek of the Scripture, for the constitution of the Sanhedrin by Moses, and in other Authors for that of the Senate by Romulus, each of which was then elected by the People: whence it may appear plainly that this is no word, as they pretend, to exclude popular Suffrage, but rather to imply it. And indeed that it is of no such nature as necessarily to include Power, could not have bin overseen in the New Testament, but voluntarily where (οἵ ἑαυτοῖς ἔπιται ἢ παντοῦ) they are Acts 17. 15, signify'd by it that conducted Paul. But they have Miracles: such indeed as have neither words nor reason for them, had need of Miracles. And where are these same Miracles? why the Apostles by the Chiroteria or laying on of hands confer'd the Holy Ghost. So they did not only when they us'd that Ceremony in reference to Ordination, but when they us'd it not in that relation, as to those that were newly baptiz'd in Samaria, Men and Women: now it is not probable, that thse, who should seem to have bin numerous, were all ordain'd, at least the Women; and for the Miracle is to be attributed to the Hands of the Apostles, and not to Ordination in general. Joshua was full of the Spirit (not because he had bin ordain'd by the Chiroteria, for to had many of them that crucify'd Christ and persecuted the Apostles, but) because Moses had laid his hands upon him. Would Divines be contented that we should argue thus; The Chirotonia or Suffrage of the People of Israel at the first institution was follow'd with miraculous Indowments, therefore whoever is elected by the People shall have the like? Or what have they to shew why the Argument is more holding as to their Chiroteria, seeing for above one thousand years all the Hierarchy and Presbyterry laid together have done no more Miracles than a Parish Cleric?

A continu'd Miracle, as that the Sea ebbs and flows, the Sun always runs his admirable course, is Nature. Intermittent Nature, as that the waters of the Red Sea were mountains, that the Sun stood still in the Dial of Ahaz, is a Miracle. To continue the latter kind of Miracle were to destroy the former, that is, to dissolve Nature. Wherefore this is a certain rule, that no continu'd external Act can be in the latter sense miraculous. Now Government, whether in Church or State, is equally a continu'd external Act. An internal continu'd Act may indeed be natural, or supernatural, as Faith.

A natural Man, being even in his own natural apprehension fearfully and wonderfully made, is by the continu'd Miracle of Nature convinced that the World had a Creator, and so coms to believe in that which is supernatural; whence it is that all Nations have had some Religion: and a Spiritual Man being convinced by the purity of Christ's Doctrine, and the Miracles whereby it was first planted, is brought to the Christian Faith. However Christ may require such continu'd Faith or Spiritual exercise of his Church as is supernatural, he requires not any such continu'd Act or bodily exercise of his Church as is supernatural. But the Government of the Church is a continu'd Act, or bodily exercise. It should be heeded that to delude the sense is not to do Miracles, but to use Imposture. Now to per-  

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suaded us, That Monarchical, Aristocratical, Popular, or mixt Government have not always bin in Nature, or that there has ever bin any other in the Church, were to delude fenfe. Wherfore give me leave (in which I am confident I shall use no manner of Irreverence to the Scripture, but on the contrary make the right use of it) to discourse upon Church-Government according to the rules of Prudence.

THE Gospel was intended by Christ to be preach’d to all Nations, which (Princes and States being above all things excelling tenacious of their Power) is to me a certain Argument that the Policy of the Church must be so provided for, as not to give any of them just cause of Jealousy, there being nothing more likely to obstruct the growth of Religion: and truly the nearer I look to the Scripture, the more I am confirm’d in this opinion.

CHRIST being taken up into Heaven, the first Ordination that we find was that of the Apostle MATTHIAS after this manner.

THE Aristocracy of the Church, that is the Apostles, assembled the whole Congregation of Disciples or Believers at Jerusalem, being in number one hundred and twenty, where PETER (it having as it should seem bin so agreed by the Apostles) was Proposer; who standing up in the midst of the Disciples, acquainted them, that whereas JUDAS was gon to his place, the occasion of their present meeting was to elect another Apostle in his room: whereupon proceeding to the Suffrage, they appointed two Competitors, JOSEPH and MATTHIAS, whose names being written each in a several Scrol, were put into one Urn, and at the same time two other Lots, whereof one was a blank, and the other inscrib’d with the word Apostle, were put into another Urn; which don, they pray’d and said, Thou Lord which knowest the hearts of all men, shew whether of these two thou hast cho’en. The Prayer being ended, they gave forth their Lots, and the Lot fell upon MATTHIAS (καὶ ἐξελέγχετο Ματθαίου) and by this Exelegchon (the very popular word, and not only so, but being apply’d to the Ballot, is the very literal and original singification) he was added to the eleven Apostles. So you have the first way of Ordination in the Church, after Christ was taken up into Heaven, perform’d by the Election or Chirotonia of the whole Church.

NOW except any man can shew that MATTHIAS ever receiv’d the imposition of hands, these several things are already demonstrated. First, that the Chirotonia is not only the more antient way of Ordination in the Commonwealth of Israel, but in the Church of CHRIST. Secondly, that the Chirothelio or imposition of Hands is no way necessary to Ordination in the Christian Church. Thirdly, that the Disciplin of the Christian Church was primitively Popular; for to say that in regard of the Apostles it was Aristocratical, is to forget that there is no such thing, without a mixture of Aristocracy, that is without the Senat, as a Popular Government in Nature. Fourthly, that Ordination in the Commonwealth of Oceana being exactly after this pattern, is exactly according to the Disciplin of the Church of CHRIST. And fifthly, that Ordination and Election in this example are not two, but one and the same thing.

THE last of these Propositions having bin affirm’d by Mr. Hoes, Dr. Hammond tells him plainly, that his affterion is far from all truth. Let us therefore consider the Doctor’s Reasons, which are these; Seeing the Congregation, says he, is affirm’d by the Gentleman to have or-
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dain'd, and it is plain by the words of St. Luke that God elected, Electi-
on and Ordination by this Example must be distinct things: which in
another place going about to fortify with this Argument, That it was
don by Lottery, and Solomon says, The Lot is at the disposing of the
Lord, he utterly overturns without and beyond help; for in this
Solomon not denying, but rather affirming that he was chosen
King by the People, plainly shews that Election by the People is
Election by God. Where it is affirm'd, that God rais'd up Judges in
Israel, it is not deny'd that the People elected them. The Doctor is
at it in Maimonides more than once, that the Divine Majesty
rested upon such as were ordain'd by Imposition of Hands. But wheras
it is affirm'd by Maimonides more often, that when the People
(Ecclesia Dei) or Congregation of Israel assembl'd, then the Divine Ma-
jesty, or the Holy Ghost rested upon them; of this he never takes any
notice. The People, whether in Israel, Athens, Lacedemon, or Rome,
ever assembl'd for enacting of Laws, or Election of Magistrats, with-
out Sacrifice and imploring the affilance of God, to whom when
their work was perform'd, they always attributed the whole Refult or
Election: and would the Doctor have Christians to allow him but a
Piece? For wheras God electing there had in the senfe both of fens
and Heathens, his choice of all, God electing here had in the senfe
of Divines, but his choice of two, which were next this or none, but
that indeed where he has not the whole he has none at all. Is that
then far from all truth, which the Gentleman, or that which the Di-
vine has said, either in this part, or where he adds, that the hundred
and twenty in the Text are never mention'd but once, and then it is in
a Parenthesis? I will but transcribe the place.

AND in those days Peter stood up in the midst of the Disciples, Acts 1, 15,
and said (the number of the Names together were about an hundred and
twenty) &c. Are the Disciples in the Parenthesis, or out of it? Are
they but once mention'd, and that is in a Parenthesis? Or are they but
once number'd, and that is in a Parenthesis? If a Gentleman should do
thus, what would they say? Or, what were ill enough to be said?
But to mend the Text, and bring the Disciples into the Parenthesis,
they have more ways than one; wheras the Heathen People, while
the Priests were willing, mix'd these Dutys with Devotions, Divines
will not suffer a Christian People upon like occasions to pray: for where
it is said, They pray'd, it went before, they appointed two, and it follows,
They gave out their Lots; which antecedent and consequent, if the
People pray'd, must be equally understood of them, and so they could
be no Parenthesis. Therfore pray they must not, or Disciples are loth.
But how will they silence them? To shew you this art I must tran-
scribe the Heads of the Chapter.

THE Apollies being return'd from Mount Olivet to Jerusalem,
went up into an upper room, where abode both Peter and James,
and John, and Andrew, James the Son of Alpheus, and
Simon Zelotes, and Judas the Brother of James.

AND in those days Peter stood up in the midst of the Disciples,
and said (the number of Names together were about one hundred and
twenty)

MEN and Brethren,
OF these men which accompany'd with us all the time that the Lord
Jesus went in and out among us,

MUST
The Prerogative

Book II.

MUST one be ordain'd to be a Witness with us of his Resurrection.

AND they appointed two, J O S E P H and M A T T H I A S.

AND they prayed, and said, Thou Lord which knowest the hearts of all men, shew whether of these two thou hast chosen.

AND they gave forth their Lots, and the Lot fell upon M A T T H I A S,

ΤΟΥΤΟΝ ΜΟΝΟΝ ΚΑΙ ΕΥΔΟΚΙΑΝ ΜΕΤΑ ΤΗΣ ΕΙΔΕΣ ΕΝΑΣΚΟΝ.

T HE Y whom P E T E R acquainted that one must be ordain'd, one would verily believe were the hundred and twenty Disciples, in the midst of whom he stood up, and made the Proposition; and so much the rather, because this was no more than the Apostles knew before, and (in all right understanding of Government and Sense) were already agreed upon, it being the Office of the Aristocracy or Senat in a Commonwealth (and such exactly were the Apostles in the Church) upon all new Orders or Elections to be made; first, to debate and determine by themselves, and then to propose to the Chirotonia or ultimate refult of the People. But Divines say absolutely no, which word to make good, They appointed two, and they pray'd, and they gave forth their Lots, being sentences that stand plainly together, or hunt in couples, must leap sheer over nine Verses, P E T E R ' s whole Oration (which by this means is no more than a Parenthesis neither) and over the hundred and twenty Disciples, without touching a hair of their heads, to light plumb upon the thirteenth Verse, and the eleven Apostles! Never man us'd his Grammar so since he threw it at a Pear tree! Yet that C H R Y S O S T O M (who understood G r e e c e ) allows of no such construction, is confess'd by the learned of this opinion; and whereas they fly to the L a t i n Fathers, that retreat is wholly cut off by D A V I D B L U N D E L in his very learned Treatise of the right of the People in Church-Government.

B U T what do we stand upon words? Are these such wherof the things to which they relate may be Interpreters? Or to what things can they relate but the Institution of the Sanhedrin by M O S E S ? That at the Institution of the Sanhedrin the Competitors were elected by the Suffrage of the People, and from thence that the Ballot of I s r a e l consisted not only of a Lot, but of a Suffrage too, has bin already demonstrated out of Scripture; and that the Election of M A T T H I A S was by the Ballot of I s r a e l is no less apparent in itself, than fully confess'd upon the place by G R O T I U S.

"T H E Y that under color of Religion in matter of Government, slight Prudence, are mistaken, or do not mean honestly. Neither G O D nor C H R I S T ever instituted any Policy whatsoever upon any other Principles than those of Human Prudence. The Em-bassadors sent from the G i b e o n i s t s to J O S H U A deliver their Message in this manner: The Elders and all the Inhabitants of our Country spake to us, saying, Go meet them, and say to them, We are your Servants; therefore now make ye a League with us. They that had power to fend Em-bassadors, and to make a League with a forein Nation, had soverain Power; this soverain Power was in the Elders, or Senat, and in the People of G i b e o n : wherefore God constituting his Commonwealth for the main Orders (that is to say, the Senat and the People) upon the same Principles on which the G i b e o n i s t s had long before built theirs, laid his Foundations upon no other than human Prudence. So for the inferior Courts they were transfer'd by M O S E S out of the Commonwealth of M i d i a n, upon advice of
of Popular Government.

"of Jethro his Father in Law. According to such patterns was Chap. 5.

Israel fram'd, and by that of Israel this first Policy of the Church of

Christ so exactly, as (sans comparison) any man shall shew

the Commonwealth of Oceana to have bin transcrib'd out of Rome

or Venice. Let them that would have the Government be somwhat

between Earth and Heaven, consider this place.

Nor is Ecclesiastical Policy only subject to Human Prudence, but

to the same vicissitudes also whereto Human Prudence is subject,

both in her own nature, and as she is obnoxious to the State wherein

she is planted, and that inavoidably; as I com now to demonstrat

by the Alterations which happen'd even in the Age of the Apostles

themselves: for this at the Election of Matthias being alter'd,

the next form of Ecclesiastical Policy introduc'd in their times, is re-

sembld by Grotius to that of Athens, of which, for the better

clearing of what follows, it is necessary that I first say somthing by

way of Introduction.

THE Theismotheta, being in number six, were Magistrates of the

highest dignity, power, and rank in Athens. These, says Aristot-

ele, were elected by the Chirotonia or Suffrage of the People; and

says, Pollux being elect'd underwent the Inquisition of the Senat,

where they were to answer to these Interrogatories, Whether they wor-

ship'd the God of their Countries? Whether they had bin dutiful to their

Parents? born Arms for the Commonwealth? paid Duties or Taxes?

In which Particulars the Senat being satisty'd, They were sworn and
crown'd with Mistle: which comes to this, that the (μανίποτες) or
Constitution being refer'd to the Senat, the Theismotheta were elected

by the Chirotonia of the People. Now tho the Government of Athens

throughout the City of Asia (being most of them of the like Model) was

most known, I will not say that the Apostles wrote their Orders out

of Athens, but seeing all Political Institutions must needs be according

to Human Prudence, and there is nothing to be written out of this but

what will fall even with som other Government that is or has bin,

I may say, as Grotius hath said before me, that the frame of

Church Government in the infusing Example was after the manner of

Athens.

When the number of the Disciples, or Believers, was multipl'd,

there arose a murmuring among tuch of the Jews as having bin bred in

Alexandria or other parts, were for their Language (which was Greek)

partly strangers, against the Hebrews or converted Jews, that spoke

their own Language, as if these indeed us'd them like strangers, their

Widows being neglected, or not dealt so liberally withal, as those of the

Hebrews in the Contributions due for their constant maintenance.

Hereupon the twelve Apostles, after the manner of the Senat,

having without all question debated the buffnes among them-

selves, as appears by the speech upon which they were agreed, af-

sembld the People, which is still Senatorian, or call'd the multitude

of the Disciples to them, and said, It is not reason that we should leave

preaching, or the Word of God, to be taken up with this, tho charita-

table, nay, seeing we have introduc'd Community of goods, most just

and necessary implantment of providing Food and Clothing for every

one of our Fellowship or Community (the Christians in these times,

much after the manner of the Lacedemonian Convives, us'd to eat in

public and together) to do this as it ought to be done, were to become

Caterers,
Caterers, and be taken up in serving Tables. Wherefore, Brethren, (take the wife men and understanding, and known among you) look out seven men of honest report, full of the Holy Ghost, and of Wisdom (εκ ευνοίας καὶ τῆς σοφίας τεμνόντος) whom we may appoint over this business.

THIS Saying, that is, this Proposition of the Senat or Apostles, pleased the whole Multitude (like that of Moses, the thing which thou hast said is good for us to do) So they chose Stephen, Philip, Prochorus, Nicanor, Timon, Parmenas, and Nicholas, whom being elected, they set before the Apostles, who when they had prayed, laid their hands upon them.

WHAT fuller demonstration can be given of any thing, than that in this example Ordination and Election are one and the same, and that this was confer’d by the Chirotonia of the People? If there be any possible way of making this clearer, it must be by opposition: wherefore let us see what Divines have to say to the contrary.

Grotius gives all we ask from this place, which he gives for nothing, because it concerns not the Election of Paffors, but of Deacons. As if Stephen and Philip had not only bin Preachers of the Gospel, but done Miracles. What Dr. Seaman denies or grants in relation to the same, I have indeav’d to understand, but it will not do. Dr. Hammond is so plain, that his Objections may be of use. He, to prove that the Ordination of these Deacons was not in the Chirotonia of their Disciples, but in the Chirotheca of the Apostles, has these Arguments.

There be two things distinctly set down, Election permitted to the People, and the (εξουσίων) constituting refer’d to the Apostles. To which I answer, That there were two things set down by the Athenian Law, Election of the Theomotheta by the People, and the (εξουσίων) constituting of them by the Senat; yet that the Ordination was in the Power, and that the Power was in the People of Athens: he that makes a doubt, is not resolv’d whether the most popular Commonwealth that ever was were a Democracy.

But, says he, this looking out of men, or chusing, was permitted to the Multitude by the Apostles with these three bounds: First, to take seven, neither more nor fewer: Secondly, those men generally known and well reputed of: And thirdly, full of the Spirit, and of Discretion or parts fit for Government. To which I answer, That the Election of the Theomotheta was permitted by the Law to the People of Athens with these three bounds; First to take six, neither more nor fewer: Secondly, those generally known and reputed of: Thirdly, in such estimation for their honesty and ability for Government, as in their confinences (to which also they made Oath) they should judge fittest for the Commonwealth. Yet is all this so far from any proof that Athens was no Democracy, or that the Sovereign Power, whether in enacting of Laws, or election of Magistrates by the Lot or the Suffrage (Institutions equally popular) was not in the People, that it amounts to the strongest argument that the People were Sovereign, and the Commonwealth was Democratical. Could Truth desire greater advantage than redounds from such opposition? We have another example of the same Model, in which, because it has been paraphras’d upon already in the Introduction, I shall be briefer here. In the Church of Antioch, where the Disciples were...
now became so numerous, that they began to be call'd Christians, Chap. 5:
there were among them Prophets: so being assembled on occasion, as I conceive, of giving an extraordinary Commission after the manner of the people of Athens when they elected Ambassadors, or (that I may avoid strife upon a point so indifferent) to choose two new Apostles, The Holy Ghost said, Separate me Barnabas and Saul for the Work whereof I have appointed them: that is (for it is rendered by all Interpreters) the Holy Ghost spake those words by the mouths of the Prophets. Now the Prophets being well known for such, this Suffrage of theirs was no sooner given, than (as one that can allow Prophets to be leading men may easily think) follow'd by all the rest of the Congregation: So the whole multitude having fasted and pray'd, the most eminent among them, or the Senatorian Order in that Church, laid their hands upon Paul and Barnabas, who being thus sent forth by the Holy Ghost, departed to Seleucia.

To evade this apparent Election, or Chirotonia of the whole Congregation, whereby these Apostles or Ambassadors to the Churches of the Gentiles were ordain'd, Divines have nothing to say, but that they were elected by the Holy Ghost: As if the Chirotonia of the People were more exclusive to election by the Holy Ghost, than the Chirothetia of the Aристocracy, for which in the mean time they contend. But if neither of these were indeed exclusive of the Holy Ghost, how is it possible in this frame (where tho of natural necessity an Aristocracy must have been included, yet the Aristocracy is not in the Text so much as distinguished from the People, or once nam'd) that the Power, and so the Ordination should not have bin in the People? The Council of the Apostles, of the Elders, and of the whole Church at Jerusalem, and other Councils, nor of Apostles, nor of the whole Church, in other times or places, us'd this form in their Acts; It seems good to the Holy Ghost, and to us: But do's this, whether a true or a pretended style, exclude that Act from being an Act of that whole Council? Or how comes it to pass that because Paul and Barnabas were separated by the Holy Ghost, they were not ordain'd by the Chirotonia of the whole Christian People at Antioch?

The Chirothetia can be no otherwise understood in nature, nor ever was in the Commonwealth of the Jews, than Election by the few: And so even under the mere Chirothetia, Ordination and Election were not two, but one and the same thing. If Moses ordain'd Joshua his Successor by the Chirothetia, he elected Joshua his Successor by the Chirothetia; and for what reason must it be otherwise with the Chirotonia? That a Pharisee could do more with one hand, or a pair of hands, than a Christian Church or Congregation can do with all their hands, is a Doctrin very much for the honor of the true Religion, and a sovereign Maxim of Ecclesiastical Policy.

The third Constitution of Church-Government in Scripture (whether consisting of Bishops or Presbyters, between which at this time a man shall hardly find a difference) runs wholly upon the Aristocracy, without mention of the People, and is therefore compar'd by Grotrius to the Sanhedrin of Israel, as that came to be in these days; from whence Divines also generally and truly confess that it was taken up: to which I shall need to add no more, than that it is an Order for which there is no Precept, either in the Old Testament of God, or in the New Testament of Christ. This therefore thus taken up by the

Apostles
The Prerogative

Book II. Apollis from the Jews, is a clear demonstration that the Government of the Church, in what purity soever of the Times, may be under the inspection of the Apostles themselves, has bin obnoxious to that of the State wherein it was planted. The Sanhedrin, from the institution of the Chirothesia, for a constant Order, consisted of no other Senators than such only as had bin ordain’d by the Imposition of Hands; which came now to be confer’d by the Prince, in the presence, or with the assent of the Sanhedrin. The same Order was observ’d by the Jewish Synagogues, of which each had her Archon; nor would the Jews converted to the Christian Faith, relinquish the Law of Moses, wherto this way of Ordination, among other things, was vulgarly attributed: whence in the Church, where it consisted of converted Jews, Ordination was confer’d by the Archon, or first in order of the Presbytery, with the assent of the rest. Hence Paul, in one place, exhorteth Timothy thus: 

1 Tim. 4.14. Neglect not the Gift that is in thee, which was given thee by Prophecy, with the laying on of the hands of the Presbytery. And in another thus: Wherefore I put thee in remembrance, that thou stir up the Gift of God which is in thee by the putting on of my hands.

I grant Divines, that Ordination by this time was wholly in the Presbytery; what say they then to the distinction of Ordination and Election? Are these still two distinct things, or may we hence, at least, compute them to be one and the same? If they say Yes, why then might they not have bin so before? If they say No, who in this place, but the Presbytery, elected? Why, says Dr. Hamond, it is plain that the Spirit of Prophecy elected. But to give account of no more than is already performed, were the spirit of History rather than of Prophecy, to which it appertains to tell things before they be done; as did the Prophets now living in this Church, that Timothy shoul’d come to be ordain’d: So the place is interpreted by Grotius; and how it should be otherwise understood I cannot see. But putting the case from Acts preceded, as Saul and David were elect’d Kings by Prophecy; yet did ever man say that for this Saul or David were any whet the less elect’d Kings by the People? To the contrary in every well-ordered Commonwealth (a foce principium) the disposing of the Lot, and of the Suffrage too, has universally bin attributed to God.

1 Tim. 1.6. The Piety of Divines in persuading the People that God elects for them, and therefore they need not trouble themselves to vote, is as if they should persuade them that God provides their daily Bread, and therefore they need not trouble themselves to work. To conclude this point with Dr. Hamond’s own words upon the same occasion; this distinction of Ordination and Election is in Divines the proceractive Mistake, or Ignorance producing all the rest.

The reason why Paul ordain’d now after this manner among the Jews, is to me an irrefragable argument that he ordain’d not after this manner among the Gentiles: for whereas the first Ordination in the Christian Church, namely that of Matthias, was perform’d by the Chirotonia, which by degrees came now in complacency with the Jews to the Chirothesia; it seems he was contented not to alter the world of political Institutions or Customs, where he found them confirm’d by long and universal Practice: and if so, why should any man think that he would go about to alter, or weed out the best, where they
they had taken like root? That this Administration of the Jews was of the very worst, is clear in the nature of the Politics, there being no example of a pure Aristocracy or of a Senate, such as was now the Sanhedrim, without a popular balance, that ever govern'd with Justice, or was of any continuance. Nor was the Chirothefa, by which means this work came to effect in Israel, introduc'd by the prudence of God, but by the corrupt arts of Men. Now that the Governments at the fame time of the Gentiles, all balance by the Chirotonia of the People, were in their nature more excellent, and indeed more accommodated to antient Prudence, as it was introduc'd by God himself in the Commonwealth of Israel, has bin already sufficiently prov'd: nevertheles, to refresh your memory with one example more.

CRETE having bin (as is affirm'd by the Confect of Authors) the most antient, and the most excellent Commonwealth in human Story, was founded by RAHADAMANTHUS and MINOS, an Age before the Trojan War: These were held to have learnt their Arts by familiar Discourse with JUPITER, and from point to point to have fram'd their Model according to his direction. Nor, tho' all acknowledge MINOS to have bin a King, did he found his Government upon any other than a popular Balance, or a fundamental regard to the Liberty of the People: For the whole Commonwealth was made up of these three parts, the College, the Senate, and the People. The College consist of the annual Magistrates call'd the Cosmi: these had the whole extensive Power, som in leading forth the Armies, and others in judging the People; which Functions were accordingly assign'd by the Orders to each in particular. That which was common to them all, was to propose such things as they had debated or prepar'd in their College or Council, to the Senate. The Senate being elective for life, was the Council, to which appertain'd the Debate of whatever was to be propos'd to the Congregation. The Congregation, or Assembly of the People of Crete, had not the right of Debate; but in enacting of Laws, and election of Magistrates, had the ultimat Refult of the Commonwealth. Such was the Copy after which LYCURGUS wrote himself so famous a Legislator. And thus stood this Frame to the fix hundred and eightieth year of Rome; when this People, having bin too favorable to Pirates then infesting those Seas, turn'd the Arms of the Romans upon themselves; and by these, under the conduct of QVINCTUS METELLUS, thence call'd CRECITUS, Crete was made a Province: tho' the chief Citys being first freed, it should seem (by Cicero's second Oration against Antony) that the whole Island was at length restored to her antient Liberty. However by the manner observ'd by the Romans, as was shewn, in Provincial Government, the City under their Magistrats (who while the Commonwealth was a Province perhaps might have exercis'd the Office of the Cosmi) were not yet depriv'd of their Popular Assemblies, at least in their distinct Citys, electing all Magistrats for their peculiar or domatonic Government. Such was the State of Crete, when PAUL having appeall'd from the Jews to CAESAR; and being therupon conducted by Sea towards Rome, touch'd in his way upon this Island, where he left TITUS to constitute Elders in every City. The word (CAESAR) constitute, our Divines will have to signify ordain by Impofition of Hands, and Impofition of Hands to signify an act of Power, excluding the People. But why PAUL, whoamong the Jews had compli'd with their Customs, should join; or how TITUS, had it bin so
The Prerogative

Book II. injoin'd, should accomplish this where the Power was Popular, they have not shewn nor consider'd. To introduce Religion or Government, there be but two ways, either by persuasion, or by force. To persa

The power of Cretes, in whom was the Power, to this new way of Ordination, TITUS must have spoken to this effect: Men of Cretes, MENO being a King, could not shuie but have a natural inclination to popular Power; worhefore his pretence that JUPITER told him, Power was to be in the People, may be suspected to have bin imagin'd merely for his own ends: or this is a certain sign that JUPITER is no true, but a feign'd God; seeing the true God will have it that the People should have no Power at all, but that such, upon whom his Ambassadors shall confer power, be without all dispute obey'd. How! are you starting at this! are you solicitous for your Commonwealth! It is true, that upon carnal principles or human prudence, without Power in the People there can be no Commonwealth: but Israel was a Commonwealth without power in the People, where MOSES made all the Laws by the power invested in him by God, and created all the Magistrates, not by popular suffrage, but by his Chirotheca. Wherefore, Men of Cretes, know ye, that on whomsoever I lay my hands, the same is in all Spiritual Affairs, or matters of Church-Government, to be obey'd by you, after the same manner that you have hitherto obey'd such Magistrates or Priests as have bin ordain'd by your own Election, or Chirotonia. Of what other nature the Arguments of TITUS to the pretended purpose could have bin, I am not able to imagin; nor how this should have don lefs than provoke the People to a dangerous jealousy of such a Doctorin. But Divines, to fet all freight, think it enough to repeat the words of PAUL to TITUS in Greece: For this cause left I thee in Cretes (τον καταρχον των ἔχουσιν τῆς νησίου) that thou shouldst ordain Elders in every City. It is true that DEMOSTHENES speaks somwhat like words concerning the Expedition of PHILIP of Macedon in Pelopomnesus (ἐκεῖ ὑπερβάλλετο ἐκεῖνος τοὺς τότε καταρχον) when he had ordain'd Tyrants in every City: but then PHILIP had an Army; what Army did PAUL leave with TITUS? Or if he ordain'd his Elders neither of these two ways, I see no other than that only by the known and legal Chirotonia or Suffrage of the People. But if this be clear, the Clergy com from Cretes, not upon the Wings of TITUS, but of ICArus, whole ambitious Was disfoll'd by the Sun.

SO much, I conceive, is now difcover'd concerning Church-Government, as may shew that it was not of one, but of three kinds, each obnoxious to the nature of the Civil Government under which it was planted; in as much as the Chirotonia, or Ballot of Israel, being first introduc'd pure, and without any mixture, as at the Ordination of MATTHIAS, came afterwards to receive som mixture of the Chirotheca, as in the Ordination of STEPHEN; and last of all by excluding the People, to degenerat wholly into the Chirotheca of the Prefbytery, as in the Ordination of TIMOTHY: all this by the testimony of Scripture, and in the purest times, even the age of the Apostles. Whence my Undertaking, to shew that as CHRIST intended his Doctorin should be preach'd to all Nations, so he intended his Disciplin should be such as might sute with any Government (as indeed, if the choice of any of these three be lawful, it dos exactly) is, I hope, perform'd. For where the Government is Popular, it is the same with the first; where it is Aristocratical or Monarchical, it agrees with the last; and where it is mix'd, it is between both, and responsible to the second.
of Popular Government.

second. Of these three in the farther exercise of their natural and Chap. 5. intended compliance with Human Prudence, it may be convenient to give some fuller Exemplification.

THAT any other Ordination than that of the first kind for the original Authority or Practice of it, whether in the Commonwealth of Israel or in the Church of Christ, and indeed for the Prerogative of the same in nature, should have been introduced by the Apostles, where it might, much less where the nature of the civil Policy would admit of no other, is neither probable by Scripture nor Reason; whence it is that in the Cities of Lyconia and Pisidia, the Government of these being then Popular, we do not find any mention at all of the Chirotonia, the Apostles in these places (χιρωτονίας πρεσβυτέρων) chirotonizing Elders in every Congregation.

TO evade this place, our Adversaries turn tail to the things, and make their whole flight at the words. In taking one of them into the Disputation, I shall take in all, for they run all upon the same Quotations, or with little addition.

THAT the word Chirotonizing, says Dr. Hammond, in this place signifies no more than ordaining by the Imposition of Hands, is not so generally acknowledged by late Writers, but that it may be useful to give some few Testimonies out of those Writers which were nearest the times of the Scripture. Thus Philo Judaeus of Joseph (Σαλίας Ῥεχεγις εχιρωτονίτικον) he was ordained Governor of all Egypt under the King. So again of Moses (χυρωτονίτικον) he was constituted their Ruler. So of Aaron's Sons (κέριτον ἐχιρωτονίτικον) God constituted them Priests. Alexander Son of Antiochus Epiphanes writes to Jonathan (χυρωτονίτις) Joseph An. L. μελετούμενος. We (in the regal file) constitute thee High Priest. Lucian says of Hephhestion (οὐσίαν χρωτονίτικον καθ' ἐμετρητῶν) that Alexander made him a God when he was dead. Appian (which is added out of Grotius, whence most of the rest is taken) to signify Election of Magistrats made by the Roman Emperors, uses no other word; and later Writers speak of them that were chirotoniz'd Emperors by their Fathers. For the use of the word among Christian Writers, take one place in the Author of the Constitutions for many; Clement after the death of Linus (χρωτονίτις) was ordained Bishop of Rome by Peter. But what need any more? Christ's Disciples are said (παρακηρυκτηρίων καὶ θησ αν) designated or reconstituted by God the witnesses of his Resurrection; by all which that of Paul and Barnabas (χρωτονίτις πρεσβύτερος κατ' ἐκκλησίαν) is but constituting or creating Elders in every Church. Wherefore they that have looked so far back to the Original, as to think it necessary to render the word to create by Suffrages, are sure guilty of a very imperinent nicety. I promise you had this bin against one of our Doctors, it might have bin a rude Charge; but it is only against Erasmus, Beza, Diodati, and such as took upon them to translate the Switz, French, Italian, Belge, and (till the Episcopal correction) the English Bibles. And what apparent cause is there of such confidence? What necessity is there even in the places alleg'd why the word Chirotonia should be understood in the sense imposed? The People of Egypt, till having fold their Lands they came to lose their Popular balance, were not Servants to Pharaoh; wherfore when Joseph was made Governor over all Egypt they were free: now
now that a King should make a Governor of a free People without
their consent, or from advice as we say of his Parliament, is altogether
improbable, the rather because a Protector, in the absence or minority
of the King, has bin no otherwise made in
England, nor pretends the present Protector to any other title than the like Chirotonia. But
that Moses is said by the same Author (who affirm'd that he intro-
duced the Chirotonia in Israel) to have bin chirotoniz'd Ruler of the
People, can in my judgment be no otherwise than originally and liter-
ally taken, seeing God himself was no otherwise made King in Israel
than by the Suffrage of the People. That the like must be understood
of the Sons of Aaron has bin already shewn. The Doctor is the
first has told me, that the plural number for the Royal Stile is so antient as EPHIANES: Sure I am it was not deriv'd from his Macedo-

nian Predecessors, for in the Letters to the Athenians and the Thebans

recited by DEMOSTHENES, PHILIP of Macedon writes in the

fingular number. But the Letter of EPHIANES to JONATHAN must it seems import that he at single hand (tho the

words carry double) had chirotoniz'd a High Priest of the Jews: Who can help it? Som Princes have not only given out that their

Priests have bin chirotoniz'd when they were not, but that themselves have bin chirotoniz'd when there was no such matter. When a

Prince says that he was chirotoniz'd or elected by the People, to talk

of Rhetoric is to have none. Divines in this case commonly under-

stand it to be proper, or literally meant; for to impose a new senfe is to

spoile the word; and spoile the word, spoile the Prince. LUCIAN is a

Droll, and intends a jest, but not so good a one, as that he of all others

should com neareft to help up with a Hierarchy. For the Chirotonia,

or Election of the Roman Magistrates by the Suffrage of the People or

of the Army, every man knows that it is literal; SUIDAS himself

interpreting the word by this very example; where he affirmes it to

signify Election or Ratification by the Many. The Quotation out of

the Constitutions, with those of Bishop BILSON, and others out of

the Greek Fathers, and out of Councils, do not only imply the word

Chirotonia, but the thing, while they all relate to that kind of Ordina-

tion, which being in those Churches yet administer'd as at the Ordina-

tion of Stephen, was not confer'd without the consent of the

People. But it is above all, that laboring to prove the Chirotonia and

the Chirothyes to be the same thing, they should rely most upon the

place where the Apostles are saide (προσχοροτομομαι ὡς τῷ οίῳ) to

have bin forechirotoniz'd by God; as if it were clear in this, that God

ordain'd the Apostles by the laying on of Hands, for so it must be un-

derstood, or it makes no more for them than for us. Or if they mean it

only to shew that the word Chirotonia or Suffrage is used for som Ordina-

tion that cannot be taken in our senses; so the word Chirothyes

(ἐπὶ θύμος Χιριατώς) or laying on of Hands, where ANANIAS being

neither Bishop nor Presbyter, but only a Disciple, that is, a Christian,

lays his hands upon PAUL, is us'd for som Ordination that cannot be

taken in their senses; or a man not ordain'd may ordain as well as they:

for to say that the Call was extraordinary, where the like is, or is pre-
tended, will avail little. But there is no need that we should go fo

near the wind; wherfore to give them all these places in their own

senses, even till we come to the City's in question. What word in any

Language is not somtimes, nay frequently, us'd in som other than the

proper
proper sense? With what elegance, if this be forbidden, can any man write or speak? Is a word like a Woman that being taken with a Metaphor, it can never be restor’d to the Original Virtue? If Chirotonia has, as Divines pretend, loft all other but their signification, how shall we understand it in Isaiah, or where Paul speaks it of the Brother (φησίνατο ιερον μη φησίνατο) chirotoniz’d, or chosen by? the Churches? Certainly in this one place at least it is of our sense, and in the word γενεακιστομαζαι it is but once yet in all the New Testament of any other; so that if we gain the place in controversy, we have it twice of our sense in Scripture for once not in theirs, but in any other: and in human Authors, they will not so much as pretend to have it once for them of a hundred times for us; which is pretty well for the vindication of the property of one word, and what should be more perhaps than can be done for another. But in the sense of words that are somtimes properly and somtimes improperly taken, may we admit of the things wherof they are spoken for Interpreters? Or if Lilly’s and Roses have bin almost as often said of Ladys Cheeks, must we understand them no otherwise when we are speaking of Gardens?

Y E S, says Dr. Hammond, and therefor to say of the Apostles Paul and Barnabas, that they created Elders by their own Suffrages, is no more than to say that they jointly did create, and indeed being but two, there could be no place for Suffrages; and to affirm they did it by the Suffrages of others, is not agreeable to the pretended use of the word; for where it is us’d of chusing by Suffrages, as when the People are said to chirotonize, it is certain that their own, and not others Suffrages are meant by it.

IT were hardly possible to have contriv’d a greater number of Affirmations in so small a compass, nor to have gon farther in them from all truth. Phrases, as words, are to be understood according to the Rule and Law of Speech, which is Use: and thus that the Apostles created Elders by their own Suffrage, is not said; that they did it by the Suffrage of others, is necessarily imply’d; as also that the People are underfoot to chirotonize as well when it is said of the Presidents of their Assemblies, as of themselves.

Diruit, adificat, mutat quadrata rotundis.

WHEN a man is said to build a House, or marry a Daughter, he is not understood to be the Maffon, or the Bridegroom: but the Apostles built Churches in these Citys; therefore the People were not the Maffons. The Apostles marry’d Christ to these Nations; therefore the People gave not their Consent or Suffrage: what a Construction were this in ordinary discourse or writing, and yet in the Language, as I may say, of a Commonwealth the Phraze is more usual. How often do Demosthenes speak of his Laws (see my Phe De Corun phisn, peruse my Law) and tho’ of other privat men? after which Copy the Parte, or Laws in the Commonwealth of Venice, are call’d by the names of the Proposers, as were tho’ of Rome, Rapilla, Cornelia, Trebonia; in which manner we have Poyning’s Law, and som Statutes bearing no other Stile than Enacted by the King’s most Excellent Majestie, which nevertheless are known to have bin all enacted by the Parliament. Thus the Laws of Moses, Rhadamanthus, Minos.
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Book II. Minos, Lycurgus, Solon, Romulus, King Edward, were (leges & constitutiones quas vulgo elegerit) such as the People had confirm’d or chosen by their Chriotonia. But they may say, granting you this use of speech in relation to Laws, what have you of this kind for Elections? The Exception is nice, but to leave none.

THE High Sheriffs in England proposing to their Countys the Names of such as stand, are laid to elect Parliament-men. They that thus propose Competitors to the Great Council in Venice are call’d Electors, and said to elect the Magistrats. The Proedri, certain Magistrats to whom it belong’d to put the Question in the Representative of the People of Athens, consisting of one thousand, were said (τὰς σταυροτοιχίας τὸν) to give or make the Suffrage. The Theosopheta, who were Presidents at the creation of Magistrats, were said (τοις εὐρύτεροις) to chirotonize the Generals. Josephus renders those words of God to Samuel, Hearken to the Voice of the People (καλεῖ) I command thee to chirotonize them a King; which Authors vindicating Luke for his understanding both of the Grecian Customs, and property of Speech, at each of which he was expert, com up to the full and genuine interpretation of the place in controversy, where Paul and Barnabas (χιροτονησαμεν αυτοις της εκκλησίας και της εκκλησίας) chirotonizing them Elders in every Congregation, can be no otherwise understood than that they here, as Moses at the institution of the Sanhedrim, Samuel at the Election of the King, the Proedri at the passing of Laws, the Theosopheta at the creation of Magistrats, the Electors in the great Council of Venice, and the High Sheriffs in the Countys of England, were no more than Presidents of that Chriotonia, which was given or made by the Suffrage of the People.

Wherefore the Greek is thus render’d by these several Translations of the Bible.

That of Zurich,

When they had created them Elders by Suffrages in every Congregation.

That of Beza,

When they had created them Elders by Suffrages in every Congregation.

The French,

When by the advice of the Assembly they had established Elders.

The Italian,

When by the advice of the Congregation they had constituted them Elders.

That of Diodati,

When they had ordained them in every Church by the common vote of the Elders.

That appointed by the Synod of Dort,

When in each Church, by the holding up of Hands, they had elected Presbyters.

That us’d in England from the time of the Reformation till the Episcopal correction of the same,

When they had ordained them Elders by Election in every Congregation.

Indeed
of Popular Government.

Indeed the circumstance of the Place forbids any other construction of the words; for if the Suffrage or Chrotonia (which were scarce seen) related to the Apostles only, what need they have don in every Congregation or Church, which they might have don in any Chamber or Closet? The circumstance of the Action forbids any other construction; for the People were assembled upon occasion of Election or Creation of Officers, which thing does not use to be done in Assemblies gather'd for Divine Service: besides, these Congregations were not always of one mind, but sometimes for sacrificing to the Apostles, sometimes for flouting them, which are acts of Power; wherefore they were Political Assemblies. Now these consisting also of a People, that had in their City (quandam urbi episcopum) the government of themselves, hence arises the strongest circumstance of all, forbidding any interpretation of the Text that might exclude them from election of their own Magistrates, Priests, or Ecclesiastical Elders, such as had bin the Aarches, the Heathen Prelats, yet remember'd by the Scripture as affectionat Friends to Paul; or such as were those, though not in a better end, now orden'd by the Apostles. Wherefore Grovius, notwithstanding all the arts he uses in other places to avoid this sense, giving his note upon the Text, yelds, Tho chrotonizing may be said of any Election made by one, or by the few; yet to the Election in this place it is probable that the content of the People was given, no less being implied in the beginning of the Chapter, where the Multitude believ'd, where they were fir'd up, where they were evil affected, and where part held with the Jews, and part with the Apostles: Which shews that the People were active in the business. But, says Dr. Seamam, There is difference between the Content of the People, and the Power of the People: which is not to understand the case in controversy, nor to take notice that the People whereof we are speaking were under Popular Government; for whereof the People are under Popular Government, between that which is don by their content, and that which is don (justa populi) by their power, there is no difference. How should the People give their content, but by their Suffrage? or what difference, where they have Power, can there be between the Suffrage, and the Power of the People?

Dr. Hammond upon this point is far more quaint: where the Scripture says, that the Multitude were evil affected, and where part held with the Jews, and part with the Apostles, he thinks it even like enough: But where it is said that a great Multitude of the Jews, and also of the Greeks believ'd, he seems to have no opinion of it: for, says he, It is evident that Believers were at first but few in every Town or City; they were not whole Corporations as once converted, nor consequently could they act in a common capacity; but as Clemens Romanus says, they that were by the Apostles constituted Bishops and Deacons in several Cities and Regions, were constituted over those that should after believe, there were of so few at the present. And then, as fast as any did come into the Faith, they readily submitted themselves to those by and under whom they did come in, and were not at all troubled (honest men) with the consolation or deliberation about the way of electing their Teachers and Guides.

Come away, to leave the Scripture a while, and follow Clemens; be it to for discoursing fake, that in those days there was no where any such thing as a great Multitude believing, much less whole States or Cities.
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Book II. Commonwealths at once converted, whereby they might still act in a common capacity, but only from privat or gather'd Congregations or Churches; and that in such it was the Apostles Paul and Barnabas chirotoniz'd: yet these, as they were found, or as afterwards they came to be made, must of necessity have bin Corporations; for what can a number of Men coming into a Society regulated by certain Laws, Constitutions, or Form, be but a Corporation? Som Ecclesiastical Policy or Disciplin they must have had; and that probably, seeing the greatest Legislators, even Moses himself, have written after Copies, according to som Pattern: what was this Pattern, and whence came it?

§. 125. W.H.Y, says he, not from their Heathen Customs, but from the Metropolis: for it must be remember'd, that wheresover the Gospel was preach'd, it came originally from Jerusalem; and then, as Agrippa in Philo says of that City, it was the Metropolis, not only of Judea, but many other Regions, because of the Colonys thence sent into Egypt, Phenice, and both the Syria's; nay, to Pamphylia, Cilicia, and a great part of Asia, as far as Bithynia and Pontus. So in reason the Churches in Lystra, Iconium, and Antioc, where Paul and Barnabas ordain'd Elders, were to follow the pattern at Jerusalem; and there, we know, it was not by the Suffrage of the People, but an Elder was assu'm'd into the Sanhedrin, but the Prince or Head of the Sanhedrin receiv'd him in by Imposition of Hands. It will be much more reasonable to deduce the circumstances of ordaining Elders from the Customs familiar to them that preach'd the Faith to them, than from the former usages of them to whom it was preach'd, who were not to dispute, but to believe, and receive the Institutions as well as Doctrines which were brought them.

T H E S E, methinks, are strange Arguments: The Gospel came to us from Rome, is Rome therefore the Metropolis of England? It is true Agrippa being a Jew, and writing to Caligula in the behalf of the Jews, not of the Christians, tells him, That Jerusalem is the Metropolis of the Jews, and of all their Colonys; so is London of the English, and of all their Colonys: but does it follow from hence that either Jerusalem or London is the Metropolis of Christendom? But the Jews had many Colonys in Asia; and therefore the Churches of Lystra, Iconium, and Antioc were to follow the pattern at Jerusalem. The Jews indeed had Synagogus in Iconium and Lystra, as the French have Churches in England; but is this a good argument, The French have Churches in England, therefore the English are to follow the Orders of the French Church? The Jews withstood the Gospel at Iconium; for, says the Text, the Multitude of the City was divided, and part held with the Jews, and part with the Apostles: therefore the believing Iconians must have acknowledg'd Jerusalem to be their Metropolis, and were to follow the pattern of that City: And what was that? Why there we know it was not by the Suffrages of the People that an Elder was assu'm'd into the Sanhedrin, but the Prince or Head of the Sanhedrin receiv'd him in by Imposition of Hands. The Government of the Iconians was Popular, that of the Jews was Aristocratical; therefore the Iconians receiving the Christian Faith, were bound to change their Democracy into Aristocracy. The Apostles, to comply with an Oligarchy, had alter'd that Ordination, which originally (as at the Election of Matthias) was popular, to Aristocracy; therefore being now to plant the Gospel in a free State, they might not alter it from Aristocracy to Democracy: To please the Jews they might change for the worse;
of Popular Government.

Therefore to please the Romains they might not change for the better, but must tell the People plainly, That they were not to dispute, but to believe, and receive the Institutions as well as Doctrins that were brought them from the Metropolis. How would this sound to a People that underlood themselves?

Sic volo, sic jubeo, flat pro ratione voluntas.

The right temper of a Metropolitan, to whom Popular Power is a Heathen Custom, and with whom nothing will agree but Princeding of it in the Senat: But with the Apollis it was otherwise, who making no words of the Chirothefis where it was needles, were glad of this occasion to chirotonize, or elect them Elders in every Congregation by Popular Suffrage. But this, they will say, is not to come off from the haunt, but to run still upon the People in a common or public capacity. Tho' the Scripture speaks of great Multitudes believing, believe it there is no such thing: Clemenst says they were very few, their Assemblies privat, and very scanty things. As privat as they were, by the judgment of Divines they were, it seems, to receive from their Pattern (if that were the Sanhedrin) a Form that was public enough; and why might not they have receiv'd this from that public Form where they were accustomed, rather than from a foren Policy, and one contrary to their Customs? why should they suffer such Power in new and privat, as they would not indure in their old and public Magistrates? Or, if they receiv'd the Scriptures, why should they chuse that Ordination which would fit them worst, rather than that which would fit them best? that of Timothy rather than that of Matthias? Or, let their Assemblies have bin never so privat or scanty, yet if the Apollis chirotonize'd them Elders in every Congregation, is it not demontrable that they did receive that of Matthias, and not that of Timothy?

Thus much for the Propagation of the pure, or first kind of Ecclesiastical Policy to the City of Laconia. The mix'd or second kind into which (the Christian Presbytery delighting to follow the steps of the Jewish) the former might soon degenerat, continu'd in the primitive Church, to speake with the leaf (for Walleus brings it down to Charles the Great) three hundred years after Christ: which Affertion in Mr. Hob's, prov'd out of Ammianus Marcellinus, Dr. Hammond has either willingly overseen, or includes in this Answere, it is most visibly void of all appearance of Truth. Wherefore to the Quotation mention'd I shall add the words of Platina: Damasus the second, by Nation a Bavarian, surnam'd Bagniarius, or as some will Pogo, possesse'd himself of the Papacy by force, and without consent of the Clergy and of the People. Now what can be clearer than that by this place the Clergy and the People had hitherto a right to elect the Pope? The Doctor coms near the word of defiance to Mr. Hob's; in a matter of fact so apparent to any judgment, that I need not add what go's before in the Life of Clement the second; where the Emperor engages the People of Rome not to meddle with the Election of the Pope without his express Command; nor what follows after in Leo the Ninth, where the whole power of Election was now confer'd by the Emperor upon the Clergy. Again, Victor the Second, says the same Author, obtained the Papacy rather by favor of the Emperor, than by free Suffrages of the Clergy and the People of Rome, who apprehended the power of the Emperor, whose displeasure they had sometime incurred by creating Papes. So then the People, it is clear, had hitherto

Cee 2
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Book II. created the Popes. The power of Election thus in the whole Clergy came afterwards, as at this day, to be restrain'd to the Cardinals only; and so to devolve into the third kind of Ordination exactly correspondent to the Sanhedrim, and their Chirothecia, as it was exercis'd among the converted Jews, when Timothy was ordain'd by the laying on of the Hands of the Presbytery.

NOW this is that with which, of all others, Divines are so inamor'd, that they will not induce it should be said there is any other: It is also propitious above all the reft to Monarchy, as that which according to the inherent nature or impotence of Oligarchy, must have a Prince at home or abroad to rest upon, or become the inevitable Prey of the People. Herein lvs the Arcanum or Secret of that Antipathy which is between a Clergy and a Popular Government, and of that Sympathy which is between the Miter and the Crown. A Prince receiving a Clergy with the Monopoly of their Chirothecia, has no more to do than to make a Metropolitan, by whom he governs them, and by them the People, especially if he indows them with good Revenues; for so they become an Estate of his Realm, and a more steady Pillar of his Throne than his Nobility themselves, who as their dependence is not so strong, are of a more stirring nature. This is the Gothic Model, from whence we had our Pattern, and in which No Bishop, no King.

THUS for the dignity of Ecclesiastical Policies, whether in Scripture or Human Prudence, Popular Government you fee is naturally inclin'd to the very best, and the spiritual Arisftocracy to the very worst. It is also remarkable that the Political Balance extends it self to the decision of the question about Ordination: For as a People never offer'd to dispire with a well-balanc'd Clergy, so a Clergy dismounted never gain'd any thing by disputing with the People. As to the question of Empire or Government (I propheti disarmati Revivano) the Apostles became all things to all.

THUS beyond all measure im prosperous are this Divine's Undertakings against Mr. Hob's, and the Undertakings of Divines upon this Subject.

Advertifement to the Reader, or Direction to the Answerer.

The Answer of this Book must lie in proving that the Apostles at the several times and places mention'd, introduc'd but one way of Ordination, and that the same to which Divines now pretend: or if the Apostles divided, that is to say, introduc'd divers ways of Ordination, then the People or Magistrat may chufe.

I have taken the more leisure and pains to flate, I think, all the Cafes of Controversy that can arise out of the Commonwealth of Oceana, as you have seen in these two Books, to the end I may be no more oblig'd to write, and yet not omit writing on any occasion that shall be offer'd; for if my Principles be overthrown (which when I see, I shall most ingeniously confess with thanks to the Author) such an acknowledgement will ly in a little room; and this failing, I am desirous if I shall not now be able to shew any Writer against me that his Answer is none, within the compass of three or four sheets.

This also will be the fittest way for Boys-play, with which I am sure enough to be entertain'd by the quibbling University men; I mean a certain busy Gang of 'em, who having publicly wanted that they would bring 40 examples against the Balance, and since laid their Caps together about it, have not produc'd one. These want of theirs offering prejudice to truth and good Principles, were the cause why they were indeed prefid to fiew fom of their skill, not that they were thought fit Judges of these things, but first that they had declar'd themselves fo, and next that they may know they are not.

His own words to Mr. Hob's, §. 122.

An
An Answer to three Objections against Popular Government, that were given me after these two Books were printed.

MONARCHICAL Government is more natural, because we see even in Commonwealths that they have recourse to this, as Lacedemon in her Kings; Rome both in her Consuls and Dictators; and Venice in her Dukes.

GOVERNMENT, whether Popular or Monarchical, is equally artificial; wherfore to know which is more natural, we must consider what piece of Art coms nearest to Nature: as for example, whether a Ship or a Houfe be the more natural; and then it will be easy to resolve that a Ship is the more natural at Sea, and a Houfe at Land. In like manner where one man or a few men are the Landlords, a Monarchy must doubtles be the more natural; and where the whole People are the Landlords, a Commonwealth: for how can we understand that it should be natural to a People, that can live of themselves, to give away the means of their livelihood to one or a few men that they may serve or obey? Each Government is equally artificial in effect, or in itself; and equally natural in the caufe, or the matter upon which it is founded.

A COMMONWEALTH consists of the Senat proposing, the People resolving, and the Magiftracy executing; so the Power of the Magiftrats (whether Kings as in Lacedemon, Consuls as in Rome, or Dukes as in Venice) is but barely executive: but to a Monarch belongs both the Refult, and Execution too; wherfore that there have bin Dukes, Consuls, or Kings in Commonwealths (which were quite of another nature) is no Argument that Monarchical Government is for this cause the more natural.

AND if a man shall inftance in a mix'd Government, as King and Parliament; to say, that the King in this was more natural than the Parliament, must be a strange Affirmation.

TO argue from the Roman Dictator (an Imperfection which ruin'd that Commonwealth, and was not to be found in any other) that all Commonwealths have had the like recourse in exigences to the like remedy, is quite contrary to the univerfal Testimony of Prudence or Story.

A MAN who considers that the Commonwealth of Venice has stood one thousand years (which never any Monarchy did) and yet shall affirm that Monarchical Government is more natural than Popular, must affirm that a thing which is lets natural may be more durable and permanent than a thing that is more natural.

WHETHER is a Government of Laws lets natural than a Government of Men? or is it more natural to a Prince to govern by Laws or by Will? Compare the Violences and bloody Rapes perpetually made upon the Crown, or Royal Dignity in the Monarchys of the Hebrews and the Romans, with the State of the Government under
under either Commonwealth, and tell me which was less violent, or whether that which is more violent must therefore be more natural.

**Object. 2.**

*The Government of Heaven is a Monarchy, so is the Government of Hell.*

**Answer.**

*In this, says Macchiavel, Princes lose themselves and their Empire, that they neither know how to be perfectly good, nor entirely wicked. He might as well have said, that a Prince is always subject to Error and Misgovernment, because he is a Man, and not a God, nor a Devil. A Shepherd to his Flock, a Plowman to his Team, is a better Nature; and so not only an absolute Prince, but as it were a God. The Government of a better or of a superior Nature, is to a worse or inferior as the Government of God. The Creator is another and a better Nature than the Creature; the Government in Heaven is of the Creator over his Creatures, that have their whole dependence upon him, and subsistence in him. Where the Prince or the Few have the whole Lands, there is some what of dependence resembling this; so the Government there must of necessity be Monarchical or Aristocratical: But where the People have no such dependence, the causes of that Government which is in Heaven are not in Earth; for neither is the Prince a distinct or better Nature than the People, nor have they their subsistence by him, and therefore there can be no such effect. If a Man were good as God, there is no question but he would be not only a Prince but a God; would govern by Love, and be not only obey’d but worship’d; or if he were ill as the Devil, and had as much power to do mischief, he would be dreaded as much, and so govern by Fear. To which latter, the Nature of man has so much nearer approaches, that tho we never saw upon Earth a Monarchy like that of Heaven, yet it is certain the perfection of the Turkish Policy lys in this, that it comes nearest to that of Hell.*

**Object. 3.**

*God instituted a Monarchy, namely in Melchizedec, before he instituted a Commonwealth.*

**Answer.**

*If Melchizedec was a King, so was Abraham too; tho one that paid him Tithes, or was his Subject: for Abraham made War, or had the power of the Sword, as the rest of the Fathers of Families he fought against. So if Canaan was a Monarchy in those days, it was such a one as Germany is in these; where the Princes also have as much the right of the Sword as the Emperor, which comes rather (as has been shown already) to a Commonwealth. But whether it were a Monarchy or a Commonwealth, we may see by the present state of Germany that it was of no very good Example; nor was Melchizedec otherwise made a King by God than the Emperor, that is, as an Ordinance of Man.*

*The*
THE
ART
OF
LAWGIVING
In Three BOOKS.
The First, shewing the Foundations and Superstructures of all kinds of Government.
The Second, shewing the Frames of the Commonwealths of Israel, and of the Jews.
The Third, shewing a Model fitted to the present State, or Balance of this Nation.
The Order of the Work.

The First Book.

THE Preface, considering the Principles, or Nature of Family Governments.

CHAP. I. Considering the Principles, or Balance of National Governments; with the different kinds of the same.

CHAP. II. Shewing the variation of the English Balance.

CHAP. III. Of the fixation of the Balance, or of Agrarian Laws.

CHAP. IV. Shewing the Superstructures of Governments.

THE Conclusion, observing that the Principles of Human Prudence being good without proof out of Scripture, are nevertheless such as are provable out of Scripture.

The Second Book.

THE Preface, shewing that there were Commonwealths before that of Israel.

CHAP. I. Shewing that Israel was a Commonwealth.

CHAP. II. Shewing what Commonwealth Israel was.

CHAP. III. Shewing the Anarchy, or state of the Israelits under their Judges.

CHAP. IV. Shewing the state of the Israelits under their Kings to the Captivity.

CHAP. V. Shewing the state of the Jews in Captivity, and after their return from Captivity; or the frame of the Jewish Commonwealth: and in that the Original of Ordination.

CHAP. VI. Shewing how Ordination was brought into the Christian Church, and the divers ways of the same at divers times in use with the Apostles.

THE Conclusion, Shewing that neither God, nor Christ, or the Apostles ever instituted any Government Ecclesiastical or Civil, upon any other Principles than those only of Human Prudence.

The Third Book.


CHAP. I. Containing the Civil part of the Model, propos'd practicably.

CHAP. II. Containing the Religious part of the Model, propos'd practicably.

CHAP. III. Containing the Military part of the Model, propos'd practicably.

CHAP. IV. Containing the Provincial part of the Model, propos'd practicably.

THE Conclusion, Shewing how the Model may be prov'd or examin'd; and giving a brief Answer to Mr. Wren's last Book, intituled, Monarchy affeeted, &c.
The FIRST BOOK,
SHewing THE
FOUNDATIONS
AND
SUPERSTRUCTURES
Of all kinds of
GOVERNMENT.

If this Age fails me, the next will do me Justice.

The PREFACE,
Considering the Principles or Nature of Family Government.

DIVINES, and the like studious Asserors of Monarchy, have not laid their Principles so fairly, while they have concealed one part from the right of Paternity, or from the Government of Familiy, which may be of two kinds; whereas they have taken notice but of one: For Family Government may be as necessarily Popular in some cases, as Monarchical in others.

TO shew now the nature of the Monarchical Family. Put the case a man has one thousand Pounds a year, or therabouts; he marries a Wife, has Children and Servants depending upon him (at his good will) in the distribution of his Estate for their livelihood. Suppose then that this Estate comes to be spent or lost, where is the Monarchy of this Family? But if the Master was no otherwise Monarchical than by virtue of his Estate, then the foundation or balance of his Empire consisted in the thousand pounds a year.

THAT from these principles there may also be a Popular Family, is ap. Popular Fa: parent: For suppose six or ten, having each three hundred pounds a year, or so, shall agree to dwell together as one Family; can any one of these pretend to be Lord and Master of the same, or to dispose of the Estates of all the rest? Or do they not agree together upon such Orders, to which they consent equally to submit? But if so, then certainly must the Government of this Family
The Preface.

Book I.  

Family be a Government of Laws or Orders, and not the Government of one, or of some three or four of these men.

TET the one Man in the Monarchical Family giving Laws, and the Many in the Popular Family doing no more, it may in this sense be indifferently said, That all Laws are made by Men. But it is plain that where the Law is made by one Man, there it may be unmade by one man; so that the Man is not govern'd by the Law, but the Law by the Man; which amounts to the Government of the Man, and not of the Law: Whereas the Law being not to be made but by the Many, no man is govern'd by another man, but by that only which is the common interest; by which means this amounts to a Government of Laws, and not of Men.

THAT the Polities may not be thought an unnecessary or difficult Art, if these Principles be less than obvious and undeniable, even to any Woman that knows what belongs to housekeeping, I confess I have no more to say. But in case what has bin said be to all sorts and capacities evident, it is most humbly submitted to Princes and Parliaments, whether, without violence or removing of Property, they can make a Popular Family of the Monarchical, or a Monarchical Family of the Popular? Or, whether that be practicable or possible in a Nation, upon the like balance or foundation in Property, which is not in a Family? A Family being but a smaller Society or Nation, and a Nation but a greater Society or Family.

THAT which is usually answer'd to this point, is, That the six or ten, thus agreeing to make one Family, must have som Steward; and to make such a Steward in a Nation, is to make a King. But this is to imagine that the Steward of a Family is not answerable to the Masters of it, or to them upon whose Estates (and not upon his own) he defends the whole Charge: For otherwise this Stewardship cannot amount to Dominion, but must com only to the true nature of Magistracy, and indeed of annual Magistracy in a Commonwealth; seeing that such Accounts in the years end, at farthest, use to be calculated, and that the Steward, Body and Estate, is answerable for the same to the Proprietors or Masters; who also have the undoubted right of constituting such another Steward or Stewards as to them shall seem good, or of prolonging the Office of the same.

NOW, where a Nation is caft, by the unseen ways of Providence, into a disorder of Government, the duty of such particularly as are elected by the People, is not so much to regard what has bin, as to provide for the supreme Law, or for the safety of the People, which consists in the true Art of Lawgiving.

THE Art of Lawgiving is of two kinds; the one (as I may say) false, the other true. The first consists in the reduction of the Balance to Arbitrary Superstructures; which requires violence, as being contrary to Nature; The other in erecting necessary Superstructures, that is, such as are conformable to the Balance or Foundation; which, being purely natural, requires that all interposition of Force be remov'd.
CHAP. I.

Considering the Principles or Balance of National Governments; with the different kinds of the same.

THE Heaven, says David, even the Heavens are the Lords; Psl. 115. 16, but the Earth has been given to the Children of Men: Yct, says The Original of God to the Father of these Children, In the sweat of thy Face shalt thou eat thy Bread. Dil laborantium sua munera vendunt. This Donation of the Earth to Man comes to a kind of selling it for INDUSTRY, a Treasure which seems to purchase of God himself. From the different kinds and successes of this Industry, whether in Arms, or in other Exercitives of the Mind or Body, derives the natural equity of Dominion or Property; and from the legal establishment or distribution of this Property (be it more or less approaching towards the natural equity of the same) proceeds all Government.

THE distribution of Property, so far as it regards the nature or procreation of Government, lies in the overbalance of the same. Just as a man, who has two thousand pounds a year, may have a Retinue, and consequently a Strength, that is three times greater than his who enjoys but five hundred pounds a year. Not to speak at this time of Mony, which in small Territories may be of a like effect; but to insist upon the main, which is Property in Land, the overbalance of this, as it was at first constituted, or comes insensibly to be chang'd in a Nation, may be especially of three kinds; that is, in One, in the Few, or in the Many.

THE overbalance of Land, three to one or therabouts, in one Man against the whole People, creates Absolute Monarchy; as when Joseph had purchas'd all the Lands of the Egyptians for Pharaoh. The Constitution of a People in this and such cases, is capable of intire servitude. Buy us and our Land for Bread, and we and our Land will be Servants to Pharaoh.

THE overbalance of Land to the same proportion, in the Few against the whole People, creates Aristocracy, or Regulated Monarchy, as of late in England: And hereupon says Samuel to the People of Israel, when they would have a King, He will take your Fields, even the best of them, and give them to his Servants. The constitution of a People in this and the like cases, is neither capable of intire Liberty, nor of intire Servitude.

THE overbalance of Land to the same proportion in the People, or where neither one nor the few overbalance the whole People, creates Popular Government; as in the division of the Land of Canaan to the whole People of Israel by lot. The constitution of a People in this and the like cases, is capable of intire Freedom, may, not capable of any other settlement; it being certain, that if a Monarch, or single Person in such a State, thro' the corruption or improvidence of their Counsils, might carry it; yet by the irresistible force of Nature, or the reason alleg'd by Moses (I am not able to bear all this People alone),

* Nec totum libertatem nec totum servitutem pati possint. Tacit.
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Of the Militia, and of the Negative Vote.

WHEREVER the balance of a Government lys, there naturally is the Militia of the same; and against him or them wherein the Militia is naturally lodg'd, there can be no negative Vote.

IF a Prince holds the overbalance, as in Turkey, in him is the Militia, as the Janizarys and Timariots. If a Nobility has the overbalance, the Militia is in them, as among us was seen in the Barons Wars, and thos of York and Lancaster; and in France is seen, when any considerable part of that Nobility rebelling, they are not to be reduc'd, but by the major part of their Order adhering to the King.

IF the People has the overbalance, which they had in Israel, the Militia is in them; as in the four hundred thousand first decreeing, and then waging War against Benjamin: Where it may be inquired, what Power there was on earth having a Negative Voice to this Assembly? This always holds where there is Settlement, or where a Government is natural. Where there is no Settlement, or where the Government is unnatural, it proceeds from one of these two causes; either an imperfection in the Balance, or else such a corruption in the Lawgivers, whereby a Government is instituted contrary to the Balance.

IMPERFECTIONS of the Balance, that is, where it is not good or down weight, cause imperfected Governments; as thos of the Roman and of the Florentin People, and thos of the Hebrew Kings and Roman Emperors, being each exceeding bloody, or at least turbulent.

GOVERNMENT against the balance in One, is Tyranny, as that of the Athenian Pisistratus: in the Few it is Oligarchy, as that of the Roman Decemvirs; in the Many Anarchy, as that under the Neapolitan Mazzinello.

WHEREVER, thro Causes unforeseen by Human Providence, the Balance coms to be entirely chang'd, it is the more immediately to be attributed to Divine Providence: And since God cannot will the necessary cause, but he must also will the necessary effect or consequence, what Government forever is in the necessary direction of the Balance, the same is of Divine Right. Wherfore, tho of the Israelits God says, They have set up Kings, but not by me; they have made Princes, and I knew it not; yet, to the small Countries adjoining to the Assyrian Empire, he says, Now have I given all these Lands into the hand of the King of Babylon my Servant—Serve the King of Babylon, and live.

C H A P. II.

Shewing the variation of the English Balance.

THE Land in possesston of the Nobility and Clergy of England, till HENRY 7th, cannot be esteem'd to have overbalance'd those held by the People less than four to one. Whereas in our days, the Clergy being destroy'd, the Lands in possesston of the People overbalance those held by the Nobility, at least, nine in ten. In shewing how this change came about, som would have it that I assume to my self more than my share; tho they do not find me delivering that which must rely upon Authority, and not vouching my Authors. But HENRY the Seventh being conscious of infirmity in his Title, yet finding
finding with what strength and vigor he was brought in by the Nobility, conceiv'd jealousy of the like Power in case of a decay or change of Affections. Nonis orbis adoraverit Roman. The Lords yet led Country lives; their Houses were open to Retainers, Men experienced in Military Affairs, and capable of commanding; their Hospitality was the delight of their Tenants, who by their Tenures or Dependence were oblig'd to follow their Lords in Arms. So that, this being the Militia of the Nation, a few Noblemen discontented could at any time levy a great Army; the effect whereof, both in the Barons Wars, and those of York and Lancaster, had bin well known to divers Kings. This state of Affairs was that which inhab'd Henry the Seventh to make his advantage of troublesome times, and the frequent unruliness of Retainers; while, under the pretense of curbing Riots, he obtain'd the palling of such Laws as did cut off these Retainers, whereby the Nobility wholly lost their Officers. Then, whereas the dependence of the People upon their Lords was of a strict ty or nature, he found means to loosen this alfo by Laws, which he obtain'd upon as fair a pretence, even that of Population. Thus Farms were so brought to a standard, that the Houses being kept up, each of them did of necessity inforce a Dweller; and the proportion of Land laid to each House, did of necessity inforce that Dweller not to be a Beggar or Cotager, but a man able to keep Servants, and set the Plow on going. By which means a great part of the Lands of this Nation came in effect to be amortiz'd to the hold of the Teomany, or middle People, whereof confifted the main body of the Militia, hereby incredibly advance'd; and which henceforth, like cleaner underwood less choak'd by their saddles, began to grow exceeding-ly. But the Nobility, who by the former Laws had lost their Offices, by this lost their Soldiery. Yet remain'd to them their Estates, till the fame Prince introducing the Statutes for Alienations, these also became loife; and the Lords left taken (for the reaons shewn) with their Country lives, where their Trains were clip'd, by degrees became more resident at Court, where greater pomp and expense by the Statutes of Alienations began to plume them of their Estates. The Court was yet at Bridewel, nor reach'd London any farther than Temple Bar. The latter growth of this City, and in that, the declining of the Balance to Popularity, derives from the decay of the Nobility and of the Clergy. In the Reign of the succeeding King were Abys (than which nothing more dwarfs a People) demolish'd. I did not, I do not attribute the effects of these things thus far to my own particular observation; but always did, and do attribute a fenfe thereof to the Reign of Queen Elizabeth, and the Wisdom of her Council. There is yet living Testimony, that the ruin of the English Monarchy, thro' the causes mention'd, was frequently attributed to Henry the Seventh by Sir Henry Wotton; which Tradition is not unlike to have descended to him from the Queen's Council. But there is a difference between having the senfe of a thing, and making a right use of that senfe. Let a man read Plutarch in the Lives of Agis, and of the Gracchi, there can be no plainer demonstration of the Lacedemonian or Roman Balance; yet read his Discourse of Government in his Morals, and he has forgot it: he makes no use, no mention at all of any such thing. Who could have bin plainer upon this point than Sir Walter Raleigh, where, to prove that the Kings of Egypt were not elective but hereditary, he alleges that if the Kings...
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Kings of Egypt had bin elective, the Children of Pharaoh must have bin more mighty than the King, as Landlords of all Egypt, and the King himself their Tenant? Yet when he coms to speak of Government, he has no regard to, no remembrance of any such Principle. In Mr. Selden's Titles of Honor, he has demonstrated the English Balance of the Peerage, without making any application of it, or indeed perceiving it there, or in times when the defect of the same came to give fo full a sense of it. The like might be made apparent in Aristotle, in Machiavel, in my Lord Verulam, in all, in any Politician: there is not one of them in whom may not be found as right a sense of this Principle as in this present Narrative; or in whom may be found a righter use of it than was made by any of the Party thus far concern'd in this story, or by Queen Elizabeth and her Council. If a Prince, says a great Author, to reform a Government were oblig'd to depose himself, he might, in neglecting of it, be capable of some excuse; but reformation of Government being that with which a Principality may stand, he deserves no excuse at all. It is not indeed observ'd by this Author that where by reason of the declination of the Balance to Popularity, the State requires Reformation in the Superstructures, there the Prince cannot rightly reform, unleas from Soverain Power he descends to a Principality in a Commonwealth: nevertheless upon the like occasions this fails not to be found so in Nature and Experience. The growth of the People of England, since the ruins mention'd of the Nobility and the Clergy, came in the Reign of Queen Elizabeth to more than flood with the interest, or indeed the nature or possibility of a well founded or durable Monarchy; as was prudently perceiv'd, but withal temporiz'd by her Council, who (if the truth of her Government be rightly weigh'd) seem rather to have put her upon the exercize of Principality in a Commonwealth, than of Soverain Power in a Monarchy. Certain it is, that she courted not her Nobility, nor gave her mind (as do Monarchs seated upon the like foundation) to balance her great Men, or reflect upon their Power now inconsiderable; but rule'd wholly, with an art she had to high perfection, by humoring and blessing her People. For this mere shadow of a Commonwealth is she yet famous, and shall ever be so; tho she had introduc'd the full perfection of the Orders requir'd to Popular Government, her fame had bin greater. First, She had establish'd such a Principality to her Successors, as they might have retain'd. Secondly, This Principality (the Commonwealth, as Rome of Romulus, being born of such a Parent) might have retain'd the Royal Dignity and Revenue to the full, both improv'd and divest'd of all Envy. Thirdly, It had fav'd all the Blood and Confusion, which thro this neglect in her and her Successors, has since infall'd. Fourthly, It had bequeath'd to the People a Light not so naturally by them to be discover'd, which is a great pity. For even as the Many, thro the difference of opinions that must needs abound among them, are not apt to introduc a Government, as not understanding the good of it: so the Many, having by trial or experience once attain'd to this understanding, agree no to quit such a Government. And lastly, It had plac'd this Nation in that perfect felicity, which, so far as concerns mere Prudence, is in the power of human nature to injoy. To this Queen succeeded King James, who likewise regarded of this point (into which nevertheless he law so far as not seldom to
prophecy fad things to his Successors) neither his new Peerage, which Chap. 3.
in abundance he created, nor the old avail'd him any thing against
that dread wherein, more freely than prudently, he discover'd him-
selv to stand of Parliaments, as now mere Popular Councils, and run-
ning to popularity of Government like a Bowl down a hill; not so
much, I may say, of Malice prepens'd, as by natural infinted, wher-
of the Petition of Right, well consider'd, is a sufficient Testimony. All
persuasion of Court Eloquence, all patience for such, as but look'd
that way, was now loft. There remain'd nothing to the destruc-
tion of a Monarchy, retaining but the name, more than a Prince who by
contending should make the People to feel those advantages which
they could not fee. And this happen'd in the next King, who, too se-
cure in that undoubted right whereby he was advance'd to a Throne
which had no foundation, dar'd to put this to an uneasonable trial;
on whom threfore fell the Tower in Silo. Nor may we think that
they upon whom this Tower fell, were Sinners above all men; but
that we, unleas we repent, and look better to the true foundations,
must likewise perish. We have had latter Princes, latter Parliaments.
In what have they excel'd, or where are they? The Balance not
consider'd, no effectual work can be made as to settlement; and
consider'd, as it now stands in England, requires to settlement no les-
than the Superstructures natural to Popular Government: and the Su-
perstructures natural to Popular Government require no les than the
highest skill or art that is in Political Architecture. The sum of which
Particulars amounts to this, That the safety of the People of England
is now plainly cast upon skill or sufficiency in Political Architecture:
it is not enough therfore, that there are honest men addicted to all the
good ends of a Commonwealth, unleas there be skill also in the forma-
tion of those proper means whereby such Ends may be attain'd.
Which is a sad, but a true account; this being in all experience, and in
the judgment of all Politicians, that wherof the Many are incapable.
And this the meanest Citizen, not informing the Commonwealth of
what he knows, or conceives to concern its safety, commits a hainous
Crime against God and his Country; yet such is the temper of later
times, that a man, having offer'd any light in this particular, has scap'd
well enough, if he be delip's'd and not ruin'd.

BUT to procede: if the Balance, or state of Property in a
Nation, be the efficient cause of Government, and, the Balance
being not fix'd, the Government (as by the present Narrative is
evinc'd) must remain inconstant or floting; then the procfs in the
formation of a Government must be first by a fixation of the Balance,
and next by erecting such Superstructures as to the nature thereof are
necessary.

C H A P. III.

Of Fixation of the Balance, or of Agrarian Laws.

F I X A T I O N of the Balance of Property is not to be provided
for but by Laws; and the Laws, wherby such a Provision is
made, are commonly call'd Agrarian Laws. Now as Governments,
thro the divers Balance of Property, are of divers or contrary na-
tures,
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tures, that is Monarchical or Popular; so are such Laws. Monarchy requires of the standard of Property, that it be vast or great; and of Agrarian Laws, that they hinder recels or diminution, at least in so much as is therby intail'd upon Honor: But Popular Government requires, that the standard be moderat, and that its Agrarian prevent accumulation. In a Territory not exceeding England in Revenue, if the Balance be in more hands than three hundred, it is declining from Monarchy; and if it be in fewer than five thousand hands, it is swerving from a Commonwealth: which as to this point may suffice at present.

C H A P. IV.

Shewing the Superstructures of Governments.

That the Policy or Superstructures of all absolute Monarchs, more particularly of the Eastern Empires, are not only contain'd, but meliorated in the Turkish Government, requires no farther proof than to compare them: but because such a work would not ly in a small compass, it shall suffice for this time to say, that such Superstructures of Government as are natural to an absolute Prince, or the sole Landlord of a large Territory, require for the first story of the Building, that, what Demeans he shall think fit to preserve being set apart, the rest be divided into Horse quarters or Military Farms, for life or at will, and not otherwise: And that every Tenant for every hundred pounds a year so held, be, by condition of his Tenure, oblig'd to attend his Sovereign Lord in Person, in Arms, and at his proper cost and charges, with one Horse, so often, and so long as he shall be commanded upon service. These among the Turks are call'd Timariots.

The second Story requires, that these Horse quarters, or Military Farms, be divided by convenient Precincts or Proportions into distinct Provinces; and that each Province have one Governor or Commander in chief of the same, at the will and pleasure of his Grand Signior, or for three years and no longer. Such among the Turks (unless by additional honors they be call'd Bashaws or Viziers) are the Beglerbegs.

For the third Story, there must of necessity be a Mercenary Army consisting both of Horse and Foot, for the Guard of the Prince's Person, and for the Guard of his Empire; by keeping the Governors of Provinces so divided, that they be not suffer'd to lay their arms or heads together, or to hold correspondence or intelligence with one another. Which Mercenary Army ought not to be constituted of such as have already contracted some other interest; but to consist of Men so educated from their very childhood, as not to know that they have any other Parent, or native Country, than the Prince and his Empire. Such among the Turks are the Foot call'd Janiarys, and the Horse call'd Spahys.

The Prince accommodated with a Privy Council, consisting of such as have bin Governors of Provinces, is the Toplone: This Council among the Turks is call'd the Divan, and this Prince the Grand Signior.

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The Superstructures proper to a regulated Monarchy, or to the Government of a Prince (three or four hundred of whose Nobility, or of whose Nobility and Clergy hold three parts in four of the Territorial) must either be by his personal influence upon the Balance, or by virtue of Orders.

If a Prince, by eating his Nobility of Taxes, and feeding them with such as are extorted from the People, can so accommodate their Ambition and Avarice with great Offices and Commands, that a Party rebelling, he can overbalance and reduce them by a greater part of their own Order, he may have greater Power and less Security, as at present in France.

The safer way of this Government is by Orders; and the Orders proper to it specially consist of a Hereditary Senat of the Nobility, admitting also of the Clergy, and of a Representative of the People made up of the Lords menial Servants, or such as by Tenure and for Livelihood have immediate dependence upon them, as formerly in England.

A National Aristocracy, or State of Nobility, to exclude the People must govern by a King; or to exclude a King, must govern by the People. Nor is there, without a Senat or mixture of Aristocracy, any Popular Government. Hence, no for discourse fake Politicians speak of pure Aristocracy, and pure Democracy, there is no such thing as either of these in Nature, Art, or Example.

Where the People are not overbalanced by one Man, or by the Few, they are not capable of any other Superstructures of Government, or of any other just and quiet settlement whatsoever, than of such only as consists of a Senat as their Counsellors, of themselves, or their Representatives as Soverein Lords, and of a Magistracy answerable to the People, as distributors and executioners of the Laws made by the People. And thus much is of absolute necessity to any or every Government, that is or can be properly call’d a Commonwealth, whether it be well or ill order’d.

But, the necessary definition of a Commonwealth, anything well order’d, is, That it is a Government consisting of the Senat proposing the People resolving, and the Magistracy executing.

A Society is a file proper to the executive part: yet because of the proposing or resolving Assemblys, will be sometimes compriz’d under this name or file, it shall be enough for excuse to say, that Magistracy may be esteem’d of two kinds; the one proper or Executive, the other improper or Legislative.

A Senat may consist of a Hereditary Order, elective for life by itself, or by from Magistrats or Magistrats of the same; as the Senat of Rome consisted of the Patrician Order therinto eligible, first by the Counsels, and then by the Cenfors. A Senat may consist of Senators elected by the People for life, as that of Lacedemon: It may consist of Senators eligible by the People for terms, without any vacation or interval, as the Senat of Venice; or with intervals, as the Senat of Athens, which also for another difference was elected by lot.

A Popular Assembly may consist of the whole People, as the Popular Assembly of Venice (for the Venetians, the call’d, in respect of their Subjects, Nobility, are all those free People which is compriz’d in that Kingdom) or of a Representative, as in Israel. Again, a Representative
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presentative of the People may be for life, as in the particular City or Sovereignty of Holland, improperly call'd Senators; or may be upon Rotation, that is to lay, by changes or courfes, as that of Israel, and the present Representative in England; it may also be by lot, as the Roman Tribes call'd the Prerogative, and the Jurisconsult.

T' O speak of Magistrates in a Commonwealth, and all their kinds, were to begin an endless discourse; the present I shall therefore confine to such only as may be call'd Supreme Magistrates. The Supreme Magistracy of a Commonwealth may be in one or more; and it may be for life, or for terms and vacations. In one elective by the People for life; as in the Duke of Venice, whose Function is Civil and not Military. In two Hereditarily; as in the two Kings of Lacedemon, whose Function was rather Military than Civil. In nine annually elective by the People; as in the nine Princes or Archons of Athens. In two annually elected by the People; as the Roman Consuls, whose Power was both Military and Civil. In a word, it may be in one or more, for life, or for terms and vacations, as shall best suit with the occasion.

S O M Commonwealths consist of distinct Sovereignty, as Switzerland and Holland; others are collected into one and the same Sovereignty, as most of the rest. Again, some Commonwealths have bin upon Rotation or Courfes in the Representative only, as Israel: Others in the Magistracy only, as Rome. Some in the Senat and in the Magistracy, as Athens and Venice: Others in some part of the Magistracy, and in others not; as Lacedemon in the Ephori, and not in the Kings; and Venice not in the Duke, nor in the Procurator, but in all the rest. Holland, except in the Election of States Provincial (which is emergent) admits not of any rotation or courfes. There may be a Commonwealth admitting of Rotation through, as in the Senat, in the Representative, and in the Magistracy; as that propos'd in Oceana.

ROTATION, if it be perfect, is equal election by, and succession of the whole People to the Magistracy by terms and vacations.

E Q U A L Election may be by Lot, as that of the Senate of Athens; by Suffrage, as that of Lacedemon; or by Ballot, as that of Venice, which of all others is the most equal.

T H E Ballot, as it is us'd in Venice, consists of a Lot; whence proceeds the right of proposing, and of an unseen way of suffrage, or of revolving.

F R O M the wonderful variety of parts, and the difference of mixture (hitherto scarce touch'd by any) result those admirable differences that are in the Constitution and Genius of Popular Governments; from being for defence, from for increase; from more equal, others unequal; from turbulent and seditious, others, like soft streams, in a perpetual tranquillity.

T H A T which causes innate Sedition in a Commonwealth, is Inequality; as in Rome, where the Senate opprest the People. But if a Commonwealth be perfectly equal, it is void of Sedition, and has attain'd to perfection, as being void of all internal causes of dislocation.

A N equal Commonwealth is a Government founded upon a balance which is perfectly Popular, being well fix'd by a salutary Agrarian; and which from the balance, thro' the free suffrage of the People given
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given by the Ballot, amounts in the Superstructures to a Senate debating Chap. 4.
and proposing, a Representative of the People resolving, and a Ma-
gistracy executing: each of these three Orders being upon Course or
Rotation; that is, elected for certain terms, in joining like Intervals.

SUCH Constitutions in a Government as regard the Frame of
Model of it, are called Orders; and such things as are enacted by the
Legislative Orders, are called Laws.

TO undertake the binding of a Prince from invading Liberty,
yet not to introduce the whole Orders necessary to Popular
Government, is to undertake a flat contradiction, or a plain impossibility.

A PEOPLE or Assembly not understanding true Principles, give
least credit to the best Orders, and so com to cast themselves upon par-
ticular persons: for where Orders are not credited, there Men must be
trusted; and where Men are trusted, they find themselves so well in
their power, that they are either for bringing in a Commonwealth by
degrees, or more probably not at all. The desire of bringing in a
Commonwealth by degrees, arises from want of considering that the
whole of a Commonwealth, as to charge or trouble, is less than the
half. He who has a Journey to go, dos not chuse to have but half a
Bridle, but one Boot or Stirrup, tho these be fewer things, and can
but to half the charge; because this would but necessitate him to pro-
cure more things, and perhaps more chargeable or dangerous.

Optimus ille animi vindex, ledentis pectus
Vincula qui ruptis, dedolasique semel.

The Conclusion:

Observing that the Principles of Human Prudence being good with-
out proof of Scripture, are nevertheless such as are provable out
of Scripture.

WHO imagines that the Romans govern'd by proof out of Scrip-
ture? Yet lays Peter, Submit your selves to (Human Pru-
dence, or) every Ordinance of Man; which relates more particularly
to the Government of the Romans. The most frequent comparison of
a Commonwealth is to a Ship; but who imagines that a Ship ought not
to be built according to the Art of the Shipwright, or govern'd accord-
ing to the Compass? unless these be prov'd out of Scripture? Never-
theless, as hitherto I have prov'd the principles of Human Prudence in
the several parts out of Holy Scripture; so I undertake to vindicate
them in the whole, as to the entire frame of Popular Government, in
the infusing Book, by the same Authority and undeniable Evidence.

Ecc 2 THE
THE SECOND BOOK,
Containing the
COMMONWEALTHS
OF THE
HEBREWS:
Namely,
ELOHIM, or the Commonwealth of Israel;
AND
CABALA, or the Commonwealth of the Jews.

The PREFACE,
Shewing that there were Commonwealths before
that of Israel.

HUMAN Prudence is originally a Creature of God, and, with
respect to its existence, as antient as human Nature; nor is it so
much younger in any of those Effects or Ends for which it was
ordain'd by God, that we should think Israel to have bin the first
Commonwealth, or the first Popular Government that ever was, or that
was planted at least in Canaan: for the like Governments, in the Coun-
tries th'about, there were both before and at the same time. It was
in Canaan, that MELCHISEDEC, King and Priest of Salem, had
reign'd during the time of ABRAHAM, who paid him Tithes of all that
he had. Now Tithes before Israel and the institution of the Levits, be-
long'd not to any sort of Clergy, but to the Prince or State. Where-

Tithes originally belonging to kings.
1 Sam. 8:15.

Samuel in the description of a King, tells the People that he will take
the tenth of their Goods. Thus ABRAHAM in paying Tithes to MEL-
CHISEDEC, acknowledg'd him for his Prince. Yet had ABRAHAM
the right of the Sword, and made War with Kings, as those of Sodom,
at his own discretion: whence Canaan may seem to have bin a Common-
wealth
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wealth in those days, much after the manner of Germany in ours. The Chap. 1.
five Lords (perhaps five Tribuns) of the Philistins must needs have bin from Aristocracy at least of Princes joining in one Body or Commonwealth. So Venice in her first Age was under Lords or Tribuns. It is little to be doubted, but the Government of Jethro, King and Priest of Midian, was of a like nature with that of Melchisedec, or of the Lacedemonian Kings, who were also Priests; or that the Council he gave to Moses (being for the institution of such Judicatorys as are not proper in a Monarchy) was any other than according to the Orders of his own Commonwealth. And left those Governments should seem left popular, the Embassadors of the Gibeonites coming to Joshua, say thus; Our Elders and all the Inhabitants of our Country (or the popular Assembly of the same) spoke to us saying, Go meet them, and say to them, We are your Servants: therefore now make a League with us, To make a League with a foreign Nation evinces Soverain Power; and that this League was made by the Senat and the People, evinces Gibeon to have bin a Popular Government. Such a thing then as Popular Government most undeniably there was before Israel. Now whether Israel were a Popular Government or no, I shall refer to trial by the infusing Chapter.

CHAP. I.

Shewing that Israel was a Commonwealth.

It is said of the Israelits that went first into Egypt, All the Souls that came out of the lands of Jacob were seventy Souls. These becoming to many Fathers of Familys, and governing their own Familys by Paternal Right, it follows that at first they so govern'd the whole People; yet not with any soverain Power (as may be easily thought in a Country that had a Prince of its own) but by way only of direction and advice. The People being thus accustom'd to this way, as any of these seventy came to dy, supple'd his place with another of their Election; at least for the probability of this opinion, we find mention of Moses, Nadab, Abihu, and seventy of the Elders, Exod. 24. 9; before the institution of the Israelish Senat or Sanhedrin. To these and to the People Moses propos'd his Laws. So I am sure in the *Latin it is expressly said, where by our English Translation it is thus render'd, This is the Law (and by the Law here is meant no less than the whole Book of Deuteronomy) which Moses set before the Children of Israel, whole Assemblies were not always without faction. For Korah, Dathan, and Abiram, with two hundred Princes of the Assembly, famous in the Congregation, Men of Renown, band'y'd themselves against Moses, and his intended Election of his Brother Aaron to the hereditary Priesthood, reproaching him (says Jo-Antiq.14.c.2. Sephus) that he went about to dispofe of this Honor without the Suffrage of the Congregation, therby affecting Tyranny, and a fly

* Haec est lex quam Moses propauid, Deut. 4. 44. and whereas between a Precept and a Command there is a large difference, in places more than I can stand to number, where the Latin has it, your parasit Moses, the English is his, Moses commanded.
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Book II. usurpation of the Liberty of the People: which senfe also is imply'd by their upbraiding him in Scripture; Is it a small thing that thou half-brought us up out of the Land that flows with Milk and Honey, to kill us in the Wilderness? except thou makest thy self altogether a Prince over us. But whereas the Scripture in all this presumes thes incendiaries to have bely'd MOSES, som will have all they thus laid to his charge, to be no more, but less than truth; in as much as they will needs have MOSES not only to have bin a King, but to have bin a King exercising Arbitrary Power, and such Arbitrary Power as, being without any bounds, fully amounts to Tyranny.

Sect. 2. THE word King is not a sufficient definition of the Magiftrat fo fil'd: Between a Lacedemonian King and a Persian King, or between either of thefe and a King of England, there was a vast difference. Both the Kings in Lacedemon were but as one Duke in Venice. The Venetians therfore, if it had so pleas'd them, might as well have call'd their Duke a King. Certainly it is, that he is not fo much in the Commonwealth, as are a few of his Counfellors; and yet all Acts of the Government run in his name, as if there were no Commonwealth.

IT is faid (according to our Tranflation) MOSES commanded as a Law, &c. according to the Original, MOSES (propos'd, or:) gave as a Law, which is an Inheritance to the Congregation of JACOB. The Duke of Venice has a right to propos'd or give Law in the Congregation or great Council of Venice; where he, who fees him fitting, would believe he were a King. And if MOSES were King in Jebra-run (or Israel) it was when the Heads of the People and the Tribes of Israel were gather'd together. PAUL, epitomizing the story of the People of Israel in his Sermon to the Antiochian Jews, shews how God chose their Fathers, exalted the People, destroy'd (for their fakes) seven Nations in the Land of Canaan, and divided their Land to them by Lots: but speaks not a word of any King given to them, till expressly after their Judges. But if MOSES was a King, yet that he did not propos'd, but command by his power the Laws which he gave to Israel, do not follow. For DAVID was a King, who nevertheless did no otherwise make any Law than by Proposition to the People, and their free Suffrage upon it. DAVID consult'd with the Captains of thousands, and hundreds, and with every Leader (of which Military Diciplin of the Congregation of Israel more in due place will be shewn) and DAVID said to all the Congregation, If it seems good to you, and that it be of the Lord our God (tho he was a King, and a man after God's own heart, he makes the People Judges what was of God,) let us fend abroad to our Brethren every where that are left in all the Land of Israel, and with them also to the Priests and Levites that are in their Cities and Suburbs, that they (to the end this thing may be perform'd with the greatest solemnity) may gather themfelves to us, and let us bring the Ark of God to us: for we inquir'd not at it in the days of SAUL. In the days of ELI the Ark was taken by the Philifins, who being smitten till there was a deadly destruction throuout all the City, and their Divines attributing the caufe therof to the detention of the Ark, after seven months sent it to Bethbemeb; whence it was brought to Kirjath-jearim, and there lodg'd in the house of AMINADAB, before SAUL was King, where it remain'd till such time as DAVID propos'd (in the manner shewn) to the People the reduction of the
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fame. Upon this Proposition, the People giving Suffrage are unani-
mosous in their refult; All the Congregation said, that they would do so (not
that they could do no otherwife by a King, for they did not like
by Rehobam, but that) the thing was right in the eyes of all the
People. Moreover, David and the Captains of the Host separated to Chap. 23.
the Service from the Sons of Asaph, and of Heman, and of Je-
duthun, who should prophesy with Harps, with Psalters and with
Cymbals; that is, propos’d thefe Laws for Church Discipline, or Offices
of the Priests and Levites, to the fame Representative of the People:
of which more in other places. Thus much in this, to shew, that if
Moses were a King, it does not follow that he propos’d not his
Laws to a Congregation of the People having the power of Refult.
To say that the Laws propos’d by Moses were the Dictar of God,
is not to evade, but to confirm the necessity of proposing them to the
People, seeing the Laws or Dictats of God or of Christ, can no
otherwife be effectually receiv’d or imbrac’d by a People, or by a
privat man, than by the free suffrage of the Soul or Conience; and
not by Force or Rewards, which may as well eftablisht the Laws of the
Devil.

But for another way, such a one as it is, of crowning Moses, Sect. 3.
from are positive that there lay an appeal from the seventy Elders to
Him. Now the Command of God to Moses for the institution of
the Seventy, is this: Gather to me seventy men of the Elders of Israel—
that they may stand with thee. Upon which words let me ask, whether
had Moses thenceforth a distinct or a joint political Capacity? If
the Seventy flood with Moses, or it were a joint Capacity, then
Moses was no King in their fune; and if it were distinct, then lay
there to Moses no appeal, even by his own Law: for thus in the
case of Appeals it is by him directed. If there arifes a Controversy too Deut. 5:
hard for thee in Judgment—thou shalt come to the Priests and Levits
(that is, to the seventy Elders)—According to the Sentence of the
Law which they—shalt tell thee, thou shalt do—And the man that will
do prejudicously, and will not hearken—even that man shall die. In which
words all color of appeal from the seventy Elders is excluded.

But whether Moses were a King or no King, either his
Power was more than that of King David; or without proposition
of, and refult of the People it is plain that he could pass no Law.
Now the Senate, Sanhedrim, or seventy Elders, came in the place of
Moses, or flood with him; thence their Power could be no more
than that of Moses. So that if the Power of Moses were
never more in the point of Lawgiving, than to proposè to the People;
then the power of the Sanhedrim could be no more in the point of
Lawgiving, than to proposè to the People. Nor will it be found in Scripture
that the Sanhedrim ever made any Law without the People, yet
it is found in Scripture that the People made a Law without the San-
hedrim, or levy’d War without them, which is all one: for where
there is a power to levy War, there will be the power of making
Law. And the occasion upon which this is found, is the War levy’d
against Benjamin by the Congregation confenting of four hun.
Judg. 20.
dread thoufand. Again, If the Sanhedrim inherited the whole power
of Moses, and yet had no larger power in Lawmaking than to propo-
sè to the People, then had Moses never any larger power in Law-
making than to proposè to the People. Now where there is no King,
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Book II.

or no King in a distinct capacity from the Senate; and where the Senate has no farther power in Law making than to propose to the free suffrage of the People; the Government there is a Commonwealth. Thus having shewn that Israel was a Commonwealth, I come next to shew what Commonwealth Israel was.

C H A P. II.

Shewing what Commonwealth Israel was.

ALL Political Methods that are collective of the People, must necessarily begin with a distribution or division of the People.

For the division of the People of Israel, it was first Genealogical, and then local. Now these are the Names (of the Ancestors of the Tribes, or) of the Children of Israel which came into Egypt, every man and his Household came with Jacob: Reuben, Simeon, Levi, and Judah, Issachar, Zebulun, and Benjamin, Dan, and Naphtali, Gad, and Asher. These being even in number, were the Sons of Jacob, who had also one more, namely Joseph. And to Joseph were born two Sons before the years of Famin came, which Asenah the Daughter of Potipherah Priest of On, bore to him. And Joseph called the name of the first-born Manasseh—and the name of the second called he Ephraim. Which two (the but Grandchildren) were adopted by Jacob for his Sons, in these words: Let my name be named on them, and the name of my Fathers Abraham and Isaac; and let them grow into a multitude in the midst of the Earth. From which addition to the former came the Tribes of Israel, genealogically reckoned, to be in number thirteen. In the genealogical distribution of the Tribes there were also observ'd certain Ranks, Qualities, or Degrees, as appears by the Poll made of Israel in the Wilderness of Sinai, and in the Tabernacle of the Congregation by Moses. These Degrees were of two sorts: first, Phylarchs, or Princes of Tribes; and secondly, Patriarchs, or Princes of Families: all hereditary Honors, and pertaining to the Firstborn of the Tribe or of the Family respectively. That this Poll be more perfectly understood, will be useful; for which cause I shall be somewhat more particular. First, for the Phylarchs, or Princes of the Tribes; and then for the Patriarchs, or Princes of Families. To begin with the Princes of the Tribes.

Moses and Aaron—assembled the Congregation (or political Convention of the People) together on the first day of the second month, after their Families, by the house of their Fathers, according to the number of the names, from twenty years old and upward, by the poll. Where every Phylarch or Prince of a Tribe, with the number of men at the age mention'd and upward, throout his Tribe, are listed much after this manner.

1. OF the Tribe of Reuben, Elizur, Prince. The men of military age in his Tribe, forty fix thousand five hundred.

2. OF the Tribe of Simeon, Shelamiel, Prince. The men of military age in his Tribe, fifty nine thousand three hundred.
3. Of the Tribe of Judah, Nahon, Prince. The men of military age in his Tribe, three score and fourteen thousand six hundred.
4. Of the Tribe of Issachar, Nethaniel, Prince. The men of military age in his Tribe, fifty four thousand four hundred.
5. Of the Tribe of Zebulun, Eliab, Prince. The men of military age in his Tribe, fifty seven thousand four hundred.
7. Of the Tribe of Manasseh, Gemaliel, Prince. The men of military age in his Tribe, thirty two thousand two hundred.
8. Of the Tribe of Benjamin, Abidan, Prince. The men of military age in his Tribe, thirty five thousand four hundred.
9. Of the Tribe of Dan, Ahiezer, Prince. The men of military age in his Tribe, three score and two thousand seven hundred.
10. Of the Tribe of Asher, Pagiel, Prince. The men of military age in his Tribe, forty one thousand five hundred.
12. Of the Tribe of Naphtali, Ahira, Prince. The men of military age in his Tribe, fifty three thousand four hundred.

The total sum of which Musterroll in the twelve Tribes, amounts to Princes twelve; and men of military age fix hundred three thousand five hundred and fifty, besides the Levites.

ALL the firstborn, says God, are mine. In which words is implied that the Priesthood, or right of preaching, instructing, or administering divine things, belonged, as it were, of natural right, to the Fathers of Families, or the Firstborn; till the Lord took the Levites, Num. 3. 12, 13. from among the Children of Israel, instead of the Firstborn. These being thus taken, were set apart, and so lifted by themselves (to omit their several Families, Functions, and Orders in the service of the Tabernacle, and afterwards of the Temple, which would require a Volum) much after this manner.

Of the Tribe of Levi, Aaron High Priest. The number of all the Males of this Tribe, from a month old and upwards, twenty and two thousand. The manner how God took the Levites, is thus expressed. Thou shalt bring the Levites before the Tabernacle of the Congregation, and thou shalt gather the whole Assembly together—and the Children of Israel (after the manner that the Levites lay their hands upon the Bullocks, or Sacrifice) shall put their hands upon the Levites, in token that they are sacrificed or separated by the free suffrage of the People to the Lord. For left the suffrage of the People be thought hereby to have bin excluded, so David and the Captains of the Hové or Army (which Army was the Representative of the People) separated to the service from the Sons of Asaph, of Heman, and of Jeduthun—who should prophesy with Harps. But of the Congregations of the People more in due place.

The hereditary Right more specially belonging to the Phylarchs, or Princes of the Tribes, consisteth (as that of the Kings of Macedon, The Military Orders, of Athens, and of Rome) in the leading of the Armies of the Commonwealth; which was distributed to them in this manner. The twelve Tribes were divided into four Brigades, every Brigade consisting of three Tribes. The leading of the first Brigade pertain'd to Judah.
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Book II. JUDAH, who in his Standard bore a Lion. The leading of the second Brigade belonged to REUBEN, who in his Standard bore a Man. The leading of the third Brigade belonged to EPHRAIM, who in his Standard bore an Ox. The leading of the fourth Brigade belonged to DAN, who in his Standard bore an Eagle. These four by the text are termed Standards of the Camp, which were as the Roman Eagles. Furthermore, as the subdivisions of the Roman Legions had their proper Insigns, so had the Tribes here, which had not the leading of a Brigade of the Camp. The Insigns of these Tribes were called Staves; as the Staff of the Children of ISSACHAR, the Staff of the Tribe of ZEBULUN, which followed the Standard of JUDAH: The Staff of the Tribe of SIMEON, the Staff of the Tribe of GAD, which followed the Standard of REUBEN: The Staff of the Tribe of MANASSEH, the Staff of the Tribe of BENJAMIN, which followed the Standard of EPHRAIM: The Staff of the Tribe of ASHER, the Staff of the Tribe of NAPHTALI, which followed the Standard of DAN. All which Insigns or Staves in our English Translation are rendered Hops, or Arms.

Num. 3.

In the midst of these four Squadrons or Brigades stood the Tabernacle, with the Levites divided, and distributed by their distinct Families to the several uses and carriages of the same, and lodged upon the four quarters.

WHEN the Ark was forward, or the Camp removed, these words were with solemnity pronounced by the General, or by the High Priest; RISE up, Lord, and let thy Enemies be scattered, and let them that hate thee flee before thee.

Num. 10. 35.

OF the Martian Discipline in which the Youth in Israel were educated to these ends, there was certainly more than is remaining in story. But that their Popular Assemblies were all held in Military Order and Discipline, and that the deference of the Militia were anathematized, confounded, or put to the sword, will in due time be made sufficiently apparent. For the present, you have the Israeliz'd Muttersoll, being of a like nature with that in Athens call'd Lexiarcha, and that in Rome call'd Census. Nor has any Commonwealth bin well order'd in its Militia, which has not bin diligent in the institution and preservation of the like Military Rolls or Registars. Hitherto of the Phyarchs, or Princes of the Tribes; the next rank or quality in this Government was that of the Patriarchs or Princes of Families.

THE word Family in many places of Scripture, is not to be taken for a single Household; but as we take the word in Heraldry, that is, for a Lineage or Kindred. The Patriarchs in Israel, taken in this sense, were such as, till of late years in Scotland, were they that could lead the whole Name or Kindred, and be follow'd by them. The Families in Israel of this kind, that were greatest about the plantation of the Commonwealth, were of REUBEN, the Henochits, the Phaluits, the Hesronits, and the Charmits.

OF SIMEON, the Namuelits, the Jamnits, the Jacobenits, the Zarits, and the Shaulits.

OF GAD, the Zephronits, the Haggits, the Shunitis, the Oznits, the Erics, the Ardzits, and the Ardits.

OF JUDAH, the Shelanits, the Pharzits, the Zarbits, the Hesronits, and the Hamulits.

OF ISSACHAR, the Tholaitis, the Punits, the Shubits, and the Shimranits.

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OF ZABULUN, the Sardits, the Elonites, and the Jableelits.
OF MANASSEH, the Machirits, the Galeadits, the Jezirits, the Helekit, the Afrielits, the Shechemits, the Shemidait, and the Haperits.
OF EPHRAIM, the Shuthaliats, the Bachits, the Tabuait, and the Eranits.
OF BENJAMIN, the Belaits, the Abielits, the Ahiramts, the Shuphamits, the Huphamits, the Atirits, the Heredits, and the Naamits.
OF DAND, the Subamits.
OF ASHER, the Jimnits, the Jessait, the Birit, the Heberits, and the Melchietits.
OF NAPHTALI, the Jazerelits, the Gunits, the Jefert, and the Shilemit.
OF LEVI, the Gerfionts, the Caharits, and the Merarits. The heads of these were such as are call'd Patriarchs, Princes, heads of Families, or chief of the Fathers.

FAMILYS, tho far less subject than in other Governments to decay or increase, might at divers times be different in Israel; as after BENJAMIN was destroy'd, or after DAVID had rais'd his own and many other: But thus were the Familys at this time sixty; the Tribes being, as was shown before, thirteen.

IN the first institution of the Tribes of Rome, that is, Rammenjes, Titienes, and the Luceri, they were also genealogical, but long it held not so; genealogical divisions in a Commonwealth being for the most part of greater danger than use: but whether Genealogies be observ'd or not, the local way of division is of absolute necessity.

TO infect the Geography of the Israelitish Tribes, would be as burdensome both to the Reader and myself, as needleless to either. But the manner how the Tribes became local, was thro' the distribution of the Land of Canaan by Lot, and intailing the Lands to distribut-ed upon the Proprietors and their Heirs for ever, without power of alienation, in any such manner as to deprive their Pottery. The Lot or Ballot in Israel was specially of three uses; one for election of Magistrats, another for the discovery of some secret Malefactor, and a third for the division of Lands. To which three heads I hope to reduce the whole History of their Government: and this work once perform'd, it will be easy to represent the Commonwealth in its Political method.

TO begin with the election of Magistrats, it was perform'd sometimess by the Lot, without Suffrage; and sometimess by the Ballot, that is, by a mixture of Lot and Suffrage. For the clearer discovery of the Order in Elections, I must invert the Order of the Magistrats elected, and begin with the King; then proceed to the Judg, and com laft of all to the Sanhedrim, and the inferior Courts.

THE Instruments us'd upon these occasions, were first Lots, som Blankes and som Prizes; then Urns (that is, Pots) into which these Lots were cast, and out of which they were afterwards drawn, or given forth; by what Officers, or with what farther Solemny, do not appear.

WHEN the People would needs have a King, SAMUEL being their Judg, did that, tho against his will, which nevertheless was no more than his duty: that is, first, hearken'd to the voice of the People, or obey'd their Vote. Secondly, Call'd the People together to the Lord to Mizpeh. The political Assembly, or Congregation of the People
Book II. of Israel was call'd Eccesta Dei, the Congregation of the Lord, as it ought to have bin exprest in the Trial of Benjamin, and is in som places by our Translators, as where an Eunuch (or one unfit for marriage with a Daughter of Israel, which capacity was necessity to the being inro'd of a Tribe) a Basard (as dishonest) an Ammonite or Moabit (as descended of perfidious Nations) shall not enter into the Congregation of the Lord: that is, shall not have right of suffrage with the People of Israel. So Samuel, by calling the Congregation of the Lord, or the People together to the Lord in Mizpeh (the place, before the taking of Jerusalem, where they always held their Parliaments or political Assemblies) did the office of the like Magistrats in Commonwealths. The People being thus assembl'd (for to be brief, I must proceede with conjectures, which at first sight will seem bolder than really they are) Samuel causing the Urns to be set forth, pronounced the solemn form of words in the usual manner, which were these: Present your faves before the Lord by your Tribes, and by your thousands. The political Assemblies of the Children of Israel were held, or gather'd (as we say) with Drums beating, and Colors flying; and if it were an extraordinary Congregation, that is, a Congregation consisting of the whole People, as this, and that for the trial of Benjamin, the Princes of the Tribes with their Staves, and the Standards of the Camp (in the order shewn) led up the People to the Urns, or Ballot. Wherefore upon these words of Samuel, the Princes search'd in their known disciples to the Urns. The Urns were two: in the one were twelve Lots inscrib'd with the names of the twelve Tribes; in the other were also twelve other Lots, whereof eleven were Blanks, and the twelfth inscrib'd with form word. What the Israelitish word was, does not appear; the Roman word upon the like occasion was Prerogative: wherfore seeing that which is loft must have bin of a like nature, we may, for discourse sake, presume it to have bin the same in Israel as in Rome. And when Samuel had caus'd the Tribes of Israel to come near, the Tribe of Benjamin was taken: That is, the name of this Tribe being drawn out of the one Urn, to it was drawn the word Prerogative out of the other Urn; which being don, the Urns were chang'd, or at least the Lots. And whereas in the enumeration of the Patriarchs, I shew'd by a catalog of their Names, that the whole Tribe of Benjamin consisted of seven Families; seven names by that account should have bin cast into the one Urn, and as many Lots into the other; one of them being inscrib'd with the word Prerogative, and the other six being Blanks. But both the names, and the number of Families at this Ballot, are most likely to have bin quite otherwise than in the Catalog: because since that time the Tribe of Benjamin had in the far greater part bin destroy'd, and piece'd up again out of a Remnant: so for the number of the Families, or the names of them, I can say nothing. But the Urns being thus prepar'd, came Benjamin, as now the Prerogative Tribe, to the Urns by Families. And when Samuel had caus'd the Tribe of Benjamin to come near by their Families, the Family of Matrit (which is a new one) was taken: that is, lighting, in the manner shewn, upon the Prize, became the Prerogative Family. This don, the Lots were again chang'd, and so many others as there were Houtholds in the Family of Matrit (for you will find it in the trial of Achan) were cast into the Urns. Thus
Thus the Houhold of Kish coming to be the Prerogative Houhold, Chap. 1, and so many Lots as there were men of that Houhold, being cast into the Urns, whereof the Prize was inscrib'd King, came the Houhold of Kish, man by man, and Saul the Son of Kish was taken.

We find it recorded by Livy, of Tarquinius Priscus, Sect. 8., and of Servius Tullius, that before either of them was King, the one had his hat taken off, and carried up by an Eagle; the other had a flame resting upon his forehead, by which it was firmly believed, that each of them was design'd of the Gods to be King; yet was this never so understood by themselves, or any other, as to exclude the right of popular Suffrage in their Election, by which Priscus reign'd; or to create an opinion that any man ought to be King of Rome, whom the People had not first commanded to reign over them, to whose Election therefore Servius, tho' in possession of the Throne, thought it his best way to refer himself. Far be it from me to compare Prodigies among Heathens, to Miracles in the Church; But each People had of each a like opinion. Both Israel and the Heathens began their popular Assemblys with Sacrifice. In order to the election of Solomon, the Representative of Israel, sacrificing Sacrifices to the Lord— even a thousand Bullocks, a thousand Rams, and a thousand Lambs, with their Drink-offerings, and Sacrifices in abundance, for all Israel. And when they had thus done, what Magistrates soever the Israelites, or the Heathens elected, they always understood to be elected by God. The Lot is cast into the Lap, but the Prov. 10. 35: whole disposing thereof is of the Lord. And indeed, whereas in this manner they made Solomon King, and Zadok to be Priest, if we will hold otherwise, we must think that neither the King nor the Priest was elected by God. A man that is elected to so great an Office, by a King rightly qualify'd, must have little Religion, or hold himself to be rais'd up by God. Why then should it be otherwise, when a Magistrate is elected by a People rightly qualify'd? Or what confluence is there in saying, that Saul was anointed by Samuel before he was elected by the People, or that God rais'd them up Judges; therefore neither Saul nor the Judges were elected by the People? That God elected the Kings in Israel, is certain; and that the People no les for that did also elect the Kings, is as certain. One from among thy Brestren shalt thou (that is, thou the People of Israel) set King over thee. That God rais'd up Judges in Israel, is certain; and that the People no les for that, did also elect the Judges, is as certain. When the Children of Ammon made War against Israel, Israel assembled themselves together, and encamp'd in Mizpeh, whence the Judg. 15. 12. Then Jephtha went to fetch Jephtha out of the Land of Tob. — Judg. 11. 6,11. Elders of Gilead went to fetch Jephtha out of the Land of Tob. — Judg. 11. 6,11. When Jephtha went with the Elders of Gilead, and the People made him Head and Captain over them; and Jephtha uttered all his words before the Lord in Mizpeh. But that Solomon was elected by the Lot, I do not affirm; it being most probable, that it was by Suffrage only, David proposing, and the People resolving. Nor whether Jephtha was elected by Suffrage, or by the Ballot, is it material; however that the ordinary Magistrates were elected by the Ballot, I little doubt.

The ordinary Magistrates of this Commonwealth (as shall hereafter be more fully open'd) were the Sanhedrim, or the seventy Elders; and the inferior Courts or Judges, in the Gates of the Cities.
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Book II. For the Institution and Election of these, Moses proposed to the People, or the Congregation of the Lord, in this manner. Take you wise men, and understanding, and known among your Tribes (κατά σπαζομενοι) and I will make (or constitute) them Rulers over you. Where, by the way, left Moses in these words be thought to assume power, Solomon, says Aristotle (Δημοκριτικαν κατεστημεν) made, or constituted the Popular Government of Athens. In which he implies, not that Solomon was a King, or had Soverain Power, but that he was a Lawgiver, and had authority to propose to the People. Nor is there more in the words of Moses; upon whose Proposition, say Jewish Writers, each of the twelve Tribes, by free Suffrages, elected six Competitors, and wrote their Names in cedars, which they deliver’d to Moses. Moses having thus presented to him by the twelve Tribes seventy and two Competitors for seventy Magistracies, had by consequence two more Competitors than were capable of the Preferment to which they were elected by the People: Wherefore Moses took two Urns, into one he cast the seventy two Names presented by the People; into the other, seventy two Lots, whereof two were blanks, the rest inscrib’d with the word Elder. This don, he call’d the Competitors to the Urn, where the seventy, to whose Names came forth the Prizes, went up to the Tabernacle, the Session-house being there provided: and the two that drew the Blanks, namely Eldad and Medad, tho of them that were elected and written by the Tribes, went not up to the Tabernacle, but remain’d in the Camp, as not having attain’d to Magistracy. Thus, if this place in Scripture can admit of no other Interpretation, so much as I have cited out of the Talmud (the other wise, for the most part, but a fabulous and indigestible heap) must needs be good and valid. In this manner, one or more Senators happening to die, it was easy for each Tribe, choosing one or more Competitors accordingly out of themselves, to decide at the Urn which Competitor so chosen, should be the Magistrat, without partiality, or cause of feuds; which, if a man considers this Constitution, was not perhaps so readily to be don otherwise. The like, no doubt, was don for the inferior Courts, except that such Elections (the Commonwealth being once setl’d) were more particular, and perform’d by that Tribe only in whose Gates that Court was sitting.

THE first institution of these Courts came to pass in the manner following. Before the People were under orders, the whole Judicature lay upon the shoulders of Moses, who being overburden’d, was advised by Jethro. And Moses hearken’d to the voice of his Father-in-law—and chose (after the manner shewn) able men out of all Israel, and made them Heads over the People, Rulers of thousands, 25. Rulers of hundreds, Rulers of fiftys, and Rulers of tens. The number of which Rulers, compar’d with the number of the People, as in the muster roll at Sinai, must in all have amounted to about six thousand. These thus instituted, while Israel was an Army, came to be the same when the Army was a Commonwealth: whereof it is said, Judges and Officers shall thou make thee in all thy Gates which the Lord thy God gives thee, throughout thy Tribes; and they shall judge the People with just Judgment. Each of these Courts, by the practice of the Jewish Commonwealth, consisted of twenty three Elders. But Jethro, in his advice to Moses, adds concerning these Judicatories, this
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this Caution; Let them judge the People at all seasons: and it shall be, that every great matter they shall bring to thee, but every small matter they shall judge: So shall it be easier for thyself, and they shall bear the burden with thee. Which nevertheless follow'd not according to Jethro's promise, the Appeals being such to Moses that he gos with this complaint to God: I am not able to bear all this People alone, because it is too heavy for me. Whereupon the Lord said to Moses, Gather me seventy men, of the Elders of Israel, whom thou knowest to be Elders of the People, and Officers over them; and bring them to the Tabernacle of the Congregation, that they may stand with thee—(but Crowns will have no rivals)—and they shall bear the burden of the People with thee, that thou bear it not alone. But a Monarch is one that must be alone. And Moses went out, and told the People the words of the Lord (which a Monarch needed not to have don) and gather'd the seventy men of the Elders of the People; the manner wherof is already shewn. Jethro, being a Heathen, informs Moses of the Orders of his own Commonwealth, which also was Heathenish. Yet in Scripture is both Jethro join'd with Moses, and the Commonwealth of Midian with the Commonwealth of Israel. How then coms it to be irreverend, or atheistical, as som fay, in Politicians (and while political Discourses cannot otherwise be manag'd) to compare, tho but by way of illustration, other Legislaters, or Politicians, as Lycurgus, Solon, with Moses; or other Commonwealths, as Rome, and Venice, with that of Israel? But the Authors of such Objections had better have minding, that the burden wherof Moses here complain'd, could in no manner be that of ordinary Judicature, of which he was eas'd before by the advice of Jethro; and therefore must have bin that of Appeals only: so either the Sanhedrim bore no burden at all with Moses, or they bore that of Appeals with him. And if so, how fay they that there lay an Appeal from the seventy Elders to Moses?

But I said the Lot was of ufe also toward the discovery of conceal'd Malefactors. Of this we have an Example in the detection of Achan. The words of the Law, whereby the Fact of Achan was criminal, are these: If thou shalt hear say in one of thy Cities, which the Lord thy God has given thee to dwell therein, saying, Certain men, the Children of Belial, are gone out from among you, and have withdrawn the Inhabitants of their City, saying, Let us go and serve other Gods, which you have not known: then shalt thou inquire, and make search, and ask diligently; and behold, if it be truth, and the thing certain, that such Abomination is wrought among you, thou shalt surely smite the Inhabitants of that City with the edge of the Sword, destroying it utterly, and all that is therein, and the Cassel thereof with the edge of the Sword. And thou shalt gather all the spolium of it into the midst of the street thereof, and shalt burn with fire the City, and all the spolium thereof, every whit, for the Lord thy God: and it shall be a heap for ever, it shall not be built again, and there shall cleave nought of the accursed thing to thy hand. Among the Cities that were given by God to Israel, was Jericho. Now tho against this City, before it was taken, Joshua had solemnly and publicly denounc'd the Anathema, or Curfes contain'd in the foregoing Law; and after the taking of it, had, in all appearance, executed upon it the whole of the Anathema so pronounc'd: yet thro subsequent looses before the City of Ai, being fore afflicted, he enter'd into fulcipcion, that there might have bin som failure in the performan
formance of the Law. Wherupon he rent his Clothes, and fell to the
Earth upon his face before the Ark of the Lord, till the even tide, he and
the Elders (or Sanhedrim of Israel) and put dust on their heads. The
Sanhedrim, in difficult cases of the Law, inquir'd of God by Urim;
and the Sanhedrim, or the People, in cases of high concernment to the
State, as in the War against Benjam, inquir'd of the Ark.
When God was inquir'd of by Urim, he gave his Oracle by the shining
of certain Stones or Jewels in the Breastplate of the High Priest.
When he was inquir'd of by the Ark, he gave his Oracle vocally from
the Mercy seat, which was plac'd upon the Ark of the Covenant.
Whence he who sat between the Cherubims thus answer'd Joshua:
Get thee up; wherfore lord thou thus upon thy face? Israel has sinn'd—
they have even taken of the accurs'd thing. Joshua thus inform'd
of the Crime, but not so particularly of the Malefactor as to know
where to charge it, calls the whole People to the Urns; in one of which
it may be thought that there were eleven white Stones, or Lots, with
one black one; and in the other the twelve Names of the Tribes.
So Israel coming first by Tribes to the Urns, the Tribe of Judah was
taken; that is, this Tribe lighting upon the black Lot, was denoted
for the Guilty Tribe: Which consisting (as appear'd by the Catalog)
of five Families, whereof the Zabdi was one, came next by Families
to the Urn; wherein there might be four white Lots, and one black
one, by which the Zabdi were taken. In like manner came the
Family of the Zabdi by Households, and the Household of Zabdi
was taken: Last of all came the Household of Zabdi man by man,
and Achan was taken. This kind of Inquisition was perform'd
with such Religion and Solemnity, that a man thus taken, if he had
any guilt, could have no face to conceal it; or, if there were any
Witnesses of his Crime, they could not any longer dissemble it: and
whether he was convicted by testimony, or by his own confession
(as now Achan) he was put to death. The like proceeding, in part,
is imply'd to have bin in the case of Jonathan; tho' in this, by ac-
grément therupon between Saul and the People, it should seem as
if but two Lots were put into the Urn, whereof Saul and Jon-
athan, on the one part, drew the black: Or the Prince of the
Tribe of Judah drawing for the whole People, on the other part,
drew the white one; and that the same being put into the Urn again,
to decide it between Saul and Jonathan, Jonathan drew
the black: wherupon, he being question'd, confess'd the fact; and,
but that the People rescu'd him from Saul, had bin put to death.

TO conclude with the use of the Lot, in the division of the Land
of Canaan. This (as implying the Foundation or Balance of the Go-
vernment) ought to have bin the first in order, but happens here to
com last; because these Orders were instituted in the Wilderness, and
so before the People had any Lands to divide. Nevertheless, this also
was propos'd by Moses, and resolv'd by the People: By lot was their
Inheritance, as the Lord commanded Moses; and now coms (as it
was, or should have bin put in execution by Joshua) to be con-
ider'd.

IT may be true, that the Roman People were the wisest that have
bin; and it is true, that the only of a People, did labor to introduce
Agrarian Laws, tho' without effect: Otherwise, Levelling was never
introduc'd, but by the wisdom and providence of som great Man, as
Moses, a Joshua, or a Lycurgus; or by som accident, or Chap. 2.
accidents, bringing a Nobility to ruin, as the Laws of Henry VII. and the ways of Henry VIII. in England.

Between the Muster Roll in Sinai, whereby the men of military age, as was shewn, amounted to fix hundred and three thousand five hundred and fifty, in the twelve Tribes, and the Law for the division of the Land of Canaan, there happen'd a Plague, by which the number of the People, upon a new Poll, came but to fix hundred and one thousand seven hundred and thirty. Upon this Poll was the Law made, which runs thus: To these the Land shall be divided for an Inheritance, according to the number of names. To many thou shalt give the more Inheritance, and to fewer thou shalt give the less inheritance: To every one shall his Inheritance be given, according to those that were number'd of him. Notwithstanding, the Land shall be divided by lot: according to the names of the Tribes of their Fathers, they shall inherit; according to the lot shall the possession thereof be divided to many and few.

This Law, in another place, is repeated thus: You shall divide the Land by lot, for an inheritance among your Families; and to many ye shall give the more Inheritance, and to the fewer ye shall give the less Inheritance: Every man's inheritance shall be in the place where his Lot falls, according to the Tribes of your Fathers ye shall inherit.

In the making of these Lots consideration was as well had of the goodness of the Land, as of the measure. Now supposing this Law to have bin in the whole and methodically executed, the Canaanites must first have bin totally rooted out of the Land of Canaan; which Land, in that case (as from affirm) would have afforded to this Commonwealth a Root or Balance, consisting of three millions of Acres. Heacerus apud Joseph. xxcv.

Thefe, reckoning the whole People in the twelve Tribes, at fix hundred and two thousand (which is more than upon the later Poll they came to) would have afforded to every man four Acres; to every one of the Patriarchs (upon the poll of the foregoing Catalog, where they are fixtary) four thousand Acres; to every one of the Princes of the Tribes, fourteen thousand Acres; to the Levitical Citys (being forty eight, each with its Suburbs, of four thousand Cubits diameter) one hundred thousand Acres; and yet for extraordinary Donations, as to Joshua and Caleb (of which kind there were but few) from eighty thousand Acres might remain. Now it is true, four Acres to a man may seem but a small Lot; yet the Roman People, under Romulus, and long after, had but two. And it may very well be, that one Acre in Canaan was worth two in Italy, especially about Rome; and four in England, of the best fort: and if so it were that four Acres in Palestine were worth sixteen of our best, such a Lot, at our account, might be worth about thirty or forty pounds a year; which, for a popular share, holding that rate thro' the whole body of a People, was a large proportion. By this effimat, or what possibly could be allow'd to the Princes of the Tribes and of the Families, their share came not to a sixth of the whole: so the rest remaining to the People, the Balance of this Government must have bin purely popular. It is true, that in the whole this Law of Moses for the division of the Land was never executed: but that in the parts from such course was taken, is plain; for example, in the division to seven Tribes, where Joshua proposeth to the People in this manner: Give out from among you three men for each Tribe— and they shall go thro' the Land and de-
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Book II. scribe it. The People having resolv'd accordingly, these went, and pass'd thro the Land, and describ'd it by Citys into seven parts in a Book, and came again to Joshua to the Hol at Shiloh. And Joshua said, Lots for them in Shiloh, before the Lord: and there Joshua divided the Land to the Children of Israel according to their divisions. It were absurd to think that this Lot determin'd of proportions; for a mean man might have come to be richer than the Prince of his Tribe: but the proportions allotted to Tribes being stated, tho at first but by guess, and entred into the Lot Book of the Surveyors (who, says Josephus, were most expert in Geometry) the Princes came first to the Urns, whereof the one contain'd the names of the Tribes that were to draw, the other the names of those parcels of Land that were to be drawn first to a whole Tribe. Thus the name of a Tribe, for example Benjamin, being drawn out of one Urn, to that name a parcel was drawn out of the other Urn; for example, the Country lying between Jericho and Bethaven. This being done, and the Prince of the Tribe having chosen in what one place he would take his stated and agreed proportion, whether of fourteen thousand Acres, or the like, the rest of the Country was subdivided in the Lot Book, according to the number of Families in the Tribe of this Prince; and the Parcels subdivided being cast into the one Urn, the names of the Patriarchs into the other, the same Tribe came again by Families. Thus every Patriarch making choice in what one part of this Lot he would take his agreed proportion, whether of four thousand Acres, or the like; the remainder was again subdivided in the Lot Book, according to the number of names in his Family: if they were more than the parcel would furnish at four Acres a man, then was that defect amended by addition out of the next parcel; and if they were fewer, then the overplus was cast into the next parcel. By such means the People came, or might have com in the whole, and in every part, to the Lot of their Inheritance; while every Tribe that was thus planted, became local, without removal. Neither shall the Inheritance remove from one Tribe to another Tribe; but every one of the Tribes of the Children of Israel shall keep himself to his own Inheritance.

THE Tribes thus planted, or to have been planted, were twelve. The thirteenth, or that of Levi, came in the like manner to the Lot, for their forty eight Citys with their Suburbs, and receive'd them accordingly; as the Lot came forth for the Families of the Kohaths, and the rest. These Israel gave to the Levites out of their Inheritance: That is, these were such as the twelve Tribes, before the division, set apart for the Levites, with the Tithe, and the Offerings; which, the this Tribe had no other Lands, made their portion by far the best. The Tribes being henceforth reckon'd by their locality, and these forty eight Cities being scatter'd throout the twelve Tribes, that of Levi was no more computed as a distinct Tribe, but left as it were the name, yet with advantage: for to their promiscuous abode they had the right of promiscuous marriage; no more in this point being injoin'd any of them, than to take Maidens of the Seed of Israel, or at least the Widows of Priests. And as in the Tribes where they dwelt they had promiscuous Marriage, so had they right of promiscuous Election; that is, of electing, and being elected, into all the Magistracies and Offices of the Commonwealth: which they so frequently enjoy'd, that the Sanhedrim is sometimess understood by their names.
names. If there arises a matter too hard for thee in judgment, thou shalt come to the Priests the Levites. Between the Law, and the Religion of this Government, there was no difference; whence all Ecclesiastical persons were also Political persons, of which the Levites were an entire Tribe, set more peculiarly apart to God (the King of this Commonwealth) from all other cares, except that only of his Government. Thus Moses did that with the safety of Liberty in Israel, which Lycurgus could not do in Lacedemon, but by condemning the Helots to perpetual Slavery: For whereas without these to be Tillers of the Ground, the Citizens of Lacedemon could not be at leisure for the Commonwealth; the Children of Israel might employ themselves in their domestic Affairs, as they requir’d, with safety: while the Levites bore the burden of the Government; or, in case either their privat Affairs permitted, or their Ambition promted, were equally capable of Magistracy.

Of the Levitical Cities, three beyond, and three on this side Jordan, were Cities of Refuge. If a man was slain, the next of kinred, by the Laws of Israel, was the Avenger of Blood; and to the Avenger of Blood it was lawful to slay him that flew his Kinsman, wherever he could find him, except only in a City of Refuge. For this cause, if a man had slain another, he fled immediately to one of these Sanctuaries; whence nevertheles, the Judges in the Gates, within whose proper verge the Crime was committed, caus’d the Malefactor to be brought before them by a Guard, and judg’d between the Slayer and the Avenger of Blood. If that which we call Murder, or Man-slaughter, was prov’d against him by two Witnesses, he was put to death: but if it was found, as we say, Chancedly, he was remanded with a Guard to the City of Refuge; whence if, before the Death of the High Priest, he was found wandering, it was lawful, not only for the Avenger of Blood, but for any man else to slay him. The High Priest being dead, he return’d, not home only, but to his Inheritance also, with liberty and safety. If a Priest had slain a man, his Refuge was the Sanctuary; whence nevertheles he was taken by the Sanctuary; and, if upon trial he was found guilty of wilful Murder, put to death. If a man coms prejumously upon his Neighbor, to slay him with guile, thou shalt take him from my Altar, that he may dy.

Inheritance, being thus introduc’d by the Lot, were immovably intail’d on the Proprietors and their Heirs for ever, by the institution of the Jubilee, or the return of Lands, however fold or ingag’d, once in fifty years to the antient Proprietor, or his lawful Heir. Yet remain’d there two ways whereby Lots might be accumulated; the one by casual Inheritance, the other by marriage with an Heiress: as in the case of Zelophehad, or of his Daughters.

Now to bring the whole refult of these historical parts, thus prov’d, to the true Political Method or Form, the Commonwealth instituted by Moses was according to this Model.

The whole People of Israel (thro a popular distribution of the Land of Canaan among themselves by lot, and the fixation of such a popular Balance by their Agrarian Law, or Jubile, intailing the inheritance of eachrael. Proprietor upon his Heirs for ever) was locally divided into twelve Tribes.
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A TRIBE, in its Military capacity, consisted of one Staff or Standard of the Camp, under the leading of its distinct and hereditary Prince, as Commander in chief; and of its Princes of Families or chief Fathers, as Captains of thousands and Captains of hundreds.

A TRIBE, in its Political capacity, was next and immediately under the government of certain Judicators, sitting in the Gates of its City; each of which consisted of twenty three Elders, elected for life, by free suffrage.

THE Soverain Power, and common Ligament of the twelve Tribes, was the Sanhedrim of Israel, and the Ecclesia Dei, or Congregation of the Lord.

THE Sanhedrim was a Senat, consisting of seventy Elders for life, so instituted by the free Election of six Competitors, in and by each Tribe; every Elder, or Senator of the Sanhedrim being taken out of this number of Competitors by the Lot.

THE Congregation of the Lord was a Representative of the People of Israel, consisting of twenty four thousand, for the term of one month; and perpetuated by the monthly Election of two thousand Deputies of the People in each Tribe.

THE Sanhedrim, upon a Law made, was a standing Judicatory of Appeal from the Courts in the Gates, through the Tribes; and upon a Law to be made, whatever was propos'd by the Sanhedrim, and resolved in the affirmative by the Congregation of the Lord, was an Act of the Parliament of Israel.

**Deut. 4:5,6.** Of this Frame says Moses to the People (as well he might).

Behold, I have taught you Statutes and Judgments, even as the Lord my God commanded me, that ye should do in the Land whither you go to possess it. Keep therefore, and do them; for this is your Wisdom, and your Understanding in the sight of the Nations, which shall hear all these Statutes, and say, Surely this great Nation is a wise and understanding People. In another place, upon the Peoples observing this form, he pronounces all the choicest Blessings; and in case of violation of the same, a long enumeration of most dreadful Curfes, among which he has this: The Lord shall bring thee, and thy King which thou shalt set over thee, to a Nation which neither thou nor thy Fathers have known; and there shalt thou serve other Gods, Wood and Stone. In which words, first he charges the King upon the People as a Creature of their own, and next opposes his Form pointblank to Monarchy; as is farther apparent in the whole Antithesis running throuout that Chapter. To the neglect of these Orders may be apply'd those words of David: I have said that ye are Gods—but ye shall dy like Men, and fall like one of the Princes. But this Government can with no countenance of Reafon, or testimony of Story, give any man ground to argue from the Frame thus instituted by Moses, that a Commonwealth rightly order'd and establih'd, may by any internal caufe arising from such Orders, be broken or diffolv'd; it being most apparent, that this was never establih'd in any such part as could possibly be holding. Moses dy'd in the Wilderness; and the Joshua, bringing the People into the promised Land, did what he could, during his Life, towards the establiishment of the Form design'd by Moses; yet the hands of the People...
People specially after the death of Joshua, grew slack, and they rooted not out the Canaanites, which they were to often commanded to do; and without which it was impossible their Commonwealth should take any root. Nevertheless, settled as it could be, it was in som parts longer liv'd than any other Government has yet bin; as having continu'd in som sort from Moses, to the dispersion of the Jews in the Reign of the Emperor Adrian; being about one thousand seven hundred years. But that it was never establisht according to the necessity of the Form, or the true intent of Moses, is that which must be made farther apparent through the sequel of the present Book; and first, in the state of the Israelites under their Judges.

CHAP. III.

Shewing the Anarchy, or State of the Israelites under their Judges.

The Frame of that which I take to have bin the ordinary Congregation or Representative of the People of Israel, is not perfectly shewn in Scripture, till the time of David; when, tho' it has nothing in it of a Monarchical Institution, it is found entirely remaining, and perfectly describ'd in these words: Now the Children of Israel, after their number, to wit, the chief Fathers, and Captains of thousands and hundreds, and their Officers that serv'd the King in any matter of the Courses, which came in, and went out month by month, through all the months in the year; of every Course were twenty and four thousand men. The Polls of the People, as they have bin hitherto shewn, were taken before their plantation in Canaan, where before they had Kings, they had grown (according to the account of Paul) four hundred and fifty years; during which time, that they were exceedingly increas'd, appears by the Poll of Military age taken by David, and amounting to one Million three hundred thousand: yet could this Assembly of the Children of Israel after their number, in one year, by monthly rotation, take in the whole body of them. How thele, being a Representative of the People, and thus changeable, could be otherwise collected than by the monthly election of two thousand in each Tribe, is not imaginable. And that both a Representative of the People they were, and thus changeable, is by the clear words of Scripture, and the nature of the bullies upon which occasion they are describ'd, undeniably evinc'd: for David propying, and the People resolving, they make Solomon King, and Zadok Priest. This Assembly (besides the Military Discipline therof, in which it differ'd little from the Customs of such other Commonwealths as have bin great and martial) had not only a Civil, but a Military Office or Function, as the standing Guard or Army of this Country; which, tho' small, and lying in the very Teeth of its Enemys, could thus, by taking in every man but for one month in a whole year, so equally distributive a Burden, to have bin otherwise intolerable to all, that it might be born by a few, and scarce felt by any. This Epitome of that Body (already describ'd under the leading of the several Princes of the Tribes, with their Staves, and Standards of the Camp) seems to have bin commanded by Lieutenants of the Princes, or Tribuns of the respective Tribes:

For,
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For, over the first course, for the first month, was Jashobeam the Son of Zabdiel (of the Children of Perez, or of the Family of the Pharzits, in the Catalog of Judah) and of his course were four and twenty thousand.

In this case the Princes did not lead in person, but resided in their Tribes for the Government of the same; whence, upon extraordinary occasions, they sent extraordinary Recruits: or in case of solemn War, or som weighty affair, as the trial of a Tribe or the like, led up in person, with their Staves and Standards; an Ordinance, whether we regard the military or civil use of it, never enough to be admired.

It is true, while, the whole People being an Army, Moses could propose to them in body, or under their Staves and Standards of the Camp; as he needed not, so he us'd not any Representative. But when Joshua had let the People go, and the Children of Israel went every man to his Inheritance, to possess the Land; how was it possible they should possess any thing (while the five Lords of the Philistins, and all the Canaanits, and the Sidonians, and the Hivits, remain'd yet among them unconquer'd) without the wing of some such Guard or Army as this, under which to shelter themselves? How was it equal, or possible, that a few of the People upon the guard of the whole, should be without relief, or sustain all the burden? Or how could every man be said to go to his Inheritance to possess it, unless they perform'd this or the like duty, by turns or courses? These things consider'd, there is little doubt but this Congregation was, according to the Institution of Moses, put in practice by Joshua.

Thus stood both the Sanhedrin, and the Congregation, with the inferior Courts, and all the Superstructures of the MOSAICAL Commonwealth, during the life of Joshua, and the Elders of the Sanhedrin that outliv'd him; but without any sufficient root for the possible support of it (the Canaanits not being destroyn'd) or with such roots only as were full of worms. Wherefore, tho the People served the Lord all the days of Joshua, and all the days of the Elders that outliv'd Joshua; yet after the death of these, they did evil in the sight of the Lord. And an Angel (a Messenger or Prophet) of the Lord came up from Gilgal to Bochim, and said, I made you go out of the Land of Egypt, and have brought you into the Land which I swore to your Fathers; and I said, I will never break my Covenant with you. And ye shall make no League with the Inhabitants of this Land, ye shall throw down their Altars: but ye have not obey'd my Voice: Why have you done this? Wherefore I also said, I will not drive them out from before you: but they shall be as Thorns in your sides, and their Gods shall be a snare to you.

Upon the several Contents of which places, says Josephus, the Israelits (after the death of Joshua, and the Elders that outliv'd him) neglecting their Arms, betook themselves to Tillage; and effeminated with Peace, gave their minds rather to what was easy and pleasing, than what was secure or honorable: forgetful of the Laws of God, and of their Discipline. Whereupon God being mov'd to anger, admonish'd them by a Prophet, that in sparing the Canaanits, they had disobey'd him; and that in case they persist'd, for his Mercies neglected they should taste of his Jutice. But they, tho terrify'd with the Oracle, were altogether averse to the War; both because they were bid'd by the Canaanits, and thro luxury were become unapt for labor: the form of their Commonwealth being now deprav'd, and the Aristocratical part therof invalid; while neither the Senate was elected,
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elected, nor the solemn Magistrates created as formerly. In which words, Chap. 3.
the not electing of the Senate as formerly, being laid as a Crime by
Josephus to the People; he is first clear enough, for his part, that
the Senate was formerly elected by the People, and ought to have bin so
still: And secondly, that henceforth the election of the Senate, or San-
hedrim, was neglected by the People. So this Commonwealth, which,
tho the not rooting out of the Canaanits, had never any Foundation,
came now to fail also in her Superstructures: for proof wherof, the
Testimony of Scripture is no less pregnant in divers places. As where
Judg. 1. 3, 27.
that we may fight against the Canaanits, and I likewise will go with the
into thy Lot: So Simon went with him. In which words you have
a League made by two Tribes, and a War manag'd by them, while
other Tribes, that is, Ephraim, Manasseh, with the rest, sat
still: whereas, if there had bin now any common ligament, as while the
Sanhedrim was in being, such leaguing, and such warring by particu-
lar Tribes at their own discretion, could not have bin. Again, whereas
to judge a Tribe pertain'd to the Sanhedrim; in the Judgment given
against Benjamin, by the Congregation of four hundred thou-
sand, there is no mention of the Sanhedrim at all.

Now Government is of such a nature, that where there is no
Council, there must be som King, or somwhat like a King, and such was
the Judg of Israel; yet is not their reckoning valid, who from hence
computing the Monarchy of the Hebrews. First, because Paul dis-
tinguishes between the Kings and the Judges. Secondly, because
Gideon, when he was a Judge, in refuting to be King, doth the like.
Judg. 7. 23.
Thirdly, because the Judges in Israel (as Dictators in other Com-
monwealths) were not of constant Election, but upon Emergencies only.
Fourthly, because complaint being made to the men of Judah of
Judg. 15. 13.
their Judg Samuel, they deliver'd him to the Philistin's bound;
no less than did the Romans their Consuls to the Samnite. And lastly,
because Samuel, distinguishing to perfection between Dictatorial
and Royal Power, or between the Magistracy of the Judg and of the
King, shews plainly (in that he hearken'd to the Voice of the Peo-
ple) that the one being without any balance at all, was at the dis-
cretion of the People; and that the other (not being founded but upon
Property in himself, to which end he must take the help of their Fields,
and give them to his Servants) could no otherwise subsist than by hav-
ing the People at the discretion of the King. This difference (being
no small one) excepted, the office of the King and of the Judg was
much the same; each constituting in judging the People, and going forth
with their Armies.

But whatever be the difference between these Magistracies, the
State of the Israelitish Commonwealth under the Judges was both void
of natural Superstructures, and of the necessary Foundation; so the
Israelits, when they were weak, serv'd the Philistins, as is imply'd in the
speech of the men of Judah to their Judg: Knowest thou not that the Judg. 15. 11.
Philistins are Rulers over us?—And it came to pass when Israel was strong,
that they put the Canaanits to tribute, and did not utterly drive them out.
Which, as it was contrary to the Command of God, so was it pointblank
against all Prudence; for thus neither made they to themselves Friends,
nor did they ruin their Enemys: which proceeding, as it far'd with
this Commonwealth, and was observ'd by Herennius in that

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Book II. of the Samnits, is the certain perdition of a People.

Sect. 6. OF the disorder of this People upon the dissolution of the Moaical Commonwealth, it is often said that there was no King in Israel: every man did that which was right in his own eyes. That is, at the times related by these expressions, there was neither Sanhedrim, nor Judges in Israel: so every man, or at least every Tribe govern'd it self as it pleas'd. Which, nevertheless, is not so generally to be understood, but that the Tribes (without either Judges or Sanhedrim) marching up with their Standards and Staves of the Camp, not only assembled the Congregation in the usual place at Mizpeh, but there condemn'd Benjamin for the rape of the Levites Concubine; and, marching thence to put their Decree in execution, reduc'd that obdinant Tribe, or rather destroy'd it by a Civil War.

WHEN in this, and divers other ways, they had pamper'd their Enemies, and exhausted themselves, they grew (as well they might) out of love with their Policy; especially when after impious exploitation (Wherefore has the Lord smitten us this day before the Philistines?) they had, as it were, flak'd their God (let us fetch the Ark—that it may save us) and the Ark being taken by the Enemy, they fell to Idolatry. To this it happen'd, that, tho' upon Repentance success was better, God having miraculously discomfited the Philistines before them; yet Samuel their Judge was old, and had made his two Sons (being takers of Bribes, and perverters of Justice) Judges over Israel. Wherupon, there was no gain-saying, but a King they must and would have.

C H A P. IV.

Shewing the State of the Israelites under their Kings, to the Captivity.

Sect. 1.

For Method in this part, I shall first observe the Balance or Foundation, then the Superstructures of the Hebrew Monarchies; and last of all, the Story of the Hebrew Kings.

Sect. 2.

The Balance necessary to Kingly Government, even where it is regulated or not absolute, is thus describ'd by Samuel. This will be the manner of the King that shall reign over you: He will take your Fields, your Vineyards, and your Oliveyards, even the best of them, and give them to his Servants. That is, there being no provision of this kind for a King, and it being of natural necessity that a King must have such an Aristocracy or Nobility as may be able to support the Monarchy (which otherwise, to a People having equal shares in property, is altogether incompatible) it follows, that he must take your Fields, and give them to his Servants, or Creatures.

THIS notwithstanding could not Samuel do, in whose time the Monarchy attain'd not to any balance, but was so soon torn from him like the lap of a Garment. The Prince who gave that balance to this Monarchy, which it had, was David: for besides his other Conquests, by which he brought the Moabites, the Syrians of Damascus, the Ammonites, the Edomites, to his Obedience, and extended his Border to the river Euphrates; he smote the Philistines, and subdued them, and took Gath and her Towns, out of the hand of the Philistines.
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Lillis. Now this Country which David thus took, was part of Chap. 4.
the Land given to the People by God, and which was by the Law of
Moses to have been divided by Lot to them. Wherefore if this di-
vision follow'd not, but David having taken this Country, did
hold it in his particular Dominion or Property; then tho' he took not
from the People any thing wherof they were in actual possession,
yet, as to their legal Right, took he from them (as Samuel had
forewarn'd) their Fields, their Vineyards, and their Oliveyards, even the
best of them, and gave them to his Servants, or to a Nobility, which
by this means he introduc'd.

The first Order of the Nobility thus instituted, were, as they are
term'd by our Translators, David's Worshys: to these may be
added, the great Officers of his Realm and Court, with such as sprang
out of both. But however, these things by advantage of foren Con-
quest might be order'd by David, or continued for the time of his
next Successor; certain it is, that the balance of Monarchy in fo small
a Country must be altogether insufficient to it self, or destruc-
tive to the People.

The Commonwealth of Lacedemon, being founded by Lycur-
gus upon the like Lots with these design'd by Moses, came, after
the spoil of Athens, to be destroy'd by Purnacles, and brought into
one hundred hands; wherupon, the People being rooted out, there re-
main'd no more to the two Kings, who were wont to go out with
great Armies, than one hundred Lords: nor any way, if they were in-
vaded, to defend themselves, but by Mercenaries, or making War up-
on the Penny; which, at the farthest it would go (not computing the
difference in Discipline) reach'd not, in one third, those Forces which
the popular Balance could at any time have afforded without Mony.
This form of those Kings perceiving, were of all others the most earnest
to return to the popular Balance. What Diforders in a Country no
bigger than was theirs, or this of the Israelites, must, in case the like
course be not taken, of necessity follow, may be at large perus'd in the
story of Lacedemon; and shall be fully shewn, when I come to the story
of the present Kings.

For the Superstructures of David's Government, it has been
shewn at large what the Congregation of Israel was; and that with-
out the Congregation of Israel, and their Refult, there was not any
Law made by David. The like in the whole, or for the most part, can
be observ'd till Rehoboam, who, refusing to redress the Griev-
ances of the People, was depos'd by one part of this Congregation or
Parlament, and set up by another; to the confusion both of Parliament
and People. And David (as after him Jehoshaphat) did
restore the Sanhedrim; I will not affirm, by popular Election, after
the antient manner. He might do it perhaps, as he made Joab over
the Holit, Jehoshaphat Recorder, and Seraiah Scribe. 1 Sam. 8.

Certain it is, the Jewish Writers hold unanimously, that the seventy
Elders were in David's time, and by a good token; for they say,
to him only of all the Kings it was lawful, or permitted, to enter into
the Sanhedrim: which I give the rather credit, for the words of David,
where he saith, I will praise the Lord with my whole Heart in the council,
and in the Congregation of the Upright; which words relate to the Se-
nar, and the Congregation of Israel. The final cause of the popular
Congregation, in a Commonwealth, is to give such a balance by their
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Book II. Result, as may, and must keep the Senate from that Faction and Corruption, whereof it is not otherwise curable, or to set it upright. Yet our Translation gives the words cited, in this manner: I will praise the Lord with my whole Heart in the Assembly of the Upright, and in the Congregation. There are other Allusions in the English Psalms, of the like nature, shaded in like manner: As, God is present in the Congregation of God (that is, in the Representatives of the People of Israel) he judges among the Gods, that is, among the seventy Elders, or in the Sanhedrim. What the Orders of the Israelitish Monarchy in the time of David were, tho our Translators through the Bible have don what they could against Popular Government, is clear enough in many such places.

 gev. To conclude this Chapter with the story of the Hebrew Kings: Till Rehoboam, and the division (tho the cause mention'd) of the Congregation in his time, the Monarchy of the Hebrews was one, but came thenceforth to be torn into two: that of Judah, consisting of two Tribes, Judah and Benjamin; and that of Israel, consisting of the other ten. From which time this People, thus divided, had little or no rest from the flame of that Civil War, which, once kindled between the two Realms or Factions, could never be extinguished but in the destruction of both. Nor was Civil War of so new a date among them; Saul, whose whole Reign was impotent and perverse, being conquer'd by David; and David invaded by his Son Absalom so strongly, that he fled before him. Solomon, the next Successor, happen'd to have a quiet Reign, by settling himself upon his Throne in the death of Adonijah his elder Brother, and in the deposing of the High Priest Abiathar; yet made he the yoke of the People grievous. After him, we have the War between Jeroboam and Rehoboam. Then, the Conspiracy of Baasha against Nadab King of Israel, which ends in the destruction of Jeroboam's House, and the Usurpation of his Throne by Baasha, which Baasha happens to leave to his Son Asa. Against Asa rises Zimri, Captain of the Chariots; kills him with all his kindred, reigns seven days; at the end wherof he burns himself for fear of Omri, who upon this occasion is made Captain by one part of the People, as is also Tibni by another. The next Prize is play'd between Omri and Tibni, and their Factions; in which Tibni is slain. Upon this success, Omri outdoing all his Predecessors in Tyranny, leaves his Throne and Virtues to his Son Ahab. Against Ahab drives Jehu furiously, destroys him and his Family, gives the flesh of his Queen Jezebel to the Dogs, and receives a Present from those of Samaria, even seventy Heads of his Masters Sons in Baskets. To Asa and Jehoshaphat, Kings of Judah, belongs much Reverence. But upon this Throne sat Athaliah, who, to reign, murder'd all her Grandchildren except one, which was Joash. Joash being hid by the High Priest, at whose command Athaliah was soon time after slain, ends his Reign in being murder'd by his Servants. To him succeeds his Son Amazia, slain also by his Servants. About the same time Zachariah King of Israel was smitten by Shalum, who reign'd in his stead: Shallum by Manahim, who reign'd in his stead: Pekah the Son of Manahim by Pekah one of his Captains, who reign'd in his stead: Pekah by
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by Hoshea. Hoshea having reign'd nine years, is carry'd by Chap. 4.

Salmanazar King of Assyria with the ten Tribes into Captivity. Now might it be expected that the Kingdom of Judah should enjoy Peace: a good King they had, which was Hezekiah; but to him succeeded his Son Manasseh, a shedder of innocent Blood. To Manasseh succeeded his Son Ammon, slain by his Servants. Josiah the next, being a good Prince, is succeeded by Jehoahaz, who being carry'd into Egypt, there dys a Prisoner, while Jehoiakim his Brother becomes Pharaoh's Tributary. The last of these Princes was Zedekiah, in whose Reign was Judah led away captive by Nebuchadnezzar. Thus came the whole Enumeration of those dreadful Curfes denounced by Deut. 28. Moses in this case, to be fulfil'd in this People; of whom it is also said, I gave them a King in my anger, and took him away in my wrath. Hof. 13. 11.

To conclude this Story with the Resemblances or Differences that are between Monarchical and Popular Government: What Parallel can there be beyond the Storys whereby each of them are so largely describ'd in Scripture? True it is, that Ahimelech usurp'd the Magistracy of Judg in Israel, or made himself King by the men of Sichem; that the men of Ephraim fought against Jephtha, and that there was a Civil War caus'd by Benjamin: yet, in a Popular Government, the very womb (as they will have it) of tumult, tho' never so well founded that it could be steddy, or take any sufficient root, can I find no more of this kind.

But the Tribuns of the People in Rome, or the Romans under the Magistracy of their Tribuns, thro'out the whole Administration of that Government, were never quiet; but at perpetual strife and enmity with the Senate. It is very true; but first, this happen'd not from a Caufe natural to a Popular Government, but from a Caufe unnatural to Popular Government; yea, so unnatural to Popular Government, that the like has not bin found in any other Commonwealth. Secondly, the Caufe is undeniably discover'd to have consist'd in a Faction introduc'd by the Kings, and foster'd by the Nobility, excluding the Suffrage of the main body of the People thro' an Optimacy, or certain rank or number admitted not by the People or their Election, but by the value of their Estates, to the Legislative Power, as the Commons of that Nation. So the State of this People was as if they had two Houfes of Lords, and no Houfe of Commons. Thirdly, this danger must have bin in any other Nation, at leaft in ours, much harder to be incur'd, than Authors hitherto have made it to be seen in this. And last of all, this Enmity, or those Facions, were without Blood, which in Monarchys they are not, as you saw well in those mention'd; and this Nation in the Barons Wars, and in those of York and Lancaster, besides others, has felt. Or, if at length they came indeed to Blood, this was not till the Foundations were destroy'd, that is, till the Balance of Popular Government in Rome was totally ruin'd; which is equally in cafes of the like nature unavoidable, be the Government of what kind foever, as of late years we have bin sufficiently inform'd by our own sad Experience.
CHAP. V.

Shewing the State of the Jews in the Captivity, and after their return out of it; with the Frame of the Jewish Commonwealth.

Sec. 1.
The State of the Israelites in Captivity.

We left the Children of Israel upon a sad march, even into Captivity. What Orders had bin antiently observ'd by them during the time they were in Egypt (one of which, as has bin already shewn, was their seventy Elders) the same, so far as would be permitted by the Princes whose Servants they were, continu'd in practice with them during the time of their Captivity, out of which the ten Tribes never more return'd. The two Tribes, when seventy years were accomplish'd from the time that they were carry'd away by Nebuchadnezzar, and in the first year of Cyrus King of Persia, return'd the best part of them, not only with the King's leave and liking, but with restitution of the Plate and Vessels belonging to the Temple.

Sec. 2.
The Balance of the Commonwealth return'd by Zorobabel.

The first Colony (as I may say) of the two Tribes, or those that return'd under the Conduct of Zorobabel Prince of Judah, amount'd to forty thousand three hundred and threescore, among which there were about one hundred Patriarchs or Princes of Families. To thefe, in the reign of Artaxerxes, came sixteen or twenty Princes more with their Families; among whom the Prophets Hagai, Zacharias, and Malachi were eminent. Som of them could not shew their Fathers House and their Seed, whether they were of Israel. But these were few; for it is said of them in general, That they went every one to his own City, or to the Inheritance of his Fathers: In which you may note the restitution of the Balance of the Mosaic Commonwealth; tho' to what this might com without fixation, the Jubile being not after the Captivity in life, I cannot say. However, for the present, plain it is that the antient Superstructures did also infuse: as in order to the putting away of the strange Wives, which the People in Captivity had taken, is apparent.

Sec. 3.
The Superstructures of this Commonwealth in the time of Ezra and Nehemiah.

Their whole progress hitherto is according to the Law of Moses; they return every man to his Inheritance by direction of his Peculage, or according to the House of his Fathers; they are led by Princes of their Families, and are about to put away strange Wives: for what reason then should a man believe that what follows should not be according to the Orders of the same Lawgiver? Now that which follows, in order to the putting away of these foren Wives, is, Proclamation was made throughout Judah and Jerusalem to all the Children of the Captivity, that they should gather themselves together to Jerusalem; and that whosoever would not come within three days, according to the counsel of the Princes and Elders, all his Substance should be forfeited, and himself separated from the Congregation of those that had bin carry'd away. This plainly, by the penalty annex'd, is a Law for Banishment; of which kind there was none made by Moses; and a Law made by the Princes and the Elders. What doubt then can remain, but those Elders were the Sanhedrim, or seventy Elders? But whereas neither the Sanhedrim, nor any other Senate of it self has bin found to make Laws, what others can these Princes be that are join'd with the Elders, than these

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those spoken of before; that is, the Princes of Family, or the chief Chap. 5.
Fathers in the Congregation of them that had bin carry'd away? So Father the Princes and the Elders in this place may be understood of the San
hedrim and the People: for thus DAViD propofes to the Congrega-
tion of the People of Iisrael, or the chief Fathers, and must be under-
stood of them; because there is no such thing throughout the Scripture to
be found, as a Law made by the Sanhedrim without the People: and
if so, then that the Sanhedrim with the People had power to make a
Law, is by this place of Scripture undeniably evinced. But besides
the chief Fathers, which here are call'd Rulers of the Congregation,
and in the time of DAViD were call'd Captains of thousands and Capt-
tains of hundreds, mention is also made of the Elders of every City,
and the Judges thereof; in which words you have the Judges in the Gates
throughout the Tribes of Israël, as they were instituted by MOSES. All
which particulars being rightly sum'd up, com to this total; That the
Commonwealth reformed by EZRA, was the very same that original-
ly was instituted by MOSES.

SUCH was the Government restored by ZOROBABEL, EZRA, Sect. 4.
and NEHEMIA. Now whether the Jews or Cabalistical Commonwealth,
father'd by the Presbyterian Jews of latter ages upon MOSES, or Jewish Com-
or EZRA, be the same, shall be shewn by reducing the invention of
these Men to three heads: as first, their Cabala; secondly, their Ordin-
ation; and last of all, their great Synagog.

THE Cabala, call'd also by the Jews the Oral Law, consists of Sect. 5.
certain Traditions by them pretended at the institution of the Sanhedrim
to have bin verbally deliver'd to the seventy Elders by MOSES for the
Government of the Commonwealth. These were never written till
after the dispersion of the Jews by the Emperor ADRIAN; when, to
save them from being lost, they were digested into those Volumes call'd
the Talmud: which they hold to be, and indeed are as to matter of
Fact, the authentic Records of their Government. Of the Traditions
thus recorded says one of the Rabbins or Jewish Doctors: Think not Rabbi Corbit-
that the written Law (or the Law of MOSES) is fundamental, but that
the Oral or Traditional Law is fundamental, it being upon this that God en-
tered into a League with the Israelits, as it is written: After the tenor of
these words, I have made a Covenant with thee, and with Israel. A man in codice ju-
(fays another) who returns from the study of the Talmud to the study of the
Bible, can have no quiet conscience, neither was there any peace to him that
Izaho 8. 10. went out or came in. The like whereof is the Talmudical way of ap-
plying Scripture throughout. And it was the common Blessing the Phar-
ises gave their Children: My Son, hearken to the words of a Scribe
or Doctor, rather than to the Law of MOSES. To whom fays
CHRIST hereupon, You have made the Commandment of God of no Mat. 15. 6.
effect by your tradition.

NOW as true as the Talmud, or as this word of a Scribe, or that
MOSES deliver'd the Oral Law to the seventy Elders and to JOSHUA,
so true it is that MOSES ordain'd both the seventy Elders and
JOSHUA by the imposition of Hands; and that this Ordination by
the imposition of Hands, together with the Oral Law, came suc-
cessively, and hand in hand from the seventy Elders, and from JOS-
HUA downright to these Doctors. This indeed is so generally af-
firm'd by their Talmudists, that there is no denying of it; but, that as
to the seventy Elders it is quite contrary to Scripture, has already bin
made
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made sufficiently apparent; for JOSUA is acknowleg'd to have bin ordain'd by MOSES with imposition of hands. But this Argument (besides that the Act of MOSES was accompany'd with a miracle, and that it is absurd to think that a thing plainly miraculousshould or can be receiv'd as an Order in a Commonwealth) will go no farther than that JOSUA, upon this authority, might have elect'd his Successor by imposition of hands. Let them shew us then that he did so, or indeed that he left any Successor at all: for certainly if JOSUA, left no Successor fo ordain'd, or no Successor at all (which is the truth of the case) then descend'd there upon them no such Ordination from JOSUA; and so by consequence none, from MOSES. Whence it follows, that the Authority and Vogue of Ordination by the imposition of hands among the Jews proceeds not from the Law of MOSES, but from the Oral Law; which how bad an Authority forever be to us of right, is of fact, or of what the exercise of Ordination was among the Jews, a good and sufficient testimony. Now therby the condition of this Ordination (tho in som times of the Commonwealth it was left restrain'd) was such, that no man not having receiv'd the same from the great Sanhedrim, or from one of the inferior Courts by laying on of hands, by word of mouth, or by writing, could be a Presbyter, or capable of any Judicature or Magistracy in the Commonwealth, or to give Counsel in the Law, or any part of the Law, or to be of the Assembly of the great Synagog.

SECT. 7.
The great Synagog.

WHAT the Assembly of the Princes and Fathers was in the time of EZRA, has bin shewn, and is left to the judgment of others. But this is that which the Talmudists and their Ancestors the Cabalistical Jews (among which the Pharisees were of the highest rank) unanimously affirm to have consist'd of the seventy Elders, and of a Juncta of fifty Presbyters not elect'd by the People; but by the laying on of hands by the Sanhedrim, or by som other Judicator. This, they say, was the institution of their great Synagog, where I leave them: but that, according to the sense wherein they cite their Authority, the like with them was a constant practice, appears not only by their own Testimony and Records, but is plain in Scripture; as where CHRIST speaks of the Jews to his Apostles in this manner, They will scourge you in their Synagogues; that is, the Jews, having as yet no Law made wherby they can invade the liberty of Conscience, or bring you for the practice thereof to punishment, will call their great Synagog wherein the Priests and the Pharisees, or the Sanhedrim, have at least seven to five the overbalancing Vote over the rest. Which also are their Creatures, and by these will easily carry, or make such Laws wherby they may inflict upon you corporal Punishment: which Interpretation of Christ's words, was fulfill'd even to a tithe, or rather with over measure. For upon this occasion the High Priest, and as many as were of the kindred of the High Priest, were gather'd together at Jerusalem. That this same Juncta, to be in this case added to the Sanhedrin, was to consist but of fifty, thofe fifty not elect'd by the People, but chosen by the Elders of the Sanhedrin; and not out of the body of the People, but out of such only as had receiv'd Ordination by the Sanhedrin, or by som other Court, or indeed were actually Judges in som other Court, was not enough, unleas they might consist also of as many as were of the kindred of the High Priest. Which Rights and Privi-
Privileges being all observ'd, The High Priest came, and they that were with him, and call'd the Sanhedrim, and all the Presbytery of the Children of Israel: that is, so many of them, as being affembl'd in the great Synagog, represented all the Presbytery of the Children of Israel, or all the Children of Israel themselves. In this Assembly you have the full description of the great Synagog: and when (in this Synagog) they had beaten the Apostles Peter and John, they commanded them that they should not speak in the Name of Jesus, and let them go. Upon these proceedings there are Considerations of good importance; as first, That the Cabalistical Doctors themselves did never so much as imagin that Moses had indu'd the Sanhedrim alone, or separatly consider'd from the People, with any Legislative Power; nevertheless, that the Sanhedrim came into the place, and succeeded to the whole Power of Moses, they unanimously held: whence, even upon their Principles, it must follow that in Moses, distinctly and separatly taken from the People, there could be no Power of making any Law. The second thing remarkable in this proceeding, is, That the most corrupt Commonwealth, and in her most corrupt Age, had not yet the face, without some blind, of pretending to Legislative Power in a single Council. The last I shall observe, is, That no possible security is to be given to Liberty of Conscience, but in the security of Civil Liberty, and in that only not by Laws which are otherwise as perishing as flowers or fruits, but in the roots or fundamental orders of the Government. What even in these times must have follow'd, as to the liberty of Conscience, had there bin an equal Representative of the People, is apparent, in that the Captain and the Officers, implo'y'd by this Synagog to apprehend the Apostles, brought them without violence; for they fear'd the People, lest they should have bin slay'n. It is true, there is nothing with us more customary, even in the solemnst places, and upon the solemnst occasions, than to upbraid the People with giddiness from the Hosanna and the Crucifige of the Jews. What may be charg'd upon a multitude not under orders, the fouler Crime it be, is the fairer Argument for such Orders, as where they have bin once eftablish'd, the People have not bin guilty of such Crimes; at least, it should seem, that in this case there is great scarcity of Witness against them, seeing the Death of Socrates is more laid to one People, than that of all the Martyrs to Kings: yet were the false Witnesses by whom Socrates suffer'd (and by the like wherto a man in the best Government may chance to suffer) no sooner discover'd, than they were destroy'd by the People, who also erect'd a Statue to Socrates. And the People who, at the Arraignment of Christ, cry'd, Crucify him, were such as the chief Priests mov'd or promis'd, and such also as fear'd the multitude. Now that the People which could be promis'd by the chief Priests, or the People which could fear the People, could be no other than this pretended Representative of the People, but indeed a Junta of Counsels and Retainers, is that which, for ought I know, may be possible; and the rather, for what happen'd before upon the Law call'd among the Jews, The Law of the Zealot, which was intituted by Moses in these words: If thy Brother, the Son of thy Mother—insist thee, saying, Let us go and serve other Gods,—thy hand shall be first upon him to put him to death—and afterwards the hand of all the People. By this Law it is plain that, as to the true intent thereof, it relates to no other cause than that only of Idolatry. The execution
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Book II. execution of the same, according to the Talmud, might be performed by any number of the People, being not under ten, either apprehending the Party in the Fact, or upon the Testimony of such Witnesses as had so apprehended him: yet will it not be found to have been executed by the People, but upon instigation of the Priest, as where they interpreting the Law as they lift) ST EPHEN is stoned. Now if the Priests could have made the People do as much against CH RIST, what needed they have gone to PIL AT for help? and if they could not, why should we think that the Multitude which cry'd out, CR U CIFY H I M, CRUCIFY HIM, should be any other than the great Synagogue?

HOWEVE R, that it was an Oligarchy, consisting of a Senate and a Presbytery, which not only scourged the Apostles, but caus'd CH RIST to be crucified, is certain. And so much for the great Synagogue.

SECT. 8.
The Model of the Jewish Commonwealth.

THESE parts being historically laid down and prov'd, it follows that the Cabalistical or Jewish Commonwealth was much after this Model.

BE the capacity of bearing Magistracy, or giving Counsel upon the Law, or any part of the Law of this Commonwealth, in no other than such only as are Presbyters.

BE Presbyters of two sorts: the one general, the other particular.

BE Presbyters general ordain'd by the laying on of hands of the Prince of the Sanhedrim with the rest of the Elders, or Presbytery of the same, and by no other Court without a Licence from the Prince of the Sanhedrim; and be those ordain'd in this manner eligible by the major vote of the seventy Elders into the Sanhedrim, or into any other Court by the major vote of the Elders or Presbytery of that Court.

BE Presbyters particular ordain'd by any Court of Justice; and be these capable of giving Counsel in the Law, or in some particular part of the Law, according to the gift that is in them by the laying on of the hands of the Presbytery.

BE all Presbyters capable of nomination to the great Synagog.

BE the Sanhedrim in Law made the supreme Magistracy or Judicatory; and with a Junta of fifty Presbyters of their Nomination, the great Synagog.

BE the great Synagog the Legislative Power in this Commonwealth.

SUCH was the Government, where the word of a Scribe or Doctor was avowedly held to be of more validity than the Scripture; and where the usual appellation of the People, by the Doctors and Pharisees, was (populus terre) the Rationally Rabble.

Regis ad exemplum totus componitur orbis.

SECT. 9.
Ordination in the Jewish Synagog.

THERE were other Synagogues for other uses, as those wherein the Law was read every Sabbathday; each of which also had her Ruler and her Presbytery, with power to ordain others to this Capacity.
CHAP. VI.

Shewing how Ordination was brought into the Christian Church, and the divers ways of the same that were at divers times in use with the Apostles.

We do not find that Christ (who gave little countenance to the Jewish Traditions) ordain’d his Apostles or Disciples by the imposition of hands: his Apostles were twelve, whom he compares to the twelve Princes of the Tribes of Israel; and his Disciples were seventy, in which number it is receiv’d by Divines, that he alluded to the seventy Elders or Sanhedrim of Israel. So thus far the Government of the Church, instituted by Christ, was according to the form instituted by Moses. But Christ in this form was King and Priest, not after the institution of Moses, who separated the Levites to the Priesthood; but as before Moses, when the Royal and Priestly Function were not separated, and after the order or manner of Melchisedec, who came not to the Priesthood by proving his Pedegree, as the High Priest in Israel by Father, or as the King Priest in Athens by Mother, but without Father and Mother. Or be what has bin said of Melchisedec approv’d or rejected, such for the rest, as has been shewn, was the form introduc’d by Christ into his Church.

Christ being taken up into Heaven, his Disciples or Followers in Jerusalem increas’d to about one hundred and twenty names; and the Apostles decreas’d by one, or by Judas, who was gone to his place. Peter, whether upon the Council or Determination of the eleven Apostles (as is most probable) beforehand or otherwise, stood up and spoke both to the Apostles and Disciples assembled upon this occasion, That one out of the present Assembly might be ordain’d an Apostle; and they (that is, the Congregation, or why this proposal to them?) appointed two by Suffrage; for how otherwise can an Assembly appoint? These were Barabas and Matthias, which Names, being written in scrolls, were cast into one Urn; two lots, whereof one was a blank, and the other inscrib’d with the word Apostle, being at the same time cast into another Urn. Which don, they pray’d that God would shew which of the Competitors by them to make, he had chosen; when they had thus pray’d, they gave for their lots, that is, a scrol out of the one Urn, and then a name to that scrol out of the other Urn; and the lot fell upon Matthias, or Matthias was taken; whereupon Matthias was number’d, or rather decreed with the eleven Apostles. For Psalm. vii. xviii. a word which properly derives from such Stones or Pebbles as popular Assemblies of old were wont to ballot with or give suffrage by, not only signifies a Decree, but especially such a Decree as is made by a popular Assembly. Now if this was Ordination in the Christian Church, and of Apostolical Right, then may there be a way of Ordination in the Christian Church, and of Apostolical Right, exactly conformable to the Ballot, or way us’d by Moses in the institution of the seventy Elders or Sanhedrim of Israel.
The Art of Lawgiving.

Book II. AFTER the conversion of som thousands more, most, if not all, of which were Jews, a People tho converted, yet so tenacious of their Laws and Customs, that even Circumcision (hitherto not forbidden by the Apostles) was continu'd among them; the twelve Apostles called the multitude of Disciples to them. So Moses, when he had any thing to propose, assembled the People of Israel. And when the twelve had thus call'd the Disciples, they said, Look ye out among you seven men of honest report, full of the Holy Ghost and Wisdom, whom we may appoint over this business. So Moses said to the Congregation of Israel, Take ye seven wise men, and understanding, and known among your Tribes, and I will make them Rulers over you. And the faying of the Apostles pleas'd the whole multitude. So the People of Israel were wont to answer to Moses, The thing which thou sayst is good for us to do. This faying of the Apostles being thought good by the whole multitude, the whole multitude elected seven men whom they set before the Apostles: and when they had pray'd, they laid their hands on them. To fay in this place (as they do) that the Act of the People was but a Prefentation, and that the Apostles had power to admit or refuse the Persons so preferred, is as if one should say, That the act of electing Parliament men by the People of England, was but a Prefentation, and that the King had power to admit or refuse the Persons so preferred. And seeing the Deacons henceforth had charge of the Word, to fay, that by this choice the Deacons receive not the charge of the Word, but the care to serve Tables, is as if one should say, That Parliament men by their Election receive only the care to levy Money or Provision for the King's Table; but if upon such Election they debated also concerning Laws, that Power they receive'd from the King only.

But if this was a way of Ordination in the Christian Church, and of Apostolical Right, then there may be a way of Ordination in the Christian Church, and of Apostolical Right, consisting in part of the Orders of the Israelish Commonwealth, and in part of the Orders of the Jewish Commonwealth.

Lastly, Paul writing to Timothy concerning his Ordination, has in one place this expression, Neglect not the Gift that is in thee, which was given thee by prophets, with the laying on of the hands of the Presbytery. So the Presbytery of a Jewish Synagog laid their hands on the Party ordain'd. And in another place he has this expression: Stir up the Gift of God which is in thee by the laying on of my hands. So the Ruler of a Jewish Synagog did lay his hands also on the Party ordain'd. Moreover, the Apostle in these words, The Gift that is in thee by laying on of hands, tho in relation to Gifts beyond comparison more excellent, uses the Phrase known upon the like occasion to have bin common with the Jews. Wherefore if this were a way of Ordination in the Christian Church, and of Apostolical Right, then may there be a way of Ordination in the Christian Church exactly conformable to the Jewish Commonwealth, and yet be of Apostolical Right. Nor is it so strange that the Apostles in matters of this nature should comply with the Jews, of which so many were converted, seeing it is certain that not only the Apostles, but all such as in these times were converted, did observe the Jewish Sabbath; nay, and that Paul himself took Timothy and circumcised him, because of the Jews; that is, to comply with them, or to give them no offence. Nor do our Divines any where pretend imposition of hands to be deriv'd from Christ, but unani-
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unanimously confess, that it was taken up by the Apostles from the
Jewish Sanhedrim.

NOW in these several ways of Ordination, there is a most re-
markable Providence of God. For whereas States and Princes in re-
ceiving of Religion are not at any point so jealous as of an incroach-
ment upon their Power; the first way of Apostolical Ordination de-
struys Monarchical Power: the last wholly excludes the Power of the
People; and the second has a mixture which may be receiv'd by a Com-
monwealth, or by a Monarchy. But where it is receiv'd by a Com-
monwealth, the imposition of hands comes to little; and where it is
receiv'd by a Monarchy, the Election of the People comes to nothing,
as may be farther consider'd in the original and progress of the
Coxe d'Elire.

THE ways of Ordination or of Church Government lying thus in
Scripture, the not receiv'ing of the Christian Religion is not that wherof
any State or Prince thro' the whole world can be any ways excusable.

The Conclusion:

Shewing, that neither GOD, nor CHRIST, or the APO-
STLES, ever instituted any Government Ecclesiastical or Civil
upon any other Principles than those only of Human Prudence.

To sum up this second Book in the Uses that may be made of it:

Certain it is of the Gree and Roman Storys, that he who has not
from good Idea or Notion of the Government to which they relate,
cannot rightly understand them. If the like holds as to the Scripture
Story, from light may be contributed to it by this Book. Again, if
from gifted Men happening to read it, should chance to be of the same
judgment, it is an Argument for acquird Learning, in that for the
means of acquird Learning, and in the means of acquird Learning
for University. For how little foever this performance be, had it not
been the fashion with the English Gentry, in the breeding of their Sons,
to give them a fimack of the University, I should not have done so
much.

But letting these pass. If there were Commonwealths, or Go-
 vernments exercising Soverain Power by the Senat and the People, be-
fore that of Israel, as namely, Gibeon: If the inferior Orders and
Courts in Israel, as those instituted by Moses after the advice of
Jethro Heathen, were transferr'd out of another Government
tho Heathen, as namely, that of Midian: If the order of the Church
introduced by Christ in his twelve Apostles and his seventy Disci-
 ples, were after the pattern of Israel, namely, in the twelve Princes
of the Tribes, and the seventy Elders: If there were three distinct
ways of Ordination introduced by the Apostles; one exactly accord-
ing to the Ballot of Israel, as namely, in the Ordination of Matthi-
 ains; another exactly according to the way of the Jewish Sanhedrim
or Synagog, as namely, that of Timothy; and a third, composit of
these two, as namely, that of the Deacons: Then is it a clear
and undeniable refult of the whole, That neither GOD, nor CHRIST,
Book II. or the APOSTLES, ever instituted any Government Ecclesiastical or Civil upon any other Principles than those only of Human Prudence.

Sect. 3. The Consequence of this Sje.

AN Observation of such consequence, as, where it has bin rightly consider'd, there the truth of Religion and of Government once planted, have taken root and flourish'd; and where it has not bin rightly heeded, there has Religion or the pretence of it bin the hook and the line, and the State the prey of Impostors and false Prophets, as was shewn in the hypocritical Pharisees, for ever stigmatiz'd by the word of Truth.

AND for Might, let her be never so much exalted in her self, let her Sword be never so dreadfully brandish'd; the Government not founded upon Reason, a Creature of God, and the Creature of God whose undoubted right in this part is by himself undeniably avow'd and asserted, is a Weapon fram'd against God; and no Weapon fram'd against God shall prosper.

THE Principles of Human Prudence, and in them the Art of Lawgiving, being shewn in the first Book, and vindicated throughout the whole course of Scripture by this second, I come in the third to shew a Model of Government, fram'd according to the Art thus shewn, and the Principles thus vindicated.
The THIRD BOOK: CONTAINING A MODEL OF Popular Government,

Practically propos'd according to Reason, confirm'd by the Scripture, and agreeable to the present Balance or State of Property in England.

The PREFACE,

Containing a Model of Popular Government, propos'd Notionally.

THERE is between the Discourses of such as are commonly call'd Natural Philosophers, and those of Anatomists, a large difference; the former are facile, the latter difficult. Philosophers, discoursing of Elements for example, that the Body of Man consists of Fire, Air, Earth and Water, are easily both understood and credited, seeing by common Experience we find the Body of Man returns to the Earth from whence it was taken. A like Entertainment may befal Elements of Government, as in the first of these Books they are stated. But the fearful and wonderful making, the admirable structure and great variety of the parts of man's Body, in which the Discourses of Anatomists are altogether conversant, are understood by so few, that I may say they are not understood by any. Certain it is, that the delivery of a Model of Government (which either must be of no effect, or embrace all those Muscles, Nerves, Arteries and Bones, which are necessary to any Function of a well order'd Commonwealth) is no less than political Anatomy. If you consider of this, your Discourse is altogether ineffectual; if you consider of you are not understood; you may, perhaps, be call'd a learned Author; but you are obscure, and your Doctrine is impracticable. Had I only suffer'd in this, and not the People, I should long since have left them to their humor; but seeing it is they that suffer by it, and not my self, I will be yet more
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Book III. more a fool, or they shall be yet wiser. Now comes into my head what I saw long since upon an Italian Stage, while the Spectators wanted Hoops for their fuses. A Country fellow came with an Apple in his hand; to which, in a strange variety of faces, his Teeth were undoubtedly threaten'd, when enter'd a young Anatomist brimful of his last Lesson, who, stopping in good time the hand of this same Country fellow, would by no means suffer him to go on with so great an Enterprize, till he had first nam'd and describ'd to him all the Bones, Nerves, and Muscles which are naturally necessary to that motion: at which, the good man being with admiration plainly chopfallen, comes me in a third, who, snatching away the Apple, devour'd it in the presence of them both. If the People, in this case whereof I am speaking, were naturally so well furnish'd, I had here learn'd enough to have kept silence: but their eating, in the political way, of applause necessitates the aid of some political Anatomist; without which, they may have Appetites, but will be chopfallen. Examples whereof they have had but too many; one I think may be insert'd upon without envy.

This is that which was call'd The Agreement of the People, consisting in sum of these Propositions:

1. That there be a Representative of the Nation consisting of four hundred Persons, or not above.
2. Which Proposition puts the Bar on the quite contrary side; this being the first example of a Commonwealth, wherein it was conceived, that five hundred thousand men, or more, might be represented by four hundred. The Representation of the People in one man, causes Monarchy; and in a few, causes Oligarchy: the Many cannot be otherwise represented in a State of Liberty, than by so many, and so qualify'd, as may within the compass of that number and nature imbrace the interest of the whole People. Government should be establish'd upon a Rock, not set upon a Precipice: a Representative consisting but of four hundred, tho' in the nature thereof it be popular, is not in itself a Weapon that is fix'd, but has something of the broken Bow, as still apt to start aside to Monarchy. But the paucity of the number is tempered with the shortness of the term, it being farther provided,

That this Representative be biennial, and sit not above eight Months. But seeing a supreme Council in a Commonwealth is neither assembled nor dissolved, but by stated Orders directing upwards an irresistible strength from the root, and as one tooth or one nail is driven out by another; how is it provided that this Biennial Council shall not be a perpetual Council? Whereas nothing is more dangerous in a Commonwealth than entire Removals of Councils, how is it provided that these shall be men sufficiently experienced for the management of Affairs? And last of all, whereas dissolution to Sovereign Power is death, to whom are these after their eight months to bequeath the Commonwealth? In this case it is provided,

That there be a Council of State elected by each new Representative, within twenty days after their first meeting, to continue till ten days after the meeting of the next Representative. In which the faults observed in the former Order, are so much worse, as this Council consists of fewer. Thus far this Commonwealth is Oligarchy: but it is provided,

That these Representatives have Soverain Power, save that in some things the People may repel them by Arms. Which first is a flat contradiction, and next is downright Anarchy. Where the Soverain Power is not as intire and absolute as in Monarchy it self, there can be no Government.
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ment at all. It is not the limitation of Sovereign Power that is the cause of a Commonwealth, but such a libration or poise of Orders, that there can be in the same no number of men having the interest, that can have the power; nor any number of men having the power, that can have the interest, to invade or disturb the Government. As the Orders of Commonwealth are more approaching to, or remote from this Maxim (of which this is of the Levellers has nothing) so are they more quiet or turbulent. In the Religious part only, proposing a National Religion and Liberty of Conscience, tho' without troubling themselves much with the means, they are right in the end.

And for the Military part, they provide,

That no man (even in case of Invasion) be compellable to go out of the Country where he lives, if he procures another to serve in his room. Which plainly intails upon this Commonwealth a fit Guard for such a Liberty, even a Mercenary Army; for what one dos of this kind, may and will (where there is no bar) be done by all: So every Citizen by mony procuring his man, procures his Master. Now if this be work of that kind which the People in like cafes (as those also of Rome, when they instituted their Tribuns) do usually make, then have I good reason not only to think, but to speak it audibly, That to tooth up the People with an opinion of their own sufficiency in these things, is not to befriend them, but to feed up all hopes of Liberty to the slaughter. Yet the Leveller, a late * Pamphlet, having gather'd out of Oceana the Principles by him otherwise well inculcated, attributes it to the Agitators, or that Assembly which fram'd this wooden Agreement of the People: That then form of that Council affered-these Principles, and the reason of them.

But Railly apart, we are not to think it has bin for nothing that the wisest Nations have in the formation of Government as much rely'd upon the invention of som one man, as upon themselves: for whereas it cannot be too often inculated, that Reason consists of two parts, the one Invention, the other Judgment; a People or an Assembly are not more eminent in point of Judgment, than they are void of Invention. Nor is there in this anything at all against the sufficiency of a People in the management of a proper Form, being once introduc'd, so they should never come to a perfect understanding of it. For were the natural Bodies of the People such as they might commonly understand, they would be (as I may say) wooden Bodies, or such as they could not use; whereas their Bodies being now such as they understand not, are yet such as in the use and preservation whereof they are perfect.

There are in Models of Government things of so easy practice, and yet of such difficult understanding, that we must not think them even in Venice, who use their Commonwealth with the greatest prudence and facility, to be all, or any considerable number of them, such as perfectly understand the true Reason or Anatomy of that Government: nor is this a presumptuous Assertion, since none of those Venetians, who have hitherto written of their own form, have brought the truth of it to any perfect light. The like perhaps (and yet with due acknowledgement to Livy) might be said of the Romans. The Lacedemonians had not the right understanding of their Model, till about the time of Aristotle it was first written.

* A later Pamphlet call'd XXV Query, using the Balance of Property, which is fair enough, refers it to Sir Thomas Smith's 15th. chap. (De Republica, populi ingenio accommodata) where the Author speaks not one word of Property; which is very foul.
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by Dicearchus one of his Scholars. How egregiously our Ancestors (still those foundations were broken which at length have brought us round) did administer the English Government, is sufficiently known. Yet by one of the wisest of our Writers (even my Lord Verulam) is Henry the Seventh parallel’d with the Legislators of antient and heroic times, for the institution of those very Laws which have now brought the Monarchy to utter ruin. The Commonwealths upon which Macchiavel in his Discourses is incomparable, are not by him, any one of them, sufficiently explain’d or understood. Much less is it to be expected from a People, that they should overcome the like difficulties, by reason whereof the wisest Nations (finding themselves under the necessity of a change, or of a new Government) induc’d by such offers as promis’d fair, or against which they could find no exceptions, have usually acted as men do by new Clothes; that is, put them on, that, if they be not exactly fit at first, they may either fit themselves to the body in wearing, or therby more plainly shew wherein they can be mended even by such, as would otherwise prove but bad workmen. Nor has any such offer bin thought to have more Pretension, much left Treson in it, than if one conficient of his skill in Architecture, should offer himself to the Prince or State to build a more convenient Parliament house. England is now in such a condition, that he who may be truly said to give her Law, shall never govern her; and he who will govern her, shall never give her Law. Yet some will have it, that to affirm Popular Power, is to low the seed of Civil War, and object against a Commonwealth, as not to be introduc’d but by Arms; which by the undeniable testimony of later Experience, is of all other Objections the most extravagant: for if the good old Cuase, against the desire of the Army, and of all men well affected to their Country, could be tried under foot without blood; what more certain demonstration can there be, that (let the deliberations upon, or changes of Government, be of what kind soever which shall please a Parliament) there is no appearance that they can occasion any Civil War? Streams that are stop’d may urge their Banks; but the course of England, into a Commonwealth, is both certain and natural. The ways of Nature require Peace: The ways of Peace require Obedience to the Laws: Laws in England cannot be made but by Parliaments: Parliaments in England are com to be mere popular Assemblies: The Laws made by popular Assemblies (tho for a time they may be aw’d, or deceived, in the end) must be popular Laws: and the sum of popular Laws must amount to a Commonwealth. The whole doubt or hazard of this Consequence remains upon one question, Whether a single Council consisting but of four hundred, indu’d both with Debate and Result; the Keys of whose Doors are in the hands of ambitious men; in the crowd and confusion of whose Election the People are as careless as tumultuous, and cait, thro the want of good Orders, to be deluded; while the Clergy (declar’d and investr of Enemies of popular Power) are laying about, and sweating in the throng, as if it were in the Vinyard; upon whose Benches Lawyers (being feather’d and arm’d, like sharp and sudden Arrows, with a privaat interest pointblank against the Public) may and frequently do swarm, can indeed be call’d a popular Council. This, I confess, may set the whole State of Liberty upon the cait of a Dy; yet question I; it is more than odds on the behalf of a Commonwealth, when a Government labors in frequent or long struggles, not thro any certain bias of Genius or Nature that can be in such a Council, but thro the impotence of such Conclusions as may go away, and the external force or state of Property now fully introduc’d: whereas such a Council may wander, but never find any rest or settlement, except only in that natural and proper

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proper Form of Government which is to be erected upon a mere Popular Foundation. All other ways of proceding must be void, as inevitably guilty of contradiction in the Superstructures to the Foundation; which have amounted, and may amount to the discouragement of honest men, but with no other success than to imbroid or retard Business: England being not capable of any other permanent Form than that of a Commonwealth; tho her Supreme Council be so constituted, that it may be Monarchically inclin’d. This contradiction in the Frame is the frequent occasion of contradictory Expolulations and Questions. How, say they, should we have a Commonwealth? Which way is it possible that it should come in? And how, say I, can we fail of a Commonwealth? What possibility is there we should miss of it?

If a man replies, he answers thus: No Army ever set up a Commonwealth. To the contrary, I instance the Army of Israel under Moses; that of Athens about the time of Alcibiades; that of Rome upon the expulsion of the Tarquins; those of Switzerland and Holland. But, say they, other Armies have not set up Commonwealths. True indeed, drivers other Armies have not set up Commonwealths; yet is not that any Argument why our Armies should not. For in all Armies that have not set up Commonwealths, either the Officers have had no Fortunes or Estates at all, but immediately dependent upon the mere Will of the Prince, as the Turkish Armies, and all those of the Eastern Countries; or the Officers have bin a Nobility commanding their own Tenants. Certain it is, That either of these Armies can set up nothing but Monarchy. But our Officers hold not Estates of Noblemen able upon their own Lands to levy Regiments, to which case they would take home their People to plow, or make Hay; nor are they yet so put to it for their Livelihood, as to depend wholly upon a Prince, in which case they would fall on robbing the People: but have good honest Popular Estates to them and their Heirs for ever. Now an Army, where the Estates of the Officers were of this kind, in no reason can, in no experience ever did set up Monarchy. Ay but, say they, for all that, their Pay to them is more considerable than their Estates. But so much more must they be for a Commonwealth, because the Parliament must pay: and they have found by experience, that the Pay of a Parliament is far better than that of a Prince. But the four hundred being Monarchically inclin’d, or running upon the Interest of those irreconcilable Enemies of Popular Power, Divines and Lawyers, will rather pay an Army for commanding, or for supporting of a Prince, than for obeying. Which may be true, as was acknowledged before, in the way; but in the end, or at the long run, for the reasons mention’d, must be of no effect.

These Arguments are from the Cause; now for an Argument to Sense, and from the Effect: If our Armies would raise Mony of themselves, or, which is all one, would make a King, why have they not made a King in so many Tears? Why did they not make one yesterday? Why do they not to day? Nay, why have they ever bin, why do they still continue to be of all others in this point the most averse and refractory?

But if the case be so with us, that Nature runs wholly to a Commonwealth, and we have no such Force as can withstand Nature, why may we not as well have golden Dreams of what this Commonwealth may be, as of the Indys, of Flanders, or of the Sound? The Frame of a Commonwealth may be dreamt on, or propos’d two ways; the one in Theory, or notionally, in which it is of easy understanding, but of difficult practice: The other practically, in which it is of difficult understanding, but of facil use.
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1. That the native Territory of the Commonwealth be divided, so equally as with any convenience it may, into fifty Tribes or Precincts.

2. That the People in each Tribe be distinguished, first by their Age, and next by the valuation of their Estates: All such as are above eighteen, and under thirty, being accounted Youth; and all such as are thirty or upwards, being accounted Elders. All such as have under one hundred pounds a year in Lands, Goods, or Mony, being accounted the Foot; and all such as have so much or upwards, being accounted of the Horfe.

3. That each Tribe elect annually out of the Horfe of their number two Elders to be Knights; three Elders out of the same, and four Elders more out of the Foot of their number, to be Deputies or Burgeses. That the term of each Knight and Burges, or Deputy so elected, be triennial; and that whoever has serv'd his triennial Term in any one of these Capacities, may not be re-elected into any one of the fame, till a triennial Vacation be expir'd.

4. That in the first year of the Commonwealth there be a Senate so constituted, of three hundred Knights, that the term of one hundred may expire annually; and that the hundred Knights, annually elected by two in each Tribe, take in the Senate the places of them whose Term comes to be thus annually expir'd.

5. That in the first year of the Commonwealth there be a Representative of the People, consisting of one thousand and fifty Deputies; four hundred and fifty of them being Horfe, and the rest Foot. That this Representative be so constituted, that the term of two hundred of the Foot, and of one hundred and fifty of the Horfe, expire annually; and that the two hundred Foot, and one hundred and fifty Horfe elected annually, by four of the Foot, and three of the Horfe in each Tribe, take the places in this Representative of them whose terms come thus annually to be expir'd.

6. That the Senate have the whole Authority of Debarre; that the Representative have the whole power of Refult, in such a manner, that whatever (having bin debated by the Senate) shall by their Authority be promulgated, that is, printed and published, for the space of six weeks; and afterwards (being propos'd by them to the Representative) shall be resolv'd by the People of the fame in the Affirmative, be the Law of the Land.

THUS much may suffice to give implicitly a notional account of the whole frame. But a Model of Government is nothing as to use, unless it be also deliver'd practicably; and the giving of a Model practicably, is so much the more difficult, that men, not vers'd in this way, say of it (as they would of the Anatomy of their own Bodies) that it is impracticable. Here lies the whole difficulty: such things as, trying them never so often, they cannot make hang together, they will yet have to be practicable; and if you would bring them from this kind of shifts, or of tying and anizing all sorts of knots, to the natural nerves and ligaments of Government, then with them it is impracticable. But to render that which is practicable, facil; or to do my last indexor of this kind, of which if I miss this once more, I must hereafter despair: I shall do two things; first, omit the Ballot, and then make some alteration in my former method.

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THET who have interwoven the Ballot with the description of the Commonwealth, have thereby render'd the same by far the more complete in itself; but in the understanding of their Readers, as much defective: wherefore presuming the use of the Ballot through the Orders of this Model, I shall refer it to practice; in which it will be a matter of as much facility, as it would have bin of difficulty in writing. And for the method I have chosen, it is the most natural and intelligible, being no more than to propose the whole practicably: first, in the Civil; secondly, in the Religious; then in the Military; and last of all in the Provincial part of the Model.

CHAP. I.

Containing the Civil part of the Model, propos'd practicably.

Seeing it has bin sufficiently prov'd, that Empire follows the nature of Property; that the particular kind of Empire or Government depends upon the special distribution (except in small Countries) of Land; and that where the Balance in Property has not bin fix'd, the nature of the Government (be it what you will) has bin fluctuating: it is very reasonable that, in the proposition of a Commonwealth, we begin with a fixation of the Balance in Property; and this being not otherwise to be done than by some such Laws as have been commonly call'd Agrarian, it is propos'd,

THAT every one holding above two thousand pounds a year in Land, lying within the proper Territory of the Commonwealth, leave the said Land equally divided among his Sons; or else so near equally, that there remain to the eldest of them not above two thousand pounds a year in Land so lying. That this Proposition be so understood, as not to concern any Parent having no more than one Son, but the next Heir only that shall have more Sons; in such sort, as nothing be hereby taken from any Man, or from his Posterity, but that fatherly Affection be at all points extended as formerly, except only that it be with more Piety, and less Partiality. And that the same Proposition, in such Families where there are no Sons, concern the Daughter or Daughters in the like manner.

THAT no Daughter, being neither Heir nor Coheir, have above fifteen hundred pounds in Portion, or for her preferment in Marriage. That any Daughter, being an Orphan, and having seven hundred pounds or upwards in Portion, may charge the State with it. That the State being so charg'd, be bound to manage the Portion of such an Orphan for the best, either by due payment of the Interest of the same; or, if it be desir'd, by way of Annuity for Life; at the rate of one hundred pounds a year, for every seven hundred pounds so receiv'd. The manner whereof being elsewhere shewn, is not needful to be repeated.

THAT these Propositions prevent the growing of a Monarchical Nobility, is their peculiar end: Wherefore that this should hold the weight of an Objection in a popular Balance, already introduc'd thro' the failure of a Monarchical Nobility; or thro' a level made not by the People but by the Kings or themselves, were propositious. Yet upon this score (for I see no other) is there such Animosity against the like Laws, that wife men have judg'd it an Indiscretion, in such as are affected to Popular Government, not to temporize in this point; at
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Book III. leaf, till a Commonwealth were first introduc'd. To which Judgment I am by no means inclining: First, Because the whole stream of this kind of Government is so clear and pellucid, as to abhor having any thing in the bottom which may not appear at the very top. Secondly, Because an Agrarian, not brought in with the introduction of a Commonwealth, was never yet known to be brought in after the introduction of a Commonwealth. And thirdly, Because the change of Balances in States, tho' the want of fixation, has bin so sudden, that between the Reign of Henry the Seventh, and that of Queen Elizabeth, being under fifty years, the English Balance of Monarchical became Popular; and that of Rome, between the Lives of Scipio and of Tiberius Gracchus, being also under fifty years, of Popular became Monarchical. Nevertheless, if there remains any cure of Animosity that may be safe, it must be prudent: And such a cure (if we be not so abandon'd to mere fancy, as to sacrifice all Prudence to it) there may be in the addition of this Clause;

That no Agrarian Law hereby given to this Commonwealth, or to be hereafter given to the same, or to any Province of the same, be under-foot to be otherwise binding, than to the Generation to come, or to the Children to be born seven years after the enacting of the Law.

Upon the addition of this Clause, it may be safely said of these Agrarian Laws, that they concern not any man living; and for Posterity, it is well known, that to enact a Law, is no more in their regard, than to commend a thing to their choice; seeing they, if so pleas'd, can no more be de vested of the Power to repeal any Law enacted by their Ancestors, than we are of repealing such Laws as have bin enacted by ours.

To this it may be objected, That Agrarian Laws, being once enacted, must have brought Estates to the standard of the same, before Posterity can come into a capacity to judge of them. But this is the only means whereby Posterity can come to a true capacity to judge of them: First, because they will have had experience of the Laws whereof they are to judge; And secondly, because they will be void of all such imaginary Interests as might corrupt their Judgment, and do now certainly corrupt ours.

The Balance of the Commonwealth of Israel, thro' the distribution of Lands at the introduction of the same, became Popular; and becoming Popular, was fix'd by the Law for the Jubilee. That which was sold, shall remain in the hands of them that bought it till the year of Jubilee; and in the Jubilee it shall go out, and he shall return to his possession. The ways in Israel, and in the Commonwealth propos'd, where the Popular Balance is not made but found, are divers; but the Agrarian Laws in each, as to the end, which is the preservation of the Balance, are of a like effect.

To rise thus from true Foundations to proper Superstructures, the first step from the Balance thus fix'd into the Orders of a Commonwealth, is not other wise to be taken than by certain Distributions or Divisions of the People, whereof som are to be personal, and som local.

The first personal division of a People, is into Freemen and Servants. Freemen are such as have wherewithal to live of themselves; and Servants, such as have not. This division therfore is not constitutive, but naturally inherent in the Balance; nor, seeing all Government is in the direction of the Balance, is it possible for the Superstructures
structures of any to make more Freemen than are such by the nature of the Balance, or by their being able to live of themselves.

ALL that could in this matter be done, even by Moses himself, is contained in this Provifo: If thy Brother that dwells by thee be grown poor, and be sold to thee, thou shalt not compel him to serve as a bond servant: but as a hire servant, and a sojourner he shall be with thee, and shall serve thee to the year of Jubile. And then shall he depart from thee, both he and his Children with him, and shall return to his own Family, and to the Possession of his Fathers shall he return.

THE nature of Riches consider'd, this division into Freemen and Servants is not properly constitutive, but as it were natural. To come to such Divisions as are both personal and constitutive, it is propos'd,

THAT all Citizens, that is, Freemen, or such as are not Servants, be distributed into Horse and Foot. That such as have one hundred pounds a year in Lands, Goods or Money, or above that proportion, be of the Horse; and all such as have under that proportion, be of the Foot.

THAT all Elders or Freemen, being thirty years of Age or upwards, be capable of Civil Administration: and that the Touth, or such Freemen as are between eighteen years of Age and thirty, be not capable of Civil Administration, but of Military only; in such a manner as shall follow in the Military part of this Model.

NOW, besides personal divisions, it is necessary in order to the framing of a Commonwealth, that there be some such as are local. For these therefore it is propos'd,

THAT the whole native, or proper Territory of the Commonwealth, be eall'd, with as much exactness as can be convenient, into known and fixed Parishes or Parishes.

THAT the Elders, resident in each Parish, annually assemble in the same; as for example, upon Monday next inquiring the last of December. That they then and there elect out of their own number every fifth man, or one man out of every five, to be for the term of the year inquiring, a Deputy of that Parish; and that the first and second so elected be Overseers, or Presidents, for regulating of all Parochial Congregations, whether of the Elders or of the Touth, during the term for which they were elected.

THAT so many Parishes being nearest together, whose Deputies shall amount to one hundred or therabouts, be cast into one Precinct eall'd the Hundred. And that in each Precinct eall'd the Hundred, there be a Town, Village, or place appointed to be the Capital of the same.

THAT the Parochial Deputies elected throughout the Hundred, assemble annually; for example, upon Monday next inquiring the last of January, at the Capital of their Hundred. That they then and there elect out of the Horse of their number one Justice of the Peace, one Juryman, one Captain, one Insign: and out of the Foot of their number, one other Juryman, one High Constable, &c.

THO our Justices of the Peace have not bin annual, yet that they may so be is apparent, because the high Sherifs, whose Office is of greater difficulty, have always bin annual: seeing therefore they may be annual, that so they ought in this Administration to be, will appear, where they come to be constitutive of such Courts as, should they confit of a standing Magistracy, would be against the nature of a Commonwealth. But the Precincts hitherto being thus stated, it is propos'd,

THAT
THAT every twenty Hundreds, lying nearest and most conveniently together, be cast into one Tribe. That the whole Territory being after this manner cast into Tribes, some Town, Village, or place be appointed to every Tribe for the Capital of the same. And that these three Precincts, that is, the Parish, the Hundred, and the Tribe (whether the Deputies, thenceforth annually chosen in the Parishes or Hundreds, come to increase or diminish) remain firm and inalterable for ever, save only by Act of Parliament.

These Divisions, or the like, both personal and local, are that in a well order'd Commonwealth, which Stairs are in a good house; not that Stairs in themselves are desirable, but that without them there is no getting into the Chambers. The whole matter of Cost and Pains, necessary to the introduction of a like Model, lies only in the first Architecture, or building of these Stairs; that is, in stating of these three Precincts: which done, they lead you naturally and necessarily into all the Rooms of this Fabrice. For the just number of Tribes into which a Territory thus cast may fall, it is not very easy to be guessed; yet, because for the carrying on of discourse it is requisite to pitch upon some certainty, I shall presume that the number of the Tribes, thus stated, amounts to fifty; and that the number of the Parochial Deputies annually elected in each Tribe, amounts to two thousand. Be the Deputies more or fewer by the alterations which may happen in progress of time, it disorders nothing. Now to ascend by these Stairs into the upper Rooms of this Building, it is propos'd,

THAT the Deputies elected in the several Parishes, together with their Magistrates and other Officers both Civil and Military, elected in the several Hundreds, assemble or muster annually; for example, upon Monday next following the last of February at the Capital of their Tribe.

HOW the Troops and Companys of the Deputies, with their Military Officers or Commanders thus assembled, may, without expense of time, be straight distributed into one uniform and orderly Body, has bin elsewhere shewn, and is not needful to be repeated. For their work, which at this meeting will require two days, it is propos'd,

THAT the whole Body thus assembled, upon the first day of the Assembly, elect out of the Horse of their number one High Sheriff, one Lieutenant of the Tribe, one Cufftos Rotulorum, one Conductor, and two Censors. That the High Sheriff be Commander in chief, the Lieutenant Commander in the second place, and the Conductor in the third, of this Band or Squadron. That the Cufftos Rotulorum be Mastermaster, and keep the Rolls. That the Censors be Governors of the Ballot. And that the term of these Magistrates be annual.

These being thus elected, it is propos'd,

THAT the Magistrates of the Tribe, that is to say, the High Sheriff, Lieutenant, Cufftos Rotulorum, the Censors, and the Conductor, together with the Magistrates and Officers of the Hundreds, that is to say, the twenty Justices of the Peace, the forty Jurymen, the twenty High Constables, be one Troop, or one Troop and one Company apart; call'd the Prerogative Troop or Company. That this Troop bring in and afford the Justices of Assize, hold the Quarter Sessions in their several Capacities, and perform their other Functions as formerly.

By this means the Commonwealth at its introduction may embrace the Law as it stands, that is, unreform'd; which is the greatest advantage of such Reformations: for to reform Laws before the introduction
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of the Government, which is to shew to what the Laws in Reformer Chap. i.,
mation are to be brought or fitted, is impossible. But these Magis-
trats of the Hundreds and Tribes being such whereby the Parliament is
to govern the Nation, this is a regard in which they ought to be fur-
ther capable of such Orders and Instructions as shall thereto be requi-
fit: For which cause it is propos'd,

THAT the Magistrates of the Tribe, that is to say, the High Sherif,
Lieutenant, Custos Rotulorum, the Censor, and the Conductor, toget-
er with the twenty Justices elected at the Hundreds, be a Court for the
Government of the Tribe call'd the Phylarch; and that this Court proceed
in all matters of Government, as shall from time to time be directed by All
of Parliament.

BY these Courts the Commonwealth will be furnish'd with true
Channels, whereby at leisure to turn the Law into that which is suf-
ciently known to have bin its primitive Course, and to a perfect Re-
formation by degrees, without violence. For as the corruption of our
Law precedes from an Art inable to improve its privat Interest; or
from the Law upon the Bench, and the Jury at the Bar: So the Re-
formation of our Law must come from disabling it as an Art to improve
its privat Interest; or to a Jury upon the Bench, and the Law at the
Bar; as in Venice.

Judges and Officers shall thou make thee in all thy Gates which the
Lord thy God gives thee through thy Tribes, and they shall judge the People
with just Judgment. Thesie Courts, whose Sessionhoule was in the
Gates of every City, were shewn each of them to have consist of
twenty three Elders, which were as a Jury upon the Bench, giving
sentence by plurality of Votes, and under a kind of appeal to the se-
venty Elders or Senat of Israel, as was also shown in the second
Book.

THIS, or the like, by all example and beyond any controversy,
has bin, and is the natural way of Judicature in Commonwealts:
The Phylarcs, with a Court or two of Appeals eligible out of the
Senat and the People, are at any time with ease and very small altera-
tion to be call upon a triennial Rotation: which, in all things besides
proceeding after the manner of the Venetian Quarantys, will be in this
cafe perfect Orders.

TO return: The first Day's Election at the Tribe being as has bin
shewn, it is propos'd,

THAT the Squadron of the Tribe, on the second day of their Assem-
by, elect two Knights and three Burgess out of the Horse of their num-
ber, and four other Burgess out of the Foot of their number. That
each Knight upon Election forthwith make Oath of Allegiance to the Com-
monwealth; or refusing this Oath, that the next Competitor in Election to
the same Magistracy, making the said Oath, be the Magistrate: the like
for the Burgess. That the Knights, thus sworn, have Sesson in the
Senat for the term of three years; and that the Burgess thus sworn be of
the Prerogative Tribe, or Representative of the People for the like term.

NOW whereas this Proposition is sufficient for the perpetuation of
the Senat and the Assembly of the People, being once instituted, but
not sufficient for the full and perfect Institution of them, it necessitates
the addition in this place, not of a permanent Order, but of an Expe-
dient for the first years Election only; which may be this:

"THAT"
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Expedient for the first years Election.

%THAT for the full and perfect Institution of the Assembly mention'd, the Squadron of the Tribe in the first year of the Commonwealth elect two Knights for the term of one year, two other Knights for the term of two years, and lastly, two Knights more for the term of three years: the like for the Burgesses of the Horse first, and then for those of the Foot.

By this Expedient the Senate in fifty Tribes is constituted of three hundred Knights or Senators, whereby one hundred, by the expiration of their terms, com annually to fall; and another hundred at the same time to enter. The like for the Prerogative Tribe or Assembly of the People, which, confounding in the whole of one thousand and fifty, suffer the like alteration in one third part, or in the yearly exchange of one hundred and fifty Burgesses: By which means the Motion or Rotation of these Assemblies is Annual, Triennial, and Perpetual. For the full dispatch of the foregoing Elections there remains but one Proposition more, which is this:

%THAT a Magistrat or Officer elected at the Hundred be thereby excluded from being elected a Magistrat of the Tribe, or of the first days Election: that no former Election whatsoever exclude a man from the second days Election at the Tribe, or to be chosen a Knight or Burgess. That a man being chosen a Knight or Burgess, who before was chosen a Magistrat or Officer of the Hundred or Tribe, delegat his former Office, or Magistracy in the Hundred or the Tribe, to any other Deputy being no Magistrat nor Officer, and being of the same Hundred and of the same Order, that is, of the Horse or Foot respectively. That the whole and every part of the foregoing Orders for Election in the Parishes, the Hundreds, and the Tribes, be holding and inviolable upon such Penalties in case of failure, as shall hereafter be provided by Act of Parliament against any Parish, Hundred, Tribe, Deputy or Person so offending.

W I T H O U T some such Provision as is contain'd in the former part of this Proposition, men would be inconveniently excluded from preferment, or the Tribe obliged to return to the Ballot; and so to spend more time for trifles than is requir'd by their real busines.

The Representative of Israel collected monthly by the two thousand out of each Tribe (if we consider what Method must have bin us'd in such Elections) intimates, first, that there were Subdivisions to that end in each Tribe, perhaps of the nature of our Hundreds and Parishes: Secondly, that there were qualifications in those Elections as to the Patriarchs or chief Fathers, and as to the People with their Captains of thousands, and Captains of hundreds; which is enough thus far to approve and recommend the foregoing Propositions.

The Senate, and the Congregation or Representative of the People, are in every Commonwealth the main Orders. The Stairs or Degrees of ascension to these being now mounted, it remains that I lead you into the Rooms of State, or the Assemblies themselves: which shall be perform'd, first, by shewing their Frame, and next by shewing their Uses or Functions. 'To bring you first into the Senate, it is propos'd,'

THAT the Knights of the Annual Election in the Tribes take their places on Monday next, infining the last of March in the Senate. That the like number of Knights, whose Session determines at the same time, recede. That every Knight or Senator be paid out of the public Revenue quarterly, one hundred twenty five Pounds during his term of Session, and be obliged to sit in purple Robes.

15.

Provise.

The fourth Parallel.
2 Chron. 27.

16.

Frame of the Senat.
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That annually, upon the receipt of the new Knights, the Senate proceeds to the election of new Magistrates and Counsellors. That for Magistrates they elect one General, one Speaker, and two Censors, each for the term of one year; these by magistral election: and that they elect one Commissioner of the Great Seal, and one Commissioner of the Treasury, each for the term of three years, and out of the new Knights only.

This proposition supposes the Commissioners of the Seal and those of the Treasury to consist each of three, who through rotation, by the annual election of one into each order, upon a triennial rotation. For further explanation of the Senatorial Magistracies, it is proposed,

That the General and Speaker, as Consuls of the Commonwealth, and Presidents of the Senate, be, during the term of their magistracy, sitting, and not of the General marching.

That the General sitting, in case he be commanded to march, receiveth the General Field Pay; and that a new General be forthwith elected by the Senate to succeed him in the House, with all the rights, insignia, and emoluments of the General sitting: And this so often as one or more Generals are marching.

That the three Commissioners of the Great Seal, and the three Commissioners of the Treasury, using their insignia and habit, and performing their other functions as formerly, be paid quarterly to each of them three hundred seventy-five pounds.

That the Censors be each of them Chancellor of one University by virtue of their election; that they govern the Senate; that they be Presidents of the Council for Religion; that each have a silver wand for the insignia of his magistracy; that each be paid quarterly three hundred seventy-five pounds, and be obliged to wear scarlet robes.

That the General sitting, the Speaker, and the six Commissioners aforesaid, be the Signory of this Commonwealth.

This for the Senatorial Magistrates. For Senatorial Councils it is proposed,

That there be a Council of State consisting of fifteen Knights, five council of out of each order or election; and that the same be perpetuated by the State.

That there be a Council for Religion consisting of twelve Knights, four out of each order, and perpetuated by the annual election of four out of Religion, of the Knights last elected into the Senate. That there be a Council for Trade, consisting of a like number, elected and perpetuated in the same manner.

That there be a Council of War, not elected by the Senate, but elected by the Council of State out of themselves. That this Council of War consists of nine Knights, three out of each order, and be perpetuated by the annual election of three out of the last Knights elected into the Council of State.

That in case the Senate adds nine Knights more out of their own number to the Council of War, the said Council be understood by this addition to be Dictator of the Commonwealth for the term of three months, and no longer, except by further Order of the Senate the said Dictator Power be prolonged for a like term.
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THAT the Signory have Session and Suffrage, with right also jointly or severally to propose, both in the Senate and in all Senatorial Councils.

THAT each of the three Orders, or Divisions of Knights, elect one Provost for the term of one week; and that any two Provosts of the same Council so elected may propose to their respective Council, and not otherwise.

THAT some Room or Rooms well furnished and attended, be allow’d at the State charge for a free and open Academy to all comers at some convenient hour or hours towards the Evening. That this Academy be governed according to the Rules of good Breeding, or civil Conversation, by some or all of the Proposers; and that in the same it be lawful for any man by word of mouth or by writing, in jest or in earnest, to propose to the Proposers.

FROM the frame or structure of these Councils, I should pass to their Functions; but that besides annual Elections, there will be biennial, and others emergent: in which regard it is propos’d, first, for biennial Elections,

THAT for Embassadors in ordinary, there be four Residences; as France, Spain, Venice, and Constantinople: that every Resident, upon the Election of a new Embassador in ordinary, remove to the next Residence in the Order nominated, till having serv’d in them all, he returns home. That upon Monday next ensuing the last of November, there be every second year elected by the Senat some fit Person, being under thirty five years of Age, and not of the Senat or popular Assembly: that the Party so elected, repair upon Monday next ensuing the last of March following, as Embassador in ordinary to the Court of France, and there reside for the term of two years, to be computed from the first of April next ensuing his Election. That every Embassador in ordinary be allow’d three thousand pounds a year during the term of his Residences; and that if a Resident comes to dy, there be an extraordinary Election into his Residence for his term, and for the remainder of his Remov’d and Progress.

THAT all emergent Elections be made by Scrutiny, that is, by a Council, or by Commissioners proposing, and by the Senat resolving in the manner following: That all Field-Officers be propos’d by the Council of War; that all Embassadors extraordinary be propos’d by the Council of State; that all Judges and Serjeants at Law be propos’d by the Commissioners of the great Seal; that all Barons and Officers of Traff in the Exchequer, be propos’d by the Commissioners of the Treasury: and that such as are thus propos’d, and approv’d by the Senat, be held lawfully elect’d.

THESE Elections being thus dispatch’d, I come to the Functions of the Senat, and first, to those of the Senatorial Councils: for which it is propos’d,

THAT the cognizance of all matters of State to be consider’d, or Law to be enacted, whether it be Provincial or National, Domestic or Foreign, pertain to the Council of State. That such Affairs of every kind, as they shall judge to require more Secretly, be remitted by this Council, and belong to the Council of War, being for that end a select part of the same. That the cognizance and protection both of the National Religion, and of the Liberty of Conscience equally establish’d in this Nation, after the manner to be shown in the Religious part of this Model, pertain to the Council for Religion. That all matters of Traffic, and the regulation of the same belong to the Council of Trade. That in the exercise of these several Functions, which naturally are Senatorial or Authoritative only, no Council assume
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assume any other Power than such only as shall be settled upon the same by Act of Parliament.

THAT what shall be proposed to the Senate by any one or more of the Signory or Proposers respectively; or whatever was proposed by any two of the Provoists or particular Proposers to their respective Council, and upon debate at that Council shall come to be proposed by the same to the Senate, be necessarily debatable and debated by the Senate. That in all cases wherein Power is committed to the Senate by a Law made, or by Act of Parliament, the Refusal of the Senate be ultimate: that in all cases of Law to be made, or not already provided for by an Act of Parliament, as War and Peace, levy of Men or Money, or the like, the Refusal of the Senate be not ultimate. That whatsoever is resolved by the Senate, upon a case wherein their Refusal is not ultimate, be proposed by the Senate to the Prerogative Tribe or Representative of the People; except only in cases of such speed or secrecy, wherein the Senate shall judge the necessary swiftness or openness in this way of proceeding to be of detriment or danger to the Commonwealth.

THAT if upon the motion or proposition of a Council or Proposer General, the Senate adds nine Knights promiscuously chosen out of their own number, to the Council of War; the same Council, as therby made Dictator, have power of Life and Death, as also to enact Laws in all such cases of speed or secrecy, for and during the term of three months and no longer, except upon a new Order from the Senate. And that all Laws enacted by the Dictator be good and valid for the term of one year, and no longer; except the same be proposed by the Senate, and resolved by the People.

THIS Dictatorian Council (as may already appear) consists fundamentally of the Signory, with nine Knights elected by the Council of State, additionally of nine Knights more emergently chosen by the Senate, and of the four Tribuns of course; as will appear when I come to speak of that Magistracy. Now if Dictatorian Power be indeed formidable, yet this in the first place is remarkable, that the Council here offered for a Dictator is of a much safer Constitution, than what among us hitherto has been offer'd for a Commonwealth; namely, a Parliament and a Council in the interim. For here is no interim, but all the Councils of the Commonwealth not only remaining, but remaining in the exercise of all their Functions, without the abatement of any; speed and secrecy belonging not to any of them, but to that only of the Dictator. And if this Dictatorian Council has more in it of a Commonwealth than has hitherto among us bin either practis'd or offer'd, by what Argument can it be pretended that a Commonwealth is so imperfect thro' the necessity of such an Order, that it must needs borrow of Monarchy; seeing every Monarchy that has any Senate, Assembly, or Council in it, therby most apparently borrows more of a Commonwealth, than there is to be found of Monarchy in this Council?

TO diminish this whole Senate with one Parallel: The institution of the seventy Elders in Israel (as was shewn in the second Book) for their number related to an Accident, and a Custom therupon antiently introduce'd. The Accident was that the Sons of Jacob who went into Egypt were so many; these, first governing their Families by natural right, came, as those Families increased, to be for their number retain'd and continu'd in the nature of a Senatorial Council, while the People were yet in Egyptian Bondage. So we, having had no like Custom, have as to the number no like Inducement. Again, the

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Book III. Territory of Canaan amounted not to a fourth of our Country; and in Government we are to fit our selves to our own proportions. Nor can a Senator, confining of few Senators, be capable of so many distributions as a Senator confining of more. Yet we find in the restitution of the Sanhedrim by Jehoshaphat, that there was Amariah chief in all matters of the Lord, that is, in judgment upon the laws, which, having bin propos’d by God, were more peculiarly his matters; and Zebadiah chief in all the King’s matters, that is, in political debates concerning Government, or War and Peace. Lastly, when the Children of Ammon made War against Israel, the People of Israel made Jephtha not only Captain, but Head over them. So the Judg of Israel, being no standing Magistrat, but elected upon emergencies, supphys the Parallel as to Dictatorian Power in a Commonwealth.

DEBATE is the natural Parent of Refult; whence the Senat throout the Latin Authors is call’d Fathers, and in Greek Authors the compellation of a popular Assemly is Men; as Men of Athens, Men of Corinth, Men of Lacedemon; nor is this Custom Heathen only, seeing these Compellations are us’d to the Senat and the People of the Jews, not only by Stephen, but alio by Paul, where they begin their speeches in this manner: Men, Brethren, and Fathers. To com then from the Fathers to the People, the Popular Assemly, or Prerogative Tribe; it is propos’d,

THAT the Burgesses of the annual Election return’d by the Tribes, enter into the Prerogative Tribe upon Monday next injuing the last of March; and that the like number of Burgess, whose term is expire’d, recede at the same time. That the Burgess thus enter’d elect to themselves out of their own number, two of the Horfe; one to be Captain, and the other to be Cornef of the same; and two of the Foot; one to be Captain, the other to be Insign of the same, each for the term of three years. That these Officers being thus elected, the whole Tribe or Assembly procede to the Election of four annual Magistrats; two out of the Foot, to be Tribuns of the Foot: and two out of the Horfe, to be Tribuns of the Horfe. That the Tribuns be Commanders of this Tribe in chief, so far as it is a Military Body; and Presidents of the same, as it is a civil Assembly. And lastly, that this whole Tribe be paid weekly as follows. To each of the Tribuns of Horfe, seven pounds. To each of the Tribuns of Foot, six pounds. To each of the Captains of Horfe, five pounds. To each of the Captains of Foot, four pounds. To each of the Cornets, three pounds. To each of the Insigns, two pounds seven shillings. To every Horfeman two pounds, and to every one of the Foot one pound ten shillings.

FOR the Salaries of the Senat and the People together, they amount not to three hundred thousand pounds a year; which is cheaper by near two parts in three, than the chief Magistracy ever did or can otherwise cost; for if you give nothing (omnia dat qui justa negat) men will be their own Carvers. But to procede, it is propos’d,

THAT inferior Officers, as Captains, Cornets, Insigns, be only for the Military Discipin of the Tribe. That the Tribuns have Seffion in the Senat without Suffrage; that they have Seffion of course in the Dictatorian Council, fo often as it is created by the Senat, and with Suffrage. That they be Presidents of the Court in all cases to be judg’d by the People.

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THAT Peculat or Defraudation of the Public, and all cases tending to the subversion of the Government, be triable by this Representative; and that there be an Appeal to the same in all Causes, and from all Magistrats, Courts, and Councils, whether National or Provincial.

THIS Judicatory may seem large: but thus the Congregation of Israel, consisting of four hundred thousand, judg'd the Tribe of Benjamin. Thus all the Roman Tribes judg'd Coriolanus. And thus the Duke of Loredano was try'd by the great Council of Venice, consisting of about two thousand.

THIS is as much as I have to say severally of the Senat and the People; but their main Functions being joint, as they make one Parliament, it is farther propos'd,

THAT the right of Debate, as also of proposing to the People, be wholly and only in the Senat; without any power at all of Resulf, not deriving'd from the People.

THAT the power of Resulf be wholly and only in the People, without any right at all of Debate.

THAT the Senat having debated and agreed upon a Law to be propos'd, cause promulgation of the same to be made for the space of six weeks before promulgation; that is, cause the Law to be printed and published so long before it is to be propos'd.

THAT promulgation being made, the Signory demand of the Tribuns, being present in the Senat, an Assembly of the People. That the Tribuns, upon such a demand of the Signory or of the Senat, be oblig'd to assemble the Prerogative Tribe in Arms by sound of Trumpet, with Drums beating, and Colors flying, in any Town, Field, or Market place being not above six miles distant, upon the day and at the hour appointed; except the meeting, thro' any inconvenience of the weather or the like, be prorogu'd by the joint consent of the Signory and the Tribuns. That the Prerogative Tribe being assembled accordingly, the Senat propose to them by two or more of the Senator Magistrats, thereto appointed at the first promulgation of the Law. That the Proposers for the Senat open to the People the Occasion, Motives, and Reasons of the Law to be propos'd; and the same being done, put it by distinct Clauses to the Ballot of the People. That if any material Clause or Clauses be rejected by the People, they be review'd by the Senat, alter'd, and propos'd (if they think fit) to the third time, but no oftner.

THAT what is thus propos'd by the Senat, and resolve'd by the People, be the Law of the Land, and no other, except as in the case refered to the Senate. The Dictatorial Council.

THE Congregation of Israel being monthly, and the Representativa propos'd being annual and triennial, they are each upon Courtes or Rotation: the Congregation of Israel consisting of twenty four thousand, in which the whole number of the Princes of the Tribes and of the Princes of the Familys amounted not, I might say, to one hundred, but will say to one thousand; it follows, that the lower fort in the Congregation of Israel held proportion to the better fort, above twenty to one. Whereas in the Representative propos'd, the lower fort hold proportion to the better fort but six to four; and that popular Congregation where the lower fort hold but six to four, is by far the most Aristocratical that is or ever was in any well order'd Commonwealth, except Venice: but if you will have that Gentry to beall of one fort, or if you allow them to be of a better and of a meaner fort, Venice is not excepted. The Sanhedrim made no Law without
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Book III. the People; nor may the Senat in this Model: but the Sanhedrim with
the Congregation, might make Laws; so may the Senat, in our Model, with the Represtative of the People. Lastly, as the Congregation in Israel was held either by the Princes in person, with their Staves and Standards of the Camp, or by the four and twenty thousand in Military Disciplin; so the Represtative propos'd is in the nature of a Regimen.

EXCEPTING Venice, where there is a shadow, and but a shadow of Law made by the Senat (for the Soverain Power is undeniably in the great Council) and Athens, where a Law made by the Senat was current as a Probandion for one year before it was propos'd to the People; there neither is nor has bin any such thing in a Commonwealth as a Law made by the Senat. That the Senat should have power to make Laws, reduces the Government to a single Council; and Government by a single Council, if the Council be of the Many, is Anarchy, as in the Assembly of the Roman People by Tribes, which always flook, and at length ruin'd that Commonwealth. Or, if the Council be of the Few, it is Oligarchy, as that of Athens consisting of four hundred, who nebertheless pretended to propose to five thousand, tho they did not. Of which says Thucydides,

This was indeed the form pretended in words by the four hundred: but the most of them, thro' privat ambition, fell upon that by which an Oligarchy made out of a Democracy is chiefly overthrown: for at once they claim'd every one not to be equal, but to be far the chief. Anarchy, or a single Council consisting of the Many, is ever tumultuous, and dos ill even while it means well. But Oligarchy, seldom meaning well, is a Faction wherein every one striving to make himself, or from other whom he hopes for advantage, spoils all. There is in a Commonwealth no other cure of these, than that the Anarchy may have a Council of few, well chosen, and elected by themselves, to advise them; which Council so instituted, is the Senat: Or that the Oligarchy have a popular Represtative to balance it; which both curing Tumult in the rash and heady People, and all those Corruptions which cause Faithful men in the fly and subtil Few, to make of the proper Superstructures of a well order'd Commonwealth. As, to return to the example of the Oligarchy in Athens, where the four hundred (whole Reign, being very short, had bin as feticious) were depos'd; and the Soverainity was decreed to a popular Council of five thousand, with a Senat of four hundred annually elective upon Course, or by Rotation. Of this says Thucydides, Now first (at least in my time) the Athenians seem to have order'd their State right, it consisting of a moderat temper both of the Few and the Many. And this was the first thing that, after so many misfortunes, made the City again to raise her Head. But we in England are not apt to believe, that to decre the Sovereinty to thousands, were the way to make a City or a Nation recover of its Wounds, or to raise its Head. We have an averion to such thoughts, and are sick of them. An Assembly of the People Soverain! Nay, and an Assembly of the People consisting in the major vote of the lower fort! Why, sure it must be a dull, an unskilful thing. But so is the Touchstone in a Goldsmiths Shop, a dull thing, and altogether unskil'd in the Trade; yet without this, would even the Matter be deceiv'd. And certain it is, that a well order'd Assembly of the People is as true an Index of what in Government is good or great, as any Touchstone is of Gold.
A COUNCIL (especially if of a loose Election) having not only the Debate, but the Refult also, is capable of being influenced from without, and of being sway'd by Interest within. There may be a form'd, a prejudic'd Party, that will haften or outbaul you from the Debate to the Question, and then precipitate you upon the Refult: Whereas if it had no power of Refult, there could remain to the same no more than Debate only, without any Bias, or cause of diverting such Debate from Maturity; in which Maturity of unbiast'd Debate lies the final cause of the Senat, and the whole Light that can be given to a People. But when this is done, if your resolvling Assembly be not such as can imbibe or contract no other Interest than that only of the whole People, all again is lost: for the Refult of all Assemblies go principally upon that which they conceive to be their own Interest. But how an Assembly upon Rotation, consisting of one thousand, where the Vote is fix to four in the lower fort, should be capable of any other Interest than that only of the whole People by which they are orderly elected, has never yet bin, nor, I believe, ever will be shewn. In a like distribution threfore of Debate and Refult, consits the highest Mystery of Popular Government; and indeed the supreme Law, wherein is contain'd not only the Liberty, but the Safety of the People.

FOR the remainder of the Civil part of this Model, which is now but small, it is farther propos'd,

THAT every Magistracy, Office, or Election through this whole Commonwealth, whether annual or triennial, be understood of consequence to injoin an interval or vacation equal to the term of the same. That the Magistracy of a Knight and of a Burgess, be, in this relation, understood as one and the same; and that this Order regard only such Elections as are National or Domestic, and not such as are Provincial or Foren.

THAT, for an exception from this Rule, where there is but one Elder of the Horfe in one and the same Parish, that Elder be eligible in the same without interval; and where there be above four Elders of the Horfe in one and the same Parish, there be not above half, nor under two of them eligible at the same Election.

OTHERWISE the People, beyond all manner of doubt, would elect so many of the better fort at the very first, that there would not be of the Foot or of the meaner fort enough to supply the due number of the Popular Assembly or Prerogative Tribe: and the better fort being excluded subfequent Elections by their intervals, there would nor be wherewithal to furnish the Senat, the Horfe of the Prerogative Tribe, and the rest of the Magistracies; each of which Obstructions is prevented by this Exception. Where, by the way, if in all experience such has bin the constant temper of the People, and can indeed be reasonably no other, it is apparent what cause there can be of doubt who in a Commonwealth of this nature must have the leading. Yet is no man excluded from any Preferment; only Industry, which ought naturally to be the first step, is first injoin'd by this Policy, but rewarded amply: seeing he who has made himself worth one hundred Pounds a year, has made himself capable of all Preferments and Honors in this Government. Where a man from the lowest estate may not rise, the due pitch of his unquestionable Merit, the Commonwealth is not equal: yet neither can the People, under the Limitations propos'd, make choice (as for object) of any other than
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Book III. the better fort; nor have they at any time bin so inclining to do, where they have not bin under such Limitations. Be it spokenc, not to the disparagement of any man, but on the contrary to their praise whose Merit has made them great, the People of England have not gon so low in the election of a House of Commons, as from Prince has don in the election of a House of Lords. To weigh Election by a Prince with Election by a People, set the Nobility of Athens and Rome by the Nobility of the old Monarchy, and a House of Commons freely chosen by the Nobility of the new. There remains but the Quorum, for which it is propos'd,

THAT, throughout all the Assemblys and Councils of this Commonwealth, the Quorum consist of one half in the time of Health, and of one third part in a time of Sickness, being so declared by the Senate.

HOW the City Government, without any diminution of their Privileges, and with an improvement of their Policy, may be made to fall in with these Orders, has else where been shewn in part, and may be consider'd farther at leisure. Otherwise the whole Commonwealth, so far as it is merely Civil, is in this part accomplish'd. Now as of necessity there must be a natural Man, or a Man indu'd with a natural Body, before there can be a spiritual Man, or a Man capable of Divine Contemplation; so a Government must have a Civil, before it can have a Religious part: And if a man furnisht only with natural parts can never be so stupid as not to make some Reflections upon Religion, much less a Commonwealth; which necessitates the Religious part of this Model.

CHAP. II.

Containing the Religious Part of this Model, propos'd practically.

There is nothing more certain or demonstrable to common Sense, than that the far greater part of Mankind, in matters of Religion, give themselves up to the public Leading. Now a National Religion rightly establish'd, or not coercive, is not any public driving, but only the public leading. If the Public in this case may not lead such as desire to be led by the Public, and yet a Party may lead such as desire to be led by a Party; where would be the Liberty of Conscience as to the State? Which certainly in a well order'd Commonwealth, being the public Reason, must be the public Conscience. Nay, where would be the Liberty of Conscience in respect of any Party which should so proceed as to shew, that without taking their Liberty of Conscience from others, they cannot have it themselves? If the Public, refusing Liberty of Conscience to a Party, would be the cause of Tumult, how much more a Party refusing it to the Public? And how, in case of such a Tumult, should a Party defend their Liberty of Conscience, or indeed their Throats from the whole or a far greater Party, without keeping down or tyrannizing over the whole or a far greater Party by force of Arms? These things being rightly consider'd, it is no wonder that Men, living like men, have not bin yet found without a Government, or that any Government has not bin yet found without
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out a National Religion; that is, from orderly and known way of public lic leading in divine things, or in the Worship of God.

A NATIONAL Religion being thus prov'd necessary, it remains that I prove what is necessary to the same; that is, as it concerns the State, or in relation to the Duty of the Magistrat.

CERTAIN it is, that Religion has not seen corruption but by one of these three causes; from Intrest therewith incorporated, from ignorance of the truth of it, or from complication of both. Nor was ever Religion left wholly to the management of a Clergy that escap'd these Causes, or their most pernicious Effects; as may be perceiv'd in Rome, which has brought Ignorance to be the Mother of Devotion, and indeed Interest to be the Father of Religion. Now the Clergy not falling in this case to be dangerous, what recourse but to the Magistrat for safety? Especially seeing these Causes, that is, Interest and Ignorance (the one proceeding from evil Laws, the other from the want of good Education) are not in the right or power of a Clergy, but only of the Civil Magistracy. Or if so be that Magistrats are oblig'd in duty to be nursing Fathers and nursing Mothers to the Church; how shall a State in the sight of God be excusable, that takes no heed or care left Religion suffer by Causes, the prevention or remedy whereof is in them only? To these therefore it is propos'd,

THAT the Universities being prudently reform'd, be prefered in their Universities.

Rights and Indowments, for and towards the education and provision of an able Ministry.

We are commanded by CHRIST to search the Scriptures: The Scriptures are not now to be search'd but by skill in Tongues: The immediate gift of Tongues is ceas'd: How then should skill in Tongues be acquir'd but mediately, or by the means of Education? How should a State expect such an Education (particularly for a matter of ten thousand men) that provides not for it? And what provision can a State make for this Education, but by such Schools to indow'd and regulated, as with us are the Universities? These therefore are a necessary step towards the prevention of such Ignorance or Interest, as thro the infirmities or biases of Translators, Interpreters, and Preachers, both have and may frequently come to be incorporated with Religion; as also to the improvement or acquisition of such Light as is by the command of CHRIST to be attain'd or exercis'd in searching the Scriptures.

THE excellent Learning of the Levites in all kinds, not ordinarily infused, but acquir'd (there having bin among them as well the Teacher as the Scholar) leaves little doubt but their forty eight Cities were as so many Universities: These with their Suburbs or Indowments contain'd in the whole (each of their Circuits in Land reckon'd at four thousand Cubits deep) about a hundred thousand Acres; that is, if their measure was according to the common Cubit; if according to the holy Cubit (as with Levites was most likely) twice so much; which, at the lowest account, I conceive to be far above the Revenues of both our Universities.

THOSE being order'd as has bin said, it is propos'd,

THAT the legal and antient provision for the National Ministry be augmented, that the meanest sort of Livings or Benefices, without defalcation from the greater, be each improv'd to the Revenue of one hundred pounds at least.

M m m

THIS,
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Book III. THIS, in regard the way is by Tithes, coms up so close to the Orders of Israel, as, in our day, may shew that a Commonwealth may com too near that pattern to be lik'd. We find not indeed that the Apostles either took or demanded Tithes; in which case the Priests, who were legally posseft of them, might have had sufficion that they, under color of Religion, had aim'd at the violation of Property. But putting the case that generally the Priests had bin converted to the Christian Faith, whether the Apostles would for that reason have injoin'd them to relinquish their Tithes? Or what is there in the Christian Religion to favor any such furnish? To me there seems abundantly enough to the contrary. For if the Apostles stuck not to comply with the Jews in a Ceremony which was of mere human invention, and to introduce this, as they did Ordination by imposition of hands, into the Christian Church; that they would, upon a like inducement, have refus'd a standing Law undoubtedly Moofsical, is in my opinion most improbable. So that, I conceive, the Law for Tithes now in being, may or may not be continu'd, at the pleasure of the Lawgivers, for any thing in this case to the contrary. Confident I am, that the introducing of this Model in the whole, which is thought impracticable, were not to willing minds so difficult a work as the abolition of Tithes.

But Benefices, whether by way of Tithes or otherwise, being thus order'd; it is propos'd,

That a Benefice becoming void in any Parish, the Elders of the same may assemble and give notice to the Vice-Chancellor of either University by a Certificat, specifying the true value of that Benefice: that the Vice-Chancellor, upon the receipt of this Certificat, be oblig'd to call a Congregation of his University: that the Congregation of the University to this end assemble, having regard to the value of the Benefice, make choice of a Person fit for the Ministerial Function, and return him to the Parish so requiring: that the Probationer thus return'd to a Parish by either of the Universities, exercise the Office, and receive the Benefits as Minister of the Parish for the term of one year: that the term of one year being expir'd, the Elders of the Parish assemble and put the Election of the Probationer to the Ballot: that if the Probationer has three parts in four of the Ball or Votes in the affirmative, he be thereby ordain'd and elected Minister of that Parish; not afterwards to be degraded or remov'd, but by the Censors of the Tribe, the Phyarch of the same, or the Council of Religion in such cases as shall be to them refer'd by Act of Parliament: That in case the Probationer comes to fail of three parts in four at the Ballot, he depart from that Parish; and if he returns to the University, it be without diminution of the former Offices or Preferments which he there enjoy'd, or any prejudice to his future Preferment: and that it be lawful in this case for any Parish to send so often to either University, and it be the duty of either Vice-Chancellor upon such Certificats to make return of different Probationers, till such time as the Elders of that Parish have fitted themselves with a Minister of their own choice and liking.

In case it was thought fit that a Probationer thus elected should, before he departs, receive imposition of hands from the Doctors of the University, I cannot see what the most scrupulous in the matter of Ordination could find wanting. But let this be so, or otherwise, it is indifferent. The Universities by proposing to the Congregation in every Parish, do the Senatorian Office; and the People,
thus fitting themselves by their Suffrage or Ballot, reserve that Office Chap. 2, which is truly popular, that is the Refult, to themselves.

M O S E S (for so far back the Divines reach at Ordination) in the institution of the Senate of Israel, wherein he can never be prou’d to have us’d imposition of hands, performing the Senatorian Office, caus’d the People to take wise men, and understanding, and known among their Tribes, wherof the Lot fell upon all but E l d a d and M e d a d.
And the Apostles doing the Senatorian Office, in like manner without imposition of hands, caus’d the whole Congregation to take two, wherof the lot of Apostleship fell upon M a t t h e a s. So that this way of Ordination being that which was instituted by M o s e s, and the chief or first of thole which were us’d by the Apostles, is both Mosiacal and Apostolical. Nor has a well order’d Commonwealth any choice left of thole other ways of Ordination, us’d by the Apostles in complaisance to worse fort of Government; but is naturally necessitated to this, that is, to the very best.

O R D I N A T I O N being thus provided for, it is propos’d, THAT the National Religion be exercis’d according to a Directory in that case to be made, and publis’d by Act of Parliament. That the National Ministry be permitted to have no other public Preferment or Office in this Commonwealth. That a National Minister being conscious of Ignorance or Scandal, be mov’d out of his Benefice by the Censors of the Tribe, under an appeal to the Pyllarch, or to the Council for Religion.

T H A T no Religion, being contrary to or destructive of Christianity, nor the public exercise of any Religion, being grounded upon or incorporated into a forein Interest, be protected by or tolerated in this State. That all other Religions, with the public exercise of the same, be both tolerated and protected by the Council of Religion, and that all Professors of any such Religion, be equally capable of all Elections, Magistracies, Preferments, and Offices in this Commonwealth, according to the Orders of the same.

U P O N the whole of these Propositions, touching Church Discipline, we may make these Observations. Thus neither would the Party that is for gifted Men, and Enemies to Learning, thro ignorance (which is in all probability they must) lose Religion; nor the Clergy be able to corrupt it by Interest. But Decency and Order, with liberty of Conscience, would still flourish together; while the Minister has a Preferment he fought, the Parish a Minister they chose, the Nation a Religion according to the public Conscience, and every man his Christian Liberty. He therefore that endeavors to confute this Chapter, must either shew how these things may be omitted, or more effectually provided for; or tithe the Mint and Cumin, and neglect the weightier things of Lawgiving.

A C O M M O N W E A L T H having, in the establishment of Religion, made resignation of her self to God, ought in the next place to have regard to the natural means of her defence; which introduces the Military part of this Model.
THE Military Part, on which at present I shall discourse little, consists in the Discipline of the Youth, that is, of such as are between eighteen and thirty years of Age: and for the Discipline of the Youth it is propos'd,

THAT annually upon Wednesday next insuring the last of December, the Youth of each Parish (under the inspection of the two Overseers of the same) assemble and elect the fifth man of their number, or one in five of them, to be for the term of that year Deputies of the Youth of that Parish.

THAT annually on Wednesday next insuring the last of January, the said Deputies of the respective Parishes meet at the Capital of the Hundred (where there are Games and Prizes allotted for them, as has been said elsewhere) and there elect to themselves out of their own number, one Captain, and one Insign. And that of these Games, and of this Election, the Magistrates and Officers of the Hundred be Presidents, and Judges for the impartial distribution of the Prizes.

THAT annually upon Wednesday next insuring the last of February, the Youth thro' the whole Tribe thus elected, be receiv'd at the Capital of the same, by the Lieutenant as Commander in chief, by the Conductor, and by the Cenfors; that under the inspection of these Magistrates, the said Youth be entertain'd with more splendid Games, disciplin'd in a more military manner, and be divided by lot into sundry parts, or Essays, according to the Rules elsewhere given.

THAT the whole Youth of the Tribe, thus assembled, be the first Essay. That out of the first Essay, there be cast by lot two hundred Horse, and six hundred Foot: that they whom their friends will, or themselves can mount, be accounted Horse, the rest Foot. That these Forces (amounting in the fifty Tribes to ten thousand Horse, and thirty thousand Foot) be always ready to march at a week's warning: and that this be the second Essay, or the standing Army of the Commonwealth.

THAT for the holding of each Province, the Commonwealth in the first year assign an Army of the Youth, consisting of seven thousand five hundred Foot, and one thousand five hundred Horse. That for the perpetuation of these Provincial Armies or Guards, there be annually, at the time and places mention'd, cast out of the first Essay of the Youth in each Tribe ten Horse, and fifty Foot: that is, in all the Tribes five hundred Horse, and two thousand five hundred Foot for Scotland; the like for Ireland; and the like of both orders for the Sea Guards: being each oblig'd to serve for the term of three years upon the States pay.

THE standing Army of the Commonwealth consisting thus of forty thousand, not Soldiers of fortune neither in body nor in pay, but Citizens at their Vocations or Trades, and yet upon command in continual readiness; and the Provincial Armies each consisting of nine thousand in pay in body, and poffes'd of the Avenues and places of strength in the Province, it is not imaginable how a Province should be so soon able to stir, as the Commonwealth must be to pour forty thousand men upon it, besides the Sea Guards. Nor comes this Militia thus
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thus constituted, except upon Marches, to any charge at all; the Chap. 3. standing Army having no pay, and the Provinces, wherof the Sea thus guarded will be none of the poorest, maintaining their own Guards. Such is the military way of a Commonwealth, and the Constitution of its Armies, whether levied by Suffrage, as in Rome; or by Lot, as in Israel.

W.E. will go up by Lot against Gibeah.

STANDING Forces being thus established; for such as are upon emergent occasions to go forth, or march, it is propos'd,

THAT the Senat and the People, or the Dictator having decreed or declared War, and the Field Officers being appointed by the Council of War, the General by Warrant issued to the Lieutenant of the Tribes, demand the second Essay, or such part of it as is decreed; whether by way of levy or recruit. That by the same Warrant he appoints his time and Rendezvous: that the several Collectors of the Tribes deliver him the Forces demanded, at the time and place appointed. That a General thus marching out with the standing Army, a new Army be elected out of the first Essay as formerly, and a new General be elected by the Senat; that so always there be a General sitting, and a standing Army, what Generals or Armies ever be marching. And that in case of Invasion the Bands of the Elders be obliged to like duty with those of the Youth.

THAT an only Son be discharge'd of these Duties without prejudice. Psa. 127.

That of two Brothers there be but one admitted to foreen Service at once. That of more Brothers, not above half. That whoever otherwise refuses his Lot, except upon cause shown be he dispens'd with by the Pry-arch, or upon protest be by them pardoned and restored, by such refusal be uncapable of electing, or being elected in this Commonwealth; as also that he pay to the State a fifth of his Revenue for protection, besides Taxes. That Divines, Physicians, and Lawyers, as also Trades not at leisure for the Essays, be so far exempted from this Rule, that they be still capable of all Preferments in their respective Professions, with Indemnity, and without Military Education or Service.

A COMMONWEALTH whose Militia consists of Mercenaries, to be safe, must be situated as Venice, but can in no wise be great. The Industry of Holland is the main Revenue of that State; whence not being able to spare hands to her Arms, she is cast upon Strangers and mercenary Forces, thro which we in our time have seen Amsterdam necessitated to let in the Sea upon her, and to become (as it were) Venice. To a Popular Government that could not do the like, Mercenary Arms have never fail'd to be fatal; whence the last Proposition is that which in every well order'd Commonwealth has bin look'd to as the main guard of Liberty.

IN this Israel was formidable beyond all other Commonwealths with a kind of Fulmination. Saul when he heard the Cruelty of NABASH the Ammonites, at the League of Jabesh-Gilead, took a Sam. 11. 7. yoke of Oxen and beat 'em in pieces, and sent them through the Coasts of Israel, by the hands of Messengers, saying, Whosoever cometh not out after Saul, and after Samuel, so shall he be done to his Oxen. Which amounted not only to a confiscation of Goods (the Riches of the Israelits lying moit in their Cartel) but to a kind of Anathema, as more plainly appears, where it is said, Curse ye Meroco. Judg. 5. 23. curse ye bitterly the Inhabitants thereof, because they came not forth to help the Lord against the Mighty. Nay this (κατακλίσεις) deflection of the Military
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Book III. Military Orders and Services in Israel, was sometimse punisht: with total extermation, as after the victory against Benjamin, where the Congregation or Political Assembly of that People, making inspection what one of the Tribes of Israel came not up to the Lord in Mizpeh (the place where before the taking of Jerusalem they held, as I may say, their Parliaments) and finding that there came none to the Camp from Jabez-Gilead, sent thither twelve thousand men of the valiantest, saying, Go and smite the Inhabitants of Jabez-Gilead with the edge of the Sword, with the Women and the Children: which was done accordingly.

But by this time men will shrink at this as a dreadful Order; and begin to compute that a Commonwealth, let her Prerogatives for the rest be what they will, must at this rate be but a dear purchase: whereas indeed, if this way costs something, there is no other that does not hazard all; forasmuch as discarding this Order, play your game as you can, you are sometime or other a prey to your Enemies, or to your Mercenaries. This certainly is that root in (the Penetralia) the bowels of a Commonwealth, whence never any Court Arts, or Politeness, could attain to the gallantry or splendor of the Education in Popular Governments. For let any man (remembering what it was to be a Gideon, a Miltiades, a Timoleon, a Scipio, or a Magistrat in a Commonwealth) consider if there should be no way with us to Magistracy, but by having serv'd three years at Sea, and three years at Land, how the whole face and genius of Education, both in the better and in the lower sort, would of necessity be chang'd in this Nation, and what kind of Magistrats such experience in those Services must create to the Commonwealth. Consider, whether the threaten'd Punishments of this Order, tho' thro' unacquaintance they may at first sight have thorn brow, would nor, as they have don in other Commonwealths of like structure, even with the worst, expire in scorn and content, or thro' the more contemplation of the reward of Honor, nay of the Honor itself, in which point where right has not bin don, men, under Governments of this nature, have bin much more apt to heats; as where the men of Ephraim fought against Jericho, for an affront in this kind which they conceiv'd him to have put upon them. Wherefore passed it thou over to fight against the Children of Ammon, and didst not call us to go with thee? We will burn thy house upon thee with fire. Nor is this way so expensive of the Purse, or of Blood. Not of the public Purse, because it destroys Mercenaries; nor of the privat Purse, because the ways of Education thus directed, are all asfitted with the States pay: so that a man in this road might educat three Children cheaper, and to the moist solid ends, than he could any one to trifles in those which among us hitherto have bin usual. And as to Blood, there is nothing more certain, than that Idleness, and its inseparable companion Luxury, are exceedingly more wastful as of the Purse, so of Health, nay and of Life itself, than is War; which nevertheless this Order is such as does rather prevent than necesfitat, in regard that to be potent in Arms is the way of Peace. But whereas in a Martial Commonwealth there may be men having exceeded the thirtieth year of their Age, who like those of Ephraim would yet take it ill to be excluded the Lists of Honor, and it must also be to the detriment of the Commonwealth that they should; for these, whom we may call Volunteers, it is propounded,

THAT
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THAT upon Warrants if'a'd forth by the General for Recruits or Chap. 4.
Levys, there be an Assembly of the Phylarch in each Tribe; that such Vo-
lunteers, or men being above thirty years of Age, as are desirous of farther
employment in Arms, appear before the Phylarch so assemb'd. That any
number of these, not exceeding one moiety of the Recruits or Levys of that
Tribe, may be taken on by the Phylarch, so many of the Youths being at
the discretion of this Council disbanded, as are taken on of the Volunteers.
That the Levys thus made, be conducted by the Conductor of the respective
Tribe to the Rendezvous appointed. And that the Service of these be
without other term or vacation, than at the discretion of the Senate and the
People, or such Instructions to the General, as shall by them in that case
be provided.

THUS much for the Military or Defensive part of this Model.
For Offences in general it is written, Wo unto the world because of Of-
fences; for it must needs be that Offences com, but wo to that man by whom
the Offence coms. Among Offences are offensive Wars: now it be-
ing out of question, that for the righteous execution of this Wo upon
him or them by whom the Offence coms, a War may be just and
necessary, as also that Victory in a just and necessary War may intitle
one Prince or one People to the Dominion or Empire of another
Prince or People; it is also out of question, that a Commonwealth,
unless in this case she be provided both to acquire, and to hold what
she acquires, is not perfect; which Consideration brings me to the
Provincial part of this Model.

CHAP. IV.

Containing the Provincial Part of this Model, propos'd practically.

The word Province is with Roman Authors of divers signifi-
ciations. By thefe it is taken fomtimes for Magiftracy; as that
of the Conful, which is call'd His Province: fomtime for any Reli-
gion or Country, in which a Roman Captain or General was com-
manded to make War; but specially for such a Country as was ac-
quir'd and held by Arms, or by Provincial Rights. The word is of
the like different use in Scripture; as where it is laid, That A H A. E. 1. 4.
sueris reign'd over a hundred and seven Provinces; by which are
underflood as well the divisions of the native, as those of the ac-
quir'd Territories. But where T a n a i s the Governor writes to E s t a. 5. 8.
the King of Affyria concerning the Province of Juda, it is under-
flood a Country acquir'd and held by Arms; which coms to the
ufual signification of the word with the Romans, it being in this fene
that the Governor F e l i x ask'd P a u l of what Province he was, Acts 23. 34;
and came to underfand that he was of C i l i c i a, then a Province of the
Roman Empire: and this signification is that in which I take the word
throughout this Chapter.

The mighty load of Empire which happen'd to the Common-
wealth of Rome thro' the Acquisition of many and vast Provinces,
is that wherto the Songs of Poets, and the opinions of more ferious
Writers attribute the weight which they say overway'd her. But
this Judgment, tho in it felf right, is not in the manner they take it to
be swallow'd without chewing. For how probable it is that the
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Book III. succeeding Monarchy was able to support a weight in this kind, which the Commonwealth could not bear, may at this distance be discern’d, in that the Provinces were infinitely more turbulent in the Reign of the Emperors, than in that of the Commonwealth, as having a far stronger Interest, thro’ ambition of attaining to the whole, to tear the Empire in pieces: which they did, while divers Provinces made divers Emperors, which before could not hope to make divers Commonwealths, nor to acquire safety by retreat to a petty Government. But in this, the acquisition of Provinces devour’d the Commonwealth of Rome, that, she not being sufficiently fortify’d by Agrarian Laws, the Nobility, thro’ the spoil of Provinces, came to eat the People out of their popular Balance or Lands in Italy by Purchases; and the Lands that had bin in the hands of the Many, coming thus into the hands of the Few, of natural and necessary consequence there follows Monarchy.

Now that England, a Monarchy, has bin seiz’d of Provinces (one of them, while France was such, being as great as any one of the Roman) is a known thing; and that the Militia propos’d by the present Model, contains all the causes of Greatness that were in that of Rome, is to fuch as are not altogether strangers to the former, no less than obvious. Now of like Causes not to presume like Effects, were unreasonable. The safety therefore of the foregoing Agrarian, as hitherto propos’d, or that Lands be divided in their defect, must in this case be none at all, unleas there be som stop also given in their Accumulation by way of purchase; lest otherwise the spoil of som mighty Province be fill sufficient to eat out the People by purchase.

To submit therefore in this place (for ouch I perceive) to inevitable necessity, it is propos’d, That (great Commonwealths having bin overthrown by the spoil of Provinces) an Estate of two thousand pounds a year in Land, be incapable of any Accumulation by way of purchase.

Donations and Inheritances will be fewer than to be dangerous; and as som fall, others will be dividing in their defect. But to resume the Discourse upon the Agrarian Laws, which, because they were not till in this Proposition complete, remains imperfect. That to Agrarian Laws som Standard is necessary, appears plainly enough. This Standard in a well founded Monarchy, must bar recefs; and in a well founded Commonwealth must bar increase. For certain it is, that otherwise each of the Policys dos naturally breed that Viper which eats out the Bowels of the Mother: as Monarchy, by Pomp and Luxury, reduces her Nobility thro’ debt to poverty, and at length to a level with the People, upon which no Throne ever flood or can stand: such was the case of this Nation under her latter Princes. And a Commonwealth by her natural ways of frugality, of fattening and cockering up of the People, is apt to bring Estates to fuch excess in som hands, as eating out the refit, bows the Neck of a free State or City to the yoke, and exposing her to the goad of a Lord and Master; which was the case of Rome under her perpetual Dictators. But why yet must this Standard of Land in the present case, be neither more nor less than just two thousand pounds a year? Truly, where som Standard was necessary to be nam’d, I might as well ask why not this as well as any other? yet am I not without such Reaons why I have pitch’d upon this rather than
than any other, as I may submit to the judgment of the Reader in Chap. 4. the following computation or comparison of the divers Effects or Consequences of so many different Standards, as by the rules of proportion may give sufficient account of the rest.

Let the dry Rent of England (that is, at the rate a man may have for his Land without sweating) be computed at ten Millions: This presum'd, if you set the Standard at ten thousand pounds a year, the whole Territory can come into no fewer than one thousand hands. If you set it at five thousand pounds a year, it can come into no fewer than two thousand hands; and if you set it at two thousand pounds a year, it can come into no fewer than five thousand hands. It will be said, in which way you please, it will never come into so few hands as are capable of having it; which is certain: yet because the Effects in their approaches would be such as may be measured by their Extremes, I shall pitch upon these as the readiest way to guide my Computation. The Balance in a thousand hands might affect the Government with a hankering after Monarchy; in two thousand hands it might usurp it, as did the Roman Nobility, and thereby occasion a feud between the Senate and the People. These not only in the extremes, but with much of a like nature in the approaches.

But letting these pass, as also the numbers or compass necessary to the Rotation of such a Commonwealth (none of which inconveniences are incident to the Standard of two thousand pounds a year, as that whereby Lands can come into no fewer than five thousand Proprietors) we will suppose these Standards to be each of them, as to the safety of the Government, indifferently practicable.

Yet it is recorded by Experience, and wise Authors, that the true caufe whence England has bin an overmatch in Arms for France, lay in the communication or distribution of Property to the lower sort; and for the fame caufe let it be consider'd, if the Commonwealth upon the Standard of two thousand pounds a year (ceteris paribus) must not necessarily be an overmatch in the potency of its Militia for the other two. Such are the advantages, such is the glory of the like moderation to the public. Mony (says the Lord Verulam) is like muck, not good except it be spread. Much rather in Popular Government is this holding as to Land, the latter having upon the State a far stronger influence, at least in larger Territories, than Mony: for in such, Mony, while scarce, cannot overbalance Land; and were Silver and Gold as plentiful as Bras or Iron, they would be no more, nor would Land be less worth. And for privat men, were it not that it is easier to fill the belly of a Glutton than his eyes, not only Virtue, but the Beatitude of Riches, would be apparently confident in a mean. But what need I play the Divine or the Philosopher upon a Dog-trin, which is not to diminish any man's Estate, not to bring any man from the Customs to which he has bin inured, nor from any emergent expectation he may have; but regards only the Generation to com, or the Children to be born seven years after the passing such a Law? Whence it must needs follow, that putting the case this Agrarian be introduc'd, it is to our Age as if there were none; and if there he no Agrarian, it is to our Age as if there was one. The difference is no more, than that in the one way the Commonwealth is at all points secure'd, and in the other it is left to its fortune even in the main. Of

N n n
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Book III. such soverain effect are the like Laws, that I would go yet farther, and propose,

THAT in Scotland the Standard be set at five hundred pounds a year; in Ireland at two thousand pounds a year in Land; the rest for each as for England.

NARROWNESS of an Agrarian for Scotland, being a Martial Country, would make the larger provision of a good Auxiliary Militia; and largeness of an Agrarian for Ireland, being left Martial, would cast a Sop into the Jaws of the Avarice of those who should think it too much confin'd in England. And left the Provincials in this case should think themselves worse dealt with than the Citizens themselves, the sum of the Agrarian Laws being cast up together, any man in the three Nations may hold four thousand five hundred pounds a year in Land; and any small Parcel of Land, or mere Residence in England, makes a Provincial a Citizen. Should the Commonwealth increafe in Provinces, the Estates at this rate both of the Citizens and Provincials, would be more and greater than ever were those of the ancient Nobility of these Nations; and without any the least hazard to Liberty. For he, who considering the whole Roman Story, or that only of the Gracchi in Plutarch, shall rightly judge, must confess, that had Rome prefer'd a good Agrarian but in Italy, the Riches of its Provinces could not have torn up the Roots of its Liberty, but on the contrary must have water'd them. It may be said, What need then of putting an Agrarian upon the Provinces? I answer: For two Reasons: first is Indulgence to the Provincials; and the second, Advantage to the Commonwealth. For the first, it is with small forefight apparent enough, that the Avarice of the Citizen being bounded at home, and having no limits in the Provinces, would in a few years eat up the Provincials, and bring their whole Countries (as the Roman Patricians did Italy) to found in their Fetters, or to be till'd by their Slaves or Underlings. And so, for the second, the Commonwealth would by such means lose an Auxiliary Militia, to be otherwise in Scotland only more worth than the Indies. These things therefore thus order'd, it is propos'd,

THAT upon the expiration of Magistracy in the Senate, or at the annual Recells of one third part of the same, there be elected by the Senate out of the part receding, into each Provincial Council four Knights for the term of three years; thereby to render each Provincial Council (premising it in the beginning to have bin constituted of twelve Knights, divided after the manner of the Senate by three several Lifts or Elections) of annual, triennial, and perpetual Revolution or Rotation.

THAT out of the same third part of the Senate annually receding, there be to each Province one Knight elected for the term of one year. That the Knight so elected be the Provincial General or Governor. That a Provincial Governor or General receive annually in April at his Rendezvous appointed, the Tonth or Recruits elected in the preceding Month to that end by the Tribes, and by their Conductors deliver'd accordingly. That he repair with the said Tonth or Recruits to his Province, and there dismiss that part of the Provincial Guard or Army whose triennial term is expired. That each Provincial Governor have the conduct of Affairs of War and of State in his respective Province, with advice of the Provincial Council; and that he be President of the same.
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THAT each Provincial Council elect three weekly Proposers, or Provozits, after the manner, and to the ends already shown in the constitution of Senatorian Councils; and that the Provost of the junior list, during his term, be President of the Council in absence of the General.

THAT each Provincial Council proceed according to Instructions received from the Council of State, and keep intelligence with the same by any two of their Provosts, for the Government of the Province, as to matters of War or State. That upon Leave of native or proper Arms by the Senat, and the People, a Provincial Council (having to that end received Orders) make Leave of Provincial Auxiliaries accordingly. That Auxiliary Arms upon no occasion whatsoever exceed the proper or native Arms in number. That for the rest, the Provincial Council maintain the Provincials, defending their peculiar Guards and Council, by such a known proportion of Tributes, as on them shall be set by the Senat and the People, in their proper Rights, Laws, Liberties and Immunitys, so far as upon the Merits of the cause whereupon they were subdu'd, it seem'd good to the Senat and the People to confirm them, And that it be lawful for the Provincials to appeal from their Provincial Magistrates, Councils, or Generals, to the People of England.

IN modelling a Commonwealth, the concernment of Provincial Government comes in the last place; for which cause I conceive any long Discourse upon these Orders to be at present unnecessary: But certain things there are in the way which I am unwilling to let slip without pointing at them.

SOM will have Men, some will have Mony to be the Nerve of War; each of which Positions, in proper cases, may be a Maxim: For it France, where the main Body of the People is imbas'd; or Venice, which stands upon a Mercenary Militia, want Mony, they can make no War. But it has heretofore bin otherwise with Commonwealths. Roman Historians (as is observed by Machiavel) in their Military Preparations or Expeditions, make no mention of Mony, unless what was gain'd by the War, and brought home into the Treasury; as the Spoil of Macedon by Amilius Paulus, being such, as the People for som years after were dipp'd in their Tributes. Not that their Wars were made altogether without Mony; for if so, why should the People at any time before have paid Tribute? Or why, upon this occasion were they excus'd? but that the Mony in which their Wars stood them, was not considerable in comparision of that which is requisit where Mony may be counted the Nerve of War; that is, where Men are not to be had without it. But Rome, by virtue of its Orders, could have rais'd vaster numbers of Citizens and Associates than perhaps it ever did, tho' during the Confutal of Pappus and Regulus, the levy'd in Italy only seventy thousand Horse, and seven hundred thousand Foot. Should we conceive the Nerve of this Motion to have bin Mony, we must reckon the Indies to have been exhausted before they were found; or so much Bras to have bin in Italy, as would have made Stones to be as good Mony. A well order'd Commonwealth dos these things not by Mony, but by such Orders as make of its Citizens the Nerve of its Wars. The Youth of the Commonwealth proposes are esteem'd in all at five hundred thousand. Of these there is an annual Band, consisting of one hundred thousand. Of this one hundred thousand, there is a standing Army consisting of thirty thousand Foot and ten thousand Horse, besides such as being above thirty.
Book III. thirty years of age, shall offer themselves as Voluntiers; of which the number is in no wise likely to be few. To the standing Army, the Provinces, or that only of Scotland, being both Populous and Martial, can afford at any time an equal number of Auxiliars.

These Orders, thus sum’d up together, render this Commonwealth ordinarily able to wage War with fourscore thousand men; a Force which, it is known, not any Prince in Christendom is able to match in Virtue, Number, or Discipline. For these the Commonwealth in her Sea Guard has always at hand sufficient Wartage, or at least such a sufficient Convoy as may make any Vessels at hand a sufficient Transportation: all this, I say, by virtue of Orders. Not but that the March, the Equipage, the Wartage of so great an Army must cost Mony; but that it will come to no account in comparison of a lingering War made by a matter of thirty thousand Mercenaries, the very conumption of a State: whereas fourscore thousand men of discipline’d and to furnish’d, as has been shewn, being once transported, must suddenly come to be no Charge, or make the War destroy itself.

But 'tis objected, that to reckon upon such a Militia were to suppose a large Country capable of being a Commonwealth; whereas we hold them learn’d, who say that no Commonwealth has consisted of more than fum one City or Town. But in what Language or in what Geography, are the twelve Tribes of Israel; the (ses) Peopledoms or Prytanys of Athens, which Theseus gather’d into one body; the Tribes and Linages in Labdemon instituted by Lycurgus; the five and thirty Roman Tribes planted between the Rivers Volturnus and Arno, or between the Cities now call’d Capua and Florence; the 13 Cantons of the Swizzers; the seven United Provinces of the Low Countries, understood to have bin or to be but one City or Town? Whether were not the People of Israel under their Commonwealth six hundred thousand? What reason can be given why the Government that could take in six hundred thousand, might not as well take in twice that number? How much short came the Country, planted by the Roman Tribes, of 150 Miles square? Or how much over is England? And what reason can be given why a Government, taking in 150 Miles square, might not as well take in twice that compass? Whether was our House of Commons under Monarchy not collected from the utmost Bounds of the English Territory? And whether had the Laws by them enacted not their free course to the utmost limits of the same? And why should that be impossible or impracticable to a Representative of the People in a Commonwealth, which was so facil and practicable to a Representative of the People under Monarchy?

It is a wonder how the Commonwealth of Rome, which held as it were the whole World by Provinces, should be imagin’d by any man to have consisted but of one Town or City.

But to return: It is alleg’d by others, and as to Provincial Government very truly, that a Commonwealth may be a Tyranny: Nor do I think that Athens, in this point, came short of any Prince: Rome, on the other side, was (according to the merits of the caufe) as frequent in giving Liberty as in taking it away. The Provinces of Venice and of Switzerland, would not change their condition with the Subjects of the best Prince. However the possibility in a Commonwealth of tyrannizing over Provinces, is not to be cur’d; for to the Commonwealth or the Prince a State or a Man after God’s own heart, there is no way of holding a Province but by Arms.
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WHEN the Syrians of Damascus came to succor Hadadezer, the king of Zobah, David slew of the Syrians two and twenty thousand men; and David put garrisons in Syria of Damascus, and the Syrians became servants to David, and brought gifts; and the Lord preferred David whithersoever he went.

With this Parallel I draw the Curtain, and close (be it Comedy to such as are for Tragedy) this Model; appealing to the present, or the next Age, whether through I have not had God himself for my Vouchee. In the mean time, there is nothing hereby propos'd which may not stand with a supreme Magistrat.

The Conclusion:

Shewing how the Model propos'd may be prov'd or examin'd; and giving a brief Answer to Mr. Wren's last Book, intitul'd, Monarchy asserted against Mr. Harrington's Oceana.

For a Nation to be still upon the cast of a Dy, to be ever in trepidation as to the main chance of Government, is a dreadful state of things. Such indeed with us has bin the Constitution of our late Governments, of which therefore not any can be call'd a Commonwealth. Yet has the like state of things (in favor of Monarchis, and thro' the industry of the Clergy) bin for many Ages, that whereas Commonwealtths unheard are still accus'd and condemn'd. For proof in this case, the Tribunitian Storms of the Roman People are thought abundantly sufficient. But these having bin without Blood, if with our Affairs they hold any parallel, are not to be compar'd with the Barons Wars, those of York and Lancaster, or the like; but with the Contests or Strivings of our Parliaments with their Kings, while such Disputes came not to Arms. Or if the Roman Fields from the time of the Gracchi grew bloody, we have known a matter of a dozen years in which ours might have compar'd with them. The Seditions under the Commonwealth of Rome to those under the Empire, hold such a proportion, as the Seditions under the Commonwealth of Israel to those under their Kings. I am contented at this time, for discourse sake, that the Seditions of Venice should pass as they are computed by Mr. Wren: Let those also which have happen'd in the Commonwealths of the Swizors, and of the United Provinces, by the skill of some Man who may be thought more impartial than my self, be rightly enumerated and added. This being don, let the Seditions that have happen'd in the Monarchys of England, France, and Spain, be as impartially sum'd up; and I may venture to promsie you, That you shall not find the sum of the Seditions which have happen'd in those three Commonwealths, to balance the foot of the account with those Seditions which have happen'd in any one of those Monarchys: nor are we without sufficient inducement to believe, that the whole account in this particular of those Commonwealths which have bin in the World, can com any whit nearer to that of the Monarchys. But this being so, be it alfo suppos'd, tho not granted, that a Commonwealth is a seditious Government, yet mufit be
be the least seditious Government. The Republic of Corinth never suffered but that one Sedition which is describ'd by Xenophon; and this too from an external cause.

But I am the more confirm'd by the Assaults of Mr. Wren, to have no less than demonstrated in the propos'd Model, that a Commonwealth rightly order'd is altogether incapable of Sedition, and so consequently of Dissolution, that is, from any internal cause. To render his Confutation intire, and the truth of this Affertion the more conspicuous, I shall first infer those Rules or Maxims whereby a Model of a Commonwealth may be exactly prov'd or examin'd, and then shew how they totally enervat and overturn those Arguments elaborated by Mr. Wren towards the examination and confutation of the Model propos'd.

The Maxims or Rules whereby a well order'd Model of Popular Government may be most exactly prov'd or examin'd, are specially two:

1. It must be wholly void of any Contradiction or Inequality.
2. It must be such in which no number of Men, having the Interest, can have the Power or Strength; and no number of Men, having the Power or Strength, can have the Interest to invade or disturb the Government.

It is not in the power of Nature that there should be an effect, where there is not the cause of that effect; and in a Frame of Government that is exactly according to the foregoing Maxims, there can be no cause of Sedition or Dissolution. A Model of Government therefore that will hold examination by these Maxims, must (without ostentation, or with Mr. Wren's patience) be perfect.

Now let us observe how he betters himself to examin and confute this Model. As to contradiction, he does not so much as pretend that there is any Guile in it; yet will not allow it to have any truth:

For, says he, 'as in a Fiction the several Members may be so contriv'd, as not to give one another the $i$, but be all contain'd within the limits of Verisimilitude, and yet the whole remain without the least syllable of Truth; so in a Model of Government. To which I answer, that there being a truth of Nature, and a truth of Fact, this way of Mr. Wren's disputing is mere equivocation. For the Model is not propos'd to shew the truth of Fact, or that there has bin any such exactly in practice; but to shew the truth of Nature, or that such a Model is practicable: wherefore he needed not to have alleg'd that it has not the truth of Fact, which we all know; but was to shew where it fails of such a truth in Nature as can any way render it impracticable. But instead of this, he is gone to the Moon; and will read us a Lecture in Politics by the Planets, or the various Hypotheses of Celestial Motions, which may be excogitated including none absurdity in themselves, and yet perhaps not any one of them prove to be the true method of Nature. But may a man therefore argue in this manner? It is very hard to know certainly which are the Highways of the Planets, therefore there can be no certain knowledge which are the Highways to London. Let us e'en say, because the Rotation of the World may as well go upon the Heavens as upon the Earth, therefore a man may as well go upon his Head as upon his Heels; and a Commonwealth as well stand upon a Milkwoman's Pattins, as upon the strongest Interest, or the Interest of the strongest.
SO much for Contradiction. Now for Inequality, says Mr. WREN, W. p. 172.

Tho' it should be allow'd Mr. Harrington, that his Commonwealth has none in it, yet would it fail of attaining the perfection of Government, seeing there is an inequality in the Nature of man, which is not rectify'd by the Model of his Commonwealth. As if the equality of a Government was pretended to be such, as should make a crooked man straight, a wicked man good, or a passionat man a Philosopher; and it were not perfect, in being sufficient to prevent any influence that Wickednes or Passion in a man or men, may have upon the Government. But for farther discovery of these Inequalities in the Nature of man, that are not rectify'd by the Model, Mr. WREN sends us to his eight and ninth Chapters, where he produces them in such order, as I shall observe in repeating him. *Wherefore,* says he, *under Popular Government the number of those whose Offences have render'd them liable to the severity of Laws, is considerable enough to qualify them for attempt, Popular Government has no more security than any other, of being free from Sedition.* It is very true: but Mr. WREN was oblig'd to shew how in an equal Commonwealth, or under the Model propos'd, it was possible that the number of such men should come to be considerable enough to qualify them for such an attempt. But in this kind he is no otherwise provided than to tell us, That of this Original and Extraction, as to the main, was CATILIN'S attempt upon the Roman Commonwealth. So undertaking against Oceanus, or the most equal Commonwealth, he is come to arguing against Rome, or the most unequal Commonwealth; and at such a time too, when being no longer capable of Liberty, but ready for bonds, there were other parties besides CATILIN'S, and others besides such as were obnoxious to the Laws, that lay in wait for her: as POMPEY and his Party, or at least Cesar and his, who at length carry'd it; so that this fear was not so much perform'd by men otherwise liable to severity of Laws, as by men puff'd up by ambition. But let these have bin of which fort he will, it remains with him to shew, how there should be of either kind enough in Oceanus for a like attempt. It is known that long before this happen'd in Rome, the whole of that Commonwealth was in the hands of three men, Cesar, Pompey, and Crassus: wherof he should have first shewn, which way the whole of the Commonwealth of Oceanus might com into the hands of three, or of a few men. But leaving this untouch'd, he runs making a duft, and a doubt where the soverain Power of Oceanus can be; which even in Rome, as unequal as it was, is acknowledg'd to have bin in the Assemblies of the People; and in Athens, Thucydides expressly says, That the Sovereignty was in the five thousand. Who ever doubted but where the ulti-
mat Refult is, there also must be the Soverainity? and the ultimate Refult of Oceana is in the Prerogative Tribe, or Representative of the People. Then says he, This Representative thinking it their interest, may dissolve the Government, and perpetuat themselves, and may com to think it their interest. For the desire of Power being natural to man, a far greater share of Power remains with every particular man, when the Soverain Power is divided among so many, than when the same Power is divided among two hundred thousand. But I shew'd that this Representative has the whole Soverain Power in themselves, not divided with any other, or with the five hundred thousand; which I suppose he means by the two hundred thousand he mentions. Now this Representative
tive cannot be understood to have the Soverain Power by overbalance of strength, because they are but one thousand to five hundred thousand; so it is plain that they have it by consent, or by orders only: wherefore these Orders they have not the power, or strength, nor the interest to break; because breaking their Orders (by which only, and not by strength, the Power is in themselves) they com to divide the Power that was in themselves, with the five hundred thousand; as they, who, in defect of the Orders, have the far greater strength; and no legal bar. Yet says he, That a Representative is not incapable of making such an attempt as this, will (it is not improbable) easily find belief with those who are acquainted with the Actions of these last eighteen years. Which is as much as to say, That because a Representative, by and with the People, may have both the interest, and the power or strength to free themselves of a broken Monarchy; therefore a Representative may, without and against the People, have both the interest, and the power or strength to break the Orders of the most equal Commonwealth. But if the Representative of Oceana has not the power or strength to break their Orders, and perpetuat themselves; much lefs the Senat. True it is, if we look upon som other Commonwealls, a Senat might have the interest to do it; but not where the Senat has bin upon Rotation. To add then to Mr. Wren's faculty of opposition greater strength than is in it; if the Senat of Oceana would do any thing of this kind, their readieft way were by creating of the Dictator. The Dictator being created, has overain Power in carrying on the Orders of the Commonwealth: but those do not perpetuat their Power; this therfore cannot be don but by Force or Arms. The Arms of the Commonwealth are both numerous, and in a posture or readynefs; but they confift of its Citizens: and for the Dictator to bring the Citizen to break the Commonwealth, were for a General to command his Army to cut their own throats. It is true, the Roman Decemvirs put in for prolongation; but, tho in the most unequal Commonwealth, they could not make it stand one year, because of the Citizens in Arms: And for Mercenarys there are none in Oceana; is this news? there were none in Israel, there were none in Athens, there were none in Lacedemon, there were none in Rome, while those Commonwealths flourisht'd. But were there Mercenarys, as he might perhaps reckon Servants, they are unarmed, undisciplin'd; they cannot rife thro the vaft bodys of Citizens in Arms both Elders and Youth; or if they would rife, they could be nothing in their hands. The Roman Slaves, and the Lacedemonian Helots, being far of another and more dangerous nature, never rife against their Lords but to their own destruction. All this while I say nothing of the security which is in the frame of this Dictator, beyond any example or interest of prolongation to be found either in the Roman Dictator or the Venetian Council of ten, each wherof having had the like power, did never discover any such inclination. It is true, that in the time of Sylla, the Roman Dictator began to be perpetual; but this is not to be attributed so much to the imperfection of the Order, as to the change of the Balance. But if the Dictator of Oceana cannot have the interest, or, having the interest, cannot have the power or strength to perpetuat that Magistracy; much lefs can the Senat.

The sum of what has bin said, may be thus call'd up, as to the whole Constitution. If Things or Persons that have neither the right
right nor the might, may prevail against Things and Persons who have both the right and the might; then may one Order of this Commonwealth break the whole System: but the Might, thro' the foundation or popular balance of Property, being in the whole People, and the whole Superstructures of this Commonwealth being nothing else but an equal distribution of common Right to the whole People, who are possesst of the Might; they who have the Might, have not the interest to break, but to preserve the Orders; which therfore no other can have the power or strength to break, or from other breaking, must but lose that which they pretend to gain, to wit, the Right, which in this case must still fall to the Might, devolving upon the People. That Mr. Wren will needs fancy the Tribes or Cities in Oceanas, as those in the united Provinces, or the Cantons of Switzerland, to be distinct Sovereignties, concerns not me, seeing the form of Oceanas is far otherwise; nor indeed him, seeing neither do the Cities in Holland, nor the Cantons in Switzerland go about to dissolve their Commonwealths or Leagues. The Champion having thus fail'd at the head, is contented to play low. Tho' there be care taken, says he, that at the Assembly of the Hundred and the Tribe, such and such Magistrates should be elected out of the Horfe, there is no necessary provision there should be any Horfe there, out of which to elect. And where can they be then, if not in some Parish? He might better have said, that at the Parish there was no care taken, that the People should not elect too many of the Horfe, which being indeed the defect of the former, is in this Edition rectify'd. His last exception is against the place where I say, that They who take upon them the profession of Theology, Physic or Law, are not at leisure for the Essays, whereby the Tooth commences for all Magistracies and Honours, in the Commonwealth. To which reason he offers not so much as any Answer: nor pretends any other Argument against it, than that this excludes Divines, Lawyers, and Physicians, from those Honours to which their Parish Clerks, their Scrivers, and their Apothecaries, nay Farriers and Coblers may attain. And what can I help that, if it ought nevertheless so to be, for a reason which he cannot answer? Nay, if so it be in common practice where the reason is nothing near so strong, seeing a Parish Clerk, a Scrivener, an Apothecary, nay a Cobler or a Farrier, is not incapable of being of the Common Council, nor yet of being an Alderman or Lord Mayor of London; which nevertheless that a Divine, a Lawyer, or a Physician should be, were absurd to think. Divines have a Plow from which they ought not to look back: they have above a tenth of the Territory, with which they ought to be contented; and more than all, Civil Interest contracted by a Clergy, corrupts Religion. For Lawyers, their Practice and Magistracies are not only the most gainful, but for life; and in a Commonwealth, neither is accumulation of Magistracy just or equal, nor the confounding of Executive and Legislative Magistracy safe. Will Mr. Wren believe one of our own Lawyers, and one of the learnedst of them upon this point? It is the Lord Verulam: They, says he, who have written (de legibus) of Lawmaking, have hand'd this Argument as Philosophers, or as Lawyers. Philosophers speak higher than will fall into the capacity of practice (to which may be refer'd Plato's Commonwealth, Sir Thomas More's Utopia, with his own Atlantis) and Lawyers being obnoxious, and addicted each to the Laws of their particular Country, have no freedom nor sincerity of Judgment, but plead as
as it were in bonds. Certainly the cognizance of these things is most properly pertaining to political Persons, who best know what stands with human Society, what with the safety of the People, what with natural Equity, with ancient Prudence, and with the different Constitution of Commonwealths. These therefore, by the Principles and Precepts of natural Equity and good Policy, may and ought to determine of Laws. For Physicians, who (as such) have in the management of State Affairs no prejudice, if you open them the door, they will not at all, or very rarely, come in: whereby it appears, First, that such a bar may in some cases be no violation of Liberty; and, secondly, that the Divines, who for better causes might be as well satisfy’d, and for more unanswerable Reasons ought to forbear, yet are impatient, and give a full testimony that their meaning is not good.

Thus is the Commonwealth by Mr. Wren oppos’d, by him asserted. There remains no more to the full confusion of his Book, than to shew how the Monarchy by him asserted is by him destroy’d. This is to be don by the examination of his ninth Chapter, which is the next of thofe to which he refer’d us.

The opposition made by Mr. Wren to a Commonwealth, and his pretended asserting of Monarchy, run altogether upon Mr. Hobbes’s Principles, and in his very words; but for want of understanding, much enervated: so that Mr. Wren’s whole fear of Arms comes but to have given me a weaker Adversary for a stronger. In Sovereignty, says he, the diffus’d strength of the Multitude is united in one person; which in a Monarchy is a natural person; in a State, an artificial one procured by the majority of Votes. This then is the grand security of all Sovereins, whether single Persons or Assemblies, that the united Forces of their Subjects, with which they are invested, is sufficient to suppress the beginnings of Seditions. Who reads Mr. Hobbes, if this be news? But what provision is made by either of these Authors, that the Forces of the Subject must needs be united? Is Union in Forces, or in Government, an Effect whereof there is no Cause? Or to what cause are we to attribute this certain Union and grand Security? Why let there be such a Nobility as may be a Monarch’s Guard against the People, And left a Monarch stand in need of another Guard against this Nobility, let none of these exceed the rest of his Order in power or dignity. Which Effects or Ends, thus commanded, vouchsafe not to acquaint us with their ways: Yes, let the Nobility have no right to assemble themselves for electing a Successor to the Monarchy, or for making of War or Peace, or for nominating the great Ministers of State, or for performing any other Act which by the nature of it is inseparable from the Sovereign Power. But why then must such a Nobility be a guard against the People, and not rather a guard for the People, seeing both their Interests and Sufferings at this rate are the same, and include those very causes for which, in the Barons War, the Nobility became Incendiaries and Leaders of the People of England against their Kings, and so those whereby their Captains came to exceed the rest of his Order in power or dignity? But for this the Prince is to be provided, by having always in pay a sufficient Militia; and from places of strength where a few may be secure against a number. For places of Strength, Citadels, or Castles, there were in the time of the Barons Wars, more than som; yet were they, as to this purpose, none. But a Militia is one thing, and a sufficient Militia is another; where the Government consists of a Nobility and of a People, what sufficient
The Art of Lawgiving.

sufficient part of the Property or Revenue of the Territory can there remain to the Prince, whereby to have always in pay such a Militia, as may be sufficient to keep the Nobility and the People from joining, or to suppress them being join'd? If these be small Armies, the like may befall them, which befel those of the Kings in the Wars of the Barons. And if they be great Armies, the Prince has not wherewithal to support or content them; nay if he had, Mr. Wren tells us plainly, w. p. 106.

That Princes who keep great Armies, as Guards to their Persons or Empires, teach us that this is to walk upon Precipices; there being no possibility of preventing such an Army (specially if they by still without imployment) from acquiring an interest distinct from that of the Prince. Wherfore (to follow Mr. Wren, and no other Leader, in his own words against himself) this Militia being great, cannot be so instituted, as to have no interest besides the pay it receives from the Monarch; nor so as to have no hopes of being safe in their own strength, if they should withdraw themselves from the Service and Obedience due to him: and being not great, against the whole Order or Orders of the Nobility and the People they cannot be sufficient. What then remains but to say, that Mr. Wren having declared the perfection of Monarchical Government to consist in a mixture of Monarchy by a Nobility, and a Monarchy by Arms, has as to his Model entirely subverted Monarchy? In this way of disputing, I have rather follow'd my Leader than Reason; the true Answer being that which was given in the Preface, namely, that an Army to be effectual in England, must be such where the Officers have popular Eftates, or where they have such Eftates as had the antient Nobility: in the latter case, they make a King; in the former, a Commonwealth. But Mr. Wren will have his own way; and therefore, to conclude, let me but desire him to lay his hand upon his heart, and then tell me, whether the condition of the Nobility (to whose favor in my exclusion he pretends a meritorious Title) sharing eminently and according to their rank with the People in the Commonwealth by me propos'd; or the condition of the Nobility under the influence and burden of a mercenary Army, sharing equally with the People in Oppression and Slavery, or reviving the old Barons Wars for new Liberty, in the Monarchy by him propos'd; be the more desirable. And to speak a word for my Adversary, we will submit it wholly to the present Nobility, whether Mr. Wren or I be so extravagant in these things, that they have, or can have any other than the like choice. Yet enters not Mr. Wren into despair of living to enjoy his share (which ought to be a good one) of the Felicities which will belong to the Subjects of such a Government. He looks upon Perfons, but Things are invincible.

The rest of his Book (to which The Prerogative of Popular Government is still a complete Answer) consists altogether of gross evasion or invective, or of drawing out of story against Popular Prudence such imaginary Swords as do but stand bent. To rectify or frighten thefe, I may hereafter prefer him (if any man shall think it worth the while) with a fuller Answer.
A WORD

Concerning a House of PEERS.

No man knowing what is necessary to the Foundation or Being of a Popular Government, can hope or expect the introduction of any such Form, where Monarchy is not impracticable. They (where Monarchy is impracticable) who first to discover it, and be convince'd of it, if Reason be not altogether depos'd, are inevitable Leaders. Hence it is that our Commonwealths are already renown'd through this Nation for their invincible Reasons, even by the confession of their Opponents, or such as proceede neverthelesse in other ways. But where Seed is so well sown and rooted, intervening Poison and Interests are like such Weather as holding back the Spring, yet improves the Harvest: Commonwealths indeed may have a cold time on't, but upon the Commonwealth it must befoil Fermentation. Had our incomparable Assertors of public Liberty appear'd, before a universal evacuation of the necessity which inforces their Cause, it must have bin thro' such a reluctance, as would have made them glad to do things by halves, which is the only Rock to a rising Commonwealth of Scandal, or of Danger; the whole being such against which there is nothing to be alleg'd, and the half what may be easily confuted. These things consider'd, what appearance is there but that it must redound to the greater advantage of our Commonwealths, that we are under the force of a present Humor which abhors the very name of a Commonwealth? Seeing by this means one of two things must of necessity happen, and come shortly to public view or discovery: either that Monarchy is practicable, or that it is not practicable; I mean, in our state of Affairs, or in this present distribution of the Balance. If Monarchy be found practicable, Commonwealths are satisfy'd in their Consciences, and so ready in fair ways to return, and submit not only for Wrath, but for Conscience sake. But (let Divines cry Atheism, and Lawyers' Treason) if it be once discover'd to common Understanding that Monarchy is impracticable, then in comes the Commonwealth, not by halves, but with all its Tackling, full sail, displaying its Streamers, and flourishing with Top and Topgallant.

The ways whereby it is at hand to be discover'd whether Monarchy be practicable or impracticable, are particularly two; the one quicker, the other slower: The quicker way will be by the Workmen, the flower by the Work.

If the Workmen, being willing, be yet overcome by the mere obstinacy of their Matter, it amounts to a plain confession, that Monarchy is impracticable. And if they give away the Libertys of the People, they are overcome by the obstinacy of the Matter; for that is not their Work: nor any other Work than such as must be useful, not so much in regard of itself (tho' that may be true enough) as by the want of any other Security than what the Prince had before, that is,
is, an Army. And such an Army, which for security is as good as none at all, may the very contrary, as has been shewn already: nor to be alter’d with better success than their, who became Princes in Greek and Sicilian States.

But if the Workmen give not away the Libertys of the People, then must they so limit their Prince, that he can in no manner invade those Libertys; and this by any other means than the full and perfect introduction of a well order’d Commonwealth, they will find to be utterly impossible: So either way they are overcome by the mere obfînacy of their Matter.

If thro’ secret Dictat (as when the Senat of Rome was Conviva Cæsaris) or a haft to make riddance, this be not perceiv’d by the Workmen, it will be but the more perceivable by the Work when it comes to wearing or in practice; and the Flaws or Grievances being found inupportable, the next Parliament, thro’ the mere want of any other remedy, must introduce a Commonwealth.

GOOD, and egregiously Prophetical! But what say you for all this, if we have a House of Peers, and that even for the Lord’s sake, there being no other way to secure Liberty of Conscience? Why I say, if we have a House of Peers, it must be a House of old Peers, or a House of new Peers, or a House of the one and the other. Moreover I say, Let it be which way you will, such a House may at fem time, or for some reason, be personally affected to Liberty of Conscience; but is a Constitution in it self naturally averse, and contrary to Liberty of Conscience, and therefore can be no security to the fame, whether the Lords be Spiritual, or Temporal, or partiperal.

LORDS Spiritual are inpir’d with a third Estate, or share of a Realm, which gives no toleration to any Religion, but that only affecting this point, which is Monarchy. Setting this Oracle, and form like Reasons of State aside, we may think that every Sovereignty (as such) has Liberty of Conscience: This a King having, cannot give; and a People having, will not lose. For Liberty of Conscience is in truth a kind of State, wherein a man is his own Prince: but a House of Peers sets up another Prince; it cannot stand without a King. If the Balance be in the Lords, as before HENRY the Seventh, yet must they have a King to unite them, and by whom to administer their Government; and if the Balance be not in the Lords, they stand or fall with the King, as the House of Peers in the Long Parliament; and the King falling, their Government devolves to the People. Again, a House of Peers having the overbalance, signifies something; in which case it has not been known to be for Liberty of Conscience: and not having the overbalance, signifies nothing; in which case it cannot secure the Liberty of Conscience. Thus a House of Peers, whether forming or nothing, is no way for the Liberty of Conscience, but every way for a King: and a King is a defender of the Faith. The Faith whereof a King is defender, must be that which is, or he shall call his own Faith; and this Faith it concerns his Crown and Dignity, that he defend against all other Faiths. True it is, that a King for a step to a Throne, may use what is readiest at hand: Otherwise where there is Liberty of Conscience, to assert Civil Liberty by Scripture can be no Atheism; which names a Prince of one Arm. But where Liberty of Conscience is not at all, or not perfect, Divines, who (for the greater part) are no fair Huntsmen, but love dearly to be poaching or clubbing
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Written on

Several Occasions.

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Valerius and Publicola:

Or, the True

FORM

OF A

POPULAR COMMONWEALTH

Extracted

Ex puris Naturalibus.

Quos perdere vult Jupiter, hos dementat prinus.

To the READER.

THE way of Dialog being not faithfully managed, is of all others the most fraudulent; but being faithfully managed, is the clearest and most effectual for conveying a man’s sense into the understanding of his Reader. There is nothing in this World, next the favor of God, I so much desire as to be familiarly understood; which because great men have thought below them, has prov’d hitherto but the ruin of themselves, and the detriment of the Public: for which reason, having try’d all other means, I now add this. My work, if I be not given over to utter blindness, is the same with, or nearest, that of the Nation; and the Work of the Nation being not understood, is in extreme danger of utter ruin.

Valerius.

DEAREST PUBLICOLA, how have I long’d to meet you, and in the favorable silence of this long Walk!

PUBLICOLA.

What has my noble Friend VALERIUS to command his faithful Servant?

Val. Why really, notwithstanding the tumult of these extravagant Changes, your last Discourse had so much of my attention then, and has had such a digestion with me since, that I feel it running in my Veins.

Pub. Do you find in that any temptation to the buckling on of High-noon?

Val. My thoughts, PUBLICOLA, are quite of another strain; sometimes I fancy I see England grasping at Empire, like Rome it self.
Valerius and Publicola.

Pub. Why then Valerius, my Discourses are not such as they say; there runs nothing of them in your Veins, that has imbus'd your noble Blood.

Val. The Heraldry of them is of as high a pitch as the Policy; but I would have them be a little lower in some things.

Pub. What are those?

Val. The Vulgar complain of you, that you are too learn'd.

Pub. I thought it was not you, Valerius.

Val. For all that, I could be contented to see you raise your Structure by your own strength, and without the help of other Authors.

Pub. That I dare say you may, when you please.

Val. I must see it then, before I lose the covert of these reverend Elms.

Pub. You take care that the Building should be well situated; and for the Foundation, I may premise by what has already past between you and me, that we are long since agreed.

Val. That the threefold Balance, or Distribution of Property is the cause of the triple way of Government, I fully confess with you; as also, that the Balance now in England is in the People plainly, and exclusively both of a King and Lords.

Pub. You are not of them that grant this, and then ask which way a Commonwealth should be introduc'd in England.

Val. Why truly yes; seeing not only the People are so wholly unacquainted with the means, but their Leaders so averse to it.

Pub. Think you that a Plant grows the worse for not understanding the manner of its Vegetation?

Val. A Plant is not a free Agent; but among Men who are free Agents, the Introduction of Government seems to be Arbitrary.

Pub. What, where there is no more than Hobson's choice, this or none?

Val. It is true, that if they can have nothing else, they must at length have a Commonwealth; but tho' they can have nothing else to be holding, yet they will be trying other things.

Pub. There is all the mischief.

Val. And enough to ruin the Nation.

Pub. To hurt it very sore, but not to ruin it; nor yet to evade a Commonwealth, except they expose us to foreign Invasion.

Val. I am glad of your Confidence.

Pub. You may let it pass for Confidence, if you please; but if there be no other way except that only of Invasion, whereby the present Balance can receive a change sudden enough to admit of any other Form, the reason why we must have a Commonwealth is coercive.

Val. And putting the case it be the Will of God to defend us from foreign Invasion, how long will it be ere they see at home the coerciveness of this Reason, or, which is all one, that all Power is in and from the People?

Pub. Good Valerius, how long is it since this was both seen and declar'd in Parliament?

Val. Perhaps as they meant, it might be admitted as a Principle even in Monarchy.

Pub. This with your pardon you will revoke, seeing you well remember that this their Declaration of Power in the People, has bin exclusive of King and Lords, and that in express terms.
Valerius and Publicola.

Val. But in this they related not at all to the Distribution of Property.
Pub. Why then, there is not such a difference between the growing of a Plant and of a Commonwealth, as you thought; seeing a Commonwealth knowing as little, do no less.
Val. This of all others is to me a Consideration full of comfort.
Pub. It will in time proceed accordingly, thro a mere necessity of nature, or by seeing; but your desire, I suppose, is to know how it should be rationally introduc'd, or by seeing, and that with more ease and greater speed.
Val. If it might please God, I would live to have my share of it, tho I fear I never shall.
Pub. You carve for your self ill: for by hope a man enjoys even that which he never coms to attain; and by fear he is depriv'd even of that which he coms not to lose.
Val. I must confess that our Army has it now in their power to introduce a Commonwealth.
Pub. And there is no other action in their power that can excuse them.
Val. Putting the case they would hearken to you, what course would you advise?
Pub. The fame that I have advis'd over and over.
Val. As how?
Pub. As how! is that yet a Question? Let them divide the Territory into fifty equal parts.
Val. They will never make a new division.
Pub. Why then they shall never have an equal Commonwealth.
Val. What ill luck is this, that the first step should be so difficult?
Pub. You speak as if never any Territory had bin divided, whereas there is none that has not; and Surveyors will tell you, it is a work to be perfectly perform'd in two months, and with ease.
Val. Putting the case this were don, what is next?
Pub. The next is, that the Commonwealth were complete.
Val. Say you fo? this indeed makes amends; but how?
Pub. With no more addition, than that the People in every distinct division elect annually two Knights and seven Deputies.
Val. I dare say the People would never stick at this.
Pub. Not sticking at this, they of their own power have instituted the two great Assemblies, of which every Commonwealth consists.
Val. But in advising these things, you must advise men so that they may understand them.
Pub. Valerius, could I as easily have advis'd men how to understand, as what to do, there had bin a Commonwealth ere this.
Val. Com, I will have you try somthing of this kind, and begin upon som known Principle, as this, All Power is in the People.
Pub. Content. But the diffusive Body of the People (at least in a Territory of this extent) can never exercise any Power at all.
Val. That is certain.
Pub. Hence is the necessity of som form of Government.
Val. That is, the People of themselves being in a natural incapacity of exercising Power, must be brought into som artificial or political capacity of exercising the fame.
Pub. Right. Now this may be don three ways; as first, by a single Person—

Val.
Val. How!

Pub. Nay, I am not likely to trouble you much upon this point: but as you were intimating just now, there are Royalists who derive the original Right of Monarchy from the consent of the People.

Val. There are so.

Pub. And these hold the King to be nothing else, but the Representative of the People and their Power.

Val. As the Turc.

Pub. Yes, as the Turc.

Val. The Peoples Power at that rate comes to the Peoples Slavery.

Pub. You say right; and so it may at other rates too.

Val. As how?

Pub. Why as I was about to say, The Power of the People may be politically brought into exercise three ways: by a single Person; by an Assembly consisting of a few; or by an Assembly consisting of many.

Val. Or by a mixture.

Pub. Nay, I pray let that alone yet a while: for which way forever you go, it must come at length to some mixture, seeing the single Person you nam’d but now, without his Divus or Council to debate and propose to him, would make but bad work even for himself. But as the Government comes to be pitch’d fundamentally upon one of these three, so it differs not only in name, but in nature.

Val. I apprehend you, as Monarchy, Aristocracy, and Democracy.

Pub. Nay, you are out with your Learning, when you have forbidden it me. But in Countries where there is not a Nobility sufficiently balance’d or inrich’d, there can be none of your Aristocracy; and yet there may (as long as it will last) be a Government in a few.

Val. What call you that?

Pub. Nay, what say you?

Val. Com, it is Oligarchy: when all is don, som words of Art we must use.

Pub. I thought you would com to it; and yet seeing I have promis’d, I will be sparing. But with your pardon, you have disorder’d my Discourse, or by this time I had shew’d, that if the Power of the People be committed to a single Person, the common Interest is submitted to that of a Family; and if it be committed to a few, it is submitted to the Interest of a few Families.

Val. Which, so many times as they are more than one, is so many times worse than Monarchy.

Pub. I am not sorry that you are of that mind. For there is no such thing as a Commonwealth, or, as you say, Democracy in nature, if it be not pitch’d upon a numerous Assembly of the People.

Val. What call you numerous?

Pub. Why, an Assembly such for number as can neither go upon the interest of one single Person or Family, nor the interest of a few Persons or Families.

Val. How will you constitute such an Assembly?

Pub. Commonwealths for the Constitution of their Popular Assemblies, have had two ways. The first by inviting all their Citizens, and stating the Quorum in such fort, that all to and above the stated number repairing at the time and place appointed, are empower’d to give the Vote of the whole Commonwealth.
Val. The Athenian Quorum was six thousand; which towards the latter end of that Commonwealth came to five.

Pub. So, so, you may quote Authors; But you may remember also, that Athens was a small Commonwealth.

Val. How many would you advise for England?

Pub. Put the cafe I should say, ten thousand?

Val. They will laugh at you.

Pub. What can I help that? or how many would you advise?

Val. I would not go above five thousand.

Pub. Mark you then: they only that are nearest would com; and so the City of London would give Law to the whole Nation.

Val. Why, really that fame now is clear; but would there be less danger of it, in case you stated your Quorum at ten, at twenty, or tho' it were at a hundred or two hundred thousand?

Pub. No: For which cause, as to England, it is a plain cafe, that this is no way for the institution of a popular Assembly.

Val. Which way then?

Pub. For England there is no way but by Representative, to be made to rise equally and methodically by stated Elections of the People through the whole Nation.

Val. Needs this to be so numerous as the other?

Pub. No.

Val. Why?

Pub. Because it is not obnoxious to a Party, to any certain Rank, or such as are soonest upon the spur, or that make least account of their Pains or of their Mony.

Val. Will you be so curious?

Pub. Do you think this a Curiosity? How else will you avoid improvement in the Interest of the better sort, to the detriment of those of meaneer rank; or in the Interest of the Few, to the detriment of that of the Many?

Val. But even this way there is danger of that foul Beast the Oligarchy.

Pub. Look about you. The Parliament declares all Power to be in the People; is that in the better sort only?

Val. Stay; the King was to observe Leges & Constitutiones quas vulgus elegit: That Vulgar is to be understood of the Parliament; and the Parliament consisteth wholly of the better sort.

Pub. It is true; but then that Commonwealth acted in all things accordingly.

Val. It was, you will say, no Democracy.

Pub. And will you say it was?

Val. No truly: yet this deriv'd in part from the free Election of the People.

Pub. How free? seeing the People, then under Lords, dar'd not to elect other wise than as pleas'd those Lords.

Val. Something of that is true; but I am persuaded that the People, not under Lords, will yet be most addicted to the better sort.

Pub. That is certain.

Val. How then will you prevent the like in your Institution?

Pub. You shall see presently. The diffusive Body of the People, in which the Power is, and is declar'd to be, confis't in the far greater part of the lower sort: wherfore their Representative, to rise naturally,
Valerius and Publicola.

ly, and to be exactly comprehensive of the common Interest, must
conform also in the far greater part of the lower sort.

*Val.* Of what number will you have this Representative?

*Pub.* Suppose a thousand, or therabouts.

*Val.* What proportion will you have the meaner sort in it to hold to
the better?

*Pub.* Suppose about six to four.

*Val.* How will you order it, that it shall be so constituted?

*Pub.* Why thus: Let the People in every Precinct or Shire at E-
lection choose four under one hundred pounds a year in Lands, Goods,
or Mony, together with three at or above that proportion.

*Val.* I see not but this Representative must be exact.

*Pub.* It is yet none at all; that is, unless you prehend Changes:
for one thousand, without change governing the whole People, am-
ounts neither to a Representative nor to a Commonwealth, but combs
still to your hard name.

*Val.* How do you order your Changes?

*Pub.* By annual election of one third part for three years.

*Val.* So that every year one third part of your Assembly falls out of it,
and a new third part at the same time enters into the same.

*Pub.* Even so.

*Val.* This caueth the Representative to be perpetually extant.

*Pub.* It doth so: But to respit that a little, I should be glad, before
I stir farther, to know which way the Vote of a Representative thus
constituted, can go one hair's breadth beside the common and public
Interest of the whole diffusive Body of the People.

*Val.* No way in the Earth that I can imagin, except thro igno-
rance.

*Pub.* No Human Ordinance is infallible; and what is done thro'
more ignorance or mistake at one time, will be found and amended at an-
other.

*Val.* A thousand men, and six to four of the lower sort perpetually
extant! this must be a grievous Charge to the most of them; it
will be hard to bring them, and impossible to hold them together.

*Pub.* Upon such as are elected and com not, considerable Fines
must be levy'd; and such as come and stay together must have good
Salaries.

*Val.* Salaries to so many! what will that com to?

*Pub.* Not, with the rest of the Commonwealth, to three hundred
thousand pounds a year.

*Val.* Why? the Kings have rarely had above six.

*Pub.* And did England ever grudge them any part of that propor-
tion?

*Val.* I must confess the Quarrel grew when they would not be con-
tented with so little.

*Pub.* Now if England never did, nor needed grudge a King six
hundred thousand pounds a year, to be spent among Courtiers, why
should we imagin he should grudge a Commonwealth three hundred
thousand pounds a year, to be spent among Magistrates?

*Val.* But Parliaments have taken nothing.

*Pub.* Have the People given nothing?

*Val.* That was for the maintenance of Armies.

*Pub.* And whether had you rather maintain Armies or Magistrates?

*Val.*
Valerius and Publicola.

Val. But putting the case that this Assembly needed not to be perpetually extant, this Charge in the whole or in the far greater part might be abated.

Pub. I cannot tell: for how often think you fit that this Assembly should convene?

Val. Parliaments at most met not above once a year.

Pub. If they had bin perpetually extant, there would have bin no King.

Val. No truly, except in name only.

Pub. Therefore the Popular Assembly in a Commonwealth ought not to be perpetually extant.

Val. To the end, you will say, that there may be som King.

Pub. Mock not: or what other guard of Liberty is there in any Commonwealth, but the Popular Assembly?

Val. Com, let them assemble twice a year upon their ordinary Guard.

Pub. And what if there be an extraordinary occasion?

Val. Then, as often as there is any such occasion.

Pub. How much will this abate of their necessary Charge, or of the Salarys? And how much better were it for a Representative to lead the Life of Statemen than of Carriers?

Val. Commonwealths, whose Assemblies have bin of the former kind, have call'd them no otherwise than at stated times, or upon extraordinary occasions.

Pub. But then their Assemblies were not equal Representatives, but constituted of such as being next at hand were still ready upon any occasion.

Val. That makes indeed a considerable difference: But were this Representative always extant, I cannot see but it would have nothing to do.

Pub. And in case it be not always extant, you imagin that it may have somthing to do.

Val. Yes.

Pub. Then whether gos it better with the Commonwealth when the Representative has somthing to do, or when it has nothing to do?

Val. This is very quaint.

Pub. No truly, Valerius, it is plain, that the Guard of Liberty perpetually extant, in doing nothing must do much; and not perpetually extant, in doing much may do nothing.

Val. I am afraid that having nothing to do, they will make work.

Pub. Such I warrant you as the Parliament and the Army made the other day.

Val. Nay, I am not so wide. A civil Council and a standing Army must needs have Interests much more distinct than two civil Assemblies; and where there is not a like cause, I know well enough there cannot be the like effect.

Pub. I shall define no more, than that you will hold to this; and then tell me what Disputes there us'd to be between the Senat of Venice and the great Council, which is perpetually extant, and consists of about two thousand.

Val. Nay, certain it is, that between those two there never was any dispute at all.
Valerius and Publicola.

**Pab.** Then tell me for what cause such a thing should any more happen between the Assemblys propos'd; or, according to your own rule, from like causes expect like effects.

**Val.** You put me to it.

**Pab.** Nay, it is you that put me to it; for you will be presuming that this Assembly can have nothing to do, before we come to consider what are their proper Business and Functions.

**Val.** I beg your pardon, and what are those?

**Pab.** Why surey no small matters; for in every Commonwealth truly Popular, it is inseparable from the Assembly of the People that first they wholly and only have the right of Refurt in all matters of Lawgiving, of making Peace and War, and in levying Men and Money: Secondly, That the ultimat Refurt in Judicature ly to them: and thirdly, That they have right to call to account, and to punish their Magistrats for all matters of Maladministration of Government.

**Val.** I assure you this must amount to a great deal of business.

**Pab.** Certain it is, that in some Commonwealths the Popular Assembly by this means has bin perpetually employ'd.

**Val.** And so I think it might be in England.

**Pab.** It might; but I do not think it would. However, if it be in the undoubted right of the Popular Assembly to proceed against their Magistrats for Maladministration, would you leave it upon the hand of those Magistrats, whether this Representative should affirm or no?

**Val.** Com, you have said enough, it were not prudent: but as to the matter of Appeals, it is certain that in Israel the ultimat Refurt was to the Sanhedrin or 70 Elders.

**Pab.** I know it very well: nevertheless you shall find that the Congregation judg'd Benjamin; and if you mark the Appeal to the 70 Elders, you shall find that it was not an Appeal of the Party for Relief, but of the Judges in inferior Courts for further light and direction in difficult cases of the Law.

**Val.** Let me but know in what manner this Assembly is to perform these Functions, and I have don.

**Pab.** Why as to matter of Lawgiving, I told you that they wholly and only have the right and power of Refurt.

**Val.** But to Refurt, there must necessarily go precedent Debate; seeing a Man, much less an Assembly, resolves not upon any thing without some Considerations, Motives, or Reason thereof conducing, which ought to be first orderly and maturely debated: and how will you bring a thousand men, especially being fix to four of the lower sort, to debate any thing with order and maturity?

**Pab.** You say that the Popular Assembly in Athens consisted at the least of five thousand.

**Val.** And I said true.

**Pab.** Yet this Assembly debated: Why may not a thousand men debate as well as five thousand?

**Val.** As well! Nay Publicola, if they debate no better in your Commonwealth than they did in that, you may know what will become of it. And to tell you true, I do not think that a thousand men can debate any whit more orderly and maturely than five thousand.

**Pab.** And so think I too.

**Val.** How then?
Valerius and Publicola.

Pub. How then? Why this is the reason of the Senat in every Commonwealth.

Val. So there must be a Senat, which amounts to thus much; without a Senat there can be no Commonwealth, and with a Senat there will always be Practices upon the Liberty of the People.

Pub. How prove you that?

Val. Why by the Senat of Lacedemon in the beginning, and by the Senat of Rome throuth.

Pub. But find you the like by the Senats of Athens and Venice?

Val. No.

Pub. Consider then that these were by Election of the People, and upon frequent Removes, and that the former were defective in one or in both these circumstances.

Val. You intend your Senat upon Removes then?

Pub. Right.

Val. And Elective by the People?

Pub. Yes.

Val. How? by the Popular Assembly, or by the body of the People in their Precincts?

Pub. By the body of the People in their Precincts, at the same time when they elect their other Deputies, and with the same circumstances, except that these be all elected out of such as have a hundred pounds a year real or personal.

Val. What hurt, if they were elected by the Popular Assembly?

Pub. They would not derive so immediatly, nor rise so equally from the People, as when chosen in the Precincts; because this way every Shire coms necessarily to have a share in the Senat: besides, wise men and understanding are better known in their Tribes than they can be in an Assembly out of their Tribes, especially while they are new comers; nor will the Popular Assembly afford so good a choice as the whole People. There are other Reasons.

Val. Enough, enough. Of what number do you constitute this Senat?

Pub. Of three hundred.

Val. Why should not one hundred be full enough for a debating Council, especially seeing Debate is the more orderly where the Counsellors are fewer?

Pub. You are to bear it in mind, that this Senat is upon annual change in one third part.

Val. That is, every year one hundred having serv'd three years, go out, and a new hundred coms in.

Pub. Right: for which caufe, to have one hundred well practis'd indebate, your Senat must consist of three hundred.

Val. May not those that go out com presently in again by a new Election?

Pub. Not at all; for that were yet another way of continuing the Government in a few.

Val. Do you mean that no man shall serve in this Capacity, or in that of the Popular Assembly, but once in his life?

Pub. I mean that a man, having serv'd his term in one of these, may alter a like vacation or interval be elected again to serve in either of them, and not before.
Val. At what age do you make a man capable of these Elections?
Val. He stays a great while ere he comes to preferment, and is sent out again; at which rate a man should have much ado to attain to sufficient knowledge for the leading of the Commonwealth.
Pub. This was never objected against Parliaments.
Val. It is true: but then the Election of Parliamentmen was not oblig'd to any Interval, and divers have bin of every Parliament that was summon'd during their Lives.
Pub. Parliaments when they were the most frequent, assembl'd not above once a year, very rarely so often; and how long, pray, did they usually sit?
Val. Som two or three months.
Pub. I allow you the most you ask: at which rate a man that had sat in twenty Parliaments, could not have sat above four years complete.
Val. And in your Parliament, at one Election he sits three.
Pub. Mark you that?
Val. Yes, and more: Whereas a Parliamentman without interval could in twenty years have sat but four complete, in your Assemblys a man observing his intervals, may in twenty years serve ten years complete.
Pub. You allow that, I hope, to be some advantage towards acquiring knowledge in conduct; and yet antiently your Parliamentmen were in this point thoughtable enough.
Val. Now would I desire no more than to be as fully satisfy'd, that these Senators must be honest enough.
Pub. Which way can they be dishonest?
Val. Indeed I am not yet acquainted with their ways: but if nothing can be propos'd to the popular Assembly, except by these only, they should, I think, propose nothing but what is for their own advantage.
Pub. They are the Senate; and in that they have all the advantages that a well order'd Commonwealth can give to a Senator.
Val. But they will be still hankering after more.
Pub. As what?
Val. Why Riches or Power.
Pub. All Magistrats are accountable to the Popular Assembly; and so, without acquisition of Power, I cannot imagin which way they should turn themselves to the acquisition of Riches.
Val. They will drive then at Power; they will be coordinat.
Pub. In the World there has never yet bin any Senator that durst so much as pretend to Power.
Val. No? Had not the Senat of Israel, and that of Lacedemon Power?
Pub. Executive Power they had, in as much as they were Judiciaries; but Legislative or Soverain Power (which is that whereof we speak) they had none at all.
Val. Other Senators have had other power, as in the managing of foreign Affairs, and the like.
Pub. Which still coms not to the point in hand, because in these and the like matters, as the creation of divers Magistrats, the Senate ues to be made Plenipotentiary by the Popular Assembly, that is, by Law.

Val.
Valerius and Publicola.

Val. I hear them talk of making a coordinat Senat first, and without the People, and then of assembling a Parliament in the old way to govern with that Senat.

Pub. Things, Valerius, are soon said; but if any Parliament whatever, fo it be elected by the People (and, perhaps, if otherwise) do not make it one of their first works to pull down a coordinat Senat, I ask no credit to my Politics.

Val. This is to prophesy.

Pub. Then, to reason the case: I say, That the Senat assuming Power, the popular Assembly falls immediately to debate; and the popular Assembly debating, the Senat is ipso facto depos'd, there being no other necessary use or function of the Senat but Debate only.

Val. You said but now, That the Popular Assembly could not debate.

Pub. Not orderly and maturely; but upon such an occasion as this, they will do as they can; nor is it avoidable.

Val. Nay, if there be som occasion in which you allow that the popular Assembly must and ought to debate, there will hardly be any in which they will be persuaded that they may not. So this will come to the pulling down of the Senat as often as the People please.

Pub. Which is so much the rather to be fear'd, because you shall never find that popular Assembly which did ever actually depose their Senat.

Val. Our Army has pull'd down a good many Parliaments.

Pub. What is that to the purpose? Is our Army a popular Assembly? Yet let them pull down a Parliament as often as they please, they must set up another; and in this indeed there may be some resemblance: for let a popular Assembly pull down the Senat as often as they please, they must set up another.

Val. Or a single Person.

Pub. Right: for that holds both ways too, and (as to our case) will stand neither.

Val. The People of Athens debated, yet for all that their Senat was not depos'd.

Pub. Not formally; but it remain'd little better than a Warren, wherein great Men did, as it were, start hares, to be hunted in the tumult of the popular Assembly.

Val. Verily, Publicola, this Model of yours is a most intire thing.

Pub. This with the necessary consequences, as the division of the Senat into Senatorian Councils, the adorning and actuating of this and the other Assembly with fit Magistrats, whereof I have sufficiently discours'd in other places, amounts to an intire thing.

Val. And you offer it freely.

Pub. I do.

Val. Would it not grieve you to see them crop a little of it, and spoil it?

Pub. They had better take it to som purpose.

Val. Nay, what they take will be to som purpose, I warrant you. Com, there is a Party, a felech, a refin'd Party, a Nation in a Nation, that must and will govern.

Pub. That is it which I desire to see.

Val. You are of a rare temper; happy in unhappiness.
Valerius and Publicola.

Pub. O I love frequent Changes.

Val. Is that any of your Virtues?

Pub. Yes, where we are certain never to go right, while there remains a way to go wrong.

Val. They are confident men. They cannot be persuaded but they can govern the World.

Pub. Till they have try’d. Such as can govern the World, are such as can be govern’d by Reason. Now there is no Party refin’d, feeleth, or what you will in England, amounting to one twentieth part of the whole People.

Val. One twentieth part of the People, for ought I know, may amount to a hundred thousand; there is no Party any thing near this account, I dare say.

Pub. A twentieth part of the People can never govern the other nineteen, but by a perpetual Army.

Val. They do not like that the worse.

Pub. The People having bin govern’d by a King without an Army, and being govern’d by a Commonwealth with an Army, will detect the Government of a Commonwealth, and desire that of a King.

Val. Yes, such is the spirit of the Nation.

Pub. Such is the spirit in this case of any Nation.

Val. And yet they make it a particular quarrel.

Pub. They make every thing particular: if you speak of Israel, Athens, Rome, Venice, or the like, they hear you with volatility of countenance; and will not have it that God ever minded the matter of Government, till he brought them in play. Nay, tho they have common heels over head for this very thing, I know not how often, yet they are resolv’d to take no warning.

Val. Publicola, you will be shent.

Pub. I am to perform my duty. To flatter is not my duty.

Val. But between you and me, Do you not think that the spirit of the Nation, or the main body of the People of this Land, defines the restitution of their aient Government?

Pub. I make little doubt of it.

Val. How then in case of a Commonwealth are they to be trusted?

Pub. In case of a Commonwealth, it is not the People that are trusted, but the Orders of the Commonwealth.

Val. The Commonwealth must confit of the People.

Pub. The People under the Monarchy, when that invaded them, invaded it.

Val. True, and in such a manner as has caus’d the ruin of it.

Pub. What was the spirit of the People then?

Val. But it is now another thing.

Pub. Nay, the very fame: for then it invaded a Government that invaded their Liberty, and now it would invade a Government that invades their Liberty.

Val. But how should this be mended?

Pub. Do you not see that this should not be mended, but encourag’d?

Val. How should it be encourag’d then?

Pub. By giving them a Form that must preserve their Liberty.

Val. I little doubt but there is in your Form a full security to the People of their Liberty; but do you think that there is in it any full security
security that the People shall not cast off this Form?

Pub. If it secures their Liberty, why should they?

Val. My question is not, why they should, but whether they can.

Pub. They cannot, without going against their own interest.

Val. But they can go against their own interest.

Pub. Nay, remember yourself, whether the Form shewn be not such, as you have already granted can in no wise go beside the interest of the whole People.

Val. They that are now in power, have no trust at all in Forms.

Pub. Do they fail in Ships, not upon Planks? Do they ride Horses, not Hogs? Do they travel in Coaches, not upon Hurdles? Do they live in Houses, not in Ditches? Do they eat Bread, not Stones?

Val. Enough, enough.

Pub. But in so doing, they acknowledge such a Form to be security for such a use or action. And must the form of a Commonwealth be the only form in which they can allow no security for the proper use and action?

Val. They observe none of this.

Pub. Do they observe that there is any security in Men?

Val. That, especially in our times, were somewhat a hard matter.

Pub. And how many Securitys are there?

Val. I know no more, than one personal, or in Men; another real, or in Things.

Pub. Chuse you whether you would have.

Val. Well, be the necessary action or use of your Form what it will, I would see it more plainly and particularly demonstrated how the spirit of the Nation, or the whole People, being freely eligible into your Assembly, must presently lose that inclination which now plainly they have to set up Monarchy, or to perfect for Conscience.

Pub. You will allow no weight in the Argument, that a People in Liberty, unless the Orders of their Commonwealth were first fundamentally ruin'd, that is, broken in the balance or foundation, did never do either of these.

Val. What weight soever I allow to this Argument, it is no ways to my present purpose.

Pub. You will put me then beside experience, and to shew by what reason it is that a Peartree must bear Pears, or why men gather not Grapes on Thorns, or Figs on Thistles.

Val. Poor Publicola, be the task as hard as it will, I am for this time resolved to hold you to it.

Pub. What is it then that any Government can be sufficiently founded or balanced upon, but such an Interest as is sufficiently able to bear it?

Val. Good Sir, a Government ought to be founded upon Justice, I take it.

Pub. Right: and is not that Government which is founded upon an Interest not sufficiently able to bear it, founded upon Injustice?

Val. I suspect whether this will go. A Government founded upon the overbalance of Property, is legitimately founded, and so upon Justice; but a Government founded upon the underbalance of Property, must of necessity be founded upon Force, or a standing Army. Is not this that which you mean by Interest sufficient or not sufficient to sustain a Government?

Pub. You have it right.

Val.
Valerius and Publicola.

Val. O Atheist! this damn the Government of the Saints.
Pub. Look you now, how irreligious a thing it may be made, to speak but with common honesty. Do you think that such as are plainly Oligarchs, or shall exercise by a force, and without election by the People, such a Power as is both naturally and declaredly in the People, and in them only, can establish their Throne upon Justice?

Val. No.
Pub. Do you think that such as are truly Saints, can establish their Throne upon Injustice?

Val. No.
Pub. Why then you have granted, that such as are plainly Oligarchs cannot be truly Saints. Again, do you still think, as you once intimated, that a Government now introduce'd in England, exactly according to the Principles of Prudence and Justice, would rule the Earth?

Val. Yes.
Pub. Do you think, that such as are truly Saints, if they introduce a Government, ought to introduce it exactly according to the Principles of Prudence and Justice?

Val. Yes.
Pub. Why then, let such as are truly Saints but see what it is to rule the Earth, and take the Rule of the Earth.

Val. They will not approve of this way.
Pub. How! not the Saints approve of Prudence and Justice! Who is the Atheist now, Valerius?

Val. Good Publicola, let us keep to the point in hand. You say, That the security of Liberty lies not in the People, but in the form of their Government; so I am yet to expect when you will shew, what there is in your form, why it must be impossible for the People under it to restore Monarchy, or to perfecute for Conscience.

Pub. See you not, that to do either of these under such a form, must be pointblank against their Interest?

Val. But fo either of these is now, and yet in this posture you will confess that they would do both.

Pub. Mark how I am us'd. I speak of a Form supported by an Interest sufficiently able to bear it, and of an Interest contain'd under a Form sufficiently able to secure it; and you instance in a Posture which is no form at all, but such a confusion among, and force upon the People, as creates an Interest in them to rid themselves which way they can of such a misery.

Val. I did acknowledge and must confess, that your popular Assembly is such as cannot err, except thro ignorance; but thro this, you your self have acknowledg'd, and must confess, that it may err.

Pub. I retract nothing.

Val. Now first, or never, they will restore Monarchy thro ignorance.

Pub. But they cannot do this first, therefore they can never do it.

Val. Why cannot the popular Assembly do this first?

Pub. Because it must first be propos'd by a Senat, that can neither do any such thing thro ignorance nor thro knowledge.

Val. Nay, then have at you; I will fet this same Senat and Representative of yours to work in such a manner, that you shall confess they may set up Monarchy.
Valerius and Publicola.

Pub. Do your worst.

Val. Your Senat being assembl’d (I will not have them make long Speeches);

Pub. Nor I)

Val. Rifes me up one of the Senators, and says, 'Mr. Speaker,' this Nation has bin long in labor, but now thro’ the mercy of God, the Child is not only com to the Birth, but there is also strength to bring forth: In the number of Counsellors there is strength; the number of this Houfe is good (far better than has ufually bin of late) and their Election has bin very free and fair. Here is alfo, I know not how (but the Inventions of men are overruled by the Providence of God) an extraordinary and exceeding great confluenfe of honelf men, who are not fo well here; and if you determin any thing that is good for your Country, will go home and pray for you. Now, Sir (to be brief) fince our Government confituted of King, Lords, and Commons, the antient, the only, the moft happy Government that this Nation, nay, that the World ever knew, it is but too well known, that we have had no Government at all: wherfore my opinion is, that we propofe, as they call it, to these honelf men (who you need not doubt will receive it with glad hearts) the reftitution of Right, and of the Government in this Nation by King, Lords, and Commons.

As sure as you live, P U B L I C O L A , thus much being faid, your whole Senat will immediatly agree to propofe it to the Reprefentative; and thus much being propos’d to the Reprefentative, those People will throw up their Caps for joy; and immediately return to their Houfes.

Pub. But V A L E R I U S , thus much has bin faid in Parliament when the Houfe was fuller; when they who were for this Reftitution were back’d by a single Perfon in actual poffeftion of the Throne; when over and above the zeal of the P r e s b y t e r i a n s , there were Partys that knew no other means of prefervation; as without; Divines be-laboring the Oak of every Pulpit; and within, Laywers, Officers, and Penfioners: yet was it fo far from being carry’d, that the single Perfon has bin forc’d to difsolve Parliaments, and that thro’ apparent danger of being overthrown by the Principles of a Commonwealth not in being. But if this were fo when a Commonwealth could scarce be hop’d, what will it be when the Commonwealth fhall be in fuch a condition as cannot be withfport? for the Senat can never com to propofe any thing to the People without firft agreeing upon debating what it is they will propofe; nor is it poftible that such Debate fhould be brought to any end, but by reafons thereto conducing: now it muft not only be impoffible to find reafons for the reftitution of Monarchy, but the reafons why Monarchy ought not to be reftor’d muft be obvious; not only in regard that it is quite contrary to the intereft of the Na- tion, and of thefe Assemblies, but to the intereft ten to one of every particular man in either of thefe Assemblies: nor are or have the reafons bin lefs obvious, or lefs ventilated in Parliament, why Monarchy as to this Nation is impoffible in it felf.

Val. Will you fay the like for Liberty of Confeience?

Pub. Yes; becaufe without Liberty of Confeience, Civil Liberty cannot be perfect; and without Civil Liberty, Liberty of Confeience cannot be perfect.
Valerius and Publicola.

Val. These things are true, but they never will see them, never, Publicola: you your self say, That the People cannot see, but they can feel.

Pub. I meant that of the diffusive Body of the People, nor of the People under good Orders; in which case they are the sharpest sighted of any kind of Government whatsoever: and therefore it is not modest that you, or I, or any particular Man or Party, blinded with self-conceit, should pretend to see with such a Constitution; or shew me that by under the Sun, that pleases like that of Venice. But putting the case it were otherwise as to seeing, these things are plainly palpable or obvious to feeling.

Val. I have indeed observ'd, that in Commonwealths there are very few that see or understand them, and yet their affection to that way of Government is exceeding vigorous.

Pub. Whence can this otherwise be than from feeling? But one thing, Valerius, I take at your hands extreme heavily.

Val. What is that, Publicola?

Pub. That you with one little Speech of a single Senator, should run for regardlesly over these two Assemblies, without taking any notice at all of the necessary Course of them.

Val. What Course, Publicola?

Pub. Why you might easily have thought that among three hundred Senators there might have bin at least one hundred as good Speakers as yours.

Val. Have I said any thing to the contrary?

Pub. And do you or I what we can, ten to one of them will be longer winded than you have allow'd.

Val. For that matter let them please themselves.

Pub. Ay, but then you should not have made an end of your Debate in a minute.

Val. What is all this?

Pub. Why I say, They would have bin debating on that point at least a fortnight.

Val. Well, and when that had bin don, would never have agreed.

Pub. No.

Val. Did not you say that before?

Pub. Well, but I am now upon another point; that was to the matter in debate, this is to the manner of proceeding: imagin the matter had bin such upon which they could have agreed.

Val. What then?

Pub. Then such an agreement had bin a Decree of the Senat.

Val. Is a Decree of the Senat binding?

Pub. If it be upon a Law made, it is binding; if upon a Law to be made, it is to be propos'd to the People. Now every Proposition to the People is to be promulgated, that is, printed and publish'd to the whole Nation six weeks before the time that the Representative is to assemble and give the Vote of the Commonwealth, or that tell without which no such Proposition can be any Law.

Val. By this means it must follow, that the whole People both by Discourse and Letters, debate six weeks together upon the matter.

Pub. You are right.

Val. How is it then that you say, The Representative of the People must not debate? You allow to these last privilege than to the whole People.
Valerius and Publicola.

Pub. No les, nor in this point any more.

Val. Yet doth this amount to Debate in those that are of the Representative.

Pub. You say well, but not to any Debate at all in the Representative.

Val. Why this Representative is nothing else but an Instrument or Method, whereby to receive the Result of the whole Nation with order and expedition, and without any manner of tumult or confusion.

Pub. And is that any thing the worse?

Val. No; but I am glad you have told it me: for that those of the Representative would one way or other have Debate, I knew certainly.

Pub. In sum, are you satisfy’d, that the Spirit of the Nation, or the People, however they may now under no Form at all, and in destruction of such as having govern’d them by force, will let them see no way out of confusion, desiring their old Government, as having never yet known any other; yet under such a Form as is propos’d, can never go about to introduce Monarchy, without obvious discovery, that as to their Interest it is quite contrary, and as to it self impossible?

Val. The satisfaction is pretty good.

Pub. Pretty good! give me but half so good, that the Spirit of the Army, not formerly obedient to Parliaments, and now dreading or despising them, must apprehend the restitution of Monarchy to be quite contrary to their interest.

Val. You surprize me: for if the Army will have no Parliament, and a King restor’d can now in England without an Army have no Government, they may imagin this their only way to Greatness and Continuance.

Pub. Had not the Oligarchy then, if they meant well, better to have us’d sober expressions, and minded what those true and real Interests are which in the foundation and preservation of every kind of Government are paramount, than to have overcast them with the mist of new affected Phrases, and fallen on conjuring up Spirits?

Val. You have conjur’d up a Spirit that will keep me waking.

Pub. Set him on pulling down the Law and the Miniftry; when that is don, let him blow up Windsor Castle, Hampton Court, and throw Whitehall into the Thames.

Val. It is the only way, for then there can be no King.

Pub. You may be sure of that, seeing the Count of Holland’s Domain, and his Houses are yet not only standing, but diligently preserved by the Hollanders.

Val. Publicola, have you any more to tell me?

Pub. Valerius, have you any more to ask me?

Val. Not, except why you have not given the Parliament to understand thus much.

Pub. I have printed it over and over.

Val. They take no great notice of Books; you should have laid it, as they say, in their dith by som direct Address, as a Petition, or so.

Pub. I did petition the Committee for Government.

Val. What answer did they make you?

Pub. None at all.
Valerius and Publicola.

Val. I would have gone further, and have presented it to the House.
Pub. Towards this also I went as far as I could.
Val. How far was that?
Pub. Why, I think my Petition may have been worn out in the pockets of some two or three Members.
Val. Have you a Copy of it about you?
Pub. Let me see—here are many Papers; this same is it.


The Humble Petition, &c.

Sheweth,

THAT what neither is, nor ever was in Nature, can never be in Nature.
THAT without a King and Lords, no Government either is, or ever was in Nature (but in mere force) other than by a Senate induc'd with Authority to debate and propose; and by a numerous Assembly of the People wholly and only invested with the right of Refusing in all matters of Law-giving, of making Peace and War, and of levying Men and Money.

WHEREFORE your Petitioner (to disburden his Conscience in a matter of such concern to his Country) most humbly and earnestly prays and beseeches this Parliament to take into speedy and serious consideration the irrefragable truth of the Premises, and what thereupon must assuredly follow, that is, either the institution of a Commonwealth in the whole People of England (without exception, or with exception for a time, of so few as may be) by way of a Senate, and a numerous Assembly of the People, to the ends, and for the respective Functions aforesaid; or the inevitable ruin of this Nation, which God of his mercy avert.

And your Petitioner shall pray, &c.

Val. I would it had been deliver'd.
Pub. Look you, if this had been presented to the House, I intended to have added this other Paper, and to have printed them together.

The Petitioner to the Reader.

Reader,

SAT not that the Form contain'd in the Petition (if we had it, and no more) would be perfect; but that without this much (which rightly introduc'd, introduces the reft) there neither is, was, nor can be any such thing as a Commonwealth, or Government without a King and Lords, in Nature.

WHERE
Valerius and Publicola.

WHERE there is a coordinat Senat, there must be a King, or it falls
instaantly by the People; as the King failing, the House of Peers fell by
the Commons.

WHERE there is a Senat not elective by the People, there is a per-
petual Feud between the Senat and the People, as in Rome.

To introduce either of these Causes, is certainly and inevitably to intro-
duce one of these Effects; and if fo, then who are Cavaliers, I leave you
to judge hereafter.

But to add farther reason to experience. All Civil Power among us
(not only by declaration of Parliament, but by the nature of Property), is in
and from the People.

WHERE the Power is in the People, there the Senat can legitimately
be no more to the Popular Assembly, than my Counsel at Law is to me,
that is (auxilium, non imperium) a necessary Aid, not a Competitor or
Rival in Power.

WHERE the Aids of the People become their Rivals or Competitors
in Power, there their Shepherds become Wolves, their Peace Discord, and
their Government Ruin. But to impose a Seleé or coordinat Senat upon
the People, is to give them Rivals and Competitors in Power.

Somperhaps (such is the temper of the times) will say, That so
much human Confidence as is expressed, especially in the Petition, is A-
theistical. But how were it Atheistical, if I should as confidently foresay,
that a Boy must expire in Nonage, or become a Man? I prophesy no other-
wise; and this kind of Prophecy is also of God, by those Rules of his Pro-
vidence, which in the known Government of the World are infallible.
In the right observation and application of these consists all human Wis-
dom; and we read that a poor man deliver'd a City by his Wisdom,
yet was this poor man forgotten. But if the Premises of this Petition
fail, or one part of the Conclusion comes not to pass accordingly, let me hit
the other mark of this ambitious Address, and remain a Fool upon Record
in Parliament to all Posterity.

Val. Thou Boy! and yet I hope well of thy Reputation.

Pub. Would it were but as good now, as it will be when I can
make no use of it.

Val. The Major of the Petition is in som other of your Writings;
and I remember som Objections which have bin made against it: As,
that à non esse nec fuisset, non datur argumentum ad non posse.

Pub. Say that in English.

Val. What if I cannot? are not you bound to answer a thing, tho
it cannot be said in English?

Pub. No truly.

Val. Well, I will say it in English then. Tho there neither be any
House of Gold, nor ever were any House of Gold, yet there may be
a House of Gold.

Pub. Right: but then, à non esse nec fuisset in natura, datur argu-
mentum ad non posset in natura.

Val. I hope you can say this in English too.

Pub. That I can, now you have taught me. If there were no
such thing as Gold in nature, there never could be any House of
Gold.
Valerius and Publicola.

Val. Softly. 'The frame of a Government is as much in Art, and as little in Nature, as the frame of a House.

Pub. Both softly and surely. The Materials of a Government are as much in Nature, and as little in Art, as the Materials of a House. Now as far as Art is necessarily dispos'd by the nature of its Foundation or Materials, so far it is in Art as in Nature.

Val. What call you the Foundation, or the Materials of Government?

Pub. That which I have long since prov'd, and you granted, The Balance, the disdistribution of Property, and the Power thence naturally deriving; which as it is in one, in a few or in all, dos necessarily dipole of the form or frame of the Government accordingly.

Val. Be the Foundation or Materials of a House what they will, the Frame or Superstructure may be diversly wrought up or hapen; and so may those of a Commonwealth.

Pub. True: but let a House be never so diversely wrought up or hapen, it must consist of a Roof and Walls.

Val. That's certain.

Pub. And so must a Commonwealth of a Senate and of a Popular Assembly, which is the sum of the Minor in the Petition.

Val. The Mathematicians say, They will not be quarrellsom; but in their Sphere there are things altogether new in the World, as the present posture of the Heavens is, and as was the Star in Cassiopæia.

Pub. Valerius, if the Major of the Petition extends as far as is warranted by Solomon, I mean, that there is nothing new under the Sun, what new things there may be, or have bin above the Sun, will make little to the present purpose.

Val. It is true; but if you have no more to say, they will take this but for shifting.

Pub. Where there is Sea, as between Sicily and Naples, there was antiently Land; and where there is Land, as in Holland, there was antiently Sea.

Val. What then?

Pub. Why then the present posture of the Earth is other than it has bin, yet is the Earth no new thing, but consists of Land and Sea, as it did always; so whatever the present posture of the Heavens be, they consist of Star and Firmament, as they did always.

Val. What will you say then to the Star in Cassiopæia?

Pub. Why I say, if it consists of the same matter with other Stars, it was no new thing in nature, but a new thing in Cassiopæia; as were there a Commonwealth in England, it would be no new thing in Nature, but a new thing in England.

Val. The Star you will say in Cassiopæia, to have bin a new thing in nature, must have bin no Star, because a Star is not a new thing in nature.

Pub. Very good.

Val. You run upon the matter, but the newness in the Star was in the manner of the generation.

Pub. At Putzuoli near Naples, I have seen a Mountain that rose up from under water in one night, and pour'd a good part of the Lake antiently call'd Lucius into the Sea.

Val. What will you infer from hence?

Pub. Why that the new and extraordinary generation of a Star, or of a Mountain, no more causes a Star, or a Mountain to be a new thing
thing in nature, than the new and extraordinary generation of a
Commonwealth causes a Commonwealth to be a new thing in nature.
Aristotle reports, that the Nobility of Tarantum being cut off
in a Battel, that Commonwealth became popular. And if the Pouder
Plot in England had defroy'd the King and the Nobility, it is possible
that Popular Government might have rifen up in England, as the
Mountain did at Putzuoli. Yet for all these, would there not have
bin any new thing in nature.

Val. Som new thing (thro' the blending of unseen causes) there
may seem to be in shuffling; but Nature will have her course, there
is no other than the old game.

Pub. VALERIUS, let it rain or be fair weather, the Sun to the
dissolution of Nature shall ever rise; but it is now set, and I apprehend
the mist.

Val. Dear PUBLICOLA, your Health is my own; I bid you
goodnight.

Pub. Goodnight to you, VALERIUS.

Val. One word more, PUBLICOLA: Pray make me a present of
those fame Papers, and with your leave and license, I will make use
of my Memory to commit the rest of this Discourse to writing, and
print it.

Pub. They are at your disposing.

Val. I will not do it as has bin done, but with your name to it.

Pub. Whether way you like best, most noble VALERIUS.

Octob. 22.
1659.
A System of Politics
Delineated in short and easy
APHORISMS.
Publish'd from the Author's own Manuscript.

CHAP. I.
Of GOVERNMENT.

1. A PEOPLE is either under a state of Civil Government, or in a state of Civil War; or neither under a state of Civil Government, nor in a state of Civil War.

2. CIVIL Government is an Art whereby a People rule themselves, or are ruled by others.

3. THE Art of Civil Government in general is twofold, National, or Provincial.

4. NATIONAL Government is that by which a Nation is governed independently, or within itself.

5. PROVINCIAL Government is that by which a Province is governed dependently, or by some foreign Prince or State.

6. A PEOPLE is neither governed by themselves, nor by others, but by reason of some external Principle thereto enforcing them.

7. FORCE is of two kinds, Natural and Unnatural.

8. NATURAL Force consists in the vigor of Principles, and their natural necessary Operations.

9. UNNATURAL Force is an external or adventitious opposition to the vigor of Principles, and their necessary working, which, from a violation of Nature, is called Violence.

10. NATIONAL Government is an effect of natural Force, or Vigor.

11. PROVINCIAL Government is an effect of unnatural Force, or Violence.

12. THE natural Force which works or produces National Government (of which only I shall speak hereafter) consists in Riches.

13. THE Man that cannot live upon his own, must be a Servant; but he that can live upon his own, may be a Freeman.

14. WHERE a People cannot live upon their own, the Government is either Monarchy, or Aristocracy: where a People can live upon
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upon their own, the Government may be Democracy.

15. A MAN that could live upon his own, may yet, to spare his own, and live upon another, be a Servant: but a People that can live upon their own, cannot spare their own, and live upon another; but (except they be no Servants, that is, except they come to a Democracy) they must waft their own by maintaining their Masters, or by having others to live upon them.

16. WHERE a People that can live upon their own, imagin that they can be govern’d by others, and not liv’d upon by such Governors, it is not the Genius of the People, it is the Mistake of the People.

17. WHERE a People that can live upon their own, will not be govern’d by others left they be liv’d upon by others, it is not the Mistake of the People, it is the Genius of the People.

18. OF Government there are three Principles; Matter, Privation, and Form.

CHAP. II.

Of the Matter of Government.

1. THAT which is the Matter of Government, is what we call an Estate, be it in Lands, Goods, or Mony.

2. IF the Estate be more in Mony than in Land, the port or garb of the Owner goes more upon his Monys than his Lands; which with privat Men is ordinary, but with Nations (except such only as live more upon their Trade than upon their Territory) is not to be found: for which cause overbalance of Riches in Mony or Goods, as to the sequel of these Aphorisms, is altogether omitted.

3. IF the Estate be more in Land than in Goods or Mony, the garb and port of the Owner (whether a Man or a Nation) goes more if not altogether upon his Land.

4. IF a Man has som Estate, he may have som Servants or a Family, and consequentely som Government, or somthing to govern: if he has no Estate, he can have no Government.

5. WHERE the eldest of many Brothers has all, or so much that the rest for their livelihood stand in need of him, that Brother is as it were Prince in that Family.

6. WHERE of many Brothers the eldest has but an equal share, or not so equal as to make the rest to stand in need of him for their livelihood, that Family is as it were a Commonwealth.

7. DISTRIBUTION of shares in Land, as to the three grand Interests, the King, the Nobility, and the People, must be equal or unequal.

8. EQUAL distribution of Land, as if one man or a few men have one half of the Territory, and the People have the other half, caueth privation of Government, and a state of Civil War: for the Lord or Lords on the one side being able to assert their pretension or right to rule, and the People on the other their pretension or right to Liberty, that Nation can never com under any form of Government till that Question be decided; and, Property being not by any Law to be violated or mov’d, any such Question cannot be decided but by the Sword only.
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Chap. III. 9. INEQUAL distribution of shares in Land, as to the three grand Interests, or the whole Land in any one of these, is that which causes one of these three to be the predominant Interest.

10. ALL Government is Interest, and the predominant Interest gives the Matter or Foundation of the Government.

11. IF one man has the whole, or two parts in three of the whole Land or Territory, the Interest of one man is the predominant Interest, and causes absolute Monarchy.

12. IF a few men have the whole, or two parts in three of the whole Land or Territory, the Interest of the few or of the Nobility is the predominant Interest; and, were there any such thing in nature, would cause a pure Aristocracy.

13. IT being so that pure Aristocracy, or the Nobility having the whole, or two parts in three of the whole Land or Territory, without a Moderator or Prince to balance them, is a State of War, in which every one, as he grows eminent or potent, aspires to Monarchy; and that not any Nobility can have Peace, or can reign without having such a Moderator or Prince, as on the one side they may balance or hold in from being absolute, and on the other side may balance or hold them and their factions from flying out into Arms: it follows, that if a few men have the whole, or two parts in three of the whole Land or Territory, the Interest of the Nobility being the predominant Interest, must of necessity produce regulated Monarchy.

14. IF the Many, or the People, have the whole, or two parts in three of the whole Land or Territory, the Interest of the Many or of the People is the predominant Interest, and causes Democracy.

15. A PEOPLE neither under absolute or under regulated Monarchy, nor yet under Democracy, are under a privation of Government.

C H A P. III.

Of the Privation of Government.

1. WHERE a People are not in a State of Civil Government, but in a State of Civil War; or where a People are neither under a State of Civil Government, nor under a State of Civil War, there the People are under Privation of Government.

2. WHERE one Man, not having the whole, or two parts in three of the whole Land or Territory, yet assumes to himself the whole Power; there the People are under Privation of Government, and this Privation is call'd Tyranny.

3. WHERE a few Men, not having the whole, or about two parts in three of the whole Land or Territory, yet assume to themselves the whole Power; there the People are under Privation of Government, and this Privation is call'd Oligarchy.

4. WHERE the Many, or the People, not having the whole, or two parts in three of the whole Land or Territory, yet assume to themselves the whole Power; there the People are under Privation of Government, and this Privation is call'd Anarchy.

5. WHERE the Tyranny, the Oligarchy, or the Anarchy, not having in the Land or Territory such a full share as may amount to the
the truth of Government, have nevertheless such a share in it as may maintain an Army; there the People are under privation of Government, and this Privation is a state of Civil War.

6. WHERE the Tyranny, the Oligarchy, or the Anarchy, have not any such share in the Land or Territory as may maintain an Army, there the People are in privation of Government; which Privation is neither a state of Civil Government, nor a state of Civil War.

7. WHERE the People are neither in a state of Civil Government, nor in a state of Civil War, there the Tyranny, the Oligarchy, or the Anarchy, cannot stand by any force of Nature, because it is void of any natural Foundation; nor by any force of Arms, because it is not able to maintain an Army; and so must fall away of it self thro' the want of a Foundation, or be blown up by som tumult: and in this kind of Privation the Matter or Foundation of a good orderly Government is ready and in being, and there wants nothing to the perfection of the same, but proper Superstructures or Form.

CHAP. IV.

Of the Form of Government.

1. THAT which gives the being, the action, and the denomination to a Creature or Thing, is the Form of that Creature or Thing.

2. THERE is in Form somthing that is not Elementary but Divine.

3. THE contemplation of Form is astonishing to Man, and has a kind of trouble or impulse accompanying it, that exalts his Soul to God.

4. AS the Form of a Man is the Image of God, so the Form of a Government is the Image of Man.

5. MAN is both a sensual and a philosophical Creature.

6. SENSUALITY in a Man is when he is led only as are the Beasts, that is, no otherwise than by Appetit.

7. PHILOSOPHY is the knowledge of Divine and Human Things.

8. TO preserve and defend himself against Violence, is natural to Man as he is a sensual Creature.

9. TO have an impulse, or to be rais'd upon contemplation of natural things to the Adoration or Worship of God, is natural to Man as he is a Philosophical Creature.

10. FORMATION of Government is the creation of a Political Creature after the Image of a Philosophical Creature; or it is an infusion of the Soul or Facultys of a Man into the body of a Multitude.

11. THE more the Soul or Facultys of a Man (in the manner of their being infused into the body of a Multitude) are refin'd or made incapable of Passion, the more perfect is the Form of Government.

12. NOT the refin'd Spirit of a Man, or of som Men, is a good Form of Government; but a good Form of Government is the refin'd Spirit of a Nation.
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Chap. IV. 13. THE Spirit of a Nation (whether refin'd or not refin'd) can neither be wholly Saint nor Atheist: Nor Saint, because the far greater part of the People is never able in matters of Religion to be their own Leaders; nor Atheists, because Religion is every whit as indelible a Character in man's Nature as Reason.

14. LANGUAGE is not a more natural intercourse between the Soul of one man and another, than Religion is between God and the Soul of a man.

15. AS not this Language, nor that Language, but some Language; so not this Religion, nor that Religion, yet some Religion is natural to every Nation.

16. THE Soul of Government, as the true and perfect Image of the Soul of Man, is every whit as necessarily religious as rational.

17. THE Body of a Government, as consisting of the sensual part of Man, is every whit as preservative and defensive of itself as sensual Creatures are of themselves.

18. THE Body of a Man, not actuated or led by the Soul, is a dead thing out of pain and misery; but the Body of a People, not actuated or led by the Soul of Government, is a living thing in pain and misery.

19. THE Body of a People, not led by the reason of the Government, is not a People, but a Herd; not led by the Religion of the Government, is at an inquiet and an uncomfortable lost in itself; not disciplin'd by the conduct of the Government, is not an Army for defence of itself, but a Rout; not directed by the Laws of the Government, has not any rule of right; and without recourse to the Justice or Judicatorys of the Government, has no remedy of wrongs.

20. IN contemplation of, and in conformity to the Soul of Man, as also for supply of those his necessities which are not otherwise supply'd, or to be supply'd by Nature, Form of Government consists necessarily of these five parts: The Civil, which is the Reason of the People; the Religious, which is the Comfort of the People; the Military, which is the Captain of the People; the Laws, which are the Rights of the People; and the Judicatorys, which are the Avengers of their Wrongs.

21. THE parts of Form in Government are as the Offices in a House; and the Orders of a Form of Government are as the Orders of a House or Family.

22. GOOD Orders make evil men good, and bad Orders make good men evil.

23. OLIGARCHISTS (to the end they may keep all others out of the Government) pretending themselves to be Saints, do also pretend that they in whom Lucht reigns, are not fit for Reign or for Government. But Libido dominandi, the Lucht of Government, is the greatest Lucht, which also reigns most in those that have least right, as in Oligarchs: for many a King and many a People have and had unquestionable Right, but an Oligarchist never; whence from their own argument, the Lucht of Government reigning most in Oligarchists, it undeniably follows that Oligarchists of all men are least fit for Government.

24. AS in Houses not differing in the kinds of their Offices, the Orders of the Familys differ much; so the difference of Form in different Governments consists not in the kinds or number of the Parts, which
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which in every one is alike, but in the different ways of ordering Chap. V.
hose parts. And as the different Orders of a House arise for the most part from the quantity and quality of the Estate by which it is defray’d or maintain’d, according as it is in one or more of the Family as Proprietors, so is it also in a Government.

25. THE Orders of the Form, which are the manners of the mind of the Government, follow the temperament of the Body, or the distribution of the Lands or Territorys, and the Interests thence arising.

26. THE Interest of Arbitrary Monarchy is the absoluteness of the Monarch; the Interest of Regulated Monarchy is the greatness of the Nobility; the Interest of Democracy is the felicity of the People: for in Democracy the Government is for the use of the People, and in Monarchy the People are for the use of the Government, that is, of one Lord or more.

27. THE use of a Horse without his Provender, or of the People without some regard had to the necessities of Human Nature, can be none at all: nor are those necessities of Nature in any Form whatsoever to be otherwise provided for than by those five parts already mention’d; for which cause every Government consists of five parts: the Civil, the Religious, the Military, the Laws, and the Judicatory.

CHAP. V.

Of Form in the Civil part.

1. THOSE Naturalists that have best written of Generation, do observe that all things proceed from an Egg, and that there is in every Egg a Punétum saliens, or a part first mov’d, as the purple Speck observ’d in those of Hens; from the working whereof the other Organs or fit Members are delineated, distinguish’d, and wrought into one Organical Body.

2. A NATION without Government, or fallen into privation of Form, is like an Egg unhatch’d; and the Punétum saliens, or first mover from the corruption of the Former to the generation of the succeeding Form, is either a sole Legislator or a Council.

3. A SOLE Legislator, proceeding according to Art or Knowledge, produces Government in the whole piece at once and in perfection. But a Council (proceeding not according to Art, or what in a new case is necessary or fit for them, but according to that which they call the Genius of the People still hankering after the things they have bin us’d to, or their old Customs, how plain foever it be made in reason that they can no longer fit them) make patching work, and are Ages about that which is very seldom or never brought by them to any perfection; but commonly comes by the way to ruin, leaving the noblest Attempts under reproach, and the Authors of them expos’d to the greatest miseries while they live, if not their Memories when they are dead and gone to the greatest infamy.

4. IF the Punétum saliens, or first mover in generation of the Form be a sole Legislator, his proceeding is not only according to Nature, but according to Art also, and begins with the Delineation of distinct Orders or Members.

5. DE-
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5. DELINcATION of distinct Organs or Members (as to the Form of Government) is a division of the Territory into fit Precincts once stated for all, and a formation of them to their proper Offices and Functions, according to the nature or truth of the Form to be introduc'd.

6. PRECINCTS in absolute Monarchy are commonly call'd Provinces; and as to the delineation or stating of them, they may be equal or inequal. Precincts in regulated Monarchy, where the Lords or Nobility as to their Titles or Estates ought not to be equal, but to differ as one Star differs from another in Glory, are commonly call'd Counties, and ought to be inequal. Precincts in Democracy, where without equality in the Electors there will hardly be any equality in the Electcd; or where without equality in the Precincts, it is almost, if not altogether impossible there should be equality in the Commonwealth, are properly call'd Tribes, and ought by all means to be equal.

7. EQUALITY or Parity has bin represent'd an odious thing, and made to imply the levelling of mens Estates; but if a Nobility, how inequal soever in their Estates or Titles, yet to com to the truth of Aristocracy, must as to their Votes or participation in the Government be pares regni, that is to say Peers, or in parity among themselves: as well likewise the People, to attain to the truth of Democracy, may be Peers, or in parity among themselves, and yet not as to their Estates be oblig'd to levelling.

8. INDUSTRY of all things is the most accumulative, and Accumulation of all things hates levelling: The Revenue therof the People being the Revenue of Industry, tho some Nobility (as that of Israel, or that of Lacedemon) may be found to have bin Levellers, yet not any People in the World.

9. PRECINCTS being stated, are in the next place to be form'd to their proper Offices and Functions, according to the truth of the Form to be introduc'd; which in general is to form them as it were into distinct Governments, and to indow them with distinct Governors.

10. GOVERNMENTS or Governors are either Supreme or Subordinate. For absolute Monarchy to admit in its Precincts any Government or Governors that are not subordinat but supreme, were a plain contradiction. But that regulated Monarchy, and that Democracy may do it, is seen in the Princes of Germany, and in the Cantons of Switzerland: Nevertheless these being Governments that have deriv'd this not from the Wisdom of any Legislator, but from accident, and an ill disposition of the matter, whereby they are not only incapable of Greatness, but even of any perfect state of Health, they com not under the consideration of Art, from which they derive not; but of Chance, to which we leave them. And, to speak according to Art, we pronounce that, as well in Democracy and in regulated as in absolute Monarchy, Governors and Governments in the several divisions ought not to be Soveraintys, but subordinat to one common Soverain.

11. SUBORDINAT Governors are at will, or for life, or upon Rotation or Changes.

12. IN absolute Monarchy the Governors of Provinces must either be at will, or upon Rotation, or else the Monarch cannot be absolute. Inregulated Monarchy the Governors of the Counties may be for life or hereditary, as in Counts or Lords; or for some certain term
term and upon rotation, as in Viscounts or Sheriffs. In Democracy Chap. V.

the People are Servants to their Governors for life, and so cannot be

free; or the Governors of the Tribes must be upon rotation and for

som certain term, excluding the Party that have born the Magistracy

for that term from being elected into the like again, till an equal In-

terval or Vacation be expir'd.

13. THE term in which a man may administer Government to

the good of it, and not attempt upon it to the harm of it, is the fifthe

term of bearing Magistracy; and three years in a Magistracy describ'd

by the Law under which a man has liv'd, and which he has known

by the carriage or practice of it in others, is a term in which he can-

not attempt upon his Government for the hurt of it, but may administer

it for the good of it, tho such a Magistracy or Government should con-

sist of divers Functions.

14. GOVERNORS in subordinat Precincts have commonly three Functions; the one Civil, the other Judicial, and the third

Military.

15. IN absolute Monarchy the Government of a Province consists of one Beglerbeg, or Governor for three years, with his Council or

Divan for Civil matters, and his Guard of Janizaries and Spahis, that is,

of Horse and Foot, with power to levy and command the Tima-

riots or Military Farmers.

16. IN regulated Monarchy the Government of a County consists of one Count or Lord for Life, or of one Viscount or Sheriff for

som limited term, with power in certain Civil and Judicial matters,

and to levy and command the Poss Comitatus.

17. IN Democracy the Government of a Tribe consists of one

Council or Court, in one third part elected annually by the People of

that Tribe for the Civil, for the Judicial, and for the Military Govern-

ment of the same; as also to preside at the Election of Deputies in that

Tribe towards the annual supply in one third part of the common and

sovereign Assemblies of the whole Commonwealth, that is to say, of

the Senat and of the Popular Assembly; in which two these Tribes,

thus delineated and distinguished into proper Organs or fit Members to

be actuated by those sovereign Assemblies, are wrought up again by

connexion into one intire and organical Body.

18. A PARLIAMENT of Physicians would never have found out the Circulation of the Blood, nor could a Parliament of Poets have

written VIRGIL'S AEneis; of this kind therefore in the formation of

Government is the proceeding of a sole Legislator. But if the People

without a Legislator set upon such work by a certain Instruct that is in

them, they never go further than to chuse a Council; not considering

that the formation of Government is as well a work of Invention as

of Judgment; and that a Council, tho in matters laid before them

they may excel in Judgment, yet Invention is as contrary to the nature

of a Council as it is to Musicians in concert, who can play and judge

of any Ayr that is laid before them, tho to invent a part of Mufic they

can never well agree.

19. IN Councils there are three ways of Refult, and every way of

Refult makes a different Form. A Council with the Refult in the

Prince makes absolute Monarchy. A Council with the Refult in the

Nobility, or where without the Nobility there can be no Refult, makes

Aristocracy, or regulated Monarchy. A Council with the Refult
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result in the People makes Democracy. There is a fourth kind of Re-
result or Council which amounts not to any Form, but to Privation of
Government; that is, a Council not consisting of a Nobility, and yet
with the Result in it self, which is rank Oligarchy: so the People, fel-
dom or never going any further than to elect a Council without any
Result but it self, instead of Democracy introduce Oligarchy.

20. THE ultimate Result in every Form is the Sovereign Power.
If the ultimate Result be wholly and only in the Monarch, that Mo-
narchy is absolute. If the ultimate Result be not wholly and only in the
Monarch, that Monarchy is regulated. If the Result be wholly and
only in the People, the People are in Liberty, or the Form of the Go-

derment is Democracy.

21. IT may happen that a Monarchy founded upon Aristocracy,
and so as to the Foundation regulated, may yet com by certain Ex-
pedients or Instruptions (as at this day in France and in Spain) as to the
Administration of it to appear or to be call'd absolute; of which I shall

treat more at large when I com to speak of Reason of State, or of Ad-

ministration.

22. THE ultimate Result in the whole body of the People, if the
Commonwealth be of any considerable extent, is altogether impracti-
cable; and if the ultimate Result be but in a part of the People, the
rest are not in Liberty, nor is the Government Democracy.

23. AS a whole Army cannot charge at one and the same time, yet
is so order'd that every one in his turn comes up to give the Charge of
the whole Army; so tho' the whole People cannot give the Result at
one and the same time, yet may they be so order'd that every one in
his turn may com up to give the Result of the whole People.

24. A POPULAR Assembly, rightly order'd, brings up every
one in his turn to give the Result of the whole People.

25. IF the popular Assembly consists of one thousand or more,
annually changeable in one third part by new Elections made in the
Tribes by the People, it is rightly order'd; that is to say, so consti-
tuted that such an Assembly can have no other Interest wherupon to
give the Result, than that only which is the Interest of the whole
People.

26. BUT in vain is Result where there is not Matter to resolve
upon; and where maturity of Debate has not preceded, there is not
yet Matter to resolve upon.

27. DEBATE to be mature cannot be manag'd by a Multitude;
and Result to be popular cannot be given by a Few.

28. IF a Council capable of Debate has also the Result, it is Oli-
garchy. If an Assembly capable of the Result has Debate also, it is
Anarchy. Debate in a Council not capable of Result, and Result in
an Assembly not capable of Debate, is Democracy.

29. IT is not more natural to a People in their own affairs to be
their own chusers, than upon that occasion to be provided of their
Learned Counsell; in so much that the saying of PACUVIUS, That
either a People is govern'd by a King or counsell'd by a Senat, is uni-
versally approv'd.

30. WHERE the Senate has no distinct Interest, there the People
are counsellable, and venture not upon Debate: where the Senate has
any distinct Interest, there the People are not counsellable, but fall
into Debate among themselves, and go into Confusion.

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31. OF Senats there are three kinds: First, A Senat eligible out of the Nobility only, as that of Rome, which will not be contented to be merely the Council of the People, but will be contending that they are Lords of the People, never quitting their pretensions till they have ruin’d the Commonwealth. Secondly, A Senat elected for life, as that of Sparta, which will be a species of Nobility, and will have a kind of Spartan King, and a Senat upon rotation; which being rightly constituted is quieter, and never pretends more than to be the learned Council of the People.

32. THIRDLY, Three hundred Senators, for example, changeable in one third part of them annually by new Elections in the Tribes, and constituted a Senat to debate upon all Civil matters, to promulgate to the whole Nation what they have debated, this Promulgation to be made in such convenient time before the Matters by them debated are to be propos’d, that they may be commonly known and well understood, and then to propose the same to the Refult of the Popular Assembly, which only is to be the Text of every public Act, is a Senat rightly order’d.

FORM of Government (as to the Civil part) being thus completed, is sum’d up in the three following Aphorisms.

33. ABSOLUTE Monarchy (for the Civil part of the Form) consists of distinct Provinces under distinct Governors, equally subordinate to a Grand Signor or sole Lord, with his Council or Divan debating and proposing, and the Refult wholly and only in himself.

34. REGULATED Monarchy (for the Civil part of the Form) consists of distinct Principalities or Countys under distinct Lords or Governors, which if rightly constituted are equally subordinate to the King and his Peerage, or to the King and his Estates assembled in Parliament, without whose Consent the King can do nothing.

35. DEMOCRACY (for the Civil part of the Form) if rightly constituted, consists of distinct Tribes under the Government of distinct Magistrates, Courts, or Councils, regularly changeable in one third part upon annual Elections, and subordinate to a Senat consisting of not above three hundred Senators, and to a popular Assembly consisting of not under a thousand Deputies; each of these also regularly changeable in one third part upon annual Elections in the Tribes, the Senat having the Debate, and the Popular Assembly the Refult of the whole Commonwealth.

CHAP VI.

Of Form in the Religious part.

1. FORM for the Religious part either admits of Liberty of Conscience in the whole or in part; or does not admit of Liberty of Conscience at all.

2. LIBERTY of Conscience intire, or in the whole, is where a man according to the dictates of his own Conscience may have the free
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Chap. VI. free exercise of his Religion, without impediment to his Preferment or Employment in the State.

3. LIBERTY of Conscience in part is, where a man according to the dictates of his Conscience may have the free exercise of his Religion; but if it be not the National Religion, he is thereby incapable of Preferment or Employment in the State.

4. WHERE the Form admits not of the free exercise of any other Religion except that only which is National, there is no Liberty of Conscience.

5. MEN who have the means to assert Liberty of Conscience, have the means to assert Civil Liberty; and will do it if they are oppressed in their Consciences.

6. MEN participating in Property, or in Employment Civil or Military, have the means to assert Liberty of Conscience.

7. ABSOLUTE Monarchy, being sole Proprietor, may admit of Liberty of Conscience to such as are not capable of Civil or Military Employment, and yet not admit of the means to assert Civil Liberty; as the Greek Christians under the Turk, who, tho' they enjoy Liberty of Conscience, cannot assert Civil Liberty, because they have neither Property nor any Civil or Military Employments.

8. REGULATED Monarchy, being not sole Proprietor, may not admit naturally of Liberty of Conscience, left it admits of the means to assert Civil Liberty, as was lately seen in England by pulling down the Bishops, who, for the most part, are one half of the Foundation of regulated Monarchy.

9. DEMOCRACY being nothing but intuitive Liberty; and Liberty of Conscience without Civil Liberty, or Civil Liberty without Liberty of Conscience being but Liberty by halves, must admit of Liberty of Conscience both as to the perfection of its present being, and as to its future security: As to the perfection of its present being, for the Reasons already shewn, or that she do not enjoy Liberty by halves; and for future security, because this excludes absolute Monarchy, which cannot stand with Liberty of Conscience in the whole, and regulated Monarchy, which cannot stand safely with it in any part.

10. IF it be said that in France there is Liberty of Conscience in part, it is also plain that while the Hierarchy is standing, this Liberty is falling, and that if ever it comes to pull down the Hierarchy it pulls down that Monarchy also: wherefore the Monarchy or Hierarchy will be beforehand with it, if they fee their true Interest.

11. THE ultimate Result in Monarchy being that of one Man, or of a few Men, the National Religion in Monarchy may happen not to be the Religion of the major part of the People; but the Result in Democracy being in the major part of the People, it cannot happen but that the National Religion must be that of the major part of the People.

12. THE major part of the People, being in matters of Religion unable to be their own Leaders, will in such cases therefore have a public leading; or, being debar'd of their Will in that particular, are debar'd of their Liberty of Conscience.

13. WHERE the major part of the People is debar'd of their Liberty by the minor, there is neither Liberty of Conscience nor Democracy, but Spiritual or Civil Oligarchy.

14. WHERE
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14. WHERE the Major part is not debar'd of their Liberty of Chap. VI. Conscience by the Minor, there is a National Religion.

15. NATIONAL Religion is either coercive, or not coercive.

16. RELIGION is not naturally subservient to any corrupt or worldly Interest, for which cause to bring it into subjection to Interest it must be coercive.

17. WHERE Religion is coercive, or in subjection to Interest, there it is not, or will not long continue to be the true Religion.

18. WHERE Religion is not coercive, nor under subjection to any Interest, there it either is (or has no obstruction why it may not come to be) the true Religion.

19. ABSOLUTE Monarchy pretends to Infallibility in matters of Religion, employs not any that is not of its own Faith, and punishes its Apostats by death without mercy.

20. REGULATED Monarchy coms not much short of the same pretence; but confining of Proprietors, and such as if they differ have oftentimes the means to defend themselves, it dos not therefor always attain to the exercize of the like power.

21. DEMOCRACY pretends not to Infallibility, but is in matters of Religion no more than a Seeker, not taking away from its People their Liberty of Conscience, but educating them, or so many of them as shall like of it, in such a manner or knowledge in Divine things as may render them best able to make use of their Liberty of Conscience, which it performs by the National Religion.

22. NATIONAL Religion, to be such, must have a National Ministry or Clergy.

23. THE Clergy is either a landed or a stipendiated Clergy.

24. A LANDED Clergy, attaining to one third of the Territory, is Arifhocracy; and therefore equally incompatible with absolute Monarchy, and with Democracy: but to regulated Monarchy for the most part is such a Supporter, as in that case it may be truly enough said, that NO BISHOP, NO KING.

25. THE Soverainty of the Prince in absolute Monarchy, and of the People in Democracy, admitting not of any Counterpoise, in each of these the Clergy ought not to be landed; the Laborer nevertheless being worthy of his hire, they ought to be stipendiated.

26. A CLERGY well landed is to regulated Monarchy a very great Glory; and a Clergy not well stipendiated is to absolute Monarchy or to Democracy as great an Infamy.

27. A CLERGY, whether landed or stipendiated, is either Hierarchical or Popular.

28. A HIERARCHICAL Clergy is a Monarchical Ordination; a Popular Clergy receives Ordination from Election by the People.

FORM of Government (as to the Religious part) being thus completed, is sum'd up in the three following Aphorisms.

29. ABSOLUTE Monarchy (for the Religious part of the Form) conflits of a Hierarchical Clergy, and of an Alcoran (or from Book receiv'd in the nature of Scripture) interpretable by the Prince only and his Clergy, willingly permitting to them that are not capable of Employments a Liberty of Conscience.
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Ch. VII. 30. REGULATED Monarchy (for the Religious part of the Form) consists of an Aristocratical Hierarchy, of the Liturgy, and of the Holy Scriptures (or from such Book receiv'd for a Rule of Faith) interpretable only by the Clergy, not admitting Liberty of Conscience, except thro' mere necessity.

31. DEMOCRACY (for the Religious part of the Form) consists of a Popular Clergy, of the Scriptures (or from other Book acknowledg'd divine) with a Directory for the National Religion, and a Council for the equal maintenance both of the National Religion, and of the Liberty of Conscience.

CHAP. VII.

Of Form in the Military part.

1. A MAN may perish by the Sword; yet no man draws the Sword to perish, but to live by it.

2. So many ways as there are of living by the Sword, so many ways there are of a Militia.

3. If a Prince be Lord of the whole, or of two parts in three of the whole Territory, and divides it into Military Farms at will and without rent, upon condition of Service at their own charge in Arms whenever he commands them, it is the Sword of an absolute Monarchy.

4. If the Nobility, being Lords of the whole, or of two parts in three of the whole Territory, let their Lands by good pennyworths to Tenants at will, or by their Leaves bound at their Commands by whom they live to serve in Arms upon pay, it is the Sword of a regulated Monarchy.

5. IN Countries that have no Infantry, or Militia of free Commoners, as in France and Poland, the Nobility themselves are a vast Body of Horse, and the Sword of that Monarchy.

6. If a People, where there neither is Lord nor Lords of the whole, nor of two parts in three of the whole Territory, for the common defence of their Liberty and of their Livelihood, take their turns upon the Guard or in Arms, it is the Sword of Democracy.

7. THERE is a fourth kind of Militia, or of men living more immediately by the Sword, which are Soldiers of Fortune, or a mercenary Army.

8. ABSOLUTE Monarchy must be very well provided with Court Guards, or a mercenary Army; otherwise its Military Farmers having no bar from becoming Proprietors, the Monarchy itself has no bar from changing into Democracy.

FORM of Government (as to the Military part) being thus completed, is sum'd up in the three following Aphorisms.

9. IN a regulated Monarchy where there is an Infantry, there needs not any Mercenary Army; and there the People live tolerably well.

10. IN a regulated Monarchy where there is no Infantry, but the Nobility themselves are a vast Body of Horse, there must also be
a mercenary Infantry, and there the People are Peasants or Slaves. Ch. VIII.

11. THERE is no such thing in nature as any Monarchy (whether absolute or regulated) subsisting merely by a mercenary Army, and without an Infantry or Cavalry planted upon the Lands of the Monarch, or of his whole Nobility.

CHAP. VIII.

Of Form in the Legal part.

1. IF Justice be not the Interest of a Government, the Interest of that Government will be its Justice.
2. LET Equity or Justice be what it will, yet if a man be to judge or resolve in his own case, he resolves upon his own Interest.
3. EVERY Government, being not obnoxious to any Superior, resolves in her own case.
4. THE ultimatum Result in every Government is the Law in that Government.
5. IN absolute Monarchy, the ultimatum Result is in the Monarch.
6. IN Aristocracy, or regulated Monarchy, the ultimatum Result is in the Lords or Peers, or not without them.
7. IN Democracy the ultimatum Result is in the People.
8. LAW in absolute Monarchy holds such a disproportion to natural Equity, as the Interest of one Man to the Interest of all Mankind.
9. LAW in Aristocracy holds such a disproportion to natural Equity, as the Interest of a few Men to the Interest of all Mankind.
10. LAW in Democracy holds such a disproportion to natural Equity, as the Interest of a Nation to the Interest of all Mankind.
11. ONE Government has much nearer approaches to natural Equity than another; but in each natural Equity and Self-preservation come in competition, so natural is Self-preservation to every Creature, that in that case no one Government has any more regard to natural Equity than another.
12. A Man may devote himself to death or destruction to save a Nation, but no Nation will devote itself to death or destruction to save Mankind.
13. MACCHIAVELL is decry'd for saying, that no consideration is to be had of what is just or unjust, of what is merciful or cruel, of what is honorable or ignominious, in case it be to save a State, or to preserve Liberty; which as to the manner of expression is cruelly spoken. But to imagine that a Nation will devote itself to death or destruction any more upon Faith given or an Engagement thereto tending, than if there had bin no such Engagement made or Faith given, were not piety but folly.
14. WHEREVER the power of making Law is, there only is the power of interpreting the Law so made.
15. GOD who has given his Law to the Soul of that man who shall voluntarily receive it, is the only Interpreter of his Law to that Soul; such at least is the judgment of Democracy. With absolute Monarchy, and with Aristocracy, it is an innat Maxim, That the People are to be deceived in two things, their RELIGION and their LAW;
FORM of Government (as to the Legal part) being thus completed, is sum'd up in the three following Aphorisms.

16. ABSOLUTE Monarchy (for the Legal part of the Form) consists of such Laws as it pretends God has deliver'd or given the King and Priests power to interpret; or it consists of such Laws as the Monarch shall choose or have chosen.

17. ARISTOCRACY (for the Legal part of the Form) consists of such Laws as the Nobility shall choose or have chosen; or of such as the People shall choose or have chosen, provided they be agreed to by their Lords, or by the King and their Lords.

18. DEMOCRACY (for the Legal part of the Form) consists of such Laws as the People, with the advice of their Council, or of the Senate, shall choose or have chosen.

CHAP. IX.

Of Form in the Judicial part.

1. MULTIPLICITY of Laws, being a multiplicity of Snares for the People, causes Corruption of Government.

2. PAUCITY of Laws requires arbitrary Power in Courts, or Judicatorys.

3. ARBITRARY Power (in reference to Laws) is of three kinds. (1) In making, altering, abrogating, or interpreting of Laws, which belong to the Soverain Power. (2) In applying Laws to Cases which are never any one like another. (3) In reconciling the Laws among themselves.

4. THERE is no difficulty at all in judging of any case whatsoever according to natural Equity.

5. ARBITRARY Power makes any man a competent Judge for his Knowlege; but leaving him to his own Interest, which oftentimes is contrary to Justice, makes him also an incompetent Judge, in regard that he may be partial.

6. PARTIALITY is the cause why Laws pretend to abhor Arbitrary Power; nevertheless, seeing that not one case is altogether like another, there must in every Judicatory be some arbitrary Power.

7. PAUCITY of Laws cau ses arbitrary Power in applying them; and Multiplicity of Laws cau ses arbitrary Power in reconciling and applying them too.

8. ARBITRARY Power where it can do no wrong, dos the greatest right; because no Law can ever be so fram'd, but that without arbitrary Power it may do wrong.

9. ARBITRARY Power, going upon the Interest of One or of a Few, makes not a just Judicatory.

10. ARBITRARY Power, going upon the Interest of the whole People, makes a just Judicatory.

11. ALL Judicatorys and Laws, which have bin made by Arbitrary Power, allow of the Interpretation of Arbitrary Power, and acknowledge an appeal from themselves to it.

12. THAT
12. THAT Law which leaves the least arbitrary Power to the Judg or Judicatory, is the most perfect Law.

13. LAWS that are the fewest, plainest, and briefest, leave the least arbitrary Power to the Judg or Judicatory; and being a Light to the People, make the most incorrupt Government.

14. LAWS that are perplexed, intricated, tedious, and voluminous, leave the greatest arbitrary Power to the Judg or Judicatory; and raining snares on the People, make the most corrupt Government.

15. SEEING no Law can be so perfect as not to leave arbitrary Power to the Judicatory, that is the best Constitution of a Judicatory where arbitrary Power can do the least hurt, and the worst Constitution of a Judicatory is where arbitrary Power can do the most ill.

16. ARBITRARY Power in one Judg does the most, in a few Judges does less, and in a multitude of Judges does the least hurt.

17. THE ultimatus Appeal from all inferior Judicatorys is to som sovereign Judg or Judicatory.

18. THE ultimatus Result in every Government (as in absolute Monarchy, the Monarch; in Aristocracy, or Aristocratical Monarchy, the Peers; in Democracy, the Popular Assembly) is a sovereign Judg or Judicatory that is arbitrary.

19. ARBITRARY Power in Judicatorys is not such as makes no use of the Law, but such by which there is a right use to be made of the Laws.

20. THAT Judicatory where the Judg or Judges are not obnoxious to Partiality or privat Interest, cannot make a wrong use of Power.

21. THAT Judicatory that cannot make a wrong use of Power, must make a right use of Law.

22. EVERY Judicatory consists of a Judg or som Judges without a Jury, or of a Jury on the Bench without any other Judg or Judges, or of a Judg or Judges on the Bench with a Jury at the Bar.

FORM of Government (as to the Judicial part being thus completed, is sum'd up in the three following Aphorisms.

23. ABSOLUTE Monarchy (for the Judicial part of the Form) admits not of any Jury, but is of som such kind as a Cade or Judg in a City, or as we say in a Hundred, with an Appeal to a Cadeiskar or a Judg in a Province, from whom also there lys an Appeal to the Maphis, who is at the devotion of the Grand Signor or of the Monarch.

24. ARISTOCRACY or Aristocratical Monarchy (for the Judicial part of the Form) may admit of a Jury, so it be at the Bar only, and consists of som such kind as Delegates or ordinary Judges, with an Appeal to a House of Peers; or som such Court, as the Parliament at Paris, which was at the institution in the Reign of Hugh Carpe, a Parliament of sovereign Princes.

25. DEMOCRACY (for the Judicial part of the Form) is of som such kind as a Jury on the Bench in every Tribe, consisting of thirty persons or more annually eligible in one third part by the People of that Tribe, with an Appeal from thence to a Judicatory residing in the Capital City of the like Constitution, annually eligible in one third part out of the Senat or the popular Assembly, or out of both; from which also there lys an Appeal to the People, that is to the Popular Assembly.

CHAP.
CHAP. X.

Of the Administration of Government, or

REASON OF STATE.

1. A S the Matter of a Ship or of a House is one thing, the Form of a Ship or of a House is another thing, and the Administration or Reason of a Ship or of the House is a third thing; so the Matter of a Government or of a State is one thing, the Form of a Government or of a State is another, and the Administration of a Government (which is what's properly and truly call'd Reason of State) is a third thing.

2. T H E R E are those who can play, and yet cannot pack the Cards; and there are who can pack the Cards, and yet cannot play.

3. A D M I N I S T R A T I O N of Government, or Reason of State, to such as propose to themselves to play upon the square, is one thing; and to such as propose to themselves to pack the Cards, is another.

4. R E A S O N of State is that in a Kingdom or a Commonwealth, which in a Family is call'd THE MAIN CHANCE.

5. T H E Matter of a Family that either keeps himself up to his antient bounds, or increases his Stock, looks very well to the main Chance, at least if his play be upon the square, that is, upon his own Abilities, or good Fortune, or the Laws; but if it were not upon the square, yet an Estate however gotten, is not for that a less Estate in it fell, nor less defending by the Law to his Successors.

6. I F a People thro' their own Industry, or the prodigality of their Lords, com to acquire Liberty; if a few by their Industry, or thro' the folly or slothfulness of the People, com to eat them out, and make themselves Lords; if one Lord by his Power or his Virtue, or thro' their Necessity, their Wildom, or their Folly, can overtop the rest of these Lords, and make himself King, all this was fair play and upon the square.

7. R E A S O N of State, if we speak of it as fair play, is foren or domestic.

8. R E A S O N of State, which is foren, consists in balancing foren Princes and States in such a manner, as you may gain upon them, or at least that they may not gain upon you.

9. R E A S O N of State, which is domestic, is the Administration of a Government (being not usurp'd) according to the Foundation and Superstructures of the same if they be good, or so as not being good that they may be mended, or so as being good or bad they may be alter'd; or, the Government being usurp'd, the Reason of State then is the way and means whereby such a Usurpation may be made good or maintain'd.

10. R E A S O N of State, in a Democracy which is rightly founded and rightly order'd, is a thing of great facility, whether in a foren or in a domestic relation. In a foren, because one good Democracy, weighing two or three of the greatest Princes, will easily give the Balance abroad at its pleasure; in a domestic, because it consists not of any more
more than giving such a stop in accumulation that the State comes not to be Monarchical: which one Reason of State being made good, all the rest goes well; and which one Reason of State being neglected, all the rest coms in time to infallible ruin.

11. REASON of State in a Democracy, which is not right in its Foundations, may flourish abroad, and be one: but at home will languish or be two Reasons of State, that is, the Reason of the State or Orders of the Nobility, which is to lord it over the People; and the Reason of the popular State or Order, which is to bring the Commonwealth to equality: which two Reasons of State, being irreconcilable, will exercise themselves against one another, first by Disputes, then by Plots, till it comes at last to open Violence, and so to the utter ruin of the Commonwealth, as it happen’d in Rome.

12. REASON of State in an absolute Monarchy (whether Foreign or Domestic) is but threefold; as first, to keep its Military Farmers or Timariots to the first Institution; next to cut him that grows any thing above his due Stature, or lifts up his head above the rest, by so much the shorter; and last of all to keep its Arms in exercice.

13. IN Aristocratical Monarchy Reason of State (as to the whole) is but one thing, that is, to preserve the Counterpoise of the King and the two or the three, or the four Estates: For in some Countries, as in Poland, there are but two Estates, the Clergy and the Nobility; in others, as in Sweden, there are four, the Nobility, the Gentry, the Clergy, and the Commons; in most others there are but three, the Lords Spiritual, the Lords Temporal, and the Commons.

14. IN Aristocratical Monarchy Reason of State (as to the parts) is a multifarious thing, every State having its peculiar Reason of State, and the King also his Reason of State: with the King it is to balance the Nobility, that he may hold them under; Reason of State with the Nobility is to balance the King, left he should grow absolute; Reason of State both with the King and the Nobility is to keep down the People; and Reason of State with the People is to drive at their Liberty.

15. IN Forms that are pure, or in Governments that have no more than an absolute Prince or one State, as absolute Monarchy and equal or pure Democracy, there is but one Reason of State, and that is to preserve the Form intire. In Forms that are mix’d (as in an unequal Commonwealth where there are two Estates, and in Aristocratical Monarchy where there is a King and two if not three Estates) there are so many Reasons of State to break the Form, that there has not bin any unequal Commonwealth which either the People have not brought to Democracy, or the Nobility to Monarchy. And scarce was there any Aristocratical Monarchy, where (to omit the Wars of the Nobility with their King, or among themselves) the People have not driven out the King, or where the King has not brought the People into Slavery. Aristocratical Monarchy is the true Theatre of Expeditionmongers and Stateemperies, or the deep Waters wherein that Leviathan the Minifier of State takes his paletime.

16. THE Complaint that the Wisdom of all these latter times in Princes Affairs consists rather in fine deliverys and shiftings of Dangers or Mischiefs when they are near, than in solid and grounded courtes to keep them off, is a Complaint in the Streets of Aristocratical Monarchy; and not to be remedy’d, because the Nobility being not bro-
A System of Politics.

Chap. X. The King is in danger, and the Nobility being broken, the Monarchy is ruin'd.

17. An Absurdity in the form of the Government (as that in a Monarchy there may be two Monarchs) Thumbt out into a mischief in the Administration, or form wickedness in the Reason of State, as in Romulus's killing of Remus, and the monstrous Associations of the Roman Emperors.

18. Usurpation of Government is a Surfeit that converts the best Arts into the worst: Nemo unquam imperium flagittio acquisitum bonis artibus exercuit.

19. As in the privation of Virtue, and in Beggary, men are Sharks or Robbers, and the reason of their way of living is quite contrary to those of Thrift; so in the privation of Government, as in Anarchy, Oligarchy, or Tyranny, that which is Reason of State with them is directly opposite to that which is truly so: whence are all those black Maxims let down by some Politicians, particularly Macchiavel, in his Prince, and which are condemn'd to the fire even by them who, if they liv'd otherwise, might blow their fingers.

20. Where the Government from a true Foundation rises up into proper Superstructures or Form, the Reason of State is right and right; but give our Politician peace when you please, if your House stands away, your Props do not stand upright.

21. Take a Jugler, and commend his Tricks never so much, yet if in so doing you shew his Tricks you spoil him; which has bin and is to be confess'd of Macchiavel.

22. Corruption in Government is to be read and consider'd in Macchiavel, as Diseases in a man's Body are to be read and consider'd in Hippocrates.

23. Neither Hippocrates nor Macchiavel introduc'd Diseases into man's Body, nor Corruption into Government, which were before their times; and seeing they do but discover them, it must be confess'd that so much as they have don tends not to the increase but the cure of them, which is the truth of these two Authors.
THE Errors and Sufferings of the People are from their Governors,
2. WHEN the Foundation of a Government comes to be chang'd, and the Governors change not the Super-structures accordingly, the People become miserable.
3. THE Monarchy of England was not a Government by Arms, but a Government by Laws, tho' imperfect or ineffectual Laws.
4. THE later Governments in England since the death of the King, have bin Governments by Arms.
5. THE People cannot see, but they can feel.
6. THE People having felt the difference between a Government by Laws and a Government by Arms, will always desire the Government by Laws, and abhor that of Arms.
7. WHERE the Spirit of the People is impatient of a Government by Arms, and desirous of a Government by Laws, there the spirit of the People is not unfit to be trusted with their Liberty.
8. THE spirit of the People of England, not trusted with their Liberty, drives at the restitution of Monarchy by Blood and Violence.
9. THE Spirit of the People of England, trusted with their Liberty, if the Form be sufficient, can never set up a King; and if the Form be insufficient (as a Parliament with a Council in the intervals, or two Assemblies coordinate) will set up a King without Blood or Violence.
10. TO light upon a good Man, may bein Chance; but to be sure of an Assembly of good Men, is not in Prudence.
11. WHERE the Security is no more than personal, there may be a good Monarch, but can be no good Commonwealth.
12. THE necessary Action or Use of each thing is from the nature of the Form.
13. WHERE the Security is in the Persons, the Government makes good men evil; where the Security is in the Form, the Government makes evil men good.
14. ASSEMBLYS legitimately elected by the People, are that only Party which can govern without an Army.
15. NOT the Party which cannot govern without an Army, but the Party which can govern without an Army, is the refin'd Party, as to this intent and purpose truly refin'd; that is, by Popular Election, according to the Precept of Moses, and the Rule of Scripture.
Political Aphorisms.

Take ye wise men, and understanding, and known among your Tribe, and I will make them Rulers over you.

16. THE People are deceiv'd by Names, but not by Things.
17. WHERE there is a well order'd Commonwealth, the People are generally satisfy'd.
18. WHERE the People are generally dissatisfy'd, there is no Commonwealth.
19. THE Partys in England declaring for a Commonwealth, hold every one of them somthing that is inconsistent with a Commonwealth.
20. TO hold that the Government may be manag'd by a few, or by a Party, is inconsistent with a Commonwealth; except in a Situation like that of Venice.
21. TO hold that there can be any National Religion or Ministry without public Indowment and Inspection of the Magistracy, or any Government without a National Religion or Ministry, is inconsistent with a Commonwealth.
22. TO hold that there may be Liberty, and not Liberty of Conscience, is inconsistent with a Commonwealth that has the Liberty of her own Conscience, or that is not Popish.
23. WHERE Civil Liberty is intire, it includes Liberty of Conscience.
24. WHERE Liberty of Conscience is intire, it includes Civil Liberty.
25. EITHER Liberty of Conscience can have no security at all, or under Popular Government it must have the greatest security.
26. TO hold that a Government may be introduc'd by a little at once, is to wave Prudence, and commit things to Chance.
27. TO hold that the Wisdom of God in the formation of a House or of a Government, go's not universally upon natural Principles, is inconsistent with Scripture.
28. TO hold that the Wisdom of Man in the formation of a Houfe, or of a Government, may go upon supernatural Principles, is inconsistent with a Commonwealth, and as if one should say, God ordain'd the Temple, therefore it was not built by Mafons; he ordain'd the Snuffers, therefore they were not made by a Smith.
29. TO hold that Hirelings (as they are term'd by som) or an indow'd Ministry, ought to be remov'd out of the Church, is inconsistent with a Commonwealth.
30. NATURE is of GOD.
31. SOM part in every Religion is natural.
32. A UNIVERSAL Effect demonstrats a universal Cause.
33. A UNIVERSAL Cause is not so much natural, as it is Nature it self.
34. EVERY man, either to his terror or consolation, has some sense of Religion.
35. MAN may rather be desirous of a religious than a rational Creature; in regard that in other Creatures there may be somthing of Reason, but there is nothing of Religion.
36. GOVERNMENT is of human Prudence, and human Prudence is adequate to man's Nature.
37. THE Prudence or Government that is regardless of Religion, is not adequate nor satisfactory to man's Nature.

38. WHERE
Political Apologies.

38. WHERE the Government is not adequate or satisfactory to man's Nature, it can never be quiet or perfect.
39. THE major part of Mankind gives itself up in the matter of Religion to the public leading.
40. THAT there may be a public leading, there must be a National Religion.
41. WHERE the minor part takes away the National Religion, there the major part is depriv'd of Liberty of Conscience by the minor.
42. WHERE the major part is depriv'd of Liberty of Conscience by the minor, there they will deprive the minor of that Liberty of Conscience which they might otherwise enjoy.
43. IN Israel there was an indow'd Clergy or Priesthood, and a National Religion under inspection of the Magistrat: whence the Christians in Apostolic Times, desiring their own Ministry, could have Liberty of Conscience: whereas if the Christians by going about to take away Tithes, and abolish the National Religion, had endeavor'd to violate the Consciences of the unconverted Jews, these being far greater in number, must needs have taken away the Liberty of Conscience from the Christians.
44. PAUL in Athens could freely and undisturbedly convert DIONYSUS and others; therefore in Athens there was Liberty of Conscience: but if PAUL and his Converts had gone about to drive Hirlings, or an indow'd Priesthood or Clergy out of that Church, who fees not that the Athenians would have driven PAUL and his Converts out of Athens?
45. THAT there may be Liberty of Conscience, there must be a National Religion.
46. THAT there may be a National Religion, there must be an indow'd Clergy.
47. COMMONWEALTHS have had three ways of Union. As the Athenians, by bringing their Confederats to subjection: As the United Provinces by an equal League: or as the Romans by an inequal League. The first way is tyrannical. In the second, one Commonwealth under the League is no more than another, and each one as to her self has a Negative: which kind of Union is not only obstructive, but tends (as we have seen both in Holland and Switzerland) towards Division. In the third way, the Commonwealth uniting other Commonwealths, retains to her self the leading of the whole League, leaving to each of the rest her own Laws, and her own Liberty.
48. TILL a Commonwealth be first fram'd, how such a Commonwealth should make an effectual Union with another Nation, is not possible to be seen.
49. THE new, unpractis'd, and heretofore unheard Union (as it is vulgarly spoken) with Scotland, by uniting Deputies of divers Nations, not in a Council apart, or by way of States General, as in the United Provinces, but in the standing Councils of some one Commonwealth in the League, is destructive to Liberty both in England and in Scotland.
50. IF the Commonwealth of England receives Deputies from Scotland in a greater number than that of her own, she receives Law from a foreign Interest, and so loses her own Liberty.
51. IF
51. IF Scotland be receiv'd in an equal number, it obstructs the freedom of both, or occasions War or Dissension.
52. IF Scotland be receiv'd in an inferior number, she receives Law from England, and so loses her Liberty. The like is understood of Ireland.
53. WHEREAS a well order'd Commonwealth should give the Balance to her Confederats, and not receive it from them; the Councils, in which divers others are thus united, tho in a far inferior number of Deputies, yet if these ly in wait, or lay their heads together, may be overruled, obstructed, or overbalanc'd by foren Interests.
54. WHERE Countries are divers in their Laws, and yet are to receive Laws one from the other, neither the Commonwealth giving Law, knows what to give, nor the Commonwealth receiving Law, understands what she receives: in which case the Union returns to Force or Confusion.
55. THE best way of holding a Nation different or not different in Laws, is the Roman, that is, by way of Province.
56. A PROVINCE, especially if she has strong holds, may by defraying of a small Guard, be kept to a just League, and for the rest enjoy her own Laws, her own Government, and her perfect Liberty. Other ways of Union will be found more chargeable, and less effectual, on both sides: for if England has no Army in Scotland, Scotland will receive no Law from England; and if England has an Army there, her hold consists not in the Union, but in the Force. The like is to be understood of Ireland.
57. IF a Country be very small, and not able to subsist of itself, as Wales, it may be safely united and held: but the advantage that Wales has in participation of all Magistracies and Offices, is not that which England is able to afford to such a Country as Scotland, without subjecting her neck to the yoke.
58. THE order of a Commonwealth requires, that it consists, first, of a Civil; secondly, of a Religious; thirdly, of a Military; and fourthly, of a Provincial part. The manner of uniting Provinces or different Nations, pertains to the last part; and in the formation of a Commonwealth, to begin with that first, which is naturally last, is to invert the Order, and by consequency the Commonwealth itself, which indeed is nothing but Order.
59. WHERE there can be any other Government, there can be no Commonwealth.
60. WHERE there can be a Commonwealth, what tumults ever there happen, and which ever prevail, there can be no other Government; that is to say, without foren Invasion, which through I must be understood to except.
61. IF Sir George Booth had prevail'd, he must either have introduced a Commonwealth, or have restor'd the King.
62. IF the King were restor'd, he must either govern by an Army, or by Parliaments.
63. A KING governing now in England by an Army, would for the fame Causes find the same Effects with the late Protector.
64. A KING governing now in England by Parliaments, would find the Nobility of no effect at all.
65. A PARLIAMENT, where the Nobility is of no effect at all, is a mere Popular Council.
66. A MERE Popular Council will never receive Law from a King.

67. A MERE Popular Council giving Law to a King, becomes thereby a Democracy, or equal Commonwealth; or the difference is no greater than in the imperfection of the Form.

68. A COMMONWEALTH or Democracy to be perfect in the Form, must consist especially of such an Assembly, the Result wherof can go upon no Interest whatsoever, but that only which is the common interest of the whole People.

69. AN Assembly consisting of a few, may go upon the Interest of one man, as a King; or upon the Interest of one Party, as that of Divines, Lawyers, and the like; or the Interest of themselves, and the perpetuation of their Government.

70. THE Popular Assembly in a Commonwealth may consist of too few, but can never consist of too many.

71. IN every Commonwealth there has bin a Popular Assembly. This in Israel at least consisted of twenty four thousand, upon a monthly Rotation. In Athes, Lacedemon, Rome, it consisted of the whole Citizens, that is, of all such as had a right in the Commonwealth, whether they inhabited in City or Country. In Venice it consists of about two thousand. In the Province of Holland only, which contains eighteen or nineteen Soverainys, the Popular or revolution Assemblies consist at least of five hundred Persons; these in the whole Union, may amount to five or six thousand; in Switzerland I believe they come to a greater number. And the most of these Assemblies have bin perpetually extant.

72. IF the Popular Assembly consists of so few, and so eminent Persons as are capable of any orderly Debate, it is good for nothing but to destroy the Commonwealth.

73. IF the Popular Assembly consists of so many, and for the greater part of so mean Persons as are not capable of Debate, there must be a Senat to help this defect.

74. THE Reason of the Senat is, that a Popular Assembly rightly constituted, is not capable of any prudent debate.

75. THE Reason of the Popular Assembly is, that a Senat rightly constituted for Debate, must consist of so few and eminent Persons, that if they have the Result too, they will not resolve according to the Interest of the People, but according to the Interest of themselves.

76. A POPULAR Assembly without a Senat cannot be wise.

77. A SENAT without a Popular Assembly will not be honest.

78. THE Senat and the Popular Assembly being once rightly constituted, the rest of the Commonwealth will constitute it itself.

79. THE Venetians having plain divers of their Dukes for their Tyranny, and being assembled by such numbers in their great Council as were naturally incapable of Debate, pitch'd upon thirty Gentlemen who were call'd Pregati, in that they were pray'd to go apart, and, debating upon the Exigence of the Commonwealth, to propose as they thought good to the great Council: and from thence first arose the Senat of Venice (to this day call'd the Pregati) and the Great Council, that is, the Senat and the Popular Assembly of Venice. And from these two arose all those admirable Orders of that Commonwealth.

80. THAT
Political Aphorisms.

80. THAT a People of themselves should have such an understanding as when they of Venice did institute their Pregati or Senat, is rare.

81. THAT a Senat or Council of Governors having supreme Power, should institute a popular Assembly, and propose to it, tho in all reason it be the far more facile and practicable, is that which is rarer.

82. THE diffusive body of the People is not in a natural capacity of judging; for which cause the whole judgment and power of the diffusive Body of the People must be entirely and absolutely in their collective Bodys, Assemblies or Representatives, or there can be no Commonwealth.

83. TO declare that the Assemblies or Representatives of the People have power in some things, and in others not, is to make the diffusive Body, which is in a natural incapacity of judging, to be in a political capacity of judging.

84. TO bring a natural incapacity of judging to a political capacity of judging, is to introduce Government. To bring a natural incapacity of judging to such a collective or political capacity of judging, as yet necessarily must retain the interest of the diffusive Body, is to introduce the best kind of Government. But to lay any appeal whatsoever from a political capacity of judging, to a natural incapacity of judging, is to frustrate all Government, and to introduce Anarchy. Nor is Anarchy, whether imposed or obstructed by the Legislator first, or by the People, or their Demagogues or Incendiaries afterwards, of any other kind whatsoever than of this only.

85. TO make Principles or Fundamentals, belongs not to Men, to Nations, nor to human Laws. To build upon such Principles or Fundamentals as are apparently laid by God in the inevitable necessity or Law of Nature, is that which truly appertains to Men, to Nations, and to human Laws. To make any other Fundamentals, and then build upon them, is to build Castles in the Air.

86. WHATEVER is violent, is not secure nor durable; whatever is secure or durable, is natural.

87. GOVERNMENT in the whole People, tho the major part were disaffected, must be secure and durable, because it waves Force, to found it self upon Nature.

88. GOVERNMENT in a Party, tho all of these were well affected, must be insecure and transitory, because it waves Nature, to found it self upon Force.

89. COMMONWEALTH, of all other Governments, are more especially for the preservation, not for the destruction, of mankind.

90. COMMONWEALTH, that have bin given to cut off their diseased Limbs (as Florence) have brought themselves to impotence and ruin. Commonwealths that have bin given to healing their diseased Limbs (as Venice) have bin healthful and flourishing.

91. ATHENS under the Oligarchy of four hundred, was infinitely more afflicted and torn with Distraction, Blood and Animosity of Partys, than is England; yet by introduction of a Senat of four hundred, and a Popular Assembly of five thousand, did therupon, so suddenly as if it had bin a Charm, recover Might and Glory. See the
Political Aphorisms.

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the eighth Book of THUCYDIDES; A Story in these Times most necessary to be considered.

92. To leave our selves and Postery to a farther purchase in Blood or Sweat of that which we may presently possess, enjoy, and hereafter bequeath to Postery in Peace and Glory, is inhuman and impious.

93. As certainly and suddenly as a good state of health dispers the perverseness and peril of Sickness, do a good state of Government the animosity and danger of Partys.

94. The Frame of a Commonwealth having first bin propos'd and consider'd, Expedients (in case such should be found necessary for the same, effectual, and perfect introduction of the same) may with some aim be apply'd or fitted; as to a House, when the Model is revolv'd upon, we fit Scaffolds in building. But first to resolve upon Expedients, and then to fit to them the Frame of a Commonwealth, is as if one should set up Props, and then build a House to lean upon them.

95. As the chief Expedients in the building of a House are Axes and Hammers; so the chief Expedient in the building of a Government, is a standing Army.

96. As the House which, being built, will not stand without the perpetual noise or use of Axes and Hammers, is imperfect; so is the Government which, being form'd, cannot support it self without the perpetual use of a standing Army.

97. While the Civil and Religious parts of a Commonwealth are in forming, there is a necessity that she should be supported by an Army; but when the Military and Provincial parts are rightly form'd, she can have no farther use of any other Army. Wherefore at this point, and not till then, her Armies are by the practice of Commonwealths, upon lighter occasions, to have half pay for life, and to be disbanded.

98. Where there is a standing Army, and not a form'd Government, there the Army of necessity will have Dictatorian Power.

99. Where an Army subsists upon the Pay or Riches of a single Person, or of a Nobility, that Army is always monarchical. Where an Army subsists not by the Riches of a single Person, nor of a Nobility, that Army is always popular.

100. The English Armies are popular Armies.

101. Where Armies are popular, and exercise Dictatorian Power in depoling single Persons, and monarchical Assemblies, there can be no greater, nor needs any other Expedient for the introduction of a Commonwealth. Nevertheless to this may be added such moderat Qualifications as may prune the Commonwealth, not lop off her Branches. Whom these will not satisfy, it is not a Commonwealth, but a Party, that can.

102. If the late King had freely permitted to the People the exercise of the Power inevitably devolv'd upon them by the change of the Balance, he had not bin destroy'd. If either of the late single Persons had brought the People into an orderly exercise of the Power devolv'd upon them, he had bin great. What Party foever shall hinder the People from the exercise of the Power devolv'd upon them, shall be certainly ruin'd: who or what Party foever shall intro-duce
roduce the People into the due and orderly exercise of the Power
devolv’d upon them, shall be forthwith secure and famous for ever.

103. A M A N u f e s , nourishes, and cherishtes his Body, without understanding it; but he that made the Body understood it.

104. T H E r e a s o n why the Nations that have Commonwealths, use them so well, and cherish them so much, and yet that so few Nations have Commonwealths, is, That in using a Commonwealth, it is not necessary it should be understood; but in making a Commonwealth, that it be understood, is of absolute necessity. *Capit Re- publ. et Mosse Rem. pub. C i c e r o.*

105. A S the natural Body of a Christian or Saint can be no other, for the frame, than such as has bin the natural Body of an Israelit or of a Heathen; so the political Bodys, or Civil Governments of Christians or Saints can be no other, for the frame, than such as have bin the political Bodys or Civil Governments of the Israelits, or of the Heathens.

106. I T shall be as soon found when and where the Soul of a Man was in the Body of a Beast, as when or where the Soul or Freedom natural to Democracy, was in any other Form than that only of a Senat, and an Assembly of the People.

107. IN those things wherein, and so far as Art is directed or limited by the nature of her Materials, it is in Art as in Nature.

108. T H A T Democracy, or equal Government by the People, confit of an Assembly of the People, and a Senat, is that whereby Art is altogether directed, limited, and necessitated by the nature of her Materials.

109. A S the Soul of Man can never be in the Body of a Beast, unless G O D make a new Creation; so neither the Soul or Freedom natural to Democracy in any other Form whatsoever, than that only of a Senat, and a Popular Assembly.

110. T H E right Constitution, Coherence, and proper Symmetry of a Form of Government gos for the greater part upon Invention.

111. R E A S O N is of two parts; Invention, and Judgment.

112. J U D G M E N T is most perfect in an Assembly.

113. I N V E N T I O N is most perfect in one Man.

114. I N one Man, Judgment wants the strength which is in a multitude of Counsellors.

115. I N a multitude of Counsellors, Invention is none at all.

116. T H R O the defect of Invention, the wifest Assemblies in the formation or reformation of Government, have pitch’d upon a sole Legislator.

117. I T is not below the Dignity of the greatest Assembly, but according to the practice of the best Commonwealths, to admit of any man that is able to propose to them, for the good of his Country.

118. T O the making of a well order’d Commonwealth, there goes little more of pains or charge, or work without doors, than the Establishments of an equal or apt Division of the Territory, and the proposing of such Election to the Divisions so made, as from an equal Foundation may raise equal Superstructures; the rest being but paperwork, is as soon don, as said or voted.

119. A
Political Aphorisms.

119. WHERE such Elections are propos'd, as being made by the People, must needs produce a well order'd Senate and Popular Assembly, and the People (who, as we have already found by experience, stick not at the like work) elect accordingly; there not the Proposers of any power in themselves, but the whole People by their peculiar and natural right and power, do institute and ordain their whole Commonwealth.

120. THE highest earthly Felicity that a People can ask, or God can give, is an equal and well order'd Commonwealth. Such a one among the Israelites, was the Reign of God; and such a one (for the same reason) may be among Christians the Reign of Christ, tho' not every one in the Christian Commonwealth should be any more a Christian indeed, than every one in the Israelites Commonwealth was an Israelite indeed.
Seven Models of a Commonwealth:

OR BRIEF

DIRECTIONS

Shewing how a fit and perfect MODEL

OF

Popular Government

May be made, found, or understood.

THERE is nothing more apparent, than that this Nation is
greatly disquieted and perplex'd thro' a complication of two Cau-
ses: The one, that the present state thereof is not capable of any
other Form than that only of a Popular Government; the oth-
er, that they are too few who understand what is the Form or Model na-
turally necessary to a Popular Government, or what is requir'd in that Form
or Prudence for the fitting of it to the use of this Nation. For these
Infirmities I shall offer some Remedy by a brief Discourse or Direction con-
isting of two Parts.

THE first shewing those Forms or Models of Popular Government, or
of Commonwealthis, which have bin hitherto extant, whether fit or unfit
for the present state of this Nation: The second, shewing a Model or Form
of Popular Government fitted to the present state of this Nation. In the
first part I shall propose seven Models roughly and generally: In the second,
one, but more particularly and exactly.

THE FIRST PART.

In every Frame of Government, either the Form must be fitted to the
Property as it stands, and this only is practicable in this Nation; or
the Property must be alter'd and fitted to the Frame, which without
force has bin sometimess, but very seldom, practicable in any other Nation.
Nevertheless, for the better knowledge of the one way, it will be best to propose
in both ways.
THE FIRST MODEL OF POPULAR GOVERNMENT PROPOS'D.

The Commonwealth of Israel.

THAT the Nobility, the Gentry, and the People, be persuaded to give up their whole Lands to the Commonwealth.

THAT if the whole People shall give up their Lands, they be divided into twelve equal Precincts, call'd Tribes.

THAT the man of greatest quality in every Tribe have about ten thousand pounds a year given to him and his Heirs, with the hereditary Dignity of Prince of his Tribe.

THAT from other men of the next quality under the Prince in every Tribe, have about two thousand pounds a year in the same given to each of them and their Heirs, with the hereditary Dignity of Patriarchs, or Chief of the Fathers.

THAT the remaining part of the Lands, except forty eight Cities and their Suburbs, be distributed to the whole People equally by Lots.

THAT it be not lawful for any Prince, Patriarch, or other, to sell or alienat his Land, or any part thereof, in such manner, but that upon every fiftieth year, being for this cause a year of Jubile, all Lands within that compass fold or alienated return to the antient Possessors or lawful Heirs.

THAT there be one other Tribe added to the twelve; that this Tribe so added be not local, nor suffer'd to have any Lands at all, except the forty eight Cities above refer'd, with their Suburbs, that is, with a quantity of Land to each of them, being in depth two thousand Cubits round. That these be fettl'd upon them and their Heirs for ever, besides the annual Tithe of the whole Territory, and a piece of Money every year upon every Head under the notion of an Offering, in regard that other Offerings are now unlawful; and that this Tribe consist of Clergy, having one hereditary Archbihop, or High Priest, for the Head and Prince of their Tribe.

THAT there be no other Law than that of the Word of God only; and that the Clergy being best skil'd in this Law, be eligible into all Courts of Justice, all Magistracies and Offices whatsoever.

THAT the Prince of a Tribe, together with one or more Courts, consisting of twenty three Judges elected by the People of that Tribe for life, be the Government of the same.

THAT the People of the twelve local Divisions take by the Ballot wise men and understanding among their Tribes, and of these
constitute a Senat for the whole Commonwealth consisting of seventy Elders for life.

THAT every local Tribe monthly elect two thousand of their own number; and that these Elections amounting in all to four and twenty thousand, assemble at the Metropolis or Capital City, and be the monthly Representative of the People.

THAT the Senat be a standing Judicatory of Appeal from all other Courts, with power to shew the Sentence of the Laws of God.

THAT besides the Law of God, whatever shall be propos’d by the seventy Elders, and resolve’d by the monthly Representative of the People, be the Law of the Land.

A SECOND MODEL
OF
A COMMONWEALTH
PROPOS'D.

THAT there be a King without Guards.

THAT the Word or Command of this King be the Law.

THAT this King flitting out of his Palace, it may be lawful for any man to slay him.

IN this Model there wants but Security, that while the People are dispers’d the King can gather no Army, to demonstrate, that either the People must be free, or the King a Prisoner.

A THIRD MODEL
OF
A COMMONWEALTH
PROPOS'D.

The Commonwealth of Sparta.

THAT the Nobility, the Gentry, and the People, having upon persuasion given up their Lands to the Public, the whole Territory be divided into one hundred thousand equal Lots, and two more, being each of ten thousand Acres.

THAT the inferior Lots be distributed to the People.

THAT every man possessing a Lot, be a Citizen.

THAT the rest, except only the Children of Citizens, be Servants to, and Tillers of the ground for the Citizens.

THAT there be no professed Students.
of Popular Government.

THAT no Citizen exercise any Trade, but that of Arms only; and that the use of Mony, except it be made of Iron, be wholly banish'd.

THAT there be two Kings hereditary: That each of them possess one of those Lots of ten thousand Acres.

THAT they be Presidents of the Senat, with single Votes; and that in War they have the leading of the Armys.

THAT there be a Senat consisting, besides the Kings, of twenty eight Senators, elected for life by the People.

THAT whatever be propos'd by this Senat to the whole People, or any ten thousand of them, and shall be resolv'd by the same, be the Law.

THAT there be a Court consisting of five annual Magistrates elected by the People; and that this Court have power to bring a King, a Senator, or other, that shall openly or secretly violat the Laws, or invade the Government, to Justice.

A FOURTH MODEL
OF
A COMMONWEALTH
PROPOS'D.

The Commonwealth of Athens.

THAT there be a Representative of the People, consisting of five thousand.

THAT these annually elect by lot a Senat consisting of four hundred, and a Signory by suffrage consisting of nine annual Princes.

THAT each fourth part of the Senat, for one fourth part of their annual term, be a Council of State.

THAT the Council of State may assemble the Senat, and propose to the same: That the Senat may assemble the People, and propose to them. And that what is propos'd by the Senat, and resolv'd by the People, be the Law.

THAT the executive Power of the Laws made, be more especially committed and distributed in various Functions, and divers Administrations, to the nine Princes.
Divers Models

A FIFTH MODEL
OF
A COMMONWEALTH
PROPOS'D.

The Commonwealth of Rome.

THAT the whole Nation be divided into three distinct Orders: the one Senatorian, or Nobility; the other Equestrian, or Gentry; and the third Plebeian, or Popular.

THAT the Equestrian Order be the Cavalry of the Commonwealth, and the Plebeian the Foot.

THAT there be a Senate consisting of the Senatorian Order, and of three hundred Senators for life.

THAT there be two Magistrats elected by the People, for five years term, call'd Censors.

THAT the Censors have power upon cause shewn to remove a Senator out of the Senate; and to elect a Nobleman, or sometimes a Plebeian, thereby made Noble, into the Senate.

THAT there be two annual Magistrats elected by the People, call'd Consuls.

THAT the Consuls be Presidents of the Senate, and have the leading of the Armies.

THAT the Senate (as they shall see occasion) may nominate one person to be Dictator for some short term.

THAT the Dictator for his term have Soverain Power.

THAT there be a Division of the whole People, of what Orders soever, into six Clauses, according to the valuation of their Estates. For example: That the first Clause consist of all such as have two thousand pounds a year, or upwards; the second of all such as have one thousand pounds a year, or upwards, under two; the third, of all such as have six hundred pounds a year, or upwards, under one thousand; the fourth, of all such as have three hundred pounds a year, or upwards, under six hundred; the fifth, of all such as have under the former proportion; the sixth, of all such as pay no Taxes, or have no Land, and that these be not us'd in Arms.

THAT the Senate propose all Laws to be enacted, to an Assembly of the People.

THAT all Magistrats be elected by the same.

THAT this Assembly of the People consist of the five Clauses, in such manner, that if the Votes of the first and second Clauses be near equal, the third Clause be call'd; and if these agree not, the fourth be call'd; and so for the rest.

THAT what is thus propos'd by the Senate, and resolv'd by the People, be the Law.
of Popular Government.

In this Frame the Senate, by the optimacy of the first and second Classes (which seldom or never disagree) carries all, to the exclusion of the main Body of the People: whence arises continual feud or enmity between the Senate and the People; who consulting apart, introduce Popular Debate, set up some other way of Assembly, as by Tribes, or by Parishes, with more equality of Votes; elect Magistrates of their own, make Decrees binding the Senate or Nobility, indexor to curb their Power by weakening their Balance, or diminishing their Estates: All these tumultuously, and to the alteration of the Government, with so frequent Changes under so divers Shapes, as make a very Proteus of the Commonwealth, till having bin all her lifetime afflicted with Anarchy, she ends her days in Tyranny.

A SIXTH MODEL OF A COMMONWEALTH PROPOS'D.

The Commonwealth of Venice.

That the Soverain Power be estated upon four thousand select men, to them and their Heirs for ever.

That there be a great Council consisting of these four thousand; and that their Sons at five and twenty years of age have right to the fame.

That the great Council elect one Duke for life: That the Duke have a Royal Palace assign'd, with a Guard, at the States charge, and a Revenue of fifteen hundred pounds a year; and that he bear the Soverain Dignity of the Commonwealth.

That this Duke have six Counsellors annually chosen by the great Council. That he have no power to sign any Writing, tho' in his own Name, nor to do any of his political Functions without his Counsellors. That his Counsellors have power to sign any Writing in the Duke's name, or to do any of his political Functions without him; and that the Duke with these six Counsellors be the Signory of the Commonwealth.

That the Signory of this Commonwealth have feccion and suffrage in all the Councils of the same, with right also to propose to each or any of them, either jointly or severally.

That one hundred and twenty elected annually by the great Council, together with other Councils and Magistrates, to whom of course the like honor is appertaining, be the Senate.

That sixteen other Magistrates propos'd by the Senat, and confirm'd by the great Council for the term of six months, be a Council apart, with three weekly Provosts or Proposers, call'd the College.

That the Signory may assemble the College, and propose to them; that the College may assemble the Senat, and propose to them;
and that the Senat may assemble the great Council, and propose to them. And that whatever is resolv'd by the Senat, and not contradicted, nor question'd by the great Council, be the Law.

That there be a Council of Ten elected annually by the great Council; and that this Council of Ten, with the Signory, and form of the College, having right of Session and Suffrage in the same, may upon occasion exercise Dictatorial Power in this Commonwealth.

That the rest of the People under the Empire of this Commonwealth, be disarm'd, and govern'd by Lieutenants of Provinces. That the Commonwealth have a standing Army of strangers or others, in Discipline and Pay. And that the City wherein they shall reside, be founded in the Sea, after such a manner, that it can no more be approach'd by a Fleet, than by an Army without a Fleet. Otherwise, this Commonwealth is expos'd both to the Provinces, and to a mercenary Army.

A SEVENTH MODEL OF
A COMMONWEALTH PROPOS'D.

The Commonwealth of Holland.

That the People in every City, and in every Province or County within these three Nations, elect to every City, Province, or County of the same, a matter of twenty, thirty, or forty Magistrates for life. That these Magistrates being so elected, be the Senat of that respective City, Province or County.

That the Senats, thus elected, thenceforth have and enjoy the Soverain Power within their respective Jurisdiction, for ever. That every Senat annually elect two or four Burgomasters or Consuls, to be Presidents of the same. That they also elect seven Magistrates, or present fourteen persons to the Governor of the Province; and that he elect seven. That the seven so elected be Judges, or have the Executive Power of the Laws for their term, and within their respective Jurisdiction.

That in case of Affairs of more public and general concern, as War or Peace, levy of Men or Money, and the like, the Governor of the Province give information, of the things to be consider'd, to the Nobility, and to the Senats of that Province; therwith appointing a time and place for the Assembly of the States Provincial. That each of the Senats, having debated the matter propos'd, delegate one Consul, with some other Senators well informed and instructed with their Will and Pleasure, to the Assembly of the States Provincial. That the Nobility of the same Province delegate from of their Order likewise to the Provincial States. That the Delegates both of the Nobility and of the Senats, give the Vote of their Principals according to instruction; and
and that neither the Nobility, nor any Senate or Soverainty be otherwise bound, than by their own vote.

That the Provincial Estates elect one Magistrate for life, or during pleasure, to be Provincial Governor: That they elect one or more other Magistrates for life, or during pleasure, to be States General.

That the States General being elected, and well instructed by their Provinces, have the direction of the whole League: That each give not his own vote, but the vote of his Province; and that no Province be otherwise bound, than by her own vote.

If these Models (in which I claim to be the first that has laid the whole, and the highest Mysteries of the ancient Commonwealths, to the lowest capacity of vulgar Debate) be not all in the mouths of great men, and in Pamphlets, for Chimeras or Utopias, it is great chance; Yet contain they no less than the whole Revolution of Popular Prudence. Nor is it more certain, that no one of them would fit the present state of this Nation, than that he or they, whose Contemplation and Understanding is not well vers'd in the most, or in the best of these, shall never fit a Model of Popular Government to the present state of this Nation, or of any other. In which assurance, I come to fulfil my promise in the Second Part, or to propose such a Model as is fitted to the present state of this Nation.

THE SECOND PART,
Proposing a Model of
A COMMONWEALTH
Fitted to the
Present State of this Nation.

But so it is ever, that the Humors or Interests of predominant Parties hold themselves to be National: and that which fits them, can never fit a Nation; nor that which fits a Nation, ever fit them. This in the introduction of Government, is always the main difficulty. But where Parties are no better founded, or fitted for usurpation, than now in England, they are rather to be flighted than considered, as those, the stoutest whereof have but given this Example to the rest, that they who in this state of Affairs shall obstruct an equal and well order'd Government, shall but ruin themselves. For which cause it is propos'd:

1. That all Citizens, that is, Freemen, or such as are not Servants, be distributed into House and Floor. That such of them as have one hundred pounds a year in Lands, Goods, or Money,
ny, or above this proportion, be of the Horfe; and all such as have
under this proportion, be of the Foot.
2. THAT all Elders, or Freemen, being thirty years of age or
upwards, be capable of civil Administration; and that the Youth, or
such Freemen as are between eighteen years of age and thirty, be not
capable of civil Administration, but of military only, in such manner
as shall follow in the military part of this Model.
3. THAT the whole native, or proper Territory of the Com-
monwealth be cast with as much exactness as can be convenient, into
known and fix'd Precincts, or Parishes.
4. THAT the Elders resident in each Parish annually assemble in
the same, for example upon Monday next ensuing the last of De-
ember: That they then and there elect out of their own number every
fifth man, or one man of every five, to be for the term of the year in-
suing a Deputy of that Parish; and that the first and second so elected
be Overseers, or Presidents for the regulating of all Parochial Congre-
gations, whether of the Elders, or of the Youth, during the term for
which they were elected.
5. THAT so many Parishes lying nearest together, whose Deputies
shall amount to one hundred or therabouts, be cast into one Precinct
call'd the Hundred; and that in each Precinct call'd the Hundred,
there be a Town, Village, or place appointed to be the Capital of the
same.
6. THAT the Parochial Deputies elected throughout the Hundred
assemble annually, for example upon Monday next ensuing the last of
January, at the Capital of their Hundred. That they then and there
elect out of the Horfe of their number one Justice of the Peace, one
Juryman, one Captain, one Insign; and out of the Foot of their num-
ber one other Juryman, one High Constable, &c.
7. THAT every twenty Hundreds lying nearest, and most con-
veniently together, be cast into one Tribe; that the whole Territory
being after this manner cast into Tribes, some Town or place be ap-
pointed to every Tribe for the Capital of the same; and that these
three Precincts (that is, the Parish, the Hundred, and the Tribe)
whether the Deputies thenceforth annually chosen in the Parishes or
Hundreds, com to increase or diminish, remain firm and inalterable
for ever, have only by Act of Parliament. The Tribes are presum'd thro-
out these Propositions to amount to fifty.
8. THAT the Deputies elected in the several Parishes, together
with their Magistrats and other Officers both Civil and Military elected
in the several Hundreds, assemble or muster annually, for example
upon Monday next ensuing the last of February, at the Capital of their
Tribe, for the space of two days.
9. THAT this whole Body thus assembled, upon the first day of
their Assembly elect out of the Horfe of their number, one high
Sheriff, one Lieutenant of the Tribe, one Castles Rotulorum, one Con-
ductor, and two Cenfors. That the High Sheriff be Commander in
chief, the Lieutenant Commander in the second place, and the Con-
ductor in the third place; of this Band or Squadron: That the Castles
Rotulorum be Mastermater, and keep the Rolls; that the Cenfors be
Governors of the Ballot: and that the term of these Magistracys be
annual.
of Popular Government.

10. THAT the Magistrats of the Tribe (that is to say, the High Sheriff, Lieutenant, Custos Rotulorum, the Censores, and the Conductor, together with the Magistrats and Officers of the Hundreds, that is to say, the twenty Justices of the Peace, the forty Jurymen, the twenty High Constables) be one Troop, or one Troop and one Company apart, call'd the Prerogative Troop or Company. That this Troop bring in and affiit the Justices of Assize, hold the Quarter Session in their several Capacities, and perform their other Functions as formerly.

11. THAT the Magistrats of the Tribe (that is to say, the High Sheriff, Lieutenant, Custos Rotulorum, the Censores, and the Conductor, together with the twenty Justices elected at the Hundreds) be a Court for the Government of the Tribe call'd the Phyrlarch; and that this Court proceed in all matter of Government as shall from time to time be directed by Act of Parliament.

12. THAT the Squadron of the Tribe on the second day of their assembly, elect two Knights, and three Burgesses out of the Hors of their number, and four other Burgesses out of the Foot of their number: that each Knight upon election forthwith make Oath of Allegiance to the Commonwealth, or refusing such Oath, the next Competitor in Election to the same Magistracy, making the said Oath, be the Magistrate. That the like for the Burgesses. That the Knights thus sworn, have Session in the Senat for the term of three years; and that the Burgesses thus sworn, be of the Prerogative Tribe or Representative of the People for the like term.

13. THAT for the full and perfect institution of the Assembly's mention'd, the Squadron of the Tribe in the first year of the Commonwealth, elect two Knights for the term of one year, two other Knights for the term of two years, and lastly two Knights more for the term of three years; the like for the Burgesses of the Horse first, and then for those of the Foot. And that this Proposition be of no farther use than for the first years Election only.

14. THAT a Magistrate or Officer elected at the Hundred be therby bar'd from being elected a Magistrate of the Tribe, or of the first day's Election; but that no former Election whatsoever bar a man of the second day's Election at the Tribe, or to be chosen a Knight or Burgess. That a man being chosen a Knight or Burgess, who before was chosen a Magistrate or Officer of the Hundred, or Tribe, may delegat his former Office or Magistracy in the Hundred, or in the Tribe, to any other Deputy, being no Magistrate nor Officer, and being of the same Hundred, and of the same Order, that is, of the Horse or Foot respectively.

15. THAT the Knights of the annual Election take their places on Monday next infuing the last of March in the Senat; that the like number of Knights whose Seffion determins at the same time, recede. That every Knight or Senator be paid out of the public Revenue quarterly, one hundred twenty five pounds during his term of Seffion, and be oblig'd to fit in purple Robes.

16. THAT annually on reception of the new Knights, the Senat procede to election of new Magistrats and Counsellors. That for Magistrats they elect one General, one Speaker, and two Censores, each for the term of one year, these promiscuously; and that they elect one Commissioner of the great Seal, and one Commissioner of the Treasury, each for the term of three years, and out of the new Knights only.

17. THAT
17. THAT the General and the Speaker, as Consuls of the Commonwealth, and Presidents of the Senat, be during the term of their Majestry paid quarterly out of the public Revenue five hundred pounds; that the Insigns of those Majestrics be a Sword borne before the General, and a Mace before the Speaker; that they be oblig'd to wear Ducal Robes. And that what is said of the General in this Proposition, be understood only of the General sitting, and not of the General marching.

18. THAT the General sitting, in case he be commanded to march, receive Fieldpay; and that a new General be forthwith elected by the Senat to succeed him in the House, with all the Rights, Insigns and Emoluments of the General sitting; and this so often as one or more Generals are marching.

19. THAT the three Commissioners of the Great Seal, and the three Commissioners of the Treasury, using their Insigns and Habit, and performing their other functions as formerly, have paid quarterly to each of them three hundred seventy-five pounds.

20. THAT the Censors govern the Ballot; that they be Presidents of the Council for Religion; that each have a silver Wand for the Insign of his Majestry; that each be paid quarterly three hundred seventy-five pounds, and be oblig'd to wear scarlet Robes.

21. THAT the General sitting, the Speaker, and the six Commissioners above said, be the Signory of this Commonwealth.

22. THAT there be a Council of State consisting of fifteen Knights, five out of each Order, Life, or Election; and that the same be perpetuated by the annual election of five out of the new Knights, or those last elected into the Senat.

23. THAT there be a Council for Religion consisting of twelve Knights, four out of each Order, and perpetuated by the annual election of four out of the Knights last elected into the Senat. That there be a Council for Trade, consisting of a like number, elected and perpetuated in the same manner.

24. THAT there be a Council of War not elected by the Senat, but elected by the Council of State out of themselves. That this Council of War consist of nine Knights, three out of each Order, and be perpetuated by the annual election of three out of the last Knights elected into the Council of State.

25. THAT in case the Senat add nine Knights more elected promiscuously, or not promiscuously, out of their own number, to the Council of War, the said Council of War be understood by such addition to be Dictator of the Commonwealth for the term of three months and no longer, except by farther Order of the Senat the said Dictatorial Power be prolonged for a like term.

26. THAT the Signory have session and suffrage, with right also jointly or severally to propose both in the Senat, and in all Senatorial Councils.

27. THAT each of the three Orders or Divisions of Knights, in each Senatorial Council, elect one Provost for the term of one Week; and that any two Provosts of the same Council so elected, may propose to the same Council for their term, and not otherwise.

28. THAT som fair Room, or Rooms well furnish'd and attended, be allow'd at the States charge, for a free and open Academy to all comers, at som convenient hour or hours towards the Evening: That
That this Academy be govern'd according to the rules of good Breeding, or civil Conversation, by som one or more of the Provosts; and that in this Academy it be lawful for any man, by word of mouth, or by writing, in jest or in earnest, to propose to the Proposers.

29. THAT for Embassadors in Ordinary, there be four Residences, as France, Spain, Venice, and Constantinople; and that every Resident upon election of a new Embassador in Ordinary, remove to the next Residence in order hereby mention'd, till having serv'd orderly in all the said Residences, be returns home. That upon Monday next ensuing the last of November, there be every second yeare elected by the Senat for fit person, being above twenty five and under thirty five years of age, and not of the Senat, nor of the Popular Assembly. That the Party so elected repair on Monday next ensuing the last of March following, as an Embassador in Ordinary to the Court of France, and there reside for the term of two years to be computed from the first of April next ensuing his election. That every Embassador in Ordinary be allow'd three thousand pounds a year during the term of his Residences. And that if a Resident com's to dy, there be an extraordinary Election into his Residence for his term, and for the remainder of his removes and progress.

30. THAT all emergent Elections be made by scrutiny, that is by a Council, or by Commissioners propos'ing, and by the Senat resolving in the manner following: That all Field Officers be propos'd by the Council of War; That all Embassadors Extraordinary be propos'd by the Council of State; That all Judges and Serjants at Law be propos'd by the Commissioners of the Great Seal; That all Barons and Officers of trust in the Exchequer be propos'd by the Commissioners of the Treasury; and that such of these as are thus propos'd to, and approv'd by the Senat, be held lawfully elected.

31. THAT the cognizance of all foreign Negotiation, and of all matter of State to be consider'd, or Law to be enacted, whether Provincial or National, Domestic or Foreign, pertain to the Council of State. That all such Affairs of like kind as the Council of State shall judge fit to be carry'd with more than ordinary secrecy, be committed by them, and pertain to the cognizance and trust of the Council of War, to this end consisting of a select Part, or Committee of the Council of State. That the Cognizance and Protection both of the National Religion, and of the Liberty of Conscience, equally establish'd in this Nation, after the manner provided in the religious part of this Model, pertain to the Council for Religion. That all matter of Traffic, and regulation of the fame pertain to the Council for Trade. That in the exercise of these several Functions, each being naturally Senatorian or Authoritative only, no Council assume any other Power than such only as shall be particularly or expressly effectuated upon the fame by Act of Parliament.

32. THAT what shall be propos'd to the Senat by any one or more of the Signory, or of the Proposers General; or whatever was propos'd by any two of the Provosts, or particular Proposers to their respective Council, and upon debate at that Council shall com to be propos'd by the fame to the Senat, be necessarily debatable, and debated by the Senat.

33. THAT in all cases wherein Power is deriv'd to the Senat by Law made, or by Act of Parliament, the result of the Senat be ultimat.
That in all cases of Law to be made, or not already provided for by Act of Parliament, as for particular Peace or War, levy of Men or Money, or the like, the Refult of the Senat be not ultimur, but preparatory only, and be propos'd by the Senat to the Prerogative Tribe, or Assembly of the People, except only in cases of such speed or secrecy, wherein the Senat shall judg the necessary floweree or opennes of like proceeding to be of detriment or danger to the Commonwealth.

34. THAT if upon the motion or proposition of a Council, or Proposer General, the Senat add nine Knights, promiscuously or not promiscuously chozen out of their own number, to the Council of War, the fayd Council of War be therby made Dictator, and have power of Life and Death, as also to enact Laws in all cases of speed or secrecy, for and during the term of three months and no longer, except upon new Order from the Senat: And that all Laws enacted by the Dictator, be good and valid for the term of one year, and no longer, except the same be propos'd by the Senat, and resolv'd by the People.

35. THAT the Burgefles of the annual Election return'd by the Tribes, enter into the Prerogative Tribe on Monday next influing the laft of March; and that the like number of Burgefles whose term is expir'd, recede at the same time. That the Burgefles thus enter'd, elect to themselves out of their own number two of the Horfe, one to be Captain, and the other to be Cornet of the horfe; and two of the Foot, one to be Captain, the other to be Insign of the horfe, each for the term of three years. That these Officers being thus elected, the whole Tribe or Assembly procede to the election of four annual Magiftrats, two out of the Foot to be Tribuns of the Foot, and two out of the Horfe to be Tribuns of the Horfe. That the Tribuns be Commanders in chief of this Tribe fo far as it is a Military Body, and Presidents of the horfe as it is a Civil Assembly. And lastly, that this whole Tribe be paid weekly as follows: to each of the Tribuns of the Horfe seven pounds, to each of the Tribuns of the Foot six pounds; to each of the Captains of Horfe five pounds, to each of the Captains of Foot four pounds; to each of the Cornets three pounds, to each of the Insigns two pounds seven shillings; to every Horseman one pound ten shillings, and to every one of the Foot one pound.

36. THAT inferior Officers, as Captains, Cornets, Insigns, be only for the Military Disciplin of the Tribe. That the Tribuns have Seffion in the Senat without Suffrage: That of course they have Seffion and Suffrage in the Dictatorian Council, so often as it is created by the Senat. That in all cases to be adjudg'd by the People they be Presidents of the Court or Judicatory.

37. THAT Peculat or Defraudation of the Public; and all Cases or Crimes tending to the subversion of the Government, be triable by the Prerogative Tribe or the Assembly of the People; and that to the same there be an Appeal in all Cases, and from all Courts, Magiftrats, or Councils, National or Provincial.

38. THAT the right of Debate, as also of proposing to the People, be wholly and only in the Senat, without any power at all of Refult not deriv'd from the People, and efftated upon the Senat by act of Parliament.

39. THAT the power of Refult be wholly and only in the People, without any right at all of Debate.
40. THAT the Senat having debated and agreed upon a Law to be propos'd, cause promulgation of the said Law to be made for the space of six weeks before Proposition; that is, cause the Law to be written fair, and hung up for the time aforesaid in som of the most eminent places of the City, and of the Suburbs.

41. THAT promulgation being made, the Signory demand of the Tribuns sitting in the Senat, an Assembly of the People. That the Tribuns upon such demand of the Signory, or of the Senat, be oblig'd to assemble the Prerogative Tribe in Arms by sound of Trumpet, with Drums beating, and Colors flying, in any Town, Field, or Marketplace, being not above six miles distant, upon the day, and at the hour appointed, except the meeting, thro' convenience of the Weather, or the like, be prorogu'd by consent of the Signory and of the Tribuns. That the Prerogative Tribe being assemble'd accordingly, the Senat propose to them by two or more of the Senatorian Magistrates thereof appointed, at the first promulgation of the Law. That the Proposers for the Senat open to the People the occasion, motives, and reasons of the Senat for the Law to be propos'd; and that the same being done, they put the Law or Proposition by distinct clauses to the Ballot of the People. That if any material clause or clauses of the Proposition, or Law so propos'd, be rejected by the People, the Clause or Clauses so rejected may be review'd, alter'd, and propos'd again to the third time, if the Senat think fit, but no oftner.

42. THAT what is thus propos'd by the Senat, and resolv'd by the People, be the Law of the Land, and no other, except what is already receiv'd as such, or refer'd to the Dictatorial Council.

43. THAT every Magistracy, Office, or Election throughout this whole Commonwealth, whether annual or triennial, be understood of course or consequence to injoin an interval or vacation equal to the term of the same. That the Magistracy or Office of a Knight, and of a Burgess, be in this relation understood as one and the same; and that this Order regard only such Elections as are National or Domestic, and not such as are for, or contain'd in the Provincial part of this Model.

44. THAT for an Exception from this Rule, where there is but one Elder of the Horfe in one and the same Parish, that Elder be eligible in the same without interval; and where there be above four Elders of the Horfe in one and the same Parish, there be not above half, nor under two of them eligible at the same Election.

45. THAT throughout all the Assemblies and Councils of this Commonwealth, the Quorum consist of one half in the time of health, and of one third part in a time of sickness, being so declared by the Senat.

THE use of the Ballot, being as full of proximity and abrupteness in writing, as of dispatch and facility in practice, is presumed through all Elections and Results in this Model, and for the rest refer'd rather to practice than writing. There remain the Religious, Military and Provincial parts of this Frame: But the Civil part being approv'd, they follow, or being not approv'd, may be spar'd.
CONCLUSION; or, the use of these Propositions.

These Propositions are so laid out to debate or examination, that a man having the mind to weigh, discourse upon, or object against this Model, may do it in the parts with the greatest convenience.

Any examination of, or objection against the whole, or any part in print or in writing, the Author holds himself bound to acknowledge or answer: But as to mere discourse upon matters of this compass, it is usually narrow; besides that in writing a man must put himself upon better aim than he can be oblig'd to take in discourse.

Any one objection lying in writing against any one Order in this part of the Model, after such manner as to shew that the Part or Order so invaded ought to be expung'd, alter'd, or amended, unless it may be expung'd, alter'd, or amended accordingly, destroys the whole.

And any one or more Objections so lying against any one or more of these Orders or Propositions, that thereby they may be expung'd, alter'd or amended, must in the whole or in part make a better Model.

In this case therefore, or in case no Objection is, the use of these Propositions will be such, as thereby any Man or any Assembly of men, considering or debating upon them in order, may find or make a true Model of a well order'd Commonwealth.

And that an Assembly can never make or frame a Model of any Government otherwise than in some such manner, is provable first by a demonstration from the effect; and secondly by a demonstration from the cause.

The demonstration from the Effect is, that an Assembly no otherwise frames a Law or Order, than by having it first pen'd by some one man, and then judging upon it; and the Model of a Commonwealth must consist of many Laws or Orders.

The demonstration from the Cause is, that whereas Reason consists of two parts, the one Invention, and the other Judgment, a Man may be as far beyond any Assembly for Invention, as any Assembly can be beyond a Man for Judgment; or which is more, that the formation of a Model of Government requires a strong faculty of Invention, and that an Assembly is naturally void of all manner of Invention.

Nov. 13.
1658.

The
THE

Ways and Means
Wherby an Equal and Lasting
COMMONWEALTH

May be suddenly introduc'd, and perfectly founded, with the free Consent and actual Confirmation of the Whole People of England.

Scire tueum nihil est, nisi te scire hoc sciat alter. Perf.

A WORD fitly spoken is like Apples of Gold in Pictures of Silver.

THE Desire of the People of England now runs strongly to have a Free Parliament.

LET there be a free Parliament.

TO the end that the People may be most equally represented, or that the Parliament may be Free,

LET there be a new Division of England and Wales, with as much equality as may stand with convenience, into fifty Shires.

LET every Shire elect annually two Knights to be of one House, and seven Deputies to be of another House of Parliament, for the term of three years. For the first year only, let the Deputies in each Division be elected triple, that is, seven for the term of one year, seven for the term of two years, and seven for the term of three years. The like for the Knights, save only that the present Parliament remain; that is, let two Knights in each Division be elected the first year only for the term of one year, two other Knights at the same time for the term of two years; and let the present Parliament be the triennial part of the Knights House for the first Election.

THE House of Knights and the House of Deputies being assembl'd, let the House of Knights debate and propose.

LET what is propos'd by the House of Knights, be promulgated for the space of six weeks.

PROMULGATION being thus made, let the House of Deputies meet, and give their Result upon the Proposition.

LET what was thus propos'd by the Senate or House of Knights, and resolv'd by the People or House of Deputies, be the Law.

IN this Constitution the Councils must of necessity contain the Wifdom, and the Interests of the Nation.

IN this method, Debate must of necessity be mature.
The Ways and Means, &c.

If it be according to the Wisdom and the Interest of the Nation upon mature debate that there be a King, let there be a King.

If it be according to the Wisdom and the Interest of the Nation upon mature debate, that there be a Commonwealth; two Assemblies in this Order are actually a Commonwealth, and so far a well order'd Commonwealth, that they are capacitated and inclin'd to reach to themselves whatever furniture shall be further necessary in more particular Orders, which also is at hand.

Till this or the like be don, the Line of the late King and the People must be fellow sufferers; in which case the impatience of the People must be for the restitution of that Line at all adventures.

But this or the like being once don, immediately the Line of the late King and the People become Rivals, in which case they will never restore Monarchy.

Will never, may som say? But if the Senate and the Popular Assembly be both Royalists, they both will and can restore Monarchy.

Tho' both Royalists, they neither will nor can: for let them, that look no further than home or self, say what they will, to affirm that a Senate, and a Popular Assembly thus constituted can procreate Monarchy, is to affirm that a Horse and a Mare can generate a Cat; that Wheat being rightly sown may come up Peace; or that a River in its natural channel may run upwards.

In the present case of England, Commonwealthsmen may fail thro' want of Art, but Royalists must fail thro' want of Matter; the former may miss thro' impotence, the latter must thro' impossibility. Or where the State is purely popular, that is, not overbalanced by a Lord or Lords; let there be one Example, or one Reason given that there is, was, or ever can be Monarchy. There will be this when all fails, for the aftergame, tho' the work should fall, as is like enough, into the hands of Royalists.

Certain it is, that where any privat Citizen or Freeman might not (som way or other) propose, there never was a well order'd Commonwealth.

Upon this encouragement I offer'd this Paper to good hands, but it was (according to custom) thrown after me.

So it went in the Protector's time, in every Revolution since. La fortuna acciessa gli animi de gli uomini; but that is Atheism, that's Macchiavel.

Well, but now says the Protectorian Family, O that we had set up the equal Commonwealth! So say broken Parliaments and State-men; so say the sadly mistaken Sectarys; so say the cassiter'd Officers; so says he that would have no nay, but Oligarchy was a good word; and so will more say after these, except they learn to say after another, Aut reges non exigendi fuerunt, aut plebi re, non verbo, danda libertas; either the Kings ought not to have bin driven out, or the People to have their Liberty not in word, but in deed: but that is Heathenism, that's Cicero; well this is Christian, if there will be no such saying, I would there might be no swearing.

Feb. 6. 1659.
THE HUMBLE PETITION OF DIVERS
Well affected Persons,
Delivered the 6th day of July, 1659.
With the Parliament's Answer thereunto.

TO THE SUPREME AUTHORITY,
THE
Parliament of the Commonwealth of England;
The Humble Petition of divers well affected Persons,

SHEWS,

THAT your Petitioners have for many years observ'd the breathings and longings of this Nation after Rest and Settlement, and that upon mistaken grounds they have been ready even to sacrifice and yield up part of their own undoubted right, to follow after an appearance of it.

AND your Petitioners do daily fee the bad effects of long continu'd Distractions, in the ruins and decays of Trade foreign and domestick; and in the advantages that are taken to make Confederacies to involve the Nation in Blood and Confusion, under pretence of procuring a Settlement.

THAT it has bin the practice of all Nations, on the subversion of any form of Government, to provide immediately a new Constitution suitable to their condition; with certain Successions and Defects, that so both their Lawgivers and Magistrats might use their several Trusts, according to the establish'd Constitution; and the Peoples minds be settl'd secure, and free from attempts of introducing several forms of Government, according to the variety of their Fancies, or corrupt Interests.

THAT God has preferv'd this Nation wonderfully without example many years, since the dissolution of the old form of Government by King, Lords and Commons; there having bin no fundamental Constitutions of any kind duly settl'd, nor any certain Succession provided
The Humble Petition

vided for the Legislative Power; but even at this instant, if by any sudden sickness, design, or force, any considerable numbers of your Persons should be render'd incapable of meeting in Parliament, the Commonwealth were without form of successive Legislature or Magistracy, and left to the mercy of the strongest Faction. Yet we have reason to remember in these years of unsettlement, the inexpressible sufferings of this Nation in their Strength, Wealth, Honor, Liberty, and all things conducing to their wellbeing; and we have like reason now sadly to apprehend the impending ruin. And we cannot differ a possibility of your Honors unanimous and expeditious proceedings towards our Country's preservation, and relief from its heavy presidues, while your minds are not settl'd in any known Constitution of Government or fundamental Orders; according to which, all Laws should be made: but divers or contrary Interests may be prosecuted on different apprehensions of the Justice and Prudence of different forms of Government, tho all with good intentions.

YOUR Petitioners therefore conceiving no remedy so effectual against the present Dangers, as the settlement of the Peoples minds, and putting them into actual security of their Property and Liberty, by a due establishment of the Constitution under which they may evidently apprehend their certain enjoyment of them; and therupon, a return of their Trade and free Commerce, without those continual fears that make such frequent stops in Trade, to the ruin of thousands.

AND your Petitioners also observing, that the Interest of the late King's Son is cry'd up, and promoted daily, upon pretence, that there will be nothing but Confusion and Tyranny, till he come to govern; and that such as declare for a Commonwealth, are for Anarchy and Confusion, and can never agree among themselves, what they would have.

UPON serious thoughts of the Premises, your Petitioners do presume with all humility, and submission to your Wisdom, to offer to your Honors their Principles and Proposals concerning the Government of this Nation: Wherupon, they humbly conceive, a just and prudent Government ought to be establish'd, viz.

1. THAT the Constitution of the Civil Government of England by King, Lords, and Commons, being dissolv'd, whatever new Constitution of Government can be made or settl'd according to any rule of Righteousness, it can be no other than a wise Order or Method, into which the free People's Deputies shall be form'd for the making of their Laws, and taking care for their common safety and welfare in the execution of them: For, the exercise of all just Authority over a free People, ought (under God) to arise from their own Consent.

2. THAT the Government of a free People ought to be settl'd, that the Governors and Govern'd may have the same Interest in preserving the Government, and each others Property and Liberty respectively; that being the only sure foundation of a Commonwealth's Unity, Peace, Strength, and Prosperity.

3. THAT
3. THAT there cannot be a Union of the Interests of a whole Nation in the Government, where those who shall sometimes govern, be not also sometimes in the condition of the Govern’d; otherwise the Governors will not be in a capacity to feel the weight of the Government, nor the Govern’d to enjoy the advantages of it: And then it will be the interest of the major part to destroy the Government, as much as it will be the interest of the minor part to preserve it.

4. THAT there is no security that the Supreme Authority shall not fall into factions, and be led by their private interest to keep themselves always in power, and direct the Government to their private advantages, if that Supreme Authority be settled in any single Assembly whatsoever, that shall have the entire power of propounding, debating and resolving Laws.

5. THAT the Soverain Authority in every Government, of what kind soever, ought to be certain in its perpetual Successions, Revolutions, or Defects; and without possibility (by the judgment of human Prudence) of a death or failure of its being, because the whole form of the Government is dissolv’d if that should happen, and the People in the utmost imminent danger of an absolute Tyranny, or a War among themselves, or Rapin and Confusion. And therefore where the Government is Popular, the Assemblies in whom reside the Supreme Authority, ought never to dye or dissolve, tho the Persons be annually changing: neither ought they to trust the Soverain care of the strength and safety of the People out of their own hands, by allowing a Vacation to themselves, left those that should be trusted be in love with such great Authority, and aspire to be their Masters, or else fear an Account, and seek the dissolution of the Commonwealth to avoid it.

6. THAT it ought to be declar’d as a Fundamental Order in the Constitution of this Commonwealth, that the Parliament being the Supreme Legislative Power, is intended only for the exercise of all those Acts of Authority that are proper and peculiar to the Legislative Power; and to provide for a Magistracy, to whom should appertain the whole Executive Power of the Laws: and no Case either Civil or Criminal to be judg’d in Parliament, saving that the last Appeals in all Cases, where Appeals shall be thought fit to be admitted, be only to the Popular Assembly; and also that to them be refer’d the Judgment of all Magistrats in Cases of Maladministrations in their Offices.

AND in prosecution of these Principles,

OUR Petitioners humbly propose for the settlement of this Commonwealth, that it be ordain’d,

1. THAT the Parliament or the supreme Authority of England, be chosen by the free People, to represent them with as much equality as may be.

2. THAT a Parliament of England shall consist of two Assemblies, the lesser of about three hundred, in whom shall reside the entire power of consulting, debating, and propounding Laws: the other, to consist of a far greater number, in whom shall rest the sole power of resolving all Laws so propounded.

3. THAT
The Humble Petition

3. THAT the free People of England, in their respective divisions at certain days and places appointed, shall for ever annually choose one third part to each Assembly, to enter into their Authority, at certain days appointed: the same days, the Authority of a third of each of the said Assemblies to cease, only in the laying the first Foundation in this Commonwealth's Constitution: the whole number of both the Assemblies to be chosen by the People respectively, viz. one third of each Assembly to be chosen for one year, one third for two years, and one third for three years.

4. THAT such as shall be chosen, having served their appointed time in either of the said Assemblies of Parliament, shall not be capable to serve in the same Assembly during some convenient interval or vacation.

5. THAT the Legislative Power do wholly refer the execution of the Laws to the Magistracy, according to the sixth Principle herein mention'd.

6. THAT in respect to Religion and Christian Liberty, it be ordain'd that the Christian Religion by the appointment of all succeeding Parliaments, be taught, and promulgated to the Nation, and public Preachers thereof maintain: and that all that shall profess the said Religion, tho' of different Persuasions in parts of the Doctrine, or Discipline thereof, be equally protected in the peaceable profession, and public exercise of the same; and be equally capable of all Elections, Magistracies, Preferments in the Commonwealth, according to the order of the same. Provided always, that the public exercise of no Religion contrary to Christianity be tolerated; nor the public exercise of any Religion, tho' professedly Christian, grounded upon, or incorporated into the Interest of any foreign State or Prince.

These your Petitioners humbly conceive to be the Essentials of the form of a free Commonwealth, which if they were made fit for practice by your Honors appointing the numbers, times, places, and all other necessary circumstances, and settl'd as the fundamental Orders of the Commonwealth, would naturally dispose those that should hereafter be chosen into the Parliaments, from the love of their own interest to seek the common good, being oblig'd by the Constitutions here humbly offer'd to partake with the whole body of the People, of the good or evil that shall happen to the Commonwealth, having no probable temptations or means left to compass any privat or factious ends in matters Religious or Civil. And your Petitioners cannot imagin a greater security for the Cause and Interest contended for with such effusion of Blood, than by disposing the free People into this kind of order, whereby the same Cause would become their common Interest. Yet if your Honors should think it necessary or convenient for securing the minds of such as are doubtful and jealous that the People may betray their own Liberties, there may be inserted into the fundamental Orders of the Commonwealth, these following Expedients, viz.

1. THAT for securing the Government of this Commonwealth, and of the Religious and Civil freedom of the good People thereof, it may be for ever esteem'd and judg'd Treason against the Commonwealth, for any Member of either Assembly of Parliament, or any other person whatsoever, to move or propose in either of the said Assemblies, the restitution of Kingly Government, or the introduction of any single Person to be chief Magistrat of England, or the alteration of that part of the fundamental Order herein contain'd that concerns
concerns the equal freedom and protection of Religious persons of different Persuasions.

2. THAT about the number of twelve persons of the most undoubted Fidelity and Integrity, may be authoriz’d and impower’d, for som certain number of years next infuing, to seize, apprehend, and in safe custody to detain any person or persons whatsoever, till he or they be in due form of Law deliver’d, as is hereafter specify’d, that shall move or propse in either of the said Assemblys of Parliament the restitution of Kingly Government, or the introduction of any single Person to be chief Magistrat of this Commonwealth, or the alteration of that part of the fundamental Order herein contain’d, that concerns the equal freedom and protection of religious persons of different persuasions; but for no other matter or cause whatsoever. And when it shall happen that any person or persons shall be arrested or seiz’d for any of the causes aforesaid, in manner aforesaid, then a Commission of Oyer and Terminer may issue forth in due form of Law to the said twelve, or any six of them, to proceed in due form of Law, within one month after the apprehension of any such person or persons, to the arraignment and public trial of every such person or persons; and upon the legal conviction of him or them by the testimony of two sufficient Witnesses of any of the Treasons herein declar’d, to condemn to the pains of death, and to cause the same Judgment to be duly executed: and the Keeper or Keepers of the Great Seal of England that shall be for the time being, may be authoriz’d and requir’d from time to time during the term of years, to issue out commencions to the said twelve or any six of them, authorizing them to procede as aforesaid.

AND if your Honors shall further judg it convenient, the fundamental Orders of the Government may be confirm’d to or subscrib’d by the People themselves, if their express Pact shall be esteem’d any additional security; other Nations, upon the like occasions of expulsion of their Kings, having taken the Peoples Oaths against their returning: And the same may be proclaim’d as often as our Ancestors provided for the proclaiming of Magna Charta, and any further security also added, if any can be found among men, that has a foundation in Justice.

NOW your Petitioners having, with humble submission to your grave Wisdoms, thus declar’d their apprehensions of the present condition of this distracted Nation, and the only effectual means under God to prevent the impending Mischiefs; They do most humbly pray,

THAT such speedy considerations may be had of the Premises as the Condition of this Nation requires; and that such a method may be settled for the debating and consulting about the Government, that your wife Refuits may be reasonable for the healing all the breaches of the Commonwealth, and establishing the sure foundations of Freedom, Justice, Peace, and Unity.

And your Petitioners shall always pray, &c.

A a a a

Wednes-
The Parliament's Answer.

Wednesday July the 6th, 1659.

The House being inform'd that divers Gentlemen were at the door with a Petition, they were call'd in, and one of the Petitioners in behalf of himself and the rest said, We humbly present you a Petition, to which we might have had many thousand hands, but the Matter rather deserves your serious Consideration than any public Attestation; and therefore we do humbly present it to this Honorable House. Which, after the Petitioners were withdrawn, was read, and was intitul'd, The humble Petition of divers wellaffected Persons.

Resolv'd,

THAT the Petitioners have the Thanks of the House.

The Petitioners were again call'd in, and Mr. Speaker gave them this Answer.

Gentlemen,

The House has read over your Petition, and find it without any privat end, and only for the public Interest; and I am commanded to let you know that it lies much upon them to make such a Settlement as may be most for the good of Posterity: and they are about that work, and intend to go forward with it with as much expedition as may be. And for your parts they have commanded me to give you Thanks: and in their names I do give you the Thanks of this House accordingly.


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