



THOMAS
HOBBS Ætate
sua LXXXIX
1676

THREE-TEXT EDITION OF
**Thomas Hobbes's
Political Theory**

The Elements of Law, De Cive and Leviathan

Deborah Baumgold

Three-Text Edition of Thomas Hobbes's Political Theory

The Elements of Law, De Cive
and *Leviathan*

An exciting English-language edition that for the first time presents Thomas Hobbes's masterpiece *Leviathan* alongside two earlier works, *The Elements of Law* and *De Cive*. By arranging the three texts side by side Baumgold offers readers an enhanced understanding of Hobbes's political theory and addresses an important need within Hobbes scholarship. The parallel presentation highlights substantive connections between the texts and makes it easy to trace the development of Hobbes's thinking. Readers can follow developments both at the 'micro' level of specific arguments and at the 'macro' level of the overall scope and organization of the theory. The volume also includes parallel presentations of Hobbes's chapter outlines, which serve as a key to the texts and are collected in a Précis Appendix.

Deborah Baumgold has published widely on Hobbes's political theory and related schools of thought. Her writings include *Hobbes's Political Theory* and *Contract Theory in Historical Context: Essays on Grotius, Hobbes, and Locke*. She is Professor Emerita of the University of Oregon and a member of Wolfson College and Clare Hall of the University of Cambridge. She has been a visiting fellow at the University of Utrecht and Queen Mary University of London.

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Edited by

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CAMBRIDGE
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University Printing House, Cambridge CB2 8BS, United Kingdom
One Liberty Plaza, 20th Floor, New York, NY 10006, USA
477 Williamstown Road, Port Melbourne, VIC 3207, Australia
4843/24, 2nd Floor, Ansari Road, Daryaganj, Delhi – 110002, India
79 Anson Road, #06–04/06, Singapore 079906

Cambridge University Press is part of the University of Cambridge.
It furthers the University's mission by disseminating knowledge in the pursuit of
education, learning, and research at the highest international levels of excellence.

www.cambridge.org
Information on this title: www.cambridge.org/9781107155237
DOI: 10.1017/9781316651544

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First published 2017

Printed in the United Kingdom by Clays, St Ives plc.

A catalogue record for this publication is available from the British Library.

Library of Congress Cataloguing in Publication Data

NAMES: Hobbes, Thomas, 1588–1679, author. | Baumgold, Deborah, editor. |
HOBBS, Thomas, 1588–1679. Elements of law. | Hobbes, Thomas, 1588–1679.
De cive. | Hobbes, Thomas, 1588–1679. Leviathan.

TITLE: Three-text edition of Thomas Hobbes's political theory : The elements
of law, De cive, and Leviathan / edited by Deborah Baumgold.

DESCRIPTION: New York, NY : Cambridge University Press, 2017. | Text in
English and Latin.

IDENTIFIERS: LCCN 2016044125 | ISBN 9781107155237 (hardback)

SUBJECTS: LCSH: Political science – Early works to 1800. | State, The – Early
works to 1800. | BISAC: POLITICAL SCIENCE / History & Theory.

CLASSIFICATION: LCC JC153 .H6587 2017 | DDC 320.01/1–dc23

LC record available at <https://lcn.loc.gov/2016044125>

ISBN 978-1-107-15523-7 Hardback

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Contents

<i>Editor's introduction</i>	page ix
<i>Acknowledgements</i>	xxii
<i>Note on the texts</i>	xxiii

The Texts

1 Chapter 1 of <i>The Elements of Law</i> The general division of man's natural faculties	3
2 Chapter 2 of <i>The Elements of Law</i> / Chapter 1 of <i>Leviathan</i> The cause of sense / Of Sense	5
3 Chapter 3 of <i>The Elements of Law</i> / Chapter 2 of <i>Leviathan</i> Of imagination and the kinds thereof / Of Imagination	10
4 Chapter 4 of <i>The Elements of Law</i> / Chapter 3 of <i>Leviathan</i> Of the several kinds of discursion of the mind / Of the Consequence or Trayne of Imaginations	17
5 Chapter 5 of <i>The Elements of Law</i> / Chapters 4 and 5 (part) of <i>Leviathan</i> Of names, reasoning, and discourse of the tongue / Of Speech; Of Reason, and Science	23
6 Chapter 6 of <i>The Elements of Law</i> / Chapters 9, 5 (part) and 7 of <i>Leviathan</i> Of knowledge, opinion, and belief / Of the Severall Subjects of Knowledge; Of Reason, and Science; Of the Ends, or Resolutions of Discourse	37
7 Chapters 7, 9 and 12 of <i>The Elements of Law</i> / Chapter 6 of <i>Leviathan</i> Of delight and pain; good and evil; Of the passions of the mind; How by deliberation from passions proceed men's actions / Of the Interiour Beginnings of Voluntary Motions; commonly called the Passions. And the Speeches by which they are expressed	44
8 Chapter 8 of <i>The Elements of Law</i> / Chapter 10 of <i>Leviathan</i> Of the pleasures of the sense; of honour / Of Power, Worth, Dignity, Honour, and Worthinesse	63
9 Chapter 10 of <i>The Elements of Law</i> / Chapter 8 of <i>Leviathan</i> Of the differences between men in their discerning faculty and the cause / Of the Vertues commonly called Intellectuall; and their contrary Defects	74

CONTENTS

10 Chapter 11 of <i>The Elements of Law</i> / Chapter 15 (part) of <i>De Cive</i> / Chapters 11 (part), 12, 34 (part), 33 (part) and 31 (part) of <i>Leviathan</i> What imaginations and passions men have, at the names of things supernatural / Of God's government by nature / Of the difference of Manners; Of Religion; Of the Signification of Spirit, Angel, and Inspiration in the Books of the Holy Scripture; Of the Number, Antiquity, Scope, Authority, and Interpreters of the Books of Holy Scripture; Of the Kingdome of God by Nature	85
11 Chapter 13 of <i>The Elements of Law</i> How by language men work upon each other's minds	124
12 Chapter 14 of <i>The Elements of Law</i> / Chapter 1 of <i>De Cive</i> / Chapter 13 of <i>Leviathan</i> Of the estate and right of nature / Of the state of men without civil society / Of the Naturall Condition of Mankind, as concerning their Felicity, and Misery	127
13 Chapter 15 of <i>The Elements of Law</i> / Chapter 2 of <i>De Cive</i> / Chapter 14 of <i>Leviathan</i> Of the divesting natural right by gift and covenant / Of the law of nature concerning contracts / Of the first and second Naturall Lawes, and of Contracts	141
14 Chapters 16 and 17 of <i>The Elements of Law</i> / Chapter 3 of <i>De Cive</i> / Chapter 15 of <i>Leviathan</i> Some of the laws of nature; Other laws of nature / Of the other laws of nature / Of other Lawes of Nature	161
15 Chapter 18 of <i>The Elements of Law</i> / Chapter 4 of <i>De Cive</i> A confirmation of the same out of the Word of God / That the law of nature is a divine law	187
16 Chapter 19 of <i>The Elements of Law</i> / Chapter 5 of <i>De Cive</i> / Chapter 17 of <i>Leviathan</i> Of the necessity and definition of a body politic / Of the causes and first original of civil government / Of the Causes, Generation, and Definition of a Common-wealth	196
17 Chapter 20 of <i>The Elements of Law</i> / Chapter 6 of <i>De Cive</i> / Chapter 18 of <i>Leviathan</i> Of the requisites to the constitution of a commonwealth / Of the right, whether we consider it in an assembly or in one person, which he hath who is endued with supreme authority / Of the Rights of Soveraignes by Institution	206
18 Chapters 21 and 24 of <i>The Elements of Law</i> / Chapters 7 and 10 of <i>De Cive</i> / Chapters 19 (part) and 21 (part) of <i>Leviathan</i> Of the three sorts of commonwealth; The incommodities of several sorts of government compared / Of the three kinds of government, Democracy, Aristocracy, and Monarchy; A comparison of the three kinds of government, each with other, according to the inconveniences	234

CONTENTS

	of each one / Of the severall Kinds of Common-wealth by Institution, and of Succession to the Sovereigne Power; Of the Liberty of Subjects	
19	Chapters 22 and 23 of <i>The Elements of Law</i> / Chapters 8, 9 and 11 of <i>De Cive</i> / Chapters 20, 21 (part) and 19 (part) of <i>Leviathan</i> Of the power of masters; Of the power of fathers, and of patrimonial kingdom / Of the right which lords and masters have over their servants; Of the right which parents have over their children, and of a kingdom paternal; The places and examples of Scripture concerning the right of government, which make for proof of the foresaid doctrines / Of Dominion Paternall, and Despotically; Of the Liberty of Subjects; Of the severall kinds of Common-wealth by Institution, and of Succession to the Sovereigne Power	276
20	Chapter 27 of <i>The Elements of Law</i> / Chapter 12 of <i>De Cive</i> / Chapter 29 of <i>Leviathan</i> Of the causes of rebellion / Of the inward causes which dissolve all civil government / Of those things that Weaken, or tend to the Dissolution of a Commonwealth	306
21	Chapter 28 of <i>The Elements of Law</i> / Chapter 13 of <i>De Cive</i> / Chapters 30 and 21 (part) of <i>Leviathan</i> Of the duty of them that have sovereign power / Of the duties of those men who sit at the helm of state / Of the Office of the Sovereign Representative; Of the Liberty of Subjects	336
22	Chapter 29 of <i>The Elements of Law</i> / Chapter 14 of <i>De Cive</i> / Chapter 26 of <i>Leviathan</i> Of the nature and kinds of laws / Of laws and sins / Of Civill Lawes	369
23	Chapter 15 (part) of <i>De Cive</i> / Chapter 31 (part) of <i>Leviathan</i> Of God's government by nature / Of the Kingdome of God by Nature	410
24	Chapter 16 (part) of <i>De Cive</i> / Chapters 35 (part), 40 (part), 42 (part) and 36 (part) of <i>Leviathan</i> Of his government by the old covenant / Of the signification in Scripture of Kingdome of God, of Holy, Sacred, and Sacrament; Of the Rights of the Kingdome of God, in Abraham, Moses, the High Priests, and the Kings of Judah; Of Power Ecclesiasticall; Of the Word Of God, and of Prophets	418
25	Chapter 26 of <i>The Elements of Law</i> / Chapters 16 (part) and 17 of <i>De Cive</i> / Chapters 40 (part), 41, 36 (part), 39 and 42 (part) of <i>Leviathan</i> That subjects are not bound to follow the judgment of any authority in controversies of religion which is not dependent on the sovereign power / Of his government by the old covenant;	436

CONTENTS

Of his government by the new covenant / Of the Rights of the Kingdome of God, in Abraham, Moses, the High Priests, and the Kings of Judah; Of the Office of our Blessed Saviour; Of the Word Of God, and of Prophets; Of the signification in Scripture of the word Church; Of Power Ecclesiasticall	
26 Chapter 25 of <i>The Elements of Law</i> / Chapter 18 of <i>De Cive</i> / Chapter 43 of <i>Leviathan</i>	515
That subjects are not bound to follow their private judgments in controversies of religion / Of those things which are necessary for our entrance into the kingdom of heaven / Of what is Necessary for a Mans Reception into the Kingdome of Heaven	
<i>Précis Appendix</i>	549
<i>Index</i>	596

Editor's introduction

For it is not the bare Words, but the Scope of the writer that giveth the true light, by which any writing is to bee interpreted; and they that insist upon single Texts, without considering the main Designe, can derive no thing from them cleerly.

Leviathan, ch. 43, ¶24

It is well known that Thomas Hobbes wrote his political theory multiple times. 'This little MS. treatise [*The Elements of Law: Natural & Politic*] grew to be his Booke *De Cive*, and at last grew there to be the so formidable LEVIATHAN.¹ The first work circulated in manuscript in 1640; the second, Latin version was published in 1642 and in a second edition in 1647; *Leviathan* came out four years later, with a Latin edition following in 1668. In composing *De Cive* and *Leviathan*, Hobbes drew on the earlier text(s), reusing, expanding, reorganizing and adding to material that had appeared previously. Although *Leviathan* has the appearance of a unified treatise, it is, in actuality, a pastiche of arguments, many of which had been framed over the period of more than a decade.

This is the first edition to present the three core works in parallel format – side by side, paragraph by paragraph – in order to facilitate understanding the development of Hobbes's ideas. Hobbes left behind relatively little autobiographical material, so that readers must rely to an unusual extent on the texts themselves to reveal their author's 'scope and design.' This magnifies the importance of textual comparison. The edition presents *The Elements of Law* and *De Cive* (in translation) in full,² together with the parallel sections of *Leviathan*.

The combined presentation shows the development of Hobbes's thinking both at the 'micro' level of alterations, additions and reorganization of specific arguments and at the 'macro' level of developments in the scope and organization of the treatises more broadly. The presentation enables readers to appreciate the extent to which these texts are elements in a single project on which Hobbes worked from time to time during the major political crises of the Civil War era. Such a

¹ John Aubrey, *Aubrey's Brief Lives*, ed. Oliver Lawson Dick (Ann Arbor: University of Michigan Press, 1962), 151. This echoes Hobbes's recollection in 1656:

A little before the last parliament of the late king, when every man spake freely against the then present government, I thought it worth my study to consider the grounds and consequences of such behaviour, and whether it were conformable or contrary to reason and to the Word of God. And after some time I did put in order and publish my thoughts thereof, first in Latin, and then again the same in English ('The questions Concerning Liberty, Necessity, and Chance', *The English Works of Thomas Hobbes of Malmesbury*, ed. Sir William Molesworth, vol. v (London: J. Bohn, 1841), 453).

² The dedicatory epistles of *The Elements of Law* and *De Cive* are omitted, as is the preface to the second edition of the latter.

process of serial composition was common in the period as a legacy of the transition from scribal to print publication, both methods of publication employed by Hobbes. It was accepted that new texts were often composed by revising and expanding existing ones and therefore cannot be regarded as discrete entities. Hobbes's arguments are known for shifting in force to support the regime du jour, first the Stuarts, then the Commonwealth. This, too, was a common feature of serial composition, which lent itself to the adaptation of arguments for changing times and audiences as well as to the goal of perfecting them.³

The parallel format of the present edition enables readers to follow Hobbes's process of revision in detail. Sometimes material is repeated without substantial alteration. Consider, for instance, the chapter on 'other' laws of nature (*The Elements of Law*, ch. 16; *De Cive*, ch. 3; *Leviathan*, ch. 15). The chapters in the three works use the same outline of highlighted ideas, which are presented in the same sequence: performance of covenants, injury, unjust, the justice of persons versus actions, commutative versus distributive justice, ingratitude, complaisance, pardon, revenge and so forth. Making allowance for publication variations, some discussions are verbatim copies of one another, for example, the specification that 'In all violation of covenant ... the injury is done only to him to whom the covenant was made' (*The Elements of Law*, ch. 16, ¶3⁴). *De Cive* repeats 'an injury can be done to no man but him with whom we enter covenant' (3.4); and *Leviathan*, 'the Injustice of An Action, (that is to say Injury,) supposeth an individuall person Injured; namely him, to whom the Covenant was made' (15.12).

At other points in the texts, we observe Hobbes working out variations on the same idea. Compare, for example, the discussions of the relationship between civil and natural law in *De Cive* (14.9–10) and *Leviathan* (26.8). He argues for the compatibility of natural and civil law on somewhat different grounds in the two works: in the former, obedience to civil law is a deduction from natural law (namely, from the root principle that promises – notably the political covenant – must be kept) whereas in the latter, civil and natural law are described on equal footing as simply different parts of law.

On occasion, rethinking led to internal contradictions. In one striking instance, in the *Elements* Hobbes actually praised Aristotle's association of democracy with the principle of liberty – 'Aristotle saith well (lib. 6, cap 2 of his *Politics*), *The ground or intention of a democracy, is liberty*' – but in *De Cive* corrected himself and made a point of criticizing the same passage, condemning Aristotle for 'miscalling' democratic dominion 'liberty'; and in *Leviathan* criticized ancient authorities for holding there to be more liberty under popular governments than under monarchies (*The Elements of Law*, 27.3; *De Cive*, 10.8; *Leviathan*, 21.8). However, he tended not to have dramatic changes appear in parallel textual contexts; here, *Leviathan*'s statement is located in a wholly new chapter. In these cases, this edition uses cross-referencing to signpost the parallel material.

³ Harold Love, *Scribal Publication in Seventeenth-Century England* (Oxford: Clarendon Press, 1993).

⁴ Hereafter, chapter and paragraph numbers are listed in sequence and abbreviated (e.g., '16.3').

Comparison of the three texts yields other intriguing findings. A notable revelation is the extent to which the discussion of religion in the latter half of *Leviathan* draws on earlier texts. Part III ('Of a Christian Commonwealth') is actually an expanded, reorganized version of material that originated in two chapters in *The Elements of Law* (25 and 26) and became a separate section ('Of Religion'), with four chapters, in *De Cive*. *Leviathan's* reorganization is convoluted, with portions of chapters from the earlier versions appearing in scattered locations in Part III. The effect is to obscure the extent of recycling. But textual comparison reveals that, although Parts III and IV of *Leviathan* make up half the original manuscript, only the latter Part is thoroughly novel and it is only half the length of the third one. Other major developments will be discussed below, and the combined presentation invites readers to investigate the textual evolution of arguments on subjects of interest to them.

Beyond the three core texts, the presentation facilitates comparison of their arguments with parallel discussions in related works. These include not only the Latin *Leviathan* but also the two other volumes in Hobbes's planned unified-science trilogy, *De Corpore* (1655) and *De Homine* (1658). Like *The Elements of Law* and *Leviathan*, the latter works, for example, have chapters on names and speech: 'Of Names, Reasoning, and Discourse of the Tongue' (*Elements*, ch. 5); 'Of Speech' (*Leviathan*, ch. 4); 'Of Names' (*De Corpore*, ch. 2); and 'On Speech and Sciences' (*De Homine*, ch. 10).

For making textual comparisons, it is helpful that Hobbes provided chapter outlines in the form of précis of each chapter's contents in *The Elements of Law* and *De Cive* and margin notes in *Leviathan*. These outlines, printed in the same comparative format as the full text, preface each chapter and are collected and expanded in a Précis Appendix. There, the précis tables include the entire set of margin notes for all chapters covered in the edition, including margin notes for new material in *Leviathan*. This broader scope enables readers to appreciate the extent of expansion in *Leviathan* as well as the extent of reproduction.

History of composition

Hobbes (1588–1679) began composing political theory in the later 1630s, when he was already middle-aged, although the precise beginning of the enterprise is murky. In an autobiography written many years later, he reported composing *The Elements of Law* at the time of the Short Parliament of April–May 1640.⁵ But the work could hardly have been created in such a short period of time. Likely he was referring to the hasty completion, occasioned by the seating of the Parliament, of a manuscript that had been underway for some time. The dedication of the work is dated the 9th of May, four days after the close of the Parliament, and reports

⁵ 'When the Parliament sat, that began in April 1640, and was dissolved in May following . . . Mr. Hobbes wrote a little treatise in English, wherein he did set forth and demonstrate, that the said power and rights were inseparably annexed to the sovereignty' (Thomas Hobbes, 'Considerations upon the Reputation, Loyalty, Manners, and Religion, of Thomas Hobbes of Malmesbury', *English Works*, vol. iv (1840), 414).

that it was written at the request of its honoree, his patron the Earl of Newcastle. Hobbes hoped, he wrote, that Newcastle's favour would 'insinuate' it 'with those whom the matter it containeth most nearly concerneth'.⁶ Newcastle, a grandee at the court of Charles I, held the office of governor of the future Charles II from 1638 through 1641 and subsequently commanded the royal forces in the north. Hobbes's allusion to a potential audience may refer, among others, to the Earl of Strafford and William Laud, archbishop of Canterbury. Supporters of authoritarian monarchy and a unified church and state, they were Newcastle's allies at court. Taking the intended audience into account, the publication of the *Elements* in manuscript may have been a strategic choice, more than simply a happenstance of the abrupt end of the Short Parliament. Scribal publication was sometimes chosen as a way to limit the circulation of ideas to an elite audience, away from the attention of ordinary subjects.⁷

Even so, the developing political crisis made it a dangerous time to be promoting royalist ideas. In the closing months of 1640, Parliament impeached Strafford and Laud; both were subsequently executed (although not until 1645 in Laud's case). Hobbes, afraid for his own safety, fled to Paris, explaining to a correspondent, 'I saw words that tended to aduance the prerogatiue of kings began to be examined in Parlament. And I knew some that had a good will to haue had me troubled'.⁸ In Paris, he lodged at the home of an old friend, Charles du Bosc, a French courtier and member of a circle of philosophers and scientists associated with the French monk Marin Mersenne. Hobbes and Mersenne had first met in the mid-1630s; now, he attended seminars in Paris organized by the monk and was drawn into his network of correspondents.⁹

Hobbes must have returned to his theory of politics soon after arriving in Paris, perhaps doing so as a means to establish his position in the new milieu. By November 1641, he had completed a revised, expanded and translated adaptation of the 1640 manuscript, giving it the title *De Cive*. In transforming the *Elements* into *De Cive*, Hobbes put the arguments into Latin, omitted the initial thirteen chapters on psychology and epistemology, and expanded two chapters on religion into an entire section. With Mersenne's help, it was published in a small-print edition in 1642, the author being identified only by initials, and the edition was circulated for comments and criticisms.

Hobbes went on to prepare a second edition with replies to criticisms added to the text. Completed by spring, 1646, Mersenne again helped to get the work published; a member of his circle, Samuel Sorbière, oversaw the production in Holland. The press, Elsevier, was a major one and put the work out in a large

⁶ 'Now (my Lord) the principles ... are those which I have heretofore acquainted your Lordship withal in private discourse, and which by your command I have here put into method' (Thomas Hobbes, 'The Epistle Dedicatory', *The Elements of Law Natural and Politic*, ed. Ferdinand Tönnies (London: Simpkin, Marshall, and Co., 1889), xv–xvi).

⁷ Love, *Scribal Publication*, 177.

⁸ 'Hobbes to John Scudamore, first Viscount Scudamore, from Paris, 2/12 April 1641, Letter 35 in Thomas Hobbes, *The Correspondence*, vol. 1, ed. Noel Malcolm (Oxford: Clarendon Press, 1994), 114–15.

⁹ For information about Mersenne and his relationship with Hobbes, see Noel Malcolm's biographical entry in Hobbes, *Correspondence*, 862–5.

edition, making this the first widely accessible treatise in the series. It was an immediate success, so the publisher soon contemplated putting out another edition; but, due to a serious illness as well as a desire to work on other projects, Hobbes let the opportunity pass.

By this time, he was involved with the court in exile surrounding the Prince of Wales, who had arrived in Paris in the summer of 1646. Soon after that, he was hired to instruct the prince in mathematics. He maintained that the employment did not extend to political theory, telling Sorbière he did not want the prince tarred by association with a theory that, in his own words, 'offends the opinions of almost everyone.'¹⁰ Nevertheless, the preface to the 1647 edition of *De Cive* indicated a growing embrace of political involvement. Completion of *De Cive* had been occasioned, he wrote there, by the crisis of the early 1640s: 'my Country some few yeares before the civill Warres did rage, was boyling hot with questions concerning the rights of Dominion, and the obedience due from Subjects, the true forerunners of an approaching War; And was the cause which ... ripen'd, and pluckt from me' the work.¹¹ In contrast, it is interesting to note, in the first edition he had expressly disavowed any political intention. 'I have', he wrote in 1641, 'been very wary in the whole tenour of my discourse, not to meddle with the civil laws of any particular nation whatsoever: that is to say, I have avoided coming ashore, which those times have so infested both with shelves and tempests'.¹²

In view of the success of the 1647 edition, why was Hobbes not done with political theorizing at this point? He was hardly modest about the work, even boasting that 'Civil Philosophy' is 'no older ... than my own book *De Cive*'.¹³ Due to the paucity of autobiographical materials, the question of why he went on to compose *Leviathan* cannot be answered with any certainty. We cannot even be certain about dating the composition of the work. Writing more than twenty years after the fact, he recalled beginning *Leviathan* around the time of his serious illness in 1647, that is, soon after the completion and publication of the second *De Cive*.¹⁴ The work disappears from our view until a mention in May 1650 in a friend's correspondence. Robert Payne reports hearing from Hobbes that he had completed thirty-seven chapters (out of a planned total of about fifty) of a work 'w^{ch} is' [about] 'Politiques, in English'.¹⁵ Partly on this basis, scholars tend to agree in dating most of the work to the early years of the Interregnum, specifically the period between the autumn/winter of 1649–50 and the winter of 1650–1.

Internal contradictions within the text indicate an evolution of Hobbes's forecast of the war's conclusion during this late Civil War period. When Hobbes

¹⁰ 'Hobbes to Samuel Sorbière, from Paris, 12/22 March 1647, Letter 52 in *Correspondence*, vol. 1, 157–8.

¹¹ Thomas Hobbes, 'The Author's Preface to the Reader', *Philosophical Rudiments concerning Government and Society*, *English Works*, vol. II (1841), xx.

¹² Hobbes, 'The Epistle Dedicatory', *Philosophical Rudiments*, 27.

¹³ Thomas Hobbes, 'The Author's Epistle Dedicatory' to *De Corpore*, *English Works*, vol. I (1839), ix.

¹⁴ Thomas Hobbes, 'The Verse Life' (anon. trans.), in J. C. A. Gaskin, ed., *The Elements of Law Natural and Politic* (Oxford: Oxford University Press, 1994), 259.

¹⁵ Payne to Sheldon, May 13, 1650 (BL MS Harl. 6942, no. 128), quoted in Noel Malcolm, 'Editorial Introduction' to Thomas Hobbes, *Leviathan*, vol. 1 (Oxford: Clarendon Press, 2012), 1–2.

composed the chapters on sovereign rights and forms of government (18 and 19), he still seemed to be hoping and working for a Stuart victory. He inserted a new section on covenant logic into the chapter on sovereign right that included the caution, 'they that are subjects to a Monarch, cannot without his leave cast off Monarchy'; they 'cannot lawfully make a new Covenant, amongst themselves, to be obedient to any other' (*Leviathan*, 18.3). By this time, Commonwealth defenders were claiming that their institution, being the representative of the people, was sovereign. Answering that required a counter account of representation, which Hobbes put forward in one of the most prominent additions in *Leviathan*: the authorization version of the covenant, which portrays the sovereign as acting on the authority of the people and therefore their sole representative. The argument left open the identity of the sovereign; so, in treating forms of government, Hobbes inserted the further specification: 'in a Monarchy, he that had the Sovereignty from a descent of 600 years, was alone called Sovereign' (19.3).

Subsequent chapters, presumably worked on later, pull back, step by step, from defence of the Stuart monarchy. The first step was the insertion of a distinction between sovereign right and subjects' obligation. The discussion of the causes of rebellion (ch. 29) now concludes with the admission that defeat in war absolves subjects of obligation to the defeated sovereign, although it does not 'extinguish' the right of sovereignty (which is specifically framed as 'the Right of a Sovereign Monarch' (§23)). By the time Hobbes finished the work, even indefeasible sovereign right had been jettisoned, replaced by a straightforward defence of de facto authority that plainly supported Engagement with the new government. Might made right: 'Conquest (to define it) is the Acquiring of the Right of Sovereignty by Victory' through 'the peoples Submission, by which they contract with the Victor, promising Obedience, for Life and Liberty' ('A Review and Conclusion', §7).

Leviathan was published and available in England in May 1651. In Paris, Hobbes sent Charles II a presentation copy of the manuscript, but it was badly received and he was banned from court. He decamped to England at the end of the year and submitted to the Commonwealth. During the Interregnum, he maintained that the work supported Cromwell's regime, writing in 1656 that it had 'framed the minds of a thousand gentlemen to a conscientious obedience to present government'.¹⁶ But, ever supple, after the Restoration he would go full circle and say *Leviathan* had been 'written in defence of the King's power, temporal and spiritual'.¹⁷

¹⁶ Thomas Hobbes, 'Six Lessons to the Professors of the Mathematics', *English Works*, vol. VII (1845), 336. Edward Hyde said Hobbes told him, before leaving Paris, that he wrote *Leviathan* because he had 'a mind to go home' (*A Brief View and Survey of the Dangerous Errors ... in Mr. Hobbes's Book, entitled Leviathan* (1676), 8; quoted, e.g., in Malcolm, 'Editorial Introduction', 78).

¹⁷ Thomas Hobbes, 'An Historical Narration concerning Heresy', *English Works*, vol. IV, 407. In a post-Restoration autobiography, he described Cromwell as an *unjust* conqueror and explained away *Leviathan's* defence of submission as intended merely to justify royalists who otherwise would have lost their fortunes ('Considerations upon the Reputation', 420–2). Elsewhere, he would acknowledge the work's ambiguous import. 'An Apology for Himself and His Writings, Dedicated to the King in the Year 1662' beseeched Charles II, 'not to believe so ill of me ... nor to think the worse of me, if snatching up all the weapons to fight against your enemies, I lighted upon one that had a double edge' (*English Works*, vol. VII, 4–6).

Hobbes's political theory more or less exploded on the English scene in the 1650–1 period. Within the year or so preceding *Leviathan's* publication, *The Elements of Law* and *De Cive* had been made available, though without the author's permission, to an English audience. The first work appeared in divided form, in volumes titled *Human Nature* and *De Corpore Politico*, in February and May 1650; the second came out the following March in an unauthorized translation under the title *Philosophicall Rudiments concerning Government and Society*. Supporters of the new regime exploited his ideas, as well. Marchamont Nedham, a Commonwealth publicist, published excerpts from *De Corpore Politico* in an appendix to his *Case of the Commonwealth of England, Stated* and also in the Commonwealth's newspaper, *Mercurius Politicus*. He meant, Nedham explained, to 'foil our adversaries with weapons of their own approbation.'¹⁸

After a fifteen-year hiatus, Hobbes, by then almost eighty, produced his own Latin translation of *Leviathan*. Once again, just as had been the case many years earlier in the production of the 1647 *De Cive*, he did so with the aid of Samuel Sorbière. The Frenchman had been pressing him to produce a Latin version, presumably out of desire to make the work available to a European audience; when it was ready, Sorbière set the project up with a Dutch publisher.¹⁹ This final version was adapted, as the work had been before, in response to outside pressures. *Leviathan* had been caught up in a wave of religious hysteria that followed the Great Fire of London. In 1666, a parliamentary committee introduced a bill 'against Atheism and Profaneness' that specifically identified 'the Book of Mr. Hobbs, called *The Leviathan*' as a heretical work. Publishing the Latin *Leviathan* the next year, Hobbes included a new appendix defending his religious views in chapters on the Nicene creed and on heresy and replying to assorted objections. (The last includes an admission that it had been 'gross carelessness' to suggest that Moses was part of the Trinity.²⁰) Balancing these additions, the English version's 'Review and Conclusion,' its legitimation of conquest now outdated and impolitic, was left out.

Major developments in the core texts

After the Restoration, probably at the time of the atheism charge in 1666, Hobbes destroyed much of his correspondence and other papers.²¹ This left the texts as the only extant evidence of his changing interests and purposes in regard to many aspects of the theory. Variations between parallel discussions are therefore

¹⁸ Marchamont Nedham, *The Case of the Commonwealth of England, Stated*, ed. Philip A. Knachel (Charlottesville: University Press of Virginia, 1969), 129–30. Nedham's use of *De Corpore Politico* is discussed in Quentin Skinner, 'The Ideological Context of Hobbes's Political Thought,' *Historical Journal* 9 (1966): 286–317.

¹⁹ This account of the Latin *Leviathan* relies on Noel Malcolm's introduction to the dual English/Latin edition of the work in the Clarendon series: 'Editorial Introduction,' ch. 3.

²⁰ Thomas Hobbes, *Leviathan*, ed. Noel Malcolm, vol. III (Oxford: Clarendon Press, 2012), 1232; cf. the English *Leviathan*, 42.3.

²¹ Aubrey dated the episode earlier, 'not long after the King was settled' (*Brief Lives*, 156), but contextual evidence points to the occasion of the 1666 parliamentary action (Philip Milton, 'Hobbes, Heresy and Lord Arlington,' *History of Political Thought* 14/4 (1993): 501–46).

EDITOR'S INTRODUCTION

a prime source for figuring out what was on his mind and what he meant to be doing during the long decade in which the project evolved.

To assess the evidence, it is helpful to understand the way in which Hobbes went about serial composition. As noted earlier, the process of creating new texts by expanding and reworking existing ones was a widespread practice in the early-modern period, a hangover from the scribal production of multiple manuscripts from a single source. Hobbes's way of writing suited the genre: while composing *Leviathan*, his friend John Aubrey reported,

he walked much and contemplated, and he had in the head of his Staffe a pen and inke-horne, carried always a Note-book in his pocket, and as soon as a notion darted, he presently entred it into his Booke ... He had drawn the Designe of the Booke into Chapters, etc. so he knew whereabouts it would come in.²²

That design or outline, this edition shows, was embodied in the earlier texts, although with much reorganization along the way. Given the extent of the revisions and reorganization among the several versions, it seems unlikely that Aubrey's account refers to a foundational outline.²³ However, employment of an outlining procedure is evident in several aspects of presentation and organization in the texts. The most obvious is Hobbes's use of an armature of highlighted concepts, which appear in gothic script in the *Elements* and in uppercase letters and italics in the later works.²⁴ Mimicking the axiomatic definitions of a geometrical proof, the armature provides a topical outline of the arguments. Less obvious amid the vast expansion in length of *Leviathan* is that Hobbes tended, in Part II especially, to balance additions with deletions: new material replaced or substituted for old in what was, therefore, an evolving design. This notably occurs in the key chapters on the state of nature, political covenant and rights of sovereignty. When Hobbes added a new chapter on the concept of personification, in support of *Leviathan's* novel 'authorization' version of the political covenant, it replaced a chapter offering Scriptural confirmation of the laws of nature (chs. 18 and 4, respectively, in *The Elements of Law* and *De Cive*; ch. 16 in *Leviathan*). Three chapters on the rights of sovereignty and forms of government are condensed into two in *Leviathan*; within the first, a new defence of absolute sovereignty substitutes for an ill-advised treatment of democracy. Next, several chapters on the traditional subjects of other authority relations (household and familial) condense into one, but Hobbes takes the subject in a new, modern direction by substituting a new chapter on the liberty of subjects (ch. 21).

²² Aubrey, *Brief Lives*, 151.

²³ Noel Malcolm discusses the possibility that other, no longer extant, scripts were involved (Malcolm, 'Editorial Introduction', 12–13, 101–14).

²⁴ For example, initial chapters treat in highlighted sequence 'SENSE', 'OBJECT' (of sense), 'PHANTASY OF IMAGINATION', 'SLEEP', 'DREAMS' and 'FICTION of the mind' (*The Elements of Law*, chs. 2–3; *Leviathan*, chs. 1–2). For the first treatise, I present a complete outline of chapters and highlighted terms in Appendix I of 'The Composition of Hobbes's *Elements of Law*' (*History of Political Thought* 25 (2004): 16–43; reprinted in Deborah Baumgold, *Contract Theory in Historical Context: Essays on Grotius, Hobbes, and Locke* (Leiden: Brill, 2010), ch. 5).

Hobbes's habit, in general, was to compose material in clusters, both in chapter sets and, within chapters, paragraph blocks. Alterations in the successive texts through insertions, deletions, substitutions, reorganization and substantive revision are typically carried out in these units, with chapter sets marked by similar patterns of revision and paragraph sets focused on discrete subjects. Deconstructing the three-text project on the basis of chapter sets reveals the major developments between the texts, which can get lost among the welter of small changes. The interpretive device yields clues about Hobbes's preoccupations at various points in time and the order in which he worked on portions of *Leviathan*.

The omnibus project: An informal guide to major developments

A notional table of contents for the three-text project as a whole, based on chapter groupings, is presented below. *The Elements of Law* and *De Cive* are used as the basis for the project's organization. For each group of chapters, major developments between the texts are summarized in the table. Several will be subsequently discussed in more detail; these points are identified with Roman numerals in the table.

Hypothetical Table of Contents of the Three Texts Combined

Subject [†]	Text Chapters	Major Developments
Part I. Human Nature		
Physics of perception and thought	<i>EL</i> , chs. 2–4 / <i>LV</i> chs. 1–3	The <i>Leviathan</i> chapters closely parallel the <i>Elements</i> , displaying minimal revision and reorganization, although with the addition of some illustrative examples.
Knowledge, reason and science	<i>EL</i> , chs. 5–6 / <i>LV</i> , chs. 4–5, 7, 9	(I) Two chapters in the <i>Elements</i> turn into four in <i>Leviathan</i> , largely due to expanded discussion of science that includes a new chapter on the subject. Disorganization accompanies expansion. An orderly sequence in the first text becomes, in <i>Leviathan</i> , a mishmash of epistemology with consideration of passions and character.
The passions and different personality types; communication; the will	<i>EL</i> , chs. 7–10, 12–13 / <i>LV</i> chs. 6, 8, 10–11	In <i>Leviathan</i> , one chapter (6) combines sections of three <i>Elements</i> ' chapters, and is slotted between chapters on reason and science (5 and 7). After intervening chapters on power, honour and intellectual virtues, at the end of the section a chapter on communication (<i>EL</i> , ch. 13) is replaced by one on the 'difference of manners' (<i>LV</i> , ch. 11). The new one treats the aptitude of various personalities to rebel or obey government.
Natural religious belief	<i>EL</i> , ch. 11 / <i>DC</i> , ch. 15 / <i>LV</i> , chs. 12 and 31	(V) The first half of the <i>Elements</i> ' chapter on the natural foundation of religious belief is carried over in a parallel chapter in Part I of <i>Leviathan</i> (12). The second half is moved and used to introduce the new Parts on religion in <i>De Cive</i> and <i>Leviathan</i> .

[†] Although the titles are the editor's creation, they generally employ Hobbes's terms.

EDITOR'S INTRODUCTION

Part II. Government		
State and laws of nature	<i>EL</i> , chs. 14–18 / <i>DC</i> , chs. 1–4 / <i>LV</i> , chs. 13–15	(II) <i>De Cive</i> opens here. Chapters are largely parallel in the three works, with two major alterations in <i>Leviathan</i> . The deduction that the state of nature would be a state of war is altered by removal of the concept of natural right to the following chapter. A chapter giving Scriptural confirmation of the natural laws is omitted, replaced by one on the newly important concept of personification (ch. 16).
Political covenant	<i>EL</i> , ch. 19 / <i>DC</i> , ch. 5 / <i>LV</i> , chs. 16–17	<i>Leviathan</i> 's new chapter 16 supports the addition of a novel, 'authorization' version of the political covenant.
Rights of sovereignty and forms of government	<i>EL</i> , chs. 20–1, 24 / <i>DC</i> , chs. 6–7, 10 / <i>LV</i> , chs. 18–19	(III) Sovereignty arguments are revised. Assertion in the <i>Elements</i> that democracy is the foundation of all forms of government is deleted. <i>Leviathan</i> includes new arguments in defence of absolutism and condenses several chapters comparing forms of government into a single one.
Household, paternal and despotic dominion; liberty of subjects	<i>EL</i> , chs. 22–3 / <i>DC</i> , chs. 8–9, 11 / <i>LV</i> , chs. 20–1	(IV) Several chapters on the traditional subject of extra-political authority relations are condensed into one in <i>Leviathan</i> and a chapter added on the liberty of subjects.
Art of government	<i>LV</i> , chs. 22–4	These are new chapters on aspects of governing, namely subordinate political bodies, government ministers and economic policy.
Causes of rebellion and the duties of rulers	<i>EL</i> , chs. 27–8; <i>DC</i> , chs. 12–13; <i>LV</i> , chs. 29–30	New section in <i>Leviathan</i> 's account of the duties of rulers outlines a curriculum for popular political education.
Law, crime and counsel	<i>EL</i> , ch. 29; <i>DC</i> , ch. 14; <i>LV</i> , chs. 25–8	Final <i>Elements</i> ' chapter, on the title subject of law, is expanded in <i>Leviathan</i> into four chapters on related subjects (counsel; civil law; crimes, excuses and extenuations; punishment and reward).
Part III. Religion		
Religion	<i>EL</i> , ch. 11 / <i>DC</i> , chs. 15–18 / <i>LV</i> , chs. 31–47	(V) Subsequent to the <i>Elements</i> , new Parts are created with vast expansion in the treatment of theology and ecclesiology. Material from the <i>Elements</i> forms the basis of much of Part III of <i>De Cive</i> and <i>Leviathan</i> , although complex reorganization masks the continuity. Part IV of <i>Leviathan</i> is novel.

Science (I)

The increased coverage given to science in *Leviathan* is consistent with Hobbes's autobiographical report of being absorbed with the field in the 1640s following completion of *De Cive*.²⁵ Hence these chapters may represent a specific connection between *De Corpore*, the separate volume on these subjects that would eventually be published in 1655, and *Leviathan*.

²⁵ Hobbes, 'Verse Life', 258.

Deduction of the State of War (II)

In *The Elements of Law*, natural right is said to reinforce natural impulse: 'to the offensiveness of man's nature one to another, there is added a right of every man to every thing' and therefore 'the estate of men in this natural liberty is the estate of war' (14.11). In *Leviathan*, the explanation is simpler: there are 'three principal causes of quarrell' in human nature; and, assuming some people are naturally aggressive, everyone would have to behave that way (13.4 and 13.6). By streamlining the explanation down to psychological and circumstantial factors, the alteration strips it of a juridical dimension; eliminated from consideration is the idea that conceiving of individuals as rights-holders works to legitimize and exacerbate conflict.

Democracy and other forms of government (III)

In the initial formulation in *The Elements of Law*, Hobbes justified the absence of sovereign accountability by positing a democratic foundation to all forms of government. Democracy, he argued, is foundational in the sense that majority rule among incipient covenanters has to be established before covenanting can proceed, and it would be nonsensical to imagine that the people, sovereign in a democratic polity, would criticize themselves. Being an inherent feature of the democratic foundation of all government, the principle of non-accountability carries over and continues to apply even when the people vote to transform the form of government into an aristocracy or monarchy.²⁶ Yet it was obviously undesirable in a defence of absolute monarchy to describe democracy as the foundation of all government. Hobbes inserted a crucial modifier in the *De Cive* version: the initial step of agreeing to majority rule is but 'almost' a democracy.²⁷ He then deleted the entire argument from *Leviathan*. It is replaced by a series of new arguments, at the beginning of chapter 18 on the rights of sovereignty, that derive non-accountability from the logic of covenanting rather than attaching it to a form of government.

Leviathan, chapter 21, 'Of the Liberty of Subjects' (IV)

This chapter appears to be one of the last-written parts of *Leviathan*. Anticipating the work's 'Review and Conclusion', it endorses the Engagement rationale that 'the end of Obedience is Protection': 'The Obligation of Subjects to the Sovereign, is understood to last as long, and no longer, than the power lasteth, by which he is able to protect them' (21.21).

Religion (V)

The standard view is that Parts III and IV are substantially new in *Leviathan*, though with some basis in *De Cive*'s new Part III on religion. As suggested earlier, however, this edition's comparative presentation reveals that their third parts are

²⁶ Hobbes, *Elements of Law*, 21.2–9.

²⁷ Hobbes, *Philosophical Rudiments*, 109.

less thoroughly novel than is commonly thought; their foundations – in organization and core subjects – were sketched out in the *Elements*. Thus, their novelty is a matter of expansion and reorganization of pre-existing arguments rather than of entirely new composition. It is the scale of expansion and the complexity of reorganization, particularly in *Leviathan*, that create a misimpression of fundamental novelty. This edition's comparative presentation shows how Hobbes created chapters by moving and expanding paragraphs, sometimes even single paragraphs, and often built a *Leviathan* chapter around a pre-existing paragraph block.

The comparative presentation also reveals substantive alterations in organization and thematic framing through the several texts. The foundation in *The Elements of Law* of this section on religion consisted in two chapters (25 and 26) that prefaced ones on the causes of the rebellion and the duties of rulers. The organization implied that Hobbes thought of these religious doctrines in the context of other aspects of prudential government. His overall point in the chapters – namely, that 'decision of controversies in religion dependeth on the sovereign power'²⁸ – leads into discussion of causes of rebellion more generally (ch. 27). (Indeed, the sequence of a focused chapter followed by a broader discussion may echo the treatment of natural law in the *Elements* and *Leviathan*: an initial chapter treats 'some of the laws of nature' (in *Leviathan*, the 'first and second'), and is followed by a second one covering 'other laws'.) What rulers can do to deter rebellion – their duties – is the next subject (*Elements*, ch. 28), followed by a concluding chapter on the title subject of law. The concluding sequence of chapters in the *The Elements of Law* is thus: subversive religious doctrines; causes of rebellion; the duties of rulers; law. To be sure, Hobbes never changed his mind about the political impact of religious issues, but the message would cease to be embodied in the theory's organization once religious subjects were moved to the new Part III of the subsequent works.

Within that third part, there is another intriguing reorganization of material. The subjects of the dual chapters in the *Elements* are reversed in sequence in *De Cive* and Hobbes divides the work's new part into a trio of chapters on divine government by nature, the old covenant and the new covenant. But the frame is then abandoned in *Leviathan*, as illustrated by the amalgamation of separate discussions in *De Cive* of Old and New Testament material on the 'word of God' (16.11 and 17.15–18) into a single chapter in *Leviathan*, 'Of the Word of God, and of Prophets' (36).

Those *De Cive* chapters – 16 and 17 – are involved in the most pronounced case of bricolage in the entire theory. Expanded from one chapter (26) in the *Elements*, the two *De Cive* chapters come to be paralleled by paragraph blocks in no fewer than six *Leviathan* chapters – 35 and 36, and 39 through 42. Yet in the next chapter, complicated reorganization abruptly gives way to straightforward reproduction. Here, in what is the final chapter in Part III in both the later works, the text is carried forward essentially intact from *The Elements of Law* (ch. 25) through *De Cive* (ch. 18) and *Leviathan* (ch. 43).

²⁸ Hobbes, 'The Order,' *Elements of Law*, xiv.

EDITOR'S INTRODUCTION

What explains *Leviathan's* complex textual history, both in this case and generally? The fundamental purpose of a combined edition is to supply the material basis for asking this and many such questions about Hobbes's political theory. In a combined presentation, evidence can be found for enquiries large and small; enquiries pertaining to Hobbes's intentions or to what was on his desk when he composed *Leviathan*; in general, enquiries into many puzzling features of this complicated project.

Acknowledgements

I have many people to thank for their help on this project. The foremost are two who worked on the digitalized texts at different stages: Courtney Paige Smith and David Estrin. The project traces back to a graduate course with Michael Walzer, who taught me to study Hobbes's political theory by comparing arguments across multiple texts. From early on, John Dunn understood my absorption in Hobbes studies and, most importantly, endorsed taking a political approach to the subject. Istvan Hont encouraged the development of the triple-text project, while Ted Miller has made stellar recommendations at multiple stages along the way. Ted, Robin Douglass and Daniel Kapust read and gave expert advice on the final manuscript; comments by Adrian Blau contributed to its final shape. For help with various aspects of the work, I also want to thank Dan Andersen, Leonard Feldman, Ryan Harding, Suzanne Heeg, Burke Hendrix, Forrest Nabors and Malcolm Wilson. They could not save me from editorial errors, but they surely cut down the number. The project received funding from the Colligan Family Faculty Fellowship Fund and the Oregon Humanities Center.

The team at Cambridge University Press – including Rebecca Taylor, Elizabeth Friend-Smith, Emma Collison, Lilian Dogiama and Julene Knox, under the leadership of David Runciman – made the publication process smoother than I would have imagined possible. I am grateful for the expertise and precision with which they undertook an exacting project.

I would like to dedicate this edition to my son, Daniel.

Note on the texts

The volume is based on standard editions of the three works: the Tönnies edition of *The Elements of Law* (1889); the Molesworth edition of *Philosophical Rudiments concerning Government and Society* (*The English Works of Thomas Hobbes of Malmesbury*, vol. II, 1841); and the 1904 Cambridge University Press edition of *Leviathan*, edited by A. R. Waller. Tönnies's edition was based on comparison of six manuscript copies.¹ *Philosophical Rudiments* – which, following common practice, I refer to by its title in the Latin original, 'De Cive' – is based on a 1651 translation by 'C. C.'² The Waller edition of *Leviathan* is reprinted from an original issue of the work.³

The Elements of Law and *De Cive* appear in full but for their dedicatory epistles and the preface to the 1647 second edition of *De Cive*. In the case of *Leviathan*, this edition's text is limited to portions that have a parallel in one or both earlier works.⁴ The several texts are printed side by side in omnibus chapters that are organized to show the parallels between and within them. Prefacing each omnibus chapter is a précis table that summarizes the content and organization of the texts. These are original précis that appear as paragraph headings at the start of chapters in *The Elements of Law* and *De Cive* and as margin notes in *Leviathan*.⁵ Thus, in each omnibus chapter, the précis and the text are simply two versions, shorter and longer, of the same material. As an aid to research, the précis are reprinted altogether in an Appendix, where they are expanded to include in entirety the margin notes of all chapters in the edition, including margin notes for new material in *Leviathan*. In the case of wholly unique chapters in Part III and the new Part IV, the Appendix gives the titles.

The source editions differ in the extent of their modernization of Hobbes's prose. In order to avoid adding a layer of editorial intervention, I have not attempted to standardize them (hence, for example, I follow their different practices in the capitalization of terms and titles). In any case, the parallel presentation counteracts the possibility of distortions due to modernized language in the editions of *The Elements of Law* and *De Cive* and the translation of the latter. Serial

¹ These were the Harl. 4235, Harl. 4236, Egert. 2005, Harl. 6858, Harl. 1325 and a copy in the Hardwick papers (Ferdinand Tönnies, 'The Editor's Preface' in Hobbes, *Elements of Law*, viii–ix).

² For C. C.'s identity, see Noel Malcolm, 'Charles Cotton, Translator of Hobbes's *De cive*', *Huntington Library Quarterly* 61 (2000); reprinted in *Aspects of Hobbes* (Oxford: Oxford University Press, 2002), 234–58.

³ A. R. Waller, 'Note' in Thomas Hobbes, *Leviathan or the Matter, Forme & Power of a Commonwealth, Ecclesiasticall and Civill* (Cambridge: Cambridge University Press, 1904), vi.

⁴ In a handful of instances, paragraphs from novel chapters are excerpted in the text.

⁵ In cases in which sets of paragraphs lack accompanying substantive précis, their numbers are grouped in a single reference ('x–y'). These sequences occur most frequently in connection with new material in *Leviathan*. In reverse situations – of multiple headings for a single paragraph – the several headings are shown divided by semi-colons. Note that margin citations to Bible passages in *Leviathan* appear in their original position next to the text.

composition is helpful in this regard because multiple texts offer an additional source, separate from reconstructing definitive language in discrete texts, for understanding meaning. By taking advantage of the composition process, a parallel presentation can yield a plain sense of ideas that are conveyed with some variation between several texts. We are fortunate, in this regard, that in Hobbes's case there are frequently three parallel texts to compare. Although this edition is not intended to provide a definitive rendering of the separate texts, small errors in the source editions have been silently corrected.

In order to facilitate the parallel presentation, the following editorial interventions have been made in the texts. They are largely transparent and the original text easily reconstructed. First, following Howard Warrender's suggestion, chapters in *The Elements of Law* are numbered continuously (whereas in the Tönnies edition they are numbered separately in the first and second parts).⁶ Second, in accord with the existing formatting of *The Elements of Law* and *De Cive*, I have introduced paragraph numbering in *Leviathan*.⁷ Third, Hobbes's unit of composition commonly being a group of paragraphs on a single subject, paragraph groups appear together in single cells. Although the divisions are a matter of editorial judgment, they are easy to erase away in a reader's mind.

Fourth, in order to handle the reorganization of material between the several versions, the default is the organization – both the sequence of chapters and of paragraphs within them – of *The Elements of Law* or *De Cive*, whichever provides the simpler template in the immediate instance. When, in consequence, parallel material in the other work(s) appears out of sequence, the material is numbered in bold print. By extension, bolding is also used to identify paragraphs that have been moved between different chapters and to identify isolated paragraphs in *Leviathan* that echo material in the earlier versions. Internal references to material elsewhere in the text include chapter and paragraph numbers; within chapters, cross-referenced paragraphs are denoted with a ¶ symbol.

Finally, the most important editorial intervention lies in the identification of textual parallels. I have employed the conservative principle of requiring a concrete parallel in subject matter, argument or example. It is not sufficient for material to be generally similar in subject or argument but lacking some concrete, specific duplication.

Material is sometimes carried over from one work to the next virtually verbatim, such as in the chapters on 'other' laws of nature, which were discussed previously. In other cases, paragraphs differ in argument but plainly have the same *specific* topic. For example, see the parallel chapters on the 'causes of rebellion' (chs. 27, 12 and 29). In the first paragraph of the *Elements*' chapter, the causes are said to be three – discontent, pretence of right and hope of success; in *De Cive*'s version, there are still said to be a trio of causes, but the trio is identified differently – as

⁶ Howard Warrender, 'Editor's Introduction', *De Cive: The English Version entitled in the first edition Philosophicall Rudiments Concerning Government and Society* by Thomas Hobbes (Oxford: Clarendon Press, 1983), 10 n. 4.

⁷ This is also done in the Hackett edition: Edwin Curley, ed., *Leviathan, with selected variants from the Latin edition of 1668* (Indianapolis, IN: Hackett, 1994).

doctrines and passions contrary to peace, leadership and the formation of factions. In *Leviathan*, the chapter opens with five new paragraphs on the subject of ‘imperfect Institution’, after which Hobbes takes up the single erroneous doctrine on which the second version had concentrated – the doctrine that individuals may judge good and evil for themselves (§6).

Passages also qualify as parallel when the same concrete example or story is reproduced, with similar moral. Those same chapters relate the story of Pelias, a king of Thessaly, who in old age was cut up and boiled by his daughters, at the behest of Medea, in the hope of restoring his youth. The moral evolves in continuous fashion from the *Elements*, where it concerns the dangerous mix of ‘eloquence and want of judgment’ (§15), through *De Cive*, which adds explicit comparison of the common people with the daughters of Pelias (§13), to *Leviathan*, which concentrates on those disobedient subjects (§7).

Two kinds of footnotes are employed. Annotations that were added by Hobbes to the second (1647) edition of *De Cive* are marked, as they appear in the Molesworth edition, with a *. Second, numbered footnotes are inserted when needed to direct the reader to related parts of the text. Also, in a limited number of instances related material is identified within the text by chapter and paragraph number (e.g., ‘See 1.1’ or ‘Cf. 1.1’), but I have largely resisted interpretive intervention along those lines.

For comparison with the identification of parallel material in the present edition, readers may wish to consult related presentations. Noel Malcolm’s edition of *Leviathan* in the Clarendon Series (2012) presents the English and Latin texts on facing pages; Curley’s edition for Hackett gives Latin variations in notes. In Howard Warrender’s texts of the Latin and English *De Cives* (1983), marginal references are given to parallel sections in the other treatises, although Warrender’s criteria for identifying parallels are less conservative than those employed here. The Oxford edition of *The Elements of Law* (edited by J. C. A. Gaskin, 1994) includes a chart broadly comparing the chapters in the several treatises. Narrative comparisons can be found in the introduction to the edition of *Leviathan* edited by G. A. J. Rogers and Karl Schuhmann (Bristol: Thoemmes Continuum, 2003) and in Schuhmann’s, ‘*Leviathan and De Cive*’, (in *Leviathan After 350 Years*, eds. Tom Sorell and Luc Foisneau (Oxford: Clarendon, 2004), 13–32).

THE TEXTS

CHAPTER 1

Chapter 1 of *The Elements of Law*

Précis table

Part 1. Concerning men as persons natural

Chapter 1. The general division of man's natural faculties

- 1, 2, 3. Preface
 4. Man's nature
 5. Division of his faculties
 6. Faculties of the body
 7. Faculties of the mind
 8. Power cognitive, conceptions and imagery of the mind
-

Part 1. Concerning men as persons natural

Chapter 1. The general division of man's natural faculties

1. THE true and perspicuous explication of the elements of laws, natural and politic, which is my present scope, dependeth upon the knowledge of what is human nature, what is a body politic, and what it is we call a law. Concerning which points, as the writings of men from antiquity downward have still increased, so also have the doubts and controversies concerning the same. And seeing that true knowledge begetteth not doubt nor controversy, but knowledge; it is manifest from the present controversies, that they which have heretofore written thereof, have not well understood their own subject.

2. Harm I can do none, though I err no less than they. For I shall leave men but as they are, in doubt and dispute. But intending not to take any principle upon trust, but only to put men in mind of what they know already, or may know by their own experience, I hope to err the less; and when I do, it must proceed from too hasty concluding, which I will endeavour as much as I can to avoid.

3. On the other side, if reasoning aright I win not consent (which may very easily happen) from them that being confident of their own knowledge weigh not what is said, the fault is not mine but theirs. For as it is my part to show my reasons, so it is theirs to bring attention.

4. Man's nature is the sum of his natural faculties and powers, as the faculties of nutrition, motion, generation, sense, reason, &c. For these powers we do unanimously call natural, and are contained in the definition of man, under these words, animal and rational.

5. According to the two principal parts of man, I divide his faculties into two sorts, faculties of the body, and faculties of the mind.

6. Since the minute and distinct anatomy of the powers of the body is nothing necessary to the present purpose, I will only sum them up into these three heads, power nutritive, power motive, and power generative.

7. Of the powers of the mind there be two sorts, cognitive or imaginative or conceptive; and motive. And first of the cognitive.

8. For the understanding of what I mean by the power cognitive, we must remember and acknowledge that there be in our minds continually certain images or conceptions of the things without us, insomuch that if a man could be alive, and all the rest of the world annihilated, he should nevertheless retain the image thereof, and of all those things which he had before seen and perceived in it; every man by his own experience knowing that the absence or destruction of things once imagined, doth not cause the absence or destruction of the imagination itself. This imagery and representations of the qualities of things without us is that we call our cognition, imagination, ideas, notice, conception, or knowledge of them. And the faculty, or power, by which we are capable of such knowledge, is that I here call power cognitive, or conceptive, the power of knowing or conceiving.

CHAPTER 2

Chapter 2 of *The Elements of Law* /
Chapter 1 of *Leviathan*

Précis table

Part I. Concerning men as persons natural	Part I. OF MAN
	<i>THE INTRODUCTION</i>
Chapter 2. The cause of sense	Chapter 1. Of SENSE
1.	1.
2. Definition of sense	2.
	3.
3.	
4. Four propositions concerning the nature of conceptions	
5. The first proved	
6. The second proved	
7, 8. The third proved	
9. The fourth proved	4.
10. The main deception of sense	
	5.

Part I. Concerning men as persons natural

Chapter 2. The cause of sense

1. HAVING declared what I mean by the word conception, and other words equivalent thereunto, I come to the conceptions themselves, to show their difference, their causes, and the manner of their production as far as is necessary for this place.

2. Originally all conceptions proceed from the actions of the thing itself, whereof it is the conception. Now when the action is present, the conception it produceth is called SENSE, and the thing by whose action the same is produced is called the OBJECT of sense.

Part I. OF MAN

Chapter 1. Of SENSE

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

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

3. To know the naturall cause of Sense, is not very necessary to the business now in hand; and I have else-where written of the same at large. Nevertheless, to fill each part of my present method, I will briefly deliver the same in this place.

3. By our several organs we have several conceptions of several qualities in the objects; for by sight we have a conception or image composed of colour or figure, which is all the notice and knowledge the object imparteth to us of its nature by the eye. By hearing we have a conception called sound, which is all the knowledge we have of the quality of the object from the ear. And so the rest of the senses also are conceptions of several qualities, or natures of their objects.

4. Because the image in vision consisting in colour and shape is the knowledge we have of the qualities of the object of that sense; it is no hard matter for a man to fall into this opinion, that the same colour and shape are the very qualities themselves; and for the same cause, that sound and noise are the qualities of the bell, or of the air. And this opinion hath been so long received, that the contrary must needs appear a great paradox; and yet the introduction of species visible and intelligible (which is necessary for the maintenance of that opinion) passing to and fro from the object, is worse than any paradox, as being a plain impossibility. I shall therefore endeavour to make plain these four points:

(1) That the subject wherein colour and image are inherent, is not the object or thing seen.

(2) That that is nothing without us really which we call an image or colour.

(3) That the said image or colour is but an apparition unto us of that motion, agitation, or alteration, which the object worketh in the brain or spirits, or some internal substance of the head.

(4) That as in conception by vision, so also in the conceptions that arise from other senses, the subject of their inherence is not the object, but the sentient.

5. Every man hath so much experience as to have seen the sun and other visible objects by reflection in the water and in glasses, and this alone is sufficient for this conclusion: that colour and image may be there where the thing seen is not. But because it may be said that notwithstanding the image in the water be not in the object, but a thing merely phantastical, yet there may be colour really in the thing itself; I will urge further this experience: that divers times men see directly the same object double, as two candles for one, which may happen by distemper, or otherwise without distemper if a man will, the organs being either in their right temper, or equally distempered. The colours and figures in two such images of the same thing cannot be inherent both therein, because the thing seen cannot be in two places: one of these images therefore is not inherent in the object. But seeing the organs of sight are then in equal temper or equal distemper, the one of them is no more inherent than the other, and consequently neither of them both are in the object; which is the first proposition mentioned in the precedent section.

6. Secondly, that the image of any thing seen by reflection in glass or water or the like, is not any thing in or behind the glass, or in or under the water, every man may prove to himself; which is the second proposition.

7. For the third, we are to consider first, that upon every great agitation or concussion of the brain, as it happeneth from a stroke, especially if the stroke be upon the eye, whereby the optic nerve suffereth any great violence, there appeareth before the eyes a certain light, which light is nothing without, but an apparition only, all that is real being the concussion or motion of the parts of that nerve. From which experience we may conclude, that apparition of light without, is really nothing but motion within. If therefore from lucid bodies there can be derived motion, so as to affect the optic nerve in such manner as is proper thereunto, there will follow an image of light somewhere in that line by which the motion was last derived unto the eye; that is to say, in the object, if we look directly on it, and in the glass or water, when we look upon it in the line of reflection, which in effect is the third proposition, namely, That image and colour is but an apparition unto us of that motion, agitation, or alteration, which the object worketh in the brain, or spirits, or some internal substance in the head.

8. But that from all lucid, shining and illuminated bodies, there is a motion produced to the eye, and, through the eye, to the optic nerve, and so into the brain, by which that apparition of light or colour is effected, is not hard to prove. And first, it is evident that the fire, the only lucid body here on earth, worketh by motion equally every way; insomuch as the motion thereof stopped or inclosed, it is presently extinguished, and no more fire. And farther, that that motion, whereby the fire worketh, is dilatation, and contraction of itself alternately, commonly called scintillation or glowing, is manifest also by experience. From such motion in the fire must needs arise a rejection or casting from itself of that part of the medium which is contiguous to it, whereby that part also rejecteth the next, and so successively one part beateth back the other to the very eye; and in the same manner the exterior part of the eye (the laws of refraction still observed) presseth the interior. Now the interior coat of the eye is nothing else but a piece of the optic nerve, and therefore the motion is still continued thereby into the brain, and by resistance or reaction of the brain, is also a rebound in the optic nerve again, which we not conceiving as motion or rebound from within, think it is without, and call it light; as hath been already shewed by the experience of a stroke. We have no reason to doubt, that the fountain of light, the sun, worketh any other wise than the fire, at least in this matter, and thus all vision hath its original from such motion as is here described.

For where there is no light, there is no sight; and therefore colour also must be the same thing with light, as being the effect of lucid bodies: their difference being only this, that when the light cometh directly from the fountain to the eye, or indirectly by reflection from clean and polite bodies, and such as have no particular motion internal to alter it, we call it light. But when it cometh to the eyes by reflection from uneven, rough, and coarse bodies, or such as are affected with internal motion of their own, that may alter it, then we call it colour; colour and light differing only in this, that the one is pure, the other a perturbed light. By that which hath been said, not only the truth of the third proposition, but also the whole manner of producing light and colour, is apparent.

9. As colour is not inherent in the object, but an effect thereof upon us, caused by such motion in the object, as hath been described: so neither is sound in the thing we hear, but in ourselves. One manifest sign thereof is: that as a man may see, so also he may hear double or treble, by multiplication of echoes, which echoes are sounds as well as the original; and not being in one and the same place, cannot be inherent in the body that maketh them. Nothing can make any thing in itself: the clapper hath not sound in it, but motion, and maketh motion in the internal parts of the bell; so the bell hath motion, and not sound. That imparteth motion to the air; and the air hath motion, but not sound. The air imparteth motion by the ear and nerves to the brain; and the brain hath motion but not sound. From the brain it reboundeth back into the nerves outward, and thence it becometh an apparition without, which we call sound. And to proceed to the rest of the senses, it is apparent enough, that the smell and taste of the same thing, are not the same to every man, and therefore are not in the thing smelt or tasted, but in the men. So likewise the heat we feel from the fire is manifestly in us, and is quite different from the heat that is in the fire. For our heat is pleasure or pain, according as it is extreme or moderate; but in the coal there is no such thing. By this the fourth and last of the propositions is proved (*viz.*) That as in conception by vision, so also in the conceptions that arise from other senses, the subject of their inherence is not the object, but the sentient.

4. The cause of Sense, is the Externall Body, or Object, which presseth the organ proper to each Sense, either immediatly, as in the Tast and Touch; or mediately, as in Seeing, Hearing, and Smelling: which pressure, by the mediation of Nerves, and other strings, and membranes of the body, continued inwards to the Brain, and Heart, causeth there a resistance, or counter-pressure, or endeavour of the heart, to deliver it self: which endeavour because *Outward*, seemeth to be some matter without. And this *seeming*, or *fancy*, is that which men call *Sense*; and consisteth, as to the Eye, in a *Light*, or *Colour figured*; To the Eare, in a *Sound*; To the Nostrill, in an *Odour*; To the Tongue and Palat, in a *Savour*; And to the rest of the body, in *Heat*, *Cold*, *Hardnesse*, *Softnesse*, and such other qualities, as we discern by *Feeling*. All which qualities called *Sensible*, are in the object that causeth them, but so many several motions of the matter, by which it presseth our organs diversly. Neither in us that are pressed, are they anything else, but divers motions; (for motion, produceth nothing but motion.) But their apparence to us is *Fancy*, the same waking, that dreaming. And as pressing, rubbing, or striking the Eye, makes us fancy a light; and pressing the Eare, produceth a dinne; so do the bodies also we see, or hear, produce the same by their strong, though unobserved action, For if those Colours, and Sounds, were in the Bodies, or Objects that cause them, they could not bee severed from them, as by glasses, and in Ecchoes by reflection, wee see they are; where we know the thing we see, is in one place; the apparence, in another. And though at some certain distance, the reall, and very object seem invested with the fancy it begets in us; Yet still the object is one thing, the image or fancy is another. So that Sense in all cases, is nothing els but originall fancy, caused (as I have said) by the pressure, that is, by the motion, of externall things upon our Eyes, Eares, and other organs thereunto ordained.

10. And from thence also it followeth, that whatsoever accidents or qualities our senses make us think there be in the world, they are not there, but are seemings and apparitions only. The things that really are in the world without us, are those motions by which these seemings are caused. And this is the great deception of sense, which also is by sense to be corrected. For as sense telleth me, when I see directly, that the colour seemeth to be in the object; so also sense telleth me, when I see by reflection, that colour is not in the object.

5. But the Philosophy-schooles, through all the Universities of Christendome, grounded upon certain Texts of *Aristotle*, teach another doctrine; and say, For the cause of *Vision*, that the thing seen, sendeth forth on every side a *visible species* (in English) a *visible shew*, *apparition*, or *aspect*, or a *being seen*; the receiving whereof into the Eye, is *Seeing*. And for the cause of *Hearing*, that the thing heard, sendeth forth an *Audible species*, that is, an *Audible Aspect*, or *Audible being seen*; which entring at the Eare, maketh *Hearing*. Nay for the cause of *Understanding* also, they say the thing Understood sendeth forth *intelligible species*, that is, an *intelligible being seen*; which comming into the Understanding, makes us Understand. I say not this, as disapproving the use of Universities: but because I am to speak hereafter of their office in a Common-wealth, I must let you see on all occasions by the way, what things would be amended in them; amongst which the frequency of insignificant Speech is one.

CHAPTER 3

Chapter 3 of *The Elements of Law* / Chapter 2 of *Leviathan*

Précis table

Part I. Concerning men as persons natural	Part I. OF MAN
Chapter 3. Of imagination and the kinds thereof	Chapter 2. Of IMAGINATION
	1.
1. Imagination defined	2.
	3. Memory
2. Sleep and dreams defined	5. Dreams
3. Causes of dreams	6.
4. Fiction defined	4.
5. Phantasms defined	
6. Remembrance defined	See 3.5
7. Wherein remembrance consisteth	
8. Why in a dream a man never thinks he dreams	7. Apparitions or Visions
9. Why few things seem strange in dreams	
10. That a dream may be taken for reality and vision	
	8–9.
	10. Understanding

Part I. Concerning men as persons natural
Chapter 3. Of imagination and the kinds thereof

Part I. OF MAN
Chapter 2. Of IMAGINATION

1. THAT when a thing lies still, unlesse somewhat els stirre it, it will lye still for ever, is a truth that no man doubts of. But that when a thing is in motion, it will eternally be in motion, unless somewhat els stay it, though the reason be the same, (namely, that nothing can change it selfe,) is not so easily as-sented to. For men measure, not onely other men, but all other things, by themselves: and because they find themselves subject after motion to pain, and lassitude, think every thing els growes weary of motion, and seeks repose of its own accord; little considering, whether it be not some other motion, wherein that desire of rest they find in themselves, consisteth. From hence it is, that the Schooles say, Heavy bodies fall downwards, out of an appetite to rest, and to conserve their

1. As standing water put into motion by the stroke of a stone, or blast of wind, doth not presently give over moving as soon as the wind ceaseth, or the stone settleth: so neither doth the effect cease which the object hath wrought upon the brain, so soon as ever by turning aside of the organ the object ceaseth to work; that is to say, though the sense be past, the image or conception remaineth; but more obscurely while we are awake, because some object or other continually plieth and soliciteth our eyes, and ears, keeping the mind in a stronger motion, whereby the weaker doth not easily appear. And this obscure conception is that we call PHANTASY or IMAGINATION: imagination being (to define it) conception remaining, and by little and little decaying from and after the act of sense.

nature in that place which is most proper for them; ascribing appetite, and Knowledge of what is good for their conservation, (which is more than man has) to things inanimate absurdly.

2. When a Body is once in motion, it moveth (unless something els hinder it) eternally; and whatsoever hindreth it, cannot in an instant, but in time, and by degrees quite extinguish it: And as wee see in the water, though the wind cease, the waves give not over rowling for a long time after; so also it happeneth in that motion, which is made in the internall parts of a man, then, when he Sees, Dreams, &c. For after the object is removed, or the eye shut, wee still retain an image of the thing seen, though more obscure than when we see it. And this is it, that Latines call *Imagination*, from the image made in seeing; and apply the same, though improperly, to all the other senses. But the Greeks call it *Fancy*; which signifies *appareance*, and is as proper to one sense, as to another. IMAGINATION therefore is nothing but *decaying sense*; and is found in men, and many other living Creatures, as well sleeping, as waking.

3. The decay of Sense in men waking, is not the decay of the motion made in sense; but an obscuring of it, in such manner, as the light of the Sun obscureth the light of the Starres; which starrs do no less exercise their vertue by which they are visible, in the day, than in the night. But because amongst many stroaks, which our eyes, eares, and other organs receive from externall bodies, the predominant onely is sensible; therefore the light of the Sun being predominant, we are not affected with the action of the starrs. And any object being removed from our eyes, though the impression it made in us remain; yet other objects more present succeeding, and working on us, the Imagination of the past is obscured, and made weak; as the voyce of a man is in the noyse of the day. From whence it followeth, that the longer the time is, after the sight, or Sense of any object, the weaker is the Imagination. For the continuall change of mans body, destroyes in time the parts which in sense were moved: So that the distance of time, and of place, hath one and the same effect in us. For as at a distance of place, that which wee look at, appears dimme, and without distinction of the smaller parts; and as Voyces grow weak, and inarticulate: so also after great distance of time, our imagination of the Past is weak; and wee lose (for example) of Cities wee have seen, many particular Streets; and of Actions, many particular Circumstances. This *decaying sense*, when wee would express the thing it self, (I mean *fancy* it selfe,) wee call *Imagination*, as I said before; But when we would express the *decay*, and signifie that the Sense is fading, old, and past, it is called *Memory*. So that *Imagination* and *Memory*, are but one thing, which for divers considerations hath divers names.

2. But when present sense is not, as in SLEEP, there the images remaining after sense (when there be any) as in dreams, are not obscure, but strong and clear, as in sense itself. The reason is, because that which obscured and made the conceptions weak, namely sense, and present operation of the objects, is removed. For sleep is the privation of the act of sense, (the power remaining) and dreams are the imaginations of them that sleep.

3. The causes of DREAMS (if they be natural) are the actions or violence of the inward parts of a man upon his brain, by which the passages of sense, by sleep benumbed, are restored to their motion. The signs by which this appeareth to be so, are the differences of dreams proceeding from the different accidents of man's body. Old men being commonly less healthful and less free from inward pains, are thereby more subject to dreams, especially such dreams as be painful: as dreams of lust, or dreams of anger, according as the heart, or other parts within, work more or less upon the brain, by more or less heat. So also the descent of different sorts of phlegm maketh one to dream of different tastes of meats or drinks. And I believe there is a reciprocation of motion from the brain to the vital parts, and back from the vital parts to the brain; whereby not only imagination begetteth motion in those parts; but also motion in those parts begetteth imagination like to that by which it was begotten. If this be true, and that sad imaginations nourish the spleen, then we see also a cause, why a strong spleen reciprocally causeth fearful dreams. And why the effects of lasciviousness may in a dream produce the image of some person that hath caused them. If it were well observed, whether the image of the person in a dream be as obedient to the accidental heat of him that dreameth, as waking his heat is to the person, and if so, then is such motion reciprocal. Another sign that dreams are caused by the action of the inward parts, is the disorder and casual consequence of one conception or image to another: for when we are waking, the antecedent thought or conception introduceth, and is cause of the consequent, as the water followeth a man's finger upon a dry and level table. But in dreams there is commonly no coherence (and when there is, it is by chance), which must proceed from this, that the brain in dreams is not restored to its motion in every part alike; whereby it cometh to pass, that our thoughts appear like the stars between the flying clouds, not in the order which a man would choose to observe them in, but as the uncertain flight of broken clouds permit.

5. The imaginations of them that sleep, are those we call *Dreams*. And these also (as all other Imaginations) have been before, either totally, or by parcells in the Sense. And because in sense, the Brain, and Nerves, which are the necessary Organs of sense, are so benumbed in sleep, as not easily to be moved by the action of Externall Objects, there can happen in sleep, no Imagination; and therefore no Dreame, but what proceeds from the agitation of the inward parts of mans body; which inward parts, for the connexion they have with the Brayn, and other Organs, when they be distempered, do keep the same in motion; whereby the Imaginations there formerly made, appeare as if a man were waking; saving that the Organs of Sense being now benumbed, so as there is no new object, which can master and obscure them with a more vigorous impression, a Dreame must needs be more cleare, in this silence of sense, than are our waking thoughts. And hence it cometh to passe, that it is a hard matter, and by many thought impossible to distinguish exactly between Sense and Dreaming. For my part, when I consider, that in Dreames, I do not often, nor constantly think of the same Persons, Places, Objects, and Actions that I do waking; nor remember so long a trayne of coherent thoughts, Dreaming, as at other times; And because waking I often observe the absurdity of Dreames, but never dream of the absurdities of my waking Thoughts; I am well satisfied, that being awake, I know I dreame not; though when I dreame, I think my selfe awake.

6. And seeing dreames are caused by the distemper of some of the inward parts of the Body; divers distempers must needs cause different Dreams. And hence it is, that lying cold breedeth Dreams of Feare, and raiseth the thought and Image of some fearfull object (the motion from the brain to the inner parts, and from the inner parts to the Brain being reciprocally:) And that as Anger causeth heat in some parts of the Body, when we are awake; so when we sleep, the overheating of the same parts causeth Anger, and raiseth up in the brain the Imagination of an Enemy. In the same manner; as naturall kindness, when we are awake causeth desire; and desire makes heat in certain other parts of the body; so also, too much heat in those parts, while wee sleep, raiseth in the brain an imagination of some kindness shewn. In summe, our Dreams are the reverse of our waking Imaginations; The motion when we are awake, beginning at one end; and when we Dream, at another.

4. As when the water, or any liquid thing moved at once by divers movements, receiveth one motion compounded of them all; so also the brain or spirits therein, having been stirred by divers objects, composeth an imagination of divers conceptions that appeared singly to the sense. As for example, the sense sheweth us at one time the figure of a mountain, and at another time the colour of gold; but the imagination afterwards hath them both at once in a golden mountain. From the same cause it is, there appear unto us castles in the air, chimeras, and other monsters which are not in *rerum natura*, but have been conceived by the sense in pieces at several times. And this composition is that which we commonly call FICTION of the mind.

5. There is yet another kind of imagination, which for clearness contendeth with sense, as well as a dream; and that is, when the action of sense hath been long or vehement: and the experience thereof is more frequent in the sense of seeing, than the rest. An example whereof is, the image remaining before the eye after a steadfast looking upon the sun. Also, those little images that appear before the eyes in the dark (whereof I think every man hath experience, but they most of all, that are timorous or superstitious) are examples of the same, And these, for distinction-sake, may be called PHANTASMS.

6. By the senses (which are numbered according to the organs to be five) we take notice (as hath been said already) of the objects without us; and that notice is our conception thereof: but we take notice also some way or other of our conceptions. For when the conception of the same thing cometh again, we take notice that it is again; that is to say, that we have had the same conception before; which is as much as to imagine a thing past; which is impossible to sense, which is only of things present. This therefore may be accounted a sixth sense, but internal, not external, as the rest, and is commonly called REMEMBRANCE.

7. For the manner by which we take notice of a conception past, we are to remember, that in the definition of imagination, it is said to be a conception by little and little decaying, or growing more obscure. An obscure conception is that which representeth the whole object together, but none of the smaller parts by themselves; and as more or fewer parts be represented, so is the conception or representation said to be more or less clear. Seeing then the conception, which when it was first produced by sense, was clear, and represented the parts of the object distinctly; and when it cometh again is obscure, we find missing somewhat that we expected; by which we judge it past and decayed. For example, a man that is present in a foreign city, seeth not only whole streets, but can also distinguish particular houses, and

4. Much memory, or memory of many things, is called *Experience*. Again, Imagination being only of those things which have been formerly perceived by Sense, either all at once, or by parts at severall times; The former, (which is the imagining the whole object, as it was presented to the sense) is *simple Imagination*; as when one imagineth a man, or horse, which he hath seen before. The other is *Compounded*; as when from the sight of a man at one time, and of a horse at another, we conceive in our mind a Centaure. So when a man compoundeth the image of his own person, with the image of the actions of an other man; as when a man imagins himselfe a *Hercules*, or an *Alexander*, (which happeneth often to them that are much taken with reading of Romants) it is a compound imagination, and properly but a Fiction of the mind. There be also other Imaginations that rise in men, (though waking) from the great impression made in sense: As from gazing upon the Sun, the impression leaves an image of the Sun before our eyes a long time after; and from being long and vehemently attent upon Geometricall Figures, a man shall in the dark, (though awake) have the Images of Lines, and Angles before his eyes: which kind of Fancy hath no particular name; as being a thing that doth not commonly fall into mens discourse.

See 3.5

parts of houses; departed thence, he cannot distinguish them so particularly in his mind as he did, some house or turning escaping him; yet is this to remember the city; when afterwards there escapeth him more particulars, this is also to remember, but not so well. In process of time, the image of the city returneth, but as of a mass of building only, which is almost to have forgotten it. Seeing then remembrance is more or less, as we find more or less obscurity, why may not we well think remembrance to be nothing else but the missing of parts, which every man expecteth should succeed after they have a conception of the whole? To see at great distance of place, and to remember at great distance of time, is to have like conceptions of the thing: for there wanteth distinction of parts in both; the one conception being weak by operation at distance, the other by decay.

8. And from this that hath been said, there followeth, that a man can never know he dreameth; he may dream he doubteth, whether it be a DREAM or no: but the clearness of the imagination representeth every thing with as many parts as doth sense itself, and consequently, he can take notice of nothing but as present; whereas to think he dreameth, is to think those his conceptions past, that is to say, obscurer than they were in the sense: so that he must think them both as clear, and not as clear as sense; which is impossible.

9. From the same ground it proceedeth, that men wonder not in their dreams at places and persons, as they would do waking: for waking, a man would think it strange to be in a place wherein he never was before, and remember nothing of how he came there. But in a dream, there cometh little of that kind into consideration. The clearness of conception in a dream, taketh away distrust, unless the strangeness be excessive, as to think himself fallen from on high without hurt, and then most commonly he awaketh.

10. Nor is it impossible for a man to be so far deceived, as when his dream is past, to think it real: for if he dream of such things as are ordinarily in his mind, and in such order as he useth to do waking, and withal that he laid him down to sleep in the place where he findeth himself when he awaketh (all which may happen) I know no κριτήριον or mark by which he can discern whether it were a dream or not, and do therefore the less wonder to hear a man sometimes to tell his dream for a truth, or to take it for a vision.

7. The most difficult discerning of a mans Dream, from his waking thoughts, is then, when by some accident we observe not that we have slept: which is easie to happen to a man full of fearfull thoughts; and whose conscience is much troubled; and that sleepeth, without the circumstances, of going to bed, or putting off his clothes, as one that noddeth in a chayre. For he that taketh pains, and industriously layes himself to sleep, in case any uncouth and exorbitant fancy come unto him, cannot easily think it other than a Dream. We read of *Marcus Brutus*, (one that had his life given him by *Julius Cæsar*, and was also his favorite, and notwithstanding murdered him,) how at *Philippi*, the night before he gave battell to *Augustus Caesar*, hee saw a fearfull apparition, which is commonly related by Historians as a Vision: but considering the circumstances, one may easily judge to have been but a short Dream. For sitting in his tent, pensive and troubled with the horreur of his rash act, it was not hard for him, slumbering in the cold, to dream of that which most affrighted him; which feare, as by degrees it made him wake; so also it must needs make the Apparition by degrees to vanish: And having no assurance that he slept, he could have no cause to think it a Dream, or any thing but a Vision. And this is no very rare Accident: for even they that be perfectly awake, if they be timorous, and superstitious, possessed with fearfull tales, and alone in the dark, are subject to the like fancies, and believe they see spirits and dead mens Ghosts walking in Church-yards; whereas it is either their Fancy onely, or els the knavery of such persons, as make use of such superstitious feare, to passe disguised in the night, to places they would not be known to haunt.

8. From this ignorance of how to distinguish Dreams, and other strong Fancies, from Vision and Sense, did arise the greatest part of the Religion of the Gentiles in time past, that worshipped Satyres, Fawnes, Nymphs, and the like; and now adays the opinion that rude people have of Fayries, Ghosts, and Goblins; and of the power of Witches. For as for Witches, I think not that their witchcraft is any reall power; but yet that they are justly punished, for the false beliefe they have, that they can do such mischiefe, joyned with their purpose to do it if they can: their trade being neerer to a new Religion, than to a Craft or Science. And for Fayries, and walking Ghosts, the opinion of them has I think been on purpose, either taught, or not confuted, to keep in credit the use of Exorcisme, of Crosses, of holy Water, and other such inventions of Ghostly men. Neverthelesse, there is no doubt, but God can make unnaturall Apparitions: But that he does it so often, as men need to feare such things, more than they feare the stay, or change, of the course of Nature, which he also can stay, and change, is no point of Christian faith. But evill men under pretext that God can do any thing, are so bold as to say any thing when it serves their turn, though they think it untrue; It is the part of a wise man, to believe them no further, than right reason makes that which they say, appear credible. If this superstitious fear of Spirits were taken away, and with it, Prognostiques from Dreams, false Prophecies, and many other things depending thereon, by which crafty ambitious persons abuse the simple people, men would be much more fitted than they are for civill Obedience.

9. And this ought to be the work of the Schooles: but they rather nourish such doctrine. For (not knowing what Imagination, or the Senses are), what they receive, they teach: some saying, that Imaginations rise of themselves, and have no cause: Others that they rise most commonly from the Will; and that Good thoughts are blown (inspired) into a man, by God; and Evill thoughts by the Divell: or that Good thoughts are powred (infused) into a man, by God, and Evill ones by the Divell. Some say the Senses receive the Species of things, and deliver them to the Common-sense; and the Common Sense delivers them over to the Fancy, and the Fancy to the Memory, and the Memory to the Judgement, like handing of things from one to another, with many words making nothing understood.

10. The Imagination that is raysed in man (or any other creature indued with the faculty of imagining) by words, or other voluntary signes, is that we generally call *Understanding*; and is common to Man and Beast. For a dogge by custome will understand the call, or the rating of his Master; and so will many other Beasts. That Understanding which is peculiar to man, is the Understanding not onely his will; but his conceptions and thoughts, by the sequell and contexture of the names of things into Affirmations, Negations, and other formes of Speech: And of this kinde of Understanding I shall speak hereafter.

CHAPTER 4

Chapter 4 of *The Elements of Law* /
Chapter 3 of *Leviathan*

Précis table

Part I. Concerning men as persons natural	Part I. OF MAN
Chapter 4. Of the several kinds of discursion of the mind	Chapter 3. Of the Consequence or TRAYNE of Imaginations
1. Discourse	1.
2. The cause of coherence of thoughts	2.
3. Ranging	3. Trayne of Thoughts unguided
	4. Trayne of Thoughts regulated
4. Sagacity	5. Remembrance
5. Reminiscence	6.
6. Experience	7. Prudence
7. Expectation or conjecture of the future	
10. Prudence	
8. Conjecture of the past	10. Conjecture of the time past
9. Signs	8. Signes
	9.
11. Caveats of concluding from experience	
	11.
	12.

Part I. Concerning men as persons natural

Chapter 4. Of the several kinds of discursion of the mind

1. THE succession of conceptions in the mind, their series or consequence of one after another, may be casual and incoherent, as in dreams for the most part; and it may be orderly, as when the former thought introduceth the latter; and this is discourse of the mind. But because the word discourse is commonly taken for the coherence and consequence of words, I will (to avoid equivocation) call it DISCURSION.

Part I. OF MAN

Chapter 3. Of the Consequence or TRAYNE of Imaginations

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

2. The cause of the coherence or consequence of one conception to another, is their first coherence, or consequence at that time when they were produced by sense. As for example: from St. Andrew the mind runneth to St. Peter, because their names are read together; from St. Peter to a stone, for the same cause; from stone to foundation, because we see them together; and for the same cause, from foundation to church, from church to people, and from people to tumult. And according to this example, the mind may run almost from any thing to any thing. But as to the sense the conception of cause and effect succeed one another; so may they after sense in the imagination. And for the most part they do so. The cause whereof is the appetite of them, who, having a conception of the end, have next unto it a conception of the next means to that end. As when a man, from the thought of honour to which he hath an appetite, cometh to the thought of wisdom, which is the next means thereto; and from thence to the thought of study, which is the next means to wisdom, etc.

3. To omit that kind of discursion by which we proceed from any thing to any thing, there are of the other kind divers sorts. As first in the senses: there are certain coherences of conceptions, which we may call RANGING. Examples whereof are: a man's casting his eye upon the ground, to look about for some small thing lost; the hounds casting about at a fault in hunting; and the ranging of spaniels. And herein we take a beginning arbitrarily.

2. When a man thinketh on any thing whatsoever, His next Thought after, is not altogether so casual as it seems to be. Not every Thought to every Thought succeeds indifferently. But as we have no Imagination, whereof we have not formerly had Sense, in whole, or in parts; so we have no Transition from one Imagination to another, whereof we never had the like before in our Senses. The reason whereof is this. All Fancies are Motions within us, reliques of those made in the Sense: And those motions that immediately succeeded one another in the sense, continue also together after Sense: In so much as the former coming again to take place, and be predominant, the later followeth, by coherence of the matter moved, in such manner, as water upon a plain Table is drawn which way any one part of it is guided by the finger. But because in sense, to one and the same thing perceived, sometimes one thing, sometimes another succeedeth, it comes to passe in time, that in the Imagining of any thing, there is no certainty what we shall Imagine next; Onely this is certain, it shall be something that succeeded the same before, at one time or another.

3. This Trayne of Thoughts, or Mentall Discourse, is of two sorts. The first is *Unguided, without Designe*, and inconstant; Wherein there is no Passionate Thought, to govern and direct those that follow, to it self, as the end and scope of some desire, or other passion: In which case the thoughts are said to wander, and seem impertinent one to another, as in a Dream. Such are Commonly the thoughts of men, that are not onely without company, but also without care of any thing; though even then their Thoughts are as busie as at other times, but without harmony; as the sound which a Lute out of tune would yeeld to any man; or in tune, to one that could not play. And yet in this wild ranging of the mind, a man may oft-times perceive the way of it, and the dependance of one thought upon another. For in a Discourse of our present civill warre, what could seem more impertinent, than to ask (as one did) what was the value of a Roman Penny? Yet the Cohærence to me was manifest enough. For the Thought of the warre, introduced the Thought of the delivering up the King to his Enemies; The Thought of that, brought in the Thought of the delivering up of Christ; and that again the Thought of the 30 pence, which was the price of that treason: and thence easily followed that malicious question; and all this in a moment of time; for Thought is quick.

4. The second is more constant; as being *regulated* by some desire, and designe. For the impression made by such things as we desire, or feare, is strong, and permanent, or, (if it cease for a time,) of quick return: so strong it is sometimes, as to hinder and break our sleep. From Desire, ariseth the Thought

4. Another sort of discursion is, when the appetite giveth a man his beginning, as in the example before adduced: where honour, to which a man hath appetite, maketh him to think upon the next means of attaining it, and that again of the next, &c. And this the Latins call *sagacitas*, SAGACITY, and we may call it hunting or tracing, as dogs trace the beast by the smell, and men hunt them by their footsteps; or as men hunt after riches, place, or knowledge.

5. There is yet another kind of discursion beginning with appetite to recover something lost, proceeding from the present backward, from the thought of the place where we miss it, to the thought of the place from whence we came last; and from the thought of that, to the thought of a place before, till we have in our mind some place, wherein we had the thing we miss: and this is called REMINISCENCE.

6. The remembrance of the succession of one thing to another, that is, of what was antecedent, and what consequent, and what concomitant, is called an experiment; whether the same be made by us voluntarily, as when a man putteth any thing into the fire, to see what effect the fire will produce upon it; or not made by us, as when we remember a fair morning after a red evening. To have had many experiments, is that we call

of some means we have seen produce the like of that which we ayme at; and from the thought of that, the thought of means to that mean; and so continually, till we come to some beginning within our own power. And because the End, by the greatnesse of the impression, comes often to mind, in case our thoughts begin to wander, they are quickly again reduced into the way: which observed by one of the seven wise men, made him give men this præcept, which is now worne out, *Respice finem*; that is to say, in all your actions, look often upon what you would have, as the thing that directs all your thoughts in the way to attain it.

5. The Trayn of regulated Thoughts is of two kinds; One, when of an effect imagined, wee seek the causes, or means that produce it: and this is common to Man and Beast. The other is, when imagining any thing whatsoever, wee seek all the possible effects, that can by it be produced; that is to say, we imagine what we can do with it, when wee have it. Of which I have not at any time seen any signe, but in man onely; for this is a curiosity hardly incident to the nature of any living creature that has no other Passion but sensuall, such as are hunger, thirst, lust, and anger. In summe, the Discourse of the Mind, when it is governed by designe, is nothing but *Seeking*, or the faculty of Invention, which the Latines call *Sagacitas*, and *Solertia*; a hunting out of the causes, of some effect, present or past; or of the effects, of some present or past cause. Sometimes a man seeks what he hath lost; and from that place, and time, wherein hee misses it, his mind runs back, from place to place, and time to time, to find where, and when he had it; that is to say, to find some certain, and limited time and place, in which to begin a method of seeking. Again, from thence, his thoughts run over the same places and times, to find what action, or other occasion might make him lose it. This we call *Remembrance*, or Calling to mind: the Latines call it *Remiscentia*, as it were a *Re-conning* of our former actions.

6. Sometimes a man knows a place determinate, within the compasse whereof he is to seek; and then his thoughts run over all the parts thereof, in the same manner, as one would sweep a room, to find a jewell; or as a Spaniel ranges the field, till he find a sent; or as a man should run over the Alphabet, to start a rime.

7. Sometime a man desires to know the event of an action; and then he thinketh of some like action past, and the events thereof one after another; supposing like events will follow like actions. As he that foresees what wil become of a Criminal, re-cons what he has seen follow on the like Crime before; having this order of thoughts, The Crime, the Officer, the Prison, the Judge, and the Gallowes. Which kind of thoughts,

EXPERIENCE, which is nothing else but remembrance of what antecedents have been followed with what consequents.

7. No man can have in his mind a conception of the future, for the future is not yet. But of our conceptions of the past, we make a future; or rather, call past, future relatively. Thus after a man hath been accustomed to see like antecedents followed by like consequents, whensoever he seeth the like come to pass to any thing he had seen before, he looks there should follow it the same that followed then. As for example: because a man hath often seen offences followed by punishment, when he seeth an offence in present, he thinketh punishment to be consequent thereto. But consequent unto that which is present, men call future. And thus we make remembrance to be prevision or conjecture of things to come, or EXPECTATION or PRESUMPTION of the future.

10. This taking of signs from experience, is that wherein men do ordinarily think, the difference stands between man and man in wisdom, by which they commonly understand a man's whole ability or power cognitive. But this is an error; for these signs are but conjectural; and according as they have often or seldom failed, so their assurance is more or less; but never full and evident; for though a man hath always seen the day and night to follow one another hitherto; yet can he not thence conclude they shall do so, or that they have done so eternally. Experience concludeth nothing universally. If the signs hit twenty times for once missing, a man may lay a wager of twenty to one of the event; but may not conclude it for a truth. But by this it is plain, that they shall conjecture best, that have most experience: because they have most signs to conjecture by; which is the reason that old men are more prudent, that is, conjecture better, *cæteris paribus*, than young. For, being older, they remember more; and experience is but remembrance. And men of quick imagination, *cæteris paribus*, are more prudent than those whose imaginations are slow: for they observe more in less time. And PRUDENCE is nothing else but conjecture from experience, or taking of signs from experience warily, that is, that the experiments from which one taketh such signs be all remembered; for else the cases are not alike, that seem so.

8. In the same manner, if a man seeth in present that which he hath seen before, he thinks that that which was antecedent to what he saw before, is also antecedent to that he presently seeth. As for example: he that hath seen the ashes remain after the fire, and now again seeth ashes, concludeth again there hath been fire. And this is called CONJECTURE of the past, or presumption of fact.

is called *Foresight*, and *Prudence*, or *Providence*; and sometimes *Wisdom*; though such conjecture, through the difficulty of observing all circumstances, be very fallacious. But this is certain; by how much one man has more experience of things past, than another; by so much also he is more Prudent, and his expectations the seldomer faile him. The *Present* onely has a being in Nature; things *Past* have a being in the Memory onely, but things *to come* have no being at all; the *Future* being but a fiction of the mind, applying the sequels of actions Past, to the actions that are Present; which with most certainty is done by him that has most Experience; but not with certainty enough. And though it be called Prudence, when the Event answereth our Expectation; yet in its own nature, it is but Presumption. For the foresight of things to come, which is Providence, belongs onely to him by whose will they are to come. From him onely, and supernaturally, proceeds Prophecy. The best Prophet naturally is the best guesser; and the best guesser, he that is most versed and studied in the matters he guesses at: for he hath most *Signes* to guesse by.

10. As Prudence is a *Præsumption* of the *Future*, contracted from the *Experience* of time *Past*: So there is a *Præsumption* of things *Past* taken from other things (not future but) past also. For he that hath seen by what courses and degrees, a flourishing State hath first come into civil warre, and then to ruine; upon the sights of the ruines of any other State, will guesse, the like warre, and the like courses have been there also. But his conjecture, has the same incertainty almost with the conjecture of the *Future*; both being grounded onely upon Experience.

9. When a man hath so often observed like antecedents to be followed by like consequents, that whensoever he seeth the antecedent, he looketh again for the consequent; or when he seeth the consequent, he maketh account there hath been the like antecedent; then he calleth both the antecedent and the consequent, SIGNS one of another, as clouds are a sign of rain to come, and rain of clouds past.

11. As in conjectural things concerning past and future, it is prudence to conclude from experience, what is likely to come to pass, or to have passed already; so is it an error to conclude from it, that it is so or so called. That is to say, we cannot from experience conclude, that any thing is to be called just or unjust, true or false, nor any proposition universal whatsoever, except it be from remembrance of the use of names imposed arbitrarily by men. For example: to have heard a sentence given (in the like case the like sentence a thousand times) is not enough to conclude that the sentence is just (though most men have no other means to conclude by); but it is necessary, for the drawing of such conclusion, to trace and find out, by many experiences, what men do mean by calling things just and unjust, and the like. Farther, there is another caveat to be taken in concluding by experience, from the tenth section of the second chapter; that is, that we conclude not such things to be without, that are within us.

8. A *Signe*, is the Event Antecedent, of the Consequent; and contrarily, the Consequent of the Antecedent, when the like Consequences have been observed, before: And the oftner they have been observed, the lesse uncertain is the *Signe*. And therefore he that has most experience in any kind of businesse, has most *Signes*, whereby to guesse at the Future time; and consequently is the most prudent: And so much more prudent than he that is new in that kind of business, as not to be equalled by any advantage of naturall and extemporary wit: though perhaps many young men think the contrary.

9. Neverthelesse it is not Prudence that distinguisheth man from beast. There be beasts, that at a year old observe more, and pursue that which is for their good, more prudently, than a child can do at ten.

11. There is no other act of mans mind, that I can remember, naturally planted in him, so, as to need no other thing, to the exercise of it, but to be born a man, and live with the use of his five Senses. Those other Faculties, of which I shall speak by and by, and which seem proper to man onely, are acquired, and encreased by study and industry; and of most men learned by instruction, and discipline; and proceed all from the invention of Words, and Speech. For besides Sense, and Thoughts, and the Trayne of thoughts, the mind of man has no other motion; though by the help of Speech, and Method, the same Facultyes may be improved to such a height, as to distinguish men from all other living Creatures.

12. Whatsoever we imagine, is *Finite*. Therefore there is no Idea, or conception of anything we call *Infinite*. No man can have in his mind an Image of infinite magnitude; nor conceive infinite swiftness, infinite time, or infinite force, or infinite power. When we say anything is infinite, we signifie onely, that we are not able to conceive the ends, and bounds of the thing named; having no Conception of the thing, but of our own inability. And therefore the Name of *God* is used, not to make us conceive him; (for he is *Incomprehensible*; and his greatnesse, and power are unconceivable;) but that we may honour him. Also because whatsoever (as I said before,) we conceive, has been perceived first by sense, either all at once, or by parts; a man can have no thought, representing any thing, not subject to sense. No man therefore can conceive any thing, but he must conceive it in some place; and indued with some determinate magnitude; and which may be divided into parts; nor that any thing is all in this place, and all in another place at the same time; nor that two, or more things can be in one, and the same place at once: For none of these things ever have, or can be incident to Sense; but are absurd speeches, taken upon credit (without any signification at all,) from deceived Philosophers, and deceived, or deceiving Schoolemen.

CHAPTER 5

Chapter 5 of *The Elements of Law* / Chapters 4 and 5 (part) of *Leviathan*

Précis table

Part I. Concerning men as persons natural	Part I. OF MAN
Chapter 5. Of names, reasoning, and discourse of the tongue	Chapter 4. Of SPEECH
	1. Originall of Speech 2.
1. Of marks	3. The use of Speech 4. Abuses of Speech
2. Names or appellations	5.
4. Advantage of names maketh capable of science	9–10.
5. Names universal and singular 6. Universals not in <i>rerum natura</i>	6. Names Proper & Common; Universall 7–8.
7. Equivocal names	24. Inconstant names
8. Understanding	22. Understanding
9. Affirmation, negation, proposition 10. Truth, falsity	11. 12. Necessity of Definitions 13.
11. Ratiocination	14. Subject to Names 15–17.
3. Names positive and privative	18. Use of Names Positive 19. Negative Names with their Uses
	20. Words insignificant 21.
	23.

	Chapter 5. Of REASON, and SCIENCE¹
	1. Reason what it is 2. Reason defined 3. Right Reason where 4. The use of Reason
12. According to reason, against reason	5. Of Error and Absurdity
13. The causes, as of knowledge, so of error come by names	6–7.
	8. Causes of absurdity 9–16.
14. Translation of the discourse of the mind into the discourse of the tongue, and of the errors thence proceeding	

Part I. Concerning men as persons natural

Chapter 5. Of names, reasoning, and discourse of the tongue

Part I. OF MAN

Chapter 4. Of SPEECH

1. THE Invention of *Printing*, though ingenious, compared with the invention of *Letters*, is no great matter. But who was the first that found the use of Letters, is not known. He that first brought them into *Greece*, men say was *Cadmus*, the sonne of *Agenor*, King of Phœnicia. A profitable Invention for continuing the memory of time past, and the conjunction of mankind, dispersed into so many, and distant regions of the Earth; and with all difficult, as proceeding from a watchfull observation of the divers motions of the Tongue, Palat, Lips, and other organs of Speech; whereby to make as many differences of characters, to remember them. But the most noble and profitable invention of all other, was that of SPEECH, consisting of *Names* or *Appellations*, and their Connexion; whereby men register their Thoughts; recall them when they are past; and also declare them one to another for mutuall utility and conversation; without which, there had been amongst men, neither Common-wealth, nor Society, nor Contract, nor Peace, no more than amongst Lyons, Bears, and Wolves. The first author of Speech was *God* himself, that instructed *Adam* how to name such creatures as he presented to his sight; For the Scripture goeth no further in this matter.

¹ Paragraphs 17–22 are in Chapter 6.

1. SEEING the succession of conceptions in the mind are caused (as hath been said before) by the succession they had one to another when they were produced by the senses; and that there is no conception that hath not been produced immediately before or after innumerable others, by the innumerable acts of sense; it must needs follow, that one conception followeth not another, according to our election, and the need we have of them, but as it chanceth us to hear or see such things as shall bring them to our mind. The experience we have hereof, is in such brute beasts, which, having the providence to hide the remains and superfluity of their meat, do nevertheless want the remembrance of the place where they hid it, and thereby make no benefit thereof in their hunger. But man, who in this point beginneth to advance himself above the nature of beasts, hath observed and remembered the cause of this defect, and to amend the same, hath imagined and devised to set up a visible or other sensible mark, the which when he seeth again, may bring to his mind the thought he had when he set it up. A MARK therefore is a sensible object which a man erecteth voluntarily to himself, to the end to remember thereby somewhat past, when the same is objected to his sense again. As men that have passed by a rock at sea, set up some mark, whereby to remember their former danger, and avoid it.

But this was sufficient to direct him to adde more names, as the experience and use of the creatures should give him occasion; and to joyn them in such manner by degrees, as to make himself understood; and so by succession of time, so much language might be gotten, as he had found use for; though not so copious, as an Orator or Philosopher has need of. For I do not find any thing in the Scripture, out of which, directly or by consequence can be gathered, that *Adam* was taught the names of all Figures, Numbers, Measures, Colours, Sounds, Fancies, Relations; much less the names of Words and Speech, as *Generall, Speciall, Affirmative, Negative, Interrogative, Optative, Infinitive*, all which are usefull; and least of all, of *Entity, Intentionality, Quiddity*, and other insignificant words of the School.

2. But all this language gotten, and augmented by *Adam* and his posterity, was again lost at the tower of *Babel*, when by the hand of God, every man was stricken for his rebellion, with an oblivion of his former language. And being hereby forced to disperse themselves into severall parts of the world, it must needs be, that the diversity of Tongues that now is, proceeded by degrees from them, in such manner, as need (the mother of all inventions) taught them; and in tract of time grew every where more copious.

3. The generall use of Speech, is to transferre our Mentall Discourse, into Verbal; or the Trayne of our Thoughts, into a Trayne of Words; and that for two commodities; whereof one is, the Registering of the Consequences of our Thoughts; which being apt to slip out of our memory, and put us to a new labour, may again be recalled, by such words as they were marked by. So that the first use of names, is to serve for *Markes, or Notes* of remembrance. Another is, when many use the same words, to signifie (by their connexion and order,) one to another, what they conceive, or think of each matter; and also what they desire, feare, or have any other passion for. And for this use they are called *Signes*. Speciall uses of Speech are these; First, to Register, what by cogitation, wee find to be the cause of any thing, present or past; and what we find things present or past may produce, or effect: which in summe, is acquiring of Arts. Secondly, to shew to others that knowledge which we have attained; which is, to Counsell, and Teach one another. Thirdly, to make known to others our wills, and purposes, that we may have the mutuall help of one another. Fourthly, to please and delight our selves, and others, by playing with our words, for pleasure or ornament, innocently.

2. In the number of these marks, are those human voices (which we call the names or appellations of things) sensible to the ear, by which we recall into our mind some conceptions of the things to which we give those names or appellations. As the appellation white bringeth to remembrance the quality of such objects as produce that colour or conception in us. A NAME OR APPELLATION therefore is the voice of a man, arbitrarily imposed, for a mark to bring to his mind some conception concerning the thing on which it is imposed.

4. By the advantage of names it is that we are capable of science, which beasts, for want of them, are not; nor man, without the use of them: for as a beast misseeth not one or two out of her many young ones, for want of those names of order, one, two, three, &c., which we call number; so neither would a man, without repeating orally, or mentally, the words of number, know how many pieces of money or other things lie before him.

4. To these Uses, there are also foure correspondent Abuses. First, when men register their thoughts wrong, by the inconstancy of the signification of their words; by which they register for their conceptions, that which they never conceived; and so deceive themselves. Secondly, when they use words metaphorically; that is, in other sense than that they are ordained for; and thereby deceive others. Thirdly, when by words they declare that to be their will, which is not. Fourthly, when they use them to grieve one another: for seeing nature hath armed living creatures, some with teeth, some with horns, and some with hands, to grieve an enemy, it is but an abuse of Speech, to grieve him with the tongue, unlesse it be one whom wee are obliged to govern; and then it is not to grieve, but to correct and amend.

5. The manner how Speech serveth to the remembrance of the consequence of causes and effects, consisteth in the imposing of *Names*, and the *Connexion* of them.

9. By this imposition of Names, some of larger, some of stricter signification, we turn the reckoning of the consequences of things imagined in the mind, into a reckoning of the consequences of Appellations. For example, a man that hath no use of Speech at all, (such, as is born and remains perfectly deafe and dumb,) if he set before his eyes a triangle, and by it two right angles, (such as are the corners of a square figure,) he may by meditation compare and find, that the three angles of that triangle, are equall to those two right angles that stand by it. But if another triangle be shewn him different in shape from the former, he cannot know without a new labour, whether the three angles of that also be equall to the same. But he that hath the use of words, when he observes, that such equality was consequent, not to the length of the sides, nor to any other particular thing in his triangle; but onely to this, that the sides were straight, and the angles three; and that that was all, for which he named it a Triangle; will boldly conclude Univerally, that such equality of angles is in all triangles whatsoever; and register his invention in these generall termes, *Every triangle hath its three angles equall to two right angles*. And thus the consequence found in one particular, comes to be registered and remembred, as an Universall rule; and discharges our mentall reckoning, of time and place; and delivers us from all labour of the mind, saving the first; and makes that which was found true *here*, and *now*, to be true in *all times* and *places*.

5. Seeing there be many conceptions of one and the same thing, and for every several conception we give it a several name; it followeth that for one and the same thing, we have many names or attributes; as to the same man we give the appellations of just, valiant, &c., for divers virtues, and of strong, comely, &c., for divers qualities of the body. And again, because from divers things we receive like conceptions, many things must needs have the same appellation. As to all things we see, we give the same name of visible; and to all things we see moved, we give the appellation of moveable. And those names we give to many, are called UNIVERSAL to them all; as the name man to every particular of mankind: such appellations as we give to one only thing, are called individual, or SINGULAR; as Socrates, and other proper names; or, by circumlocution, as: he that writ the Iliad, for Homer.

6. This universality of one name to many things, hath been the cause that men think that the things themselves are universal. And do seriously contend, that besides Peter and John, and all the rest of the men that are, have been, or shall be in the world, there is yet somewhat else that we call man, (viz.) man in general, deceiving themselves by taking the universal, or general appellation, for the thing it signifieth. For if one should desire the painter to make him the picture of a man, which is as much as to say, of a man in general; he meaneth no more, but that the painter shall choose what man he pleaseth to draw, which must needs be some of them that are, have been, or may be, none of which are universal. But when he would have him to draw the picture of the king, or any particular person, he limiteth the painter to that one person himself chooseth. It is plain therefore, that there is

10. But the use of words in registering our thoughts, is in nothing so evident as in Numbering. A naturall foole that could never learn by heart the order of numerall words, as *one*, *two*, and *three*, may observe every stroak of the Clock, and nod to it, or say one, one, one; but can never know what houre it strikes. And it seems, there was a time when those names of number were not in use; and men were fayn to apply their fingers of one or both hands, to those things they desired to keep account of; and that thence it proceeded, that now our numerall words are but ten, in any Nation, and in some but five, and then they begin again. And he that can tell ten, if he recite them out of order, will lose himselfe, and not know when he has done: Much lesse will he be able to adde, and subtract, and performe all other operations of Arithmetique. So that without words, there is no possibility of reckoning of Numbers; much lesse of Magnitudes, of Swiftnesse, of Force, and other things, the reckonings whereof are necessary to the being, or well-being of man-kind.

6. Of Names, some are *Proper*, and singular to one onely thing; as *Peter*, *John*, *This man*, *this Tree*: and some are *Common* to many things; as *Man*, *Horse*, *Tree*; every of which though but one Name, is nevertheless the name of divers particular things; in respect of all which together, it is called an *Universall*; there being nothing in the world Universall but Names; for the things named, are every one of them Individual and Singular.

7. One Universall name is imposed on many things, for their similitude in some quality, or other accident: And whereas a Proper Name bringeth to mind one thing onely; Universals recall any one of those many.

8. And of Names Universall, some are of more, and some of lesse extent; the larger comprehending the lesse large: and some again of equall extent, comprehending each other reciprocally. As for example, the Name *Body* is of larger signification than the word *Man*, and comprehendeth it; and the names *Man* and *Rationall*, are of equall extent, comprehending mutually one another. But here wee must take notice, that by a Name is not alwayes understood, as in Grammar, one onely Word; but sometimes by circumlocution many words together. For all these words, *Hee that in his actions observeth the Lawes of his Country*, make but one Name, equivalent to this one word, *Just*.

nothing universal but names; which are therefore also called indefinite; because we limit them not ourselves, but leave them to be applied by the hearer: whereas a singular name is limited or restrained to one of the many things it signifieth; as when we say, this man, pointing to him, or giving him his proper name, or by some such other way.

7. The appellations that be universal, and common to many things, are not always given to all the particulars, (as they ought to be) for like conceptions and considerations in them all; which is the cause that many of them are not of constant signification, but bring into our minds other thoughts than those for which they were ordained. And these are called EQUIVOCAL. As for example, the word faith sometimes signifieth the same with belief; sometimes it signifieth particularly that belief which maketh a Christian; and sometimes it signifieth the keeping of a promise. Also all metaphors are (by profession) equivocal. And there is scarce any word that is not made equivocal by divers contextures of speech, or by diversity of pronunciation and gesture.

8. This equivocation of names maketh it difficult to recover those conceptions for which the name was ordained; and that not only in the language of other men, wherein we are to consider the drift, and occasion, and contexture of the speech, as well as the words themselves; but also in our own discourse, which being derived from the custom and common use of speech, representeth not unto us our own conceptions. It is therefore a great ability in a man, out of the words, contexture, and other circumstances of language, to deliver himself from equivocation, and to find out the true meaning of what is said: and this is it we call UNDERSTANDING.

9. Of two appellations, by the help of this little verb IS, or something equivalent, we make an AFFIRMATION OR NEGATION, either of which in the Schools we call also a proposition, and consisteth of two appellations joined together by the said verb is: as for example, this is a proposition: man is a living creature; or this: man is not righteous; whereof the former is called an affirmation, because the appellation living creature is positive; the latter a negation, because not righteous is privative.

24. The names of such things as affect us, that is, which please, and displease us, because all men be not alike affected with the same thing, nor the same man at all times, are in the common discourses of men, of *inconstant* signification. For seeing all names are imposed to signifie our conceptions; and all our affections are but conceptions; when we conceive the same things differently, we can hardly avoyd different naming of them. For though the nature of that we conceive, be the same; yet the diversity of our reception of it, in respect of different constitutions of body, and prejudices of opinion, gives everything a tincture of our different passions. And therefore in reasoning, a man must take heed of words; which besides the signification of what we imagine of their nature, have a signification also of the nature, disposition, and interest of the speaker; such as are the names of Vertues, and Vices; For one man calleth *Wisdome*, what another calleth *feare*; and one *cruelty*, what another *justice*; one *prodigality*, what another *magnanimity*; and one *gravity*, what another *stupidity*, &c. And therefore such names can never be true grounds of any ratiocination. No more can Metaphors, and Tropes of speech: but these are less dangerous, because they profess their inconstancy; which the other do not.

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

11. When two Names are joyned together into a Consequence, or Affirmation; as thus, *A man is a living creature*; or thus, *if he be a man, he is a living creature*, If the later name *Living creature*, signifie all that the former name *Man* signifieth, then the affirmation, or consequence is *true*; otherwise *false*. For *True* and *False* are attributes of Speech, not of Things. And where Speech is not, there is neither *Truth* nor *Falshood*. *Error* there may be, as when wee expect that which

10. In every proposition, be it affirmative or negative, the latter appellation either comprehendeth the former, as in this proposition, charity is a virtue, the name of virtue comprehendeth the name of charity (and many other virtues besides), and then is the proposition said to be TRUE or TRUTH: for, truth, and a true proposition, is all one. Or else the latter appellation comprehendeth not the former; as in this proposition, every man is just, the name of *just* comprehendeth not every man; for *unjust* is the name of the far greater part of men. And then the proposition is said to be FALSE, or falsity: falsity and a false proposition being the same thing.

shall not be; or suspect what has not been: but in neither case can a man be charged with Untruth.

12. Seeing then that *truth* consisteth in the right ordering of names in our affirmations, a man that seeketh precise *truth*, had need to remember what every name he uses stands for; and to place it accordingly; or else he will find himselfe entangled in words, as a bird in lime-twiggs; the more he struggles, the more belimed. And therefore in Geometry, (which is the onely Science that it hath pleased God hitherto to bestow on mankind,) men begin at settling the significations of their words; which settling of significations, they call *Definitions*; and place them in the beginning of their reckoning.

13. By this it appears how necessary it is for any man that aspires to true Knowledge, to examine the Definitions of former Authors; and either to correct them, where they are negligently set down; or to make them himselfe. For the errorrs of Definitions multiply themselves, according as the reckoning proceeds; and lead men into absurdities, which at last they see, but cannot avoyd, without reckoning anew from the beginning; in which lyes the foundation of their errorrs. From whence it happens, that they which trust to books, do as they that cast up many little summs into a greater, without considering whether those little summes were rightly cast up or not; and at last finding the errorr visible, and not mistrusting their first grounds, know not which way to cleere themselves; but spend time in fluttering over their bookes; as birds that entring by the chimney, and finding themselves inclosed in a chamber, flutter at the false light of a glasse window, for want of wit to consider which way they came in. So that in the right Definition of Names, lyes the first use of Speech; which is the Acquisition of Science: And in wrong, or no Definitions lyes the first abuse; from which proceed all false and senselesse Tenets; which make those men that take their instruction from the authority of books, and not from their own meditation, to be as much below the condition of ignorant men, as men endued with true Science are above it. For between true Science, and erroneous Doctrines, Ignorance is in the middle. Naturall sense and imagination, are not subject to absurdity. Nature it selfe cannot erre: and as men abound in copiousnesse of language; so they become more wise, or more mad than ordinary. Nor is it possible without Letters for any man to become either excellently wise, or (unless his memory be hurt by disease, or ill constitution of organs) excellently foolish. For words are wise mens counters, they do but reckon by them: but they are the mony of fooles, that value them by the authority of an *Aristotle*, a *Cicero*, or a *Thomas*, or any other Doctor whatsoever, if but a man.

11. In what manner of two propositions, whether both affirmative, or one affirmative, the other negative, is made a SYLLOGISM, I forbear to write. All this that hath been said of names or propositions, though necessary, is but dry discourse: and this place is not for the whole art of logic, which if I enter further into, I ought to pursue: besides, it is not needful; for there be few men which have not so much natural logic, as thereby to discern well enough, whether any conclusion I shall hereafter make, in this discourse, be well or ill collected: only thus much I say in this place, that making of syllogisms is that we call RATIOCINATION or reasoning.

14. *Subject to Names*, is whatsoever can enter into, or be considered in an account; and be added one to another to make a summe; or substracted one from another, and leave a remainder. The Latines called Accounts of many *Rationes*, and accounting, *Ratiocinatio*: and that which we in bills or books of account call *Items*, they called *Nomina*; that is, *Names*: and thence it seems to proceed, that they extended the word *Ratio*, to the faculty of Reckoning in all other things. The Greeks have but one word λόγος, for both *Speech* and *Reason*; not that they thought there was no *Speech* without *Reason*; but no *Reasoning* without *Speech*: And the act of reasoning they called *Syllogisme*; which signifieth summing up of the consequences of one saying to another. And because the same things may enter into account for divers accidents; their names are (to shew that diversity) diversly wrested, and diversified. This diversity of names may be reduced to foure generall heads.

15. First, a thing may enter into account for *Matter*, or *Body*; as *living*, *sensible*, *rationall*, *hot*, *cold*, *moved*, *quiet*; with all which names the word *Matter*, or *Body* is understood; all such, being names of *Matter*.

16. Secondly, it may enter into account, or be considered, for some accident or quality, which we conceive to be in it; as for *being moved*, for *being so long*, for *being hot*, &c; and then, of the name of the thing it selfe, by a little change or wresting, wee make a name for that accident, which we consider; and for *living* put into account *life*; for *moved*, *motion*; for *hot*, *heat*; for *long*, *length*, and the like. And all such Names, are the names of the accidents and properties, by which one *Matter*, and *Body* is distinguished from another. These are called *names Abstract*; because severed (not from *Matter*, but) from the account of *Matter*.

17. Thirdly, we bring into account, the Properties of our own bodies, whereby we make such distinction: as when any thing is *Seen* by us, we reckon not the thing it selfe; but the *sight*, the *Colour*, the *Idea* of it in the fancy: and when any thing is *heard*, wee reckon it not; but the *hearing*, or *sound* onely, which is our fancy or conception of it by the Eare: and such are names of fancies.

3. Things named, are either the objects themselves, as man; or the conception itself that we have of man, as shape or motion; or some privation, which is when we conceive that there is something which we conceive, not in him. As when we conceive he is not just, not finite, we give him the name of unjust and infinite, which signify privation or defect either in the thing named, or in us that give the name. And to the privations

18. Fourthly, we bring into account, consider, and give names, to *Names* themselves, and to *Speeches*: For, *generall*, *universall*, *speciall*, *æquivocall*, are names of *Names*. And *Affirmation*, *Interrogation*, *Commandement*, *Narration*, *Syllogisme*, *Sermon*, *Oration*, and many other such, are names of *Speeches*. And this is all the variety of *Names Positive*; which are put to mark somewhat which is in Nature, or may be feigned by

themselves we give the names injustice and infiniteness. So that here be two sorts of names: one of things, in which we conceive something, or of the conceptions themselves, which are called POSITIVE; the other of things wherein we conceive privation or defect, and those names are called PRIVATIVE.

the mind of man, as Bodies that are, or may be conceived to be; or of bodies, the Properties that are, or may be feigned to be; or Words and Speech.

19. There be also other Names, called *Negative*; which are notes to signifie that a word is not the name of the thing in question; as these words *Nothing, no man, infinite, indocible, three want foure*, and the like; which are nevertheless of use in reckoning, or in correcting of reckoning; and call to mind our past cogitations, though they be not names of any thing; because they make us refuse to admit of Names not rightly used.

20. All other Names, are but insignificant sounds; and those of two sorts. One, when they are new, and yet their meaning not explained by Definition; whereof there have been abundance coyned by Schoole-men, and pusled Philosophers.

21. Another, when men make a name of two Names, whose significations are contradictory and inconsistent; as this name, an *incorporeall body*, or (which is all one) an *incorporeall substance*, and a great number more. For whensoever any affirmation is false, the two names of which it is composed, put together and made one, signifie nothing at all. For example, if it be a false affirmation to say *a quadrangle is round*, the word *round quadrangle* signifies nothing; but is a meere sound. So likewise if it be false, to say that vertue can be powred, or blown up and down; the words *In-powred vertue, In-blown vertue*, are as absurd and insignificant, as a *round quadrangle*. And therefore you shall hardly meet with a senselesse and insignificant word, that is not made up of some Latin or Greek names. A Frenchman seldome hears our Saviour called by the name of *Parole*, but by the name of *Verbe* often; yet *Verbe* and *Parole* differ no more, but that one is Latin, the other French.

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

Chapter 5. Of REASON, and SCIENCE²

1. WHEN a man *Reasoneth*, hee does nothing else but conceive a summe totall, from *Addition* of parcels; or conceive a Remainder, from *Substraction* of one summe from another: which (if it be done by Words,) is conceiving of the consequence of the names of all the parts, to the name of the whole; or from the names of the whole and one part, to the name of the other part. And though in some things, (as in numbers,) besides *Adding* and *Substracting*, men name other operations, as *Multiplying* and *Dividing*; yet they are the same; for

² Paragraphs 17–22 are in Chapter 6.

Multiplication, is but Adding together of things equal; and Division, but Subtracting of one thing, as often as we can. These operations are not incident to Numbers onely, but to all manner of things that can be added together, and taken one out of another. For as Arithmeticians teach to adde and subtract in *numbers*; so the Geometricians teach the same in *lines, figures* (solid and superficial,) *angles, proportions, times*, degrees of *swiftnesse, force, power*, and the like; The Logicians teach the same in *Consequences of words*; adding together *two Names*, to make an *Affirmation*; and *two Affirmations*, to make a *Syllogisme*; and *many Syllogismes* to make a *Demonstration*; and from the *summe*, or *Conclusion* of a *Syllogisme*, they subtract one *Proposition*, to finde the other. Writers of Politiques, adde together *Pactions*, to find mens *duties*; and Lawyers, *Lawes*, and *facts*, to find what is *right* and *wrong* in the actions of private men. In summe, in what matter soever there is place for *addition* and *subtraction*, there also is place for *Reason*; and where these have no place, there *Reason* has nothing at all to do.

2. Out of all which we may define, (that is to say determine,) what that is, which is meant by this word *Reason*, when wee reckon it amongst the Faculties of the mind. For REASON, in this sense, is nothing but *Reckoning* (that is, Adding and Subtracting) of the Consequences of generall names agreed upon, for the *marking* and *signifying* of our thoughts; I say *marking* them, when we reckon by our selves; and *signifying*, when we demonstrate, or approve our reckonings to other men.

3. And as in Arithmetique, unpractised men must, and Professors themselves may often erre, and cast up false; so also in any other subject of Reasoning, the ablest, most attentive, and most practised men, may deceive themselves, and inferre false Conclusions; Not but that Reason it selfe is always Right Reason, as well as Arithmetique is a certain and infallible Art: But no one mans Reason, nor the Reason of any one number of men, makes the certaintie; no more than an account is therefore well cast up, because a great many men have unanimously approved it. And therefore, as when there is a controversy in an account, the parties must by their own accord, set up for right Reason, the Reason of some Arbitrator, or Judge, to whose sentence they will both stand, or their controversie must either come to blowes, or be undecided, for want of a right Reason constituted by Nature; so is it also in all debates of what kind soever: And when men that think themselves wiser than all others, clamor and demand right Reason for judge; yet seek no more, but that things should be determined, by no other mens reason but their own, it is as

intolerable in the society of men, as it is in play after trump is turned, to use for trump on every occasion, that suite whereof they have most in their hand. For they do nothing els, that will have every of their passions, as it comes to bear sway in them, to be taken for right Reason, and that in their own controversies: bewraying their want of right Reason, by the claym they lay to it.

4. The Use and End of Reason, is not the finding of the summe, and truth of one, or a few consequences, remote from the first definitions, and settled significations of names; but to begin at these; and proceed from one consequence to another. For there can be no certainty of the last Conclusion, without a certainty of all those Affirmations and Negations, on which it was grounded, and inferred. As when a master of a family, in taking an account, casteth up the summs of all the bills of expence, into one sum; and not regarding how each bill is summed up, by those that give them in account; nor what it is he payes for; he advantages himself no more, than if he allowed the account in grosse, trusting to every of the accountants skill and honesty: so also in Reasoning of all other things, he that takes up conclusions on the trust of Authors, and doth not fetch them from the first Items in every Reckoning, (which are the significations of names settled by definitions), loses his labour; and does not know any thing; but onely beleeveth.

12. Now when a man reasoneth from principles that are found indubitable by experience, all deceptions of sense and equivocation of words avoided, the conclusion he maketh is said to be according to right reason; but when from his conclusion a man may, by good ratiocination, derive that which is contradictory to any evident truth whatsoever, then is he said to have concluded against reason: and such a conclusion is called absurdity.

5. When a man reckons without the use of words, which may be done in particular things, (as when upon the sight of any one thing, wee conjecture what was likely to have preceded, or is likely to follow upon it;) if that which he thought likely to follow, followes not; or that which he thought likely to have preceded it, hath not preceded it, this is called ERROR; to which even the most prudent men are subject. But when we Reason in Words of generall signification, and fall upon a generall inference which is false; though it be commonly called *Error*, it is indeed an ABSURDITY, or senseless Speech. For Error is but a deception, in presuming that somewhat is past, or to come; of which, though it were not past, or not to come; yet there was no impossibility discoverable. But when we make a generall assertion, unlesse it be a true one, the possibility of it is unconceivable. And words whereby we conceive nothing but the sound, are those we call *Absurd*, *Insignificant*, and *Non-sense*. And therefore if a man should talk to me of a *round Quadrangle*; or *accidents of Bread in Cheese*; or *Immateriall Substances*; or of *A free Subject*; *A free-Will*; or any *Free*, but free from being hindred by opposition, I should not say he were in an Errour; but that his words were without meaning; that is to say, Absurd.

13. As the invention of names hath been necessary for the drawing of men out of ignorance, by calling to their remembrance the necessary coherence of one conception to another; so also hath it on the other side precipitated men into error: insomuch, that whereas by the benefit of words and ratiocination they exceed brute beasts in knowledge; by the incommodities that accompany the same they exceed them also in errors. For true and false are things not incident to beasts, because they adhere to propositions and language; nor have they ratiocination, whereby to multiply one untruth by another: as men have.

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

7. But this priviledge, is allayed by another; and that is, by the priviledge of Absurdity; to which no living creature is subject, but man onely. And of men, those are of all most subject to it, that professe Philosophy. For it is most true that *Cicero* sayth of them somewhere; that there can be nothing so absurd, but may be found in the books of Philosophers. And the reason is manifest. For there is not one of them that begins his ratiocination from the Definitions, or Explications of the names they are to use; which is a method that hath been used onely in Geometry; whose Conclusions have thereby been made indisputable.

8. 1. The first cause of Absurd conclusions I ascribe to the want of Method; in that they begin not their Ratiocination from Definitions; that is, from settled significations of their words: as if they could cast account, without knowing the value of the numerall words, *one*, *two*, and *three*.

9. And whereas all bodies enter into account upon divers considerations, (which I have mentioned in the precedent chapter;) these considerations being diversly named, divers absurdities proceed from the confusion, and unfit connexion of their names into assertions. And therefore

10. 2. The second cause of Absurd assertions, I ascribe to the giving of names of *bodies*, to *accidents*; or of *accidents*, to *bodies*; As they do, that say, *Faith is infused*, or *inspired*; when nothing can be *powred*, or *breathed* into any thing, but body; and that, *extension is body*; that *phantasmies* are *spirits*, &c.

11. 3. The third I ascribe to the giving of the names of the *accidents* of *bodies without us*, to the *accidents* of our *own bodies*; as they do that say, *the colour is in the body*; *the sound is in the ayre*, &c.

12. 4. The fourth, to the giving of the names of *bodies*, to *names*, or *speeches*; as they do that say, that *there be things universall*; that *a living creature is Genus*, or *a generall thing*, &c.

13. 5. The fifth, to the giving of the names of *accidents*, to *names* and *speeches*; as they do that say, *the nature of a thing is its definition*; *a mans command is his will*; and the like.

14. It is the nature almost of every corporeal thing, being often moved in one and the same manner, to receive continually a greater and greater easiness and aptitude to the same motion; insomuch as in time the same becometh so habitual, that to beget it, there needs no more than to begin it. The passions of man, as they are the beginning of all his voluntary motions, so are they the beginning of speech, which is the motion of his tongue. And men desiring to shew others the knowledge, opinions, conceptions, and passions which are within themselves, and to that end having invented language, have by that means transferred all that discursion of their mind mentioned in the former chapter, by the motion of their tongues, into discourse of words; and *ratio*, now, is but *oratio*, for the most part, wherein custom hath so great a power, that the mind suggesteth only the first word, the rest follow habitually, and are not followed by the mind. As it is with beggars, when they say their *paternoster*, putting together such words, and in such manner, as in their education they have learned from their nurses, from their companions, or from their teachers, having no images or conceptions in their minds answering to the words they speak. And as they have learned themselves, so they teach posterity. Now, if we consider the power of those deceptions of sense, mentioned chapter 2 section 10, and also how unconstantly names have been settled, and how subject they are to equivocation, and how diversified by passion, (scarce two men agreeing what is to be called good, and what evil; what liberality, what prodigality; what valour, what temerity) and how subject men are to paralogism or fallacy in reasoning, I may in a manner conclude, that it is impossible to rectify so many errors of any one

14. 6. The sixth, to the use of Metaphors, Tropes, and other Rhetoricall figures, in stead of words proper. For though it be lawfull to say, (for example) in common speech, *the way goeth, or leadeth hither, or thither, The Proverb says this or that* (whereas wayes cannot go, nor Proverbs speak;) yet in reckoning, and seeking of truth, such speeches are not to be admitted.

15. 7. The seventh, to names that signifie nothing; but are taken up, and learned by rote from the Schooles, as *hypostatical, transubstantiate, consubstantiate, eternal-Now*, and the like canting of Schoole-men.

16. To him that can avoyd these things, it is not easie to fall into any absurdity, unlesse it be by the length of an account; wherein he may perhaps forget what went before. For all men by nature reason alike, and well, when they have good principles. For who is so stupid, as both to mistake in Geometry, and also to persist in it, when another detects his error to him?

man, as must needs proceed from those causes, without beginning anew from the very first grounds of all our knowledge, sense; and, instead of books, reading over orderly one's own conceptions: in which meaning I take *nosce teipsum* for a precept worthy the reputation it hath gotten.

See *THE INTRODUCTION*, ¶7:

But there is another saying not of late understood, by which they might learn truly to read one another, if they would take the pains; and that is, *Nosce teipsum, Read thy self*: which was not meant, as it is now used, to countenance, either the barbarous state of men in power, towards their inferiors; or to encourage men of low degree, to a sawcie behaviour towards their betters; But to teach us, that for the similitude of the thoughts, and Passions of one man, to the thoughts, and Passions of another, whosoever looketh into himselfe, and considereth what he doth, when he does *think, opine, reason, hope, feare*, &c, and upon what grounds; he shall thereby read and know, what are the thoughts, and Passions of all other men, upon the like occasions.

CHAPTER 6

Chapter 6 of *The Elements of Law* / Chapters 9, 5 (part) and 7 of *Leviathan*

Précis table

Part I. Concerning men as persons natural	Part I. OF MAN
Chapter 6. Of knowledge, opinion, and belief	Chapter 9. Of the Severall SUBJECTS of KNOWLEDGE
1. Of the two kinds of knowledge	1–3.
2. Truth and evidence necessary to knowledge	
3. Evidence defined	
	Chapter 5. Of REASON, and SCIENCE¹
4. Science defined	17. Science 21. Prudence & Sapience, with their difference
	18–19.
	20.
	22. Signes of Science
	Chapter 7. Of the Ends, or Resolutions of DISCOURSE
	1.
5. Supposition defined	
6. Opinion defined	2. Judgement, or Sentence final; Doubt 3. Doubt
8. Conscience defined	4. Science; Opinion; Conscience
7. Belief defined	5. Beliefe Faith
9. Belief, in some cases, no less free from doubt than knowledge	6–7.

¹ Paragraphs 1–16 are in Chapter 5.

Part I. Concerning men as persons natural**Chapter 6. Of knowledge, opinion, and belief**

1. THERE is a story somewhere, of one that pretended to have been miraculously cured of blindness, wherewith he was born, by St. Alban or other St., at the town of St. Alban's; and that the Duke of Gloucester being there, to be satisfied of the truth of the miracle, asked the man, What colour is this? who, by answering, It is green, discovered himself, and was punished for a counterfeit: for though by his sight newly received he might distinguish between green, and red, and all other colours, as well as any that should interrogate him, yet he could not possibly know at first sight, which of them was called green, or red, or by other name. By this we may understand, there be two sorts of knowledge, whereof the one is nothing else but sense, or knowledge original (as I have said at the beginning of the second chapter), and remembrance of the same; the other is called science or knowledge of the truth of propositions, and how things are called, and is derived from understanding. Both of these sorts are but experience; the former being the experience of the effects of things that work upon us from without; and the latter the experience men have of the proper use of names in language. And all experience being (as I have said) but remembrance, all knowledge is remembrance: and of the former, the register we keep in books, is called history; but the registers of the latter are called the sciences.

2. There are two things necessarily implied in this word knowledge; the one is truth, the other evidence; for what is not true, can never be known. For let a man say he knoweth a thing never so well, if the same shall afterwards appear to be false, he is driven to a confession, that it was not knowledge, but opinion. Likewise, if the truth be not evident, though a man holdeth it, yet is his knowledge of it no more than theirs that hold the contrary. For if truth were enough to make it knowledge, all truths were known: which is not so.

3. What truth is, hath been defined in the precedent chapter; what evidence is, I now set down. And it is the concomitance of a man's conception with the words that signify such conception in the act of ratiocination. For when a man reasoneth with his lips only, to which the mind suggesteth only the beginning, and followeth not the words of his mouth with the conceptions of his mind, out of a custom of so speaking; though he begin his ratiocination with true propositions, and proceed with perfect syllogisms, and thereby make always true conclusions; yet are not his conclusions evident

² Omitted.

Part I. OF MAN**Chapter 9. Of the Severall SUBJECTS of KNOWLEDGE**

1. There are of KNOWLEDGE two kinds; whereof one is *Knowledge of Fact*: the other *Knowledge of the Consequence of one Affirmation to another*. The former is nothing else, but Sense and Memory, and is *Absolute Knowledge*; as when we see a Fact doing, or remember it done: And this is the Knowledge required in a Witness. The later is called *Science*; and is *Conditionall*; as when we know, that, *If the figure showne be a circle, then any straight line through the Center shall divide it into two equall parts*. And this is the Knowledge required in a Philosopher; that is to say, of him that pretends to Reasoning.

2. The Register of *Knowledge Of Fact* is called *History*. Whereof there be two sorts: one called *Naturall History*; which is the History of such Facts, or Effects of Nature, as have no Dependance on Mans Will; Such as are the Histories of *Metalls, Plants, Animals, Regions*, and the like. The other, is *Civill History*; which is the History of the Voluntary Actions of men in Common-wealths.

3. The Registers of Science, are such *Books* as contain the *Demonstrations* of Consequences of one Affirmation, to another; and are commonly called *Books of Philosophy*; whereof the sorts are many, according to the diversity of the Matter; And may be divided in such manner as I have divided them in the following Table.²

to him, for want of the concomitance of conception with his words. For if the words alone were sufficient, a parrot might be taught as well to know a truth, as to speak it. Evidence is to truth, as the sap is to the tree, which so far as it creepeth along with the body and branches, keepeth them alive; where it forsaketh them, they die. For this evidence, which is meaning with our words, is the life of truth; without it truth is nothing worth.

4. Knowledge, therefore, which we call SCIENCE, I define to be evidence of truth, from some beginning or principle of sense. For the truth of a proposition is never evident, until we conceive the meaning of the words or terms whereof it consisteth, which are always conceptions of the mind; nor can we remember those conceptions, without the thing that produced the same by our senses. The first principle of knowledge therefore is, that we have such and such conceptions; the second, that we have thus and thus named the things whereof they are conceptions; the third is, that we have joined those names in such manner, as to make true propositions; the fourth and last is, that we have joined those propositions in such manner as they be concluding. And by these four steps the conclusion is known and evident, and the truth of the conclusion said to be known. And of these two kinds of knowledge, whereof the former is experience of fact, and the latter evidence of truth: as the former, if it be great, is called prudence, so the latter, if it be much, hath usually been called, both by ancient and modern writers, SAPIENCE or wisdom: and of this latter, man only is capable; of the former, brute beasts also participate.

Chapter 5. Of REASON, and SCIENCE³

17. By this it appears that Reason is not as Sense, and Memory, borne with us; nor gotten by Experience onely; as Prudence is; but attained by Industry; first in apt imposing of Names; and secondly by getting a good and orderly Method in proceeding from the Elements, which are Names, to Assertions made by Connexion of one of them to another; and so to syllogismes, which are the Connexions of one Assertion to another, till we come to a knowledge of all the Consequences of names appertaining to the subject in hand; and that is it, men call SCIENCE. And whereas Sense and Memory are but knowledge of Fact, which is a thing past, and irrevocable; *Science* is the knowledge of Consequences, and dependance of one fact upon another: by which, out of that we can presently do, we know how to do something else when we will, or the like, another time: Because when we see how any thing comes about, upon what causes, and by what manner; when the like causes come into our power, wee see how to make it produce the like effects.

21. As, much Experience, is *Prudence*; so, is much Science, *Sapience*. For though wee usually have one name of Wisdome for them both; yet the Latines did always distinguish between *Prudentia* and *Sapientia*, ascribing the former to Experience, the later to Science. But to make their difference appeare more cleerly, let us suppose one man endued with an excellent naturall use, and dexterity in handling his armes; and another to have added to that dexterity, an acquired Science, of where he can offend, or be offended by his adversarie, in every possible posture, or guard: The ability of the former, would be to the ability of the later, as Prudence to Sapience; both usefull; but the later infallible. But they that trusting onely to the authority of books, follow the blind blindly, are like him that trusting to the false rules of a master of Fence, ventures præsumptuously upon an adversary, that either kills, or disgraces him.

³ Paragraphs 1–16 are in Chapter 5.

18. Children therefore are not endued with Reason at all, till they have attained the use of Speech: but are called Reasonable Creatures, for the possibility apparent of having the use of Reason in time to come. And the most part of men, though they have the use of Reasoning a little way, as in numbring to some degree; yet it serves them to little use in common life; in which they govern themselves, some better, some worse, according to their differences of experience, quicknesse of memory, and inclinations to severall ends; but specially according to good or evill fortune, and the errors of one another. For as for *Science*, or certain rules of their actions, they are so farre from it, that they know not what it is. Geometry they have thought Conjuring: But for other Sciences, they who have not been taught the beginnings, and some progresse in them, that they may see how they be acquired and generated, are in this point like children, that having no thought of generation, are made believe by the women, that their brothers and sisters are not born, but found in the garden.

19. But yet they that have no *Science*, are in better, and nobler condition with their naturall Prudence; than men, that by mis-reasoning, or by trusting them that reason wrong, fall upon false and absurd generall rules. For ignorance of causes, and of rules, does not set men so farre out of their way, as relying on false rules, and taking for causes of what they aspire to, those that are not so, but rather causes of the contrary.

20. To conclude, The Light of humane minds is Perspicuous Words, but by exact definitions first snuffed, and purged from ambiguity; *Reason* is the *pace*; Encrease of *Science*, the *way*; and the Benefit of man-kind, the *end*. And on the contrary, Metaphors, and senselesse and ambiguous words, are like *ignes fatui*; and reasoning upon them, is wandering amongst innumerable absurdities; and their end, contention, and sedition, or contempt.

22. The signes of Science, are some, certain and infallible; some, uncertain. Certain, when he that pretendeth the Science of any thing, can teach the same; that is to say, demonstrate the truth thereof perspicuously to another: Uncertain, when onely some particular events answer to his pretence, and upon many occasions prove so as he says they must. Signes of prudence are all uncertain; because to observe by experience, and remember all circumstances that may alter the successe, is impossible. But in any businesse, whereof a man has not infallible Science to proceed by; to forsake his own natural judgement, and be guided by generall sentences read in Authors, and subject to many exceptions, is a signe of folly, and generally scorned by the name of Pedantry. And even

5. A proposition is said to be supposed, when, being not evident, it is nevertheless admitted for a time, to the end, that joining to it other propositions, we may conclude something; and so proceed from conclusion to conclusion, for a trial whether the same will lead us into any absurd or impossible conclusion; which if it do, then we know such supposition to have been false.

6. But if running through many conclusions, we come to none that are absurd, then we think the supposition probable; likewise we think probable whatsoever proposition we admit for truth by error of reasoning, or from trusting to other men. And all such propositions as are admitted by trust or error, we are not said to know, but think them to be true: and the admittance of them is called OPINION.

of those men themselves, that in Councells of the Commonwealth, love to shew their reading of Politiques and History, very few do it in their domestique affaires, where their particular interest is concerned; having Prudence enough for their private affaires: but in publique they study more the reputation of their owne wit, than the successe of anothers businesse.

Chapter 7. Of the Ends, or Resolutions of DISCOURSE

1. OF all *Discourse*, governed by desire of Knowledge, there is at last an *End*, either by attaining, or by giving over. And in the chain of Discourse, wheresoever it be interrupted, there is an End for that time.

2. If the Discourse be meerly Mentall, it consisteth of thoughts that the thing will be, and will not be; or that it has been, and has not been, alternately. So that wheresoever you break off the chayn of a mans Discourse, you leave him in a Præsumption of *it will be*, or, *it will not be*; or *it has been*, or, *has not been*. All which is *Opinion*. And that which is alternate Appetite, in Deliberating concerning Good and Evil; the same is alternate Opinion, in the Enquiry of the truth of *Past*, and *Future*. And as the last Appetite in Deliberation, is called the *Will*; so the last Opinion in search of the truth of Past, and Future, is called the JUDGEMENT, or *Resolute* and *Finall Sentence* of him that *discourseth*. And as the whole chain of Appetites alternate, in the question of Good, or Bad, is called *Deliberation*; so the whole chain of Opinions alternate, in the question of True, or False, is called DOUBT.

3. No Discourse whatsoever, can End in absolute knowledge of Fact, past, or to come. For, as for the knowledge of Fact, it is originally, Sense; and ever after, Memory. And for the knowledge of Consequence, which I have said before is called Science, it is not Absolute, but Conditionall. No man can know by Discourse, that this, or that, is, has been, or will be; which is to know absolutely: but onely, that if This be, That is; if This has been, That has been; if This shall be, That shall be: which is to know conditionally; and that not the consequence of one thing to another; but of one name of a thing, to another name of the same thing.

8. It is either science or opinion which we commonly mean by the word conscience: for men say that such and such a thing is true upon, or in their consciences; which they never do, when they think it doubtful; and therefore they know, or think they know it to be true. But men, when they say things upon their conscience, are not therefore presumed certainly to know the truth of what they say. It remaineth then, that that word is used by them that have an opinion, not only of the truth of the thing, but also of their knowledge of it. So that conscience, as men commonly use the word, signifieth an opinion, not so much of the truth of the proposition, as of their own knowledge of it, to which the truth of the proposition is consequent. CONSCIENCE therefore I define to be opinion of evidence.

7. And particularly, when the opinion is admitted out of trust to other men, they are said to believe it; and their admittance of it is called BELIEF, and sometimes faith.

9. Belief, which is the admitting of propositions upon trust, in many cases is no less free from doubt, than perfect and manifest knowledge. For as there is nothing whereof there is not some cause; so, when there is doubt, there must be some cause thereof conceived. Now there be many things which we receive from report of others, of which it is impossible to imagine any cause of doubt: for what can be opposed against the consent of all men, in things they can know, and have no cause to report otherwise than they are (such as is a great part of our histories), unless a man would say that all the world had conspired to deceive him. And thus much of sense, imagination, discursion, ratiocination, and knowledge, which are the acts of our power cognitive, or conceptive. That power of the mind which we call motive, differeth from the power motive of the body; for the power motive of the body is that by which it moveth other bodies, which we call strength:

4. And therefore, when the Discourse is put into Speech, and begins with the Definitions of Words, and proceeds by Connexion of the same into generall Affirmations, and of these again into Syllogismes; the End or last summe is called the Conclusion; and the thought of the mind by it signified, is that conditionall Knowledge, or Knowledge of the consequence of words, which is commonly called SCIENCE. But if the first ground of such Discourse, be not Definitions; or if the Definitions be not rightly joyned together into Syllogismes, then the End or Conclusion, is again OPINION, namely of the truth of somewhat said, though sometimes in absurd and senseless words, without possibility of being understood. When two, or more men, know of one and the same fact, they are said to be CONSCIOUS of it one to another; which is as much as to know it together. And because such are fittest witnesses of the facts of one another, or of a third; it was, and ever will be reputed a very Evill act, for any man to speak against his *Conscience*; or to corrupt or force another so to do: Insomuch that the plea of Conscience, has been always hearkened unto very diligently in all times. Afterwards, men made use of the same word metaphorically, for the knowledge of their own secret facts, and secret thoughts; and therefore it is Rhetorically said, that the Conscience is a thousand witnesses. And last of all, men, vehemently in love with their own new opinions, (though never so absurd,) and obstinately bent to maintain them, gave those their opinions also that revered name of Conscience, as if they would have it seem unlawfull, to change or speak against them; and so pretend to know they are true, when they know at most, but that they think so.

5. When a mans Discourse beginneth not at Definitions, it beginneth either at some other contemplation of his own, and then it is still called Opinion; Or it beginneth at some saying of another, of whose ability to know the truth, and of whose honesty in not deceiving, he doubteth not; and then the Discourse is not so much concerning the Thing, as the Person; And the Resolution is called BELEEF, and FAITH: *Faith*, in the man; *Beleefe*, both of the man, and of the truth of what he sayes. So that in Beleefe are two opinions; one of the saying of the man; the other of his vertue. To *have faith in*, or *trust to*, or *beleeve a man*, signifie the same thing; namely, an opinion of the veracity of the man: But to *beleeve what is said*, signifieth onely an opinion of the truth of the saying. But wee are to observe that this Phrase, *I beleeve in*; as also the Latine, *Credo in*; and the Greek, πιστεύω ἔς, are never used but in the writings of Divines. In stead of them, in other writings are put, *I beleeve him*; *I trust him*; *I have faith in him*; *I rely on him*: and in Latin, *Credo illi*; *fido illi*: and in Greek, πιστεύω αὐτῷ: and that this singularity of the Ecclesiastique use of the word hath raised many disputes about the right object of the Christian Faith.

but the power motive of the mind, is that by which the mind giveth animal motion to that body wherein it existeth; the acts hereof are our affections and passions, of which I am now to speak.

6. But by *Beleeving in*, as it is in the Creed, is meant, not trust in the Person; but Confession and acknowledgement of the Doctrine. For not onely Christians, but all manner of men do so believe in God, as to hold all for truth they heare him say, whether they understand it, or not; which is all the Faith and trust can possibly be had in any person whatsoever: But they do not all believe the Doctrine of the Creed.

7. From whence we may inferre, that when wee believe any saying whatsoever it be, to be true, from arguments taken, not from the thing it selfe, or from the principles of naturall Reason, but from the Authority, and good opinion wee have, of him that hath sayd it; then is the speaker, or person we believe in, or trust in, and whose word we take, the object of our Faith; and the Honour done in Believing, is done to him onely. And consequently, when wee Believe that the Scriptures are the word of God, having no immediate revelation from God himselfe, our Beleefe, Faith, and Trust is in the Church; whose word we take, and acquiesce therein. And they that believe that which a Prophet relates unto them in the name of God, take the word of the Prophet, do honour to him, and in him trust, and believe, touching the truth of what he relateth, whether he be a true, or a false Prophet. And so it is also with all other History. For if I should not believe all that is written by Historians, of the glorious acts of *Alexander*, or *Cæsar*; I do not think the Ghost of *Alexander*, or *Cæsar*, had any just cause to be offended; or any body else, but the Historian. If *Livy* say the Gods made once a Cow speak, and we believe it not; wee distrust not God therein, but *Livy*. So that it is evident, that whatsoever we believe, upon no other reason, then what is drawn from authority of men onely, and their writings; whether they be sent from God or not, is Faith in men onely.

CHAPTER 7

Chapters 7, 9 and 12 of *The Elements of Law* / Chapter 6 of *Leviathan*

Précis table

Part I. Concerning men as persons natural	Part I. OF MAN
Chapter 7. Of delight and pain; good and evil	Chapter 6. <i>Of the Interiour Beginnings of Voluntary Motions; commonly called the PASSIONS. And the Speeches by which they are expressed</i>
2. Appetite, aversion, fear	1. Motion Vitall and Animal; Endeavour 2. Appetite; Desire; Hunger; Thirst; Aversion 16. Feare
1. Of delight, pain, love, hatred	3. Love; Hate 9. Delight; Displeasure 10. Pleasure; Offence 11.
	4. 5. Contempt 6.
3. Good, evil, pulchritude, turpitude	7. Good; Evill 8. Pulchrum; Turpe
4. 5. End, fruition 6. Profitable, use, vain	
7. Felicity	58. Felicity
8. Good and evil mixed	57. Good and Evill apparent
9. Sensual delight, and pain; joy and grief	12. Pleasures of sense; Pleasures of the Mind; Joy; Paine; Griefe
	13.
Chapter 9. Of the passions of the mind	
1. Glory, aspiring, false glory, vain glory 2. Humility and dejection	39. Glory; Vain-glory 40. Dejection 41.
3. Shame	44. Shame; Blushing

	45. Impudence
4. Courage	17. Courage
5. Anger	18. Anger
6. Revengefulness	34. Revengefulnesse
7. Repentance	
8. Hope, despair, diffidence	14. Hope 15. Despaire 19. Confidence 20. Diffidence
9. Trust	
10. Pity and hardness of heart	46. Pitty 47. Cruelty
11. Indignation	21. Indignation
12. Emulation and envy	48. Emulation; Envy
13. Laughter	42. Sudden Glory; Laughter
14. Weeping	43. Sudden Dejection; Weeping
	30. Kindnesse
15. Lust	31. Naturall Lust 32. Luxury
16. Love	33. The passion of Love; Jealousie
17. Charity	22. Benevolence; Good Nature
18. Admiration and curiosity	38. Admiration 35. Curiosity 36. Religion; Superstition; True Religion
	37. Panique Terrour
19. Of the passion of them that flock to see danger	
	23. Covetousnesse
	24. Ambition
20. Of magnanimity and pusillanimity	25. Pusillanimity 26. Magnanimity 27. Valour 28. Liberality 29. Miserableness
21. A view of the passions represented in a race	

Chapter 12. How by deliberation from passions proceed men's actions

1. Of deliberation	49. Deliberation 50–2.
2. Of will	53. The Will
3. Of actions, voluntary, involuntary, mixed	54.
4. Actions from sudden appetite are voluntary	
5. Appetite and our passions not voluntary	
6. Opinion of reward and punishment make and govern the will	
7. Consent, contention, battle, aid	
8. Union	
9. Intention	
	55. Formes of Speech, in Passion 56.
	59. Praise; Magnification; μακαρισμός

Part I. Concerning men as persons natural

Chapter 7. Of delight and pain; good and evil

2. This motion, in which consisteth pleasure or pain, is also a solicitation or provocation either to draw near to the thing that pleaseth, or to retire from the thing that displeaseth. And this solicitation is the endeavour or internal beginning of animal motion, which when the object delighteth, is called *APPETITE*; when it displeaseth, it is called *AVERSION*, in respect of the displeasure present; but in respect of the displeasure expected, *FEAR*. So that pleasure, love, and appetite, which is also called desire, are divers names for divers considerations of the same thing.

Part I. OF MAN

Chapter 6. Of the Interiour Beginnings of Voluntary Motions; commonly called the PASSIONS. And the Speeches by which they are expressed

1. THERE be in Animals, two sorts of *Motions* peculiar to them: One called *Vitall*; begun in generation, and continued without interruption through their whole life; such as are the *course* of the *Bloud*, the *Pulse*, the *Breathing*, the *Concoction*, *Nutrition*, *Excretion*, &c; to which *Motions* there needs no help of *Imagination*: The other is *Animall motion*, otherwise called *Voluntary motion*; as to *go*, to *speak*, to *move* any of our limbes, in such manner as is first fancied in our minds. That *Sense*, is *Motion* in the organs and interiour parts of mans body, caused by the action of the things we See, Heare, &c; And that *Fancy* is but the Reliques of the same *Motion*, remaining after *Sense*, has been already sayd in the first and second Chapters. And because *going*, *speaking*, and the like *Voluntary motions*, depend alwayes upon a precedent thought of *whither*, *which way*, and *what*; it is evident, that the *Imagination* is the first internall beginning of all *Voluntary Motion*. And although unstudied men, doe not conceive any motion at all to be there, where the thing moved is invisible; or the space it is moved in, is (for the shortnesse of it) insensible; yet

1. In the eighth section of the second chapter is shewed, how conceptions or apparitions are nothing really, but motion in some internal substance of the head; which motion not stopping there, but proceeding to the heart, of necessity must there either help or hinder that motion which is called vital; when it helpeth, it is called DELIGHT, contentment, or pleasure, which is nothing really but motion about the heart, as conception is nothing but motion within the head; and the objects that cause it are called pleasant or delightful, or by some name equivalent; the Latins have *jucunda*, a *juvando*, from helping; and the same delight, with reference to the object, is called LOVE: but when such motion weakeneth or hindereth the vital motion, then it is called PAIN; and in relation to that which causeth it, HATRED, which the Latin expresseth sometimes by *odium*, and sometimes by *tædium*.

that doth not hinder, but that such Motions are. For let a space be never so little, that which is moved over a greater space, whereof that little one is part, must first be moved over that. These small beginnings of Motion, within the body of Man, before they appear in walking, speaking, striking, and other visible actions, are commonly called ENDEAVOUR.

2. This Endeavour, when it is toward something which causes it, is called APPETITE, or DESIRE; the later, being the general name; and the other, oftentimes restrained to signifie the Desire of Food, namely *Hunger* and *Thirst*. And when the Endeavour is fromward something, it is generally called AVERSION. These words *Appetite*, and *Aversion* we have from the *Latines*; and they both of them signifie the motions, one of approaching, the other of retiring. So also do the Greek words for the same, which are ὀρεῖν, and ἀφορεῖν. For Nature it selfe does often presse upon men those truths, which afterwards, when they look for somewhat beyond Nature, they stumble at. For the Schooles find in meere Appetite to go, or move, no actual Motion at all: but because some Motion they must acknowledge, they call it Metaphoricall Motion; which is but an absurd speech: for though Words may be called metaphoricall; Bodies, and Motions cannot.

16. *Aversion*, with opinion of *Hurt* from the object, FEARE.

3. That which men Desire, they are also sayd to LOVE: and to HATE those things, for which they have Aversion. So that Desire, and Love, are the same thing; save that by Desire, we alwayes signifie the Absence of the Object; by Love, most commonly the Presence of the same. So also by Aversion, we signifie the Absence; and by Hate, the Presence of the Object.

9. As, in Sense, that which is really within us, is (as I have sayd before) onely Motion, caused by the action of externall objects, but in apparence; to the Sight, Light and Colour; to the Eare, Sound; to the Nostrill, Odour, &c: so, when the action of the same object is continued from the Eyes, Eares, and other organs to the Heart; the reall effect there is nothing but Motion, or Endeavour; which consisteth in Appetite, or Aversion, to, or from the object moving. But the apparence, or sense of that motion, is that wee either call DELIGHT, or TROUBLE OF MIND.

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

3. Every man, for his own part, calleth that which pleaseth, and is delightful to himself, GOOD; and that EVIL which displeaseth him: insomuch that while every man differeth from other in constitution, they differ also one from another concerning the common distinction of good and evil. Nor is there any such thing as ἀγαθὸν ἀπλῶς, that is to say, simply good. For even the goodness which we attribute to God Almighty, is his goodness to us. And as we call good and evil the things that please and displease; so call we goodness and badness, the qualities or powers whereby they do it. And the signs of that goodness are called by the Latins in one word PULCHRITUDO, and the signs of evil, TURPITUDO; to which we have no words precisely answerable.

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

4. Of Appetites, and Aversions, some are born with men; as Appetite of food, Appetite of excretion, and exoneration, (which may also and more properly be called Aversions, from somewhat they feele in their Bodies;) and some other Appetites, not many. The rest, which are Appetites of particular things, proceed from Experience, and triall of their effects upon themselves, or other men. For of things wee know not at all, or believe not to be, we can have no further Desire, than to tast and try. But Aversion wee have for things, not onely which we know have hurt us; but also that we do not know whether they will hurt us, or not.

5. Those things which we neither Desire, nor Hate, we are said to *Contemne*: CONTEMPT being nothing else but an immobility, or contumacy of the Heart, in resisting the action of certain things; and proceeding from that the Heart is already moved otherwise, by other more potent objects; or from want of experience of them.

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

7. But whatsoever is the object of any mans Appetite or Desire; that is it, which he for his part calleth *Good*: And the object of his Hate, and Aversion, *Evill*; And of his Contempt, *Vile*, and *Inconsiderable*. For these words of Good, Evill, and Contemptible, are ever used with relation to the person that useth them: There being nothing simply and absolutely so; nor any common Rule of Good and Evill, to be taken from the nature of the objects themselves; but from the Person of the man (where there is no Commonwealth;) or, (in a Common-wealth,) from the Person that representeth it; or from an Arbitrator or Judge, whom men disagreeing shall by consent set up, and make his sentence the Rule thereof.

4. As all conceptions we have immediately by the sense, are delight, or pain, or appetite, or fear; so are also the imaginations after sense. But as they are weaker imaginations, so are they also weaker pleasures, or weaker pain.

5. As appetite is the beginning of animal motion toward something which pleaseth us; so is the attaining thereof, the END of that motion, which we also call the scope, and aim, and final cause of the same: and when we attain that end, the delight we have thereby is called FRUITION: so that *bonum* and *finis* are different names, but for different considerations of the same thing.

6. And of ends, some are called *propinqui*, that is, near at hand; others *remoti*, farther off. But when the ends that be nearer attaining, be compared with those that be farther off, they are not called ends, but means, and the way to those. But for an utmost end, in which the ancient philosophers have placed felicity, and have disputed much concerning the way thereto, there is no such thing in this world, nor way to it, more than to Utopia: for while we live, we have desires, and desire presupposeth a farther end. Those things which please us, as the way or means to a farther end, we call PROFITABLE; and the fruition of them, USE; and those things that profit not, VAIN.

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

7. Seeing all delight is appetite, and appetite presupposeth a farther end, there can be no contentment but in proceeding: and therefore we are not to marvel, when we see, that as men attain to more riches, honours, or other power; so their appetite continually groweth more and more; and when they are come to the utmost degree of one kind of power, they pursue some other, as long as in any kind they think themselves behind any other. Of those therefore that have attained to the highest degree of honour and riches, some have affected mastery in some art; as Nero in music and poetry, Commodus in the art of a gladiator. And such as affect not some such thing, must find diversion and recreation of their thoughts in the contention either of play, or business. And men justly complain as of a great grief, that they know not what to do. FELICITY, therefore (by which we mean continual delight), consisteth not in having prospered, but in prospering.

8. There are few things in this world, but either have a mixture of good and evil, or there is a chain of them so necessarily linked together, that the one cannot be taken without the other, as for example: the pleasures of sin, and the bitterness of punishment, are inseparable; as are also labour and honour, for the most part. Now when in the whole chain, the greater part is good, the whole is called good; and when the evil outweigheth, the whole is called evil.

9. There are two sorts of pleasure, whereof the one seemeth to affect the corporeal organ of sense, and that I call SENSUAL; the greatest whereof is that, by which we are invited to give continuance to our species; and the next, by which a man is invited to meat, for the preservation of his individual person. The other sort of delight is not particular to any part of the body, and is called the delight of the mind, and is that which we call JOY. Likewise of pains, some affect the body, and are therefore called the pains of the body; and some not, and those are called GRIEF.

58. *Continuall successe* in obtaining those things which a man from time to time desireth, that is to say, continuall prospering, is that men call FELICITY; I mean the Felicity of this life. For there is no such thing as perpetuall Tranquillity of mind, while we live here; because Life it selfe is but Motion, and can never be without Desire, nor without Feare, no more than without Sense. What kind of Felicity God hath ordained to them that devoutly honour him, a man shall no sooner know, than enjoy; being joyes, that now are as incomprehensible, as the word of School-men, *Beatificall Vision*, is unintelligible.

57. And because in Deliberation, the Appetites, and Aversions are raised by foresight of the good and evill consequences, and sequels of the action whereof we Deliberate; the good or evill effect thereof dependeth on the foresight of a long chain of consequences, of which very seldome any man is able to see to the end. But for so farre as a man seeth, if the Good in those consequences, be greater than the Evill, the whole chaine is that which Writers call *Apparent*, or *Seeming Good*. And contrarily, when the Evill exceedeth the Good, the whole is *Apparent*, or *Seeming Evill*: so that he who hath by Experience, or Reason, the greatest and surest prospect of Consequences, Deliberates best himself; and is able when he will, to give the best counsell unto others.

12. Of Pleasures, or Delights, some arise from the sense of an object Present; And those may be called *Pleasures of Sense*, (The word *sensuall*, as it is used by those onely that condemn them, having no place till there be Lawes.) Of this kind are all Onerations and Exonerations of the body; as also all that is pleasant, in the *Sight, Hearing, Smell, Tast, or Touch*; Others arise from the Expectation, that proceeds from foresight of the End, or Consequence of things; whether those things in the Sense Please or Displease: And these are *Pleasures of the Mind* of him that draweth those consequences; and are generally called JOY. In the like manner, Displeasures, are some in the Sense, and called PAYNE; others, in the Expectation of consequences, and are called GRIEFE.

Chapter 9. Of the passions of the mind

1. GLORY, or internal gloriation or triumph of the mind, is that passion which proceedeth from the imagination or conception of our own power, above the power of him that contendeth with us. The signs whereof, besides those in the countenance, and other gestures of the body which cannot be described, are, ostentation in words, and insolency in actions; and this passion, by them whom it displeaseth, is called pride: by them whom it pleaseth, it is termed a just valuation of himself. This imagination of our power and worth, may be an assured and certain experience of our own actions, and then is that glorying just and well grounded, and begetteth an opinion of increasing the same by other actions to follow; in which consisteth the appetite which we call ASPIRING, or proceeding from one degree of power to another. The same passion may proceed not from any conscience of our own actions, but from fame and trust of others, whereby one may think well of himself, and yet be deceived; and this is FALSE GLORY, and the aspiring consequent thereto procureth ill-success. Farther, the fiction (which also is imagination) of actions done by ourselves, which never were done, is glorying; but because it begetteth no appetite nor endeavour to any further attempt, it is merely vain and unprofitable; as when a man imagineth himself to do the actions whereof he readeth in some romant, or to be like unto some other man whose acts he admireth. And this is called VAIN GLORY: and is exemplified in the fable by the fly sitting on the axletree, and saying to himself, What a dust do I raise! The expression of vain glory is that we call a wish, which some of the Schoolmen, mistaking for some appetite distinct from all the rest, have called velleity, making a new word, as they made a new passion which was not before. Signs of vain glory in the gesture, are imitation of others, counterfeiting attention to things they understand not, affectation of fashions, captation of honour from their dreams, and other little stories of themselves, from their country, from their names, and the like.

13. These simple Passions called *Appetite, Desire, Love, Aversion, Hate, Joy,* and *Griefe*, have their names for divers considerations diversified. As first, when they one succeed another, they are diversly called from the opinion men have of the likelihood of attaining what they desire. Secondly, from the object loved or hated. Thirdly, from the consideration of many of them together. Fourthly, from the Alteration or succession it selfe.

39. *Joy*, arising from imagination of a mans own power and ability, is that exultation of the mind which is called GLORYING: which if grounded upon the experience of his own former actions, is the same with *Confidence*: but if grounded on the flattery of others; or onely supposed by himself, for delight in the consequences of it, is called VAIN-GLORY: which name is properly given; because a well grounded *Confidence* begetteth Attempt; whereas the supposing of power does not, and is therefore rightly called *Vaine*.

40. *Griefe*, from opinion of want of power, is called DEJECTION of mind.

41. The *vain-glory* which consisteth in the feigning or supposing of abilities in our selves, which we know are not, is most incident to young men, and nourished by the Histories, or Fictions of Gallant Persons; and is corrected often times by Age, and Employment.

2. The passion contrary to glory, proceeding from apprehension of our own infirmity, is called HUMILITY by those by whom it is approved; by the rest, DEJECTION and poorness; which conception may be well or ill grounded. If well, it produceth fear to attempt any thing rashly; if ill, it may be called vain fear, as the contrary is vain glory, and consisteth in fear of the power, without any other sign of the act to follow, as children fear to go in the dark, upon imagination of spirits, and fear all strangers as enemies. This is the passion which utterly crows a man, that he neither dare speak publicly, nor expect good success in any action.

3. It happeneth sometimes, that he that hath a good opinion of himself, and upon good ground, may nevertheless, by reason of the forwardness which that passion begetteth, discover in himself some defect or infirmity, the remembrance whereof dejecteth him; and this passion is called SHAME, by which being cooled and checked in his forwardness, he is more wary for the time to come. This passion, as it is a sign of infirmity, which is dishonour; so also it is a sign of knowledge, which is honour. The sign of it is blushing, which happeneth less in men conscious of their own defects, because they less betray the infirmities they acknowledge.

4. COURAGE, in a large signification, is the absence of fear in the presence of any evil whatsoever; but in a stricter and more common meaning, it is contempt of wounds and death, when they oppose a man in the way to his end.

5. ANGER (or sudden courage) is nothing but the appetite or desire of overcoming present opposition. It hath been commonly defined to be grief proceeding from an opinion of contempt; which is confuted by the often experience we have of being moved to anger by things inanimate and without sense, and consequently incapable of contemning us.

6. REVENGEFULNESS is that passion which ariseth from an expectation or imagination of making him that hath hurt us, to find his own action hurtful to himself, and to acknowledge the same; and this is the height of revenge. For though it be not hard, by returning evil for evil, to make one's adversary displeas'd with his own fact; yet to make him acknowledge the same, is so difficult, that many a man had rather die than do it. Revenge aimeth not at the death, but at the captivity and subjection of an enemy; which was well expressed in the exclamation of Tiberius Cæsar, concerning one, that, to frustrate his revenge, had killed himself in prison: Hath he escaped me? To kill is the aim of them that hate, to rid themselves of fear; revenge aimeth at triumph, which over the dead is not.

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

45. The *Contempt* of good Reputation is called IMPUDENCE.

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

18. Sudden *Courage*, ANGER.

34. *Desire*, by doing hurt to another, to make him condemn some fact of his own, REVENGEFULNESSE.

7. REPENTENCE is the passion that proceedeth from opinion or knowledge that the action they have done is out of the way to the end they would attain. The effect whereof is, to pursue that way no longer; but, by consideration of the end, to direct themselves into a better. The first motion therefore in this passion is grief. But the expectation or conception of returning again into the way, is joy. And consequently, the passion of repentance is compounded and allayed of both, but the predominant is joy, else were the whole grief; which cannot be. For as much as he that proceedeth towards the end, conceiveth good, he proceedeth with appetite. And appetite is joy, as hath been said, chap. 7, sect. 3.

8. HOPE is expectation of good to come, as fear is the expectation of evil: but when there be causes, some that make us expect good, and some that make us expect evil, alternately working in our minds: if the causes that make us expect good, be greater than those that make us expect evil, the whole passion is hope; if contrarily, the whole is fear. Absolute privation of hope is DESPAIR, a degree whereof is DIFFIDENCE.

9. TRUST is a passion proceeding from belief of him from whom we expect or hope for good, so free from doubt that upon the same we pursue no other way. And distrust, or diffidence, is doubt that maketh him endeavour to provide himself by other means. And that this is the meaning of the words trust and distrust, is manifest from this, that a man never provideth himself by a second way, but when he mistrusteth that the first will not hold.

10. PITY is imagination or fiction of future calamity to ourselves, proceeding from the sense of another man's present calamity; but when it lighteth on such as we think have not deserved the same, the compassion is the greater, because then there appeareth the more probability that the same may happen to us. For the evil that happeneth to an innocent man, may happen to every man. But when we see a man suffer for great crimes, which we cannot easily think will fall upon ourselves, the pity is the less. And therefore men are apt to pity those whom they love: for, whom they love, they think worthy of good, and therefore not worthy of calamity. Thence also it is, that men pity the vices of some they never saw before; and therefore every proper man finds pity amongst women, when he goeth to the gallows. The contrary of pity is HARDNESS of heart, proceeding either from slowness of imagination, or from extreme great opinion of their own exemption of the like calamity, or from hatred of all, or most men.

14. For *Appetite* with an opinion of attaining, is called HOPE.

15. The same, without such opinion, DESPAIRE.

19. Constant *Hope*, CONFIDENCE of our selves.

20. Constant *Despayre*, DIFFIDENCE of our selves.

46. *Griefe*, for the Calamity of another is PITY; and ariseth from the imagination that the like calamity may befall himselfe; and therefore is called also COMPASSION, and in the phrase of this present time a FELLOW-FEELING: And therefore for Calamity arriving from great wickedness, the best men have the least Pity; and for the same Calamity, those have least Pity, that think themselves least obnoxious to the same.

47. *Contempt*, or little sense of the calamity of others, is that which men call CRUELTY; proceeding from Security of their own fortune. For, that any man should take pleasure in other mens great harmes, without other end of his own, I do not conceive it possible.

11. INDIGNATION is that grief which consisteth in the conception of good success happening to them whom they think unworthy thereof. Seeing therefore men think all those unworthy whom they hate, they think them not only unworthy of the good fortune they have, but also of their own virtues. And of all the passions of the mind, these two, indignation and pity, are most easily raised and increased by eloquence; for the aggravation of the calamity, and extenuation of the fault, augmenteth pity. And the extenuation of the worth of the person, together with the magnifying of his success (which are the parts of an orator), are able to turn these two passions into fury.

12. EMULATION is grief arising from seeing one's self exceeded or excelled by his concurrent, together with hope to equal or exceed him in time to come, by his own ability. But, ENVY is the same grief joined with pleasure conceived in the imagination of some ill fortune that may befall him.

13. There is a passion which hath no name, but the sign of it is that distortion of the countenance we call LAUGHTER, which is always joy; but what joy, what we think, and wherein we triumph when we laugh, hath not hitherto been declared by any. That it consisteth in wit, or, as they call it, in the jest, this experience confuteth: for men laugh at mischances and indecencies, wherein there lieth no wit or jest at all. And forasmuch as the same thing is no more ridiculous when it groweth stale or usual, whatsoever it be that moveth laughter, it must be new and unexpected. Men laugh often (especially such as are greedy of applause from every thing they do well) at their own actions performed never so little beyond their own expectation; as also at their own jests: and in this case it is manifest, that the passion of laughter proceedeth from a sudden conception of some ability in himself that laugheth. Also men laugh at the infirmities of others, by comparison of which their own abilities are set off and illustrated. Also men laugh at jests, the wit whereof always consisteth in the elegant discovering and conveying to our minds some absurdity of another. And in this case also the passion of laughter proceedeth from the sudden imagination of our own odds and eminence; for what is else the recommending ourselves to our own good opinion, by comparison with another man's infirmities or absurdity? For when a jest is broken upon ourselves, or friends of whose dishonour we participate, we never laugh thereat. I may therefore conclude, that the passion of laughter is nothing else but a sudden glory arising from sudden conception of some eminency in ourselves, by comparison with the infirmities of others, or with our own formerly: for men laugh at the follies of themselves past, when they come suddenly to remembrance, except they bring with them any

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

48. *Griefe*, for the success of a Competitor in wealth, honour, or other good, if it be joyed with Endeavour to enforce our own abilities to equall or exceed him, is called EMULATION: But joyed with Endeavour to supplant or hinder a Competitor, ENVIE.

42. *Sudden Glory*, is the passion which maketh those *Grimaces* called LAUGHTER; and is caused either by some sudden act of their own, that pleaseth them; or by the apprehension of some deformed thing in another, by comparison whereof they suddenly applaud themselves. And it is incident most to them, that are conscious of the fewest abilities in themselves; who are forced to keep themselves in their own favour, by observing the imperfections of other men. And therefore much Laughter at the defects of others, is a signe of Pusillanimity. For of great minds, one of the proper workes is, to help and free others from scorn; and compare themselves onely with the most able.

present dishonour. It is no wonder therefore that men take it heinously to be laughed at or derided, that is, triumphed over. Laughter without offence, must be at absurdities and infirmities abstracted from persons, and where all the company may laugh together. For laughing to one's self putteth all the rest to a jealousy and examination of themselves; besides, it is vain glory, and an argument of little worth, to think the infirmities of another sufficient matter for his triumph.

14. The passion opposite hereunto, whose signs are another distortion of the face with tears, called **WEEPING**, is the sudden falling out with ourselves, or sudden conception of defect; and therefore children weep often; for seeing they think every thing ought to be given unto them which they desire, of necessity every repulse must be a sudden check of their expectation, and puts them in mind of their too much weakness to make themselves masters of all they look for. For the same cause women are more apt to weep than men, as being not only more accustomed to have their wills, but also to measure their power by the power and love of others that protect them. Men are apt to weep that prosecute revenge, when the revenge is suddenly stopped or frustrated by the repentance of the adversary; and such are the tears of reconciliation. Also pityful men are subject to this passion upon the beholding of those men they pity, and suddenly remember they cannot help. Other weeping in men proceedeth for the most part from the same cause it proceedeth from in women and children.

15. The appetite which men call **LUST**, and the fruition that appertaineth thereunto, is a sensual pleasure, but not only that; there is in it also a delight of the mind: for it consisteth of two appetites together, to please, and to be pleased; and the delight men take in delighting, is not sensual, but a pleasure or joy of the mind, consisting in the imagination of the power they have so much to please. But this name lust is used where it is condemned: otherwise it is called by the general word love; for the passion is one and the same indefinite desire of the different sex, as natural as hunger.

16. Of love, by which is understood the joy a man taketh in the fruition of any present good, hath been already spoken in the first section of the seventh chapter, under which is contained the love men bear to one another, or pleasure they take in one another's company; and by which men are said to be sociable by nature. But there is another kind of **LOVE**, which

43. On the contrary, *Sudden Dejection*, is the passion that causeth **WEEPING**; and is caused by such accidents, as suddenly take away some vehement hope, or some prop of their power: And they are most subject to it, that rely principally on helps externall, such as are Women, and Children. Therefore some Weep for the losse of Friends; Others for their unkindnesse; others for the sudden stop made to their thoughts of revenge, by Reconciliation. But in all cases, both Laughter, and Weeping, are sudden motions; Custome taking them both away. For no man Laughs at old jests; or Weeps for an old calamity.

30. *Love of Persons for society*, **KINDNESSE**.

31. *Love of Persons for Pleasing the sense onely*, **NATURALL LUST**.

32. *Love of the same, acquired from Ruminaton*, that is, *Imagination of Pleasure past*, **LUXURY**.

33. *Love of one singularly, with desire to be singularly beloved*, **THE PASSION OF LOVE**. The same, with fear that the love is not mutuall, **JEALOUSIE**.

the Greeks call Ἔρως, and is that which we mean, when we say: that man or woman is in love. For as much as this passion cannot be without diversity of sex, it cannot be denied but that it participateth of that indefinite love mentioned in the former section. But there is a great difference between the desire of a man indefinite, and the same desire limited *ad hanc*; and this is that love which is the great theme of poets. But notwithstanding their praises, it must be defined by the word need; for it is a conception of the need a man hath of that one person desired. The cause of this passion is not always, nor for the most part, beauty, or other quality, in the beloved, unless there be withal hope in the person that loveth; which may be gathered from this: that in great difference of persons, the greater have often fallen in love with the meaner; but not contrary. And from hence it is, that for the most part they have much better fortune in love, whose hopes are built upon something in their person, than those that trust to their expressions and service; and they that care less, than they that care more; which not perceiving many men cast away their services, as one arrow after another; till in the end together with their hopes they lose their wits.

17. There is yet another passion sometimes called love, but more properly good will or CHARITY. There can be no greater argument to a man of his own power, than to find himself able, not only to accomplish his own desires, but also to assist other men in theirs: and this is that conception wherein consisteth charity. In which, first, is contained that natural affection of parents to their children, which the Greeks call Στοργή, as also that affection wherewith men seek to assist those that adhere unto them. But the affection wherewith men many times bestow their benefits on strangers, is not to be called charity, but either contract, whereby they seek to purchase friendship; or fear, which maketh them to purchase peace. The opinion of Plato concerning honourable love, delivered (according to his custom, in the person of Socrates) in the dialogue intituled *Convivium*, is this: that a man full and pregnant with wisdom, or other virtue, naturally seeketh out some beautiful person, of age and capacity to conceive, in whom he may, without sensual respects, engender and produce the like. And this is the idea of the then noted love of Socrates wise and continent, to Alcibiades young and beautiful: in which love, is not sought the honour, but issue of his knowledge; contrary to common love, to which though issue sometimes follow, yet men seek not that, but to please, and to be pleased. It should therefore be this charity, or desire to assist and advance others. But why then should the wise seek the ignorant, or be more charitable to the beautiful than to others? There is something in it savouring of the use of that

22. *Desire* of good to another, BENEVOLENCE, GOOD WILL, CHARITY. If to man generally, GOOD NATURE.

time: in which matter though Socrates be acknowledged for continent, yet continent men have the passion they contain, as much or more than they that satiate the appetite; which maketh me suspect this platonic love for merely sensual; but with an honourable pretence for the old to haunt the company of the young and beautiful.

18. Forasmuch as all knowledge beginneth from experience, therefore also new experience is the beginning of new knowledge, and the increase of experience the beginning of the increase of knowledge; whatsoever therefore happeneth new to a man, giveth him hope and matter of knowing somewhat that he knew not before. And this hope and expectation of future knowledge from anything that happeneth new and strange, is that passion which we commonly call ADMIRATION; and the same considered as appetite, is called CURIOSITY, which is appetite of knowledge. As in the discerning faculties, man leaveth all community with beasts at the faculty of imposing names; so also doth he surmount their nature at this passion of curiosity. For when a beast seeth anything new or strange to him, he considereth it so far only as to discern whether it be likely to serve his turn, or hurt him, and accordingly approacheth nearer it, or flieth from it; whereas man, who in most events remembereth in what manner they were caused and begun, looketh for the cause and beginning of everything that ariseth new unto him. And from this passion of admiration and curiosity, have arisen not only the invention of names, but also the supposition of such causes of all things as they thought might produce them. And from this beginning is derived all philosophy: as astronomy from the admiration of the course of heaven; natural philosophy from the strange effects of the elements and other bodies. And from the degrees of curiosity proceed also the degrees of knowledge amongst men; for to a man in the chase of riches or authority, (which in respect of knowledge are but sensuality) it is a diversion of little pleasure to consider, whether it be the motion of the sun or the earth that maketh the day, or to enter into other contemplation of any strange accident, than whether it conduce or not to the end he pursueth. Because curiosity is delight, therefore also all novelty is so, but especially that novelty from which a man conceiveth an opinion true or false of bettering his own estate. For in such case they stand affected with the hope that all gamesters have while the cards are shuffling.

38. Joy, from apprehension of novelty, ADMIRATION; proper to Man, because it excites the appetite of knowing the cause.

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

36. Feare of power invisible, feigned by the mind, or imagined from tales publicly allowed, RELIGION; not allowed, SUPERSTITION. And when the power imagined, is truly such as we imagine, TRUE RELIGION.

19. Divers other passions there be, but they want names; whereof some nevertheless have been by most men observed. For example: from what passion proceedeth it, that men take pleasure to behold from the shore the danger of them that are at sea in a tempest, or in fight, or from a safe castle to behold two armies charge one another in the field? It is certainly in the whole sum joy, else men would never flock to such a spectacle. Nevertheless there is in it both joy and grief. For as there is novelty and remembrance of own security present, which is delight; so is there also pity, which is grief. But the delight is so far predominant, that men usually are content in such a case to be spectators of the misery of their friends.

20. MAGNANIMITY is no more than glory, of which I have spoken in the first section; but glory well grounded upon certain experience of power sufficient to attain his end in open manner. And PUSILLANIMITY is the doubt of that; whatsoever therefore is a sign of vain glory, the same is also a sign of pusillanimity: for sufficient power maketh glory a spur to one's end. To be pleased or displeased with fame true or false, is a sign of the same, because he that relieth upon fame, hath not his success in his own power. Likewise art and fallacy are signs of pusillanimity, because they depend not upon our own power, but the ignorance of others. Also proneness to anger, because it argueth difficulty of proceeding. Also ostentation of ancestors, because all men are more inclined to make shew of their own power when they have it, than of another's. To be at enmity and contention with inferiors, is a sign of the same, because it proceedeth from want of power to end the war. To laugh at others, because it is affectation of glory from other men's infirmities, and not from any ability of their own. Also irresolution, which proceedeth from want of power enough to condemn the little differences that make deliberations hard.

37. *Feare*, without the apprehension of why, or what, PANIQUE TERROR; called so from the Fables, that make *Pan* the author of them; whereas in truth, there is always in him that so feareth, first, some apprehension of the cause, though the rest run away by Example; every one supposing his fellow to know why. And therefore this Passion happens to none but in a throng, or multitude of people.

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

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

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

26. *Contempt of little helps, and hindrances*, MAGNANIMITY.

27. *Magnanimity*, in danger of Death, or Wounds, VALOUR, FORTITUDE.

28. *Magnanimity* in the use of Riches, LIBERALITY.

29. *Pusillanimity*, in the same WRETCHEDNESSE, MISERABLENESSE; OR PARSIMONY; as it is liked, or disliked.

21. The comparison of the life of man to a race, though it holdeth not in every point, yet it holdeth so well for this our purpose, that we may thereby both see and remember almost all the passions before mentioned. But this race we must suppose to have no other goal, nor other garland, but being foremost; and in it:

To endeavour, is appetite.

To be remiss, is sensuality.

To consider them behind, is glory.

To consider them before, humility.

To lose ground with looking back, vain glory.

To be holden, hatred.

To turn back, repentance.

To be in breath, hope.

To be weary, despair.

To endeavour to overtake the next, emulation.

To supplant or overthrow, envy.

To resolve to break through a stop foreseen, courage.

To break through a sudden stop, anger.

To break through with ease, magnanimity.

To lose ground by little hindrances, pusillanimity.

To fall on the sudden, is disposition to weep.

To see another fall, disposition to laugh.

To see one out-gone whom we would not, is pity.

To see one out-go we would not, is indignation.

To hold fast by another, is to love.

To carry him on that so holdeth, is charity.

To hurt one's-self for haste, is shame.

Continually to be out-gone, is misery.

Continually to out-go the next before, is felicity.

And to forsake the course, is to die.

Chapter 12. How by deliberation from passions proceed men's actions

1. It hath been declared already, how external objects cause conceptions, and conceptions appetite and fear, which are the first unperceived beginnings of our actions: for either the action immediately followeth the first appetite, as when we do any thing upon a sudden; or else to our first appetite there succeedeth some conception of evil to happen unto us by such actions, which is fear, and withholdeth us from proceeding. And to that fear may succeed a new appetite, and to that appetite another fear, alternately, till the action be either done, or some accident come between, to make it impossible; and so this alternate appetite and fear ceaseth. This alternate succession of appetite and fear, during all the time the action is in our power to do, or not to do, is that we call DELIBERATION;

49. When in the mind of man, Appetites, and Aversions, Hopes, and Feares, concerning one and the same thing, arise alternately; and divers good and evill consequences of the doing, or omitting the thing propounded, come successively into our thoughts; so that sometimes we have an Appetite to it; sometimes an Aversion from it; sometimes Hope to be able to do it; sometimes Despaire, or Feare to attempt it; the whole summe of Desires, Aversions, Hopes and Feares, continued till the thing be either done, or thought impossible, is that we call DELIBERATION.

which name hath been given it for that part of the definition wherein it is said that it lasteth so long, as the action whereof we deliberate, is in our power; for so long we have liberty to do or not to do: and deliberation signifieth the taking away of our own liberty.

2. Deliberation therefore requireth in the action deliberated two conditions: one, that it be future; the other, that there be hope of doing it, or possibility of not doing it. For appetite and fear are expectations of the future; and there is no expectation of good without hope; nor of evil without possibility. Of necessaries therefore there is no deliberation. In deliberation the last appetite, as also the last fear, is called WILL (*viz.*) the last appetite will to do; the last fear will not to do, or will to omit. It is all one therefore to say will and last will: for though a man express his present inclination and appetite concerning the disposing of his goods, by word or writing; yet shall it not be accounted his will, because he hath liberty still to dispose of them otherwise; but when death taketh away that liberty, then it is his will.

3. VOLUNTARY actions and omissions are such as have beginning in the will; all other are INVOLUNTARY OR MIXED. Voluntary such as a man doth upon appetite or fear; involuntary such as he doth by necessity of nature, as when he is pushed, or falleth, and thereby doth good or hurt to another; mixed, such as participate of both; as when a man is carried to prison he is pulled on against his will, and yet goeth upright voluntarily, for fear of being trailed along the ground: insomuch that in going to prison, going is voluntary; to the prison, involuntary. The example of him that throweth his goods out of a ship into the sea, to save his person, is of an action altogether voluntary: for, there is nothing there involuntary, but the hardness of the choice, which is not his action, but the action of the winds; what he himself doth, is no more against his will, than to fly from danger is against the will of him that seeth no other means to preserve himself.

50. Therefore of things past, there is no *Deliberation*; because manifestly impossible to be changed: nor of things known to be impossible, or thought so; because men know, or think such *Deliberation* vain. But of things impossible, which we think possible, we may *Deliberate*; not knowing it is in vain. And it is called *Deliberation*; because it is a putting an end to the *Liberty* we had of doing, or omitting, according to our own Appetite, or Aversion.

51. This alternate Succession of Appetites, Aversions, Hopes and Fears, is no lesse in other living Creatures then in Man: and therefore Beasts also *Deliberate*.

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

53. In *Deliberation*, the last Appetite, or Aversion, immediately adhæring to the action, or to the omission thereof, is that wee call the WILL; the Act, (not the faculty,) of *Willing*. And Beasts that have *Deliberation*, must necessarily also have *Will*. The Definition of the *Will*, given commonly by the Schooles, that it is a *Rationall Appetite*, is not good. For if it were, then could there be no Voluntary Act against Reason. For a *Voluntary Act* is that, which proceedeth from the *Will*, and no other. But if in stead of a *Rationall Appetite*, we shall say an Appetite resulting from a precedent *Deliberation*, then the Definition is the same that I have given here. *Will* therefore is *the last Appetite in Deliberating*. And though we say in common Discourse, a man had a Will once to do a thing, that nevertheless he forbore to do; yet that is properly but an Inclination, which makes no Action Voluntary; because the action depends not of it, but of the last Inclination, or Appetite. For if the intervenient Appetites, make any action Voluntary; then by the same Reason all intervenient Aversions, should make the same action Involuntary; and so one and the same action, should be both Voluntary & Involuntary.

54. By this it is manifest, that not onely actions that have their beginning from Covetousnesse, Ambition, Lust, or other Appetites to the thing propounded; but also those that have their beginning from Aversion, or Feare of those consequences that follow the omission, are *voluntary actions*.

4. Voluntary also are the actions that proceed from sudden anger, or other sudden appetite, in such men as can discern of good and evil; for in them the time precedent is to be judged deliberation. For then also he deliberateth in what cases it is good to strike, deride, or do any other action proceeding from anger or other such sudden passion.

5. Appetite, fear, hope, and the rest of the passions are not called voluntary; for they proceed not from, but are the will; and the will is not voluntary. For a man can no more say he will will, than he will will will, and so make an infinite repetition of the word will; which is absurd, and insignificant.

6. Forasmuch as will to do is appetite, and will to omit, fear; the causes of appetite and of fear are the causes also of our will. But the propounding of benefits and of harms, that is to say, of reward and punishment, is the cause of our appetite and of our fears, and therefore also of our wills, so far forth as we believe that such rewards and benefits, as are propounded, shall arrive unto us. And consequently, our wills follow our opinions, as our actions follow our wills. In which sense they say truly and properly that say the world is governed by opinion.

7. When the wills of many concur to some one and the same action, or effect, this concurrence of their wills is called **CONSENT**; by which we must not understand one will of many men, for every man hath his several will; but many wills to the producing of one effect. But when the wills of two divers men produce such actions as are reciprocally resistances one to the other, this is called **CONTENTION**: and being upon the persons of one another, **BATTLE**; whereas actions proceeding from consent are mutual **AID**.

8. When many wills are involved or included in the will of one or more consenting, (which how it may be, shall be hereafter declared) then is that involving of many wills in one or more called **UNION**.

9. In deliberations interrupted, as they may be by diversion to other business, or by sleep, the last appetite of such part of the deliberation is called **INTENTION**, or purpose.

55. The formes of Speech by which the Passions are expressed, are partly the same, and partly different from those, by which wee expresse our Thoughts. And first generally all Passions may be expressed *Indicatively*; as *I love, I feare, I joy, I deliberate, I will, I command*: but some of them have particular expressions by themselves, which nevertheless are not affirmations, unlesse it be when they serve to make other inferences, besides that of the Passion they proceed from. Deliberation is expressed *Subjunctively*; which is a speech proper to signifie

suppositions, with their consequences; as, *If this be done, then this will follow*; and differs not from the language of Reasoning, save that Reasoning is in generall words; but Deliberation for the most part is of Particulars. The language of Desire, and Aversion, is *Imperative*; as, *Do this, forbear that*; which when the party is obliged to do, or forbear, is *Command*; otherwise *Prayer*; or els *Counsell*. The language of Vain-Glory, of Indignation, Pitty and Revengfulness, *Optative*: But of the Desire to know, there is a peculiar expression, called *Interrogative*; as, *What is it, when shall it, how is it done, and why so?* other language of the Passions I find none: For Cursing, Swearing, Reviling, and the like, do not signifie as Speech; but as the actions of a tongue accustomed.

56. These formes of Speech, I say, are expressions, or voluntary significations of our Passions: but certain signes they be not; because they may be used arbitrarily, whether they that use them, have such Passions or not. The best signes of Passions present, are either in the countenance, motions of the body, actions, and ends, or aimes, which we otherwise know the man to have.

59. The forme of Speech whereby men signifie their opinion of the Goodnesse of any thing, is PRAISE. That whereby they signifie the power and greatnesse of any thing is MAGNIFYING. And that whereby they signifie the opinion they have of a mans Felicity, is by the Greeks called μακαρισμός, for which wee have no name in our tongue. And thus much is sufficient for the present purpose, to have been said of the PASSIONS.

CHAPTER 8

Chapter 8 of *The Elements of Law* / Chapter 10 of *Leviathan*

Précis table

Part I. Concerning men as persons natural	Part I. OF MAN
Chapter 8. Of the pleasures of the sense; of honour	Chapter 10. <i>Of POWER, WORTH, DIGNITY, HONOUR, and WORTHINESSE</i>
1, 2. Wherein consist the pleasures of the sense	
3, 4. Of the imagination, or conception of power	1. Power 2.
	3–15.
5. Honour, honourable, worth	37. Honourable 38. Dishonourable 39–49. 16. Worth 17. 18. Dignity
6. Signs of honour	19. To Honour and Dishonour 20–33.
	34–6. 50. Coats of Armes 51. 52. Titles of Honour
	53. Worthinesse; Fitnessse 54.
7. Reverence	
8.	

Part I. Concerning men as persons natural**Chapter 8. Of the pleasures of the sense; of honour**

1. HAVING in the first section of the precedent chapter presupposed that motion and agitation of the brain which we call conception, to be continued to the heart, and there to be called passion; I have thereby obliged myself, as far forth as I can, to search out and declare, from what conception proceedeth every one of those passions which we commonly take notice of. For the things that please and displease, are innumerable, and work innumerable ways; but men have taken notice of the passions they have from them in a very few, which also are many of them without name.

2. And first, we are to consider that of conceptions there are three sorts, whereof one is of that which is present, which is sense; another, of that which is past, which is remembrance; and the third, of that which is future, which we call expectation: all which have been manifestly declared in the second and the third chapter. And every of these conceptions is pleasure present. And first for the pleasures of the body which affect the sense of touch and taste, as far forth as they be organical, their conception is sense; so also is the pleasure of all exonerations of nature; all which passions I have before named sensual pleasures; and their contraries, sensual pains; to which also may be added the pleasures and displeasures of odours, if any of them shall be found organical, which for the most part they are not, as appeareth by this experience which every man hath, that the same smells, when they seem to proceed from others, displease, though they proceed from ourselves; but when we think they proceed from ourselves, they displease not, though they come from others: the displeasure therefore, in these is a conception of hurt thereby as being unwholesome, and is therefore a conception of evil to come, and not present. Concerning the delight of hearing, it is diverse, and the organ itself not affected thereby. Simple sounds please by continuance and equality, as the sound of a bell or lute: insomuch that it seemeth an equality continued by the percussion of the object upon the ear, is pleasure; the contrary is called harshness: such as is grating, and some other sounds, which do not always affect the body, but only sometimes, and that with a kind of horror beginning at the teeth. Harmony, or many sounds together agreeing, please by the same reason as unison, which is the sound of equal strings equally stretched. Sounds that differ in any height, please by inequality and

Part I. OF MAN**Chapter 10. Of POWER, WORTH, DIGNITY, HONOUR, and WORTHINESSE**

equality alternate, that is to say, the higher note striketh twice, for one stroke of the other, whereby they strike together every second time; as is well proved by Galileo, in the first dialogue concerning local motions, where he also sheweth, that two sounds differing a fifth, delight the ear by an equality of striking after two inequalities; for the higher note striketh the ear thrice, while the other striketh but twice. In the like manner he sheweth, wherein consisteth the pleasure of concord, and the displeasure of discord, in other differences of notes. There is yet another pleasure and displeasure of sounds, which consisteth in consequence of one note after another, diversified both by accent and measure: whereof that which pleaseth is called air. But for what reason succession in one tone and measure is more air than another, I confess I know not; but I conjecture the reason to be, for that some of them may imitate and revive some passion which otherwise we take no notice of, and the other not; for no air pleaseth but for a time, no more doth imitation. Also the pleasures of the eye consist in a certain equality of colour: for light, the most glorious of all colours, is made by equal operation of the object; whereas colour is (perturbed, that is to say) unequal light, as hath been said chap. 2. sect. 8. And therefore colours, the more equality is in them, the more resplendent they are. And as harmony is a pleasure to the ear, which consisteth of divers sounds; so perhaps may some mixture of divers colours be harmony to the eye, more than another mixture. There is yet another delight by the ear, which happeneth only to men of skill in music, which is of another nature, and not (as these) conception of the present, but rejoicing in their own skill; of which nature are the passions of which I am to speak next.

3. Conception of the future is but a supposition of the same, proceeding from remembrance of what is past; and we so far conceive that anything will be hereafter, as we know there is something at the present that hath power to produce it. And that anything hath power now to produce another thing hereafter, we cannot conceive, but by remembrance that it hath produced the like heretofore. Wherefore all conception of future, is conception of power able to produce something; whosoever therefore expecteth pleasure to come, must conceive withal some power in himself by which the same may be attained. And because the passions whereof I am to speak next, consist in conception of the future, that is to say, in conception of power past, and the act to come; before I go any farther, I must in the next place speak somewhat concerning this power.

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

2. *Naturall Power*, is the eminence of the Faculties of Body, or Mind: as extraordinary Strength, Forme, Prudence, Arts, Eloquence, Liberality, Nobility. *Instrumentall* are those Powers, which acquired by these, or by fortune, are means and Instruments to acquire more: as Riches, Reputation, Friends, and the Secret working of God, which men call Good Luck. For the nature of Power, is in this point, like to Fame, increasing as it proceeds; or like the motion of heavy bodies, which the further they go, make still the more hast.

4. By this power I mean the same with the faculties of body and mind, mentioned in the first chapter, that is to say, of the body, nutritive, generative, motive; and of the mind, knowledge. And besides those, such farther powers, as by them are acquired (*viz.*) riches, place of authority, friendship or favour, and good fortune; which last is really nothing else but the favour of God Almighty. The contraries of these are impotencies, infirmities, or defects of the said powers respectively. And because the power of one man resisteth and hindereth the effects of the power of another: power simply is no more, but the excess of the power of one above that of another. For equal powers opposed, destroy one another; and such their opposition is called contention.

3. The Greatest of humane Powers, is that which is compounded of the Powers of most men, united by consent, in one person, Naturall, or Civill, that has the use of all their Powers depending on his will; such as is the Power of a Common-wealth: Or depending on the wills of each particular; such as is the Power of a Faction, or of divers factions leagued. Therefore to have servants, is Power; To have Friends, is Power: for they are strengths united.

4. Also Riches joyned with liberality, is Power; because it procureth friends, and servants: Without liberality, not so; because in this case they defend not; but expose men to Envy, as a Prey.

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

6. So is Reputation of love of a mans Country, (called Popularity,) for the same Reason.

7. Also, what quality soever maketh a man beloved, or feared of many; or the reputation of such quality, is Power; because it is a means to have the assistance, and service of many.

8. Good successe is Power; because it maketh reputation of Wisdome, or good fortune; which makes men either feare him, or rely on him.

9. Affability of men already in power, is encrease of Power; because it gaineth love.

10. Reputation of Prudence in the conduct of Peace or War, is Power; because to prudent men, we commit the government of our selves, more willingly than to others.

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

5. The signs by which we know our own power are those actions which proceed from the same; and the signs by which other men know it, are such actions, gesture, countenance and speech, as usually such powers produce: and the acknowledgment of power is called HONOUR; and to honour a man (inwardly in the mind) is to conceive or acknowledge, that that man hath the odds or excess of power above him that contendeth or compareth himself. And HONOURABLE are those signs for which one man acknowledgeth power or excess above his concurrent in another. As for example: —Beauty of person, consisting in a lively aspect of the countenance, and other signs of natural heat, are honourable, being signs precedent of power generative, and much issue; as also, general reputation amongst those of the other sex, because signs consequent of the same. —And actions proceeding from strength of body and open force, are honourable, as signs consequent of power motive, such as are victory in battle or duel; *et à avoir tué son homme*. —Also to adventure upon great exploits and danger, as being a sign consequent of opinion of our own strength: and that opinion a sign of the strength itself. —And to teach or persuade are honourable, because they be signs of knowledge. —And riches are honourable; as signs of the power that acquired them. —And gifts, costs, and magnificence of houses, apparel, and the like, are honourable, as signs of riches. —And nobility is honourable by reflection, as signs of power in the ancestors. —And authority, because a sign of strength, wisdom, favour or riches by which it is attained. —And good fortune or casual prosperity is honourable, because a sign of the favour of God, to whom is to be ascribed all that cometh to us by fortune, no less than that we attain unto by industry. —And the contraries,

12. Eloquence is power; because it is seeming Prudence.

13. Forme is Power; because being a promise of Good, it recommendeth men to the favour of women and strangers.

14. The Sciences, are small Power; because not eminent; and therefore, not acknowledged in any man; nor are at all, but in a few; and in them, but of a few things. For Science is of that nature, as none can understand it to be, but such as in a good measure have attained it.

15. Arts of publique use, as Fortification, making of Engines, and other Instruments of War; because they conferre to Defence, and Victory, are Power: And though the true Mother of them, be Science, namely the Mathematiques; yet, because they are brought into the Light, by the hand of the Artificer, they be esteemed (the Midwife passing with the vulgar for the Mother,) as his issue.

37. *Honourable* is whatsoever possession, action, or quality, is an argument and signe of Power.

38. And therefore To be Honoured, loved, or feared of many, is Honourable; as arguments of Power. To be Honoured of few or none, *Dishonourable*.

39. Dominion, and Victory is Honourable; because acquired by Power; and Servitude, for need, or feare, is Dishonourable.

40. Good fortune (if lasting,) Honourable; as a signe of the favour of God. Ill fortune, and losses, Dishonourable. Riches, are Honourable; for they are Power. Poverty, Dishonourable. Magnanimity, Liberality, Hope, Courage, Confidence, are Honourable; for they proceed from the conscience of Power. Pusillanimity, Parsimony, Fear, Diffidence, are Dishonourable.

41. Timely Resolution, or determination of what a man is to do, is Honourable; as being the contempt of small difficulties, and dangers. And Irresolution, Dishonourable; as a signe of too much valuing of little impediments, and little advantages: For when a man has weighed things as long as the time permits, and resolves not, the difference of weight is but little; and therefore if he resolve not, he overvalues little things, which is Pusillanimity.

42. All Actions, and Speeches, that proceed, or seem to proceed from much Experience, Science, Discretion, or Wit, are Honourable; For all these are Powers. Actions, or Words that proceed from Errour, Ignorance, or Folly, Dishonourable.

or defects, of these signs are dishonourable; and according to the signs of honour and dishonour, so we estimate and make the value or WORTH of a man. For so much worth is every thing, as a man will give for the use of all it can do.

43. Gravity, as farre forth as it seems to proceed from a mind employed on some thing else, is Honourable; because employment is a signe of Power. But if it seem to proceed from a purpose to appear grave, it is Dishonourable. For the gravity of the former, is like the steddinesse of a Ship laden with Merchandise; but of the later, like the steddinesse of a Ship ballasted with Sand, and other trash.

44. To be Conspicuous, that is to say, to be known, for Wealth, Office, great Actions, or any eminent Good, is Honourable; as a signe of the power for which he is conspicuous. On the contrary, Obscurity, is Dishonourable.

45. To be descended from conspicuous Parents, is Honourable; because they the more easily attain the aydes, and friends of their Ancestors. On the contrary, to be descended from obscure Parentage, is Dishonourable.

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

47. Covetousnesse of great Riches, and ambition of great Honours, are Honourable; as signes of power to obtain them. Covetousnesse, and ambition, of little gaines, or preferments, is Dishonourable.

48. Nor does it alter the case of Honour, whether an action (so it be great and difficult, and consequently a signe of much power,) be just or unjust: for Honour consisteth onely in the opinion of Power. Therefore the ancient Heathen did not thinke they Dishonoured, but greatly Honoured the Gods, when they introduced them in their Poems, committing Rapes, Thefts, and other great, but unjust, or unclean acts: In so much as nothing is so much celebrated in *Jupiter*, as his Adulteries; nor in *Mercury*, as his Frauds, and Thefts: of whose praises, in a hymne of *Homer*, the greatest is this, that being born in the morning, he had invented Musique at noon, and before night, stolne away the Cattell of *Apollo*, from his Herdsmen.

49. Also amongst men, till there were constituted great Common-wealths, it was thought no dishonour to be a Pyrate, or a High-way Theefe; but rather a lawfull Trade, not onely amongst the Greeks, but also amongst all other Nations; as is manifest by the Histories of antient time. And at this day, in this part of the world, private Duels are, and alwayes will be Honourable, though unlawfull, till such time as there shall be Honour ordained for them that refuse, and Ignominy for them that make the Challenge. For Duels also are many times effects of Courage; and the

ground of Courage is alwayes Strength or Skill, which are Power; though for the most part they be effects of rash speaking, and of the fear of Dishonour, in one, or both the Combatants; who engaged by rashnesse, are driven into the Lists to avoyd disgrace.

16. The *Value*, or WORTH of a man, is as of all other things, his Price; that is to say, so much as would be given for the use of his Power: and therefore is not absolute; but a thing dependant on the need and judgement of another. An able conductor of Souldiers, is of great Price in time of War present, or imminent; but in Peace not so. A learned and uncorrupt Judge, is much Worth in time of Peace; but not so much in War. And as in other things, so in men, not the seller, but the buyer determines the Price. For let a man (as most men do,) rate themselves as the highest Value they can; yet their true Value is no more than it is esteemed by others.

17. The manifestation of the Value we set on one another, is that which is commonly called Honouring, and Dishonouring. To Value a man at a high rate, is to *Honour* him; at a low rate, is to *Dishonour* him. But high, and low, in this case, is to be understood by comparison to the rate that each man setteth on himselfe.

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

6. The signs of honour are those by which we perceive that one man acknowledgeth the power and worth of another. Such as these: —To praise; to magnify; to bless, or call happy; to pray or supplicate to; to thank; to offer unto or present; to obey; to hearken to with attention; to speak to with consideration; to approach unto in decent manner, to keep distance from; to give the way to, and the like; which are the honour the inferior giveth to the superior.

But the signs of honour from the superior to the inferior, are such as these: to praise or prefer him before his concurrent; to hear him more willingly; to speak to him more familiarly; to admit him nearer; to employ him rather; to ask his advice rather; to like his opinions; and to give him any gift rather than money, or if money, so much as may not imply his need of a little: for need of little is greater poverty than need of much. And this is enough for examples of the signs of honour and of power.

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

20. To obey, is to Honour; because no man obeyes them, whom they think have no power to help, or hurt them. And consequently to disobey, is to *Dishonour*.

21. To give great gifts to a man, is to Honour him; because 'tis buying of Protection, and acknowledging of Power. To give little gifts, is to Dishonour; because it is but Almes, and signifies an opinion of the need of small helps.

22. To be sedulous in promoting anothers good; also to flatter, is to Honour; as a signe we seek his protection or ayde. To neglect, is to Dishonour.

23. To give way, or place to another, in any Commodity, is to Honour; being a confession of greater power. To arrogate, is to Dishonour.

24. To shew any signe of love, or feare of another, is to Honour; for both to love, and to feare, is to value. To contemne, or lesse to love or feare, then he expects, is to Dishonour; for 'tis undervaluing.

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

26. To speak to another with consideration, to appear before him with decency, and humility, is to Honour him; as signes of fear to offend. To speak to him rashly, to do anything before him obscenely, slovenly, impudently, is to Dishonour.

27. To believe, to trust, to rely on another, is to Honour him; signe of opinion of his vertue and power. To distrust, or not believe, is to Dishonour.

28. To hearken to a mans counsell, or discourse of what kind soever, is to Honour; as a signe we think him wise, or eloquent, or witty. To sleep, or go forth, or talk the while, is to Dishonour.

29. To do those things to another, which he takes for signes of Honour, or which the Law or Custome makes so, is to Honour; because in approving the Honour done by others, he acknowledgeth the power which others acknowledge. To refuse to do them, is to Dishonour.

30. To agree with in opinion, is to Honour; as being a signe of approving his judgement, and wisdom. To dissent, is Dishonour; and an upbraiding of error; and (if the dissent be in many things) of folly.

31. To imitate, is to Honour; for it is vehemently to approve. To imitate ones Enemy, is to Dishonour.

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

33. To employ in counsell, or in actions of difficulty, is to Honour; as a signe of opinion of his wisdom, or other power. To deny employment in the same cases, to those that seek it, is to Dishonour.

34. All these wayes of Honouring, are naturall; and as well within, as without Common-wealths. But in Common-wealths, where he, or they that have the supreme Authority, can make whatsoever they please, to stand for signes of Honour, there be other Honours.

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

36. The King of *Persia*, Honoured *Mordecay*, when he appointed he should be conducted through the streets in the Kings Garment, upon one of the Kings Horses, with a Crown on his head, and a Prince before him, proclayming, *Thus shall it be done to him that the King will honour*. And yet another King of *Persia*, or the same another time, to one that demanded for some great service, to weare one of the Kings robes, gave him leave so to do; but with his addition, that he should weare it as the Kings foole; and then it was Dishonour. So that of *Civill Honour*, the Fountain is in the person of the Common-wealth, and dependeth on the Will of the Sovereigne; and is therefore temporary, and called *Civill Honour*; such as are Magistracy, Offices, Titles; and in some places Coats, and Scutchions painted: and men Honour such as have them, as having so many signes of favour in the Common-wealth; which favour is Power.

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

51. For *Germany*, being antiently, as all other Countries, in their beginnings, divided amongst an infinite number of little Lords, or Masters of Families, that continually had wars one with another; those Masters, or Lords, principally to the end they might, when they were Covered with Arms, be known by their followers; and partly for ornament, both painted their Armor, or their Scutchion, or Coat, with the picture of some Beast, or other thing; and also put some eminent and visible mark upon the Crest of their Helmets. And his ornament both of the Armes, and Crest, descended by inheritance to their Children; to the eldest pure, and to the rest with some note of diversity, such as the Old master, that is to say in Dutch, the

Here-ait thought fit. But when many such Families, joynd together, made a greater Monarchy, this duty of the Herealt, to distinguish Scutchions, was made a private Office a part. And the issue of these Lords, is the great and antient Gentry; which for the most part bear living creatures, noted for courage, and rapine; or Castles, Battlements, Belts, Weapons, Bars, Palisadoes, and other notes of War; nothing being then in honour, but vertue military. Afterwards, not onely Kings, but popular Common-wealths, gave divers manners of Scutchions, to such as went forth to the War, or returned from it, for encouragement, or recompence to their service. All which, by an observing Reader, may be found in such antient Histories, Greek and Latine, as make mention of the German Nation, and Manners, in their times.

52. Titles of *Honour*, such as are Duke, Count, Marquis, and Baron, are Honourable; as signifying the value set upon them by the Sovereigne Power of the Common-wealth: Which Titles, were in old time titles of Office, and Command, derived some from the Romans, some from the Germans, and French. Dukes, in Latine *Duces*, being Generalls in War: Counts, *Comites*, such as bare the Generall company out of friendship; and were left to govern and defend places conquered, and pacified: Marquises, *Marchiones*, were Counts that governed the Marches, or bounds of the Empire. Which titles of Duke, Count, and Marquis, came into the Empire, about the time of *Constantine* the Great, from the customes of the German *Militia*. But Baron, seems to have been a Title of the Gaules, and signifies a Great man; such as were the Kings, or Princes men, whom they employed in war about their persons; and seems to be derived from *Vir*, to *Ber*, and *Bar*, that signified the same in the Language of the Gaules, that *Vir* in Latine; and thence to *Bero*, and *Baro*: so that such men were called *Berones*, and after *Barones*; and (in Spanish) *Varones*. But he that would know more particularly the originall of Titles of Honour, may find it, as I have done this, in Mr. *Seldens* most excellent Treatise of that subject. In processe of time these offices of Honour, by occasion of trouble, and for reasons of good and peaceable government, were turned into meer Titles; serving for the most part to distinguish the precedence, place, and order of subjects in the Common-wealth: and men were made Dukes, Counts, Marquises, and Barons of Places, wherein they had neither possession, nor command: and other Titles also, were devised to the same end.

53. WORTHINESSE, is a thing different from the worth, or value of a man; and also from his merit, or desert; and consisteth in a particular power, or ability for that, whereof he is said to be worthy: which particular ability, is usually named FITNESSSE, or *Aptitude*.

54. For he is Worthiest to be a Commander, to be a Judge, or to have any other charge, that is best fitted, with the qualities required to the well discharging of it; and Worthiest of Riches, that has the qualities most requisite for the well using of them: any of which qualities being absent, one may nevertheless be a Worthy man, and valuable for some thing else. Again, a man may be Worthy of Riches, Office, and Employment, that nevertheless, can plead no right to have it before another; and therefore cannot be said to merit or deserve it. For Merit, præsupposeth a right, and that the thing deserved is due by promise: Of which I shall say more hereafter, when I shall speak of Contracts.

7. Reverence is the conception we have concerning another, that he hath a power to do unto us both good and hurt, but not the will to do us hurt.

8. In the pleasure men have, or displeasure from the signs of honour or dishonour done unto them, consisteth the nature of the passions in particular, whereof we are to speak in the next chapter.

CHAPTER 9

Chapter 10 of *The Elements of Law* /
Chapter 8 of *Leviathan*

Précis table

Part I. Concerning men as persons natural	Part I. OF MAN
Chapter 10. Of the differences between men in their discerning faculty and the cause	Chapter 8. Of the VERTUES commonly called INTELLECTUALL; and their contrary DEFECTS
	1. Intellectuall Vertue defined
1. That the difference of wit consisteth not in the different temper of the brain 2. That it consisteth in the diversity of vital constitution 3. Of dulness 4. Of fancy, judgment, wit	2. Wit, Naturall, or Acquired; Naturall Wit 3. Good Wit, or Fancy; Good Judgement; Discretion
5. Of levity	
6. Of gravity	
7. Of stolidity	
8. Of indocibility	
	4-9.
	10.
See 4.10	11. Prudence
	12. Craft
	13. Acquired Wit
	14-15.
9. Of madness from self-conceit	16. Giddinesse; Madnesse
10. Of follies which seem to be degrees thereof	17-18.
11. Of madness and degrees thereof from vain fear	19. Rage
	20. Melancholy
	21-6.
	27. Insignificant Speech

Part I. Concerning men as persons natural

Chapter 10. Of the differences between men in their discerning faculty and the cause

1. HAVING shewed in the precedent chapters, that the imagination of men proceedeth from the action of external objects upon the brain, or some internal substance of the head; and that the passions proceed from the alteration there made, and continued to the heart: it is consequent in the next place (seeing the diversity of degree in knowledge in divers men, to be greater than may be ascribed to the divers temper of the brain) to declare what other causes may produce such odds, and excess of capacity, as we daily observe in one man above another. And for that difference which ariseth from sickness, and such accidental distemper, I omit the same, as impertinent to this place, and consider it only in such as have their health, and organs well disposed. If the difference were in the natural temper of the brain, I can imagine no reason why the same should not appear first and most of all in the senses, which being equal both in the wise and less wise, infer an equal temper in the common organ (namely the brain) of all the senses.

2. But we see by experience, that joy and grief proceed not in all men from the same causes, and that men differ much in constitution of body, whereby, that which helpeth and furthereth vital constitution in one, and is therefore delightful, hindereth and crosseth it in another, and causeth grief. The difference therefore of wits hath its original from the different passions, and from the ends to which their appetite leadeth them.

3. And first, those men whose ends are some sensual delight; and generally are addicted to ease, food, operations and exonerations of the body, must of necessity thereby be the less delighted with those imaginations that conduce not to those ends, such as are imaginations of honour and glory, which, as I have said before, have respect to the future: for sensuality consisteth in the pleasure of the senses, which please only for the present, and taketh away the inclination to observe such things as conduce to honour; and consequently maketh men

Part I. OF MAN

Chapter 8. Of the VERTUES commonly called INTELLECTUALL; and their contrary DEFECTS

1. Vertue generally, in all sorts of subjects, is somewhat that is valued for eminence; and consisteth in comparison. For if all things were equally in all men, nothing would be prized. And by *Vertues INTELLECTUALL*, are always understood such abilities of the mind, as men praise, value, and desire should be in themselves; and go commonly under the name of a *good witte*; though the same word *Witte*, be used also, to distinguish one certain ability from the rest.

2. These *Vertues* are of two sorts; *Naturall*, and *Acquired*. By *Naturall*, I mean not, that which a man hath from his Birth: for that is nothing else but Sense; wherein men differ so little one from another, and from brute Beasts, as it is not to be reckoned amongst *Vertues*. But I mean, that *Witte*, which is gotten by Use onely, and Experience; without Method, Culture, or Instruction. This *NATURALL WITTE*, consisteth principally in two things; *Celerity of Imagining*, (that is, swift succession of one thought to another;) and *steddy direction* to some approved end. On the Contrary a slow Imagination, maketh that Defect, or fault of the mind, which is commonly called *DULNESSE*, *Stupidity*, and sometimes by other names that signifie slownesse of motion, or difficulty to be moved.

3. And this difference of quicknesse, is caused by the difference of mens passions; that love and dislike, some one thing, some another: and therefore some mens thoughts run one way, some another; and are held to, and observe differently the things that passe through their imagination. And whereas in this succession of mens thoughts, there is nothing to observe in the things they think on, but either in what they be *like one another*, or in what they be *unlike*, or *what they serve for*, or *how they serve to such a purpose*; Those that observe their similitudes, in case they be such as are but rarely observed by others, are sayd to have a *Good Wit*; by which, in this occasion, is meant a *Good Fancy*. But they that observe their differences, and dissimilitudes; which is called *Distinguishing*, and *Discerning*, and *Judging* between thing and thing; in case, such discerning be not easie, are said to have a *good Judgement*: and particularly in matter of conversation and businesse; wherein, times, places, and persons are to be discerned, this Vertue is called *DISCRETION*. The former, that is, *Fancy*, without the help of *Judgement*, is not commended as a Vertue: but the later which is *Judgement*, and *Discretion*, is commended for it selfe, without the help of *Fancy*. Besides the *Discretion* of times, places, and persons, necessary to a good *Fancy*, there is required also an often application of his thoughts to their End; that is to say, to some use to be made of them. This done;

less curious, and less ambitious, whereby they less consider the way either to knowledge or to other power; in which two consisteth all the excellency of power cognitive. And this is it which men call DULNESS; and proceedeth from the appetite of sensual or bodily delight. And it may well be conjectured, that such passion hath its beginning from a grossness and difficulty of the motion of the spirits about the heart.

4. The contrary hereunto, is that quick ranging of mind described chap. 4, sect. 3, which is joined with curiosity of comparing the things that come into his mind one with another. In which comparison, a man delighteth himself either with finding unexpected similitude in things, otherwise much unlike, in which men place the excellency of FANCY: and from thence proceed those grateful similies, metaphors, and other tropes, by which both poets and orators have it in their power to make things please or displease, and shew well or ill to others, as they like themselves; or else in discerning suddenly dissimilitude in things that otherwise appear the same. And this virtue of the mind is that by which men attain to exact and perfect knowledge: and the pleasure thereof consisteth in continual instruction, and in distinction of persons, places, and seasons; it is commonly termed by the name of JUDGMENT: for, to judge is nothing else, but to distinguish or discern; and both fancy and judgment are commonly comprehended under the name of WIT, which seemeth a tenuity and agility of spirits, contrary to that restiveness of the spirits supposed in those that are dull.

5. There is another defect of the mind, which men call LEVITY, which betrayeth also mobility in the spirits, but in excess. An example whereof is in them that in the midst of any serious discourse, have their minds diverted to every little jest or witty observation; which maketh them depart from their discourse by parenthesis, and from that parenthesis by another, till at length they either lose themselves, or make their narration like a dream, or some studied nonsense. The passion from which this proceedeth, is curiosity, but with too much equality and indifferency: for when all things make equal impression and delight, they equally throng to be expressed.

6. The virtue opposite to this defect is GRAVITY, or steadiness; in which the end being the great and master-delight, directeth and keepeth in the way thereto all other thoughts.

7. The extremity of dulness is that natural folly which may be called STOLIDITY: but the extreme of levity, though it be a natural folly distinct from the other, and obvious to every man's observation, yet it hath no name.

he that hath this Vertue, will be easily fitted with similitudes, that will please, not onely by illustration of his discourse, and adorning it with new and apt metaphors; but also, by the rarity of their invention. But without Steddinesse, and Direction to some End, a great Fancy is one kind of Madnesse; such as they have, that entering into any discourse, are snatched from their purpose, by every thing that comes in their thought, into so many, and so long digressions, and Parentheses, that they utterly lose themselves: Which kind of folly, I know no particular name for: but the cause of it is, sometimes want of experience; whereby that seemeth to a man new and rare, which doth not so to others: sometimes Pusillanimity; by which that seems great to him, which other men think a trifle: and whatsoever is new, or great, and therefore thought fit to be told, withdrawes a man by degrees from the intended way of his discourse.

8. There is a fault of the mind called by the Greeks Ἀμαθία, which is INDOCIBILITY, or difficulty of being taught; the which must needs arise from a false opinion that they know already the truth of that which is called in question. For certainly men are not otherwise so unequal in capacity as the evidence is unequal of what is taught by the mathematicians, and what is commonly discoursed of in other books: and therefore if the minds of men were all of white paper, they would almost equally be disposed to acknowledge whatsoever should be in right method, and right ratiocination delivered unto them. But when men have once acquiesced in untrue opinions, and registered them as authentical records in their minds; it is no less impossible to speak intelligibly to such men, than to write legibly upon a paper already scribbled over. The immediate cause therefore of indocibility, is prejudice; and of prejudice, false opinion of our own knowledge.

4. In a good Poem, whether it be *Epique*, or *Dramatique*; as also in *Sonnets*, *Epigrams*, and other Pieces, both Judgement and Fancy are required: But the Fancy must be more eminent; because they please for the Extravagancy; but ought not to displeas by Indiscretion.

5. In a good History, the Judgement must be eminent; because the goodnesse consisteth, in the Method, in the Truth, and in the Choyse of the actions that are most profitable to be known. Fancy has no place, but onely in adorning the stile.

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

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

8. In Demonstration, in Councell, and all rigourous search of Truth, Judgement does all; except sometimes the understanding have need to be opened by some apt similitude; and then there is so much use of Fancy. But for Metaphors, they are in this case utterly excluded. For seeing they openly professe deceit; to admit them into Councell, or Reasoning, were manifest folly.

9. And in any Discourse whatsoever, if the defect of Discretion be apparent, how extravagant soever the Fancy be, the whole discourse will be taken for a signe of want of wit; and so will it never when the Discretion is manifest, though the Fancy be never so ordinary.

10. The secret thoughts of a man run over all things, holy, prophane, clean, obscene, grave, and light, without shame, or blame; which verball discourse cannot do, farther than the Judgement shall approve of the Time, Place, and Persons. An Anatomist, or a Physitian may speak, or write his judgement of unclean things; because it is not to please, but profit: but for another man to write his extravagant, and pleasant fancies of the same, is as if a man, from being tumbled into the dirt, should come and present himselfe before good company. And 'tis the want of Discretion that makes the difference. Again, in profest remissnesse of mind, and familiar company, a man may play with the sounds, and æquivocal significations of words; and that many times with encounters of extraordinary Fancy: but in a Sermon, or in publique, or before persons unknown, or whom we ought to reverence, there is no Gingling of words that will not be accounted folly: and the difference is onely in the want of Discretion. So that where Wit is wanting, it is not Fancy that is wanting, but Discretion. Judgement therefore without Fancy is Wit, but Fancy without Judgement not.

See 4.10

11. When the thoughts of a man, that has a designe in hand, running over a multitude of things, observes how they conduce to that designe; or what designe they may conduce unto; if his observations be such as are not easie, or usuall, This wit of his is called PRUDENCE; and dependeth on much Experience, and Memory of the like things, and their consequences heretofore. In which there is not so much difference of Men, as there is in their Fancies and Judgements; Because the Experience of men equall in age, is not much unequall, as to the quantity; but lyes in different occasions; every one having his private designes. To govern well a family, and a kingdome, are not different degrees of Prudence; but different sorts of businesse; no more then to draw a picture in little, or as great, or greater then the life, are different degrees of Art. A plain husband-man is more Prudent in affaires of his own house, then a Privy Counsellor in the affaires of another man.

12. To Prudence, if you adde the use of unjust, or dishonest means, such as usually are prompted to men by Feare, or Want; you have that Crooked Wisdome, which is called CRAFT; which is a signe of Pusillanimity. For Magnanimity is contempt of unjust, or dishonest helps. And that which the Latines call *Versutia*, (translated into English, *Shifting*;) and is a putting off of a present danger or incommodity, by engaging into a greater, as when a man robs one to pay

9. Another, and a principal defect of the mind, is that which men call MADNESS, which appeareth to be nothing else but some imagination of such predominance above all the rest, that we have no passion but from it. And this conception is nothing else but excessive vain glory, or vain dejection; as is most probable by these examples following, which proceed in appearance, every one of them, from some pride, or some dejection of mind. As first, we have had the example of one that preached in Cheapside from a cart there, instead of a pulpit, that he himself was Christ, which was spiritual pride or madness. We have had divers examples also of learned madness, in which men have manifestly been distracted upon any occasion that hath put them in remembrance of their own ability. Amongst the learned madmen may be numbered (I think) also those that determine of the time of the world's end, and other such points of prophecy. And the gallant madness of Don Quixote is nothing else but an expression of such height of vain glory as reading of romants may produce in pusillanimous men. Also rage and madness of love, are but great indignations of them in whose brains are predominant the

another, is but a shorter sighted Craft, called *Versutia*, from *Versura*, which signifies taking mony at usurie, for the present payment of interest.

13. As for *acquired Wit*, (I mean acquired by method and instruction,) there is none but Reason; which is grounded on the right use of Speech; and produceth the Sciences. But of Reason and Science, I have already spoken in the fifth and sixth Chapters.

14. The causes of this difference of Witts, are in the Passions: and the difference of Passions, proceedeth partly from the different Constitution of the body, and partly from different Education. For if the difference proceeded from the temper of the brain, and the organs of Sense, either exterior or interior, there would be no lesse difference of men in their Sight, Hearing, or other Senses, than in their Fancies, and Discretions. It proceeds therefore from the Passions; which are different, not onely from the difference of mens complexions; but also from their difference of customes, and education.

15. The Passions that most of all cause the differences of Wit, are principally, the more or lesse Desire of Power, of Riches, of Knowledge, and of Honour. All which may be reduced to the first, that is Desire of Power. For Riches, Knowledge and Honour are but severall sorts of Power.

16. And therefore, a man who has no great Passion for any of these things; but is as men terme it indifferent; though he may be so farre a good man, as to be free from giving offence; yet he cannot possibly have either a great Fancy, or much Judgement. For the Thoughts, are to the Desires, as Scouts, and Spies, to range abroad, and find the way to the things Desired: All Stedinesse of the minds motion, and all quicknesse of the same, proceeding from thence. For as to have no Desire, is to be Dead: so to have weak Passions, is Dulnesse; and to have Passions indifferently for every thing, GIDDINESSE, and *Distraction*; and to have stronger, and more vehement Passions for any thing, than is ordinarily seen in others, is that which men call MADNESSE.

17. Whereof there be almost as many kinds, as of the Passions themselves. Sometimes the extraordinary and extravagant Passion, proceedeth from the evill constitution of the organs of the Body, or harme done them; and sometimes the hurt, and indisposition of the Organs, is caused by the vehemence, or long continuance of the Passion. But in both cases the Madnesse is of one and the same nature.

contempts of their enemies, or their mistresses. And the pride taken in form and behaviour, hath made divers men run mad, and to be so accounted, under the name of fantastic.

10. And as these are the examples of extremities, so also are there examples too many of the degrees, which may therefore be well accounted follies. As it is a degree of the first, for a man, without certain evidence, to think himself inspired, or to have any other effect in himself of God's holy spirit than other godly men have. Of the second, for a man continually to speak his mind in a *cento* of other men's Greek or Latin sentences. Of the third, much of the present gallantry in love and duel. Of rage, a degree is malice; and of fantastic madness, affectation.

11. As the former examples exhibit to us madness, and the degrees thereof, proceeding from the excess of self-opinion; so also there be other examples of madness, and the degrees thereof, proceeding from too much vain fear and dejection: as in those melancholy men that have imagined themselves brittle as glass, or have had some other like imagination; and degrees hereof are all those exorbitant and causeless fears, which we commonly observe in melancholy persons.

18. The Passion, whose violence, or continuance maketh Madnesse, is either great *vaine-Glory*; which is commonly called *Pride*, and *selfe-conceipt*; or great *Dejection* of mind.

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

20. Dejection, subjects a man to causelesse fears; which is a Madnesse commonly called MELANCHOLY, apparent also in divers manners; as in haunting of solitudes, and graves; in superstitious behaviour; and in fearing some one, some another particular thing. In summe, all Passions that produce strange and unusuall behaviour, are called by the generall name of Madnesse. But of the severall kinds of Madnesse, he that would take the paines, might enrowle a legion. And if the Excesses be madnesse, there is no doubt but the Passions themselves, when they tend to Evill, are degrees of the same.

21. (For example,) Though the effect of folly, in them that are possessed of an opinion of being inspired, be not visible alwayes in one man, by any very extravagant action, that proceedeth from such Passion; yet when many of them conspire together, the Rage of the whole multitude is visible enough. For what argument of Madnesse can there be greater, than to clamour, strike, and throw stones at our best friends? Yet this is somewhat lesse than such a multitude will do. For they will clamour, fight against, and destroy those, by whom all their life-time before, they have been protected, and secured from injury. And if this be Madnesse in the multitude, it is the same in every particular man. For as in the midst of the sea, though a man perceive no sound of that part of the water next him; yet he is well assured, that part contributes as much, to the Roaring of the Sea, as any other part, of the same quantity: so also, though wee perceive no great unquietnesse, in one, or two men; yet we may be well assured, that their singular Passions, are parts of the Seditious roaring of a troubled Nation. And if there were nothing else that bewrayed their madnesse; yet that very arrogating such inspiration to themselves, is argument enough. If some man in Bedlam should entertaine you with sober discourse; and you desire in taking leave, to know what he were, that you might another time requite his civility; and he should tell you, he were God the Father; I think you need expect no extravagant action for argument of his Madnesse.

22. This opinion of Inspiration, called commonly, Private Spirit, begins very often, from some lucky finding of an Error generally held by others; and not knowing, or not remembering, by what conduct of reason, they came to so singular a truth, (as they think it, though it be many times an untruth they light on,) they presently admire themselves; as being in the speciall grace of God Almighty, who hath revealed the same to them supernaturally, by his Spirit.

23. Again, that Madnesse is nothing else, but too much appearing Passion, may be gathered out of the effects of Wine, which are the same with those of the evill disposition of the organs. For the variety of behaviour in men that have drunk too much, is the same with that of Mad-men: some of them Raging, others Loving, others Laughing, all extravagantly, but according to their severall domineering Passions: For the effect of the wine, does but remove Dissimulation; and take from them the sight of the deformity of their Passions. For, (I believe) the most sober men, when they walk alone without care and employment of the mind, would be unwilling the vanity and Extravagance of their thoughts at that time should be publicly seen: which is a confession, that Passions unguided, are for the most part meere Madnesse.

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

25. There was once a great conflux of people in *Abdera*, a City of the Greeks, at the acting of the Tragedy of *Andromeda*, upon an extream hot day: whereupon, a great many of the spectators falling into Fevers, had this accident from the heat, and from the Tragedy together, that they did nothing but pronounce Iambiques, with the names of *Perseus* and *Andromeda*; which together with the Fever, was cured, by the comming on of Winter: And this madnesse was thought to proceed from the Passion imprinted by the Tragedy. Likewise there rained a fit of madnesse in another Græcian City, which seized onely the young Maidens; and caused many of them to hang themselves. This was by most then thought an act of the Divil. But one that suspected, that contempt of life in them, might proceed from some Passion of the mind, and supposing they did not contemne also

their honour, gave counsell to the Magistrates, to strip such as so hang'd themselves, and let them hang out naked. This the story sayes cured that madnesse. But on the other side, the same Græcians, did often ascribe madnesse, to the operation of the Eumenides, or Furies; and sometimes of *Ceres*, *Phoebus*, and other Gods: so much did men attribute to Phantasmes, as to think them aëreal living bodies; and generally to call them Spirits. And as the Romans in this, held the same opinion with the Greeks: so also did the Jewes; For they called mad-men Prophets, or (according as they thought the spirits good or bad) Dæmoniacks; and some of them called both Prophets, and Dæmoniacks, mad-men; and some called the same man both Dæmoniack, and mad-man. But for the Gentiles, 'tis no wonder; because Diseases, and Health; Vices, and Vertues; and many naturall accidents, were with them termed, and worshipped as Dæmons. So that a man was to understand by Dæmon, as well (sometimes) an Ague, as a Divell. But for the Jewes to have such opinion, is somewhat strange. For neither *Moses*, nor *Abraham* pretended to Prophecy by possession of a Spirit; but from the voyce of God; or by a Vision or Dream: Nor is there any thing in his Law, Morall, or Ceremoniall, by which they were taught, there was any such Enthusiasme; or any Possession. When God is sayd, *Numb.* 11.25. to take from the Spirit that was in *Moses*, and give it to the 70. Elders, the Spirit of God (taking it for the substance of God) is not divided. The Scriptures by the Spirit of God in man, mean a mans spirit, enclined to Godlinesse. And where it is said *Exod.* 28.3. *Whom I have filled with the spirit of wisdome to make garments for Aaron*, is not meant a spirit put into them, that can make garments; but the wisdome of their own spirits in that kind of work. In the like sense, the spirit of man, when it produceth unclean actions, is ordinarily called an unclean spirit; and so other spirits, though not always, yet as often as the vertue or vice so stiled, is extraordinary, and Eminent. Neither did the other Prophets of the old Testament pretend Enthusiasme; or, that God spake in them; but to them by Voyce, Vision, or Dream; and the *Burthen of the Lord* was not Possession, but Command. How then could the Jewes fall into this opinion of possession? I can imagine no reason, but that which is common to all men; namely, the want of curiosity to search naturall causes; and their placing Felicity, in the acquisition of the grosse pleasures of the Senses, and the things that most immediately conduce thereto. For they that see any strange, and unusuall ability, or defect in a mans mind; unlesse they see withall, from what cause it may probably proceed, can hardly think it naturall; and if not naturall, they must needs thinke it supernaturall; and then what can it be, but that either God, or the Divell is in him? And hence it came to passe, when our Saviour (*Mark* 3.21.) was compassed about with the

multitude, those of the house doubted he was mad, and went out to hold him: but the Scribes said he had *Belzebug*, and that was it, by which he cast out divels; as if the greater mad-man had awed the lesser. And that (*John* 10.20.) some said, *He hath a Divell, and is mad*; whereas others holding him for a Prophet, sayd, *These are not the words of one that hath a Divell*. So in the old Testament he that came to annoynt *Jehu*, *2 Kings* 9.11. was a Prophet; but some of the company asked *Jehu*, *What came that mad-man for?* So that in summe, it is manifest, that whosoever behaved himselfe in extraordinary manner, was thought by the Jewes to be possessed either with a good, or evill spirit; except by the Sadduces, who erred so farre on the other hand, as not to believe there were at all any spirits, (which is very neere to direct Atheisme;) and thereby perhaps the more provoked others, to terme such men *Dæmoniacks*, rather than mad-men.

26. But why then does our Saviour proceed in the curing of them, as if they were possess; and not as if they were mad? To which I can give no other kind of answer, but that which is given to those that urge the Scripture in like manner against the opinion of the motion of the Earth. The Scripture was written to shew unto men the kingdome of God; and to prepare their mindes to become his obedient subjects; leaving the world, and the Philosophy thereof, to the disputation of men, for the exercising of their naturall Reason. Whether the Earths, or Suns motion make the day, and night; or whether the Exorbitant actions of men, proceed from Passion, or from the Divell, (so we worship him not) it is all one, as to our obedience, and subjection to God Almighty; which is the thing for which the Scripture was written. As for that our Saviour speaketh to the disease, as to a person; it is the usuall phrase of all that cure by words onely, as Christ did, (and Inchanters pretend to do, whether they speak to a Divel or not.) For is not Christ also said (*Math.* 8. 26.) to have rebuked the winds? Is not he said also (*Luk.* 4. 39.) to rebuke a Fever? Yet this does not argue that a Fever is a Divel. And whereas many of those Divels are said to confesse Christ; it is not necessary to interpret those places otherwise, than that those mad-men confessed him. And whereas our Saviour (*Math.* 12. 43.) speaketh of an unclean Spirit, that having gone out of a man, wandreth through dry places, seeking rest, and finding none; and returning into the same man, with seven other spirits worse than himselfe; It is manifestly a Parable, alluding to a man, that after a little endeavour to quit his lusts, is vanquished by the strength of them; and becomes seven times worse than he was. So that I see nothing at all in the Scripture, that requireth a belief, that *Dæmoniacks* were any other thing but Mad-men.

27. There is yet another fault in the Discourses of some men; which may also be numbred amongst the sorts of Madnesse; namely, that abuse of words, whereof I have spoken before in the fifth chapter, by the Name of Absurdity. And that is, when men speak such words, as put together, have in them no signification at all; but are fallen upon by some, through misunderstanding of the words they have received, and repeat by rote; by others, from intention to deceive by obscurity. And this is incident to none but those, that converse in questions of matters incomprehensible, as the Schoole-men; or in questions of abstruse Philosophy. The common sort of men seldome speak Insignificantly, and are therefore, by those other Egregious persons counted Idiots. But to be assured their words are without any thing correspondent to them in the mind, there would need some Examples; which if any man require, let him take a Schoole-man into his hands, and see if he can translate any one chapter concerning any difficult point; as the Trinity; the Deity; the nature of Christ; Transubstantiation; Free-will, &c. into any of the moderne tongues, so as to make the same intelligible; or into any tolerable Latine, such as they were acquainted withall, that lived when the Latine tongue was Vulgar. What is the meaning of these words. *The first cause does not necessarily inflow any thing into the second, by force of the Essential subordination of the second causes, by which it may help it to worke?* They are the Translation of the Title of the sixth chapter of Suarez first Booke, *Of the Concourse, Motion, and Help of God*. When men write whole volumes of such stuffe, are they not Mad, or intend to make others so? And particularly, in the question of Transubstantiation; where after certain words spoken, they that say, the *Whitenesse, Roundnesse, Magnitude, Quality, Corruptibility*, all which are incorporeall, &c. go out of the Wafer, into the Body of our blessed Saviour, do they not make those *Nesses, Tudes, and Ties*, to be so many spirits possessing his body? For by Spirits, they mean alwayes things, that being incorporeall, are neverthelesse moveable from one place to another. So that this kind of Absurdity, may rightly be numbred amongst the many sorts of Madnesse; and all the time that guided by clear Thoughts of their worldly lust, they forbear disputing, or writing thus, but Lucide Intervals. And thus much of the Vertues and Defects Intellectuall.

CHAPTER 10

Chapter 11 of *The Elements of Law* / Chapter 15 (part) of *De Cive* / Chapters 11 (part), 12, 34 (part), 33 (part) and 31 (part) of *Leviathan*

Précis table

Part I. Concerning men as persons natural		Part I. OF MAN
Chapter 11. What imaginations and passions men have, at the names of things supernatural		Chapter 11. Of the difference of MANNERS¹
1. That by nature a man may come to know that there is a God 2.		25. Naturall Religion, from the same 26–7.
		Chapter 12. Of RELIGION 1. Religion, in Man onely 2. First, from his desire of knowing Causes 3. From the consideration of the Beginning of things 4. From his observation of the Sequell of things 5. The naturall Cause of Religion, the Anxiety of the time to come 6. Which makes them fear the Power of Invisible things
3. That the attributes of God signify our defect of conception, or our reverence of him 5. That spirit and incorporeal are terms contradictory		7. And suppose them Incorporeall
		8. But know not the way how they effect any thing 9. But honour them as they honour men

¹ Margin notes for paragraphs 1–24 can be found in Précis Table 10.

THREE-TEXT EDITION OF THOMAS HOBBS'S POLITICAL THEORY

		10. And attribute to them all extraordinary events
		11. Foure things, Naturall seeds of Religion 12. Made different by Culture
6. The error from which the heathens suppose dæmons and ghosts whence it proceedeth		13. The absurd opinion of Gentilisme 14–17. 18–19. 20. The designs of the Authors of the Religion of the Heathen 21.
		22. The true Religion, and the lawes of Gods kingdome the same
		23. The causes of Change in Religion 24. 25. Injoyning beleefe of Impossibilities 26. Doing contrary to the Religion they establish 27. 28. Want of the testimony of Miracles 29–32.
		Part III. OF A CHRISTIAN COMMON-WEALTH
		Chapter 34. Of the Signification of SPIRIT, ANGEL, and INSPIRATION in the Books of the Holy Scripture²
4. The signification of the word spirit		1. Body and Spirit how taken in the Scripture 2–4.
7. The knowledge of spirit and inspiration from the Holy Scriptures		25. Inspiration what 26.
		Chapter 33. Of the Number, Antiquity, Scope, Authority, and Interpreters of the Books of Holy SCRIPTURE²
8. How it is said we know the Scriptures to be the Word of God		21. The question of the Authority of the Scriptures stated

² Margin notes for *Leviathan* chapter 34, paragraphs 5–24, and chapter 33, paragraphs 1–20, can be found in Précis Table 10.

	PART III. Of Religion	
	Chapter 15. Of God's government by nature	
9. Whence we have knowledge of the interpretation of Scripture 10.	See 18.4 17. God ruling by nature only, the city, that is to say, that man or court who under God hath the sovereign authority of the city, is the interpreter of all the laws	See 43.6–9 22. Their Authority and Interpretation 23–5.
		Part II. OF COMMON-WEALTH
		Chapter 31. Of the KINGDOME OF GOD BY NATURE³
	1. The proposition of the following contents 2. Over whom God is said to rule by nature 3. The word of God threefold; reason, revelation, prophecy 4. The kingdom of God twofold; natural, and prophetic 5. The right whereby God reigns, is seated in his omnipotence 6. The same proved from Scripture 7. The obligation of yielding obedience to God, proceeds from human infirmity 8. The laws of God in his natural kingdom, are those which are recited above in chapters II. III.	1. The scope of the following Chapters 2. Who are subjects in the kingdome of God 3. A Threefold Word of God, Reason, Revelation, Prophecy 4. A twofold Kingdome of God, Naturall and Prophetique 5. The Right of Gods Sovereignty is derived from his Omnipotence 6. Sinne not the cause of all Affliction 7. Divine Lawes
11. What it is to love and trust God		
12. What it is to honour and worship God	9. What honour and worship is 10. Worship consists either in attributes or in actions 11. And there is one sort natural, another arbitrary 12. One commanded, another voluntary 13. What the end or scope of worship is	8. Honour and Worship what 9. Severall signes of Honour 10. Worship Naturall and Arbitrary 11. Worship Commanded and Free 12. Worship Publique and Private 13. The End of Worship

³ The latter portion of these chapters (*De Cive* paragraphs 14–16, 18–19; *Leviathan* paragraphs 14–41) is located in Chapter 23.

Part I. Concerning men as persons natural

Chapter 11. What imaginations and passions men have, at the names of things supernatural

1. HITHERTO of the knowledge of things natural, and of the passions that arise naturally from them. Now forasmuch as we give names not only to things natural, but also to supernatural; and by all names we ought to have some meaning and conception: it followeth in the next place, to consider what thoughts and imaginations of the mind we have, when we take into our mouths the most blessed name of GOD, and the names of those virtues we attribute unto him; as also, what image cometh into the mind at hearing the name of spirit, or the name of angel, good or bad.

2. Forasmuch as God Almighty is incomprehensible, it followeth that we can have no conception or image of the Deity; and consequently all his attributes signify our inability and defect of power to conceive any thing concerning his nature, and not any conception of the same, excepting only this: *that there is a God*. For the effects we acknowledge naturally, do necessarily include a power of their producing, before they were produced; and that power presupposeth something existent that hath such power; and the thing so existing with power to produce, if it were not eternal, must needs have been produced by somewhat before it; and that again by something else before that: till we come to an eternal, that is to say, to the first power of all powers, and first cause of all causes. And this is it which all men call by the name of GOD: implying eternity, incomprehensibility, and omnipotency. And thus all men that will consider, may naturally know that God is, though not what he is; even as a man though born blind, though it be not possible for

Part I. OF MAN

Chapter 11. Of the difference of MANNERS⁴

25. Curiosity, or love of the knowledge of causes, draws a man from consideration of the effect, to seek the cause; and again, the cause of that cause; till of necessity he must come to this thought at last, that there is some cause, whereof there is no former cause, but is eternall; which is it men call God. So that it is impossible to make any profound enquiry into naturall causes, without being enclined thereby to believe there is one God Eternall; though they cannot have any Idea of him in their mind, answerable to his nature. For as a man that is born blind, hearing men talk of warming themselves by the fire, and being brought to warm himself by the same, may easily conceive, and assure himselfe, there is somewhat there, which men call *Fire*, and is the cause of the heat he feeles; but cannot imagine what it is like; nor have an Idea of it in his mind, such as they have that see it: so also, by the visible things of this world, and their admirable order, a man may conceive there is a cause of them, which men call God; and yet not have an Idea, or Image of him in his mind.

⁴ Margin notes for paragraphs 1–24 can be found in Précis Table 10.

him to have any imagination what kind of thing is fire; yet he cannot but know that something there is that men call fire, because it warmeth him.

26. And they that make little, or no enquiry into the naturall causes of things, yet from the feare that proceeds from the ignorance it selfe, of what it is that hath the power to do them much good or harm, are enclined to suppose, and feign unto themselves, severall kinds of Powers Invisible; and to stand in awe of their own imaginations; and in time of distresse to invoke them; as also in the time of an expected good successe, to give them thanks; making the creatures of their own fancy, their Gods. By which means it hath come to passe, that from the innumerable variety of Fancy, men have created in the world innumerable sorts of Gods. And this Feare of things invisible, is the naturall Seed of that, which every one in himself calleth Religion; and in them that worship, or feare that Power otherwise than they do, Superstition.

27. And this seed of Religion, having been observed by many; some of those that have observed it, have been enclined thereby to nourish, dresse, and forme it into Lawes; and to adde to it of their own invention, any opinion of the causes of future events, by which they thought they should best be able to govern others, and make unto themselves the greatest use of their Powers.

Chapter 12. Of RELIGION

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

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

3. Secondly, upon the sight of any thing that hath a Beginning, to think also it had a cause, which determined the same to begin, then when it did, rather than sooner or later.

4. Thirdly, whereas there is no other Felicity of Beasts, but the enjoying of their quotidian Food, Ease, and Lusts; as having little, or no foresight of the time to come, for want of observation, and memory of the order, consequence, and dependance of the things they see; Man observeth how one Event hath been produced by another; and remembereth in them Antecedence and Consequence; And when he cannot assure himselfe of the true causes of things, (for the causes of good and evill fortune for the most part are invisible,) he supposes causes of them, either such as his own fancy suggesteth; or trusteth to the Authority of other men, such as he thinks to be his friends, and wiser than himselfe.

5. The two first, make Anxiety. For being assured that there be causes of all things that have arrived hitherto, or shall arrive hereafter; it is impossible for a man, who continually endeavoureth to secure himselfe against the evill he feares, and procure the good he desireth, not to be in a perpetuall solicitude of the time to come; So that every man, especially those that are over provident, are in an estate like to that of *Prometheus*. For as *Prometheus*, (which interpreted, is, *The prudent man*,) was bound to the hill *Caucasus*, a place of large prospect, where, an Eagle feeding on his liver, devoured in the day, as much as was repayred in the night: So that man, which looks too far before him, in the care of future time, hath his heart all the day long, gnawed on by feare of death, poverty, or other calamity; and has no repose, nor pause of his anxiety, but in sleep.

3. And whereas we attribute to God Almighty, seeing, hearing, speaking, knowing, loving, and the like; by which names we understand something in the men to whom we attribute them, we understand nothing by them in the nature of God. For, as it is well reasoned: Shall not God that made the eye, see? and the ear, hear? so is it also, if we say: shall God that made the eye, not see without

6. This perpetuall feare, always accompanying mankind in the ignorance of causes, as it were in the Dark, must needs have for object something. And therefore when there is nothing to be seen, there is nothing to accuse, either of their good, or evill fortune, but some *Power*, or *Agent Invisible*: In which sense perhaps it was, that some of the old Poets said, that the Gods were at first created by humane Feare: which spoken of the Gods, (that is to say, of the many Gods of the Gentiles) is very true. But the acknowledging of one God Eternall, Infinite, and Omnipotent, may more easily be derived, from the desire men have to know the causes of naturall bodies, and their severall vertues, and operations; than from the feare of what was to befall them in time to come. For he that from any effect hee seeth come to passe, should reason to the next and immediate cause thereof, and from thence to the cause of that cause, and plunge himself profoundly in the pursuit of causes; shall at last come to this, that there must be (as even the Heathen Philosophers confessed) one First Mover; that is, a First, and an Eternall cause of all things; which is that which men mean by the name of God: And all this without thought of their fortune; the solicitude whereof, both enclines to fear, and hinders them from the search of the causes of other things; and thereby gives occasion of feigning of as many Gods, as there be men that feigne them.

7. And for the matter, or substance of the Invisible Agents, so fancied; they could not by naturall cogitation, fall upon any other concept, but that it was the same with that of the Soule of man; and that the Soule of man, was of the same substance, with that which appeareth in a Dream, to one that sleepeth; or in a Looking-glasse, to one that is awake; which, men not knowing

the eye? and that made the ear, not hear without the ear? or that made the brain, not know without the brain? or that made the heart, not love without the heart? The attributes therefore given unto the Deity, are such as signify either our incapacity, or our reverence; our incapacity, when we say: incomprehensible and infinite; our reverence, when we give him those names, which amongst us are the names of those things we most magnify and commend, as omnipotent, omniscient, just, merciful, &c. And when God Almighty giveth those names to himself in the Scriptures, it is but ἀνθρώποπαθῶς, that is to say, by descending to our manner of speaking: without which we are not capable of understanding him.

5. Concerning other spirits, which some men call spirits incorporeal, and some corporeal, it is not possible, by natural means only, to come to knowledge of so much, as that there are such things. We who are Christians acknowledge that there be angels good and evil; and that they are spirits, and that the soul of man is a spirit; and that these spirits are immortal. But, to know it, that is to say, to have natural evidence of the same: it is impossible. For all evidence is conception, as it is said chap. 6, sect. 3; and all conception is imagination and proceedeth from sense: chap. 3, sect. 1. And spirits we suppose to be those substances which work not upon the sense, and therefore not conceivable. But though the Scripture acknowledge spirits, yet doth it nowhere say, that they are incorporeal, meaning thereby, without dimensions and quantity; nor, I think, is that word incorporeal at all in the Bible; but it is said of the spirit, that it abideth in men; sometime that it dwelleth in them, sometimes that it cometh on them, that it descendeth, and cometh and goeth; and that spirits are angels, that is to say messengers: all

that such apparitions are nothing else but creatures of the Fancy, think to be reall, and externall Substances; and therefore call them Ghosts; as the Latines called them *Imagines*, and *Umbrae*; and thought them Spirits, that is, thin aëreall bodies; and those Invisible Agents, which they feared, to bee like them; save that they appear, and vanish when they please. But the opinion that such Spirits were Incorporeall, or Immateriall, could never enter into the mind of any man by nature; because, though men may put together words of contradictory signification, as *Spirit*, and *Incorporeall*; yet they can never have the imagination of any thing answering to them: And therefore, men that by their own meditation, arrive to the acknowledgement of one Infinite, Omnipotent, and Eternall God, choose rather to confesse he is Incomprehensible, and above their understanding; than to define his Nature by *Spirit Incorporeall*, and then confesse their definition to be unintelligible: or if they give him such a title, it is not *Dogmatically*, with intention to make the Divine Nature understood; but *Piously*, to honour him with attributes, of significations, as remote as they can from the grossnesse of Bodies Visible.

which words do consignify locality; and locality is dimension; and whatsoever hath dimension, is body, be it never so subtle. To me therefore it seemeth, that the Scripture favoureth them more, who hold angels and spirits for corporeal, than them that hold the contrary. And it is a plain contradiction in natural discourse, to say of the soul of man, that it is *tota in toto*, and: *tota in qualibet parte corporis*, grounded neither upon reason nor revelation; but proceeding from the ignorance of what those things are which are called spectra, images that appear in the dark to children, and such as have strong fears, and other strong imaginations, as hath been said chapt.3, sect. 5, where I call them phantasms. For taking them to be things really without us, like bodies, and seeing them to come and vanish so strangely as they do, unlike to bodies; what could they call them else, but incorporeal bodies? which is not a name, but an absurdity of speech.

8. Then, for the way by which they think these Invisible Agents wrought their effects; that is to say, what immediate causes they used, in bringing things to passe, men that know not what it is that we call causing, (that is, almost all men) have no other rule to guesse by, but by observing, and remembring what they have seen to precede the like effect at some other time, or times before, without seeing between the antecedent and subsequent Event, any dependance or connexion at all: And therefore from the like things past, they expect the like things to come; and hope for good or evill luck, superstitiously, from things that have no part at all in the causing of it: As the Athenians did for their war at *Lepanto*, demand another *Phormio*; The Pompeian faction for their warre in *Afrique*, another *Scipio*; and others have done in divers other occasions since. In like manner they attribute their fortune to a stander by, to a lucky or unlucky place,

to words spoken, especially if the name of God be amongst them; as Charming, and Conjuring (the Leiturgy of Witch-es;) insomuch as to believe, they have power to turn a stone into bread, bread into a man, or any thing, into any thing.

9. Thirdly, for the worship which naturally men exhibite to Powers invisible, it can be no other, but such expressions of their reverence, as they would use towards men; Gifts, Petitions, Thanks, Submission of Body, Considerate Addresses, sober Behaviour, premeditated Words, Swearing (that is, assuring one another of their promises,) by invoking them. Beyond that reason suggesteth nothing; but leaves them either to rest there; or for further ceremonies, to rely on those they believe to be wiser than themselves.

10. Lastly, concerning how these Invisible Powers declare to men the things which shall hereafter come to passe, especially concerning their good or evill fortune in generall, or good or ill successe in any particular undertaking, men are naturally at a stand; save that using to conjecture of the time to come, by the time past, they are very apt, not onely to take casuall things, after one or two encounters, for Prognostiques of the like encounter ever after, but also to believe the like Prognostiques from other men, of whom they have once conceived a good opinion.

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

6. It is true, that the heathens, and all nations of the world, have acknowledged that there are spirits, which for the most part they hold to be incorporeal; whereby it may be thought that a man by natural reason, may arrive, without the knowledge of Scripture, to the knowledge of this: *that spirits are*. But the erroneous collection thereof by the heathens may proceed, as I have said before, from ignorance of the causes of ghosts and phantasms, and such other apparitions. And from thence had the Grecians their number of gods, their number of dæmons good and bad; and for every man his genius; which is not the acknowledging of this truth: that spirits are; but a false opinion concerning the force of imagination.

12. For these seeds have received culture from two sorts of men. One sort have been they, that have nourished, and ordered them, according to their own invention. The other, have done it, by Gods commandement, and direction: but both sorts have done it, with a purpose to make those men that relyed on them, the more apt to Obedience, Lawes, Peace, Charity, and civill Society. So that the Religion of the former sort, is a part of humane Politiques; and teacheth part of the duty which Earthly Kings require of their Subjects. And the Religion of the later sort is Divine Politiques; and containeth Precepts to those that have yeilded themselves subjects in the Kingdome of God. Of the former sort, were all the founders of Commonwealths, and the Law-givers of the Gentiles: Of the later sort, were *Abraham, Moses,* and our *Blessed Saviour*; by whom have been derived unto us the Lawes of the Kingdome of God.

13. And for that part of Religion, which consisteth in opinions concerning the nature of Powers Invisible, there is almost nothing that has a name, that has not been esteemed amongst the Gentiles, in one place or another, a God, or Divell; or by their Poets feigned to be inanimated, inhabited, or possessed by some Spirit or other.

14. The unformed matter of the World, was a God, by the name of *Chaos*.

15. The Heaven, the Ocean, the Planets, the Fire, the Earth, the Winds, were so many Gods.

16. Men, Women, a Bird, a Crocodile, a Calf, a Dogge, a Snake, an Onion, a Leeke, Deified. Besides, that they filled almost all places, with spirits called *Dæmons*: the plains, with *Pan*, and *Panises*, or Satyres; the Woods, with Fawnes, and Nymphs; the Sea, with Tritons, and other Nymphs; every River,

and Fountayn, with a Ghost of his name, and with Nymphs; every house, with its *Lares*, or Familiars; every man, with his *Genius*; Hell, with Ghosts, and spirituall Officers, as *Charon*, *Cerberus*, and the *Furies*; and in the night time, all places with *Larvæ*, *Lemures*, Ghosts of men deceased, and a whole kingdome of Fayries, and Bugbears. They have also ascribed Divinity, and built Temples to meer Accidents, and Qualities; such as are Time, Night, Day, Peace, Concord, Love, Contention, Vertue, Honour, Health, Rust, Fever, and the like; which when they prayed for, or against, they prayed to, as if there were Ghosts of those names hanging over their heads, and letting fall, or withholding that Good, or Evill, for, or against which they prayed. They invoked also their own Wit, by the name of *Muses*; their own Ignorance, by the name of *Fortune*; their own Lust, by the name of *Cupid*; their own Rage, by the name *Furies*; their own privy members by the name of *Priapus*; and attributed their pollutions, to *Incubi*, and *Succubæ*: insomuch as there was nothing, which a Poet could introduce as a person in his Poem, which they did not make either a *God*, or a *Divel*.

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

18. And to the Worship, which naturally men conceived fit to be used towards their Gods, namely Oblations, Prayers, Thanks, and the rest formerly named; the same Legislators of the Gentiles have added their Images, both in Picture, and Sculpture; that the more ignorant sort, (that is to say, the most part, or generality of the people,) thinking the Gods for whose representation they were made, were really included, and as it were housed within them, might so much the more stand in feare of them: And endowed them with lands, and houses, and officers, and revenues, set apart from all other humane uses; that is, consecrated, and made holy to those their Idols; as Caverns, Groves, Woods, Mountains, and whole Ilands; and have attributed to them, not only the shapes, some of Men, some of Beasts, some of Monsters; but also the Faculties, and Passions of men and beasts; as Sense, Speech, Sex, Lust, Generation, (and this not only by mixing one with another, to propagate the kind of Gods; but also by mixing with men, and women, to beget mongrill Gods, and but inmates of Heaven, as *Bacchus*, *Hercules*, and others;) besides, Anger, Revenge, and other passions of living creatures, and the actions proceeding from them, as Fraud, Theft, Adultery, Sodomie, and any vice that may be taken for an effect of Power, or a cause of Pleasure; and all such Vices, as amongst men are taken to be against Law, rather than against Honour.

19. Lastly, to the Prognostiques of time to come; which are naturally, but Conjectures upon the Experience of time past; and supernaturally, divine Revelation; the same authors of the Religion of the Gentiles, partly upon pretended Experience, partly upon pretended Revelation, have added innumerable other superstitious wayes of Divination; and made men believe they should find their

fortunes, sometimes in the ambiguous or senseless answers of the Priests at *Delphi*, *Delos*, *Ammon*, and other famous Oracles; which answers, were made ambiguous by designe, to own the event both wayes; or absurd by the intoxicating vapour of the place, which is very frequent in sulphurous Cavernes: Sometimes in the leaves of the Sibills; of whose Prophecyes (like those perhaps of *Nostradamus*; for the fragments now extant seem to be the invention of later times) there were some books in reputation in the time of the Roman Republique: Sometimes in the insignificant Speeches of Mad-men, supposed to be possessed with a divine Spirit; which Possession they called Enthusiasme; and these kinds of foretelling events, were accounted Theomancy, or Prophecy; Sometimes in the aspect of the Starres at their Nativity; which was called Horoscopy, and esteemed a part of judiciary Astrology: Sometimes in their own hopes and feares, called Thumomancy, or Presage: Sometimes in the Prediction of Witches, that pretended conference with the dead; which is called Necromancy, Conjuring, and witchcraft; and is but juggling and confederate knavery: Sometimes in the Casuall flight, or feeding of birds; called Augury: Sometimes in the Entrayles of a sacrificed beast; which was *Aruspicina*: Sometimes in Dreams: Sometimes in Croaking of Ravens, or chattering of Birds: Sometimes in the Lineaments of the face; which was called Metoposcopy; or by Palmistry in the lines of the hand; in casuall words, called *Omina*: Sometimes in Monsters, or unusuall accidents; as Eclipses, Comets, rare Meteors, Earthquakes, Inundations, uncouth Births, and the like, which they called *Portenta*, and *Ostenta*, because they thought them to portend, or foreshew some great Calamity to come: Sometimes, in meer Lottery, as Crosse

and Pile; counting holes in a sive; dipping of Verses in *Homer*, and *Virgil*; and innumerable other such vaine conceits. So easie are men to be drawn to believe any thing, from such men as have gotten credit with them; and can with gentlesse, and dexterity, take hold of their fear, and ignorance.

20. And therefore the first Founders, and Legislators of Common-wealths amongst the Gentiles, whose ends were only to keep the people in obedience, and peace, have in all places taken care; First, to imprint in their minds a beliefe, that those precepts which they gave concerning Religion, might not be thought to proceed from their own device, but from the dictates of some God, or other Spirit; or else that they themselves were of a higher nature than mere mortalls, that their Lawes might the more easily be received: So *Numa Pompilius* pretended to receive the Ceremonies he instituted amongst the Romans, from the Nymph *Egeria*: and the first King and founder of the Kingdome of *Peru*, pretended himselfe and his wife to be the children of the Sunne: and *Mahomet*, to set up his new Religion, pretended to have conferences with the Holy Ghost, in forme of a Dove. Secondly, they have had a care, to make it believed, that the same things were displeasing to the Gods, which were forbidden by the Lawes. Thirdly, to prescribe Ceremonies, Supplications, Sacrifices, and Festivalls, by which they were to believe, the anger of the Gods might be appeased; and that ill success in War, great contagions of Sicknesse, Earthquakes, and each mans private Misery, came from the Anger of the Gods; and their Anger from the Neglect of their Worship, or the forgetting, or mistaking some point of the Ceremonies required. And though amongst the antient Romans, men were not forbidden

to deny, that which in the Poets is written of the paines, and pleasures after this life; which divers of great authority, and gravity in that state have in their *Harangues* openly derided; yet that belief was alwais more cherished, than the contrary.

21. And by these, and such other Institutions, they obtayned in order to their end, (which was the peace of the Commonwealth,) that the common people in their misfortunes, laying the fault on neglect, or errour in their Ceremonies, or on their own disobedience to the lawes, were the lesse apt to mutiny against their Governors. And being entertained with the pomp, and pastime of Festivalls, and publike Games, made in honour of the Gods, needed nothing else but bread, to keep them from discontent, murmuring, and commotion against the State. And therefore the Romans, that had conquered the greatest part of the then known World, made no scruple of tollerating any Religion whatsoever in the City of *Rome* it selfe; unlesse it had somthing in it, that could not consist with their Civill Government; nor do we read, that any Religion was there forbidden, but that of the Jewes; who (being the peculiar Kingdome of God) thought it unlawfull to acknowledge subjection to any mortall King or State whatsoever. And thus you see how the Religion of the Gentiles was a part of their Policy.

22. But where God himselfe, by supernaturall Revelation, planted Religion; there he also made to himselfe a peculiar Kingdome; and gave Lawes, not only of behaviour towards himselfe; but also towards one another; and thereby in the Kingdome of God, the Policy, and lawes Civill, are a part of Religion; and therefore the distinction of Temporall,

and Spirituall Domination, hath there no place. It is true, that God is King of all the Earth: Yet may he be King of a peculiar, and chosen Nation. For there is no more incongruity therein, than that he that hath the generall command of the whole Army, should have withall a peculiar Regiment, or Company of his own. God is King of all the Earth by his Power: but of his chosen people, he is King by Covenant. But to speake more largely of the Kingdome of God, both by Nature, and Covenant, I have in the following discourse *Chap.* assigned an other place. 35

23. From the propagation of Religion, it is not hard to understand the causes of the resolution of the same into its first seeds, or principles; which are only an opinion of a Deity, and Powers invisible, and supernaturall; that can never be so abolished out of humane nature, but that new Religions may againe be made to spring out of them, by the culture of such men, as for such purpose are in reputation.

24. For seeing all formed Religion, is founded at first, upon the faith which a multitude hath in some one person, whom they believe not only to be a wise man, and to labour to procure their happiness, but also to be a holy man, to whom God himselfe vouchsafeth to declare his will supernaturally; It followeth necessarily, when they that have the Goverment of Religion, shall come to have either the wisdom of those men, their sincerity, or their love suspected; or that they shall be unable to shew any probable token of Divine Revelation; that the Religion which they desire to uphold, must be suspected likewise; and (without the feare of the Civill Sword) contradicted and rejected.

25. That which taketh away the reputation of Wisedome, in him that formeth a Religion, or addeth to it when it is already formed, is the enjoying of a beliefe of contradictories: For both parts of a contradiction cannot possibly be true: and therefore to enjoyne the beleife of them, is an argument of ignorance; which detects the Author in that; and discredits him in all things else he shall propound as from revelation supernaturall: which revelation a man may indeed have of many things above, but of nothing against naturall reason.

26. That which taketh away the reputation of Sincerity, is the doing, or saying of such things, as appeare to be signes, that what they require other men to believe, is not believed by themselves; all which doings, or sayings are therefore called Scandalous, because they be stumbling blocks, that make men to fall in the way of Religion: as Injustice, Cruelty, Prophanesse, Avarice, and Luxury. For who can believe, that he that doth ordinarily such actions, as proceed from any of these rootes, believeth there is any such Invisible Power to be feared, as he affrighteth other men withall, for lesser faults?

27. That which taketh away the reputation of Love, is the being detected of private ends: as when the beliefe they require of others, conduceth or seemeth to conduce to the acquiring of Dominion, Riches, Dignity, or secure Pleasure, to themselves onely, or specially. For that which men reap benefit by to themselves, they are thought to do for their own sakes, and not for love of others.

28. Lastly, the testimony that men can render of divine Calling, can be no other, than the operation of Miracles; or true Prophecy, (which also is a Miracle;) or extraordinary Felicity. And therefore, to those points of Religion, which have been received from them that did such Miracles; those that are added by such, as

approve not their Calling by some Miracle, obtain no greater believe, than what the Custome, and Lawes of the places, in which they be educated, have wrought into them. For as in naturall things, men of judgement require naturall signes, and arguments; so in supernaturall things, they require signes supernaturall, (which are Miracles,) before they consent inwardly, and from their hearts.

29. All which causes of the weakening of mens faith, do manifestly appear in the Examples following. First, we have the Example of the children of Israel; who when *Moses*, that had approved his Calling to them by Miracles, and by the happy conduct of them out of *Egypt*, was absent but 40. dayes, revolted from the worship of the true God, recommended to them by him; and setting up * *Exod.* a Golden Calfe for their God, ^{32. 1,2} relapsed into the Idolatry of the Egyptians; from whom they had been so lately delivered. And again, after *Moses*, *Aaron*, *Joshua*, and that generation which had seen the great works of God in Israel, * were * *Judges* ^{2. 11} dead; another generation arose, and served *Baal*. So that Miracles fayling, Faith also failed.

30. Again, when the sons of *Samuel*, * being constituted by * *1 Sam.* ^{8.3} their father Judges in *Bersabee*, received bribes, and judged unjustly, the people of Israel refused any more to have God to be their King, in other manner than he was King of other people; and therefore cryed out to *Samuel*, to choose them a King after the manner of the Nations. So that Justice fayling, Faith also fayled: Insomuch, as they deposed their God, from reigning over them.

31. And whereas in the planting of Christian Religion, the Oracles ceased in all parts of the Roman Empire, and the number of Christians encreased wonderfully every day, and in every place, by the preaching of the Apostles, and Evangelists; a great part of that succeſſe, may reasonably be attributed, to the contempt, into which the Priests of the Gentiles of that time, had brought themselves, by their uncleannesse, avarice, and juggling between Princes. Also the Religion of the Church of *Rome*, was partly, for the same cause abolished in *England*, and many other parts of Christendome; insomuch, as the fayling of Vertue in the Pastors, maketh Faith faile in the People: and partly from bringing of the Philosophy, and doctrine of *Aristotle* into Religion, by the Schoole-men; from whence there arose so many contradictions, and absurdities, as brought the Clergy into a reputation both of Ignorance, and of Fraudulent intention; and enclined people to revolt from them, either against the will of their own Princes, as in *France*, and *Holland*; or with their will, as in *England*.

32. Lastly, amongst the points by the Church of *Rome* declared necessary for Salvation, there be so many, manifestly to the advantage of the Pope, and of his spirituall subjects, residing in the territories of other Christian Princes, that were it not for the mutuall emulation of those Princes, they might without warre, or trouble, exclude all forraign Authority, as easily as it has been excluded in *England*. For who is there that does not see, to whose benefit it conduceth, to have it believed, that a King hath not his Authority from Christ, unlesse a Bishop crown him? That a King, if he be a Priest, cannot Marry? That whether a Prince be born in lawfull Marriage, or not, must be judged by Authority from *Rome*? That Subjects

may be freed from their Alleageance, if by the Court of *Rome*, the King be judged an Heretique? That a King (as *Chilperique of France*) may be deposed by a Pope (as Pope *Zachary*,) for no cause; and his Kingdome given to one of his Subjects? That the Clergy, and Regulars, in what Country soever, shall be exempt from the Jurisdiction of their King, in cases criminall? Or who does not see, to whose profit redound the Fees of private Masses, and Vales of Purgatory; with other signes of private interest, enough to mortifie the most lively Faith, if (as I sayd) the civill Magistrate, and Custome did not more sustain it, than any opinion they have of the Sanctity, Wisdome, or Probity of their Teachers? So that I may attribute all the changes of Religion in the world, to one and the some cause; and that is, unpleasing Priests; and those not onely amongst Catholiques, but even in that Church that hath presumed most of Reformation.

**Part III. OF A CHRISTIAN
COMMON-WEALTH**

**Chapter 34. Of the Signification of
SPIRIT, ANGEL, and INSPIRATION in
the Books of the Holy Scripture⁵**

1. Seeing the foundation of all true Ratiocination, is the constant Signification of words; which in the Doctrine following, dependeth not (as in naturall science) on the Will of the Writer, nor (as in common conversation) on vulgar use, but on the sense they carry in the Scripture; It is necessary, before I proceed any further, to determine, out of the Bible, the meaning of such words, as by their ambiguity, may render what I am to inferre upon them, obscure, or disputable. I will begin with the words BODY, and SPIRIT, which in the language of the Schools are termed, *Substances, Corporeall, and Incorporeall.*

4. By the name of spirit we understand a body natural, but of such subtilty that it worketh not on the senses; but that fil- leth up the place which the image of a visible body might fill up. Our concep- tion therefore of spirit consisteth of fig- ure without colour; and in figure is un- derstood dimension: and consequently, to conceive a spirit, is to conceive some- thing that hath dimension. But spirits supernatural commonly signify some substance without dimension; which two words do flatly contradict one an- other. And therefore when we attribute the name of spirit unto God, we attribute it, not as a name of anything we conceive,

⁵ Margin notes for paragraphs 5–24 can be found in Précis Table 10.

no more than when we ascribe unto him sense and understanding; but as a signification of our reverence, who desire to abstract from him all corporeal grossness.

2. The Word *Body*, in the most generall acceptation, signifieth that which filleth, or occupyeth some certain room, or imagined place; and dependeth not on the imagination, but is a reall part of that we call the *Universe*. For the *Universe*, being the Aggregate of all Bodies, there is no reall part thereof that is not also *Body*; nor any thing properly a *Body*, that is not also part of (that Aggregate of all *Bodies*) the *Universe*. The same also, because Bodies are subject to change, that is to say, to variety of appearance to the sense of living creatures, is called *Substance*, that is to say, *Subject*, to various accidents, as sometimes to be Moved, sometimes to stand Still; and to seem to our senses sometimes Hot, sometimes Cold, sometimes of one Colour, Smel, Tast, or Sound, sometimes of another. And this diversity of Seeming, (produced by the diversity of the operation of bodies, on the organs of our sense) we attribute to alterations of the Bodies that operate, & call them *Accidents* of those Bodies. And according to this acceptation of the word, *Substance* and *Body*, signifie the same thing; and therefore *Substance Incorporeall* are words, which when they are joined together, destroy one another, as if a man should say, an *Incorporeall Body*.

3. But in the sense of common people, not all the Universe is called Body, but only such parts thereof as they can discern by the sense of Feeling, to resist their force, or by the sense of their Eyes, to hinder them from a farther prospect. Therefore in the common language of men, *Aire*, and *aeriall substances*, use not to be taken for *Bodies*, but (as often as men are sensible of their effects) are called *Wind*, or *Breath*, or (because the some are called in the Latine *Spiritus*) *Spirits*; as when they call that aerial substance, which in the body of any living creature, gives it life and motion, *Vitall* and *Animall spirits*. But for those

Idols of the brain, which represent Bodies to us, where they are not, as in a Looking-glasse, in a Dream, or to a Distempered brain waking, they are (as the Apostle saith generally of all Idols) nothing; Nothing at all, I say, there where they seem to bee; and in the brain it self, nothing but tumult, proceeding either from the action of the objects, or from the disorderly agitation of the Organs of our Sense. And men, that are otherwise employed, then to search into their causes, know not of themselves, what to call them; and may therefore easily be perswaded, by those whose knowledge they much reverence, some to call them *Bodies*, and think them made of aire compacted by a power supernaturall, because the sight judges them corporeall; and some to call them *Spirits*, because the sense of Touch discerneth nothing in the place where they appear, to resist their fingers: So that the proper signification of *Spirit* in common speech, is either a subtile, fluid, and invisible Body, or a Ghost, or other Idol or Phantasme of the Imagination. But for metaphorical signification, there be many: for sometimes it is taken for Disposition or Inclination of the mind; as when for the disposition to controwl the sayings of other men, we say, *a spirit contradiction*; For a disposition to uncleanesse, *an unclean spirit*; for perversenesse, *a froward spirit*; for sullenesse, *a dumb spirit*, and for inclination to godlinesse, *and Gods service, the Spirit of god*: sometimes for any eminent ability, or extraordinary passion, or disease of the mind, as when *great wisdome* is called the *spirit of wisdome*; and *mad men* are said to be *possessed with a spirit*.

4. Other signification of *Spirit* I find no where any; and where none of these can satisfie the sense of that word in Scripture, the place falleth not under humane Understanding; and our Faith

7. And seeing the knowledge we have of spirits, is not natural knowledge, but faith from supernatural revelation, given to the holy writers of Scripture; it followeth that of inspiration also, which is the operation of spirits in us, the knowledge we have must all proceed from Scripture. The signs there set down of inspiration, are miracles, when they be great, and manifestly above the power of men to do by imposture. As for example: the inspiration of Elias was known by the miraculous burning of his sacrifice. But the signs to distinguish whether a spirit be good or evil, are the same by which we distinguish whether a man or a tree be good or evil: namely actions and fruit. For there be lying spirits wherewith men are inspired sometimes, as well as with spirits of truth. And we are commanded in Scripture, to judge of the spirits by their doctrine, and not of the doctrine by the spirits. For miracles, our Saviour hath forbidden us to rule our faith by them, Matt. 24, 24. And Saint Paul saith, Gal. 1, 8: *Though an angel from heaven preach unto you otherwise, &c. let him be accursed.* Where it is plain, that we are not to judge whether the doctrine be true or no, by the angel; but whether the angel saith true or no, by the doctrine. So likewise, 1 Joh. chapt. 4 vers. 1: *Believe not every spirit: for false prophets are gone out into the world;* verse 2: *Hereby*

therein consisteth not in our Opinion, but in our Submission; as in all places where God is said to be a *Spirit*; or where by the *Spirit of God*, is meant God himselfe. For the nature of God is incomprehensible; that is to say, we understand nothing of *what he is*, but only *that he is*; and therefore the Attributes we give him, are not to tell one another, *what he is*, nor to signifie our opinion of his Nature, but our desire to honor him with such names as we conceive most honorable amongst our selves.

25. On the signification of the word *Spirit*, dependeth that of the word INSPIRATION; which must either be taken properly; and then it is nothing but the blowing into a man some thin and subtile aire, or wind, in such manner as a man filleth a bladder with his breath; or if Spirits be not corporeal, but have their existence only in the fancy, it is nothing but the blowing in of a Phantasme; which is improper to say, and impossible; for Phantasmes are not, but only seem to be somewhat. That word therefore is used in the Scripture metaphorically onely: As (*Gen. 2. 7.*) where it is said, that God *inspired* into man the breath of life, no more is meant, then that God gave unto him vitall motion. For we are not to think that God made first a living breath, and then blew it into Adam after he was made, whether that breath were reall, or seeming; but only as it is (*Acts 17. 25.*) *that he gave him life and breath*; that is, made him a living creature. And where it is said (*2 Tim. 3.16.*) *all Scripture is given by Inspiration from God*, speaking there of the Scripture of the Old Testament, it is an easie metaphor, to signifie, that God inclined the spirit or mind of those Writers, to write that which should be usefull, in teaching, reprovng, correcting, and instructing men in the way of righteous living. But where St. Peter (*2 Pet. 1. 21.*) saith, that *Prophecy came not in*

shall ye know the spirit of God: every spirit that confesseth that Jesus Christ is come in the flesh, is of God; verse 3: And every spirit that confesseth not that Jesus Christ is come in the flesh, is not of God; and this is the spirit of Antichrist; verse 15: Whosoever confesseth that Jesus is the Son of God, in him dwelleth God, and he in God. The knowledge therefore we have of good and evil inspiration, cometh not by vision of an angel that may teach it, nor by a miracle that may seem to confirm it; but by conformity of doctrine with this article and fundamental point of Christian faith, which also Saint Paul saith 1 Cor. 3, 11, is the sole foundation: that Jesus Christ is come in the flesh.

old time by the will of man, but the holy men of God spake as they were moved by the Holy Spirit, by the Holy Spirit, is meant the voice of God in a Dream, or Vision supernaturall, which is not *Inspiration*: Nor when our Saviour breathing on his Disciples, said, *Receive the Holy Spirit*, was that Breath the Spirit, but a sign of the spirituall graces he gave unto them. And though it be said of many, and of our Saviour himself, that he was full of the Holy Spirit; yet that Fulnesse is not to be understood for *Infusion* of the substance of God, but for accumulation of his gifts, such as are the gift of sanctity of life, of tongues, and the like, whether attained supernaturallly, or by study and industry; for in all cases they are the gifts of God. So likewise where God sayes (*Joel 2. 28.*) *I will powre out my Spirit upon all flesh, and your Sons and your Daughters shall prophecy, your Old men shall dream Dreams, and your Young men shall see Visions*, wee are not to understand it in the proper sense, as if his Spirit were like water, subject to effusion, or infusion; but as if God had promised to give them Propheticall Dreams, and Visions. For the proper use of the word *infused*, in speaking of the graces of God, is an abuse of it; for those graces are Vertues, not Bodies to be carryed hither and thither, and to be powred into men, as into barrels.

26. In the same manner, to take *Inspiration* in the proper sense, or to say that Good *Spirits* entred into men to make them prophecy, or Evill *Spirits* into those that became Phrenetique, Lunatique, or Epileptique, is not to take the word in the sense of the Scripture; for the Spirit there is taken for the power of God, working by causes to us unknown. As also (*Acts 2. 2.*) the wind, that is there said to fill the house wherein the Apostles were assembled on the day of Pentecost, is not to be understood for the Holy Spirit, which is the Deity it self; but

8. But if inspiration be discerned by this point; and this point be acknowledged and believed upon the authority of the Scriptures: how (may some men ask) know we that the Scripture deserveth so great authority, which must be no less than that of the lively voice of God? that is, how we know the Scriptures to be the word of God? And first, it is manifest: that if by knowledge we understand science infallible and natural, such as is defined in the 6 chapt. 4 sect., proceeding from sense; we cannot be said to know it, because it proceedeth from the conceptions engendered by sense. And if we understand knowledge as supernatural, we cannot know it but by inspiration; and of that inspiration we cannot judge, but by the doctrine. It followeth therefore, that we have not any way, natural or supernatural, that knowledge thereof which can properly be called infallible science and evidence. It remaineth, that the knowledge we have that the Scriptures are the word of God, is only faith. For whatsoever is evident either by natural reason, or by revelation supernatural, is not called faith; else should not faith cease, no more than charity, when we are in heaven; which is contrary to the doctrine of Scripture. And, we are not said to believe, but to know those things which are evident.

for an External sign of Gods special working on their hearts, to effect in them the internall graces, and holy vertues hee thought requisite for the performance of their Apostleship.

Chapter 33. Of the Number, Antiquity, Scope, Authority, and Interpreters of the Books of Holy SCRIPTURE⁶

21. It is a question much disputed between the divers sects of Christian Religion, *From whence the Scriptures derive their Authority*; which question is also propounded sometimes in other terms, as, *How wee know them to be the Word of God*, or, *Why we beleeve them to be so*: And the difficulty of resolving it, ariseth chiefly from the impropernesse of the words wherein the question it self is couched. For it is beleeved on all hands, that the first and originall *Author* of them is God; and consequently the question disputed, is not that. Again, it is manifest, that none can know they are Gods Word, (though all true Christians beleeve it,) but those to whom God himself hath revealed it supernaturally; and therefore the question is not rightly moved, of our *Knowledge* of it. Lastly, when the question is propounded of our *Beleeve*; because some are moved to beleeve for one, and others for other reasons, there can be rendred no one generall answer for them all. The question truly stated is, *By what Authority they are made Law*.

⁶ Margin notes for paragraphs 1–20 can be found in Précis Table 10.

Part III. Of Religion

Chapter 15. Of God's government by nature

9. Seeing then the acknowledgment of the Scriptures to be the word of God, is not evidence, but faith; and faith, chapt. 6, sect. 7, consisteth in the trust we have in other men: it appeareth plainly that the men so trusted, are the holy men of God's church succeeding one another from the time of those that saw the wondrous works of God Almighty in the flesh; nor doth this imply that God is not the worker and efficient cause of faith, or that faith is begotten in man without the spirit of God; for all those good opinions which we admit and believe, though they proceed from hearing, and hearing from teaching, both which are natural, yet they are the work of God. For all the works of nature are his, and they are attributed to the Spirit of God. As for example Exod. 28, 3: *Thou shalt speak unto all cunning men, whom I have filled with the spirit of wisdom, that they make Aaron's garments for his consecration, that he may serve me in the priest's office.* The faith therefore wherewith we believe, is the work of the Spirit of God, in that sense, by which the Spirit of God giveth to one man wisdom and cunning in workmanship more than to another; and by which he effecteth also in other points pertaining to our ordinary life, that one man believeth that, which upon the same grounds another doth not; and one man reverenceth the opinion, and obeyeth the commands of his superiors, and others not.

10. And seeing our faith, that the Scriptures are the word of God, began from the confidence and trust we repose in the church; there can be no doubt but that their interpretation of the same

See 18.4

17. We have already declared which were the laws of God, as well sacred as secular, in his government by the way of nature only. Now because there is no man but may be deceived in reasoning,

See 43.6-9

22. As far as they differ not from the Laws of Nature, there is no doubt, but they are the Law of God, and carry their Authority with them, legible to all men that have the use of naturall reason: but

Scriptures, when any doubt or controversy shall arise, by which this fundamental point, that Jesus Christ is come in the flesh, is not called in question, is safer for any man to trust to, than his own, whether reasoning, or spirit; that is to say his own opinion.

and that it so falls out that men are of different opinions concerning the most actions; it may be demanded further, whom God would have to be the *interpreter of right reason*, that is to say, of his laws. And as for the *secular* laws, (I mean those which concern justice and the carriage of men towards men), by what hath been said before of the constitution of a city, we have demonstratively showed it agreeable to reason, that all *judicature* belongs to the city; and that *judicature* is nothing else but an *interpretation of the laws*; and by consequence, that every where cities, that is to say, those who have the sovereign power, are the *interpreters of the laws*. As for the *sacred* laws, we must consider what hath been before demonstrated in chap. v. art. 13, that every subject hath transferred as much right as he could on him or them who had the supreme authority. But he could have transferred his right of judging the manner how God is to be honoured; and therefore also he hath done it. That he could, it appears hence; that the manner of honouring God before the constitution of a city, was to be fetched from every man's *private reason*. But every man can subject his *private* reason to the reason of *the whole city*. Moreover, if each man should follow his own reason in the *worshipping* of God, in so great a diversity of worshippers one would be apt to judge another's worship uncomely, or impious; neither would the one seem to the other to honour God. Even that therefore which were most consonant to reason, would not be a *worship*; because that the nature of *worship* consists in this, that it be the *sign of inward honour*. But there is no sign, but whereby somewhat becomes known to others; and therefore is there no sign of honour,

this is no other Authority, then that of all other Morall Doctrine consonant to Reason; the Dictates whereof are Laws, not *made*, but *Eternall*.

23. If they be made Law by God himselfe, they are of the nature of written Law, which are Laws to them only to whom God hath so sufficiently published them, as no man can excuse himself, by saying, he know not they were his.

24. He therefore, to whom God hath not supernaturally revealed, that they are his, nor that those that published them, were sent by him, is not obliged to obey them, by any Authority, but his, whose Commands have already the force of Laws; that is to say, by any other Authority, then that of the Commonwealth, residing in the Sovereign, who only has the Legislative power. Again, if it be not the Legislative Authority of the Commonwealth, that giveth them the force of Laws, it must be some other Authority derived from God, either private, or publique: if private, it obliges onely him, to whom in particular God hath been pleased to reveale it. For if every man should be obliged, to take for Gods Law, what particular men, on pretence of private Inspiration, or Revelation, should obtrude upon him, (in such a number of men, that out of pride, and ignorance, take their own Dreams, and extravagant Fancies, and Madnesse, for testimonies of Gods Spirit; or out of ambition, pretend to such Divine testimonies, falsely, and contrary to their own consciences,) it were impossible that any Divine Law should be acknowledged. If publique, it is the Authority of the *Common-wealth*, or of the *Church*. But the Church, if it be one person, is the same thing with a

but what seems so to others. Again, that is a true sign, which by the consent of men becomes a sign; therefore also that is honourable, which by the consent of men, that is to say, by the command of the city, becomes a sign of honour. It is not therefore against the will of God, declared by the way of reason only, to give him such signs of honour as the city shall command. Wherefore subjects can transfer their right of judging the manner of God's worship, on him or them who have the sovereign power. Nay, they must do it; for else all manner of absurd opinions concerning the nature of God, and all ridiculous ceremonies which have been used by any nations, will be seen at once in the same city. Whence it will fall out, that every man will believe that all the rest do offer God an affront; so that it cannot be truly said of any, that he worships God; for no man worships God, that is to say, honours him outwardly, but he who doth those things, whereby he appears to others for to honour him. It may therefore be concluded, that the *interpretation* of all laws, as well *sacred* as *secular*, (God ruling by the way of *nature* only), depends on the authority of the city, that is to say, that man or counsel to whom the sovereign power is committed; and that whatsoever God commands, he commands by his voice. And on the other side, that whatsoever is commanded by them, both concerning the manner of honouring God, and concerning secular affairs, is commanded by God himself.

Common-wealth of Christians; called a *Common-wealth*, because it consisteth of men united in one person, their Sovereign; and a *Church*, because it consisteth in Christian men, united in one Christian Sovereign. But if the Church be not one person, then it hath no authority at all; it can neither command, nor doe any action at all; nor is capable of having any power, or right to any thing; nor has any Will, Reason, nor Voice; for all these qualities are personall. Now if the whole number of Christians be not contained in one Common-wealth, they are not one person; nor is there an Universall Church that hath any authority over them; and therefore the Scriptures are not made Laws, by the Universall Church: or if it bee one Common-wealth, then all Christian Monarchs, and States are private persons, and subject to bee judged, deposed, and punished by an Universall Sovereign of all Christendome. So that the question of the Authority of the Scriptures is reduced to this, *Whether Christian Kings, and the Sovereigne Assemblies in Christian Common-wealths, be absolute in their own Territories, immediately under God; or subject to one Vicar of Christ, constituted over the Universall Church; to bee judged, condemned, deposed, and put to death, as hee shall think expedient, or necessary for the common good.*

25. Which question cannot bee resolved, without a more particular consideration of the Kingdome of God; from whence also, wee are to judge of the Authority of Interpreting the Scripture. For, whosoever hath a lawfull power over any Writing, to make it Law, hath the power also to approve, or disapprove the interpretation of the same.

Part II. OF COMMON-WEALTH

Chapter 31. *Of the KINGDOME OF GOD BY NATURE*⁷

1. WE have already in the foregoing chapters, proved both by reason and testimonies of holy writ, that the estate of nature, that is to say, of absolute liberty, such as is theirs who neither govern nor are governed, is an anarchy or hostile state; that the precepts whereby to avoid this state, are *the laws of nature*; that there can be no civil government without a sovereign; and that they who have gotten this sovereign command, must be obeyed simply, that is to say, in all things which repugn not the commandments of God. There is this one thing only wanting to the complete understanding of all civil duty, and that is, to know which are the laws and commandments of God. For else we cannot tell whether that which the civil power commands us, be against the laws of God, or not; whence it must necessarily happen, that either by too much obedience to the civil authority we become stubborn against the divine Majesty; or for fear of sinning against God we run into disobedience against the civil power. To avoid both these rocks, it is necessary to know the divine laws. Now because the knowledge of the laws depends on the knowledge of the kingdom, we must in what follows speak somewhat concerning the *kingdom of God*.

2. *The Lord is king, the earth may be glad thereof*; saith the psalmist, (Psalm xcvi. 1). And again the same psalmist, (Psalm xcix. 1): *The Lord is king, be the people never so impatient; he sitteth between the cherubims, be the earth never so unquiet*; to wit, whether men will or not, God is the king over all the earth; nor is he moved from his throne, if there be any who deny either his *existence* or his *providence*. Now although God govern

1. That the condition of meer Nature, that is to say, of absolute Liberty, such as is theirs, that neither are Sovereigns, nor Subjects, is Anarchy, and the condition of Warre: That the Præcepts, by which men are guided to avoyd that condition, are the Lawes of Nature: That a Common-wealth, without Sovereign Power, is but a word, without substance, and cannot stand: That Subjects owe to Sovereigns, simple Obedience, in all things, wherein their obedience is not repugnant to the Lawes of God, I have sufficiently proved, in that which I have already written. There wants onely, for the entire knowledge of Civill duty, to know what are those Lawes of God. For without that, a man knows not, when he is commanded any thing by the Civill Power, whether it be contrary to the Law of God, or not: and so, either by too much civill obedience, offends the Divine Majesty, or through feare of offending God, transgresses the commandements of the Common-wealth. To avoyd both these Rocks, it is necessary to know what are the Lawes Divine. And seeing the knowledge of all Law, dependeth on the knowledge of the Sovereign Power; I shall say something in that which followeth, of the KINGDOME OF GOD.

2. *God is King, let the Earth rejoice*, Psal. saith the Psalmist. And again, *God is King though the Nations be angry; and he that sitteth on the Cherubins, though the earth be moved*. Whether men will or not, they must be subject always to the Divine Power. By denying the Existence, or Providence of God, men may shake off their Ease, but not their Yoke. But to call this Power of God, which extendeth

⁷ The latter portion of these chapters (*De Cive* paragraphs 14–16, 18–19; *Leviathan* paragraphs 14–41) is located in Chapter 23.

all men so by his power, that none can do anything which he would not have done: yet this, to speak properly and accurately, is not to reign. For he is said to reign, who rules not by *acting*, but *speaking*, that is to say, by *precepts* and *threatenings*. And therefore we count not inanimate nor irrational bodies for subjects in the kingdom of God, although they be subordinate to the divine power; because they *understand not the commands and threats* of God: nor yet the atheists, because they believe not that there is a God; nor yet those who believing there is a God, do not yet believe that he rules these inferior things: for even these, although they be governed by the power of God, yet do they not acknowledge any of his *commands*, nor stand in awe of his *threats*. Those only therefore are supposed to belong to God's kingdom, who acknowledge him to be the governor of all things, and that he hath given *his commands* to men, and appointed *punishments* for the transgressors. The rest we must not call subjects, but enemies of God.

3. But none are said to govern by *commands*, but they who openly declare them to those who are governed by them. For the *commands* of the rulers, are the *laws* of the ruled; but *laws* they are not, if not perspicuously published, insomuch as all excuse of ignorance may be taken away. Men indeed publish their laws by *word* or *voice*; neither can they make their will universally known any other way. But God's *laws* are declared after a threefold manner: first, *by the tacit dictates of right reason*; next, *by immediate revelation*, which is supposed to be done either by a supernatural voice, or by a vision or dream, or divine inspiration; thirdly, by the *voice of one man*, whom God recommends to the rest, as worthy of belief, by the working of true miracles. Now he whose voice God thus makes use of to

it selfe not onely to Man, but also to Beasts, and Plants, and Bodies inanimate, by the name of Kingdome, is but a metaphoricall use of the word. For he onely is properly said to Raigne, that governs his Subjects, by his Word, and by promise of Rewards to those that obey it, and by threatning them with Punishment that obey it not. Subjects therefore in the Kingdome of God, are not Bodies Inanimate, nor creatures Irrationall; because they understand no Precepts as his: Nor Atheists; nor they that believe not that God has any care of the actions of mankind; because they acknowledge no Word for his, nor have hope of his rewards, or fear of his threatnings. They therefore that believe there is a God that governeth the world, and hath given Præcepts, and propounded Rewards, and Punishments to Mankind, are Gods Subjects; all the rest, are to be understood as Enemies.

3. To rule by Words, requires that such Words be manifestly made known; for else they are no Lawes: For to the nature of Lawes belongeth a sufficient, and clear Promulgation, such as may take away the excuse of Ignorance; which in the Lawes of men is but of one onely kind, and that is, Proclamation, or Promulgation by the voyce of man. But God declareth his Lawes three wayes; by the Dictates of *Naturall Reason*, by *Revelation*, and by the *Voyce* of some *man*, to whom by the operation of Miracles, he procureth credit with the rest. From hence there ariseth a triple Word of God, *Rational*, *Sensible*, and *Prophetique*: to which Correspondeth a triple Hearing; *Right Reason*, *Sense Supernaturall*, and *Faith*. As for Sense Supernaturall, which consisteth in Revelation, or Inspiration, there have not been any Universall Lawes so

signify his will unto others, is called a *prophet*. These three manners may be termed the *threefold word of God*, to wit, the *rational word*, the *sensible word*, and *the word of prophecy*. To which answer the three manners whereby we are said to hear God; *right reasoning*, *sense*, and *faith*. God's *sensible word* hath come but to few; neither hath God spoken to men by revelation, except particularly to some, and to diverse diversely; neither have any laws of his kingdom been published on this manner unto any people.

4. And according to the difference which is between the *rational word* and the *word of prophecy*, we attribute a two-fold kingdom unto God: *natural*, in which he reigns by the dictates of right reason; and which is universal over all who acknowledge the divine power, by reason of that rational nature which is common to all: and *prophetical*, in which he rules also by the *word of prophecy*; which is peculiar, because he hath not given positive laws to all men, but to his peculiar people and some certain men elected by him.

5. God in his *natural kingdom* hath a right to rule, and to punish those who break his laws, from his sole *irresistible power*. For all right over others is either from *nature*, or from *contract*. How the right of governing springs from *contract*, we have already showed in chap. vi. And the same right is derived from *nature*, in this very thing, that it is not by nature taken away. For when by nature all men had a right over all things, every man had a right of ruling over all as ancient as nature itself. But the reason why this was abolished among men, was no other but mutual fear, as hath been declared above in chap. ii. art. 3; reason, namely, dictating that they must

given, because God speaketh not in that manner, but to particular persons, and to divers men divers things.

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

5. The Right of Nature, whereby God reigneth over men, and punisheth those that break his Lawes, is to be derived, not from his Creating them, as if he required obedience, as of Gratitude for his benefits; but from his *Irresistible Power*. I have formerly shewn, how the Sovereign Right ariseth from Pact: To shew how the same Right may arise from Nature, requires no more, but to shew in what case it is never taken away. Seeing all men by Nature had Right to All things, they had Right every one to reigne over all the rest. But because this Right could not be obtained by force, it concerned the safety of every one, laying by that Right, to set up men (with

forego that right for the preservation of mankind; because the equality of men among themselves, according to their strength and natural powers, was necessarily accompanied with war; and with war joins the destruction of mankind. Now if any man had so far exceeded the rest in power, that all of them with joined forces could not have resisted him, there had been no cause why he should part with that right, which nature had given him. The right therefore of dominion over all the rest would have remained with him, by reason of that excess of power whereby he could have preserved both himself and them. They therefore whose power cannot be resisted, and by consequence God *Almighty* derives his right of sovereignty from the *power* itself. And as oft as God punisheth or slays a sinner, although he therefore punish him because he sinned, yet may we not say that he could not justly have punished or killed him although he had not sinned. Neither, if the will of God in punishing may perhaps have regard to some sin antecedent, doth it therefore follow, that the right of afflicting and killing depends not on *divine power*, but on *men's sins*.

6. That question made famous by the disputations of the ancients: *why evil things befall the good, and good things the evil*: is the same with this of ours; *by what right God dispenseth good and evil things unto men*; and with its difficulty it not only staggers the faith of the vulgar concerning the divine Providence, but also philosophers, and which is more, even of holy men. Psalm lxxiii. 1, 2, 3: *Truly God is good to Israel, even to such as are of a clean heart; but as for me, my feet were almost gone, my steps had well nigh slipped. And why? I was grieved at the wicked; I do also see the ungodly in such prosperity. And how bitterly did Job expostulate with God, that being just*

Sovereign Authority) by common consent, to rule and defend them: whereas if there had been any man of Power Irresistible; there had been no reason, why he should not by that Power have ruled, and defended both himself, and them, according to his own discretion. To those therefore whose Power is irresistible, the dominion of all men adhereth naturally by their excellence of Power; and consequently it is from that Power, that the Kingdome over men, and the Right of afflicting men at his pleasure, belongeth Naturally to God Almighty; not as Creator, and Gracious; but as Omnipotent. And though Punishment be due for Sinne onely, because by that word is understood Affliction for Sinne; yet the Right of Afflicting, is not alwayes derived from mens Sinne, but from Gods Power.

6. This question, *Why Evill men often Prosper, and Good men suffer Adversity*, has been much disputed by the Antient, and is the same with this of ours, *by what Right God dispenseth the Prosperities and Adversities of this life*; and is of that difficulty, as it hath shaken the faith, not onely of the Vulgar, but of Philosophers, and which is more, of the Saints, concerning the Divine Providence. *How Good, (saith David) is the God of Israel to those that are Upright in Heart; and yet my feet were almost gone, my treadings had*

Psal.
72.
Ver.
1, 2, 3

he should yet be afflicted with so many calamities! God himself with open voice resolved this difficulty in the case of Job, and hath confirmed his right by arguments drawn not from Job's sin, but from his own power. For Job and his friends had argued so among themselves; that they would needs make him guilty, because he was punished; and he would reprove their accusation by arguments fetched from his own innocence. But God, when he had heard both him and them, refutes his expostulation, not by condemning him of injustice or any sin, but by declaring his own power, (Job xxxviii. 4): *Where wast thou (says he) when I laid the foundation of the earth, &c.* And for his friends, God pronounces himself angry against them (Job. xlii. 7): *Because they had not spoken of him the thing that is right, like his servant Job.* Agreeable to this is that speech of our Saviour's in the man's case who was born blind: when his disciples asking him whether he or his parents had sinned, that he was born blind, he answered, (John ix. 3): *Neither hath this man sinned, nor his parents; but that the works of God should be manifest in him.* For though it be said, (Rom. v. 12), *that death entered into the world by sin:* it follows not but that God by his right might have made men subject to diseases and death, although they had never sinned; even as he hath made the other animals mortal and sickly, although they cannot sin.

7. Now if God have the right of sovereignty from his power, it is manifest that the *obligation* of yielding him obedience lies on men by reason of their weakness.* For that *obligation* which

well-nigh slipt; for I was grieved at the Wicked, when I saw the Ungodly in such Prosperity. And Job, how earnestly does he expostulate with God, for the many Afflictions he suffered, notwithstanding his Righteousnesse? This question in the case of *Job*, is decided by God himselfe, not by arguments derived from *Job's* Sinne, but his own Power. For whereas the friends of *Job* drew their arguments from his Affliction to his Sinne, and he defended himselfe by the conscience of his Innocence, God himselfe taketh up the matter, and having justified the Affliction by arguments drawn from his Power, such as this, *Where was thou when I layd the foundations of the earth,* and the like, both approved *Job's* Innocence, and reprov'd the Erroneous doctrine of his friends. Conformable to this doctrine is the sentence of our Saviour, concerning the man that was born Blind, in these words, *Neither hath this man sinned, nor his fathers; but that the works of God might be made manifest in him.* And though it be said, *That Death entred into the world by sinne,* (by which is meant that if *Adam* had never sinned, he had never dyed, that is, never suffered any separation of his soule from his body,) it follows not thence, that God could not justly have Afflicted him, though he had not Sinned, as well as he afflicteth other living creatures, that cannot sinne.

Job
38.
v. 4

* *By reason of their weakness.*] If this shall seem hard to any man, I desire him with a silent thought to consider, if there were two Omnipotents, whether were bound to obey. I believe he will confess that neither is bound. If this be true, then it is also true what I have set down; that men are subject unto God, because they are not omnipotent. And truly our Saviour admonishing Paul, who at that time was an enemy to the Church, that he should not kick against the pricks; seems to require obedience from him for this cause, because he had not power enough to resist.

rises from contract, of which we have spoken in chap. II. can have no place here; where the right of ruling, no covenant passing between, rises only from nature. But there are two species of *natural obligation*. One, when liberty is taken away by corporal impediments, according to which we say that heaven and earth, and all creatures, do obey the common laws of their creation. The other, when it is taken away by hope or fear, according to which the weaker, despairing of his own power to resist, cannot but yield to the stronger. From this last kind of obligation, that is to say, from fear or conscience of our own weakness in respect of the divine power, it comes to pass that we are obliged to obey God in his natural kingdom; reason dictating to all, acknowledging the divine power and providence, *that there is no kicking against the pricks*.

8. Because the *word of God*, ruling by nature only, is supposed to be nothing else but right reason, and the laws of kings can be known by their *word* only; it is manifest that the laws of God, ruling by nature alone, are only the *natural laws*; namely, those which we have set down in chaps. II. and III. and deduced from the dictates of reason, *humility, equity, justice, mercy*; and other *moral virtues* befriending *peace*, which pertain to the discharge of the duties of men one toward the other; and those which right reason shall dictate besides, concerning the honour and worship of the Divine Majesty. We need not repeat what those *natural laws* or *moral virtues* are; but we must see what honours and what divine worship, that is to say, what *sacred laws* the same *natural reason* doth dictate.

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

11. Now concerning man's affections to Godward, they are not the same always that are described in the chapter concerning passions. For there, to love is to be delighted with the image or conception

of the thing loved; but God is unconceivable; to love God therefore, in the Scripture, is to obey his commandments, and to love one another. Also to trust God is different from our trusting one another. For when a man trusteth a man, chapt. 9, sect. 9, he layeth aside his own endeavour; but if we do so in our trust to God Almighty, we disobey him; and how shall we trust to him we disobey? To trust to God Almighty therefore is to refer to his good pleasure all that is above our own power to effect. And this is all one with acknowledging one only God; which is the first commandment. And to trust in Christ is no more, but to acknowledge him for God; which is the fundamental article of our Christian faith. And consequently to trust, rely, or, as some express it, to cast and roll ourselves on Christ, is the same thing with the fundamental point of faith, namely, that Jesus Christ is the son of the living God.

12. To honour God internally in the heart, is the same thing with that we ordinarily call honour amongst men: for it is nothing but the acknowledging of his power; and the signs thereof the same with the signs of the honour due to our superiors, mentioned chapt. 8, sect. 6 (*viz.*): to praise, to magnify, to bless him, to pray to him, to thank him, to give oblations and sacrifice to him, to give attention to his word, to speak to him in prayer with consideration, to come into his presence with humble gesture, and in decent manner, and to adorn his worship with magnificence and cost. And these are natural signs of our honouring him internally. And therefore the contrary hereof: to neglect

9. Honour to speak properly, is nothing else but an opinion of another's *power* joined with *goodness*; and to *honour* a man, is the same with highly esteeming him: and so honour is not in the party *honoured*, but in the *honourer*. Now three passions do necessarily follow *honour* thus placed in opinion; *love*, which refers to *goodness*; *hope* and *fear*, which regard *power*. And from these arise all outward actions, wherewith the powerful are appeased and become propitious; and which are the effects, and therefore also the natural signs of honour itself. But the word *honour* is transferred also to those outward effects of *honour*; in which sense, we are said to *honour* him, of whose power we testify

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

prayer, to speak to him extempore, to come to church slovenly, to adorn the place of his worship less than our own houses, to take up his name in every idle discourse, are manifest signs of contempt of the Divine Majesty. There be other signs are arbitrary; as, to be uncovered (as we be here) to put off the shoes, as Moses at the fiery bush, and some other of that kind; which in their own nature are indifferent, till to avoid indecency and discord, it be otherwise determined by common consent.

ourselves, either in word or deed, to have a very great respect; insomuch as *honour* is the same with *worship*. Now *worship* is an outward act, the sign of inward honour; and whom we endeavour by our homage to appease if they be angry, or howsoever to make them favourable to us, we are said to *worship*.

10. All signs of the mind are either *words* or *deeds*; and therefore all *worship* consists either in *words* or *deeds*. Now both the one and the other are referred to three kinds; whereof the first is *praise*, or *public declaration of goodness*; the second a *public declaration of present power*, which is to *magnify*, *μεγαλυνειν*; the third is a *public declaration of happiness*, or of *power secure also for the future*, which is called *μακαρισμὸς*. I say that all kinds of honour may be discerned, not in *words* only, but in *deeds* too. But we then praise and celebrate in *words*, when we do it by way of proposition or *dogmatically*, that is to say, by *attributes* or *titles*; which may be termed praising and celebrating *categorically* and *plainly*; as when we declare him whom we honour to be *liberal*, *strong*, *wise*. And then in *deeds*, when it is done by *consequence* or by *hypothesis* or supposition; as by *thanksgiving*, which supposeth *goodness*; or by *obedience*, which supposeth *power*; or by *congratulation*, which supposeth *happiness*.

answer our labour, according to their own Wills. In the first sense the labour bestowed on the Earth, is called *Culture*; and the education of Children a *Culture* of their mindes. In the second sense, where mens wills are to be wrought to our purpose, not by Force, but by *Complaisance*, it signifieth as much as *Courting*, that is, a winning of favour by good offices; as by praises, by acknowledging their Power, and by whatsoever is pleasing to them from whom we look for any benefit. And this is properly *Worship*: in which sense *Publicola*, is understood for a Worshipper of the People, and *Cultus Dei*, for the Worship of God.

9. From internall Honour, consisting in the opinion of Power and Goodnesse, arise three Passions; *Love*, which hath reference to Goodnesse; and *Hope*, and *Fear*, that relate to Power: And three parts of externall worship; *Praise*, *Magnifying*, and *Blessing*: The subject of Praise, being Goodnesse; the subject of Magnifying, and Blessing, being Power, and the effect thereof Felicity. Praise, and Magnifying are significant both by Words, and Actions: By Words, when we say a man is Good, or Great: By Actions, when we thank him for his Bounty, and obey his Power. The opinion of the Happinesse of another, can onely be expressed by words.

11. Now whether we desire to praise a man in *words* or *deeds*, we shall find some things which signify honour with all men: such as among *attributes*, are the general words of *virtues* and *powers*, which cannot be taken in ill sense; as *good, fair, strong, just*, and the like: and among *actions, obedience, thanksgiving, prayers*, and others of that kind, by which an acknowledgment of virtue and power is ever understood. Others, which signify honour but with some, and scorn with others, or else neither; such as in *attributes* are those words, which, according to the diversity of opinions, are diversely referred to virtues or vices, to honest or dishonest things. As that a man slew his enemy, that he fled, that he is a philosopher, or an orator, and the like; which with some are had in honour, with others in contempt. In *deeds*, such as depend on the custom of the place, or prescriptions of civil laws; as in saluting to be bare-headed, to put off the shoes, to bend the body, to petition for anything standing, prostrate, kneeling, forms of ceremony, and the like. Now that *worship* which is always and by all men accounted honourable, may be called *natural*; the other, which follows places and customs, *arbitrary*.

12. Furthermore, *worship* may be enjoined, to wit, by the *command* of him that is worshipped, and it may be *voluntary*, namely, such as seems good to the worshipper. If it be *enjoined*, the actions expressing it do not signify honour, as they signify actions, but as they are *enjoined*: for they signify *obedience* immediately, obedience *power*; insomuch as *worship enjoined* consists in obedience. *Voluntary* is honourable only in the nature of the actions; which if they do signify honour to the beholders, it is *worship*, if not, it is *reproach*. Again, *worship* may

10. There be some signes of Honour, (both in Attributes and Actions,) that be Naturally so; as amongst Attributes, *Good, Just, Liberall*, and the like; and amongst Actions, *Prayers, Thanks, and Obedience*. Others are so by Institution, or Custome of men; and in some times and places are Honourable; in others Dishonourable; in others Indifferent: such as are the Gestures in Salutation, Prayer, and Thanksgiving, in different times and places, differently used. The former is *Natural*; the later *Arbitrary* Worship.

11. And of Arbitrary Worship, there be two differences: For sometimes it is a *Commanded*, sometimes *Voluntary* Worship: Commanded, when it is such as hee requireth, who is Worshipped: Free, when it is such as the Worshipper thinks fit. When it is Commanded, not the words, or gestures, but the obedience is the Worship. But when Free, the Worship consists in the opinion of the beholders: for if to them the words, or actions by which we intend honour, seem ridiculous, and tending to contumely;

be either *public* or *private*. But *public*, respecting each single worshipper, may not be *voluntary*; respecting the city, it may. For seeing that which is done voluntarily, depends on the will of the doer, there would not one worship be given, but as many worships as worshippers; except the will of all men were united by the command of one. But *private* worship may be *voluntary*, if it be done secretly; for what is done openly, is restrained either by laws or through modesty; which is contrary to the nature of a *voluntary* action.

13. Now that we may know what the *scope* and *end* of *worshipping* others is, we must consider the cause why men delight in worship. And we must grant what we have showed elsewhere; that *joy* consists in this, that a man contemplates virtue, strength, science, beauty, friends, or any *power* whatsoever, as being, or as though it were his own; and it is nothing else but a *glory* or triumph of the mind, conceiving itself honoured, that is to say, loved and feared, that is to say, having the services and assistances of men in readiness. Now because men believe him to be powerful, whom they see, *just, strong, creator, king*, and the like; in such sense, as not desiring to declare what he is; (which were to circumscribe him within the narrow limits of our phantasy); but to confess his own admiration and obedience, which is the property of humility and of a mind yielding all the honour it possibly can do. For reason dictates one name alone which doth signify the *nature* of God, that is, *existent*, or simply, *that he is*; and one in *order* to, and in *relation* to us, namely *God*, under which is contained both *King*, and *Lord*, and *Father*.

they are no Worship; because no signes of Honour; and no signes of Honour; Honour; because a signe is not a signe to him that giveth it, but to him to whom it is made; that is, to the spectator.

12. Again, there is a *Publique*, and a *Private* Worship. *Publique*, is the Worship that a Common-wealth performeth, as one Person. *Private*, is that which a *Private* person exhibiteth. *Publique*, in respect of the whole Common-wealth, is *Free*; but in respect of *Particular* men it is not so. *Private*, is in secret *Free*; but in the sight of the multitude, it is never without some *Restraint*, either from the *Lawes*, or from the *Opinion* of men; which is contrary to the nature of *Liberty*.

13. The End of Worship amongst men, is *Power*. For where a man seeth another worshipped he supposeth him powerfull, and is the readier to obey him; which makes his *Power* greater. But God has no *Ends*: the worship we do him, proceeds from our duty, and is directed according to our capacity, by those rules of Honour, that Reason dictateth to be done by the weak to the more potent men, in hope of benefit, for fear of dammage, or in thankfulness for good already received from them.

CHAPTER 11

Chapter 13 of *The Elements of Law*

Précis table

Part I. Concerning men as persons natural

Chapter 13. How by language men work upon each other's minds

1. 2. Of teaching, persuading, controversy, consent
 3. Difference between teaching and persuading
 4. Controversies proceed from dogmatics¹
 5. Counselling
 6. Promise, threatening, commanding, law
 7. Raising and allaying of the passions
 8. Words only are not sufficient signs of the mind
 9. In contradictories the part directly signified is preferred before the part drawn from it by consequence
 10. The hearer is interpreter of the language of him that speaketh to him
 11. Silence sometimes a sign of consent
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Part I. Concerning men as persons natural

Chapter 13. How by language men work upon each other's minds

1. HAVING spoken of the powers and acts of the mind, both cognitive and motive, considered in every man by himself, without relation to others; it will fall fitly into this chapter, to speak of the effects of the same powers one upon another; which effects are also the signs, by which one taketh notice of what another conceiveth and intendeth. Of these signs, some are such as cannot easily be counterfeited; as actions and gestures, especially if they be sudden; whereof I have mentioned some for example sake in the ninth chapter, at the several passions whereof they are signs; others there are that may be counterfeited: and those are words or speech; of the use and effect whereof I am to speak in this place.

2. The first use of language, is the expression of our conceptions, that is, the begetting in another the same conceptions that we have in ourselves; and this is called **TEACHING**; wherein if the conceptions of him that teacheth continually accompany his words, beginning at something from experience, then it begetteth the like evidence in the hearer that understandeth them, and maketh him know something, which he is therefore said to **LEARN**. But if there be not such evidence, then such teaching is called **PERSUASION**, and begetteth no more in the hearer, than what is in the speaker, bare opinion. And the signs of two opinions contradictory one to another, namely, affirmation and negation of the same thing, is called a **CONTROVERSY**; but both affirmations, or both negations, **CONSENT** in opinion.

3. The infallible sign of teaching exactly, and without error, is this: that no man hath ever taught the contrary; not that few, how few soever, if any. For commonly truth is on the side of the few, rather than of the multitude; but when in opinions and questions considered and discussed by many, it happeneth that not any one of the men that so discuss them differ from another, then it may be justly inferred, they know what they teach, and that otherwise they do not. And this appeareth most manifestly

¹ See the Epistle Dedicatory, ¶1.

to them that have considered the divers subjects wherein men have exercised their pens, and the divers ways in which they have proceeded; together with the diversity of the success thereof. For those men who have taken in hand to consider nothing else but the comparison of magnitudes, numbers, times, and motions, and their proportions one to another, have thereby been the authors of all those excellences, wherein we differ from such savage people as are now the inhabitants of divers places in America; and as have been the inhabitants heretofore of those countries where at this day arts and sciences do most flourish. For from the studies of these men hath proceeded, whatsoever cometh to us for ornament by navigation; and whatsoever we have beneficial to human society by the division, distinction, and portraying of the face of the earth; whatsoever also we have by the account of times, and foresight of the course of heaven; whatsoever by measuring distances, planes, and solids of all sorts; and whatsoever either elegant or defensible in building: all which supposed away, what do we differ from the wildest of the Indians? Yet to this day was it never heard of, that there was any controversy concerning any conclusion in this subject; the science whereof hath nevertheless been continually amplified and enriched with conclusions of most difficult and profound speculation. The reason whereof is apparent to every man that looketh into their writings; for they proceed from most low and humble principles, evident even to the meanest capacity; going on slowly, and with most scrupulous ratiocination (viz.) from the imposition of names they infer the truth of their first propositions; and from two of the first, a third; and from any two of the three a fourth; and so on, according to the steps of science, mentioned chapt. 6, sect. 4. On the other side, those men who have written concerning the faculties, passions, and manners of men, that is to say, of moral philosophy, or of policy, government, and laws, whereof there be infinite volumes, have been so far from removing doubt and controversy in the questions they have handled, that they have very much multiplied the same; nor doth any man at this day so much as pretend to know more than hath been delivered two thousand years ago by Aristotle. And yet every man thinks that in this subject he knoweth as much as any other; supposing there needeth thereunto no study but that it accrueth to them by natural wit; though they play, or employ their mind otherwise in the purchase of wealth or place. The reason whereof is no other, than that in their writings and discourses they take for principles those opinions which are already vulgarly received, whether true or false; being for the most part false. There is therefore a great deal of difference between teaching and persuading; the signs of this being controversy; the sign of the former, no controversy.

4. There be two sorts of men that be commonly called learned: one is that sort that proceedeth evidently from humble principles, as is described in the last section; and these men are called *mathematici*; the other are they that take up maxims from their education, and from the authority of men, or of custom, and take the habitual discourse of the tongue for ratiocination; and these are called *dogmatici*. Now seeing in the last section, those we call mathematici are absolved of the crime of breeding controversy; and they that pretend not to learning cannot be accused; the fault lieth altogether in the dogmatics, that is to say, those that are imperfectly learned, and with passion press to have their opinions pass everywhere for truth, without any evident demonstration either from experience, or from places of Scripture of uncontroverted interpretation.²

5. The expression of those conceptions which cause in us the expectation of good while we deliberate, as also of those which cause our expectation of evil, is that which we call COUNSELLING. And as in the internal deliberation of the mind concerning what we ourselves are to do, or not to do, the consequences of the action are our counsellors, by alternate succession in the mind; so in the counsel which a man taketh from other men, the counsellors alternately do make appear the consequences of the action, and do not any of them deliberate, but furnish amongst them all him that is counselled, with arguments whereupon to deliberate within himself.

6. Another use of speech is the expression of appetite, intention, and will; as the appetite of knowledge by interrogation; appetite to have a thing done by another, as request, prayer, petition; expressions of our purpose or intention, as PROMISE, which is the affirmation or negation of some action to be done in the future; THREATENING, which is the promise of evil; and COMMANDING, which is that speech by which we signify to another our appetite or desire to have any thing done, or left undone, for reason contained in the will itself: for it is not properly said, *Sic volo, sic jubeo*, without that other clause, *Stet pro ratione voluntas*: and when the command is a sufficient reason to move us to the action, then is that command called a LAW.

² See the Epistle Dedicatory, ¶1: From the two principal parts of our nature, Reason and Passion, have proceeded two kinds of learning, mathematical and dogmatical. The former is free from controversies and dispute, because it consisteth in comparing figures and motion only; in which things truth and the interest of men oppose not each other. But in the later there is nothing not disputable, because it compareth men, and meddeth with their right and profit; in which, as oft as reason is against a man, so oft will a man be against reason.

7. Another use of speech is *INSTIGATION* and *APPEASING*, by which we increase or diminish one another's passions; it is the same thing with persuasion: the difference not being real. For the begetting of opinion and passion is the same act; but whereas in persuasion we aim at getting opinion from passion; here, the end is, to raise passion from opinion. And as in raising an opinion from passion, any premises are good enough to infer the desired conclusion; so, in raising passion from opinion, it is no matter whether the opinion be true or false, or the narration historical or fabulous. For not truth, but image, maketh passion; and a tragedy affecteth no less than a murder if well acted.

8. Though words be the signs we have of one another's opinions and intentions; yet, because the equivocation of them is so frequent according to the diversity of contexture, and of the company wherewith they go (which the presence of him that speaketh, our sight of his actions, and conjecture of his intentions, must help to discharge us of): it must be extreme hard to find out the opinions and meanings of those men that are gone from us long ago, and have left us no other signification thereof but their books; which cannot possibly be understood without history enough to discover those aforementioned circumstances, and also without great prudence to observe them.

9. When it happeneth that a man signifieth unto us two contradictory opinions whereof the one is clearly and directly signified, and the other either drawn from that by consequence, or not known to be contradictory to it; then (when he is not present to explicate himself better) we are to take the former of his opinions; for that is clearly signified to be his, and directly, whereas the other might proceed from error in the deduction, or ignorance of the repugnancy. The like also is to be held in two contradictory expressions of a man's intention and will, for the same reason.

10. Forasmuch as whosoever speaketh to another, intendeth thereby to make him understand what he saith; if he speak unto him, either in a language which he that heareth understandeth not, or use any word in other sense than he believeth is the sense of him that heareth; he intendeth also to make him not understand what he saith; which is a contradiction of himself. It is therefore always to be supposed, that he which intendeth not to deceive, alloweth the private interpretation of his speech to him to whom it is addressed.

11. Silence in them that think it will be so taken, is a sign of consent; for so little labour being required to say No, it is to be presumed, that in this case he that saith it not, consenteth.

CHAPTER 12

Chapter 14 of *The Elements of Law* /
Chapter 1 of *De Cive* / Chapter 13 of *Leviathan*

Précis table

Part I. Concerning men as persons natural	Part I. Of Liberty	Part I. OF MAN
Chapter 14. Of the estate and right of nature	Chapter 1. Of the state of men without civil society	Chapter 13. <i>Of the NATURALL CONDITION of Mankind, as concerning their Felicity, and Misery</i>
1.	1. The Introduction	
	2. That the beginning of civil society is from mutual fear	10. 12.
2. Men by nature equal	3. That men by nature are all equal	1. Men by nature Equall 2.
3. By vain glory indisposed to allow equality with themselves to others	4. Whence the will of mischieving each other ariseth	4. From Diffidence Warre
4. Apt to provoke one another by comparisons	5. The discord arising from comparison of wits	5.
5. Apt to encroach one upon another	6. From the appetite many have to the same thing	3. From Equality proceeds Diffidence 6-7.
6. Right defined 7. Right to the end, implieth right to the means 8. Every man his own judge by nature 9. Every man's strength and knowledge is for his own use	7. The definition of <i>right</i> 8. A right to the end, gives a right to the means necessary to that end 9. By the right of nature, every man is judge of the means which tend to his own preservation	14.1
10. Every man by nature hath right to all things	10. By nature all men have equal right to all things 11. This right which all men have to all things, is unprofitable	13. In such a Warre, nothing is Unjust
11. War and peace defined	12. The state of men without civil society, is a mere state of war: the definitions of <i>peace</i> and <i>war</i>	8. Out of Civil States, there is always WARRE of every one against every one

12. Men by nature in the state of war	13. War is an adversary to man's preservation	9. The Incommodities of such a War 11.
13. In manifest inequality might is right	14. It is lawful for any man, by natural right, to compel another whom he hath gotten in his power, to give caution of his future obedience	
14. Reason dictateth peace	15. Nature dictates the seeking after peace	14. The Passions that incline men to Peace

Part I. Concerning men as persons natural

Chapter 14. Of the estate and right of nature

1. IN the precedent chapters hath been set forth the whole nature of man, consisting in the powers natural of his body and mind, and may all be comprehended in these four: strength of body, experience, reason, and passion.

Part I. Of Liberty

Chapter 1. Of the state of men without civil society

1. THE faculties of human nature may be reduced unto four kinds; bodily strength, experience, reason, passion. Taking the beginning of this following doctrine from these, we will declare, in the first place, what manner of inclinations men who are endued with these faculties bear towards each other, and whether, and by what faculty they are born apt for society, and to preserve themselves against mutual violence; then proceeding, we will shew what advice was necessary to be taken for this business, and what are the conditions of society, or of human peace; that is to say, (changing the words only), what are the fundamental *laws of nature*.

2. The greatest part of those men who have written aught concerning commonwealths, either suppose, or require us or beg of us to believe, that man is a creature born fit * for society. The Greeks

Part I. OF MAN

Chapter 13. Of the NATURALL CONDITION of Mankind, as concerning their Felicity, and Misery

* *Born fit.*] Since we now see actually a constituted society among men, and none living out of it, since we discern all desirous of congress and mutual correspondence, it may seem a wonderful kind of stupidity, to lay in the very threshold of this doctrine such a stumbling block before the reader, as to deny *man to be born fit for society*. Therefore I must more plainly say, that it is true indeed, that to man by nature, or as man, that is, as soon as he is born, solitude is an enemy; for infants have need of others to help them to live, and those of riper years to help them to live well. Wherefore I deny not that men (even nature compelling) desire to come together. But civil societies are not mere meetings, but bonds, to the making whereof faith and compacts are necessary; the virtue whereof to children and fools, and the profit whereof to those who have not yet tasted the miseries which accompany its defects, is altogether unknown; whence it happens, that those, because they know not what society is, cannot enter into it; these, because ignorant of the benefit it brings, care not for it. Manifest therefore it is, that all men, because they are born in infancy, are born unapt for society. Many also, perhaps most men, either through defect of mind or want of education, remain unfit during the whole course of their lives; yet have they, infants as well as those of riper years, a human nature. Wherefore man is made fit for society not by nature, but by education. Furthermore, although man were born in such a condition as to desire it, it follows not, that he therefore were born fit to enter into it. For it is one thing to desire, another to be in capacity fit for what we desire; for even they, who through their pride, will not stoop to equal conditions, without which there can be no society, do yet desire it.

call him *Zōon politikōn*; and on this foundation they so build up the doctrine of civil society, as if for the preservation of peace, and the government of mankind, there were nothing else necessary than that men should agree to make certain covenants and conditions together, which themselves should then call laws, Which axiom, though received by most, is yet certainly false; and an error proceeding from our too slight contemplation of human nature. For they who shall more narrowly look into the causes for which men come together, and delight in each other's company, shall easily find that this happens not because naturally it could happen no otherwise, but by accident. For if by nature one man should love another, that is, as man, there could no reason be returned why every man should not equally love every man, as being equally man; or why he should rather frequent those, whose society affords him honour or profit. We do not therefore by nature seek society for its own sake, but that we may receive some honour or profit from it; these we desire primarily, that secondarily. How, by what advice, men do meet, will be best known by observing those things which they do when they are met. For if they meet for traffic, it is plain every man regards not his fellow, but his business; if to discharge some office, a certain market-friendship is begotten, which hath more of jealousy in it than true love, and whence factions sometimes may arise, but good will never; if for pleasure and recreation of mind, every man is wont to please himself most with those things which stir up laughter, whence he may, according to the nature of that which is ridiculous, by comparison of another man's defects and infirmities, pass the more current in his own opinion. And although this be sometimes innocent and without offence, yet it is manifest

they are not so much delighted with the society, as their own vain glory. But for the most part, in these kinds of meeting we wound the absent; their whole life, sayings, actions are examined, judged, condemned. Nay, it is very rare but some present receive a fling as soon as they part; so as his reason was not ill, who was wont always at parting to go out last. And these are indeed the true delights of society, unto which we are carried by nature, that is, by those passions which are incident to all creatures, until either by sad experience or good precepts it so fall out, which in many it never happens, that the appetite of present matters be dulled with the memory of things past: without which the discourse of most quick and nimble men on this subject, is but cold and hungry.

But if it so happen, that being met they pass their time in relating some stories, and one of them begins to tell one which concerns himself; instantly every one of the rest most greedily desires to speak of himself too; if one relate some wonder, the rest will tell you miracles, if they have them; if not, they will feign them. Lastly, that I may say somewhat of them who pretend to be wiser than others: if they meet to talk of philosophy, look, how many men, so many would be esteemed masters, or else they not only love not their fellows, but even persecute them with hatred. So clear is it by experience to all men who a little more narrowly consider human affairs, that all free congress ariseth either from mutual poverty, or from vain glory, whence the parties met endeavour to carry with them either some benefit, or to leave behind them that same εὐδοκιμεῖν, some esteem and honour with those, with whom they have been conversant. The same is also collected by reason out of the definitions themselves of *will*, *good*, *honour*, *profitable*. For when we voluntarily contract

society, in all manner of society we look after the object of the will, that is, that which every one of those who gather together, propounds to himself for good. Now whatsoever seems good, is pleasant, and relates either to the senses, or the mind. But all the mind's pleasure is either glory, (or to have a good opinion of one's self), or refers to glory in the end; the rest are sensual, or conducing to sensuality, which may be all comprehended under the word *conveniencies*. All society therefore is either for gain, or for glory; that is, not so much for love of our fellows, as for the love of ourselves. But no society can be great or lasting, which begins from vain glory. Because that glory is like honour; if all men have it no man hath it, for they consist in comparison and precellence. Neither doth the society of others advance any whit the cause of my glorying in myself; for every man must account himself, such as he can make himself without the help of others. But though the benefits of this life may be much furthered by mutual help; since yet those may be better attained to by dominion than by the society of others, I hope no body will doubt, but that men would much more greedily be carried by nature, if all fear were removed, to obtain dominion, than to gain society. We must therefore resolve, that the original of all great and lasting societies consisted not in the mutual good will men had towards each other, but in the mutual fear * they had of each other.

10. It may seem strange to some man, that has not well weighed these things;

* *The mutual fear.*] It is objected: it is so improbable that men should grow into civil societies out of fear, that if they had been afraid, they would not have endured each other's looks. They presume, I believe, that to fear is nothing else than to be affrighted. I comprehend in this word *fear*, a certain foresight of future evil; neither do I conceive flight the sole property of fear, but to distrust, suspect, take heed, provide so that they may not fear, is also incident to the fearful. They who go to sleep, shut their doors; they who travel, carry their swords with them, because they fear thieves. Kingdoms guard their coasts and frontiers with forts and castles; cities are compact with walls; and all for fear of neighbouring kingdoms and towns. Even the strongest armies, and most accomplished for fight, yet sometimes parley for peace, as fearing each other's power, and lest they might be overcome. It is through fear that men secure themselves by flight indeed, and in corners, if they think they cannot escape otherwise; but for the most part, by arms and defensive weapons; whence it happens, that daring to come forth they know each other's spirits. But then if they fight, civil society ariseth from the victory; if they agree, from their agreement.

that Nature should thus dissociate, and render men apt to invade, and destroy one another: and he may therefore, not trusting to this Inference, made from the Passions, desire perhaps to have the same confirmed by Experience. Let him therefore consider with himselfe, when taking a journey, he armes himselfe, and seeks to go well accompanied; when going to sleep, he locks his dores; when even in his house he locks his chests; and this when he knows there bee Lawes, and publike Officers, armed, to revenge all injuries shall bee done him; what opinion he has of his fellow subjects, when he rides armed; of his fellow Citizens, when he locks his dores; and of his children, and servants, when he locks his chests. Does he not there as much accuse mankind by his actions, as I do by my words? But neither of us accuse mans nature in it. The Desires, and other Passions of man, are in themselves no Sin. No more are the Actions, that proceed from those Passions, till they know a Law that forbids them: which till Lawes be made they cannot know: nor can any Law be made, till they have agreed upon the Person that shall make it.

12. But though there had never been any time, wherein particular men were in a condition of warre one against another; yet in all times, Kings, and Persons of Sovereigne authority, because of their Independency, are in continuall jealousies, and in the state and posture of Gladiators; having their weapons pointing, and their eyes fixed on one another; that is, their Forts, Garrisons, and Guns upon the Frontiers of their Kingdomes; and continuall Spyes upon their neighbours; which is a posture of War. But because they uphold thereby, the Industry of their Subjects; there does not follow from it, that misery, which accompanies the Liberty of particular men.

2. In this chapter it will be expedient to consider in what estate of security this our nature hath placed us, and what probability it hath left us of continuing and preserving ourselves against the violence of one another. And first, if we consider how little odds there is of strength or knowledge between men of mature age, and with how great facility he that is the weaker in strength or in wit, or in both, may utterly destroy the power of the stronger, since there needeth but little force to the taking away of a man's life; we may conclude that men considered in mere nature, ought to admit amongst themselves equality; and that he that claimeth no more, may be esteemed moderate.

3. The cause of mutual fear consists partly in the natural equality of men, partly in their mutual will of hurting: whence it comes to pass, that we can neither expect from others, nor promise to ourselves the least security. For if we look on men full-grown, and consider how brittle the frame of our human body is, which perishing, all its strength, vigour, and wisdom itself perisheth with it; and how easy a matter it is, even for the weakest man to kill the strongest: there is no reason why any man, trusting to his own strength, should conceive himself made by nature above others. They are equals, who can do equal things one against the other; but they who can do the greatest things, namely, kill, can do equal things. All men therefore among themselves are by nature equal; the inequality we now discern, hath its spring from the civil law.

1. NATURE hath made men so equall, in the faculties of body, and mind; as that though there bee found one man sometimes manifestly stronger in body, or of quicker mind than another; yet when all is reckoned together, the difference between man, and man, is not so considerable, as that one man can thereupon claim to himselfe any benefit, to which another may not pretend, as well as he. For as to the strength of body, the weakest has strength enough to kill the strongest, either by secret machination, or by confederacy with others, that are in the same danger with himselfe.

2. And as to the faculties of the mind, (setting aside the arts grounded upon words, and especially that skill of proceeding upon generall, and infallible rules, called Science; which very few have, and but in few things; as being not a native faculty, born with us; nor attained, (as Prudence,) while we look after somewhat els,) I find yet a greater equality amongst men, than that of strength. For Prudence, is but Experience; which equall time, equally bestowes on all men, in those things they equally apply themselves unto. That which may perhaps make such equality incredible, is but a vain conceipt of ones owne wisdom, which almost all men think they have in a greater degree, than the Vulgar; that is, than all men but themselves, and a few others, whom by Fame, or for concurring with themselves, they approve. For such is the nature of men, that howsoever they may acknowledge many others to be more witty, or more eloquent, or more learned; Yet they will hardly believe there be many so wise as themselves: For they see their own wit at hand, and other mens at a distance. But this proveth rather that men are in that point equall, than unequall. For there is not ordinarily a greater signe of the equall distribution of any thing, than that every man is contented with his share.

3. On the other side, considering the great difference there is in men, from the diversity of their passions, how some are vainly glorious, and hope for precedency and superiority above their fellows, not only when they are equal in power, but also when they are inferior; we must needs acknowledge that it must necessarily follow, that those men who are moderate, and look for no more but equality of nature, shall be obnoxious to the force of others, that will attempt to subdue them. And from hence shall proceed a general diffidence in mankind, and mutual fear one of another.

4. Farther, since men by natural passion are divers ways offensive one to another, every man thinking well of himself, and hating to see the same in others, they must needs provoke one another by words, and other signs of contempt and hatred, which are incident to all comparison; till at last they must determine the pre-eminence by strength and force of body.

4. All men in the state of nature have a desire and will to hurt, but not proceeding from the same cause, neither equally to be condemned. For one man, according to that natural equality which is among us, permits as much to others as he assumes to himself; which is an argument of a temperate man, and one that rightly values his power. Another, supposing himself above others, will have a license to do what he lists, and challenges respect and honour, as due to him before others; which is an argument of a fiery spirit. This man's will to hurt ariseth from vain glory, and the false esteem he hath of his own strength; the other's from the necessity of defending himself, his liberty, and his goods, against this man's violence.

5. Furthermore, since the combat of wits is the fiercest, the greatest discords which are, must necessarily arise from this contention. For in this case it is not only odious to contend against, but also not to consent. For not to approve of what a man saith, is no less than tacitly to accuse him of an error in that thing which he speaketh: as in very many things to dissent, is as much as if you accounted him a fool whom you dissent from. Which may appear hence, that there are no wars so sharply waged as between sects of the same religion, and factions of the same commonweal, where the contestation is either concerning doctrines or politic prudence. And since all the pleasure and jollity of the mind consists in this, even to get some, with whom comparing, it may find somewhat wherein to triumph and vaunt itself; it is impossible but men must declare sometimes some mutual scorn and contempt, either by laughter, or by words, or by gesture, or some sign or other; than which

4. And from this diffidence of one another, there is no way for any man to secure himselfe, so reasonable, as Anticipation; that is, by force, or wiles, to master the persons of all men he can, so long, till he see no other power great enough to endanger him: And this is no more than his own conservation requireth, and is generally allowed. Also because there be some, that taking pleasure in contemplating their own power in the acts of conquest, which they pursue farther than their security requires; if others, that otherwise would be glad to be at ease within modest bounds, should not by invasion increase their power, they would not be able, long time, by standing only on their defence, to subsist. And by consequence, such augmentation of dominion over men, being necessary to a mans conservation, it ought to be allowed him.

5. Againe, men have no pleasure, (but on the contrary a great deale of griefe) in keeping company, where there is no power able to over-awe them all. For every man looketh that his companion should value him, at the same rate he sets upon himselfe: And upon all signes of contempt, or undervaluing, naturally endeavours, as far as he dares (which amongst them that have no common power, to keep them in quiet, is far enough to make them destroy each other,) to extort a greater value from his contemners, by damage; and from others, by the example.

5. Moreover, considering that many men's appetites carry them to one and the same end; which end sometimes can neither be enjoyed in common, nor divided, it followeth that the stronger must enjoy it alone, and that it be decided by battle who is the stronger. And thus the greatest part of men, upon no assurance of odds, do nevertheless, through vanity, or comparison, or appetite, provoke the rest, that otherwise would be contented with equality.

6. And forasmuch as necessity of nature maketh men to will and desire *bonum sibi*, that which is good for themselves, and to avoid that which is hurtful; but most of all that terrible enemy of nature, death, from whom we expect both the loss of all power, and also the greatest

there is no greater vexation of mind, and than from which there cannot possibly arise a greater desire to do hurt.

6. But the most frequent reason why men desire to hurt each other, ariseth hence, that many men at the same time have an appetite to the same thing; which yet very often they can neither enjoy in common, nor yet divide it; whence it follows that the strongest must have it, and who is strongest must be decided by the sword.

7. Among so many dangers therefore, as the natural lusts of men do daily threaten each other withal, to have a care of one's self is so far from being a matter scornfully to be looked upon, that one has neither the power nor wish to have done otherwise. For every man

3. From this equality of ability, ariseth equality of hope in the attaining of our Ends. And therefore if any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies; and in the way to their End, (which is principally their owne conservation, and sometimes their delectation only,) endeavour to destroy, or subdue one another. And from hence it comes to passe, that where an Invader hath no more to feare, than another mans single power; if one plant, sow, build, or possesse a convenient Seat, others may probably be expected to come prepared with forces united, to dispossesse, and deprive him, not only of the fruit of his labour, but also of his life, or liberty. And the Invader again is in the like danger of another.

6. So that in the nature of man, we find three principall causes of quarrell. First, Competition; Secondly, Diffidence; Thirdly, Glory.

7. The first, maketh men invade for Gain; the second, for Safety; and the third, for Reputation. The first use Violence, to make themselves Masters of other mens persons, wives, children, and cattell; the second, to defend them; the third, for trifles, as a word, a smile, a different opinion, and any other signe of undervalue, either direct in their Persons, or by reflexion in their Kindred, their Friends, their Nation, their Profession, or their Name.

14.1

of bodily pains in the losing; it is not against reason that a man doth all he can to preserve his own body and limbs, both from death and pain. And that which is not against reason, men call RIGHT, or *ius*, or blameless liberty of using our own natural power and ability. It is therefore a *right of nature*: that every man may preserve his own life and limbs, with all the power he hath.

7. And because where a man hath right to the end, and the end cannot be attained without the means, that is, without such things as are necessary to the end, it is consequent that it is not against reason, and therefore right for a man, to use all means and do whatsoever action is necessary for the preservation of his body.

8. Also every man by right of nature is judge himself of the necessity of the means, and of the greatness of the danger. For if it be against reason, that I be judge of mine own danger myself, then it is reason, that another man be judge thereof. But the same reason that maketh another man judge of those things that concern me, maketh me also judge of that that concerneth him. And therefore I have reason to judge of his sentence, whether it be for my benefit, or not.

9. As a man's judgment, in right of nature, is to be employed for his own benefit, so also the strength, knowledge, and art of every man is then rightly employed, when he useth it for himself; else must not a man have right to preserve himself.

is desirous of what is good for him, and shuns what is evil, but chiefly the chiefest of natural evils, which is death; and this he doth by a certain impulsion of nature, no less than that whereby a stone moves downward. It is therefore neither absurd nor reprehensible, neither against the dictates of true reason, for a man to use all his endeavours to preserve and defend his body and the members thereof from death and sorrows. But that which is not contrary to right reason, that all men account to be done justly, and with right. Neither by the word *right* is anything else signified, than that liberty which every man hath to make use of his natural faculties according to right reason. Therefore the first foundation of natural right is this, that *every man as much as in him lies endeavour to protect his life and members*.

8. But because it is in vain for a man to have a right to the end, if the right to the necessary means be denied him, it follows, that since every man hath a right to preserve himself, he must also be allowed a right *to use all the means, and do all the actions, without which he cannot preserve himself*.

9. Now whether the means which he is about to use, and the action he is performing, be necessary to the preservation of his life and members or not, he himself, by the right of nature, must be judge. For if it be contrary to right reason that I should judge of mine own peril, say, that another man is judge. Why now, because he judgeth of what concerns me, by the same reason, because we are equal by nature, will I judge also of things which do belong to him. Therefore it agrees with right reason, that is, it is the right of nature that I judge of his opinion, that is, whether it conduce to my preservation or not.

10. Every man by nature hath right to all things, that is to say, to do whatsoever he listeth to whom he listeth, to possess, use, and enjoy all things he will and can. For seeing all things he willeth, must therefore be good unto him in his own judgment, because he willeth them; and may tend to his preservation some time or other; or he may judge so, and we have made him judge thereof, sect. 8: it followeth that all things may rightly also be done by him. And for this cause it is rightly said: *Natura dedit omnia omnibus*, that Nature hath given all things to all men; insomuch, that *jus* and *utile*, right and profit, is the same thing. But that right of all men to all things, is in effect no better than if no man had right to any thing. For there is little use and benefit of the right a man hath, when another as strong, or stronger than himself, hath right to the same.

10. Nature hath given to *every one a right to all*; that is, it was lawful for every man, in the bare state of nature, * or before such time as men had engaged themselves by any covenants or bonds, to do what he would, and against whom he thought fit, and to possess, use, and enjoy all what he would, or could get. Now because whatsoever a man would, it therefore seems good to him because he wills it, and either it really doth, or at least seems to him to contribute towards his preservation, (but we have already allowed him to be judge, in the foregoing article, whether it doth or not, insomuch as we are to hold all for necessary whatsoever he shall esteem so), and by the 7th article it appears that by the right of nature those things may be done, and must be had, which necessarily conduce to the protection of life and members, it follows, that in the state of nature, to have all, and do all, is lawful for all. And this is that which is meant by that common saying, *nature hath given all to all*. From whence we understand likewise, that in the state of nature profit is the measure of right.

11. But it was the least benefit for men thus to have a common right to all things. For the effects of this right are the same, almost, as if there had been no right at all. For although any man might say of every thing, *this is mine*, yet could he not enjoy it, by reason of his neighbour, who having equal right and equal power, would pretend the same thing to be his.

13. To this warre of every man against every man, this also is consequent; that nothing can be Unjust. The notions of Right and Wrong, Justice and Injustice have there no place. Where there is no common Power, there is no Law: where no Law, no Injustice. Force, and Fraud, are in warre the two Cardinall vertues. Justice, and Injustice are none of the Faculties neither of the Body, nor Mind. If they were, they might be in a man that were alone in the world, as well as his Senses, and Passions. They are Qualities, that relate to men in Society, not in Solitude. It is consequent also to the same condition, that there be no Propriety, no Dominion, no *Mine* and *Thine* distinct; but onely that to be every mans that he can get; and for so long, as he can keep it. And thus much for the ill condition, which man by meer Nature is actually placed in; though with a possibility to come out of it, consisting partly in the Passions, partly in his Reason.

* *In the bare state of nature.*] This is thus to be understood: what any man does in the bare state of nature, is injurious to no man; not that in such a state he cannot offend God, or break the laws of nature; for injustice against men presupposeth human laws, such as in the state of nature there are none. Now the truth of this proposition thus conceived, is sufficiently demonstrated to the mindful reader in the articles immediately foregoing; but because in certain cases the difficulty of the conclusion makes us forget the premises, I will contract this argument, and make it most evident to a single view. Every man hath right to protect himself, as appears by the seventh article. The same man therefore hath a right to use all the means which necessarily conduce to this end, by the eighth article. But those are the necessary means which he shall judge to be such, by the ninth article. He therefore hath a right to make use of, and to do all whatsoever he shall judge requisite for his preservation; wherefore by the judgment of him that doth it, the thing done is either right or wrong, and therefore right. True it is therefore in the bare state of nature, &c. But if any man pretend somewhat to tend necessarily to his preservation, which yet he himself doth not confidently believe so, he may offend against the laws of nature, as in the third chapter of this book is more at large declared. It hath been objected by some: if a son kill his father, doth he him no injury? I have answered, that a son cannot be understood to be at any time in the state of nature, as being under the power and command of them to whom he owes his protection as soon as ever he is born, namely, either his father's or his mother's, or him that nourished him; as is demonstrated in the ninth chapter.

11. Seeing then to the offensiveness of man's nature one to another, there is added a right of every man to every thing, whereby one man invadeth with right, and another with right resisteth; and men live thereby in perpetual diffidence, and study how to preoccupate each other; the estate of men in this natural liberty is the estate of war. For WAR is nothing else but that time wherein the will and intention of contending by force is either by words or actions sufficiently declared; and the time which is not war is PEACE.

12. The estate of hostility and war being such, as thereby nature itself is destroyed, and men kill one another (as we know also that it is, both by the experience of savage nations that live at this day, and by the histories of our ancestors, the old inhabitants of Germany and other now civil countries, where we find the people few and short lived, and without the ornaments and comforts of life, which by peace and society are usually invented and procured): he therefore that desireth to live in such an estate, as is the estate of liberty and right of all to all, contradicteth himself. For every man by natural necessity desireth his own good, to which this estate is contrary, wherein we suppose contention between men by nature equal, and able to destroy one another.

12. If now to this natural proclivity of men, to hurt each other, which they derive from their passions, but chiefly from a vain esteem of themselves, you add, the right of all to all, wherewith one by right invades, the other by right resists, and whence arise perpetual jealousies and suspicions on all hands, and how hard a thing it is to provide against an enemy invading us with an intention to oppress and ruin, though he come with a small number, and no great provision; it cannot be denied but that the natural state of men, before they entered into society, was a mere war, and that not simply, but a war of all men against all men. For what is WAR, but that same time in which the will of contesting by force is fully declared, either by words or deeds? The time remaining is termed PEACE.

13. But it is easily judged how disagreeable a thing to the preservation either of mankind, or of each single man, a perpetual war is. But it is perpetual in its own nature; because in regard of the

8. Hereby it is manifest, that during the time men live without a common Power to keep them all in awe, they are in that condition which is called Warre; and such a warre, as is of every man, against every man. For WARRE, consisteth not in Battell onely, or the act of fighting; but in a tract of time, wherein the Will to contend by Battell is sufficiently known: and therefore the notion of *Time*, is to be considered in the nature of Warre; as it is in the nature of Weather. For as the nature of Foule weather, lyeth not in a showre or two of rain; but in an inclination thereto of many dayes together: So the nature of War, consisteth not in actuall fighting; but in the known disposition thereto, during all the time there is no assurance to the contrary. All other time is PEACE.

9. Whatsoever therefore is consequent to a time of Warre, where every man is Enemy to every man; the same is consequent to the time, wherein men live without other security, than what their own strength, and their own invention shall furnish them withall. In such condition, there is no place for Industry; because the fruit thereof is uncertain: and consequently no Culture of the Earth; no Navigation, nor use of the commodities that may be imported by Sea; no commodious Building; no Instruments of moving, and removing such things as require much force; no Knowledge of the face of the Earth; no account of Time; no Arts; no Letters; no Society; and which is worst of all, continuall feare, and danger of violent death; And the life of man, solitary, poore, nasty, brutish, and short.

11. It may peradventure be thought, there was never such a time, nor condition of warre as this; and I believe it was never generally so, over all the world: but there are many places, where they

equality of those that strive, it cannot be ended by victory. For in this state the conqueror is subject to so much danger, as it were to be accounted a miracle, if any, even the most strong, should close up his life with many years and old age. They of America are examples hereof, even in this present age: other nations have been in former ages; which now indeed are become civil and flourishing, but were then few, fierce, short-lived, poor, nasty, and deprived of all that pleasure and beauty of life, which peace and society are wont to bring with them. Whosoever therefore holds, that it had been best to have continued in that state in which all things were lawful for all men, he contradicts himself. For every man by natural necessity desires that which is good for him: nor is there any that esteems a war of all against all, which necessarily adheres to such a state, to be good for him. And so it happens, that through fear of each other we think it fit to rid ourselves of this condition, and to get some fellows; that if there needs must be war, it may not yet be against all men, nor without some helps.

live so now. For the savage people in many places of *America*, except the government of small Families, the concord whereof dependeth on naturall lust, have no government at all; and live at this day in that brutish manner, as I said before. Howsoever, it may be perceived what manner of life there would be, where there were no common Power to feare; by the manner of life, which men that have formerly lived under a peacefull government, use to degenerate into, in a civill Warre.

13. Seeing this right of protecting ourselves by our own discretion and force, proceedeth from danger, and that danger from the equality between men's forces: much more reason is there, that a man prevent such equality before the danger cometh, and before there be necessity of battle. A man therefore that hath another man in his power to rule or govern, to do good to, or harm, hath right, by the advantage of this his present power, to take caution at his pleasure, for his security against that other in the time to come. He therefore that hath already subdued his adversary, or gotten into his power any other that either by infancy, or weakness, is unable to resist him, by right of nature may take the best caution, that such infant,

14. Fellows are gotten either by constraint, or by consent; by constraint, when after fight the conqueror makes the conquered serve him, either through fear of death, or by laying fetters on him: by consent, when men enter into society to help each other, both parties consenting without any constraint. But the conqueror may by right compel the conquered, or the strongest the weaker, (as a man in health may one that is sick, or he that is of riper years a child), unless he will choose to die, to give caution of his future obedience. For since the right of protecting ourselves according to our own wills, proceeded from our danger, and our danger from our equality, it is more consonant to reason, and more certain for our conservation,

or such feeble and subdued person can give him, of being ruled and governed by him for the time to come. For seeing we intend always our own safety and preservation, we manifestly contradict that our intention, if we willingly dismiss such a one, and suffer him at once to gather strength and be our enemy. Out of which may also be collected, that irresistible might in the state of nature is right.

14. But since it is supposed from the equality of strength and other natural faculties of men, that no man is of might sufficient, to assure himself for any long time, of preserving himself thereby, whilst he remaineth in the state of hostility and war; reason therefore dictateth to every man for his own good, to seek after peace, as far forth as there is hope to attain the same; and to strengthen himself with all the help he can procure, for his own defence against those, from whom such peace cannot be obtained; and to do all those things which necessarily conduce thereunto.

using the present advantage to secure ourselves by taking caution, than when they shall be full grown and strong, and got out of our power, to endeavour to recover that power again by doubtful fight. And on the other side, nothing can be thought more absurd, than by discharging whom you already have weak in your power, to make him at once both an enemy and a strong one. From whence we may understand likewise as a corollary in the natural state of men, that *a sure and irresistible power confers the right of dominion and ruling over those who cannot resist*; inso-much, as the right of all things that can be done, adheres essentially and immediately unto this omnipotence hence arising.

15. Yet cannot men expect any lasting preservation, continuing thus in the state of nature, that is, of war, by reason of that equality of power, and other human faculties they are endued withal. Wherefore to seek peace, where there is any hopes of obtaining it, and where there is none, to enquire out for auxiliaries of war, is the dictate of right reason, that is, the law of nature; as shall be showed in the next chapter.

14. The Passions that encline men to Peace, are Feare of Death; Desire of such things as are necessary to commodious living; and a Hope by their Industry to obtain them. And Reason suggesteth convenient Articles of Peace, upon which men may be drawn to agreement. These Articles, are they, which otherwise are called the Lawes of Nature: whereof I shall speak more particularly, in the two following Chapters.

CHAPTER 13

Chapter 15 of *The Elements of Law* /
Chapter 2 of *De Cive* / Chapter 14 of *Leviathan*

Précis table

Part I. Concerning men as persons natural	Part I. Of Liberty	Part I. OF MAN
Chapter 15. Of the divesting natural right by gift and covenant	Chapter 2. Of the law of nature concerning contracts	Chapter 14. Of the first and second NATURALL LAWES, and of CONTRACTS
14.6	1.7	1. Right of Nature what
		2. Liberty what
1. The law of nature consisteth not in consent of men, but reason	1. That the law of nature is not an agreement of men, but the dictate of reason 2. That the fundamental law of nature, is to seek peace, where it may be had, and where not, to defend ourselves	3. A Law of Nature what; Difference of Right and Law 4. Naturally every man has Right to every thing; The Fundamentall Law of Nature
2. That every man divest himself of the right he hath to all things, is one precept of nature	3. That the first special law of nature, is not to retain our right to all things	5. The second Law of Nature
3. What it is to relinquish and transfer one's right 4. The will to transfer, and the will to accept, both necessary to the passing away of right	4. What it is to quit our right: what to transfer it 5. That in the transferring of our right, the will of him that receives it is necessarily required	6. What it is to lay down a Right 7. Renouncing a Right what it is; Transferring Right what; Obligation; Duty; Injustice
Cf. 17.2	Cf. 3.14	8. Nor all Rights are alienable
5. Right not transferred by words <i>de futuro</i> only 6. Words <i>de futuro</i> , together with other signs of the will, may transfer right	6. No words but those of the present tense, transfer any right 7. Words of the future, if there be some other tokens to signify the will, are valid in the translation of right	15. Free gift passeth by words of the Present or Past
7. Free gift defined	8. In matters of free gift, our right passeth not from us through any words of the future	12. Free-gift

THREE-TEXT EDITION OF THOMAS HOBBS'S POLITICAL THEORY

8. Contract, and the sorts of it 9. Covenant defined	9. The definition of contract and compact 10. In compacts, our right passeth from us through words of the future	9. Contract what 10. 11. Covenant what 16. Signes of Contract are words both of the Past, Present, and Future
		13. Signes of Contract Expresse 14. Signes of Contract by Inference
		17. Merit what
10. Contract of mutual trust is of no validity in the estate of hostility	11. Compacts of mutual faith, in the state of nature are of no effect and vain; but not so in civil government	18. Covenants of Mutuall trust, when Invalid 19–20.
Cf. 14.7	Cf. 1.8	21. Right to the End, Containeth Right to the Means
11. No covenant of men but with one another	12. That no man can make compacts with beasts, nor yet with God without revelation 13. Nor yet make a vow to God	22. No Covenant with Beasts 23. Nor with God without speciall Revelation
18. Covenants bind but to endeavour	14. That compacts oblige not beyond our utmost endeavour	24. No Covenant, but of Possible and Future 25.
12. Covenant how dissolved	15. By what means we are freed from our compacts	26. Covenants how made voyd
13. Covenant extorted by fear, in the law of nature valid	16. That promises extorted through fear of death, in the state of nature are valid	27. Covenants extorted by feare are valide
14. Covenant contrary to former covenant, void	17. A later compact contradicting the former, is invalid	28. The former Covenant to one, makes voyd the later to another
	18. A compact not to resist him that shall prejudice my body, is invalid	29. A mans Covenant not to defend himself, is voyd
	19. A compact to accuse one's self, is invalid	30. No man obliged to accuse himselfe
15. An oath defined	20. The definition of swearing	31. The End of an Oath; The forme of an Oath
16. Oath to be administered to every man in his own religion	21. That swearing is to be conceived in that form which he useth that takes the oath	32. No Oath, but by God
17. Oath addeth not to the obligation	22. An oath superadds nothing to the obligation which is made by compact	33. An Oath addes nothing to the Obligation
	23. An oath ought not to be pressed, but where the breach of compacts may be kept private, or cannot be punished but from God himself.	

Part I. Concerning men as persons natural	Part I. Of Liberty	Part I. OF MAN
Chapter 15. Of the divesting natural right by gift and covenant	Chapter 2. Of the law of nature concerning contracts	Chapter 14. <i>Of the first and second</i> NATURALL LAWES, and of CONTRACTS
14.6	1.7	<p>1. THE RIGHT OF NATURE, which Writers commonly call <i>Jus Naturale</i>, is the Liberty each man hath, to use his own power, as he will himselfe, for the preservation of his own Nature; that is to say, of his own Life; and consequently, of doing any thing, which in his own Judgement, and Reason, hee shall conceive to be the aptest means thereunto.</p> <p>2. By LIBERTY, is understood, according to the proper signification of the word, the absence of externall Impediments: which Impediments, may oft take away part of a mans power to do what hee would; but cannot hinder him from using the power left him, according as his judgement, and reason shall dictate to him.</p> <p>3. A LAW OF NATURE, (<i>Lex Naturalis</i>), is a Precept, or generall Rule, found out by Reason, by which a man is forbidden to do, that, which is destructive of his life, or taketh away the means of preserving the same; and to omit, that, by which he thinketh it may be best preserved. For though they that speak of this subject, use to confound <i>Jus</i>, and <i>Lex</i>, <i>Right</i> and <i>Law</i>; yet they ought to be distinguished; because RIGHT, consisteth in liberty to do, or to forbear; Whereas LAW, determineth, and bindeth to one of them: so that Law, and Right, differ as much, as Obligation, and Liberty; which in one and the same matter are inconsistent.</p>
<p>1. WHAT it is we call the law of nature, is not agreed upon, by those that have hitherto written. For the most part, such writers as have occasion to affirm, that anything is against the law of nature, do allege no more than this, that it is against the consent of all nations, or the wisest and most civil nations. But it is not agreed upon, who shall judge which nations are the wisest. Others make that against the law of nature, which is contrary to the consent of all mankind; which definition cannot be allowed, because then no man could offend against the law of nature; for the nature of every man is contained under the nature of mankind. But forasmuch as all men, carried away by the violence of their passion, and by evil customs, do those things which are commonly said to be against the law of nature; it is not the consent of passion, or consent in some error gotten by custom, that</p>	<p>1. ALL authors agree not concerning the definition of <i>the natural law</i>, who notwithstanding do very often make use of this term in their writings. The method therefore wherein we begin from definitions and exclusion of all equivocation, is only proper to them who leave no place for contrary disputes. For the rest, if any man say that somewhat is done against the law of nature, one proves it hence; because it was done against the general agreement of all the most wise and learned nations: but this declares not who shall be the judge of the wisdom and learning of all nations. Another hence, that it was done against the general consent of all mankind; which definition is by no means to be admitted. For then it were impossible for any but children and fools, to offend against such a law; for sure, under the notion of mankind, they comprehend all men actually endued with reason. These</p>	

makes the law of nature. Reason is no less of the nature of man than passion, and is the same in all men, because all men agree in the will to be directed and governed in the way to that which they desire to attain, namely their own good, which is the work of reason. There can therefore be no other law of nature than reason, nor no other precepts of NATURAL LAW, than those which declare unto us the ways of peace, where the same may be obtained, and of defence where it may not.

therefore either do nought against it, or if they do aught, it is without their own consent, and therefore ought to be excused. But to receive the laws of nature from the consents of them who oftener break than observe them, is in truth unreasonable. Besides, men condemn the same things in others, which they approve in themselves; on the other side, they publicly commend what they privately condemn; and they deliver their opinions more by hearsay, than any speculation of their own; and they accord more through hatred of some object, through fear, hope, love, or some other perturbation of mind, than true reason. And therefore it comes to pass, that whole bodies of people often do those things with the greatest unanimity and earnestness, which those writers most willingly acknowledge to be against the law of nature. But since all do grant, that is done by *right*, which is not done against reason, we ought to judge those actions only *wrong*, which are repugnant to right reason, that is, which contradict some certain truth collected by right reasoning from true principles. But that which is done *wrong*, we say it is done against some law. Therefore *true reason* is a certain *law*; which, since it is no less a part of human nature, than any other faculty or affection of the mind, is also termed natural. Therefore the *law of nature*, that I may define it, is the dictate of right reason, * conversant about those things which are either to be done or omitted for the constant preservation of life and members, as much as in us lies.

* *Right reason.*] By right reason in the natural state of men, I understand not, as many do, an infallible faculty, but the act of reasoning, that is, the peculiar and true ratiocination of every man concerning those actions of his, which may either redound to the damage or benefit of his neighbours. I call it peculiar, because although in a civil government the reason of the supreme, that is, the civil law, is to be received by each single subject for the right; yet being without this civil government, in which state no man can know right reason from false, but by comparing it with his own, every man's own reason is to be accounted, not only the rule of his own actions, which are done at his own peril, but also for the measure of another man's reason, in such things as do concern him. I call it true, that is, concluding from true principles rightly framed, because that the whole breach of the laws of nature consists in the false reasoning, or rather folly of those men, who see not those duties they are necessarily to perform towards others in order to their own conservation. But the principles of right reasoning about such like duties, are those which are explained in the second, third, fourth, fifth, sixth, and seventh articles of the first chapter.

2. But the first and fundamental law of nature is, *that peace is to be sought after, where it may be found; and where not, there to provide ourselves for helps of war.* For we showed in the last article of the foregoing chapter, that this precept is the dictate of right reason; but that the dictates of right reason are natural laws, that hath been newly proved above. But this is the first, because the rest are derived from this, and they direct the ways either to peace or self-defence.

2. One precept of the law of nature therefore is this, *that every man divest himself of the right he hath to all things by nature.* For when divers men have right not only to all things else, but to one another's persons, if they use the same, there ariseth thereby invasion on the one part, and resistance on the other, which is war; and therefore contrary to the law of nature, the sum whereof consisteth in making peace.

3. But one of the natural laws derived from this fundamental one is this: *that the right of all men to all things ought not to be retained; but that some certain rights ought to be transferred or relinquished.* For if every one should retain his right to all things, it must necessarily follow, that some by right might invade, and others, by the same right, might defend themselves against them. For every man by natural necessity endeavours to defend his body, and the things which he judgeth necessary towards the protection of his body. Therefore war would follow. He therefore acts against the reason of peace, that is, against the law of nature, whosoever he be, that doth not part with his right to all things.

4. And because the condition of Man, (as hath been declared in the precedent Chapter) is a condition of Warre of every one against every one; in which case every one is governed by his own Reason; and there is nothing he can make use of, that may not be a help unto him, in preserving his life against his enemies; It followeth, that in such a condition, every man has a Right to every thing; even to one another's body. And therefore, as long as this naturall Right of every man to every thing endureth, there can be no security to any man, (how strong or wise soever he be,) of living out the time, which Nature ordinarily alloweth men to live. And consequently it is a precept, or generall rule of Reason, *That every man, ought to endeavour Peace, as farre as he has hope of obtaining it; and when he cannot obtain it, that he may seek, and use, all helps, and advantages of Warre.* The first branch, of which Rule, containeth the first, and Fundamentall Law of Nature; which is, *to seek Peace, and follow it.* The Second, the summe of the Right of Nature; which is, *By all means we can, to defend our selves.*

5. From this Fundamentall Law of Nature, by which men are commanded to endeavour Peace, is derived this second Law; *That a man be willing, when others are so too, as farre-forth, as for Peace, and defence of himselfe he shall think it necessary, to lay down this right to all things; and be contented with so much liberty against other men, as he would allow other men against himselfe.* For as long as every man holdeth this Right, of doing any thing he liketh; so long are all men in the condition of Warre. But if other men will not lay down their Right, as well as he; then there is no Reason for any one, to devest himselfe of his: For that were to expose himselfe to Prey, (which no man is bound

3. When a man divesteth and putteth from himself his right, he either simply relinquisheth it, or transferreth the same to another man. To RELINQUISH it, is by sufficient signs to declare, that it is his will no more to do that action, which of right he might have done before. To TRANSFER right to another, is by sufficient signs to declare to that other accepting thereof, that it is his will not to resist, or hinder him, according to that right he had thereto before he transferred it. For seeing that by nature every man hath right to every thing, it is impossible for a man to transfer unto another any right that he had not before. And therefore all that a man doth in transferring of right, is no more but a declaring of the will, to suffer him, to whom he hath so transferred his right, to make benefit of the same, without molestation. As for example, when a man giveth his land or goods to another, he taketh from himself the right to enter into, and make use of the said land or goods, or otherwise to hinder him of the use of what he hath given.

4. In transferring of right, two things therefore are required: one on the part of him that transferreth; which is, a sufficient signification of his will therein: the other, on the part of him to whom it is transferred; which is, a sufficient signification of his acceptation thereof. Either of these failing, the right remaineth where it was; nor is it to be supposed,

4. But he is said to part with his right, who either absolutely renounceth it, or conveys it to another. He absolutely renounceth it, who by some sufficient sign or meet tokens declares, that he is willing that it shall never be lawful for him to do that again, which before *by right* he might have done. But he conveys it to another, who by some sufficient sign or meet tokens declares to that other, that he is willing it should be unlawful for him to resist him, in going about to do somewhat in the performance whereof he might before *with right* have resisted him. But that the conveyance of right consists merely in not resisting, is understood by this, that before it was conveyed, he to whom he conveyed it, had even then also a right to all; whence he could not give any new right; but the resisting right he had before he gave it, by reason whereof the other could not freely enjoy his rights, is utterly abolished. Whosoever therefore acquires some right in the natural state of men, he only procures himself security and freedom from just molestation in the enjoyment of his primitive right. As for example, if any man shall sell or give away a farm, he utterly deprives himself only from all right to this farm; but he does not so others also.

5. But in the conveyance of right, the will is requisite not only of him that conveys, but of him also that accepts it. If either be wanting, the right remains. For if I would have given what was mine to one who refused to accept of it, I have not therefore either simply renounced my right, or conveyed it to any man. For the cause which moved me to part with

to) rather than to dispose himselfe to Peace. This is that Law of the Gospell; *Whatsoever you require that others should do to you, that do ye to them.* And that Law of all men, *Quod tibi fieri non vis, alteri ne feceris.*

6. To *lay downe* a mans *Right* to any thing, is to *devest* himselfe of the *Liberty*, of hindring another of the benefit of his own *Right* to the same. For he that renounceth, or passeth away his *Right*, giveth not to any other man a *Right* which he had not before; because there is nothing to which every man had not *Right* by Nature: but onely standeth out of his way, that he may enjoy his own originall *Right*, without hindrance from him; not without hindrance from another. So that the effect which redoundeth to one man, by another mans defect of *Right*, is but so much diminution of impediments to the use of his own *Right* originall.

7. *Right* is layd aside, either by simply Renouncing it; or by Transferring it to another. By *Simply* RENOUNCING; when he cares not to whom the benefit thereof redoundeth. By TRANSFERRING; when he intendeth the benefit thereof to some certain person, or persons. And when a man hath in either manner abandoned, or granted away his *Right*; then is he said to be OBLIGED, or BOUND, not to hinder those, to whom such *Right* is granted, or abandoned, from the benefit of it: and that he *Ought*, and it his DUTY, not to make voyd that voluntary act of his own: and that such hindrance is INJUSTICE, and INJURY, as being *Sine Jure*; the *Right* being before renounced, or transferred. So that *Injury*, or *Injustice*, in the controversies of the world, is somewhat like to that, which in the disputations of Scholers is called *Absurdity*. For as it is there called an *Absurdity*, to contradict what one maintained in the Beginning: so in the

that he which giveth his right to one that accepteth it not, doth thereby simply relinquish it, and transfer it to whomsoever will receive it: inasmuch as the cause of the transferring the same to one, rather than to another, is in that one, rather than in the rest.

Cf. 17.2

it to this man, was in him only, not in others too.

Cf. 3.14

world, it is called Injustice, and Injury, voluntarily to undo that, which from the beginning he had voluntarily done. The way by which a man either simply Renounceth, or Transferreth his Right, is a Declaration, or Signification, by some voluntary and sufficient signe, or signes, that he doth so Renounce, or Transferre; or hath so Renounced, or Transferred the same, to him that accepteth it. And these Signes are either Words onely, or Actions onely; or (as it happeneth most often) both Words and Actions. And the same are the BONDS, by which men are bound, and obliged: Bonds, that have their strength, not from their own Nature, (for nothing is more easily broken then a mans word,) but from Feare of some evill consequence upon the rupture.

8. Whensoever a man Transferreth his Right, or Renounceth it; it is either in consideration of some Right reciprocally transferred to himselfe; or for some other good he hopeth for thereby. For it is a voluntary act: and of the voluntary acts of every man, the object is some *Good to himselfe*. And therefore there be some Rights, which no man can be understood by any words, or other signes, to have abandoned, or transferred. As first a man cannot lay down the right of resisting them, that assault him by force, to take away his life; because he cannot be understood to ayme thereby, at any Good to himselfe. The same may be sayd of Wounds, and Chayns, and Imprisonment; both because there is no benefit consequent to such patience; as there is to the patience of suffering another to be wounded, or imprisoned: as also because a man cannot tell, when he seeth men proceed against him by violence, whether they intend his death or not. And lastly the motive, and end for which this renouncing, and transferring of Right is introduced, is nothing

5. When there appear no other signs that a man hath relinquished, or transferred his right, but only words; it becometh that the same be done in words, that signify the present time, or the time past, and not only the time to come. For he that saith of the time to come, as for example, to-morrow: I will give, declar-eth evidently, that he hath not yet given. The right therefore remaineth in him to-day, and so continues till he have given actually. But he that saith: I give, presently, or have given to another any thing, to have and enjoy the same to-morrow, or any other time future, hath now actually transferred the said right, which otherwise he should have had at the time that the other is to enjoy it.

6. But because words alone are not a sufficient declaration of the mind, as hath been shown chapt. 13, sect. 8 words spoken *de futuro*, when the will of him that speaketh them may be gathered by other signs, may be taken very often as if they were meant *de præsenti*. For when it appeareth that he that giveth would have his word so understood, by him to whom he giveth, as if he did actually transfer his right, then he must needs be understood to will all that is necessary to the same.

6. But if there be no other token extant of our will either to quit or convey our right, but only words; those words must either relate to the present or time past; for if they be of the future only, they convey nothing. For example, he that speaks thus of the time to come, *I will give to-morrow*, declares openly that yet he hath not given it. So that all this day his right remains, and abides tomorrow too, unless in the interim he actually bestows it: for what is mine, remains mine till I have parted with it. But if I shall speak of the time present, suppose thus; *I do give or have given you this to be received to-morrow*: by these words is signified that I have already given it, and that his right to receive it to-morrow is conveyed to him by me to-day.

7. Nevertheless, although words alone are not sufficient tokens to declare the will; if yet to words relating to the future there shall some other signs be added, they may become as valid as if they had been spoken of the present. If therefore, as by reason of those other signs, it appear that he that speaks of the future, intends those words should be effectual toward the perfect transferring of his right, they ought to be valid. For the conveyance of right depends not on words, but, as hath been instanced in the fourth article, on the declaration of the will.

else but the security of a mans person, in his life, and in the means of so preserving life, as not to be weary of it. And therefore if a man by words, or other signes, seem to despoyle himselfe of the End, for which those signes were intended; he is not to be understood as if he meant it, or that it was his will; but that he was ignorant of how such words and actions were to be interpreted.

15. Words alone, if they be of the time to come, and contain a bare promise, are an insufficient signe of a Free-gift and therefore not obligatory. For if they be of the time to Come, as, *To morrow I will Give*, they are a signe I have not given yet, and consequently that my right is not transferred, but remaineth till I transferre it by some other Act. But if the words be of the time Present, or Past, as, *I have given, or do give to be delivered to morrow*, then is my to-morrows Right given away to day; and that by the vertue of the words, though there were no other argument of my will. And there is a great difference in the signification of these words, *Volc hoc tuum esse cras*, and *Cras dabo*; that is, between *I will that this be thine to morrow*, and, *I will give it thee to morrow*: For the word *I will*, in the former manner of speech, signifies an act of the will Present; but in the later, it signifies a promise of an act of the will to Come: and therefore the former words, being of the Present, transferre a future right; the later, that be of the Future, transferre nothing. But if there be other signes of the Will to transferre a Right, besides Words; then, though the gift be Free, yet may the Right be understood to passe by words of the future: as if a man propound a Prize to him that comes first to the end of a race, The gift is Free; and though the words be of the Future, yet the Right passeth: for if he would not have his words so be understood, he should not have let them runne.

7. When a man transferreth any right of his to another, without consideration of reciprocal benefit, past, present, or to come; this is called FREE GIFT. And in free gift no other words can be binding, but those which are *de presenti*, or *de præterito*: for being *de futuro* only, they transfer nothing, nor can they be understood, as if they proceeded from the will of the giver; because being a free gift, it carrieth with it no obligation greater than that which is enforced by the words. For he that promiseth to give, without any other consideration but his own affection, so long as he hath not given, deliberateth still, according as the causes of his affections continue or diminish; and he that deliberateth hath not yet willed, because the will is the last act of his deliberation. He that promiseth therefore, is not thereby a donor, but *doson*; which name was given to that Antiochus, that promised often, but seldom gave.

8. When a man transferreth his right, upon consideration of reciprocal benefit, this is not free gift, but mutual donation; and is called CONTRACT. And in all contracts, either both parties presently perform, and put each other into a certainty

8. If any man convey some part of his right to another, and doth not this for some certain benefit received, or for some compact, a conveyance in this kind is called a gift or free donation. But in free donation, those words only oblige us, which signify the present or the time past; for if they respect the future, they oblige not as *words*, for the reason given in the foregoing article. It must needs therefore be, that the obligation arise from some other tokens of the will. But, because whatsoever is voluntarily done, is done for some good to him that wills it; there can no other token be assigned of the will to give it, except some benefit either already received, or to be acquired. But it is supposed that no such benefit is acquired, nor any compact in being; for if so, it would cease to be a free gift. It remains therefore, that a mutual good turn without agreement be expected. But no sign can be given, that he, who used future words toward him who was in no sort engaged to return a benefit, should desire to have his words so understood as to oblige himself thereby. Nor is it suitable to reason, that those who are easily inclined to do well to others, should be obliged by every promise, testifying their present good affection. And for this cause, a promiser in this kind must be understood to have time to deliberate, and power to change that affection, as well as he to whom he made that promise, may alter his desert. But he that deliberates, is so far forth free, nor can be said to have already given. But if he promise often, and yet give seldom, he ought to be condemned of levity, and be called not a donor, but *doson*.

9. But the act of two, or more, mutually conveying their rights, is called a *contract*. But in every contract, either both parties instantly perform what they contract for, insomuch as there is no trust had from either to other; or the

12. When the transferring of Right, is not mutuall; but one of the parties transferreth, in hope to gain thereby friendship, or service from another, or from his friends; or in hope to gain the reputation of Charity, or Magnanimity; or to deliver his mind from the pain of compassion; or in hope of reward in heaven; This is not Contract, but GIFT, FREE-GIFT, GRACE: which words signifie one and the same thing.

9. The mutuall transferring of Right, is that which men call CONTRACT.

10. There is difference, between transferring of Right to the Thing; and transferring, or tradition, that is, delivery of the

and assurance of enjoying what they contract for: as when men buy or sell, or barter; or one party performeth presently, and the other promiseth, as when one selleth upon trust; or else neither party performeth presently, but trust one another. And it is impossible there should be any kind of contract besides these three. For either both the contractors trust, or neither; or else one trusteth, and the other not.

9. In all contracts where there is trust, the promise of him that is trusted, is called a COVENANT. And this, though it be a promise, and of the time to come, yet doth it transfer the right, when that time cometh, no less than an actual donation. For it is a manifest sign, that he which did perform, understood it was the will of him that was trusted, to perform also. Promises therefore, upon consideration of reciprocal benefit, are covenants and signs of the will, or last act of deliberation, whereby the liberty of performing, or not performing, is taken away, and consequently are obligatory. For where liberty ceaseth, there beginneth obligation.

one performs, the other is trusted; or neither perform. Where both parties perform presently, there the contract is ended as soon as it is performed. But where there is credit given, either to one or both, there the party trusted promiseth after-performance; and this kind of promise is called a *covenant*.

10. But the covenant made by the party trusted with him who hath already performed, although the promise be made by words pointing at the future, doth no less transfer the right of future time, than if it had been made by words signifying the present or time past. For the other's performance is a most manifest sign that he so understood the speech of him whom he trusted, as that he would certainly make performance also at the appointed time; and by this sign the party trusted knew himself to be thus understood; which because he hindered not, was an evident token of his will to perform. The promises therefore which are made for some benefit received, which are also covenants, are tokens of the will; that is, as in the foregoing section hath been declared, of the last act of deliberating, whereby the liberty of non-performance is abolished, and by consequence are obligatory. For where liberty ceaseth, there beginneth obligation.

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

11. Again, one of the Contractors, may deliver the Thing contracted for on his part, and leave the other to perform his part at some determinate time after, and in the mean time be trusted; and then the Contract on his part, is called PACT, or COVENANT: Or both parts may contract now, to performe hereafter: in which cases, he that is to performe in time to come, being trusted, his performance is called *Keeping of Promise*, or Faith; and the fayling of performance (if it be voluntary) *Violation of Faith*.

16. In Contracts, the right passeth, not onely where the words are of the time Present, or Past; but also where they are of the Future: because all Contract is mutuall translation, or change of Right; and therefore he that promiseth onely, because he hath already received the benefit for which he promiseth, is to be understood as if he intended the Right should passe: for unlesse he had been content to have his words so understood, the other would not have performed his part first. And for that cause, in buying, and selling, and other acts of Contract, a Promise is equivalent to a Covenant; and therefore obligatory.

13. Signes of Contract, are either *Expresse*, or *by Inference*. *Expresse*, are words spoken with understanding of what they signifie; And such words are either of the time *Present*, or *Past*; as, *I Give, I Grant, I have Given, I have Granted, I will that this be yours*: Or of the future; as, *I will Give, I will Grant*: which words of the future, are called PROMISE.

14. Signes by Inference, are sometimes the consequence of Words; sometimes

the consequence of Silence; sometimes the consequence of Actions; sometimes the consequence of Forbearing an Action: and generally a signe by Inference, of any Contract, is whatsoever sufficiently argues the will of the Contractor.

17. He that performeth first in the case of a Contract, is said to MERIT that which he is to receive by the performance of the other; and he hath it as *Due*. Also when a Prize is propounded to many, which is to be given to him onely that winneth; or mony is thrown amongst many, to be enjoyed by them that catch it; though this be a Free gift; yet so to Win, or so to Catch, is to *Merit*, and to have it as *DUE*. For the Right is transferred in the Propounding of the Prize, and in throwing down the mony; though it be not determined to whom, but by the Event of the contention. But there is between these two sorts of Merit, this difference, that In Contract, I Merit by vertue of my own power, and the Contractors need; but in this case of Free gift, I am enabled to Merit onely by the benignity of the Giver: In Contract, I merit at the Contractors hand that hee should depart with his right; In this case of Gift, I Merit not that the giver should part with his right; but that when he has parted with it, it should be mine, rather than anothers. And this I think to be the meaning of that distinction of the Schooles, between *Meritum congrui*, and *Meritum condigni*. For God Almighty, having promised Paradise to those men (hoodwinkt with carnall desires,) that can walk through this world according to the Precepts, and Limits prescribed by him; they say, he that shall so walk, shall Merit Paradise *Ex congruo*. But because no man can demand a right to it, by his own Righteousnesse, or any other power in himselfe, but by the Free Grace of God onely; they say, no man can Merit Paradise *ex condigno*.

10. Nevertheless, in contracts that consist of such mutual trust, as that nothing be by either party performed for the present, when the contract is between such as are not compellable, he that performeth first, considering the disposition of men to take advantage of every thing for their benefit, doth but betray himself thereby to the covetousness, or other passion of him with whom he contracteth. And therefore such covenants are of none effect. For there is no reason why the one should perform first, if the other be likely not to perform afterward. And whether he be likely or not, he that doubteth, shall be judge himself (as hath been said chap. 14, sect. 8), as long as they remain in the estate and liberty of nature. But when there shall be such power coercive over both the parties, as shall deprive them of their private judgments in this point; then may such covenants be effectual; seeing he that performeth first shall have no reasonable cause to doubt of the performance of the other, that may be compelled thereunto.

11. But the covenants which are made in contract of mutual trust, neither party performing out of hand, if there arise* a just suspicion in either of them, are in the state of nature invalid. For he that first performs, by reason of the wicked disposition of the greatest part of men studying their own advantage either by right or wrong, exposeth himself to the perverse will of him with whom he hath contracted. For it suits not with reason, that any man should perform first, if it be not likely that the other will make good his promise after; which, whether it be probable or not, he that doubts it must be judge of, as hath been showed in the foregoing chapter in the ninth article. Thus, I say, things stand in the state of nature. But in a civil state, when there is a power which can compel both parties, he that hath contracted to perform first, must first perform; because, that since the other may be compelled, the cause which made him fear the other's non-performance, ceaseth.

This I say, I think is the meaning of that distinction; but because Disputers do not agree upon the signification of their own termes of Art, longer than it serves their turn; I will not affirme any thing of their meaning: onely this I say; when a gift is given indefinitely, as a prize to be contended for, he that winneth Meriteth, and may claime the Prize as Due.

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

19. But in a civill estate, where there is a Power set up to constrain those that would otherwise violate their faith, that feare is no more reasonable; and for that cause, he which by the Covenant is to perform first, is obliged so to do.

20. The cause of feare, which maketh such a Covenant invalid, must be alwayes something arising after the Covenant made; as some new fact, or other

* *Arise.*] For, except there appear some new cause of fear, either from somewhat done, or some other token of the will not to perform from the other part, it cannot be judged to be a just fear; for the cause which was not sufficient to keep him from making compact, must not suffice to authorize the breach of it, being made.

Cf. 14.7

11. And forasmuch as in all covenants, and contracts, and donations, the acceptance of him to whom the right is transferred, is necessary to the essence of those covenants, donations, &c., it is impossible to make a covenant or donation to any, that by nature, or absence, are unable, or if able, do not actually declare their acceptance of the same. First of all therefore it is impossible for any man to make a covenant with God Almighty, farther than it hath pleased him to declare who shall receive and accept of the said covenant in his name. Also it is impossible to make covenant with those living creatures, of whose wills we have no sufficient sign, for want of common language.

Cf. 1.8

12. But from this reason, that in all free gifts and compacts there is an acceptance of the conveyance of right required: it follows that no man can compact with him who doth not declare his acceptance. And therefore we cannot compact with beasts, neither can we give or take from them any manner of right, by reason of their want of speech and understanding. Neither can any man covenant with God, or be obliged to him by vow; except so far forth as it appears to him by Holy Scriptures, that he hath substituted certain men who have authority to accept of such-like vows and covenants, as being in God's stead.

13. Those therefore do vow in vain, who are in the state of nature, where they are not tied by any civil law, except, by most certain revelation, the will of God to accept their vow or pact, be made known to them. For if what they vow be contrary to the law of nature, they are not tied by their vow; for no man is tied to perform an unlawful act. But if what is vowed, be commanded by some law of nature, it is not their vow, but the law itself which ties them. But if he were

signe of the Will not to performe: else it cannot make the Covenant voyd. For that which could not hinder a man from promising, ought not to be admitted as a hindrance of performing.

21. He that transferreth any Right, transferreth the Means of enjoying it, as farre as lyeth in his power. As he that selleth Land, is understood to transferre the Herbage, and whatsoever growes upon it; Nor can he that sells a Mill turn away the Stream that drives it. And they that give to a man the Right of government in Sovereignty, are understood to give him the right of levying mony to maintain Souldiers; and of appointing Magistrates for the administration of Justice.

22. To make Covenant with bruit Beasts, is impossible; because not understanding our speech, they understand not, nor accept of any translation of Right; nor can translate any Right to another: and without mutuall acceptation, there is no Covenant.

23. To make Covenant with God, is impossible, but by Mediation of such as God speaketh to, either by Revelation supernaturall, or by his Lieutenants that govern under him, and in his Name: For otherwise we know not whether our Covenants be accepted, or not. And therefore they that Vow any thing contrary to any law of Nature, Vow in vain; as being a thing unjust to pay such Vow. And if it be a thing commanded by the Law of Nature, it is not the Vow, but the Law that binds them.

18. Covenants and oaths are *de voluntariis*, that is, *de possibilibus*. Nor can the covenantee understand the covenanter to promise impossibles; for they fall not under deliberation: and consequently (by chap. 13, sect. 10, which maketh the covenantee interpreter), no covenant is understood to bind further, than to our best endeavour, either in performance of the thing promised, or in something equivalent.

12. A covenant to do any action at a certain time and place, is then dissolved by the covenanter, when that time cometh, either by the performance, or by the violation. For a covenant is void that is once impossible. But a covenant not to do, without time limited, which is as much as to say, a covenant never to do, is dissolved by the covenanter then

free, before his vow, either to do it or not do it, his liberty remains; because that the openly declared will of the obliger is requisite to make an obligation by vow; which, in the case propounded, is supposed not to be. Now I call him the obliger, to whom any one is tied; and the obliged, him who is tied.

14. Covenants are made of such things only as fall under our deliberation. For it can be no covenant without the will of the contractor. But the will is the last act of him who deliberates; wherefore they only concern things *possible* and *to come*. No man, therefore, by his compact obligeth himself to an impossibility. But yet, though we often covenant to do such things as then seemed possible when we promised them, which yet afterward appear to be impossible, are we not therefore freed from all obligation. The reason whereof is, that he who promiseth a future, in certainty receives a present benefit, on condition that he return another for it. For his will, who performs the present benefit, hath simply before it for its object a certain good, equally valuable with the thing promised; but the thing itself not simply, but with condition if it could be done. But if it should so happen, that even this should prove impossible, why then he must perform as much as he can. Covenants, therefore, oblige us not to perform just the thing itself covenanted for, but our utmost endeavour; for this only is, the things themselves are not in our power.

15. We are freed from covenants two ways, either by performing, or by being forgiven. By performing, for beyond that we obliged not ourselves. By being forgiven, because he whom we obliged ourselves to, by forgiving is conceived to return us that right which we passed over to him. For forgiving implies giving, that is, by the fourth article of this

24. The matter, or subject of a Covenant, is alwayes something that falleth under deliberation; (For to Covenant, is an act of the Will; that is to say an act, and the last act, of deliberation;) and is therefore always understood to be something to come; and which is judged Possible for him that Covenanteth, to performe.

25. And therefore, to promise that which is known to be Impossible, is no Covenant. But if that prove impossible afterwards, which before was thought possible, the Covenant is valid, and bindeth, (though not to the thing it selfe,) yet to the value; or, if that also be impossible, to the unfeigned endeavour of performing as much as is possible: for to more no man can be obliged.

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

only, when he violateth it, or dieth. And generally all covenants are dischargeable by the covenantee, to whose benefit, and by whose right, he that maketh the covenant is obliged. This right therefore of the covenantee relinquished, is a release of the covenant. And universally, for the same reason, all obligations are determinable at the will of the obliger.

13. It is a question often moved, whether such covenants oblige, as are extorted from men by fear. As for example: whether, if a man for fear of death, have promised to give a thief an hundred pounds the next day, and not discover him, whether such covenant be obligatory or not. And though in some cases such covenant may be void, yet it is not therefore void, because extorted by fear. For there appeareth no reason, why that which we do upon fear, should be less firm than that which we do for covetousness. For both the one and the other maketh the action voluntary. And if no covenant should be good, that proceedeth from fear of death, no conditions of peace between enemies, nor any laws could be of force; which are all consented to from that fear. For who would lose the liberty that nature hath given him, of governing himself by his own will and power, if they feared not death in the retaining of it? What prisoner in war might be trusted to seek his ransom, and ought not rather to be killed, if he were not tied by the grant of his life, to perform his promise? But after the introduction of policy and laws, the case may alter; for if by the law the performance of such a covenant be forbidden, then he that promiseth anything to a thief, not only may, but must refuse to perform it. But if the law forbid not the performance, but leave it to the will of the promiser, then is the performance still lawful: and the covenant of things lawful is obligatory, even towards a thief.

chapter, a conveyance of right to him to whom the gift is made.

16. It is a usual question, whether compacts extorted from us through fear, do oblige or not. For example, if, to redeem my life from the power of a robber, I promise to pay him 100*l.* next day, and that I will do no act whereby to apprehend and bring him to justice: whether I am tied to keep promise or not. But though such a promise must sometimes be judged to be of no effect, yet it is not to be accounted so because it proceedeth from fear. For then it would follow, that those promises which reduced men to a civil life, and by which laws were made, might likewise be of none effect; (for it proceeds from fear of mutual slaughter, that one man submits himself to the dominion of another); and he should play the fool finely, who should trust his captive covenanting with the price of his redemption. It holds universally true, that promises do oblige, when there is some benefit received, and when the promise, and the thing promised, be lawful. But it is lawful, for the redemption of my life, both to promise and to give what I will of mine own to any man, even to a thief. We are obliged, therefore, by promises proceeding from fear, except the civil law forbid them; by virtue whereof, that which is promised becomes unlawful.

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

14. He that giveth, promiseth, or covenanteth to one, and after giveth, promiseth, or covenanteth the same to another, maketh void the latter act. For it is impossible for a man to transfer that right which he himself hath not; and that right he hath not, which he himself hath before transferred.

17. Whosoever shall contract with one to do or omit somewhat, and shall after covenant the contrary with another, he maketh not the former, but the latter contract unlawful. For he hath no longer right to do or to omit aught, who by former contracts hath conveyed it to another. Wherefore he can convey no right by latter contracts, and what is promised is promised without right. He is therefore tied only to his first contract, to break which is unlawful.

18. No man is obliged by any contracts whatsoever not to resist him who shall offer to kill, wound, or any other way hurt his body. For there is in every man a certain high degree of fear, through which he apprehends that evil which is done to him to be the greatest; and therefore by natural necessity he shuns it all he can, and it is supposed he can do no otherwise. When a man is arrived to this degree of fear, we cannot expect but he will provide for himself either by flight or fight. Since therefore no man is tied to impossibilities, they who are threatened either with death, (which is the greatest evil to nature), or wounds, or some other bodily hurts, and are not stout enough to bear them, are not obliged to endure them. Furthermore, he that is tied by contract is trusted; for faith only is the bond of contracts; but they who are brought to punishment, either capital or more gentle, are fettered or strongly guarded; which is a most certain sign that they seemed not sufficiently bound from non-resistance by their contracts. It is one thing, if I promise thus: if I do it not at the day appointed, kill me. Another thing, if thus: if I do it not, though you should offer to kill me, I will not resist. All men, if need be, contract the first way, and there is need sometimes. This second way, none; neither is it ever needful. For in the mere state of nature, if

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

29. A Covenant not to defend my selfe from force, by force, is alwayes voyd. For (as I have shewed before) no man can transferre, or lay down his Right to save himselfe from Death, Wounds, and Imprisonment, (the avoyding whereof is the onely End of laying down any Right,) and therefore the promise of not resisting force, in no Covenant transferreth any right; nor is obliging. For though a man may Covenant thus, *Unlesse I do so, or so, kill me*; he cannot Covenant thus, *Unless I do so, or so, I will not resist you, when you come to kill me*. For man by nature chooseth the lesser evill, which is danger of death in resisting; rather than the greater, which is certain and present death in not resisting. And this is granted to be true by all men, in that they lead Criminals to Execution, and Prison, with armed men, notwithstanding that such Criminals have consented to the Law, by which they are condemned.

you have a mind to kill, that state itself affords you a right; insomuch as you need not first trust him, if for breach of trust you will afterwards kill him. But in a civil state, where the right of life and death and of all corporal punishment is with the supreme, that same right of killing cannot be granted to any private person. Neither need the supreme himself contract with any man patiently to yield to his punishment; but only this, that no man offer to defend others from him. If in the state of nature, as between two realms, there should a contract be made on condition of killing if it were not performed, we must presuppose another contract of not killing before the appointed day. Wherefore on that day, if there be no performance, the right of war returns, that is a hostile state, in which all things are lawful, and therefore resistance also. Lastly, by the contract of not resisting, we are obliged, of two evils to make choice of that which seems the greater. For certain death is a greater evil than fighting. But of two evils it is impossible not to choose the least. By such a compact, therefore, we should be tied to impossibilities; which is contrary to the very nature of compacts.

19. Likewise no man is tied by any compacts whatsoever to accuse himself, or any other, by whose damage he is like to procure himself a bitter life. Wherefore neither is a father obliged to bear witness against his son, nor a husband against his wife, nor a son against his father, nor any man against any one by whose means he hath his subsistence; for in vain is that testimony which is presumed to be corrupted from nature. But although no man be tied to accuse himself by any compact, yet in a public trial he may by torture be forced to make answer. But such answers are no testimony of the fact, but helps for the searching out of truth; so that whether

30. A Covenant to accuse ones selfe, without assurance of pardon, is likewise invalide. For in the condition of Nature, where every man is Judge, there is no place for Accusation: and in the Civill State, the Accusation is followed with Punishment; which being Force, a man is not obliged not to resist. The same is also true, of the Accusation of those, by whose Condemnation a man falls into misery; as of a Father, Wife, or Benefactor. For the Testimony of such an Accuser, if it be not willingly given, is præsumed to be corrupted by Nature; and therefore not to be received: and where a mans Testimony is not to be credited, he is not bound to give it. Also

the party tortured his answer be true or false, or whether he answer not at all, whatsoever he doth, he doth it by right.

15. An OATH is a clause annexed to a promise, containing a renunciation of God's mercy, by him that promiseth, in case he perform not as far as is lawful and possible for him to do. And this appeareth by the words which make the essence of the oath (*viz.*) *so help me God*. So also was it amongst the heathen. And the form of the Romans was, *Thou Jupiter kill him that breaketh, as I kill this beast*. The intention therefore of an oath being to provoke vengeance upon the breakers of covenants; it is to no purpose to swear by men, be they never so great, because their punishment by divers accidents may be avoided, whether they will, or no; but God's punishment not. Though it were a custom of many nations, to swear by the life of their princes; yet those princes being ambitious of divine honour, give sufficient testimony, that they believed, nothing ought to be sworn by, but the Deity.

20. Swearing is a speech joined to a promise, whereby the promiser declares his renouncing of God's mercy, unless he perform his word. Which definition is contained in the words themselves, which have in them the very essence of an oath, to wit, *so God help me*, or other equivalent, as with the Romans, *do thou Jupiter so destroy the deceiver, as I slay this same beast*. Neither is this any let, but that an oath may as well sometimes be affirmatory as promissory; for he that confirms his affirmation with an oath, promiseth that he speaks truth. But though in some places it was the fashion for subjects to swear by their kings, that custom took its original hence, that those kings took upon them divine honour. For oaths were therefore introduced, that by religion and consideration of the divine power, men might have a greater dread of breaking their faiths, than that wherewith they fear men, from whose eyes their actions may lie hid.

Accusations upon Torture, are not to be reputed as Testimonies. For Torture is to be used but as means of conjecture, and light, in the further examination, and search of truth: and what is in that case confessed, tendeth to the ease of him that is Tortured; not to the informing of the Torturers: and therefore ought not to have the credit of a sufficient Testimony: for whether he deliver himselfe by true, or false Accusation, he does it by the Right of preserving his own life.

31. The force of Words, being (as I have formerly noted) too weak to hold men to the performance of their Covenants; there are in mans nature, but two imaginable helps to strengthen it. And those are either a Feare of the consequence of breaking their word; or a Glory, or Pride in appearing not to need to breake it. This later is a Generosity too rarely found to be presumed on, especially in the pursuers of Wealth, Command, or sensuall Pleasure; which are the greatest part of Mankind. The Passion to be reckoned upon, is Fear; whereof there be two very generall Objects: one, The Power of Spirits Invisible; the other, The Power of those men they shall therein Offend. Of these two, though the former be the greater Power, yet the feare of the later is commonly the greater Feare. The Feare of the former is in every man, his own Religion: which hath place in the nature of man before Civill Society. The later hath not so; at least not place enough, to keep men to their promises; because in the condition of meer Nature, the inequality of Power is not discerned, but by the event of Battell. So that before the time of Civill Society, or in the interruption thereof by Warre, there is nothing can strengthen a Covenant of Peace agreed on, against the temptations of Avarice, Ambition, Lust, or other strong desire, but the feare of that Invisible Power, which they every one Worship as God; and Feare as

16. And seeing men cannot be afraid of the power they believe not, and an oath is to no purpose, without fear of him they swear by; it is necessary that he that sweareth, do it in that form which himself admitteth in his own religion, and not in that form which he useth, that putteth him to the oath. For though all men may know by nature, that there is an Almighty power, nevertheless they believe not, that they swear by him, in any other form or name, than what their own (which they think the true) religion teacheth them.

17. And by the definition of an oath, it appeareth that it addeth not a greater obligation to perform the covenant sworn, than the covenant carrieth in itself, but it putteth a man into a greater danger, and of greater punishment.

21. Whence it follows that an oath must be conceived in that form, which he useth who takes it; for in vain is any man brought to swear by a God whom he believes not, and therefore neither fears him. For though by the light of nature it may be known that there is a God, yet no man thinks he is to swear by him in any other fashion, or by any other name, than what is contained in the precepts of his own proper, that is (as he who swears imagines) the true religion.

22. By the definition of an oath, we may understand that a bare contract obligeth no less, than that to which we are sworn. For it is the contract which binds us; the oath relates to the divine punishment, which it could not provoke, if the breach of contract were not in itself unlawful; but it could not be unlawful, if the contract were not obligatory. Furthermore, he that renounceth the mercy of God, obligeth himself not to any punishment; because it is ever lawful to deprecate the punishment, howsoever provoked, and to enjoy God's pardon if it be granted. The

a Revenger of their perfidy. All therefore that can be done between two men not subject to Civill Power, is to put one another to swear by the God he feareth: Which *Swearing*, or *OATH*, is a *Forme of Speech, added to a Promise; by which he that promiseth, signifieth, that unlesse he performe, he renounceth the mercy of his God, or calleth to him for vengeance on himselfe*. Such was the Heathen *Forme*, *Let Jupiter kill me else, as I kill this Beast*. So is our *Forme*, *I shall do thus, and thus, so help me God*. And this, with the Rites and Ceremonies, which every one useth in his own Religion, that the feare of breaking faith might be the greater.

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

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

only effect therefore of an oath is this; to cause men, who are naturally inclined to break all manner of faith, through fear of punishment to make the more conscience of their words and actions.

23. To exact an oath where the breach of contract, if any be made, cannot but be known, and where the party compacted withal wants not power to punish, is to do somewhat more than is necessary unto self-defence, and shews a mind desirous not so much to benefit itself, as to prejudice another. For an oath, out of the very form of swearing, is taken in order to the provocation of God's anger, that is to say, of him that is omnipotent, against those who therefore violate their faith, because they think that by their own strength they can escape the punishment of men; and of him that is omniscient, against those who therefore usually break their trust, because they hope that no man shall see them.

CHAPTER 14

Chapters 16 and 17 of *The Elements of Law* / Chapter 3 of *De Cive* / Chapter 15 of *Leviathan*

Précis table

Part I. Concerning men as persons natural	Part I. Of Liberty	Part I. OF MAN
Chapter 16. Some of the laws of nature	Chapter 3. Of the other laws of nature	Chapter 15. Of other Lawes of Nature
1. That men stand to their covenants	1. The second law of nature, is to perform contracts	1. The third Law of Nature, Justice
	2. That trust is to be held with all men without exception	9. Covenants not discharged by the Vice of the Person to whom they are made
2. Injury defined	3. What injury is	2. Justice and Injustice what See 14.7
3. That injury is done only to the covenantee	4. Injury can be done to none but those with whom we contract	12. Justice of Manners, and Justice of Actions what
		3. Justice and Propriety begin with the Constitution of Common-wealth 4. Justice not Contrary to Reason 5-8.
4. The signification of these names, just, unjust	5. The distinction of justice into that of men, and that of actions	10. Justice of Men, & Justice of Actions what 11.
5. Justice not rightly divided into commutative, and distributive	6. The distinction of commutative and distributive justice examined	14. Justice Commutative, and Distributive 15.
	7. No injury can be done to him that is willing	13. Nothing done to a man, by his own consent can be Injury
6. It is a law of nature, that he that is trusted, turn not that trust to the damage of him that trusteth	8. The third law of nature, concerning ingratitude	16. The fourth Law of Nature, Gratitude
7. Ingratitude defined		

THREE-TEXT EDITION OF THOMAS HOBBS'S POLITICAL THEORY

8. It is a law of nature, to endeavour to accommodate one another	9. The fourth law of nature, that every man render himself useful	17. The fifth, Mutuall accommodation, or Complaisance
9. And that man forgive upon caution of the future	10. The fifth law, of mercy	18. The sixth, Facility to Pardon
10. And that revenge ought to respect the future only	11. The sixth law, that punishments regard the future only	19. The seventh, that in Revenges, men respect onely the future good
11. That reproach and contempt declared, is against the law of nature	12. The seventh law, against reproach	20. The eighth, against Contumely
12. That indifference of commerce is of the law of nature		
13. That messengers employed to procure or maintain peace, ought to be safe by the law of nature	19. The fourteenth, of the safeguard of them who are mediators for peace	29. The fifteenth, of Mediators
Chapter 17. Other laws of nature		
1. A law of nature, that every man acknowledge other for his equal	13. The eighth law, against pride	21. The ninth, against Pride
2. Another, that men allow <i>æqualia æqualibus</i>	14. The ninth law, of humility 15. The tenth, of equity, or against acceptance of persons	22. The tenth against Arrogance 23. The eleventh Equity 24.
3. Another, that those things which cannot be divided, be used in common	16. The eleventh, of things to be had in common	25. The twelfth, Equall use of things Common
4. Another, that things indivisible and incommunicable, be decided by lot	17. The twelfth, of things to be divided by lot	26. The thirteenth, of Lot
5. Natural lot, primogeniture, and first possession	18. The thirteenth, of birthright and first possession	27. The fourteenth, of Primogeniture, and First seising 28.
6. That men submit to arbitration	20. The fifteenth, of constituting an umpire	30. The sixteenth, of Submission to Arbitrement
7. Of an arbitrator	21. The sixteenth, that no man is judge in his own cause 22. The seventeenth, that umpires must be without all hope of reward from those whose cause is to be judged 23. The eighteenth, of witnesses 24. The nineteenth, that there can no contract be made with the umpire	31. The seventeenth, No man is his own Judge 32. The eighteenth, no man to be Judge, that has in him a natural cause of Partiality 33. The nineteenth, of Witnesses

8. That no man press his counsel upon any man against his will		
	25. The twentieth, against gluttony, and all such things as hinder the use of reason	34.
9. How to know suddenly what is the law of nature	26. The rule by which we may presently know, whether what we are doing be against the law of nature or not	35. A rule, by which the Lawes of Nature may easily be examined
10. That the law of nature taketh place after security from others to observe the same	27. The laws of nature oblige only in the court of conscience	36. The Lawes of Nature oblige in Conscience alwayes, but in Effect then onely when there is Security
13. Whatsoever is against conscience in a man that is his own judge, is against the law of nature	28. The laws of nature are sometimes broke by doing things agreeable to those laws	37.
11. The right of nature not to be taken away by custom, nor the law of nature abrogated by any act	29. The laws of nature are unchangeable	38. The Lawes of Nature are Eternal;
15. Aptitude to society fulfilleth the law of nature	30. Whosoever endeavours to fulfil the laws of nature, is a just man	39. And yet Easie
14. Of <i>malum pœnæ, malum culpæ</i> ; virtue and vice	31. The natural and moral law are one 32. How it comes to pass, that what hath been said of the laws of nature, is not the same with what philosophers have delivered concerning the virtues	40. The Science of these Lawes, is the true Morall Philosophy
12. Why the dictates of nature are called laws	33. The law of nature is not properly a law, but as it is delivered in Holy Writ	41.

Part I. Concerning men as persons natural

Chapter 16. Some of the laws of nature

1. It is a common saying that nature maketh nothing in vain. And it is most certain, that as the truth of a conclusion, is no more but the truth of the premises that make it; so the force of the command, or law of nature, is no more than the force of the reasons inducing thereunto. Therefore the law of nature

Part I. Of Liberty

Chapter 3. Of the other laws of nature

1. ANOTHER of the laws of nature is, to *perform contracts, or to keep trust*. For it hath been showed in the foregoing chapter, that the law of nature commands every man, as a thing necessary, to obtain peace, to convey certain rights from each to other; and that this, as often as it shall happen to be done, is

Part I. OF MAN

Chapter 15. Of other Lawes of Nature

1. FROM that law of Nature, by which we are obliged to transferre to another, such Rights, as being retained, hinder the peace of Mankind, there followeth a Third; which is this, *That men performe their Covenants made*: without which, Covenants are in vain, and but Empty words; and the Right of all men to all

mentioned in the former chapter, sect. 2, namely, *That every man should divest himself of the right, &c.* were utterly vain, and of none effect, if this also were not a law of the same Nature, *That every man is obliged to stand to, and perform, those covenants which he maketh.* For what benefit is it to a man, that any thing be promised, or given unto him, if he that giveth, or promiseth, performeth not, or retaineth still the right of taking back what he hath given?

2. The breach or violation of covenant, is that which men call *INJURY*, consisting in some action or omission, which is therefore called *UNJUST*. For it is action or omission, without *jus*, or right; which was transferred or relinquished before. There is a great similitude between that we call injury, or injustice in the actions and conversations of men in the world, and that which is called *absurd* in the arguments and disputations of the Schools. For as he, that is driven to contradict an assertion by him before maintained, is said to be reduced to an absurdity; so he that through passion

called a contract. But this is so far forth only conducive to peace, as we shall perform ourselves what we contract with others shall be done or omitted; and in vain would contracts be made, unless we stood to them. Because therefore to stand to our covenants, or to keep faith, is a thing necessary for the obtaining of peace; it will prove, by the second article of the second chapter, to be a precept of the natural law.

2. Neither is there in this matter any exception of the persons with whom we contract; as if they keep no faith with others, or hold that none ought to be kept, or are guilty of any other kind of vice. For he that contracts, in that he doth contract, denies that action to be in vain; and it is against reason for a knowing man to do a thing in vain; and if he think himself not bound to keep it, in thinking so he affirms the contract to be made in vain. He therefore who contracts with one with whom he thinks he is not bound to keep faith, he doth at once think a contract to be a thing done in vain, and not in vain; which is absurd. Either therefore we must hold trust with all men, or else not bargain with them; that is, either there must be a declared war, or a sure and faithful peace.

3. The breaking of a bargain, as also the taking back of a gift, (which ever consists in some action or omission), is called an injury. But that action or omission is called unjust; insomuch as an injury, and an unjust action or omission, signify the same thing, and both are the same with breach of contract and trust. And it seems the word *injury* came to be given to any action or omission, because they were *without right*; he that acted or omitted, having before conveyed his right to some other. And there is some likeness between that which in the common course of life we call *injury*,

things remaining, wee are still in the condition of Warre.

9. Others, that allow for a Law of Nature, the keeping of Faith, do nevertheless make exception of certain persons; as Heretiques, and such as use not to performe their Covenant to others: And this also is against reason. For if any fault of a man, be sufficient to discharge our Covenant made; the same ought in reason to have been sufficient to have hindred the making of it.

2. And in this law of Nature, consisteth the Fountain and Originall of *JUSTICE*. For where no Covenant hath preceded, there hath no Right been transferred, and every man has right to every thing; and consequently, no action can be Unjust. But when a Covenant is made, then to break it is *Unjust*: And the definition of *INJUSTICE*, is no other *than the not Performance of Covenant*. And whatsoever is not Unjust, is *Just*.

See 14.7

doth, or omitteth that which before by covenant he promised not to do, or not to omit, is said to commit injustice. And there is in every breach of covenant a contradiction properly so called; for he that covenanteth, willeth to do, or omit, in the time to come; and he that doth any action, willeth it in that present, which is part of the future time, contained in the covenant: and therefore he that violateth a covenant, willeth the doing and the not doing of the same thing, at the same time; which is a plain contradiction. And so injury is an absurdity of conversation, as absurdity is a kind of injustice in disputation.

3. In all violation of covenant, (to whomsoever accrueth the damage) the injury is done only to him to whom the covenant was made. For example, if a man covenant to obey his master, and the master command him to give money to a third, which he promiseth to do, and doth not; though this be to the damage of the third, yet the injury is done to the master only. For he could violate no covenant with him, with whom none was made, and therefore doth him no injury: for injury consisteth in violation of covenant, by the definition thereof.

and that which in the Schools is usually called *absurd*. For even as he who by arguments is driven to deny the assertion which he first maintained, is said to be brought to an absurdity; in like manner, he who through weakness of mind does or omits that which before he had by contract promised not to do or omit, commits an injury, and falls into no less contradiction than he who in the Schools is reduced to an absurdity. For by contracting for some future action, he wills it done; by not doing it, he wills it not done: which is to will a thing done and not done at the same time, which is a contradiction. An injury therefore is a kind of absurdity in conversation, as an absurdity is a kind of injury in disputation.

4. From these grounds it follows, that an injury can be done to no man* but him with whom we enter covenant, or to whom somewhat is made over by deed of gift, or to whom somewhat is promised by way of bargain. And therefore damaging and injuring are often disjoined. For if a master command his servant, who hath promised to obey him, to pay a sum of money, or carry some present to a third man; the servant, if he do it not, hath indeed damaged this third party, but he injured his master only. So also in a civil government, if any man offend another with whom he hath made no contract, he damages him to whom the evil is done; but he injures none but him to whom the power of government belongs. For if he who receives the hurt should expostulate the mischief, he that did it should answer thus: *what art thou to me; why should I rather do according to your than*

12. Again, the Injustice of Manners, is the disposition, or aptitude to do Injurie; and is Injustice before it proceed to Act; and without supposing any individuall person injured. But the Injustice of an Action, (that is to say Injury,) supposeth an individuall person Injured; namely him, to whom the Covenant was made: And therefore many times the injury is received by one man, when the damage redoundeth to another. As when the Master commandeth his servant to give mony to a stranger; if it be not done, the Injury is done to the Master, whom he had before Covenanted to obey; but the dammage redoundeth to the stranger, to whom he had no Obligation; and therefore could not Injure him. And so also in Common-wealths, private men may remit to one another their debts; but not robberies or other violences, whereby they are endammaged; because the detaining of Debt, is an Injury to

* *Injury can be done to no man, &c.*] The word *injustice* relates to some law: *injury*, to some person, as well as some law. For what is unjust, is unjust to all; but there may an injury be done, and yet not against me, nor thee, but some other; and sometimes against no private person, but the magistrate only; sometimes also neither against the magistrate, nor any private man, but only against God. For through contract and conveyance of right, we say, that an injury is done against this or that man. Hence it is, which we see in all kind of government, that what private men contract between themselves by word or writing, is released again at the will of the obliger. But those mischiefs which are done against the laws of the land, as theft, homicide, and the like, are punished, not as he wills to whom the hurt is done, but according to the will of the magistrate; that is, the constituted laws.

mine own will, since I do not hinder but you may do your own, and not my mind? In which speech, where there hath no manner of pre-contract passed, I see not, I confess, what is reprehensible.

themselves; but Robbery and Violence, are Injuries to the Person of the Common-wealth.

3. But because Covenants of mutuall trust, where there is a feare of not performance on either part, (as hath been said in the former Chapter,) are invalid; though the Originall of Justice be the making of Covenants; yet Injustice actually there can be none, till the cause of such feare be taken away; which while men are in the naturall condition of Warre, cannot be done. Therefore before the names of Just, and Unjust can have place, there must be some coërcive Power, to compell men equally to the performance of their Covenants, by the terrour of some punishment, greater than the benefit they expect by the breach of their Covenant; and to make good that Propriety, which by mutuall Contract men acquire, in recompence of the universall Right they abandon: and such power there is none before the erection of a Common-wealth. And this is also to be gathered out of the ordinary definition of Justice in the Schooles: For they say, that *Justice is the constant Will of giving to every man his own.* And therefore where there is no *Own*, that is, no Propriety, there is no Injustice; and where there is no coërcive Power erected, that is, where there is no Common-wealth, there is no Propriety; all men having Right to all things: Therefore where there is no Common-wealth, there nothing is Unjust. So that the nature of Justice, consisteth in keeping of valid Covenants: but the Validity of Covenants begins not but with the Constitution of a Civill Power, sufficient to compell men to keep them: And then it is also that Propriety begins.

4. The Foole hath sayd in his heart, there is no such thing as Justice; and

some times also with his tongue; seriously alleaging, that every mans conservation, and contentment, being committed to his own care, there could be no reason, why every man might not do what he thought conduced thereunto: and therefore also to make, or not make; keep, or not keep Covenants, was not against Reason, when it conduced to ones benefit. He does not therein deny, that there be Covenants; and that they are sometimes broken, sometimes kept; and that such breach of them may be called Injustice, and the observance of them Justice: but he questioneth, whether Injustice, taking away the feare of God, (for the same Foole hath said in his heart there is no God,) may not sometimes stand with that Reason, which dicateth to every man his own good; and particularly then, when it conduceth to such a benefit, as shall put a man in a condition, to neglect not onely the dispraise, and revilings, but also the power of other men. The Kingdome of God is gotten by violence: but what if it could be gotten by unjust violence? were it against Reason so to get it, when it is impossible to receive hurt by it? and if it be not against Reason, it is not against Justice: or else Justice is not to be approved for good. From such reasoning as this, Succesfull wickednesse hath obtained the Name of Vertue: and some that in all other things have disallowed the violation of Faith; yet have allowed it, when it is for the getting of a Kingdome. And the Heathen that believed, that *Saturn* was deposed by his son *Jupiter*, believed neverthelesse the same *Jupiter* to be the avenger of Injustice: Somewhat like to a piece of Law in *Cokes Commentaries on Littleton*; where he sayes, If the right Heire of the Crown be attainted of Treason; yet the Crown shall descend to him, and *eo instante* the Atteynder be voyd: From which instances a man will be very prone to inferre; that when the Heire

apparent of a Kingdome, shall kill him that is in possession, though his father; you may call it Injustice, or by what other name you will; yet it can never be against Reason, seeing all the voluntary actions of men tend to the benefit of themselves; and those actions are most Reasonable, that conduce most to their ends. This specious reasoning is nevertheless false.

5. For the question is not of promises mutuall, where there is no security of performance on either side; as when there is no Civill Power erected over the parties promising; for such promises are no Covenants: But either where one of the parties has performed already; or where there is a Power to make him performe; there is the question whether it be against reason, that is, against the benefit of the other to performe, or not. And I say it is not against reason. For the manifestation whereof, we are to consider; First, that when a man doth a thing, which notwithstanding any thing can be foreseen, and reckoned on, tendeth to his own destruction, howsoever some accident which he could not expect, arriving may turne it to his benefit; yet such events do not make it reasonably or wisely done. Secondly, that in a condition of Warre, wherein every man to every man, for want of a common Power to keep them all in awe, is an Enemy, there is no man can hope by his own strength, or wit, to defend himselfe from destruction, without the help of Confederates; where every one expects the same defence by the Confederation, that any one else does: and therefore he which declares he thinks it reason to deceive those that help him, can in reason expect no other means of safety, than what can be had from his own single Power. He therefore that breaketh his Covenant, and consequently declareth that he thinks he may with reason do

so, cannot be received into any Society, that unite themselves for Peace and Defence, but by the error of them that receive him; nor when he is received, be retained in it, without seeing the danger of their error; which errors a man cannot reasonably reckon upon as the means of his security: and therefore if he be left, or cast out of Society, he perisheth; and if he live in Society, it is by the errors of other men, which he could not foresee, nor reckon upon; and consequently against the reason of his preservation; and so, as all men that contribute not to his destruction, forbear him only out of ignorance of what is good for themselves.

6. As for the Instance of gaining the secure and perpetuall felicity of Heaven, by any way; it is frivolous: there being but one way imaginable; and that is not breaking, but keeping of Covenant.

7. And for the other Instance of attaining Sovereignty by Rebellion; it is manifest, that though the event follow, yet because it cannot reasonably be expected, but rather the contrary; and because by gaining it so, others are taught to gain the same in like manner, the attempt thereof is against reason. Justice therefore, that is to say, Keeping of Covenant, is a Rule of Reason, by which we are forbidden to do any thing destructive to our life; and consequently a Law of Nature.

8. There be some that proceed further; and will not have the Law of Nature, to be those Rules which conduce to the preservation of mans life on earth; but to the attaining of an eternal felicity after death; to which they think the breach of Covenant may conduce; and consequently be just and reasonable; (such are they that think it a work of merit to kill, or depose, or rebell against, the Sovereigne Power constituted over them by their own consent.) But because there is

4. The names of just, unjust, justice, injustice, are equivocal, and signify diversly. For justice and injustice, when they be attributed to actions, signify the same thing with no injury, and injury; and denominate the action just, or unjust, but not the man so; for they denominate him guilty, or not guilty. But when justice and injustice are attributed to men, they signify proneness and affection, and inclination of nature, that is to say, passions of the mind apt to produce just and unjust actions. So that when a man is said to be just, or unjust, not the action, but the passion, and aptitude to do such action is considered. And therefore a just man may have committed an unjust act; and an unjust man may have done justly not only one, but most of his actions. For there is an *oderunt peccare* in the unjust, as well as in the just, but from different causes; for the unjust man who abstaineth from injuries for fear of punishment, declareth plainly that the justice of his actions dependeth upon civil constitution, from whence punishments proceed; which would otherwise in the estate of nature be unjust, according to the fountain from whence they spring. This distinction therefore of justice, and injustice, ought to be remembered: that when injustice is taken for guilt, the action is unjust, but not therefore the man; and when justice is taken for guiltlessness, the actions are just, and yet not always the man. Likewise when justice and injustice are taken for habits of the mind, the man may be just, or unjust, and yet not all his actions so.

5. These words, *just* and *unjust*, as also *justice* and *injustice*, are equivocal; for they signify one thing when they are attributed to persons, another when to actions. When they are attributed to actions, *just* signifies as much as what is done with right, and *unjust*, as what is done with injury. He who hath done some just thing, is not therefore said to be a *just* person, but *guiltless*; and he that hath done some unjust thing, we do not therefore say he is an *unjust*, but *guilty* man. But when the words are applied to persons, *to be just* signifies as much as to be delighted in just dealing, to study how to do righteousness, or to endeavour in all things to do that which is just; and *to be unjust* is to neglect righteous dealing, or to think it is to be measured not according to my contract, but some present benefit. So as the justice or injustice of the mind, the intention, or the man, is one thing, that of an action or omission another; and innumerable actions of a just man may be unjust, and of an unjust man, just. But that man is to be accounted just, who doth just things because the law commands it, unjust things only by reason of his infirmity; and he is properly said to be unjust, who doth righteousness for fear of the punishment annexed unto the law, and unrighteousness by reason of the iniquity of his mind.

no naturall knowledge of mans estate after death; much lesse of the reward that is then to be given to breach of Faith; but onely a beliefe grounded upon other mens saying, that they know it supernaturally, or that they know those, that knew them, that knew others, that knew it supernaturally; Breach of Faith cannot be called a Precept of Reason, or Nature.

10. The names of Just, and Injust, when they are attributed to Men, signifie one thing; and when they are attributed to Actions, another. When they are attributed to Men, they signifie Conformity, or Inconformity of Manners, to Reason. But when they are attributed to Actions, they signifie the Conformity, or Inconformity to Reason, not of Manners, or manner of life, but of particular Actions. A Just man therefore, is he that taketh all the care he can, that his Actions may be all Just: and an Unjust man, is he that neglecteth it. And such men are more often in our Language stiled by the names of Righteous, and Unrighteous; then Just, and Unjust; though the meaning be the same. Therefore a Righteous man, does not lose that Title, by one, or a few unjust Actions, that proceed from sudden Passion, or mistake of Things, or Persons: nor does an Unrighteous man, lose his character, for such Actions, as he does, or forbears to do, for feare: because his Will is not framed by the Justice, but by the apparant benefit of what he is to do. That which gives to humane Actions the relish of Justice, is a certain Noblenesse or Gallantnesse of courage, (rarely found,) by which a man scorns to be beholding for the contentment of his life, to fraud, or breach of promise. This Justice of the Manners, is that which is meant, where Justice is called a Vertue; and Injustice a Vice.

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

5. Concerning the justice of actions, the same is usually divided into two kinds, whereof men call the one commutative, and the other distributive; and are said to consist, the one in proportion arithmetical, the other in geometrical: and commutative justice, they place in permutation, as buying, selling, and barter; distributive, in giving to every man according to their deserts. Which distinction is not well made, inasmuch as injury, which is the injustice of action, consisteth not in the inequality of the things changed, or distributed, but in the inequality that men (contrary to nature and reason) assume unto themselves above their fellows; of which inequality shall be spoken hereafter. And for commutative justice placed in buying and selling, though the thing bought be unequal to the price given for it; yet forasmuch as both the buyer and the seller are made judges of the value, and are thereby both satisfied: there can be no injury done on either side, neither party having trusted, or covenanted with the other. And for distributive justice, which consisteth in the distribution of our own benefits; seeing a thing is therefore said to be our own, because we may dispose of it at our own pleasure: it can be no injury to any man, though our liberality be further extended towards another, than towards him; unless we be thereto obliged by covenant: and then the injustice consisteth in the violation of that covenant, and not in the inequality of distribution.

6. The justice of actions is commonly distinguished into two kinds, commutative and distributive; the former whereof, they say, consists in arithmetical, the latter in geometrical proportion; and that is conversant in exchanging, in buying, selling, borrowing, lending, location and conduction, and other acts whatsoever belonging to contractors; where, if there be an equal return made, hence, they say, springs a commutative justice: but this is busied about the dignity and merits of men; so as if there be rendered to every man κατὰ τὴν ἀξίαν, more to him who is more worthy, and less to him that deserves less, and that proportionably; hence, they say, ariseth distributive justice. I acknowledge here some certain distinction of equality: to wit, that one is an equality simply so called; as when two things of equal value are compared together, as a pound of silver with twelve ounces of the same silver: the other is an equality *secundum quod*; as when a thousand pounds is to be divided to a hundred men, six hundred pounds are given to sixty men, and four hundred to forty, where there is no equality between six hundred and four hundred; but when it happens that there is the same inequality in the number of them to whom it is distributed, every one of them shall take an equal part, whence it is called an equal distribution. But such like equality is the same thing with geometrical proportion. But what is all this to justice? For neither if I sell my goods for as much as I can get for them, do I injure the buyer, who sought and desired them of me; neither if I divide more of what is mine to him who deserves less, so long as I give the other what I have agreed for, do I wrong to either. Which truth our Saviour himself, being God, testifies in the Gospel. This therefore is no distinction of justice, but of equality. Yet perhaps it cannot be denied but that justice is a certain equality,

14. Justice of Actions, is by Writers divided into *Commutative*, and *Distributive*: and the former they say consisteth in proportion Arithmetically; the later in proportion Geometrically. Commutative therefore, they place in the equality of value of the things contracted for; And Distributive, in the distribution of equal benefit, to men of equal merit. As if it were Injustice to sell dearer than we buy; or to give more to a man than he merits. The value of all things contracted for, is measured by the Appetite of the Contractors: and therefore the just value, is that which they be contented to give. And Merit (besides that which is by Covenant, where the performance on one part, meriteth the performance of the other part, and falls under Justice Commutative, not Distributive,) is not due by Justice; but is rewarded of Grace only. And therefore this distinction, in the sense wherein it useth to be expounded, is not right. To speak properly, Commutative Justice, is the Justice of a Contractor; that is, a Performance of Covenant, in Buying, and Selling; Hiring, and Letting to Hire; Lending, and Borrowing; Exchanging, Bartering, and other acts of Contract.

15. And Distributive Justice, the Justice of an Arbitrator; that is to say, the act of defining what is Just. Wherein, (being trusted by them that make him Arbitrator,) if he performe his Trust, he is said to distribute to every man his own: and this is indeed Just Distribution, and may be called (though improperly) Distributive Justice; but more properly Equity; which also is a Law of Nature, as shall be shewn in due place.

as consisting in this only; that since we are all equal by nature, one should not arrogate more right to himself than he grants to another, unless he have fairly gotten it by compact. And let this suffice to be spoken against this distinction of justice, although now almost generally received by all; lest any man should conceive an injury to be somewhat else than the breach of faith or contract, as hath been defined above.

7. It is an old saying, *volenti non fit injuria*, the willing man receives no injury; yet the truth of it may be derived from our principles. For grant that a man be willing that that should be done which he conceives to be an injury to him; why then, that is done by his will, which by contract was not lawful to be done. But he being willing that should be done which was not lawful by contract, the contract itself (by the fifteenth article of the foregoing chapter) becomes void. The right therefore of doing it returns; therefore it is done by right; wherefore it is no injury.

6. It happeneth many times that a man benefitteth or contributeth to the power of another, without any covenant, but only upon confidence and trust of obtaining the grace and favour of that other, whereby he may procure a greater, or no less benefit or assistance to himself. For by necessity of nature every man doth in all his voluntary actions intend some good unto himself. In this case it is a law of nature, *That no man suffer him, that thus trusteth to his charity, or good affection towards him, to be in the worse estate for his trusting*. For if he shall so do, men will not dare to confer mutually to each other's defence, nor put themselves into each other's mercy upon any terms whatsoever; but rather abide the utmost and worst event of hostility; by which general diffidence, men will not only be enforced to war,

8. The third precept of the natural law is, *that you suffer not him to be the worse for you, who, out of the confidence he had in you, first did you a good turn; or that you accept not a gift, but with a mind to endeavour that the giver shall have no just occasion to repent him of his gift*. For without this, he should act without reason, that would confer a benefit where he sees it would be lost; and by this means all beneficence and trust, together with all kind of benevolence, would be taken from among men, neither would there be aught of mutual assistance among them, nor any commencement of gaining grace and favour; by reason whereof the state of war would necessarily remain, contrary to the fundamental law of nature. But because the breach of this law is not a breach of trust or contract, (for we suppose

13. Whatsoever is done to a man, conformable to his own Will signified to the doer, is no Injury to him. For if he that doeth it, hath not passed away his original right to do what he please, by some Antecedent Covenant, there is no breach of Covenant; and therefore no Injury done him. And if he have; then his Will to have it done being signified, is a release of that Covenant: and so again there is no Injury done him.

16. As Justice dependeth on Antecedent Covenant; so does GRATITUDE depend on Antecedent Grace; that is to say, Antecedent Free-gift: and is the fourth Law of Nature; which may be conceived in this Forme, *That a man which receiveth Benefit from another of meer Grace, Endeavour that he which giveth it, have no reasonable cause to repent him of his good will*. For no man giveth, but with intention of Good to himself; because Gift is Voluntary; and of all Voluntary Acts, the Object is to every man his own Good; of which if men see they shall be frustrated, there will be no beginning of benevolence, or trust; nor consequently of mutuall help; nor of reconciliation of one man to another; and therefore they are to remain still in the condition of War; which is contrary to the first and Fundamentall Law of Nature, which

but also afraid to come so much within the danger of one another, as to make any overture of peace. But this is to be understood of those only, that confer their benefits (as I have said) upon trust only, and not for triumph or ostentation. For as when they do it upon trust, the end they aimed at, namely to be well used, is the reward; so also when they do it for ostentation, they have the reward in themselves.

7. But seeing in this case there passeth no covenant, the breach of this law of nature is not to be called injury; it hath another name (*viz.*) INGRATITUDE.

8. It is also a law of nature, *That every man do help and endeavour to accommodate each other, as far as may be without danger of their persons, and loss of their means, to maintain and defend themselves.* For seeing the causes of war and desolation proceed from those passions, by which we strive to accommodate ourselves, and to leave others as far as we can behind us: it followeth that that passion by which we strive mutually to accommodate each other, must be the cause of peace. And this passion is that charity defined *chapt. 9, sect. 17.*

no contracts to have passed among them), therefore is it not usually termed an injury; but because good turns and thanks have a mutual eye to each other, it is called *ingratitude.*

9. The fourth precept of nature is, *that every man render himself useful unto others:* which that we may rightly understand, we must remember that there is in men a diversity of dispositions to enter into society, arising from the diversity of their affections, not unlike that which is found in stones, brought together in the building, by reason of the diversity of their matter and figure. For as a stone, which in regard of its sharp and angular form takes up more room from other stones than it fills up itself, neither because of the hardness of its matter can it well be pressed together, or easily cut, and would hinder the building from being fitly compacted, is cast away, as not fit for use: so a man, for the harshness of his disposition in retaining superfluities for himself, and detaining of necessities from others, and being incorrigible by reason of the stubbornness of his affections, is commonly said to be useless and troublesome unto others. Now, because each one not by right only, but even by natural necessity, is supposed with all his main might to intend the procurement of those things which are necessary to his own preservation; if any man will contend on the other side for superfluities, by his default there will arise a war;

commandeth men to *Seek Peace.* The breach of this Law, is called *Ingratitude;* and hath the same relation to Grace, that Injustice hath to Obligation by Covenant.

17. A fifth Law of Nature, is COMPLEASANCE; that is to say, *That every man strive to accommodate himselfe to the rest.* For the understanding whereof, we may consider, that there is in mens aptnesse to Society; a diversity of Nature, rising from their diversity of Affections; not unlike to that we see in stones brought together for building of an *Ædifice.* For as that stone which by the asperity, and irregularity of Figure, takes more room from others, than it selfe fills; and for the hardnesse, cannot be easily made plain, and thereby hindereth the building, is by the builders cast away as unprofitable, and troublesome: so also, a man that by asperity of Nature, will strive to retain those things which to himselfe are superfluous, and to others necessary; and for the stubbornness of his Passions, cannot be corrected, is to be left, or cast out of Society, as combersome thereunto. For seeing every man, not onely by Right, but also by necessity of Nature, is supposed to endeavour all he can, to obtain that which is necessary for his conservation; He that shall oppose himselfe against it, for things superfluous, is guilty of the warre that thereupon is to follow; and therefore doth that, which is contrary to the fundamentall Law of Nature, which commandeth *to seek Peace.*

because that on him alone there lay no necessity of contending; he therefore acts against the fundamental law of nature. Whence it follows, (which we were to show), that it is a precept of nature, that every man accommodate himself to others. But he who breaks this law, may be called *useless* and troublesome. Yet Cicero opposeth *inhumanity* to this *usefulness*, as having regard to this very law.

9. And in this precept of nature is included and comprehended also this, *That a man forgive and pardon him that hath done him wrong, upon his repentance, and caution for the future.* For PARDON is peace granted to him, that (having provoked to war) demandeth it. It is not therefore charity, but fear, when a man giveth peace to him that repenteth not, nor giveth caution for maintaining thereof in the time to come. For he that repenteth not, remaineth with the affection of an enemy; as also doth he that refuseth to give caution, and consequently is presumed not to seek after peace, but advantage. And therefore to forgive him is not commanded in this law of nature, nor is charity, but may sometimes be prudence. Otherwise, not to pardon upon repentance and caution, considering men cannot abstain from provoking one another, is never to give peace; and that is against the general definition of the law of nature.

10. And seeing the law of nature commandeth pardon when there is repentance, and caution for the future; it followeth that the same law ordaineth, *That no revenge be taken upon the consideration only of the offence past, but of the benefit to come;* that is to say, that all revenge ought to tend to amendment, either of the person offending, or of others, by the example of his punishment; which is sufficiently apparent, in that the law of nature commandeth pardon,

10. The fifth precept of the law of nature is, *that we must forgive him who repents and asks pardon for what is past, having first taken caution for the time to come.* The pardon of what is past, or the remission of an offence, is nothing else but the granting of peace to him that asketh it, after he hath warred against us, and now is become penitent. But peace granted to him that repents not, that is, to him that retains a hostile mind, or that gives not caution for the future, that is, seeks not peace, but opportunity; is not properly peace, but fear, and therefore is not commanded by nature. Now to him that will not pardon the penitent and that gives future caution, peace itself it seems is not pleasing: which is contrary to the natural law.

11. The sixth precept of the natural law is, *that in revenge and punishments we must have our eye not at the evil past, but the future good:* that is, it is not lawful to inflict punishment for any other end, but that the offender may be corrected, or that others warned by his punishment may become better. But this is confirmed chiefly from hence, that each man is bound by the law of nature to forgive one another, provided he give caution for the future, as hath

The observers of this Law, may be called SOCIABLE, (the Latines call them *Commodi*;) The contrary, *Stubborn, Insociable, Froward, Intractable.*

18. A sixth Law of Nature is this, *That upon caution of the Future time, a man ought to pardon the offences past of them that repenting, desire it.* For PARDON, is nothing but granting of Peace; which though granted to them that persevere in their hostility, be not Peace, but Feare; yet not granted to them that give caution of the Future time, is signe of an aversion to Peace; and therefore contrary to the Law of Nature.

19. A seventh is, *That in Revenges,* (that is, retribution of Evil for Evil,) *Men look not at the greatnesse of the evill past, but the greatnesse of the good to follow.* Whereby we are forbidden to inflict punishment with any other designe, than for correction of the offender, or direction of others. For this Law is consequent to the next before it, that commandeth Pardon, upon security of the Future Time. Besides, Revenge without respect to the Example, and profit to

where the future time is secured. The same is also apparent by this: that revenge when it considereth the offence past, is nothing else but present triumph and glory, and directeth to no end; for end implieth some future good; and what is directed to no end, is therefore unprofitable; and consequently the triumph of revenge, is vain glory: and whatsoever is vain, is against reason; and to hurt one another without reason, is contrary to that, which by supposition is every man's benefit, namely peace; and what is contrary to peace, is contrary to the law of nature.

11. And because all signs which we shew to one another of hatred and contempt, provoke in the highest degree to quarrel and battle (inasmuch as life itself, with the condition of enduring scorn, is not esteemed worth the enjoying, much less peace); it must necessarily be implied as a law of nature, *That no man reproach, revile, deride, or any otherwise declare his hatred, contempt, or disesteem of any other.* But this law is very little practised. For what is more ordinary than reproaches of those that are rich, towards them that are not or of those that sit in place of judicature, towards those that are accused at the bar? although to grieve them in that manner, be no part of the punishment for their crime, nor contained in their office; but use hath prevailed, that what was lawful in the lord towards the servant whom he maintaineth, is also practised as lawful in the more mighty towards the less; though they contribute nothing towards their maintenance.

12. It is also a law of nature, *That men allow commerce and traffic indifferently to one another.* For he that alloweth that to one man, which he denieth to another, declareth his hatred to him, to whom

been showed in the foregoing article. Furthermore, because revenge, if the time past be only considered, is nothing else but a certain triumph and glory of mind, which points at no end; for it contemplates only what is past, but the end is a thing to come; but that which is directed to no end, is vain: that revenge therefore which regards not the future, proceeds from vain glory, and is therefore without reason. But to hurt another without reason, introduces a war, and is contrary to the fundamental law of nature. It is therefore a precept of the law of nature, that in revenge we look not backwards, but forward. Now the breach of this law is commonly called *cruelty*.

12. But because all signs of hatred and contempt provoke most of all to brawling and fighting, insomuch as most men would rather lose their lives (that I say not, their peace) than suffer slander; it follows in the seventh place, that it is prescribed by the law of nature, that no man, either by deeds or words, countenance or laughter, *do declare himself to hate or scorn another.* The breach of which law is called *reproach*. But although nothing be more frequent than the scoffs and jeers of the powerful against the weak, and namely, of judges against guilty persons, which neither relate to the offence of the guilty, nor the duty of the judges; yet these kind of men do act against the law of nature, and are to be esteemed for contumelious.

come, is a triumph, or glorying in the hurt of another, tending to no end; (for the End is always somewhat to Come;) and glorying to no end, is vain-glory, and contrary to reason; and to hurt without reason, tendeth to the introduction of Warre; which is against the Law of Nature; and is commonly stiled by the name of *Cruelty*.

20. And because all signes of hatred, or contempt, provoke to fight; insomuch as most men choose rather to hazard their life, than not to be revenged; we may in the eighth place, for a Law of Nature set down this Precept, *That no man by deed, word, countenance, or gesture, declare Hatred, or Contempt of another.* The breach of which Law, is commonly called *Contumely*.

he denieth; and to declare hatred is war. And upon this title was grounded the great war between the Athenians and the Peloponnesians. For would the Athenians have condescended to suffer the Megareans, their neighbours, to traffic in their ports and markets, that war had not begun.

13. And this also is a law of nature, *That all messengers of peace, and such as are employed to procure and maintain amity between man and man, may safely come and go.* For seeing peace is the general law of nature, the means thereto, such as are these men, must in the same law be comprehended.

Chapter 17. Other laws of nature

1. THE question, which is the better man, is determinable only in the estate of government and policy, though it be mistaken for a question of nature, not only by ignorant men, that think one man's blood better than another's by nature; but also by him, whose opinions are at this day, and in these parts of greater authority than any other human writings (Aristotle). For he putteth so much difference between the powers of men by nature, that he doubteth not to set down, as the ground of all his politics, that some men are by nature worthy to govern, and others by nature ought to serve. Which foundation hath not only weakened the whole frame of his politics, but hath also given men colour and pretences, whereby to disturb and hinder the peace of one another. For though there were such a difference of nature, that master and servant were not by consent of men, but by inherent virtue; yet who hath that eminency

19. The fourteenth precept of the law of nature is, *that safety must be assured to the mediators for peace.* For the reason which commands the end, commands also the means necessary to the end. But the first dictate of reason is peace; all the rest are means to obtain it, and without which peace cannot be had. But neither can peace be had without mediation, nor mediation without safety. It is therefore a dictate of reason, that is, a law of nature, that we must give all security to the mediators for peace.

13. The question whether of two men be the more worthy, belongs not to the natural, but civil state. For it hath been showed before (Chap. 1. Art. 3) that all men by nature are equal; and therefore the inequality which now is, suppose from riches, power, nobility of kindred, is come from the civil law. I know that Aristotle, in his first book of Politics, affirms as a foundation of the whole political science, that some men by nature are made worthy to command, others only to serve; as if lord and servant were distinguished not by consent of men, but by an aptness, that is, a certain kind of natural knowledge or ignorance. Which foundation is not only against reason, (as but now hath been showed), but also against experience. For neither almost is any man so dull of understanding as not to judge it better to be ruled by himself, than to yield himself to the government of another; neither if the wiser and stronger do contest, have

29. It is also a Law of Nature, *That all men that mediate Peace, be allowed safe Conduct.* For the Law that commandeth Peace, as the *End*, commandeth Intercession, as the *Means*; and to Intercession the Means is safe Conduct.

21. The question who is the better man, has no place in the condition of meer Nature; where, (as has been shewn before,) all men are equall. The inequality that now is, has bin introduced by the Lawes civill. I know that *Aristotle* in the first booke of his Politiques, for a foundation of his doctrine, maketh men by Nature, some more worthy to Command, meaning the wiser sort (such as he thought himselfe to be for his Philosophy;) others to Serve, (meaning those that had strong bodies, but were not Philosophers as he;) as if Master and Servant were not introduced by consent of men, but by difference of Wit: which is not only against reason; but also against experience. For there are very few so foolish, that had not rather governe themselves, than be governed by others: Nor when the wise in their own conceit, contend by force, with them who distrust their owne wisdom, do they alwaies, or often, or almost at any

of virtue, above others, and who is so stupid as not to govern himself, shall never be agreed upon amongst men; who do every one naturally think himself as able, at the least, to govern another, as another to govern him. And when there was any contention between the finer and the coarser wits, (as there hath been often in times of sedition and civil war) for the most part these latter carried away the victory; and as long as men arrogate to themselves more honour than they give to others, it cannot be imagined how they can possibly live in peace: and consequently we are to suppose, that for peace sake, nature hath ordained this law, *That every man acknowledge other for his equal*. And the breach of this law, is that we call PRIDE.

2. As it was necessary that a man should not retain his right to everything, so also was it, that he should retain his right to some things: to his own body (for example) the right of defending, whereof he could not transfer; to the use of fire, water, free air, and place to live in, and to all things necessary for life. Nor doth the law of nature command any divesting of other rights, than of those only which cannot be retained without the loss of peace. Seeing then many rights are retained, when we enter into peace one with another, reason and the law of nature dictateth, *Whatsoever right any man requireth to retain, he allow every other man to retain the same*. For he that doth not so, alloweth not the equality mentioned in the former section. For there is no acknowledgment of the equality of worth, without attribution of the equality of benefit and respect. And this allowance of *æqualia æqualibus*, is the same thing with the allowing of *proportionalia proportionalibus*. For when a man alloweth to every man alike, the allowance he maketh will be in the same proportion, in which are the numbers of men to whom they are

these always or often the upper hand of those. Whether therefore men be equal by nature, the equality is to be acknowledged; or whether unequal, because they are like to contest for dominion, it is necessary for the obtaining of peace, *that they be esteemed as equal*; and therefore it is in the eighth place a precept of the law of nature, *that every man be accounted by nature equal to another*; the contrary to which law is *pride*.

14. As it was necessary to the conservation of each man that he should part with some of his rights, so it is no less necessary to the same conservation that he retain some others, to wit, the right of bodily protection, of free enjoyment of air, water, and all necessaries for life. Since therefore many common rights are retained by those who enter into a peaceable state, and that many peculiar ones are also acquired, hence ariseth this ninth dictate of the natural law, to wit, that what rights soever any man challenges to himself, he also grant the same as due to all the rest; otherwise he frustrates the equality acknowledged in the former article. For what is it else to acknowledge an equality of persons in the making up of society, but to attribute equal right and power to those whom no reason would else engage to enter into society? But to ascribe *equal things to equals*, is the same with giving things *proportional to proportionals*. The observation of this law is called *meekness*, the violation *πλεονεξία*; the breakers by the Latins are styled *immodici et immodesti*.

time, get the Victory. If Nature therefore have made men equall, that equalitie is to be acknowledged: or if Nature have made men unequall; yet because men that think themselves equall, will not enter into conditions of Peace, but upon Equall termes, such equalitie must be admitted. And therefore for the ninth Law of Nature, I put this, *That every man acknowledge other for his Equall by Nature*. The breach of this Precept is *Pride*.

22. On this law, dependeth another, *That at the entrance into conditions of Peace, no man require to reserve to himselfe any Right, which he is not content should be reserved to every one of the rest*. As it is necessary for all men that seek peace, to lay down certaine Rights of Nature; that is to say, not to have libertie to do all they list: so is it necessarie for mans life, to retaine some; as right to governe their owne bodies; enjoy aire, water, motion, waies to go from place to place; and all things else without which a man cannot live, or not live well. If in this case, at the making of Peace, men require for themselves, that which they would not have to be granted to others, they do contrary to the precedent law, that commandeth the acknowledgement of naturall equalitie, and therefore also against the law of Nature. The observers of this law, are those we call *Modest*, and the breakers *Arrogant* men. The Greeks call the violation of this law *πλεονεξία*; that is, a desire of more than their share.

23. Also if a man be trusted to judge between man and man, it is a precept of

made. And this is it men mean by distributive justice, and is properly termed EQUITY. The breach of this law is that which the Greeks call *Πλεονεξία*, which is commonly rendered covetousness, but seemeth to be more precisely expressed by the word ENCROACHING.

3. If there pass no other covenant, the law of nature is, *That such things as cannot be divided, be used in common, proportionably to the numbers of them that are to use the same, or without limitation when the quantity thereof sufficeth.* For first supposing the thing to be used in common not sufficient for them that are to use it without limitation, if a few shall make more use thereof than the rest, that equality is not observed, which is required in the second section. And this is to be understood, as all the rest of the laws of nature, without any other covenant antecedent; for a man may have given away his right of common, and so the case be altered.

4. In those things which neither can be divided, nor used in common, the rule of nature must needs be one of these: lot or alternate use; for besides these two ways, there can no other equality be imagined. And for alternate use, he that beginneth hath the advantage; and to reduce that advantage to equality, there is no other way but lot: in things, therefore, indivisible and incommunicable, it

15. In the tenth place it is commanded by the law of nature, *that every man in dividing right to others, shew himself equal to either party.* By the foregoing law we are forbidden to assume more right by nature to ourselves, than we grant to others. We may take less if we will; for that sometimes is an argument of modesty. But if at any time matter of right be to be divided by us unto others, we are forbidden by this law to favour one more or less than another. For he that by favouring one before another observes not this natural equality, reproaches him whom he thus undervalues: but it is declared above, that a reproach is against the laws of nature. The observance of this precept is called *equity*; the breach, *respect of persons*. The Greeks in one word term it *προσωποληψία*.

16. From the foregoing law is collected this eleventh, *those things which cannot be divided, must be used in common if they can, and if the quantity of the matter permit, every man as much as he lists; but if the quantity permit not, then with limitation, and proportionally to the number of the users.* For otherwise that equality can by no means be observed, which we have showed in the foregoing article to be commanded by the law of nature.

17. Also what cannot be divided nor had in common, it is provided by the law of nature, which may be the twelfth precept, *that the use of that thing be either by turns, or adjudged to one only by lot; and that in the using it by turns, it be also decided by lot, who shall have the first use of it.* For here also regard is to be had unto equality: but no other can be found but that of lot.

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

24. The observance of this law, from the equall distribution to each man, of that which in reason belongeth to him, is called EQUITY, and (as I have sayd before) distributive Justice: the violation, *Acception of persons, προσωποληψία.*

25. And from this followeth another law, *That such things as cannot be divided, be enjoyed in Common, if it can be; and if the quantity of the thing permit, without Stint; otherwise Proportionably to the number of them that have Right.* For otherwise the distribution is Unequall, and contrary to Equitie.

26. But some things there be, that can neither be divided, nor enjoyed in common. Then, The Law of Nature, which prescribeth Equity, requireth, *That the Entire Right; or else, (making the use alternate,) the First Possession, be determined by Lot.* For equall distribution, is of the Law of Nature; and other means of equall distribution cannot be imagined.

is the law of nature, *That the use be alternate, or the advantage given away by lot*; because there is no other way of equality; and equality is the law of nature.

5. There be two sorts of lots: one arbitrary, made by men, and commonly known by the names of lot, chance, hazard, and the like; and there is natural lot, such as is primogeniture, which is no more but the chance, or lot of being first born; which, it seemeth, they considered, that call inheritance by the name of *cleronomia*, which signifieth distribution by lot. Secondly, *prima occupatio*, first seizing or finding of a thing, whereof no man made use before, which for the most part also is merely chance.

6. Although men agree upon these laws of nature, and endeavour to observe the same; yet considering the passions of men, that make it difficult to understand by what actions, and circumstances of actions, those laws are broken; there must needs arise many great controversies about the interpretation thereof, by which the peace must needs be dissolved, and men return again to their former estate of hostility. For the taking away of which controversies, it is necessary that there be some common arbitrator and judge, to whose sentence both the parties to the controversy ought to stand. And therefore it is a law of nature, *That in every controversy, the parties thereto ought mutually to agree upon an arbitrator, whom they both trust; and mutually to covenant to stand to the sentence he shall give therein*. For where every man is his own judge, there properly is no judge at all; as where every man carveth out his own right, it hath the same effect, as if there were no right at all; and where is no judge, there is no end of controversy, and therefore the right of hostility remaineth.

18. But all lot is twofold, *arbitrary* or *natural*. *Arbitrary* is that which is cast by the consent of the contenders, and it consists in mere chance, as they say, or fortune. *Natural* is primogeniture, in Greek *κληρονομία*, as it were, given by lot; or first possession. Therefore the things which can neither be divided nor had in common, must be granted to the first possessor; as also those things which belonged to the father are due to the son, unless the father himself have formerly conveyed away that right to some other. Let this therefore stand for the thirteenth law of nature.

20. Furthermore because, although men should agree to make all these and whatsoever other laws of nature, and should endeavour to keep them, yet doubts and controversies would daily arise concerning the application of them unto their actions, to wit, whether what was done were against the law or not, which we call the question of right; whence will follow a fight between parties, either sides supposing themselves wronged: it is therefore necessary to the preservation of peace, because in this case no other fit remedy can possibly be thought on, that both the disagreeing parties refer the matter unto some third, and oblige themselves by mutual compacts to stand to his judgment in deciding the controversy. And he to whom they thus refer themselves, is called an arbiter. It is therefore the fifteenth precept of the natural law, *that both parties disputing concerning the matter of right, submit themselves unto the opinion and judgment of some third*.

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

28. And therefore those things which cannot be enjoyed in common, nor divided, ought to be adjudged to the First Possessor; and in some cases to the First-Borne, as acquired by Lot.

30. And because, though men be never so willing to observe these Lawes, there may neverthelesse arise questions concerning a mans action; First, whether it were done, or not done; Secondly (if done) whether against the Law, or not against the Law; the former whereof, is called a question *Of Fact*; the later a question *Of Right*; therefore unlesse the parties to the question, Covenant mutually to stand to the sentence of another, they are as farre from Peace as ever. This other, to whose Sentence they submit, is called an *ARBITRATOR*. And therefore it is of the Law of Nature, *That they that are at controversie, submit their Right to the judgement of an Arbitrator*.

7. An ARBITRATOR therefore or judge is he that is trusted by the parties to any controversy, to determine the same by the declaration of his own judgment therein. Out of which followeth: first, that the judge ought not to be concerned in the controversy he endeth; for in that case he is party, and ought by the same reason to be judged by another; secondly, that he maketh no covenant with either of the parties, to pronounce sentence for the one, more than for the other. Nor doth he covenant so much, as that his sentence shall be just; for that were to make the parties judges of the sentence, whereby the controversy would remain still undecided. Nevertheless for the trust reposed in him, and for the equality which the law of nature requireth him to consider in the parties, he violateth that law, if for favour, or hatred to either party, he give other sentence than he thinketh right. And thirdly, that no man ought to make himself judge in any controversy between others, unless they consent and agree thereto.

21. But from this ground, that an arbiter or judge is chosen by the differing parties to determine the controversy, we gather that the arbiter must not be one of the parties. For every man is presumed to seek what is good for himself naturally, and what is just only for peace sake and accidentally; and therefore cannot observe that same equality commanded by the law of nature, so exactly as a third man would do. It is therefore in the sixteenth place contained in the law of nature, *that no man must be judge or arbiter in his own cause.*

22. From the same ground follows in the seventeenth place, *that no man must be judge, who propounds unto himself any hope of profit or glory from the victory of either part:* for the like reason sways here, as in the foregoing law.

23. But when there is some controversy of the fact itself, to wit, whether that be done or not which is said to be done, the natural law wills that the arbiter trust both parties alike, that is, because they affirm contradictories, that he believe neither. He must therefore give credit to a third, or a third and fourth, or more, that he may be able to give judgment of the fact, as often as by other signs he cannot come to the knowledge of it. The eighteenth law of nature therefore enjoins arbiters and judges of fact, *that where firm and certain signs of the fact appear not, there they rule their sentence by such witnesses as seem to be indifferent to both parts.*

24. From the above declared definition of an arbiter may be furthermore understood, *that no contract or promise must pass between him and the parties whose judge he is appointed, by virtue whereof he may be engaged to speak in favour of either part, nay, or be obliged to judge according to equity, or to pronounce such sentence as he shall truly judge to be*

31. And seeing every man is presumed to do all things in order to his own benefit, no man is a fit Arbitrator in his own cause: and if he were never so fit; yet Equity allowing to each party equall benefit, if one be admitted to be Judge, the other is to be admitted also; & so the controversie, that is, the cause of War, remains, against the Law of Nature.

32. For the same reason no man in any Cause ought to be received for Arbitrator, to whom greater profit, or honour, or pleasure apparently ariseth out of the victory of one party, than of the other: for hee hath taken (though an unavoydable bribe, yet) a bribe; and no man can be obliged to trust him. And thus also the controversie, and the condition of War remaineth, contrary to the Law of Nature.

33. And in a controversie of *Fact*, the Judge being to give no more credit to one, than to the other, (if there be no other Arguments) must give credit to a third; or to a third and fourth; or more: For else the question is undecided, and left to force, contrary to the Law of Nature.

equal. The judge is indeed bound to give such sentence as he shall judge to be equal, by the law of nature recounted in the 15th article: to the obligation of which law nothing can be added by way of compact. Such compact therefore would be in vain. Besides, if giving wrong judgment he should contend for the equity of it, except such compact be of no force, the controversy would remain after judgment given: which is contrary to the constitution of an arbiter, who is so chosen, as both parties have obliged themselves to stand to the judgment which he should pronounce. The law of nature therefore commands the judge to be disengaged, which is its nineteenth precept.

8. It is also of the law of nature, *That no man obtrude or press his advice or counsel to any man that declareth himself unwilling to hear the same.* For seeing a man taketh counsel concerning what is good or hurt of himself only, and not of his counsellor; and that counsel is a voluntary action, and therefore tendeth also to the good of the counsellor: there may often be just cause to suspect the counsellor. And though there be none, yet seeing counsel unwillingly heard is a needless offence to him that is not willing to hear it, and offences tend all to the breach of peace: it is therefore against the law of nature to obtrude it.

25. Furthermore, forasmuch as the laws of nature are nought else but the dictates of reason; so as, unless a man endeavour to preserve the faculty of right reasoning, he cannot observe the laws of nature; it is manifest, that he who knowingly or willingly doth aught whereby the rational faculty may be destroyed or weakened, he knowingly and willingly breaks the law of nature. For there is no difference between a man who performs not his duty, and him who does such things willingly as

34. These are the Lawes of Nature, dictating Peace, for a means of the conservation of men in multitudes; and which onely concern the doctrine of Civill Society. There be other things tending to the destruction of particular men; as Drunkenness, and all other parts of Intemperance; which may therefore also be reckoned amongst those things which the Law of Nature hath forbidden; but are not necessary to be mentioned, nor are pertinent enough to this place.

9. A man that shall see these laws of nature set down and inferred with so many words, and so much ado, may think there is yet much more difficulty and subtlety required to acknowledge and do according to the said laws in every sudden occasion, when a man hath but a little time to consider. And while we consider man in most passions, as of anger, ambition, covetousness, vain glory, and the like that tend to the excluding of natural equality, it is true; but without these passions, there is an easy rule to know upon a sudden, whether the action I be to do, be against the law of nature or not: and it is but this, *That a man imagine himself in the place of the party with whom he hath to do, and reciprocally him in his;* which is no more but a changing (as it were) of the scales. For every man's passion weigheth heavy in his own scale, but not in the scale of his neighbour. And this rule is very well known and expressed by this old dictate, *Quod tibi fieri non vis, alteri ne feceris.*

10. These laws of nature, the sum whereof consisteth in forbidding us to be our own judges, and our own carvers, and in commanding us to accommodate one another; in case they should be observed by some, and not by others, would make the observers

make it impossible for him to do it. But they destroy and weaken the reasoning faculty, who do that which disturbs the mind from its natural state; that which most manifestly happens to drunkards, and gluttons. We therefore sin, in the twentieth place, against the law of nature by drunkenness.

26. Perhaps some man, who sees all these precepts of nature derived by a certain artifice from the single dictate of reason advising us to look to the preservation and safeguard of ourselves, will say that the deduction of these laws is so hard, that it is not to be expected they will be vulgarly known, and therefore neither will they prove obliging: for laws, if they be not known, oblige not, nay indeed, are not laws. To this I answer, it is true, that hope, fear, anger, ambition, covetousness, vain glory, and other perturbations of mind, do hinder a man, so as he cannot attain to the knowledge of these laws whilst those passions prevail in him: but there is no man who is not sometimes in a quiet mind. At that time therefore there is nothing easier for him to know, though he be never so rude and unlearned, than this only rule, that when he doubts whether what he is now doing to another may be done by the law of nature or not, he conceive himself to be in that other's stead. Here instantly those perturbations which persuaded him to the fact, being now cast into the other scale, dissuade him as much. And this rule is not only easy, but is anciently celebrated in these words, *quod tibi fieri non vis, alteri ne feceris: do not that to others, you would not have done to yourself.*

27. But because most men, by reason of their perverse desire of present profit, are very unapt to observe these laws, although acknowledged by them; if perhaps some, more humble than the rest, should exercise that equity and usefulness which reason dictates, the others

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

36. The Lawes of Nature oblige *in foro interno*; that is to say, they bind to a desire they should take place: but *in foro externo*; that is, to the putting them in act, not alwayes. For he that should be modest, and tractable, and performe all he promises, in such time, and place,

but a prey to them that should neglect them; leaving the good, both without defence against the wicked, and also with a charge to assist them: which is against the scope of the said laws, that are made only for the protection and defence of them that keep them. Reason therefore, and the law of nature over and above all these particular laws, doth dictate this law in general, *That those particular laws be so far observed, as they subject us not to any incommmodity, that in our own judgments may arise, by the neglect thereof in those towards whom we observe them;* and consequently requireth no more but the desire and constant intention to endeavour and be ready to observe them, unless there be cause to the contrary in other men's refusal to observe them towards us. The force therefore of the law of nature is not *in foro externo*, till there be security for men to obey it; but is always *in foro interno*, wherein the action of obedience being unsafe, the will and readiness to perform is taken for the performance.

13. And seeing the laws of nature concern the conscience, not he only breaketh them that doth any action contrary, but also he whose action is conformable to them, in case he think it contrary. For though the action chance to be right, yet in his judgment he despiseth the law.

11. Amongst the laws of nature, customs and prescriptions are not numbered. For whatsoever action is against reason, though it be reiterated never so often, or that there be never so many precedents thereof, is still against reason,

not practising the same, surely they would not follow reason in so doing: nor would they hereby procure themselves peace, but a more certain quick destruction, and the keepers of the law become a mere prey to the breakers of it. It is not therefore to be imagined, that by nature, that is, by reason, men are obliged to the exercise of all these laws * in that state of men wherein they are not practised by others. We are obliged yet, in the interim, to a readiness of mind to observe them, whensoever their observation shall seem to conduce to the end for which they were ordained. We must therefore conclude, that the law of nature doth always and everywhere oblige in the internal court, or that of conscience; but not always in the external court, but then only when it may be done with safety.

28. But the laws which oblige conscience, may be broken by an act not only contrary to them, but also agreeable with them; if so be that he who does it, be of another opinion. For though the act itself be answerable to the laws, yet his conscience is against them.

29. *The laws of nature are immutable and eternal:* what they forbid, can never be lawful; what they command, can never be unlawful. For *pride, ingratitude, breach of contracts* (or *injury*), *inhumanity, contumely*, will never

where no man els should do so, should but make himselfe a prey to others, and procure his own certain ruine, contrary to the ground of all Lawes of Nature, which tend to Natures preservation. And again, he that having sufficient Security, that others shall observe the same Lawes towards him, observes them not himselfe, seeketh not Peace, but War; & consequently the destruction of his Nature by Violence.

37. And whatsoever Lawes bind *in foro interno*, may be broken, not onely by a fact contrary to the Law but also by a fact according to it, in case a man think it contrary. For though his Action in this case, be according to the Law; yet his Purpose was against the Law; which where the Obligation is *in foro interno*, is a breach.

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

* *The exercise of all these laws.*] Nay, among these laws some things there are, the omission whereof, provided it be done for peace or self-preservation, seems rather to be the fulfilling, than breach of the natural law. For he that doth all things against those that do all things, and plunders plunderers, doth equity. But on the contrary, to do that which in peace is a handsome action, and becoming an honest man, is dejectedness and poorness of spirit, and a betraying of one's self, in the time of war. But there are certain natural laws, whose exercise ceaseth not even in the time of war itself. For I cannot understand what drunkenness or cruelty, that is, revenge which respects not the future good, can advance toward peace, or the preservation of any man.

and therefore not a law of nature, but contrary to it. But consent and covenant may so alter the cases, which in the law of nature may be put, by changing the circumstances, that that which was reason before, may afterwards be against it; and yet is reason still the law. For though every man be bound to allow equality to another; yet if that other shall see cause to renounce the same, and make himself inferior, then, if from thenceforth he consider him as inferior, he breaketh not thereby that law of nature that commandeth to allow equality. In sum, *a man's own consent may abridge him of the liberty which the law of nature leaveth him, but custom not*; nor can either of them abrogate either these, or any other law of nature.

15. The sum of virtue is to be sociable with them that will be sociable, and formidable to them that will not. And the same is the sum of the law of nature; for in being sociable, the law of nature taketh place by the way of peace and society; and to be formidable, is the law of nature in war, where to be feared is a protection a man hath from his own power; and as the former consisteth in actions of equity and justice, the latter consisteth in actions of honour. And equity, justice, and honour, contain all virtues whatsoever.

14. Every man by natural passion, calleth that good which pleaseth him for the present, or so far forth as he can foresee; and in like manner that which displeaseth him evil. And therefore he that foreseeth the whole way to his preservation (which is the end that every one by nature aimeth at) must also call it good, and the contrary evil. And this is that good and evil, which not every man in passion calleth so, but all men by reason. And therefore the fulfilling of all these laws is good in reason; and the breaking of them evil. And so also the habit, or disposition, or intention

be lawful, nor the contrary virtues to these ever unlawful, as we take them for dispositions of the mind, that is, as they are considered in the court of conscience, where only they oblige and are laws. Yet actions may be so diversified by circumstances and the civil law, that what is done with equity at one time, is guilty of iniquity at another; and what suits with reason at one time, is contrary to it another. Yet reason is still the same, and changeth not her end, which is peace and defence, nor the means to attain them, to wit, those virtues of the mind which we have declared above, and which cannot be abrogated by any custom or law whatsoever.

30. It is evident by what hath hitherto been said, how easily the laws of nature are to be observed, because they require the endeavour only, (but that must be true and constant); which who so shall perform, we may rightly call him *just*. For he who tends to this with his whole might, namely, that his actions be squared according to the precepts of nature, he shows clearly that he hath a mind to fulfil all those laws; which is all we are obliged to by rational nature. Now he that hath done all he is obliged to, is a just man.

31. All writers do agree, that the natural law is the same with the moral. Let us see wherefore this is true. We must know, therefore, that good and evil are names given to things to signify the inclination or aversion of them, by whom they were given. But the inclinations of men are diverse, according to their diverse constitutions, customs, opinions; as we may see in those things we apprehend by sense, as by tasting, touching, smelling; but much more in those which pertain to the common actions of life, where what this man commends, that is to say, calls *good*, the other

39. The same Lawes, because they oblige onely to a desire, and endeavour, I mean an unfeigned and constant endeavour, are easie to be observed. For in that they require nothing but endeavour; he that endeavoureth their performance, fulfilleth them; and he that fulfilleth the Law, is Just.

40. And the Science of them, is the true and onely Moral Philosophy. For Moral Philosophy is nothing else but the Science of what is *Good*, and *Evill*, in the conversation, and Society of man-kind. *Good*, and *Evill*, are names that signifie our Appetites, and Aversions; which in different tempers, customes, and doctrines of men, are different: And divers men, differ not onely in their Judgment, on the senses of what is pleasant, and unpleasant to the tast, smell, hearing, touch, and sight; but also of what is conformable, or disagreeable to Reason, in the actions of common life. Nay,

to fulfil them good; and the neglect of them evil. And from hence cometh that distinction of *malum pœnæ*, and *malum culpæ*; for *malum pœnæ* is any pain or molestation of mind whatsoever; but *malum culpæ* is that action which is contrary to reason and the law of nature; as also the habit of doing according to these and other laws of nature that tend to our preservation, is that we call VIRTUE; and the habit of doing the contrary, VICE. As for example, justice is that habit by which we stand to covenants, injustice the contrary vice; equity that habit by which we allow equality of nature, arrogance the contrary vice; gratitude the habit whereby we requite the benefit and trust of others, ingratitude the contrary vice; temperance the habit by which we abstain from all things that tend to our destruction, intemperance the contrary vice; prudence, the same with virtue in general. As for the common opinion, that virtue consisteth in mediocrity, and vice in extremes, I see no ground for it, nor can find any such mediocrity. Courage may be virtue, when the daring is extreme, if the cause be good; and extreme fear no vice when the danger is extreme. To give a man more than his due, is no injustice, though it be to give him less; and in gifts it is not the sum that maketh liberality, but the reason. And so in all other virtues and vices. I know that this doctrine of mediocrity is Aristotle's, but his opinions concerning virtue and vice, are no other than those which were received then, and are still by the generality of men unstudied; and therefore not very likely to be accurate.

undervalues, as being evil. Nay, very often the same man at diverse times praises and dispraises the same thing. Whilst thus they do, necessary it is there should be discord and strife. They are, therefore, so long in the state of war, as by reason of the diversity of the present appetite, they mete good and evil by diverse measures. All men easily acknowledge this state, as long as they are in it, to be evil, and by consequence that peace is good. They therefore who could not agree concerning a present, do agree concerning a future good; which indeed is a work of reason; for things present are obvious to the sense, things to come to our reason only. Reason declaring peace to be good, it follows by the same reason, that all the necessary means to peace be good also; and therefore that modesty, equity, trust, humanity, mercy, (which we have demonstrated to be necessary to peace), are good manners or habits, that is, virtues. The law therefore, in the means to peace, commands also good manners, or the practice of virtue; and therefore it is called *moral*.

32. But because men cannot put off this same irrational appetite, whereby they greedily prefer the present good (to which, by strict consequence, many unforeseen evils do adhere) before the future; it happens, that though all men do agree in the commendation of the fore-said virtues, yet they disagree still concerning their nature, to wit, in what each of them doth consist. For as oft as another's good action displeaseth any man, that action hath the name given of some neighbouring vice; likewise the bad actions which please them, are ever intituled to some virtue. Whence it comes to pass that the same action is praised by these, and called virtue, and dispraised by those, and termed vice. Neither is there as yet any remedy found by philosophers for this matter. For since they could not observe the goodness

the same man, in divers times, differs from himself; and one time praiseth, that is, calleth Good, what another time he dispraiseth, and calleth Evil: From whence arise Disputes, Controversies, and at last War. And therefore so long a man is in the condition of meer Nature, (which is a condition of War,) as private Appetite is the measure of Good, and Evil: And consequently all men agree on this, that Peace is Good, and therefore also the way, or means of Peace, which (as I have shewed before) are *Justice, Gratitude, Modesty, Equity, Mercy*, & the rest of the Laws of Nature, are good; that is to say, *Morall Vertues*; and their contrarie *Vices*, Evill. Now the science of Vertue and Vice, is Morall Philosophie; and therefore the true Doctrine of the Lawes of Nature, is the true Morall Philosophie. But the Writers of Morall Philosophie, though they acknowledge the same Vertues and Vices; Yet not seeing wherein consisted their Goodnesse; nor that they come to be praised, as the meanes of peaceable, sociable, and comfortable living; place them in a mediocrity of passions: as if not the Cause, but the Degree of daring, made Fortitude; or not the Cause, but the Quantity of a gift, made Liberality.

of actions to consist in this, that it was in order to peace, and the evil in this, that it related to discord, they built a moral philosophy wholly estranged from the moral law, and unconstant to itself. For they would have the nature of virtues seated in a certain kind of mediocrity between two extremes, and the vices in the extremes themselves; which is apparently false. For *to dare* is commended, and, under the name of *fortitude* is taken for a virtue, although it be an extreme, if the cause be approved. Also the quantity of a thing given, whether it be great or little, or between both, makes not liberality, but the cause of giving it. Neither is it injustice, if I give any man more of what is mine own than I owe him. The laws of nature, therefore, are the sum of *moral* philosophy; whereof I have only delivered such precepts in this place, as appertain to the preservation of ourselves against those dangers which arise from discord. But there are other precepts of *rational* nature, from whence spring other virtues; for temperance, also, is a precept of reason, because intemperance tends to sickness and death. And so fortitude too, that is, that same faculty of resisting stoutly in present dangers, and which are more hardly declined than overcome; because it is a means tending to the preservation of him that resists.

12. And forasmuch as law (to speak properly) is a command, and these dictates, as they proceed from nature, are not commands; they are not therefore called laws in respect of nature, but in respect of the author of nature, God Almighty.

33. But those which we call the laws of nature, (since they are nothing else but certain conclusions, understood by reason, of things to be done and omitted; but a law, to speak properly and accurately, is the speech of him who by right commands somewhat to others to be done or omitted), are not in propriety of speech laws, as they proceed from nature. Yet, as they are delivered by God in holy Scriptures, as we shall see in the chapter following, they are most properly called by the name of laws. For the sacred Scripture is the speech of God commanding over all things by greatest right.

41. These dictates of Reason, men use to call by the name of Lawes; but improperly: for they are but Conclusions, or Theoremes concerning what conduceth to the conservation and defence of themselves; whereas Law, properly is the word of him, that by right hath command over others. But yet if we consider the same Theoremes, as delivered in the word of God, that by right commandeth all things; then are they properly called Lawes.

CHAPTER 15

Chapter 18 of *The Elements of Law* / Chapter 4 of *De Cive*

Précis table

Part I. Concerning men as persons natural	Part I. Of Liberty
Chapter 18. A confirmation of the same out of the Word of God	Chapter 4. That the law of nature is a divine law
A Confirmation out of Holy Scripture of the Principal Points Mentioned in the Two Last Chapters, concerning the Law of Nature	
1.	1. The natural and moral law is divine
2.	2. Which is confirmed in Scripture, in general
3.	3. Specially, in regard of the fundamental law of nature in seeking of peace
	4. Also in regard of the first law of nature in abolishing all things to be had in common
5.	5. Also of the second law of nature, concerning faith to be kept
	6. Also of the third law, of thankfulness
8.	7. Also of the fourth law, of rendering ourselves useful
	8. Also of the fifth law, concerning mercy
11.	9. Also of the sixth law, that punishment only looks at the future
	10. Also of the seventh law, concerning slander
	11. Also of the eighth law, against pride
6.	12. Also of the ninth law, of equity
	13. Also of the tenth law, against respect of persons
	14. Also of the eleventh law, of having those things in common which cannot be divided
7.	15. Also of the twelfth law, of things to be divided by lot
	16. Also of appointing a judge
	17. Also of the seventeenth law, that the arbiters must receive no reward for their sentence

	18. Also of the eighteenth law, concerning witnesses
	19. Also of the twentieth law, against drunkenness
4.	20. Also in respect of that which hath been said, that the law of nature is eternal
10.	21. Also that the laws of nature do pertain to conscience
	22. Also that the laws of nature are easily observed
9.	23. Lastly, in respect of the rule by which a man may presently know, whether what he is about to act, be against the law of nature, or not
12.	24. The law of Christ is the law of nature

Part I. Concerning men as persons natural

Chapter 18. A confirmation of the same out of the Word of God

1. THE laws mentioned in the former chapters, as they are called the laws of nature, for that they are the dictates of natural reason; and also moral laws, because they concern men's manners and conversation one towards another; so are they also divine laws in respect of the author thereof, God Almighty; and ought therefore to agree, or at least, not to be repugnant to the word of God revealed in Holy Scripture. In this chapter therefore I shall produce such places of Scripture as appear to be most consonant to the said laws.

2. And first the word of God seemeth to place the divine law in reason; by all such texts as ascribe the same to the heart and understanding; as Psalm 40, 8: *Thy law is in my heart.* Heb. 8, 10: *After those days, saith the Lord, I will put my laws in their mind;* and Heb. 10, 16, the same. Psalm, 37, 31, speaking of the righteous man, he saith, *The law of God is in his heart.* Psalm 19, 7, 8: *The law of God is perfect, converting the soul. It giveth wisdom to the simple, and light unto the eyes.* Jer. 31, 33: *I will put my law in their inward parts, and write it in their hearts.* And John 1, the lawgiver himself, God Almighty, is called by the name of Λόγος, which is also called: verse 4, *The light of men:* and verse 9, *The light which lighteth every man, which cometh into the world:* all which are descriptions of natural reason.

Part I. Of Liberty

Chapter 4. That the law of nature is a divine law

1. THE same law which is *natural* and *moral*, is also wont to be called *divine*, nor undeservedly; as well because reason, which is the law of nature, is given by God to every man for the rule of his actions; as because the precepts of living which are thence derived, are the same with those which have been delivered from the divine Majesty for the *laws* of his heavenly kingdom, by our Lord Jesus Christ, and his holy prophets and apostles. What therefore by reasoning we have understood above concerning the law of nature, we will endeavour to confirm the same in this chapter by holy writ.

2. But first we will shew those places in which it is declared, that the divine law is seated in right reason. Psalm xxxvii. 30, 31: *The mouth of the righteous will be exercised in wisdom, and his tongue will be talking of judgment: the law of God is in his heart.* Jeremiah xxx. 33: *I will put my law in their inward parts, and write it in their hearts.* Psalm xix. 7: *The law of the Lord is an undefiled law, converting the soul.* Verse 8: *The commandment of the Lord is pure, and giveth light unto the eyes.* Deuteron. xxx. 11: *This commandment, which I command thee this day, it is not hidden from thee, neither is it far off, &c.* Verse. 14: *But the word is very nigh unto thee in my mouth, and in thine heart, that thou mayest do it.* Psalm cxix. 34: *Give me understanding, and I shall keep thy law.* Verse 105: *Thy word is a lamp unto my feet, and a light unto my paths.* Prov. ix. 10: *The knowledge of the holy is understanding.* Christ the law-giver, himself is called (John i. 1): *the word.* The same Christ is called (verse 9): *the true light, that lighteth every man that cometh into the world.* All which are descriptions of right reason, whose dictates, we have showed before, are the laws of nature.

3. And that the law divine, for so much as is moral, are those precepts that tend to peace, seemeth to be much confirmed by such places of Scripture as these: Rom. 3, 17, righteousness which is the fulfilling of the law, is called *the way of peace*. And Psalm 85, 10: *Righteousness and peace shall kiss each other*. And Matth. 5, 9: *Blessed are the peace-makers*. And Heb. 7, 2, *Melchisedec king of Salem* is interpreted *king of righteousness*, and *king of peace*. And, verse 21, our Saviour Christ is said to be a priest *for ever after the order of Melchisedec*; out of which may be inferred: that the doctrine of our Saviour Christ annexeth the fulfilling of the law to peace.

3. But that that which we set down for the fundamental law of nature, namely, that peace was to be sought for, is also the sum of the Divine law, will be manifest by these places. Rom. iii. 17: *Righteousness*, which is the sum of the law, is called *the way of peace*. Psalm lxxxv. 10: *Righteousness and peace have kissed each other*. Matth. v. 9: *Blessed are the peace-makers, for they shall be called the children of God*. And after St. Paul, in his sixth chapter to the Hebrews, and the last verse, had called Christ (the legislator of that law we treat of), *an High-priest for ever after the order of Melchisedec*: he adds in the following chapter, the first verse: *This Melchisedec was king of Salem, priest of the most high God, &c.* (Verse 2): *First being by interpretation king of righteousness, and after that also king of Salem, which is, king of peace*. Whence it is clear, that Christ, the King, in his kingdom placeth righteousness and peace together. Psalm xxxiv. 14: *Eschew evil and do good; seek peace and pursue it*. Isaiah ix. 6, 7: *Unto us a child is born, unto us a son is given, and the government shall be upon his shoulder, and his name shall be called Wonderful, Counsellor, the Mighty God, the everlasting Father, the Prince of Peace*. Isaiah lii. 7: *How beautiful upon the mountains are the feet of him that bringeth good tidings, that publisheth peace, that bringeth good tidings of good, that publisheth salvation, that saith unto Sion, thy God reigneth!* Luke ii. 14: In the nativity of Christ, the voice of them that praised God, saying, *Glory be to God on high, and in earth peace, goodwill towards men*. And Isaiah liii. 5: the Gospel is called the *chastisement of our peace*. Isaiah lix. 8: Righteousness is called *the way of peace*. *The way of peace they know not, and there is no judgment in their goings*. Micah v. 4, 5, speaking of the Messias, he saith thus: *He shall stand and feed in the strength of the Lord, in the majesty of the name of the Lord his God, and they shall abide, for now shall he be great unto the end of the earth; and this man shall be your peace, &c.* Prov. iii. 1, 2: *My son, forget not my law, but let thine heart keep my commandments; for length of days, and long life, and peace, shall they add to thee*.

4. What appertains to the first law of abolishing the community of all things, or concerning the introduction of *meum* and *tuum*; we perceive in the first place, how great an adversary this same community is to peace, by those words of Abraham to Lot (Gen. xiii. 8, 9): *Let there be no strife, I pray thee, between thee and me, and between thy herdmen and my herdmen; for we be brethren. Is not the whole land before thee? Separate thyself, I pray thee from me*. And all those places of Scripture by which we are forbidden to trespass upon our neighbours: as, *Thou shalt not kill, thou shalt not commit adultery, thou shalt not steal, &c.* do confirm the law of distinction between *mine* and *thine*; for they suppose *the right of all men to all things* to be taken away.

5. That men ought to stand to their covenants, is taught Psalm 15, where the question being asked, verse 1, *Lord who shall dwell in thy tabernacle, &c.*, it is answered, verse 4, *He that sweareth to his own hindrance, and yet changeth not.* And that men ought to be grateful, where no covenant passeth, Deut. 25, 4: *Thou shalt not muzzle the ox that treadeth out the corn,* which St. Paul (1 Cor. 9, 9) interpreteth not of oxen, but of men.

8. That the accommodation and forgiveness of one another, which have before been put for laws of nature, are also law divine, there is no question. For they are the essence of charity, which is the scope of the whole law. That we ought not to reproach, or reprehend each other, is the doctrine of our Saviour, Matth. 7, 1: *Judge not, that ye be not judged:* (verse 3): *Why seest thou the mote that is in thy brother's eye, and seest not the beam that is in thine own eye?* Also the law that forbiddeth us to press our counsel upon others further than they admit, is a divine law. For after our charity and desire to rectify one another is rejected, to press it further, is to reprehend him, and condemn him, which is forbidden in the text last cited; as also Rom. 14, 12, 13: *Every one of us shall give account of himself to God. Let us not therefore judge one another any more, but use your judgment rather in this, that no man put an occasion to fall, or a stumbling block before his brother.*

5. The same precepts establish the second law of nature, of keeping trust. For what doth, *Thou shalt not invade another's right*, import, but this? *Thou shalt not take possession of that, which by thy contract ceaseth to be thine:* but it is expressly set down? Psalm xv. 1: to him that asked, *Lord who shall dwell in thy tabernacle?* it is answered (verse 4): *He that sweareth unto his neighbour, and disappointeth him not.* And Prov. vi. 12: *My son, if thou be surety for thy friend, if thou have stricken thy hand with a stranger, thou art snared with the words of thy mouth.*

6. The third law concerning gratitude, is proved by these places. Deut. xxv. 4: *Thou shalt not muzzle the ox, when he treadeth out the corn:* which St. Paul (1 Cor. ix, 9) interprets to be spoken of men, not oxen only. Prov. xvii. 13: *Whoso rewardeth evil for good, evil shall not depart from his house.* And Deut. xx. 10, 11: *When thou comest nigh unto a city to fight against it, then proclaim peace unto it. And it shall be, if it make thee answer of peace, and open unto thee, then it shall be that all the people that is found therein, shall be tributaries unto thee, and they shall serve thee.* Prov. iii. 29: *Devise not evil against thy neighbour, seeing he dwelleth securely by thee.*

7. To the fourth law of accommodating ourselves, these precepts are conformable: Exod. xxiii. 4, 5: *if thou meet thine enemy's ox, or his ass going astray, thou shalt surely bring it back to him again. If thou see the ass of him that hateth thee, lying under his burden, and wouldst forbear to help him, thou shalt surely help with him.* Also (verse 9): *Thou shalt not oppress a stranger.* Prov. iii. 30: *Strive not with a man without a cause, if he have done thee no harm,* Prov. xv. 18: *A wrathful man stirreth up strife; but he that is slow to anger, appeaseth strife.* Prov. xviii. 24: *There is a friend that sticketh closer than a brother.* The same is confirmed, Luke x, by the parable of the Samaritan, who had compassion on the Jew that was wounded by thieves; and by Christ's precept (Matth. v. 39): *But I say unto you that ye resist not evil; but whosoever shall smite thee on the right cheek, turn to him the other also.*

8. Among infinite other places which prove the fifth law, these are some: Matth. vi. 14, 15: *If you forgive men their trespasses, your heavenly Father will also forgive you: but if you forgive not men their trespasses, neither will your Father forgive your trespasses.* Matth. xviii. 21, 22: *Lord how oft shall my brother sin against me, and I forgive him? Till seven times? Jesus saith unto him; I say not till seven times, but till seventy times seven times; that is, toties quoties.*

11. Concerning revenge which by the law of nature ought not to aim, as I have said chapter 16, section 10, at present delight, but at future profit, there is some difficulty made, as if the same accorded not with the law divine, by such as object the continuance of punishment after the day of judgment, when there shall be no place, neither for amendment, nor for example. This objection had been of some force, if such punishment had been ordained after all sins were past; but considering the punishment was instituted before sin, it serveth to the benefit of mankind, because it keepeth men in peaceable and virtuous conversation by the terror; and therefore such revenge was directed to the future only.

6. That men content themselves with equality, as it is the foundation of natural law, so also is it of the second table of the divine law, Matth. 22, 39, 40: *Thou shalt love thy neighbour as thyself. On these two laws depend the whole law and the prophets*; which is not so to be understood, as that a man should study so much his neighbour's profit as his own, or that he should divide his goods amongst his neighbours; but that he should esteem his neighbour worthy all rights and

9. For the confirmation of the sixth law, all those places are pertinent which command us to shew mercy, such as Matth. v. 7: *Blessed are the merciful, for they shall obtain mercy.* Levit. xix. 18: *Thou shalt not avenge, nor bear any grudge against the children of thy people.* But there are, who not only think this law is not proved by Scripture, but plainly disproved from hence; that there is an eternal punishment reserved for the wicked after death, where there is no place either for amendment or example. Some resolve this objection by answering, that God, whom no law restrains, refers all to his glory, but that man must not do so; as if God sought his glory, that is to say, pleased himself in the death of a sinner. It is more rightly answered, that the institution of eternal punishment was before sin, and had regard to this only, that men might dread to commit sin for the time to come.

10. The words of Christ prove this seventh: (Matth. v. 22): *But I say unto you, that whosoever is angry with his brother without a cause, shall be in danger of the judgment; and whosoever shall say unto his brother Racha, shall be in danger of the council; but whosoever shall say, thou fool, shall be in danger of hell-fire.* Prov. x. 18: *He that uttereth a slander, is a fool.* Prov. xiv. 21: *He that despiseth his neighbour, sinneth.* Prov. xv. 1: *Grievous words stir up anger.* Prov. xxii. 10): *Cast out the scorner, and contention shall go out, and reproach shall cease.*

11. The eighth law of acknowledging equality of nature, that is, of humility, is established by these places: Matth. v. iii: *Blessed are the poor in spirit, for theirs is the kingdom of heaven.* Prov. vi. 16–19: *These six things doth the Lord hate, yea, seven are an abomination unto him. A proud look, &c.* Prov. xvi. 5: *Every one that is proud, is an abomination unto the Lord; though hand join in hand, he shall not be unpunished.* Prov. xi. 2: *When pride cometh, then cometh shame; but with the lowly is wisdom.* Thus Isaiah xl. 3: (where the coming of the Messias is shewed forth, for preparation towards his kingdom): *The voice of him that cried in the wilderness, was this: Prepare ye the way of the Lord, make straight in the desert a highway for our God. Every valley shall be exalted, and every mountain and hill shall be made low: which doubtless is spoken to men, and not to mountains.*

12. But that same equity, which we proved in the ninth place to be a law of nature, which commands every man to allow the same rights to others they would be allowed themselves, and which contains in it all the other laws besides, is the same which Moses sets down (Levit. xix. 18): *Thou shalt love thy neighbour as thyself.* And our Saviour calls it *the sum of the moral law*: Matth. xxii. 36–40: *Master, which is the great commandment in the law? Jesus said unto him, Thou shalt love the*

privileges that he himself enjoyeth; and attribute unto him, whatsoever he looketh should be attributed unto himself; which is no more but that he should be humble, meek, and contented with equality.

7. And that in distributing of right amongst equals, that distribution is to be made according to the proportions of the numbers, which is the giving of *æqualia æqualibus*, and *proportionalia proportionalibus*; we have Numb. 26, 53, 54, the commandment of God to Moses: *Thou shalt divide the land according to the number of names; to many thou shalt give more, to few thou shalt give less, to every one according to his number.* That decision by lot is a means of peace, Prov. 18, 18: *The lot causeth contention to cease, and maketh partition among the mighty.*

Lord thy God with all thine heart, and with all thy soul, and with all thy mind; this is the first and great commandment; and the second is like unto it, Thou shalt love thy neighbour as thyself. On these two commandments hang all the law and the prophets. But to love our neighbour as ourselves, is nothing else but to grant him all we desire to have granted to ourselves.

13. By the tenth law respect of persons is forbid; as also by these places following: Matth. v. 45: *That ye may be children of your Father which is in heaven; for he maketh the sun to rise on the evil, and on the good, &c.* Coloss. iii. 11: *There is neither Greek nor Jew, circumcision nor uncircumcision, barbarian or Scythian, bond or free, but Christ is all, and in all.* Acts x. 34: *Of a truth I perceive that God is no respecter of persons.* 2 Chron. xix. 7: *There is no iniquity with the Lord our God, nor respect of persons, nor taking of gifts.* Ecclesiasticus xxxv. 12: *The Lord is Judge, and with him is no respect of persons.* Rom. ii. 11: *For there is no respect of persons with God.*

14. The eleventh law, which commands those things to be held in common which cannot be divided, I know not whether there be any express place in Scripture for it or not; but the practice appears every where, in the common use of wells, ways, rivers, sacred things, &c; for else men could not live.

15. We said in the twelfth place, that it was a law of nature, that where things could neither be divided nor possessed in common, they should be disposed by lot. Which is confirmed, as by the example of Moses who, by God's command (Numb. xxvi. 55), divided the several parts of the land of promise unto the tribes by lot: so (Acts i. 24) by the example of the Apostles, who received Matthias before Justus into their number, by casting lots, and saying, *Thou, Lord, who knowest the hearts of all men, show whether of these two thou hast chosen, &c.* Prov. xvi. 33: *The lot is cast into the lap, but the whole disposing thereof is of the Lord.* And, which is the thirteenth law, the succession was due unto Esau, as being the first born of Isaac; if himself had not sold it (Gen. xxv. 33), or that the father had not otherwise appointed.

16. St. Paul, writing to the Corinthians (1 Epist. vi), reprehends the Corinthians of that city for going to law one with another before infidel judges, who were their enemies: calling it a fault, that they would not rather take wrong, and suffer themselves to be defrauded; for that is against that law, whereby we are commanded to be helpful to each other. But if it happen the controversy be concerning things necessary, what is to be done? Therefore the Apostle (verse 5) speaks

thus: *I speak to your shame. Is it so, that there is not one wise man among you, no, not one that shall be able to judge between his brethren?* He therefore, by those words, confirms that law of nature which we called the fifteenth, to wit, where controversies cannot be avoided; there by the consent of parties to appoint some arbiter, and him some third man; so as (which is the sixteenth law) neither of the parties may be judge in his own cause.

17. But that the judge or arbiter must receive no reward for his sentence, which is the seventeenth law appears, Exod. xxiii. 8: *Thou shalt take no gift; for the gift blindeth the wise, and perverteth the words of the righteous.* Ecclesiasticus xx. 29: *Presents and gifts blind the eyes of the wise.* Whence it follows, that he must not be more obliged to one part than the other; which is the nineteenth law; and is also confirmed, Deut. i. 17: *Ye shall not respect persons in judgment, ye shall hear the small as well as the great;* and in all those places which are brought against respect of persons.

18. That in the judgment of fact witnesses must be had, which is the eighteenth law, the Scripture not only confirms, but requires more than one. Deut. xvii. 6: *At the mouth of two witnesses, or three witnesses, shall he that is worthy of death be put to death.* The same is repeated Deut. xix. 15.

19. Drunkenness, which we have therefore in the last place numbered among the breaches of the natural law, because it hinders the use of right reason, is also forbid in Sacred Scripture for the same reason. Prov. xx. 1: *Wine is a mocker, strong drink is raging, whosoever is deceived thereby is not wise.* And Prov. xxxi. 4, 5: *It is not for kings to drink wine, lest they drink and forget the law, and pervert the judgment of any of the afflicted.* But that we might know that the malice of this vice consisted not formally in the quantity of the drink, but in that it destroys judgment and reason, it follows in the next verse: *Give strong drink to him that is ready to perish, and wine to those that be heavy of heart. Let him drink and forget his poverty, and remember his misery no more.* Christ useth the same reason in prohibiting drunkenness (Luke xxi. 34): *Take heed to yourselves, lest at any time your hearts be overcharged with surfeiting and drunkenness.*

4. That the law of nature is unalterable, is intimated by this, that the priesthood of Melchisedec is everlasting; and by the words of our Saviour, Matth. 5, 18: *Heaven and earth shall pass away, but one jot or tittle of the law shall not pass till all things be fulfilled.*

20. That we said in the foregoing chapter, the law of nature is eternal, is also proved out of Matth. v. 18: *Verily I say unto you, till heaven and earth pass, one jot or one tittle shall in no wise pass from the law;* and Psalm cxix. 160: *Every one of thy righteous judgments endureth for ever.*

10. It is also manifest by the Scriptures, that these laws concern only the tribunal of our conscience; and that the actions contrary to them, shall be no farther punished by God Almighty, than as they proceed from negligence and contempt. And first, that these laws are made to the conscience, appeareth, Matth. 5, 20: *For I say unto you, except your righteousness exceed the righteousness of the Scribes and Pharisees, ye shall not enter into the kingdom of heaven.* Now the Pharisees were the most exact amongst the Jews in the external performance; they therefore must want the sincerity of conscience; else could not our Saviour have required a greater righteousness than theirs. For the same reason our Saviour Christ saith: *The publican departed from the temple justified, rather than the Pharisee.* And Christ saith: *His yoke is easy, and his burden light;* which proceeded from this, that Christ required no more than our best endeavour. And Rom. 14, 23: *He that doubteth, is condemned, if he eat.* And in innumerable places both in the Old and New Testament, God Almighty declar-eth, that he taketh the will for the deed, both in good and evil actions. By all which it plainly appears, that the divine law is dictated to the conscience. On the other side it is no less plain: that how many and how heinous actions soever a man commit through infirmity, he shall nevertheless, whensoever he shall condemn the same in his own conscience, be freed from the punishments that to such actions otherwise belong. For, *At what time soever a sinner doth repent him of his sins from the bottom of his heart, I will put all his iniquities out of my remembrance, saith the Lord.*

9. Further, the rule of men concerning the law of nature, *Quod tibi fieri non vis, alteri ne feceris*, is confirmed by the like, Matth. 7, 12: *Whatsoever therefore you would have men do unto you, that do you unto them: for this is the law and the prophets.* And Rom. 2, 1: *In that thou judgest another, thou condemnest thyself, &c.*

21. We also said, that the laws of nature had regard chiefly unto conscience; that is, that he is just, who by all possible endeavour strives to fulfil them. And although a man should order all his actions so much as belongs to external obedience just as the law commands, but not for the law's sake, but by reason of some punishment annexed unto it, or out of vain glory; yet he is unjust. Both these are proved by the Holy Scriptures. The first (Isaiah lv.7): *Let the wicked forsake his way, and the unrighteous man his thoughts, and let him return unto the Lord, and he will have mercy upon him; and to our God, for he will abundantly pardon.* Ezek. xviii. 31: *Cast away from you all your transgressions whereby you have transgressed, and make you a new heart and a new spirit; for why will you die, O House of Israel?* By which, and the like places, we may sufficiently understand that God will not punish their deeds whose heart is right. The second, out of Isaiah xxix. 13, 14: *The Lord said, forasmuch as this people draw near me with their mouth, and with their lips do honour me, but have removed their hearts far from me, therefore I will proceed, &c.* Matth. v. 20: *Except your righteousness shall exceed the righteousness of the Scribes and Pharisees, ye shall in no case enter into the kingdom of heaven.* And in the following verses, our Saviour explains to them how that the commands of God are broken, not by deeds only, but also by the will. For the Scribes and Pharisees did in outward act observe the law most exactly, but for glory's sake only; else they would as readily have broken it. There are innumerable places of Scripture in which is most manifestly declared, that God accepts the will for the deed, and that as well in good as in evil actions.

22. That the law of nature is easily kept, Christ himself declares (Matth. xi. 28, 29, 30): *Come unto me, &c. Take my yoke upon you, and learn of me, &c; for my yoke is easy, and my burden light.*

23. Lastly, the rule by which I said any man might know, whether what he was doing were contrary to the law or not, to wit, what thou wouldst not be done to, do not that to another; is almost in the self-same words delivered by our Saviour (Matth. vii. 12): *Therefore all things whatsoever ye would that men should do unto you, do you even so to them.*

12. Finally, there is no law of natural reason, that can be against the law divine; for God Almighty hath given reason to a man to be a light unto him. And I hope it is no impiety to think, that God Almighty will require a strict account thereof, at the day of judgment, as of the instructions which we were to follow in our peregrination here; notwithstanding the opposition and affronts of supernaturalists now-a-days, to rational and moral conversation.

24. As the law of nature is all of it divine, so the law of Christ by conversion (which is wholly explained in the v. vi. and vii. chapters of St. Matthew's Gospel), is all of it also (except that one commandment, of not marrying her who is put away for adultery; which Christ brought for explication of the divine positive law, against the Jews, who did not rightly interpret the Mosaical law) the doctrine of nature. I say, the whole law of Christ is explained in the fore-named chapters, not the whole doctrine of Christ; for faith is a part of Christian doctrine, which is not comprehended under the title of a law. For laws are made and given in reference to such actions as follow our will; not in order to our opinions and belief, which being out of our power, follow not the will.

CHAPTER 16

Chapter 19 of *The Elements of Law* /
Chapter 5 of *De Cive* / Chapter 17 of *Leviathan*

Précis table

Part I. Concerning men as persons natural	Part II. Of Dominion	Part II. OF COMMON-WEALTH
Chapter 19. Of the necessity and definition of a body politic	Chapter 5. Of the causes and first original of civil government	Chapter 17. Of the Causes, Generation, and Definition of a COMMON-WEALTH
See 20.6	See 6.4	1. The End of Common-wealth, particular Security:
1. That men notwithstanding these laws are still in the state of war, till they have security one against another 2. The law of nature in war, is nothing but honour	1. That the laws of nature are not sufficient to preserve peace 2. That the laws of nature, in the state of nature, are silent	2. Which is not to be had from the Law of Nature:
3. No security without the concord of many	3. That the security of living according to the laws of nature, consists in the concord of many persons	3. Nor from the conjunction of a few men or families:
4. That concord of many cannot be maintained without power to keep them all in awe	4. That the concord of many persons is not constant enough for a lasting peace	4. Nor from a great Multitude, unlesse directed by one judgement: 5. And that continually
5. The cause why concord remaineth in a multitude of some irrational creatures, and not of men	5. The reason why the government of certain brute creatures stands firm in concord only, and why not of men	6. Why certain creatures without reason, or speech, do neverthelesse live in Society, without any coërcive Power 7-12.
6. That union is necessary for the maintaining of concord 7. How union is made 8. Body politic defined	6. That not only consent, but union also, is required to establish the peace of men 7. What union is 8. In union, the right of all men is conveyed to one 9. What civil society is	13. The Generation of a Common-wealth; The Definition of a Common-wealth
9. Corporation defined	10. What a civil person is	See Ch. 22. Of SYSTEMES Subject, Politicall and Private
10. Sovereign and subject defined	11. What it is to have the supreme power, and what to be a subject	14. Sovereigne, and Subject, what
11. Two sorts of bodies politic, patrimonial and commonwealth	12. Two kinds of cities, natural, and by institution	15.

Part I. Concerning men as persons natural

Chapter 19. Of the necessity and definition of a body politic

See 20.6

1. IN chapt. 12, sect. 16, it hath been shewed, that the opinions men have of the rewards and punishments which are to follow their actions, are the causes that make and govern the will to those actions. In this estate of man therefore, wherein all men are equal, and every man allowed to be his own judge, the fears they have one of another are equal, and every man's hopes consist in his own sleight and strength; and consequently when any man by his natural passion, is provoked to break these laws of nature, there is no security in any other man of his own defence but anticipation. And for this cause, every man's right (howsoever he be inclined to peace) of doing whatsoever seemeth good in his own eyes, remaineth with him still, as the necessary means of his preservation. And therefore till there be security amongst men for the keeping

Part II. Of Dominion

Chapter 5. Of the causes and first original of civil government

See 6.4

1. It is of itself manifest that the actions of men proceed from the will, and the will from hope and fear, insomuch as when they shall see a greater good or less evil likely to happen to them by the breach than observation of the laws, they will wittingly violate them. The hope therefore which each man hath of his security and self-preservation, consists in this, that by force or craft he may disappoint his neighbour, either openly or by stratagem. Whence we may understand, that the natural laws, though well understood, do not instantly secure any man in their practice; and consequently, that as long as there is no caution had from the invasion of others, there remains to every man that same primitive right of self-defence by such means as either he can or will make use of, that is, a right to all things, or the right of war. And it is sufficient for the

Part II. OF COMMON-WEALTH

Chapter 17. Of the Causes, Generation, and Definition of a COMMON-WEALTH

1. THE finall Cause, End, or Designe of men, (who naturally love Liberty, and Dominion over others,) in the introduction of that restraint upon themselves, (in which wee see them live in Commonwealths,) is the foresight of their own preservation, and of a more contented life thereby; that is to say, of getting themselves out from that miserable condition of Warre, which is necessarily consequent (as hath been shewn) to the naturall Passions of men, when there is no visible Power to keep them in awe, and tye them by feare of punishment to the performance of their Covenants, and observation of those Lawes of Nature set down in the fourteenth and fifteenth Chapters. Chap. 13

2. For the Lawes of Nature (as *Justice, Equity, Modesty, Mercy*, and (in summe) *doing to others, as wee would be done to,*) of themselves, without the terrour of some Power, to cause them to be observed, are contrary to our naturall Passions, that carry us to Partiality, Pride, Revenge, and the like. And Covenants, without the Sword, are but Words, and of no strength to secure a man at all. Therefore notwithstanding the Lawes of Nature, (which every one hath then kept, when he has the will to keep them, when he can do it safely,) if there be no Power erected, or not great enough for our security; every man will and may lawfully rely on his own strength and art, for caution against all other men. And in all places, where men have lived by small Families, to robbe and spoyle one another, has been a Trade, and so farre from being reputed against the Law of Nature, that the greater spoyles

of the law of nature one towards another, men are still in the estate of war, and nothing is unlawful to any man that tendeth to his own safety or commodity; and this safety and commodity consisteth in the mutual aid and help of one another, whereby also followeth the mutual fear of one another.

2. It is a proverbial saying, *inter arma silent leges*. There is little therefore to be said concerning the laws that men are to observe one towards another in time of war, wherein every man's being and well-being is the rule of his actions. Yet thus much the law of nature commandeth in war: that men satiate not the cruelty of their present passions, whereby in their own conscience they foresee no benefit to come. For that betrayeth not a necessity, but a disposition of the mind to war, which is against the law of nature. And in old time we read that rapine was a trade of life, wherein nevertheless many of them that used it, did not only spare the lives of those they invaded, but left them also such things, as were necessary to preserve that life which they had given them; as namely their oxen and instruments for tillage, though they carried away all their other cattle and substance. And as the rapine itself was warranted in the law of nature, by the want of security otherwise to maintain themselves; so the exercise of cruelty was forbidden by the same law of nature, unless fear suggested anything to the contrary. For nothing but fear can justify the taking away of another's life. And because fear can hardly be made manifest, but by some action dishonourable, that bewrayeth the conscience of one's own weakness; all men in whom the passion of courage or magnanimity have been predominant, have abstained from cruelty; insomuch that though there be in war

fulfilling of the natural law, that a man be prepared in mind to embrace peace when it may be had.

2. It is a trite saying, that all laws are silent in the time of war, and it is a true one, not only if we speak of the civil, but also of the natural laws, provided they be referred not to the mind, but to the actions of men, by chap. iii. art. 27. And we mean such a war, as is of all men against all men; such as is the mere state of nature; although in the war of nation against nation, a certain mean was wont to be observed. And therefore in old time, there was a manner of living, and as it were a certain economy, which they called *ληστροικήν*, living by rapine; which was neither against the law of nature (things then so standing), nor void of glory to those who exercised it with valour, not with cruelty. Their custom was, taking away the rest, to spare life, and abstain from oxen fit for plough, and every instrument serviceable to husbandry. Which yet is not so to be taken, as if they were bound to do thus by the law of nature; but that they had regard to their own glory herein, lest by too much cruelty they might be suspected guilty of fear.

they gained, the greater was their honour; and men observed no other Lawes therein, but the Lawes of Honour; that is, to abstain from cruelty, leaving to men their lives, and instruments of husbandry. And as small Familyes did then; so now do Cities and Kingdomes which are but greater Familyes (for their own security) enlarge their Dominions, upon all pretences of danger, and fear of Invasion, or assistance that may be given to Invaders, endeavour as much as they can, to subdue, or weaken their neighbours, by open force, and secret arts, for want of other Caution, justly; and are remembered for it in after ages with honour.

no law, the breach whereof is injury, yet there are those laws, the breach whereof is dishonour. In one word, therefore, the only law of actions in war is honour; and the right of war providence.

3. And seeing mutual aid is necessary for defence, as mutual fear is necessary for peace; we are to consider how great aids are required for such defence, and for the causing of such mutual fear, as men may not easily adventure on one another. And first it is evident: that the mutual aid of two or three men is of very little security; for the odds on the other side, of a man or two, giveth sufficient encouragement to an assault. And therefore before men have sufficient security in the help of one another, their number must be so great, that the odds of a few which the enemy may have, be no certain and sensible advantage.

4. And supposing how great a number soever of men assembled together for their mutual defence, yet shall not the effect follow, unless they all direct their actions to one and the same end; which direction to one and the same end is that which, chap. 12, sect. 7, is called consent. This consent (or concord) amongst so many men, though it may be made by the fear of a present invader, or by the hope of a present conquest, or booty; and endure as long as that action endureth; nevertheless, by the diversity of judgments and passions in so many men contending naturally for honour

3. Since therefore the exercise of the natural law is necessary for the preservation of peace, and that for the exercise of the natural law security is no less necessary; it is worth the considering what that is which affords such a security. For this matter nothing else can be imagined, but that each man provide himself of such meet helps, as the invasion of one on the other may be rendered so dangerous, as either of them may think it better to refrain than to meddle. But first, it is plain that the consent of two or three cannot make good such a security; because that the addition but of one, or some few on the other side, is sufficient to make the victory undoubtedly sure, and heartens the enemy to attack us. It is therefore necessary, to the end the security sought for may be obtained, that the number of them who conspire in a mutual assistance be so great, that the accession of some few to the enemy's party may not prove to them a matter of moment sufficient to assure the victory.

4. Furthermore, how great soever the number of them is who meet on self-defence, if yet they agree not among themselves of some excellent means whereby to compass this, but every man after his own manner shall make use of his endeavours, nothing will be done; because that, divided in their opinions, they will be a hinderance to each other; or if they agree well enough to some one action, through hope of victory, spoil, or revenge, yet afterward, through diversity of wits and counsels, or emulation and envy, with which men naturally contend, they will be so torn

3. Nor is it the joyning together of a small number of men, that gives them this security; because in small numbers, small additions on the one side or the other, make the advantage of strength so great, as is sufficient to carry the Victory; and therefore gives encouragement to an Invasion. The Multitude sufficient to confide in for our Security, is not determined by any certain number, but by comparison with the Enemy we feare; and is then sufficient, when the odds of the Enemy is not of so visible and conspicuous moment, to determine the event of warre, as to move him to attempt.

4. And be there never so great a Multitude; yet if their actions be directed according to their particular judgments, and particular appetites, they can expect thereby no defence, nor protection, neither against a Common enemy, nor against the injuries of one another. For being distracted in opinions concerning the best use and application of their strength, they do not help, but hinder one another; and reduce their strength by mutual opposition to nothing; whereby they are easily, not onely subdued by a very few that agree together;

and advantage one above another: it is impossible, not only that their consent to aid each other against an enemy, but also that the peace should last between themselves, without some mutual and common fear to rule them.

and rent, as they will neither give mutual help nor desire peace, except they be constrained to it by some common fear. Whence it follows that the consent of many, (which consists in this only, as we have already defined in the foregoing section, that they direct all their actions to the same end and the common good), that is to say, that the society proceeding from mutual help only, yields not that security which they seek for, who meet and agree in the exercise of the above-named laws of nature; but that somewhat else must be done, that those who have once consented for the common good to peace and mutual help, may by fear be restrained lest afterwards they again dissent, when their private interest shall appear discrepant from the common good.

but also when there is no common enemy, they make warre upon each other, for their particular interests. For if we could suppose a great Multitude of men to consent in the observation of Justice, and other Lawes of Nature, without a common Power to keep them all in awe; we might as well suppose all Man-kind to do the same; and then there neither would be, nor need to be any Civill Government, or Common-wealth at all; because there would be Peace without subjection.

5. Nor is it enough for the security, which men desire should last all the time of their life, that they be governed, and directed by one judgement, for a limited time; as in one Battell, or one Warre. For though they obtain a Victory by their unanimous endeavour against a forraign enemy; yet afterwards, when either they have no common enemy, or he that by one part is held for an enemy, is by another part held for a friend, they must needs by the difference of their interests dissolve, and fall again into a Warre amongst themselves.

5. But contrary hereunto may be objected, the experience we have of certain living creatures irrational, that nevertheless continually live in such good order and government, for their common benefit, and are so free from sedition and war amongst themselves, that for peace, profit, and defence, nothing more can be imaginable. And the experience we have in this, is in that little creature the bee, which is therefore reckoned amongst *animalia politica*. Why therefore may not men, that foresee the benefit of concord, continually maintain the same without compulsion, as well as they? To which I answer, that amongst other living creatures, there is no question of precedence in their

5. Aristotle reckons among those animals which he calls politic, not man only, but divers others, as the ant, the bee, &c.; which, though they be destitute of reason, by which they may contract and submit to government, notwithstanding by consenting, that is to say, ensuing or eschewing the same things, they so direct their actions to a common end, that their meetings are not obnoxious unto any seditions. Yet is not their gathering together a civil government, and therefore those animals not to be termed political; because their government is only a consent, or many wills concurring in one object, not (as is necessary in civil government) one will. It is very true, that in those creatures

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

7. First, that men are continually in competition for Honour and Dignity, which these creatures are not; and consequently amongst men there ariseth on that ground, Envy and Hatred, and finally Warre; but amongst these not so.

own species, nor strife about honour or acknowledgment of one another's wisdom, as there is amongst men; from whence arise envy and hatred of one towards another, and from thence sedition and war. Secondly, those living creatures aim every one at peace and food common to them all; men aim at dominion, superiority, and private wealth, which are distinct in every man, and breed contention. Thirdly, those living creatures that are without reason, have not learning enough to espy, or to think they espy, any defect in the government; and therefore are contented therewith; but in a multitude of men, there are always some that think themselves wiser than the rest, and strive to alter what they think amiss; and divers of them strive to alter divers ways; and that causeth war. Fourthly, they want speech, and are therefore unable to instigate one another to faction, which men want not. Fifthly, they have no conception of right and wrong, but only of pleasure and pain, and therefore also no censure of one another, nor of their commander, as long as they are themselves at ease; whereas men that make themselves judges of right and wrong, are then least at quiet, when they are most at ease. Lastly, natural concord, such as is amongst those creatures, is the work of God by the way of nature; but concord amongst men is artificial, and by way of covenant. And therefore no wonder if such irrational creatures, as govern themselves in multitude, do it much more firmly than mankind, that do it by arbitrary institution.

living only by sense and appetite, their consent of minds is so durable, as there is no need of anything more to secure it, and by consequence to preserve peace among them, than barely their natural inclination. But among men the case is otherwise. For, first, among them there is a contestation of honour and preferment; among beasts there is none: whence hatred and envy, out of which arise sedition and war, is among men; among beasts no such matter. Next, the natural appetite of bees, and the like creatures, is conformable; and they desire the common good, which among them differs not from their private. But man scarce esteems anything good, which hath not somewhat of eminence in the enjoyment, more than that which others do possess. Thirdly, those creatures which are void of reason, see no defect, or think they see none, in the administration of their commonweals; but in a multitude of men there are many who, supposing themselves wiser than others, endeavour to innovate, and divers innovators innovate divers ways; which is a mere distraction and civil war. Fourthly, these brute creatures, howsoever they may have the use of their voice to signify their affections to each other, yet want they that same art of words which is necessarily required to those motions in the mind, whereby good is represented to it as being better, and evil as worse than in truth it is. But the tongue of man is a trumpet of war and sedition: and it is reported of Pericles, that he sometimes by his elegant speeches thundered and lightened, and confounded whole Greece itself. Fifthly, they cannot distinguish between *injury* and *harm*; thence it happens that as long as it is well with them, they blame not their fellows. But those men are of most trouble to the republic, who have

8. Secondly, that amongst these creatures, the Common good differeth not from the Private; and being by nature enclined to their private, they procure thereby the common benefit. But man, whose Joy consisteth in comparing himselfe with other men, can relish nothing but what is eminent.

9. Thirdly, that these creatures, having not (as man) the use of reason, do not see, nor think they see any fault, in the administration of their common business: whereas amongst men, there are very many, that thinke themselves wiser, and abler to govern the Publique, better than the rest; and these strive to reforme and innovate, one this way, another that way; and thereby bring it into Distraction and Civill warre.

10. Fourthly, that these creatures, though they have some use of voice, in making knowne to one another their desires, and other affections; yet they want that art of words, by which some men can represent to others, that which is Good, in the likenesse of Evill; and Evill, in the likenesse of Good; and augment, or diminish the apparent greatness of Good and Evill; discontenting men, and troubling their Peace at their pleasure.

11. Fifthly, irrationall creatures cannot distinguish betweene *Injury*, and *Damage*; and therefore as long as they be at ease, they are not offended with their fellowes: whereas Man is then most troublesome, when he is most at ease: for then it is that he loves to shew his Wisdome, and controule the Actions of them that governe the Commonwealth.

12. Lastly, the agreement of these creatures is Naturall; that of men, is by Covenant only, which is Artificiall: and

most leisure to be idle; for they use not to contend for public places, before they have gotten the victory over hunger and cold. Last of all, the consent of those brutal creatures is natural; that of men by compact only, that is to say, artificial. It is therefore no matter of wonder, if somewhat more be needful for men to the end they may live in peace. Wherefore consent or contracted society, without some common power whereby particular men may be ruled through fear of punishment, doth not suffice to make up that security, which is requisite to the exercise of natural justice.

6. It remaineth therefore still that consent (by which I understand the concurrence of many men's wills to one action) is not sufficient security for their common peace, without the erection of some common power, by the fear whereof they may be compelled both to keep the peace amongst themselves, and to join their strengths together, against a common enemy. And that this may be done, there is no way imaginable, but only union; which is defined chapt. 12, sect. 8 to be the involving or including the wills of many in the will of one man, or in the will of the greatest part of any one number of men, that is to say, in the will of one man, or of one COUNCIL; for a council is nothing else but an assembly of men deliberating concerning something common to them all.

7. The making of union consisteth in this, that every man by covenant oblige himself to some one and the same man, or to some one and the same council, by them all named and determined, to do those actions, which the said man or council shall command them to do; and to do no action which he or they shall forbid, or command them not to do. And farther: in case it be a council whose commands they covenant to

6. Since therefore the conspiring of many wills to the same end doth not suffice to preserve peace, and to make a lasting defence, it is requisite that, in those necessary matters which concern peace and self-defence, there be but one will of all men. But this cannot be done, unless every man will so subject his will to some other one, to wit, either man or council, that whatsoever his will is in those things which are necessary to the common peace, it be received for the wills of all men in general, and of every one in particular. Now the gathering together of many men, who deliberate of what is to be done or not to be done for the common good of all men, is that which I call a *council*.

7. This submission of the wills of all those men to the will of one man or one council, is then made, when each one of them obligeth himself by contract to every one of the rest, not to resist the will of that one man or council, to which he hath submitted himself; that is, that he refuse him not the use of his wealth and strength against any others whatsoever; for he is supposed still to retain a right of defending himself against violence: and this is called *union*. But we understand that to be the will of the council, which is the will of

therefore it is no wonder if there be somewhat else required (besides covenant) to make their Agreement constant and lasting; which is a Common Power, to keep them in awe, and to direct their actions to the Common Benefit.

13. The only way to erect such a Common Power, as may be able to defend them from the invasion of Forraigners, and the injuries of one another, and thereby to secure them in such sort, as that by their owne industrie, and by the fruites of the Earth, they may nourish themselves and live contentedly; is, to conferre all their power and strength upon one Man, or upon one Assembly of men, that may reduce all their Wills, by plurality of voices, unto one Will: which is as much as to say, to appoint one man, or Assembly of men, to beare their Person; and every one to owne, and acknowledge himselfe to be Author of whatsoever he that so beareth their Person, shall Act, or cause to be Acted, in those things which concerne the Common Peace and Safetie; and therein to submit their Wills, every one to his Will, and their Judgements, to his Judgment. This is more than Consent, or Concord; it is a reall Unitie of them all, in one and the same Person, made by Covenant of every man with every man, in such manner, as if every man should say to every man, *I Authorise and give up my Right of Governing my selfe, to this Man, or to this Assembly of men, on this condition, that thou give up thy Right to him, and Authorise all his Actions in like manner*. This done, the Multitude so

obey, that then also they covenant, that every man shall hold that for the command of the whole council, which is the command of the greater part of those men, whereof such council consisteth. And though the will of man, being not voluntary, but the beginning of voluntary actions, is not subject to deliberation and covenant; yet when a man covenanteth to subject his will to the command of another, he obligeth himself to this, that he resign his strength and means to him, whom he covenanteth to obey; and hereby, he that is to command may by the use of all their means and strength, be able by the terror thereof, to frame the will of them all to unity and concord amongst themselves.

8. This union so made, is that which men call now-a-days a BODY POLITIC or civil society; and the Greeks call it *πόλις*, that is to say, a city; which may be defined to be a multitude of men, united as one person by a common power, for their common peace, defence, and benefit.

9. And as this union into a city or body politic, is instituted with common power over all the particular persons, or members thereof, to the common good of them all; so also may there be amongst a multitude of those members, instituted a subordinate union of certain men, for certain common actions to be done by those men for some common benefit of theirs, or of the whole city; as for subordinate government, for counsel, for trade, and the like. And these subordinate bodies politic are usually called CORPORATIONS; and their

the major part of those men of whom the council consists.

8. But though the will itself be not voluntary, but only the beginning of voluntary actions; (for we will not to will, but to act); and therefore falls least of all under deliberation and compact; yet he who submits his will to the will of another, conveys to that other the right of his strength and faculties. Insomuch as when the rest have done the same, he to whom they have submitted, hath so much power, as by the terror of it he can conform the wills of particular men unto unity and concord.

9. Now union thus made, is called a city or civil society; and also a civil person. For when there is one will of all men, it is to be esteemed for one person; and by the word *one*, it is to be known and distinguished from all particular men, as having its own rights and properties. Insomuch as neither any one citizen, nor all of them together, (if we except him, whose will stands for the will of all), is to be accounted a city. A *city* therefore, (that we may define it), is *one person*, whose will, by the compact of many men, is to be received for the will of them all; so as he may use all the power and faculties of each particular person to the maintenance of peace, and for common defence.

10. But although every city be a civil person, yet every civil person is not a city; for it may happen that many citizens, by the permission of the city, may join together in one person, for the doing of certain things. These now will be civil persons; as the companies of merchants, and many other convents. But cities they are not, because they have not submitted themselves to the will of the company simply and in all things, but in certain things only determined by the city, and on such terms as it is lawful for any one of them to contend in

united in one Person, is called a COMMON-WEALTH, in latine CIVITAS. This is the Generation of that great LEVIATHAN, or rather (to speake more reverently) of that *Mortall God*, to which wee owe under the *Immortall God*, our peace and defence. For by this Authority, given him by every particular man in the Common-Wealth, he hath the use of so much Power and Strength conferred on him, that by terror thereof, he is inabled to forme the wills of them all, to Peace at home, and mutuall ayd against their enemies abroad. And in him consisteth the Essence of the Common-wealth; which (to define it,) is *One Person, of whose Acts a great Multitude, by mutuall Covenants one with another, have made themselves every one the Author, to the end he may use the strength and means of them all, as he shall think expedient, for their Peace and Common Defence.*

See Ch. 22. *Of SYSTEMES Subject, Politicall and Private*

power such over the particulars of their own society, as the whole city whereof they are members have allowed them.

10. In all cities or bodies politic not subordinate, but independent, that one man or one council, to whom the particular members have given that common power, is called their SOVEREIGN, and his power the sovereign power; which consisteth in the power and the strength that every of the members have transferred to him from themselves, by covenant. And because it is impossible for any man really to transfer his own strength to another, or for that other to receive it; it is to be understood: that to transfer a man's power and strength, is no more but to lay by or relinquish his own right of resisting him to whom he so transferreth it. And every member of the body politic, is called a SUBJECT (viz.), to the sovereign.

11. The cause in general which moveth a man to become subject to another, is (as I have said already) the fear of not otherwise preserving himself. And a man may subject himself to him that invadeth, or may invade him, for fear of him; or men may join amongst themselves to subject themselves to such as they shall agree upon for fear of others. And when many men subject themselves the former way, there ariseth thence a body politic, as it were naturally; from whence proceedeth dominion, paternal and despotic. And when they subject themselves the other way, by mutual agreement amongst many: the body politic they make, is for the most part called a commonwealth, in distinction from the former, though the name be the general name for them both. And I shall speak in the first place of commonwealths, and afterward of bodies politic patrimonial, and despotical.

judgment against the body itself of the sodality; which is by no means allowable to a citizen against the city. Such like societies, therefore, are civil persons subordinate to the city.

11. In every city, that man or council, to whose will each particular man hath subjected his will so as hath been declared, is said to have the *supreme power*, or *chief command*, or *dominion*. Which power and right of commanding, consists in this, that each citizen hath conveyed all his strength and power to that man or council; which to have done, because no man can transfer his power in a natural manner, is nothing else than to have parted with his right of resisting. Each citizen, as also every subordinate civil person, is called the *subject* of him who hath the chief command.

12. By what hath been said, it is sufficiently showed in what manner and by what degrees many natural persons, through desire of preserving themselves and by mutual fear, have grown together into a civil person, whom we have called a *city*. But they who submit themselves to another for fear, either submit to him whom they fear, or some other whom they confide in for protection. They act according to the first manner, who are vanquished in war, that they may not be slain; they according to the second, who are not yet overcome, that they may not be overcome. The first manner receives its beginning from natural power, and may be called the natural beginning of a city; the latter from the council and constitution of those who meet together, which is a beginning by institution. Hence it is that there are two kinds of cities; the one natural, such as the paternal and

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

15. The attaining to this Sovereigne Power, is by two ways. One, by Natural force; as when a man maketh his children, to submit themselves, and their children to his government, as being able to destroy them if they refuse; or by Warre subdueth his enemies to his will, giving them their lives on that condition. The other, is when men agree amongst themselves, to submit to some Man, or Assembly of men, voluntarily, on confidence to be protected by him against all others. This later, may be called a Politicall Common-wealth or Common-wealth by *Institution*; and the former, a Common-wealth by *Acquisition*. And first, I shall speak of a Common-wealth by Institution.

despotical; the other institutive, which may be also called political. In the first, the lord acquires to himself such citizens as he will; in the other, the citizens by their own wills appoint a lord over themselves, whether he be one man or one company of men, endued with the command in chief. But we will speak, in the first place, of a city political or by institution; and next, of a city natural.

CHAPTER 17

Chapter 20 of *The Elements of Law* /
Chapter 6 of *De Cive* / Chapter 18 of *Leviathan*

Précis table

Part II. Concerning men as a body politic	Part II. Of Dominion	Part II. OF COMMON-WEALTH
Chapter 20. Of the requisites to the constitution of a commonwealth	Chapter 6. Of the right, whether we consider it in an assembly or in one person, which he hath who is endued with supreme authority	Chapter 18. Of the RIGHTS of Sovereignes by Institution
1. Introduction		
2. A multitude before their union is not one person, nor doth any one act to which every particular man assenteth not expressly See 21.11	1. There can no right be attributed to a multitude out of civil society, nor any action to which they have not under seal consented	
3. Express consent of every particular required at first to give right to the major part to involve the whole. Democracy, aristocracy, monarchy	2. The right of the greater number consenting, is the beginning of a city 7.1	1. The act of Instituting a Common-wealth, what 5. 3. No man can without injustice protest against the Institution of the Sovereigne declared by the major part 19.1
		2. The Consequences to such Institution, are
		3. 1. The Subjects cannot change the forme of government
21.2 and 7	7.7, 9 and 12	4. 2. Sovereigne Power cannot be forfeited
21.3	7.14	6. 4. The Sovereignes Actions cannot be justly accused by the Subject
12. Sovereign power includeth impunity	12. Whatsoever he doth is unpunishable	7. 5. What soever the Sovereigne doth, is unpunishable by the Subject
4. Democratical, aristocratical, and monarchical union may be instituted for ever, or for a limited time		

5. Without security no private right relinquished	3. That every man retains a right to protect himself according to his own free will, so long as there is no sufficient regard had to his security	8. 6. The Sovereigne is judge of what is necessary for the Peace and Defence of his Subjects
6. Covenants of government, without power of coercion, are no security	4. That a coercive power is necessary to secure us	See 17.1
7. Power coercive consisteth in not resisting him that hath it	5. What the sword of justice is 6. That the sword of justice belongs to him, who hath the chief command	14. 11. And of Rewarding, and Punishing, and that (where no former Law hath determined the measure of it) arbitrary:
8. The sword of war is in the same hand, in which is the sword of justice	7. That the sword of war belongs to him also	12. 9. And of making War, and Peace, as he shall think best:
9. Decision in all debates, both judicial and deliberative, annexed to the sword	8. All judicature belongs to him too	11. To him also belongeth the Right of all Judicature and decision of Controversies:
10. Laws civil defined, the making of them annexed to the sword	9. The legislative power is his only	10. 7. The right of making Rules, whereby the Subjects may every man know what is so his owne, as no other Subject can without injustice take it from him
11. Appointment of magistrates and public ministers annexed to the same	10. The naming of magistrates and other officers of the city belongs to him	13. 10. And of choosing all Counsellours, and Ministers, both of Peace, and Warre:
	11. Also the examination of all doctrines	9. And Judge of what Doctrines are fit to be taught them
		15. 12. And of Honour and Order
13. A supposed commonwealth, where laws are made first, and the commonwealth after	13. The command his citizens have granted is absolute, and what proportion of obedience is due to him 17. The opinion of those who would constitute a city, where there should not be any one endued with an absolute power	20. Sovereigne Power not so hurtfull as the want of it, and the hurt proceeds for the greatest part from not submitting readily, to a lesse
14. The same refelled 15. Mixed forms of government supposed in sovereignty 16. That refelled	See 7.4	See 29.16
17. Mixed government hath place in the administration of the commonwealth, under the sovereign		
		17. And can by no Grant passe away without direct renouncing of the Sovereign Power

		18. The Power and Honour of Subjects vanisheth in the presence of the Power Sovereign
		19.
18. Reason and experience to prove absolute sovereignty somewhere in all commonwealths	14. That the laws of the city bind him not 15. That no man can challenge a propriety to anything against his will 16. By the laws of the city only we come to know what theft, murder, adultery, and injury is	
19. Some principal and most infallible marks of sovereignty	18. The marks of supreme authority	16. These Rights are indivisible
	19. If a city be compared with a man, he that hath the supreme power is in order to the city, as the human soul is in relation to the man	Cf. THE INTRODUCTION, ¶ 1
	20. That the supreme command cannot by right be dissolved through their consents, by whose compacts it was first constituted	See 17.13

Part II. Concerning men as a body politic

Chapter 20. Of the requisites to the constitution of a commonwealth

1. THAT part of this treatise which is already past, hath been wholly spent in the consideration of the natural power, and the natural estate of man; namely of his cognition and passions in the first eleven chapters; and how from thence proceed his actions in the twelfth; how men know one another's minds in the thirteenth; in what estate men's passions set them in the fourteenth; what estate they are directed unto by the dictates of reason, that is to say, what be the principal articles of the law of nature, in the 15, 16, 17, 18. And lastly how a

Part II. Of Dominion

Chapter 6. Of the right, whether we consider it in an assembly or in one person, which he hath who is endued with supreme authority

Part II. OF COMMON-WEALTH

Chapter 18. Of the RIGHTS of Sovereignes by Institution

multitude of persons natural are united by covenants into one person civil, or body politic. In this part therefore shall be considered, the nature of a body politic, and the laws thereof, otherwise called civil laws. And whereas it hath been said in the last chapter, and last section of the former part, that there be two ways of erecting a body politic; one by arbitrary institution of many men assembled together, which is like a creation out of nothing by human wit; the other by compulsion, which is as it were a generation thereof out of natural force; I shall first speak of such erection of a body politic, as proceedeth from the assembly and consent of a multitude.

2. Having in this place to consider a multitude of men, about to unite themselves into a body politic, for their security, both against one another, and against common enemies, and that by covenants; the knowledge of what covenants they must needs make, dependeth on the knowledge of the persons, and the knowledge of their end. First, for their persons they are many, and (as yet) not one; nor can any action done in a multitude of people met together, be attributed to the multitude, or truly called the action of the multitude, unless every man's hand, and every man's will, (not so much as one excepted) have concurred thereto. For multitude,

1. WE must consider, first of all, what a multitude* of men, gathering themselves of their own free wills into society, is; namely, that it is not any one body, but many men, whereof each one hath his own will and his peculiar judgment concerning all things that may be proposed. And though by particular contracts each single man may have his own right and propriety, so as one may say *this is mine*, the other, *that is his*; yet will there not be anything of which the whole multitude, as a person distinct from a single man, can rightly say, *this is mine*, more than another's. Neither must we ascribe any action to the multitude, as its own; but if all or

* *Multitude*, &c.] The doctrine of the power of a city over its citizens, almost wholly depends on the understanding of the difference which is between a multitude of men ruling, and a multitude ruled. For such is the nature of a city, that a multitude or company of citizens not only may have command, but may also be subject to command; but in diverse senses. Which difference I did believe was clearly enough explained in the first article; but by the objections of many against those things which follow, I discern otherwise. Wherefore it seemed good to me, to the end I might make a fuller explication, to add these few things.

By multitude, because it is a collective word, we understand more than one: so as a multitude of men is the same with many men. The same word, because it is of the singular number, signifies one thing; namely, one multitude. But in neither sense can a multitude be understood to have one will given to it by nature, but to each a several; and therefore neither is any one action whatsoever to be attributed to it. Wherefore a multitude cannot promise, contract, acquire right, convey right, act, have, possess, and the like, unless it be every one apart, and man by man; so as there must be as many promises, compacts, rights, and actions, as men. Wherefore a multitude is no natural person. But if the same multitude do contract one with another, that the will of one man, or the agreeing wills of the major part of them, shall be received for the will of all; then it becomes one person. For it is endued with a will, and therefore can do voluntary actions, such as are commanding, making laws, acquiring and transferring of right, and so forth; and it is oftener called the people, than the multitude. We must therefore distinguish thus. When we say the people or multitude wills, commands, or doth anything, it is understood that the city which commands, wills and acts by the will of one, or the concurring wills of more; which cannot be done but in an assembly. But as oft as anything is said to be done by a multitude of men, whether great or small, without the will of that man or assembly of men, that is understood to be done by a subjected people; that is, by many single citizens together; and not proceeding from one will, but from diverse wills of diverse men, who are citizens and subjects, but not a city.

though in their persons they run together, yet they concur not always in their designs. For even at that time when men are in tumult, though they agree a number of them to one mischief, and a number of them to another; yet, in the whole, they are amongst themselves in the state of hostility, and not of peace; like the seditious Jews besieged in Jerusalem, that could join against their enemies, and yet fight amongst themselves; whensoever therefore any man saith, that a number of men hath done any act: it is to be understood, that every particular man in that number hath consented thereunto, and not the greatest part only. Secondly, though thus assembled with intention to unite themselves, they are yet in that estate in which every man hath right to everything, and consequently, as hath been said, chapt. 14, sect. 10, in an estate of enjoying nothing: and therefore *meum* and *tuum* hath no place amongst them.

See 21.11

3. The first thing therefore they are to do, is expressly every man to consent to something by which they may come nearer to their ends; which can be nothing else imaginable but this: that they allow the wills of the major part of their whole number, or the wills of the major part of some certain number of men by them determined and named; or lastly the will of some one man, to involve and be taken for the wills of every man. And this done they are united, and a body politic. And if the major part of their whole number be supposed to involve the wills of all the particulars, then are they said to be a DEMOCRACY, that is to say a government wherein the whole number, or so many of them as please, being assembled together, are the sovereign, and every particular man a subject. If the major part of a certain number of men named or distinguished

more of them do agree, it will not be an action, but as many actions as men. For although in some great sedition, it is commonly said, that the people of that city have taken up arms; yet is it true of those only who are in arms, or who consent to them. For the city, which is one person, cannot take up arms against itself. Whatsoever, therefore, is done by the multitude, must be understood to be done by every one of those by whom it is made up; and that he, who being in the multitude, and yet consented not, nor gave any helps to the things that were done by it, must be judged to have done nothing. Besides, in a multitude not yet reduced into one person, in that manner as hath been said, there remains that same state of nature in which all things belong to all men; and there is no place for *meum* and *tuum*, which is called dominion and propriety, by reason that that security is not yet extant, which we have declared above to be necessarily requisite for the practice of the natural laws.

2. Next, we must consider that every one of the multitude, by whose means there may be a beginning to make up the city, must agree with the rest, that in those matters which shall be propounded by any one in the assembly, that be received for the will of all, which the major part shall approve of; for otherwise there will be no will at all of a multitude of men, whose wills and votes differ so variously. Now, if any one will not consent, the rest, notwithstanding, shall among themselves constitute the city without him. Whence it will come to pass, that the city retains its primitive right against the dissenter; that is, the right of war, as against an enemy.

1. A *Common-wealth* is said to be *Instituted*, when a *Multitude* of men do Agree, and *Covenant*, every one, with every one, that to whatsoever *Man*, or *Assembly of Men*, shall be given by the major part, the *Right to Present* the Person of them all, (that is to say, to be their *Representative*;) every one, as well he that *Voted for it*, as he that *Voted against it*, shall *Authorise* all the Actions and Judgements, of that Man, or Assembly of men, in the same manner, as if they were his own, to the end, to live peaceably amongst themselves, and be protected against other men.

5. Thirdly, because the major part hath by consenting voices declared a Sovereign; he that dissented must now consent with the rest; that is, be contented to avow all the actions he shall do, or else justly be destroyed by the rest. For

from the rest, be supposed to involve the wills of every one of the particulars, then are they said to be an OLIGARCHY, or ARISTOCRACY; which two words signify the same thing, together with the divers passions of those that use them; for when the men that be in that office please, they are called an aristocracy, otherwise an oligarchy; wherein those, the major part of which declare the wills of the whole multitude, being assembled, are the sovereign, and every man severally a subject. Lastly if their consent be such, that the will of one man, whom they name, shall stand for the wills of them all, then is their government or union called a MONARCHY; and that one man the sovereign, and every of the rest a subject.

7.1

if he voluntarily entered into the Congregation of them that were assembled, he sufficiently declared thereby his will (and therefore tacitely covenanted) to stand to what the major part should ordayne: and therefore if he refuse to stand thereto, or make Protestation against any of their Decrees, he does contrary to his Covenant, and therefore unjustly. And whether he be of the Congregation, or not; and whether his consent be asked, or not, he must either submit to their decrees, or be left in the condition of warre he was in before; wherein he might without injustice be destroyed by any man whatsoever.

19.1

2. From this Institution of a Commonwealth are derived all the *Rights*, and *Facultyes* of him, or them, on whom the Sovereigne Power is conferred by the consent of the People assembled.

3. First, because they Covenant, it is to be understood, they are not obliged by former Covenant to any thing repugnant hereunto. And Consequently they that have already Instituted a Common-wealth, being thereby bound by Covenant, to own the Actions, and Judgements of one, cannot lawfully make a new Covenant, amongst themselves, to be obedient to any other, in any thing whatsoever, without his permission. And therefore, they that are subjects to a Monarch, cannot without his leave cast off Monarchy, and return to the confusion of a disunited Multitude; nor transferre their Person from him that beareth it, to another Man, or other Assembly of men: for they are bound, every man to every man, to Own, and be reputed Author of all, that he that already is their Sovereigne, shall do, and judge fit to be done: so that any

one man dissenting, all the rest should break their Covenant made to that man, which is injustice: and they have also every man given the Sovereignty to him that beareth their Person; and therefore if they depose him, they take from him that which is his own, and so again it is injustice. Besides, if he that attempteth to depose his Sovereign, be killed, or punished by him for such attempt, he is author of his own punishment, as being by the Institution, Author of all his Sovereign shall do: And because it is injustice for a man to do any thing, for which he may be punished by his own authority, he is also upon that title, unjust. And whereas some men have pretended for their disobedience to their Sovereign, a new Covenant, made, not with men, but with God; this also is unjust: for there is no Covenant with God, but by mediation of some body that representeth Gods Person; which none doth but Gods Lieutenant, who hath the Sovereignty under God. But this pretence of Covenant with God, is so evident a lye, even in the pretenders own consciences, that it is not onely an act of an unjust, but also of a vile, and unmanly disposition.

21.2 and 7

7.7, 9 and 12

4. Secondly, Because the Right of bearing the Person of them all, is given to him they make Sovereigne, by Covenant onely of one to another, and not of him to any of them; there can happen no breach of Covenant on the part of the Sovereigne; and consequently none of his Subjects, by any pretence of forfeiture, can be freed from his Subjection. That he which is made Sovereigne maketh no Covenant with his Subjects before-hand, is manifest; because either he must make it with the whole multitude, as one party to the Covenant; or he must make a severall Covenant with every man. With the whole, as one party, it is impossible; because as yet they are not one Person: and if he make so many severall Covenants as there be

men, those Covenants after he hath the Sovereignty are voyd, because what act soever can be pretended by any one of them for breach thereof, is the act both of himselfe, and of all the rest, because done in the Person, and by the Right of every one of them in particular. Besides, if any one, or more of them, pretend a breach of the Covenant made by the Sovereigne at his Institution; and others, or one other of his Subjects, or himselfe alone, pretend there was no such breach, there is in this case, no Judge to decide the controversie: it returns therefore to the Sword again; and every man recovereth the right of Protecting himselfe by his own strength, contrary to the designe they had in the Institution. It is therefore in vain to grant Sovereignty by way of precedent Covenant. The opinion that any Monarch receiveth his Power by Covenant, that is to say on Condition, proceedeth from want of understanding this easie truth, that Covenants being but words, and breath, have no force to oblige, contain, constrain, or protect any man, but what it has from the publique Sword; that is, from the untyed hands of that Man, or Assembly of men that hath the Sovereignty, and whose actions are avouched by them all, and performed by the strength of them all, in him united. But when an Assembly of men is made Sovereigne; then no man imagineth any such Covenant to have past in the Institution; for no man is so dull as to say, for example, the People of *Rome*, made a Covenant with the Romans, to hold the Sovereignty on such or such conditions; which not performed, the Romans might lawfully depose the Roman People. That men see not the reason to be alike in a Monarchy, and in a Popular Government, proceedeth from the ambition of some, that are kinder to the government of an Assembly, whereof they may hope to participate, than of Monarchy, which they despair to enjoy.

21.3

12. And: forasmuch as the right to use the forces of every particular member, is transferred from themselves, to their sovereign; a man will easily fall upon this conclusion of himself: that to sovereign power (whatsoever it doth) there belongeth impunity.

4. And those several sorts of unions, governments, and subjections of man's will, may be understood to be made, either absolutely, that is to say, for all future time, or for a time limited only. But forasmuch as we speak here of a body politic, instituted for the perpetual benefit and defence of them that make it; which therefore men desire should last for ever, I will omit to speak of those that be temporary, and consider those that be for ever.

7.14

12. Last of all, from this consideration, that each citizen hath submitted his will to his who hath the supreme command in the city, so as he may not employ his strength against him; it follows manifestly, that whatsoever shall be done by him who commands, must not be punished. For as he who hath not power enough, cannot punish him naturally, so neither can he punish him by right, who by right hath not sufficient power.

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

7. Fifthly, and consequently to that which was sayd last, no man that hath Sovereign power can justly be put to death, or otherwise in any manner by his Subjects punished. For seeing every Subject is Author of the actions of his Sovereign; he punisheth another, for the actions committed by himselfe.

5. The end for which one man giveth up, and relinquisheth to another, or others, the right of protecting and defending himself by his own power, is the security which he expecteth thereby, of protection and defence from those to whom he doth so relinquish it. And a man may then account himself in the estate of security, when he can foresee no violence to be done unto him, from which the doer may not be deterred by the power of that sovereign, to whom they have every one subjected themselves; and without that security there is no reason for a man to deprive himself of his own advantages, and make himself a prey to others. And therefore when there is not such a sovereign power erected, as may afford this security; it is to be understood that every man's right of doing whatsoever seemeth good in his own eyes, remaineth still with him. And contrariwise, where any subject hath right by his own judgment and discretion, to make use of his force; it is to be understood that every man hath the like, and consequently that there is no commonwealth at all established. How far therefore in the making of a commonwealth, a man subjecteth his will to the power of others, must appear from the end, namely security. For whatsoever is necessary to be by covenant transferred for the attaining thereof, so much is transferred, or else every man is in his natural liberty to secure himself.

6. Covenants agreed upon by every man assembled for the making of a commonwealth, and put in writing without erecting of a power of coercion, are no reasonable security for any of them that so covenant, nor are to be called laws; and leave men still in the estate of nature and hostility. For seeing the wills of most men are governed only by fear, and where there is no power of coercion, there is no fear; the wills of most men will

3. But because we said in the foregoing chapter, the sixth article, that there was required to the security of men, not only their consent, but also the subjection of their wills in such things as were necessary to peace and defence; and that in that union and subjection the nature of a city consisted; we must discern now in this place, out of those things which may be propounded, discussed, and stated in an assembly of men, all whose wills are contained in the will of the major part, what things are necessary to peace and common defence. But first of all, it is necessary to peace, that a man be so far forth protected against the violence of others, that he may live securely; that is, that he may have no just cause to fear others, so long as he doth them no injury. Indeed, to make men altogether safe from mutual harms, so as they cannot be hurt or injuriously killed, is impossible; and, therefore, comes not within deliberation. But care may be had, there be no just cause of fear; for security is the end wherefore men submit themselves to others; which if it be not had, no man is supposed to have submitted himself to aught, or to have quitted his right to all things, before that there was a care had of his security.

4. It is not enough to obtain this security, that every one of those who are now growing up into a city, do covenant with the rest, either by words or writing, *not to steal, not to kill*, and to observe the like laws; for the pravity of human disposition is manifest to all, and by experience too well known how little (removing the punishment) men are kept to their duties through conscience of their promises. We must therefore provide for our security, not by compacts,

8. And because the End of this Institution, is the Peace and Defence of them all; and whosoever has right to the End, has right to the Means; it belongeth of Right, to whatsoever Man, or Assembly that hath the Sovereignty, to be Judge both of the meanes of Peace and Defence; and also of the hindrances, and disturbances of the same; and to do whatsoever he shall think necessary to be done, both before hand, for the preserving of Peace and Security, by prevention of Discord at home and Hostility from abroad; and, when Peace and Security are lost, for the recovery of the same. And therefore,

See 17.1

follow their passions of covetousness, lust, anger, and the like, to the breaking of those covenants, whereby the rest, also, who otherwise would keep them, are set at liberty, and have no law but from themselves.

7. This power of coercion, as hath been said chapt. 15, sect. 3, of the former part, consisteth in the transferring of every man's right of resistance against him to whom he hath transferred the power of coercion. It followeth therefore, that no man in any commonwealth whatsoever hath right to resist him, or them, on whom they have conferred this power coercive, or (as men use to call it) the sword of justice; supposing the not-resistance possible. For (Part I. chapter 15, sect. 18) covenants bind but to the utmost of our endeavour.

8. And forasmuch as they who are amongst themselves in security, by the means of this sword of justice that keeps them all in awe, are nevertheless in danger of enemies from without; if there be not some means found, to unite their strengths and natural forces in the resistance of such enemies, their peace amongst themselves is but in vain. And therefore it is to be understood as a covenant of every member to contribute their several forces for the defence of the whole; whereby to make one power as sufficient, as is possible, for their defence. Now seeing that every man hath already transferred the use of his strength to him or them, that have the sword of justice; it followeth

but by punishments; and there is then sufficient provision made, when there are so great punishments appointed for every injury, as apparently it prove a greater evil to have done it, than not to have done it. For all men, by a necessity of nature, choose that which to them appears to be the less evil.

5. Now, the right of punishing is then understood to be given to any one, when every man contracts not to assist him who is to be punished. But I will call this right, *the sword of justice*. But these kind of contracts men observe well enough, for the most part, till either themselves or their near friends are to suffer.

6. Because, therefore, for the security of particular men, and, by consequence, for the common peace, it is necessary that the right of using the sword for punishment be transferred to some man or council; that man or council is necessarily understood by right to have the supreme power in the city. For he that by right punisheth at his own discretion, by right compels all men to all things which he himself wills; than which a greater command cannot be imagined.

7. But in vain do they worship peace at home, who cannot defend themselves against foreigners; neither is it possible for them to protect themselves against foreigners, whose forces are not united. And therefore it is necessary for the preservation of particulars, that there be some one council or one man, who hath the right to arm, to gather together, to unite so many citizens, in all dangers and on all occasions, as shall be needful for common defence against the certain number and strength of the enemy; and again, as often as he shall find it expedient, to make peace with them. We must understand, therefore, that particular citizens have conveyed their whole right of war and peace unto some

14. Eleventhly, to the Sovereign is committed the Power of Rewarding with riches, or honour; and of Punishing with corporall, or pecuniary punishment, or with ignominy every Subject according to the Law he hath formerly made; or if there be no Law made, according as he shall judge most to conduce to the encouraging of men to serve the Common-wealth, or deterring of them from doing dis-service to the same.

12. Ninthly, is annexed to the Sovereignty, the Right of making Warre, and Peace with other Nations, and Common-wealths; that is to say, of Judging when it is for the publique good, and how great forces are to be assembled, armed, and payd for that end; and to levy mony upon the Subjects, to defray the expenses thereof. For the Power by which the people are to be defended, consisteth in their Armies; and the strength of an Army, in the union of their strength under one Command; which Command the Sovereign Instituted, therefore hath; because the command of the *Militia*, without other Institution, maketh him that hath it Sovereign. And therefore whosoever is

that the power of defence, that is to say the sword of war, be in the same hands wherein is the sword of justice: and consequently those two swords are but one, and that inseparably and essentially annexed to the sovereign power.

9. Moreover seeing to have the right of the sword, is nothing else but to have the use thereof depending only on the judgment and discretion of him or them that have it; it followeth that the power of judicature (in all controversies, wherein the sword of justice is to be used) and (in all deliberations concerning war, wherein the use of that sword is required), the right of resolving and determining what is to be done, belong to the same sovereign.

10. Farther: considering it is no less, but much more necessary to prevent violence and rapine, than to punish the same when it is committed; and all violence proceedeth from controversies that arise between men concerning *meum* and *tuum*, right and wrong, good and bad, and the like, which men use every one to measure by their own judgments; it belongeth also to the judgment of the same sovereign power, to set forth and make known the common measure by which every man is to know what is his, and what another's; what is good, and what bad; and what he ought to do, and what not; and to command the same to be observed. And these measures of the actions of the subjects

one man or council; and that this right, which we may call *the sword of war*, belongs to the same man or council, to whom the sword of justice belongs. For no man can by right compel citizens to take up arms and be at the expenses of war, but he who by right can punish him who doth not obey. Both swords therefore, as well this of war as that of justice, even by the constitution itself of a city and essentially do belong to the chief command.

8. But because the right of the sword, is nothing else but to have power by right to use the sword at his own will, it follows, that the judgment of its right use pertains to the same party; for if the power of judging were in one, and the power of executing in another, nothing would be done. For in vain would he give judgment, who could not execute his commands; or, if he executed them by the power of another, he himself is not said to have the power of the sword, but that other, to whom he is only an officer. All judgment therefore, in a city, belongs to him who hath the swords; that is, to him who hath the supreme authority.

9. Furthermore, since it no less, nay, it much more conduceth to peace, to prevent brawls from arising than to appease them being risen; and that all controversies are bred from hence, that the opinions of men differ concerning *meum* and *tuum*, *just* and *unjust*, *profitable* and *unprofitable*, *good* and *evil*, *honest* and *dishonest*, and the like; which every man esteems according to his own judgment: it belongs to the same chief power to make some common rules for all men, and to declare them publicly, by which every man may know what may be called his, what another's, what just, what unjust, what honest, what dishonest, what good, what evil; that is summarily, what is

made Generall of an Army, he that hath the Sovereign Power is always Generallissimo.

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

10. Seventhly, is annexed to the Sovereignty, the whole power of prescribing the Rules, whereby every man may know, what Goods he may enjoy and what Actions he may doe, without being molested by any of his fellow Subjects: And this is it men call *Propriety*. For before constitution of Sovereign Power (as hath already been shewn) all men had right to all things; which necessarily causeth Warre: and therefore this Propriety, being necessary to Peace, and depending on Sovereign Power, is the Act of that Power, in order to the publique peace. These Rules of Propriety (or *Meum* and *Tuum*) and of *Good*, *Evill*, *Lawfull*, and *Unlawfull* in the actions of Subjects, are the Civill

are those which men call LAWS POLITIC, or civil. The making whereof must of right belong to him that hath the power of the sword, by which men are compelled to observe them; for otherwise they should be made in vain.

11. Furthermore: seeing it is impossible that any one man that hath such sovereign power, can be able in person to hear and determine all controversies, to be present at all deliberations concerning common good, and to execute and perform all those common actions that belong thereunto, whereby there will be necessity of magistrates and ministers of public affairs; it is consequent, that the appointment, nomination, and limitation of the same, be understood as an inseparable part of the same sovereignty, to which the sum of all judicature and execution hath been already annexed.

to be done, what to be avoided in our common course of life. But those rules and measures are usually called the civil laws, or the laws of the city, as being the commands of him who hath the supreme power in the city. And the *civil laws* (that we may define them) are nothing else but *the commands of him who hath the chief authority in the city, for direction of the future actions of his citizens.*

10. Furthermore, since the affairs of the city, both those of war and peace, cannot possibly be all administered by one man or one council without officers and subordinate magistrates; and that it appertaineth to peace and common defence, that they to whom it belongs justly to judge of controversies, to search into neighbouring councils, prudently to wage war, and on all hands warily to attend the benefit of the city, should also rightly exercise their offices; it is consonant to reason that they depend on, and be chosen by him who hath the chief command both in war and in peace.

11. It is also manifest, that all voluntary actions have their beginning from, and necessarily depend on the will; and that the will of doing or omitting aught, depends on the opinion of the good and evil, of the reward or punishment which a man conceives he shall receive by the act or omission: so as the actions of all men are ruled by the opinions of each. Wherefore, by evident and necessary inference, we may understand that it very much concerns the interest of peace, that no opinions or doctrines be delivered to citizens, by which they may imagine that either by right they may not obey the laws of the city, that is, the commands of that man or council to whom the supreme power is committed, or that it is lawful to resist him, or that a less punishment

Laws, that is to say, the Lawes of each Commonwealth in particular; though the name of Civill Law be now restrained to the antient Civill Lawes of the City of *Rome*; which being the head of a great part of the World, her Lawes at that time were in these parts the Civill Law.

13. Tenthly, is annexed to the Sovereignty, the choosing of all Councellours, Ministers, Magistrates, and Officers, both in Peace, and War. For seeing the Sovereign is charged with the End, which is the common Peace and Defence; he is understood to have Power to use such Means, as he shall think most fit for his discharge.

9. Sixtly, it is annexed to the Sovereignty, to be Judge of what Opinions and Doctrines are averse, and what conducing to Peace; and consequently, on what occasions, how farre, and what, men are to be trusted withall, in speaking to Multitudes of people; and who shall examine the Doctrines of all bookes before they be published. For the Actions of men proceed from their Opinions; and in the well governing of Opinions, consisteth the well governing of mens Actions, in order to their Peace, and Concord. And though in matter of Doctrine, nothing ought to be regarded but the Truth; yet this is not repugnant to regulating of the same by Peace. For Doctrine repugnant to Peace, can no more be True, than Peace and Concord can be against the Law of Nature. It is

remains for him that denies, than for him that yields obedience. For if one command somewhat to be done under penalty of natural death, another forbid it under pain of eternal death, and both by their own right, it will follow that the citizens, although innocent, are not only by right punishable, but that the city itself is altogether dissolved. For no man can serve two masters; nor is he less, but rather more a master, whom we believe we are to obey for fear of damnation, than he whom we obey for fear of temporal death. It follows therefore that this one, whether man or court, to whom the city hath committed the supreme power, have also this right; that he both judge what opinions* and doctrines are enemies unto peace, and also that he forbid them to be taught.

true, that in a Common-wealth, where by the negligence, or unskilfullnesse of Governours, and Teachers, false Doctrines are by time generally received; the contrary Truths may be generally offensive: Yet the most sudden, and rough bustling in of a new Truth, that can be, does never breake the Peace, but only sometimes awake the Warre. For those men that are so remissely governed, that they dare take up Armes, to defend, or introduce an Opinion, are still in Warre; and their condition not Peace, but only a Cessation of Armes for feare of one another; and they live as it were, in the procincts of battaile continually. It belongeth therefore to him that hath the Sovereign Power, to be Judge, or constitute all Judges of Opinions and Doctrines, as a thing necessary to Peace; therby to prevent Discord and Civill Warre.

15. Lastly, considering what values men are naturally apt to set upon themselves; what respect they look for from others; and how little they value other men; from whence continually arise amongst them, Emulation, Quarrells, Factions, and at last Warre, to the destroying of one another, and diminution of their strength against a Common Enemy; It is necessary that there be Lawes of Honour, and a publike rate of the worth of such men as have deserved, or are able to deserve well of the Common-wealth; and that there be force in the hands of

* *Judge what opinions, &c.*] There is scarce any principle, neither in the worship of God nor in human sciences, from whence there may not spring dissensions, discords, reproaches, and by degrees war itself. Neither doth this happen by reason of the falsehood of the principle, but of the disposition of men, who, seeming wise to themselves, will needs appear such to all others. But though such dissensions cannot be hindered from arising, yet may they be restrained by the exercise of the supreme power, that they prove no hindrance to the public peace. Of these kinds of opinions, therefore, I have not spoken in this place. There are certain doctrines wherewith subjects being tainted, they verily believe that obedience may be refused to the city, and that by right they may, nay ought, to oppose and fight against chief princes and dignities. Such are those which, whether directly and openly, or more obscurely and by consequence, require obedience to be given to others beside them to whom the supreme authority is committed. I deny not but this reflects on that power which many, living under other government, ascribe to the chief head of the Church of Rome, and also on that which elsewhere, out of that Church, bishops require in their's to be given to them; and last of all, on that liberty which the lower sort of citizens, under pretence of religion, do challenge to themselves. For what civil war was there ever in the Christian world, which did not either grow from, or was nourished by this root? The judgment therefore of doctrines, whether they be repugnant to civil obedience or not, and if they be repugnant, the power of prohibiting them to be taught, I do here attribute to the civil authority. For since there is no man who grants not to the city the judgment of those things which belong to its peace and defence, and it is manifest that the opinions which I have already recited do relate to its peace; it follows necessarily, that the examination of those opinions, whether they be such or not, must be referred to the city; that is, to him who hath the supreme authority.

13. The sum of these rights of sovereignty, namely the absolute use of the sword in peace and war, the making and abrogating of laws, supreme judicature and decision in all debates judicial and deliberative, the nomination of all magistrates and ministers, with other rights contained in the same, make the sovereign power no less absolute in the commonwealth, than before commonwealth every man was absolute in himself to do, or not to do, what he thought good; which men that have not had the experience of that miserable estate, to which men are reduced by long war, think so hard a condition that they cannot easily acknowledge, such covenants and subjection, on their parts, as are here set down, to have been ever necessary

13. It is most manifest by what hath been said, that in every perfect city, that is, where no citizen hath right to use his faculties at his own discretion for the preservation of himself, or where the right of the private sword is excluded; there is a supreme power in some one, greater than which cannot by right be conferred by men, or greater than which no mortal man can have over himself. But that power, greater than which cannot by men be conveyed on a man, we call *absolute*.^{*} For whosoever hath so submitted his will to the will of the city, that he can, unpunished, do any thing, make laws, judge controversies, set penalties, make use at his own pleasure of the strength and wealth of men, and all this by right; truly he hath given him the

some or other, to put those Lawes in execution. But it hath already been shewn, that not onely the whole *Militia*, or forces of the Common-wealth; but also the Judicature of all Controversies, is annexed to the Sovereignty. To the Sovereign therefore it belongeth also to give titles of Honour; and to appoint what Order of place, and dignity, each man shall hold; and what signes of respect, in publique or private meetings, they shall give to one another.

^{*} *Absolute.*] A popular state openly challengeth absolute dominion, and the citizens oppose it not. For, in the gathering together of many men, they acknowledge the face of a city; and even the unskilful understand, that matters there are ruled by council. Yet monarchy is no less a city than democracy; and absolute kings have their counsellors, from whom they will take advice, and suffer their power, in matters of greater consequence, to be guided but not recalled. But it appears not to most men, how a city is contained in the person of a king. And therefore they object against absolute command: first, that if any man had such a right, the condition of the citizens would be miserable. For thus they think; he will take all, spoil all, kill all; and every man counts it his only happiness, that he is not already spoiled and killed. But why should he do thus? Not because he can; for unless he have a mind to it, he will not do it. Will he, to please one or some few, spoil all the rest? First, though by right, that is, without injury to them, he may do it, yet can he not do it justly, that is, without breach of the natural laws and injury against God. And therefore there is some security for subjects in the oaths which princes take. Next, if he could justly do it, or that he made no account of his oath, yet appears there no reason why he should desire it, since he finds no good in it. But it cannot be denied, but a prince may sometimes have an inclination to do wickedly. But grant then, that thou hadst given him a power which were not absolute, but so much only as sufficed to defend thee from the injuries of others; which, if thou wilt be safe, is necessary for thee to give; are not all the same things to be feared? For he that hath strength enough to protect all, wants not sufficiency to oppress all. Here is no other difficulty then, but that human affairs cannot be without some inconvenience. And this inconvenience itself is in the citizens, not in the government. For if men could rule themselves, every man by his own command, that is to say, could they live according to the laws of nature, there would be no need at all of a city, nor of a common coercive power. Secondly, they object, that there is no dominion in the Christian world absolute. Which, indeed, is not true; for all monarchies, and all other states, are so. For although they who have the chief command, do not all those things they would, and what they know profitable to the city; the reason of that is, not the defect of right in them, but the consideration of their citizens, who busied about their private interest, and careless of what tends to the public, cannot sometimes be drawn to perform their duties without the hazard of the city. Wherefore princes sometimes forbear the exercise of their right; and prudently remit somewhat of the act, but nothing of their right.

to their peace. And therefore some have imagined that a commonwealth may be constituted in such manner, as the sovereign power may be so limited, and moderated, as they shall think fit themselves. For example: they suppose a multitude of men to have agreed upon certain articles (which they presently call laws), declaring how they will be governed; and that done to agree farther upon some man, or number of men to see the same articles performed, and put in execution. And to enable him, or them thereunto, they allot unto them a provision limited, as of certain lands, taxes, penalties, and the like, than which (if mis-spent), they shall have no more, without a new consent of the same men that allowed the former. And thus they think they have made a commonwealth, in which it is unlawful for any private man to make use of his own sword for his security; wherein they deceive themselves.

greatest dominion that can be granted. This same may be confirmed by experience, in all the cities which are or ever have been. For though it be sometimes in doubt what man or council hath the chief command, yet ever there is such a command and always exercised, except in the time of sedition and civil war; and then there are two chief commands made out of one. Now, those seditious persons who dispute against absolute authority, do not so much care to destroy it, as to convey it on others: for removing this power, they together take away civil society, and a confusion of all things returns. There is so much obedience joined to this absolute right of the chief ruler, as is necessarily required for the government of the city, that is to say, so much as that right of his may not be granted in vain. Now this kind of obedience, although for some reasons it may sometimes by right be denied, yet because a greater cannot be performed, we will call it *simple*. But the obligation to perform this grows not immediately from that contract, by which we have conveyed all our right on the city; but immediately from hence, that without obedience the city's right would be frustrate, and by consequence there would be no city constituted. For it is one thing if I say, *I give you right to command what you will*; another, if I say, *I will do whatsoever you command*. And the command may be such, as I would rather die than do it. Forasmuch, therefore, as no man can be bound to will being killed, much less is he tied to that which to him is worse than death. If therefore I be commanded to kill myself, I am not bound to do it. For though I deny to do it, yet the right of dominion is not frustrated; since others may be found, who being commanded will not refuse to do it; neither do I refuse to do that, which I have contracted to do. In like manner, if the chief ruler command any man to

kill him, he is not tied to do it; because it cannot be conceived that he made any such covenant. Nor if he command to execute a parent, whether he be innocent or guilty and condemned by the law; since there are others who being commanded will do that, and a son will rather die than live infamous and hated of all the world. There are many other cases in which, since the commands are shameful to be done by some and not by others, obedience may by right be performed by these, and refused by those; and this without breach of that absolute right which was given to the chief ruler. For in no case is the right taken away from him, of slaying those who shall refuse to obey him. But they who thus kill men, although by right given them from him that hath it, yet if they use that right otherwise than right reason requires, they sin against the laws of nature, that is, against God.

17. This same supreme command and absolute power, seems so harsh to the greatest part of men, as they hate the very naming of them; which happens chiefly through want of knowledge, what human nature and the civil laws are; and partly also through their default, who, when they are invested with so great authority, abuse their power to their own lust. That they may therefore avoid this kind of supreme authority, some of them will have a city well enough constituted, if they who shall be the citizens' convening, do agree concerning certain articles propounded, and in that convent agitated and approved, and do command them to be observed, and punishments prescribed to be inflicted on them who shall break them. To which purpose, and also to the repelling of a foreign enemy, they appoint a certain and limited return, with this condition, that if that suffice not, they may call a new convention of estates. Who sees not in a city thus constituted,

20. But a man may here object, that the Condition of Subjects is very miserable; as being obnoxious to the lusts, and other irregular passions of him, or them that have so unlimited a Power in their hands. And commonly they that live under a Monarchy, think it the fault of Monarchy; and they that live under the government of Democracy, or other Sovereign Assembly, attribute all the inconvenience to that forme of Common-wealth; whereas the Power in all formes, if they be perfect enough to protect them, is the same; not considering that the estate of Man can never be without some incommodity or other; and that the greatest, that in any forme of Government can possibly happen to the people in generall, is scarce sensible, in respect of the miseries, and horrible calamities, that accompany a Civill Warre; or that dissolute condition of masterlesse men, without subjection to Lawes, and a coërcive Power to tye their hands from rapine, and revenge: nor

that the assembly who prescribed those things had an absolute power? If therefore the assembly continue, or from time to time have a certain day and place of meeting, that power will be perpetual. But if they wholly dissolve, either the city dissolves with them, and so all is returned to the state of war: or else there is somewhere a power left to punish those who shall transgress the laws, whosoever or how many soever they be that have it; which cannot possibly be without an absolute power. For he that by right hath this might given, by punishments to restrain what citizens he pleaseth, hath such a power as a greater cannot possibly be given by any citizens.

considering that the greatest pressure of Sovereign Governours, proceedeth not from any delight, or profit they can expect in the damage, or weakening of their Subjects, in whose vigor, consisteth their own strength and glory; but in the restiveness of themselves, that unwillingly contributing to their own defence, make it necessary for their Governours to draw from them what they can in time of Peace, that they may have means on any emergent occasion, or sudden need, to resist, or take advantage on their Enemies. For all men are by nature provided of notable multiplying glasses, (that is their Passions and Selfe-love,) through which, every little payment appeareth a great grievance; but are destitute of those prospective glasses, (namely Morall and Civill Science,) to see a farre off the miseries that hang over them, and cannot without such payments be avoyded.

14. For first, if to the revenue, it did necessarily follow that there might be forces raised, and procured at the will of him that hath such revenue; yet since the revenue is limited, so must also be the forces; but limited forces, against the power of an enemy, which we cannot limit, are insufficient. Whensoever therefore there happeneth an invasion greater than those forces are able to resist, and there be no other right to levy more, then is every man, by necessity of nature, allowed to make the best provision he can for himself; and thus is the private sword, and the estate of war again reduced. But seeing revenue, without the right of commanding men, is of no use, neither in peace, nor war; it is necessary to be supposed, that he that hath the administration of those articles, which are in the former section supposed, must have also right to make use of the strengths of particular men; and what reason soever giveth him that right over any one, giveth him the same

over them all. And then is his right absolute; for he that hath right to all their forces, hath right to dispose of the same. Again: supposing those limited forces and revenue, either by the necessary, or negligent use of them, to fail; and that for a supply, the same multitude be again to be assembled, who shall have power to assemble them, that is to compel them to come together? If he that demandeth the supply hath that right (viz.) the right to compel them all; then is his sovereignty absolute: if not, then is every particular man at liberty to come or not; to frame a new commonwealth or not; and so the right of the private sword returneth. But suppose them willingly and of their own accord assembled, to consider of this supply; if now it be still in their choice, whether they shall give it or not, it is also in their choice whether the commonwealth shall stand or not. And therefore there lieth not upon any of them any civil obligation that may hinder them from using force, in case they think it tend to their defence. This device therefore of them that will make civil laws first, and then a civil body afterwards, (as if policy made a body politic, and not a body politic made policy) is of no effect.

15. Others to avoid the hard condition, as they take it, of absolute subjection, (which in hatred thereto they also call slavery) have devised a government as they think mixed of the three sorts of sovereignty. As for example: they suppose the power of making laws given to some great assembly democratical; the power of judicature to some other assembly; and the administration of the laws to a third, or to some one man; and this policy they call mixed monarchy, or mixed aristocracy, or mixed democracy, according as any of these three sorts do most visibly predominate. And in this estate of government they think the use of the private sword excluded.

See 7.4

See 29.16

16. And supposing it were so: how were this condition which they call slavery eased thereby? For in this estate they would have no man allowed, either to be his own judge, or own carver, or to make any laws unto himself; and as long as these three agree, they are as absolutely subject to them, as is a child to the father, or a slave to the master in the state of nature. The ease therefore of this subjection, must consist in the disagreement of those, amongst whom they have distributed the rights of sovereign power. But the same disagreement is war. The division therefore of the sovereignty, either worketh no effect, to the taking away of simple subjection, or introduceth war; wherein the private sword hath place again. But the truth is, as hath been already shewed in 7, 8, 9, 10, 11, 12 precedent sections: the sovereignty is indivisible; and that seeming mixture of several kinds of government, not mixture of the things themselves, but confusion in our understandings, that cannot find out readily to whom we have subjected ourselves.

17. But though the sovereignty be not mixed, but be always either simple democracy, or simple aristocracy, or pure monarchy; nevertheless in the administration thereof, all those sorts of government may have place subordinate. For suppose the sovereign power be democracy, as it was sometimes in Rome, yet at the same time they may have a council aristocratical, such as was the senate; and at the same time they may have a subordinate monarch, such as was their dictator, who had for a time the exercise of the whole sovereignty, and such as are all generals in war. So also in a monarchy there may be a council aristocratical of men chosen by the monarch; or democratical of men chosen by the consent (the monarch permitting) of all the particular men of the commonwealth. And this mixture

is it that imposeth; as if it were the mixture of sovereignty. As if a man should think, because the great council of Venice doth nothing ordinarily but choose magistrates, ministers of state, captains, and governors of towns, ambassadors, counsellors, and the like; that therefore their part of the sovereignty is only choosing of magistrates; and that the making of war, and peace, and laws, were not theirs, but the part of such counsellors as they appointed thereto; whereas it is the part of these to do it but subordinately, the supreme authority thereof being in the great council that choose them.

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

18. This great Authority being Indivisible, and inseparably annexed to the Sovereignty, there is little ground for the opinion of them, that say of Sovereign Kings, though they be *singulis majores*, of greater Power than every one of their Subjects, yet they be *Universis minores*, of lesse power than them all together. For if by *all together*, they mean not the collective body as one person, then *all together*, and *every one*, signifie the same; and the speech is absurd. But if by *all together*, they understand them as one Person (which person the Sovereign bears,) then the power of all together, is the same with the Sovereigns power; and so again the speech is absurd: which absurdity they see well enough, when the Sovereignty

18. And as reason teacheth us, that a man considered out of subjection to laws, and out of all covenants obligatory to others, is free to do, and undo, and deliberate as long as he listeth; every member being obedient to the will of the whole man; that liberty being nothing else but his natural power, without which he is no better than an inanimate creature, not able to help himself; so also it teacheth us: that a body politic of what kind soever, not subject to another, nor obliged by covenants, ought to be free, and in all actions to be assisted by the members, every one in their place, or at the least not resisted by them. For otherwise, the power of a body politic (the essence whereof is the not-resistance of the members) is none, nor a body politic of any benefit. And the same is confirmed by the use of all nations and commonwealths in the world. For what nation is there or commonwealth wherein that man or council, which is virtually the whole, hath not absolute power over every particular member? or what nation or commonwealth is there, that hath not power and right to constitute a general

14. Neither can any man give somewhat to himself; for he is already supposed to have what he can give himself. Nor can he be obliged to himself; for the same party being both *the obliged* and *the obliger*, and the obliger having power to release the obliged, it were merely in vain for a man to be obliged to himself; because he can release himself at his own pleasure, and he that can do this is already actually free. Whence it is plain, that the city is not tied to the civil laws; for the civil laws are the laws of the city, by which, if she were engaged, she should be engaged to herself. Neither can the city be obliged to her citizen; because, if he will, he can free her from her obligation; and he will, as oft as she wills; for the will of every citizen is in all things comprehended in the will of the city; the city therefore is free when she pleaseth, that is, she is now actually free. But the will of a council, or one who hath supreme authority given him, is the will of the city: he therefore contains the wills of all particular citizens. Therefore neither is he bound to the civil laws; for this is to be bound to himself; nor to any of his citizens.

is in an Assembly of the people; but in a Monarch they see it not; and yet the power of Sovereignty is the same in whomsoever it be placed.

19. And as the Power, so also the Honour of the Sovereign, ought to be greater, than that of any, or all the Subjects. For in the Sovereignty is the fountain of Honour. The dignities of Lord, Earle, Duke, and Prince are his Creatures. As in the presence of the Master, the Servants are equall, and without any honour at all; So are the Subjects, in the presence of the Sovereign. And though they shine some more, some lesse, when they are out of his sight; yet in his presence, they shine no more than the Starres in presence of the Sun.

in their wars? But the power of a general is absolute; and consequently there was absolute power in the commonwealth, from whom it was derived. For no person, natural or civil, can transfer unto another more power than himself hath.

15. Now because, as hath been shown above, before the constitution of a city all things belonged to all men; nor is there that thing which any man can so call his, as any other may not, by the same right, claim as his own; for where all things are *common*, there can be nothing *proper* to any man; it follows, that *propriety* received its beginning * when cities received their's, and that that only is *proper* to each man, which he can keep by the laws and the power of the whole city, that is, of him on whom its chief command is conferred. Whence we understand, that each particular citizen hath a *propriety* to which none of his fellow-citizens hath right, because they are tied to the same laws; but he hath no propriety in which the chief ruler (whose commands are the laws, whose will contains the will of each man, and who by every single person is constituted the supreme judge) hath not a right. But although there be many things which the city permits to its citizens, and therefore they may sometimes go to law against their chief; yet is not that action belonging to civil right, but to natural equity. Neither is it concerning what* by right he may do who hath the supreme power, but what he hath been willing should be done; and therefore he shall be judge himself, as though (the equity of the cause being well understood) he could not give wrong judgment.

* *Propriety received its beginning, &c.*] What is objected by some, that the propriety of goods, even before the constitution of cities, was found in fathers of families, that objection is vain; because I have already declared, that a family is a little city. For the sons of a family have a propriety of their goods granted them by their father, distinguished indeed from the rest of the sons of the same family, but not from the propriety of the father himself. But the fathers of divers families, who are subject neither to any common father nor lord, have a common right in all things.

* *What by right he may do, &c.*] As often as a citizen is granted to have an action of law against the supreme, that is, against the city, the question is not in that action, whether the city may by right keep possession of the thing in controversy, but whether by the laws formerly made she would keep it; for the law is the declared will of the supreme. Since then the city may raise money from the citizens under two titles, either as tribute, or as debt; in the former case there is no action of law allowed, for there can be no question whether the city have right to require tribute; in the latter it is allowed, because the city will take nothing from its citizens by fraud or cunning, and yet if need require, all they have, openly. And therefore he that condemns this place, saying, that by this doctrine it is easy for princes to free themselves from their debts, he does it impertinently.

16. Theft, murder, adultery, and all injuries, are forbid by the laws of nature; but what is to be called *theft*, what *murder*, what *adultery*, what *injury* in a citizen, this is not to be determined by the natural, but by the civil law. For not every taking away of the thing which another possesseth, but only another man's goods, is theft; but what is our's, and what another's, is a question belonging to the civil law. In like manner, not every killing of a man is murder, but only that which the civil law forbids; neither is all encounter with women adultery, but only that which the civil law prohibits. Lastly, all breach of promise is an injury, where the promise itself is lawful; but where there is no right to make any compact, there can be no conveyance of it, and therefore there can no injury follow, as hath been said in the second chapter, Article 17. Now what we may contract for, and what not, depends wholly upon the civil laws. The city of Lacedæmon therefore rightly ordered, that those young men who could so take away certain goods from others as not to be caught, should go unpunished; for it was nothing else but to make a law, that what was so acquired should be their own, and not another's. Rightly also is that man everywhere slain, whom we kill in war or by the necessity of self-defence. So also that copulation which in one city is matrimony, in another will be judged adultery. Also those contracts which make up marriage in one citizen, do not so in another, although of the same city; because that he who is forbidden by the city, that is, by that one man or council whose the supreme power is, to contract ought, hath no right to make any contract, and therefore having made any, it is not valid, and by consequence no marriage. But his contract which received no prohibition, was therefore of force, and so was matrimony. Neither

adds it any force to any unlawful contracts, that they were made by an oath or sacrament;* for those add nothing to the strengthening of the contract, as hath been said above, Chap. II. Art. 22. What therefore theft, what murder, what adultery, and in general what injury is, must be known by the civil laws; that is, the commands of him who hath the supreme authority.

19. In every commonwealth where particular men are deprived of their right to protect themselves, there resideth an absolute sovereignty, as I have already showed. But in what man or in what assembly of men the same is placed, is not so manifest, as not to need some marks whereby it may be discerned. And first it is an infallible mark of absolute sovereignty in a man, or in an assembly of men, if there be no right in any other person natural or civil to punish that man, or to dissolve that assembly. For he that cannot of right be punished, cannot of right be resisted; and he that cannot of right be resisted, hath coercive power over all the rest, and thereby can frame and govern their actions at his pleasure; which is absolute sovereignty. Contrariwise he that in a commonwealth is punishable by any, or that assembly that is dissolvable, is not sovereign. For a greater power is always required to punish and dissolve, than theirs who are punished or dissolved; and that power cannot be called sovereign, than which there is a greater. Secondly, that man or assembly, that by their own right not derived from the present right of any other, may make

18. It is therefore manifest, that in every city there is some one man, or council, or court, who by right hath as great a power over each single citizen, as each man hath over himself considered out of that civil state; that is, supreme and absolute, to be limited only by the strength and forces of the city itself, and by nothing else in the world. For if his power were limited, that limitation must necessarily proceed from some greater power. For he that prescribes limits, must have a greater power than he who is confined by them. Now that confining power is either without limit, or is again restrained by some other greater than itself; and so we shall at length arrive to a power, which hath no other limit but that which is the *terminus ultimus* of the forces of all the citizens together. That same is called the supreme command; and if it be committed to a council, a supreme council, but if to one man, the supreme lord of the city. Now the notes of supreme command are these: to make and abrogate laws, to determine war and peace, to know and judge of all controversies, either by himself, or by judges appointed by him; to elect all magistrates, ministers,

16. These are the Rights, which make the Essence of Sovereignty; and which are the markes, whereby a man may discern in what Man, or Assembly of men, the Sovereign Power is placed, and resideth. For these are incommunicable, and inseparable. The Power to coyn Mony; to dispose of the estate and persons of Infant heires; to have præemption in Markets; and all other Statute Prærogatives, may be transferred by the Sovereign; and yet the Power to protect his Subject be retained. But if he transferre the *Militia*, he retains the Judicature in vain, for want of execution of the Lawes; Or if he grant away the Power of raising Mony; the *Militia* is in vain: or if he give away the government of Doctrines, men will be frightened into rebellion with the feare of Spirits. And so if we consider any one of the said Rights, we shall presently see, that the holding of all the rest, will produce no effect, in the conservation of Peace and Justice, the end for which all Common-wealths are Instituted. And this division is it, whereof it is said, *a Kingdome divided in it selfe cannot stand*: For unlesse this division precede, division into opposite Armies can never happen. If

* *That they were made by an oath or sacrament, &c.*] Whether matrimony be a sacrament, (in which sense that word is used by some divines), or not, it is not my purpose to dispute. Only I say, that the legitimate contract of a man and woman to live together, that is, granted by the civil law, whether it be a sacrament or not, is surely a legitimate marriage; but that copulation which the city hath prohibited is no marriage, since it is of the essence of marriage to be a legitimate contract. There were legitimate marriages in many places, as among the Jews, the Grecians, the Romans, which yet might be dissolved. But with those who permit no such contracts but by a law that they shall never be broke, wedlock cannot be dissolved; and the reason is, because the city hath commanded it to be indissoluble, not because matrimony is a sacrament. Wherefore the ceremonies which at weddings are to be performed in the temple, to bless, or, if I may say so, to consecrate the husband and wife, will perhaps belong only to the office of clergymen; all the rest, namely, who, when, and by what contracts marriages may be made, pertains to the laws of the city.

laws, or abrogate them, at his, or their pleasure, have the sovereignty absolute. For seeing the laws they make, are supposed to be made by right, the members of the commonwealth to whom they are made, are obliged to obey them; and consequently not to resist the execution of them; which not-resistance maketh the power absolute of him that ordaineth them. It is likewise a mark of this sovereignty, to have the right original of appointing magistrates, judges, counsellors, and ministers of state. For without that power no act of sovereignty, or government, can be performed. Lastly, and generally: whosoever by his own authority independent can do any act, which another of the same commonwealth may not, must needs be understood to have the sovereign power. For by nature men have equal right; this inequality therefore must proceed from the power of the commonwealth. He therefore that doth any act lawfully by his own authority, which another may not, doth it by the power of the commonwealth in himself; which is absolute sovereignty.

and counsellors. Lastly, if there be any man who by right can do some one action, which is not lawful for any citizen or citizens to do beside himself, that man hath obtained the supreme power. For those things which by right may not be done by any one or many citizens, the city itself can only do. He therefore that doth those things, useth the city's right; which is the supreme power.

there had not first been an opinion received of the greatest part of *England*, that these Powers were divided between the King, and the Lords, and the House of Commons, the people had never been divided, and fallen into this Civill Warre; first between those that disagreed in Politiques; and after between the Dissenters about the liberty of Religion; which have so instructed men in this point of Sovereign Right, that there be few now (in *England*;) that do not see, that these Rights are inseparable, and will be so generally acknowledged, at the next return of Peace; and so continue, till their miseries are forgotten; and no longer, except the vulgar be better taught than they have hetherto been.

19. They who compare a city and its citizens with a man and his members, almost all say, that he who hath the supreme power in the city is in relation to the whole city, such as the head is to the whole man. But it appears by what hath been already said, that he who is endued with such a power, whether it be a man or a court, hath a relation to the city, not as that of the head, but of the soul to the body. For it is the soul by which a man hath a will, that is, can either will or nill; so by him who hath the supreme power, and no otherwise, the city hath a will, and can either will or nill. A court of counsellors is rather to be compared with the head, or one counsellor, whose only counsel (if of any one alone) the chief ruler makes use of in matters of greatest moment:

Cf. THE INTRODUCTION, ¶1: For by Art is created that great LEVIATHAN called a COMMON-WEALTH, OR STATE, (in latine CIVITAS) which is but an Artificiall Man; though of greater stature and strength than the Naturall, for whose protection and defence it was intended; and in which, the *Sovereignty* is an Artificiall Soul, as giving life and motion to the whole body; The *Magistrates*, and other *Officers* of Judicature and Execution, artificiall *Joynts*; *Reward* and *Punishment* (by which fastned to the seate of the Sovereignty, every joynt and member is moved to performe his duty) are the *Nerves*, that do the same in the Body Naturall; The *Wealth* and *Riches* of all the particular members, are the *Strength*; *Salus Populi* (the *peoples safety*) its *Businessse*; *Counsellors*, by

for the office of the head is to counsel, as the soul's is to command.

whom all things needfull for it to know, are suggested unto it, are the *Memory*; *Equity* and *Lawes*, an artificiall *Reason* and *Will*; *Concord*, *Health*; *Sedition*, *Sickness*; and *Civill war*, *Death*.

20. Forasmuch as the supreme command is constituted by virtue of the compacts which each single citizen or subject mutually makes with the other; but all contracts, as they receive their force from the contractors, so by their consent they lose it again and are broken: perhaps some may infer hence, that by the consent of all the subjects together the supreme authority may be wholly taken away. Which inference, if it were true, I cannot discern what danger would thence by right arise to the supreme commanders. For since it is supposed that each one hath obliged himself to each other; if any one of them shall refuse, whatsoever the rest shall agree to do, he is bound notwithstanding. Neither can any man without injury to me, do that which by contract made with me he hath obliged himself not to do. But it is not to be imagined that ever it will happen, that all the subjects together, not so much as one excepted, will combine against the supreme power. Wherefore there is no fear for rulers in chief, that by any right they can be despoiled of their authority. If, notwithstanding, it were granted that their right depended only on that contract which each man makes with his fellow-citizen, it might very easily happen that they might be robbed of that dominion under pretence of right. For subjects being called either by the command of the city, or seditiously flocking together, most men think that the consents of all are contained in the votes of the greater part; which in truth is false. For it is not from nature that the consent of the major part should be received for the consent of all, neither is it true in tumults; but it proceeds from civil institution: and is then only true, when that man or court which hath the supreme power,

assembling his subjects, by reason of the greatness of their number allows those that are elected a power of speaking for those who elected them; and will have the major part of voices, in such matters as are by him propounded to be discussed, to be as effectual as the whole. But we cannot imagine that he who is chief, ever convened his subjects with intention that they should dispute his right; unless weary of the burthen of his charge, he declared in plain terms that he renounces and abandons his government. Now, because most men through ignorance esteem not the consent of the major part of citizens only, but even of a very few, provided they be of their opinion, for the consent of the whole city; it may very well seem to them, that the supreme authority may by right be abrogated, so it be done in some great assembly of citizens by the votes of the greater number. But though a government be constituted by the contracts of particular men with particulars, yet its right depends not on that obligation only; there is another tie also towards him who commands. For each citizen compacting with his fellow, says thus: *I convey my right on this party, upon condition that you pass yours to the same*: by which means, that right which every man had before to use his faculties to his own advantage, is now wholly translated on some certain man or council for the common benefit. Wherefore what by the mutual contracts each one hath made with the other, what by the donation of right which every man is bound to ratify to him that commands, the government is upheld by a double obligation from the citizens; first, that which is due to their fellow-citizens; next, that which they owe to their prince. Wherefore no subjects, how many soever they be, can with any right despoil him who bears the chief rule of his authority, even without his own consent.

See 17.13

CHAPTER 18

Chapters 21 and 24 of *The Elements of Law* /
 Chapters 7 and 10 of *De Cive* /
 Chapters 19 (part) and 21 (part) of *Leviathan*

Précis table

Part II. Concerning men as a body politic	Part II. Of Dominion	Part II. OF COMMON-WEALTH
Chapter 21. Of the three sorts of commonwealth	Chapter 7. Of the three kinds of government, Democracy, Aristocracy, and Monarchy	Chapter 19. Of the severall Kinds of COMMON-WEALTH by Institution, and of Succession to the Sovereigne Power¹
20.3	1. That there are three kinds of government only, democracy, aristocracy, monarchy	1. The different Formes of Common-wealths but three
	2. That oligarchy is not a diverse form of government distinct from aristocracy, nor anarchy any form at all 3. That a tyranny is not a diverse state from a legitimate monarchy	2. Tyranny and Oligarchy, but different names of Monarchy, and Aristocracy
See 20.14–16	4. That there cannot be a mixed state, fashioned out of these several species	
		3. Subordinate Representatives dangerous
1. Democracy precedeth all other institution of government	5. That democracy, except there be certain times and places of meeting prefixed, is dissolved 6. In a democracy the intervals of the times of meeting must be short, or the administration of government during the interval committed to some one	
2. The sovereign people covenanteth not with the subjects	7. In a democracy, particulars contract with particulars to obey the people: the people is obliged to no man	See 18.4

¹ Paragraphs 14–23 are in Chapter 19.

3. The sovereign people cannot properly be said to do injury to the subject 4. The faults of the sovereign people are the faults of those private men by whose votes their decrees pass	14. What kind of sin that is, and what sort of men are guilty of it, when the city performs not its office towards the citizens, nor the citizens towards the city	See 18.6
5. Democracy in effect an aristocracy of orators		
6. Aristocracy how made	8. By what acts aristocracy is constituted	
7. The body of the optimates not properly said to injure the subjects	9. In an aristocracy the nobles make no compact, neither are they obliged to any citizen or to the whole people	See 18.4 and 18.6
8. The election of the optimates belongeth to their own body		
	10. The nobles must necessarily have their set meetings	
9. An elective king not sovereign in property, but in use	11. By what acts monarchy is constituted	
	12. Monarchy is by compact obliged to none for the authority it hath received	
	13. Monarchy is ever in the readiest capacity to exercise all those acts which are requisite to good government	
10. A conditional king not sovereign in property but in use	15. A monarch made without limitation of time hath power to elect his successor 16. Of limited monarchs	10-12.
		13.
11. The word people equivocal	6.1	
		Chapter 21. <i>Of the LIBERTY of Subjects</i> ²
13. How such releases are to be understood	17. A monarch, retaining his right of government, cannot by any promise whatsoever be conceived to have parted with his right to the means necessary to the exercise of his authority	20.
12. Obedience discharged by release from the sovereign	18. How a citizen is freed from subjection	23. In case the Sovereign cast off the government from himself and his Heirs

² Sections are located in several places: paragraph 8 is below; paragraphs 1-2 are in Chapter 19; paragraph 6 is in Chapter 21. Margin notes for new material (paragraphs 3-5, 7, and 9-19) are in Précis Table 19.

THREE-TEXT EDITION OF THOMAS HOBBS'S POLITICAL THEORY

<p>14. Obedience discharged by exile 15. By conquest 16. By ignorance of the right of succession</p>		<p>24. In case of Banishment 21. In what Cases Subjects are absolved of their obedience to their Sovereign 22. In case of Captivity 25. In case the Sovereign render himself Subject to another</p>
<p>Chapter 24. The incommodities of several sorts of government compared</p>	<p>Chapter 10. A comparison of the three kinds of government, each with other, according to the inconveniences of each one</p>	<p>Chapter 19. Of the severall Kinds of COMMON-WEALTH by Institution, and of Succession to the Sovereigne Power (cont.)</p>
<p>1. The utility of the commonwealth, and of the members is the same</p>	<p>1. A comparison of the natural state with the civil 2. The conveniences and inconveniences of the ruler and his subjects are alike 5. A rejection of their opinion, who say, that a lord with his servants cannot make a city</p>	
<p>2. The loss of liberty, or the want of propriety in goods against the right of the sovereign, no real inconvenience</p>		
<p>3. Monarchy approved by the most ancient examples</p>	<p>3. The praise of monarchy 18. The best state of a city is that, where the subjects are the ruler's inheritance</p>	<p>4. Comparison of Monarchy, with Sovereign Assemblies</p>
<p>4. Monarchy less subject to passion than other governments</p>	<p>4. The government under one, cannot be said to be unreasonable in this respect, namely, because one hath more power than all the rest</p>	
<p>5. Subjects in monarchy less obnoxious to enrich private men, than in other governments</p>	<p>6. Exactions are more grievous under a popular state, than a monarchy</p>	<p>8.</p>
<p>6. Subjects in monarchy less obnoxious to violence than in other governments</p>	<p>7. Innocent subjects are less exposed to penalties under a monarch, than under the people</p>	
	<p>9. It is no disadvantage to the subjects, that they are not all admitted to public deliberations 10. Civil deliberations are unadvisedly committed to great assemblies, by reason of the unskilfulness of the most part of men</p>	

See 21.5	<p>11. In regard of eloquence</p> <p>14. In regard of the want of secrecy</p> <p>15. That these inconveniences adhere to democracy, forasmuch as men are naturally delighted with the esteem of wit</p>	5.
7. Laws in monarchies, less changeable than in other governments	13. In regard of the unstableness of the laws	6.
8. Monarchies less subject to dissolution than other governments	<p>12. In regard of faction</p> <p>17. The power of generals is an evident sign of the excellence of monarchy</p> <p>19. The nearer aristocracy draws to monarchy, the better it is; the further it keeps from it, the worse</p>	7.
	16. The inconveniences of a city arising from a king that is a child	9.
		Chapter 21. Of the LIBERTY of Subjects (cont.)
Cf. 27.3	8. The liberty of single subjects is not less under a monarch, than under a people	8. The Liberty which writers praise, is the Liberty of Sovereigns; not of Private men

Part II. Concerning men as a body politic

Chapter 21. Of the three sorts of commonwealth

20.3

Part II. Of Dominion

Chapter 7. Of the three kinds of government, Democracy, Aristocracy, and Monarchy

1. WE have already spoken of a city by institution in its genus; we will now say somewhat of its species. As for the difference of cities, it is taken from the difference of the persons to whom the supreme power is committed. This power is committed either to *one man*, or *council*, or some *one court* consisting of many men. Furthermore, a council of

Part II. OF COMMON-WEALTH

Chapter 19. Of the severall Kinds of COMMON-WEALTH by Institution, and of Succession to the Sovereigne Power³

1. THE difference of Common-wealths, consisteth in the difference of the Sovereign, or the Person representative of all and every one of the Multitude. And because the Sovereignty is either in one Man, or in an Assembly of more than one; and into that Assembly either Every man hath right to enter, or not every one, but Certain men distinguished

³ Paragraphs 14–23 are in Chapter 19.

many men consists either of all the citizens, insomuch as every man of them hath a right to vote, and an interest in the ordering of the greatest affairs, if he will himself; or of a part only. From whence there arise three sorts of government; the one, when the power is in a council where every citizen hath a right to vote; and it is called a *democracy*. The other, when it is in a council, where not all, but some part only have their suffrages; and we call it an *aristocracy*. The third is that, when the supreme authority rests only in one; and it is styled a *monarchy*. In the first, he that governs is called δῆμος, the *people*; in the second, the *nobles*; in the third, the *monarch*.

2. Now, although ancient writers of politics have introduced three other kinds of government opposite to these; to wit, *anarchy* or confusion to *democracy*; *oligarchy*, that is, the command of some few, to *aristocracy*, and *tyranny* to *monarchy*; yet are not these three distinct forms of government, but three diverse titles given by those who were either displeased with that present government or those that bare rule. For men, by giving names, do usually not only signify the things themselves, but also their own affections, as love, hatred, anger, and the like. Whence it happens that what one man calls a *democracy*, another calls an *anarchy*; what one counts an *aristocracy*, another esteems an *oligarchy*; and whom one titles a *king*, another styles him a *tyrant*. So as we see, these names betoken not a diverse kind of government, but the *diverse opinions* of the subjects concerning him who hath the supreme power. For first, who sees not that *anarchy* is equally opposite to all the aforementioned forms? For that word signifies that there is no government at all, that is, not any city. But how is it possible that *no city* should be the species of a *city*? Furthermore, what difference is there between an *oligarchy*,

from the rest; it is manifest, there can be but Three kinds of Common-wealth. For the Representative must needs be One man, or More: and if more, then it is the Assembly of All, or but of a Part. When the Representative is One man, then is the Common-wealth a MONARCHY: when an Assembly of All that will come together, then it is a DEMOCRACY, or Popular Common-wealth: when an Assembly of a Part onely, then it is called an ARISTOCRACY. Other kind of Common-wealth there can be none: for either One, or More, or All must have the Sovereign Power (which I have shewn to be indivisible) entire.

2. There be other names of Government, in the Histories, and books of Policy; as *Tyranny*, and *Oligarchy*: But they are not the names of other Formes of Government, but of the same Formes misliked. For they that are discontented under *Monarchy*, call it *Tyranny*; and they that are displeased with *Aristocracy*, call it *Oligarchy*: So also, they which find themselves grieved under a *Democracy*, call it *Anarchy*, (which signifies want of Government;) and yet I think no man believes, that want of Government, is any new kind of Government: nor by the same reason ought they to believe, that the Government is of one kind, when they like it, and another, when they dislike it, or are oppressed by the Governours.

which signifies the command of a *few* or *grandees*, or an *aristocracy*, which is that of the *prime* or *chief heads*, more than that men differ so among themselves, that the same things seem not good to all men? Whence it happens that those persons, who by some are looked on as the *best*, are by others esteemed to be the *worst* of all men.

3. But men, by reason of their passions, will very hardly be persuaded that a *kingdom* and *tyranny* are not diverse kinds of cities; who though they would rather have the city subject to one than many, yet do they not believe it to be well governed unless it accord with their judgments. But we must discover by reason, and not by passion, what the difference is between a king and a tyrant. But first, they differ not in this, that a tyrant hath the greater power; for greater than the supreme cannot be granted; nor in this, that one hath a limited power, the other not; for he whose authority is limited, is no king, but his subject that limits him. Lastly, neither differ they in their manner of acquisition; for if in a democratical or aristocratical government some one citizen should, by force, possess himself of the supreme power, if he gain the consent of all the citizens, he becomes a legitimate monarch; if not, he is an enemy, not a tyrant. They differ therefore in the sole exercise of their command, insomuch as he is said to be a king who governs well, and he a tyrant that doth otherwise. The case therefore is brought to this pass; that a *king*, legitimately constituted in his government, if he seem to his subjects to rule well and to their liking, they afford him the appellation of a *king*; if not, they count him a *tyrant*. Wherefore we see a *kingdom* and *tyranny* are not diverse forms of government, but one and the self-same monarch hath the name of a *king* given him in point of honour and reverence to him,

and of a *tyrant* in way of contumely and reproach. But what we frequently find in books said against tyrants, took its original from Greek and Roman writers, whose government was partly democratical, and partly aristocratical, and therefore not tyrants only, but even kings were odious to them.

See 20.14–16

4. There are, who indeed do think it necessary that a supreme command should be somewhere extant in a city; but if it should be in any one, either man or council, it would follow, they say, that all the citizens must be slaves. Avoiding this condition, they imagine that there may be a certain form of government compounded of those three kinds we have spoken of, yet different from each particular; which they call a *mixed monarchy*, or *mixed aristocracy*, or *mixed democracy*, according as any one of these three sorts shall be more eminent than the rest. For example, if the naming of magistrates and the arbitration of war and peace should belong to the King, judicature to the Lords, and contribution of monies to the People, and the power of making laws to all together, this kind of state would they call a *mixed monarchy* forsooth. But if it were possible that there could be such a state, it would no whit advantage the liberty of the subject. For as long as they all agree, each single citizen is as much subject as possibly he can be: but if they disagree, the state returns to a civil war and the right of the private sword; which certainly is much worse than any subjection whatsoever. But that there can be no such kind of government,* hath been sufficiently demonstrated in the foregoing chapter, art. 6–12.

* *But that there can be no such kind of government.*] Most men grant, that a government ought not to be divided; but they would have it moderated and bounded by some limits. Truly it is very reasonable it should be so; but if these men, when they speak of moderating and limiting, do understand dividing it, they make a very fond distinction. Truly, for my part, I wish that not only kings, but all other persons endued with supreme authority, would so temper themselves as to commit no wrong, and only minding their charges, contain themselves within the limits of the natural and divine laws. But they who distinguish thus, they would have the chief power bounded and restrained by others: which, because it cannot be done but they who do set the limits must needs have some part of the power, whereby they may be enabled to do it, the government is properly divided, not moderated.

3. It is manifest, that men who are in absolute liberty, may, if they please, give Authority to One man, to represent them every one; as well as give such Authority to any Assembly of men whatsoever; and consequently may subject themselves, if they think good, to a Monarch, as absolutely, as to any other Representative. Therefore, where there is already erected a Sovereign Power, there can be no other Representative of the same people, but onely to certain particular ends, by the Sovereign limited. For that were to erect two Sovereigns; and every man to have his person represented by two Actors, that by opposing one another, must needs divide that Power, which (if men will live in Peace) is indivisible; and thereby reduce the Multitude into the condition of Warre, contrary to the end for which all Sovereignty is instituted. And therefore as it is absurd, to think that a Sovereign Assembly, inviting the People of their Dominion, to send up their Deputies, with power to make known their Advise, or Desires, should therefore hold such Deputies, rather than themselves, for the absolute Representative of the people: so it is absurd also, to think the same in a Monarchy. And I know not how this so manifest a truth, should of late be so little observed; that in a Monarchy, he that had the Sovereignty from a descent of 600 years, was alone called Sovereign, had the title of Majesty from every one of his Subjects, and was unquestionably taken by them for their King; was notwithstanding never considered as their Representative; that name without contradiction passing for the title of those men, which at his command were sent up by the people to carry their Petitions, and give him (if he permitted it) their advise. Which may serve as an admonition, for those that are the true, and absolute Representative of a People, to instruct men

1. HAVING spoken in general concerning instituted policy in the former chapter, I come in this to speak of the sorts thereof in special, how every one of them is instituted. The first in order of time of these three sorts is democracy, and it must be so of necessity, because an aristocracy and a monarchy, require nomination of persons agreed upon; which agreement in a great multitude of men must consist in the consent of the major part; and where the votes of the major part involve the votes of the rest, there is actually a democracy.

5. Let us see a little now, in the constituting of each form of government what the constitutors do. Those who met together with intention to erect a city, were almost in the very act of meeting, a democracy. For in that they willingly met, they are supposed obliged to the observation of what shall be determined by the major part; which, while that convent lasts, or is adjourned to some certain days and places, is a clear democracy. For that convent, whose will is the will of all the citizens, hath the supreme authority; and because in this convent every man is supposed to have a right to give his voice, it follows that it is a democracy, by the definition given in the first article of this chapter. But if they depart and break up the convent, and appoint no time or place where and when they shall meet again, the public weal returns to anarchy and the same state it stood in before their meeting, that is, to the state of all men warring against all. The people, therefore, retains the supreme power, no longer than there is a certain day and place publicly appointed and known, to which whosoever will may resort. For except that be known and determined, they may either meet at divers times and places, that is, in factions, or not at all; and then it is no longer *δημος*, *the people*, but a dissolute multitude, to whom we can neither attribute any action or right. Two things therefore frame a democracy; whereof one, to wit, the perpetual prescription of convents, makes *δημον*, *the people*; the other, which is a plurality of voices, *τὸ κράτος*, or *the power*.

6. Furthermore, it will not be sufficient for the people, so as to maintain its

in the nature of that Office, and to take heed how they admit of any other generall Representation upon any occasion whatsoever, if they mean to discharge the truth committed to them.

supremacy, to have some certain known times and places of meeting, unless that either the intervals of the times be of less distance, than that anything may in the meantime happen whereby, by reason of the defect of power, the city may be brought into some danger; or at least that the exercise of the supreme authority be, during the interval, granted to some one man or council. For unless this be done, there is not that wary care and heed taken for the defence and peace of single men, which ought to be; and therefore it will not deserve the name of a city, because that in it, for want of security, every man's right of defending himself at his own pleasure returns to him again.

2. In the making of a democracy, there passeth no covenant, between the sovereign and any subject. For while the democracy is a making, there is no sovereign with whom to contract. For it cannot be imagined, that the multitude should contract with itself, or with any one man, or number of men, parcel of itself, to make itself sovereign; nor that a multitude, considered as one aggregate, can give itself anything which before it had not. Seeing then that sovereignty democratical is not conferred by the covenant of any multitude (which supposeth union and sovereignty already made), it resteth, that the same be conferred by the particular covenants of every several man; that is to say, every man with every man, for and in consideration of the benefit of his own peace and defence, covenanteth to stand to and obey, whatsoever the major part of their whole number, or the major part of such a number of them, as shall be pleased to assemble at a certain time and place, shall determine and command. And this is that which giveth being to a democracy; wherein the sovereign assembly was called of the Greeks by the name of *Demus* (*id est*, the people),

7. Democracy is not framed by contract of particular persons with the *people*, but by mutual compacts of single men each with other. But hence it appears, in the first place, that the persons contracting must be in being before the contract itself. But the *people* is not in being before the constitution of government, as not being any person, but a multitude of single persons; wherefore there could then no contract pass between the people and the subject. Now, if after that government is framed, the subject make any contract with the people, it is in vain; because the people contains within its will the will of that subject, to whom it is supposed to be obliged; and therefore may at its own will and pleasure disengage itself, and by consequence is now actually free. But in the second place, that single persons do contract each with other, may be inferred from hence; that in vain sure would the city have been constituted, if the citizens had been engaged by no contracts to do or omit what the city should command to be done or omitted. Because, therefore, such kind of compacts must be understood to pass as necessary to the making up of a city,

See 18.4

from whence cometh democracy. So that where, to the supreme and independent court, every man may come that will and give his vote, there the sovereign is called the people.

3. Out of this that hath been already said, may readily be drawn: that whatsoever the people doth to any one particular member or subject of the commonwealth, the same by him ought not to be styled injury. For first, injury (by the definition, Part I. chap. 16, sect. 2) is breach of covenant; but covenants (as hath been said in the precedent section) there passed none from the people to any private man; and consequently it (viz. the people) can do him no injury. Secondly, how unjust soever the action be, that this sovereign *demus* shall do, is done by the will of every particular man subject to him, who are therefore guilty of the same. If therefore they style it injury, they but accuse themselves. And it is against reason for the same man, both to do and complain; implying this contradiction, that whereas he first ratified the people's acts in general, he now disalloweth some of them in particular. It is therefore said truly, *volenti non fit injuria*. Nevertheless nothing doth hinder, but that divers actions done by the people, may be unjust before God Almighty, as breaches of some of the laws of nature.

4. And when it happeneth, that the people by plurality of voices shall decree or command any thing contrary to the law of God or nature, though the decree and command be the act of every man, not only present in the assembly, but also absent from it; yet is not the injustice

but none can be made (as is already shewed) between the subject and the people; it follows, that they must be made between single citizens, namely, that each man contract to submit his will to the will of the major part, on condition that the rest also do the like. As if every one should say thus: I give up my right unto the people for your sake, on condition that you also deliver up yours for mine.

14. Because we have declared above, (in art. 7, 9, 12), that they who have gotten the *supreme command*, are by no compacts obliged to any man, it necessarily follows, that they can do no *injury* to the subjects. For *injury*, according to the definition made in chap. III. art. 3, is nothing else but a breach of contract; and therefore where no contracts have part, there can be no injury. Yet the people, the nobles, and the monarch may diverse ways transgress against the other laws of nature, as by cruelty, iniquity, contumely, and other like vices, which come not under this strict and exact notion of *injury*. But if the subject yield not obedience to the supreme, he will in propriety of speech be said to be *injurious*, as well to his fellow-subjects, because each man hath compacted with the other to obey; as to his *chief ruler*, in resuming that right which he hath given him, without his consent. And in a *democracy* or *aristocracy*, if anything be decreed against any *law of nature*, the city itself, that is, the civil person sins not, but those subjects only by whose votes it was decreed; for sin is a consequence of the natural express will, not of the political, which is artificial. For if it were otherwise, they would be guilty by whom the decree was absolutely disliked. But in a *monarchy*, if the *monarch* make any decree against the *laws of nature*, he sins himself; because in him the civil will and the natural are all one.

See 18.6

of the decree, the injustice of every particular man, but only of those men by whose express suffrages, the decree or command was passed. For a body politic, as it is a fictitious body, so are the faculties and will thereof fictitious also. But to make a particular man unjust, which consisteth of a body and soul natural, there is required a natural and very will.

5. In all democracies, though the right of sovereignty be in the assembly, which is virtually the whole body; yet the use thereof is always in one, or a few particular men. For in such great assemblies as those must be, whereinto every man may enter at his pleasure, there is no means any ways to deliberate and give counsel what to do, but by long and set orations; whereby to every man there is more or less hope given, to incline and sway the assembly to their own ends. In a multitude of speakers therefore, where always, either one is eminent alone, or a few being equal amongst themselves, are eminent above the rest, that one or few must of necessity sway the whole; insomuch, that a democracy, in effect, is no more than an aristocracy of orators, interrupted sometimes with the temporary monarchy of one orator.

6. And seeing a democracy is by institution the beginning both of aristocracy and monarchy, we are to consider next how aristocracy is derived from it. When the particular members of the commonwealth growing weary of attendance at public courts, as dwelling far off, or being attentive to their private businesses, and withal displeased with the government of the people, assemble themselves to make an aristocracy; there is no more required to the making thereof but putting to the question one by one, the names of such men as it shall consist of, and assenting to their election;

8. An *aristocracy* or council of nobles endowed with supreme authority, receives its original from a democracy, which gives up its right unto it. Where we must understand that certain men distinguished from others, either by eminence of title, blood, or some other character, are propounded to the people, and by plurality of voices are elected; and being elected, the whole right of the people or city is conveyed on them, insomuch as whatsoever the people might do before, the same by right may this court of elected nobles now do. Which being done, it is clear that the people, considered as one person,

and by plurality of vote, to transfer that power which before the people had, to the number of men so named and chosen.

7. And from this manner of erecting an aristocracy it is manifest that the few or optimates, have entered into no covenant, with any of the particular members of the commonwealth whereof they are sovereign; and consequently cannot do any thing to any private man that can be called injury to him, howsoever their act be wicked before Almighty God, according to that which hath been said before, section 3. Farther it is impossible that the people, as one body politic should covenant with the aristocracy or optimates, on whom they intend to transfer their sovereignty; for no sooner is the aristocracy erected, but the democracy is annihilated, and the covenants made unto them void.

8. In all aristocracies, the admission of such as are from time to time to have vote in the sovereign assembly, dependeth on the will and decree of the present optimates; for they being the sovereign, have the nomination (by the eleventh section of the former chapter) of all magistrates, ministers, and counsellors of state whatsoever, and may therefore choose either to make them elective, or hereditary, at their pleasure.

its supreme authority being already transferred on these, is no longer now in being.

9. As in democracy the people, so in an aristocracy the court of nobles is free from all manner of obligation. For seeing subjects not contracting with the people, but by mutual compacts among themselves, were tied to all that the people did; hence also they were tied to that act of the people, in resigning up its right of government into the hands of nobles. Neither could this court, although elected by the people, be by it obliged to anything. For being erected, the people is at once dissolved, as was declared above, and the authority it had as being a person, utterly vanisheth. Wherefore the obligation which was due to the *person*, must also vanish, and perish together with it.

10. *Aristocracy* hath these considerations, together with *democracy*. First, that without an appointment of some certain times and places, at which the court of nobles may meet, it is no longer a court, or one person, but a dissolute multitude without any supreme power. Secondly, that the times of their assembling cannot be disjoined by long intervals without prejudice to the supreme power, unless its administration be transferred to some one man. Now the reasons why this happens, are the same which we set down in the fifth article.

See 18.4 and 18.6

9. Out of the same democracy, the institution of a political monarch proceedeth in the same manner, as did the institution of the aristocracy (viz.) by a decree of the sovereign people, to pass the sovereignty to one man named, and approved by plurality of suffrage. And if this sovereignty be truly and indeed transferred, the estate or commonwealth is an absolute monarchy, wherein the monarch is at liberty, to dispose as well of the succession, as of the possession; and not an elective kingdom. For suppose a decree be made, first in this manner: that such a one shall have the sovereignty for his life; and that afterward they will choose a new; in this case, the power of the people is dissolved, or not. If dissolved, then after the death of him that is chosen, there is no man bound to stand to the decrees of them that shall, as private men, run together to make a new election: and consequently, if there be any man, who by the advantage of the reign of him that is dead, hath strength enough to hold the multitude in peace and obedience, he may lawfully, or rather is by the law of nature obliged so to do. If this power of the people were not dissolved, at the choosing of their king for life; then is the people sovereign still, and the king a minister thereof only, but so, as to put the whole sovereignty in execution; a great minister, but no otherwise for his time, than a dictator was in Rome. In this case, at the death of him that was chosen, they that meet for a new election, have no new, but their old authority for the same. For they were the sovereign all the time, as appeareth by the acts of those elective kings, that have procured from the people, that their children might succeed them. For it is to be understood, when a man receiveth any thing from the authority of the people, he receiveth it not from the people his subjects, but from the

11. As an *aristocracy*, so also a *monarchy* is derived from the power of the *people*, transferring its right, that is, its authority on one man. Here also we must understand, that some *one* man, either by name or some other token, is propounded to be taken notice of above all the rest; and that by a plurality of voices the whole right of the people is conveyed on him; insomuch as whatsoever the people could do before he were elected, the same in every respect may he by right now do, being elected. Which being done, the people is no longer one *person*, but a rude multitude, as being only one before by virtue of the supreme command, whereof they now have made a conveyance from themselves on this one man.

people his sovereign. And farther, though in the election of a king for his life, the people grant him the exercise of their sovereignty for that time; yet if they see cause, they may recall the same before the time. As a prince that confereth an office for life, may nevertheless, upon suspicion of abuse thereof, recall it at his pleasure; inasmuch as offices that require labour and care, are understood to pass from him that giveth them as *onera*, burthens, to them that have them; the recalling whereof are therefore not injury, but favour. Nevertheless, if in making an elective king, with intention to reserve the sovereignty, they reserve not a power at certain known and determined times and places to assemble themselves; the reservation of their sovereignty is of no effect, inasmuch as no man is bound to stand to the decrees and determinations of those that assemble themselves without the sovereign authority.

12. And therefore neither doth the monarch oblige himself to any for the command he receives. For he receives it from the people; but as hath been shewed above, the people, as soon as that act is done, ceaseth to be a *person*; but the *person* vanishing, all obligation to the *person* vanisheth. The subjects therefore are tied to perform obedience to the monarch, by those compacts only by which they mutually obliged themselves to the observation of all that the people should command them, that is, to obey that *monarch*, if he were made by the *people*.

13. But a *monarchy* differs as well from an *aristocracy* as a *democracy*, in this chiefly; that in those there must be certain set times and places for deliberation and consultation of affairs, that is, for the actual exercise of it in all times and places. For the people or the nobles not being *one natural person*, must

10. In the former section is showed that elective kings, that exercise their sovereignty for a time, which determines with their life, either are subjects and not sovereigns; and that is, when the people in election of them reserve unto themselves the right of assembling at certain times and places limited and made known; or else absolute sovereigns, to dispose of the succession at their pleasure; and that is, when the people in their election hath declared no time nor place of their meeting, or have left it to the power of the elected king to assemble and dissolve them at such times, as he himself shall think good. There is another kind of limitation of time, to him that shall be elected to use the sovereign power (which whether it hath been practised anywhere or not, I know not, but it may be imagined, and hath been objected against the rigour of sovereign power), and it is this: that the people transfer their sovereignty upon condition. As for example: for so long as he shall observe such and such laws, as they then prescribe him. And here as before in elected kings, the question is to be made, whether in the electing of such a sovereign, they reserved to themselves a right of assembling at times and places limited and known, or not; if not, then is the sovereignty of the people dissolved, and they have neither power to judge of the breach of the conditions given him, nor to command any forces for the deposing of him, whom on that condition they had set up; but are in the estate of war amongst themselves, as they were before they made themselves a democracy; and consequently: if he that is elected, by the advantage of the possession he hath of the public means,

necessarily have their meetings. The *monarch*, who is one by nature, is always in a present capacity to execute his authority.

15. The people who are about to make a *monarch*, may give him the *supremacy* either simply without limitation of time, or for a certain season and time determined. If simply, we must understand that he who receives it, hath the self-same power which they had who gave it. On the same grounds, therefore, that the *people* by right could make him a monarch, may he make another monarch. Insomuch as the *monarch* to whom the command is simply given, receives a right not of *possession* only, but of *succession* also; so as he may declare whom he pleaseth for his successor.

16. But if the power be given for a time limited, we must have regard to somewhat more than the bare gift only. First, whether the *people* conveying its authority, left itself any right to meet at certain times and places, or not. Next, if it have reserved this power, whether it were done so as they might meet before that time were expired, which they prescribed to the monarch. Thirdly, whether they were contented to meet only at the will of that temporary monarch, and not otherwise. Suppose now the *people* had delivered up its power to some one man for term of life only; which being done, let us suppose in the first place, that every man departed from the council without making any order at all concerning the place, where after his death they should meet again to make a new election. In this case, it is manifest by the fifth article of this chapter, that the *people* ceaseth to be a *person*, and is become a dissolute multitude; every one whereof hath an equal, to wit, a natural right to meet with whom he lists at divers times, and in what places shall best please him; nay, and if he can,

10. Though the Kinds of Sovereignty be, as I have now shewn, but three; that is to say, Monarchie, where One Man has it; or Democracie, where the generall Assembly of Subjects hath it; or Aristocracie, where it is in an Assembly of certain persons nominated, or otherwise distinguished from the rest: Yet he that shall consider the particular Common-wealths that have been, and are in the world, will not perhaps easily reduce them to three, and may thereby be inclined to think there be other Formes, arising from these mingled together. As for example, Elective Kingdomes; where Kings have the Sovereigne Power put into their hands for a time; or Kingdomes, wherein the King hath a power limited: which Governments, are nevertheless by most Writers called Monarchie. Likewise if a Popular, or Aristocraticall Common-wealth, subdue an Enemies Countrey, and govern the same, by a President, Procurator, or other Magistrate; this may seeme perhaps at first sight, to be a Democratically, or Aristocraticall Government. But it is not so. For Elective Kings, are not Sovereignes, but Ministers of the Sovereigne; nor limited Kings Sovereignes, but Ministers of them that have the Sovereigne Power: Nor are those Provinces which are in subjection to a Democracie, or Aristocracie of another Common-wealth, Democratically, or Aristocratically governed, but Monarchically.

11. And first, concerning an Elective King, whose power is limited to his life, as it is in many places of Christendome at this day; or to certaine Yeares or Moneths, as the Dictators power amongst the Romans; If he have Right to appoint his Successor, he is no more Elective but

be able to compel them to unity and obedience, he hath not only the right of nature to warrant him, but also the law of nature to oblige him thereunto. But if in electing him, they reserved to themselves a right of assembling, and appointed certain times and places to that purpose, then are they sovereign still, and may call their conditional king to account, at their pleasure, and deprive him of his government, if they judge he deserve it, either by breach of the condition set him, or otherwise. For the sovereign power can by no covenant with a subject, be bound to continue him in the charge he undergoeth by their command, as a burden imposed not particularly for his good, but for the good of the sovereign people.

engross the supreme power to himself, and settle it on his own head. What monarch soever, therefore, hath a command in such a condition, he is bound by the *law of nature*, set down in chap. III. art. 8, *of not returning evil for good*, prudently to provide that by his death the city suffer not a dissolution; either by appointing a certain day and place, in which those subjects of his, who have a mind to it, may assemble themselves, or else by nominating a successor; whether of these shall to him seem most conducive to their common benefit. He therefore, who on this foresaid manner hath received his command during life, hath an absolute power, and may at his discretion dispose of the succession. In the next place, if we grant that the *people* departed not from the election of the *temporary monarch*, before they decreed a certain time and place of meeting after his death; then the monarch being dead, the authority is confirmed in the people, not by any new acts of the subjects, but by virtue of the former right. For all the supreme command, as *dominion*, was in the people; but the use and exercise of it was only in the temporary monarch, as in one that takes the benefit, but hath not the right. But if the *people* after the election of a *temporary monarch*, depart not from the court before they have appointed certain times and places to convene during the time prescribed him; as the dictators in ancient times were made by the people of Rome; such an one is not to be accounted a monarch, but the prime officer of the people. And if it shall seem good, the people may deprive him of his office even before that time; as the people of Rome did, when they conferred an equal power on Minutius, master of the horse, with Quintus Fabius Maximus, whom before they had made dictator. The reason whereof is, that it is not to be imagined, that he, whether man

Hereditary. But if he have no Power to elect his Successor, then there is some other Man, or Assembly known, which after his decease may elect a new, or else the Common-wealth dieth, and dissolveth with him, and returneth to the condition of Warre. If it be known who have the power to give the Sovereignty after his death, it is known also that the Sovereignty was in them before: For none have right to give that which they have not right to possess, and keep to themselves, if they think good. But if there be none that can give the Sovereignty, after the decease of him that was first elected; then has he power, nay he is obliged by the Law of Nature, to provide, by establishing his Successor, to keep those that had trusted him with the Government, from relapsing into the miserable condition of Civill warre. And consequently he was, when elected, a Sovereign absolute.

12. Secondly, that King whose power is limited, is not superiour to him, or them that have the power to limit it; and he that is not superiour, is not supreme; that is to say not Sovereign. The Sovereignty therefore was alwaies in that Assembly which had the Right to Limit him; and by consequence the government not Monarchy, but either Democracy, or Aristocracy; as of old time in *Sparta*; where the Kings had a priviledge to lead their Armies; but the Sovereignty was in the *Ephori*.

or council, who hath the readiest and most immediate power to act, should hold his command on such terms, as not to be able actually to execute it; for command is nothing else but a right of commanding, as oft as nature allows it possible. Lastly, if the *people* having declared a *temporary monarch*, depart from the court on such terms, as it shall not be lawful for them to meet without the command of the monarch, we must understand the people to be immediately dissolved, and that his authority, who is thus declared, is absolute; forasmuch as it is not in the power of all the subjects to frame the city anew, unless he give consent who hath now alone the authority. Nor matters it, that he hath perhaps made any promise to assemble his subjects on some certain times; since there remains no *person* now in being, but at his discretion, to whom the promise was made. What we have spoken of these four cases of a *people* electing a *temporary monarch*, will be more clearly explained by comparing them with an *absolute monarch* who hath no heir-apparent. For the people is lord of the subject in such a manner, as there can be no heir but whom itself doth appoint. Besides, the spaces between the times of the subjects' meeting, may be fitly compared to those times wherein the monarch sleeps; for in either the *acts* of commanding cease, the *power* remains. Furthermore, to dissolve the convent, so as it cannot meet again, is the death of the *people*; just as sleeping, so as he can never wake more, is the death of a man. As therefore a king who hath no heir, going to his rest so as never to rise again, that is, dying, if he commit the exercise of his regal authority to any one till he awake, does by consequence give him the succession; the *people* also electing a *temporary monarch*, and not reserving a power to convene, delivers up to him the whole

dominion of the country. Furthermore, as a king going to sleep for some season, entrusts the administration of his kingdom to some other, and waking takes it again; so the people having elected a *temporary monarch*, and withal retaining a right to meet at a certain day and place, at that day receives its supremacy again. And as a king who hath committed the execution of his authority to another, himself in the meanwhile waking, can recall this commission again when he pleaseth; so the *people*, who during the time prescribed to the *temporary monarch* doth by right convene, may if they please deprive the monarch of his authority. Lastly, the king, who commits his authority to another while himself sleeps, not being able to wake again till he whom he entrusted give consent, loses at once both his power and his life; so the people, who hath given the supreme power to a temporary monarch in such sort as they cannot assemble without his command, is absolutely dissolved, and the power remains with him whom they have chosen.

13. Thirdly, whereas heretofore the Roman People, governed the land of *Judea* (for example) by a President; yet was not *Judea* therefore a Democracy; because they were not governed by any Assembly, into which, any of them, had right to enter; nor by an Aristocracy; because they were not governed by any Assembly, into which, any man could enter by their Election: but they were governed by one Person, which though as to the people of *Rome* was an Assembly of the people, or Democracy; yet as to people of *Judea*, which had no right at all of participating in the government, was a Monarch. For though where the people are governed by an Assembly, chosen by themselves out of their own number, the government is called a Democracy, or Aristocracy; yet when they are governed by an Assembly, not of their own

11. The controversies that arise concerning the right of the people, proceed from the equivocation of the word. For the word people hath a double signification. In one sense it signifieth only a number of men, distinguished by the place of their habitation; as the people of England, or the people of France; which is no more, but the multitude of those particular persons that inhabit those regions, without consideration of any contracts or covenants amongst them, by which any one of them is obliged to the rest. In another sense, it signifieth a person civil, that is to say, either one man, or one council, in the will whereof is included and involved the will of every one in particular; as for example: in this latter sense the lower house of parliament is all the commons, as long as they sit there with authority and right thereto; but after they be dissolved, though they remain, they be no more the people, nor the commons, but only the aggregate, or multitude of the particular men there sitting; how well soever they agree, or concur, in opinions amongst themselves; whereupon they that do not distinguish between these two significations, do usually attribute such rights to a dissolved multitude, as belong only to the people virtually contained in the body of the commonwealth or sovereignty. And when a great number of their own authority flock together in any nation, they usually give them the name of the whole nation. In which sense they say the people rebelleth, or the people demandeth, when it is no more than a dissolved multitude, of which though any one man may be said to demand or have right to something, yet the heap, or multitude, cannot be said to demand or have right to any thing. For where

6.1

choosing, 'tis a Monarchy; not of *One* man, over another man; but of one people, over another people.

every man hath his right distinct, there is nothing left for the multitude to have right unto; and when the particulars say: *this is mine, this is thine, and this is his*, and have shared all amongst them, there can be nothing whereof the multitude can say: *this is mine*; nor are they one body, as behoveth them to be, that demand anything under the name of *mine* or *his*; and when they say *ours*, every man is understood to pretend in several, and not the multitude. On the other side, when the multitude is united into a body politic, and thereby are a people in the other signification, and their wills virtually in the sovereign, there the rights and demands of the particulars do cease; and he or they that have the sovereign power, doth for them all demand and vindicate under the name of *his*, that which before they called in the plural, *theirs*.

13. And here it is to be understood: that when he or they that have the sovereign power, give such exemption or privilege to a subject, as is not separable from the sovereignty, and nevertheless directly retain the sovereign power, not knowing the consequence of the privilege they grant, the person or persons exempted or privileged are not thereby released. For in contradictory significations of the will (Part I. chapt. 13, sect. 9), that which is directly signified, is to be understood for the will, before that which is drawn from it by consequence.

17. If the monarch *promise* aught to any one or many subjects together, by consequence whereof the exercise of his power may suffer prejudice, that *promise* or *compact*, whether made by oath or without it, is null. For all *compact* is a conveyance of right, which by what hath been said in the fourth article of the second chapter, requires meet and proper signs of the will in the conveyer. But he who sufficiently signifies his will of retaining the end, doth also sufficiently declare that he quits not his right to the means necessary to that end. Now he who hath promised to part with somewhat necessary to the supreme power, and yet retains the power itself, gives sufficient tokens that he no otherwise promised it, than so far forth as the power might be retained without

Chapter 21. *Of the LIBERTY of Subjects*⁴

20. If a Monarch, or Sovereign Assembly, grant a Liberty to all, or any of his Subjects; which Grant standing, he is disabled to provide for their safety, the Grant is voyd; unlesse he directly renounce, or transferre the Sovereignty to another. For in that he might openly, (if it had been his will,) and in plain termes, have renounced, or transferred it, and did not; it is to be understood it was not his will; but that the Grant proceeded from ignorance of the repugnancy between such a Liberty and the Sovereign Power; and therefore the Sovereignty is still retaind; and consequently all those Powers, which are necessary to the exercising thereof; such as are the Power of Warre, and Peace, of Judicature, of appointing Officers, and Councillours, of levying Mony, and the rest named in the 18th Chapter.

⁴ Sections are located in several places: paragraph 8 is below; paragraphs 1–2 are in Chapter 19; paragraph 6 is in Chapter 21. Margin notes for new material (paragraphs 3–5, 7, and 9–19) are in Précis Table 19.

it. Whensoever therefore it shall appear, that what is promised cannot be performed without prejudice to the power, the promise must be valued as not made, that is, of no effect.

12. We have seen how particular men enter into subjection, by transferring their rights; it followeth to consider how such subjection may be discharged. And first, if he or they have the sovereign power, shall relinquish the same voluntarily, there is no doubt but every man is again at liberty, to obey or not; likewise if he or they retaining the sovereignty over the rest, do nevertheless exempt some one or more from their subjection, every man so exempted is discharged. For he or they to whom any man is obliged, hath the power to release him.

14. Also exile perpetual, is a release of subjection, forasmuch as being out of the protection of the sovereignty that expelled him, he hath no means of subsisting but from himself. Now every man may lawfully defend himself, that hath no other defence; else there had been no necessity that any man should enter into voluntary subjection, as they do in commonwealths.

15. Likewise a man is released of his subjection by conquest; for when it cometh to pass, that the power of a commonwealth is overthrown, and any particular man thereby, lying under the sword of his enemy yieldeth himself captive, he is thereby bound to serve him that taketh him, and consequently discharged of his obligation to the former. For no man can serve two masters.

16. Lastly, ignorance of the succession dischargeth obedience; for no man can be understood to be obliged to obey he knoweth not whom.

18. We have seen how subjects, nature dictating, have obliged themselves by mutual compacts to obey the supreme power. We will see now by what means it comes to pass, that they are released from these bonds of obedience. And first of all, this happens by *rejection*, namely, if a man cast off or forsake, but convey not the *right of his command* on some other. For what is thus rejected, is openly exposed to all alike, catch who catch can; whence again, by the right of nature, every subject may heed the preservation of himself according to his own judgment. In the second place, if the kingdom fall into the power of the enemy, so as there can no more opposition be made against them, we must understand that he who before had the supreme authority, hath now lost it: for when the subjects have done their full endeavour to prevent their falling into the enemy's hands, they have fulfilled those contracts of obedience which they made each with other; and what, being conquered, they promise afterwards to avoid death, they must with no less endeavour labour to perform. Thirdly, in a monarchy, (for a democracy and aristocracy cannot fail), if there be no successor, all the subjects are discharged from their obligations; for no man is supposed to be tied he knows not to whom; for in such a case it were impossible to perform aught. And by these three ways, all subjects are restored from their civil subjection to that liberty which all men have to all things; to wit, natural and savage; for the natural state hath the same proportion to the civil, (I mean, liberty to subjection), which passion hath to reason, or a beast to a man. Furthermore,

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

24. If the Sovereign Banish his Subject; during the Banishment, he is not Subject. But he that is sent on a message, or hath leave to travell, is still Subject; but it is, by Contract between Sovereigns, not by vertue of the covenant of Subjection. For whosoever entreth into anothers dominion, is Subject to all the Lawes thereof; unlesse he have a privilege by the amity of the Sovereigns, or by speciall licence.

21. The Obligation of Subjects to the Sovereign, is understood to last as long, and no longer, than the power lasteth, by which he is able to protect them. For the right men have by Nature to protect themselves, when none else can protect them, can by no Covenant be relinquished. The Sovereignty is the Soule of the Common-wealth; which once departed from the Body, the members doe no more receive their motion from it. The end of Obedience is Protection; which, wheresoever a man seeth it, either in his own, or in anothers sword, Nature applyeth his obedience to it, and his endeavour to maintaine it.

each subject may lawfully be freed from his subjection by the will of him who hath the supreme power, namely, if he change his soil; which may be done two ways, either by permission, as he who gets license to dwell in another country; or command, as he who is banished. In both cases, he is free from the laws of his former country; because he is tied to observe those of the latter.

And though Sovereignty, in the intention of them that make it, be immortall; yet is it in its own nature, not only subject to violent death, by forreign war; but also through the ignorance, and passions of men, it hath in it, from the very institution, many seeds of a naturall mortality, by Intestine Discord.

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

25. If a Monarch subdued by war, render himself Subject to the Victor; his Subjects are delivered from their former obligation, and become obliged to the Victor. But if he be held prisoner, or have not the liberty of his own Body; he is not understood to have given away the Right of Soveraigntie; and therefore his Subjects are obliged to yield obedience to the Magistrates formerly placed, governing not in their own name, but in his. For, his Right remaining, the question is only of the Administration; that is to say, of the Magistrates and Officers; which, if he have not means to name, he is supposed to approve those, which he himself had formerly appointed.

Chapter 24. The incommodities of several sorts of government compared

1. HAVING set forth the nature of a person politic, and the three sorts thereof, democracy, aristocracy, and monarchy; in this chapter shall be declared, the conveniences, and inconveniences, that arise from the same, both in general, and of the said several sorts in particular. And first, seeing a body politic is erected only for the ruling and governing of particular men, the benefit and damage thereof consisteth in the benefit or damage of being ruled. The benefit is that for which a body politic was instituted, namely, the peace and preservation of every particular man, than which it is not possible there can be a greater, as hath been touched before, Part I. chapt. 14, sect. 12. And this benefit extendeth equally both to the sovereign, and to the subjects. For he or they that have the sovereign power, have but the defence of their persons, by the assistance of the particulars; and every particular man hath his defence by their union in the sovereign. As for other benefits which pertain not to their safety and sufficiency, but to their well and delightful being, such as are superfluous riches, they so belong to the sovereign, as they must also be in the subject; and so to the subject, as they must also be in the sovereign. For the riches and treasure of the sovereign, is the dominion he hath over the riches of his subjects. If therefore the sovereign provide not so as that particular men may have means, both to preserve themselves,

Chapter 10. A comparison of the three kinds of government, each with other, according to the inconveniences of each one

1. WHAT *democracy*, *aristocracy*, and *monarchy* are, hath already been spoken; but which of them tends most to the preservation of the subjects' peace and procuring their advantages, we must see by comparing them together. But first let us set forth the advantages and disadvantages of a city in general; lest some perhaps should think it better, that every man be left to live at his own will, than to constitute any society at all. Every man indeed out of the state of civil government hath a most entire, but unfruitful liberty; because that he who by reason of his own liberty acts all at his own will, must also by reason of the same liberty in others suffer all at another's will. But in a constituted city, every subject retains to himself as much freedom as suffices him to live well and quietly; and there is so much taken away from others, as may make them not to be feared. Out of this state, every man hath such a right to all, as yet he can enjoy nothing; in it, each one securely enjoys his limited right. Out of it, any man may rightly spoil or kill another; in it, none but one. Out of it, we are protected by our own forces; in it, by the power of all. Out of it, no man is sure of the fruit of his labours; in it, all men are. Lastly, out of it, there is a dominion of passions, war, fear, poverty, slovenliness, solitude, barbarism, ignorance, cruelty; in it, the dominion of reason, peace, security, riches, decency, society, elegancy, sciences, and benevolence.

Chapter 19. Of the severall Kinds of COMMON-WEALTH by Institution, and of Succession to the Sovereigne Power (cont.)

and also to preserve the public; the common or sovereign treasure can be none. And on the other side, if it were not for a common and public treasure belonging to the sovereign power, men's private riches would sooner serve to put them into confusion and war, than to secure or maintain them. Insomuch, as the profit of the sovereign and subject goeth always together. That distinction therefore of government, that *there is one government for the good of him that governeth, and another for the good of them that be governed; whereof the former is despotic (that is lordly); the other, a government of freemen*, is not right; no more is the opinion of them that hold it to be no city, which consisteth of a master and his servants. They might as well say, it were no city, that consisted in a father and his own issue, how numerous soever they were. For to a master that hath no children, the servants have in them all those respects, for which men love their children; for they are his strength and his honour; and his power is no greater over them, than over his children.

2. Aristotle, in his seventh book and fourteenth chapter of his *Politics*, saith, that there are two sorts of governments; whereof the one relates to the benefit of the *ruler*, the other to that of the *subjects*. As if where *subjects* are severely dealt with, there were one, and where more mildly, there were another form of government. Which opinion may by no means be subscribed to; for all the profits and disprofits arising from government are the same, and common both to the *ruler* and the *subject*. The damages which befall some particular subjects through misfortune, folly, negligence, sloth, or his own luxury, may very well be severed from those which concern the ruler. But those relate not to the government itself, being such as may happen in any form of government whatsoever. If these same happen from the first institution of the city, they will then be truly called the inconveniences of government; but they will be common to the ruler with his subjects, as their benefits are common. But the first and greatest benefit, peace and defence, is to both; for both he that commands, and he who is commanded, to the end that he may defend his life makes use at once of all the forces of his fellow-subjects. And in the greatest inconvenience that can befall a city, namely, the slaughter of subjects arising from anarchy, both the commander and the parties commanded are equally concerned. Next, if the ruler levy such a sum of vast moneys from his subjects, as they are not able to maintain themselves and their families, nor conserve their bodily strength and vigor, the disadvantage is as much his as theirs, who, with never so great a stock or measure of riches, is not able to keep his authority or his riches without the bodies of his subjects. But

if he raise no more than is sufficient for the due administration of his power, that is a benefit equally to himself and his subjects, tending to a common peace and defence. Nor is it imaginable which way *public* treasures can be a grievance to *private* subjects, if they be not so exhausted as to be wholly deprived from all possibility to acquire, even by their industry, necessaries to sustain the strength of their bodies and minds. For even thus the grievance would concern the ruler; nor would it arise from the ill-institution or ordination of the government, because in all manner of governments subjects may be oppressed; but from the ill-administration of a well-established government.

5. But first we must remove their opinion, who deny that to be any city at all, which is compacted of never so great a number of servants under a common lord. In the ninth article of the fifth chapter, a city is defined to be *one person* made out of *many men*, whose will by their own contracts is to be esteemed as the wills of them all; insomuch as he may use the strength and faculties of each single person for the public peace and safety. And by the same article of the same chapter, *one person* is that, when the wills of many are contained in the will of one. But the will of each servant is contained in the will of his lord; as hath been declared in the fifth article of the eighth chapter; so as he may employ all their forces and faculties according to his own will and pleasure. It follows therefore that that must needs be a city, which is constituted by *a lord and many servants*. Neither can any reason be brought to contradict this, which doth not equally combat against a city constituted by *a father and his sons*. For

to a lord who hath no children, *servants* are in the nature of *sons*; for they are both his honour and safeguard; neither are *servants* more subject to their *lords*, then *children* to their *parents*, as hath been manifested above in the fifth article of the eighth chapter.

2. The inconvenience arising from government in general to him that governeth, consisteth partly in the continual care and trouble about the business of other men, that are his subjects; and partly, in the danger of his person. For the head always is that part, not only where the care resideth, but also against which the stroke of an enemy most commonly is directed. To balance this incommodity, the sovereignty, together with the necessity of this care and danger, comprehendeth so much honour, riches, and means whereby to delight the mind, as no private man's wealth can attain unto. The inconveniences of government in general to a subject are none at all, if well considered; but in appearance there be two things that may trouble his mind, or two general grievances. The one is loss of liberty; the other the uncertainty of *meum* and *tuum*. For the first, it consisteth in this, that a subject may no more govern his own actions according to his own discretion and judgment, or, (which is all one) conscience, as the present occasions from time to time shall dictate to him; but must be tied to do according to that will only, which once for all he had long ago laid up, and involved in the wills of the major part of an assembly, or in the will of some one man. But this is really no inconvenience. For, as it hath been showed before, it is the only means by which we have any possibility of preserving ourselves; for if every man were allowed this liberty of

following his conscience, in such difference of consciences, they would not live together in peace an hour. But it appeareth a great inconvenience to every man in particular, to be debarred of this liberty, because every one apart considereth it as in himself, and not as in the rest; by which means, liberty appeareth in the likeness of rule and government over others; for where one man is at liberty, and the rest bound, there that one hath government. Which honour, he that understandeth not so much, demanding by the name simply of liberty, thinketh it a great grievance and injury to be denied it. For the second grievance concerning *meum* and *tuum*, it is also none, but in appearance only. It consisteth in this, that the sovereign power taketh from him that which he used to enjoy, knowing no other propriety, but use and custom. But without such sovereign power, the right of men is not propriety to any thing, but a community; no better than to have no right at all, as hath been showed Part 1. chapt. 14, sect. 10. Propriety therefore being derived from the sovereign power, is not to be pretended against the same; especially when by it every subject hath his propriety against every other subject, which when sovereignty ceaseth, he hath not, because in that case they return to war amongst themselves. Those levies therefore which are made upon men's estates, by the sovereign authority, are no more but the price of that peace and defence which the sovereignty maintaineth for them. If this were not so, no money nor forces for the wars or any other public occasion, could justly be levied in the world; for neither king, nor democracy, nor aristocracy, nor the estates of any land, could do it, if the sovereignty could not. For in all

those cases, it is levied by virtue of the sovereignty; nay more, by the three estates here, the land of one man may be transferred to another, without crime of him from whom it was taken, and without pretence of public benefit; as hath been done. And this without injury, because done by the sovereign power; for the power whereby it is done, is no less than sovereign, and cannot be greater. Therefore this grievance for *meum* and *tuum* is not real; unless more be exacted than is necessary. But it seemeth a grievance, because to them that either know not the right of sovereignty, or to whom that right belongeth, it seemeth an injury; and injury, how light soever the damage, is always grievous, as putting us in mind of our disability to help ourselves; and into envy of the power to do us wrong.

3. Having spoken of the inconveniences of the subject, by government in general, let us consider the same in the three several sorts thereof, namely, democracy, aristocracy, and monarchy; whereof the two former are in effect but one. For (as I have showed before) democracy is but the government of a few orators. The comparison therefore will be between monarchy and aristocracy; and to omit that the world, as it was created, so also it is governed by one God Almighty; and that all the ancients have preferred monarchy before other governments, both in opinion, because they feigned a monarchical government amongst their gods; and also

3. Now that *monarchy*, of the foresaid forms of *democracy*, *aristocracy*, and *monarchy*, hath the pre-eminence, will best appear by comparing the conveniences and inconveniences arising in each one of them. Those arguments therefore, that the *whole* universe is governed by *one* God; that the ancients preferred the monarchical state before all others, ascribing the rule of the gods to one Jupiter; that in the beginning of affairs and of nations, the decrees of princes were held for laws; that paternal government, instituted by God himself in the creation, was monarchical; that other governments were compacted by the artifice of men* out of the ashes of

4. The difference between these three kinds of Common-wealth, consisteth not in the difference of Power; but in the difference of Convenience, or Aptitude to produce the Peace, and Security of the people; for which end they were instituted. And to compare Monarchy with the other two, we may observe; First, that whosoever beareth the Person of the people, or is one of that Assembly that bears it, beareth also his own naturall Person. And though he be carefull in his politique Person to procure the common interest; yet he is more, or no lesse carefull to procure the private good of himselfe, his family, kindred and friends; and for the most

* *Compacted by the artifice of men, &c.*] It seems the ancients who made that same fable of Prometheus, pointed at this. They say that Prometheus, having stolen fire from the sun, formed a man out of clay, and that for this deed he was tortured by Jupiter with a perpetual gnawing in his liver. Which is, that by human invention, which is signified by Prometheus, laws and justice were by imitation taken from monarchy; by virtue whereof, as by fire removed from its natural orb, the multitude, as the dirt and dregs of men, was as it were quickened and formed into a civil person; which is termed aristocracy or democracy. But the author and abettors being found, who might securely and quietly have lived under the natural jurisdiction of kings, do thus smart for it; that being exposed still to alteration, they are tormented with perpetual cares, suspicions, and dissensions.

by their custom, for that in the most ancient times all people were so governed; and that paternal government, which is monarchy, was instituted in the beginning from the creation; and that other governments have proceeded from the dissolution thereof, caused by the rebellious nature of mankind, and be but pieces of broken monarchies cemented by human wit; I will insist only in this comparison upon the inconveniences that may happen to the subjects, in consequence to each of these governments.

monarchy, after it had been ruined with seditions; and that the people of God were under the jurisdiction of kings: although, I say, these do hold forth *monarchy* as the more eminent to us, yet because they do it by examples and testimonies, and not by solid reason, we will pass them over.

18. Lastly, since it was necessary for the preservation of ourselves to be subject to some *man* or *council*, we cannot on better condition be subject to any, than one whose interest depends upon our safety and welfare; and this then comes to pass, when we are the inheritance of the ruler. For every man of his own accord endeavours the preservation of his inheritance. But the lands and monies of the subjects are not only the prince's treasure, but their bodies and wildy minds. Which will be easily granted by those, who consider at how great rates the dominion of lesser countries is valued; and how much easier it is for men to procure money, than money men. Nor do we readily meet with any example that shows us when any subject, without any default of his own, hath by his prince been despoiled of his life or goods, through the sole licentiousness of his authority.

part, if the publique interest chance to crosse the private, he prefers the private: for the Passions of men, are commonly more potent than their Reason. From whence it follows, that where the publique and private interest are most closely united, there is the publique most advanced. Now in Monarchy, the private interest is the same with the publique. The riches, power, and honour of a Monarch arise onely from the riches, strength and reputation of his Subjects. For no King can be rich, nor glorious, nor secure; whose Subjects are either poore, or contemptible, or too weak through want, or dissention, to maintain a war against their enemies: Whereas in a Democracy, or Aristocracy, the publique prosperity conferres not so much to the private fortune of one that is corrupt, or ambitious, as doth many times a perfidious advice, a treacherous action, or a Civill warre.

4. And first it seemeth inconvenient, there should be committed so great a power to one man, as that it might be lawful to no other man or men to resist the same; and some think it inconvenient *eo nomine*, because he hath the power. But this reason we may not by any means admit, for it maketh it inconvenient to be ruled by Almighty God, who without question hath more power over every man, than can be conferred upon any monarch. This inconvenience

4. Some there are, who are discontented with the government under *one*, for no other reason but because it is under *one*; as if it were an unreasonable thing, that *one* man among so many should so far excel in power, as to be able at his own pleasure to dispose of all the rest. These men, sure, if they could, would withdraw themselves from under the dominion of *one* God. But this exception against *one* is suggested by envy, while they see one man in possession of

therefore must be derived, not from the power, but from the affections and passions which reign in every one, as well monarch as subject; by which the monarch may be swayed to use that power amiss. And because an aristocracy consisteth of men, if the passions of many men be more violent when they are assembled together, than the passions of one man alone, it will follow, that the inconvenience arising from passion will be greater in an aristocracy, than a monarchy. But there is no doubt, when things are debated in great assemblies, but every man delivering his opinion at large, without interruption, endeavoureth to make whatsoever he is to set forth for good, better; and what he would have apprehended as evil, worse, as much as is possible; to the end his counsel may take place; which counsel also is never without aim at his own benefit, or honour: every man's end being some good to himself. Now this cannot be done without working upon the passions of the rest. And thus the passions of those that are singly moderate, are altogether vehement; even as a great many coals, though but warm asunder, being put together inflame one another.

5. Another inconvenience of monarchy is this: that the monarch, besides the riches necessary for the defence of the commonwealth, may take so much more from the subjects, as may enrich his children, kindred and favourites, to what degree he pleaseth; which though it be indeed an inconvenience, if he should so do; yet is the same both greater in an aristocracy, and also more likely to come to pass; for there not one only, but many have children, kindred, and friends to raise; and in that point they are as twenty monarchs

what all desire. For the same cause, they would judge it to be as unreasonable if a *few* commanded, unless they themselves either were, or hoped to be of the number. For if it be an unreasonable thing that all men have not an equal right, surely an aristocracy must be unreasonable also. But because we have showed that the state of equality is the state of war, and that therefore inequality was introduced by a general consent; this inequality, whereby he whom we have voluntarily given more to, enjoys more, is no longer to be accounted an unreasonable thing. The inconveniences therefore which attend the dominion on *one* man, attend his *person*, not his *unity*. Let us therefore see whether brings with it the greater grievance to the subject, the command of *one* man, or of *many*.

6. Among other grievances of supreme authority one is, that the ruler, beside those monies necessary for public charges, as the maintaining of public ministers, building, and defending of castles, waging wars, honourably sustaining his own household, may also, if he will, exact others through his lust, whereby to enrich his sons, kindred, favourites, and flatterers too. I confess this is a grievance, but of the number of those which accompany all kinds of government, but are more tolerable in a *monarchy* than in a *democracy*. For

8. Fifthly, that in Monarchy there is this inconvenience; that any Subject, by the power of one man, for the enriching of a favourite or flatterer, may be deprived of all he possesseth; which I confesse is a great and inevitable inconvenience. But the same may as well happen, where the Sovereign Power is in an Assembly: For their power is the same; and they are as subject to evill Counsell, and to be seduced by Orators, as a Monarch by Flatterers; and becoming one an others Flatterers, serve one anothers Covetousnesse and Ambition by turnes. And

for one, and likely to set forward one another's designs mutually, to the oppression of all the rest. The same also happeneth in a democracy, if they all do agree; otherwise they bring in a worse inconvenience, (*viz.*) sedition.

though the monarch would enrich them, they cannot be many, because belonging but to one. But in a *democracy*, look how many demagogues, that is, how many powerful orators there are with the people, (which ever are many, and daily new ones growing), so many children, kinsmen, friends, and flatterers are to be rewarded. For every of them desire not only to make their families as potent, as illustrious in wealth, as may be, but also to oblige others to them by benefits, for the better strengthening of themselves. A *monarch* may in great part satisfy his officers and friends, because they are not many, without any cost to his subjects; I mean without robbing them of any of those treasures given in for the maintenance of war and peace. In a *democracy*, where many are to be satisfied, and always new ones, this cannot be done without the subject's oppression. Though a *monarch* may promote unworthy persons, yet oft times he will not do it; but in a *democracy*, all the popular men are therefore supposed to do it, because it is necessary; for else the power of them who did it, would so increase, as it would not only become dreadful to those others, but even to the whole city also.

whereas the Favorites of Monarchs, are few, and they have none els to advance but their owne Kindred; the Favorites of an Assembly, are many; and the Kindred much more numerous, than of any Monarch. Besides, there is no Favourite of a Monarch, which cannot as well succour his friends, as hurt his enemies: But Orators, that is to say, Favourites of Sovereigne Assemblies, though they have great power to hurt, have little to save. For to accuse, requires lesse Eloquence (such is mans Nature) than to excuse; and condemnation, than absolution more resembles Justice.

6. Another inconvenience of monarchy, is the power of dispensing with the execution of justice; whereby the family and friends of the monarch, may with impunity, commit outrages upon the people, or oppress them with extortion. But in aristocracies, not only one, but many have power of taking men out of the hands of justice; and no man is willing his kindred or friends should be punished according to their demerits. And therefore they understand amongst themselves without farther speaking, as a tacit covenant: *Hodie mihi, cras tibi.*

7. Another grievance is, that same perpetual fear of death, which every man must necessarily be in while he considers with himself, that the ruler hath power not only to appoint what punishments he lists on any transgressions, but that he may also in his wrath and sensuality slaughter his innocent subjects, and those who never offended against the laws. And truly this is a very great grievance in any form of government, wheresoever it happens; for it is therefore a grievance, because it is, not because it may be done. But it is the fault

of the ruler, not of the government. For all the acts of Nero are not essential to monarchy; yet subjects are less often undeservedly condemned under *one ruler*, than under the *people*. For kings are only severe against those who either trouble them with impertinent counsels, or oppose them with reproachful words, or control their wills; but they are the cause that that excess of power which one subject might have above another, becomes harmless. Wherefore some Nero or Caligula reigning, no men can undeservedly suffer but such as are known to him, namely, courtiers, and such as are remarkable for some eminent charge; and not all neither, but they only who are possessed of what he desires to enjoy. For they that are offensive and contumelious, are deservedly punished. Whosoever therefore in a *monarchy* will lead a retired life, let him be what he will that reigns, he is out of danger. For the ambitious only suffer; the rest are protected from the injuries of the more potent. But in a popular dominion, there may be as many Neros as there are orators who soothe the *people*. For each one of them can do as much as the *people*, and they mutually give way to each other's appetite, as it were by this secret pact, *spare me to-day and I'll spare thee to-morrow*, while they exempt those from punishment, who to satisfy their lust and private hatred have undeservedly slain their fellow-subjects. Furthermore, there is a certain limit in private power, which if it exceed, it may prove pernicious to the realm; and by reason whereof it is necessary sometimes for *monarchs* to have a care, that the common weal do thence receive no prejudice. When therefore this power consisted in the multitude of riches, they lessened it by diminishing

their heaps; but if it were in popular applause, the powerful party, without any other crime laid to his charge, was taken from among them. The same was usually practised in *democracies*. For the Athenians inflicted a punishment of ten years' banishment on those that were powerful, merely because of their powers, without the guilt of any other crime. And those who by liberal gifts did seek the favour of the common people, were put to death at Rome, as men ambitious of a kingdom. In this *democracy* and *monarchy* were even; yet differed they much in fame. Because fame derives from the people; and what is done by many, is commanded by many. And therefore what the *monarch* does, is said to be done out of envy to their virtues; which if it were done by the *people*, would be accounted policy.

9. But perhaps for this very reason, some will say that a *popular* state is much to be preferred before a *monarchical*; because that where all men have a hand in public businesses, there all have an opportunity to shew their wisdom, knowledge, and eloquence, in deliberating matters of the greatest difficulty and moment; which by reason of that desire of praise which is bred in human nature, is to them who excel in such-like faculties, and seem to themselves to exceed others, the most delightful of all things. But in a monarchy, this same way to obtain praise and honour is shut up to the greatest part of subjects; and what is a grievance if this be none? I will tell you: to see his opinion, whom we scorn, preferred before ours; to have our wisdom undervalued before our own faces; by an uncertain trial of a little vain glory, to undergo most certain enmities (for this cannot be avoided, whether we have the better

or the worse); to hate and to be hated, by reason of the disagreement of opinions; to lay open our secret councils and advices to all, to no purpose and without any benefit; to neglect the affairs of our own family: these, I say, are grievances. But to be absent from a trial of wits, although those trials are pleasant to the eloquent, is not therefore a grievance to them; unless we will say, that it is a grievance to valiant men to be restrained from fighting, because they delight in it.

10. Besides, there are many reasons, why deliberations are less successful in great assemblies than in lesser councils. Whereof one is, that to advise rightly of all things conducing to the preservation of a commonweal, we must not only understand matters at home, but foreign affairs too. At home, by what goods the country is nourished and defended, and whence they are fetched; what places are fit to make garrisons of; by what means soldiers are best to be raised and maintained; what manner of affections the subjects bear towards their prince or governors of their country; and many the like. Abroad, what the power of each neighbouring country is, and wherein it consists; what advantage or disadvantage we may receive from them; what their dispositions are both to usward, and how affected to each other among themselves; and what counsel daily passeth among them. Now, because very few in a great assembly of men understand these things, being for the most part unskilful, that I say not incapable of them, what can that same number of advisers with their impertinent opinions contribute to good counsels, other than mere lets and impediments?

11. Another reason why a great assembly is not so fit for consultation is, because every one who delivers his opinion holds it necessary to make a long-continued speech; and to gain the

5. Secondly, that a Monarch receiveth counsell of whom, when, and where he pleaseth; and consequently may heare the opinion of men versed in the matter about which he deliberates, of what

See 21.5

more esteem from his auditors, he polishes and adorns it with the best and smoothest language. Now the nature of eloquence is to make *good* and *evil*, *profitable* and *unprofitable*, *honest* and *dishonest*, appear to be more or less than indeed they are; and to make that seem *just* which is *unjust*, according as it shall best suit with his end that speaketh: for this is to persuade. And though they reason, yet take they not their rise from true principles, but from vulgar received opinions, which for the most part are erroneous. Neither endeavour they so much to fit their speech to the nature of the things they speak of, as to the passions of their minds to whom they speak; whence it happens, that opinions are delivered not by right reason, but by a certain violence of mind. Nor is this fault in the *man*, but in the nature itself of *eloquence*, whose end, as all the masters of rhetoric teach us, is not truth (except by chance), but victory; and whose property is not to inform, but to allure.

14. In the fourth place, the counsels of great assemblies have this inconvenience; that whereas it is oft of great consequence that they should be kept secret, they are for the most part discovered to the enemy before they can be brought to any effect; and their power and will is as soon known abroad, as to the *people* itself commanding at home.

15. These inconveniences, which are found in the deliberations of great assemblies, do so far forth evince *monarchy* to be better than *democracy*, as in *democracy* affairs of great consequence are oftener trusted to be discussed by such like committees, than in a *monarchy*. Neither can it easily be done otherwise. For there is no reason why every man should not naturally mind his *own private*, than the *public* business, but that here he sees a means to declare his eloquence, whereby he may gain the

rank or quality soever, and as long before the time of action, and with as much secrecy, as he will. But when a Sovereigne Assembly has need of Counsell, none are admitted but such as have a Right thereto from the beginning; which for the most part are of those who have been versed more in the acquisition of Wealth than of Knowledge; and are to give their advice in long discourses, which may, and do commonly excite men to action, but not governe them in it. For the *Understanding* is by the flame of the Passions, never enlightned, but dazed: Nor is there any place, or time, wherein an Assemblie can receive Counsell with secrecie, because of their owne Multitude.

reputation of being ingenious and wise, and returning home to his friends, to his parents, to his wife and children, rejoice and triumph in the applause of his dexterous behaviour. As of old, all the delight Marcus Coriolanus had in his warlike actions, was to see his praises so well pleasing to his mother. But if the *people* in a democracy would bestow the power of deliberating in matters of war and peace, either on one, or some very few, being content with the nomination of magistrates and public ministers, that is to say, with the authority without the ministration; then it must be confessed, that in this particular *democracy* and *monarchy* would be equal.

7. Another inconvenience of monarchy, is the power of altering laws; concerning which, it is necessary that such a power be, that the laws may be altered, according as men's manners change, or as the conjuncture of all circumstances within and without the commonwealth shall require; the change of law being then inconvenient, when it proceedeth from the change, not of the occasion, but of the minds of him or them, by whose authority the laws are made. Now it is manifest enough of itself that the mind of one man is not so variable in that point, as are the decrees of an assembly. For not only they have all their natural changes, but the change of any one man be enough, with eloquence and reputation, or by solicitation and faction, to make that law to-day, which another by the very same means, shall abrogate to-morrow.

8. Lastly, the greatest inconvenience that can happen to a commonwealth, is the aptitude to dissolve into civil war; and to this are monarchies much less subject, than any other governments. For where the union, or band of a commonwealth, is one man, there is no distraction; whereas in assemblies, those

13. It follows hence, that when the legislative power resides in such convents as these, the laws must needs be inconstant; and change, not according to the alteration of the state of affairs, nor according to the changeableness of men's minds, but as the major part, now of this, then of that *faction*, do convene. Insomuch as the laws do float here and there, as it were upon the waters.

12. The third reason why men advise less successfully in a great convent is, because that thence arise *factions* in a commonweal; and out of *factions*, seditions and civil war. For when equal orators do combat with contrary opinions and speeches, the conquered hates the conqueror and all those that were of his

6. Thirdly, that the Resolutions of a Monarch, are subject to no other Inconstancy, than that of Humane Nature; but in Assemblies, besides that of Nature, there ariseth an Inconstancy from the Number. For the absence of a few, that would have the Resolution once taken, continue firme, (which may happen by security, negligence, or private impediments,) or the diligent appearance of a few of the contrary opinion, undoes to day, all that was concluded yesterday.

7. Fourthly, that a Monarch cannot disagree with himselfe, out of envy, or interest; but an Assembly may; and that to such a height, as may produce a Civill Warre.

that are of different opinions, and give different counsel, are apt to fall out amongst themselves, and to cross the designs of commonwealth for one another's sake: and when they cannot have the honour of making good their own devices, they yet seek the honour to make the counsels of their adversaries to prove vain. And in this contention, when the opposite factions happen to be anything equal in strength, they presently fall to war. Wherein necessity teacheth both sides, that an absolute monarch (viz.) a general, is necessary both for their defence against one another, and also for the peace of each faction within itself. But this aptitude to dissolution, is to be understood for an inconvenience in such aristocracies only where the affairs of state are debated in great and numerous assemblies, as they were anciently in Athens, and in Rome; and not in such as do nothing else in great assemblies, but choose magistrates and counsellors, and commit the handling of state affairs to a few; such as is the aristocracy of Venice at this day. For these are no more apt to dissolve from this occasion, than monarchies, the counsel of state being both in the one and the other alike.

side, as holding his council and wisdom in scorn, and studies all means to make the advice of his adversaries prejudicial to the state: for thus he hopes to see the glory taken from him, and restored unto himself. Furthermore, where the votes are not so unequal, but that the conquered have hopes, by the accession of some few of their own opinion, at another sitting to make the stronger party, the chief heads do call the rest together; they advise a part how they may abrogate the former judgment given; they appoint to be the first and earliest at the next convent; they determine what, and in what order each man shall speak, that the same business may again be brought to agitation; that so what was confirmed before by the number of their then present adversaries, the same may now in some measure become of no effect to them, being negligently absent. And this same kind of industry and diligence which they use to *make* a people, is commonly called a *faction*. But when a *faction* is inferior in votes, and superior, or not much inferior in power, then what they cannot obtain by craft and language, they attempt by force of arms; and so it comes to a civil war. But some will say, these things do not necessarily, nor often happen. He may as well say, that the chief parties are not necessarily desirous of vain glory, and that the greatest of them seldom disagree in great matters.

17. But it is a manifest sign that the most absolute *monarchy* is the best state of government, that not only kings, but even those cities which are subject to the *people* or to *nobles*, give the whole command of war to one only; and that so absolute, as nothing can be more. Wherein, by the way, this must be noted also; that no king can give a general greater authority over his army, than he himself by right may exercise over all

his subjects. *Monarchy* therefore is the best of all governments in the camps. But what else are many commonwealths, than so many camps strengthened with arms and men against each other; whose state, because not restrained by any common power, howsoever an uncertain peace, like a short truce, may pass between them, is to be accounted for the state of nature; which is the state of war.

19. Hitherto we have compared a *monarchical* with a *popular* state; we have said nothing of *aristocracy*. We may conclude of this, by what hath been said of those, that that which is hereditary, and content with the election of magistrates; which transmits its deliberations to some few, and those most able; which simply imitates the government of *monarchs* most, and the *people* least of all; is for the subjects both better and more lasting than the rest.

16. Neither do the conveniences or inconveniences which are found to be more in one kind of government than another, arise from hence, namely, because the government itself, or the administration of its affairs, are better committed to one than many; or on the other side, to many than to some few. For government is the *power*, the administration of it is the *act*. Now the *power* in all kinds of government is equal; the *acts* only differ, that is to say, the *actions* and *motions* of a commonweal, as they flow from the deliberations of many or few, of skilful or impertinent men. Whence we understand, that the conveniences or inconveniences of any government depend not on him in whom the authority resides, but on his officers; and therefore nothing hinders but that the commonweal may be well governed, although the *monarch* be a woman, or youth, or infant, provided that they be fit for

9. Sixtly, that it is an inconvenience in Monarchie, that the Sovereignty may descend upon an Infant, or one that cannot discern between Good and Evil: and consisteth in this, that the use of his Power, must be in the hand of another Man, or of some Assembly of men, which are to governe by his right, and in his name; as Curators, and Protectors of his Person, and Authority. But to say there is inconvenience, in putting the use of the Sovereign Power, into the hand of a Man, or an Assembly of men; is to say that all Government is more Inconvenient, than Confusion, and Civill Warre. And therefore all the danger that can be pretended, must arise from the Contention of those, that for an office of so great honour, and profit, may become Competitors. To make it appear, that this inconvenience, proceedeth not from that forme of Government we call Monarchy, we are to consider, that the precedent Monarch, hath appointed

affairs who are endued with the public offices and charges. And that which is said, *woe to the land whose king is a child*, doth not signify the condition of a monarchy to be inferior to a popular state; but contrariwise, that by accident it is the grievance of a kingdom, that the *king being a child*, it often happens, that many by ambition and power intruding themselves into public councils, the government comes to be administered in a *democratical* manner; and that thence arise those infelicities, which for the most part accompany the *dominion of the people*.

who shall have the Tuition of his Infant Successor, either expressly by Testament, or tacitly, by not controlling the Custome in that case received: And then such inconvenience (if it happen) is to be attributed, not to the Monarchy, but to the Ambition, and Injustice of the Subjects; which in all kinds of Government, where the people are not well instructed in their Duty, and the Rights of Sovereignty, is the same. Or else the precedent Monarch, hath not at all taken order for such Tuition; And then the Law of Nature hath provided this sufficient rule, That the Tuition shall be in him, that hath by Nature most interest in the preservation of the Authority of the Infant, and to whom least benefit can accrue by his death, or diminution. For seeing every man by nature seeketh his own benefit, and promotion; to put an Infant into the power of those, that can promote themselves by his destruction, or dammage, is not Tuition, but Trechery. So that sufficient provision being taken, against all just quarrell, about the Government under a Child, if any contention arise to the disturbance of the publique Peace, it is not to be attributed to the forme of Monarchy, but to the ambition of Subjects, and ignorance of their Duty. On the other side, there is no great Common-wealth, the Sovereignty whereof is in a great Assembly, which is not, as to consultations of Peace, and Warre, and making of Lawes, in the same condition, as if the Government were in a Child. For as a Child wants the judgement to dissent from counsell given him, and is thereby necessitated to take the advise of them, or him, to whom he is committed: So an Assembly wanteth the liberty, to dissent from the counsell of the major part, be it good, or bad. And as a Child has need of a Tutor, or Protector, to preserve his Person, and Authority: So also (in great Common-wealths,) the Sovereign

Cf. 27.3

8. There are some, who therefore imagine *monarchy* to be more grievous then *democracy*, because there is less liberty in that, than in this. If by liberty they mean an exemption from that subjection which is due to the laws, that is, the commands of the *people*; neither in *democracy*, nor in any other state of government whatsoever, is there any such kind of liberty. If they suppose liberty to consist in this, that there be few laws, few prohibitions, and those too such, that except they were forbidden, there could be no peace; then I deny that there is more liberty in *democracy* than *monarchy*; for the one as truly consisteth with such a liberty, as the other. For although the word *liberty* may in large and ample letters be written over the gates of any city whatsoever, yet is it not meant the *subject's*, but the *city's* liberty; neither can that word with better right be inscribed on a city which is governed by the *people*, than that which is ruled by a *monarch*. But when private men or subjects demand liberty, under the name of liberty they ask not for liberty, but *dominion*; which yet for want of understanding they little consider. For if every man would grant the same liberty to another, which he desires for himself, as is commanded by the law of nature; that same natural state would return again, in which all men may by right do all things; which

Assembly, in all great dangers and troubles, have need of *Custodes libertatis*; that is of Dictators, or Protectors of their Authority; which are as much as Temporary Monarchs; to whom for a time, they may commit the entire exercise of their Power; and have (at the end of that time) been oftner deprived thereof, than Infant Kings, by their Protectors, Regents, or any other Tutors.

Chapter 21. Of the LIBERTY of Subjects (cont.)

8. The Libertie, whereof there is so frequent, and honourable mention, in the Histories, and Philosophy of the Antient Greeks, and Romans, and in the writings, and discourse of those that from them have received all their learning in the Politiques, is not the Libertie of Particular men; but the Libertie of the Common-wealth: which is the same with that, which every man then should have, if there were no Civil Laws, nor Common-wealth at all. And the effects of it also be the same. For as amongst masterlesse men, there is perpetuall war, of every man against his neighbour; no inheritance, to transmit to the Son, nor to expect from the Father; no propriety of Goods, or Lands; no security; but a full and absolute Libertie in every Particular man: So in States, and Common-wealths not dependent on one another, every Common-wealth, (not every man) has an absolute Libertie, to doe what it shall judge (that is to say, what that Man, or Assemblie that representeth it, shall judge) most conducing to their benefit. But withall, they live in the condition of a perpetuall war, and upon the confines of battel, with their frontiers armed, and canons planted against their neighbours round about. The *Athenians*, and *Romanes*, were free; that is, free Common-wealths: not that any particular men had the Libertie to

if they knew, they would abhor, as being worse than all kinds of civil subjection whatsoever. But if any man desire to have his single freedom, the rest being bound, what does he else demand but to have the *dominion*? For whoso is freed from all bonds, is lord over all those that still continue bound. Subjects therefore have no greater liberty in a *popular*, than in a *monarchical* state. That which deceives them, is the equal participation of command and public places. For where the authority is in the people, single subjects do so far forth share in it, as they are parts of the people ruling; and they equally partake in public offices, so far forth as they have equal voices in choosing magistrates and public ministers. And this is that which Aristotle aimed at, himself also through the custom of that time miscalling dominion liberty. (*Polit. lib. vi. cap. 2.*) *In a popular state there is liberty by supposition; which is a speech of the vulgar, as if no man were free out of this state.* From whence, by the way, we may collect, that those subjects who in a *monarchy* deplore their lost liberty, do only stomach this, that they are not received to the steerage of the commonweal.

resist their own Representative; but that their Representative had the Libertie to resist, or invade other people. There is written on the Turrets of the city of *Luca* in great characters at this day, the word *LIBERTAS*; yet no man can thence inferre, that a particular man has more Libertie, or Immunitie from the service of the Commonwealth there, than in *Constantinople*. Whether a Commonwealth be Monarchicall, or Popular, the Freedome is still the same.

CHAPTER 19

Chapters 22 and 23 of *The Elements of Law* /
 Chapters 8, 9 and 11 of *De Cive* /
 Chapters 20, 21 (part) and 19 (part) of *Leviathan*

Précis table

Part II. Concerning men as a body politic	Part II. Of Dominion	Part II. OF COMMON-WEALTH
Chapter 22. Of the power of masters	Chapter 8. Of the right which lords and masters have over their servants	Chapter 20. <i>Of Dominion PATERNALL, and DESPOTICALL</i>
		1. A Common-wealth by Acquisition 2. Wherein different from a Common-wealth by Institution 3. The Rights of Sovereignty the same in both
1. Titles to dominion 2. Master and servant defined 3. Chains and other material bonds a presumption of no bond by covenant. Slave defined	1. What lord and servant signify 2. The distinction of servants, into such as upon trust enjoy their natural liberty, and slaves, or such as serve being imprisoned or bound in fetters	10. Despotically Dominion how attained
	3. The obligation of a servant arises from the liberty of body allowed him by his lord	11. Not by the Victory, but by the Consent of the Vanquished
	4. Servants that are bound, are not by any compacts tied to their lords	12.
4. Servants have no property against their lord, but may have one against another 5. The master hath right to alienate his servant	5. Servants have no propriety in their goods against their lord 6. The lord may sell his servant, or alienate him by testament 7. The lord cannot injure his servant	13.
6. The servant of the servant is servant of the master	8. He that is lord of the lord, is lord also of his servants	
7. How servitude is discharged 8. The middle lord cannot discharge his servant of obedience to the supreme lord	9. By what means servants are freed	

9. The title of man to his dominion over beasts	10. Dominion over beasts belongs to the right of nature	
Chapter 23. Of the power of fathers, and of patrimonial kingdom	Chapter 9. Of the right which parents have over their children, and of a kingdom paternal	
1. The dominion over the child is originally the right of the mother 2. Pre-eminence of sex giveth not the child to the father, rather than the mother 3. The title of the father or mother to the person of the child, is not the generation but the preservation of it 5. The right to the child given from the mother sometimes by express covenant 6. The child of the concubine not in the power of the father by that title	1. Paternal dominion ariseth not from generation 2. Dominion over infants belongs to him or her who first hath them in their power 3. Dominion over infants is originally the mother's 4. The exposed infant is his, from whom he receives his preservation 6. In such a conjunction of man and woman, as neither hath command over the other, the children are the mother's, unless by compact or civil law it be otherwise determined	4. Dominion Paternall how attained; Not by Generation, but by Contract; 5. Or Education;
4. The child of a woman-servant is the dominion of her master 7. The child of the husband and the wife in the power of the father	5. The child that hath one parent a subject, and the other a sovereign, belongs to him or her in authority.	8. 6. Or Precedent subjection of one of the Parents to the other 7.
8. The father, or he or she that bringeth up the child, have absolute power over him	7. Children are no less subject to their parents, than servants to their lords and subjects to their princes	
	8. Of the honour of parents and lords	
		9. The Right of Succession followeth the Rules of the Rights of Possession
		14.
10. A great family is a patrimonial kingdom	10. There is the same right over subjects in an hereditary government, which there is in an institutive government	15. Difference between a Family and a Kingdom
		Chapter 21. Of the LIBERTY of Subjects¹
9. Freedom in subjects what it is	9. Wherein liberty consists, and the difference of subjects and servants	1. Liberty what 2. What it is to be free

¹ Paragraphs 8 and 20–5 are in Chapter 18; paragraph 6 can be found in Chapter 21. Margin notes for paragraphs 3–5, 7 and 9–19 appear in Précis Table 19.

		Chapter 19. <i>Of the severall Kinds of COMMON-WEALTH by Institution, and of Succession to the Sovereigne Power</i> ²
<p>11. Succession of the sovereign power, absolute disposable by will</p> <p>12. Though the successor be not declared, yet there is always one to be presumed</p> <p>13. The children preferred to the succession before all others</p> <p>14. The males before the females</p> <p>15. The eldest before the rest of the brothers</p> <p>16. The brother next to the children</p> <p>17. The succession of the possessor followeth the same rule with the succession of the predecessor</p>	<p>11. The question concerning the right of succession belongs only to monarchy</p> <p>12. A monarch may dispose of the command of his government by testament</p> <p>13. Or give it, or sell it</p> <p>14. A monarch dying without testament, is ever supposed to will that a monarch should succeed him</p> <p>15. And some one of his children</p> <p>16. And a male rather than a female</p> <p>17. And the eldest rather than the younger</p> <p>18. And his brother, if he want issue, before all others</p> <p>19. In the same manner that men succeed to the power, do they also succeed to the right of succession</p>	<p>14. Of the Right of Succession</p> <p>15–17.</p> <p>18. The present Monarch hath Right to dispose of the Succession</p> <p>19.</p> <p>20. Succession passeth by expresse Words;</p> <p>21. Or, by not controlling a Custome;</p> <p>22. Or, by presumption of naturall affection</p> <p>23. To dispose of the Succession, though to a King of another Nation, not unlawfull</p>
	Chapter 11. The places and examples of Scripture concerning the right of government, which make for proof of the foresaid doctrines	Chapter 20. <i>Of Dominion PATERNALL, and DESPOTICALL</i> (cont.)
See 25.4	<p>1. The beginning of institutive government from the consent of the people</p> <p>2. Judicature and wars depend on the will of supreme commanders</p> <p>3. That they who have the chief authority, are by right unpunishable</p> <p>4. That without a supreme power there is no government, but anarchy</p> <p>5. That from servants and sons there is a simple obedience due to their lords and parents</p> <p>6. Absolute authority proved by most evident places, as well of the New as the Old Testament</p>	<p>16. The rights of Monarchy from Scripture</p> <p>17.</p>
		<p>18. Sovereign Power ought in all Common-wealths to be absolute</p> <p>19.</p>

² Paragraphs 1–13 are in Chapter 18.

Part II. Concerning men as a body politic

Chapter 22. Of the power of masters

Part II. Of Dominion

Chapter 8. Of the right which lords and masters have over their servants

Part II. OF COMMON-WEALTH

Chapter 20. Of Dominion PATERNALL, and DESPOTICALL

1. A *Common-wealth by Acquisition*, is that, where the Sovereign Power is acquired by Force; And it is acquired by force, when men singly, or many together by plurality of voyces, for fear of death, or bonds, do authorise all the actions of that Man, or Assembly, that hath their lives and liberty in his Power.

2. And this kind of Dominion, or Sovereignty, differeth from Sovereignty by Institution, onely in this, That men who choose their Sovereign, do it for fear of one another, and not of him whom they Institute: But in this case, they subject themselves, to him they are afraid of. In both cases they do it for fear: which is to be noted by them, that hold all such Covenants, as proceed from fear of death, or violence, voyd: which if it were true, no man, in any kind of Common-wealth, could be obliged to Obedience. It is true, that in a Common-wealth once Instituted, or acquired, Promises proceeding from fear of death, or violence, are no Covenants, nor obliging, when the thing promised is contrary to the Lawes; But the reason is not, because it was made upon fear, but because he that promiseth, hath no right in the thing promised. Also, when he may lawfully performe, and doth not, it is not the Invalidity of the Covenant, that absolveth him, but the Sentence of the Sovereign. Otherwise, whensoever a man lawfully promiseth, he unlawfully breaketh: But when the Sovereign, who is the Actor, acquitteth him, then he is acquitted by him that exorted the promise, as by the Author of such absolution.

3. But the Rights, and Consequences of Sovereignty, are the same in both. His Power cannot, without his consent, be

1. HAVING set forth, in the two preceding chapters, the nature of a commonwealth institutive, by the consent of many men together; I come now to speak of dominion, or a body politic by acquisition, which is commonly called a patrimonial kingdom. But before I enter thereinto: it is necessary to make known, upon what title one man may acquire right, that is to say, property or dominion, over the person of another. For when one man hath dominion over another, there is a little kingdom; and to be a king by acquisition, is nothing else, but to have acquired a right or dominion over many.

2. Considering men therefore again in the state of nature, without covenants or subjection one to another, as if they were but even now all at once created male and female; there be three titles only, by which one man may have right and dominion over another; whereof two may take place presently, and those are: voluntary offer of subjection, and yielding by compulsion; the third is to take place, upon the supposition of children begotten amongst them. Concerning the first of these three titles, it is handled before in the two last chapters;

1. IN the two foregoing chapters we have treated of an *institutive* or *framed* government, as being that which receives its original from the consent of many, who by contract and faith mutually given have obliged each other. Now follows what may be said concerning a *natural* government; which may also be called *acquired*, because it is that which is gotten by power and natural force. But we must know in the first place, by what means the right of dominion may be gotten over the persons of men. Where such a right is gotten, there is a kind of a little kingdom; for to be a *king*, is nothing else but to have dominion over many persons; and thus a great family is a kingdom, and a little kingdom a family. Let us return again to the state of nature, and consider men as if but even now sprung out of the earth, and suddenly, like mushrooms, come to full maturity, without all kind of engagement to each other. There are but three ways only, whereby one can have a dominion over the person of another; whereof the first is, if by mutual contract made between themselves, for peace and self-defence's sake, they have willingly given up themselves to the power and authority of some man, or council

Transferred to another: He cannot Forfeit it: He cannot be Accused by any of his Subjects, of Injury: He cannot be Punished by them: He is Judge of what is necessary for Peace; and Judge of Doctrines: He is Sole Legislator; and Supreme Judge of Controversies; and of the Times, and Occasions of Warre, and Peace: to him it belongeth to choose Magistrates, Counsellours, Commanders, and all other Officers, and Ministers; and to determine of Rewards, and Punishments, Honour, and Order. The reasons whereof, are the same which are alledged in the precedent Chapter, for the same Rights, and Consequences of Sovereignty by Institution.

10. Dominion acquired by Conquest, or Victory in war, is that which some Writers call DESPOTICALL, from *Δεσπότης*, which signifieth a *Lord*, or *Master*; and is the Dominion of the Master over his Servant. And this Dominion is then acquired to the Victor, when the Vanquished, to avoyd the present stroke of death, covenanteth either in expresse words, or by other sufficient signes of the Will, that so long as his life, and the liberty of his body is allowed him, the Victor shall have the use thereof, at his pleasure. And after such Covenant made, the Vanquished is a *SERVANT*, and not before: for by the word *Servant* (whether it be derived from *Servire*, to Serve, or from *Servare*, to Save, which I leave to Grammarians to dispute) is not meant a Captive, which is kept in prison, or bonds, till the owner of him that took him, or bought him of one that did, shall consider what to do with him: (for such men, (commonly called Slaves,) have no obligation at all; but may break their bonds, or the prison; and kill, or carry away captive their Master, justly:) but one, that being taken, hath corporall liberty allowed him; and upon promise not to run away, nor to do violence to his Master, is trusted by him.

for from thence cometh the right of sovereigns over their subjects in a commonwealth institutive. Concerning the second title (which is when a man submitteth to an assailant for fear of death), thereby accrueth a right of dominion. For where every man (as it happeneth in this case) hath right to all things, there needs no more for the making of the said right effectual, but a covenant from him that is overcome, not to resist him that overcome. And thus cometh the victor to have a right of absolute dominion over the conquered. By which there is presently constituted a little body politic, which consisteth of two persons, the one sovereign, which is called the MASTER, or lord; the other subject, which is called the SERVANT. And when a man hath acquired right over a number of servants so considerable, as they cannot by their neighbours be securely invaded, this body politic is a kingdom despotical.

3. And it is to be understood: that when a servant taken in the wars, is kept bound in natural bonds, as chains, and the like, or in prison; there hath passed no covenant from the servant to his master; for those natural bonds have no need of strengthening by the verbal bonds of covenant; and they show the servant is not trusted. But covenant (Part I. chapt. 15, sect. 9) supposeth trust. There remaineth therefore in the servant thus kept bound, or in prison, a right of delivering himself, if he can, by what means soever. This kind of servant is that which ordinarily and without passion, is called a SLAVE. The Romans had no such distinct name, but comprehended all under the name of *servus*; whereof such as they loved and durst trust, were suffered to go at liberty, and admitted to places of office, both near to their persons, and in their affairs abroad; the rest were kept chained, or

of men; and of this we have already spoken. The second is, if a man taken prisoner in the wars, or overcome, or else distrusting his own forces, to avoid death, promises the conqueror or the stronger party his *service*, that is, to do all whatsoever he shall command him. In which contract, the good which the vanquished or inferior in strength doth receive, is the grant of his life, which by the right of war in the natural state of men he might have been deprived of; but the good which he promises, is his service and obedience. By virtue therefore of this promise, there is as absolute service and obedience due from the vanquished to the vanquisher, as possibly can be, excepting what repugns the divine laws; for he who is obliged to obey the commands of any man before he knows what he will command him, is simply and without any restriction tied to the performance of all commands whatsoever. Now he that is thus tied, is called a *servant*; he to whom he is tied, a *lord*. Thirdly, there is a right acquired over the person of a man by generation; of which kind of acquisition somewhat shall be spoken in the following chapter.

2. Every one that is taken in the war, and hath his life spared him, is not supposed to have contracted with his lord; for every one is not trusted with so much of his natural liberty, as to be able, if he desired it, either to fly away, or quit his service, or contrive any mischief to his lord. And these serve indeed, but within prisons or bound within irons; and therefore they were called not by the common name of *servant* only, but by the peculiar name of *slave*; even as now at this day, *un serviteur*, and an *serf* or *un esclave* have diverse significations.

otherwise restrained with natural impediments to their resistance. And as it was amongst the Romans, so it was amongst other nations; the former sort having no other bond but a supposed covenant, without which the master had no reason to trust them; the latter being without covenant, and no otherwise tied to obedience, but by chains, or other like forcible custody.

3. The obligation therefore of a *servant* to his *lord*, ariseth not from a simple grant of his life; but from hence rather, that he keeps him not bound or imprisoned. For all obligation derives from contract; but where there is no trust, there can be no contract, as appears by chap. ii, art. 9; where a compact is defined to be the promise of him who is trusted. There is therefore a confidence and trust which accompanies the benefit of pardoned life, whereby the *lord* affords him his corporal liberty; so that if no obligation nor bonds of contract had happened, he might not only have made his escape, but also have killed his lord who was the preserver of his life.

4. Wherefore such kind of *servants* as are restrained by imprisonment or bonds, are not comprehended in that definition of *servants* given above; because those serve not for the contract's sake, but to the end they may not suffer. And therefore if they fly, or kill their *lord*, they offend not against the laws of nature. For to bind any man, is a plain sign that the binder supposes him that is bound, not to be sufficiently tied by any other obligation.

11. It is not therefore the Victory, that giveth the right of Dominion over the Vanquished, but his own Covenant. Nor is he obliged because he is Conquered; that is to say, beaten, and taken, or put to flight; but because he cometh in, and submitteth to the Victor; Nor is the Victor obliged by an enemies rendring himselfe, (without promise of life,) to spare him for this his yeelding to discretion; which obliges not the Victor longer, than in his own discretion hee shall think fit.

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

4. A master therefore is to be supposed to have no less right over those, whose bodies he leaveth at liberty, than over those he keepeth in bonds and imprisonment; and hath absolute dominion over both; and may say of his servant, that he is *his*, as he may of any other thing. And whatsoever the servant had, and might call *his*, is now the master's; for he that disposeth of the person, disposeth of all the person could dispose of; insomuch as though there be *meum* and *tuum* amongst servants distinct from one another by the dispensation, and for the benefit of their master; yet there is no *meum* and *tuum* belonging to any of them against the master himself, whom they are not to resist, but to obey all his commands as law.

5. And seeing both the servant and all that is committed to him, is the property of the master, and every man may dispose of his own, and transfer the same at his pleasure, the master may therefore alienate his dominion over them, or give the same, by his last will, to whom he list.

5. The lord therefore hath no less dominion over a servant that is not, than over one that is bound; for he hath a supreme power over both, and may say of his servant no less than of another thing, whether animate or inanimate, *this is mine*. Whence it follows, that whatsoever the servant had before his servitude, that afterwards becomes the lord's; and whatsoever he hath gotten, it was gotten for his lord. For he that can by right dispose of the *person* of a man, may surely dispose of all those things which that *person* could dispose of. There is therefore nothing which the servant may retain as his own against the will of his lord; yet hath he, by his lord's distribution, a propriety and dominion over his own goods: insomuch as one servant may keep and defend them against the invasion of his fellow-servant, in the same manner as hath been shewed before, that a subject hath nothing properly *his own* against the will of the supreme authority, but every subject hath a propriety against his fellow-subject.

6. Since therefore both the servant himself, and all that belongs to him are his lord's, and by the right of nature every man may dispose of his own in what manner he pleases; the lord may either sell, lay to pledge, or by testament convey the dominion he hath over his servant, according to his own will and pleasure.

7. Furthermore, what hath before been demonstrated concerning subjects in an *institutive* government, namely, that he who hath the supreme power can do his subject no injury; is true also concerning *servants*, because they have subjected their will to the will of the Lord. Wherefore, whatsoever he doth, it is done with their will; but no injury can be done to him that willeth it.

13. The Master of the Servant, is Master also of all he hath; and may exact the use thereof; that is to say, of his goods, of his labour, of his servants, and of his children, as often as he shall think fit. For he holdeth his life of his Master, by the covenant of obedience; that is, of owning, and authorising whatsoever the Master shall do. And in case the Master, if he refuse, kill him, or cast him into bonds, or otherwise punish him for his disobedience, he is himselfe the author of the same; and cannot accuse him of injury.

6. And if it happen, that the master himself by captivity or voluntary subjection, become servant to another, then is that other master paramount; and those servants of him that becometh servant, are no further obliged, than their master paramount shall think good; forasmuch as he disposing of the master subordinate, disposeth of all he hath, and consequently of his servants; so that the restriction of absolute power in masters proceedeth not from the law of nature, but from the political law of him that is their master supreme or sovereign.

7. Servants immediate to the supreme master, are discharged of their servitude or subjection in the same manner that subjects are released of their allegiance in a commonwealth institutive. As first, by release; for he that captiveth (which is done by accepting what the captive transferreth to him) setteth again at liberty, by transferring back the same. And this kind of release is called *MANUMISSION*. Secondly, by exile; for that is no more but *manumission* given to a servant, not in the way of benefit, but punishment. Thirdly, by new captivity, where the servant having done his endeavour to defend himself, hath thereby performed his covenant to his former master, and for the safety of his life, entering into new covenant with the conqueror, is bound to do his best endeavour to keep that likewise. Fourthly, ignorance of who is successor to his deceased master, dischargeth him of obedience; for no covenant holdeth longer than a man knoweth to whom he is to perform it. And lastly, that servant that is no longer trusted, but committed to his chains and custody, is thereby discharged of the obligation *in foro interno*, and therefore if he can get loose, may lawfully go his way.

8. But if it happen that the *lord*, either by captivity or voluntary subjection, doth become a *servant* or *subject* to another, that other shall not only be lord of him, but also of his *servants*; supreme lord over these, immediate lord over him. Now because not the servant only, but also all he hath, are his lord's; therefore his servants now belong to this man, neither can the mediate lord dispose otherwise of them than shall seem good to the supreme. And therefore, if sometime in civil governments the lord have an absolute power over his servants, that is supposed to be derived from the right of nature, and not constituted, but slightly passed over by the civil law.

9. A servant is by the same manner freed from his servitude, that a subject in an institutive government is freed from his subjection. First, if his lord enfranchise him; for the right which the servant transferred to his lord over himself, the same may the lord restore to the servant again. And this manner of bestowing of liberty is called *manumission*; which is just as if a city should permit a citizen to convey himself under the jurisdiction of some other city. Secondly, if the lord cast off his servant from him; which in a city is *banishment*; neither differs it from *manumission* in effect, but in manner only. For there, liberty is granted as a favour, here, as a punishment: in both, the dominion is renounced. Thirdly, if the servant be taken prisoner, the old servitude is abolished by the new; for as all other things, so servants also are acquired by war, whom in equity the lord must protect, if he will have them to be his. Fourthly, the servant is freed for want of knowledge of a successor, the lord dying (suppose) without any testament or heir. For no man is understood to be obliged, unless he know to whom he is to perform the obligation. Lastly, the servant that is put in bonds, or by any

8. But servants subordinate, though manumitted by their immediate lord, are not thereby discharged of subjection to their lord paramount; for the immediate master hath no property in them, having transferred his right before to another, namely to his own and supreme master. Nor if the chief lord should manumit his immediate servant, doth he thereby release the servants of their obligation to him that is so manumitted. For by this manumission, he recovereth again the absolute dominion he had over them before. For after a release (which is the discharge of a covenant) the right standeth as it did before the covenant was made.

9. This right of conquest, as it maketh one man master over another, so also maketh it a man to be master of the irrational creatures. For if a man in the state of nature, be in hostility with men, and thereby have lawful title to subdue or kill, according as his own conscience and discretion shall suggest unto him for his safety and benefit; much more may he do the same to beasts; that is to say, save and preserve for his own service, according to his discretion, such as are of nature apt to obey, and commodious for use; and to kill and destroy, with perpetual war, all other, as fierce, and noisome to him. And this dominion is therefore of the law of nature, and not of the divine law positive. For if there had been no such right before the revealing of God's will in the Scripture, then should no man, to whom the Scripture hath not come, have right to make use of those creatures, either for his food or sustenance. And it were a hard condition of mankind, that a fierce and savage beast should with more right kill a man, than the man a beast.

other means deprived of his corporal liberty, is freed from that other obligation of contract. For there can be no contract where there is no trust, nor can that faith be broken which is not given. But the *lord* who himself serves another, cannot so free his *servants*, but that they must still continue under the power of the supreme; for, as hath been shewed before, such servants are not his, but the supreme lord's.

10. We get a right over irrational creatures, in the same manner that we do over the persons of men; to wit, by force and natural strength. For if in the state of nature it is lawful for every one, by reason of that war which is of all against all, to subdue and also to kill men as oft as it shall seem to conduce unto their good; much more will the same be lawful against brutes; namely, at their own discretion to reduce those to servitude, which by art may be tamed and fitted for use, and to persecute and destroy the rest by a perpetual war as dangerous and noxious. Our dominion therefore over beasts, hath its original from the *right of nature*, not from *divine positive right*. For if such a right had not been before the publishing of the Sacred Scriptures, no man by right might have killed a beast for his food, but he to whom the divine pleasure was made manifest by holy writ; a most hard condition for men indeed, whom the beasts might devour without injury, and yet they might not destroy them. Forasmuch therefore as it proceeds from the right of nature, that a beast may kill a man, it is also by the same right that a man may slay a beast.

Chapter 23. Of the power of fathers, and of patrimonial kingdom

1. OF three ways by which a man becometh subject to another, mentioned section 2, chapt. ult., namely voluntary offer, captivity and birth, the former two have been spoken of, under the name of subjects and servants. In the next place, we are to set down the third way of subjection, under the name of children; and by what title one man cometh to have propriety in a child, that proceedeth from the common generation of two, (viz.) of male and female. And considering men again dissolved from all covenants one with another, and that (Part 1. chap. 17, sect. 2) every man by the law of nature, hath right or propriety to his own body, the child ought rather to be the propriety of the mother (of whose body it is part, till the time of separation) than of the father. For the understanding therefore of the right that a man or woman hath to his or their child, two things are to be considered: first what title the mother or any other originally hath to a child new born; secondly, how the father, or any other man, pretendeth by the mother.

2. For the first: they that have written of this subject have made generation to be a title of dominion over persons, as well as the consent of the persons themselves. And because generation giveth title to two, namely, father and mother, whereas dominion is indivisible, they therefore ascribe dominion over the child to the father only, *ob præstantiam sexūs*; but they show not, neither can I find out by what coherence, either generation inferreth dominion, or advantage of so much strength, which, for the most part, a man hath more than a woman, should generally and universally entitle the father to a propriety in the child, and take it away from the mother.

Chapter 9. Of the right which parents have over their children, and of a kingdom paternal

1. SOCRATES is a man, and therefore a living creature, is right reasoning; and that most evident, because there is nothing needful to the acknowledging of the truth of the consequence, but that the word *man* be understood; because a living creature is in the definition itself of a man, and every one makes up the proposition which was desired, namely this, *man is a living creature*. And this, *Sophoniscus is Socrates' father, and therefore his lord*, is perhaps a true inference, but not evident; because the word *lord* is not in the definition of a father: wherefore it is necessary, to make it more evident, that the connexion of *father* and *lord* be somewhat unfolded. Those that have hitherto endeavoured to prove the dominion of a parent over his children, have brought no other argument than that of *generation*; as if it were of itself evident, that what is begotten by me is mine; just as if a man should think, that because there is a triangle, it appears presently, without any further discourse, that its angles are equal to two right. Besides, since dominion, that is, supreme power is indivisible, insomuch as no man can serve two masters; but two persons, male and female, must concur in the act of generation; it is impossible that dominion should at all be acquired by generation only. Wherefore we will, with the more diligence, in this place inquire into the original of *paternal government*.

2. We must therefore return to the state of nature, in which, by reason of the equality of nature, all men of riper years are to be accounted equal. There *by right of nature* the conqueror is lord of the conquered. By the right therefore of *nature*, the dominion over the

4. Dominion is acquired two ways; By Generation, and by Conquest. The right of Dominion by Generation, is that, which the Parent hath over his Children; and is called *PATERNALL*. And is not so derived from the Generation, as if therefore the Parent had Dominion over his Child because he begat him; but from the Childs Consent, either expresse, or by other sufficient arguments declared. For as to the Generation, God hath ordained to man a helper; and there be alwayes two that are equally Parents: the Dominion therefore over the Child, should belong equally to both; and he be equally subject to both, which is impossible; for no man can obey two Masters. And whereas some have attributed the Dominion to the Man onely, as being of the more excellent Sex; they misreckon in it. For there is not always that difference of strength or prudence between the man and the woman, as that the right can be determined without War. In Common-wealths, this controversie is decided by the Civill Law: and for the most part, (but not alwayes) the sentence is in favour of the Father; because for the most part Common-wealths have been erected by the Fathers, not by the Mothers of families. But the question lyeth now in the state of meer Nature; where there are supposed no lawes of Matrimony; no lawes for the Education of Children; but the Law of Nature, and the naturall inclination of the Sexes, one to another, and to their children. In this condition of meer Nature, either the Parents between themselves dispose of the dominion over the Child by Contract; or do not dispose thereof at all. If they dispose thereof, the right passeth according to the Contract. We find in History that the *Amazons* Contracted with the Men of the neighbouring

3. The title to dominion over a child, proceedeth not from the generation, but from the preservation of it; and therefore in the estate of nature, the mother in whose power it is to save or destroy it, hath right thereto by that power, according to that which hath been said Part I. chapter 14, sect. 13. And if the mother shall think fit to abandon, or expose her child to death, whatsoever man or woman shall find the child so exposed, shall have the same right which the mother had before; and for the same reason, namely for the power not of generating, but preserving. And though the child thus preserved, do in time acquire strength, whereby he might pretend equality with him or her that hath preserved him, yet shall that pretence be thought unreasonable, both because his strength was the gift of him, against whom he pretendeth; and also because it is to be presumed, that he which giveth sustenance to another, whereby to strengthen him, hath received a promise of obedience in consideration thereof. For else it would be wisdom in men, rather to let their children perish, while they are infants, than to live in their danger or subjection, when they are grown.

5. Of covenants that amount not to subjection between a man and woman, there be some which are made for a time and some for life; and where they are for a time, they are covenants of cohabitation, or else of copulation only. And in this latter case, the children pass by covenants particular. And thus in the copulation of the Amazons with their neighbours, the fathers by covenant had the male children only, the mothers retaining the females.

6. And covenants of cohabitation are either for society of bed, or for society of all things; if for society of bed only, then is the woman called a CONCUBINE. And here also the child shall be his or hers,

infant first belongs to him who first hath him in his power. But it is manifest that he who is newly born, is in the *mother's* power before any others; in-somuch as she may rightly, and at her own will, either breed him up or adventure him to fortune.

3. If therefore she breed him, because the state of nature is the state of war, she is supposed to bring him up on this condition; that being grown to full age he become not her enemy; which is, that he obey her. For since by natural necessity we all desire that which appears good unto us, it cannot be understood that any man hath on such terms afforded life to another, that he might both get strength by his years, and at once become an enemy. But each man is an enemy to that other, whom he neither obeys nor commands. And thus in the state of nature, every woman that bears children, becomes both a *mother* and a *lord*. But what some say, that in this case the *father*, by reason of the pre-eminence of sex, and not the *mother* becomes *lord*, signifies nothing. For both reason shows the contrary; because the inequality of their natural forces is not so great, that the man could get the dominion over the woman without war. And custom also contradicts not; for women, namely Amazons, have in former times waged war against their adversaries, and disposed of their children at their own wills. And at this day, in divers places women are invested with the principal authority; neither do their husbands dispose of their children, but themselves; which in truth they do *by the right of nature*; forasmuch as they who have the supreme power, are not tied at all (as hath been shewed) to the civil laws. Add also, that in the state of nature it cannot be known who is the *father*, but by the testimony of the *mother*; the child

Countries, to whom they had recourse for issue, that the issue Male should be sent back, but the Female remain with themselves: so that the dominion of the Females was in the Mother.

5. If there be no Contract, the Dominion is in the Mother. For in the condition of meer Nature, where there are no Matrimoniall lawes, it cannot be known who is the Father, unlesse it be declared by the Mother: and therefore the right of Dominion over the Child dependeth on her will, and is consequently hers. Again, seeing the Infant is first in the power of the Mother, so as she may either nourish, or expose it, if she nourish it, it oweth its life to the Mother; and is therefore obliged to obey her, rather than any other; and by consequence the Dominion over it is hers. But if she expose it, and another find, and nourish it, the Dominion is in him that nourisheth it. For it ought to obey him by whom it is preserved; because preservation of life being the end, for which one man becomes subject to another, every man is supposed to promise obedience, to him, in whose power it is to save, or destroy him.

as they shall agree particularly by covenant; for although for the most part a concubine is supposed to yield up the right of her children to the father, yet doth not concubinate enforce so much.

therefore is his whose the mother will have it, and therefore her's. Wherefore original dominion over *children* belongs to the *mother*: and among men no less than other creatures, the birth follows the belly.

4. The dominion passes from the mother to others, divers ways. First, if she quit and forsake her right by *exposing* the child. He therefore that shall bring up the child thus exposed, shall have the same dominion over it which the mother had. For that life which the mother had given it, (not by *getting* but *nourishing* it), she now by *exposing* takes from it. Wherefore the obligation also which arose from the benefit of life, is by this exposition made void. Now the preserved oweth all to the preserver, whether in regard of his education as to a *mother*, or of his service as to a *lord*. For although the mother in the state of nature, where all men have a right to all things, may recover her son again, namely, by the same right that anybody else might do it; yet may not the son rightly transfer himself again unto his mother.

6. But in the state of nature, if a man and woman contract so, as neither is subject to the command of the other, the children are the mother's, for the reasons above given in the third article, unless by pacts it be otherwise provided. For the *mother* may by pact dispose of her right as she lists; as heretofore hath been done by the Amazons, who of those children which have been begotten by their neighbours, have by pact allowed them the *males*, and retained the *females* to themselves. But in a civil government, if there be a contract of marriage between a man and woman, the children are the *father's*; because in all cities, to wit, constituted of *fathers*, not *mothers* governing their families, the domestical command

belongs to the man; and such a contract, if it be made according to the civil laws, is called matrimony. But if they agree only to lie together, the children are the *father's* or the *mother's* variously, according to the differing civil laws of divers cities.

4. For the pretences which a man may have to dominion over a child by the right of the mother, they be of divers kinds. One by the absolute subjection of the mother; another, by some particular covenant from her, which is less than a covenant of such subjection. By absolute subjection, the master of the mother, hath right to her child, according to section 6, chapt. 3, whether he be the father thereof or not. And thus the children of the servant are the goods of the master in *perpetuum*.

7. But if the covenants of cohabitation be for society of all things, it is necessary that but one of them govern and dispose of all that is common to them both; without which (as hath been often said before) society cannot last. And therefore the man, to whom for the most part the woman yieldeth the government, hath for the most part also the sole right and dominion over the children. And the man is called the HUSBAND, and the woman the WIFE; but because sometimes the government may belong to the wife only, sometimes also the dominion over the children shall be in her only; as in the case of a sovereign queen, there is no reason that her marriage should take from her the dominion over her children.

8. Children therefore, whether they be brought up and preserved by the father, or by the mother, or by whomsoever, are in most absolute subjection to him or her, that so bringeth them up, or preserveth them. And they may alienate them, that is, assign his or her dominion, by selling or giving them in adoption or servitude to others; or may pawn

5. Secondly, if the mother be taken prisoner, her son is his that took her; because that he who hath dominion over the person, hath also dominion over all belonging to the person; wherefore over the son also, as hath been shewed in the foregoing chapter, in the fifth article. Thirdly, if the mother be a subject under what government soever, he that hath the supreme authority in that government, will also have the dominion over him that is born of her; for he is lord also of the mother, who is bound to obey him in all things. Fourthly, if a woman for society's sake give herself to a man on this condition, that he shall bear the sway; he that receives his being from the contribution of both parties, is the *father's*, in regard of the command he hath over the *mother*. But if a woman bearing rule shall have children by a subject, the children are the *mother's*; for otherwise the woman can have no children without prejudice to her authority. And universally, if the society of the male and female be such an union, as the one have subjected himself to the other, the children belong to him or her that commands.

7. Now because, by the third article, the *mother is originally lord of her children*, and from her the father, or somebody else by derived right; it is manifest that the children are no less subject to those by whom they are nourished and brought up, than servants to their lords, and subjects to him who bears the supreme rule; and that a

8. He that hath the Dominion over the Child, hath Dominion also over the Children of the Child; and over their Childrens Children. For he that hath Dominion over the person of a man, hath Dominion over all that is his; without which, Dominion were but a Title, without the effect.

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

7. If a man and a woman, Monarches of two severall Kingdomes, have a Child, and contract concerning who shall have the Dominion of him, the Right of the Dominion passeth by the Contract. If they contract not, the Dominion followeth the Dominion of the place of his residence. For the Sovereign of each Country hath Dominion over all that reside therein.

them for hostages, kill them for rebellion, or sacrifice them for peace, by the law of nature, when he or she, in his or her conscience, think it to be necessary.

parent cannot be injurious to his son, as long as he is under his power. A son also is freed from subjection in the same manner as a subject and servant are. For *emancipation* is the same thing with *manumission*, and *abdication* with *banishment*.

8. The *enfranchised son* or *released servant* do now stand in less fear of their *lord* and *father*, being deprived of his natural and lordly power over them; and, if regard be had to true and inward honour, do honour him less than before. For *honour*, as hath been said in the section above, is nothing else but the estimation of another's power; and therefore he that hath least power, hath always least *honour*. But it is not to be imagined, that the *enfranchiser* ever intended so to match the *enfranchised* with himself, as that he should not so much as acknowledge a benefit, but should so carry himself in all things as if he were become wholly his equal. It must therefore be ever understood, that he who is freed from subjection, whether he be a *servant*, *son*, or some *colony*, doth promise all those external signs at least, whereby superiors used to be honoured by their inferiors. From whence it follows, that the precept of *honouring our parents*, belongs to the law of nature, not only under the title of *gratitude*, but also of *agreement*.

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

14. In summe the Rights and Consequences of both Paternall and Despotical Dominion, are the very same with those of a Sovereign by Institution; and for the same reasons: which reasons are set down in the precedent chapter. So

10. Now when a father that hath children, hath servants also, the children (not by the right of the child, but by the natural indulgence of the parents) are such freemen. And the whole consisting of the father or mother, or both, and of the children, and of the servants, is called a FAMILY; wherein the father or master of the family is sovereign of the same; and the rest (both children and servants equally) subjects. The same family if it grow by multiplication of children, either by generation or adoption; or of servants, either by generation, conquest, or voluntary submission, to be so great and numerous, as in probability it may protect itself, then is that family called a PATRIMONIAL KINGDOM, or monarchy by acquisition; wherein the sovereignty is in one man, as it is in a monarch made by political institution. So that whatsoever rights be in the one, the same also be in the other. And therefore I shall no more speak of them, as distinct, but as of monarchy in general.

10. A *father* with his *sons* and *servants*, grown into a civil person by virtue of his paternal jurisdiction, is called a *family*. This *family*, if through multiplying of *children* and acquisition of *servants* it becomes numerous, inso-much as without casting the uncertain die of war it cannot be subdued, will be termed an *hereditary kingdom*. Which though it differ from an *institutive monarchy*, being acquired by force, in the original and manner of its constitution; yet being constituted, it hath all the same properties, and the right of authority is everywhere the same; insomuch as it is not needful to speak anything of them apart.

that for a man that is Monarch of divers Nations, whereof he hath, in one the Sovereignty by Institution of the people assembled, and in another by Conquest, that is by the Submission of each particular, to avoyd death or bonds; to demand of one Nation more than of the other, from the title of Conquest, as being a Conquered Nation, is an act of ignorance of the Rights of Sovereignty. For the Sovereign is absolute over both alike; or else there is no Sovereignty at all; and so every man may Lawfully protect himselfe, if he can, with his own sword, which is the condition of war.

15. By this it appears, that a great Family if it be not part of some Commonwealth, is of it self, as to the Rights of Sovereignty, a little Monarchy; whether that Family consist of a man and his children; or of a man and his servants; or of a man, and his children, and servants together: wherein the Father or Master is the Sovereign. But yet a Family is not properly a Commonwealth; unlesse it be of that power by its own number, or by other opportunities, as not to be subdued without the hazard of war. For where a number of men are manifestly too weak to defend themselves united, every one may use his own reason in time of danger, to save his own life, either by flight, or by submission to the enemy, as hee shall think best; in the same manner as a very small company of souldiers, surprised by an army, may cast down their armes, and demand quarter, or run away, rather than be put to the sword. And thus much shall suffice; concerning what I find by speculation, and deduction, of Sovereign Rights, from the nature, need, and designs of men, in erecting of Commonwealths, and putting themselves under Monarchs, or Assemblies, entrusted with power enough for their protection.

9. The subjection of them who institute a commonwealth amongst themselves, is no less absolute, than the subjection of servants. And therein they are in equal estate; but the hope of those is greater than the hope of these. For he that subjecteth himself uncompelled, thinketh there is reason he should be better used, than he that doth it upon compulsion; and coming in freely, calleth himself, though in subjection, a FREEMAN; whereby it appeareth, that liberty is not any exemption from subjection and obedience to the sovereign power, but a state of better hope than theirs, that have been subjected by force and conquest. And this was the reason, that the name that signifieth children, in the Latin tongue is *liberi*, which also signifieth freemen. And yet in Rome, nothing at that time was so obnoxious to the power of others, as children in the family of their fathers. For both the state had power over their life without consent of their fathers; and the father might kill his son by his own authority, without any warrant from the state. Freedom therefore in commonwealths is nothing but the honour of equality of favour with other subjects, and servitude the estate of the rest. A freeman therefore may expect employments of honour, rather than a servant. And this is all that can be understood by the liberty of the subject. For in all other senses, liberty is the state of him that is not subject.

9. What then, will some one demand, is the difference between a *son*, or between a *subject* and a *servant*? Neither do I know that any writer hath fully declared what *liberty* and what *slavery* is. Commonly, to do all things according to our own fancies, and that without punishment, is esteemed to be *liberty*; not to be able to do this, is judged *bondage*; which in a civil government, and with the peace of mankind, cannot possibly be done; because there is no city without a command and a restraining right. *Liberty*, that we may define it, is nothing else but *an absence of the lets and hindrances of motion*; as water shut up in a vessel is therefore not at liberty, because the vessel hinders it from running out; which, the vessel being broken, is made *free*. And every man hath more or less *liberty*, as he hath more or less space in which he employs himself: as he hath more *liberty*, who is in a large, than he that is kept in a close prison. And a man may be free toward one part, and yet not toward another; as the traveller is bounded on this and that side with hedges or stone walls, lest he spoil the vines or corn neighbouring on the highway. And these kinds of lets are external and absolute. In which sense all *servants* and *subjects* are *free*, who are not fettered and imprisoned. There are others which are arbitrary, which do not absolutely hinder motion, but by accident, to wit, by our own choice; as he that is in a ship, is not so hindered but he may cast himself into the sea, if he will. And here also the more ways a man may move himself, the more *liberty* he hath. And herein consists civil *liberty*; for no man, whether *subject*, *son*,

Chapter 21. Of the LIBERTY of Subjects³

1. LIBERTY, or FREEDOME, signifieth (properly) the absence of Opposition; (by Opposition, I mean externall Impediments of motion;) and may be applyed no lesse to Irrational, and Inanimate creatures, than to Rationall. For whatsoever is so tyed, or environed, as it cannot move, but within a certain space, which space is determined by the opposition of some externall body, we say it hath not Liberty to go further. And so of all living creatures, whilst they are imprisoned, or restrained, with walls, or chayns; and of the water whilst it is kept in by banks, or vessels, that otherwise would spread it selfe into a larger space, we use to say, they are not at Liberty, to move in such manner, as without those externall impediments they would. But when the impediment of motion, is in the constitution of the thing it selfe, we use not to say, it wants the Liberty; but the Power to move; as when a stone lyeth still, or a man is fastned to his bed by sicknesse.

2. And according to this proper, and generally received meaning of the word, A FREE-MAN, is *he, that in those things, which by his strength and wit he is able to do, is not hindered to doe what he has a will to*. But when the words *Free*, and *Liberty*, are applied to any thing but *Bodies*, they are abused; for that which is not subject to Motion, is not subject to Impediment: And therefore, when 'tis said (for example) The way is Free, no Liberty of the way is signified, but of those that walk in it without stop. And when we say a Guift is Free, there is not meant any Liberty of the Guift, but of the Giver, that was not bound by

³ Paragraphs 8 and 20–5 are in Chapter 18; paragraph 6 can be found in Chapter 21. Margin notes for paragraphs 3–5, 7 and 9–19 are in Précis Table 19.

or *servant*, is so hindered by the punishments appointed by the *city*, the *father*, or the *lord*, how cruel soever, but that he may do all things, and make use of all means necessary to the preservation of his life and health. For my part therefore I cannot find what reason a mere *servant* hath to make complaints, if they relate only to want of *liberty*; unless he count it a misery to be restrained from hurting himself, and to receive that life, which by war, or misfortune, or through his own idleness was forfeited, together with all manner of sustenance, and all things necessary to the conservation of health, on this condition only, that he will be ruled. For he that is kept in by punishments laid before him, so as he dares not let loose the reins to his will in all things, is not oppressed by servitude, but is governed and sustained. But this privilege free subjects and sons of a family have above servants in every government and family where servants are; that they may both undergo the more honourable offices of the city or family, and also enjoy a larger possession of things superfluous. And herein lies the difference between a *free subject* and a *servant*, that he is *free* indeed, who serves his city only; but a *servant* is he, who also serves his fellow-subject. All other liberty is an exemption from the laws of the city, and proper only to those that bear rule.

any law, or Covenant to give it. So when we *speak Freely*, it is not the Liberty of voice, or pronounciation, but of the man, whom no law hath obliged to speak otherwise then he did. Lastly, from the use of the word *Free-will*, no Liberty can be inferred to the will, desire, or inclination, but the Liberty of the man; which consisteth in this, that he finds no stop, in doing what he has the will, desire, or inclination to doe.

11. Having showed by what right the several sorts of commonwealths, democracy, aristocracy, and monarchy, are erected; it followeth to show by what right they are continued. The right by which they are continued, is called the right of succession to the sovereign power; whereof there is nothing

11. It hath been spoken, by what right supreme authorities are constituted. We must now briefly tell you, by what right they may be continued. Now the right by which they are continued, is that which is called the right of *succession*. Now because in a *democracy* the supreme authority is with the *people*,

Chapter 19. Of the severall Kinds of COMMON-WEALTH by Institution, and of Succession to the Sovereigne Power⁴

14. Of all these Formes of Government, the matter being mortall, so that not onely Monarchs, but also whole Assemblies dy, it is necessary for the conservation of the peace of men, that as there was order taken for an Artificiall Man, so there be order also taken, for an Artificiall Eternity of life; without which,

⁴ Paragraphs 1–13 are in Chapter 18.

to be said in a democracy, because the sovereign dieth not, as long as there be subjects alive; nor in an aristocracy, because it cannot easily fall out, that the optimates should every one fail at once; and if it should so fall out, there is no question, but the commonwealth is thereby dissolved. It is therefore in a monarchy only, that there can happen a question concerning the succession. And first: forasmuch as a monarch, which is absolute sovereign, hath the dominion in his own right, he may dispose thereof at his own will. If therefore, by his last will, he shall name his successor, the right passeth by that will.

12. Nor if the monarch die without any will concerning the succession declared, is it therefore to be presumed that it was his will, his subjects which are to him as his children and servants, should return again to the state of anarchy, that is, to war and hostility; for that were expressly against the law of nature, which commandeth to procure peace, and to maintain the same. It is therefore to be conjectured with reason, that it was his intention to bequeath them peace, that is to say, a power coercive, whereby to keep them from sedition amongst themselves; and rather in the form of monarchy, than any other government; forasmuch as he, by the exercise thereof in his own person, hath declared that he approveth of the same.

13. Further, it is to be supposed his intention was, that his own children should be preferred in the succession, (when nothing to the contrary is expressly declared) before any other. For men naturally seek their own honour, and that consisteth in the honour of their children after them.

14. Again, seeing every monarch is supposed to desire to continue the government in his successors, as long as he may; and that generally men are endued

as long as there be any subjects in being, so long it rests with the same person; for the people hath no successor. In like manner in an *aristocracy*, one of the nobles dying, some other by the rest is substituted in his place; and therefore except they all die together, which I suppose will never happen, there is no succession. The query therefore of the right of succession takes place only in an *absolute monarchy*. For they who exercise the supreme power for a time only, are themselves no *monarchs*, but *ministers of state*.

12. But first, if a monarch shall by testament appoint one to succeed him, the person appointed shall succeed. For if he be appointed by the *people*, he shall have all the right over the city which the *people* had, as hath been showed in chap. vii. art. 11. But the people might choose him; by the same right therefore may he choose another. But in an *hereditary kingdom*, there are the same rights as in an *institutive*. Wherefore every monarch may by his will make a *successor*.

13. But what a man may transfer on another by testament, that by the same right may he, yet living, give or sell away. To whomsoever therefore he shall make over the supreme power, whether by gift or sale, it is rightly made.

14. But if living he have not declared his will concerning his successor by testament nor otherwise, it is supposed, first, that he would not have his government reduced to an anarchy or the state of war, that is, to the destruction of his subjects; as well because he could not do that without breach of the laws of nature, whereby he was obliged to the performance of all things necessarily conducing to the preservation of peace; as also because, if that had been his will, it had not been hard for him to have declared that openly. Next,

men that are governed by an Assembly, should return into the condition of Warre in every age; and they that are governed by One man, as soon as their Governour dyeth. This Artificiall Eternity, is that which men call the Right of *Succession*.

15. There is no perfect forme of Government, where the disposing of the Succession is not in the present Sovereign. For if it be in any other particular Man, or private Assembly, it is in a person subject, and may be assumed by the Sovereign at his pleasure; and consequently the Right is in himselfe. And if it be in no particular man, but left to a new choyce; then is the Commonwealth dissolved; and the Right is in him that can get it; contrary to the intention of them that did Institute the Commonwealth, for their perpetuall, and not temporary security.

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

17. In an Aristocracy, when any of the Assembly dyeth, the election of another into his room belongeth to the Assembly, as the Sovereign, to whom belongeth the choosing of all Counsellours, and Officers. For that which the Representative doth, as Actor, every one of the Subjects doth, as Author. And though the Sovereign Assembly, may give Power to others, to elect new men, for supply of their Court; yet it is still by their Authority, that the Election is made; and by the same it may (when the publique shall require it) be recalled.

18. The greatest difficultie about the right of Succession, is in Monarchy: And the difficulty ariseth from this, that

with greater parts of wisdom and courage, by which all monarchies are kept from dissolution, than women are; it is to be presumed, where no express will is extant to the contrary, he preferreth his male children before the female. Not but that women may govern, and have in divers ages and places governed wisely, but are not so apt thereto in general as men.

15. Because the sovereign power is indivisible, it cannot be supposed, that he intended the same should be divided, but that it should descend entirely upon one of them, which is to be presumed should be the eldest, assigned thereto by the lot of nature; because he appointed no other lot for the decision thereof. Besides, what difference of ability soever there may be amongst the brethren, the odds shall be adjudged to the elder, because no subject hath authority otherwise to judge thereof.

16. And for want of issue in the possessor, the brother shall be the presumed successor. For by the judgment of nature, next in blood is next in love; and next in love is next to preferment.

17. And as the succession followeth the first monarch, so also it followeth him or her that is in possession; and consequently, the children of him in possession shall be preferred before the children of his father or predecessor.

because the right passeth according to the will of the father, we must judge of the *successor* according to the signs of his will. It is understood therefore, that he would have his subjects to be under a *monarchical* government, rather than any other, because he himself in ruling hath before approved of that state by his example, and hath not afterward either by any word or deed condemned it.

15. Furthermore, because by natural necessity all men wish them better, from whom they receive glory and honour, than others; but every man after death receives honour and glory from his children, sooner than from the power of any other men: hence we gather, that a father intends better for his children than any other person's. It is to be understood therefore, that the will of the father, dying without testament, was that some of his children should succeed him. Yet this is to be understood with this proviso, that there be no more apparent tokens to the contrary: of which kind, after many successions, custom may be one. For he that makes no mention of his *succession*, is supposed to consent to the customs of his realm.

16. Among children the males carry the preeminence; in the beginning perhaps, because for the most part, although not always, they are fitter for the administration of greater matters, but specially of wars; but afterwards, when it was grown a custom, because that custom was not contradicted. And therefore the will of the father, unless some other custom or sign do clearly repugn it, is to be interpreted in favour of them.

17. Now because the sons are equal, and the power cannot be divided, the eldest shall succeed. For if there be any difference by reason of age, the eldest is supposed more worthy; for nature being judge, the most in years (because

at first sight, it is not manifest who is to appoint the Successor; nor many times, who it is whom he hath appointed. For in both these cases, there is required a more exact ratiocination, than every man is accustomed to use. As to the question, who shall appoint the Successor, of a Monarch that hath the Sovereign Authority; that is to say, who shall determine of the right of Inheritance, (for Elective Kings and Princes have not the Sovereign Power in propriety, but in use only,) we are to consider, that either he that is in possession, has right to dispose of the Succession, or else that right is again in the dissolved Multitude. For the death of him that hath the Sovereign power in propriety, leaves the Multitude without any Sovereign at all; that is, without any Representative in whom they should be united, and be capable of doing any one action at all: And therefore they are incapable of Election of any new Monarch; every man having equall right to submit himselfe to such as he thinks best able to protect him, or if he can, protect himselfe by his owne sword; which is a returne to Confusion, and to the condition of a War of every man against every man, contrary to the end for which Monarchy had its first Institution. Therefore it is manifest, that by the Institution of Monarchy, the disposing of the Successor, is alwaies left to the Judgment and Will of the present Possessor.

19. And for the question (which may arise sometimes) who it is that the Monarch in possession, hath designed to the succession and inheritance of his power; it is determined by his expresse Words, and Testament; or by other tacite signes sufficient.

20. By expresse Words, or Testament, when it is declared by him in his life time, *viva voce*, or by Writing; as the first Emperours of *Rome* declared who

usually it is so) is the wisest; but other judge there cannot be had. But if the brothers must be equally valued, the succession shall be *by lot*. But *primogeniture* is a natural lot, and by this the eldest is already preferred; nor is there any that hath power to judge, whether by this or any other kind of lots the matter is to be decided. Now the same reason which contends thus for the first-born son, doth no less for the first-born daughter.

18. But if he have no children, then the command shall pass to his brothers and sisters; for the same reason that the children should have succeeded, if he had had them. For those that are nearest to us in nature, are supposed to be nearest in benevolence. And to his brothers sooner than his sisters, and to the elder sooner than the younger; for the reason is the same for these, that it was for the children.

19. Furthermore, by the same reason that men succeed to the power, do they also succeed to the right of succession. For if the first-born die before the father, it will be judged that he transferred his right of succession unto his children; unless the father have otherwise decreed it. And therefore the nephews will have a fairer pretence to the succession, than the uncles. I say all these things will be thus, if the custom of the place (which the father by not contradicting will be judged to have consented to) do not hinder them.

should be their Heires. For the word Heire does not of it self imply the Children, or nearest Kindred of a man; but whomsoever a man shall any way declare, he would have to succeed him in his Estate. If therefore a Monarch declare expresly, that such a man shall be his Heire, either by Word or Writing, then is that man immediately after the decease of his Predecessor, Invested in the right of being Monarch.

21. But where Testament, and expresse Words are wanting, other naturall signes of the Will are to be followed: whereof the one is Custome. And therefore where the Custome is, that the next of Kindred absolutely succeedeth, there also the next of Kindred hath right to the Succession; for that, if the will of him that was in possession had been otherwise, he might easily have declared the same in his life time. And likewise where the Custome is, that the next of the Male Kindred succeedeth, there also the right of Succession is in the next of the Kindred Male, for the same reason. And so it is if the Custome were to advance the Female. For whatsoever Custome a man may by a word controule, and does not, it is a naturall signe he would have that Custome stand.

22. But where neither Custome, nor Testament hath preceded, there it is to be understood, First, that a Monarchs will is, that the government remain Monarchicall; because he hath approved that government in himselfe. Secondly, that a Child of his own, Male, or Female, be preferred before any other; because men are presumed to be more enclined by nature, to advance their own children, than the children of other men; and of their own, rather a Male than a Female; because men, are naturally fitter than women, for actions of labour and danger. Thirdly, where

his own Issue faileth, rather a Brother than a stranger; and so still the neerer in blood, rather than the more remote, because it is alwayes presumed that the neerer of kin, is the neerer in affection; and 'tis evident that a man receives alwayes, by reflexion, the most honour from the greatnesse of his neerest kindred.

23. But if it be lawfull for a Monarch to dispose of the Succession by words of Contract, or Testament, men may perhaps object a great inconvenience: for he may sell, or give his Right of governing to a stranger; which, because strangers (that is, men not used to live under the same government, nor speaking the same language) do commonly undervalue one another, may turn to the oppression of his Subjects; which is indeed a great inconvenience: but it proceedeth not necessarily from the subjection to a strangers government, but from the unskilfulnesse of the Governours, ignorant of the true rules of Politiques. And therefore the Romans when they had subdued many Nations, to make their Government digestible, were wont to take away that grievance, as much as they thought necessary, by giving sometimes to whole Nations, and sometimes to Principall men of every Nation they conquered, not onely the Privileges, but also the Name of Romans; and took many of them into the Senate, and Offices of charge, even in the Roman City. And this was it our most wise King, King James, aymed at, in endeavouring the Union of his two Realms of England and Scotland. Which if he could have obtained, had in all likelihood prevented the Civill warres, which make both those Kingdomes at this present, miserable. It is not therefore any injury to the people, for a Monarch to dispose of the Succession by Will; though by the fault of many Princes, it hath been sometimes

See 25.4

Chapter 11. The places and examples of Scripture concerning the right of government, which make for proof of the foresaid doctrines

1. WE have, in the sixth chapter and the second article, so derived the original of institutive or political government from the consent of the multitude, that it appears they must either all consent, or be esteemed as enemies. Such was the beginning of God's government over the Jews instituted by Moses, (Exod. xix. 5–8); *If ye will obey my voice indeed, &c. Ye shall be unto me a kingdom of priests, &c. And Moses came and called the elders of the people, &c. And all the people answered, and said: All that the Lord hath spoken we will do.* Such also was the beginning of Moses's power under God, or his vicegerency, (Exod. xx. 18–19): *And all the people saw the thunderings and lightnings, and the noise of the trumpet, &c. And they said unto Moses, speak thou unto us, and we will hear.* The like beginning also had Saul's kingdom, (1 Sam. xii. 12, 13): *When ye saw that Nahash king of the children of Ammon came out against you, ye said unto me, nay, but a king shall reign over us, when the Lord your God was your king. Now therefore behold the king whom ye have chosen, and whom ye have desired.* But the major part only consenting, and not all; for there were certain *sons of Belial*, who said, (1 Sam. x. 27), *How shall this man save us? And they despised him;* those who did not consent, were put to death as enemies. And the people said unto Samuel

found inconvenient. Of the lawfulness of it, this also is an argument, that whatsoever inconvenience can arrive by giving a Kingdome to a stranger, may arrive also by so marrying with strangers, as the Right of Succession may descend upon them: yet this by all men is accounted lawfull.

Chapter 20. Of Dominion PATERNALL, and DESPOTICALL (cont.)

16. Let us now consider what the Scripture teacheth in the same point. To *Moses*, the children of *Israel* say thus. **Speak thou to us, *Exod. and we will heare thee; but let not God speak to us, lest we dye.* ^{20. 19} This is absolute obedience to *Moses*. Concerning the Right of Kings, God himself by the mouth of *Samuel*, saith, **This shall be the Right of the King you will have to reigne over you. He shall take your sons, and set them to drive his Chariots, and to be his horsemen, and to run before his chariots; and gather in his harvest; and to make his engines of War, and Instruments of his chariots; and shall take your daughters to make perfumes, to be his Cookes, and Bakers. He shall take your fields, your vine-yards, and your olive-yards, and give them to his servants. He shall take the tyth of your corne and wine, and give it to the men of his chamber, and to his other servants. He shall take your manservants, and your maid-servants, and the choice of your youth, and employ them in his businesse. He shall take the tyth of your flocks; and you shall be his servants.* ^{* 1 Sam. 8. 11, 12, &c.} This is absolute power, and summed up in the last words, *you shall be his servants.* Again, when the people heard what power their

(1 Sam. xi. 12): *Who is he that said, shall Saul reign over us? Bring the men, that we may put them to death.*

2. In the same sixth chapter, the sixth and seventh articles, I have showed that all *judgment* and *wars* depend upon the will and pleasure of him who bears the supreme authority; that is to say, in a *monarchy*, on a monarch or king; and this is confirmed by the people's own judgment. 1 Sam. viii. 20; *We also will be like all the nations, and our king shall judge us, and go out before us, and fight our battles.* And what pertains to *judgments*, and all other matters whereof there is any controversy, whether they be *good* or *evil*, is confirmed by the testimony of King Solomon, (1 Kings iii. 9): *Give therefore thy servant an understanding heart to judge thy people, that I may discern between good and evil.* And that of Absalom (2 Sam. xv. 3): *There is no man deputed of the king to hear thee.*

3. That kings may not be punished by their subjects, as hath been showed above in the sixth chapter and the twelfth article, King David also confirms; who, though Saul sought to slay him, did notwithstanding refrain his hand from killing him, and forbade Abishai, saying, (1 Sam. xxvi. 9): *Destroy him not; for who can stretch forth his hand against the Lord's anointed, and be innocent?* And when he had cut off the skirt of his garment, (1 Sam. xxiv. 6): *The Lord forbid, saith he, that I should do this thing unto my master the Lord's anointed, to stretch forth mine hand against him.* And (2 Sam. i. 15) commanded the Amalekite, who for his sake had slain Saul, to be put to death.

4. That which is said in the seventeenth chapter of *Judges*, at the sixth verse: *In those days there was no king in Israel, but every man did that which was right in his*

King was to have, yet they consented thereto, and say thus, ** We will be as all other nations, and our King shall judge our causes, and goe before us, to conduct our wars.* Here is confirmed the Right that Sovereigns have, both to the *Militia*, and to all *Judicature*; in which is contained as absolute power, as one man can possibly transferre to another. Again, the prayer of King Salomon to God, was this. ** Give to thy servant understanding, to judge thy people, and to discern between Good and Evil.* It belongeth therefore to the Sovereigne to be *Judge*, and to præscribe the Rules of *discerning Good and Evil*: which Rules are Lawes; and therefore in him is the Legislative Power. Saul sought the life of *David*; yet when it was in his power to slay Saul, and his Servants would have done it, *David* forbid them, saying, ** God forbid I should do such an act against my Lord, the anoynted of God.* For obedience of servants St. Paul saith, ** Servants obey your masters in All things, and, * Children obey your Parents in All things.* There is simple obedience in those that are subject to Pater-nall, or Despotically Dominion. Again, ** The Scribes and Pharisees sit in Moses chayre and therefore All that they shall bid you observe, that observe and do.* There again is simple obedience. And St. Paul, ** Warn them that they subject themselves to Princes, and to those that are in Authority, & obey them.* This obedience is also simple. Lastly, our Saviour himselfe acknowledges, that men ought to pay such taxes as are by Kings imposed, where he says, *Give to Cæsar that which is Cæsars;*

own eyes: as though where there were not a *monarchy*, there were an *anarchy* or confusion of all things: may be brought as a testimony to prove the excellency of monarchy above all other forms of government; unless that by the word *king* may perhaps be understood not *one man* only, but also a *court*; provided that in it there reside a supreme power. Which if it be taken in this sense, yet hence it may follow, that without a supreme and absolute power (which we have endeavoured to prove in the sixth chapter) there will be a liberty for every man to do what he hath a mind, or whatsoever shall seem right to himself; which cannot stand with the preservation of mankind. And therefore in all government whatsoever, there is ever a supreme power understood to be somewhere existent.

5. We have, in chap. VIII. art. 7 and 8, said that *servants* must yield a simple obedience to their *lords*, and in chap IX. art. 7, that *sons* owe the same obedience to their *parents*. Saint Paul says the same thing concerning servants (Coloss. iii. 22): *Servants obey in all things your masters according to the flesh, not with eye-service, as men-pleasers, but in singleness of heart, fearing God*. Concerning sons (Colos. iii. 20): *Children obey your parents in all things, for this is well-pleasing unto the Lord*. Now as we by simple obedience understand all things which are not contrary to the laws of God; so in those cited places of St. Paul, after the word *all things*, we must suppose, *excepting those which are contrary to the laws of God*.

and payed such taxes himselfe. And that the Kings word, is sufficient to take any thing from any Subject, when there is need; and that the King is Judge of that need: For he himselfe, as King of the Jewes, commanded his Disciples to take the Asse, and Asses Colt to carry him into *Jerusalem*, saying, **Go into the Village over against you, and you shall find a shee Asse tyed, and her Colt with her, unty them, and bring them to me. And if any man ask you, what you mean by it, Say the Lord hath need of them: And they will let them go*. They will not ask whether his necessity be a sufficient title; nor whether he be judge of that necessity; but acquiesce in the will of the Lord.

17. To these places may be added also that of *Genesis*, **You shall be as Gods, knowing Good and Evill*.^{3·5} And verse 11. *Who told thee that thou wast naked? hast thou eaten of the tree, of which I commanded thee thou shouldest not eat?* For the Cognisance of Judicature of *Good and Evill*, being forbidden by the name of the fruit of the tree of Knowledge, as a triall of *Adams* obedience; The Diavel to enflame the Ambition of the woman, to whom that fruit already seemed beautifull, told her that by tasting it, they should be as Gods, knowing *Good and Evill*. Whereupon having both eaten, they did indeed take upon them Gods office, which is

6. But that I may not thus by piecemeal prove the right of princes, I will now instance those testimonies which altogether establish the whole power; namely, that there is an absolute and simple obedience due to them from their subjects. And first out of the New Testament: Matth. xxiii. 2, 3: *The Scribes and Pharisees sit in Moses' seat; all therefore, whatsoever they bid you observe, that observe and do. Whatsoever they bid you (says Christ) observe, that is to say, obey simply.* Why? Because they sit in Moses' seat; namely, the *civil magistrate's*, not Aaron, the priest's. Rom. xiii. 1, 2: *Let every soul be subject to the higher powers; for there is no power but of God; the powers that be are ordained of God; whosoever therefore resisteth the power, resisteth the ordinance of God; and they that resist, shall receive to themselves damnation.* Now because the powers that were in St. Paul's time, were ordained of God, and all kings did at that time require an absolute entire obedience from their subjects, it follows that such a power was ordained of God. 1 Peter ii. 13–15: *Submit yourselves unto every ordinance of man for the Lord's sake, whether it be to the king as supreme, or unto governors as unto them that are sent by him for the punishment of wicked doers, and for the praise of them that do well; for so is the will of God.* Again St. Paul to Titus, (chap. iii. 1): *Put them in mind to be subject to principalities and powers, to obey magistrates, &c.* What principalities? Was it not to the principalities of those times, which required an absolute obedience?

Judicature of Good and Evil; but acquired no new ability to distinguish between them aright. And whereas it is sayd, that having eaten, they saw they were naked; no man hath so interpreted that place, as if they had been formerly blind, as saw not their own skins: the meaning is plain, that it was then they first judged their nakednesse (wherein it was Gods will to create them) to be uncomely; and by being ashamed, did tacitely censure God himselfe. And thereupon God saith, *Hast thou eaten, &c.* as if he should say, doest thou that owest me obedience, take upon thee to judge of my Commandements? Whereby it is cleerly, (though Allegorically,) signified, that the Commands of them that have the right to command, are not by their Subjects to be censured, nor disputed.

Furthermore, that we may come to the example of Christ himself, to whom the kingdom of the Jews belonged by hereditary right derived from David himself; he, when he lived in the manner of a subject, both paid tribute unto Cæsar, and pronounced it to be due to him, Matth. xxii. 21: *Give unto Cæsar (saith he) the things which are Cæsar's, and unto God the things which are God's.* When it pleased him to show himself a king, he required entire obedience, Matth. xxi. 2, 3: *Go (said he) into the village over against you, and straight-way ye shall find an ass tied, and a colt with her; loose them, and bring them unto me; and if any man say aught unto you, ye shall say the Lord hath need of them.* This he did therefore by the right of being lord, or a king of the Jews. But to take away a subject's goods on this pretence only, because *the Lord hath need of them*, is an absolute power. The most evident places in the Old Testament are these: Deut. v. 27: *Go thou near, and hear all that the Lord our God shall say; and speak thou unto us all that the Lord our God shall speak unto thee, and we will hear it, and do it.* But under the word *all*, is contained absolute obedience. Again to Joshua (Joshua i. 16–18): *And they answered Joshua, saying, all that thou commandest us, we will do; and whithersoever thou sendest us, we will go; according as we hearkened unto Moses in all things, so will we hearken unto thee; only the Lord thy God be with thee, as he was with Moses; whosoever he be that doth rebel against thy commandment, and will not hearken unto thy words in all that thou commandest him, he shall be put to death.* And the parable of the bramble (Judges ix. 14, 15): *Then said all the trees unto the bramble, Come thou and reign over us. And the bramble said unto the trees, If in truth ye*

anoint me king over you, then come and put your trust in my shadow; and if not, let fire come out of the bramble, and devour the cedars of Lebanon. The sense of which words is, that we must acquiesce to their sayings, whom we have truly constituted to be kings over us, unless we would choose rather to be consumed by the fire of a civil war. But the regal authority is more particularly described by God himself, in 1 Sam. viii. 9, &c.: *Show them the right of the king that shall reign over them, &c. This shall be the right of the king that shall reign over you; he will take your sons, and appoint them for himself, for his chariots, and to be his horsemen, and some shall run before his chariots, &c. And he will take your daughters to be confectionaries, &c. And he will take your vineyards, and give them to his servants, &c.* Is not this power absolute? And yet it is by God himself styled the *king's right*. Neither was any man among the Jews, no not the *high-priest* himself, exempted from this obedience. For when the king, namely, Solomon, said to Abiathar the priest (1 Kings ii. 26, 27): *Get thee to Anathoth unto thine own fields; for thou art worthy of death; but I will not at this time put thee to death, because thou barest the ark of the Lord God before David my father, and because thou hast been afflicted in all wherein my father was afflicted. So Solomon thrust out Abiathar from being priest unto the Lord;* it cannot by any argument be proved, that this act of his displeased the Lord; neither read we, that either Solomon was reprov'd, or that his person at that time was any whit less acceptable to God.

18. So that it appeareth plainly, to my understanding, both from Reason, and Scripture, that the Sovereign Power, whether placed in One Man, as in Monarchy, or in one Assembly of men, as in Popular, and Aristocraticall Commonwealths, is as great, as possibly men can be imagined to make it. And though of so unlimited a Power, men may fancy many evill consequences, yet the consequences of the want of it, which is perpetuall warre of every man against his neighbour, are much worse. The condition of man in this life shall never be without Inconveniencies; but there happeneth in no Common-wealth any great Inconvenience, but what proceeds from the Subjects disobedience, and breach of those Covenants, from which the Common-wealth hath its being. And whosoever thinking Sovereign Power too great, will seek to make it lesse; must subject himselfe, to the Power, that can limit it; that is to say, to a greater.

19. The greatest objection is, that of the Practise; when men ask, where, and when, such Power has by Subjects been acknowledged. But one may ask them again, when, or where has there been a Kingdome long free from Seditiion and Civill Warre. In those Nations, whose Commonwealths have been long-lived, and not been destroyed, but by forraign warre, the Subjects never did dispute of the Sovereign Power. But howsoever, an argument for the Practise of men, that have not sifted to the bottom, and with exact reason weighed the causes, and nature of Commonwealths, and suffer daily those miseries, that proceed from the ignorance thereof, is invalid. For though in all places of the world, men should lay the foundation of their houses on the sand, it could

not thence be inferred, that so it ought to be. The skill of making, and maintaining Common-wealths, consisteth in certain Rules, as doth Arithmetique and Geometry; not (as Tennis-play) on Practise onely: which Rules, neither poor men have the leisure, nor men that have had the leisure, have hitherto had the curiosity, or the method to find out.

CHAPTER 20

Chapter 27 of *The Elements of Law* /
Chapter 12 of *De Cive* / Chapter 29 of *Leviathan*

Précis table

Part II. Concerning men as a body politic	Part II. Of Dominion	Part II. OF COMMON-WEALTH
Chapter 27. Of the causes of rebellion	Chapter 12. Of the inward causes which dissolve all civil government	Chapter 29. <i>Of those things that Weaken, or tend to the DISSOLUTION of a Common-wealth</i>
		1. Dissolution of Common-wealths proceedeth from their Imperfect Institution
		2.
		3. Want of Absolute Power 4-5.
1. The things that dispose to rebellion. Discontent, pretence, and hope of success	1. That <i>the judging of good and evil belongs to private persons</i> is a seditious opinion	6. Private Judgement of Good and Evil
2. Discontent that disposeth to sedition, consisteth partly in fear of want or punishment		
3. Partly in ambition	10. Ambition disposeth us to sedition	Cf. 21.8 ¹
4. Six heads of pretences to rebellion		
5. The first of them: that men ought to do nothing against conscience, confuted See 25.12	2. That <i>subjects do sin by obeying their princes</i> is a seditious opinion	7. Erroneous conscience
6. The second: that sovereigns are subject to their own laws, confuted	4. That <i>those who have the supreme power are subject to the civil laws</i> is a seditious opinion	9. Subjecting the Sovereign Power to Civill Lawes
7. The third: that the sovereignty is divisible, confuted	5. That <i>the supreme power may be divided</i> is a seditious opinion	12. Dividing of the Sovereign Power
	6. That <i>faith and sanctity are not acquired by study and reason, but always supernaturally infused and inspired</i> , is a seditious opinion	8. Pretence of Inspiration

¹ The paragraph is included in Chapter 18.

8. The fourth: that subjects have a propriety distinct from the dominion of the sovereign, confuted	7. That <i>each subject hath a propriety or absolute dominion of his own goods</i> is a seditious opinion	10. Attributing of absolute Propriety to Subjects 11. 18. Want of Mony
9. The fifth: that the people is a person distinct from the sovereign, confuted	8. Not to understand the difference between the people and the multitude, prepares toward sedition	
10. The sixth: that tyrannicide is lawful, confuted	3. That <i>tyrannicide is lawful</i> is a seditious opinion	14. Imitation of the Greeks, and Romans
See ¶ 2	9. Too great a tax of money, though never so just and necessary, prepares toward sedition	
11. Four heads of hope of success in rebellion	11. So doth the hope of success	
12. Two things necessary to an author of rebellion: much eloquence, and little wisdom 13. That the authors of rebellion necessarily are to be men of little wisdom 14. That the same are necessarily eloquent.	12. Eloquence alone without wisdom, is the only faculty needful to raise seditions	
15. In what manner they concur to their common effects	13. How the folly of the common people, and the elocution of ambitious men, concur to the destruction of a common-weal	See 30.7
		13. Imitation of Neighbour Nations
		15.
See 20.15	See 7.4	16. Mixt Government 17.
		19. Monopolies and abuses of Publicans
		20. Popular men
		21. Excessive greatnesse of a Town, multitude of Corporations; Liberty of disputing against Sovereign Power
		22.
		23. Dissolution of the Common-wealth

Part II. Concerning men as a body politic

Chapter 27. Of the causes of rebellion

Part II. Of Dominion

Chapter 12. Of the inward causes which dissolve all civil government

Part II. OF COMMON-WEALTH

Chapter 29. Of those things that Weaken, or tend to the DISSOLUTION of a Common-wealth

1. Though nothing can be immortall, which mortals make; yet, if men had the use of reason they pretend to, their Common-wealths might be secured, at least, from perishing by internall diseases. For by the nature of their Institution, they are designed to live, as long as Man-kind, or as the Lawes of Nature, or as Justice it selfe, which gives them life. Therefore when they come to be dissolved, not by externall violence, but intestine disorder, the fault is not in men, as they are the *Matter*; but as they are the *Makers*, and orderers of them. For men, as they become at last weary of irregular justling, and hewing one another, and desire with all their hearts, to conforme themselves into one firme and lasting edifice; so for want, both of the art of making fit Lawes, to square their actions by, and also of humility, and patience, to suffer the rude and combersome points of their present greatnesse to be taken off, they cannot without the help of a very able Architect, be compiled, into any other than a crasie building, such as hardly lasting out their own time, must assuredly fall upon the heads of their posterity.

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

3. Of which, this is one, *That a man to obtain a Kingdome, is sometimes content with lesse Power, than to the Peace, and defence of the Common-wealth is necessarily required.* From whence it cometh to passe, that when the exercise

of the Power layd by, is for the publique safety to be resumed, it hath the resemblance of an unjust act; which disposeth great numbers of men (when occasion is presented) to rebell; In the same manner as the bodies of children, gotten by diseased parents, are subject either to untimely death, or to purge the ill quality, derived from their vicious conception, by breaking out into biles and scabbs. And when Kings deny themselves some such necessary Power, it is not alwayes (though sometimes) out of ignorance of what is necessary to the office they undertake; but many times out of a hope to recover the same again at their pleasure: Wherein they reason not well; because such as will hold them to their promises, shall be maintained against them by forraign Common-wealths; who in order to the good of their own Subjects let slip few occasions to *weaken* the estate of their Neighbours. So was *Thomas Becket* Archbishop of Canterbury, supported against *Henry* the Second, by the Pope; the subjection of Ecclesiastiques to the Common-wealth, having been dispensed with by *William the Conqueror* at his reception, when he took an Oath, not to infringe the liberty of the Church. And so were the *Barons*, whose power was by *William Rufus* (to have their help in transferring the Succession from his Elder brother, to himselfe,) increased to a degree, inconsistent with the Sovereign Power, maintained in their Rebellion against King *John*, by the French.

4. Nor does this happen in Monarchy onely. For whereas the stile of the antient Roman Common-wealth, was, *The Senate, and People of Rome*; neither Senate, nor People pretended to the whole Power; which first caused the seditions, of *Tiberius Gracchus*, *Caius Gracchus*, *Lucius Saturninus*, and others; and afterwards the warres between the Senate

1. HITHERTO of the causes why, and the manner how, men have made commonwealths. In this chapter I shall show briefly, by what causes, and in what manner, they be again destroyed; not meaning to say anything concerning the dissolution of a commonwealth from foreign invasions, which is as it were the violent death thereof, I shall speak only of sedition, which is also the death of the commonwealth, but like to that which happeneth to a man from sickness and distemper. To dispose men to sedition three things concur. The first is discontent; for as long as a man thinketh himself well, and that the present government standeth not in his way to hinder his proceeding from well to better; it is impossible for him to desire the change thereof. The second is pretence of right; for though a man be discontent, yet if in his own opinion there be no just cause of stirring against, or resisting the government established, nor any pretence to justify his resistance, and to procure aid, he will never show it. The third is hope of success; for it were madness to attempt without hope,

1. HITHERTO hath been spoken, by what causes and pacts commonweals are constituted, and what the rights of princes are over their subjects. Now we will briefly say somewhat concerning the causes which dissolve them, or the reasons of seditions. Now as in the motion of natural bodies three things are to be considered, namely, *internal disposition*, that they be susceptible of the motion to be produced; the *external agent*, whereby a certain and determined motion may in act be produced; and the *action itself*: so also in a commonweal where the subjects begin to raise tumults, three things present themselves to our regard; first, the *doctrines* and the *passions* contrary to peace, where-with the minds of men are fitted and disposed; next, their quality and condition who solicit, assemble, and direct them, already thus disposed, to take up arms and quit their allegiance; lastly, the manner how this is done, or the *faction* itself. But one and the first which disposeth them to sedition, is this, *that the knowledge of good and evil belongs to each single man*. In the state

and the People, under *Marius* and *Sylla*; and again under *Pompey* and *Cæsar*, to the Extinction of their Democracy, and the setting up of Monarchy.

5. The people of *Athens* bound themselves but from one onely Action; which was, that no man on pain of death should propound the renewing of the warre for the Island of *Salamis*; And yet thereby, if *Solon* had not caused to be given out he was mad, and afterwards in gesture and habit of a mad-man, and in verse, propounded it to the People that flocked about him, they had had an enemy perpetually in readinesse, even at the gates of their Citie; such dammage, or shifts, are all Common-wealths forced to, that have their Power never so little limited.

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

when to fail is to die the death of a traitor. Without these three: discontent, pretence, and hope, there can be no rebellion; and when the same are all together, there wanteth nothing thereto, but a man of credit to set up the standard, and to blow the trumpet.

of nature indeed, where every man lives by equal right, and has not by any mutual pacts submitted to the command of others, we have granted this to be true; nay, proved it in chap. 1. art. 9. But in the civil state it is false. For it was shown (chap. vi. art. 9) that the civil laws were the rules of *good* and *evil*, *just* and *unjust*, *honest* and *dishonest*; that therefore what the legislator commands, must be held for *good*, and what he forbids for *evil*. And the legislator is ever that person who hath the supreme power in the commonweal, that is to say, the monarch in a monarchy. We have confirmed the same truth in chap. xi. art. 2, out of the words of Solomon, For if private men may pursue that as good and shun that as evil, which appears to them to be so, to what end serve those words of his: *Give therefore unto thy servant an understanding heart, to judge thy people, that I may discern between good and evil?* Since therefore it belongs to kings to discern between *good* and *evil*, wicked are those, though usual, sayings, *that he only is a king who does righteously*, and *that kings must not be obeyed unless they command as just things*; and many other such like. Before there was any government, *just* and *unjust* had no being, their nature only being relative to some command: and every action in its own nature is indifferent; that it becomes *just* or *unjust*, proceeds from the right of the magistrate. Legitimate kings therefore make the things they command just, by commanding them, and those which they forbid, unjust, by forbidding them. But private men, while they assume to themselves the knowledge of *good* and *evil*, desire to be even as kings; which cannot be with the safety of the commonweal. The most ancient of all God's commands is, (Gen. ii. 17): *Thou shalt not eat of the tree of knowledge of good*

and evil: and the most ancient of all diabolical temptations, (Gen. iii. 5): Ye shall be as gods, knowing good and evil; and God's expostulation with man, (verse 11): Who told thee that thou wert naked? Hast thou eaten of the tree, whereof I commanded thee that thou shouldst not eat? As if he had said, how comest thou to judge that nakedness, wherein it seemed good to me to create thee, to be shameful, except thou have arrogated to thyself the knowledge of good and evil.

2. And as for discontent, it is of two sorts: for it consisteth either in bodily pain present or expected, or else in trouble of the mind (which is the general division of pleasure and pain, Part 1. chap. 7, sect. 9). The presence of bodily pain disposeth not to sedition; the fear of it doth. As for example: when a great multitude, or heap of people, have concurred to a crime worthy of death, they join together, and take arms to defend themselves for fear thereof. So also the fear of want, or in present want the fear of arrests and imprisonment, dispose to sedition. And therefore great exactions, though the right thereof be acknowledged, have caused great seditions. As in the time of Henry VII. the seditions of the Cornish men that refused to pay a subsidy, and, under the conduct of the Lord Audley, gave the King battle upon Blackheath; and that of the northern people, who in the same king's time, for demanding a subsidy granted in parliament, murdered the Earl of Northumberland in his house.

3. Thirdly, the other sort of discontent which troubleth the mind of them who otherwise live at ease, without fear of want, or danger of violence, ariseth only from a sense of their want of that power, and that honour and testimony thereof, which they think is due unto them. For all joy and grief of mind consisting (as hath been said, Part 1. chap. 9, sect. 21)

10. Another noxious disease of the mind is theirs, who having little employment, want honour and dignity. All men naturally strive for honour and preferment; but chiefly they, who are least troubled with caring for necessary things. For these men are invited by their vacancy, sometimes to disputation among themselves concerning

in a contention for precedence to them with whom they compare themselves; such men must needs take it ill, and be grieved with the state, as find themselves postponed to those in honour, whom they think they excel in virtue and ability to govern. And this is it for which they think themselves regarded but as slaves. Now seeing freedom cannot stand together with subjection, liberty in a commonwealth is nothing but government and rule, which because it cannot be divided, men must expect in common; and that can be no where but in the popular state, or democracy. And Aristotle saith well (lib. 6, cap 2 of his *Politics*), *The ground or intention of a democracy, is liberty*; which he confirmeth in these words: *For men ordinarily say this: that no man can partake of liberty, but only in a popular commonwealth*. Whosoever therefore in a monarchical estate, where the sovereign power is absolutely in one man, claimeth liberty, claimeth (if the hardest construction should be made thereof) either to have the sovereignty in his turn, or to be colleague with him that hath it, or to have the monarchy changed into a democracy. But if the same be construed (with pardon of that unskillful expression) according to the intention of him that claimeth, then doth he thereby claim no more but this, that the sovereign should take notice of his ability and deserving, and put him into employment and place of subordinate government, rather than others that deserve less. And as one claimeth, so doth another, every man esteeming his own desert greatest. Amongst all those that pretend to, or are ambitious of such honour, a few only can be served, unless it be in a democracy; the rest therefore must be discontent. And so much of the first thing that disposeth to rebellion, namely, discontent, consisting in fear and ambition.

the commonweal, sometimes to an easy reading of histories, politics, orations, poems, and other pleasant books; and it happens that hence they think themselves sufficiently furnished both with wit and learning, to administer matters of the greatest consequence. Now because all men are not what they appear to themselves; and if they were, yet all (by reason of the multitude) could not be received to public offices; it is necessary that many must be passed by. These therefore conceiving themselves affronted, can desire nothing more, partly out of envy to those who were preferred before them, partly out of hope to overwhelm them, than ill-success to the public consultations. And therefore it is no marvel, if with greedy appetite they seek for occasions of innovations.

Cf. 10.8

Cf. 21.8²

² The paragraph is included in Chapter 18.

4. The second thing that disposeth to rebellion, is pretence of right. And that is when men have an opinion, or pretend to have an opinion: that in certain cases they may lawfully resist him or them that have the sovereign power, or deprive him or them of the means to execute the same. Of which pretences there be six special cases. One is, when the command is against their conscience, and they believe it is unlawful for a subject at the command of the sovereign power to do any action, which he thinketh in his own conscience not lawful for him to do, or to omit any action, which he thinketh not lawful for him to omit. Another is, when the command is against the laws, and they think the sovereign power in such sort obliged to his own laws, as the subject is; and that when he performeth not his duty, they may resist his power. A third is, when they receive commands from some man or men, and a *supersedeas* to the same from others, and think the authority is equal, as if the sovereign power were divided. A fourth is, when they are commanded to contribute their persons or money to the public service, and think they have a propriety in the same distinct from the dominion of the sovereign power; and that therefore they are not bound to contribute their goods and persons, no more than every man shall of himself think fit. A fifth, when the commands seem hurtful to the people; and they think, every one of them, that the opinion and sense of the people is the same with the opinion of himself, and those that consent with him; calling by the name of people, any multitude of his own faction. The sixth is, when the commands are grievous; and they account him that commandeth grievous things, a tyrant; and tyrannicide, that is, the killing of a tyrant, not only lawful, but also laudable.

5. All these opinions are maintained in the books of the dogmatics, and divers of them taught in public chairs, and nevertheless are most incompatible with peace and government, and contradictory to the necessary and demonstrable rules of the same. And for the first, namely, that a man may lawfully do or omit any thing against his conscience, and from whence arise all seditions concerning religion and ecclesiastical government, it hath been plainly declared in the two last chapters, that such opinion is erroneous. For those two chapters have been wholly spent, to prove, that Christian religion not only forbiddeth not, but also commandeth, that in every commonwealth, every subject should in all things to the uttermost of his power obey the commands of him or them that is the sovereign thereof; and that a man in so obeying, doth according to his conscience and judgment, as having deposited his judgment in all controversies in the hands of the sovereign power; and that this error proceedeth from the ignorance of what and by whom God Almighty speaketh.

See 25.12

2. Whatsoever any man doth against his conscience, is a sin; for he who doth so, contemns the law. But we must distinguish. That is my sin indeed, which committing I do believe to be my sin; but what I believe to be another man's sin, I may sometimes do that without any sin of mine. For if I be commanded to do that which is a sin in him who commands me, if I do it, and he that commands me be by right lord over me, I sin not. For if I wage war at the commandment of my prince, conceiving the war to be unjustly undertaken, I do not therefore do unjustly; but rather if I refuse to do it, arrogating to myself the knowledge of what is just and unjust, which pertains only to my prince. They who observe not this distinction, will fall into a necessity of sinning, as oft as anything is commanded them which either is, or seems to be unlawful to them: for if they obey, they sin against their conscience; and if they obey not, against right. If they sin against their conscience, they declare that they fear not the pains of the world to come; if they sin against right, they do, as much as in them lies, abolish human society and the civil life of the present world. Their opinion therefore who teach, *that subjects sin when they obey their prince's commands which to them seem unjust*, is both erroneous, and to be reckoned among those which are contrary to civil obedience; and it depends upon that original error which we have observed above, in the foregoing article. For by our taking upon us to judge of *good* and *evil*, we are the occasion that as well our obedience, as disobedience, becomes sin unto us.

7. Another doctrine repugnant to Civill Society, is, that *whatsoever a man does against his Conscience, is Sinne*; and it dependeth on the presumption of making himself judge of Good and Evil. For a mans Conscience, and his Judgement is the same thing; and as the Judgement, so also the Conscience may be erroneous. Therefore, though he that is subject to no Civill Law, sinneth in all he does against his Conscience, because he has no other rule to follow but his own reason; yet it is not so with him that lives in a Common-wealth; because the Law is the publique Conscience, by which he hath already undertaken to be guided. Otherwise in such diversity, as there is of private Consciences, which are but private opinions, the Common-wealth must needs be distracted, and no man dare to obey the Sovereign Power, farther than it shall seem good in his own eyes.

6. As for the second opinion which is: that the sovereign is in such sort obliged to his own laws, as the subject is; the contrary thereof hath been showed, Part II. chapter I, sections 7–12,³ by which it appeareth that the sovereign power is not to be resisted; that it carrieth the sword both of war and justice; that it hath the right of deciding all controversies, both judicial and deliberative; that it hath the making of all the laws civil; that it appointeth magistrates and public ministers, and that it implieth a universal impunity. How can he or they be said to be subject to the laws which they may abrogate at their pleasure, or break without fear of punishment? And this error seemeth to proceed from this, that men ordinarily understand not aright, what is meant by this word law, confounding law and covenant, as if they signified the same thing. But law implieth a command; covenant is but a promise. And not every command is a law, but only (Part I., chap. 13, sect. 6) when the command is the reason we have of doing the action commanded. And then only is the reason of our actions in the command, when the omitting is therefore hurtful, because the action was commanded, not because it was hurtful of itself; and doing contrary to a command, were not at all hurtful, if there were not a right in him that commandeth to punish him that so doth. He or they that have all punishments in their own disposing, cannot be so commanded, as to receive hurt for disobeying, and consequently no command can be a law unto them. It is an error therefore to think: that the power which is virtually the whole power of the commonwealth, and which in whomsoever it resideth, is usually called supreme or sovereign, can be subject to any law but that of God Almighty.

4. The fourth opinion adversary to civil society, is their's who hold, *that they who bear rule are subject also to the civil laws*. Which hath been sufficiently proved before not to be true, in chap VI. 14, from this argument: that a city can neither be bound to itself, nor to any subject; not to itself, because no man can be obliged except it be to another; not to any subject, because the single wills of the subjects are contained in the will of the city; insomuch that if the city will be free from all such obligation, the subjects will so too; and by consequence she is so. But that which holds true in a city, that must be supposed to be true in a man, or an assembly of men who have the supreme authority; for they make a city, which hath no being but by their supreme power. Now that this opinion cannot consist with the very being of government, is evident from hence; that by it the knowledge of what is *good* and *evil*, that is to say, the definition of what is, and what is not against the laws, would return to each single person. Obedience therefore will cease, as oft as anything seems to be commanded contrary to the civil laws, and together with it all coercive jurisdiction; which cannot possibly be without the destruction of the very essence of government. Yet this error hath great props, Aristotle and others; who, by reason of human infirmity, suppose the supreme power to be committed with most security to the laws only. But they seem to have looked very shallowly into the nature of government, who thought that the constraining power, the interpretation of laws, and the making of laws, all which are powers necessarily belonging to government, should be left wholly to the laws themselves. Now although particular subjects may sometimes contend in judgment, and

9. A fourth opinion, repugnant to the nature of a Common-wealth, is this, *That he that hath the Sovereign Power, is subject to the Civill Lawes*. It is true, that Sovereigns are all subjects to the Lawes of Nature; because such lawes be Divine, and cannot by any man, or Common-wealth be abrogated. But to those Lawes which the Sovereign himselfe, that is, which the Common-wealth maketh, he is not subject. For to be subject to Lawes, is to be subject to the Common-wealth, that is to the Sovereign Representative, that is to himselfe; which is not subjection, but freedome from the Lawes. Which error, because it setteth the Lawes above the Sovereign, setteth also a Judge above him, and a Power to punish him; which is to make a new Sovereign; and again for the same reason a third, to punish the second; and so continually without end, to the Confusion, and Dissolution of the Common-wealth.

³ *The Elements of Law*, ch. 20.

go to law with the supreme magistrate; yet this is only then, when the question is not what the magistrate may, but what by a certain rule he hath declared he would do. As, when by any law the judges sit upon the life of a subject, the question is not whether the magistrate could by his absolute right deprive him of his life; but whether by that law his will was that he should be deprived of it. But his will was, he should, if he brake the law; else his will was, he should not. This therefore, that a subject may have an action of law against his supreme magistrate, is not strength of argument sufficient to prove, that he is tied to his own laws. On the contrary, it is evident that he is not tied to his own laws; because no man is bound to himself. Laws therefore are set for Titius and Caius, not for the ruler. However, by the ambition of lawyers it is so ordered, that the laws to unskilful men seem not to depend on the authority of the magistrate, but their prudence.

7. The third opinion: that the sovereign power may be divided, is no less an error than the former, as hath been proved, Part II. chapter I, sect. 15.⁴ And if there were a commonwealth, wherein the rights of sovereignty were divided, we must confess with Bodin, Lib. II. chap. 1. *De Republica*, that they are not rightly to be called commonwealths, but the corruption of commonwealths. For if one part should have power to make the laws for all, they would by their laws, at their pleasure, forbid others to make peace or war, to levy taxes, or to yield fealty and homage without their leave; and they that had the right to make peace and war, and command the militia, would forbid the making of other laws, than what themselves liked. And though monarchies stand long, wherein the right of sovereignty hath seemed so divided, because monarchy

⁴ *The Elements of Law*, ch. 20.

5. In the fifth place, *that the supreme authority may be divided*, is a most fatal opinion to all commonweals. But diverse men divide it diverse ways. For some divide it, so as to grant a supremacy to the civil power in matters pertaining to peace and the benefits of this life; but in things concerning the salvation of the soul they transfer it on others. Now, because justice is of all things most necessary to salvation, it happens that subjects measuring justice, not as they ought, by the civil laws, but by the precepts and doctrines of them who, in regard of the magistrate, are either private men or strangers, through a superstitious fear dare not perform the obedience due to their princes; through fear falling into that which they most feared. Now what can be more pernicious to any state, than that men should, by the apprehension of everlasting

12. There is a Sixth doctrine, plainly, and directly against the essence of a Common-wealth; and 'tis this, *That the Sovereign Power may be divided*. For what is it to divide the Power of a Common-wealth, but to Dissolve it; for Powers divided mutually destroy each other. And for these doctrines, men are chiefly beholding to some of those, that making profession of the Lawes, endeavour to make them depend upon their own learning, and not upon the Legislative Power.

of itself is a durable kind of government; yet monarchs have been thereby divers times thrust out of their possession. But the truth is, that the right of sovereignty is such, as he or they that have it, cannot, though they would, give away any part thereof, and retain the rest. As for example: if we should suppose the people of Rome to have had the absolute sovereignty of the Roman state, and to have chosen them a council by the name of the senate, and that to this senate they had given the supreme power of making laws, reserving nevertheless to themselves, in direct and express terms, the whole right and title of the sovereignty (which may easily happen amongst them that see not the inseparable connexion between the sovereign power and the power of making laws), I say, this grant of the people to the senate is of no effect, and the power of making laws is in the people still. For the senate understanding it to be the will and intention of the people, to retain the sovereignty, ought not to take that for granted, which was contradictory thereto, and passed by error. For, Part I. chap. 13, sect. 9, in contradictory promises, that which is directly promised, is preferred before that which is opposite thereunto by consequence; because the consequence of a thing is not always observed, as is the thing itself. The error concerning mixed government hath proceeded from want of understanding of what is meant by this word *body politic*, and how it signifieth not the concord, but the union of many men. And though in the charters of subordinate corporations, a corporation be declared to be one person in law, yet the same hath not been taken notice of in the body of a commonwealth or city, nor have any of those innumerable writers of politics observed any such union.

torments, be deterred from obeying their princes, that is to say, the laws; or from being just? There are also some, who divide the supreme authority so as to allow the power of war and peace unto one whom they call a *monarch*; but the right of raising money they give to some others, and not to him. But because monies are the sinews of war and peace, they who thus divide the authority, do either really not divide it at all, but place it wholly in them in whose power the money is, but give the name of it to another: or if they do really divide it, they dissolve the government. For neither upon necessity can war be waged, nor can the public peace be preserved without money.

6. It is a common doctrine, *that faith and holiness are not acquired by study and natural reason, but are always supernaturally infused and inspired into men.* Which, if it were true, I understand not why we should be commanded to give an account of our faith; or why any man, who is truly a Christian, should not be a prophet; or lastly, why every man should not judge what is fit for him to do, what to avoid, rather out of his own inspiration, than by the precepts of his superiors or right reason. A return therefore must be made to the private knowledge of *good and evil*; which cannot be granted without the ruin of all governments. This opinion hath spread itself so largely through the whole Christian world, that the number of apostates from natural reason is almost become infinite. And it sprang from sick-brained men, who having gotten good store of holy words by frequent reading of the Scriptures, made such a connexion of them usually in their preaching, that their sermons, signifying just nothing, yet to unlearned men seemed most divine. For he whose nonsense appears to be a divine speech, must necessarily seem to be inspired from above.

8. It hath been also commonly taught, *That Faith and Sanctity, are not to be attained by Study and Reason, but by supernaturall Inspiration, or Infusion,* Which granted, I see not why any man should render a reason of his Faith; or why every Christian should not be also a Prophet; or why any man should take the Law of his Country, rather than his own Inspiration, for the rule of his action. And thus wee fall again into the fault of taking upon us to Judge of Good and Evil; or to make Judges of it, such private men as pretend to be supernaturally Inspired, to the Dissolution of all Civill Government. Faith comes by hearing, and hearing by those accidents, which guide us into the presence of them that speak to us; which accidents are all contrived by God Almighty; and yet are not supernaturall, but onely, for the great number of them that concur to every effect, unobservable. Faith, and Sanctity, are indeed not very frequent; but yet they are not Miracles, but brought to passe by education, discipline, correction, and other naturall wayes, by which God worketh them in his elect, at such time as he thinketh fit. And these three opinions, pernicious to Peace and Government, have in this part of the world, proceeded chiefly from the tongues, and pens of unlearned Divines; who joyning the words of Holy Scripture together, otherwise than is agreeable to reason, do what they can, to make men think, that Sanctity and Naturall Reason, cannot stand together.

8. The fourth opinion (viz.): that subjects have their *meum, tuum, and suum*, in property, not only by virtue of the sovereign power over them all, distinct from one another, but also against the sovereign himself, by which they would pretend to contribute nothing to the public, but what they please, hath been already confuted, by proving the

7. The seventh doctrine opposite to government, is this; *that each subject hath an absolute dominion over the goods he is in possession of*: that is to say, such a *propriety* as excludes not only the right of all the rest of his fellow-subjects to the same goods, but also of the magistrate himself. Which is not true; for they who have a *lord* over them, have themselves

10. A Fifth doctrine, that tendeth to the Dissolution of a Common-wealth, is, *That every private man has an absolute Propriety in his Goods; such, as excludeth the Right of the Sovereign.* Every man has indeed a Propriety that excludes the Right of every other Subject: And he has it onely from the Sovereign Power; without the protection

absoluteness of the sovereignty; and more particularly, Part II. chapter 5, sect. 2;⁵ and ariseth from this: that they understand not ordinarily, that before the institution of sovereign power *meum* and *tuum* implied no propriety, but a community, where every man had right to every thing, and was in state of war with every man.

no *lordship*, as hath been proved chap. viii. art. 5. Now the magistrate is lord of all his subjects, by the constitution of government. Before the yoke of civil society was undertaken, no man had any *proper right*; all things were *common* to all men. Tell me therefore, how gottest thou this *propriety* but from the magistrate? How got the magistrate it, but that every man transferred his right on him? And thou therefore hast also given up thy right to him. Thy *dominion* therefore, and *propriety*, is just so much as he will, and shall last so long as he pleases; even as in a family, each son hath such *proper* goods, and so long lasting, as seems good to the father. But the greatest part of men who profess civil prudence, reason otherwise. We are equal, say they, by nature; there is no reason why any man should by better right take my goods from me, than I his from him. We know that money sometimes is needful for the defence and maintenance of the public; but let them who require it, show us the present necessity, and they shall receive it. They who talk thus know not, that what they would have, is already done from the beginning, in the very constitution of government; and therefore speaking as in a dissolute multitude and yet not fashioned government, they destroy the frame.

whereof, every other man should have equall Right to the same. But if the Right of the Sovereign also be excluded, he cannot performe the office they have put him into; which is, to defend them both from forraign enemies, and from the injuries of one another; and consequently there is no longer a Commonwealth.

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

18. Hitherto I have named such Diseases of a Common-wealth, as are of the greatest, and most present danger. There be other, not so great; which nevertheless are not unfit to be observed. As first, the difficulty of raising Mony, for the necessary uses of the Commonwealth; especially in the approach of warre. This difficulty ariseth from the opinion, that every Subject hath of a Propriety in his lands and goods, exclusive of the Sovereigns Right to the use of the same. From whence it commeth to passe, that the Sovereign Power, which foreseeth the necessities and dangers of the Common-wealth, (finding the passage of mony to the publique Treasure obstructed, by the tenacity of the people,) whereas it ought to extend it selfe, to encounter, and prevent such dangers in their beginnings, contracteth it selfe as long as it can, and when it cannot longer, struggles with the people by strategems of Law, to obtain little summes, which not sufficing, he is fain at last violently to open the way for present supply, or Perish; and being put often to these extremities, at last reduceth the people to their due temper; or else the Common-wealth must perish.

⁵ *The Elements of Law*, ch. 24.

9. The fifth opinion: that the people is a distinct body from him or them that have the sovereignty over them, is an error already confuted, Part II. chap. 2, sect. 11,⁶ where it is showed, that when men say: the people rebelleth, it is to be understood of those particular persons only, and not of the whole nation. And when the people claimeth any thing otherwise than by the voice of the sovereign power, it is not the claim of the people, but only of those particular men, that claim in their own persons; and this error ariseth from the equivocation of the word people.

8. In the last place, it is a great hindrance to civil government, especially monarchical, that men distinguish not enough between a *people* and a *multitude*. The *people* is somewhat that is *one*, having *one will*, and to whom *one action* may be attributed; none of these can properly be said of a multitude. The *people* rules in all governments. For even in *monarchies* the *people* commands; for the *people* wills by the will of *one man*; but the multitude are citizens, that is to say, subjects. In a *democracy* and *aristocracy*, the citizens are the *multitude*, but the *court* is the *people*. And in a *monarchy*, the subjects are the *multitude*, and (however it seem a paradox) the king is the *people*. The common sort of men, and others who little consider these truths, do always speak of a *great number* of men as of the *people*, that is to say, the *city*. They say, that the *city* hath rebelled against the *king* (which is impossible), and that the *people* will and nill what murmuring and discontented subjects would have or would not have; under pretence of the *people* stirring

Insomuch as we may compare this Distemper very aptly to an Ague; wherein, the fleshy parts being congealed, or by venomous matter obstructed; the Veins which by their naturall course empty themselves into the Heart, are not (as they ought to be) supplied from the Arteries, whereby there succeedeth at first a cold contraction, and trembling of the limbes; and afterwards a hot, and strong endeavour of the Heart, to force a passage for the Bloud; and before it can do that, contenteth it selfe with the small refreshments of such things as coole for a time, till (if Nature be strong enough) it break at last the contumacy of the parts obstructed, and dissipateth the venome into sweat; or (if Nature be too weak) the Patient dyeth.

⁶ *The Elements of Law*, ch. 21.

up the *citizens* against the *city*, that is to say, the *multitude* against the *people*. And these are almost all the opinions, wherewith subjects being tainted do easily tumult. And forasmuch as in all manner of government majesty is to be preserved by him or them, who have the supreme authority; the *crimen læsæ majestatis* naturally cleaves to these opinions.

10. Lastly, for the opinion, that tyrannicide is lawful, meaning by a tyrant any man in whom resideth the right of sovereignty, it is no less false and pernicious to human society, than frequent in the writings of those moral philosophers, Seneca and others, so greatly esteemed amongst us. For when a man hath the right of sovereignty, he cannot justly be punished, as hath been often showed already, and therefore much less deposed, or put to death. And howsoever he might deserve punishment, yet punishment is unjust without judgment preceding, and judgment unjust without power of judicature, which a subject hath not over his sovereign. But this doctrine proceedeth from the Schools of Greece, and from those that writ in the Roman state, in which not only the name of a tyrant, but of a king, was hateful.

3. The third seditious doctrine springs from the same root, that *tyrannicide is lawful*; nay, at this day it is by many divines, and of old it was by all the philosophers, Plato, Aristotle, Cicero, Seneca, Plutarch, and the rest of the maintainers of the Greek and Roman anarchies, held not only lawful, but even worthy of the greatest praise. And under the title of *tyrants*, they mean not only monarchs, but all those who bear the chief rule in any government whatsoever; for not Pisistratus only at Athens, but those Thirty also who succeeded him, and ruled together, were all called *tyrants*. But he whom men require to be put to death as being a *tyrant*, commands either by right or without right. If without right, he is an enemy, and by right to be put to death; but then this must not be called the *killing a tyrant*, but an *enemy*. If by right, then the divine interrogation takes place: *Who hath told thee that he was a tyrant? Hast thou eaten of the tree, whereof I commanded thee that thou shouldst not eat?* For why dost thou call him a *tyrant*, whom God hath made a *king*, except that thou, being a private person, usurpest to thyself the knowledge of *good* and *evil*? But how pernicious this opinion is to all governments, but especially to that which is *monarchical*, we may hence discern; namely, that by it every *king*, whether good or ill, stands exposed to be condemned by the judgment, and slain by the hand of every murderous villain.

14. And as to Rebellion in particular against Monarchy; one of the most frequent causes of it, is the Reading of the books of Policy, and Histories of the antient Greeks, and Romans; from which, young men, and all others that are unprovided of the Antidote of solid Reason, receiving a strong, and delightful impression, of the great exploits of warre, atchieved by the Conductors of their Armies, receive withall a pleasing Idea, of all they have done besides; and imagine their great prosperity, not to have proceeded from the æmulation of particular men, but from the vertue of their popular forme of government: Not considering the frequent Seditions, and Civill Warres, produced by the imperfection of their Policy. From the reading, I say, of such books, men have undertaken to kill their Kings, because the Greek and Latine writers, in their books, and discourses of Policy, make it lawfull, and laudable, for any man so to do; provided before he do it, he call him Tyrant. For they say not *Regicide*, that is, killing of a King, but *Tyrannicide*, that is, killing of a Tyrant is lawfull. From the same books, they that live under a Monarch conceive an opinion, that the Subjects in a Popular Common-wealth enjoy Liberty; but that in a Monarchy they are all Slaves. I say, they that live under a Monarchy conceive such an opinion; not they that live under a Popular Government: for they find no such matter. In summe, I cannot imagine,

how any thing can be more prejudicial to a Monarchy, than the allowing of such books to be publicly read, without present applying such correctives of discreet Masters, as are fit to take away their Venime: Which Venime I will not doubt to compare to the biting of a mad Dogge, which is a disease the Physicians call *Hydrophobia*, or *fear of Water*. For as he that is so bitten, has a continually torment of thirst, and yet abhorreth water; and is in such an estate, as if the poyson endeavoured to convert him into a Dogge: So when a Monarchy is once bitten to the quick, by those Democraticall writers, that continually snarle at that estate; it wanteth nothing more than a strong Monarch, which neverthelesse out of a certain *Tyrannophobia*, or feare of being strongly governed, when they have him, they abhorre.

See ¶ 2

9. There is nothing more afflicts the mind of man than *poverty*, or the want of those things which are necessary for the preservation of life and honour. And though there be no man but knows, that riches are gotten with industry, and kept by frugality, yet all the poor commonly lay the blame on the evil government, excusing their own sloth and luxury; as if their private goods forsooth were wasted by public exactions. But men must consider, that they who have no patrimony, must not only labour that they may live, but fight too that they may labour. Every one of the Jews, who in Esdras' time built the walls of Jerusalem, did the work with one hand, and held the sword in the other. In all government, we must conceive that the hand which holds the sword, is the *king* or *supreme council*, which is no less to be sustained and nourished by the subjects' care and industry, than that wherewith each man procures himself a private fortune; and that *customs* and *tributes* are nothing else but their reward who watch in arms

for us, that the labours and endeavours of single men may not be molested by the incursion of enemies; and that their complaint, who impute their poverty to public persons, is not more just, than if they should say that they are become in want by paying of their debts. But the most part of men consider nothing of these things. For they suffer the same thing with them who have a disease they call an *incubus*; which springing from gluttony, it makes men believe they are invaded, oppressed, and stifled with a great weight. Now it is a thing manifest of itself, that they who seem to themselves to be burthened with the whole load of the commonweal, are prone to be seditious; and that they are affected with change, who are distasted at the present state of things.

11. Besides discontent, to the disposing of a man to rebellion, and pretence, there is required, in the third place, hope of success, which consisteth in four points : 1. That the discontented have mutual intelligence; 2. that they have sufficient number; 3. that they have arms; 4. that they agree upon a head. For these four must concur to the making of one body of rebellion, in which intelligence is the life, number the limbs, arms the strength, and a head the unity, by which they are directed to one and the same action.

11. *The hope of overcoming* is also to be numbered among other seditious inclinations. For let there be as many men as you will, infected with opinions repugnant to peace and civil government; let there be as many as there can, never so much wounded and torn with affronts and calumnies by them who are in authority; yet if there be no *hope of having the better of them*, or it appear not sufficient, there will no sedition follow; every man will dissemble his thoughts, and rather content himself with the present burthen than hazard a heavier weight. There are four things necessarily requisite to this *hope*. Numbers, instruments, mutual trust, and commanders. To resist public magistrates without a great number, is not sedition, but desperation. By instruments of war, I mean all manner of arms, munition, and other necessary provision: without which number can do nothing. Nor arms neither, without mutual trust. Nor all these, without union under some commander, whom of their own accord they are content to obey; not as being engaged by their submission to his command;

(for we have already in this very chapter, supposed these kind of men not to understand being obliged beyond that which seems right and good in their own eyes); but for some opinion they have of his virtue, or military skill, or resemblance of humours. If these four be near at hand to men grieved with the present state, and measuring the justice of their actions by their own judgments; there will be nothing wanting to sedition and confusion of the realm, but one to *stir up* and *quicken them*.

12. The authors of rebellion, that is, the men that breed these dispositions to rebel in others, of necessity must have in them these three qualities: 1. To be discontented themselves; 2. to be men of mean judgment and capacity; and 3. to be eloquent men or good orators. And as for their discontent, from whence it may proceed, hath been already declared. And for the second and third, I am to show now, first, how they may stand together; for it seemeth a contradiction, to place small judgment and great eloquence, or, as they call it, powerful speaking, in the same man: and then in what manner they both concur to dispose other men to sedition.

13. It was noted by Sallust, that in Cataline (who was author of the greatest sedition that ever was in Rome) there was *Eloquentiæ satis, sapientiæ parum*; eloquence sufficient, but little wisdom. And perhaps this was said of Cataline, as he was Cataline: but it was true of him as an author of sedition. For the conjunction of these two qualities made him not Cataline, but seditious. And that it may be understood, how want of wisdom, and store of eloquence, may stand together, we are to consider, what it is we call wisdom, and what eloquence. And therefore I shall here again remember some things that have been said already, Part 1. chap. 5, 6. It is manifest

12. Sallust's character of Cataline, than whom there never was a greater artist in raising seditions, is this: *that he had great eloquence, and little wisdom*. He separates *wisdom* from *eloquence*; attributing this as necessary to a man born for commotions; adjudging that as an instructress of peace and quietness. Now eloquence is twofold. The one is an elegant and clear expression of the conceptions of the mind; and riseth partly from the contemplation of the things themselves, partly from an understanding of words taken in their own proper and definite signification. The other is a commotion of the passions of the mind, such as are *hope, fear, anger, pity*;

that wisdom consisteth in knowledge. Now of knowledge there are two kinds; whereof the one is the remembrance of such things, as we have conceived by our senses, and of the order in which they follow one another. And this knowledge is called experience; and the wisdom that proceedeth from it, is that ability to conjecture by the present, of what is past, and to come, which men call prudence. This being so, it is manifest presently, that the author of sedition, whosoever he be, must not be prudent. For if he consider and take his experiences aright, concerning the success which they have had, who have been the movers and authors of sedition, either in this or any other state, he shall find that for one man that hath thereby advanced himself to honour, twenty have come to a reproachful end. The other kind of knowledge is the remembrance of the names or appellations of things, and how every thing is called, which is, in matters of common conversation, a remembrance of pacts and covenants of men made amongst themselves, concerning how to be understood of one another. And this kind of knowledge is generally called science, and the conclusions thereof truth. But when men remember not how things are named, by general agreement, but either mistake and misname things, or name them aright by chance, they are not said to have science, but opinion; and the conclusions thence proceeding are uncertain, and for the most part erroneous. Now that science in particular from which proceed the true and evident conclusions of what is right and wrong, and what is good and hurtful to the being and well-being of mankind, the Latins call *sapientia*, and we by the general name of wisdom. For generally, not he that hath skill in geometry, or any other science speculative, but only he that understandeth what

and derives from a metaphorical use of words fitted to the passions. That forms a speech from true principles; this from opinions already received, what nature soever they are of. The art of that is logic, of this rhetoric; the end of that is truth, of this victory. Each hath its use; that in deliberations, this in exhortations; for that is never disjoined from *wisdom*, but this almost ever. But that this kind of powerful *eloquence*, separated from the true knowledge of things, that is to say, from wisdom, is the true character of them who solicit and stir up the people to innovations, may easily be gathered out of the work itself which they have to do. For they could not poison the people with those absurd opinions contrary to peace and civil society, unless they held them themselves; which sure is an ignorance greater than can well befall any wise man. For he that knows not whence the laws derive their power, which are the rules of *just* and *unjust*, *honest* and *dishonest*, *good* and *evil*; what makes and preserves peace among men, what destroys it; what is *his*, and what *another's*; lastly, what he would have done to himself, that he may do the like to others: is surely to be accounted but meanly wise. But that they can turn their auditors out of fools into madmen; that they can make things to them who are ill-affected, seem worse, to them who are well-affected, seem evil; that they can enlarge their hopes, lessen their dangers beyond reason: this they have from that sort of eloquence, not which explains things as they are, but from that other, which by moving their minds, makes all things to appear to be such as they in their minds, prepared before, had already conceived them.

conduceth to the good and government of the people, is called a wise man. Now that no author of sedition can be wise in this acceptation of the word, is sufficiently proved, in that it hath been already demonstrated, that no pretence of sedition can be right or just; and therefore the authors of sedition must be ignorant of the right of state, that is to say, unwise. It remaineth therefore, that they be such, as name things not according to their true and generally agreed-upon names; but call right and wrong, good and bad, according to their passions, or according to the authorities of such as they admire, as Aristotle, Cicero, Seneca, and others of like authority, who have given the names of right and wrong, as their passions have dictated; or have followed the authority of other men as we do theirs. It is required therefore in an author of sedition, that he think right, that which is wrong; and profitable, that which is pernicious; and consequently that there be in him *sapientiae parum*, little wisdom.

14. Eloquence is nothing else but the power of winning belief of what we say; and to that end we must have aid from the passions of the hearer. Now to demonstration and teaching of the truth, there are required long deductions, and great attention, which is unpleasant to the hearer; therefore they which seek not truth, but belief, must take another way, and not only derive what they would have to be believed, from somewhat believed already, but also by aggravations and extenuations make good and bad, right and wrong, appear great or less, according as it shall serve their turns. And such is the power of eloquence, as many times a man is made to believe thereby, that he sensibly feeleth smart and damage, when he feeleth none, and to enter into rage and indignation, without any other cause, than what is in the words and passion of the

speaker. This considered, together with the business that he hath to do, who is the author of rebellion, (viz.) to make men believe that their rebellion is just, their discontents grounded upon great injuries, and their hopes great; there needeth no more to prove, there can be no author of rebellion, that is not an eloquent and powerful speaker, and withal (as hath been said before) a man of little wisdom. For the faculty of speaking powerfully, consisteth in a habit gotten of putting together passionate words, and applying them to the present passions of the hearer.

13. Many men, who are themselves very well affected to civil society, do through want of knowledge co-operate to the disposing of subjects' minds to *sedition*, whilst they teach young men a doctrine conformable to the said opinions in their schools, and all the people in their pulpits. Now they who desire to bring this disposition into act, place their whole endeavour in this: first, that they may join the ill-affected together into *faction* and *conspiracy*; next, that themselves may have the greatest stroke in the *faction*. They gather them into *faction*, while they make themselves the relators and interpreters of the counsels and actions of single men, and nominate the persons and places to assemble and deliberate of such things whereby the present government may be reformed, according as it shall seem best to their interests. Now to the end that they themselves may have the chief rule in the *faction*, the *faction* must be kept in a *faction*; that is to say, they must have their secret meetings apart with a few, where they may order what shall afterward be propounded in a general meeting, and by whom, and on what subject, and in what order each of them shall speak, and how they may draw the powerfulllest and most popular men of the *faction* to their side. And thus

15. Seeing then eloquence and want of discretion concur to the stirring of rebellion, it may be demanded, what part each of these acteth therein? The *daughters of Pelias*, king of Thessaly, desiring to restore their old decrepit father to the vigour of his youth, by the counsel of Medea chopped him in pieces, and set him a boiling with I know not what herbs in a cauldron, but could not make him revive again. So when eloquence and want of judgment go together, want of judgment, like the daughters of Pelias, consenteth, through eloquence, which is as the witchcraft of Medea, to cut the commonwealth in pieces, upon pretence or hope of reformation, which when things are in combustion, they are not able to effect.

when they have gotten a faction big enough, in which they may rule by their eloquence, they move it to take upon it the managing of affairs. And thus they sometimes oppress the commonwealth, namely, where there is no other faction to oppose them; but for the most part they rend it, and introduce a civil war. For *folly* and *eloquence* concur in the subversion of government, in the same manner (as the fable hath it) as heretofore the daughters of Pelias, king of Thessaly, conspired with Medea against their father. They going to restore the decrepit old man to his youth again, by the counsel of Medea they cut him into pieces, and set him in the fire to boil; in vain expecting when he would live again. So the common people, through their folly, like the daughters of Pelias, desiring to renew the ancient government, being drawn away by the *eloquence* of ambitious men, as it were by the witchcraft of Medea; divided into *faction* they consume it rather by those flames, than they reform it.

See 30.7

13. And as False Doctrine, so also oftentimes the Example of different Government in a neighbouring Nation, disposeth men to alteration of the forme already settled. So the people of the Jewes were stirred up to reject God, and to call upon the Prophet *Samuel*, for a King after the manner of the Nations: So also the lesser Cities of *Greece*, were continually disturbed, with seditions of the Aristocraticall, and Democraticall factions; one part of almost every Common-wealth, desiring to imitate the Lacedæmonians; the other, the Athenians. And I doubt not, but many men, have been contented to see the late troubles in *England*, out of an imitation of the Low Countries; supposing there needed no more to grow rich, than to change, as they had done, the forme of

their Government. For the constitution of mans nature, is of it selfe subject to desire novelty: When therefore they are provoked to the same, by the neighbourhood also of those that have been enriched by it, it is almost impossible for them, not to be content with those that sollicite them to change; and love the first beginnings, though they be grieved with the continuance of disorder; like hot blouds, that having gotten the itch, tear themselves with their own nayles, till they can endure the smart no longer.

15. As there have been Doctors, that hold there be three Soules in a man; so there be also that think there may be more Soules, (that is, more Sovereigns,) than one, in a Common-wealth; and set up a *Supremacy* against the *Soveraignty*; *Canons* against *Lawes*; and a *Ghostly Authority* against the *Civill*; working on mens minds, with words and distinctions, that of themselves signifie nothing, but bewray (by their obscurity) that there walketh (as some think invisibly) another Kingdome, as it were a Kingdome of Fayries, in the dark. Now seeing it is manifest, that the Civill Power, and the Power of the Common-wealth is the same thing; and that Supremacy, and the Power of making Canons, and granting Faculties, implyeth a Common-wealth; it followeth, that where one is Sovereign, another Supreme; where one can make Lawes, and another make Canons; there must needs be two Common-wealths, of one & the same Subjects; which is a Kingdome divided in it selfe, and cannot stand. For notwithstanding the insignificant distinction of *Temporall*, and *Ghostly*, they are still two Kingdomes, and every Subject is subject to two Masters. For seeing the *Ghostly* Power challengeth the Right to declare what is Sinne it challengeth by consequence to declare what is Law, (Sinne being nothing but the transgression

of the Law;) and again, the Civill Power challenging to declare what is Law, every Subject must obey two Masters, who both will have their Commands be observed as Law; which is impossible. Or, if it be but one Kingdome, either the *Civill*, which is the Power of the Common-wealth, must be subordinate to the *Ghostly*, and then there is no Sovereignty but the *Ghostly*; or the *Ghostly* must be subordinate to the *Temporall* and then there is no Supremacy but the *Temporall*. When therefore these two Powers oppose one another, the Common-wealth cannot but be in great danger of Civill warre, and Dissolution. For the *Civill* Authority being more visible, and standing in the cleerer light of naturall reason cannot choose but draw to it in all times a very considerable part of the people: And the *Spiritual*, though it stand in the darknesse of Schoole distinctions, and hard words; yet because the fear of Darknesse, and Ghosts, is greater than other fears, cannot want a party sufficient to Trouble, and sometimes to Destroy a Common-wealth. And this is a Disease which not unfitly may be compared to the Epilepsie, or Falling-sickness (which the Jewes took to be one kind of possession by Spirits) in the Body Naturall. For as in this Disease, there is an unnaturall spirit, or wind in the head that obstructeth the roots of the Nerves, and moving them violently, taketh away the motion which naturally they should have from the power of the Soule in the Brain, and thereby causeth violent, and irregular motions (which men call Convulsions) in the parts; insomuch as he that is seized therewith, falleth down sometimes into the water, and sometimes into the fire, as a man deprived of his senses; so also in the Body Politique, when the Spirituall power, moveth the Members of a Common-wealth, by the terrour of punishments, and hope of

See 20.15

See 7.4

rewards (which are the Nerves of it,) otherwise than by the Civill Power (which is the Soule of the Common-wealth) they ought to be moved; and by strange, and hard words suffocates their understanding, it must needs thereby Distract the people, and either Overwhelm the Common-wealth with Oppression, or cast it into the Fire of a Civill warre.

16. Sometimes also in the meerly Civill government, there be more than one Soule: As when the Power of levying mony, (which is the Nutritive faculty,) has depended on a generall Assembly; the Power of conduct and command, (which is the Motive faculty,) on one man; and the Power of making Lawes, (which is the Rationall faculty,) on the accidentall consent, not onely of those two, but also of a third; This endangeth the Common-wealth, somtimes for want of consent to good Lawes; but most often for want of such Nourishment, as is necessary to Life, and Motion. For although few perceive, that such government, is not government, but division of the Common-wealth into three Factions, and call it mixt Monarchy; yet the truth is, that it is not one independent Common-wealth, but three independent Factions; nor one Representative Person, but three. In the Kingdome of God, there may be three Persons independent, without breach of unity in God that Reigneth; but where men Reigne, that be subject to diversity of opinions, it cannot be so. And therefore if the King bear the person of the People, and the generall Assembly bear also the person of the People, and another Assembly bear the person of a Part of the people, they are not one Person, nor one Sovereign, but three Persons, and three Sovereigns.

17. To what Disease in the Naturall Body of man, I may exactly compare

this irregularity of a Common-wealth, I know not. But I have seen a man, that had another man growing out of his side, with an head, armes, breast, and stomach, of his own: If he had had another man growing out of his other side, the comparison might then have been exact.

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

20. Also, the Popularity of a potent Subject, (unlesse the Common-wealth have very good caution of his fidelity,) is a dangerous Disease; because the people (which should receive their motion from the Authority of the Sovereign,) by the flattery, and by the reputation of an ambitious man, are drawn away from their obedience to the Lawes, to follow a man, of whose vertues, and designs they have no knowledge. And this is commonly of more danger in a Popular Government, than in a Monarchy; because an Army is of so great force, and multitude, as it may easily be made believe, they are the People. By this means it was, that *Julius Cæsar*, who was set up by the People against the Senate, having won to himselfe the affections of his Army, made himselfe Master, both of Senate and People. And this proceeding of popular, and ambitious men, is plain Rebellion; and may be resembled to the effects of Witchcraft.

21. Another infirmity of a Commonwealth, is the immoderate greatnesse of a Town, when it is able to furnish out of its own Circuit, the number, and expence of a great Army: As also the great number of Corporations; which are as it were many lesser Common-wealths in the bowels of a greater, like wormes in the entrayles of a naturall man. To which may be added, the Liberty of Disputing against absolute Power, by pretenders to Politicall Prudence; which though bred for the most part in the Lees of the people; yet animated by False Doctrines, are perpetually meddling with the Fundamentall Lawes, to the molestation of the Commonwealth; like the little Wormes, which Physicians call *Ascarides*.

22. We may further adde, the insatiable appetite, or *Bulimia*, of enlarging Dominion; with the incurable *Wounds* thereby many times received from the enemy; And the *Wens*, of ununited conquests, which are many times a burthen, and with lesse danger lost, than kept; As also the *Lethargy* of Ease, and *Consumption* of Riot and Vain Expence.

23. Lastly, when in a warre (forraign, or intestine,) the enemies get a final Victory; so as (the forces of the Commonwealth keeping the field no longer) there is no farther protection of Subjects in their loyalty; then is the Commonwealth DISSOLVED, and every man at liberty to protect himselfe by such courses as his own discretion shall suggest unto him. For the Sovereign, is the publique Soule, giving Life and Motion to the Commonwealth; which expiring, the Members are governed by it no more, than the Carcasse of a man, by his departed (though Immortall) Soule. For though the Right of a Sovereign Monarch cannot be extinguished by the act of another; yet the Obligation of the members may. For he that

wants protection, may seek it anywhere; and when he hath it, is obliged (without fraudulent pretence of having submitted himselfe out of fear,) to protect his Protection as long as he is able. But when the Power of an Assembly is once suppressed, the Right of the same perisheth utterly; because the Assembly it selfe is extinct; and consequently, there is no possibility for the Sovereignty to re-enter.

CHAPTER 21

Chapter 28 of *The Elements of Law* / Chapter 13 of *De Cive* / Chapters 30 and 21 (part) of *Leviathan*

Précis table

Part II. Concerning men as a body politic	Part II. Of Dominion	Part II. OF COMMON-WEALTH
Chapter 28. Of the duty of them that have sovereign power	Chapter 13. Of the duties of those men who sit at the helm of state	Chapter 30. Of the OFFICE of the Sovereign Representative
1. The law over sovereigns, <i>salus populi</i>	1. The right of supreme authority is distinguished from its exercise 2. The safety of the people is the supreme law 3. It behoves princes to regard the common benefit of many, not the peculiar interest of this or that man 4. That by safety is understood all manner of conveniences	1. The Procuration of the Good of the People
2. That sovereigns ought to establish the religion they hold for best	5. A query, whether it be the duty of kings to provide for the salvation of their subjects' souls, as they shall judge best according to their own consciences	
3. That to forbid unnatural copulation, promiscuous use of women, one woman to have many husbands, marrying within degrees of consanguinity, is the law of nature	6. Wherein the safety of the people consists	
9. Avoiding of unnecessary war is a necessary duty of the sovereign for the defence of a commonwealth	7. That discoverers are necessary for the defence of the people 8. That to have soldiers, arms, garrisons, and moneys in readiness, in time of peace, is also necessary for the defence of the people	

		<p>2. By Instruction & Lawes</p> <p>3. Against the duty of a Sovereign to relinquish any Essential Right of Sovereignty: Or not to see the people taught the grounds of them</p> <p>4.</p> <p>5. Objection of those that say there are no Principles of Reason for absolute Sovereignty</p> <p>6. Objection from the Incapacity of the vulgar</p>
See 27.15	See 12.13	7. Subjects are to be taught, not to affect change of Government:
		8. Nor adhere (against the Sovereign) to Popular men:
		9. Nor to Dispute the Sovereign Power:
		10. And to have dayes set apart to learn their Duty:
		11. And to Honour their Parents
		12. And to avoyd doing of Injury:
		13. And to do all this sincerely from the heart
8. The institution of youth in true morality and politics necessary for keeping the subjects in peace	9. A right instruction of subjects in civil doctrines, is necessary for the preserving of peace	14. The use of Universities
5. <i>Meum</i> and <i>tuum</i> , to be set out to the subjects, distinct from one another, and the burdens of the commonwealth to be laid according to men's expenses, a duty of sovereigns by the law of nature	<p>10. Equal distributions of public offices conduces much to the preservation of peace</p> <p>11. It is natural equity, that monies be taxed according to what every man spends, not what he possesses</p>	17. Equall Taxes
		15.
		16.
7. The suppressing of popularity in such as find fault with the present government necessary for the avoiding of sedition	<p>12. It conduceth to the preservation of peace, to keep down ambitious men</p> <p>13. And to break factions</p>	
		18. Publique Charity

<p>4. That to leave man as much liberty as may be, without hurt of the public, and to ordain means for trade and labour, and to forbid superfluous expenses, is a duty of a sovereign by the law of nature</p>	<p>14. Laws whereby thriving arts are cherished and great costs restrained, conduce to the enriching of the subject 15. That more ought not to be defined by the laws, than the benefit of the prince and his subjects requires</p>	<p>19. Prevention of Idlennesse See 21.1¹ 21.6. Liberty of Subjects consisteth in Liberty from covenants</p>
		<p>20. Good Lawes what 21. Such as are Necessary 22. Such as are Perspicuous</p>
	<p>16. That greater punishments must not be inflicted, than are prescribed by the laws</p>	<p>23. Punishments 24. Rewards</p>
<p>6. An extraordinary power for judging the abuses of magistrates necessary for the peace of the commonwealth</p>	<p>17. Subjects must have right done them against corrupt judges</p>	
		<p>25. Counsellours 26. 27.</p>
		<p>28. Commanders 29.</p>
		<p>30.</p>

Part II. Concerning men as a body politic

Chapter 28. Of the duty of them that have sovereign power

1. HAVING hitherto set forth how a body politic is made, and how it may be destroyed, this place requireth to say something concerning the preservation of the same. Not purposing to enter into the particulars of the art of government, but to sum up the general heads, wherein such art is to be employed, and in which consisteth the duty of him or them that have the sovereign power. For

Part II. Of Dominion

Chapter 13. Of the duties of those men who sit at the helm of state

1. By what hath hitherto been said, the *duties* of citizens and subjects in any kind of government whatsoever, and the *power* of the supreme ruler over them are apparent. But we have as yet said nothing of the *duties* of rulers, and how they ought to behave themselves towards their subjects. We must then distinguish between the *right* and the *exercise* of supreme authority; for they

Part II. OF COMMON-WEALTH

Chapter 30. Of the OFFICE of the Sovereign Representative

1. The OFFICE of the Sovereign, (be it a Monarch, or an Assembly,) consisteth in the end, for which he was trusted with the Sovereign Power, namely the procuration of *the safety of the people*; to which he is obliged by the Law of Nature, and to render an account thereof to God, the Author of that Law, and to none but him. But by Safety here, is not meant a bare Preservation, but also all

¹ The paragraph is included in Chapter 19.

the duty of a sovereign consisteth in the good government of the people; and although the acts of sovereign power be no injuries to the subjects who have consented to the same by their implicit wills, yet when they tend to the hurt of the people in general, they be breaches of the law of nature, and of the divine law; and consequently, the contrary acts are the duties of sovereigns, and required at their hands to the utmost of their endeavour, by God Almighty, under the pain of eternal death. And as the art and duty of sovereigns consist in the same acts, so also doth their profit. For the end of art is profit; and governing to the profit of the subjects, is governing to the profit of the sovereign, as hath been showed Part II chapter 5, section 1.² And these three: 1. the law over them that have sovereign power; 2. their duty; 3. their profit: are one and the same thing contained in this sentence, *Salus populi suprema lex*; by which must be understood, not the mere preservation of their lives, but generally their benefit and good. So that this is the general law for sovereigns: that they procure, to the uttermost of their endeavour, the good of the people.

can be divided. As for example, when he who hath the *right*, either cannot or will not be present in judging trespasses, or deliberating of affairs. For kings sometimes by reason of their age cannot order their affairs; sometimes also, though they can do it themselves, yet they judge it fitter, being satisfied in the choice of their officers and counsellors, to exercise their power by them. Now where the *right* and *exercise* are severed, there the government of the commonweal is like the ordinary government of the world; in which God, the mover of all things, produceth natural effects by the means of secondary causes. But where he to whom the right of ruling doth belong, is himself present in all judicatures, consultations, and public actions, there the administration is such, as if God, beyond the ordinary course of nature, should immediately apply himself unto all matters. We will therefore in this chapter summarily and briefly speak somewhat concerning their *duties*, who exercise authority, whether by their own or other's right. Nor is it my purpose to descend into those things, which being diverse from others, some princes may do, for this is to be left to the political practices of each commonweal.

2. Now all the duties of rulers are contained in this one sentence, *the safety of the people is the supreme law*. For although they who among men obtain the chiefest dominion, cannot be subject to laws properly so called, that is to say, to the will of men, because to be chief and subject, are contradictories; yet is it their *duty* in all things, as much as possibly they can, to yield obedience unto right reason, which is the natural, moral, and divine law. But because dominions were constituted for peace's sake, and peace was sought after for safety's sake; he, who being placed in

other Contentments of life, which every man by lawfull Industry, without danger, or hurt to the Common-wealth, shall acquire to himselfe.

² *The Elements of Law*, ch. 24.

authority, shall use his power otherwise than to the safety of the people, will act against the reasons of peace, that is to say, against the laws of nature. Now as the safety of the people dictates a law by which princes know their *duty*, so doth it also teach them an art how to procure themselves a benefit; for the power of the citizens is the power of the city, that is to say, his that bears the chief rule in any state.

3. By the people in this place we understand, not one civil person, namely, the city itself which governs, but the multitude of subjects which are governed. For the city was not instituted for its own, but for the subjects' sake: and yet a particular care is not required of *this* or *that* man. For the ruler (as such) provides no otherwise for the safety of his people, than by his laws, which are universal; and therefore he hath fully *discharged* himself, if he have thoroughly endeavoured by wholesome constitutions to establish the welfare of the most part, and made it as lasting as may be; and that no man suffer ill, but by his own default, or by some chance which could not be prevented. But it sometimes conduces to the safety of the most part, that wicked men do suffer.

4. But by *safety* must be understood, not the sole preservation of life in what condition soever, but in order to its happiness. For to this end did men freely assemble themselves and *institute* a government, that they might, as much as their human condition would afford, live delightfully. They therefore who had undertaken the administration of power in such a kind of government, would sin against the law of nature, (because against their trust, who had committed that power unto them), if they should not study, as much as by good laws could be effected, to furnish

their subjects abundantly, not only with the good things belonging to life, but also with those which advance to delectation. They who have acquired dominion by arms, do all desire that their subjects may be strong in body and mind, that they may serve them the better. Wherefore if they should not endeavour to provide them, not only with such things whereby they may live, but also with such whereby they may grow strong and lusty, they would act against their own scope and end.

2. And forasmuch as eternal is better than temporal good, it is evident, that they who are in sovereign authority, are by the law of nature obliged to further the establishing of all such doctrines and rules, and the commanding of all such actions, as in their conscience they believe to be the true way thereunto. For unless they do so, it cannot be said truly, that they have done the uttermost of their endeavour.

5. And first of all, princes do believe that it mainly concerns *eternal salvation*, what opinions are held of the Deity, and what manner of worship he is to be adored with. Which being supposed, it may be demanded whether chief rulers, and whosoever they be, whether one or more, who exercise supreme authority, sin not against the law of nature, if they cause not such a doctrine and worship to be taught and practised, or permit a contrary to be taught and practised, as they believe necessarily conduceth to the *eternal salvation* of their subjects. It is manifest that they act against their conscience; and that they will, as much as in them lies, the eternal perdition of their subjects. For if they willed it not, I see no reason why they should suffer (when being supreme they cannot be compelled) such things to be taught and done, for which they believe them to be in a damnable state. But we will leave this difficulty in suspense.

3. For the temporal good of people, it consisteth in four points: 1. Multitude. 2. Commodity of living. 3. Peace amongst ourselves. 4. Defence against foreign power. Concerning multitude, it is the duty of them that are in sovereign authority, to increase the people, in as much as they are governors of mankind under God Almighty, who having created but one man, and one woman,

6. The benefits of subjects, respecting this life only, may be distributed into four kinds. 1. That they be defended against foreign enemies. 2. That peace be preserved at home. 3. That they be enriched, as much as may consist with public security. 4. That they enjoy a harmless liberty. For supreme commanders can confer no more to their civil happiness, than that being

declared that it was his will they should be multiplied and increased afterwards. And seeing this is to be done by ordinances concerning copulation: they are by the law of nature bound to make such ordinances concerning the same, as may tend to the increase of mankind. And hence it cometh, that in them who have sovereign authority: not to forbid such copulations as are against the use of nature; not to forbid the promiscuous use of women; not to forbid one woman to have many husbands; not to forbid marriages within certain degrees of kindred and affinity: are against the law of nature. For though it be not evident, that a private man living under the law of natural reason only, doth break the same, by doing any of these things aforesaid; yet it is manifestly apparent, that being so prejudicial as they are to the improvement of mankind, that not to forbid the same, is against the law of natural reason, in him that hath taken into his hands any portion of mankind to improve.

preserved from foreign and civil wars, they may quietly enjoy that wealth which they have purchased by their own industry.

7. There are two things necessary for the people's defence; *to be warned and to be forearmed*. For the state of commonwealths considered in themselves, is natural, that is to say, hostile. Neither if they cease from fighting, is it therefore to be called peace; but rather a breathing time, in which one enemy observing the motion and countenance of the other, values his security not according to the pacts, but the forces and counsels of his adversary. And this by natural right, as hath been showed in chap. II. art. 11, from this, that contracts are invalid in the state of nature, as oft as any just fear doth intervene. It is therefore necessary to the defence of the city, first, that there be some who may, as near as may be, *search into* and *discover* the counsels and motions of all those who may prejudice it. For *discoverers* to ministers of state, are like the beams

9. The last thing contained in that supreme law, *salus populi*, is their defence; and consisteth partly in the obedience and unity of the subjects, of which hath been already spoken, and in which consisteth the means of levying soldiers, and of having money, arms, ships, and fortified places in readiness for defence; and partly, in the avoiding of unnecessary wars. For such commonwealths, or such monarchs, as affect war for itself, that is to say, out of ambition, or of vain-glory, or that make account to revenge every little injury, or disgrace done by their neighbours, if they ruin not themselves, their fortune must be better than they have reason to expect.

of the sun to the human soul. And we may more truly say in vision political, than natural, that the sensible and intelligible species of outward things, not well considered by others, are by the air transported to the soul; that is to say, to them who have the supreme authority: and therefore are they no less necessary to the preservation of the state, than the rays of the light are to the conservation of man. Or if they be compared to spider's webs, which, extended on all sides by the finest threads, do warn them, keeping in their small holes, of all outward motions; they who bear rule, can no more know what is necessary to be commanded for the defence of their subjects without *spies*, than those spiders can, when they shall go forth, and whither they shall repair, without the motion of those threads.

8. Furthermore, it is necessarily requisite to the people's defence, that they be *forearmed*. Now to be forearmed is to be furnished with soldiers, arms, ships, forts, and monies, before the danger be instant; for the lifting of soldiers and taking up of arms after a blow is given, is too late at least, if not impossible. In like manner, not to raise forts and appoint garrisons in convenient places before the frontiers are invaded, is to be like those country swains, (as Demosthenes said), who ignorant of the art of fencing, with their bucklers guarded those parts of the body where they first felt the smart of the strokes. But they who think it then seasonable enough to raise monies for the maintenance of soldiers and other charges of war, when the danger begins to show itself, they consider not, surely, how difficult a matter it is to wring suddenly out of close-fisted men so vast a proportion of monies. For almost all men, what they once reckon in the number of their goods, do judge themselves to have such a right and

propriety in it, as they conceive themselves to be injured whensoever they are forced to employ but the least part of it for the public good. Now a sufficient stock of monies to defend the country with arms, will not soon be raised out of the treasure of imposts and customs. We must therefore, for fear of war, in time of peace hoard up good sums, if we intend the safety of the commonweal. Since therefore it necessarily belongs to rulers, for the subjects' safety to discover the enemy's counsel, to keep garrisons, and to have money in continual readiness; and that princes are, by the law of nature, bound to use their whole endeavour in procuring the welfare of their subjects: it follows, that it is not only lawful for them to send out spies, to maintain soldiers, to build forts, and to require monies for these purposes; but also not to do thus is unlawful. To which also may be added, whatsoever shall seem to conduce to the lessening of the power of foreigners whom they suspect, whether by slight or force. For rulers are bound according to their power to prevent the evils they suspect; lest peradventure they may happen through their negligence.

2. And this is intended should be done, not by care applyed to Individualls, further than their protection from injuries, when they shall complain; but by a generall Providence, contained in publique Instruction, both of Doctrine, and Example; and in the making, and executing of good Lawes, to which individuall persons may apply their own cases.

3. And because, if the essentiall Rights of Sovereignty (specified before in the eighteenth Chapter) be taken away, the Common-wealth is thereby dissolved, and every man returneth into the condition, and calamity of a warre with every other man, (which is the greatest evill that can happen in this life;) it is

the Office of the Sovereign, to maintain those Rights entire; and consequently against his duty, First, to transferre to another, or to lay from himselfe any of them. For he that deserteth the Means, deserteth the Ends; and he deserteth the Means, that being the Sovereign, acknowledgeth himselfe subject to the Civill Lawes; and renounceth the Power of Supreme Judicature; or of making Warre, or Peace by his own Authority; or of Judging of the Necessities of the Common-wealth; or of levying Mony, and Souldiers, when, and as much as in his own conscience he shall judge necessary; or of making Officers, and Ministers both of Warre, and Peace; or of appointing Teachers, and examining what Doctrines are conformable, or contrary to the Defence, Peace, and Good of the people. Secondly, it is against his Duty, to let the people be ignorant, or mis-informed of the grounds, and reasons of those his essentiall Rights; because thereby men are easie to be seduced, and drawn to resist him, when the Common-wealth shall require their use and exercise.

4. And the grounds of these Rights, have the rather need to be diligently, and truly taught; because they cannot be maintained by any Civill Law, or terrour of legal punishment. For a Civill Law, that shall forbid Rebellion, (and such is all resistance to the essentiall Rights of Sovereignty,) is not (as a Civill Law) any obligation, but by vertue onely of the Law of Nature, that forbideth the violation of Faith; which naturall obligation if men know not, they cannot know the Right of any Law the Sovereign maketh. And for the Punishment, they take it but for an act of Hostility; which when they think they have strength enough, they will endeavour by acts of Hostility, to avoyd.

5. As I have heard some say, that Justice is but a word, without substance; and that whatsoever a man can by force, or art, acquire to himselfe, (not onely in the condition of warre, but also in a Common-wealth,) is his own, which I have already shewed to be false: So there be also that maintain, that there are no grounds, nor Principles of Reason, to sustain those essentiall Rights, which make Sovereignty absolute. For if there were, they would have been found out in some place, or other; whereas we see, there has not hitherto been any Common-wealth, where those Rights have been acknowledged, or challenged. Wherein they argue as ill, as if the Savage people of America, should deny there were any grounds, or Principles of Reason, so to build a house, as to last as long as the materials, because they never yet saw any so well built. Time, and Industry, produce every day new knowledge. And as the art of well building, is derived from Principles of Reason, observed by industrious men, that had long studied the nature of materials, and the divers effects of figure, and proportion, long after mankind began (though poorly) to build: So, long time after men have begun to constitute Common-wealths, imperfect, and apt to relapse into disorder, there may, Principles of Reason be found out, by industrious meditation, to make their constitution (excepting by externall violence) everlasting. And such are those which I have in this discourse set forth: Which whether they come not into the sight of those that have Power to make use of them, or be neglected by them, or not, concerneth my particular interest, at this day, very little. But supposing that these of mine are not such Principles of Reason; yet I am sure they are Principles from Authority of Scripture; as I shall make it appear, when I shall come to speak of the Kingdome of God,

(administred by *Moses*,) over the Jewes, his peculiar people by Covenant.

6. But they say again, that though the Principles be right, yet Common people are not of capacity enough to be made to understand them. I should be glad, that the Rich, and Potent Subjects of a Kingdome, or those that are accounted the most Learned, were no lesse incapable than they. But all men know, that the obstructions to this kind of doctrine, proceed not so much from the difficulty of the matter, as from the interest of them that are to learn. Potent men, digest hardly any thing that setteth up a Power to bridle their affections; and Learned men, any thing that discovereth their errorrs, and thereby lesseneth their Authority: whereas the Common-peoples minds, unlesse they be tainted with dependance on the Potent, or scribbled over with the opinions of their Doctors, are like clean paper, fit to receive whatsoever by Publique Authority shall be imprinted in them. Shall whole Nations be brought to *acquiesce* in the great Mysteries of Christian Religion, which are above Reason; and millions of men be made believe, that the same Body may be in innumerable places, at one and the same time, which is against Reason; and shall not men be able, by their teaching, and preaching, protected by the Law, to make that received, which is so consonant to Reason, that any unprejudicated man, needs no more to learn it, than to hear it? I conclude therefore, that in the instruction of the people in the Essentiall Rights (which are the Naturall, and Fundamentall Lawes) of Sovereignty, there is no difficulty, (whilst a Sovereign has his Power entire,) but what proceeds from his own fault, or the fault of those whom he trusteth in the administration of the Common-wealth; and consequently, it is his Duty, to cause

		<p>them so to be instructed; and not onely his Duty, but his Benefit also, and Security, against the danger that may arrive to himselfe in his naturall Person, from Rebellion.</p>
<p>See 27.15</p>	<p>See 12.13</p>	<p>7. And (to descend to particulars) the People are to be taught, First, that they ought not to be in love with any forme of Government they see in their neighbour Nations, more than with their own, nor (whatsoever present prosperity they behold in Nations that are otherwise governed than they,) to desire change. For the prosperity of a People ruled by an Aristocraticall, or Democraticall assembly, commeth not from Aristocracy, nor from Democracy, but from the Obedience, and Concord of the Subjects: nor do the people flourish in a Monarchy, because one man has the right to rule them, but because they obey him. Take away in any kind of State, the Obedience, (and consequently the Concord of the People,) and they shall not onely not flourish, but in short time be dissolved. And they that go about by disobedience, to doe no more than reforme the Common-wealth, shall find they do thereby destroy it; like the foolish daughters of <i>Peleus</i> (in the fable;) which desiring to renew the youth of their decrepit Father, did by the Counsell of <i>Medea</i>, cut him in pieces, and boyle him, together with strange herbs, but made not of him a new man. This desire of change, is like the breach of the first of Gods Commandements: For there God sayes, <i>Non habebis Deos alienos</i>; Thou shalt not have the Gods of other Nations; and in another place concerning <i>Kings</i>, that they are <i>Gods</i>.</p>
		<p>8. Secondly, they are to be taught, that they ought not to be led with admiration of the vertue of any of their fellow Subjects, how high soever he stand, nor how conspicuously soever he shine in the Common-wealth; nor of any</p>

Assembly, (except the Sovereign Assembly,) so as to deferre to them any obedience, or honour, appropriate to the Sovereign onely, whom (in their particular stations) they represent; nor to receive any influence from them, but such as is conveyed by them from the Sovereign Authority. For that Sovereign, cannot be imagined to love his People as he ought, that is not Jealous of them, but suffers them by the flattery of Popular men, to be seduced from their loyalty, as they have often been, not onely secretly, but openly, so as to proclaime Marriage with them in *facie Ecclesiae* by Preachers; and by publishing the same in the open streets: which may fitly be compared to the violation of the second of the ten Commandements.

9. Thirdly, in consequence to this, they ought to be informed, how great a fault it is, to speak evill of the Sovereign Representative, (whether One man, or an Assembly of men;) or to argue and dispute his Power, or any way to use his Name irreverently, whereby he may be brought into Contempt with his People, and their Obedience (in which the safety of the Common-wealth consisteth) slackened. Which doctrine the third Commandement by resemblance pointeth to.

10. Fourthly, seeing people cannot be taught this, nor when 'tis taught, remember it, nor after one generation past, so much as know in whom the Sovereign Power is placed, without setting a part from their ordinary labour, some certain times, in which they may attend those that are appointed to instruct them; It is necessary that some such times be determined, wherein they may assemble together, and (after prayers and praises given to God, the Sovereign of Sovereigns) hear those their Duties told them, and the Positive Lawes, such as generally concern them all, read and expounded, and be put

in mind of the Authority that maketh them Lawes. To this end had the *Jewes* every seventh day, a *Sabbath*, in which the Law was read and expounded; and in the solemnity whereof they were put in mind, that their King was God; that having created the world in six dayes, he rested the seventh day; and by their resting on it from their labour, that that God was their King, which redeemed them from their servile, and painfull labour in *Egypt*, and gave them a time, after they had rejoyced in God, to take joy also in themselves, by lawfull recreation. So that the first Table of the Commandements, is spent all, in setting down the summe of Gods absolute Power; not onely as God, but as King by pact, (in peculiar) of the *Jewes*; and may therefore give light, to those that have the Sovereign Power conferred on them by the consent of men, to see what doctrine they Ought to teach their Subjects.

11. And because the first instruction of Children, dependeth on the care of their Parents; it is necessary that they should be obedient to them, whilst they are under their tuition; and not onely so, but that also afterwards (as gratitude requireth,) they acknowledge the benefit of their education, by externall signes of honour. To which end they are to be taught, that originally the Father of every man was also his Sovereign Lord, with power over him of life and death; and that the Fathers of families, when by instituting a Common-wealth, they resigned that absolute Power, yet it was never intended, they should lose the honour due unto them for their education. For to relinquish such right, was not necessary to the Institution of Sovereign Power; nor would there be any reason, why any man should desire to have children, or take the care to nourish, and instruct them, if they were afterwards to have no other benefit from them, than from other men. And this accordeth with the fifth Commandement.

8. Another thing necessary, is the rooting out from the consciences of men all those opinions which seem to justify, and give pretence of right to rebellious actions; such as are: the opinion, that a man can do nothing lawfully against

9. But many things are required to the conservation of inward peace; because many things concur (as hath been showed in the foregoing chapter) to its perturbation. We have there showed, that some things there are, which dispose

12. Again, every Sovereign Ought to cause Justice to be taught, which (consisting in taking from no man what is his) is as much as to say, to cause men to be taught not to deprive their Neighbours, by violence, or fraud, of any thing which by the Sovereign Authority is theirs. Of things held in propriety, those that are dearest to a man are his own life, & limbs; and in the next degree, (in most men,) those that concern conjugal affection; and after them riches and means of living. Therefore the People are to be taught, to abstain from violence to one anothers person, by private revenges; from violation of conjugal honour; and from forcible rapine, and fraudulent surreption of one anothers goods. For which purpose also it is necessary they be shewed the evill consequences of false Judgement, by corruption either of Judges or Witnesses, whereby the distinction of propriety is taken away, and Justice becomes of no effect: all which things are intimated in the sixth, seventh, eighth, and ninth Commandements.

13. Lastly, they are to be taught, that not onely the unjust facts, but the designes and intentions to do them, (though by accident hindred,) are Injustice; which consisteth in the pravity of the will, as well as in the irregularity of the act. And this is the intention of the tenth Commandement, and the summe of the Second Table; which is reduced all to this one Commandement of mutuall Charity, *Thou shalt love thy neighbour as thy selfe*: as the summe of the first Table is reduced to *the love of God*; whom they had then newly received as their King.

14. As for the Means, and Conduits, by which the people may receive this Instruction, wee are to search, by what means so many Opinions, contrary to the peace of Man-kind, upon weak and false Principles, have neverthesse

his private conscience; that they who have the sovereignty, are subject to the civil laws; that there is any authority of subjects, whose negative may hinder the affirmative of the sovereign power; that any subject hath a propriety distinct from the dominion of the commonwealth; that there is a body of the people without him or them that have the sovereign power; and that any lawful sovereign may be resisted under the name of a tyrant; which opinions are they, which, Part II. chap. 8, sect. 5–10,³ have been declared to dispose men to rebellion. And because opinions which are gotten by education, and in length of time are made habitual, cannot be taken away by force, and upon the sudden: they must therefore be taken away also, by time and education. And seeing the said opinions have proceeded from private and public teaching, and those teachers have received them from grounds and principles, which they have learned in the Universities, from the doctrine of Aristotle, and others (who have delivered nothing concerning morality and policy demonstratively; but being passionately addicted to popular government, have insinuated their opinions, by eloquent sophistry): there is no doubt, if the true doctrine concerning the law of nature, and the properties of a body politic, and the nature of law in general, were perspicuously set down, and taught in the Universities, but that young men, who come thither void of prejudice, and whose minds are yet as white paper, capable of any instruction, would more easily receive the same, and afterward teach it to the people, both in books and otherwise, than now they do the contrary.

the minds of men to sedition, others which move and quicken them so disposed. Among those which dispose them, we have reckoned in the first place certain perverse doctrines. It is therefore the duty of those who have the chief authority, to root those out of the minds of men, not by commanding, but by teaching; not by the terror of penalties, but by the perspicuity of reasons. The laws whereby this evil may be withstood, are not to be made against the persons erring, but against the errors themselves. Those errors which, in the foregoing chapter, we affirmed were inconsistent with the quiet of the commonweal, have crept into the minds of ignorant men, partly from the pulpit, partly from the daily discourses of men, who, by reason of little employment otherwise, do find leisure enough to study; and they got into these men's minds by the teachers of their youth in public schools. Wherefore also, on the other side, if any man would introduce sound doctrine, he must begin from the *academies*. There the true and truly demonstrated foundations of civil doctrine are to be laid; wherewith young men, being once endued, they may afterward, both in private and public, instruct the vulgar. And this they will do so much the more cheerfully and powerfully, by how much themselves shall be more certainly convinced of the truth of those things they profess and teach. For seeing at this day men receive propositions, though false, and no more intelligible than if a man should join together a company of terms drawn by chance out of an urn, by reason of the frequent use of hearing them; how much more would they for the same reason entertain true doctrines, suitable to their own understandings and the nature of things? I therefore conceive

been so deeply rooted in them. I mean those, which I have in the precedent Chapter specified: as That men shall Judge of what is lawfull and unlawfull, not by the Law it selfe, but by their own Consciences, that is to say, by their own private Judgements: That Subjects sinne in obeying the Commands of the Common-wealth, unlesse they themselves have first judged them to be lawfull: That their Propriety in their riches is such, as to exclude the Dominion, which the Common-wealth hath over the same: That it is lawfull for Subjects to kill such, as they call Tyrants: That the Sovereign Power may be divided, and the like; which come to be instilled into the People by this means. They whom necessity, or covetousnesse keepeth attent on their trades, and labour; and they, on the other side, whom superfluity, or sloth carrieth after their sensuall pleasures, (which two sorts of men take up the greatest part of Mankind,) being diverted from the deep meditation, which the learning of truth, not onely in the matter of Naturall Justice, but also of all other Sciences necessarily requireth, receive the Notions of their duty, chiefly from Divines in the Pulpit, and partly from such of their Neighbours, or familiar acquaintance, as having the Faculty of discoursing readily, and plausibly, seem wiser and better learned in cases of Law, and Conscience, than themselves. And the Divines, and such others as make shew of Learning, derive their knowledge from the Universities, and from the Schooles of Law, or from the Books, which by men eminent in those Schooles, and Universities have been published. It is therefore manifest, that the Instruction of the people, dependeth wholly, on the right teaching of Youth in the Universities. But are not (may some men

³ *The Elements of Law*, ch. 27.

it to be the duty of supreme officers, to cause the true elements of civil doctrine to be written, and to command them to be taught in all the colleges of their several dominions.

say) the Universities of *England* learned enough already to do that? or is it you will undertake to teach the Universities? Hard questions. Yet to the first, I doubt not to answer; that till towards the later end of *Henry the eighth*, the Power of the Pope, was always upheld against the Power of the Commonwealth, principally by the Universities; and that the doctrines maintained by so many Preachers, against the Sovereign Power of the King, and by so many Lawyers, and others, that had their education there, is a sufficient argument, that though the Universities were not authors of those false doctrines, yet they knew not how to plant the true. For in such a contradiction of Opinions, it is most certain, that they have not been sufficiently instructed; and 'tis no wonder, if they yet retain a relish of that subtle liquor, wherewith they were first seasoned, against the Civill Authority. But to the later question, it is not fit, nor needfull for me to say either I, or No: for any man that sees what I am doing, may easily perceive what I think.

5. For maintaining of peace at home, there be so many things necessarily to be considered, and taken order in, as there be several causes concurring to sedition. And first, it is necessary to set out to every subject his propriety, and distinct lands and goods, upon which he may exercise and have the benefit of his own industry, and without which men would fall out amongst themselves, as did the herdsmen of Abraham and Lot, every man encroaching and usurping as much of the common benefit as he can, which tendeth to quarrel and sedition. Secondly, to divide the burthens, and charge of the commonwealth proportionably. Now there is a proportionably to every man's ability, and there is a proportionably to his benefit by commonwealth: and this latter is it, which is according to the law

10. In the next place we showed, that grief of mind arising from *want* did dispose the subjects to sedition; which want, although derived from their own luxury and sloth, yet they impute it to those who govern the realm, as though they were drained and oppressed by public pensions. Notwithstanding, it may sometimes happen that this complaint may be just; namely, when the burthens of the realm are unequally imposed on the subjects; for that which to all together is but a light weight, if many withdraw themselves it will be very heavy, nay, even intolerable to the rest: neither are men wont so much to grieve at the burthen itself, as at the inequality. With much earnestness therefore men strive to be freed from taxes; and in this conflict the less happy, as being overcome, do envy the more fortunate. To

17. To Equall Justice, appertaineth also the Equall imposition of Taxes; the Equality whereof dependeth not on the Equality of riches, but on the Equality of the debt, that every man oweth to the Common-wealth for his defence. It is not enough, for a man to labour for the maintenance of his life; but also to fight, (if need be,) for the securing of his labour. They must either do as the Jewes did after their return from captivity, in re-edifying the Temple, build with one hand, and hold the Sword in the other; or else they must hire others to fight for them. For the Impositions that are layd on the People by the Sovereign Power, are nothing else but the Wages, due to them that hold the publique Sword, to defend private men in the exercise of severall Trades, and Callings. Seeing then the benefit that every one receiveth

of nature. For the burdens of the commonwealth being the price that we pay for the benefit thereof, they ought to be measured thereby. And there is no reason, when two men equally enjoying, by the benefit of the commonwealth, their peace and liberty, to use their industry to get their livings, whereof one spareth, and layeth up somewhat, the other spendeth all he gets, why they should not equally contribute to the common charge. That seemeth therefore to be the most equal way of dividing the burden of public charge, when every man shall contribute according to what he spendeth, and not according to what he gets; and this is then done, when men pay the commonwealth's part in the payments they make for their own provision. And this seemeth not only most equal, but also least sensible, and least to trouble the mind of them that pay it. For there is nothing so aggravateth the grief of parting with money, to the public, as to think they are over-rated, and that their neighbours whom they envy, do thereupon insult over them; and this disposeth them to resistance, and (after that such resistance hath produced a mischief) to rebellion.

remove therefore all just complaint, it is the interest of the public quiet, and by consequence it concerns the duty of the magistrate, to see that the public burthens be equally borne. Furthermore, since what is brought by the subjects to public use, is nothing else but the price of their bought peace, it is good reason that they who equally share in the peace, should also pay an equal part, either by contributing their monies or their labours to the commonweal. Now it is the law of nature, (by art. 15, chap. III), that every man in distributing right to others, do carry himself equal to all. Wherefore rulers are, by the natural law, obliged to lay the burthens of the commonweal equally on their subjects.

11. Now in this place we understand an equality, not of money, but of burthen; that is to say, an equality of reason between the burthens and the benefits. For although all equally enjoy peace, yet the benefits springing from thence are not equal to all; for some get greater possessions, others less; and again, some consume less, others more. It may therefore be demanded, whether subjects ought to contribute to the public according to the rate of what they gain, or of what they spend: that is to say, whether the persons must be taxed, so as to pay contribution according to their wealth; or the goods themselves, that every man contribute according to what he spends. But if we consider, where monies are raised according to wealth, there they who have made equal gain, have not equal possessions, because that one preserves what he hath got by frugality, another wastes it by luxury, and therefore equally rejoicing in the benefit of peace, they do not equally sustain the burthens of the commonweal: and on the other side, where the goods themselves are taxed, there every man, while he spends his private goods, in the very act of consuming them he undiscernably pays

thereby, is the enjoyment of life, which is equally dear to poor, and rich; the debt which a poor man oweth them that defend his life, is the same which a rich man oweth for the defence of his; saving that the rich, who have the service of the poor, may be debtors not onely for their own persons, but for many more. Which considered, the Equality of Imposition, consisteth rather in the Equality of that which is consumed, than of the riches of the persons that consume the same. For what reason is there, that he which laboureth much, and sparing the fruits of his labour, consumeth little, should be more charged, then he that living idly, getteth little, and spendeth all he gets; seeing the one hath no more protection from the Commonwealth, then the other? But when the Impositions, are layd upon those things which men consume, every man payeth Equally for what he useth: Nor is the Common-wealth defrauded, by the luxurious waste of private men.

part due to the commonweal, according to, not what he hath, but what by the benefit of the realm he hath had: it is no more to be doubted, but that the former way of commanding monies is against equity, and therefore against the duty of rulers; the latter is agreeable to reason, and the exercise of their authority.

15. The safety of the People, requireth further, from him, or them that have the Sovereign Power, that Justice be equally administred to all degrees of People; that is, that as well the rich, and mighty, as poor and obscure persons, may be righted of the injuries done them; so as the great, may have no greater hope of impunity, when they doe violence, dishonour, or any Injury to the meaner sort, than when one of these, does the like to one of them: For in this consisteth Equity; to which, as being a Precept of the Law of Nature, a Sovereign is as much subject, as any of the meanest of his People. All breaches of the Law, are offences against the Commonwealth: but there be some, that are also against private Persons. Those that concern the Common-wealth onely, may without breach of Equity be pardoned; for every man may pardon what is done against himselfe, according to his own discretion. But an offence against a private man, cannot in Equity be pardoned, without the consent of him that is injured; or reasonable satisfaction.

16. The Inequality of Subjects, proceedeth from the Acts of Sovereign Power; and therefore has no more place in the presence of the Sovereign; that is to say, in a Court of Justice, then the Inequality between Kings, and their Subjects, in the presence of the King of Kings. The honour of great Persons, is to be valued for their beneficence, and the aydes they give to men of inferiour rank, or not at all. And the violences, oppressions, and injuries they do, are not extenuated, but aggravated by the

7. Besides those considerations by which are prevented the discontents that arise from oppression, there ought to be some means for the keeping under of those, that are disposed to rebellion by ambition; which consist principally in the constancy of him that hath the sovereign power, who ought therefore constantly to grace and encourage such, as being able to serve the commonwealth, do nevertheless contain themselves within the bounds of modesty, without repining at the authority of such as are employed, and without aggravating the errors, which (as men) they may commit; especially when they suffer not in their own particular; and constantly to show displeasure and dislike of the contrary. And not only so, but also to ordain severe punishments, for such as shall by reprehension of public actions, affect popularity and applause amongst the multitude, by which they may be enabled to have a faction in the commonwealth at their devotion.

12. In the third place we said, that that trouble of mind which riseth from *ambition*, was offensive to public peace. For there are some, who seeming to themselves to be wiser than others, and more sufficient for the managing of affairs than they who at present do govern, when they can no otherwise declare how profitable their virtue would prove to the commonweal, they show it by harming it. But because ambition and greediness of honours cannot be rooted out of the minds of men, it is not the duty of rulers to endeavour it; but by constant application of rewards and punishments they may so order it, that men may know that the way to honour is not by contempt of the present government, nor by factions and the popular air, but by the contraries. They are good men who observe the decrees, the laws, and rights of their fathers. If with a constant order we saw these adorned with honours, but the factious punished and had in contempt by those who bear command, there would be more ambition to obey than withstand. Notwithstanding, it so happens sometimes, that as we must stroke a horse by reason of his too much fierceness, so a stiff-necked subject must be flattered for fear of his power; but as that happens when the rider, so this when the commander is in danger of falling. But we speak here of those whose authority and power is entire. Their duty, I say, it is to cherish obedient subjects, and to depress the factious all they can; nor can the public power be otherwise preserved, nor the subjects' quiet without it.

greatnesse of their persons; because they have least need to commit them. The consequences of this partiality towards the great, proceed in this manner. Impunity maketh Insolence; Insolence Hatred; and Hatred, an Endeavour to pull down all oppressing and contumelious greatnesse, though with the ruine of the Common-wealth.

13. But if it be the duty of princes to restrain the factious, much more does it concern them to dissolve and dissipate the factions themselves. Now I call a *faction*, a multitude of subjects gathered together either by mutual *contracts* among themselves, or by the power of some one, without his or their authority who bear the supreme rule. A *faction*, therefore, is as it were a city in a city: for as by an union of men in the state of nature, a city receives its being, so by a new union of subjects there ariseth a *faction*. According to this definition, a multitude of subjects who have bound themselves simply to obey any foreign prince or subject, or have made any pacts or leagues of mutual defence between themselves against all men, not excepting those who have the supreme power in the city, is a *faction*. Also favour with the vulgar, if it be so great that by it an army may be raised, except public caution be given either by hostages or some other pledges, contains *faction* in it. The same may be said of private wealth, if it exceed; because all things obey money. Forasmuch therefore as it is true, that the state of cities among themselves is natural and hostile, those princes who permit factions, do as much as if they received an enemy within their walls: which is contrary to the subjects' safety, and therefore also against the law of nature.

18. And whereas many men, by accident unavoidable, become unable to maintain themselves by their labour; they ought not to be left to the Charity of private persons; but to be provided for, (as far-forth as the necessities of Nature require,) by the Lawes of the Common-wealth. For as it is Uncharitableness in any man, to neglect the impotent; so it is in the Sovereign of a Common-wealth, to expose them to the hazard of such uncertain Charity.

4. The commodity of living consisteth in liberty and wealth. By liberty I mean, that there be no prohibition without necessity of any thing to any man, which was lawful to him in the law of nature; that is to say, that there be no restraint of natural liberty, but what is necessary for the good of the commonwealth; and that well-meaning men may not fall into the danger of laws, as into snares, before they be aware. It appertaineth also to this liberty, that a man may have commodious passage from place to place, and not be imprisoned or confined with the difficulty of ways, and want of means for transportation of things necessary. And for the wealth of people, it consisteth in three things: the well ordering of trade, procuring of labour, and forbidding the superfluous consuming of food and apparel. All those therefore that are in sovereign authority, and have taken upon them the government of people, are bound by the law of nature to make ordinances consisting in the points aforementioned; as being contrary to the law of nature, unnecessarily, either for one's own fancy, to enthrall, or tie men so, as they cannot move without danger; or to suffer them whose maintenance is our benefit, to want anything necessary for them, by our negligence.

14. There are two things necessary to the enriching of the subjects, *labour* and *thrift*; there is also a third which helps, to wit, the *natural increase of the earth and water*; and there is a fourth too, namely, *the militia*, which sometimes augments, but more frequently lessens the subjects' stock. The two first only are necessary. For a city constituted in an island of the sea, no greater than will serve for dwelling, may grow rich without sowing or fishing, by merchandize and handicrafts only; but there is no doubt, if they have a territory, that they may be richer with the same number, or equally rich being a greater number. But the fourth, namely, *the militia*, was of old reckoned in the number of gaining arts, under the notion of *booting* or *taking prey*; and it was by mankind, dispersed by families before the constitution of civil societies, accounted just and honourable. For preying is nothing else but a war waged with small forces. And great commonweals, namely, that of Rome and Athens, by the spoils of war, foreign tribute, and the territories they have purchased by their arms, have sometimes so improved the commonwealth, that they have not only not required any public monies from the poorer sort of subjects, but have also divided to each of them both monies and lands. But this kind of increase of riches is not to be brought into rule and fashion. For the militia, in order to profit, is like a die; wherewith many lose their estates, but few improve them. Since therefore there are three things only, *the fruits of the earth and water*, *labour*, and *thrift*, which are expedient for the enriching of subjects, the duty of commanders in chief shall be conversant only about those three. For the first those laws will be useful, which countenance the arts that improve the

19. But for such as have strong bodies, the case is otherwise: they are to be forced to work; and to avoyd the excuse of not finding employment, there ought to be such Lawes, as may encourage all manner of Arts; as Navigation, Agriculture, Fishing, and all manner of Manufacture that requires labour. The multitude of poor, and yet strong people still encreasing, they are to be transplanted into Countries not sufficiently inhabited: where nevertheless, they are not to exterminate those they find there; but constrain them to inhabit closer together, and not range a great deal of ground, to snatch what they find; but to court each little Plot with art and labour, to give them their sustenance in due season. And when all the world is overchargd with Inhabitants, then the last remedy of all is Warre; which provideth for every man, by Victory, or Death.

increase of the earth and water; such as are *husbandry* and *fishing*. For the second all laws against idleness, and such as quicken industry, are profitable; as such whereby the *art of navigation*, by help whereof the commodities of the whole world, bought almost by labour only, are brought into one city; and the *mechanics*, under which I comprehend all the arts of the most excellent workmen; and the *mathematical sciences*, the fountains of navigatory and mechanic employments, are held in due esteem and honour. For the third those laws are useful, whereby all inordinate expense, as well in meats as in clothes, and universally in all things which are consumed with usage, is forbidden. Now because such laws are beneficial to the ends above specified, it belongs also to the office of supreme magistrates to establish them.

15. The liberty of subjects consists not in being exempt from the laws of the city, or that they who have the supreme power cannot make what laws they have a mind to. But because all the motions and actions of subjects are never circumscribed by laws, nor can be, by reason of their variety; it is necessary that there be infinite cases which are neither commanded nor prohibited, but every man may either do or not do them as he lists himself. In these, each man is said to enjoy his liberty; and in this sense liberty is to be understood in this place, namely, for that part of natural right which is granted and left to subjects by the civil laws. As water inclosed on all hands with banks, stands still and corrupts; having no bounds, it spreads too largely, and the more passages it finds the more freely it takes its current; so subjects, if they might do nothing with

See 21.1⁴

21.6: In relation to these Bonds only it is, that I am to speak now, of the *Liberty of Subjects*. For seeing there is no Common-wealth in the world, wherein there be Rules enough set down, for the regulating of all the actions, and words of men, (as being a thing impossible:) it followeth necessarily, that in all kinds of actions, by the laws prætermitted, men have the Liberty, of doing what their own reasons shall suggest, for the most profitable to themselves. For if wee take Liberty in the proper sense, for corporall Liberty; that is to say, freedome from chains, and prison, it were very absurd for men to clamor as they doe, for the Liberty they so manifestly enjoy. Againe, if we take Liberty, for an exemption from Lawes, it is no lesse absurd, for men to demand as they

⁴ The paragraph is included in Chapter 19.

out the commands of the law, would grow dull and unwieldy; if all, they would be dispersed; and the more is left undetermined by the laws, the more liberty they enjoy. Both extremes are faulty; for laws were not invented to take away, but to direct men's actions; even as nature ordained the banks, not to stay, but to guide the course of the stream. The measure of this liberty is to be taken from the subjects' and the city's good. Wherefore, in the first place, it is against the charge of those who command and have the authority of making laws, that there should be more laws than necessarily serve for good of the magistrate and his subjects. For since men are wont commonly to debate what to do or not to do, by natural reason rather than any knowledge of the laws, where there are more laws than can easily be remembered, and whereby such things are forbidden as reason of itself prohibits not of necessity, they must through ignorance, without the least evil intention, fall within the compass of laws, as gins laid to entrap their harmless liberty; which supreme commanders are bound to preserve for their subjects by the laws of nature.

doe, that Liberty, by which all other men may be masters of their lives. And yet as absurd as it is, this is it they demand; not knowing that the Lawes are of no power to protect them, without a Sword in the hands of a man, or men, to cause those laws to be put in execution. The Liberty of a Subject, lyeth therefore only in those things, which in regulating their actions, the Sovereign hath prætermitted: such as is the Liberty to buy, and sell, and otherwise contract with one another; to choose their own abroad, their own diet, their own trade of life, and institute their children as they themselves think fit; & the like.

20. To the care of the Sovereign, belongeth the making of Good Lawes. But what is a good Law? By a Good Law, I mean not a Just Law: for no Law can be Unjust. The Law is made by the Sovereign Power, and all that is done by such Power, is warranted, and owned by every one of the people; and that which every man will have so, no man can say is unjust. It is in the Lawes of a Commonwealth, as in the Lawes of Gaming: whatsoever the Gamesters all agree on, is Injustice to none of them. A good Law is that, which is *Needfull*, for the *Good of the People*, and withall *Perspicuous*.

21. For the use of Lawes, (which are but Rules Authorised) is not to bind the People from all Voluntary actions; but to direct and keep them in such a motion, as not to hurt themselves by their own impetuous desires, rashnesse, or indiscretion, as Hedges are set, not to stop Travellers, but to keep them in the way. And therefore a Law that is not Needfull, having not the true End of a Law, is not Good. A Law may be conceived to be Good, when it is for the benefit of the Sovereign; though it be not Necessary for the People; but it is not so. For the good of the Sovereign and People, cannot be separated. It is a weak Sovereign, that has weak Subjects; and a weak People, whose Sovereign wanteth Power to rule them at his will. Unnecessary Lawes are not good Lawes; but trapps for Mony: which where the right of Sovereign Power is acknowledged, are superfluous; and where it is not acknowledged, insufficient to defend the People.

22. The Perspicuity, consisteth not so much in the words of the Law it selfe, as in a Declaration of the Causes, and Motives, for which it was made. That is it, that shewes us the meaning of the Legislator; and the meaning of the Legislator known, the Law is more easily understood by few, than many words. For all words, are subject to ambiguity; and therefore multiplication of words in the body of the Law, is multiplication of ambiguity: Besides it seems to imply, (by too much diligence,) that whosoever can evade the words, is without the compasse of the Law. And this is a cause of many unnecessary Processes. For when I consider how short were the Lawes of antient times; and how they grew by degrees still longer; me thinks I see a contention between the Penners,

16. It is a great part of that *liberty*, which is harmless to civil government and necessary for each subject to live happily, that there be no penalties dreaded but what they may both foresee and look for; and this is done, where there are either no punishments at all defined by the laws, or greater not required than are defined. Where there are none defined, there he that hath first broken the law, expects an indefinite or arbitrary punishment; and his fear is supposed boundless, because it relates to an unbounded evil. Now the law of nature command them who are not subject to any civil laws, by what we have said in chap. III. art. 11, and therefore supreme commanders, that in taking revenge and punishing they must not so much regard the past evil as the future good; and they sin, if they entertain any other measure in arbitrary punishment than the public benefit. But where the punishment is defined; either by a law prescribed, as when it is set down in plain words that *he that shall do thus or thus, shall suffer so and so*; or by practice, as when the penalty, not by any law prescribed, but arbitrary from the beginning, is afterward determined by the punishment of the first delinquent; (for natural equity commands that equal transgressors be equally punished);

and Pleaders of the Law; the former seeking to circumscribe the later; and the later to evade their circumscriptions; and that the Pleaders have got the Victory. It belongeth therefore to the Office of a Legislator, (such as is in all Common-wealths the Supreme Representative, be it one Man, or an Assembly,) to make the reason Perspicuous, why the Law was made; and the Body of the Law it selfe, as short, but in as proper, and significant termes, as may be.

23. It belongeth also to the Office of the Sovereign, to make a right application of Punishments, and Rewards.⁵ And seeing the end of punishing is not revenge, and discharge of choler; but correction, either of the offender, or of others by his example; the severest Punishments are to be inflicted for those Crimes, that are of most Danger to the Publique; such as are those which proceed from malice to the Government established; those that spring from contempt of Justice; those that provoke Indignation in the Multitude; and those, which unpunished, seem Authorised, as when they are committed by Sonnes, Servants, or Favorites of men in Authority: For Indignation carrieth men, not onely against the Actors, and Authors of Injustice; but against all Power that is likely to protect them; as in the case of *Tarquin*; when for the Insolent act of one of his Sonnes, he was driven out of *Rome*, and the Monarchy it selfe dissolved. But Crimes of Infirmity; such as are those which proceed from great provocation, from great fear, great need, or from ignorance whether the Fact be a great Crime, or not, there is place many times for Lenity, without prejudice to the Common-wealth; and Lenity when there is such place for it, is required by the Law of Nature. The

⁵ These subjects are further developed in chapter 28 of *Leviathan*, 'Of Punishments and Rewards'; see, in particular, paragraphs 7, 9, 10, 24 and 25. Margin notes can be found in Précis Table 24.

there to impose a greater penalty than is defined by the law, is against the law of nature. For the end of punishment is not to compel the will of man, but to fashion it, and to make it such as he would have it who hath set the penalty. And deliberation is nothing else but a weighing, as it were in scales, the conveniences and inconveniences of the fact we are attempting; where that which is more weighty, doth necessarily according to its inclination prevail with us. If therefore the legislator doth set a less penalty on a crime, than will make our fear more considerable with us than our lust, that excess of lust above the fear of punishment, whereby sin is committed, is to be attributed to the legislator, that is to say, to the supreme; and therefore if he inflict a greater punishment than himself hath determined in his laws, he punisheth that in another in which he sinned himself.

Punishment of the Leaders, and teachers in a Commotion; not the poore seduced People, when they are punished, can profit the Common-wealth by their example. To be severe to the People, is to punish that ignorance, which may in great part be imputed to the Sovereign, whose fault it was, they were no better instructed.

24. In like manner it belongeth to the Office, and Duty of the Sovereign, to apply his Rewards alwayes so, as there may arise from them benefit to the Common-wealth: wherein consisteth their Use, and End; and is then done, when they that have well served the Common-wealth, are with as little expence of the Common Treasure, as is possible, so well recompenced, as others thereby may be encouraged, both to serve the same as faithfully as they can, and to study the arts by which they may be enabled to do it better. To buy with Mony, or Preferment, from a Popular ambitious Subject, to be quiet, and desist from making ill impressions in the mindes of the People, has nothing of the nature of Reward; (which is ordained not for disservice, but for service past;) nor a signe of Gratitude, but of Fear: nor does it tend to the Benefit, but to the Dammage of the Publique. It is a contention with Ambition, like that of *Hercules* with the Monster *Hydra*, which having many heads, for every one that was vanquished, there grew up three. For in like manner, when the stubbornnesse of one Popular man, is overcome with Reward, there arise many more (by the Example) that do the same Mischiefe, in hope of like Benefit: and as all sorts of Manufacture, so also Malice encreaseth by being vendible. And though sometimes a Civill warre, may be differred, by such wayes as that, yet the danger growes still the greater, and the Publique ruine more assured.

6. Another thing necessary for the maintaining of peace, is the due execution of justice; which consisteth principally in the right performance of their duties, on the parts of those, who are the magistrates ordained for the same by and under the authority of the sovereign power; which being private men in respect of the sovereign, and consequently such as may have private ends, whereby they may be corrupted by gifts, or intercession of friends, ought to be kept in awe, by a higher power, lest people, grieved by their injustice, should take upon them to make their own revenges, to the disturbance of the common peace; which can by no way be avoided in the principal and immediate magistrates, without the judicature of the sovereign himself, or some extraordinary power delegated by him. It is therefore necessary, that there be a power extraordinary, as there shall be occasion from time to time, for the syndication of judges and other magistrates, that shall abuse their authority, to the wrong and discontent of the people; and a free and open way for the presenting of grievances to him or them that have the sovereign authority.

17. It pertains therefore to the harmless and necessary *liberty* of subjects, that every man may without fear enjoy the rights which are allowed him by the laws. For it is in vain to have *our own* distinguished by the laws from *another's*, if by wrong judgment, robbery, or theft, they may be again confounded. But it falls out so, that these do happen where judges are corrupted. For the fear whereby men are deterred from doing evil, ariseth not from hence, namely, because penalties are set, but because they are executed. For we esteem the future by what is past, seldom expecting what seldom happens. If therefore judges corrupted either by gifts, favour, or even by pity itself, do often forbear the execution of the penalties due by the law, and by that means put wicked men in hope to pass unpunished: honest subjects encompassed with murderers, thieves, and knaves, will not have the liberty to converse freely with each other, nor scarce to stir abroad without hazard; nay, the *city* itself is dissolved, and every man's right of protecting himself at his own will returns to him. The law of nature therefore gives this precept to supreme commanders, that they not only do righteousness themselves, but that they also by penalties cause the judges, by them appointed, to do the same; that is to say, that they hearken to the complaints of their subjects; and as oft as need requires, make choice of some extraordinary judges, who may hear the matter debated concerning the ordinary ones.

It is therefore against the Duty of the Sovereign, to whom the Publique Safety is committed, to Reward those that aspire to greatnesse by disturbing the Peace of their Country, and not rather to oppose the beginnings of such men, with a little danger, than after a longer time with greater.

25. Another Businesse of the Sovereign, is to choose good Counsellours; I mean such, whose advice he is to take in the Government of the Common-wealth. For this word Counsell, *Consilium*, corrupted from *Considium*, is a large signification, and comprehendeth all Assemblies of men that sit together, not onely to deliberate what is to be done hereafter, but also to judge of Facts past, and of Law for the present. I take it here in the first sense onely: And in this sense, there is no choyce of Counsell, neither in a Democracy, nor Aristocracy; because the persons Counselling are members of the person Counsell'd. The choyce of Counsellours therefore is proper to Monarchy; In which, the Sovereign that endeavoureth not to make choyce of those, that in every kind are the most able, dischargeth not his Office as he ought to do. The most able Counsellours, are they that have least hope of benefit by giving evill Counsell, and most knowledge of those things that conduce to the Peace, and Defence of the Common-wealth. It is a hard matter to know who expecteth benefit from publique troubles; but the signes that guide to a just suspicion, is the soothing of the people in their unreasonable, or irremediable grievances, by men whose estates are not sufficient to discharge their accustomed expences, and may easily be observed by any one whom it concerns to know it. But to know, who has most knowledge of the Publique affaires, is yet harder; and they that know them, need them a great deale the lesse. For to know, who knowes the Rules almost of any Art, is a great degree of the knowledge of the same Art; because no man can be assured of the truth of anothers Rules, but he that is first taught to understand them. But the best signes of Knowledge of any Art, are, much conversing in it, and constant good effects of it. Good Counsell comes not by

Lot, nor by Inheritance; and therefore there is no more reason to expect good Advice from the rich, or noble, in matter of State, than in delineating the dimensions of a fortresse; unlesse we shall think there needs no method in the study of the Politiques, (as there does in the study of Geometry,) but onely to be lookers on; which is not so. For the Politiques is the harder study of the two. Whereas in these parts of *Europe*, it hath been taken for a Right of certain persons, to have place in the highest Councell of State by Inheritance; it is derived from the Conquests of the antient Germans; wherein many absolute Lords joyning together to conquer other Nations, would not enter in to the Confederacy, without such Priviledges, as might be marks of difference in time following, between their Posterity, and the posterity of their Subjects; which Priviledges being inconsistent with the Sovereign Power, by the favour of the Sovereign, they may seem to keep; but contending for them as their Right, they must needs by degrees let them go, and have at last no further honour, than adhæreth naturally to their abilities.

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

27. The best Counsell, in those things that concern not other Nations, but onely the ease, and benefit the Subjects may enjoy, by Lawes that look onely inward, is to be taken from the generall informations, and complaints of the people of each Province, who are best acquainted with their own wants, and ought therefore, when they demand nothing in derogation of the essentiall Rights of Sovereignty, to be diligently taken notice of. For without those Essentiall Rights, (as I have often before said,) the Common-wealth cannot at all subsist.

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

29. But when the Sovereign himselfe is Popular; that is, revered and beloved of his People, there is no danger at all from the Popularity of a Subject. For Souldiers are never so generally unjust, as to side with their Captain; though they love him, against their Sovereign,

when they love not onely his Person, but also his Cause. And therefore those, who by violence have at any time suppressed the Power of their Lawfull Sovereign, before they could settle themselves in his place, have been alwayes put to the trouble of contriving their Titles, to save the People from the shame of receiving them. To have a known Right to Sovereign Power, is so popular a quality, as he that has it needs no more, for his own part, to turn the hearts of his Subjects to him, but that they see him able absolutely to govern his own Family: Nor, on the part of his enemies, but a disbanding of their Armies. For the greatest and most active part of Mankind, has never hetherto been well contented with the present.

30. Concerning the Offices of one Sovereign to another, which are comprehended in that Law, which is commonly called the *Law of Nations*, I need not say any thing in this place; because the Law of Nations, and the Law of Nature, is the same thing. And every Sovereign hath the same Right, in procuring the safety of his People, that any particular man can have, in procuring the safety of his own Body. And the same Law, that dictateth to men that have no Civil Government, what they ought to do, and what to avoyd in regard of one another, dictateth the same to Commonwealths, that is, to the Consciences of Sovereign Princes, and Sovereign Assemblies; there being no Court of Naturall Justice, but in the Conscience onely; where not Man, but God raigneth; whose Lawes, (such of them as oblige all Mankind,) in respect of God, as he is the Author of Nature, are *Naturall*; and in respect of the same God, as he is King of Kings, are *Lawes*. But of the Kingdome of God, as King of Kings, and as King also of a peculiar People, I shall speak in the rest of this discourse.

CHAPTER 22

Chapter 29 of *The Elements of Law* /
Chapter 14 of *De Cive* / Chapter 26 of *Leviathan*

Précis table

Part II. Concerning men as a body politic	Part II. Of Dominion	Part II. OF COMMON-WEALTH
Chapter 29. Of the nature and kinds of laws	Chapter 14. Of laws and sins	Chapter 26. Of CIVILL LAWES
1. All expressions of the mind concerning future actions, are either covenant, counsel, or command 2. The difference between a law and a covenant 3. The command of him whose command is law in one thing, is law in every thing 4. The difference between law and counsel	1. How law differs from counsel 2. How from covenant	1. Civill Law what 2.
5. The difference between <i>jus</i> and <i>lex</i>	3. How from right	43. Difference between Law and Right 44. And between a Law and a Charter
6. The division of laws into divine, natural, and civil; written and unwritten; simple and penal		Cf. §29-35.
7. That the divine moral law, and the law of nature, is the same	4. Division of laws into divine and human: the divine into natural and positive; and the natural into the laws of single men and of nations	36. 37. 39. Divine Positive Law how made known to be Law 40.
8. That the civil laws are the common measure of right and wrong, and all other things subject to controversy	5. The division of human, that is to say, of civil laws into sacred and secular	3. 4. 5. The Sovereign is Legislator: 6. And not Subject to Civill Law
9. Martial law is civil law		

THREE-TEXT EDITION OF THOMAS HOBBS'S POLITICAL THEORY

	6. Into distributive and vindicative 7. That distributive and vindicative are not species, but parts of the laws	38. Another Division of Law
	8. All law is supposed to have a penalty annexed to it	Cf. 28.10. Where the Punishment is annexed to the Law, a greater hurt is not Punishment, but Hostility
	9. The precepts of the decalogue of honouring parents, of murder, adultery, theft, false witness, are civil laws 10. It is impossible to command aught by the civil law contrary to the law of nature	8. The Law of Nature, and the Civill Law contain each other
		10. Some foolish opinions of Lawyers concerning the making of Lawes 11. Sir Edw. Coke, <i>upon Littleton Lib. 2. Ch. 6 fol 97. b</i>
		12. Law made, if not also made known, is no Law
	11. It is essential to a law, both that itself and also the lawgiver be known	15.
	12. Whence the lawgiver comes to be known	16. Nothing is Law where the Legislator cannot be known; Difference between Verifying and Authorising 17. The Law Verified by the subordinate Judge 18. By the Publique Registers 19. By Letters Patent, and Publique Seale
	13. Publishing and interpretation are necessary to the knowledge of a law	20. The Interpretation of the Law dependeth on the Sovereign Power 21. All Lawes need Interpretation 22. The Authentick Interpretation of Law is not that of writers 23. The Interpreter of the Law is the Judge giving sentence <i>vivâ voce</i> in every particular case 24. The Sentence of a Judge, does not bind him, or another Judge to give like Sentence in like Cases ever after. 25. 26. The difference between the Letter and the Sentence of the Law 27. The abilities required in a Judge 28.

	14. The division of the civil law into written and unwritten	13. Unwritten Lawes are all of them Lawes of Nature 14.
10. Written laws are the constitutions of the sovereign power; unwritten are nothing but reason. Customs and opinions have the force of law from the tacit consent of the sovereign	15. The natural laws are not written laws; neither are the wise sentences of lawyers nor custom laws of themselves, but by the consent of the supreme power	7. Use, a Law not by vertue of Time, but of the Sovereigns consent 9. Provinciaall Lawes are not made by Custome, but by the Sovereign Power See ¶34-5.
	16. What the word sin, most largely taken, signifies 17. The definition of sin 18. The difference between a sin of infirmity and malice	See 27.1. Sinne what
	19. Under what kind of sin atheism is contained	
	20. What treason is 21. That by treason not the civil, but the natural laws are broken	
	22. And that therefore it is to be punished not by the right of dominion, but by the right of war	See 28.13. Hurt to Revolted Subjects is done by right of War, not by way of Punishment
	23. That obedience is not rightly distinguished into active and passive	
Cf. ¶6		29. Divisions of Law 30. 31. 32. 33. 34. 35.
Cf. ¶10		
		41. Another division of Lawes 42. A Fundamentall Law what

Part II. Concerning men as a body politic

Chapter 29. Of the nature and kinds of laws

1. THUS far concerning the Nature of Man, and the constitution and properties of a Body Politic. There remaineth only for the last chapter, to speak of the nature and sorts of law. And first it is manifest, that all laws are declarations of the mind, concerning some action future to be done, or omitted. And all declarations and expressions of the mind concerning future actions and omissions, are either promissive, as I will do, or not do; or proviſive, as for example, If this be done or not done, this will follow; or imperative, as Do this, or do it not. In the first sort of these expressions, consisteth the nature of a covenant; in the second, consisteth counsel; in the third, command.

Part II. Of Dominion

Chapter 14. Of laws and sins

1. THEY who less seriously consider the force of words, do sometimes confound *law* with *counsel*, sometimes with *covenant*, sometimes with *right*. They confound *law* with *counsel*, who think that it is the duty of monarchs not only to give ear to their *counsellors*, but also to obey them; as though it were in vain to take *counsel*, unless it were also followed. We must fetch the distinction between *counsel* and *law*, from the difference between *counsel* and *command*. Now *counsel* is a *precept*, in which the reason of my obeying it is taken from *the thing itself which is advised*; but *command* is a *precept*, in which the cause of my obedience depends on *the will of the commander*. For it is not properly said,

Part II. OF COMMON-WEALTH

Chapter 26. Of CIVILL LAWES

1. By CIVILL LAWES, I understand the Lawes, that men are therefore bound to observe, because they are Members, not of this, or that Common-wealth in particular, but of a Common-wealth. For the knowledge of particular Lawes belongeth to them, that professe the study of the Lawes of their severall Countries; but the knowledge of Civill Law in generall, to any man. The antient Law of *Rome* was called their *Civil Law*, from the word *Civitas*, which signifies a Common-wealth: And those Countries, which having been under the Roman Empire, and governed by that Law, retaine still such part thereof as they think fit, call that part the Civill Law, to distinguish it from the rest of their own Civill Lawes. But that is not it I intend to speak of here; my designe being not to shew what is Law here, and there; but what is Law; as *Plato*, *Aristotle*, *Cicero*, and divers others have done, without taking upon them the profession of the study of the Law.

2. And first it is manifest, that Law in generall, is not Counsell, but Command; nor a Command of any man to any man; but only of him, whose Command is addressed to one formerly obliged to obey him. And as for Civill Law, it addeth only the name of the person Commanding, which is *Persona Civitatis*, the Person of the Common-wealth.

2. It is evident, when a man doth, or forbearth to do any action, if he be moved thereto by this only consideration, that the same is good or evil in itself; and that there be no reason why the will or pleasure of another should be of any weight in his deliberation, that then neither to do nor omit the action deliberated, is any breach of law. And consequently, whatsoever is a law to a man, respecteth the will of another, and the declaration thereof. But a covenant is the declaration of a man's own will. And therefore a law and a covenant differ; and though they be both obligatory, and a law obligeth no otherwise than by virtue of some covenant made by him who is subject thereunto, yet they oblige by several sorts of promises. For a covenant obligeth by promise of an action, or omission, especially named and limited; but a law bindeth by a promise of obedience in general, whereby the action to be done, or left undone, is referred to the determination of him, to whom the covenant is made. So that the difference between a covenant and a law, standeth thus: in simple covenants the action to be done, or not done, is first limited and made known, and then followeth the promise to do or not do; but in a law, the obligation to do or not to do, precedeth, and the declaration what is to be done, or not done, followeth after.

3. And from this may be deduced, that which to some may seem a paradox: that the command of him, whose command is a law in one thing, is a law in every thing. For seeing a man is obliged to obedience before what he is to do be known, he is obliged to obey in general, that is to say, in every thing.

4. That the counsel of a man is no law to him that is counselled, and that he who alloweth another to give him counsel, doth not thereby oblige himself to

thus I will and thus I command, except the will stand for a reason. Now when obedience is yielded to the laws, not for the thing itself, but by reason of the adviser's will, the law is not a *counsel*, but a *command*, and is defined thus: *law is the command of that person, whether man or court, whose precept contains in it the reason of obedience*: as the precepts of God in regard of men, of magistrates in respect of their subjects, and universally of all the powerful in respect of them who cannot resist, may be termed their laws. *Law* and *counsel* therefore differ many ways. *Law* belongs to him who hath power over them whom he adviseth; *counsel* to them who have no power. To follow what is prescribed by *law*, is *duty*; what by *counsel*, is *free-will*. *Counsel* is directed to his end, that receives it; *law*, to his that gives it. *Counsel* is given to none but the willing; *law* even to the unwilling. To conclude, the right of the *counsellor* is made void by the will of him to whom he gives counsel, the right of the *law-giver* is not abrogated at the pleasure of him who hath a *law* imposed.

2. They confound *law* and *covenant*, who conceive the laws to be nothing else but certain *ὁμολογήματα* or forms of living determined by the common consent of men. Among whom is Aristotle, who defines *law* on this manner; *Νόμος ἐστὶ λόγος ὠρισμένος καθ' ὁμολογίαν κοινὴν πόλεως, μηνύων πῶς δεῖ πράττειν ἕκαστα*, that is to say, *law is a speech, limited according to the common consent of the city, declaring every thing that we ought to do*. Which definition is not simply of *law*, but of the *civil law*. For it is manifest that the *divine laws* sprang not from the consent of men, nor yet the *laws of nature*. For if they had their original from the consent of men, they might also by the same consent be abrogated; but they are unchangeable. But indeed, that is no

follow the same, is manifest enough; and yet men usually call counselling by the name of governing; not that they are not able to distinguish between them, but because they envy many times those men that are called to counsel, and are therefore angry with them that are counselled. But if to counsellors there should be given a right to have their counsel followed, then are they no more counsellors, but masters of them whom they counsel; and their counsels no more counsels, but laws. For the difference between a law and a counsel being no more but this, that in counsel the expression is, Do, because it is best; in a law, Do, because I have right to compel you; or Do, because I say, do: when counsel which should give the reason of the action it adviseth to, becometh the reason thereof itself, it is no more counsel, but a law.

right definition of a *civil law*. For in that place, a city is taken either for one civil person, having one will; or for a multitude of men, who have each of them the liberty of their private wills. If for one person, those words *common consent* are ill-placed here; for *one* person hath no *common consent*. Neither ought he to have said, *declaring* what was needful to be done, but *commanding*; for what the city declares, it commands its subjects. He therefore by a city understood a multitude of men, declaring by common consent (imagine it a writing confirmed by votes) some certain forms of living. But these are nothing else but some mutual contracts, which oblige not any man (and therefore are no laws) before that a supreme power being constituted, which can compel, have sufficient remedy against the rest, who otherwise are not likely to keep them. Laws therefore, according to this definition of Aristotle, are nothing else but naked and weak contracts; which then at length, when there is one who by right doth exercise the supreme power, shall either become *laws* or *no laws* at his will and pleasure. Wherefore he confounds *contracts* with *laws*, which he ought not to have done; for contract is a *promise*, law a *command*. In contracts we say, *I will do this*; in laws, *do this*. Contracts oblige us;* laws tie us fast, being obliged. A *contract* obligeth of *itself*; the *law* holds the party obliged by virtue of the universal *contract* of yielding obedience. Therefore in *contract*, it is first determined what is to be done, before we are obliged to do it; but in *law*, we are first obliged to perform, and what is to be done is determined afterwards. Aristotle therefore ought to

* *Contracts oblige us.*] *To be obliged*, and *to be tied being obliged*, seems to some men to be one and the same thing; and that therefore here seems to be some distinction in words, but none indeed. More clearly therefore, I say thus: that a man is obliged by his contracts, that is, that he ought to perform for his promise sake; but that the law ties him being obliged, that is to say, it compels him to make good his promise for fear of the punishment appointed by the law.

have defined a *civil law* thus: *a civil law is a speech limited by the will of the city, commanding everything behoveful to be done.* Which is the same with that we have given above, in chap. VI. art. 9: to wit, *that the civil laws are the command of him, whether man or court of men, who is endued with supreme power in the city, concerning the future actions of his subjects.*

5. The names *lex*, and *jus*, that is to say, law and right, are often confounded; and yet scarce are there any two words of more contrary signification. For right is that liberty which law leaveth us; and laws those restraints by which we agree mutually to abridge one another's liberty. Law and right therefore are no less different than restraint and liberty, which are contrary; and whatsoever a man doth that liveth in a common-wealth, *jure*, he doth it *jure civili*, *jure naturæ*, and *jure divino*. For whatsoever is against any of these laws, cannot be said to be *jure*. For the civil law cannot make that to be done *jure*, which is against the law divine, or of nature. And therefore whatsoever any subject doth, if it be not contrary to the civil law, and whatsoever a sovereign doth, if it be not against the law of nature, he doth it *jure divino*, by divine right. But to say, *lege divinâ*, by divine law, is another thing. For the laws of God and nature allowing greater liberty than is allowed by the law civil (for subordinate laws do still bind more than the superior laws, the essence of law being not to loose, but to bind): a man may be commanded that by a law civil, which is not commanded by the law of nature, nor by the law divine. So that of things done *lege*, that is to say, by command of the law, there is some place for a distinction between *lege divinâ* and *lege civili*. As when a man giveth an alms, or helpeth him that is in need, he doth it not *lege civili*, but *lege divinâ*, by the divine law, the

3. They confound laws with *right*, who continue still to do what is permitted by *divine right*, notwithstanding it be forbidden by *the civil law*. That which is prohibited by the *divine law*, cannot be permitted by the *civil*; neither can that which is commanded by the *divine law*, be prohibited *by the civil*. Notwithstanding, that which is permitted by the *divine right*, that is to say, that which may be done by *divine right*, doth no whit hinder why the same may not be forbidden by the *civil laws*; for *inferior laws* may restrain the liberty allowed by the *superior*, although they cannot enlarge them. Now *natural liberty* is a right not constituted, but allowed by the laws. For the *laws* being removed, our *liberty* is absolute. This is first restrained by the *natural* and *divine laws*; the residue is bounded by the *civil law*; and what remains, may again be restrained by the *constitutions* of particular towns and societies. There is great difference therefore between *law* and *right*. For law is a *fetter*, right is *freedom*; and they differ like contraries.

43. I find the words *Lex Civilis*, and *Jus Civile*, that is to say, *Law* and *Right Civil*, promiscuously used for the same thing, even in the most learned Authors; which nevertheless ought not to be so. For *Right* is *Liberty*, namely that Liberty which the Civil Law leaves us: But *Civill Law* is an *Obligation*; and takes from us the Liberty which the Law of Nature gave us. Nature gave a Right to every man to secure himself by his own strength, and to invade a suspected neighbour, by way of prevention; but the Civill Law takes away that Liberty, in all cases where the protection of the Law may be safely stayd for. Insomuch as *Lex* and *Jus*, are as different as *Obligation* and *Liberty*.

44. Likewise *Lawes* and *Charters* are taken promiscuously for the same thing. Yet Charters are Donations of the Sovereign; and not Lawes, but exemptions from Law. The phrase of a Law is, *Injungo, I Command*, and *Enjoyn*: the phrase of a Charter is *Dedi, Concessi, I have Given, I have Granted*: but what is given or granted, to a man, is not forced upon him, by a Law. A Law may be made to bind All the Subjects of a Common-wealth: a Liberty, or Charter is only to One man, or some One part of the people. For to say all the people of a Common-wealth, have Liberty in any case whatsoever; is to say, that in such case, there hath been no Law made; or else having been made, is now abrogated.

precept wherof is charity. But of things that are done *jure*, nothing can be said done *jure divino*, that is not also *jure civili*, unless it be done by them that having sovereign power, are not subject to the civil law.

6. The differences of laws are according to the differences, either of the authors and lawmakers, or of the promulgation, or of those that are subject to them. From the difference of the authors, or lawmakers, cometh the division of law into divine, natural, and civil. From the difference of promulgation, proceedeth the division of laws into written and unwritten. And from the difference of the persons to whom the law appertaineth, it proceedeth, that some laws are called simply laws, and some penal. As for example: thou shalt not steal, is simply a law; but this: he that stealeth an ox, shall restore four-fold, is a penal, or as others call it, a judicial law. Now in those laws, which are simply laws, the commandment is addressed to every man; but in penal laws the commandment is addressed to the magistrate, who is only guilty of the breach of it, when the penalties ordained are not inflicted; to the rest appertaineth nothing, but to take notice of their danger.

7. As for the first division of law into divine, natural, and civil, the first two branches are one and the same law. For the law of nature, which is also the moral law, is the law of the author of nature, God Almighty; and the law of God, taught by our Saviour Christ, is the moral law. For the sum of God's law is: Thou shalt love God above all, and thy neighbour as thyself; and the same is the sum of the law of nature, as hath been showed, Part 1. chap. 18. And although the doctrine of our Saviour be of three parts, moral, theological, and ecclesiastical; the former part only, which is the moral, is of the nature of a law universal;

4. All law may be divided, first according to the diversity of its authors into *divine* and *human*. The *divine*, according to the two ways whereby God hath made known his will unto men, is two-fold; *natural* or *moral*, and *positive*. *Natural* is that which God hath declared to all men by his *eternal word* born with them, to wit, their *natural reason*; and this is that law, which in this whole book I have endeavoured to unfold. *Positive* is that, which God hath revealed to us by *the word of prophecy*, wherein he hath spoken unto men as a man. Such are the laws which he gave to the Jews concerning their government

Cf. ¶29–35

36. Another division of Lawes, is into *Naturall* and *Positive*. *Naturall* are those which have been Lawes from all Eternity; and are called not onely *Naturall*, but also *Morall* Lawes; consisting in the Morall Vertues, as Justice, Equity, and all habits of the mind that conduce to Peace, and Charity; of which I have already spoken in the fourteenth and fifteenth Chapters.

37. *Positive*, are those which have not been from Eternity; but have been made Lawes by the Will of those that have had the Sovereign Power over others; and are either written, or made known to men, by some other argument of the Will of their Legislator.

the latter part is a branch of the law civil; and the theological which containeth those articles concerning the divinity and kingdom of our Saviour, without which there is no salvation, is not delivered in the nature of laws, but of counsel and direction, how to avoid the punishment, which by the violation of the moral law, men are subject to. For it is not infidelity that condemneth (though it be faith that saveth), but the breach of the law and commandments of God, written first in man's heart, and afterwards in tables, and delivered to the Jews by the hands of Moses.

and divine worship; and they may be termed the *divine civil laws*, because they were peculiar to the civil government of the Jews, his peculiar people. Again, *the natural law* may be divided into that of *men*, which alone hath obtained the title of the *law of nature*; and *that of cities*, which may be called *that of nations*, but vulgarly it is termed the *right of nations*. The precepts of both are alike. But because cities once instituted do put on the personal proprieties of men, that *law*, which speaking of the duty of single men we call *natural*, being applied to whole cities and nations, is called the *right of nations*. And the same elements of *natural law and right*, which have hitherto been spoken of, being transferred to *whole cities and nations*, may be taken for the elements of the *laws and right of nations*.

39. *Divine Positive Lawes* (for Naturall Lawes being Eternall, and Universall, are all Divine,) are those, which being the Commandements of God, (not from all Eternity, nor universally addressed to all men, but onely to a certain people, or to certain persons,) are declared for such, by those whom God hath authorised to declare them. But this Authority of man to declare what be these Positive Lawes of God, how can it be known? God may command a man by a supernaturall way, to deliver Lawes to other men. But because it is of the essence of Law, that he who is to be obliged, be assured of the Authority of him that declareth it, which we cannot naturally take notice to be from God, *How can a man without supernaturall Revelation be assured of the Revelation received by the declarer? and how can he be bound to obey them?* For the first question, how a man can be assured of the Revelation of another, without a Revelation particularly to himselfe, it is evidently impossible: For though a man may be induced to believe such Revelation, from the Miracles they see him doe, or from seeing the Extraordinary sanctity of his life, or from seeing the Extraordinary wisdom, or Extraordinary felicity of his Actions, all which are marks of Gods extraordinary favour; yet they are not assured evidence of speciall Revelation. Miracles are Marvellous workes: but that which is marvellous to one, may not be so to another. Sanctity may be feigned; and the visible felicities of this world, are most often the work of God by Naturall, and

ordinary causes. And therefore no man can infallibly know by naturall reason, that another has had a supernaturall revelation of Gods will; but only a believe; every one (as the signs thereof shall appear greater, or lesser) a firmer, or a weaker belief.

40. But for the second, how he can be bound to obey them; it is not so hard. For if the Law declared, be not against the Law of Nature (which is undoubtedly Gods Law) and he undertake to obey it, he is bound by his own act; bound I say to obey it, but not bound to believe it: for mens believe, and interiour cogitations, are not subject to the commands, but only to the operation of God, ordinary, or extraordinary. Faith of Supernaturall Law, is not a fulfilling, but only an assenting to the same; and not a duty that we exhibite to God, but a gift which God freely giveth to whom he pleaseth; as also Unbelief is not a breach of any of his Lawes; but a rejection of them all, except the Lawes Naturall. But this that I say, will be made yet cleerer, by the Examples, and Testimonies concerning this point in holy Scripture. The Covenant God made with *Abraham* (in a Supernaturall manner) was thus, *This is the Covenant which thou shalt observe between Me and Thee and thy Seed after thee. Abrahams Seed had not this revelation, nor were yet in being; yet they are a party to the Covenant, and bound to obey what Abraham should declare to them for Gods Law; which they could not be, but in vertue of the obedience they owed to their Parents; who (if they be Subject to*

Gen. 17. 10

no other earthly power, as here in the case of *Abraham*) have Sovereign power over their children, and servants. Againe, where God saith to *Abraham*, *In thee shall all Nations of the earth be blessed: For I know thou wilt command thy children, and thy house after thee to keep the way of the Lord, and to observe Righteousnesse and Judgement*, it is manifest, the obedience of his Family, who had no Revelation, depended on their former obligation to obey their Sovereign. At Mount *Sinai* *Moses* only went up to God; the people were forbidden to approach on paine of death; yet were they bound to obey all that *Moses* declared to them for Gods Law. Upon what ground, but on this submission of their own, *Speak thou to us, and we will heare thee; but let not God speak to us, lest we dye?* By which two places it sufficiently appeareth, that in a Common-wealth, a subject that has no certain and assured Revelation particularly to himself concerning the Will of God, is to obey for such, the Command of the Common-wealth: for if men were at liberty, to take for Gods Commandements, their own dreams, and fancies, or the dreams and fancies of private men; scarce two men would agree upon what is Gods Commandement; and yet in respect of them, every man would despise the Commandements of the Common-wealth. I conclude therefore, that in all things not contrary to the Morall Law, (that is to say, to the Law of Nature,) all Subjects are bound to obey that for divine Law, which is declared to be so, by the Lawes of the Common-wealth. Which

8. In the state of nature, where every man is his own judge, and differeth from other concerning the names and appellations of things, and from those differences arise quarrels, and breach of peace; it was necessary there should be a common measure of all things that might fall in controversy; as for example: of what is to be called right, what good, what virtue, what much, what little, what *meum* and *tuum*, what a pound, what a quart, &c. For in these things private judgments may differ, and beget controversy. This common measure, some say, is right reason: with whom I should consent, if there were any such thing to be found or known *in rerum naturâ*. But commonly they that call for right reason to decide any controversy, do mean their own. But this is certain, seeing right reason is not existent, the reason of some man, or men, must supply the place thereof; and that man, or men, is he or they, that have the sovereign power, as hath been already

5. All *human law* is *civil*. For the state of men considered out of civil society, is hostile; in which, because one is not subject to another, there are no other laws beside the dictates of natural reason, which is the divine law. But in civil government the city only, that is to say, that man or court to whom the supreme power of the city is committed, is the legislator; and the laws of the city are civil. *The civil laws* may be divided, according to the diversity of their subject matter, into *sacred* or *secular*. *Sacred* are those which pertain to religion, that is to say, to the ceremonies and worship of God: to wit, what persons, things, places, are to be consecrated, and in what fashion, what opinions concerning the Deity are to be taught publicly; and with what words and in what order supplications are to be made; and the like; and are not determined by any divine positive law. For the *civil sacred laws* are the *human laws* (which are also called *ecclesiastical*) concerning *things sacred*; but

also is evident to any mans reason; for whatsoever is not against the Law of Nature, may be made Law in the name of them that have the Sovereign power; and there is no reason men should be the lesse obliged by it, when tis propounded in the name of God. Besides, there is no place in the world where men are permitted to pretend other Commandements of God, than are declared for such by the Common-wealth. Christian States punish those that revolt from Christian Religion, and all other States, those that set up any Religion by them forbidden. For in whatsoever is not regulated by the Common-wealth, tis Equity (which is the Law of Nature, and therefore an eternall Law of God) that every man equally enjoy his liberty.

3. Which considered, I define Civill Law in this manner. CIVILL LAW, *Is to every Subject, those Rules, which the Common-wealth hath Commanded him, by Word, Writing, or other sufficient Sign of the Will, to make use of, for the Distinction of Right, and Wrong; that is to say, of what is contrary, and what is not contrary to the Rule.*

4. In which definition, there is nothing that is not at first sight evident. For every man seeth, that some Lawes are addressed to all the Subjects in generall; some to particular Provinces; some to particular Vocations; and some to particular Men; and are therefore Lawes, to every of those to whom the Command is directed; and to none else. As also, that Lawes are the Rules of Just, and Unjust; nothing being reputed Unjust, that is not contrary to some Law. Likewise, that none can make Lawes but the Common-wealth; because our Subjection is to the Common-wealth

proved; and consequently the civil laws are to all subjects the measures of their actions, whereby to determine, whether they be right or wrong, profitable or unprofitable, virtuous or vicious; and by them the use and definition of all names not agreed upon, and tending to controversy, shall be established. As for example, upon the occasion of some strange and deformed birth, it shall not be decided by Aristotle, or the philosophers, whether the same be a man or no, but by the laws. The civil law containeth in it the ecclesiastical, as a part thereof, proceeding from the power of ecclesiastical government, given by our Saviour to all Christian sovereigns, as his immediate vicars, as hath been said Part II. chap. 7, sect. 10.¹

the secular, under a general notion, are usually called the *civil* laws.

only: and that Commands, are to be signified by sufficient Signs; because a man knows not otherwise how to obey them. And therefore, whatsoever can from this definition by necessary consequence be deduced, ought to be acknowledged for truth. Now I deduce from it this that followeth.

5. 1. The Legislator in all Commonwealths, is only the Sovereign, be he one Man, as in a Monarchy, or one Assembly of men, as in a Democracy, or Aristocracy. For the Legislator, is he that maketh the Law. And the Common-wealth only, præscribes, and commandeth the observation of those rules, which we call Law: Therefore the Common-wealth is the Legislator. But the Common-wealth is no Person, nor has capacity to doe any thing, but by the Representative, (that is, the Sovereign;) and therefore the Sovereign is the sole Legislator. For the same reason, none can abrogate a Law made, but the Sovereign; because a Law is not abrogated, but by another Law, that forbiddeth it to be put in execution.

6. 2. The Sovereign of a Commonwealth, be it an Assembly, or one Man, is not subject to the Civill Lawes. For having power to make, and repeale Lawes, he may when he pleaseth, free himselfe from that subjection, by repealing those Lawes that trouble him, and making of new; and consequently he was free before. For he is free, that can be free when he will: Nor is it possible for any person to be bound to himselfe; because he that can bind, can release; and therefore he that is bound to himselfe onely, is not bound.

9. But seeing it hath been said, that all laws are either natural or civil; it may be demanded, to which of these shall be referred that law, which is called martial

¹ *The Elements of Law*, ch. 26.

law, and by the Romans *disciplina militaris*? And it may seem to be the same with the law of nature; because the laws by which a multitude of soldiers are governed in an army, are not constant, but continually changing with the occasion; and that is still a law, which is reason for the present, and reason is the law of nature. It is nevertheless true that martial law is civil law; because an army is a body politic, the whole power whereof is in the General, and the laws thereof made by him; and though they still follow and change as reason requireth, yet it is not, as the reason of every private man (as in the law of nature), but as the reason of the General requireth.

6. Again, the *civil law* (according to the two offices of the legislator, whereof one is to judge, the other to constrain men to acquiesce to his judgments) hath two parts; the one *distributive*, the other *vindicative* or *penal*. By the *distributive* it is, that every man hath his proper rights; that is to say, it sets forth rules for all things, whereby we may know what is properly our's, what another man's; so as others may not hinder us from the free use and enjoyment of our own, and we may not interrupt others in the quiet possession of their's; and what is lawful for every man to do or omit, and what is not lawful. *Vindicative* is that, whereby it is defined what punishment shall be inflicted on them who break the law.

7. Now *distributive* and *vindicative* are not two several *species* of the laws, but two *parts* of the same law. For if the law should say no more, but (for example) *whatsoever you take with your net in the sea, be it yours*, it is in vain. For although another should take that away from you which you have caught, it hinders not but that it still remains yours. For in the state of nature where all things are common to all, *yours* and *others* are all one;

38. Again, of Positive Lawes some are *Humane*, some *Divine*: And of Humane positive lawes, some are *Distributive*, some *Penal*. *Distributive* are those that determine the Rights of the Subjects, declaring to every man what it is, by which he acquireth and holdeth a propriety in lands, or goods, and a right or liberty of action: and these speak to all the Subjects. *Penal* are those, which declare, what Penalty shall be inflicted on those that violate the Law; and speak to the Ministers and Officers ordained for execution. For though every one ought to be informed of the Punishments ordained beforehand for their transgression; nevertheless the Command is not addressed to the Delinquent, (who cannot be supposed will faithfully punish himselfe,) but to publique Ministers appointed to see the Penalty executed. And these Penal Lawes are for the most part written together with the Lawes *Distributive*; and are sometimes called Judgements. For all Lawes are generall Judgements, or Sentences of the Legislator; as also every particular Judgement, is a Law to him, whose case is Judged.

insomuch as what the law defines to be *yours*, was *yours* even before the law, and after the law ceases not to be *yours*, although in another man's possession. Wherefore the law doth nothing, unless it be understood to be so *yours*, as all other men be forbidden to interrupt your free use and secure enjoyment of it at all times, according to your own will and pleasure. For this is that which is required to a propriety of goods; not that a man may be able to use them, but to use them alone; which is done by prohibiting others to be an hinderance to him. But in vain do they also prohibit any men, who do not withal strike a fear of punishment into them. In vain therefore is the law, unless it contain both parts, that which *forbids* injuries to be done, and that which *punisheth* the doers of them. The first of them, which is called *distributive*, is *prohibitory*, and speaks to all; the second, which is styled *vindicative* or *penary*, is *mandatory*, and only speaks to public ministers.

8. From hence also we may understand, *that every civil law hath a penalty annexed to it*, either explicitly or implicitly. For where the penalty is not defined, neither by any writing, nor by example of any who hath suffered the punishment of the transgressed law, there the penalty is understood to be arbitrary; namely, to depend on the will of the legislator, that is to say, of the supreme commander. For in vain is that law, which may be broken without punishment.

Cf. 28.10: Eighthly, If a Punishment be determined and prescribed in the Law it selfe, and after the crime committed, there be a greater Punishment inflicted, the excesse is not Punishment, but an act of hostility. For seeing the aym of Punishment is not a revenge, but terrour; and the terrour of a great Punishment unknown, is taken away by the declaration of a lesse, the unexpected addition is no part of the Punishment. But where there is no Punishment at all determined by the Law, there whatsoever is inflicted, hath the nature of Punishment. For he that goes about the violation of a Law, wherein no penalty is determined, expecteth an indeterminate, that is to say, an arbitrary Punishment.

9. Now because it comes from the civil laws, both that every man have *his proper right* and distinguished from *another's*, and also that he is forbidden to invade another's rights; it follows that these precepts: *Thou shalt not refuse to give the honour defined by the laws, unto thy parents: Thou shalt not kill the man, whom the laws forbid thee to kill: Thou shalt avoid all copulation forbidden by the laws: Thou shalt not take away another's goods, against the lord's will: Thou shalt not frustrate the laws and judgments by false testimony:* are civil laws. The natural laws command the same things, but implicitly. For the law of nature (as hath been said in chap. III. art. 2) commands us to *keep contracts*; and therefore also to perform obedience, when we have covenanted obedience, and to abstain from another's goods, when it is determined by the civil law what belongs to another. But all subjects (by chap. VI. art. 13) do *covenant* to obey his commands who hath the supreme power, that is to say, the civil laws, in the very constitution of government, even before it is possible to break them. For the law of nature did oblige in the state of nature; where first, because nature hath given all things to all men, nothing did properly belong to another, and therefore it was not possible to invade another's right; next, where all things were common, and therefore all carnal copulations lawful; thirdly, where was the state of war, and therefore lawful to kill; fourthly, where all things were determined by every man's own judgment, and therefore paternal respects also; lastly, where there were no public judgments, and therefore no use of bearing witness, either true or false.

8. 4. The Law of Nature, and the Civill Law, contain each other, and are of equall extent. For the Lawes of Nature, which consist in Equity, Justice, Gratitude, and other morall Vertues on these depending, in the condition of meer Nature (as I have said before in the end of the 15th Chapter,) are not properly Lawes, but qualities that dispose men to peace, and to obedience. When a Common-wealth is once settled, then are they actually Lawes, and not before; as being then the commands of the Common-wealth; and therefore also Civill Lawes: For it is the Sovereign Power that obliges men to obey them. For in the differences of private men, to declare, what is Equity, what is Justice, and what is morall Vertue, and to make them binding, there is need of the Ordinances of Sovereign Power, and Punishments to be ordained for such as shall break them; which Ordinances are therefore part of the Civill Law. The Law of Nature therefore is a part of the Civill Law in all Common-wealths of the world. Reciprocally also, the Civill Law is a part of the Dictates of Nature. For Justice, that is to say, Performance of Covenant, and giving to every man his own, is a Dictate of the Law of Nature. But every subject in a Common-wealth, hath covenanted to obey the Civill Law, (either one with another, as when they assemble to make a common Representative, or with the Representative it selfe one by one, when subdued by the Sword they promise obedience, that they may receive life;) And therefore Obedience to the Civill Law is part also of the Law of Nature. Civill, and Naturall Law are not different kinds, but different parts of Law; whereof one part being written, is called Civill, the other unwritten, Naturall. But the Right

10. Seeing therefore our obligation to observe those laws is more ancient than the promulgation of the laws themselves, as being contained in the very constitution of the city; by the virtue of the natural law which forbids breach of covenant, the law of nature commands us to keep all the civil laws. For where we are tied to obedience before we know what will be commanded us, there we are universally tied to obey in all things. Whence it follows, that no civil law whatsoever, which tends not to a reproach of the Deity, (in respect of whom cities themselves have no right of their own, and cannot be said to make laws), can possibly be against the law of nature. For though the law of nature forbid theft, adultery, &c; yet if the civil law command us to invade anything, that invasion is not theft, adultery, &c. For when the Lacedæmonians of old permitted their youths, by a certain law, to take away other men's goods, they commanded that these goods should not be accounted other men's, but their own who took them; and therefore such surreptions were no thefts. In like manner, copulations of heathen sexes, according to their laws, were lawful marriages.

of Nature, that is, the naturall Liberty of man, may by the Civill Law be abridged, and restrained: nay, the end of making Lawes, is no other, but such Restraint; without the which there cannot possibly be any Peace. And Law was brought into the world for nothing else, but to limit the naturall liberty of particular men, in such manner, as they might not hurt, but assist one another, and joyn together against a common Enemy.

10. 6. Seeing then all Lawes, written, and unwritten, have their Authority, and force, from the Will of the Common-wealth; that is to say, from the Will of the Representative; which in a Monarchy is the Monarch, and in other Common-wealths the Sovereign Assembly; a man may wonder from whence proceed such opinions, as are found in the Books of Lawyers of eminence in severall Common-wealths, directly, or by consequence making the Legislative Power depend on private men, or subordinate Judges. As for example, *That the Common Law, hath no Controuler but the Parliament*; which is true onely where a Parliament has the

Sovereign Power, and cannot be assembled, nor dissolved, but by their own discretion. For if there be a right in any else to dissolve them, there is a right also to controule them, and consequently to controule their controulings. And if there be no such right, then the Controuler of Lawes is not *Parlamentum*, but *Rex in Parlamento*. And where a Parliament is Sovereign, if it should assemble never so many, or so wise men, from the Countries subject to them, for whatsoever cause; yet there is no man will believe, that such an Assembly hath thereby acquired to themselves a Legislative Power. *Item*, that the two arms of a Common-wealth, are *Force, and Justice; the first whereof is in the King; the other deposited in the hands of the Parliament*. As if a Common-wealth could consist, where the Force were in any hand, which Justice had not the Authority to command and govern.

11. 7. That Law can never be against Reason, our Lawyers are agreed; and that not the Letter, (that is, every construction of it,) but that which is according to the Intention of the Legislator, is the Law. And it is true: but the doubt is, of whose Reason it is, that shall be received for Law. It is not meant of any private Reason; for then there would be as much contradiction in the Lawes, as there is in the Schooles; nor yet (as Sr. Ed. Coke makes it,) an *Artificiall perfection of Reason, gotten by long study, observation, and experience*, (as his was.) For it is possible long study may encrease, and confirm erroneous Sentences: and where men build on false grounds, the more they build, the greater is the ruine: and of those that study, and observe with equall time, and diligence, the reasons and resolutions are, and must remain discordant: and therefore it is not that *Juris prudentia*, or wisdom of subordinate Judges; but the Reason of this our Artificiall

Man the Common-wealth, and his Command, that maketh Law: And the Common-wealth being in their Representative but one Person, there cannot easily arise any contradiction in the Lawes; and when there doth, the same Reason is able, by interpretation, or alteration, to take it away. In all Courts of Justice, the Sovereign (which is the Person of the Common-wealth,) is he that Judgeth: The subordinate Judge, ought to have regard to the reason, which moved his Sovereign to make such Law, that his Sentence may be according thereunto; which then is his Sovereigns Sentence; otherwise it is his own, and an unjust one.

12. 8. From this, that the Law is a Command, and a Command consisteth in declaration, or manifestation of the will of him that commandeth, by voyce, writing, or some other sufficient argument of the same, we may understand, that the Command of the Common-wealth, is Law onely to those, that have means to take notice of it. Over naturall fooles, children, or mad-men there is no Law, no more than over brute beasts; nor are they capable of the title of just, or unjust; because they had never power to make any covenant, or to understand the consequences thereof; and consequently never took upon them to authorise the actions of any Sovereign, as they must do that make to themselves a Common-wealth. And as those from whom Nature, or Accident hath taken away the notice of all Lawes in generall; so also every man, from whom any accident, not proceeding from his own default, hath taken away the means to take notice of any particular Law, is excused, if he observe it not; And to speak properly, that Law is no Law to him. It is therefore necessary, to consider in this place, what arguments, and signes be sufficient for the knowledge of what is the Law; that is to say, what is the will of the Sovereign, as well in Monarchies, as in other formes of government.

11. It is necessary to the essence of a law, that the subjects be acquainted with two things: first, what man or court hath the supreme power, that is to say, the right of making laws; secondly, what the law itself says. For he that neither knew either to whom or what he is tied to, cannot obey; and by consequence is in such a condition as if he were not tied at all. I say not that it is necessary to the essence of a law, that either one or the other be perpetually known, but only that it be once known. And if the subject afterward forget either the right he hath who made the law, or the law itself, that makes him no less tied to obey; since he might have remembered it, had he a will to obey.

12. *The knowledge of the legislator* depends on the subject himself; for the right of making laws could not be conferred on any man without his own consent and covenant, either expressed or supposed; expressed, when from the beginning the citizens do themselves constitute a form of governing the city, or when by promise they submit themselves to the dominion of any one; or supposed at least, as when they make use of the benefit of the realm and laws

15. The Law of Nature excepted, it belongeth to the essence of all other Lawes, to be made known, to every man that shall be obliged to obey them, either by word, or writing, or some other act, known to proceed from the Sovereign Authority. For the will of another, cannot be understood, but by his own word, or act, or by conjecture taken from his scope and purpose; which in the person of the Common-wealth, is to be supposed alwaies consonant to Equity and Reason. And in antient time, before letters were in common use, the Lawes were many times put into verse; that the rude people taking pleasure in singing, or reciting them, might the more easily reteine them in memory. And for the same reason *Solomon* adviseth a man, to bind the ten Commandements * upon his ten fingers. And ^{* Prov.} for the Law which *Moses* gave to ^{7. 3} the people of *Israel* at the renewing of the Covenant, * he biddeth ^{* Deut.} them to teach it their Children, ^{11. 19} by discoursing of it both at home, and upon the way; at going to bed, and at rising from bed; and to write it upon the posts, and dores of their houses; and * to as- ^{* Deut.} semble the people, man, woman, ^{31. 12} and child, to heare it read.

16. Nor is it enough the Law be written, and published; but also that there be manifest signs, that it proceedeth from the will of the Sovereign. For private men, when they have, or think they have force enough to secure their unjust designs, and convoy them safely to their ambitious ends, may publish for Lawes what they please, without, or against the Legislative Authority. There is therefore requisite, not only a Declaration of the Law, but also sufficient

for their protection and conservation against others. For to whose dominion we require our fellow subjects to yield obedience for our good, his dominion we acknowledge to be legitimate by that very request. And therefore ignorance of the power of making laws, can never be a sufficient excuse; for every man knows what he hath done himself.

signes of the Author, and Authority. The Author, or Legislator is supposed in every Common-wealth to be evident, because he is the Sovereign, who having been Constituted by the consent of every one, is supposed by every one to be sufficiently known. And though the ignorance, and security of men be such, for the most part, as that when the memory of the first Constitution of their Common-wealth is worn out, they doe not consider, by whose power they use to be defended against their enemies, and to have their industry protected, and to be righted when injury is done them; yet because no man that considers, can make question of it, no excuse can be derived from the ignorance of where the Sovereignty is placed. And it is a Dictate of Naturall Reason, and consequently an evident Law of Nature, that no man ought to weaken that power, the protection whereof he hath himself demanded, or wittingly received against others. Therefore of who is Sovereign, no man, but by his own fault, (whatsoever evill men suggest,) can make any doubt. The difficulty consisteth in the evidence of the Authority derived from him; The removing whereof, dependeth on the knowledge of the publique Registers, publique Counsels, publique Ministers, and publique Seales; by which all Lawes are sufficiently verified; Verified, I say, not Authorised: for the Verification, is but the Testimony and Record; not the Authority of the Law; which consisteth in the Command of the Sovereign only.

17. If therefore a man have a question of Injury, depending on the Law of Nature; that is to say, on common Equity; the Sentence of the Judge, that by Commission hath Authority to take cognisance of such causes, is a sufficient Verification of the Law of Nature in that individuall case. For though the

advice of one that professeth the study of the Law, be usefull for the avoyding of contention; yet it is but advice: tis the Judge must tell men what is Law, upon the hearing of the Controversy.

18. But when the question is of injury, or crime, upon a written Law; every man by recourse to the Registers, by himself, or others, may (if he will) be sufficiently enformed, before he doe such injury, or commit the crime, whither it be an injury, or not: Nay he ought to doe so: For when a man doubts whether the act he goeth about, be just, or unjust; and may informe himself, if he will; the doing is unlawfull. In like manner, he that supposeth himself injured, in a case determined by the written Law, which he may by himself, or others see and consider; if he complaine before he consults with the Law, he does unjustly, and bewrayeth a disposition rather to vex other men, than to demand his own right.

19. If the question be of Obedience to a publique Officer; To have seen his Commission, with the Publique Seale, and heard it read; or to have had the means to be informed of it, if a man would, is a sufficient Verification of his Authority. For every man is obliged to doe his best endeavour, to informe himself of all written Lawes, that may concerne his own future actions.

13. *The knowledge of the laws* depends on the legislator; who must publish them; for otherwise they are not laws. For law is the command of the law-maker, and his command is the declaration of his will; it is not therefore a law, except the will of the law-maker be declared, which is done by *promulgation*. Now in *promulgation* two things must be manifest; whereof one is, that he or they who publish a law, either have a right themselves to make laws, or that they do it by authority derived

20. The Legislator known; and the Lawes, either by writing, or by the light of Nature, sufficiently published; there wanteth yet another very materiall circumstance to make them obligatory. For it is not the Letter, but the Intendment, or Meaning; that is to say, the authentique Interpretation of the Law (which is the sense of the Legislator,) in which the nature of the Law consisteth; And therefore the Interpretation of all Lawes dependeth on the Authority Sovereign; and the Interpreters can be none

from him or them who have it; the other is the sense of the law itself. Now, that the first, namely, published laws, proceed from him who hath the supreme command, cannot be manifest (speaking exactly and philosophically) to any, but them who have received them from the mouth of the commander. The rest believe; but the reasons of their belief are so many, that it is scarce possible they should not believe. And truly in a *democratical* city, where every one may be present at the making of laws if he will, he that shall be absent, must believe those that were present. But in *monarchies* and *aristocracies*, because it is granted but to few to be present, and openly to hear the commands of the *monarch* or the *nobles*, it was necessary to bestow a power on those few of publishing them to the rest. And thus we believe those to be the *edicts* and *decrees* of princes, which are propounded to us for such, either by the writings or voices of them whose office it is to publish them. But yet, when we have these causes of belief; that we have seen the prince or supreme counsel constantly use such *counsellors*, *secretaries*, *publishers*, and *seals*, and the like arguments for the declaring of his will; that he never took any authority from them; that they have been punished, who not giving credit to such like promulgations have transgressed the law; not only he who thus believing shall obey the *edicts* and *decrees* set forth by them, is everywhere excused, but he that not believing shall not yield obedience, is punished. For the constant permission of these things is a manifest sign enough and evident declaration of the commander's will; provided there be nothing contained in the *law*, *edict*, or *decree*, derogatory from his supreme power. For it is not to be imagined that he would have aught taken from his power by any of his officers, as long as he retains a will to govern.

but those, which the Sovereign, (to whom only the Subject oweth obedience) shall appoint. For else, by the craft of an Interpreter, the Law may be made to beare a sense, contrary to that of the Sovereign; by which means the Interpreter becomes the Legislator.

21. All Laws, written, and unwritten, have need of Interpretation. The unwritten Law of Nature, though it be easy to such, as without partiality, and passion, make use of their naturall reason, and therefore leaves the violators thereof without excuse; yet considering there be very few, perhaps none, that in some cases are not blinded by self love, or some other passion, it is now become of all Laws the most obscure; and has consequently the greatest need of able Interpreters. The written Laws, if they be short, are easily mis-interpreted, from the divers significations of a word, or two: if long, they be more obscure by the diverse significations of many words: in so much as no written Law, delivered in few, or many words, can be well understood, without a perfect understanding of the finall causes, for which the Law was made; the knowledge of which finall causes is in the Legislator. To him therefore there can not be any knot in the Law, insoluble; either by finding out the ends, to undoe it by; or else by making what ends he will, (as *Alexander* did with his sword in the Gordian knot,) by the Legislative power; which no other Interpreter can doe.

22. The Interpretation of the Lawes of Nature, in a Common-wealth, dependeth not on the books of Morall Philosophy. The Authority of writers, without the Authority of the Common-wealth, maketh not their opinions Law, be they never so true. That which I have written in this Treatise, concerning the Morall Vertues, and of their necessity, for the procuring, and maintaining peace,

Now the *sense* of the *law*, when there is any doubt made of it, is to be taken from them to whom the supreme authority hath committed the *knowledge of causes* or *judgments*; for to *judge*, is nothing else than by *interpretation* to apply the *laws* to particular cases. Now we may know who they are that have this office granted them, in the same manner as we know who they be that have authority given them to publish laws.

though it bee evident Truth, is not therefore presently Law; but because in all Common-wealths in the world, it is part of the Civill Law: For though it be naturally reasonable; yet it is by the Sovereigne Power that it is Law: Otherwise, it were a great error, to call the Lawes of Nature unwritten Law; whereof wee see so many volumes published, and in them so many contradictions of one another, and of themselves.

23. The Interpretation of the Law of Nature, is the Sentence of the Judge constituted by the Sovereign Authority, to heare and determine such controversies, as depend thereon; and consisteth in the application of the Law to the present case. For in the act of Judicature, the Judge doth no more but consider, whether the demand of the party, be consonant to naturall reason, and Equity; and the Sentence he giveth, is therefore the Interpretation of the Law of Nature; which Interpretation is Authentique; not because it is his private Sentence; but because he giveth it by Authority of the Sovereign, whereby it becomes the Sovereigns Sentence; which is Law for that time, to the parties pleading.

24. But because there is no Judge Subordinate, nor Sovereign, but may erre in a Judgement of Equity; if afterward in another like case he find it more consonant to Equity to give a contrary Sentence, he is obliged to doe it. No mans error becomes his own Law; nor obliges him to persist in it. Neither (for the same reason) becomes it a Law to other Judges, though sworn to follow it. For though a wrong Sentence given by authority of the Sovereign, if he know and allow it, in such Lawes as are mutable, be a constitution of a new Law, in cases, in which every little circumstance is the same; yet in Lawes immutable, such as are the Lawes of Nature, they are no Lawes to the same, or other Judges, in

the like cases for ever after. Princes succeed one another; and one Judge passeth, another commeth; nay, Heaven and Earth shall passe; but not one title of the Law of Nature shall passe; for it is the Eternall Law of God. Therefore all the Sentences of precedent Judges that have ever been, cannot all together make a Law contrary to naturall Equity: Nor any Examples of former Judges, can warrant an unreasonable Sentence, or discharge the present Judge of the trouble of studying what is Equity (in the case he is to Judge,) from the principles of his own naturall reason. For example sake, 'Tis against the Law of Nature, *To punish the Innocent*; and Innocent is he that acquitteth himselfe Judicially, and is acknowledged for Innocent by the Judge. Put the case now, that a man is accused of a capitall crime, and seeing the power and malice of some enemy, and the frequent corruption and partiality of Judges, runneth away for feare of the event, and afterwards is taken, and brought to a legall triall, and maketh it sufficiently appear, he was not guilty of the crime, and being thereof acquitted, is neverthelesse condemned to lose his goods; this is a manifest condemnation of the Innocent. I say therefore, that there is no place in the world, where this can be an interpretation of a Law of Nature, or be made a Law by the Sentences of precedent Judges, that had done the same. For he that judged it first, judged unjustly; and no Injustice can be a pattern of Judgement to succeeding Judges. A written Law may forbid innocent men to fly, and they may be punished for flying: But that flying for feare of injury, should be taken for presumption of guilt, after a man is already absolved of the crime Judicially, is contrary to the nature of a Presumption, which hath no place after Judgement given. Yet this is set down by a great Lawyer for the common Law of *England*. *If a man* (saith he)

*that is Innocent, be accused of Felony, and for feare flyeth for the same; albeit he judicially acquitteth himselfe of the Felony; yet if it be found that he fled for the Felony, he shall notwithstanding his Innocency, Forfeit all his goods, chattells, debts, and duties. For as to the Forfeiture of them, the Law will admit no prooffe against the Presumption in Law, grounded upon his flight. Here you see, An Innocent man, Judicially acquitted, notwithstanding his Innocency, (when no written Law forbad him to fly) after his acquittall, upon a Presumption in Law, condemned to lose all the goods he hath. If the Law ground upon his flight a Presumption of the fact, (which was Capitall,) the Sentence ought to have been Capitall: if the Presumption were not of the Fact, for what then ought he to lose his goods? This therefore is no Law of *England*; nor is the condemnation grounded upon a Presumption of Law, but upon the Presumption of the Judges. It is also against Law, to say that no Prooffe shall be admitted against a Presumption of Law. For all Judges, Sovereign and subordinate, if they refuse to heare Prooffe, refuse to do Justice: for though the Sentence be Just, yet the Judges that condemn without hearing the Proofes offered, are Unjust Judges; and their Presumption is but Prejudice; which no man ought to bring with him to the Seat of Justice, whatsoever precedent judgements, or examples he shall pretend to follow. There be other things of this nature, wherein mens Judgements have been perverted, by trusting to Precedents: but this is enough to shew, that though the Sentence of the Judge, be a Law to the party pleading, yet it is no Law to any Judge, that shall succeed him in that Office.*

25. In like manner, when question is of the Meaning of written Lawes, he is not the Interpreter of them, that writeth a

Commentary upon them. For Commentaries are commonly more subject to cavill, than the Text; and therefore need other Commentaries; and so there will be no end of such Interpretation. And therefore unlesse there be an Interpreter authorised by the Sovereign, from which the subordinate Judges are not to recede, the Interpreter can be no other than the ordinary Judges, in the same manner, as they are in cases of the unwritten Law; and their Sentences are to be taken by them that plead, for Lawes in that particular case; but not to bind other Judges, in like cases to give like judgements. For a Judge may erre in the Interpretation even of written Lawes; but no error of a subordinate Judge, can change the Law, which is the generall Sentence of the Sovereigne.

26. In written Lawes, men use to make a difference between the Letter, and the Sentence of the Law: And when by the Letter, is meant whatsoever can be gathered from the bare words, 'tis well distinguished. For the significations of almost all words, are either in themselves, or in the metaphorical use of them, ambiguous; and may be drawn in argument, to make many senses; but there is onely one sense of the Law. But if by the Letter, be meant the Literall sense, then the Letter, and the Sentence or intention of the Law, is all one. For the literall sense is that, which the Legislator intended, should by the letter of the Law be signified. Now the Intention of the Legislator is alwayes supposed to be Equity: For it were a great contumely for a Judge to think otherwise of the Sovereigne. He ought therefore, if the Word of the Law doe not fully authorise a reasonable Sentence, to supply it with the Law of Nature; or if the case be difficult, to respit Judgement till he have received more ample authority. For Example, a written Law ordaineth, that he which is thrust out of his house by force, shall be restored by force: It happens that a man

by negligence leaves his house empty, and returning is kept out by force, in which case there is no speciall Law ordained. It is evident, that this case is contained in the same Law: for else there is no remedy for him at all; which is to be supposed against the Intention of the Legislator. Again, the word of the Law, commandeth to Judge according to the Evidence: A man is accused falsly of a fact, which the Judge saw himself done by another; and not by him that is accused. In this case neither shall the Letter of the Law be followed to the condemnation of the Innocent, nor shall the Judge give Sentence against the evidence of the Witnesses; because the Letter of the Law is to the contrary: but procure of the Sovereign that another be made Judge, and himselfe Witnesse. So that the incommodity that follows the bare words of a written Law, may lead him to the Intention of the Law, whereby to interpret the same the better; though no Incommodity can warrant a Sentence against the Law. For every Judge of Right, and Wrong, is not Judge of what is Commodious, or Incommodious to the Common-wealth.

27. The abilities required in a good Interpreter of the Law, that is to say, in a good Judge, are not the same with those of an Advocate; namely the study of the Lawes. For a Judge, as he ought to take notice of the Fact, from none but the Witnesses; so also he ought to take notice of the Law, from nothing but the Statutes, and Constitutions of the Sovereign, alledged in the pleading, or declared to him by some that have authority from the Sovereign Power to declare them; and need not take care before-hand, what hee shall Judge; for it shall bee given him what hee shall say concerning the Fact, by Witnesses; and what hee shall say in point of Law, from those that shall in their pleadings shew it, and by authority interpret it upon the place. The Lords of Parliament in

England were Judges, and most difficult causes have been heard and determined by them; yet few of them were much versed in the study of the Lawes, and fewer had made profession of them: and though they consulted with Lawyers, that were appointed to be present there for that purpose; yet they alone had the authority of giving Sentence. In like manner, in the ordinary trialls of Right, Twelve men of the common People, are the Judges, and give Sentence, not onely of the Fact, but of the Right; and pronounce simply for the Complaynant, or for the Defendant; that is to say, are Judges not onely of the Fact, but also of the Right: and in a question of crime, not onely determine whether done, or not done; but also whether it be *Murder, Homicide, Felony, Assault*, and the like, which are determinations of Law: but because they are not supposed to know the Law of themselves, there is one that hath Authority to enforme them of it, in the particular case they are to Judge of. But yet if they judge not according to that he tells them, they are not subject thereby to any penalty; unlesse it be made appear, they did it against their consciences, or had been corrupted by reward.

28. The things that make a good Judge, or good Interpreter of the Lawes, are, first, *A right understanding* of that principall Law of Nature called *Equity*; which depending not on the reading of other mens Writings, but on the goodnesse of a mans own naturall Reason, and Meditation, is presumed to be in those most, that have had most leisure, and had the most inclination to meditate thereon. Secondly, *Contempt of unnecessary Riches*, and Preferments. Thirdly, *To be able in judgement to de-vest himselfe of all feare, anger, hatred, love, and compassion*. Fourthly, and lastly, *Patience to heare; diligent attention in hearing; and memory to retain, digest and apply what he hath heard*.

14. Again the *civil law*, according to its twofold manner of publishing, is of two sorts, *written* and *unwritten*. By *written*, I understand that which wants a voice, or some other sign of the will of the legislator, that it may become a law. For all kind of laws are of the same age with mankind, both in nature and time; and therefore of more antiquity than the invention of letters, and the art of writing. Wherefore not a *writing*, but a *voice* is necessary for a *written law*; this alone is requisite to the *being*, that to the *remembrance* of a law. For we read, that before letters were found out for the help of memory, that *laws*, contracted into metre, were wont to be sung. The *unwritten*, is that which wants no other publishing than the voice of nature or natural reason; such are the *laws of nature*. For the natural law, although it be distinguished from the civil, forasmuch as it commands the will; yet so far forth as it relates to our actions, it is civil. For example, this same, *thou shalt not covet*, which only appertains to the mind, is a natural law only; but this, *thou shalt not invade*, is both natural and civil. For seeing it is impossible to prescribe such universal rules, whereby all future contentions, which perhaps are infinite, may be determined; it is to be understood that in all cases not mentioned by the *written laws*, the *law of natural equity* is to be followed, which commands us to distribute equally to equals; and this by the virtue of the *civil law*, which also punisheth those who knowingly and willingly do actually transgress the *laws of nature*.

13. And first, if it be a Law that obliges all the Subjects without exception, and is not written, nor otherwise published in such places as they may take notice thereof, it is a Law of Nature. For whatsoever men are to take knowledge of for Law, not upon other mens words, but every one from his own reason, must be such as is agreeable to the reason of all men; which no Law can be, but the Law of Nature. The Lawes of Nature therefore need not any publishing, nor Proclamation; as being contained in this one Sentence, approved by all the world, *Do not that to another, which thou thinkest unreasonable to be done by another to thy selfe*.

14. Secondly, if it be a Law that obliges only some condition of men, or one particular man, and be not written, nor published by word, then also it is a Law of Nature; and known by the same arguments, and signs, that distinguish those in such a condition, from other Subjects. For whatsoever Law is not written, or some way published by him that makes it Law, can be known no way, but by the reason of him that is to obey it; and is therefore also a Law not only Civill, but Naturall. For example, if the Sovereign employ a Publique Minister, without written Instructions what to doe; he is obliged to take for Instructions the Dictates of Reason; As if he make a Judge, The Judge is to take notice, that his Sentence ought to be according to the reason of his Sovereign, which being alwaies understood to be Equity, he is bound to it by the Law of Nature: Or if an Ambassador, he is (in all things not contained in his written Instructions) to take for Instruction that which Reason dictates to be most conducing to his Sovereigns interest; and so of all other Ministers of the Sovereignty, publique and private. All which Instructions of naturall Reason

10. When he, or they in whom is the sovereign power of a commonwealth, are to ordain laws for the government and good order of the people; it is not possible they should comprehend all cases of controversy that may fall out, nor perhaps any considerable diversity of them; but as time shall instruct them by the rising of new occasions, so are also laws from time to time to be ordained: and in such cases where no special law is made, the law of nature keepeth its place, and the magistrates ought to give sentence according thereunto, that is to say, according to natural reason. The constitutions therefore of the sovereign power, by which the liberty of nature is abridged, are written, because there is no other way to take notice of them; whereas the laws of nature are supposed to be written in men's hearts. Written laws therefore are the constitutions of a commonwealth expressed; and unwritten, are the laws of natural reason. Custom of itself maketh no law. Nevertheless when a sentence hath been once given, by them that judge by their natural reason; whether the same be right or wrong, it may attain to the vigour of a law; not because the like sentence hath of custom been given in the like case; but because the sovereign power is supposed tacitly to have approved such sentence for right; and thereby it cometh to be a law, and numbered amongst the written laws of the commonwealth. For if custom were sufficient to introduce a law, then it would be in the power of every one that is deputed to hear a cause, to make his errors laws. In like manner, those laws that go under the title of *responsa prudentum*, that is to say, the opinions of lawyers, are not therefore laws, because *responsa prudentum*, but because they are admitted

15. These things being understood, it appears, first, that the *laws of nature*, although they were described in the books of some philosophers, are not for that reason to be termed *written laws*: and that the writings of the interpreters of the laws, were no laws, for want of the supreme authority; nor yet those *orations of the wise*, that is to say, *judges*, but so far forth as by the consent of the supreme power they part into custom; and that then they are to be received among the *written laws*, not for the custom's sake, (which by its own force doth not constitute a law), but for the will of the supreme commander; which appears in this, that he hath suffered his *sentence*, whether equal or unequal, to pass into custom.

may be comprehended under one name of *Fidelity*; which is a branch of naturall Justice.

7. 3. When long Use obtaineth the authority of a Law, it is not the Length of Time that maketh the Authority, but the Will of the Sovereign signified by his silence, (for Silence is sometimes an argument of Consent;) and it is no longer Law, then the Sovereign shall be silent therein. And therefore if the Sovereign shall have a question of Right grounded, not upon his present Will, but upon the Lawes formerly made; the Length of Time shal bring no prejudice to his Right; but the question shal be judged by Equity. For many unjust Actions, and unjust Sentences, go uncontrolled a longer time, than any man can remember. And our Lawyers account no Customes Law, but such as are reasonable, and that evill Customes are to be abolished: But the Judgement of what is reasonable, and of what is to be abolished, belongeth to him that maketh the Law, which is the Sovereign Assembly, or Monarch.

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

by the sovereign. And from this may be collected, that when there is a case of private contract between the sovereign and the subject, a precedent against reason shall not prejudice the cause of the sovereign; no precedent being made a law, but upon supposition that the same was reasonable from the beginning.

And thus much concerning the elements and general grounds of laws natural and politic. As for the law of nations, it is the same with the law of nature. For that which is the law of nature between man and man, before the constitution of commonwealth, is the law of nations between sovereign and sovereign, after.

16. *Sin*, in its largest signification, comprehends every *deed*, *word*, and *thought* against right reason. For every man, by reasoning, seeks out the means to the end which he propounds to himself. If therefore he reason right, that is to say, beginning from most evident principles he makes a discourse out of consequences continually necessary, he will proceed in a most direct way. Otherwise he will go astray, that is to say, he will either *do*, *say*, or *endeavour* somewhat against his proper end; which when he hath done, he will indeed in reasoning be said to have *erred*, but in action and will to have *sinned*. For *sin* follows *error*, just as the *will* doth the *understanding*. And this is the most general acception of the word; under which is contained every *imprudent* action, whether against the law, as to overthrow another man's house, or not against the law, as to build his own upon the sand.

17. But when we speak of *the laws*, the word *sin* is taken in a more strict sense, and signifies not every thing done against right reason, but that only which is *blameable*; and therefore it is called *malum culpæ*, the evil of fault. But yet if anything be culpable, it is not

made known, for the Constitutions, and Statutes of their Sovereigns; and are now Lawes, not by vertue of the Præscription of time, but by the Constitutions of their present Sovereigns. But if an unwritten Law, in all the Provinces of a Dominion, shall be generally observed, and no iniquity appear in the use thereof; that law can be no other but a Law of Nature, equally obliging all man-kind.

See ¶34-5.

See 27.1: A *Sinne*, is not onely a Transgression of a Law, but also any Contempt of the Legislator. For such Contempt, is a breach of all his Lawes at once. And therefore may consist, not onely in the *Commission* of a Fact, or in the Speaking of Words by the Lawes forbidden, or in the *Omission* of what the Law commandeth, but also in the *Intention*, or purpose to transgresse. For the purpose to breake the Law, is some degree of Contempt of him, to whom it belongeth to see it executed. To be delighted in the Imagination onely, of being possessed of another mans goods, servants, or wife, without any intention to take them from him by force, or fraud, is no breach of the Law, that sayth, *Thou shalt not covet*: nor is the pleasure a man may have in imagining, or dreaming of the death of him, from whose life he expecteth nothing but dammage, and displeasure, a *Sinne*; but the resolving to put some Act in execution, that tendeth thereto. For to be pleased in the fiction of that, which would please a man if it were reall, is a Passion so adhærent to the Nature both of a man, and every other living creature, as to make it a *Sinne*, were to

presently to be termed *a sin* or *fault*; but only if it be blameable with reason. We must therefore enquire what it is to be *blameable with reason*, what *against reason*. Such is the nature of man, that every one calls that *good* which he desires, and *evil* which he eschews. And therefore through the diversity of our affections it happens, that one counts that *good*, which another counts *evil*; and the same man what now he esteemed for *good*, he immediately after looks on as *evil*: and the same thing which he calls *good* in himself, he terms *evil* in another. For we all measure *good* and *evil* by the pleasure or pain we either feel at present, or expect hereafter. Now seeing the prosperous actions of enemies, because they increase their honours, goods, and power; and of equals, by reason of that strife of honours which is among them; both seem and are *irksome*, and therefore *evil* to all; and men use to repute those *evil*, that is to say, to *lay some fault* to their charge, from whom they receive *evil*; it is impossible to be determined by the consent of single men, whom the same things do not please and displease, what actions are, and what not to be blamed. They may agree indeed in some certain general things, as that *theft*, *adultery*, and the like are *sins*; as if they should say that all men account those things *evil*, to which they have given names which are usually taken in an *evil* sense. But we demand not whether theft be a sin, but what is to be termed theft; and so concerning others, in like manner. Forasmuch therefore as in so great a diversity of censurers, what is by reason blameable is not to be measured by the reason of one man more than another, because of the equality of human nature; and there are no other reasons in being, but only those of *particular men*, and that of the *city*: it follows,

make Sinne of being a man. The consideration of this, has made me think them too severe, both to themselves, and others, that maintain, that the First motions of the mind, (though checked with the fear of God) be Sinnes. But I confesse it is safer to erre on that hand, than on the other.

that the *city* is to determine what *with reason is culpable*. So as a *fault*, that is to say, a *sin*, is that which a man does, omits, says, or wills, against the reason of *the city*, that is, contrary to the laws.

18. But a man may do somewhat against the laws through human infirmity, although he desire to fulfil them; and yet his action, as being against the laws, is rightly blamed, and called a *sin*. But there are some who *neglect* the laws; and as oft as any hope of gain and impunity doth appear to them, no conscience of contracts and betrothed faith can withhold them from their violation. Not only the deeds, but even the minds of these men are against the laws. They who sin only through infirmity, are *good men* even when they sin; but these, even when they do not sin, are wicked. For though both the action and the mind be repugnant to the laws, yet those repugnances are distinguished by different appellations. For the irregularity of the action is called *ἀδικημα*, *unjust deed*; that of the mind *ἀδικία* and *κακία*, *injustice* and *malice*; that is the infirmity of a disturbed soul, this the *pravity* of a sober mind.

19. But seeing there is no sin which is not against some law, and that there is no law which is not the command of him who hath the supreme power, and that no man hath a supreme power which is not bestowed on him by our own consent; in what manner will he be said to sin, who either denies that there is a God, or that he governs the world, or casts any other reproach upon him? For he will say: *that he never submitted his will to God's will, not conceiving him so much as to have any being: and granting that his opinion were erroneous, and therefore also a sin, yet were it to be numbered among those of imprudence or ignorance, which by right cannot be punished*. This speech seems so far forth

to be admitted, that though this kind of sin be the greatest and most hurtful, yet is it to be referred to sins of imprudence;* but that it should be excused by imprudence or ignorance, is absurd. For the atheist is punished either immediately by God himself, or by kings constituted under God; not as a subject is punished by a king, because he keeps not the laws; but as one enemy by another, because he would not accept of the laws; that is to say, by the right of war, as the giants warring against God. For whosoever are not subject either to some common lord, or one to another, are enemies among themselves.

20. Seeing that from the virtue of the covenant, whereby each subject is tied to the other to perform absolute and universal obedience (such as is defined above, chap. vi. art. 13) to the city, that is to say, to the sovereign power, whether that be one man or council, there is an obligation derived to observe each one of the civil laws; so that that covenant contains in itself all the laws at once; it is manifest that the subject who shall renounce the general covenant of obedience, doth at once renounce all the laws. Which trespass is so much worse than any other one sin, by how much to sin *always*, is worse than to sin *once*. And this is that sin which is called *treason*; and it is a word or deed whereby the citizen or subject declares, that he

* *Yet is it to be referred to sins of imprudence.*] Many find fault that I have referred atheism to imprudence, and not to injustice; yea by some it is taken so, as if I had not declared myself an enemy bitter enough against atheists. They object further, that since I had elsewhere said that it might be known *there is a God* by natural reason, I ought to have acknowledged that they sin at least against the law of nature, and therefore are not only guilty of imprudence, but injustice too. But I am so much an enemy to atheists, that I have both diligently sought for, and vehemently desired to find some law whereby I might condemn them of injustice. But when I found none, I inquired next what name God himself did give to men so detested by him. Now God speaks thus of the atheist: *The fool hath said in his heart, there is no God*. Wherefore I placed their sin in that rank which God himself refers to. Next I show them to be enemies of God. But I conceive the name of an enemy to be sometimes somewhat sharper, than that of an unjust man. Lastly, I affirm that they may under that notion be justly punished both by God, and supreme magistrates; and therefore by no means excuse or extenuate this sin. Now that I have said, that it might be known by natural reason *that there is a God*, is so to be understood, not as if I had meant that all men might know this; except they think, that because Archimedes by natural reason found out what proportion the circle hath to the square, it follows thence, that every one of the vulgar could have found out as much. I say therefore, that although it may be known to some by the light of reason that there is a God; yet men that are continually engaged in pleasures or seeking of riches and honour; also men that are not wont to reason aright, or cannot do it, or care not to do it; lastly, fools, in which number are atheists, cannot know this.

will no longer obey that man or court to whom the supreme power of the city is entrusted. And the subject declares this same will of his by deed, when he either doth or endeavours to do violence to the sovereign's person, or to them who execute his commands. Of which sort are traitors, regicides, and such as take up arms against the city, or during a war fly to the enemy's side. And they show the same will in word, who flatly deny that themselves or other subjects are tied to any such kind of obedience, either in the whole, as he who should say that we must not obey him (keeping the obedience which we owe to God entire) simply, absolutely, and universally; or in part, as he who should say, that he had no right to wage war at his own will, to make peace, enlist soldiers, levy monies, elect magistrates and public ministers, enact laws, decide controversies, set penalties, or do aught else without which the state cannot stand. And these and the like words and deeds are treason by the natural, not the civil law. But it may so happen, that some action, which before the civil law was made, was not treason, yet will become such if it be done afterwards. As if it be declared by the law, that it shall be accounted for a sign of renouncing public obedience, that is to say, for treason, if any man shall coin monies, or forgo the privy-seal; he that after that declaration shall do this, will be no less guilty of treason than the other. Yet he sins less, because he breaks not all the laws at once, but one law only. For the law by calling that treason which by nature is not so, doth indeed by right set a more odious name, and perhaps a more grievous punishment on the guilty persons; but it makes not the sin itself more grievous.

21. But that sin, which by the law of nature is treason, is a transgression of the natural, not the civil law. For since our

obligation to civil obedience, by virtue whereof the civil laws are valid, is before all civil law, and the sin of treason is naturally nothing else but the breach of that obligation; it follows, that by the sin of treason that law is broken which preceded the civil law, to wit, the natural, which forbids us to violate covenants and betrothed faith. But if some sovereign prince should set forth a law on this manner, *thou shalt not rebel*, he would effect just nothing. For except subjects were before obliged to obedience, that is to say, not to rebel, all law is of no force. Now the obligation which obligeth to what we were before obliged to, is superfluous.

22. Hence it follows, that *rebels, traitors*, and all others *convicted of treason*, are punished not by *civil*, but *natural* right; that is to say, not as *civil subjects*, but as *enemies to the government*; not by the *right of sovereignty* and *dominion*, but by the *right of war*.

See 28.13: Lastly, Harme inflicted upon one that is a declared enemy, fals not under the name of Punishment: Because seeing they were either never subject to the Law, and therefore cannot transgresse it; or having been subject to it, and professing to be no longer so, by consequence deny they can transgresse it, all the Harmes that can be done them, must be taken as acts of Hostility. But in declared Hostility, all infliction of evill is lawfull. From whence it followeth, that if a subject shall by fact, or word, wittingly, and deliberately deny the authority of the Representative of the Common-wealth, (whatsoever penalty hath been formerly ordained for Treason,) he may lawfully be made to suffer whatsoever the Representative will: For in denying subjection, he denyes such Punishment as by the Law hath been ordained; and therefore suffers as an enemy of the Common-wealth; that is, according to the will of the Representative. For the Punishments set down in the Law, are to Subjects, not to Enemies; such as are they, that having been by their own act Subjects, deliberately revolting, deny the Sovereign Power.

23. There are some who think that those acts which are done against the law, when the punishment is determined by the law itself, are expiated, if the punished willingly undergo the punishment; and that they are not guilty before God of breaking the natural law, (although by breaking the civil laws, we break the natural too, which command us to keep the civil), who have suffered the punishment which the law required; as if by the law the fact were not prohibited, but a punishment were set instead of a price, whereby a license might be bought of doing what the law forbids. By the same reason they might infer too, that no transgression of the law were a sin; but that every man might enjoy the liberty which he hath bought by his own peril. But we must know, that the words of the law may be understood in a two-fold sense. The one as containing two parts, (as hath been declared above in art. 7), namely, that of absolutely prohibiting, as, *thou shalt not do this*; and revenging, as, *he that doth this, shall be punished*. The other, as containing a condition, for example, *thou shalt not do this thing, unless thou wilt suffer punishment*; and thus the law forbids not simply, but conditionally. If it be understood in the first sense, he that doth it sins, because he doth what the law forbids to be done; if in the second, he sins not, because he cannot be said to do what is forbidden him, that performs the condition. For in the first sense, all men are forbidden to do it; in the second, they only who keep themselves from the punishment. In the first sense, the vindicative part of the law obligeth not the guilty, but the magistrate to require punishment; in the second, he himself that owes the punishment, is obliged to exact it; to the payment whereof, if it be capital or otherwise grievous, he cannot be obliged. But in what sense the law is to be taken,

depends on the will of him who hath the sovereignty. When therefore there is any doubt of the meaning of the law, since we are sure they sin not who do it not, it will be sin if we do it, howsoever the law may afterward be explained. For to do that which a man doubts whether it be a sin or not, when he hath freedom to forbear it, is a contempt of the laws; and therefore by chap. III. art. 28, a sin against the law of nature. Vain therefore is that same distinction of *obedience* into *active* and *passive*; as if that could be expiated by penalties constituted by human decrees, which is a sin against the law of nature, which is the law of God; or as though they sinned not, who sin at their own peril.

Cf. ¶6

29. The difference and division of the Lawes, has been made in divers manners, according to the different methods, of those men that have written of them. For it is a thing that dependeth not on Nature, but on the scope of the Writer; and is subservient to every mans proper method. In the Institutions of *Justinian*, we find seven sorts of Civill Lawes. 1. The *Edicts*, *Constitutions*, and *Epistles of the Prince*, that is, of the Emperour; because the whole power of the people was in him. Like these, are the Proclamations of the Kings of *England*.

30. 2. *The Decrees of the whole people of Rome* (comprehending the Senate,) when they were put to the Question by the *Senate*. These were Lawes, at first, by the vertue of the Sovereign Power residing in the people; and such of them as by the Emperours were not abrogated, remained Lawes by the Authority Imperiall. For all Lawes that bind, are understood to be Lawes by his authority that has power to repeale them. Somewhat like to these Lawes, are the Acts of Parliament in *England*.

Cf. ¶10

31. 3. *The Decrees of the Common people* (excluding the Senate,) when they were put to the question by the *Tribune* of the people. For such of them as were not abrogated by the Emperours, remained Lawes by the Authority Imperiall. Like to these, were the Orders of the House of Commons in *England*.

32. 4. *Senatūs consulta*, the *Orders of the Senate*; because when the people of *Rome* grew so numerous, as it was inconvenient to assemble them; it was thought fit by the Emperour, that men should Consult the Senate in stead of the people: And these have some resemblance with the Acts of Counsell.

33. 5. *The Edicts of Prætors*, and (in some Cases) of the *Ædiles*: such as are the Chiefe Justices in the Courts of *England*.

34. 6. *Responsa Prudentum*; which were the Sentences, and Opinions of those Lawyers, to whom the Emperour gave Authority to interpret the Law, and to give answer to such as in matter of Law demanded their advice; which Answers, the Judges in giving Judgement were obliged by the Constitutions of the Emperour to observe: And should be like the Reports of Cases Judged, if other Judges be by the Law of *England* bound to observe them. For the Judges of the Common Law of *England*, are not properly Judges, but *Juris Consulti*; of whom the Judges, who are either the Lords, or Twelve men of the Country, are in point of Law to ask advice.

35. 7. Also, *Unwritten Customes*, (which in their own nature are an imitation of Law,) by the tacite consent of the Emperour, in case they be not contrary to the Law of Nature, are very Lawes.

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

42. For a Fundamentall Law in every Common-wealth is that, which being taken away, the Common-wealth faileth, and is utterly dissolved; as a building whose Foundation is destroyed. And therefore a Fundamentall Law is that, by which Subjects are bound to uphold whatsoever power is given to the Sovereign, whether a Monarch, or a Sovereign Assembly, without which the Common-wealth cannot stand, such as is the power of War and Peace, of Judicature, of Election of Officers, and of doing whatsoever he shall think necessary for the Publique good. Not Fundamentall is that the abrogating whereof, draweth not with it the dissolution of the Common-Wealth; such as are the Lawes concerning Controversies between subject and subject. Thus much of the Division of Lawes.

CHAPTER 23

Chapter 15 (part) of *De Cive*/ Chapter 31 (part) of *Leviathan*

Précis table

Part III. Of Religion	Part II. OF COMMON-WEALTH
Chapter 15. Of God's government by nature¹	Chapter 31. Of the KINGDOME OF GOD BY NATURE¹
14. What the natural laws are concerning God's attributes	14. Attributes of Divine Honour 15–28.
15. What the actions are whereby naturally we do give worship	29. Actions that are signes of Divine Honour 30–6. 37. Publique Worship consisteth in Uniformity
16. In God's natural kingdom, the city may appoint what worship of God it pleaseth	38. All Attributes depend on the Lawes Civill 39. Not all Actions
	40. Naturall Punishments
	41. The Conclusion of the Second Part
	Part IV. OF THE KINGDOME OF DARKNESSE
	Chapter 45. Of DÆMONOLOGY, and other Reliques of the Religion of the Gentiles
18. Certain doubts removed	13. Distinction between Divine and Civill Worship
19. What sin is in the natural kingdom of God; and what treason against the Divine Majesty	

Part III. Of Religion	Part II. OF COMMON-WEALTH
Chapter 15. Of God's government by nature	Chapter 31. Of the KINGDOME OF GOD BY NATURE
14. But that we may understand what manner of <i>worship</i> of God <i>natural reason</i> doth assign us, let us begin from his <i>attributes</i> . Where first, it is manifest that <i>existence</i> is to be allowed him; for there can be no will to honour him, who, we think, hath no being. Next, those philosophers who said, that God was the world or the world's soul, that is to say, a part of it, spake unworthily of God; for they attribute nothing to him,	14. That we may know what worship of God is taught us by the light of Nature, I will begin with his Attributes. Where, First, it is manifest, we ought to attribute to him <i>Existence</i> : For no man can have the will to honour that, which he thinks not to have any Beeing.

¹ The first thirteen paragraphs of these chapters (and paragraph 17 in *De Cive*) are parallel to *The Elements of Law* ch. 11 (see Chapter 10.)

but wholly deny his being. For by the word *God* we understand the *world's cause*. But in saying that the *world is God*, they say that it hath no cause, that is as much as *there is no God*. In like manner, they who maintain the world not to be created, but eternal; because there can be no cause of an eternal thing, in denying *the world to have a cause*, they deny also that *there is a God*. They also have a wretched apprehension of God, who imputing idleness to him, do take from him the government of the world and of mankind. For say, they should acknowledge him omnipotent; yet if he mind not these inferior things, that same thread-bare sentence will take place with them: *quod supra nos, nihil ad nos*; what is above us, doth not concern us. And seeing there is nothing for which they should either love or fear him, truly he will be to them as though he were not at all. Moreover, in *attributes* which signify *greatness* or *power*, those which signify some finite or limited thing, are not signs at all of an honouring mind. For we honour not God worthily, if we ascribe less *power* or *greatness* to him than possibly we can. But every finite thing is less than we can; for most easily we may always assign and attribute more to a finite thing. No *shape* therefore must be assigned to God, for all *shape* is *finite*; nor must he be said to be conceived or comprehended by imagination, or any other faculty of our soul; for whatsoever we conceive is *finite*. And although this word *infinite* signify a conception of the mind, yet it follows not that we have any conception of an *infinite thing*. For when we say that a thing is *infinite*, we signify nothing really, but the impotency in our own mind; as if we should say, we know not whether or where it is limited. Neither speak they honourably enough of God, who say we have an *idea* of him in our mind: for an *idea* is our conception; but conception we have none, except of a *finite* thing. Nor they, who say that he hath *parts*, or that he is some certain *entire* thing; which are also attributes of *finite* things. Nor that he is in any place; for nothing can be said to be in a *place*, but what hath *bounds* and *limits* of its greatness on all sides. Nor that he is *moved* or *is at rest*; for either of them suppose a *being in some place*. Nor that there are many Gods; because not many infinites. Furthermore, concerning *attributes of happiness*, those are unworthy of God which signify *sorrow*; (unless they be taken not for any passion, but, by a metonymy, for the effect); such as *repentance*, *anger*, *pity*. Or *want*; as *appetite*, *hope*, *concupiscence*, and that *love* which is also called *lust*; for they are signs of *poverty*; since it cannot be understood that a man should *desire*, *hope*, and *wish* for aught, but what he wants and stands in need of. Or any *passive faculty*; for *suffering* belongs to a limited power, and which depends upon another. When we therefore attribute a *will* to God, it is not to be

15. Secondly, that those Philosophers, who sayd the World, or the Soule of the World was God, spake unworthily of him; and denyed his Existence: For by God, is understood the cause of the World; and to say the World is God, is to say there is no cause of it, that is, no God.

16. Thirdly, to say the World was not Created, but Eternall, (seeing that which is Eternall has no cause,) is to deny there is a God.

17. Fourthly, that they who attributing (as they think) Ease to God, take from him the care of Man-kind; take from him his Honour: for it takes away mens love, and fear of him; which is the root of Honour.

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

19. Therefore to attribute *Figure* to him, is not Honour; for all *Figure* is *Finite*:

20. Nor to say we conceive, and imagine, or have an *Idea* of him, in our mind: for whatsoever we conceive is *Finite*:

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

22. Nor to say he is this, or that *Place*: for whatsoever is in *Place*, is bounded, and *Finite*:

23. Nor that he is *Moved*, or *Resteth*: for both these Attributes ascribe to him *Place*:

24. Nor that there be more Gods than one; because it implies them all *Finite*: for there cannot be more than one *Infinite*:

25. Nor to ascribe to him (unlesse Metaphorically, meaning not the Passion, but the Effect) Passions that partake of Griefe; as *Repentance*, *Anger*, *Mercy*: or of Want; as *Appetite*, *Hope*, *Desire*; or of any Passive faculty: For Passion, is Power limited by somewhat else.

26. And therefore when we ascribe to God a *Will*, it is not to be understood, as that of Man, for a *Rationall Appetite*; but as the Power, by which he effecteth every thing.

27. Likewise when we attribute to him *Sight*, and other acts of Sense; as also *Knowledge*, and *Understanding*; which in us is nothing else, but a tumult of the mind, raised by externall things that presse the organically parts of mans body: For there is no such thing in God; and being things that depend on naturall causes, cannot be attributed to him.

conceived like unto ours, which is called a *rational desire*; (for if God *desires*, he *wants*, which for any man to say, is a contumely); but we must suppose some resemblance which we cannot conceive. In like manner when we attribute *sight* and other *acts of the sense* to him, or *knowledge*, or *understanding*, which in us are nothing else but a tumult of the mind, raised from outward objects pressing the organs; we must not think that any such thing befalls the Deity; for it is a sign of power *depending* upon some other, which is not the most blessed thing. He therefore who would not ascribe any other titles to God than what reason commands, must use such as are either *negative*, as *infinite*, *eternal*, *incomprehensible*, &c.; or *superlative*, as *most good*, *most great*, *most powerful*, &c.; or *indefinite*, as *good*, *just*, *strong*, *creator*, *king*, and the like; in such sense, as not desiring to declare what he is; (which were to circumscribe him within the narrow limits of our phantasy); but to confess his own admiration and obedience, which is the property of humility and of a mind yielding all the honour it possibly can do. For reason dictates one name alone which doth signify the *nature* of God, that is, *existent*, or simply, *that he is*; and one in *order* to, and in *relation* to us, namely *God*, under which is contained both *King*, and *Lord*, and *Father*.

15. Concerning the *outward actions* wherewith God is to be worshipped, as also concerning his *titles*; it is a most general command of reason, that they be signs of a mind yielding honour. Under which are contained in the first place, *prayers*.

“Qui fingit sacros auro vel marmore vultus,
Non facit ille deos; qui rogat, ille facit.”

For *prayers* are the signs of hope; and hope is an acknowledgment of the divine *power* or *goodness*.

In the second place, *thanksgiving*; which is a sign of the same affection, but that *prayers go before* the benefit, and *thanks follow it*.

In the third, *gifts*, that is to say, *oblations* and *sacrifices*; for these are *thanksgivings*.

In the fourth, *not to swear by any other*. For a man's oath is an imprecation of his wrath against him if he deceive, who both knows whether he do or not, and can punish him if he do, though he be never so powerful; which only belongs to God. For if there were any man from whom his subjects' *malice* could not lie hid, and whom no human power could resist, plighted faith would suffice without swearing; which broken, might be punished by that man. And for this very reason there would be no need of an oath.

28. Hee that will attribute to God, nothing but what is warranted by naturall Reason, must either use such Negative Attributes, as *Infinite*, *Eternall*, *Incomprehensible*; or Superlatives, as *Most High*, *most Great*, and the like; or Indefinite, as *Good*, *Just*, *Holy*, *Creator*; and in such sense, as if he meant not to declare what he is, (for that were to circumscribe him within the limits of our Fancy,) but how much wee admire him, and how ready we would be to obey him; which is a signe of Humility, and of a Will to honour him as much as we can: For there is but one Name to signifie our Conception of his Nature, and that is, I AM: and but one Name of his Relation to us, and that is *God*; in which is contained Father, King, and Lord.

29. Concerning the actions of Divine Worship, it is a most generall Precept of Reason, that they be signes of the Intention to Honour God; such as are, First, *Prayers*: For not the Carvers, when they made Images, were thought to make them Gods; but the People that *Prayed* to them.

30. Secondly, *Thanksgiving*; which differeth from Prayer in Divine Worship, no otherwise, than that Prayers precede, and Thanks succeed the benefit; the end both of the one, and the other, being to acknowledge God, for Author of all benefits, as well past, as future.

31. Thirdly, *Gifts*; that is to say, *Sacrifices*, and *Oblations*, (if they be of the best,) are signes of Honour: for they are Thanksgivings.

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

33. Fifthly, it is a part of Rationall Worship, to speak Considerately of God; for it argues a Fear of him, and Fear, is a confession of his Power. Hence followeth, That the name of God is not to be used rashly, and to no purpose; for that is as much, as in Vain: And it is to no purpose; unlesse it be by way of Oath, and by order of the Common-wealth, to make Judgements certain; or between Common-wealths, to avoyd Warre.

In the fifth place, *to speak warily of God*; for that is a sign of *fear*, and *fear* is an acknowledgment of *power*. It follows from this precept, *that we may not take the name of God in vain, or use it rashly*; for either are inconsiderate. *That we must not swear, where there is no need*; for that is in vain. But need there is none, unless it be between cities, to avoid or take away contention by force, which necessarily must arise where there is no faith kept in promises: or in a city, for the better certainty of judicature. Also, *that we must not dispute of the divine nature*; for it is supposed *that all things in the natural kingdom of God are inquired into by reason only*, that is to say, out of the principles of natural science. But we are so far off by these to attain to the knowledge of the nature of God, that we cannot so much as reach to the full understanding of all the qualities of our own bodies, or of any other creatures. Wherefore there comes nothing from these disputes, but a rash imposition of names to the divine Majesty according to the small measure of our conceptions. It follows also, (which belongs to the right of God's kingdom), that their speech is inconsiderate and rash, who say, *that this or that doth not stand with divine justice*. For even men count it an affront that their children should dispute their right, or measure their justice otherwise than by the rule of their commands.

In the sixth, *whatsoever is offered up in prayers, thanksgivings, and sacrifices, must in its kind be the best and most betokening honour*; namely, *prayers* must not be rash, or light, or vulgar, but beautiful, and well composed. For though it were absurd in the heathen to worship God in an image, yet was it not against reason to use poetry and music in their churches.

Also *oblations must be clean, and presents sumptuous*; and such as are significative either of submission or gratitude, or commemorative of benefits received. For all these proceed from a desire of honouring.

In the seventh, *that God must be worshipped not privately only, but openly and publicly in the sight of all men*; because that worship is so much more acceptable, by how much it begets honour and esteem in others; as hath been declared before in art. 13. Unless others therefore see it, that which is most pleasing in our worship vanisheth.

In the last place, *that we use our best endeavour to keep the laws of nature*. For the undervaluing of our master's command, exceeds all other affronts whatsoever; as on the other side, obedience is more acceptable than all other sacrifices.

And that disputing of Gods nature is contrary to his Honour: For it is supposed, that in this naturall Kingdome of God, there is no other way to know any thing, but by naturall Reason; that is, from the Principles of naturall Science; which are so farre from teaching us any thing of Gods nature, as they cannot teach us our own nature, nor the nature of the smallest creature living. And therefore, when men out of the Principles of naturall Reason, dispute of the Attributes of God, they but dishonour him: For in the Attributes which we give to God, we are not to consider the signification of Philosophicall Truth; but the signification of Pious Intention, to do him the greatest Honour we are able. From the want of which consideration, have proceeded the volumes of disputation about the Nature of God, that tend not to his Honour, but to the honour of our own wits, and learning; and are nothing else but inconsiderate, and vain abuses of his Sacred Name.

34. Sixthly, in *Prayers, Thanksgivings, Offerings and Sacrifices*, it is a Dictate of naturall Reason, that they be every one in his kind the best, and most significant of Honour. As for example, that Prayers, and Thanksgiving, be made in Words and Phrases, not sudden, nor light, nor Plebeian; but beautifull and well composed; For else we do not God as much honour as we can. And therefore the Heathens did absurdly, to worship Images for Gods: But their doing it in Verse, and with Musick, both of Voyce, and Instruments, was reasonable. Also that the Beasts they offered in sacrifice, and the Gifts they offered, and their actions in Worshipping, were full of submission, and commemorative of benefits received, was according to reason, as proceeding from an intention to honour him.

35. Seventhly, Reason directeth not onely to worship God in Secret; but also, and especially, in Publique, and in the sight of men: For without that, (that which in honour is most acceptable) the procuring others to honour him, is lost.

36. Lastly, Obedience to his Lawes (that is, in this case to the Lawes of Nature,) is the greatest worship of all. For as Obedience is more acceptable to God than Sacrifice; so also to set light by his Commandements, is the greatest of all contumelies. And these are the Lawes of that Divine Worship, which naturall Reason dictateth to private men.

And these are principally the natural laws concerning the worship of God; those, I mean, which reason dictates to every man. But to whole cities, every one whereof is one person, the same natural reason further commands an *uniformity of public worship*. For the actions done by particular persons, according to their private reasons, are not the city's actions; and therefore not the city's worship. But what is done by the city, is understood to be done by the command of him or them who have the sovereignty; wherefore also together with the consent of all the subjects, that is to say, *uniformly*.

16. The *natural laws* set down in the foregoing article concerning the divine worship, only command the giving of natural signs of honour. But we must consider that there are two kinds of signs; the one *natural*; the other done upon *agreement*, or by express or tacit composition. Now because in every language the use of *words* and *names* come by appointment, it may also by appointment be altered; for that which depends on and derives its force from the will of men, can by the will of the same men agreeing be changed again or abolished. Such *names* therefore as are *attributed* to God by the appointment of men, can by the same appointment be taken away. Now what can be done by the appointment of men, that the city may do. The city therefore by right, that is to say, they who have the power of the whole city, shall judge what *names* or *appellations* are more, what less *honourable* for God; that is to say, what doctrines are to be held and professed concerning the nature of God and his operations. Now actions do signify not by men's appointment, but naturally; even as the effects are signs of their causes. Whereof some are always signs of scorn to them before whom they are committed; as those whereby the body's uncleanness is discovered, and whatsoever men are ashamed to do before those whom they respect. Others are always signs of honour, as to draw near and discourse decently and humbly, to give way or to yield in any matter of private benefit. In these actions the city can alter nothing. But there are infinite others, which, as much as belongs to honour or reproach, are indifferent. Now these, by the institution of the city, may both be made signs of honour, and being made so, do in very deed become so. From whence we may understand, that we must obey the city in whatsoever it shall command to be used for a sign of honouring God, that is to say, for *worship*; provided it can be instituted for a sign of honour; because that is a sign of honour, which by the city's command is used for such.

37. But seeing a Common-wealth is but one Person, it ought also to exhibit to God but one Worship; which then it doth, when it commandeth it to be exhibited by Private men, Publicly. And this is Publique Worship; the property whereof, is to be *Uniforme*: For those actions that are done differently, by different men, cannot be said to be a Publique Worship. And therefore, where many sorts of Worship be allowed, proceeding from the different Religions of Private men, it cannot be said there is any Publique Worship, nor that the Commonwealth is of any Religion at all.

38. And because words (and consequently the Attributes of God) have their signification by agreement, and constitution of men; those Attributes are to be held significative of Honour, that men intend shall so be; and whatsoever may be done by the wills of particular men, where there is no Law but Reason, may be done by the will of the Commonwealth, by Lawes Civill. And because a Commonwealth hath no Will, nor makes no Lawes, but those that are made by the Will of him, or them that have the Sovereign Power; it followeth, that those Attributes which the Sovereign ordaineth, in the Worship of God, for signes of Honour, ought to be taken and used for such, by private men in their publique Worship.

39. But because not all Actions are signes by Constitution; but some are Naturally signes of Honour, others of Contumely, these later (which are those that men are ashamed to do in the sight of them they reverence) cannot be made by humane power a part of Divine worship; nor the former (such as are decent, modest, humble Behaviour) ever be separated from it. But whereas there be an infinite number of Actions, and Gestures, of an indifferent nature; such of them as the Commonwealth shall ordain to be Publicly and Universally in use, as signes of Honour, and part of Gods Worship, are to be taken and used for such by the Subjects. And that which is said in the Scripture, *It is better to obey God than men*, hath place in the kingdome of God by Pact, and not by Nature.

40. Having thus briefly spoken of the Naturall Kingdome of God, and his Naturall Lawes, I will adde onely to this Chapter a short declaration of his Naturall Punishments. There is no action of man in this life, that is not the beginning of so long a chayn of Consequences, as no humane Providence, is high enough, to give a man a prospect to the end. And in this Chayn, there are linked together both pleasing and unpleasing events; in such manner, as he that will do any thing for his pleasure, must engage himself to suffer all the pains annexed to it; and these pains, are the Naturall Punishments of those actions, which are the beginning of more Harme than Good. And hereby it comes to passe, that Intemperance, is naturally punished with Diseases; Rashnesse, with Mischances; Injustice, with the Violence of Enemies; Pride, with Ruine; Cowardise, with Oppression; Negligent government of Princes, with Rebellion; and Rebellion, with Slaughter. For seeing Punishments are consequent to the breach of Lawes; Naturall Punishments must be naturally consequent to the breach of the Lawes of Nature; and therefore follow them as their naturall, not arbitrary effects.

41. And thus farre concerning the Constitution, Nature, and Right of Sovereigns; and concerning the Duty of Subjects, derived from the Principles of Naturall Reason. And now, considering how different this Doctrine is, from the Practise of the greatest part of the world, especially of these Western parts, that have received their Morall learning from *Rome*, and *Athens*; and how much depth of Morall Philosophy is required, in them that have the Administration of the Sovereign Power; I am at the point of believing this my labour, as uselesse, as the Common-wealth of *Plato*; For he also is of opinion that it is impossible for the disorders of State, and change of Governments by Civill Warre, ever to be taken away, till Sovereigns be Philosophers. But when I consider again, that the Science of Naturall Justice, is the onely Science necessary for Sovereigns, and their principall Ministers; and that they need not be charged with the Sciences Mathematicall, (as by *Plato* they are,) further, than by good Lawes to encourage men to the study of them; and that neither *Plato*, nor any other Philosopher hitherto, hath put into order, and sufficiently, or probably proved all the Theoremes of Morall doctrine, that men may learn thereby, both how to govern, and how to obey; I recover some hope, that one time or other, this writing of mine, may fall into the hands of a Sovereign, who will consider it himselfe, (for it is short, and I think clear,) without the help of any interested, or envious Interpreter; and by the exercise of entire Sovereignty, in protecting the Publique teaching of it, convert this Truth of Speculation, into the Utility of Practice.

Part IV. OF THE KINGDOME OF DARKNESSE

Chapter 45. Of DÆMONOLOGY, and other Reliques of the Religion of the Gentiles

18. Against this, some man may demand, first, whether it doth not follow that the city must be obeyed, if it command us directly to affront God, or forbid us to worship him? I say, it does not follow, neither must we obey. For to affront, or not to worship at all, cannot by any man be understood for a manner of worshipping. Neither also had any one, before the constitution of a city, of those who acknowledge God to rule, a right to deny him the honour which was then due unto him; nor could he therefore transfer a right on the city of commanding any such things. Next, if it be demanded whether the city must be obeyed, if it command somewhat to be said or done, which is not a disgrace to God directly, but from whence by reasoning disgraceful consequences may be derived; as for example, if it were commanded to worship God in an image, before those who account that honourable: truly it is to be done.* For worship is instituted in sign of honour; but to worship him thus, is a sign of honour, and increaseth God's honour among those who do so account of it. Or if it be commanded to call God by a name, which we know not what it signifies, or how it can agree with this word *God*; that also must be done. For what we do for honour's sake, (and we know no better), if it be taken for a sign of honour, it is a sign of honour; and therefore if we refuse to do it, we refuse the enlarging of God's honour. The same judgment must be had of all the *attributes* and *actions* about the merely rational worship of God, which may be controverted and disputed. For though this kind of commands may be sometimes contrary to right reason, and therefore sins in them who command them; yet are they not against right reason, nor sins in subjects; whose right reason, in points of controversy, is that which submits itself to the reason of the city. Lastly, if that man or counsel who hath the supreme power, command himself to be worshipped with the same *attributes* and *actions*, where-with God is to be worshipped; the question is, whether we must obey? There are many things, which may be commonly

13.³ The Worship we exhibite to those we esteem to be but men, as to Kings, and men in Authority, is *Civill Worship*: But the worship we exhibite to that which we think to bee God, whatsoever the words, ceremonies, gestures, or other actions be, is *Divine Worship*. To fall prostrate before a King, in him that thinks him but a Man, is but Civill Worship: And he that but putteth off his hat in the Church, for this cause, that he thinketh it the House of God, worshippeth with Divine Worship. They that seek the distinction of Divine and Civill Worship, not in the intention of the Worshipper, but in the Words *δουλεία*, and *λατρεία*, deceive themselves. For whereas there be two sorts of Servants; that sort, which is of those that are absolutely in the power of their Masters, as Slaves taken in war, and their Issue, whose bodies are not in their own power, (their lives depending on the Will of their Masters, in such manner as to forfeit them upon the least disobedience,) and that are bought and sold as Beasts, were called *Δούλοι*, that is properly, Slaves, and their Service, *Δουλεία*: The other, which is of those that serve (for hire, or in hope of benefit from their Masters) voluntarily; are called *Θήτες*; that is, Domestique Servants; to whose service the Masters have no further right, than is contained in the Covenants made betwixt them. These two kinds of Servants have thus much common to them both, that their labour is appointed them by another: And the word *Λάτρις*, is the general name of both, signifying him that worketh for another, whether, as a Slave, or a voluntary Servant: So that *Λατρεία* signifieth generally all Service; but *Δουλεία* the service of Bondmen onely, and the condition of Slavery: And both are used in Scripture (to signifie our Service of God) promiscuously. *Δουλεία*, because we are Gods Slaves; *Λατρεία*, because wee Serve him: and in all kinds of Service is contained, not onely Obedience, but also Worship, that is, such actions, gestures, and words, as signifie Honor.

* *Truly it is to be done.*] We said in art. 14 of this chapter, that they who attributed limits to God, transgressed the natural law concerning God's worship. Now they who worship him in an image, assign him limits. Wherefore they do that which they ought not to do. And this place seems to contradict the former. We must therefore know first, that they who are constrained by authority, do not set God any bounds; but they who command them. For they who worship unwillingly, do worship in very deed: but they either stand or fall there, where they are commanded to stand or fall by a lawful sovereign. Secondly, I say it must be done, not at all times and everywhere, but on supposition that there is no other rule of worshipping God, beside the dictates of human reason; for then the will of the city stands for reason. But in the kingdom of God by way of covenant, whether old or new, where idolatry is expressly forbid, though the city commands us to worship thus, yet must we not do it. Which, if he shall consider, who conceived some repugnancy between this and art. 14, will surely cease to think so any longer.

³ The preceding paragraph (on 'What is Worship') begins with an internal reference, 'I have already shewn in the 20 Chapter of this Discourse, that to Honor, is to value highly the Power of any person.' The discussion actually appears in 31.8 (see Chapter 10).

attributed both to God and men; for even men may be *praised* and *magnified*. And there are many actions, whereby God and men may be worshipped. But the significations of the *attributes* and *actions* are only to be regarded. Those *attributes* therefore, whereby we signify ourselves to be of an opinion, that there is any man endued with a sovereignty independent from God, or that he is immortal, or of infinite power, and the like; though commanded by princes, yet must they be abstained from. As also from those *actions* signifying the same; as prayer to the absent; to ask those things which God alone can give, as rain and fair weather; to offer him what God can only accept, as oblations, holocausts; or to give a worship, than which a greater cannot be given, as sacrifice. For these things seem to tend to this end, that God may not be thought to rule; contrary to what was supposed from the beginning. But genuflection, prostration, or any other act of the body whatsoever, may be lawfully used even in civil worship; for they may signify an acknowledgment of the civil power only. For divine worship is distinguished from civil, not by the motion, placing, habit, or gesture of the body, but by the declaration of our opinion of him whom we do worship. As if we cast down ourselves before any man, with intention of declaring by that sign that we esteem him as God, it is divine worship; if we do the same thing as a sign of our acknowledgment of the civil power, it is civil worship. Neither is the *divine worship* distinguished from *civil*, by any action usually understood by the words *λατρεία* and *δουλεία*; whereof the former marking out the *duty* of servants, the latter their *destiny*, they are words of the same action in degree.

19. From what hath been said may be gathered, that God reigning by the way of natural reason only, subjects do sin, first if they break the moral laws; which are unfolded in chapters II. and III. Secondly, if they break the laws or commands of the city, in those things which pertain to justice. Thirdly, if they worship not God *κατὰ τὰ νόμικα*. Fourthly, if they confess not before men, both in words and deeds, that there is one God most good, most great, most blessed, the Supreme King of the world and of all worldly kings; that is to say, if they do not worship God. This fourth sin in the natural kingdom of God, by what hath been said in the foregoing chapter in art. 2, is the *sin of treason against the Divine Majesty*. For it is a denying of the Divine Power, or *atheism*. For sins proceed here, just as if we should suppose some man to be the sovereign king, who being himself absent, should rule by his viceroy. Against whom sure they would transgress, who should not obey his viceroy in all things; except he usurped the kingdom to himself, or would give it to some other. But they who should so absolutely obey him, as not to admit of this exception, might be said to be guilty of treason.

CHAPTER 24

Chapter 16 (part) of *De Cive* / Chapters 35 (part), 40 (part), 42 (part) and 36 (part) of *Leviathan*

Précis table

Part III. Of Religion	Part III. OF A CHRISTIAN COMMON-WEALTH
Chapter 16. Of his government by the old covenant¹	Chapter 35. Of the signification in Scripture of KINGDOME OF GOD, of HOLY, SACRED, and SACRAMENT¹
1. Superstition possessing foreign nations, God instituted true religion by the means of Abraham	1. The Kingdome of God taken by Divines Metaphorically, but in the Scriptures properly 2.
2. By the covenant between God and Adam, all dispute is forbidden concerning the commands of superiors	3.
3. The manner of the covenant between God and Abraham	4. The originall of the Kingdome of God 5. That the Kingdome of God is properly his Civill Sovereignty over a peculiar people by pact 6–13.
	Chapter 40. Of the RIGHTS of the Kingdome of God, in Abraham, Moses, the High Priests, and the Kings of Judah²
4. In that covenant is contained an acknowledgment of God, not simply, but of him who appeared unto Abraham	1. The Sovereign Rights of Abraham
5. The laws unto which Abraham was tied, were no other beside those of nature, and the law of circumcision	
6. Abraham was the interpreter of the word of God, and of all laws among those that belonged to him 7. Abraham's subjects could not sin by obeying him	2. Abraham had the sole power of ordering the Religion of his own people 3. No pretence of Private Spirit against the Religion of Abraham 4. Abraham sole Judge, and Interpreter of what God spake
8. God's covenant with the Hebrews on Mount Sinai	5. The authority of Moses whereon grounded
9. From thence God's government took the name of a kingdom	6.

¹ *De Cive* chapter 16 paragraphs 13–18 are in Chapter 25. Margin notes for *Leviathan* chapter 35, new paragraphs 14–19, are in Précis Table 27.

² *Leviathan* chapter 40 paragraphs 7–14 are in Chapter 25.

	Chapter 42. Of POWER ECCLESIASTICALL³
	36. Of the Power to make Scripture Law
10. What laws were by God given to the Jews	37. Of the Ten Commandements 38. Of the Judiciall, and Leviticall Law 39. The Second Law
12. What was held the written word of God among the Jews	40. 41. The Old Testament when made Canonically
	Chapter 36. Of the WORD OF GOD, and of PROPHETS⁴
11. What the word of God is, and how to be known	1. Word what 2. The words spoken by God and concerning God, both are called Gods Word in Scripture 7. Divers acceptions of the word Prophet 8. Prædiction of future contingents, not alwaies Prophecy 19. Every man ought to examine the probability of a pretended Prophets Calling 20. All prophecy but of the Sovereign Prophet is to be examined by every Subject
Part III. Of Religion	Part III. OF A CHRISTIAN COMMON-WEALTH
Chapter 16. Of his government by the old covenant⁵	Chapter 35. Of the signification in Scripture of KINGDOME OF GOD, of HOLY, SACRED, and SACRAMENT⁶
1. MANKIND, from conscience of its own weakness and admiration of natural events, hath this; that most men believe God to be the invisible maker of all invisible things; whom they also fear, conceiving that they have not a sufficient protection in themselves. But the imperfect use they had of their reason, the violence of their passions did so cloud them, that they could not rightly worship him. Now the fear of invisible things, when it is severed from right reason, is superstition. It was therefore almost impossible for men, without the special assistance of God, to avoid both rocks of <i>atheism</i> and <i>superstition</i> . For this proceeds from fear without right reason; that, from an opinion of right reason without fear. <i>Idolatry</i> therefore did easily fasten upon the greatest part of men; and almost all nations did worship God in images and resemblances of finite things; and they worshipped spirits or vain visions,	1. THE <i>Kingdome of God</i> in the Writings of Divines, and specially in Sermons, and Treatises of Devotion, is taken most commonly for Eternall Felicity, after this life, in the Highest Heaven, which they also call the Kingdome of Glory; and sometimes for (the earnest of that felicity) Sanctification, which they terme the Kingdome of Grace, but never for the Monarchy, that is to say, the Sovereign Power of God over any Subjects acquired by their own consent, which is the proper signification of Kingdome. 2. To the contrary, I find the KINGDOME OF GOD, to signifie in most places of Scripture, a <i>Kingdome properly so named</i> , constituted by the Votes of the People of Israel in peculiar manner; wherein they chose God for their King by Covenant made with him, upon Gods promising them the possession of the land of Canaan; and but seldom metaphorically; and then it is taken

³ *Leviathan*, chapter 42 paragraphs 19–31, 49–60, 66–71 and the parallel passages in *De Cive*, chapter 17 paragraphs 23–8 are in Chapter 25. Margin notes for paragraphs slotted into chapter 42 (1–18, 32–5, 42–8, 61–5, 72–135) are in Précis Table 29.

⁴ *Leviathan*, chapter 36 paragraphs 3–6 and the parallel passages in *De Cive* chapter 17 paragraphs 15–18 are in Chapter 25. Margin notes for new material in chapter 36 (paragraphs 9–18) are in Précis Table 27.

⁵ *De Cive* chapter 16 paragraphs 13–18 and the parallel section in *Leviathan* (ch. 40, ¶7–14) are in Chapter 25.

⁶ Margin notes for *Leviathan* chapter 35, new paragraphs 14–19, are in Précis Table 27.

perhaps out of fear calling them devils. But it pleased the Divine Majesty, as we read it written in the sacred history, out of all mankind to call forth Abraham, by whose means he might bring men to the true worship of him; and to reveal himself supernaturally to him, and to make that most famous covenant with him and his seed, which is called the *old covenant* or *testament*. He therefore is the head of true religion; he was the first that *after the deluge taught, that there was one God, the Creator of the universe*. And from him the *kingdom of God by way of covenants*, takes its beginning. *Joseph. Antiq. Jews*, lib. 1. cap. 7.

2. In the beginning of the world God reigned indeed, not only naturally, but also *by way of covenant*, over Adam and Eve; so as it seems he would have no obedience yielded to him, beside that which natural reason should dictate, but *by the way of covenant*, that is to say, by the consent of men themselves. Now because this *covenant* was presently made void, nor ever after renewed, the original of God's *kingdom* (which we treat of in this place) is not to be taken thence. Yet this is to be noted by the way; that by that precept of not eating of the tree of *the knowledge of good and evil*, (whether the judicature of good and evil, or the eating of the fruit of some tree were forbidden), God did require a most simple obedience to his commands, without dispute whether that were *good* or *evil* which was commanded. For the fruit of the tree, if the command be wanting, hath nothing in its own nature, whereby the eating of it could be morally *evil*, that is to say, *a sin*.

3. Now the covenant between God and Abraham was made in this manner, (Gen. xvii. 7, 8): *I will establish my covenant between me and thee, and thy seed after thee in their generations, for an everlasting covenant, to be a God unto thee and to thy seed after thee. And I will give unto thee and to thy seed after thee, the land wherein thou art a stranger, all the land of Canaan, for an everlasting possession; and I will be their God*. Now it was necessary to institute some sign, whereby Abraham and his seed should retain the memory of this covenant; wherefore *circumcision* was added to the covenant, but yet as a sign only, (verse 10,11): *This is my covenant which ye shall keep between me and thee, and thy seed after thee; every man-child among you shall be circumcised, and ye shall*

for *Dominion over sinne*; (and only in the New Testament;) because such a Dominion as that, every Subject shall have in the Kingdome of God, and without prejudice to the Sovereign.

3. From the very Creation, God not only reigned over all men *naturally* by his might; but also had *peculiar* Subjects, whom he commanded by a Voice, as one man speaketh to another. In which manner he *reigned* over Adam, and gave him commandement to abstaine from the tree of cognizance of Good and Evil; which when he obeyed not, but tasting thereof, took upon him to be as God, judging between Good and Evil, not by his Creators commandement, but by his own sense, his punishment was a privation of the estate of Eternall life, wherein God had at first created him: And afterwards God punished his posterity, for their vices, all but eight persons, with an universall deluge; And in these eight did consist the then *Kingdom of God*.

4. After this, it pleased God to speak to Abraham, and (Gen. 17. 7, 8.) to make a Covenant with him in these words, *I will establish my Covenant between me, and thee, and thy seed after thee in their generations, for an everlasting Covenant, to be a God to thee, and to thy seed after thee; And I will give unto thee, and to thy seed after thee, the land wherein thou art a stranger, all the land of Canaan for an everlasting possession*. In this Covenant Abraham *promiseth for himselfe and his posterity to obey as God, the Lord that spake to him: and God on his part promiseth to Abraham the land of Canaan for an everlasting possession*. And for a memoriall, and a token of this Covenant, he ordaineth (verse 11.) the *Sacrament of Circumcision*. This is it which is called the *Old Covenant*, or *Testament*; and

circumcise the flesh of your foreskin; and it shall be a token of the covenant between me and you. It is therefore covenanted, that Abraham shall acknowledge God to be his God and the God of his seed, that is to say, that he shall submit himself to be governed by him; and that God shall give unto Abraham the inheritance of that land wherein he then dwelt but as a pilgrim; and that Abraham, for a memorial sign of this covenant, should take care to see himself and his male seed *circumcised*.

containeth a Contract between God and Abraham; by which Abraham obligeth himself, and his posterity, in a peculiar manner to be subject to Gods positive Law; for to the Law Morall he was obliged before, as by an Oath of Allegiance. And though the name of *King* be not yet given to God, nor of *Kingdome* to Abraham and his seed; yet the thing is the same; namely, an Institution by pact, of Gods peculiar Sovereignty over the seed of Abraham; which in the renewing of the same Covenant by Moses, at Mount Sinai, is expressly called a peculiar *Kingdome of God* over the Jews: and it is of Abraham (not of Moses) St. Paul saith (*Rom. 4. 11.*) that he is the *Father of the Faithfull*, that is, of those that are loyall, and doe not violate their Allegiance sworn to God, then by Circumcision, and afterwards in the *New Covenant* by Baptisme.

5. This Covenant, at the Foot of Mount Sinai, was renewed by Moses (*Exod. 19. 5.*) where the Lord commandeth Moses to speak to the people in this manner, *If you will obey my voice indeed, and keep my Covenant, then yee shall be a peculiar people to me, for all the Earth is mine; And yee shall be unto me a Sacerdotall Kingdome, and an holy Nation.* For a *Peculiar people*, the vulgar Latine hath, *Peculium de cunctis populis*: the English translation made in the beginning of the Reign of King James, hath, a *Peculiar treasure unto me above all Nations*; and the Geneva French, *the most precious Jewel of all Nations*. But the truest Translation is the first, because it is confirmed by St. Paul himself (*Tit. 2.14.*) where he saith, alluding to that place, that our blessed Saviour *gave himself for us, that he might purifie us to himself, a peculiar* (that is, an extraordinary) *people*: for the word is in the Greek *περιούσιος*, which is opposed commonly to the word *ἐπιούσιος*: and as this signifieth *ordinary, quotidian*, or (as in the Lords Prayer) of *daily use*; so the other signifieth that which is *overplus*, and *stored up*, and *enjoyed in a speciall manner*; which the Latines call *Peculium*: and this meaning of the place is confirmed by the reason God rendereth of it, which followeth immediately, in that he addeth, *For all the Earth is mine*, as if he should say, *All the Nations of the world are mine*; but it is not so that you are mine, but in a *speciall manner*: For they are all mine, by reason of my Power; but you shall be mine, by your own Consent, and Covenant; which is an addition to his ordinary title, to all nations.

6. The same is again confirmed in expresse words in the same Text, *Yee shall be to me a Sacerdotall Kingdome, and an holy Nation*. The Vulgar Latine hath it, *Regnum Sacerdotale*, to which agreeth the Translation of that place (1 *Pet.* 2.9.) *Sacerdotium Regale, a Regal Priesthood*; as also the Institution it self, by which no man might enter into the *Sanctum Sanctorum*, that is to say, no man might enquire Gods will immediately of God himselfe, but onely the High Priest. The English Translation before mentioned, following that of Geneva, has, *a Kingdome of Priests*; which is either meant of the succession of one High Priest after another, or else it accordeth not with St. Peter, nor with the exercise of the High Priesthood: For there was never any but the High Priest onely, that was to informe the People of Gods Will; nor any Convocation of Priests ever allowed to enter into the *Sanctum Sanctorum*.

7. Again, the title of a *Holy Nation* confirms the same: For *Holy* signifies, that which is Gods by speciall, not by generall Right. All the Earth (as is said in the text) is Gods; but all the Earth is not called *Holy*, but that onely which is set apart for his especiall service, as was the Nation of the Jews. It is therefore manifest enough by this one place, that by the *Kingdome of God*, is properly meant a Common-wealth, instituted (by the consent of those which were to be subject thereto) for their Civill Government, and the regulating of their behaviour, not onely towards God their King, but also towards one another in point of justice, and towards other Nations both in peace and warre; which properly was a Kingdome, wherein God was King, and the High priest was to be (after the death of Moses) his sole Viceroy, or Lieutenant.

8. But there be many other places that clearly prove the same. As first (1 *Sam.* 8. 7.) when the Elders of Israel (grieved with the corruption of the Sons of Samuel) demanded a King, Samuel displeas'd therewith, prayed unto the Lord; and the Lord answering said unto him, *Hearken unto the voice of the People, for they have not rejected thee, but they have rejected me, that I should not reign over them*. Out of which it is evident, that God himself was then their King; and Samuel did not command the people, but only delivered to them that which God from time to time appointed him.

9. Again, (1 *Sam.* 12.12.) where Samuel saith to the People, *When yee saw that Nahash King of the Children of Ammon came against you, ye said unto me, Nay, but a King shall reign over us, when the Lord your God was your King*: It is manifest that God was their King, and governed the Civill State of their Common-wealth.

10. And after the Israelites had rejected God, the Prophets did foretell his restitution; as (*Isaiah 24. 23.*) *Then the Moon shall be confounded, and the Sun ashamed when the Lord of Hosts shall reign in Mount Zion, and in Jerusalem;* where he speaketh expressly of his Reign in Zion, and Jerusalem; that is, on Earth. And (*Micah 4. 7.*) *And the Lord shall reign over them in Mount Zion:* This Mount Zion is in Jerusalem upon the Earth. And (*Ezek. 20. 33.*) *As I live, saith the Lord God, surely with a mighty hand, and a stretched out arme, and with fury powred out, I wil rule over you; and (verse 37.) I will cause you to passe under the rod, and I will bring you into the bond of the Covenant;* that is, I will reign over you, and make you to stand to that Covenant which you made with me by Moses, and brake in your rebellion against me in the days of Samuel, and in your election of another King.

11. And in the New Testament, the Angel Gabriel saith of our Saviour (*Luke 1. 32, 33*) *He shall be great, and be called the Son of the most High, and the Lord shall give him the throne of his Father David; and he shall reign over the house of Jacob for ever; and of his Kingdome there shall be no end.* This is also a Kingdome upon Earth; for the claim whereof, as an enemy to Cæsar, he was put to death; the title of his crosse, was, *Jesus of Nazareth, King of the Jews;* hee was crowned in scorn with a crown of Thornes; and for the proclaiming of him, it is said of the Disciples (*Acts 17. 7.*) *That they did all of them contrary to the decrees of Cæsar, saying there was another King, one Jesus.* The Kingdome therefore of God, is a reall, not a metaphoricall Kingdome; and so taken, not onely in the Old Testament, but the New; when we say, *For thine is the Kingdome, the Power, and Glory,* it is to be understood of Gods Kingdome, by force of our Covenant, not by the Right of Gods Power; for such a Kingdome God alwaies hath; so that it were superfluous to say in our prayer, *Thy Kingdome come* unlesse it be meant of the Restauration of that Kingdome of God by Christ, which by revolt of the Israelites had been interrupted in the election of Saul. Nor had it been proper to say, *The Kingdome of Heaven is at hand,* or to pray, *Thy Kingdome come,* if it had still continued.

12. There be so many other places that confirm this interpretation, that it were a wonder there is no greater notice taken of it, but that it gives too much light to Christian Kings to see their right of Ecclesiastical Government. This they have observed, that in stead of a *Sacerdotall Kingdome*, translate, *a Kingdome of Priests:* for they may as well translate a *Royall Priesthood*, (as it is in St. Peter) into a *Priesthood of Kings.* And whereas, for a *peculiar people*, they put a *pretious jewel*, or *treasure*, a man might as well call the speciall Regiment, or Company of a Generall, the Generalls pretious Jewel, or his Treasure.

13. In short, the Kingdome of God is a Civill Kingdome; which consisted, first in the obligation of the people of Israel to those Laws, which Moses should bring unto them from Mount Sinai; and which afterwards the High Priest of the time being, should deliver to them from before the *Cherubins* in the *Sanctum Sanctorum*; and which kingdome having been cast off, in the election of Saul, the Prophets foretold, should be restored by Christ; and the Restauration whereof we daily pray for, when we say in the Lords Prayer, *Thy Kingdome come*; and the Right whereof we acknowledge, when we adde, *For thine is the Kingdome, the Power, and Glory, for ever and ever, Amen*; and the Proclaiming whereof, was the Preaching of the Apostles; and to which men are prepared, by the Teachers of the Gospel; to embrace which Gospel, (that is to say, to promise obedience to Gods government) is, to bee in the *Kingdome of Grace*, because God hath *gratis* given to such the power to bee the Subjects (that is, Children) of God hereafter, when Christ shall come in Majesty to judge the world, and actually to govern his owne people, which is called *the Kingdome of Glory*. If the Kingdome of God (called also the Kingdome of Heaven, from the gloriousnesse, and admirable height of that throne) were not a Kingdome which God by his Lieutenant, or Vicars, who deliver his Commandements to the people, did exercise on Earth; there would not have been so much contention, and warre, about who it is, by whom God speaketh to us; neither would many Priests have troubled themselves with Spirituall Jurisdiction, nor any King have denied it them.

Chapter 40. Of the RIGHTS of the Kingdome of God, in Abraham, Moses, the High Priests, and the Kings of Judah⁷

4. But seeing that Abraham, even before the covenant, acknowledged God to be the Creator and King of the world; (for he never doubted either of the *being* or the *providence* of God); how comes it not to be superfluous, that God would purchase to himself with a price and by *contract* an obedience which was due to him by nature; namely, by promising Abraham the land of Canaan, upon condition that he would receive him for his God; when by the right of nature he was already so? By those words therefore, *to be a God unto thee and to thy seed after thee*, we understand not that Abraham satisfied this *covenant* by a bare acknowledgment of the power and dominion which God had naturally over men, that is to say, by acknowledging God indefinitely, which belongs to

1. The Father of the Faithfull, and first in the Kingdome of God by Covenant, was *Abraham*. For with him was the Covenant first made; wherein he obliged himself, and his seed after him, to acknowledge and obey the commands of God; not onely such, as he could take notice of, (as Morall Laws,) by the light of Nature; but also such, as God should in speciall manner deliver to him by Dreams and Visions. For as to the Morall law, they were already obliged, and needed not have been contracted withall, by promise of the Land of Canaan. Nor was there any Contract, that could adde to, or strengthen the Obligation, by which both they, and all men else were bound naturally to obey God Almighty: And therefore the Covenant which Abraham made with God, was to take for the Commandement of God, that which in the name of God was commanded him, in a Dream, or Vision; and to deliver it to his family, and cause them to observe the same.

⁷ *Leviathan* chapter 40 paragraphs 7–14 are in Chapter 25.

natural reason; but he must definitely acknowledge him, who said unto him, (Gen. xii. 1, 2): *Get thee out of thy country; &c.* (Gen. xiii. 14): *Lift up thine eyes, &c.*: who appeared unto him, (Gen. xviii. 1, 2), in the shape of three celestial men; and (Gen. xv. 1), in a *vision*; and (verse 13), in a *dream*, which is *matter of faith*. In what shape God appeared unto Abraham, by what kind of sound he spake to him, is not expressed. Yet it is plain that Abraham believed that voice to be the voice of God and a true revelation, and would have all his to worship him, who had so spoken unto him, for God the Creator of the world; and that his faith was grounded on this, not that he believed *God to have a being* or *that he was true* in his promises, that which all men believe, but that he doubted not him to be God, whose voice and promises he had heard, and that the *God* of Abraham signified not simply *God*, but *that God which appeared unto him*; even as the worship, which Abraham owed unto God in that notion, was not the worship of *reason*, but of *religion* and *faith*, and that which not reason, but God had *supernaturally* revealed.

5. But we read of no laws given by God to Abraham, or by Abraham to his family, either then or after, secular or sacred; excepting the commandment of *circumcision*, which is contained in the *covenant* itself. Whence it is manifest, that there were no other laws or worship, which Abraham was obliged to, but the laws of nature, rational worship, and circumcision.

6. Now Abraham was the *interpreter* of all *laws*, as well sacred as secular, among those that belonged to him; not merely naturally, as using the laws of nature only, but even by the form of the covenant itself; in which obedience is promised by Abraham, not for himself only, but for his seed also; which had been in vain, except his children had been tied to obey his commands. And how can that be understood, which God says (Gen. xviii. 18, 19): *All the nations of the earth shall be blessed in him; for I know him, that he will command his children and his household after him, and they shall keep the way of the Lord to do justice and judgment*: unless his children and his household were supposed to be obliged to yield obedience unto his commands?

7. Hence it follows, that Abraham's subjects could not sin in obeying him, provided that Abraham commanded them not to deny God's *existence* or *providence*, or to do somewhat expressly contrary to the honour of God. In all other things, *the word of God* was to be fetched from his lips only, as being the interpreter of all the *laws* and *words* of God. For Abraham alone could teach them who was the God of Abraham, and in what manner he was to be worshipped. And they who after Abraham's death were subject to the sovereignty of Isaac or Jacob, did by the same reason obey them in all things

2. In this Contract of God with Abraham, we may observe three points of important consequence in the government of Gods people. First, that at the making of this Covenant, God spake onely to Abraham; and therefore contracted not with any of his family, or seed, otherwise then as their wills (which make the essence of all Covenants) were before the Contract involved in the will of Abraham; who was therefore supposed to have had a lawfull power, to make them perform all that he covenanted for them. According whereunto (*Gen. 18. 18, 19.*) God saith, *All the Nations of the Earth shall be blessed in him, For I know him that he will command his children and his household after him, and they shall keep the way of the Lord.* From whence may be concluded this first point, that they to whom God hath not spoken immediately, are to receive the positive commandments of God, from their Sovereign; as the family and seed of Abraham did from Abraham their Father, and Lord, and Civill Sovereign. And consequently in every Common-wealth, they who have no supernaturall Revelation to the contrary, ought to obey the laws of their own Sovereign, in the externall acts and profession of Religion. As for the inward *thought*, and *beleef* of men, which humane Governours can take no notice of, (for God onely knoweth the heart) they are not voluntary, nor the effect of the laws, but of the unrevealed will, and of the power of God; and consequently fall not under obligation.

without sin, as long as they acknowledged and professed *the God* of Abraham to be their God. For they had submitted themselves *to God* simply, before they did it to Abraham, and to Abraham before they did it to the God of Abraham: again, to the God of Abraham, before they did it to Isaac. In Abraham's subjects therefore, to deny God was the only *treason against the divine Majesty*; but in their posterity, it was also treason *to deny the God of Abraham*, that is to say, to worship God otherwise than was instituted by Abraham, to wit, in images made with hands,* as other nations did; which for that reason were called *idolaters*. And hitherto, subjects might easily enough discern what was to be observed, what avoided in the commands of their princes.

8. To go on now, following the guidance of the holy Scripture; the same *covenant* was renewed (Gen. xxvi. 3, 4) with Isaac; and (Gen. xxviii. 13, 14) with Jacob; where God styles himself not simply God, whom nature doth dictate him to be, but distinctly the *God of Abraham and Isaac*. Afterward being about to renew the same *covenant* by Moses with the whole people of Israel, (Exod. iii. 6): *I am*, saith he, *the God of thy Father, the God of Abraham, the God of Isaac, and the God of Jacob*. Afterward, when that people, not only the freest, but also the greatest enemy to human subjection, by reason of the fresh memory of their Egyptian bondage, abode in the wilderness near mount Sinai, that *ancient covenant* was propounded to them all to be renewed in this manner (Exod. xix. 5, 6): *Therefore if ye will obey my voice indeed, and keep my covenant, (to wit, that covenant which was made with Abraham, Isaac and Jacob); then shall ye be a peculiar treasure unto me, above all people; for all the earth is mine, and ye shall be to me a kingdom of priests, and an holy nation. And all the people answered together, and said, (verse 8) All that the Lord hath spoken, will we do.*

3. From whence proceedeth another point, that it was not unlawful for Abraham, when any of his Subjects should pretend Private Vision, or Spirit, or other Revelation from God, for the countenancing of any doctrine which Abraham should forbid, or when they followed, or adhered to any such pretender, to punish them; and consequently that it is lawful now for the Sovereign to punish any man that shall oppose his Private Spirit against the Laws: For hee hath the same place in the Common-wealth, that Abraham had in his own Family.

4. There ariseth also from the same, a third point; that as none but Abraham in his family, so none but the Sovereign in a Christian Common-wealth, can take notice what is, or what is not the Word of God. For God spake onely to Abraham; and it was he onely, that was able to know what God said, and to interpret the same to his family: And therefore also, they that have the place of Abraham in a Common-wealth, are the onely Interpreters of what God hath spoken.

5. The same *Covenant* was renewed with Isaac; and afterwards with Jacob; but afterwards no more, till the Israelites were freed from the Egyptians, and arrived at the Foot of Mount Sinai: and then it was renewed by Moses (as I have said before, chap. 35.) in such manner, as they became from that time forward the Peculiar Kingdome of God; whose Lieutenant was Moses, for his owne time: and the succession to that office was setled upon Aaron, and his heirs after him, to bee to God a Sacerdotal Kingdome for ever.

* *In images made with hands.*] In chap. xv. art. 14, there we have showed such a kind of worship to be irrational. But if it be done by the command of a city, to whom the written word of God is not known nor received, we have then showed this worship (in article 18) to be rational. But where God reigns by way of covenant, in which it is expressly warned not to worship thus, as in the covenant made with Abraham; there, whether it be with or without the command of the city, it is ill done.

9. In this covenant, among other things, we must consider well the appellation of *kingdom*, not used before. For although God, both by *nature* and by *covenant* made with Abraham, was their king, yet owed they him an obedience and worship only natural, as being his subjects; and religious, such as Abraham instituted, as being the subjects of Abraham, Isaac, and Jacob, their natural princes. For they had received no *word of God* beside the natural word of right reason; neither had any *covenant* passed between God and them, otherwise than as their wills were included in the will of Abraham, as their *prince*. But now by the covenant made at Mount Sinai, the consent of each man being had, there becomes an *institutive kingdom of God* over them. That *kingdom of God*, so renowned in Scriptures and writings of divines, took its beginning from this time; and hither tends that which God said to Samuel, when the Israelites asked a king (1 Sam. viii. 7): *They have not rejected thee, but they have rejected me, that I should not reign over them*; and that which Samuel told the Israelites (1 Sam. xii. 12): *Ye said unto me, nay, but a king shall reign over us, when the Lord your God was your king*; and that which is said, Jer. xxxi. 31: *I will make a new covenant, &c. although I was an husband unto them*; and the doctrine also of Judas Galilæus, where mention is made in *Josephus' Antiq. of the Jews*, (Book xviii. chap. 2), in these words: *But Judas Galilæus was the first author of this fourth way of those who followed the study of wisdom. These agree in all the rest with the Pharisees, excepting that they burn with a most constant desire of liberty; believing God alone to be held for their Lord and prince; and will sooner endure even the most exquisite kinds of torments, together with their kinsfolks and dearest friends, than call any mortal man their Lord.*

6. By this constitution, a Kingdome is acquired to God. But seeing Moses had no authority to govern the Israelites, as a successor to the right of Abraham, because he could not claim it by inheritance; it appeareth not as yet, that the people were obliged to take him for Gods Lieutenant, longer than they beleaved that God spake unto him. And therefore his authority (notwithstanding the Covenant they made with God) depended yet merely upon the opinion they had of his Sanctity, and of the reality of his Conferences with God, and the verity of his Miracles; which opinion coming to change, they were no more obliged to take any thing for the law of God, which he propounded to them in Gods name. We are therefore to consider, what other ground there was, of their obligation to obey him. For it could not be the commandment of God that could oblige them; because God spake not to them immediately, but by the mediation of Moses himself: And our Saviour saith of himself, *If I bear witness of my self, my witness is not true*, much lesse if Moses bear witness of himself, (especially in a claim of Kingly power over Gods people) ought his testimony to be received. His authority therefore, as the authority of all other Princes, must be grounded on the Consent of the People, and their Promise to obey him. And so it was: For *the people* (Exod. 20.18.) *when they saw the Thunderings, and the Lightnings, and the noyse of the Trumpet, and the mountaine smoaking, removed, and stood a far off. And they said unto Moses, speak thou with us, and we will hear, but let not God speak with us lest we die.* Here was their promise of obedience; and by this it was they obliged themselves to obey whatsoever he should deliver unto them for the Commandment of God.

John
5. 31

Chapter 42. Of POWER ECCLESIASTICAL⁸

36. There be two senses, wherein a Writing may be said to be *Canonick*; for *Canon*, signifieth a *Rule*; and a *Rule* is a Precept, by which a man is guided, and directed in any action whatsoever. Such Precepts, though given by a Teacher to his Disciple, or a Counsellor to his friend, without power to Compell him to observe them, are neverthesse Canons; because they are Rules: But when they are given by one, whom he that receiveth them is bound to obey, then are those Canons, not onely Rules, but Laws: The question therefore here, is of the Power to make the Scriptures (which are the Rules of Christian Faith) Laws.

⁸ *Leviathan*, chapter 42 paragraphs 19–31, 49–60, 66–71 and the parallel passages in *De Cive*, chapter 17 paragraphs 23–8 are in Chapter 25. Margin notes for paragraphs slotted into chapter 42 (1–18, 32–35, 42–48, 61–65, 72–135) appear in Précis Table 29.

10. The right of the kingdom being thus constituted by way of *covenant*, let us see in the next place, what *laws* God propounded to them. Now those are known to all, to wit, the *decalogue*, and those other, as well *judicial* as *ceremonial laws*, which we find from the twentieth chapter of Exodus to the end of Deuteronomy and the death of Moses. Now of those *laws*, delivered in general by the hand of Moses, some there are which oblige *naturally*, being made by God, as the *God of nature*, and had their force even before Abraham's time. Others there are which oblige by virtue of the *covenant* made with Abraham, being made by God as the God of Abraham, which had their force even before Moses's time, by reason of the former *covenant*. But there are *others* which oblige by virtue of that *covenant* only, which was made last with the people themselves; being made by God, as being *the peculiar* king of the Israelites. Of the first sort are all the precepts of the *decalogue* which pertain unto manners; such as, *honour thy parents, thou shalt not kill, thou shalt not commit adultery, thou shalt not steal, thou shalt not bear false witness, thou shalt not covet*; for they are the laws of nature. Also the precept of not taking *God's name in vain*; for it is a part of natural worship, as hath been declared in the foregoing chapter (art. 15). In like manner the second commandment, of not worshipping by way of any image made by themselves; for this also is a part of natural religion, as hath been showed in the same article. Of the second sort is the first commandment of the *decalogue*, *of not having any other Gods*; for in that consists the essence of the *covenant* made with Abraham, by which God requires nothing else, but that he should be his God, and the God of his seed. Also the precept of *keeping holy the Sabbath*; for the sanctification of the seventh day is instituted in memorial of the six days' creation, as appears out of these words (Exod. xxxi. 16–17): *It is a perpetual covenant, (meaning the Sabbath), and a sign between me and the children of Israel for ever; for in six days the Lord made heaven and earth, and on the seventh day he rested, and was refreshed.* Of the third kind are the *politic, judicial, and ceremonial laws*; which only belonged to the Jews. The *laws* of the first and second sort written in *tables of stone*, to wit, the *decalogue*, was kept in the *ark* itself. The rest written in the *volume* of the whole law, were laid up in *the side of the ark*, (Deut. xxxi. 26). For these, retaining the faith of Abraham, might be changed; those could not.

37. That part of the Scripture, which was first Law, was the Ten Commandments, written in two Tables of Stone, and delivered by God himselfe to Moses; and by Moses made known to the people. Before that time there was no written Law of God, who as yet having not chosen any people to be his peculiar Kingdome, had given no Law to men, but the Law of Nature, that is to say, the Precepts of Naturall Reason, written in every mans own heart. Of these two Tables, the first containeth the law of Sovereignty; 1. That they should not obey, nor honour the Gods of other Nations, in these words, *Non habebis Deos alienos coram me*, that is, *Thou shalt not have for Gods, the Gods that other Nations worship; but onely me*: whereby they were forbidden to obey, or honor, as their King and Governour, any other God, than him that spake unto them then by Moses, and afterwards by the High Priest. 2. That they *should not make any Image to represent him*; that is to say, they were not to choose to themselves, neither in heaven, nor in earth, any Representative of their own fancying, but obey Moses and Aaron, whom he had appointed to that office. 3. That *they should not take the Name of God in vain*; that is, they should not speak rashly of their King, nor dispute his Right, nor the commissions of Moses and Aaron, his Lieutenants. 4. That *they should every Seventh day abstain from their ordinary labour*, and employ that time in doing him Publique Honor. The second Table containeth the Duty of one man towards another, as *To honor Parents; Not to kill; Not to Commit Adultery; Not to steale; Not to corrupt Judgment by false witness; and finally, Not so much as to designe in their heart the doing of any injury one to another.* The question now is, Who it was that gave to these written Tables the obligatory force of Lawes. There is no doubt but they were made Lawes by God himselfe: But because a Law obliges not, nor is Law to any, but to them that acknowledge it to be the act of the Sovereign, how could the people of Israel that were forbidden to approach the Mountain to hear what God said to Moses, be obliged to obedience to all those laws which Moses propounded to them? Some of them were indeed the Lawes of Nature, as all the Second Table; and therefore to be acknowledged for Gods Lawes; not to the Israelites alone, but to all people: But of those that were peculiar to the Israelites, as those of the first Table, the question remains; saving that they had obliged themselves, presently after the propounding of them, to obey Moses, in these words (Exod. 20. 19.) *Speak thou to us, and we will hear thee; but let not God speak to us, lest we dye.* It was therefore onely Moses then, and after him the High Priest, whom (by Moses) God declared should administer this his peculiar Kingdome, that had on Earth, the power to make this short

Scripture of the Decalogue to be Law in the Commonwealth of Israel. But Moses, and Aaron, and the succeeding High Priests were the Civill Sovereigns. Therefore hitherto, the Canonizing, or making of the Scripture Law, belonged to the Civill Sovereigne.

38. The Judiciall Law, that is to say, the Laws that God prescribed to the Magistrates of Israel, for the rule of their administration of Justice, and of the Sentences, or Judgments they should pronounce, in Pleas between man and man; and the Leviticall Law, that is to say, the rule that God prescribed touching the Rites and Ceremonies of the Priests and Levites, were all delivered to them by Moses onely; and therefore also became Lawes, by vertue of the same promise of obedience to Moses. Whether these laws were then written, or not written, but dictated to the People by Moses (after his forty dayes being with God in the Mount) by word of mouth, is not expressed in the Text; but they were all positive Laws, and equivalent to holy Scripture, and made Canonically by Moses the Civill Sovereign.

39. After the Israelites were come into the Plains of Moab over against Jericho, and ready to enter into the land of Promise, Moses to the former Laws added divers others; which therefore are called *Deuteronomy*: that is, *Second Laws*. And are (as it is written, *Deut. 29. 1.*) *The words of a Covenant which the Lord commanded Moses to make with the Children of Israel, besides the Covenant which he made with them in Horeb*. For having explained those former Laws, in the beginning of the Book of *Deuteronomy*, he addeth others, that begin at the 12. Cha. And continue to the end of the 26. of the same Book. This Law (*Deut. 27. 1.*) they were commanded to write upon great stones playstered over, at their passing over Jordan: This Law also was written by Moses himself in a Book; and delivered into the hands of the *Priests, and to the Elders of Israel*, (*Deut. 31. 9.*) and commanded (*ve. 26.*) *to be put in the side of the Arke*; for in the Ark it selfe was nothing but the *Ten Commandements*. This was the Law, which Moses (*Deuteronomy 17. 18.*) commanded the Kings of Israel should keep a copie of: And this is the Law, which having been long time lost, was found again in the Temple in the time of Josiah, and by his authority received for the Law of God. But both Moses at the writing, and Josiah at the recovery thereof, had both of them the Civill Sovereignty. Hitherto therefore the Power of making Scripture Canonically, was in the Civill Sovereign.

12. The Jews did hold the book of the whole law, which was called *Deuteronomy*, for *the written word of God*; and that only (forasmuch as can be collected out of sacred history) until the captivity. For this book was delivered by Moses himself to the priests, to be kept and laid up in the side of the ark of the covenant, and to be copied out by the kings; and the same a long time after, by the authority of king Josiah (2 Kings xxiii. 2), acknowledged again for *the word of God*. But it is not manifest, when the rest of the books of the Old Testament were first received into canon. But what concerns the prophets, Isaiah and the rest, since they foretold no other things than what were to come to pass, either in or after the captivity, their writings could not at that time be held for prophetic; by reason of the law cited above (Deut. xviii. 21, 22), whereby the Israelites were commanded not to account any man for a true prophet, but him whose prophecies were answered by the events. And hence peradventure it is, that the Jews esteemed the writings of those whom they slew when they prophesied, for prophetic afterward; that is to say, for the word of God.

11. All God's laws are *God's word*; but all *God's word* is not his law. *I am the Lord thy God which brought thee out of the land of Egypt*, is the word of God; it is no law. Neither is all that, which for the better declaring of *God's word* is pronounced or written together with it, instantly to be taken for *God's word*. For, *Thus saith the Lord*, is not the voice of God, but of the preacher or prophet. All that, and only that, is the word of God, which a true prophet hath declared God to have spoken. Now the writings of the prophets, comprehending as well those things which God, as which the prophet himself speaks,

40. Besides this Book of the Law, there was no other Book, from the time of Moses, till after the Captivity, received amongst the Jews for the Law of God. For the Prophets (except a few) lived in the time of the Captivity it selfe; and the rest lived but a little before it; and were so far from having their Prophecies generally received for Laws, as that their persons were persecuted, partly by false Prophets, and partly by the Kings which were seduced by them. And this Book it self, which was confirmed by Josiah for the Law of God, and with it all the History of the Works of God, was lost in the Captivity, and sack of the City of Jerusalem, as appears by that of 2 *Esdras* 14. 21. *Thy Law is burnt; therefore no man knoweth the things that are done of thee, or the works that shall begin*. And before the Captivity, between the time when the Law was lost, (which is not mentioned in the Scripture, but may probably be thought to be the time of Rehoboam, when *Shishak King of Egypt took ^{1 Kings} the spoile of the Temple,) and the time of Josiah, when ^{14. 26} it was found againe, they had no written Word of God, but ruled according to their own discretion, or by the direction of such, as each of them esteemed Prophets.

41. From hence we may inferre, that the Scriptures of the Old Testament, which we have at this day, were not Canonically, nor a Law unto the Jews, till the renovation of their Covenant with God at their return from the Captivity, and restauration of their Common-wealth under *Esdras*. But from that time forward they were accounted the Law of the Jews, and for such translated into Greek by Seventy Elders of Judæa, and put into the Library of Ptolemy at Alexandria, and approved for the Word of God. Now seeing *Esdras* was the High Priest, and the High Priest was their Civill Sovereigne, it is manifest, that the Scriptures were never made Laws, but by the Sovereign Civill Power.

Chapter 36. *Of the WORD OF GOD, and of PROPHETS*⁹

1. When there is mention of the *Word of God*, or of Man, it doth not signifie a part of Speech, such as Grammarians call a Noun, or a Verb, or any simple voice, without a contexture with other words to make it significative; but a perfect Speech or Discourse, whereby the speaker *affirmeth, denieth, commandeth, promiseth, threateneth, wisheth, or interrogateth*. In which sense it is not *Vocabulum*, that signifies a *Word*; but *Sermo*, (in Greek λόγος) that is some *Speech, Discourse, or Saying*.

⁹ *Leviathan*, chapter 36 paragraphs 3–6 and the parallel passages in *De Cive*, chapter 17 paragraphs 15–18, are in Chapter 25. Margin notes for new material in chapter 36 (paragraphs 9–18) are in Précis Table 27.

are therefore called the word of God, because they contain the word of God. Now because all that, and that alone, is the *word of God*, which is recommended to us for such by a true prophet, it cannot be known what *God's word* is, before we know who is the true prophet; nor can we believe *God's word*, before we believe the prophet. Moses was believed by the people of Israel for two things; his *miracles* and his *faith*. For how great and most evident miracles soever he had wrought, yet would they not have trusted him, at least he was not to have been trusted, if he had called them out of Egypt to any other worship than the worship of the God of Abraham, Isaac, and Jacob their fathers. For it had been contrary to the *covenant* made by themselves with God. In like manner two things there are; to wit, *supernatural prediction of things to come*, which is a mighty miracle; and *faith in the God of Abraham, their deliverer out of Egypt*; which God proposed to all the Jews to be kept for marks of a true prophet. He that wants either of these, is no prophet; nor is it to be received for God's word, which he obtrudes for such. If faith be wanting, he is rejected in these words, (Deut. xiii. 1, 2, 3, 4, 5): *If there arise among you a prophet or a dreamer of dreams, and giveth thee a sign, or a wonder; and the sign or the wonder come to pass, whereof he spake unto thee, saying, Let us go after other gods, &c. that prophet, or that dreamer of dreams shall be put to death.* If prediction of events be wanting, he is condemned by these, (Deut. xviii. 21, 22): *And if thou say in thine heart, how shall we know the word which the Lord hath not spoken? When a prophet speaketh in the name of the Lord, if the thing follow not nor come to pass, that is the thing which the Lord hath not spoken; but the prophet hath spoken it presumptuously.* Now, that that is the word of God which is published for such by a true prophet; and that he was held to be a true prophet among the Jews, whose faith was true, and to whose predictions the events answered; is without controversy. But what it is, to follow other gods, and whether the events which are affirmed to answer their predictions, do truly answer them or not, may admit many controversies; especially in predictions which obscurely and enigmatically foretel the event; such as the predictions of almost all the prophets are; as who saw not God apparently, like unto Moses, but *in dark speeches, and in figures*. (Numb. xii. 8). But of these we cannot judge, otherwise than *by the way of natural reason*; because that judgment depends on the prophet's interpretation, and on its proportion with the event.

2. Again, if we say the *Word of God*, or of *Man*, it may be understood sometimes of the Speaker, (as the words that God hath spoken, or that a Man hath spoken): In which sense, when we say, the Gospel of St. Matthew, we understand St. Matthew to be the Writer of it: and sometimes of the Subject: In which sense, when we read in the Bible, *The words of the days of the Kings of Israel, or Judah*, 'tis meant, that the acts that were done in those days, were the Subject of those Words; And in the Greek, which (in the Scripture) retaineth many Hebraisms, by the Word of God is oftentimes meant, not that which is spoken by God, but concerning God, and his government; that is to say, the Doctrine of Religion: Inasmuch, as it is all one, to say *λόγος θεοῦ*, and *Theologia*; which is, that Doctrine which we usually call *Divinity*, as is manifest by the places following [Acts 13. 46.] *Then Paul and Barnabas waxed bold, and said, It was necessary that the Word of God should first have been spoken to you, but seeing you put it from you, and judge your selves unworthy of everlasting life, loe, we turn to the Gentiles.* That which is here called the Word of God, was the Doctrine of Christian Religion; as it appears evidently by that which goes before. And [Acts 5. 20.] where it is said to the Apostles by an Angel, *Go stand and speak in the Temple, all the Words of this life*; by the Words of this life, is meant, the Doctrine of the Gospel; as is evident by what they did in the Temple, and is expressed in the last verse of the same Chap. *Daily in the Temple, and in every house they ceased not to teach and preach Christ Jesus*: In which place it is manifest, that Jesus Christ was the subject of this *Word of life*; or (which is all one) the subject of the *Words of this life eternall*, that our Saviour offered them. So [Acts 15. 7.] the Word of God, is called the *Word of the Gospel*, because it containeth the Doctrine of the Kingdome of Christ; and the same Word [Rom. 10. 8, 9.] is called the *Word of Faith*; that is, as is there expressed, the Doctrine of Christ come, and raised from the dead. Also [Mat. 13. 19.] *When any one heareth the Word of the Kingdome*; that is, the Doctrine of the Kingdome taught by Christ. Again, the same Word, is said [Acts 12. 24.] *to grow and to be multiplied*; which to understand of the Evangelicall Doctrine is easie, but of the Voice, or Speech of God, hard and strange. In the same sense the *Doctrine of Devils*, signifieth not the Words of any Devill, but the Doctrine of Heathen men concerning *Dæmons*, and those ^{1 Tim.} Phantasms which they worshipped as Gods. 4. 1

7. The name of PROPHET, signifieth in Scripture sometimes PROLOCUTOR; that is, he that speaketh from God to Man, or from man to God: And sometimes *Prædictor*, or a foreteller of things to come: And sometimes one that speaketh incoherently, as men that are distracted. It is most frequently used in the sense of speaking from God to the People. So *Moses, Samuel, Elijah, Isaiah, Jeremiah*, and others were *Prophets*. And in this sense the High Priest was a *Prophet*, for he only went into the *Sanctum Sanctorum*, to enquire of God; and was to declare his answer to the people. And therefore when Caiphias said, it was expedient that one man should die for the people, St. John saith [chap. 11. 51.] that *He spake not this of himselfe, but being High Priest that year, he prophesied that one man should dye for the nation*. Also they that in Christian Congregations taught the people, [1 Cor. 14. 3.] are said to Prophecy. In the like sense it is, that God saith to *Moses* [Exod. 4. 16.] concerning *Aaron*, *He shall be thy Spokes-man to the People; and he shall be to thee a mouth, and thou shalt be to him instead of God*: that which here is *Spokes-man*, is [chap. 7. 1.] interpreted Prophet; See (saith God) *I have made thee a God to Pharaoh, and Aaron thy Brother shall be thy Prophet*. In the sense of speaking from man to God, Abraham is called a Prophet [Genes. 20. 7.] where God in a Dream speaketh to Abimelech in this manner, *Now therefore restore the man his wife, for he is a Prophet, and shall pray for thee*; whereby may be also gathered, that the name of Prophet may be given, not unproperly to them that in Christian Churches, have a Calling to say publique prayers for the Congregation. In the same sense, the Prophets that came down from the High place (or Hill of God) with a Psalter, and a Tabret, and a Pipe, and a Harp [1 Sam. 10. 5, 6.] and [ver. 10.] Saul amongst them, are said to Prophecy, in that they praised God, in that manner publicquely. In the like sense, is Miriam [Exod. 15. 20.] called a Prophetesse. So is it also to be taken [1 Cor. 11. 4, 5.] where St. Paul saith, *Every man that prayeth or prophecyeth with his head covered, &c. and every woman that prayeth or prophecyeth with her head uncovered*: For Prophecy in that place, signifieth no more, but praising God in Psalmes, and Holy Songs; which women might doe in the Church, though it were not lawfull for them to speak to the Congregation. And in this signification it is, that the Poets of the Heathen, that composed Hymnes and other sorts of Poems in the honor of their Gods, were called *Vates* (Prophets) as is well enough known by all that are versed in the Books of the Gentiles, and as is evident [Tit. 1. 12.] where St. Paul saith of the Cretians, that a Prophet of their owne said, they were Liars; not that St. Paul held their Poets for Prophets, but acknowledgeth that the word Prophet was commonly used to signifie them that celebrated the honour of God in Verse.

8. When by Prophecy is meant Prædiction, or foretelling of future Contingents; not only they were Prophets, who were Gods Spokes-men, and foretold those things to others, which God had foretold to them; but also all those Imposters, that pretend by the helpe of familiar spirits, or by superstitious divination of events past, from false causes, to foretell the like events in time to come: of which (as I have declared already in the 12. chapter of this Discourse) there be many kinds, who gain in the opinion of the common sort of men, a greater reputation of Prophecy, by one casuall event that may bee but wrested to their purpose, than can be lost again by never so many failings. Prophecy is not an art, nor (when it is taken for Prædiction) a constant Vocation; but an extraordinary, and temporary Employment from God, most often of Good men, but sometimes also of the Wicked. The woman of Endor, who is said to have had a familiar spirit, and thereby to have raised a Phantasme of Samuel, and foretold Saul his death, was not therefore a Prophetesse; for neither had she any science, whereby she could raise such a Phantasme; nor does it appear that God commanded the raising of it; but onely guided that Imposture to be a means of Sauls terror and discouragement; and by consequent, of the discomfiture, by which he fell. And for Incoherent Speech, it was amongst the Gentiles taken for one sort of Prophecy, because the Prophets of their Oracles, intoxicated with a spirit, or vapour from the cave of the Pythian Oracle at Delphi, were for the time really mad, and spake like mad-men; of whose loose words a sense might be made to fit any event, in such sort, as all bodies are said to be made of *Materia prima*. In the Scripture I find it also so taken [1 Sam. 18. 10.] in these words, *And the Evill spirit came upon Saul, and he Prophecyed in the midst of the house.*

19. Seeing then all Prophecy supposeth Vision, or Dream, (which two, when they be naturall, are the same,) or some especiall gift of God, so rarely observed in mankind, as to be admired where observed; And seeing as well such gifts, as the most extraordinary Dreams, and Visions, may proceed from God, not onely by his supernaturall, and immediate, but also by his naturall operation, and by mediation of second causes; there is need of Reason and Judgement to discern between naturall, and supernaturall Gifts, and between naturall, and supernaturall Visions, or Dreams. And consequently men had need to be very circumspect, and wary, in obeying the voice of man, that pretending himself to be a Prophet, requires us to obey God in that way, which he in Gods name telleth us to be the way to happinesse. For he that pretends to teach men the way of so great felicity, pretends to govern them; that is to say, to rule, and reign over them; which is a thing,

that all men naturally desire, and is therefore worthy to be suspected of Ambition and Imposture; and consequently, ought to be examined, and tryed by every man, before hee yield them obedience; unlesse he have yeilded it them already, in the institution of a Common-wealth; as when the Prophet is the Civill Sovereign, or by the Civil Sovereign Authorized. And if this examination of Prophets, and Spirits, were not allowed to every one of the people, it had been to no purpose, to set out the marks, by which every man might be able, to distinguish between those, whom they ought, and those whom they ought not to follow. Seeing therefore such marks are set out (*Deut.* 13. 1. &c.) to know a Prophet by; and (*1 John* 4. 1. &c.) to know a Spirit by: and seeing there is so much Prophecying in the Old Testament; and so much Preaching in the New Testament against Prophets; and so much greater a number ordinarily of false Prophets, then of true; every one is to beware of obeying their directions, at their own perill. And first, that there were many more false than true Prophets, appears by this, that when Ahab (*1 Kings* 12.) consulted four hundred Prophets, they were all false Imposters, but onely one Michaiah. And a little before the time of the Captivity, the Prophets were generally lyars. *The Prophets* (saith the Lord by *Jeremy.* cha. 14. verse 14.) *prophecy Lies in my name. I sent them not, neither have I commanded them, nor spake unto them, they prophecy to you a false Vision, a thing of naught; and the deceit of their heart.* In so much as God commanded the People by the mouth of the Prophet *Jeremiah* (chap. 23. 16.) not to obey them. *Thus saith the Lord of Hosts, hearken not unto the words of the Prophets, that prophecy to you. They make you vain, they speak a Vision of their own heart, and not out of the mouth of the Lord.*

20. Seeing then there was in the time of the Old Testament, such quarrels amongst the Visionary Prophets, one contesting with another, and asking, When departed the Spirit from me, to go to thee? as between Michaiah, and the rest of the four hundred; and such giving of the Lye to one another, (as in *Jerem.* 14. 14.) and such controversies in the New Testament at this day, amongst the Spirituall Prophets: Every man then was, and now is bound to make use of his Naturall Reason, to apply to all Prophecy those Rules which God hath given us, to discern the true from the false. Of which rules, in the Old Testament, one was, conformable doctrine to that which Moses the Sovereign Prophet had taught them; and the other the miraculous power of foretelling what God would bring to passe, as I have already shown out of *Deut.* 13. 1. &c. And in the New Testament there was but one onely mark; and that was the preaching of this Doctrine, *That Jesus is the Christ*, that is, the

King of the Jews, promised in the Old Testament. Whosoever denied that Article, he was a false Prophet, whatsoever miracles he might seem to work; and he that taught it was a true Prophet. For St. *John* (1 Epist, 4. 2, & c.) speaking expressly of the means to examine Spirits, whether they be of God, or not; after he hath told them that there would arise false Prophets, saith thus, *Hereby know ye the Spirit of God. Every Spirit that confesseth that Jesus Christ is come in the flesh, is of God*; that is, is approved and allowed as a Prophet of God: not that he is a godly man, or one of the Elect, for this, that he confesseth, professeth, or preacheth Jesus to be the Christ; but for that he is a Prophet avowed. For God sometimes speaketh by Prophets, whose persons he hath not accepted; as he did by Baalam; and as he foretold Saul of his death, by the Witch of Endor. Again in the next verse, *Every Spirit that confesseth not that Jesus Christ is come in the Flesh, is not of Christ. And this is the Spirit of Antichrist*. So that the rule is perfect on both sides; that he is a true Prophet, which preacheth the Messiah already come, in the person of Jesus; and he a false one that denyeth him come, and looketh for him in some future Imposter, that shall take upon him that honour falsely, whom the Apostle there properly calleth Antichrist. Every man therefore ought to consider who is the Sovereign Prophet; that is to say, who it is, that is Gods Viceregent on Earth; and hath next under God, the Authority of Governing Christian men; and to observe for a Rule, that Doctrine, which in the name of God, hee commanded to bee taught; and thereby to examine and try out the truth of those Doctrines, which pretended Prophets with miracles, or without, shall at any time advance: and if they find it contrary to that Rule, to doe as they did, that came to Moses, and complained that there were some that Prophecyed in the Campe, whose Authority so to doe they doubted of; and leave to the Sovereign, as they did to Moses to uphold, or to forbid them, as hee should see cause; and if hee disavow them, then no more to obey their voice; or if he approve them, then to obey them, as men to whom God hath given a part of the Spirit of their Sovereigne. For when Christian men, take not their Christian Sovereign, for Gods Prophet; they must either take their owne Dreams, for the prophecy they mean to bee governed by, and the tumour of their own hearts for the Spirit of God; or they must suffer themselves to bee lead by some strange Prince; or by some of their fellow subjects, that can bewitch them, by slander of the government, into rebellion, without other miracle to confirm their calling, then sometimes an extraordinary successe, and Impunity; and by this means destroying all laws, both divine, and humane, reduce all Order, Government, and Society, to the first Chaos of Violence, and Civill warre.

CHAPTER 25

Chapter 26 of *The Elements of Law* /
 Chapters 16 (part) and 17 of *De Cive* / Chapters 40 (part),
 41, 36 (part), 39 and 42 (part) of *Leviathan*

Précis table

Part II. Concerning men as a body politic	Part III. Of Religion	Part III. OF A CHRISTIAN COMMON-WEALTH
Chapter 26. That subjects are not bound to follow the judgment of any authority in controversies of religion which is not dependent on the sovereign power	Chapter 16. Of his government by the old covenant¹	Chapter 40. Of the RIGHTS of the Kingdome of God, in Abraham, Moses, the High Priests, and the Kings of Judah¹
1. The question propounded, who are the magistrates in the kingdom of Christ		
2. The question exemplified, in the controversies between Moses and Aaron, and between Moses and Corah 3. Amongst the Jews, the power temporal and spiritual in the same hand	13. The power or interpreting the word of God, and the supreme civil power, were united in Moses while he lived	7. Moses was (under God) Sovereign of the Jews, all his own time, though Aaron had the Priesthood 8. All spirits were subordinate to the Spirit of Moses
	14. They were also united in the high-priest, during the life of Joshua	9. After Moses the Sovereignty was in the High Priest
	15. They were united too in the high-priest until king Saul's time	10. Of the Sovereign power between the time of Joshua and of Saul
	16. They were also united in the kings until the captivity	11. Of the Rights of the Kings of Israel 12. The practice of Supremacy in Religion, was not in the time of the Kings, according to the Right thereof 13.
	17. They were so in the high-priests after the captivity	14. After the Captivity the Jews had no settled Common-wealth

¹ *De Cive* chapter 16, paragraphs 1–12, and parallels in *Leviathan* chapter 35, paragraphs 1–13, and chapter 40, paragraphs 1–6, are in Chapter 24.

	18. Denial of the Divine Providence, and idolatry, were the only treasons against the Divine Majesty among the Jews; in all things else they ought to obey their princes	
	Chapter 17. Of his government by the new covenant	Chapter 41. Of the OFFICE of our BLESSED SAVIOUR
		1. Three parts of the Office of Christ
	1. The prophecies concerning Christ's dignity	
	2. The prophecies concerning his humility and passion	2. His Office as a Redeemer
4. Parallel of the twelve princes of Israel, and the twelve apostles 5. Parallel of seventy elders, and seventy disciples 6. The hierarchy of the church in our Savior's time, consisted in the twelve, and the seventy	3. That Jesus was that Christ 4. That the kingdom of God by the new covenant, was not the kingdom of Christ, as Christ, but as God	6. The third part of his Office was to be King (under his Father) of the Elect 7. Christs authority in the Kingdome of God subordinate to that of his Father 8.
		9. One and the same God is the Person represented by Moses, and by Christ
	5. That the kingdom by the new covenant is heavenly, and shall begin from the day of judgment	3. Christs Kingdome not of this world
7. Why Christ ordained no priests for sacrifice, as Moses did		
9. The preaching of the gospel was not commanding, but persuasion	6. That the government of Christ in this world was not a sovereignty, but counsel, or a government by the way of doctrine and persuasion	4. The end of Christs comming was to renew the Covenant of the Kingdome of God, and to perswade the Elect to imbrace it, which was the second part of his Office
		5. The preaching of Christ not contrary to the then law of the Jews, nor of Cæsar
	7. What the promises of the new covenant are, on both parts 8. That no laws are added by Christ, beside the institution of the sacraments 9. Repent ye, be baptized, keep the commandments, and the like forms of speech, are not laws	

	<p>10. It pertains to the civil authority, to define what the sin of injustice is</p> <p>11. It pertains to the civil authority, to define what conduces to the peace and defence of the city</p> <p>12. It pertains to the civil authority, to judge (when need requires) what definitions and what inferences are true</p> <p>13. It belongs to the office of Christ, to teach morally, not by the way of speculation, but as a law; to forgive sins, and to teach all things whereof there is no science, properly so called</p> <p>14. A distinction of things temporal from spiritual</p>	
		<p>Chapter 36. <i>Of the WORD OF GOD, and of PROPHETS</i>²</p>
	<p>15. In how many several sorts the word of God may be taken</p>	<p>3. The Word of God metaphorically used, first, for the Decrees and Power of God</p> <p>4. Secondly, for the effect of his Word</p> <p>5. Thirdly, for the words of reason and equity</p>
	<p>16. That all which is contained in Holy Scripture, belongs not to the canon of Christian faith</p> <p>17. That the word of a lawful interpreter of Holy Scriptures, is the word of God</p> <p>18. That the authority of interpreting Scriptures, is the same with that of determining controversies of faith</p>	<p>6.</p>
		<p>Chapter 39. <i>Of the signification in Scripture of the word CHURCH</i></p>
	<p>19. Divers significations of a Church</p>	<p>1. Church the Lords house</p> <p>2. <i>Ecclesia</i> properly what</p> <p>3.</p>
	<p>20. What a Church is, to which we attribute rights, actions, and the like personal capacities</p>	<p>4. In what sense the Church is one Person; Church defined</p>

² *Leviathan* chapter 36, paragraphs 1–2, 7–8 and 19–20 are in Chapter 24; margin notes for new material (paragraphs 9–18) are in Précis Table 27.

	<p>21. A Christian city is the same with a Christian Church</p> <p>22. Many cities do not constitute one Church</p>	<p>5. A Christian Common-wealth, and a Church all one</p>
		<p>Chapter 42. Of POWER ECCLESIASTICALL³</p>
<p>8. The hierarchy of the church in the apostles' time. Apostles, bishops, and priests</p>	<p>23. Who are ecclesiastical persons</p> <p>24. That the election of ecclesiastical persons belongs to the Church, their consecration to pastors</p>	<p>49. Of the Right of constituting Ecclesiastical Officers in the time of the Apostles</p> <p>50.</p> <p>51. Matthias made Apostle by the Congregation</p> <p>52. Paul and Barnabas made Apostles by the Church of Antioch</p> <p>53.</p> <p>54. What Offices in the Church are Magisteriall</p> <p>55.</p> <p>56. Ordination of Teachers</p> <p>57.</p> <p>58. Ministers of the Church what:</p> <p>59.</p> <p>60. And how chosen what:</p>
	<p>25. That the power of remitting the sins of the penitent, and retaining those of the impenitent, belongs to the pastors; but that of judging concerning repentance belongs to the Church</p>	<p>19. And to Forgive, and Retain Sinnes</p>
<p>10. Excommunication. Sovereigns immediate rulers ecclesiastical under Christ</p>	<p>26. What excommunication is, and on whom it cannot pass</p>	<p>20. Of Excommunication</p> <p>21. The use of Excommunication without Civill Power,</p> <p>22.</p> <p>23. Of no effect upon an Apostate</p> <p>24. But upon the faithfull only</p>

³ *Leviathan*, chapter 42 paragraphs 36–41 and the parallel passages in *De Cive*, chapter 16, paragraphs 10 and 12 are in Chapter 24. Margin notes for paragraphs slotted into chapter 42 (1–18, 32–5, 42–8, 61–5, 72–135) appear in the Précis Table 29.

		<p>25. For what fault lyeth Excommunication</p> <p>26. Of persons liable to Excommunication</p> <p>27–31.</p>
<p>11. That no man hath any just pretence of religion, against obedience to commonwealth. God speaketh to man by his viceregents</p>	<p>27. That the interpretation of Scripture depends on the authority of the city</p> <p>28. That a Christian city ought to interpret Scriptures by ecclesiastical pastors</p>	<p>66.</p> <p>67–70. That the Civill Sovereign being a Christian hath the Right of appointing Pastors</p> <p>71. The Pastorall Authority of Sovereigns only is <i>de Jure Divino</i>, that of other Pastors is <i>Jure Civili</i></p>

Part II. Concerning men as a body politic

Chapter 26. That subjects are not bound to follow the judgment of any authority in controversies of religion which is not dependent on the sovereign power

1. IN the former chapter have been removed those difficulties opposing our obedience to human authority, which arise from misunderstanding of our Saviour's title and laws; in the former whereof, namely his title, consisteth our faith; and in the latter, our justice. Now they who differ not amongst themselves concerning his title and laws, may nevertheless have different opinions concerning his magistrates, and the authority he hath given them. And this is the cause why many Christians have denied obedience to their princes; pretending that our Saviour Christ hath not given this magistracy to them, but to others. As

Part III. Of Religion

Chapter 16. Of his government by the old covenant⁴

Part III. OF A CHRISTIAN COMMON-WEALTH

Chapter 40. Of the RIGHTS of the Kingdome of God, in Abraham, Moses, the High Priests, and the Kings of Judah⁴

⁴ *De Cive* chapter 16, paragraphs 1–12, and parallels in *Leviathan* chapter 35, paragraphs 1–13, and chapter 40, paragraphs 1–6, are in Chapter 24.

for example: some say, to the pope universally; some, to a synod aristocratical; some, to a synod democratical in every several commonwealth; and the magistrates of Christ being they by whom he speaketh: the question is, whether he speak unto us by the pope, or by convocations of bishops and ministers, or by them that have the sovereign power in every commonwealth.

2. This controversy was the cause of those two mutinies that happened against Moses in the wilderness. The first by Aaron and his sister Miriam, who took upon them to censure Moses, for marrying an Ethiopian woman. And the state of the question between them and Moses they set forth Numbers 12, 2, in these words: *What hath the Lord spoken but only by Moses? hath he not spoken also by us? And the Lord heard this, &c.*, and punished the same in Miriam, forgiving Aaron upon his repentance. And this is the case of all them that set up the priesthood against the sovereignty. The other was of Corah, Dathan, and Abiram, who with two hundred and fifty captains gathered themselves together against Moses, and against Aaron. The state of their controversy was this: *Whether God were not with the multitude, as well as with Moses, and every man as holy as he.* For, Numb. 16, 3, thus they say, *You take too much upon you, seeing all the congregation is holy; every one of them, and the Lord is amongst them: wherefore then lift ye yourselves above the congregation of the Lord?* And this is the case of them that set up their private consciences, and unite themselves to take the government of religion out of the hands of him or them, that have the sovereign power of the commonwealth; which how well it pleaseth God, may appear by the hideous punishment of Corah and his accomplices.

13. It being known what laws there were under *the old covenant*, and what *word of God* received from the beginning; we must furthermore consider, with whom the authority of judging, whether the writings of the prophets arising afterward were to be received for the *word of God*; that is to say, whether the events did answer their predictions or not; and with whom also the authority of interpreting the laws already received, and the written word of God, did reside: which thing is to be traced through all the times and several changes of the commonwealth of Israel. But it is manifest that this power, during the life of Moses, was entirely in himself. For if he had not been the *interpreter of the laws and word*, that office must have belonged either to *every private person*, or to a *congregation or synagogue* of many, or to the *high-priest* or to other *prophets*. First, that that office belonged not to private men, or any congregation made of them, appears hence; that they were not admitted, nay, they were prohibited with most heavy threats, *to hear God speak*, otherwise than by the means of Moses. For it is written, (Exod. xix. 24, 25): *Let not the priests and the people break through, to come up unto the Lord, lest he break forth upon them. So Moses went down unto the people, and spake unto them.* It is further manifestly and expressly declared, upon occasion given by the rebellion of Corah, Dathan, and Abiram, and the two hundred and fifty

7. And notwithstanding the Covenant constituteth a Sacerdotall Kingdome, that is to say, a Kingdome hereditary to Aaron; yet that is to be understood of the succession, after Moses should bee dead. For whosoever ordereth, and establisheth the Policy, as first founder of a Common-wealth (be it Monarchy, Aristocracy, or Democracy) must needs have Sovereign Power over the people all the while he is doing of it. And that Moses had that power all his own time, is evidently affirmed in the Scripture. First, in the text last before cited, because the people promised obedience, not to Aaron but to him. Secondly, (Exod. 24. 1, 2.) *And God said unto Moses, Come up unto the Lord, thou, and Aaron, Nadab and Abihu, and seventy of the Elders of Israel. And Moses alone shall come neer the Lord, but they shall not come nigh, neither shall the people goe up with him.* By which it is plain, that Moses who was alone called up to God, (and not Aaron, nor the other Priests, nor the Seventy Elders, nor the People who were forbidden to come up) was alone he, that represented to the Israelites the Person of God; that is to say, was their sole Sovereign under God. And though afterwards it be said (verse 9.) *Then went up Moses, and Aaron, Nadab, and Abihu, and seventy of the Elders of Israel, and they saw the God of Israel, and there was under his feet, as it were a paved work of a saphire stone, &c.* yet this was not till after Moses had been with

princes of the assembly, that neither private men nor the congregation should pretend that God had spoken by them, and by consequence that they had the right of *interpreting God's word*. For they contending, that God spake no less by them than by Moses, argue thus, (Numbers xvi. 3): *Ye take too much upon you, seeing all the congregation are holy, every one of them, and the Lord is among them. Wherefore then lift ye up yourselves above the congregation of the Lord?* But how God determined this controversy, is easily understood by verses 33 and 35 of the same chapter, where *Corah, Dathan, and Abiram went down alive into the pit, &c. And there came out fire from the Lord, and consumed the two hundred and fifty men that offered incense*. Secondly, that Aaron the high-priest had not this authority, is manifest by the like controversy between him (together with his sister Miriam) and Moses. For the question was, whether God spake by Moses only, or by them also; that is to say, whether Moses alone, or whether they also were *interpreters of the word of God*. For thus they said, (Numb. xii. 2): *Hath the Lord indeed spoken only by Moses? Hath he not also spoken by us?* But God reprov'd them; and made a distinction between Moses and other prophets, saying, (verse 6, 7, 8): *If there be a prophet among you, I the Lord will make myself known unto him in a vision, and will speak unto him in a dream: my servant Moses is not so, &c. For with him will I speak mouth to mouth, even apparently, and not in dark speeches, and the similitude of the Lord shall he behold. Wherefore then were ye not afraid to speak against my servant Moses?* Lastly, that the interpretation of the word of God as long as Moses lived, belonged not to any other prophets whatsoever, is collected out of that place which we now cited, concerning his eminency above

God before, and had brought to the people the words which God had said to him. He onely went for the businesse of the people; the others, as the Nobles of his retinue, were admitted for honour to that special grace, which was not allowed to the people; which was, (as in the verse after appeareth) to see God and live. *God laid not his hand upon them, they saw God, and did eat and drink* (that is, did live), but did not carry any commandment from him to the people. Again, it is every where said, *The Lord spake unto Moses*, as in all other occasions of Government; so also in the ordering of the Ceremonies of Religion, contained in the 25, 26, 27, 28, 29, 30, and 31 Chapters of *Exodus*, and throughout *Leviticus*: to Aaron seldome. The Calfe that Aaron made, Moses threw into the fire. Lastly, the question of the Authority of Aaron, by occasion of his and Miriams mutiny against Moses, was (*Numbers 12.*) judged by God himself for Moses. So also in the question between Moses, and the People, who had the Right of Governing the People, when Corah, Dathan, and Abiram, and two hundred and fifty Princes of the Assembly *gathered themselves together* (Numb. 16. 3.) *against Moses, and against Aaron, and said unto them, Ye take too much upon you, seeing all the congregation are Holy, every one of them, and the Lord is amongst them, why lift you up your selves above the congregation of the Lord?* God caused the Earth to swallow Corah, Dathan, and Abiram with their wives and children alive, and consumed those two hundred and fifty Princes with fire. Therefore neither Aaron, nor the People, nor any Aristocracy of the chief Princes of the People, but Moses alone had next under God the Sovereignty over the Israelites: And that not onely in causes of Civill Policy, but also of Religion: For Moses onely spake with

all others; and out of natural reason, for as much as it belongs to the same prophet, who brings the commands of God, to unfold them too; but there was then no other *word of God*, beside that which was declared by Moses. And out of this also, that there was no other prophet extant at that time, who prophesied to the people, excepting the seventy elders who prophesied by *the spirit of Moses*. And even that Joshua, who was then Moses' servant, his successor afterward, believed to be injuriously done, till he knew it was by Moses' consent; which thing is manifest by text of Scripture, (Numb. xi. 25): *And the Lord came down in a cloud, &c. and took of the spirit that was upon Moses, and gave it unto the seventy elders*. Now after it was told that they prophesied, Joshua said unto Moses, *Forbid them, my lord*. But Moses answered: *Why enviest thou for my sake?* Seeing therefore Moses alone was the messenger of God's word, and that the authority of interpreting it pertained neither to *private men*, nor to *the synagogue*, nor to the *high-priest*, nor to other *prophets*; it remains that Moses alone was *the interpreter of God's word*, who also had the supreme power in civil matters; and that the conventions of Corah with the rest of his complices against Moses and Aaron, and of Aaron with his sister against Moses, were raised, not for the salvation of their souls, but by reason of their ambition and desire of dominion over the people.

3. In the government therefore of Moses, there was no power neither civil nor spiritual, that was not derived from him; nor in the state of Israel under kings, was there any earthly power, by which those kings were compellable to any thing, or any subject allowed to resist them, in any case whatsoever. For though the prophets by extraordinary calling, did often admonish and threaten

God, and therefore onely could tell the People, what it was that God required at their hands. No man upon pain of death might be so presumptuous as to approach the Mountain where God talked with Moses. *Thou shalt set bounds* (saith the Lord, *Exod. 19. 12.*) *to the people round about, and say, Take heed to your selves that you goe not up into the Mount, or touch the border of it; whosoever toucheth the Mount shall surely be put to death*. And again (verse 21.) *Goe down, charge the people, lest they break through unto the Lord to gaze*. Out of which we may conclude, that whosoever in a Christian Common-wealth holdeth the place of Moses, is the sole Messenger of God, and Interpreter of his Commandements. And according hereunto, no man ought in the interpretation of the Scripture to proceed further then the bounds which are set by their severall Sovereigns. For the Scriptures since God now speaketh in them, are the Mount Sinai; the bounds whereof are the Laws of them that represent Gods Person on Earth. To look upon them and therein to behold the wondrous works of God, and learn to fear him is allowed; but to interpret them; that is, to pry into what God saith to him whom he appointeth to govern under him, and make themselves Judges whether he govern as God commandeth him, or not, is to transgresse the bounds God hath set us, and to gaze upon God irreverently.

8. There was no Prophet in the time of Moses, nor pretender to the Spirit of God, but such as Moses had approved, and Authorized. For there were in his time but Seventy men, that are said to Prophecy by the Spirit of God, and these were of all Moses his election; concerning whom God saith to Moses (*Numb. 11. 16.*) *Gather to mee Seventy of the Elders of Israel, whom thou knowest*

them, yet had they no authority over them. And therefore amongst the Jews, the power spiritual and temporal, was always in the same hand.

to be the Elders of the People. To these God imparted his Spirit; but it was not a different Spirit from that of Moses; for it is said (verse 25.) *God came down in a cloud, and took of the Spirit that was upon Moses, and gave it to the Seventy Elders.* But as I have shewn before (chap. 36.) by *Spirit*, is understood the *Mind*; so that the sense of the place is no other than this, that God endued them with a mind conformable, and subordinate to that of Moses, that they might Prophecy, that is to say, speak to the people in Gods name, in such manner, as to set forward (as Ministers of Moses, and by his authority) such doctrine as was agreeable to Moses his doctrine. For they were but Ministers; and when two of them Prophecyed in the Camp, it was thought a new and unlawfull thing; and as it is in the 27. and 28. verses of the same Chapter, they were accused of it, and Joshua advised Moses to forbid them, as not knowing that it was by Moses his Spirit that they Prophecyed. By which it is manifest, that no Subject ought to pretend to Prophecy, or to the Spirit, in opposition to the doctrine established by him, whom God hath set in the place of Moses.

14. In Joshua's time *the interpretation of the laws, and of the word of God*, belonged to Eleazar the high-priest; who was also, under God, their absolute king. Which is collected, first of all, out of the *covenant itself*; in which the commonwealth of Israel is called a *priestly kingdom*, or, as it is recited in 1 Peter ii. 9, a *royal priesthood*. Which could in no wise be said, unless by the institution and *covenant* of the people, the regal power were understood to belong to the *high-priest*. Neither doth this repugn what hath been said before, where Moses, and not Aaron, had the kingdom under God. Since it is necessary, when one man institutes the form of a future

9. Aaron being dead, and after him also Moses, the Kingdome, as being a Sacerdotall Kingdome, descended by vertue of the Covenant, to Aarons Son, Eleazar the High Priest: And God declared him (next under himself) for Sovereign, at the same time that he appointed Joshua for the Generall of their Army. For thus God saith expressly (*Numb. 27. 21.*) concerning Joshua; *He shall stand before Eleazar the Priest, who shall ask counsell for him, before the Lord, at his word shall they goe out, and at his word they shall come in, both he, and all the Children of Israel with him:* Therefore the Supreme Power of making War and Peace, was in the Priest. The Supreme Power of

commonwealth, that one should govern the kingdom which he institutes during his life, (whether it be *monarchy, aristocracy, or democracy*); and have all that power for the present, which he is bestowing on others for the future. Now, that Eleazar the priest had not only *the priesthood*, but also the *sovereignty*, is expressly set down in Joshua's call to the administration. For thus it is written (Numb. xxvii. 18, 19, 20, 21): *Take thee Joshua the son of Nun, a man in whom is the Spirit, and lay thine hand upon him, and set him before Eleazar the priest, and before all the congregation, and give him a charge in their sight; and thou shalt put some of thine honour upon him, that all the congregation of the children of Israel may be obedient; and he shall stand before Eleazar the priest, who shall ask counsel for him after the judgment of Urim, before the Lord; at his word shall they go out, and at his word shall they come in, and all the children of Israel with him, even all the congregation.* Where to ask counsel of God for *whatsoever is to be done*, that is, to interpret God's word, and in the name of God to command in all matters, belongs to Eleazar; and *to go out and to come in at his word*, that is to say, to obey, belongs both to Joshua and *to all the people*. It is to be observed also, that that speech, *part of thy glory*, clearly denotes that Joshua had not a power equal with that which Moses had. In the meantime it is manifest, that even in Joshua's time the supreme power and authority of interpreting the word of God, were both in one person.

15. After Joshua's death follow the times of the Judges until king Saul; in which it is manifest that the right of the *kingdom* instituted by God, remained with the *high-priest*. For the *kingdom* was by covenant *priestly*, that is to say, God's government by priests. And such ought it to

Judicature belonged also to the High Priest: For the Book of the Law was in their keeping; and the Priests and Levites onely, were the subordinate Judges in causes Civill, as appears in *Deut.* 17. 8, 9, 10. And for the manner of Gods worship, there was never doubt made, but that the High Priest till the time of Saul, had the Supreme Authority. Therefore the Civill and Ecclesiasticall Power were both joined together in one and the same person, the High Priest; and ought to bee so, in whosoever governeth by Divine Right; that is, by Authority immediate from God.

10. After the death of Joshua, till the time of Saul, the time between is noted frequently in the Book of Judges, *that there was in those dayes no King in Israel*; and sometimes with this addition, *that every man did that which was right in his own eyes*. By which is to be understood,

have been, until that form, with God's consent, were changed by the people themselves; which was not done before that requiring a king God consented unto them, and said unto Samuel (1 Sam. viii. 7): *Hearken unto the voice of the people in all that they say unto thee; for they have not rejected thee, but they have rejected me, that I should not reign over them.* The supreme civil power was therefore *rightly* due by God's own institution to the high-priest; but *actually* that power was in the prophets, to whom (being raised by God in an extraordinary manner) the Israelites, a people greedy of prophets, submitted themselves to be protected and judged, by reason of the great esteem they had of prophecies. The reason of this thing was, because that though penalties were set and judges appointed in the institution of God's priestly kingdom; yet, the right of inflicting punishment depended wholly on private judgment; and it belonged to a dissolute multitude and each single person to punish or not to punish, according as their private zeal should stir them up. And therefore Moses by his own command punished no man with death; but when any man was to be put to death, one or many stirred up the multitude against him or them, by divine authority, and saying, *Thus saith the Lord.* Now this was conformable to the nature of God's peculiar kingdom. For there God reigns indeed, where his laws are obeyed not for fear of men, but for fear of himself. And truly, if men were such as they should be, this were an excellent state of civil government; but as men are, there is a coercive power (in which I comprehend both right and might) necessary to rule them. And therefore also God, from the beginning, prescribed laws by Moses for the future kings (Deut. xvii. 14–20). And Moses foretold this in his last words

that where it is said, *there was no King*, is meant, *there was no Sovereign Power* in Israel. And so it was, if we consider the Act, and Exercise of such power. For after the death of Joshua, & Eleazar, *there arose another generation* (Judges 2. 10.) *that knew not the Lord, nor the works which he had done for Israel, but did evill in the sight of the Lord, and served Baalim.* And the Jews had that quality which St. Paul noteth, *to look for a sign*, not onely before they would submit themselves to the government of Moses, but also after they had obliged themselves by their submission. Whereas Signs, and Miracles had for End to procure Faith, not to keep men from violating it, when they have once given it; for to that men are obliged by the law of Nature. But if we consider not the Exercise, but the Right of Governing, the Sovereign power was still in the High Priest. Therefore whatsoever obedience was yeilded to any of the Judges (who were men chosen by God extraordinarily, to save his rebellious subjects out of the hands of the enemy,) it cannot bee drawn into argument against the Right the High Priest had to the Sovereign Power, in all matters, both of Policy and Religion. And neither the Judges, nor Samuel himselfe had an ordinary, but extraordinary calling to the Government; and were obeyed by the Israelites, not out of duty, but out of reverence to their favour with God, appearing in their wisdom, courage, or felicity. Hitherto therefore the Right of Regulating both the Policy, and the Religion, were inseparable.

to the people, saying (Deut. xxxi. 29): *I know that after my death ye will utterly corrupt yourselves, and turn aside from the way that I have commanded you, &c.* When therefore according to this prediction there arose another generation (Judges ii. 10–11) *who knew not the Lord, nor yet the works which he had done for Israel, the children of Israel did evil in the sight of the Lord, and served Balaam;* to wit, they cast off God's government, that is to say, that of the *priest*, by whom God ruled; and afterward, when they were overcome by their enemies and oppressed with bondage, they looked for God's will, not at the hands of the *priest* any more, but of the prophets. These therefore *actually* judged Israel; but their obedience was *rightly due* to the high-priest. Although therefore the priestly kingdom, after the death of Moses and Joshua, was without power; yet was it not without right. Now that the *interpretation of God's word* did belong to the same high-priest, is manifest by this; that God, after the tabernacle and the ark of the covenant was consecrated, spake no more in Mount Sinai, but in the tabernacle of the covenant, from the propitiatory which was between the *cherubims*, whither it was not lawful for any to approach except the high-priest. If therefore regard be had to the *right* of the kingdom, the supreme civil power and the authority of interpreting God's word were joined in the high-priest. If we consider the *fact*, they were united in the prophets who judged Israel. For as *judges*, they had the civil authority; as *prophets*, they interpreted God's word. And thus every way hitherto these two powers continued inseparable.

16. Kings being once constituted, it is no doubt but the *civil authority* belonged to them. For the kingdom of God by the way of priesthood (God consenting to the request of the Israelites) was ended; which Hierom also marks, speaking of the books of Samuel. Samuel, says he, Eli being dead and Saul slain, declares the old law abolished. Furthermore, the oaths of the new priesthood and new sovereignty in Zadok and David, do testify that the right, whereby the *kings* did rule, was founded in the very concession of the people. The priest could rightly do whatsoever every man could rightly do himself; for the Israelites granted him *a right to judge* of all things, and to *wage war* for all men; in which two are contained all right whatsoever can be conceived from man to man. *Our king* say they (1 Sam. viii. 20) *shall judge us, and go out before us, and fight our battles. Judicature* therefore belonged to the kings. But to *judge* is nothing else, than by *interpreting* to apply the *laws* to the *facts*. To them therefore belonged the interpretation of *laws* too. And because there was no other written word of God acknowledged beside the *law of Moses*, until the captivity; the authority of *interpreting God's word* did also belong to the kings. Nay, forasmuch as the word of God must be taken for a law, if there had been another written word beside the Mosaical law, seeing the interpretation of laws belonged to the kings, the interpretation of it must also have belonged to them. When the book of Deuteronomy, in which the whole Mosaical *law* was contained, being a long time lost was found again; *the priests* indeed asked counsel of God concerning that book, but not by their own authority, but by the commandment of Josiah; and not immediately neither, but by the means of Holda the prophetess. Whence it appears that

11. To the Judges, succeeded Kings: And whereas before, all authority, both in Religion, and Policy, was in the High Priest; so now it was all in the King. For the Sovereignty over the people, which was before, not onely by vertue of the Divine Power, but also by a particular pact of the Israelites in God, and next under him, in the High Priest, as his Viceregent on earth, was cast off by the People, with the consent of God himselfe. For when they said to Samuel (1 Sam. 8. 5.) *make us a King to judge us, like all the Nations*, they signified that they would no more bee governed by the commands that should bee laid upon them by the Priest, in the name of God; but by one that should command them in the same manner that all other nations were commanded; and consequently in deposing the High Priest of Royall authority, they deposed that peculiar Government of God. And yet God consented to it, saying to Samuel (verse 7.) *Hearken unto the voice of the People, in all that they shall say unto thee; for they have not rejected thee, but they have rejected mee, that I should not reign over them*. Having therefore rejected God, in whose Right the Priests governed, there was no authority left to the Priests, but such as the King was pleased to allow them; which was more, or lesse, according as the Kings were good, or evill. And for the Government of Civill affaires, it is manifest, it was all in the hands of the King. For in the same Chapter, verse 20. They say they will be like all the Nations; that their King shall be their Judge, and goe before them, and fight their battells; that is, he shall have the whole authority, both in Peace and War. In which is contained also the ordering of Religion: for there was no other Word of God in that time, by which to regulate Religion, but the Law of Moses, which was their Civil Law.

the authority of admitting books for the word of God, belonged not to the priest. Neither yet follows it, that that authority belonged to the prophetess; because others did judge of the prophets, whether they were to be held for true or not. For to what end did God give signs and tokens to all the people, whereby the true prophets might be discerned from the false; namely, the event of predictions, and conformity with the religion established by Moses; if they might not use those marks? The authority therefore of admitting books for *the word of God*, belonged to the king; and thus that book of the law was approved, and received again by the authority of king Josiah; as appears by the second book of the Kings, chap. xxii. xxiii.: where it is reported that he gathered together all the several degrees of his kingdom, *the elders, priests, prophets, and all the people; and he read in their ears all the words of the covenant*; that is to say, he caused that *covenant* to be acknowledged for the *Mosaical covenant*; that is to say, *for the word of God*; and to be again received and confirmed by the Israelites. The civil power therefore, and the power of discerning God's word from the words of men, and of interpreting God's word even in the days of the kings, was wholly belonging to themselves. Prophets were sent not with authority, but in the form and by the right of proclaimers and preachers, of whom the hearers did judge. And if perhaps these were punished who did not listen to them plainly, teaching easy things; it doth not thence follow, that the kings were obliged to follow all things which they, in God's name, did declare were to be followed. For though Josiah, the good king of Judah, were slain because he obeyed not the word of the Lord from the mouth of Necho king of Egypt; that is to say, because he rejected good counsel though

Besides, we read (1 Kings 2. 27.) that Solomon *thrust out Abiathar from being Priest before the Lord*: He had therefore authority over the High Priest, as over any other Subject; which is a great mark of Supremacy in Religion. And we read also (1 Kings 8.) that hee dedicated the Temple; that he blessed the People; and that he himselfe in person made that excellent prayer, used in the Consecrations of all Churches, and houses of Prayer; which is another great mark of Supremacy in Religion. Again, we read (2 Kings 22.) that when there was question concerning the Book of the Law found in the Temple, the same was not decided by the High Priest, but Josiah sent both him, and others to enquire concerning it, of Hulda, the Prophetesse; which is another mark of the Supremacy in Religion. Lastly, we read (1 Chron. 26. 30.) that David made Hashabiah and his brethren, Hebronites, Officers of Israel among them Westward, *in all businesse of the Lord, and in the service of the King*. Likewise (verse 32.) that hee made other Hebronites, *rulers over the Reubenites, the Gadites, and the halfe tribe of Manasseh* (these were the rest of Israel that dwelt beyond Jordan) *for every matter pertaining to God, and affairs of the King*. Is not this full Power, both *temporall* and *spirituall*, as they call it, that would divide it? To conclude; from the first institution of Gods Kingdome, to the Captivity, the Supremacy of Religion, was in the same hand with that of the Civill Sovereignty; and the Priests office after the election of Saul, was not Magisteriall, but Ministeriall.

12. Notwithstanding the government both in Policy and Religion, were joined, first in the High Priests, and afterwards in the Kings, so far forth as concerned the Right; yet it appeareth by the same Holy History, that the people

it seemed to come from an enemy; yet no man I hope will say that Josiah was, by any bond either of divine or human laws, obliged to believe Pharaoh Necho king of Egypt, because he said *that God had spoken to him*. But what some man may object against kings, that for want of learning they are seldom able enough to interpret those books of antiquity, in the which God's word is contained; and that for this cause, it is not reasonable that this office should depend on their authority; he may object as much against the priests and all mortal men; for they may err. And although priests were better instructed in nature and arts than other men, yet kings are able enough to appoint such interpreters under them; and so, though kings did not themselves interpret the word of God, yet the office of interpreting them might depend on their authority. And they who therefore refuse to yield up this authority to kings, because they cannot practice the office itself, do as much as if they should say, that the authority of teaching *geometry* must not depend upon kings, except they themselves were geometricians. We read that kings have prayed for the people; that they have blessed the people; that they have consecrated the temple; that they have commanded the priests; that they have removed priests from their office; that they have constituted others. Sacrifices indeed they have not offered; for that was hereditary to Aaron and his sons. But it is manifest, as in Moses' lifetime, so throughout all ages, from king Saul to the captivity of Babylon, that the priesthood was not a mastery, but a ministry.

understood it not; but there being amongst them a great part, and probably the greatest part, that no longer than they saw great miracles, or (which is equivalent to a miracle) great abilities, or great felicity in the enterprises of their Governours, gave sufficient credit, either to the fame of Moses, or to the Colloquies between God and the Priests; they took occasion as oft as their Governours displeased them, by blaming sometimes the Policy, sometimes the Religion, to change the Government, or revolt from their Obedience at their pleasure: And from thence proceeded from time to time the civill troubles, divisions, and calamities of the Nation. As for example, after the death of Eleazar and Joshua, the next generation which had not seen the wonders of God, but were left to their own weak reason, not knowing themselves obliged by the Covenant of a Sacerdottall Kingdome, regarded no more the Commandement of the Priest, nor any law of Moses, but did every man that which was right in his own eyes; and obeyed in Civill affairs, such men, as from time to time they thought able to deliver them from the neighbour Nations that oppressed them; and consulted not with God (as they ought to doe,) but with such men, or women, as they guessed to bee Prophets by their Prædictions of things to come; and though they had an Idol in their Chappel, yet if they had a Levite for their Chaplain, they made account they worshipped the God of Israel.

13. And afterwards when they demanded a King, after the manner of the nations; yet it was not with a design to depart from the worship of God their King; but

despairing of the justice of the sons of Samuel, they would have a King to judg them in Civill actions; but not that they would allow their King to change the Religion which they thought was recommended to them by Moses. So that they alwaies kept in store a pretext, either of Justice, or Religion, to discharge themselves of their obedience, whensoever they had hope to prevaile. Samuel was displeased with the people, for that they desired a King, (for God was their King already, and Samuel had but an authority under him); yet did Samuel, when Saul observed not his counsell, in destroying Agag as God had commanded, anoint another King, namely, David, to take the succession from his heirs. Rehoboam was no Idolater; but when the people thought him an Oppressor; that Civil pretence carried from him ten Tribes to Jeroboam an Idolater. And generally through the whole History of the Kings, as well of Judah, as of Israel, there were Prophets that alwaies controlled the Kings, for transgressing the Religion; and sometimes also for Errours of State; as Jehosaphat was reprov'd ^{2 Chro.} by the Prophet Jehu, for aiding ^{19. 2} the King of Israel against the Syrians; and Hezekiah, by Isaiah, for shewing his treasures to the Ambassadors of Babylon. By all which it appeareth, that though the power both of State and Religion were in the Kings; yet none of them were uncontrolled in the use of it, but such as were gracious for their own naturall abilities, or felicities. So that from the

practise of those times, there can no argument be drawn, that the Right of Supremacy in Religion was not in the Kings, unlesse we place it in the Prophets; and conclude, that because Hezekiah praying to the Lord Cherubins, was not answered from thence, nor then, but afterwards by the Prophet Isaiah, therefore Isaiah was supreme Head of the Church; or because Josiah consulted Hulda the Prophetesse, concerning the Book of the Law, that therefore neither he, nor the High Priest, but Hulda the Prophetesse had the Supreme authority in matter of Religion; which I thinke is not the opinion of any Doctor.

17. After their return from Babylonian bondage, the *covenant* being renewed and signed, *the priestly kingdom* was restored to the same manner it was in from the death of Joshua to the beginning of the kings; excepting that it is not expressly set down, that the returned Jews did give up the right of sovereignty either to Esdras, by whose direction they ordered their state, or to any other beside God himself. That reformation seems rather to be nothing else, than the bare promises and vows of every man, to observe those things which were written in the book of the law. Notwithstanding, (perhaps not by the people's intention), by virtue of the *covenant* which they then renewed, (for the covenant was the same with that which was made at Mount Sinai), that same state was a *priestly kingdom*; that is to say, the supreme civil authority and the sacred were united in the priests. Now, howsoever through the ambition of those who strove for the priesthood, and by the interposition of foreign princes, it was so troubled till our

14. During the Captivity, the Jews had no Common-wealth at all: And after their return, though they renewed their Covenant with God, yet there was no promise made of obedience, neither to Esdras, nor to any other: And presently after they became subjects to the Greeks (from whose Customes, and Dæmonology, and from the doctrine of the Cabalists, their Religion became much corrupted): In such sort as nothing can be gathered from their confusion, both in State and Religion, concerning the Supremacy in either. And therefore so far forth as concerneth the Old Testament, we may conclude, that whosoever had the Sovereignty of the Commonwealth amongst the Jews, the same had also the Supreme Authority in matter of Gods externall worship; and represented Gods Person; that is the person of God the Father; though he were not called by the name of Father, till such time as he sent into the world his Son Jesus Christ, to redeem mankind from their sins, and bring them into his

Saviour Jesus Christ's time, that it cannot be understood out of the histories of those times, where that authority resided; yet it is plain, that in those times the power of *interpreting God's word* was not severed from the supreme civil power.

18. Out of all this, we may easily know how the Jews, in all times from Abraham unto Christ, were to behave themselves in the commands of their *princes*. For as in kingdoms merely human, men must obey a subordinate magistrate in all things, excepting when his commands contain in them some treason; so in the kingdom of God, the Jews were bound to obey their *princes*, Abraham, Isaac, Jacob, Moses, the *priest*, the *king*, every one during their time in all things, except when their commands did contain some treason against *the Divine Majesty*. Now treason against the Divine Majesty was, first, *the denial of divine providence*; for this was *to deny God to be a king by nature*: next, *idolatry*, or the worship not of other, (for there is but one God), but of strange Gods; that is to say, a worship though of one God, yet under other *titles, attributes, and rites*, than what were established by Abraham and Moses; for this was *to deny the God of Abraham to be their king by covenant* made with Abraham and themselves. In all other things they were to obey. And if a king or priest, having the sovereign authority, had commanded somewhat else to be done which was against the laws, that had been his sin, and not his subject's; whose duty it is, not to dispute, but to obey the commands of his superiors.

Chapter 17. Of his government by the new covenant

Everlasting Kingdome, to be saved for evermore. Of which we are to speak in the Chapter following.

Chapter 41. Of the OFFICE of our BLESSED SAVIOUR

1. We find in Holy Scripture three parts of the *Office* of the *Messiah*: The first of a *Redeemer*, or *Saviour*: The second of a *Pastor*, *Counsellour*, or *Teacher*, that is,

of a Prophet sent from God, to convert such as God hath elected to Salvation: The third of a *King*, an *eternall King*, but under his Father, as Moses and the High Priests were in their severall times. And to these three parts are correspondent three times. For our Redemption he wrought at his first coming, by the Sacrifice, wherein he offered up himself for our sinnes upon the Crosse: our Conversion he wrought partly then in his own Person; and partly worketh now by his Ministers; and will continue to work till his coming again. And after his coming again, shall begin that his glorious Reign over his elect, which is to last eternally.

1. THERE are many clear prophecies extant in the Old Testament concerning our Saviour Jesus Christ, who was to restore the kingdom of *God* by a new covenant; partly foretelling his regal *dignity*, partly his *humility and passion*. Among others concerning his dignity, these. God, blessing Abraham, makes him a promise of his son Isaac; and adds (Gen. xvii. 16): *And kings of people shall be of him*. Jacob blessing his son Judah (Gen. xlix, 10): *The sceptre, quoth he, shall not depart from Judah*. God to Moses (Deut. xviii. 18): *A prophet, saith he, will I raise them up from among their brethren, like unto thee, and will put my words in his mouth, and he shall speak unto them all that I shall command him; and it shall come to pass, that whosoever will not hearken unto my words, which he shall speak in my name, I will require it of him*. Isaiah (Isai. vii. 14): *The Lord himself shall give thee a sign; Behold a virgin shall conceive and bear a son, and shall call his name Emmanuel*. The same prophet (Isaiah ix. 6): *Unto us a child is born, unto us a son is given, and the government shall be upon his shoulders; and his name shall be called wonderful, counsellor, the mighty God, the everlasting Father, the Prince of Peace*. And again (Isaiah xi. 1–5): *There shall come forth a*

rod out of the stem of Jesse, and a branch shall grow out of his roots; the spirit of the Lord shall rest upon him, &c.; He shall not judge after the sight of his eyes, neither reprove after the hearing of his ears; but with righteousness shall he judge the poor, &c.; And he shall smite the earth with the rod of his mouth, and with the breath of his lips shall he slay the wicked. Furthermore in the same Isaiah (chapters li. to lxii.), there is almost nothing else contained but a description of the coming and the works of Christ. Jeremiah (Jerem. xxxi. 31): *Behold the days come, saith the Lord, that I will make a new covenant with the house of Israel, and with the house of Judah.* And Baruch (Bar. iii. 35–37): *This is our God, &c. Afterward did he show himself upon earth, and conversed with men.* Ezekiel (Ezek. xxxiv. 23–25): *I will set up one shepherd over them, and he shall feed them; even my servant David. And I will make with them a covenant of peace, &c.* Daniel (Dan. vii. 13–14): *I saw in the night visions; and behold one like the Son of Man came with the clouds of heaven, and came to the ancient of days; and they brought him near before him; and there was given him dominion, and glory, and a kingdom, that all people, nations, and languages should serve him; his dominion is an everlasting dominion, &c.* Haggai (Haggai ii. 6–7): *Yet once it is a little while, and I will shake the heaven, and the earth, and the sea, and the dry land; and I will shake all nations; and the desire of all nations shall come.* Zachariah, under the type of Joshua the high-priest (Zach. iii. 8): *I will bring forth my servant the branch, &c.* And again (Zach. vi. 12): *Behold the man whose name is the Branch.* And again (Zach. ix. 9): *Rejoice greatly O daughter of Zion, shout O daughter of Jerusalem; behold thy king cometh to thee; he is just, having salvation.* The Jews moved by these and other prophecies, expected Christ their king

to be sent from God; who should redeem them, and furthermore bear rule over all nations. Yea, this prophecy had spread over the whole Roman empire; which Vespasian too, though falsely, interpreted in favour of his own enterprises; *that out of Judea should come he that should have dominion.*

2. Now the prophecies of *Christ's humility and passion*, amongst others are these: (Isaiah liii. 4): *He hath borne our griefs, and carried our sorrows; yet we did esteem him stricken, smitten of God, and afflicted;* and by and by (verse 7): *He was oppressed, he was afflicted, yet he opened not his mouth; he is brought as a lamb to the slaughter, and as a sheep before her shearer is dumb, so opened he not his mouth, &c.* And again (verse 8): *He was cut out of the land of the living; for the transgression of my people was he stricken, &c.* (Verse 12): *Therefore I will divide him a portion with the great, and he shall divide the spoil with the strong; because he hath poured out his soul unto death, and he was numbered with the transgressors, and he bare the sin of many, and made intercession for the transgressors.* And that of Zachariah (Zach. ix. 9): *He is lowly, riding upon an ass, and upon a colt the foal of an ass.*

2. To the *Office* of a Redeemer, that is, of one that payeth the Ransome of Sin, (which Ransome is Death,) it appertaineth, that he was Sacrificed, and thereby bare upon his own head, and carried away from us our iniquities, in such sort as God had required. Not that the death of one man, though without sinne, can satisfie for the offences of all men, in the rigour of Justice, but in the Mercy of God, that ordained such Sacrifices for sin, as he was pleased in his mercy to accept. In the Old Law (as we may read, *Leviticus* the 16.) the Lord required, that there should every year once, bee made an Atonement for the Sins of all Israel, both Priests, and others; for the doing whereof, Aaron alone was to sacrifice for himself and the Priests a young Bullock; and for the rest of the people, he was to receive from them two young Goates, of which he was to *sacrifice* one; but as for the other, which was the *Scape Goat*, he was to lay his hands on the head thereof, and by a confession of the iniquities of the people, to lay them all on that head, and then by some opportune man, to cause the Goat to be led into the wilderness, and there to *escape*, and carry away with him the iniquities of the people. As the Sacrifice of the one Goat was a sufficient (because an acceptable) price for the Ransome of all Israel; so the death of the Messiah, is a sufficient price, for the Sins of all mankind, because there was no more required. Our Saviour Christs sufferings seem to be here figured, as cleerly, as in the oblation of Isaac, or in any other type of him in the Old Testament:

4. Our Saviour Christ, as he was the rightful king of the Jews in particular, as well as king of the kingdom of Heaven, in the ordaining of magistrates, revived that form of policy which was used by Moses. According to the number of the children of Jacob, Moses took unto him by the appointment of God, Numb. 1, 4, twelve men, every one of the chief of their tribe, which were to assist him in the muster of Israel. And these twelve, verse 24, are called the *princes of Israel, twelve men, every one for the house of their fathers*; which are said also Numb. 7, 2, *to be heads over the houses of their fathers, and princes of the tribes, and over them that were numbered*. And these were every one equal amongst themselves. In like manner our Saviour took unto him twelve apostles, to be next unto him in authority; of whom he saith Matth, 19, 28, *When the Son of Man shall sit in the throne of his majesty, ye which follow me in the regeneration, shall sit also upon twelve thrones, and judge the twelve tribes of Israel*. And

3. In the reign of Tiberius Cæsar, Jesus our Saviour, a Galilean, began to preach; the son, as was supposed, of Joseph; declaring to the people of the Jews, that the kingdom of God expected by them was now come, and that himself was a *king*, that is to say, the Christ; explaining the *law*, choosing *twelve apostles*, and *seventy disciples*, after the number of the *princes* of the tribes, and seventy elders (according to the pattern of Moses) to the ministry; *teaching the way of salvation* by himself and them; purging the temple, doing great signs, and fulfilling all those things which the prophets had foretold of Christ to come. That this man, hated of the Pharisees, whose false doctrine and hypocritical sanctity he had reproved; and by their means, of the people accused of unlawful seeking for the kingdom, and crucified; was the true *Christ* and *king* promised by God, and sent from his Father to renew the *new covenant* between them and God; both the evangelists do show, describing his genealogy, nativity, life, doctrine,

He was both the sacrificed Goat, and the Scape Goat; *Hee was oppressed, and he was afflicted* (Esay. 53. 7.); *he opened not his mouth; he is brought as a lamb to the slaughter, and as a sheep is dumbe before the shearer, so opened he not his mouth*: Here he is the *sacrificed Goat*. *He hath born our Grieffs*, (ver. 4.) *and carried our sorrows*: And again, (ver. 6.) *the Lord hath laid upon him the iniquities of us all*: And so he is the *Scape Goat*. *He was cut off from the land of the living* (ver. 8.) *for the transgression of my People*: There again he is the *sacrificed Goat*. And again (ver. 11.) *he shall bear their sins*: Hee is the *Scape Goat*. Thus is the Lamb of God equivalent to both those Goates; sacrificed, in that he dyed; and escaping, in his Resurrection; being raised opportunely by his Father, and removed from the habitation of men in his Ascension.

6. As for the third part of his Office, which was to be *King*, I have already shewn that his Kingdome was not to begin till the Resurrection. But then he shall be King, not onely as God, in which sense he is King already, and ever shall be, of all the Earth, in vertue of his omnipotence; but also peculiarly of his own Elect, by vertue of the pact they make with him in their Baptisme. And therefore it is, that our Saviour saith (Mat. 19. 28.) that his Apostles should sit upon twelve thrones, judging the twelve tribes of Israel, *When the Son of man shall sit in the throne of his glory*: whereby he signified that he should reign then in his humane nature; and (Mat. 16. 27.) *The Son of man shall come in the glory of his Father, with his Angels, and then he shall reward every man according to his works*. The same we may read, Marke 13. 26. and 14. 62. and more expressly for the time, Luke 22. 29, 30. *I appoint unto you a Kingdome, as my Father hath appointed to mee, that you may eat and drink at my table in my*

concerning the equality of the twelve apostles amongst themselves our Saviour saith, Matth. 20, 25: *Ye know that the Lords of the Gentiles have domination over them, &c.* Verse 26: *But it shall not be so amongst you; but whosoever will be greatest among you, let him be your servant.* And Matth. 23, 11: *He that is greatest among you, let him be your servant.* And a little before, verse 8, *Be not called Rabbi; for one is your doctor, Christ; and all ye are brethren.* And Acts 1, in choosing of Matthias to be an apostle, though St. Peter used the part of a *prolocutor*, yet did no man take upon him the authority of election, but referred the same to lot.

5. Again, Moses had the command of God, Numb. 11, 16: *Gather to me seventy men of the elders of Israel, whom thou knowest that they are the elders of the people, and governors over them, and bring them into the tabernacle, &c.* And Moses did accordingly, verse 24. And these were chosen to help Moses in bearing the burthen of the government, as appeareth verse 17 of the same chapter. And as the twelve princes of the tribes were according to the number of Jacob's children; so were the seventy elders according to the number of the persons that went down with Jacob into Egypt. In like manner our Saviour in his kingdom of Heaven, the church, out of the whole number of those that believed in him, ordained seventy persons, which peculiarly were called the seventy disciples, to whom he gave power to preach the Gospel and baptize.

death, and resurrection; and by comparing the things which he did with those which were foretold of him, all Christians do consent to.

4. Now from this, that *Christ* was sent from God his Father to make a *covenant* between him and the people, it is manifest, that though *Christ* were equal to his Father according to his nature, yet was he inferior according to the right of the kingdom. For this office, to speak properly, was not that of a king, but of a viceroy; such as Moses' government was; for the kingdom was not his, but his *Father's*. Which *Christ* himself signified when he was baptized as a subject, and openly professed when he taught his disciples to pray, *Our Father, thy kingdom come, &c.*: and when he said (Matth. xxvi. 29): *I will not drink of the blood of the grape, until that day when I shall drink it new with you in the kingdom of my Father.* And St. Paul (1 Cor. xv. 22–24): *As in Adam all die, so in Christ shall all be made alive; but every man in his own order; Christ the first fruits; afterward they that are Christ's, who believed in his coming; then cometh*

Kingdome, and sit on thrones judging the twelve tribes of Israel. By which it is manifest, that the Kingdome of *Christ* appointed to him by his Father, is not to be before the Son of Man shall come in Glory, and make his Apostles Judges of the twelve tribes of Israel. But a man may here ask, seeing there is no marriage in the Kingdome of Heaven, whether men shall then eat, and drink; what eating therefore is meant in this place? This is expounded by our Saviour (*John* 6. 27.) where he saith, *Labour not for the meat which perisheth, but for that meat which endureth unto everlasting life, which the Son of man shall give you.* So that by eating at *Christ's* table, is meant the eating of the Tree of Life; that is to say, the enjoying of Immortality, in the Kingdome of the Son of Man. By which places, and many more, it is evident, that our Saviours Kingdome is to be exercised by him in his humane nature.

7. Again, he is to be King then, no otherwise than as subordinate, or Viceregent of God the Father, as Moses was in the wilderness; and as the High Priests were before the reign of Saul: and as the Kings were after it. For it is one of the Prophecies concerning *Christ*, that he should be like (in Office) to Moses: *I will raise them up a Prophet* (saith the Lord, *Deut.* 18. 18.) *from amongst their Brethren like unto thee, and will put my words into his mouth,* and this similitude with Moses, is also apparent in the actions of our Saviour himself, whilst he was conversant on Earth. For as Moses chose twelve Princes of the tribes, to govern under him; so did our Saviour choose twelve Apostles, who shall sit on twelve thrones, and judge the twelve tribes of Israel: And as Moses authorized Seventy Elders, to receive the Spirit of God, and to Prophecy to the people, that is, (as I have said before,) to speak unto them in the name of God; so our

the end when he shall have delivered up the kingdom to God even his Father. The same notwithstanding is also called the *kingdom of Christ*: for both the mother of the sons of Zebedee petitioned Christ, saying (Matth. xx. 21): *Grant that these my two sons may sit, the one on thy right hand, the other on thy left, in thy kingdom:* and the thief on the cross (Luke xxiii. 42): *Lord remember me when thou comest into thy kingdom:* and St. Paul (Ephes. v. 5): *For this know ye, that no whore monger, &c. shall enter into the kingdom of God, and of Christ:* and elsewhere (2 Tim. iv. 1): *I charge thee before God, and the Lord Jesus Christ, who shall judge the quick and dead at his appearing, and his kingdom, &c.:* (verse 18): *And the Lord shall deliver me from every evil work, and will preserve me unto his heavenly kingdom.* Nor is it to be marveled at, that the same kingdom is attributed to them both; since both the Father and the Son are the same God; and the new covenant concerning God's kingdom, is not propounded in the name of the *Father*; but in the name of the *Father*, of the *Son*, and of the *Holy Ghost*, as of one God.

6. In our Saviour's time therefore, the hierarchy of the church consisted, besides himself that was the head, of twelve apostles, who were equal amongst themselves, but ordained over others, as were the twelve heads of the tribes; and seventy disciples, who had every one of them power to baptize and teach, and help to govern the whole flock.

Saviour also ordained seventy Disciples, to preach his Kingdome, and Salvation to all Nations. And as when a complaint was made to Moses, against those of the Seventy that prophecyed in the camp of Israel, he justified them in it, as being subservient therein to his government; so also our Saviour, when St. John complained to him of a certain man that cast out Devills in his name, justified him therein, saying, (Luke 9. 50.) *Forbid him not, for hee that is not against us, is on our part.*

8. Again, our Saviour resembled Moses in the institution of *Sacraments*, both of *Admission* into the Kingdome of God, and of *Commemoration* of his deliverance of his Elect from their miserable condition. As the Children of Israel had for Sacrament of their Reception into the Kingdome of God, before the time of Moses, the rite of *Circumcision*, which rite having been omitted in the Wildernesse, was again restored as soon as they came into the land of Promise; so also the Jews, before the coming of our Saviour, had a rite of *Baptizing*, that is, of washing with water all those that being Gentiles, embraced the God of Israel. This rite St. John the Baptist used in the reception of all them that gave

their names to the Christ, whom hee preached to bee already come into the world; and our Saviour instituted the same for a Sacrament to be taken by all that beleved in him. From what cause the rite of Baptisme first proceeded, is not expressed formally in the Scripture; but it may be probably thought to be an imitation of the law of Moses, concerning Leprousie; wherein the Leprous man was commanded to be kept out of the campe of Israel for a certain time; after which time being judged by the Priest to be clean, hee was admitted into the campe after a solemne Washing. And this may therefore bee a type of the Washing in Baptisme; wherein such men as are cleansed of the Leprousie of Sin by Faith, are received into the Church with the solemnity of Baptisme. There is another conjecture drawn from the Ceremonies of the Gentiles, in a certain case that rarely happens; and that is, when a man that was thought dead, chanced to recover, other men made scruple to converse with him, as they would doe to converse with a Ghost, unlesse hee were received again into the number of men, by Washing, as Children new born were washed from the uncleannesse of their nativity, which was a kind of new birth. This ceremony of the Greeks, in the time that Judæa was under the Dominion of Alexander, and the Greeks his successors, may probably enough have crept into the Religion of the Jews. But seeing it is not likely our Saviour would countenance a Heathen rite, it is most likely it proceeded from the Legall Ceremony of Washing after Leprosie. And for the other Sacrament, of eating the *Paschall Lambe*, it is manifestly imitated in the Sacrament of the *Lords Supper*; in which the Breaking of the Bread, and the pouring out of the Wine, do keep in memory our deliverance from the Misery

of Sin, by Christs Passion, as the eating of the Paschall Lambe, kept in memory the deliverance of the Jewes out of the Bondage of Egypt. Seeing therefore the authority of Moses was but subordinate, and hee but a Lieutenant to God; it followeth, that Christ, whose authority, as man, was to bee like that of Moses, was no more but subordinate to the authority of his Father. The same is more expressly signified, by that that hee teacheth us to pray, *Our Father, Let thy Kingdome come;* and, *For thine is the Kingdome, the power, and the Glory;* and by that it is said, that *Hee shall come in the Glory of his Father;* and by that which St. Paul saith, (1 Cor. 15. 24.) *then commeth the end, when hee shall have delivered up the Kingdome to God, even the Father;* and by many other most expresse places.

9. Our Saviour therefore, both in Teaching, and Reigning, representeth (as Moses did) the Person of God; which God from that time forward, but not before, is called the Father; and being still one and the same substance, is one Person as represented by Moses, and another Person as represented by his Sonne the Christ. For *Person* being a relative to a *Representer*, it is consequent to plurality of Representers, that there bee a plurality of Persons, though of one and the same Substance.

5. But the kingdom of God, for restitution whereof Christ was sent from God his Father, takes not its beginning before his second coming; to wit, from the day of judgment, when he shall come in majesty accompanied with his angel. For it is promised the apostles, that in the kingdom of God they shall judge the twelve tribes of Israel, (Matth. xix. 28): *Ye which have followed me in the regeneration, when the Son of man shall sit in the throne of his glory, ye also shall sit upon twelve thrones judging the twelve*

3. For as much therefore, as he that *redeemeth*, hath no title to the *thing redeemed*, before *the Redemption*, and Ransome paid; and this Ransome was the Death of the Redeemer; it is manifest, that our Saviour (as man) was not King of those that he Redeemed, before hee suffered death; that is, during that time hee conversed bodily on the Earth. I say, he was not then King in present, by vertue of the Pact, which the faithfull make with him in Baptisme: Nevertheless, by the renewing of their Pact

tribes of Israel: which is not to be done till the day of judgment. Christ therefore is not yet in the throne of his majesty; nor is that time, when Christ was conversant here in the world, called a kingdom, but a *regeneration*; that is to say, a renovation or restitution of the kingdom of God, and a calling of them who were hereafter to be received into his kingdom. And where it is said (Matth. xxv. 31–32): *When the Son of man shall come in his glory, and all the holy angels with him, then shall he sit upon the throne of his glory, and before him shall be gathered all nations; and he shall separate them one from another, as a shepherd divideth his sheep from the goats*: we may manifestly gather that there will be no local separation of God's subjects from his enemies, but that they shall live mixed together until Christ's second coming. Which is also confirmed by the comparison of the kingdom of heaven with wheat mingled with darnell, and with a net containing all sorts of fish. But a multitude of men, enemies and subjects, living promiscuously together, cannot properly be termed a kingdom. Besides, the apostles, when they asked our Saviour, whether he would at that time when he ascended into heaven, restore the kingdom unto Israel; did openly testify, that they then, when Christ ascended, thought the kingdom of God not to be yet come. Furthermore, the words of Christ, *My kingdom is not of this world*: and, *I will not drink, &c. till the kingdom of God come*: and, *God hath not sent his Son into the world, to judge the world but that the world through him might be saved*: and, *If any man hear my words, and keep them not, I judge him not; for I came not to judge the world, but to save the world*: and, *Man, who made me a judge or divider between you?* and the very appellation of *the kingdom of heaven*

with God in Baptisme, they were obliged to obey him for King, (under his Father) whensoever he should be pleased to take the Kingdome upon him. According whereunto, our Saviour himself expressly saith, (*John 18. 36.*) *My Kingdome is not of this world*. Now seeing the Scripture maketh mention but of two worlds; this that is now, and shall remain to the day of Judgment, (which is therefore also called, *the last day*;) and that which shall bee after the day of Judgment, when there shall bee a new Heaven, and a new Earth; the Kingdome of Christ is not to begin till the general Resurrection. And that is it which our Saviour saith, (*Mat. 16. 27.*) *The Son of man shall come in the glory of his Father, with his Angels; and then he shall reward every man according to his works*. To reward every man according to his works, is to execute the Office of a King; and this is not to be till he come in the glory of his Father, with his Angells. When our Saviour saith, (*Mat. 23. 2.*) *The Scribes and Pharisees sit in Moses seat; All therefore whatsoever they bid you doe, that observe and doe*; hee declareth plainly, that hee ascribeth Kingly Power, for that time, not to himselfe, but to them. And so hee doth also, where he saith, (*Luke 12. 14.*) *Who made mee a Judge, or Divider over you?* And (*John 12. 47.*) *I came not to judge the world, but to save the world*. And yet our Saviour came into this world that hee might bee a King, and a Judge in the world to come: For hee was the Messiah, that is, the Christ, that is, the Anointed Priest, and the Sovereign Prophet of God; that is to say, he was to have all the power that was in Moses the Prophet, in the High Priests that succeeded Moses, and in the Kings that succeeded the Priests. And St. John saies expressly (chap. 5. ver. 22.) *The Father judgeth no man, but hath committed all*

testifies as much. The same thing is gathered out of the words of the prophet Jeremiah, speaking of the kingdom of God by the new covenant (Jer. xxxi. 34): *They shall teach no more every man his neighbour; saying, Know the Lord. For they shall all know me, from the least of them to the greatest of them, saith the Lord:* which cannot be understood of a kingdom in this world. The kingdom of God therefore, for the restoring whereof Christ came into the world; of which the prophets did prophecy, and of which praying we say, *Thy kingdom come;* if it is to have subjects locally separated from enemies, if judicature, if majesty, according as hath been foretold; shall begin from that time, wherein God shall separate the sheep from the goats; wherein the apostles shall judge the twelve tribes of Israel; wherein Christ shall come in majesty and glory; wherein lastly, all men shall so know God, that they shall not need to be taught; that is to say, at Christ's second coming, or the day of judgment. But if the kingdom of God were now already restored, no reason could be rendered why Christ, having completed the work for which he was sent, should come again; or why we should pray, *Thy kingdom come.*

judgment to the Son. And this is not repugnant to that other place, *I came not to judge the world:* for this is spoken of the world present, the other of the world to come; as also where it is said, that at the second coming of Christ, (Mat. 19. 28.) *Yee that have followed me in the Regeneration, when the Son of man shall sit in the throne of his Glory, yee shall also sit on twelve thrones, judging the twelve tribes of Israel.*

7. And whereas in the commonwealth instituted by Moses, there was not only a high-priest for the present, but also a succession and order of priests; it may be demanded why our Saviour Christ did not ordain the like? To which may be answered, that the high-priesthood, forasmuch as concerneth the authority thereof, was in the person of Christ, as he was Christ-King. So also was it in Moses, Aaron having the ministerial part only. For notwithstanding that Aaron was the high-priest, yet the consecration of him belonged to Moses, Exod. 29, 1. All the utensils of sacrifice,

and other holy things, were ordered by Moses; and in sum: the whole Levitical law was delivered by God by the hand of Moses, who was to Aaron a God, and Aaron to him a mouth. And for the ministerial part, there could no high-priest be ordained but himself; for seeing our Saviour was himself the sacrifice, who but himself could offer him up? And for the celebration of that sacrifice for ever after, our Saviour annexed the priesthood to those whom he had appointed to govern in the church.

9. And thus much of the magistrates over Christ's flock in the primitive church; for the office of a minister, or mistress, was to be subject to the flock, and to serve them in those things which appertain to their temporal business. The next thing to be considered is the authority which our Saviour gave to them, either over those whom they had converted, or those whom they were about to convert. And for these latter, which as yet were without the church, the authority which our Saviour gave to his apostles was no more but this: to preach unto them that Jesus was the Christ, to explicate the same in all points that concern the kingdom of heaven, and to persuade men to embrace our Saviour's doctrine, but by no means to compel any man to be subject to them. For seeing the laws of the kingdom of heaven, as hath been showed, Part I. chap. 18, sect. 10, are dictated to the conscience only, which is not subject to compulsion and constraint; it was not congruent to the style of the King of Heaven to constrain men to submit their actions to him, but to advise them only; nor for him that professeth the sum of his law to be love, to extort any duty from us with fear of temporal punishment. And therefore as the mighty men in the world, that hold others in subjection by force, are called in

6. Now, although the kingdom of *God* by Christ to be established with a *new covenant*, were heavenly; we must not therefore think, that they, who believing in Christ would make that covenant were not so to be governed here on the earth too, as that they should persevere in their faith and obedience promised by that covenant. For in vain had the kingdom of heaven been promised, if we were not to have been led into it; but none can be led, but those who are directed in the way. Moses, when he had instituted the *priestly kingdom*, himself though he were no priest, yet ruled and conducted the people all the time of their peregrination, until their entrance into the promised land. In the same manner is it our Saviour's office, (whom God in this thing would have like unto Moses), as he was sent from his Father, so to govern the future subjects of his heavenly kingdom in this life, that they might attain to and enter into that; although the kingdom were not properly his, but his Father's. But the government whereby Christ rules the faithful ones in this life, is not properly a *kingdom* or *dominion*, but a *pastoral charge*, or the *right of teaching*; that is to say, God the Father gave him not a power to judge of *meum* and *tuum*, as he doth to the kings of the earth; nor a *coercive power*, nor *legislative*; but of showing to the world,

4. If then Christ whilst hee was on Earth, had no Kingdome in this world, to what end was his first coming? It was to restore unto God, by a new Covenant, the Kingdome, which being his by the Old Covenant, had been cut off by the rebellion of the Israelites in the election of Saul. Which to doe, he was to preach unto them, that he was the *Messiah*, that is, the King promised to them by the Prophets; and to offer himselfe in sacrifice for the sinnes of them that should by faith submit themselves thereto; and in case the nation generally should refuse him, to call to his obedience such as should beleve in him amongst the Gentiles. So that there are two parts of our Saviours Office during his aboad upon the Earth: One to Proclaim himself the Christ; and another by Teaching, and by working of Miracles, to perswade, and prepare men to live so, as to be worthy of the Immortality Beleevers were to enjoy, at such time as he should come in majesty, to take possession of his Fathers Kingdome. And therefore it is, that the time of his preaching, is often by himself called the *Regeneration*; which is not properly a Kingdome, and thereby a warrant to deny obedience to the Magistrates that then were, (for hee commanded to obey those that sate then in Moses chaire, and to pay tribute to Cæsar;) but onely

Scripture by the name of hunters; so our Saviour calleth those whom he appointed to draw the world unto him, by subduing their affections, *fishers*; and therefore he saith to Peter and Andrew, Matth. 4, 19: *Follow me, and I will make ye fishers of men.* And Luke 10, 3: *Behold, saith Christ, I send ye forth as lambs amongst wolves.* And it were to no end to give them the right of compelling, without strengthening the same with greater power than of lambs amongst wolves. Moreover, Matth. 10, where our Saviour giveth a commission to his twelve apostles to go forth and convert the nations to the faith, he giveth them no authority of coercion and punishment, but only saith, verse 14: *Whosoever shall not receive you, nor hear your words, when ye depart out of that house, or that city, shake off the dust of your feet. Truly I say unto you, it shall be easier for the land of Sodom and Gomorrah in the day of judgment, than for that city.* Whereby it is manifest, that all that the apostles could do by their authority, was no more than to renounce communion with them, and leave their punishment to God Almighty, in the day of judgment. Likewise the comparisons of the kingdom of heaven to the seed, Matth. 13, 3, and to the leaven, Matth. 13, 33, doth intimate unto us that the increase thereof ought to proceed from internal operation of God's word preached, and not from any law or compulsion of them that preach it. Moreover our Saviour himself saith, John 28, 36, that *his kingdom is not of this world*; and consequently his magistrates derive not from him any authority of punishing men in this world. And therefore also, Matth. 26, 52, after St. Peter had drawn his sword in his defence, our Saviour saith, *Put up thy sword into his place. For all that take the sword, shall perish by the sword.* And,

and teaching them *the way and knowledge of salvation*; that is to say, of preaching and declaring what they were to do, who would enter into the kingdom of heaven. That Christ had received no power from his Father to judge in questions of *meum* and *tuum*, that is to say, in all questions of right among those who believed not, those words above cited do sufficiently declare: *Man, who made me a judge or divider between you?* And it is confirmed by reason. For seeing Christ was sent to make *a covenant* between God and men; and no man is obliged to perform obedience before the contract be made; if he should have judged of questions of *right*, no man had been tied to obey his sentence. But that the discerning of right was not committed to Christ in this world, neither among the faithful nor among infidels, is apparent in this; that that right without all controversy belongs to princes, as long as it is not by God himself derogated from their authority. But it is not derogated before the day of judgment; as appears by the words of St. Paul, speaking of the day of judgment (1 Cor. xv. 24): *Then cometh the end, when he shall have delivered up the kingdom to God even the Father, when he shall have put down all rule, and all authority, and power.* Secondly, the words of our Saviour reproving James and John, when they had said (Luke ix. 54): *Wilt thou that we call for fire from heaven, that it may consume them?* (namely the Samaritans, who had denied to receive him going up to Jerusalem): and replying (verse 56), *The Son of man is not come to destroy souls, but to save them*; and those words: *Behold I send you as sheep among wolves; Shake off the dust of your feet*; and the like; and those words, *God sent not his Son into the world, to judge the world, but that the world through him might be saved*; and

an earnest of the Kingdome of God that was to come, to those to whom God had given the grace to be his disciples, and to beleeve in him; For which cause the Godly are said to bee already in the *Kingdome of Grace*, as naturalized in that heavenly Kingdome.

verse 54, *How then shall the Scriptures be fulfilled, which say, that it must be so?* showing out of the Scriptures, that the kingdom of Christ was not to be defended by the sword.

those: *If any man hear my words, and keep them not, I judge him not; for I came not to judge the world, &c.:* do all show, that he had no power given him to condemn or punish any man. We read indeed, that *the Father judgeth no man, but hath committed all judgment to the Son;* but since that both may, and must be understood of the day of future judgment, it doth not at all repugn what hath been said before. Lastly, that he was not sent to make new laws, and that therefore by his office and mission he was no legislator properly so called, nor Moses neither, but a bringer and publisher of his Father's laws, (for God only, and neither Moses nor Christ, was a king by covenant), is collected hence; that he said, *I came not to destroy,* (to wit, the laws before given from God by Moses, which he presently interprets), *but to fulfil;* and, *He that shall break one of the least of these commandments, and shall teach men so, he shall be called least in the kingdom of heaven.* Christ therefore had not a royal or sovereign power committed to him from his Father in this world, but councillor and doctrinal only; which himself signifies, as well then when he calls his apostles not hunters, but fishers of men; as when he compares the kingdom of God to a grain of mustard-seed, and to a little leaven hid in meal.

5. Hitherto therefore there is nothing done, or taught by Christ, that tendeth to the diminution of the Civill Right of the Jewes, or of Cæsar. For as touching the Common-wealth which then was amongst the Jews, both they that bare rule amongst them, and they that were governed, did all expect the Messiah, and Kingdome of God; which they could not have done if their Laws had forbidden him (when he came) to manifest, and declare himself. Seeing therefore he did nothing, but by Preaching, and

Miracles go about to prove himselfe to be that Messiah, hee did therein nothing against their laws. The Kingdome hee claimed was to bee in another world: He taught all men to obey in the mean time them that sate in Moses seat: He allowed them to give Cæsar his tribute, and refused to take upon himselfe to be a Judg. How then could his words, or actions bee seditious, or tend to the overthrow of their then Civill Government? But God having determined his sacrifice, for the reduction of his elect to their former covenanted obedience, for the means, whereby he would bring the same to effect, made use of their malice, and ingratitude. Nor was it contrary to the laws of Cæsar. For though Pilate himself (to gratifie the Jews) delivered him to be crucified; yet before he did so, he pronounced openly, that he found no fault in him: And put for title of his condemnation, not as the Jews required, *that he pretended to bee King*; but simply, *That hee was King of the Jews*; and notwithstanding their clamour, refused to alter it; saying, *What I have written, I have written.*

7. God promised unto Abraham, first, a numerous seed, the possession of the land of Canaan, and a blessing upon all nations in his seed, on this condition; that he and his seed should serve him: next, unto the seed of Abraham according to the flesh, *a priestly kingdom*, a government most free, in which they were to be subject to no human power, on this condition; that they should serve the God of Abraham on that fashion which Moses should teach: lastly, both to them and to all nations, a heavenly and *eternal kingdom*, on condition that they should serve the God of Abraham on that manner which Christ should teach. For by *the new*, that is to say, *the Christian covenant*, it is covenanted on men's part, to serve the God

of Abraham *on that manner which Jesus should teach*: on God's part, *to pardon their sins, and bring them into his celestial kingdom*. We have already spoken of the quality of the *heavenly kingdom*, above in art. 5; but it is usually called, sometimes the *kingdom of heaven*, sometimes the *kingdom of glory*, sometimes the *life eternal*. What is required on men's part, namely, to serve God as Christ should teach, contains two things; *obedience to be performed to God*, (for this is to serve God); and *faith in Jesus*, to wit, that we believe *Jesus to be that Christ who was promised by God*; for that only is the cause why his doctrine is to be followed, rather than any other's. Now in holy Scriptures, *repentance* is often put instead of *obedience*; because Christ teacheth every where, that with God the will is taken for the deed; but *repentance* is an infallible sign of an obedient mind. These things being understood, it will most evidently appear out of many places of sacred Scripture, that those are the conditions of the *Christian covenant* which we have named; to wit, giving remission of sins and eternal life on God's part; and repenting and believing in Jesus Christ, on men's part. First, the words, (Mark i. 15): *The kingdom of God is at hand; Repent ye and believe the gospel*, contain the whole covenant. In like manner those (Luke xxiv. 46–47): *Thus it is written, and thus it behoved Christ to suffer, and to rise from the dead the third day; and that repentance and remission of sins should be preached in his name among all nations, beginning at Jerusalem*. And those (Acts iii. 19): *Repent and be converted, that your sins may be blotted out when the times of refreshing shall come, &c.* And sometimes one part is expressly propounded, and the other understood, as here (John iii. 36): *He that believeth in the Son, hath everlasting life;*

he that believeth not the Son, shall not see life, but the wrath of God abideth on him: where *faith* is expressed, *repentance* not mentioned; and in Christ's preaching (Matth. iv. 17): *Repent, for the kingdom of heaven is at hand:* where *repentance* is expressed, *faith* is understood. But the parts of this *new contract* are most manifestly and formally set down there, where a certain ruler, bargaining as it were for the kingdom of God, asketh our Saviour (Luke xviii. 18): *Good Master, what shall I do to inherit eternal life?* But Christ first propounds one part of the price, namely, observation of the commandments, or obedience; which when he answered that he had kept, he adjoins the other, saying (verse 22): *Yet lackest thou one thing; Sell all that thou hast, and distribute to the poor, and thou shalt have treasure in heaven; and come, follow me.* This was matter of *faith*. He therefore not giving sufficient credit to Christ and his heavenly treasures, went away sorrowful. The same covenant is contained in these words (Mark xvi. 16): *He that believeth and is baptized, shall be saved; but he that believeth not, shall be damned:* where *faith* is expressed, *repentance* is supposed in those that are baptized. And in these words (John iii. 5): *Except a man be born again of water and the Holy Ghost, he cannot enter into the kingdom of heaven:* where, *to be born of water*, is the same with regeneration, that is to say, conversion to Christ. Now that *baptism* is required in the two places cited just before, and in divers others, we must understand, that what *circumcision* was to the *old covenant*, that *baptism* is to the *new*. Seeing therefore that was not of the essence, but served for a memorial of the *old covenant*, as a ceremony or sign, (and was omitted in the wilderness); in like manner this also is used, not as pertaining to the essence, but in memory and

for a sign of the *new covenant* which we make with God. And provided the will be not wanting, the act through necessity may be omitted; but *repentance* and *faith*, which are of the essence of the *covenant*, are always required.

8. In the *kingdom* of God after this life, there will be *no laws*; partly, because there is no room for laws, where there is none for sins; partly, because laws were given us from God, not to direct us in heaven, but unto heaven. Let us now therefore inquire what laws Christ established not himself; for he would not take upon him any legislative authority, as hath been declared above in art. 6; but propounded to us for his Father's. We have a place in Scripture, where he contracts all the laws of God published till that time, into two precepts. (Matth. xxii. 37, 38, 39, 40): *Thou shalt love the Lord thy God with all thine heart, with all thy soul, and with all thy mind; this is the greatest and first commandment. And the second is like unto it, Thou shalt love thy neighbour as thyself. On these two commandments hang all the law and the prophets.* The first of these was given before by Moses in the same words (Deut. vi. 5); and the second even before Moses; for it is the natural law, having its beginning with rational nature itself: and both together is the sum of all laws. For all the laws of divine natural worship, are contained in these words, *Thou shalt love God*; and all the laws of divine worship due by the *old covenant*, in these words, *Thou shalt love thy God*, that is to say, *God*, as being the peculiar *King of Abraham* and his seed; and all the laws natural and civil, in these words, *Thou shalt love thy neighbour as thyself*. For he that loves God and his neighbour, hath a mind to obey all laws, both divine and human. But God requires no more than a mind to obey. We have another place where Christ

interprets the laws, namely, the fifth, sixth, and seventh entire chapters of St. Matthew's Gospel. But all those laws are set down either in the *decalogue* or in the *moral law*, or are contained in *the faith of Abraham*; as that law of not putting away a wife is contained in *the faith of Abraham*. For that same, *two shall be one flesh*, was not delivered either by Christ first, or by Moses, but by Abraham, who first preached the creation of the world. The laws therefore which Christ contracts in one place, and explains in another, are no other than those to which all mortal men are obliged, who acknowledge the God of Abraham. Beside these, we read not of any law given by Christ, beside the institution of the sacraments of *baptism* and the *eucharist*.

9. What may be said then of these kind of precepts, *Repent, Be baptized, Keep the Commandments, Believe the Gospel, Come unto me, Sell all that thou hast, Give to the poor, Follow me*; and the like? We must say that they are not *laws*, but a calling of us to the faith: such as is that of Isaiah (lv. 1): *Come; buy wine and milk without money and without price*. Neither if they come not, do they therefore sin against any law, but against prudence only; neither shall their infidelity be punished, but their former sins. Wherefore St. John saith of the unbeliever, *The wrath of God abideth on him*; he saith not, *The wrath of God shall come upon him*. And, *He that believeth not, is already judged*; he saith not, *shall be judged*, but *is already judged*. Nay, it cannot be well conceived, that remission of sins should be a benefit arising from *faith*, unless we understand also on the other side, that the punishment of sins is an hurt proceeding from *infidelity*.

10. From hence, that our Saviour hath prescribed no distributive laws to the subjects of princes, and citizens of cities; that is to say, hath given no rules whereby a subject may know and discern what is *his own*, what *another man's*, nor by what forms, words, or circumstances a thing must be *given, delivered, invaded, possessed*, that it may be known by right to belong to the *receiver, invader, or possessor*: we must necessarily understand that each single subject (not only with unbelievers, among whom Christ himself denied himself to be a *judge and distributor*, but even with Christians) must take those rules from his city, that is to say, from that man or council which hath the supreme power. It follows therefore, that by those laws; *Thou shalt not kill, Thou shalt not commit adultery, Thou shalt not steal, Honour thy father and mother*; nothing else was commanded, but that subjects, and citizens, should absolutely obey their princes in all questions concerning *meum and tuum, their own and others' right*. For by that precept, *Thou shalt not kill*, all slaughter is not prohibited; for he that said, *Thou shalt not kill*, said also, (Exod. xxxv. 2): *Whosoever doth work upon the sabbath, shall be put to death*. No, nor yet all slaughter, the cause not being heard; for he said, (Exod. xxxii. 27): *Slay every man his brother, and every man his companion, and every man his neighbour*. (Verse 28): *And there fell of the people about three thousand men*. Nor yet all slaughter of an innocent person; for Jephtha vowed (Judges xi. 31): *Whosoever cometh forth, &c. I will offer him up for a burnt offering unto the Lord*; and his vow was accepted of God. What then is forbidden? Only this: that no man kill another, who hath not a *right* to kill him; that is to say, that no man kill, unless it belong to him to do so. The law of Christ therefore concerning

killing, and consequently all manner of hurt done to any man, and what penalties are to be set, commands us to obey the city only. In like manner, by that precept, *Thou shalt not commit adultery*, all manner of copulation is not forbidden; but only that of lying with *another man's wife*. But the judgment, which is another man's wife, belongs to the city; and is to be determined by the rules which the city prescribes. This precept therefore commands both male and female to keep that faith entire, which they have mutually given according to the statutes of the city. So also by the precept, *thou shalt not steal*, all manner of invasion or secret surreption is not forbidden; but of *another man's only*. The subject therefore is commanded this only, that he invade not nor take away aught which the city prohibits to be invaded or taken away; and universally, not to call anything *murder, adultery, or theft*, but what is done contrary to the civil laws. Lastly, seeing Christ hath commanded us to *honour our parents*, and hath not prescribed with what rites, what appellations, and what manner of obedience they are to be honoured; it is to be supposed that they are to be honoured with the will indeed, and inwardly, as kings and lords over their children, but outwardly, not beyond the city's permission, which shall assign to every man, as all things else, so also *his honour*. But since the nature of justice consists in this, that every man have his own given him; it is manifest, that it also belongs to a Christian city to determine what is justice, what injustice, or a sin against justice. Now what belongs to a city, that must be judged to belong to him or them who have the sovereign power of the city.

11. Moreover, because our Saviour hath not showed subjects any other laws for the government of a city, beside those

of nature, that is to say, beside the command of obedience; no subject can privately determine who is a public friend, who an enemy, when war, when peace, when truce is to be made, nor yet what subjects, what authority and of what men, are commodious or prejudicial to the safety of the commonweal. These and all like matters therefore are to be learned, if need be, from the city, that is to say, from the sovereign powers.

12. Furthermore, all these things, to build castles, houses, temples; to move, carry, take away mighty weights; to send securely over seas; to contrive engines, serving for all manner of uses; to be well acquainted with the face of the whole world, the courses of the stars, the seasons of the year, the accounts of the times, and the nature of all things; to understand perfectly all natural and civil rights; and all manner of sciences, which, comprehended under the title of philosophy, are necessary partly to live, partly to live well; I say, the understanding of these (because Christ hath not delivered it) is to be learnt from reasoning; that is to say, by making necessary consequences, having first taken the beginning from experience. But men's reasonings are sometimes right, sometimes wrong; and consequently, that which is concluded and held for a truth, is sometimes truth, sometimes error. Now errors, even about these philosophical points, do sometimes public hurt, and give occasions of great seditions and injuries. It is needful therefore, as oft as any controversy ariseth in these matters contrary to public good and common peace, that there be somebody to judge of the reasoning, that is to say, whether that which is inferred, be rightly inferred or not; that so the controversy may be ended. But there are no rules given by Christ to this purpose, neither came he into the world to teach

logic. It remains therefore that the judges of such controversies, be the same with those whom God by nature had instituted before, namely, those who in each city are constituted by the sovereign. Moreover, if a controversy be raised of the accurate and proper signification, that is, the definition of those names or appellations which are commonly used; insomuch as it is needful for the peace of the city, or the distribution of right, to be determined; the determination will belong to the city. For men, by reasoning, do search out such kind of definitions in their observation of diverse conceptions, for the signification whereof those appellations were used at diverse times and for diverse causes. But the decision of the question, whether a man do reason rightly, belongs to the city. For example, if a woman bring forth a child of an unwonted shape, and the law forbid to kill a man; the question is, whether the child be a man. It is demanded therefore, what a man is. No man doubts but the city shall judge it, and that without taking an account of Aristotle's definition, that man is a rational creature. And these things, namely, *right, policy, and natural sciences*, are subjects concerning which Christ denies that it belongs to his office to give any precepts, or teach any thing beside this only; that in all controversies about them, every single subject should obey the laws and determinations of his city. Yet must we remember this, that the same Christ, as God, could not only have taught, but also commanded what he would.

13. The sum of our Saviour's office was, to teach the way and all the means of salvation and eternal life. But justice and civil obedience, and observation of all the natural laws, is one of the means to salvation. Now these may be taught two ways; one, as *theorems*, by the way of

natural reason, by drawing right and the natural laws from human principles and contracts; and this doctrine thus delivered, is subject to the censure of civil powers. The other, as laws, by divine authority, in showing the will of God to be such; and thus to teach, belongs only to him to whom the will of God is supernaturally known, that is to say, to Christ. Secondly, it belonged to the office of Christ to forgive sins to the penitent; for that was necessary for the salvation of men who had already sinned. Neither could it be done by any other. For remission of sins follows not repentance naturally, as a debt; but it depends, as a free gift, on the will of God supernaturally to be revealed. Thirdly, it belongs to the office of Christ to teach all those commandments of God, whether concerning his worship, or those points of faith which cannot be understood by natural reason, but only by revelation; of which nature are those, *that he was the Christ; that his kingdom was not terrestrial, but celestial; that there are rewards and punishments after this life; that the soul is immortal; that there should be such, and so many sacraments; and the like.*

14. From what hath been said in the foregoing chapter, it is not hard to distinguish between things *spiritual* and *temporal*. For since by *spiritual*, those things are understood, which have their foundation on the authority and office of Christ, and, unless Christ had taught them, could not have been known; and all other things are temporal; it follows, that the definition and determination of what is *just* and *unjust*, the cognizance of all controversies about the *means of peace* and *public defence*, and the examination of doctrines and books in all manner of *rational science*, depends upon *the temporal right*; but those which are *mysteries of faith*, depending

on Christ's word and authority only, their judgments belong to *spiritual right*. But it is reason's inquisition, and pertains to *temporal right* to define what is *spiritual*, and what *temporal*; because our Saviour hath not made that distinction. For although St. Paul in many places distinguish between *spiritual* things and *carnal* things; and call (Rom. viii. 5: 1 Cor. xii. 8–10) those things *spiritual*, which are of the *spirit*, to wit, the *word of wisdom*, the *word of knowledge*, *faith*, the *gift of healing*, the *working of miracles*, *prophecy*, *divers kind of tongues*, *interpretation of tongues*; all supernaturally inspired by the Holy Ghost, and such as the *carnal* man understands not, but he only who hath known the mind of Christ (2 Cor. ii. 14–16); and those things *carnal*, which belong to worldly wealth (Rom. xv. 27); and the men *carnal men* (1 Cor. iii. 1–3): yet hath he not defined, nor given us any rules whereby we may know what proceeds from natural reason, what from supernatural inspiration.

Chapter 36. Of the WORD OF GOD, and of PROPHETS⁵

15. Seeing therefore it is plain that our Saviour hath committed to, or rather not taken away from *princes*, and those who in each city have obtained the sovereignty, the supreme authority of judging and determining all manner of controversies about *temporal* matters; we must see henceforth to whom he hath left the same authority in matters *spiritual*. Which because it cannot be known, except it be out of *the word of God* and *the tradition of the Church*, we must enquire in the next place what *the word of God is*, what *to interpret it*, what a *Church* is, and what *the will and command of the Church*. To omit that *the word of God* is in Scripture taken

3. Considering these two significations of the WORD OF GOD, as it is taken in Scripture, it is manifest in this later sense (where it is taken for the Doctrine of the Christian Religion,) that the whole scripture is the Word of God: but in the former sense not so. For example, though these words, *I am the Lord thy God, &c.* to the end of the Ten Commandments, were spoken by God to Moses; yet the Preface, *God spake these words and said*, is to be understood for the Words of him that wrote the holy History. The *Word of God*, as it is taken for that which he hath spoken, is understood sometimes *Properly*, sometimes *Metaphorically*. *Properly*, as the words,

⁵ *Leviathan*, chapter 36, paragraphs 1–2, 7–8 and 19–20 are in Chapter 24; margin notes for new material (paragraphs 9–18) are in Précis Table 27.

sometimes for the *Son of God*, it is used three manner of ways. First, most properly for that which God hath spoken. Thus, whatsoever God spake unto Abraham, the patriarchs, Moses, and the prophets, our Saviour to his disciples, or any others; is *the word of God*. Secondly, whatsoever hath been uttered by men on the motion or by command of the Holy Ghost; in which sense we acknowledge the Scriptures to be the *word of God*. Thirdly, in the New Testament indeed, the *word of God* most frequently signifies the doctrine of the gospel, or the *word concerning God*, or *the word of the kingdom of God* by Christ. As where it is said (Matth. iv. 23) that Christ preached the *gospel of the kingdom*: where the apostles are said to preach *the word of God* (Acts xiii. 46): where the *word of God* is called *the word of life* (Acts v. 20): *of the word of the gospel* (Acts xv. 7): *the word faith* (Rom. x. 8): *the word of truth*, that is to say, (adding an interpretation) *the gospel of salvation*, (Eph. i. 13): and where it is called *the word of the apostles*; for St. Paul says (2 Thess. iii. 14): *If any man obey not our word*, &c. Which places cannot be otherwise meant than of *the doctrine evangelical*. In like manner, where the word of God is said to be *sown*, *to increase*, and *to be multiplied* (Acts xii. 24: and xiii. 49): it is very hard to conceive this to be spoken of the *voice of God* or *of his apostles*; but of their doctrine, easy. And in this third acception is all that *doctrine of the Christian faith*, which at this day is preached in pulpits and contained in the books of divines, *the word of God*.

he hath spoken to his Prophets; *Metaphorically*, for his Wisdome, Power, and eternall Decree, in making the world; in which sense, those *Fiats*, *Let there be light*, *Let there be a firmament*, *Let us make man*, &c. [Gen. 1.] are the Word of God. And in the same sense it is said [John 1. 3.] *All things were made by it, and without it was nothing made that was made*: And [Heb. 1. 3.] *He upholdeth all things by the word of his Power*; that is, by the Power of his Word; that is, by his Power; and [Heb. 11. 3.] *The worlds were framed by the Word of God*; and many other places to the same sense: As also amongst the Latines, the name of *Fate*, which signifieth properly *The word spoken*, is taken in the same sense.

4. Secondly, for the effect of his Word; that is to say, for the thing it self, which by his Word is Affirmed, Comanded, Threatned, or Promised; as [Psalm 105. 19.] where Joseph is said to have been kept in prison, *till his Word was come*; that is, till that was come to passe which he had [Gen. 40. 13.] foretold to Pharaohs Butler, concerning his being restored to his office: for there by His Word Was Come, is meant, the thing it self was come to passe. So also [1 King. 18. 36.] Elijah saith to God, *I have done all these thy Words*, in stead of *I have done all these things at thy Word*, or commandement: and [Jer. 17. 15.] *Where is the Word of the Lord*, is put for, *Where is the Evill he threatned*: And [Ezek. 12. 28.] *There shall none of my Words be prolonged any more*: by words are understood those *things*, which God

promised to his people. And in the New Testament [*Mat. 24. 35.*] *heaven and earth shal pass away, but my Words shall not pass away;* that is, there is nothing that I have promised or foretold, that shall not come to passe. And in this sense it is, that St. John the Evangelist, and, I think, St. John onely calleth our Saviour himself as in the flesh *the Word of God* [*as Joh. 1. 14.*] *the Word was made Flesh;* that is to say, the Word, or Promise that Christ should come into the world, *who in the beginning was with God;* that is to say, it was in the purpose of God the Father, to send God the Son into the world, to enlighten men in the way of Eternall life, but it was not till then put in execution, and actually incarnate; So that our Saviour is there called *the Word*, not because he was the promise, but the thing promised. They that taking occasion from this place, doe commonly call him the Verbe of God, do but render the text more obscure. They might as well term him the Nown of God: for as by *Nown*, so also by *Verbe*, men understand nothing but a part of speech, a voice, a sound, that neither affirms, nor denies, nor commands, nor promiseth, nor is any substance corporeall, or spirituall; and therefore it cannot be said to bee either God, or Man; whereas our Saviour is both. And this *Word* which St. *John* in his Gospel saith was with God, is [in his 1 Epistle, verse 1.] called *the Word of Life;* and [verse 2.] *the Eternall life, which was with the Father:* so

that he can be in no other sense called the *Word*, then in that, wherein he is called *Eternall life*; that is, *he that hath procured us Eternall life*, by his comming in the flesh. So also [*Apocalypse* 19. 13.] the Apostle speaking of Christ, clothed in a garment dipt in bloud, saith; his name is *the Word of God*; which is to be understood, as if he had said his name had been, *He that was come according to the purpose of God from the beginning, and according to his Word and promises delivered by the Prophets*. So that there is nothing here of the Incarnation of a *Word*, but of the Incarnation of God the Son, therefore called the *Word*, because his Incarnation was the Performance *Acts* of the Promise; In like manner *1. 4* as the Holy Ghost is called *the Luke Promise.* *24. 49*

5. There are also places of the Scripture, where, by the *Word of God*, is signified such Words as are consonant to reason, and equity, though spoken sometimes neither by prophet, nor by a holy man. For Pharaoh Necho was an Idolator; yet his Words to the good King Josiah, in which he advised him by Messengers, not to oppose him in his march against *Carchemish*, are said to have proceeded from the mouth of God; and that Josiah not hearkning to them, was slain in the battle; as is to be read *2 Chron.* 35. vers. 21, 22, 23. It is true, that as the same History is related in the first Book of Esdras, not Pharaoh, but Jeremiah spake these words to Josiah, from the mouth of the Lord. But wee are to give credit to the Canonick Scripture, whatsoever be written in the Apocrypha.

16. Now the sacred Scripture is entirely *the word of God* in this second accep- tion, as being that which we acknowl- edge to be inspired from God; and innumerable places of it, in the first. And seeing the greatest part of it is conversant either in the prediction of the *kingdom of heaven*, or in prefigura- tions before the incarnation of Christ, or in evangelization and explication after; the sacred Scripture is also *the word of God*, and therefore the canon and rule of all *evangelical doctrine*, in this third signification; where *the word of God* is taken for *the word concerning God*, that is to say, for *the gospel*. But because in the same Scriptures we read many things political, historical, moral, physical, and others which nothing at all concern the mysteries of our faith; those places, although they contain true doctrine, and are the canon of such kind of doctrines, yet can they not be the canon of the mysteries of Chris- tian religion.

17. And truly, it is not the dead voice or letter of *the word of God*, which is the canon of Christian doctrine; but a true and genuine determina- tion. For the mind is not governed by Scriptures, unless they be under- stood. There is need therefore of an interpreter to make the Scriptures canon, and hence follows one of these two things; that either the word of the interpreter is the word of God, or that the canon of Christian doc- trine is not the word of God. The last of these must necessarily be false; for the rule of that doctrine which cannot be known by any human reason, but by divine revelation only, cannot be less than divine; for whom we acknowledge

6. The Word of God, is then also to be taken for the Dictates of reason, and eq- uity, when the same is said in the Scrip- tures to be written in mans heart; as *Psalm* 36. 31. *Jerem.* 31. 33. *Deut.* 30.11, 14. and many other like places.

not to be able to discern whether some doctrine be true or not, it is impossible to account his opinion for a rule in the same doctrine. The first therefore is true, *that the word of an interpreter of Scriptures is the word of God.*

18. Now that interpreter whose determination hath the honour to be held for *the word of God*, is not every one that translates the Scriptures out of the Hebrew and Greek tongue, to his Latin auditors in Latin, to his French in French, and to other nations in their mother tongue; for this is not to interpret. For such is the nature of speech in general, that although it deserve the chief place among those signs whereby we declare our conceptions to others, yet cannot it perform that office alone without the help of many circumstances. For the living voice hath its interpreters present, to wit, time, place, countenance, gesture, the counsel of the speaker, and himself unfolding his own meaning in other words as oft as need is. To recall these aids of interpretation, so much desired in the writings of old time, is neither the part of an ordinary wit, nor yet of the quaintest, without great learning and very much skill in antiquity. It sufficeth not therefore for interpretation of Scriptures, that a man understand the language wherein they speak. Neither is every one an authentic interpreter of Scriptures, who writes comments upon them. For men may err; they may also either bend them to serve their own ambition; or even resisting, draw them into bondage by their forestallings; whence it will follow, that an erroneous sentence must be held for *the word of God*. But although this might not happen, yet as soon as these commentators are departed, their commentaries will

need explications; and in process of time, those explications expositions; those expositions new commentaries, without any end. So as there cannot, in any written interpretation whatsoever, be a canon or rule of Christian doctrine, whereby the controversies of religion may be determined. It remains, that there must be some canonical interpreter, whose legitimate office it is to end controversies begun, by explaining the word of God in the judgments themselves; and whose authority therefore must be no less obeyed, than theirs who first recommended the Scripture itself to us for a canon of faith; and that one and the same person be *an interpreter of Scripture*, and a *supreme judge of all manner of doctrines*.

Chapter 39. Of the signification in Scripture of the word CHURCH

19. What concerns the word *ecclesia*, or Church, originally it signifies the same thing that *concio* or a congregation does in Latin; even as *ecclesiastes* or churchman, the same that *concionator* or preacher, that is to say, he who speaks to the congregation. In which sense we read in the Acts of the Apostles, of a *Church confused*, and of a *lawful Church* (Acts xix, 32–39): that, taken for a concourse of people meeting in way of tumult; this, for a convocated assembly. But in holy writ by a *Church of Christians*, is sometimes understood the assembly, and sometimes the Christians themselves, although not actually assembled, if they be permitted to enter into the congregation and to communicate with them. For example, *Tell it to the Church*, (Matth. xviii. 17), is meant of a Church assembled; for otherwise it is impossible to *tell* any thing to the Church. But *He laid waste the Church*,

1. The word *Church*, (*Ecclesia*) signifieth in the Books of Holy Scripture divers things. Sometimes (though not often) it is taken for *Gods House*, that is to say, for a Temple, wherein Christians assemble to perform holy duties publicly; as, 1 *Cor.* 14. ver. 34. *Let your women keep silence in the Churches*: but this is Metaphorically put, for the Congregation there assembled; and hath been since used for the Edifice it self, to distinguish between the Temples of Christians, and Idolaters. The Temple of Jerusalem was *Gods House*, and the House of Prayer; and so is any Edifice dedicated by Christians to the worship of Christ, *Christs house*: and therefore the Greek Fathers call it *Κοριακή*, *The Lords house*; and thence, in our language it came to be called *Kyrke*, and *Church*.

(Acts viii. 3), is understood of a Church not assembled. Sometimes a Church is taken for those who are baptized, or for the professors of the Christian faith, whether they be Christians inwardly or feignedly; as when we read of somewhat said or written to the Church, or said, or decreed, or done by the Church. Sometimes for the elect only, as when it is called *holy and without blemish* (Ephes. v. 27). But the elect, as they are militant, are not properly called a Church; for they know not how to assemble; but they are a *future Church*, namely, in that day when severed from the reprobate they shall be triumphant. Again, a Church may be sometimes taken for all Christians collectively; as when Christ is called *the head of his Church* (Ephes. v. 23); and *the head of his body the Church* (Coloss. i. 18). Sometimes for its parts; as *the Church of Ephesus, the Church which is in his house, the seven Churches, &c.* Lastly, a Church, as it is taken for a company actually assembled, according to the divers ends of their meeting, signifies sometimes those who are met together to deliberate and judge; in which sense it is also called a council and a synod; sometimes those who meet together in the house of prayer to worship God, in which signification it is taken in the 1 Cor. xiv. 4, 5, 23, 28, &c.

20. Now a *Church*, which hath personal rights and proper actions attributed to it, and of which that same must necessarily be understood, *Tell it to the Church*, and *he that obeys not the Church*, and all such like forms of speech, is to be defined so as by that word may be understood a multitude of men, who have made a new covenant

2. Church (when not taken for a House) signifieth the same that *Ecclesia* signified in the Grecian Common-wealths; that is to say, a Congregation, or an Assembly of Citizens, called forth, to hear the Magistrate speak unto them; and which in the Common-wealth of Rome was called *Concio*, as he that spake was called *Ecclesiastes*, and *Concionator*. And when they were called forth by lawfull Authority, it was *Ecclesia legitima*, a *Lawfull Church*, ἔννομος Ἐκκλησία. But when they were excited by tumultuous, and seditious clamor, then it was a confused Church, Ἐκκλησία συγκεχυμένη.

3. It is taken also sometimes for the men that have right to be of the Congregation, though not actually assembled; that is to say, for the whole multitude of Christian men, how far soever they be dispersed: as (Act. 8. 3.) where it is said, that *Saul made havock of the Church*: And in this sense is *Christ* said to be Head of the Church. And sometimes for a certain part of Christians, as (Col. 4. 15.) *Salute the Church that is in his house*. Sometimes also for the Elect only; as (Ephes. 5. 27.) *A Glorious Church, without spot, or wrinkle, holy, and without blemish*; which is meant of the *Church triumphant*, or, *Church to come*. Sometimes, for a Congregation assembled, of professors of Christianity, whether their profession be true, or counterfeit, as it is understood, *Mat. 18. 17.* where it is said, *Tell it to the Church, and if hee neglect to hear the Church, let him be to thee as a Gentile, or Publican.*

4. And in this last sense only it is that the *Church* can be taken for one Person; that is to say, that it can be said to have power to will, to pronounce, to command, to be obeyed, to make laws, or to doe any other action whatsoever; For without authority from a lawfull Congregation, whatsoever act be done in a concourse of people, it is the particular

with God in Christ, that is to say, a multitude of them who have taken upon them the sacrament of baptism; which multitude may both lawfully be called together by some one into one place, and, he so calling them, are bound to be present either in person or by others. For a multitude of men, if they cannot meet in assembly when need requires, is not to be called *a person*. For a Church can neither speak, nor discern, nor hear, but as it is a congregation. Whatsoever is spoken by particular men, (to wit, as many opinions almost as heads), that is the speech of one man, not of the Church. Furthermore, if an assembly be made, and it be unlawful, it shall be considered as null. Not any one of these therefore who are present in a tumult, shall be tied to the decree of the rest; but specially if he dissent. And therefore neither can such a Church make any decree; for then a multitude is said to decree somewhat, when every man is obliged by the decree of the major part. We must therefore grant to the definition of a Church, to which we attribute *things belonging to a person*, not only a possibility of assembling, but also of doing it lawfully. Besides, although there be some one who may lawfully call the rest together; yet if they who are called, may lawfully not appear; which may happen among men who are not subject one to another; that same *Church* is not *one person*. For by what right they, who being called to a certain time and place do meet together, are *one Church*; by the same, others flocking to another place appointed by them, are *another Church*. And every number of men of one opinion is a Church; and by consequence there will be as many Churches as there are divers opinions; that is to say, the same multitude of men will at once prove to be *one*, and *many Churches*. Wherefore a Church is not one, except

act of every one of those that were present, and gave their aid to the performance of it; and not the act of them all in grosse, as of one body; much lesse the act of them that were absent, or that being present, were not willing it should be done. According to this sense, I define a CHURCH to be, *A company of men professing Christian Religion, united in the person of one Sovereign; at whose command they ought to assemble, and without whose authority they ought not to assemble*. And because in all Common-wealths, that Assembly, which is without warrant from the Civil Sovereign, is unlawful; that Church also, which is assembled in any Commonwealth, that hath forbidden them to assemble, is an unlawfull Assembly.

there be a certain and known, that is to say, a lawful power, by means whereof every man may be obliged to be present in the congregation, either himself in person, or by proxy; and that becomes *one*, and is capable of *personal* functions, by the union of a lawful power of convocating synods and assemblies of Christians; not by uniformity of doctrine; and otherwise it is a multitude, and *persons* in the plural, howsoever agreeing in opinions.

21. It follows what hath been already said by necessary connexion, that a *city of Christian men* and a *Church* is altogether the same thing, of the same men, termed by two names, for two causes. For the *matter of a city* and a *Church* is one, to wit, the same Christian men. And the *form*, which consists in a lawful power of assembling them, is the same too; for it is manifest that every subject is obliged to come thither, whither he is summoned by his *city*. Now that which is called a *city*, as it is made up of *men*, the same, as it consists of *Christians*, is styled a *Church*.

22. This too is very coherent with the same points: *if there be many Christian cities, they are not altogether personally one Church*. They may indeed by mutual consent become one *Church*, but no otherwise than as they must also become one city. For they cannot assemble but at some certain time, and to some place appointed. But persons, places, and times, belong to civil right; neither can any subject or stranger lawfully set his foot on any place, but by the permission of the city, which is lord of the place. But the things which cannot lawfully be done but by the permission of the city, those, if they be lawfully done, are done by the city's authority. The *universal Church* is indeed one *mystical body*, whereof Christ is the head; but in the same manner that all men together,

5. It followeth also, that there is on Earth, no such universall Church as all Christians are bound to obey; because there is no power on Earth, to which all other Common-wealths are subject: There are Christians, in the Dominions of severall Princes and States; but every one of them is subject to that Common-wealth, whereof he is himself a member; and consequently, cannot be subject to the commands of any other Person. And therefore a Church, such a one as is capable to Command, to Judge, Absolve, Condemn, or do any other act, is the same thing with a Civil Common-wealth, consisting of Christian men; and is called a *Civill State*, for that the subjects of it are *Men*; and a *Church*, for that the subjects thereof are *Christians*. *Temporall* and *Spirituell* Government, are but two words brought into the world, to make men see double, and mistake their *Lawfull Sovereign*. It is true, that the bodies of the faithfull, after the Resurrection, shall be not onely Spirituell, but Eternall: but in this life they are grosse, and corruptible. There is therefore no other Government in this life, neither of State, nor Religion, but Temporall; nor teaching of any doctrine, lawfull to any Subject, which the Governour both of the State, and of the Religion, forbiddeth to be taught: And that Governor must be one; or else there must needs follow Faction, and Civil

acknowledging God for the ruler of the world, are one kingdom and one city; which notwithstanding is neither one *person*, nor hath it one common action or determination. Furthermore, where it is said that *Christ is the head of his body the Church*, it manifestly appears that that was spoken by the Apostle of the elect; who, as long as they are in this world, are a *Church* only in *potentia*; but shall not actually be so before they be separated from the reprobate, and gathered together among themselves in the day of judgment. The Church of Rome of old was very great, but she went not beyond the bounds of her empire, and therefore neither was she *universal*; unless it were in that sense, wherein it was also said of the city of Rome, *Orbem jam totum victor Romanus habebat*; when as yet he had not the twentieth part of it. But after that the civil empire was divided into parts, the single cities thence arising were so many Churches: and that power which the Church of Rome had over them, might perhaps wholly depend on the authority of those Churches, who having cast off the emperors, were yet content to admit the doctors of Rome.

war in the Common-wealth, between the *Church* and *State*; between *Spiritualists*, and *Temporalists*; between the *Sword of Justice*, and the *Shield of Faith*; and (which is more) in every Christian mans own brest, between the *Christian*, and the *Man*. The Doctors of the Church, are called Pastors; so also are Civill Soveraigns: But if Pastors be not subordinate one to another, so as that there may bee one chief Pastor, men will be taught contrary Doctrines, whereof both may be, and one must be false. Who that one chief Pastor is, according to the law of Nature, hath been already shewn; namely, that it is the Civill Soveraign: And to whom the Scripture hath assigned that Office, we shall see in the Chapters following.

**Chapter 42. Of POWER
ECCLESIASTICALL⁶**

23. They may be called *churchmen*, who exercise a public office in the Church. But of offices, there was one a *ministry*, another a *maistry*. The offices of the *ministers*, was to serve tables, to take care of the temporal goods of the Church, and to distribute, at that time when all propriety of riches being abolished they were fed in common, to each man his portion. The *maisters*, according to their order, were called some *apostles*, some *bishops*, some *presbyters*, that is to say, *elders*; yet not so, as that

49. Of Ecclesiastical Officers in the time of the Apostles, some were Magisteriall, some Ministeriall. Magisteriall were the Offices of preaching of the Gospel of the Kingdom of God to Infidels; of administring the Sacraments, and Divine Service; and of teaching the Rules of Faith and Manners to those that were converted. Ministeriall was the Office of Deacons, that is, of them that were appointed to the administration of the secular necessities of the Church, at such time as they lived upon a common

⁶ *Leviathan*, chapter 42, paragraphs 36–41, and the parallel passages in *De Cive*, chapter 16, paragraphs 10 and 12 are in Chapter 24. Margin notes for the paragraphs slotted into chapter 42 (1–18, 32–5, 42–8, 61–5, 72–135) appear in Précis Table 29.

by the name of *presbyter*, the *age*, but the office might be distinguished. For Timothy was a *presbyter*, although a young man. But because for the most part the *elders* were received into the *maistership*, the word, denoting age, was used to signify the office. The same *maisters*, according to the diversity of their employments, were called some of them *apostles*, some *prophets*, some *evangelists*, some *pastors* or *teachers*. And the *apostolical* work indeed was universal; the *prophetical*, to declare their own revelations in the Church; the *evangelical*, to preach or to be publishers of the gospel among the infidels; that of the *pastors*, to teach, confirm, and rule the minds of those who already believed.

24. In the election of churchmen two things are to be considered; the election of the persons, and their *consecration* or institution, which also is called *ordination*. The first twelve apostles Christ himself both elected and ordained. After Christ's ascension, Matthias was elected in the room of Judas the traitor; the Church, which at that time consisted of a congregation of about one hundred and twenty men: *and they appointed two*, Joseph and Matthias: but God himself by lot approving of Matthias.

stock of mony, raised out of the voluntary contributions of the faithfull.

50. Amongst the Officers Magisteriall, the first, and principall were the Apostles; whereof there were at first but twelve; and these were chosen and constituted by our Saviour himselfe; and their Office was not onely to Preach, Teach, and Baptize, but also to be Martyrs, (Witnesses of our Saviours Resurrection.) This Testimony, was the specificall, and essentiall mark; whereby the Apostleship was distinguished from other Magistracy Ecclesiasticall; as being necessary for an Apostle, either to have seen our Saviour after his Resurrection, or to have conversed with him before, and seen his works, and other arguments of his Divinity, whereby they might be taken for sufficient Witnesses. And therefore at the election of a new Apostle in the place of Judas Iscariot, S. Peter saith (*Acts* 1. 21, 22.) *Of these men that have companyed with us, all the time that the Lord Jesus went in and out among us, beginning from the Baptisme of John unto that same day that he was taken up from us, must one be ordained to be a Witsesse with us of his Resurrection*: where, by this word *must*, is implied a necessary property of an Apostle, to have companyed with the first and prime Apostles in the time that our Saviour manifested himself in the flesh.

51. The first Apostle, of those which were not constituted by Christ in the time he was upon the Earth, was *Matthias*, chosen in this manner: There were assembled together in Jerusalem about 120 Christians (*Acts* 1. 15.) These appointed two, *Joseph the Just*, and *Matthias* (ver. 23.) and caused lots to be drawn; *and* (ver. 26.) *the Lot fell on Matthias and he was numbred with the Apostles*. So that here we see the ordination of this Apostle, was the act of the Congregation, and not of St. Peter, nor

And St. Paul calls these twelve *the first and great apostles*; also the apostles of *the circumcision*. Afterward were added two other apostles, Paul and Barnabas; ordained indeed by the doctors and prophets of the Church of Antioch (which was a *particular Church*) by the imposition of hands; but elected by the command of the Holy Ghost. That they were both apostles, is manifest in Acts xiii. 2, 3. That they received their apostleship from hence, namely, because they were separated, by command of the spirit, for the work of God from the rest of the prophets and doctors of the Church of Antioch, St. Paul himself shows; who calls himself, for distinction sake (Rom. i. 1), *an apostle separated unto the Gospel of God*. But if it be demanded further, *by what authority* it came to pass, that that was received for the command of the Holy Ghost, which those prophets and doctors did say proceeded from him; it must necessarily be answered, *by the authority of the Church of Antioch*. For the prophets and doctors must be examined by the Church, before they be admitted. For St. John (1 Epist. iv. 1) saith: *Believe not every spirit; but try the spirits, whether they are of God; because many false prophets are gone out into the world*. But by what Church, but that to which that epistle was written? In like manner St. Paul (Gal. ii. 14) reproves the Churches of Galatia, because they Judaized; although they seemed to do so by the authority of Peter. For when he had told them, that he had reprehended Peter himself in these words: *If thou being a Jew, livest after the manner of Gentiles, and not as do the Jews; why compellest thou the Gentiles to live as do the Jews*: not long after he questions them, saying (Gal. iii. 2): *This only would I learn of you: received ye the Spirit by the works of the law, or by the hearing of faith?* Where

of the eleven, otherwise then as Members of the Assembly.

52. After him there was never any other Apostle ordained, but Paul and Barnabas; which was done (as we read Acts 13. 1, 2, 3.) in this manner. *There were in the Church that was at Antioch, certaine Prophets, and Teachers; as Barnabas, and Simeon that was called Niger, and Lucius of Cyrene, and Manaen; which had been brought up with Herod the Tetrarch, and Saul. As they ministred unto the Lord, and fasted, the Holy Ghost said, Separate mee Barnabas, and Saul for the worke whereunto I have called them. And when they had fasted, and prayed, and laid their hands on them, they sent them away*

53. By which it is manifest, that though they were called by the Holy Ghost, their Calling was declared unto them, and their Mission authorized by the particular Church of Antioch. And that this their calling was to the Apostleship, is apparent by that, that they are both called (Acts 14. 14.) Apostles: And that it was by virtue of this act of the Church of Antioch, that they were Apostles, S. Paul declareth plainly (Rom. 1. 1.) in that hee useth the word, which the Holy Ghost used at his calling: For hee stileth himself, *An Apostle separated unto the Gospel of God*; aluding to the words of the Holy Ghost, *Separate me Barnabas and Saul, &c.* But seeing the work of an Apostle, was to be a Witness of the Resurrection of Christ, a man may here aske, how S. Paul that conversed not with our Saviour before his passion, could know he was risen. To which is easily answered, that our Saviour himself appeared to him in the way to Damascus, from Heaven, after his Ascension; and chose him for a vessell to bear his name before the Gentiles, and Kings, and Children of Israel; and consequently (having seen the Lord after his passion) was a competent Witness of his Resurrection:

8. After the ascension of our Saviour, the apostles dispersed themselves for the spreading of the Gospel; and continually as they converted any number of men, in any city or region, to the faith, they chose out such as they thought fittest, to direct them in matter of conversation and life, according to Christ's law, and to explicate unto them that mystery of Christ come in the flesh; that is to say, to unfold unto them at large the office of the Messiah. And of those elders some were subordinate to others, according as the apostles, who ordained them, thought meet. So St. Paul gave power to Titus, to ordain elders in Crete, and to redress things that were amiss. So that Titus was both an elder, and ordained elders, Tit. 1. 5: *For this cause I left thee in Crete, that thou shouldest continue to redress the things that remain, and ordain elders in every city*; where the word is *καταστήσης*, that is constitute; whereby it appeareth that in the apostles' times, one elder had authority over another, to ordain and rule them. For 1 Tim. 5, 19, Timothy an elder, is made judge of accusations against other elders. And Acts 14, 23, the disciples are said to ordain elders for all the congregations of the cities they had preached in; and though the word there be *χειροτονήσαντες*, yet it signifieth not election by holding up of hands, but simply and absolutely ordination. For the ordinary choosing of magistrates amongst the Grecians, which were all either popularly governed, or else by *oligarchy*, being performed by holding up of hands, made that word be taken simply for an election or

it is evident, that it was Judaism which he reprehended the Galatians for, notwithstanding that the apostle Peter compelled them to Judaize. Seeing therefore it belonged to the Church, and not to Peter, and therefore also not to any man, to determine what doctors they should follow; it also pertained to the authority of the Church of Antioch, to elect their prophets and doctors. Now, because the Holy Ghost separated to himself the apostles Paul and Barnabas by the imposition of hands from doctors thus elected, it is manifest, *that imposition of hands and consecration* of the prime doctors in each Church, belongs to the doctors of the same Church. But *bishops*, who were also called *presbyters*, although all presbyters were not bishops, were ordained sometimes by *apostles*; for Paul and Barnabas, when they had taught in Derbe, Lystra, and Iconium, ordained *elders* in every Church (Acts xiv. 23): sometimes by other bishops; for Titus was by Paul left in Crete, that he should ordain *elders* in every city (Tit. i. 5). And Timothy was advised (1 Tim. iv. 14) *Not to neglect the gift that was in him, which was given him by prophecy with the laying on of the hands of the presbytery*. And he had rules given him concerning the election of *presbyters*. But that cannot be understood otherwise, than of the ordination of those who were elected by the Church; for no man can constitute a doctor in the Church, but by the Church's permission. For the duty of the apostles themselves was not to command, but to teach. And although they who were recommended by the apostles or presbyters, were not rejected, for the esteem that was had of the recommenders; yet seeing they could not be elected without the *will* of the Church, they were also supposed elected by the *authority* of the Church. In like manner ministers, who are called *deacons*, were

And as for Barnabas, he was a Disciple before the Passion. It is therefore evident that Paul, and Barnabas were Apostles; and yet chosen, and authorized (not by the first Apostles alone, but) by the Church of Antioch; as Matthias was chosen, and authorized by the Church of Jerusalem.

54. *Bishop*, a word formed in our language, out of the Greek *Episcopus*, signifieth an Overseer, or Superintendent of any businesse, and particularly a Pastor or Shepherd; and thence by metaphor was taken, not only amongst the Jews that were originally Shepherds, but also amongst the Heathen, to signify the Office of a King, or any other Ruler, or Guide of People, whether he ruled by Laws, or Doctrine. And so the Apostles were the first Christian Bishops, instituted by Christ himself: in which sense the Apostleship of Judas is called (Acts 1. 20.) *his Bishoprick*. And afterwards, when there were constituted Elders in the Christian Churches, with charge to guide Christ's flock by their doctrine, and advice; these Elders were also called Bishops. Timothy was an Elder (which word *Elder*, in the New Testament is a name of Office, as well as of Age;) yet he was also a Bishop. And Bishops were then content with the Title of Elders. Nay S. John himselfe, the Apostle beloved of our Lord, beginneth his Second Epistle with these words, *The Elder to the Elect Lady*. By which it is evident, that *Bishop, Pastor, Elder, Doctor*, that is to say, *Teacher*, were but so many divers names of the same Office in the time of the Apostles. For there was then no government by Coercion, but only by Doctrine, and Perswading. The Kingdome of God was yet to come, in a new world; so that there could be no authority to compell in any Church, till the Commonwealth had embraced the Christian Faith; and consequently no diversity of Authority, though there were diversity of Employments.

ordination howsoever made. And thus in the primitive church, the hierarchy of the church was: apostles; elders that governed other elders; and elders that ruled not, but their office was to preach, to administer the sacraments, to offer up prayers and thanksgiving in the name of the people. But at that time there appeared no distinction between the names of bishop and elder. But immediately after the apostles' time, the word bishop was taken to signify such an elder as had the government of elders, and other elders were called by the name of priests, which signifieth the same that elder doth. And thus the government of bishops hath a divine pattern in the twelve rulers, and seventy elders of Israel, in the twelve apostles and seventy disciples of our Saviour; in the ruling elders, and not ruling elders, in the time of the apostles.

ordained by the apostles; yet *elected* by the Church. For when the seven deacons were to be elected and ordained, the apostles elected them not: but, *look ye out*, say they (Acts vi. 3, 5, 6), *among you, brethren, seven men of honest report, &c.: and they chose Stephen, &c.: and they set them before the apostles.* It is apparent therefore by the custom of the primitive Church under the apostles, that the *ordination* or *consecration* of all churchmen, which is done by *prayer* and *imposition of hands*, belonged to the *apostles* and *doctors*; but the *election* of those who were to be consecrated, *to the Church.*

55. Besides these Magisteriall employments in the Church; namely Apostles, Bishops, Elders, Pastors, and Doctors, whose calling was to proclaim Christ to the Jews, and Infidels, and to direct, and teach those that beleevved we read in the New Testament of no other. For by the names of *Evangelists* and *Prophets*, is not signified any Office, but severall Gifts, by which severall men were profitable to the Church: as *Evangelists*, by writing the life and acts of our Saviour; such as were S. *Matthew* and S. *John* Apostles, and S. *Marke* and S. *Luke* Disciples, and whosoever else wrote of that subject, (as S. *Thomas*, and S. *Barnabas* are said to have done, though the Church have not received the Books that have gone under their names:) and as *Prophets*, by the gift of interpreting the Old Testament; and sometimes by declaring their speciall Revelations to the Church. For neither these gifts, nor the gifts of Languages, nor the gift of Casting out Devils, or of Curing other diseases, nor any thing else did make an Officer in the Church, save onely the due calling and election to the charge of Teaching.

56. As the Apostles, Matthias, Paul, and Barnabas, were not made by our Saviour himself, but were elected by the Church, that is, by the Assembly of Christians; namely, Matthias by the Church of Jerusalem, and Paul, and Barnabas by the Church of Antioch; so were also the *Presbyters*, and *Pastors* in other Cities, elected by the Churches of those Cities. For proof whereof, let us consider, first, how S. Paul proceeded in the Ordination of Presbyters, in the Cities where he had converted men to the Christian Faith, immediately after he and Barnabas had received their Apostleship. We read (Acts 14. 23.) that *they ordained Elders in every Church*; which at first sight may be taken for an Argument, that they themselves chose, and

gave them their authority: But if we consider the Originall text, it will be manifest, that they were authorized, and chosen by the Assembly of the Christians of each City. For the words there are *χειροτονήσαντες αὐτοῖς πρεσβυτέρους κατ' ἐκκλησίαν*, that is, *When they had Ordained them Elders by the Holding up of Hands in every Congregation*. Now it is well enough known, that in all those Cities, the manner of choosing Magistrates, and Officers, was by plurality of suffrages; and (because the ordinary way of distinguishing the Affirmative Votes from the Negatives, was by Holding up of Hands) to ordain an Officer in any of the Cities, was no more but to bring the people together, to elect them by plurality of Votes, whether it were by plurality of elevated hands, or by plurality of voices, or plurality of balls, or beans, or small stones, of which every man cast in one, into a vessell marked for the Affirmative, or Negative; for divers Cities had divers customes in that point. It was therefore the Assembly that elected their own Elders: the Apostles were onely Presidents of the Assembly to call them together for such Election, and to pronounce them Elected, and to give them the benediction, which now is called Consecration. And for this cause they that were Presidents of the Assemblies, as (in the absence of the Apostles) the Elders were, were called *προεστῶτες*, and in Latin *Antistites*; which words signifie the Principall Person of the Assembly, whose office was to number the Votes, and to declare thereby who was chosen; and where the Votes were equal, to decide the matter in question, by adding his own; which is the Office of a President in Councell. And (because all the Churches had their Presbyters ordained in the same manner,) where the word is *Constitute*, (as *Titus* 1. 5.) *ἵνα καταστήσης*

κατὰ πόλιν πρεσβυτέρους, *For this cause left I thee in Crete, that thou shouldest constitute Elders in every City*, we are to understand the same thing; namely, that hee should call the faithfull together, and ordain them Presbyters by plurality of suffrages. It had been a strange thing, if in a Town, where men perhaps had never seen any Magistrate otherwise chosen then by an Assembly, those of the Town becomming Christians, should so much as have thought on any other way of Election of their Teachers, and Guides, that is to say, of their Presbyters, (otherwise called Bishops,) then this of plurality of suffrages, intimated by S. Paul (*Acts 14. 23.*) in the word *χειροτονήσαντες*: Nor was there ever any choosing of Bishops, (before the Emperors found it necessary to regulate them in order to the keeping of the peace amongst them,) but by the Assemblies of the Christians in every severall Town.

57. The same is also confirmed by the continuall practise even to this day, in the Election of the Bishops of Rome. For if the Bishop of any place, had the right of choosing another, to the succession of the Pastorall Office, in any City, at such time as he went from thence, to plant the same in another place; much more had he had the Right, to appoint his successour in that place, in which he last resided and dyed: And we find not, that ever any Bishop of Rome appointed his successor. For they were a long time chosen by the People, as we may see by the sedition raised about the Election, between *Damascus*, and *Ursinicus*; which Ammianus Marcellinus saith was so great, that *Juventius* the Præfect, unable to keep the peace between them, was forced to goe out of the City; and that there were above an hundred men found dead upon that occasion in the

Church it self. And though they afterwards were chosen, first, by the whole Clergy of Rome, and afterwards by the Cardinalls; yet never any was appointed to the succession by his predecessor. If therefore they pretended no right to appoint their own successors, I think I may reasonably conclude, they had no right to appoint the successors of other Bishops, without receiving some new power; which none could take from the Church to bestow on them, but such as had a lawfull authority, not onely to Teach, but to Command the Church; which none could doe, but the Civill Sovereign.

58. The word *Minister* in the Originall *Διάκονος*, signifieth one that voluntarily doth the businesse of another man; and differeth from a Servant onely in this, that Servants are obliged by their condition, to what is commanded them; whereas Ministers are obliged onely by their undertaking, and bound therefore to no more than that they have undertaken: So that both they that teach the Word of God, and they that administer the secular affairs of the Church, are both Ministers, but they are Ministers of different Persons. For the Pastors of the Church, called (*Acts 6. 4.*) *The Ministers of the Word*, are Ministers of Christ, whose Word it is: But the Ministry of a *Deacon*, which is called (verse 2. of the same Chapter) *Serving of Tables*, is a service done to the Church, or Congregation: So that neither any one man, nor the whole Church, could ever of their Pastor say, he was their Minister; but of a Deacon, whether the charge he undertook were to serve tables, or distribute maintenance to the Christians, when they lived in each City on a common stock, or upon collections, as in the first times, or to take a care of the House of Prayer, or of the Revenue, or

other worldly businesse of the Church, the whole Congregation might properly call him their Minister.

59. For their employment, as Deacons, was to serve the Congregation; though upon occasion they omitted not to preach the Gospel, and maintain the Doctrine of Christ, every one according to his gifts, as S. Steven did; and both to Preach, and Baptize, as Philip did: For that Philip, which (*Acts. 8. 5.*) Preached the Gospel at Samaria, and (*verse 38.*) Baptized the Eunuch, was Philip the Deacon, not Philip the Apostle. For it is manifest (*verse 1.*) that when Philip preached in Samaria, the Apostles were at Jerusalem, and (*verse 14.*) *when they heard that Samaria had received the Word of God, sent Peter and John to them;* by imposition of whose hands, they that were Baptized (*verse 15.*) received (which before by the Baptisme of Philip they had not received) the Holy Ghost. For it was necessary for the conferring of the Holy Ghost, that their Baptisme should be administered, or confirmed by a Minister of the Word, not by a Minister of the Church. And therefore to confirm the Baptisme of those that Philip the Deacon had Baptized, the Apostles sent out of their own number from Jerusalem to Samaria, Peter, and John; who conferred on them that before were but Baptized, those graces that were signs of the Holy Spirit, which at that time did accompany all true Beleevers; which what they were may be understood by that which S. Marke saith (*chap. 16. 17.*) *These signes follow them that beleeve in my Name; they shall cast out Devills; they shall speak with new tongues; They shall take up Serpents, and if they drink any deadly thing, it shall not hurt them; They shall lay hands on the sick, and they shall recover.* This to doe, was it that Philip

could not give; but the Apostles could, and (as appears by this place) effectually did to every man that truly beleaved, and was by a Minister of Christ himself Baptized: which power either Christs Ministers in this age cannot conferre, or else there are very few true Beleevers, or Christ hath very few Ministers.

60. That the first Deacons were chosen, not by the Apostles, but by a Congregation of the Disciples; that is, of Christian men of all sorts, is manifest out of *Acts 6.* where we read that the *Twelve*, after the number of Disciples was multiplied, called them together, and having told them, that it was not fit that the Apostles should leave the Word of God, and serve tables, said unto them (verse 3.) *Brethren looke you out among you seven men of honest report, full of the Holy Ghost, and of Wisdome, whom we may appoint over this businesse.* Here it is manifest, that though the Apostles declared them elected; yet the Congregation chose them; which also, (verse the fift) is more expressly said, where it is written, that *the saying pleased the multitude, and they chose seven, &c.*

25. Concerning the power of *binding* and *loosing*, that is to say, of *remitting* and *retaining of sins*; there is no doubt but it was given by Christ to the pastors then yet for to come, in the same manner as it was to the present apostles. Now the apostles had all the power of *remitting of sins* given them, which Christ himself had. *As the Father hath sent me*, says Christ, (*John xx. 21*), *so send I you*; and he adds (verse 22): *Whose soever sins ye remit, they are remitted; and whose soever sins ye retain, they are retained.* But what *binding* and *loosing*, or *remitting* and *retaining of sins*, is, admits of some scruple. For first, to *retain* his sins, who being baptized into remission of sins, is truly penitent, seems to be against the very covenant itself of the

19. The Power of *Remission, and Retention of Sinnes*, called also the Power of *Loosing, and Binding*, and sometimes the *Keyes of the Kingdome of Heaven*, is a consequence of the Authority to Baptize, or refuse to Baptize. For Baptisme is the Sacrament of Allegiance, of them that are to be received into the Kingdome of God; that is to say, into Eternall life; that is to say, to Remission of Sin: For as Eternall life was lost by the Committing, so it is recovered by the Remitting of mens Sins. The end of Baptisme is Remission of Sins: and therefore St. Peter, when they that were converted by his Sermon on the day of Pentecost, asked what they were to

New Testament; and therefore could not be done by Christ himself, much less by his pastors. And to *remit* the impenitent, seems to be against the will of God the Father, from whom Christ was sent to convert the world and to reduce men unto obedience. Furthermore, if each pastor had an authority granted him to *remit* and *retain* sins in this manner, all awe of princes and civil magistrates, together with all kind of civil government would be utterly destroyed. For Christ hath said it, nay even nature itself dictates, that *we should not fear them who slay the body, but cannot kill the soul; but rather fear him, who can cast both soul and body into hell* (Matth. x. 28). Neither is any man so mad, as not to choose to yield obedience rather to them who can remit and retain their sins, than to the powerfulest kings. Nor yet on the other side is it to be imagined, that *remission of sins* is nothing else but an exemption from ecclesiastical punishments. For what evil hath excommunication in it, beside the eternal pains which are consequent to it? Or what benefit is to be received into the Church, if there were salvation out of it? We must therefore hold, *that pastors have power truly and absolutely to forgive sins; but to the penitent: and to retain them; but of the impenitent.* But while men think that to repent, is nothing else, but that every one condemn his actions and change those counsels which to himself seem sinful and blameable; there is an opinion risen, that there may be repentance before any confession of sins to men, and that repentance is not an effect, but a cause of confession. And thence the difficulty of those, who say that the sins of the penitent are already forgiven in baptism, and their's who repent not, cannot be forgiven at all, is against Scripture, and contrary to the words of Christ,

doe, advised them to *repent, and be Baptized in the name of Jesus, for the Remission of Sins.* And therefore seeing to Baptize is to declare the Reception of men into Gods Kingdome; and to refuse to Baptize is to declare their Exclusion; it followeth, that the Power to declare them Cast out, or Retained in it, was given to the same Apostles, and their Substitutes, and Successors. And therefore after our Saviour had breathed upon them, saying, (*John 20. 22.*) *Receive the Holy Ghost,* hee addeth in the next verse, *Whose soever Sins ye Remit, they are Remitted unto them; and whose soever Sins ye Retain, they are Retained.* By which words, is not granted an Authority to Forgive, or Retain Sins, simply and absolutely, as God Forgiveth or Retaineth them, who knoweth the Heart of man, and truth of his Penitence and Conversion; but conditionally, to the Penitent: And this Forgivenessse, or Absolution, in case the absolved have but a feigned Repentance, is thereby without other act, or sentence of the Absolvent, made void, and hath no effect at all to Salvation, but on the contrary, to the Aggravation of his Sin. Therefore the Apostles, and their Successors, are to follow but the outward marks of Repentance; which appearing, they have no Authority to deny Absolution; and if they appeare not, they have no authority to Absolve. The same also is to be observed in Baptisme: for to a converted Jew, or Gentile, the Apostles had not the Power to deny Baptisme; nor to grant it to the Un-penitent. But seeing no man is able to discern

whose soever sins ye remit, &c. We must therefore, to resolve this difficulty, know in the first place, that a true acknowledgment of sin is repentance. For he that knows he hath sinned, knows he hath erred; but to will an error, is impossible; therefore he that knows he hath sinned, wishes he had not done it; which is to repent. Further, where it may be doubtful whether that which is done be a sin or not, we must consider, that repentance doth not precede confession of sins, but is subsequent to it: for there is no repentance but of sins acknowledged. The penitent therefore must both acknowledge the fact, and know it to be a sin, that is to say, against the law. If a man therefore think, that what he hath done is not against the law, it is impossible he should repent of it. Before repentance therefore, it is necessary there be an application of the facts unto the law. But it is in vain to apply the facts unto the law without an interpreter: for not the words of the law, but the sentence of the law-giver is the rule of men's actions. But surely either one man, or some men are the interpreters of the law; for every man is not judge of his own fact, whether it be a sin or not. Wherefore the fact, of which we doubt whether it be a sin or not, must be unfolded before some man or men; and the doing of this is confession. Now when the interpreter of the law hath judged the fact to be a sin, if the sinner submit to his judgment and resolve with himself not to do so any more, it is repentance; and thus, either it is not true repentance, or else it is not antecedent, but subsequent to confession. These things being thus explained, it is not hard to understand what kind of power that of *binding* and *loosing* is. For seeing in remission of sins there are two things considerable; one, the *judgment* or *condemnation* whereby the fact

the truth of another mans Repentance, further than by external marks, taken from his words, and actions, which are subject to hypocrisie; another question will arise, Who it is that is constituted Judge of those marks. And this question is decided by our Saviour himself; *If thy Brother* (saith *Mat.* he) *shall trespasse against thee, go 18. 15, and tell him his fault between thee, 16, 17 and him alone; if he shall hear thee, thou hast gained thy Brother. But if he will not hear thee, then take with thee one, or two more. And if he shall neglect to hear them, tell it unto the Church; but if he neglect to hear the Church, let him be unto thee as an Heathen man, and a Publican.* By which it is manifest, that the Judgment concerning the truth of Repentance, belonged not to any one Man, but to the Church, that is, to the Assembly of the Faithfull, or to them that have authority to be their Representant. But besides the Judgment, there is necessary also the pronouncing of Sentence: And this belonged alwaies to the Apostle, or some Pastor of the Church, as Prolocutor; and of this our Saviour speaketh in the 18 verse, *Whatsoever ye shall bind on earth, shall be bound in heaven; and whatsoever ye shall loose on earth, shall be loosed in heaven.* And comformable hereunto was the practise of St. Paul (1 Cor. 5. 3, 4, & 5.) where he saith, *For I verily, as absent in body, but present in spirit, have determined already, as though I were present, concerning him that hath so done this deed; In the name of our Lord Jesus Christ when ye are gathered together, and my spirit, with the power of*

is judged to be a sin; the other, when the party condemned does acquiesce and obey the sentence, that is to say, repents, *the remission of the sin*; or, if he repent not, *the retention*: the first of these, that is to say, the judging whether it be a sin or not, belongs *to the interpreter of the law*, that is, the *sovereign judge*; the second, namely, remission or retention of the sin, *to the pastor*; and it is that, concerning which the power of *binding* and *loosing* is conversant. And that this was the true meaning of our Saviour Christ in the institution of the same power, is apparent in Matth. xviii. 15–18, thus. He there speaking to his disciples, says: *If thy brother sin against thee, go and tell him his fault between him and thee alone*. Where we must observe by the way, that *if thy brother sin against thee*, is the same with, *if he do thee injury*; and therefore Christ spake of those matters which belonged to the civil tribunal. He adds; *if he hear thee not*, (that is to say, if he deny that he hath done it, or if having confessed the fact, he denies it to be unjustly done), *take with thee yet one or two; and if he refuse to hear them, tell it to the Church*. But why to the Church, except that she might judge whether it were a sin or not? But if *he refuse to hear the Church*; that is, if he do not submit to the Church's sentence, but shall maintain that to be no sin, which she judges to be a sin; that is to say, if he repent not; (for certain it is, that no man repents himself of the action which he conceives not to be a sin); he saith not, *Tell it to the apostles*; that we might know that the definitive sentence in the question, whether it were a sin or not, was not left unto them; but to the Church. *But let him be unto thee*, says he, *as an heathen, or publican*; that is, as one out of the Church, as one that is not baptized, that is to say, as one whose

our Lord Jesus Christ, To deliver such a one to Satan; that is to say, to cast him out of the Church, as a man whose Sins are not Forgiven. Paul here pronounceth the Sentence; but the Assembly was first to hear the Cause, (for St. Paul was absent;) and by consequence to condemn him. But in the same chapter (ver. 11, 12.) the Judgment in such a case is more expressly attributed to the Assembly: *But now I have written unto you, not to keep company, if any man that is called a Brother be a Fornicator, &c. with such a one no not to eat. For what have I to do to judg them that are without? Do not ye judg them that are within?* The Sentence therefore by which a man was put out of the Church, was pronounced by the Apostle, or Pastor; but the Judgment concerning the merit of the cause, was in the Church; that is to say, (as the times were before the conversion of Kings, and men that had Sovereign Authority in the Common-wealth,) the Assembly of the Christians dwelling in the same City; as in Corinth, in the Assembly of the Christians of Corinth.

sins are retained. For all Christians were baptized into remission of sins. But because it might have been demanded, who it was that had so great a power, as that of withholding the benefit of baptism from the impenitent; Christ shows that the same persons, to whom he had given authority to baptize the penitent into the remission of sins, and to make them of heathen men Christians, had also authority to retain their sins who by the Church should be adjudged to be impenitent, and to make them of Christian men heathens: and therefore presently subjoins: *Verily I say unto you, whose soever sins ye shall bind upon earth, they shall be bound also in heaven; and whose soever sins ye shall loose upon earth, they shall be loosed also in heaven.* Whence we may understand, that the power of binding and loosing, or of remitting and retaining of sins, which is called in another place the power of the keys, is not different from the power given in another place in these words (Matth. xxviii. 19): *Go, and teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost.* And even as the pastors cannot refuse to baptize him whom the Church judges worthy, so neither can they retain his sins whom the Church holds fitting to be absolved, nor yet remit his sins whom the Church pronounceth disobedient. And it is the Church's part to judge of the sin, the pastor's to cast out or to receive into the Church those that are judged. Thus St. Paul to the Church of Corinth (1 Cor. v. 12): *Do not ye judge, saith he, of those that are within?* Yet he himself pronounced the sentence of excommunication against the incestuous person. *I indeed, saith he (verse 3), as absent in body, but present in Spirit, &c.*

10. But concerning the authority of the apostles or bishops over those who were already converted and within the church, there be that think it greater than over them without. For some have said (Bellarmin. *Lib. de Rom. Pont.* cap. 29): *Though the law of Christ deprive no prince of his dominion, and Paul did rightly appeal to Cæsar, whilst kings were infidels and out of the church; yet when they became Christians, and of their own accord underwent the laws of the gospel, presently as sheep to a shepherd, and as members to the head, they became subject to the prelate of the ecclesiastical hierarchy.* Which, whether it be true or not, is to be considered by that light which we have from the Holy Scripture, concerning the power of our Saviour and his apostles, over such as they had converted. But our Saviour, as he imitated the commonwealth of the Jews in his magistrates, the twelve and the seventy; so did he also in the censure of the church, which was excommunication; but amongst the Jews, the church did put the excommunicated persons from the congregation, which they might do by their power temporal; but our Saviour and his apostles, who took upon them no such power, could not forbid the excommunicated person to enter into any place and congregation, into which he was permitted to enter by the prince, or sovereign of the place; for that had been to deprive the sovereign of his authority; and therefore the excommunication of a person subject to an earthly power, was but a declaration of the church, which did excommunicate, that the person so excommunicated was to be reputed still as an infidel, but not to be driven by their authority out of any company he might otherwise lawfully come into. And this is it our Saviour saith, Matth. 18, 17: *If he refuseth to hear the church, let him be*

26. The act of retaining sins is that which is called by the Church *excommunication*, and by St. Paul *delivering over to Satan*. The word *excommunication* sounding the same with *ἀποσυνάγωγον ποιεῖν*, *casting out of the synagogue*, seems to be borrowed from the Mosaical law; wherein they who were by the priest adjudged leprous, were commanded (Levit. xiii. 46) to be kept apart out of the camp, until by the judgment of the priest they were again pronounced clean, and by certain rites, among which the washing of the body was one, were purified. From hence in process of time it become a custom of the Jews, not to receive those who passed from Gentilism to Judaism, supposing them to be unclean, unless they were first *washed*; and those who dissented from the doctrine of the synagogue, they cast out of the synagogue. By resemblance of this custom, those that came to Christianity, whether they were Jews or Gentiles, were not received into the Church without baptism; and those that dissented from the Church, were deprived of the Church's communion. Now, they were therefore said *to be delivered over to Satan*, because all that was out of the Church, was comprehended within his kingdom. The end of this kind of discipline was, that being destitute for a time of the grace and spiritual privileges of the Church, they might be humbled to salvation; but the effect in regard of secular matters, that *being excommunicated*, they should not only be prohibited all congregations or churches, and the participation of the mysteries, but as being contagious they should be avoided by all other Christians, even more than heathen. For the apostle allowed to accompany with heathen; but with these, *not so much as to eat* (1 Cor. v. 10–11). Seeing then the effect of *excommunication* is such, it is

20. This part of the Power of the Keyes, by which men were thrust out from the Kingdome of God, is that which is called *Excommunication*; and to *excommunicate*, is in the Originall, *ἀποσυνάγωγον ποιεῖν*, *to cast out of the Synagogue*; that is, out of the place of Divine service; a word drawn from the custome of the Jews, to cast out of their Synagogues, such as they thought in manners, or doctrine, contagious, as Lepers were by the Law of Moses separated from the congregation of Israel, till such time as they should be by the Priest pronounced clean.

21. The Use and Effect of Excommunication, whilst it was not yet strengthened with the Civill Power, was no more, than that they, who were not Excommunicate, were to avoid the company of them that were. It was not enough to repute them as Heathen, that never had been Christians; for with such they might eate, and drink; which with Excommunicate persons they might not do; as appeareth by the words of St. Paul, (1 Cor. 5. ver. 9, 10, &c.) where he telleth them, he had formerly forbidden them to *company with Fornicators*; but (because that could not bee without going out of the world,) he restraineth it to such Fornicators, and otherwise vicious persons, as were of the brethren; *with such a one* (he saith) they ought not to keep company, *no not to eat*. And this is no more than our Saviour saith (Mat. 18. 17.) *Let him be to thee as a Heathen, and as a Publican*. For Publicans (which signifieth Farmers, and Receivers of the revenue of the Common-wealth) were so hated, and detested by the Jews that were to pay it, as that *Publican* and *Sinner* were taken amongst them for the same thing: Insomuch, as when our Saviour accepted the invitation of *Zacchæus* a Publican; though it were to

unto thee as an heathen man and a publican. So that the whole effect of excommunicating a Christian prince, is no more than he or they that so excommunicate him, depart, and banish themselves out of his dominion. Nor can they thereupon discharge any of his subjects of their obedience to him; for that were to deprive him of his dominion, which they may not do; for being out of the church, it is confessed by them that make this objection, and proved in the former section, that our Saviour gave no authority to his apostles to be judges over them. And therefore in no case can the sovereign power of a commonwealth be subject to any authority ecclesiastical, besides that of Christ himself. And though he be informed concerning the kingdom of heaven, and subject himself thereto at the persuasions of persons ecclesiastical, yet is not he thereby subject to their government and rule. For if it were by their authority he took that yoke upon him, and not by their persuasion, then by the same authority he might cast it off; but this is unlawful. For if all the churches in the world should renounce the Christian faith, yet is not this sufficient authority for any of the members to do the same. It is manifest therefore that they who have sovereign power, are immediate rulers of the church under Christ, and all others but subordinate to them. If that were not, but kings should command one thing upon pain of death, and priests another upon pain of damnation, it would be impossible that peace and religion should stand together.

manifest, in the first place, that a *Christian city cannot be excommunicated*. For a Christian city is a Christian Church, (as hath been declared above, in art. 21), and of the same extension; but a Church cannot be excommunicated. For either she must excommunicate herself, which is impossible; or she must be excommunicated by some other Church; and this, either *universal* or *particular*. But seeing an *universal Church* is no *person*, (as hath been proved in art. 22), and therefore neither acts nor does any thing, it cannot *excommunicate* any man; and a particular Church by excommunicating another Church, doth nothing. For where there is not one common congregation, there cannot be any excommunication. Neither if some one Church (suppose that of Jerusalem), should have excommunicated another, (suppose that of Rome), would it any more have excommunicated this, than herself: for he that deprives another of his communion, deprives himself also of the communion of that other. Secondly, *no man can excommunicate the subjects of any absolute government all at once, or forbid them the use of their temples or their public worship of God*. For they cannot be excommunicated by a Church, which themselves do constitute. For if they could, there would not only not remain a Church, but not so much as a *commonweal*, and they would be dissolved of themselves; and this were not *to be excommunicated* or *prohibited*. But if they be excommunicated by some other Church, that Church is to esteem them as heathen. But no *Christian Church*, by the doctrine of Christ,

Convert him, yet it was objected to him as a Crime. And therefore, when our Saviour, to *Heathen*, added *Publican*, he did forbid them to eat with a man Excommunicate.

22. As for keeping them out of their Synagogues, or places of Assembly, they had no Power to do it, but that of the owner of the place, whether he were Christian, or Heathen. And because all places are by right, in the Dominion of the Common-wealth; as well hee that was Excommunicated, as hee that never was Baptized, might enter into them by Commission from the Civill Magistrate; as Paul before his conversion entred into their Synagogues at Damascus, to *Acts* apprehend Christians, men and *9. 2* women, and to carry them bound to Jerusalem, by Commission from the High Priest.

23. By which it appears, that upon a Christian, that should become an Apostate, in a place where the Civill Power did persecute, or not assist the Church, the effect of Excommunication had nothing in it, neither of dammage in this world, nor of terrour: Not of terrour, because of their unbeleef; nor of dammage, because they returned thereby into the favour of the world; and in the world to come, were to be in no worse estate, then they which never had beleaved. The dammage redounded rather to the Church, by provocation of them they cast out, to a freer execution of their malice.

can forbid the heathen to gather together and communicate among themselves, as it shall seem good to their cities; especially if they meet to worship Christ, although it be done in a singular custom and manner: therefore also not the *excommunicated*, who are to be dealt with as heathen. Thirdly, *a prince who hath the sovereign power, cannot be excommunicated*. For by the doctrine of Christ, neither one nor many subjects together can interdict their prince any public or private places, or deny him entrance into any assembly whatsoever, or prohibit him the doing of what he will with his own jurisdiction. For it is treason among all cities, for any one or many subjects jointly to arrogate to themselves any authority over the whole city. But they who arrogate to themselves an authority over him who hath the supreme power of the city, do arrogate the same authority over the city itself. Besides, a sovereign prince, if he be a Christian, hath this further advantage; that the city whose will is contained in his, is that very thing which we call a Church. The *Church* therefore excommunicates no man, but whom it excommunicates by the authority of the prince. But the prince excommunicates not himself; his subjects therefore cannot do it. It may be indeed, that an assembly of rebellious citizens or traitors may pronounce the sentence of excommunication against their prince; but not *by right*. Much less can one prince be excommunicated by another; for this would prove not an excommunication, but a provocation to war by the way of affront. For since that is not one

24. Excommunication therefore had its effect onely upon those, that beleevd that Jesus Christ was to come again in Glory, to reign over, and to judge both the quick, and the dead, and should therefore refuse entrance into his Kingdom, to those whose Sins were Retained; that is, to those that were Excommunicated by the Church. And thence it is that St. Paul calleth Excommunication, a delivery of the Excommunicate person to Satan. For without the Kingdom of Christ, all other Kingdome after Judgment, are comprehended in the Kingdome of Satan. This is it that the faithfull stood in fear of, as long as they stood Excommunicate, that is to say, in an estate wherein their sins were not Forgiven. Whereby wee may understand, that Excommunication in the time that Christian Religion was not authorized by the Civill Power, was used onely for a correction of manners, not of errors in opinion: for it is a punishment, whereof none could be sensible but such as beleevd, and expected the coming again of our Saviour to judge the world; and they who so beleevd, needed no other opinion, but onely uprightnesse of life, to be saved.

25. There lyeth Excommunication for Injustice; as (*Mat. 18.*) If thy Brother offend thee, tell it him privately; then with Witnesses; lastly, tell the Church; and then if he obey not, *Let him be to thee as an Heathen man, and a Publican*. And there lieth Excommunication for a Scandalous Life, as (*1 Cor. 5. 11.*) *If any man that is called a Brother, be a*

Church, which is made up of citizens belonging to two absolute cities, for want of power of lawfully assembling them, (as hath been declared before, in art. 22); they who are of one Church are not bound to obey another, and therefore cannot be excommunicated for their disobedience. Now, what some may say, that princes, seeing they are members of the universal Church, may also by the authority of the universal Church be excommunicated, signifies nothing: because *the universal Church*, (as hath been showed in art. 22), is not *one person*, of whom it may be said that *she acted, decreed, determined, excommunicated, absolved*, and the like personal attributes; neither hath she any governor upon earth, at whose command she may assemble and deliberate. For to be guide of the universal Church, and to have the power of assembling her, is the same thing as to be governor and lord over all the Christians in the world; which is granted to none, but God only.

Fornicator, or Covetous, or an Idolater, or a Drunkard, or an Extortioner, with such a one yee are not to eat. But to Excommunicate a man that held this foundation, that *Jesus was the Christ*, for difference of opinion in other points, by which that Foundation was not destroyed, there appeareth no authority in the Scripture, nor example in the Apostles. There is indeed in St. Paul (*Titus* 3. 10.) a text that seemeth to be to the contrary. *A man that is an Hæretique, after the first and second admonition, reject.* For an *Hæretique*, is he, that being a member of the Church, teacheth nevertheless some private opinion, which the Church has forbidden: and such a one, S. Paul adviseth *Titus*, after the first, and second admonition, to *Reject*. But to *Reject* (in this place) is not to *Excommunicate* the Man; But to *give over admonishing him, to let him alone, to set by disputing with him*, as one that is to be convinced onely by himselfe. The same Apostle saith (*2 Tim.* 2. 23.) *Foolish and unlearned questions avoid:* The word *Avoid* in this place, and *Reject* in the former, is the same in the Originall, *παραιτοῦ*: but Foolish questions may bee set by without Excommunication. And again, (*Tit.* 3. 9.) *Avoid Foolish questions*, where the Originall, *περιῖστασο*, (*set them by*) is equivalent to the former word *Reject*. There is no other place that can so much as colourably be drawn, to countenance the Casting out of the Church faithfull men, such as beleaved the foundation, onely for a singular superstructure of their own, proceeding perhaps from a good & pious conscience. But on the contrary, all such places as command avoiding such disputes, are written for a Lesson to Pastors, (such as Timothy and Titus were) not to make new Articles of Faith, by determining every

small controversie, which oblige men to a needlesse burthen of Conscience, or provoke them to break the union of the Church. Which Lesson the Apostles themselves observed well. S. Peter and S. Paul, though their controversie were great, (as we may read in *Gal.* 2. 11.) yet they did not cast one another out of the Church. Neverthelesse, during the Apostles time, there were other Pastors that observed it not; As Diotrephes (3 *John* 9. *&c.*) who cast out of the Church, such as S. John himself thought fit to be received into it, out of a pride he took in Præeminence; so early it was, that Vain-glory, and Ambition had found entrance into the Church of Christ.

26. That a man be liable to Excommunication, there be many conditions requisite; as First, that he be a member of some Commonalty, that is to say, of some lawfull Assembly, that is to say, of some Christian Church, that hath power to judge of the cause for which hee is to bee Excommunicated. For where there is no Community, there can bee no Excommunication; nor where there is no power to Judge, can there bee any power to give Sentence.

27. From hence it followeth, that one Church cannot be Excommunicated by another: For either they have equall power to Excommunicate each other, in which case Excommunication is not Discipline, nor an act of Authority, but Schisme, and Dissolution of charity; or one is so subordinate to the other, as that they both have but one voice, and then they be but one Church; and the part Excommunicated, is no more a Church, but a dissolute number of individuall persons.

28. And because the sentence of Excommunication, importeth an advice, not to keep company, nor so much as to eat with him that is Excommunicate, if a Sovereign Prince, or Assembly bee Excommunicate, the sentence is of no effect. For all Subjects are bound to be in the company and presence of their own Sovereign (when he requireth it) by the law of Nature; nor can they lawfully either expell him from any place of his own Dominion, whether profane or holy; nor go out of his Dominion, without his leave; much lesse (if he call them to that honour,) refuse to eat with him. And as to other Princes and States, because they are not parts of one and the same congregation, they need not any other sentence to keep them from keeping company with the State Excommunicate: for the very Institution, as it uniteth many men into one Community; so it dissociateth one Community from another: so that Excommunication is not needfull for keeping Kings and States asunder; nor has any further effect then is in the nature of Policy it selfe; unlesse it be to instigate Princes to warre upon one another.

29. Nor is the Excommunication of a Christian Subject, that obeyeth the laws of his own Sovereign, whether Christian, or Heathen, of any effect. For if he beleeve that *Jesus is the Christ, he hath the Spirit of God* (1 Joh. 4. 1.) and *God dwelleth in him, and he in God,* (1 Joh. 4. 15.) But hee that hath the Spirit of God; hee that dwelleth in God; hee in

whom God dwelleth, can receive no harm by the Excommunication of men. Therefore, he that beleeveth Jesus to be the Christ, is free from all the dangers threatned to persons Excommunicate. He that beleeveth it not, is no Christian. Therefore a true and unfeigned Christian is not liable to Excommunication; Nor he also that is a professed Christian, till his Hypocrisy appear in his Manners, that is, till his behaviour bee contrary to the law of his Sovereign, which is the rule of Manners, and which Christ and his Apostles have commanded us to be subject to. For the Church cannot judge of Manners but by externall Actions, which Actions can never bee unlawfull, but when they are against the Law of the Common-wealth.

30. If a mans Father, or Mother, or Master bee Excommunicate, yet are not the Children forbidden to keep them Company, nor to Eat with them; for that were (for the most part) to oblige them not to eat at all, for want of means to get food; and to authorise them to disobey their Parents, and Masters, contrary to the Precept of the Apostles.

31. In summe, the Power of Excommunication cannot be extended further than to the end for which the Apostles and Pastors of the Church have their Commission from our Saviour; which is not to rule by Command and Coaction, but by Teaching and Direction of men in the way of Salvation in the world to come.

And as a Master in any Science, may abandon his Scholar, when hee obstinately neglecteth the practise of his rules; but not accuse him of Injustice, because he was never bound to obey him: so a Teacher of Christian doctrine may abandon his Disciples that obstinately continue in an unchristian life; but he cannot say, they doe him wrong, because they are not obliged to obey him: For to a Teacher that shall so complain, may be applied the Answer of God to Samuel in the like place, *They have not rejected thee, but mee*. Excommunication therefore when it wanteth the assistance of the Civill Power, as it doth, when a Christian State, or Prince is Excommunicate by a forain Authority, is without effect; and consequently ought to be without terrour. The name of *Fulmen Excommunicationis* (that is, *the Thunderbolt of Excommunication*) proceeded from an imagination of the Bishop of Rome, which first used it, that he was King of Kings, as the Heathen made Jupiter King of the Gods; and assigned him in their Poems, and Pictures, a Thunderbolt, wherewith to subdue, and punish the Giants, that should dare to deny his power: Which imagination was grounded on two errors; one, that the Kingdome of Christ is of this world, contrary to our Saviours owne words, *My Kingdome is not of this world*; the other, that hee is Christs Vicar, not onely over his owne Subjects, but over all the Christians of the World; whereof there is no ground in Scripture, and the contrary shall bee proved in its due place.

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11. And therefore there is no just cause for any man to withdraw his obedience from the sovereign state, upon pretence that Christ hath ordained any state ecclesiastical above it. And though kings take not upon them the ministerial priesthood (as they might if it pleased them) yet are they not so merely laic, as not to have sacerdotal jurisdiction. To conclude this chapter: since God speaketh not in these days to any man by his private interpretation of the Scriptures, nor by the interpretation of any power, above, or not depending on the sovereign power of every commonwealth; it remaineth that he speaketh by his viceregods, or lieutenants here on earth, that is to say, by sovereign kings, or such as have sovereign authority as well as they.

27. It hath been showed above in art. 18, that the authority of *interpreting the Holy Scriptures* consisted not in this, that the interpreter might without punishment expound and explicate his sentence and opinion taken thence unto others, either by writing or by his own voice; but that others have not a right to do or teach aught contrary to his sentence; insomuch as *the interpretation* we speak of, is the same with *the power of defining* in all manner of controversies to be determined by sacred Scriptures. Now we must show that that power belongs to each Church; and depends on his or their authority who have the supreme command, provided that they be Christians. For if it depend not on the civil authority, it must either depend on the opinion of each private subject, or some foreign authority. But among other reasons, the inconveniences that must follow private opinions, cannot suffer its dependance on them. Of which this is the chief; that not only all civil obedience would be taken away (contrary to Christ's precept); but all human society and peace would be dissolved (contrary to the laws of nature). For seeing every man is his own interpreter of Scripture, that is to say, since every man makes himself judge of what is pleasing and displeasing unto God; they cannot obey their princes, before that they have judged whether their commands be conformable to the word of God, or not. And thus either they obey not, or they obey for their own opinion's sake; that is to say, they obey themselves, not their sovereign; civil obedience therefore is lost. Again, when every man follows his own opinion, it is necessary that the controversies which rise among them, should become innumerable and indeterminable; whence there will breed among men, who by their own natural inclinations do account all dissensions an affront, first hatred, then brawls and

66. Hitherto hath been shewn what the Pastors of the Church are; what are the points of their Commission (as that they were to Preach, to Teach, to Baptize, to be Presidents in their severall Congregations;) what is Ecclesiastical Censure, *viz.* Excommunication, that is to say, in those places where Christianity was forbidden by the Civill Laws, a putting of themselves out of the company of the Excommunicate, and where Christianity was by the Civill Law commanded, a putting the Excommunicate out of the Congregations of Christians; who elected the Pastors and Ministers of the Church, (that it was, the Congregation); who consecrated and blessed them, (that it was the Pastor); what was their due revenue, (that it was none but their own possessions, and their own labour, and the voluntary contributions of devout and gratefull Christians). We are to consider now, what Office those persons have, who being Civill Sovereignes, have embraced also the Christian Faith.

67. And first, we are to remember, that the Right of Judging what Doctrines are fit for Peace, and to be taught the Subjects, is in all Common-wealths inseparably annexed (as hath been already proved cha. 18.) to the Sovereign Power Civill, whether it be in one Man, or in one Assembly of men. For it is evident to the meanest capacity, that mens actions are derived from the opinions they have of the Good, or Evill, which from those actions redound unto themselves; and consequently, men that are once possessed of an opinion, that their obedience to the Sovereign Power, will be more hurtfull to them, than their disobedience, will disobey the Laws, and thereby overthrow the Commonwealth, and introduce confusion, and Civill war; for the avoiding whereof, all Civill Government was ordained. And therefore in all Common-wealths of the

wars; and thus all manner of peace and society would vanish. We have furthermore for an example, that which God under the old law required to be observed concerning the book of the law; namely, that it should be transcribed and publicly used; and he would have it to be the canon of divine doctrine, but the controversies about it not to be determined by private persons, but only by the priests. Lastly, it is our Saviour's precept, that if there be any matter of offence between private persons, they should *hear the Church*. Wherefore it is the Church's duty to define controversies; it therefore belongs not to private men, but to the Church to interpret Scriptures. But that we may know that the authority of *interpreting God's Word*, that is to say, of determining all questions concerning God and religion, belongs not to any foreign person whatsoever; we must consider, first, what weight such a power has in the minds of the citizens, and their actions. For no man can be ignorant that the voluntary actions of men, by a natural necessity, do follow those opinions which they have concerning good and evil, reward and punishment. Whence it happens, that necessarily they would choose rather to obey those, by whose judgment they believe that they shall be eternally happy or miserable. Now, by whose judgment it is appointed what doctrines are necessary to salvation, by their judgment do men expect their eternal bliss or perdition; they will therefore yield them obedience in all things. Which being thus, most manifest it is, that those subjects, who believe themselves bound to acquiesce to a foreign authority in those doctrines which are

Heathen, the Sovereigns have had the name of Pastors of the People, because there was no Subject that could lawfully Teach the people, but by their permission and authority.

68. This Right of the Heathen Kings, cannot be thought taken from them by their conversion to the Faith of Christ; who never ordained, that Kings for beleeving in him, should be deposed, that is, subjected to any but himself, or (which is all one) be deprived of the power necessary for the conservation of Peace amongst their Subjects, and for their defence against foraign Enemies. And therefore Christian Kings are still the Supreme Pastors of their people, and have power to ordain what Pastors they please, to teach the Church, that is, to teach the People committed to their charge.

69. Again, let the right of choosing them be (as before the conversion of Kings) in the Church, for so it was in the time of the Apostles themselves (as hath been shewn already in this chapter); even so also the Right will be in the Civill Sovereign, Christian. For in that he is a Christian, he allows the Teaching; and in that he is the Sovereign (which is as much as to say, the Church by Representation,) the Teachers hee elects, are elected by the Church. And when an Assembly of Christians choose their Pastor in a Christian Common-wealth, it is the Sovereign that electeth him, because tis done by his Authority; In the same manner, as when a Town choose their Maior, it is the act of him that hath the Sovereign Power: For every act done, is the act of him, without whose

necessary to salvation, do not *per se* constitute a city, but are the subjects of that foreign power. Nor therefore, although some sovereign prince should by writing grant such an authority to any other, yet so as he would be understood to have retained the civil power in his own hands, shall such a writing be valid, or transfer aught necessary for the retaining or good administration of his command. For by chap. II. art. 4, no man is said *to transfer his right, unless he give some proper sign, declaring his will to transfer it*. But he who hath openly declared his will to keep his sovereignty, cannot have given a sufficient sign of transferring the means necessary for the keeping it. This kind of writing therefore will not be a sign of will, but of ignorance in the contractors. We must consider next, how absurd it is for a city or sovereign to commit the ruling of his subjects' consciences to an enemy; for they are, as hath been showed above in chap. v. art. 6, in an hostile state, whosoever have not joined themselves into the unity of one person. Nor contradicts it this truth, that they do not always fight: for truces are made between enemies. It is sufficient for an hostile mind, that there is suspicion; that the frontiers of cities, kingdoms, empires, strengthened with garrisons, do with a fighting posture and countenance, though they strike not, yet as enemies mutually behold each other. Lastly, how unequal is it to demand that, which by the very reason of your demand you confess to be the right of another. I am the interpreter of Scriptures to you, who are the subject of another state. Why? By what covenants passed between you

consent it is invalid. And therefore whatsoever examples may be drawn out of History, concerning the Election of Pastors, by the People, or by the Clergy, they are no arguments against the Right of any Civill Sovereign, because they that elected them did it by his Authority.

70. Seeing then in every Christian Common-wealth, the Civill Sovereign is the Supreme Pastor, to whose charge the whole flock of his Subjects is committed, and consequently that it is by his authority, that all other Pastors are made, and have power to teach, and performe all other Pastorall offices; it followeth also, that it is from the Civill Sovereign, that all other Pastors derive their right of Teaching, Preaching, and other functions pertaining to that Office; and that they are but his Ministers; in the same manner as the Magistrates of Towns, Judges in Courts of Justice, and Commanders of Armies, are all but Ministers of him that is the Magistrate of the whole Common-wealth, Judge of all Causes, and Commander of the whole Militia, which is alwayes the Civill Sovereign. And the reason hereof, is not because they that Teach, but because they that are to Learn, are his Subjects. For let it be supposed, that a Christian King commit the Authority of Ordaining Pastors in his Dominions to another King, (as divers Christian Kings allow that power to the Pope;) he doth not thereby constitute a Pastor over himself, nor a Sovereign Pastor over his People; for that were to deprive himself of the Civill Power; which depending on the opinion men have of their Duty to him, and the fear they have of Punishment in

and me? By divine authority. Whence known? Out of holy Scripture: behold the book, read it. In vain, unless I may also interpret the same for myself. That interpretation therefore doth by right belong to me, and the rest of my private fellow-subjects; which we both deny. It remains therefore that in all *Christian Churches*, that is to say, in all *Christian cities*, the *interpretation* of sacred Scripture, that is to say, the right of determining all controversies, depends on and derives from the authority of that man or council, which hath the sovereign power of the city.

28. Now because there are two kinds of controversies: the one about spiritual matters, that is to say, questions of faith, the truth whereof cannot be searched into by natural reason; such are the questions concerning *the nature and office of Christ, of rewards and punishments to come, of the sacraments, of outward worship*, and the like: the other, about questions of human science, whose truth is sought out by natural reason and syllogisms, drawn from the covenants of men, and definitions, that is to say, significations received by use and common consent of words; such as are all questions of right and philosophy; for example, when in matter of right it is questioned, whether there be a *promise* and *covenant*, or not, that is nothing else but to demand whether such words, spoken in such a manner, be by common use and consent of the subjects a *promise* or *covenant*; which if they be so called, then it is true that a contract is made; if not, then it is false: that truth therefore depends on the compacts and consents of men. In like manner, when it is demanded in philosophy, whether the same thing may entirely be in divers places at once; the determination of the question depends

another world, would depend also on the skill, and loyalty of Doctors, who are no lesse subject, not only to Ambition, but also to Ignorance, than any other sort of men. So that where a stranger hath authority to appoint Teachers, it is given him by the Sovereign in whose Dominions he teacheth. Christian Doctors are our Schoolmasters to Christianity; But Kings are Fathers of Families, and may receive Schoolmasters for their Subjects from the recommendation of a stranger, but not from the command; especially when the ill teaching them shall redound to the great and manifest-profit of him that recommends them: nor can they be obliged to retain them, longer than it is for the Publique good; the care of which they stand so long charged withall, as they retain any other essentiall Right of the Sovereignty.

71. If a man therefore should ask a Pastor, in the execution of his Office, as the chief Priests and Elders of the people (*Mat. 21. 23.*) asked our Saviour, *By what authority dost thou these things, and who gave thee this authority*: he can make no other just Answer, but that he doth it by the Authority of the Common-wealth, given him by the King, or Assembly that representeth it. All Pastors, except the Supreme, execute their charges in the Right, that is by the Authority of the Civill Sovereign, that is, *Jure Civili*. But the King, and every other Sovereign executeth his Office of Supreme Pastor, by immediate Authority from God, that is to say, *in Gods Right*, or *Jure Divino*. And therefore none but Kings can put into their Titles (a mark of their submission to God onely) *Dei gratiâ Rex &c.* Bishops ought to say in the beginning of their Mandates, *By the favour of the Kings Majesty, Bishop of such a Diocese*; or as Civill Ministers,

on the knowledge of the common consent of men, about the signification of the word *entire*. For if men, when they say a thing is entirely somewhere, do signify by common consent that they understand nothing of the same to be elsewhere; it is false that the same thing is in divers places at once. That truth therefore depends on the consents of men, and by the same reason, in all other questions concerning *right* and *philosophy*. And they who do judge that anything can be determined, contrary to this common consent of men concerning the appellations of things, out of obscure places of Scripture; do also judge that the use of speech, and at once all human society, is to be taken away. For he who hath sold a whole field, will say he meant one whole ridge; and will retain the rest as unsold. Nay, they take away reason itself; which is nothing else but a searching out of the truth made by such consent. This kind of questions, therefore, need not be determined by the city by way of interpretation of Scriptures; for they belong not to God's *Word*, in that sense wherein *the Word of God* is taken for the *Word concerning God*; that is to say, for the *doctrine of the gospel*. Neither is he who hath the sovereign power in the Church, obliged to employ any *ecclesiastical doctors* for the judging of any such kind of matters as these. But for the deciding of questions of faith, that is to say, *concerning God*, which transcend human capacity, we stand in need of a divine blessing, (that we may not be deceived at least in necessary points), to be derived from Christ himself by the imposition of hands. For, seeing to the end we may attain to eternal salvation we are obliged to a supernatural doctrine, and which therefore it is impossible for us to understand; to be left so destitute as that we can be

In his Majesties Name. For in saying, *Divinâ providentiâ*, which is the same with *Dei gratiâ*, though disguised, they deny to have received their authority from the Civill State; and sliely slip off the Collar of their Civill Subjection, contrary to the unity and defence of the Common-wealth.

deceived in necessary points, is repugnant to equity. This infallibility our Saviour Christ promised (in those things which are necessary to salvation) to his apostles until the day of judgment; that is to say, to the apostles, and pastors succeeding the apostles, who were to be consecrated *by the imposition of hands*. He therefore, who hath the sovereign power in the city, is obliged as a Christian, where there is any question concerning *the mysteries of faith*, to interpret the Holy Scriptures by *clergymen* lawfully ordained. And thus in Christian cities, the judgment both of *spiritual* and *temporal matters* belongs unto the civil authority. And that man or council who hath the supreme power, is head both of *the city* and of *the Church*; for a *Church* and a *Christian city* is but one thing.

CHAPTER 26

Chapter 25 of *The Elements of Law* /
Chapter 18 of *De Cive* / Chapter 43 of *Leviathan*

Précis table

Part II. Concerning men as a body politic	Part III. Of Religion	Part III. OF A CHRISTIAN COMMON-WEALTH
Chapter 25. That subjects are not bound to follow their private judgments in controversies of religion	Chapter 18. Of those things which are necessary for our entrance into the kingdom of heaven	Chapter 43. Of what is NECESSARY for a Mans Reception into the Kingdome of Heaven
<ol style="list-style-type: none"> 1. A difficulty concerning absolute subjection to man, arising from our absolute subjection to God Almighty, propounded 2. That this difficulty is only amongst those Christians that deny the interpretation of the Scripture to depend upon the sovereign authority of the commonwealth 3. That human laws are not made to govern the consciences of men, but their words and actions 		<ol style="list-style-type: none"> 1. The difficulty of obeying God and Man both at once,
<ol style="list-style-type: none"> 4. Places of Scripture to prove obedience due from Christians to their sovereign in all things 5. A distinction propounded between a fundamental point of faith, and a superstruction 	<ol style="list-style-type: none"> 1. The difficulty propounded concerning the repugnancy of obeying God and men, is to be removed by the distinctions between the points necessary and not necessary to salvation 	<ol style="list-style-type: none"> 2. Is none to them that distinguish between what is, and what is not Necessary to Salvation
	<ol style="list-style-type: none"> 2. All things necessary to salvation, are contained in faith and obedience 3. What kind of obedience that is, which is required of us 	<ol style="list-style-type: none"> 3. All that is <i>Necessary</i> to Salvation is contained in <i>Faith</i> and <i>Obedience</i> 4. What Obedience is Necessary; 5. And to what Laws
See 11.9–10		<ol style="list-style-type: none"> 6. In the Faith of a Christian, who is the Person beleeved
	<ol style="list-style-type: none"> 4. What faith is, and how distinguished from profession, from science, from opinion 	<ol style="list-style-type: none"> 7. The causes of Christian faith 8. Faith comes by Hearing 9. 10.

THREE-TEXT EDITION OF THOMAS HOBBS'S POLITICAL THEORY

<p>6. An explication of the points of faith, that be fundamental</p> <p>7. That the belief of those fundamental points, is all that is required to salvation, as of faith</p>	<p>5. What it is to believe in Christ</p> <p>6. That that article alone, that Jesus is the Christ, is necessary to salvation; is proved from the scope of the evangelists</p> <p>7. From the preachings of the apostles</p>	<p>11. The onely Necessary Article of Christian Faith,</p> <p>12. Proved from the Scope of the Evangelists:</p> <p>13. From the Sermons of the Apostles:</p>
<p>8. That other points not fundamental, are not necessary to salvation as matter of faith; and that no more is required by way of faith to the salvation of one man, than to another</p>	<p>8. From the easiness of Christian religion</p>	<p>14. From the Easinesse of the Doctrine:</p>
	<p>9. From this also, that it is the foundation of faith</p>	<p>16. From that it is the Foundation of all other Articles</p> <p>17.</p>
	<p>10. From the most evident words of Christ and his apostles</p>	<p>15. From formall and cleer texts</p>
	<p>11. In that article is contained the faith of the Old Testament</p>	
		<p>18. In what sense other Articles may be called Necessary</p>
<p>9. That superstructions are not points of the faith necessary to a Christian</p>	<p>14. The doctrines which this day are controverted about religion, do for the most part relate to the right of dominion</p>	
<p>10. How faith and justice concur to salvation</p>	<p>12. How faith and obedience concur to salvation</p>	<p>19. That Faith, and Obedience are both of them Necessary to Salvation</p> <p>20. What each of them contributes thereunto</p> <p>21.</p>
<p>11. That in Christian commonwealths, obedience to God and man stand well together</p>	<p>13. In a Christian city, there is no contradiction between the commands of God and of the city</p>	<p>22. Obedience to God and to the Civill Sovereign not inconsistent, whether Christian,</p>

<p>14. That Christians under an infidel are discharged of the injustice of disobeying him, in that which concerneth the faith necessary to salvation, by not resisting</p>		<p>23. Or Infidel</p>
<p>12. This tenet, whatsoever is against the conscience, is sin, interpreted 13. That all men do confess the necessity of submitting controversies to some human authority</p>	<p>See 12.2 and 14.16-17</p>	<p>See 27.1 and 29.7</p>
		<p>24.</p>

Part II. Concerning men as a body politic

Chapter 25. That subjects are not bound to follow their private judgments in controversies of religion

1. HAVING showed that in all commonwealths whatsoever, the necessity of peace and government requireth, that there be existent some power, either in one man, or in one assembly of men, by the name of the power sovereign, to which it is not lawful for any member of the same commonwealth to disobey; there occurreth now a difficulty, which, if it be not removed, maketh it unlawful for any man to procure his own peace and preservation, because it maketh it unlawful for a man to put himself under the command of such absolute sovereignty as is required thereto. And the difficulty is this: we have amongst us the Word of God for the rule of our actions; now if we shall subject ourselves to men also, obliging ourselves to do such actions as shall be by them commanded; when the commands of God and man shall differ, we are to obey God, rather than man: and consequently the covenant of general obedience to man is unlawful.

2. This difficulty hath not been of very great antiquity in the world. There was no such dilemma amongst the Jews;

Part III. Of Religion

Chapter 18. Of those things which are necessary for our entrance into the kingdom of heaven

Part III. OF A CHRISTIAN COMMON-WEALTH

Chapter 43. Of what is NECESSARY for a Mans Reception into the Kingdome of Heaven

1. THE most frequent prætext of Sedition, and Civill Warre, in Christian Common-wealths hath a long time proceeded from a difficulty, not yet sufficiently resolved, of obeying at once, both God, and Man, then when their Commandements are one contrary to the other. It is manifest enough, that when a man receiveth two contrary Commands, and knows that one of them is Gods, he ought to obey that, and not the other, though it be the command even of his lawfull Sovereign (whether a Monarch, or a sovereign Assembly,) or the command of his Father. The difficulty therefore consisteth in this, that men when they are commanded in the name of God, know not in divers Cases, whether the command be from God, or whether he that commandeth, doe but abuse Gods name for some private ends of his own. For as there were in the Church of the Jews, many false Prophets, that sought reputation with the people, by feigned Dreams, and Visions; so there have been in all times in the Church of Christ, false Teachers, that seek reputation

for their civil law, and divine law, was one and the same law of Moses: the interpreters whereof were the priests, whose power was subordinate to the power of the king; as was the power of Aaron to the power of Moses. Nor is it a controversy that was ever taken notice of amongst the Grecians, Romans, or other Gentiles; for amongst these their several civil laws were the rules whereby not only righteousness and virtue, but also religion and the external worship of God, was ordered and approved; that being esteemed the true worship of God, which was κατὰ τὰ νόμιμα, (i.e.), according to the laws civil. Also those Christians that dwell under the temporal dominion of the bishop of Rome, are free from this question; for that they allow unto him (their sovereign) to interpret the Scriptures, which are the law of God, as he in his own judgment shall think right. This difficulty therefore remaineth amongst, and troubleth those Christians only, to whom it is allowed to take for the sense of the Scripture that which they make thereof, either by their own private interpretation, or by the interpretation of such as are not called thereunto by public authority: they that follow their own interpretation, continually demanding liberty of conscience; and those that follow the interpretation of others not ordained thereunto by the sovereign of the commonwealth, requiring a power in matters of religion either above the power civil, or at least not depending on it.

3. To take away this scruple of conscience concerning obedience to human laws, amongst those that interpret to themselves the word of God in the Holy Scriptures; I propound to their consideration, first: that no human law is intended to oblige the conscience of a man, but the actions only. For seeing no man (but God alone) knoweth

with the people, by phantasticall and false Doctrines; and by such reputation (as is the nature of Ambition,) to govern them for their private benefit.

the heart or conscience of a man, unless it break out into action, either of the tongue, or other part of the body; the law made thereupon would be of none effect, because no man is able to discern, but by word or other action whether such law be kept or broken. Nor did the apostles themselves pretend dominion over men's consciences concerning the faith they preached, but only persuasion and instruction. And therefore St. Paul saith 2 Cor. 1, 24, writing to the Corinthians, concerning their controversies, that he and the rest of the apostles, *had no dominion over their faith, but were helpers of their joy.*

4. And for the actions of men which proceed from their consciences, the regulating of which actions is the only means of peace; if they might not stand with justice, it were impossible that justice towards God, and peace amongst men should stand together in that religion that teacheth us, *that justice and peace should kiss each other*, and in which we have so many precepts of absolute obedience to human authority; as Matth. 23, 2, 3, we have this precept: *The Scribes and Pharisees sit in Moses' seat; all therefore whatsoever they bid you observe, that observe and do.* And yet were the Scribes and Pharisees not priests, but men of temporal authority. Again Luke 11, 17: *Every kingdom divided against itself shall be desolate;* and is not that kingdom divided against itself, where the actions of every one shall be ruled by his private opinion, or conscience; and yet those actions such as give occasion of offence and breach of peace? Again Rom. 13, 5: *Wherefore you must be subject, not because of wrath only, but also for conscience sake.* Titus 3, 1: *Put them in remembrance, that they be subject to principalities and powers.* 1 Peter 2, 3, 13–14: *Submit yourselves unto all manner of ordinance of man, for the Lord's sake, whether it be*

1. It was ever granted, that all authority *in secular matters* derived from him who had the sovereign power, whether he were one man or an assembly of men. That the same *in spiritual matters* depended on the authority of the *Church*, is manifest by the lastly foregoing proofs; and besides by this, that all Christian cities are Churches endowed with this kind of authority. From whence a man, though but dull of apprehension, may collect, that in a *Christian city*, that is to say, in a city whose sovereignty belongs to a Christian prince or council, *all power, as well spiritual as secular, is united under Christ*, and therefore it is to be obeyed in all things. But on the other side, *because we must rather obey God than men*, there is a difficulty risen, how obedience may safely be yielded to them, if at any time somewhat should be commanded by them to be done which Christ hath prohibited. The reason of this difficulty is, that seeing God no longer speaks to us by Christ and his prophets in open voice, but by the holy Scriptures, which by divers men are diversely understood; they know indeed what princes and a congregated Church do command; but whether that which they do command, be contrary to the word of God or not,

2. But this difficulty of obeying both God, and the Civill Sovereign on earth, to those that can distinguish between what is *Necessary*, and what is not *Necessary* for their *Reception* into the *Kingdome of God*, is of no moment. For if the command of the Civill Sovereign be such, as that it may be obeyed, without the forfeiture of life Eternall; not to obey it is unjust; and the precept of the Apostle takes place; *Servants obey your Masters in all things*; and, *Children obey your Parents in all things*; and the precept of our Saviour, *The Scribes and Pharisees sit in Moses Chaire, All therefore they shall say, that observe, and doe.* But if the command be such, as cannot be obeyed, without being damned to Eternall Death, then it were madnesse to obey it, and the Counsell of our Saviour takes place, (*Mat. 10. 28.*) *Fear not those that kill the body, but cannot kill the soule.* All men therefore that would avoid, both the punishments that are to be in this world inflicted, for disobedience to their earthly Sovereign, and those that shall be inflicted in the world to come for disobedience to God, have need be taught to distinguish well between what is, and what is not *Necessary* to Eternall Salvation.

unto the king, as unto the superior, or unto governors, as unto them that are sent of him for the punishment of evil-doers. Jude, verse 8: *These dreamers also that defile the flesh, and despise government, and speak evil of them that are in authority.* And forasmuch as all subjects in commonwealths are in the nature of children and servants, that which is a command to them, is a command to all subjects. But to these St. Paul saith, Colos. 3, 20, 22: *Children, obey your parents in all things; servants, be obedient to your masters according to the flesh, in all things.* And verse 23: *Do it heartily as to the Lord.* These places considered, it seemeth strange to me, that any man in a Christian commonwealth should have any occasion to deny his obedience to public authority, upon this ground, that *it is better to obey God than man.* For though St. Peter and the apostles did so answer the council of the Jews that forbad them to preach Christ, there appeareth no reason that Christians should allege the same against their Christian governors, that command to preach Christ. To reconcile this seeming contradiction of simple obedience to God and simple obedience to man, we are to consider a Christian subject, as under a Christian sovereign, or under an infidel.

5. And under a Christian sovereign we are to consider, what actions we are forbidden by God Almighty to obey them in, and what not. The actions we are forbidden to obey them in, are such only as imply a denial of that faith which is necessary to our salvation; for otherwise there can be no pretence of disobedience. For why should a man incur the danger of a temporal death, by displeasing of his superior, if it were not for fear of eternal death hereafter? It must therefore be enquired, what those propositions and articles they be, the

this they know not; but with a wavering obedience between the punishments of temporal and spiritual death, as it were sailing between Scylla and Charybdis, they often run themselves upon both. But they who rightly distinguish between the things necessary to salvation, and those which are not necessary, can have none of this kind of doubt. For if the command of the prince or city be such, that he can obey it without hazard of his eternal salvation, it is unjust not to obey them; and the apostle's precepts take place (Col. iii. 20–22): *Children obey your parents in all things: servants in all things obey your masters according to the flesh.* And the command of Christ (Matth. xxiii. 2–3): *The Scribes and Pharisees sit in Moses' chair; all things therefore whatsoever they command you, that observe and do.* On the contrary, if they command us to do those things which are punished with eternal death, it were madness not rather to choose to die a natural death, than by obeying to die eternally: and then comes in that which Christ says (Matth. x. 28): *Fear not them who kill the body, but cannot kill the soul.* We must see, therefore, what all those things are, which are necessary to salvation.

belief whereof our Saviour or his apostles have declared to be such, as without believing them a man cannot be saved; and then all other points that are now controverted, and make distinction of sects, Papists, Lutherans, Calvinists, Arminians, &c., as in old time the like made Paulists, Apollonians, and Cephasians, must needs be such, as a man needeth not for the holding thereof deny obedience to his superiors. And for the points of faith necessary to salvation, I shall call them FUNDAMENTAL, and every other point a SUPERSTRUCTION.

2. Now all things necessary to salvation are comprehended in two virtues, *faith* and *obedience*. The latter of these, if it could be perfect, would alone suffice to preserve us from damnation; but because we have all of us been long since guilty of disobedience against God in Adam, and besides we ourselves have since actually sinned, *obedience* is not sufficient without *remission of sins*. But this, together with our entrance into the kingdom of heaven, is the reward of *faith*; nothing else is requisite to salvation. For the kingdom of heaven is shut to none but sinners, that is to say, those who have not performed due *obedience* to the laws; and not to those neither, if they believe the necessary articles of the Christian faith. Now, if we shall know in what points obedience doth consist, and which are the necessary articles of the Christian faith; it will at once be manifest what we must do, and what abstain from, at the command of cities and of princes.

3. But by obedience in this place is signified not *the fact*, but the *will* and *desire* wherewith we purpose, and endeavour as much as we can, to obey for the future. In which sense the word *obedience* is equivalent to *repentance*; for the virtue of repentance consists not in the sorrow which accompanies the remembrance of sin; but in our conversion

3. All that is NECESSARY to *Salvation*, is contained in two Vertues, *Faith in Christ*, and *Obedience to Laws*. The latter of these, if it were perfect, were enough to us. But because wee are all guilty of disobedience to Gods Law, not onely originally in Adam, but also actually by our own transgressions, there is required at our hands now, not onely *Obedience* for the rest of our time, but also a *Remission* of sins for the time past; which Remission is the reward of our Faith in Christ. That nothing else is Necessarily required to Salvation, is manifest from this, that the Kingdome of Heaven, is shut to none but to Sinners; that is to say, to the disobedient, or transgressors of the Law; nor to them, in case they Repent, and Beleeve all the Articles of Christian Faith, Necessary to Salvation.

4. The Obedience required at our hands by God, that accepteth in all our actions the Will for the Deed, is a serious Endeavour to Obey him; and is called also by all such names as signifie that Endeavour. And therefore Obedience, is sometimes called by the names of *Charity*, and *Love*, because they imply a Will to Obey; and our Saviour himself maketh our Love to God, and to one another, a Fulfilling of the whole Law: and sometimes by the name of *Righteousnesse*; for Righteousnesse is but the

into the way, and full purpose to sin no more; without which that sorrow is said to be the sorrow not of a penitent, but a desperate person. But because they who love God cannot but desire to obey the divine law, and they who love their neighbours cannot but desire to obey the moral law; which consists (as hath been showed above in chap. III.) in the prohibition of *pride, ingratitude, contumely, inhumanity, cruelty, injury*, and the like offences, whereby our neighbours are prejudiced; therefore also *love, or charity*, is equivalent to the word *obedience*. Justice, also, which is a constant will of giving to every man his due, is equivalent with it. But that *faith and repentance* are sufficient for salvation, is manifest by the covenant itself of baptism. For they who were by Peter converted on the day of *Pentecost*, demanding him, what they should do: he answered (Acts ii. 38): *Repent and be baptized every one of you, in the name of Jesus, for the remission of your sins*. There was nothing therefore to be done for the obtaining of baptism, that is to say, for to enter into the kingdom of God, but *to repent and believe in the name of Jesus*; for the kingdom of heaven is promised by the Covenant which is made in baptism. Furthermore, by the words of Christ, answering the lawyer who asked him what he should do to inherit eternal life (Luke xviii. 20): *Thou knowest the commandments: Thou shalt not kill, thou shalt not commit adultery, &c.* which refer to obedience; and (Mark x. 21): *Sell all that thou hast, and come and follow me*: which relates to faith. And by that which is said: *The just shall live by faith*; not every man, but the *just*; for *justice* is the same disposition of will which *repentance and obedience* are. And by the words of St. Mark (i. 15): *The time is fulfilled, and the kingdom of God is at hand; repent ye, and believe the gospel*; by which words is

will to give to every one his owne, that is to say, the will to obey the Laws: and sometimes by the name of *Repentance*; because to Repent, implyeth a turning away from sinne, which is the same, with the return of the will to Obedience. Whosoever therefore unfeignedly desireth to fulfill the Commandements of God, or repenteth him truly of his transgressions, or that loveth God with all his heart, and his neighbor as himself, hath all the Obedience Necessary to his Reception into the Kingdome of God: For if God should require perfect Innocence, there could no flesh be saved.

5. But what Commandements are those that God hath given us? Are all those Laws which were given to the Jews by the hand of Moses, the Commandements of God? If they bee, why are not Christians taught to obey them? If they be not, what others are so, besides the Law of Nature? For our Saviour Christ hath not given us new Laws, but Counsell to observe those wee are subject to; that is to say, the Laws of Nature, and the Laws of our severall Sovereigns: Nor did he make any new Law to the Jews in his Sermon on the Mount, but onely expounded the Laws of Moses, to which they were subject before. The Laws of God therefore are none but the Laws of Nature, whereof the principall is, that we should not violate our Faith, that is, a commandement to obey our Civill Sovereigns, which wee constituted over us, by mutuall pact one with another. And this Law of God, that commandeth Obedience to the Law Civill, commandeth by consequence Obedience to all the Precepts of the Bible, which (as I have proved in the precedent Chapter) is there onely Law, where the Civill Sovereign hath made it so; and in other places but Counsell; which a man at his own perill, may without injustice refuse to obey.

not obscurely signified, that there is no need of other virtues for our entrance into the kingdom of God, excepting those of *repentance and faith*. The obedience therefore which is *necessarily* required to salvation, is nothing else but *the will or endeavour* to obey; that is to say, of doing according to the laws of God; that is, the moral laws, which are the same to all men, and the civil laws; that is to say, the commands of sovereigns in *temporal* matters, and the ecclesiastical laws in *spiritual*. Which two kinds of laws are divers in divers cities and Churches, and are known by their promulgation and public sentences.

See 11.9–10

6. Knowing now what is the Obedience Necessary to Salvation, and to whom it is due; we are to consider next concerning Faith, whom, and why we beleeve; and what are the Articles, or Points necessarily to be beleeved by them that shall be saved. And first, for the Person whom we beleeve, because it is impossible to beleeve any Person, before we know what he saith, it is necessary he be one that wee have heard speak. The Person therefore, whom Abraham, Isaac, Jacob, Moses and the Prophets beleeved, was God himself, that spake unto them supernaturally: And the Person, whom the Apostles and Disciples that conversed with Christ beleeved, was our Saviour himself. But of them, to whom neither God the Father, nor our Saviour ever spake, it cannot be said, that the Person whom they beleeved, was God. They beleeved the Apostles, and after them the Pastors and Doctors of the Church, that recommended to their faith the History of the Old and New Testament: so that the Faith of Christians ever since our Saviours time, hath had for foundation, first, the reputation of their Pastors, and afterward, the authority of those that made the Old and New Testament to be received for the Rule of Faith; which none could

do but Christian Sovereignes; who are therefore the Supreme Pastors, and the onely Persons, whom Christians now hear speak from God; except such as God speaketh to, in these days supernaturally. But because there be many false Prophets *gone out into the world*, other men are to examine such Spirits (as St. *John* advised us, 1 Epistle, Chap. 4. ver. 1.) *whether they be of God, or not*. And therefore, seeing the Examination of Doctrines belongeth to the Supreme Pastor, the Person which all they that have no speciall revelation are to beleeve, is (in every Common-wealth) the Supreme Pastor, that is to say, the Civill Sovereigne.

4. That we may understand what the *Christian faith* is, we must define *faith* in general; and distinguish it from those other acts of the mind, wherewith commonly it is confounded. The object of *faith* universally taken, namely, *for that which is believed*, is evermore a *proposition*, that is to say, a speech affirmative or negative, which we grant to be true. But because propositions are granted for divers causes, it falls out that these kind of concessions are diversely called. But we grant propositions sometimes, which notwithstanding we receive not into our minds; and this either for a time, to wit, so long, till by consideration of the consequences we have well examined the truth of them, which we call *supposing*; or also simply, as through fear of the laws, which is to *profess*, or *confess* by outward tokens; or for a voluntary compliance sake, which men use out of civility to those whom they respect, and for love of peace to others, which is *absolute yielding*. Now the propositions which we receive for truth, we always grant for some reasons of our own; and these are derived either from the *proposition itself*, or from the *person propounding*. They are derived from the *proposition itself*, by calling to mind

7. The causes why men beleeve any Christian Doctrine, are various: For Faith is the gift of God; and he worketh it in each severall man, by such wayes, as it seemeth good unto himself. The most ordinary immediate cause of our beleeve, concerning any point of Christian Faith, is, that wee beleeve the Bible to be the Word of God. But why wee beleeve the Bible to be the Word of God, is much disputed, as all questions must needs bee, that are not well stated. For they make not the question to be, *Why we Beleeve it*, but *How wee Know it*; as if *Beleeving* and *Knowing* were all one. And thence while one side ground their Knowledge upon the Infallibility of the Church, and the other side, on the Testimony of the Private Spirit, neither side concludeth what it pretends. For how shall a man know the Infallibility of the Church, but by knowing first the Infallibility of the Scripture? Or how shall a man know his own Private spirit to be other than a beleeve, grounded upon the Authority, and Arguments of his Teachers; or upon a Presumption of his own Gifts? Besides, there is nothing in the Scripture, from which can be inferred the Infallibility of the Church; much lesse, of any particular Church; and

what things those words, which make up the proposition, do by common consent usually signify. If so, then the assent which we give, is called *knowledge* or *science*, But if we cannot remember what is certainly understood by those words, but sometimes one thing, sometimes another seem to be apprehended by us, then we are said to think. For example, if it be propounded that *two and three make five*; and by calling to mind, that the order of numeral words is so appointed by the common consent of them who are of the same language with us, (as it were, by a certain contract necessary for human society), that *five* shall be the name of so many unities as are contained in two and three taken together, a man assent that this is therefore true, because two and three together are the same with five: this assent shall be called knowledge. And to know this truth is nothing else, but to acknowledge that it is made by ourselves. For by whose will and rules of speaking the number | | is called two, | | | is called three, and | | | | is called five; by their will also it comes to pass that this proposition is true, *two and three taken together make five*. In like manner if we remember what it is that is called *theft*, and what *injury*; we shall understand by the words themselves, whether it be true that *theft is an injury*, or not. *Truth* is the same with a *true proposition*; but *the proposition is true* in which the *word consequent*, which by logicians is called *the predicate*, embraceth *the word antecedent* in its amplitude, which they call *the subject*. And to *know truth* is the same thing as to *remember* that it was made by ourselves by the very usurpation of the words. Neither was it rashly nor unadvisedly said by Plato of old, *that knowledge was memory*. But it happens sometimes, that words although they have a certain and defined signification by

least of all, the Infallibility of any particular man.

8. It is manifest therefore, that Christian men doe not know, but onely beleeve the Scripture to be the Word of God; and that the means of making them beleeve which God is pleased to afford men ordinarily, is according to the way of Nature, that is to say, from their Teachers. It is the Doctrine of St. Paul concerning Christian Faith in generall, (*Rom. 10. 17.*) *Faith cometh by Hearing*, that is, by Hearing our lawfull Pastors. He saith also (ver. 14, 15. of the same Chapter) *How shall they beleeve in him of whom they have not heard? and how shall they hear without a Preacher? and how shall they Preach, except they be sent?* Whereby it is evident, that the ordinary cause of beleeving that the Scriptures are the Word of God, is the same with the cause of the beleeving of all other Articles of our Faith, namely, the Hearing of those that are by the Law allowed and appointed to Teach us, as our Parents in their Houses, and our Pastors in the Churches: Which also is made more manifest by experience. For what other cause can there bee assigned, why in Christian Common-wealths all men either beleeve, or at least professe the Scripture to bee the Word of God, and in other Common-wealths scarce any; but that in Christian Common-wealths they are taught it from their infancy; and in other places they are taught otherwise?

9. But if Teaching be the cause of Faith, why doe not all beleeve? It is certain therefore that Faith is the gift of God, and hee giveth it to whom he will. Nevertheless, because of them to whom he giveth it, he giveth it by the means of Teachers, the immediate cause of Faith is Hearing. In a School, where many are taught, and some profit, others profit not, the cause of learning in them that profit, is the Master; yet it

constitution, yet by vulgar use either to adorn or deceive, they are so wrested from their own significations, that to remember the conceptions for which they were first imposed on things, is very hard, and not to be mastered but by a sharp judgment and very great diligence. It happens too that there are many words, which have no proper, determined, and everywhere the same signification; and are understood not by their own, but by virtue of other signs used together with them. Thirdly, there are some words of things unconceivable. Of those things, therefore, whereof they are the words, there is no conception; and therefore in vain do we seek for the truth of those propositions, which they make out of the words themselves. In these cases, while by considering the definitions of words we search out the truth of some proposition, according to the hope we have of finding it, we think it sometimes true, and sometimes false; either of which apart is called *thinking*, and also *believing*; both together, *doubting*. But when our reasons, for which we assent to some proposition, derive not from the *proposition itself*, but from the *person propounding*, whom we esteem so learned that he is not deceived, and we see no reason why he should deceive us; our assent, because it grows not from any confidence of our own, but from another man's knowledge, is called *faith*. And by the confidence of whom we do believe, we are said *to trust them*, or *to trust in them*. By what hath been said, the difference appears, first, between *faith* and *profession*; for that is always joined with inward assent; this not always. That is an inward persuasion of the mind, this an outward obedience. Next, between *faith* and *opinion*; for this depends on our own reason, that on the good esteem we have of another. Lastly, between *faith* and *knowledge*; for this deliberately

cannot be thence inferred, that learning is not the gift of God. All good things proceed from God; yet cannot all that have them, say they are Inspired; for that implies a gift supernaturall, and the immediate hand of God; which he that pretends to, pretends to be a Prophet, and is subject to the examination of the Church.

10. But whether men *Know*, or *Beleeve*, or *Grant* the Scriptures to be the Word of God; if out of such places of them, as are without obscurity, I shall shew what Articles of Faith are necessary, and onely necessary for Salvation, those men must needs *Know*, *Beleeve*, or *Grant* the same.

takes a proposition broken and chewed; that swallows it down whole and entire. The explication of words, whereby the matter enquired after is propounded, is conducive to knowledge; nay, the only way *to know*, is by *definition*. But this is prejudicial to *faith*; for those things which exceed human capacity, and are propounded to be believed, are never more evident by explication, but, on the contrary, more obscure and harder to be credited. And the same thing befalls a man, who endeavours to demonstrate *the mysteries of faith* by natural reason, which happens to a sick man, who will needs chew before he will swallow his wholesome but bitter pills; whence it comes to pass, that he presently brings them up again; which perhaps would otherwise, if he had taken them well down, have proved his remedy.

5. We have seen therefore what it is *to believe*. But what is it *to believe in Christ*? Or what proposition is that, which is the object of our faith in Christ? For when we say, *I believe in Christ*, we signify indeed whom, but not what we believe. Now, *to believe in Christ* is nothing else but to believe that Jesus is the Christ, namely, he who according to the prophecies of Moses and the prophets of Israel, was to come into this world *to institute the kingdom of God*. And this sufficiently appears out of the words of Christ himself to Martha (John xi. 25–27): *I am, saith he, the resurrection and the life; he that believeth in me, though he were dead, yet shall he live; and whosoever liveth and believeth in me, shall never die. Believest thou this? She saith unto him, yea, Lord, I believe that thou art the Christ the Son of God, which should come into the world*. In which words, we see that the question, *believest thou in me*, is expounded by the answer, *thou art the Christ*. To believe in Christ therefore is nothing else but to believe Jesus himself, saying that he is the Christ.

6. And without all controversy, there is not any more necessary point to be believed for man's salvation than this, that Jesus is the Messiah, that is, the Christ; which proposition is explicated in sundry sorts, but still the same in effect; as, *that he is God's anointed*; for that is signified by the word Christ; *that he was the true and lawful king of Israel, the son of David; the Saviour of the world, the redeemer of Israel; the salvation of God; he that should come into the world, the son of God*, and (which I desire by the way to have noted, against the new sect of Arians), *the begotten Son of God*, Acts 3, 13; Heb. 1, 5; 5, 5: *the only begotten Son of God*, John 1, 14, 18; John 3, 16, 18; I John 4, 9: *that he was God*, John 1, 1; John 20, 28: *that the fulness of the Godhead dwelt in him bodily*. Moreover, *the Holy One, the Holy One of God, the forgiver of sins, that he is risen from the dead*: these are explications, and parts of that general article, *that Jesus is the Christ*. This point therefore, and all the explications thereof are fundamental; as also all such as be evidently inferred from thence; as, belief in God the Father: John 12, 44: *He that believeth in me, believeth not in me, but in him that sent me*; 1 John 2, 23:

6. *Faith* and *obedience* both necessarily concurring to salvation, what kind of obedience that same is, and to whom due, hath been showed above in art. 3. But now we must enquire what *articles of faith* are requisite. And I say, that to a Christian* there is no other article of faith requisite as *necessary* to salvation, but only this, *that Jesus is the Christ*. But we must distinguish, as we have already done before in art. 4, between *faith* and *profession*. A *profession*, therefore, of more articles, if they be commanded, may be necessary; for it is a part of our *obedience* due to the laws. But we enquire not now what *obedience*, but what *faith* is necessary to salvation. And this is proved, first, out of the scope of the Evangelists, which was, by the description of our Saviour's life, to establish this one article: and we shall know that such was the scope and counsel of the Evangelists, if we observe but the history itself. St. Matthew (chap. i.), beginning at his genealogy, shows that Jesus was of the lineage of David, born of a virgin: chap. ii., that he was adored by the *wise men* as king of the Jews; that Herod for the same cause sought to slay him: chap. iii., iv., that his kingdom

11. The (*Unum Necessarium*) Only Article of Faith, which the Scripture maketh simply Necessary to Salvation, is this, that JESUS IS THE CHRIST. By the name of *Christ*, is understood the King, which God had before promised by the Prophets of the Old Testament, to send into the world, to reign (over the Jews, and over such of other nations as should believe in him) under himself eternally; and to give them that eternall life, which was lost by the sin of Adam. Which when I have proved out of Scripture, I will further shew when, and in what sense some other Articles may be also called *Necessary*.

12. For Proof that the Beleef of this Article, *Jesus is the Christ*, is all the Faith required to Salvation, my first Argument shall be from the Scope of the Evangelists; which was by the description of the life of our Saviour, to establish that one Article, *Jesus is the Christ*. The summe of St. Matthews Gospell is this, That Jesus was of the stock of David; Born of a Virgin; which are the Marks of the true Christ: That the *Magi* came to worship him as King of the Jews: That Herod for the same cause sought to kill him: That John Baptist proclaimed him: That he preached by himselfe, and his Apostles

* *I say, that to a Christian.*] Although I conceive this assertion to be sufficiently proved by the following reasons, yet I thought it worth my labour to make a more ample explication of it; because I perceive that being somewhat new, it may possibly be distasteful to many divines. First therefore, when I say this article, *that Jesus is the Christ*, is necessary to salvation; I say not that faith only is necessary, but I require justice also, or that obedience which is due to the laws of God; that is to say, a will to live righteously. Secondly, I deny not but the profession of many articles, provided that that profession be commanded by the Church, is also necessary to salvation. But seeing faith is internal, profession external, I say that the former only is properly faith; the latter a part of obedience; insomuch as that article alone sufficeth for inward belief, but is not sufficient for the outward profession of a Christian. Lastly, even as if I had said that true and inward repentance of sins was only necessary to salvation, yet were it not to be held for a paradox; because we suppose justice, obedience, and a mind reformed in all manner of virtues to be contained in it. So when I say that the faith of one article is sufficient to salvation, it may well be less wondered at; seeing that in it so many other articles are contained. For these words, *Jesus is the Christ*, do signify that Jesus was that person, whom God had promised by his prophets should come into the world to establish his kingdom; that is to say, that Jesus is the Son of God, the creator of heaven and earth, born of a virgin, dying for the sins of them who should believe in him; that he was Christ, that is to say, a king; that he revived (for else he were not like to reign) to judge the world, and to reward every one according to his works (for otherwise he cannot be a king); also that men shall rise again, for otherwise they are not like to come to judgment. The whole symbol of the apostles is therefore contained in this one article. Which, notwithstanding, I thought reasonable to contract thus; because I found that many men for this alone, without the rest, were admitted into the kingdom of God, both by Christ and his apostles; as the thief on the cross, the eunuch baptized by Philip, the two thousand men converted to the Church at once by St. Peter. But if any man be displeased that I do not judge all those eternally damned, who do not inwardly assent to every article defined by the Church, and yet do not contradict, but, if they be commanded, do submit: I know not what I shall say to them. For the most evident testimonies of Holy Writ, which do follow, do withhold me from altering my opinion.

He that denieth the Son, hath not the Father: Belief in God the Holy Ghost, of whom Christ saith, John 14, 26: *But the Comforter, which is the Holy Ghost, whom the Father will send in my name;* and John 15, 26: *But when the Comforter shall come, whom I will send unto you from the Father, even the Spirit of truth:* Belief of the Scriptures, by which we believe those points, and of the immortality of the soul, without which we cannot believe he is a Saviour.

7. And as these are the fundamental points of faith, necessary to salvation; so also are they only necessary as matter of faith, and only essential to the calling of a Christian; as may appear by many evident places of Holy Scripture: John 5, 39: *Search the Scriptures, for in them you think to have eternal life, and they are they which testify of me.* Now, forasmuch as by the Scripture is meant there the Old Testament (the New being then not written), the belief of that which was written concerning our Saviour in the Old Testament, was sufficient belief for the obtaining of eternal life; but in the Old Testament, there is nothing revealed concerning Christ, but that he is the Messiah, and such things as belong to the fundamental points thereupon depending; and therefore those fundamental points are sufficient to salvation, as of faith. And John 6, 28, 29: *Then said they unto him, What shall we do, that we might work the works of God? Jesus answered and said unto them, This is the work of God, that ye believe in him, whom he hath sent.* So that the point to be believed is, *That Jesus Christ came forth from God, and he which believeth it, worketh the works of God.* John 11, 26, 27: *Whosoever liveth and believeth in me, shall never die. Believest thou this? She said unto him, Yea, Lord, I believe that thou art the Christ, the Son of God, which should come into the world.*

was preached both by John the Baptist and himself: chapters v. vi. vii., that he taught the laws, not as the Scribes, but as one having authority: chapters viii. ix., that he cured diseases miraculously: chap. x., that he sent his apostles, the preachers of his kingdom, throughout all the parts of Judea to proclaim his kingdom: chap. xi., that he commanded the messengers, sent from John to enquire whether he were the Christ or not, to tell him what they had seen, namely, the miracles which were only compatible with Christ: chap. xii., that he proved and declared his kingdom to the Pharisees and others by arguments, parables, and signs; and the following chapters to xxi., that he maintained himself to be the Christ against the Pharisees: chap. xxi., that he was saluted with the title of king, when he entered into Jerusalem: chaps. xxii., xxiii., xxiv., xxv., that he forewarned others of *false Christs*; and that he showed in parables what manner of kingdom his should be: chaps. xxvi. xxvii., that he was taken and accused for this reason, because he said he was a king; and that a title was written on his cross, *this is Jesus the king of the Jews*: lastly, chap. xxviii., that after his resurrection, he told his apostles that all power was given unto him both in heaven and in earth. All which tends to this end; that we should believe Jesus to be the Christ. Such therefore was the scope of St. Matthew in describing his gospel. But such as his was, such also was the rest of the Evangelists; which St. John sets down expressly in the end of his gospel (John xx. 31): *These things, saith he, are written, that ye may know that Jesus is the Christ, the Son of the living God.*

7. Secondly, this is proved by the preaching of the apostles. For they were the proclaimers of his kingdom; neither did Christ send them to preach

that he was that King: That he taught the Law, not as a Scribe, but as a man of Authority: That he cured diseases by his Word onely, and did many other Miracles, which were foretold the Christ should doe: That he was saluted King when hee entered into Jerusalem: That he fore-warned them to beware of all others that should pretend to be Christ: That he was taken, accused, and put to death, for saying, hee was King: That the cause of his condemnation written on the Crosse, was JESUS OF NAZARETH, THE KING OF THE JEWES. All which tend to no other end than this, that men should beleeve, that *Jesus is the Christ*. Such therefore was the Scope of St. Matthews Gospel. But the Scope of all the Evangelists (as may appear by reading them) was the same. Therefore the Scope of the whole Gospell, was the establishing of that onely Article. And St. John expressly makes it his conclusion, John 20. 31. *These things are written, that you may know that Jesus is the Christ, the Son of the living God.*

13. My second Argument is taken from the Subject of the Sermons of the Apostles, both whilest our Saviour lived on earth, and after his Ascension. The

Hence followeth that he that believeth this shall never die. John 20, 31: *But these things are written, that ye might believe, that Jesus is the Christ, the Son of God; and that believing, ye might have life through his name.* By which appeareth that this fundamental point is all that is required, as of faith to our salvation. 1 John 4, 2: *Every spirit that confesseth that Jesus Christ is come in the flesh, is of God:* 1 John 5, 1: *Who-soever believeth that Jesus is the Christ, is born of God;* and verse 4: *Who is it that overcometh the world, but he that believeth, that Jesus is the Son of God?* and verse 13: *These things have I written unto you that believe in the name of the Son of God, that ye may know that ye have eternal life.* Acts 8, 36, 37: *The eunuch said, Here is water, what doth let me to be baptized? And Philip said unto him, If thou believest with all thy heart, thou mayest. He answered and said, I believe that Jesus Christ is the Son of God.* This point therefore was sufficient for the reception of a man to baptism, that is to say to Christianity. And Acts 16, 30: *The keeper of the prison fell down before Paul and Silas, and said, Sirs, what shall I do to be saved? And they said, Believe in the Lord Jesus Christ.* And the sermon of St. Peter, upon the day of Pentecost, was nothing else but an explication, that Jesus was the Christ. And when they that heard him, asked him, What shall we do? he said unto them, Acts, 2, 38: *Amend your lives, and be baptized every one of you in the name of Jesus Christ, for the remission of sins.* Rom. 10, 9: *If thou shalt confess with thy mouth the Lord Jesus, and shalt believe in thy heart, that God raised him up from the dead, thou shalt be saved.* To these places may be added: that wheresoever our Saviour

aught but the kingdom of God (Luke ix. 2: Acts x. 42). And what they did after Christ's ascension, may be understood by the accusation which was brought against them (Acts xvii. 6–7): *They drew Jason, saith St. Luke, and certain brethren unto the rulers of the city, crying, these are the men that have turned the world upside down, and are come hither also, whom Jason hath received; and these all do contrary to the decrees of Cæsar, saying that there is another king, one Jesus.* It appears also, what the subject of the apostle's sermon was, out of these words (Acts xvii. 2–3): *Opening and alleging out of the Scriptures (to wit, of the Old Testament) that Christ must needs have suffered and risen again from the dead; and that this Jesus is the Christ.*

Apostles in our Saviours time were sent, Luke 9.2. to Preach the Kingdome of God: For neither there, nor Mat. 10.7. giveth he any Commission to them, other than this, *As ye go, Preach, saying, the Kingdome of Heaven is at hand;* that is, that *Jesus is the Messiah, the Christ, the King* which was to come. That their Preaching also after his ascension was the same, is manifest out of Acts 17.6. *They drew (saith St. Luke) Jason and certain Brethren unto the Rulers of the City, crying, These that have turned the world upside down are come hither also, whom Jason hath received. And these all do contrary to the Decrees of Cæsar, saying, that there is another King, one Jesus:* And out of the 2. & 3. verses of the same Chapter, where it is said, that *St. Paul as his manner was, went in unto them; and three Sabbath dayes reasoned with them out of the Scriptures; opening and alleging, that Christ must needs have suffered, and risen againe from the dead, and that this Jesus (whom hee preached) is Christ.*

Christ doth approve the faith of any man, the proposition believed (if the same be to be collected out of the text) is always some of these fundamental points before mentioned, or something equivalent; as the faith of the centurion, Matth. 8, 8: *Speak the word only, and my servant shall be healed*; believing he was omnipotent; the faith of the woman, which had an issue of blood, Matth. 9, 21: *If I may but touch the hem of his garment*; implying, he was the Messiah; the faith required of the blind men, Matth. 9, 28: *Believe you that I am able to do this?* the faith of the Canaanitish woman, Matth. 15, 22, that he was the *Son of David*, implying the same. And so it is in every one of those places (none excepted) where our Saviour commendeth any man's faith; which because they are too many to insert here, I omit, and refer them to his inquisition that is not otherwise satisfied. And as there is no other faith required, so there was no other preaching; for the prophets of the Old Testament preached no other; and John the Baptist preached only the approach of the kingdom of heaven, that is to say, of the kingdom of Christ. The same was the commission of the apostles, Matt. 10, 7: *Go preach, saying, The kingdom of heaven is at hand*. And Paul preaching amongst the Jews, Acts, 18, 5, did but testify unto the Jews, *that Jesus was the Christ*. And the heathens took notice of Christians no otherwise, but by this name that they believed *Jesus to be a king*, crying out, Acts 17, 6: *These are they that have subverted the state of the world, and here they are, whom Jason hath received. And these all do against the decrees of Cæsar, saying, that there is another king, one Jesus*. And this was the sum of the predictions, the sum of

the confessions of them that believed, as well men as devils. This was the title of his cross, *Jesus of Nazareth, king of the Jews*; this the occasion of the crown of thorns, sceptre of reed, and a man to carry his cross; this was the subject of the *Hosannas*; and this the title, by which our Saviour, commanding to take another man's goods, bade them say, *The Lord hath need*; and by this title he purged the temple of the profane market kept there. Nor did the apostles themselves believe any more than that *Jesus was the Messiah* nor understand so much; for they understood the Messiah to be no more than a temporal king, till after our Saviour's resurrection. Farthermore, this point that *Christ is the Messiah*, is particularly set forth for fundamental by that word, or some other equivalent thereunto in divers places. Upon the confession of Peter, Matth. 16, 16: *Thou art the Christ, the son of the living God*, our Saviour, verse 18, saith, *Upon this rock will I build my church*. This point therefore is the whole foundation of Christ's church. Rom. 15, 20, St. Paul saith, *So I enforced myself to preach the Gospel, not where Christ was named, lest I should have built upon another man's foundation*. 1 Cor. 3, 10, St. Paul when he had reprehended the Corinthians for their sects, and curious doctrines and questions, he distinguisheth between fundamental points, and superstruction; and saith, *I have laid the foundation, and another buildeth thereupon; but let every man take heed how he buildeth upon it. For other foundation can no man lay than that which is laid, which is Jesus the Christ*. Colos. 2, 6: *As you have received Christ Jesus the Lord, so walk in him, rooted and builded in him, and stablished in the faith*.

8. Thirdly, by the places, in which the easiness of those things, which are required by Christ to the attaining of salvation, is declared. For if an internal assent of the mind were necessarily required to the truth of all and each proposition, which this day is controverted about the Christian faith, or by divers churches is diversely defined; there would be nothing more difficult than the Christian religion. And how then would that be true (Matth. xi. 30): *My yoke is easy and my burden light*; and that (Matth. xviii. 6): *little ones do believe in him*; and that (1 Cor. i. 21): *it pleased God by the foolishness of preaching, to save those that believe*? Or how was the thief hanging on the cross sufficiently instructed to salvation, the confession of whose faith was contained in these words: *Lord, remember me when thou comest into thy kingdom*? Or how could St. Paul himself, from an enemy, so soon become a doctor of Christians?

8. Having showed this proposition, Jesus is the Christ, to be the only fundamental and necessary point of faith; I shall set down a few places more to show that other points, though they may be true, are not so necessary to be believed, as that a man may not be saved though he believe them not. And first, if a man could not be saved without assent of the heart to the truth of all controversies, which are now in agitation concerning religion, I cannot see how any man living can be saved; so full of subtilty, and curious knowledge it is, to be so great a divine. Why therefore should a man think that our Saviour, who Matth. 11, 30, saith, *that his yoke is easy*, should require a matter of that difficulty? or how are little children said

14. The third Argument is, from those places of Scripture, by which all the Faith required to Salvation is declared to be Easie. For if an inward assent of the mind to all the Doctrines concerning Christian Faith now taught, (whereof the greatest part are disputed,) were necessary to Salvation, there would be nothing in the world so hard, as to be a Christian. The Thief upon the Crosse though repenting, could not have been saved for saying, *Lord remember me when thou comest into thy Kingdome*; by which he testified no beleefe of any other Article, but this, That *Jesus was the King*. Nor could it bee said (as it is *Mat. 11. 30.*) that *Christs yoke is Easy, and his burthen Light*: Nor that *Little Children beleeve in him*, as it is *Matth. 18. 6*. Nor could St. Paul have said (1 Cor. 1. 21.) *It pleased God by the Foolishnesse of preaching, to save them that beleeve*: Nor could St. Paul himself have been saved, much lesse have been so great a Doctor of the Church so suddenly, that never perhaps thought of Transubstantiation, nor Purgatory, nor many other Articles now obtruded.

to believe? Matth. 18, 6; or how could the good thief be thought sufficiently catechised upon the cross? or St. Paul so perfect a Christian presently upon his conversion? and though there may be more obedience required in him that hath the fundamental points explicated unto him, than in him, that hath received the same but implicitly; yet there is no more faith required for salvation in one man than in another. For if it be true, that *whosoever shall confess with his mouth the Lord Jesus, and believe in his heart that God raised him from the dead, shall be saved*; as it is, Rom. 10, 9; and that *whosoever believeth that Jesus is the Christ, is born of God*; the belief of that point is sufficient for the salvation of any man whosoever he be, forasmuch as concerneth faith. And seeing he that believeth not, *that Jesus is the Christ*, whatsoever he believe else, cannot be saved; it followeth that there is no more required to the salvation of one man, than of another, in matter of faith.

9. Fourthly, by this, that that article is the foundation of faith; neither rests it on any other foundation. Matth. xxiv. 23, 24: *If any man shall say unto you, Lo here is Christ, or he is there; believe it not. For there shall arise false Christs and false prophets, and shall show great signs and wonders, &c.* Whence it follows, that for the faith's sake which we have in this article, we must not believe any signs and wonders. Gal. i. 8: *Although we or an angel from heaven, saith the apostle, should preach to you any other gospel, than what we have preached; let him be accursed.* By reason of this article, therefore, we might not trust the very apostles and angels themselves, and therefore, I conceive, not the Church neither, if they should teach the contrary. 1 John iv. 1–2: *Beloved, believe not every spirit, but try the spirits whether they are of God; because many false prophets are gone out into the world.*

16. The last Argument is from the places, where this Article is made the Foundation of Faith: For he that holdeth the Foundation shall be saved. Which places are first, Mat. 24. 23. *If any man shall say unto you, Loe, here is Christ, or there, beleeve it not, for there shall arise false Christs, and false Prophets, and shall shew great signes and wonders, &c.* Here wee see, this Article *Jesus is the Christ*, must be held, though hee that shall teach the contrary should doe great miracles. The second place is Gal. 1. 8. *Though we, or an Angell from Heaven preach any other Gospell unto you, than that wee have preached unto you, let him bee accursed.* But the Gospell which Paul, and the other Apostles, preached, was onely this Article, that *Jesus is the Christ*: Therefore for the Beleef of this Article, we are to reject the Authority of an Angell from heaven; much more of any mortall man, if he

Hereby know ye the spirit of God; every spirit that confesseth Jesus Christ is come in the flesh, is of God, &c. That article therefore is the measure of the spirits, whereby the authority of the doctors is either received, or rejected. It cannot be denied, indeed, but that all who at this day are Christians, did learn from the doctors that it was Jesus, who did all those things whereby he might be acknowledged to be the Christ. Yet it follows not, that the same persons believed that article for the doctor's or the Church's, but for Jesus' own sake. For that article was before *the Christian Church*, (Matth. xvi. 18), although all the rest were after it; and the Church was founded upon it, not it upon the Church. Besides, this article, that *Jesus is the Christ*, is so fundamental, that all the rest are by St. Paul (1 Cor. iii. 11–15) said to be built upon it: *For other foundation can no man lay, than that which is laid; which is Jesus Christ; that is to say, that Jesus is the Christ. Now if any man build upon this foundation, gold, silver, precious stones, wood, hay, stubble; every man's work shall be made manifest; if any man's work abide, which he hath built thereupon, he shall receive a reward; if any man's work shall be burnt, he shall suffer loss, but he himself shall be saved.* From whence it plainly appears, that by *foundation* is understood this article, that *Jesus is the Christ*: for gold, and silver, precious stones, wood, hay, stubble, whereby the doctrines are signified, are not built upon the person of Christ: and also, that false doctrines may be raised upon this foundation; yet not so as they must necessarily be damned who teach them.

teach the contrary. This is therefore the Fundamentall Article of Christian Faith. A third place is, 1 Joh. 4. 1. *Beloved, beleeve not every spirit. Hereby yee shall know the Spirit of God; every spirit that confesseth that Jesus Christ is come in the flesh, is of God.* By which it is evident, that this Article, is the measure, and rule, by which to estimate, and examine all other Articles; and is therefore onely Fundamentall. A fourth is, *Matt. 16. 18.* where after St. Peter had professed this Article, saying to our Saviour, *Thou art Christ the Son of the living God*, Our Saviour answered, *Thou art Peter, and upon this Rock I will build my Church*: from whence I inferre, that this Article is that, on which all other Doctrines of the Church are built, as on their Foundation. A fift is (1 Cor. 3. ver. 11, 12, &c.) *Other Foundation can no man lay, than that which is laid, Jesus is the Christ. Now if any man build upon this Foundation, Gold, Silver, pretious Stones, Wood, Hay, Stubble; Every mans work shall be made manifest; For the Day shall declare it, because it shall be revealed by fire, and the fire shall try every mans work, of what sort it is. If any mans work abide, which he hath built thereupon, he shall receive a reward: If any mans work shall bee burnt, he shall suffer losse; but he himself shall be saved, yet so as by fire.* Which words, being partly plain and easie to understand, and partly allegoricall and difficult; out of that which is plain, may be inferred, that Pastors that teach this Foundation, that *Jesus is the Christ*, though they draw from it false consequences, (which all men are sometimes subject to,) they may neverthelesse bee saved; much more that they may bee saved, who being no Pastors, but Hearers, beleeve that which is by their lawfull Pastors taught them. Therefore the beleaf of this Article is sufficient; and by consequence there is no other Article of Faith Necessarily required to Salvation.

17. Now for the part which is Allegoricall, as *That the fire shall try every mans work, and that They shall be saved, but so as by fire, or through fire*, (for the originall is διὰ πυρός,) it maketh nothing against this conclusion which I have drawn from the other words, that are plain. Neverthelesse, because upon this place there hath been an argument taken, to prove the fire of Purgatory, I will also here offer you my conjecture concerning the meaning of this triall of Doctrines, and saving of men as by Fire. The Apostle here seemeth to allude to the words of the Prophet Zachary, Ch. 13. 8, 9. who speaking of the Restauration of the Kingdome of God, saith thus, *Two parts therein shall be cut off, and die, but the third shall be left therein; And I will bring the third part through the Fire, and will refine them as Silver is refined, and will try them as Gold is tryed; they shall call on the name of the Lord, and I will hear them.* The day of Judgment, is the day of the Restauration of the Kingdome of God; and at that day it is, that St. Peter tells us * shall be the Confla- * 2 Pet. 3. v. 7, 10, 12
 gration of the world, wherein the wicked shall perish; but the remnant which God will save, shall passe through that Fire, unhurt, and be therein (as Silver and Gold are refined by the fire from their drosse) tryed, and refined from their Idolatry, and be made to call upon the name of the true God. Alluding whereto St. Paul here saith, *That the Day* (that is, the Day of Judgment, the Great Day of our Saviours comming to restore the Kingdome of God in Israel) shall try every mans doctrine, by Judging, which are Gold, Silver, Precious Stones, Wood, Hay, Stubble; And then they that have built false

10. Lastly, that this article alone is needful to be inwardly believed, may be most evidently proved out of many places of holy Scripture, let who will be the interpreter. John v. 39: *Search the Scriptures; for in them ye think ye have eternal life; and they are they which testify of me.* But Christ meant the Scriptures of the Old Testament only; for the New was then not yet written. Now, there is no other testimony concerning Christ in the Old Testament, but that an eternal king was to come in such a place, that he was to be born of such parents, that he was to teach and do such things whereby, as by certain signs, he was to be known. All which testify this one thing; that Jesus who was so born, and did teach and do such things, was the Christ. Other faith then was not required to attain eternal life, besides this article, John xi. 26: *Whosoever liveth and believeth in me, shall never die.* But to believe in Jesus, as is there expressed, is the same with believing that Jesus was the Christ. He therefore that believes that, shall never die; and by consequence, that article alone is necessary to salvation. John xx. 31: *These are written, that ye might believe that Jesus is the Christ, the Son of God; and that believing, ye might have life through his name.* Wherefore he that believes thus, shall have eternal life; and therefore needs no other faith. 1 John iv. 2: *Every spirit, that confesseth that Jesus Christ is come in the flesh, is of God.* And 1 John v. 1: *Whosoever believeth that Jesus is the Christ, is born of God.* And

Consequences on the true Foundation, shall see their Doctrines condemned; neverthelesse they themselves shall be saved, and passe unhurt through this universall Fire, and live eternally, to call upon the name of the true and onely God. In which sense there is nothing that accordeth not with the rest of Holy Scripture, or any glimpse of the fire of Purgatory.

15. The fourth Argument is taken from places expresse, and such as receive no controversie of Interpretation; as first, *John 5. 39. Search the Scriptures, for in them yee thinke yee have eternall life; and they are they that testifie of mee.* Our Saviour here speaketh of the Scriptures onely of the Old Testament; for the Jews at that time could not search the Scriptures of the New Testament, which were not written. But the Old Testament hath nothing of Christ, but the Markes by which men might know him when hee came; as that he should descend from David, be born at Bethlem, and of a Virgin; doe great Miracles, and the like. Therefore to beleeve that this Jesus was He, was sufficient to eternall life: but more than sufficient is not Necessary; and consequently no other Article is required. Again, (*John 11. 26.*) *Whosoever liveth and beleeveth in mee, shall not die eternally,* Therefore to beleeve in Christ, is faith sufficient to eternall life; and consequently no more faith than that is Necessary, But to beleeve in Jesus, and to beleeve that Jesus is the Christ, is all one, as appeareth in the verses immediately following. For when our Saviour (verse 26.) had said to Martha, *Beleevest thou this?* she answereth (verse 27.) *Yea Lord, I beleeve that thou art the Christ, the Son of God, which should come into the world:* Therefore this Article alone is faith sufficient to life eternall; and more than sufficient is not Necessary. Thirdly, *John 20. 31. These things are written that yee might beleeve, that Jesus is the*

verse 5: *Who is he that overcometh the world, but he that believeth that Jesus is the Son of God?* If therefore there be no need to believe anything else, to the end a man may be *of God, born of God, and overcome the world*, than that Jesus is the Christ; that one article then is sufficient to salvation. Acts viii. 36–37: *See, here is water; what doth hinder me to be baptized? And Philip said, If thou believest with all thine heart, thou mayest. And he answered and said, I believe that Jesus Christ is the Son of God.* If then this article being believed with the whole heart, that is to say, with inward faith, was sufficient for baptism; it is also sufficient for salvation. Besides these places, there are innumerable others, which do clearly and expressly affirm the same thing. Nay, wheresoever we read that our Saviour commended the faith of any one, or that he said, *thy faith hath saved thee*, or that he healed any one for his faith's sake; there the proposition believed was no other but this, *Jesus is the Christ*, either directly or consequently.

Christ, the Son of God, and that beleeving yee might have life through his name. There, to beleeve that *Jesus is the Christ*, is faith sufficient to the obtaining of life; and therefore no other Article is Necessary. Fourthly, 1 John 4. 2. *Every Spirit that confesseth that Jesus Christ is come in the flesh, is of God.* And 1 Joh. 5. 1. *Whosoever beleeveth that Jesus is the Christ, is born of God.* And verse 5. *Who is hee that overcommeth the world, but he that beleeveth that Jesus is the Son of God?* Fifthly, Act. 8. ver. 36, 37. *See (saith the Eunuch) here is water, what doth hinder me to be baptized? And Philip said, If thou beleevest with all thy heart thou mayst. And hee answered and said, I beleeve that Jesus Christ is the Son of God.* Therefore this Article beleeved, *Jesus is the Christ*, is sufficient to Baptisme, that is to say, to our Reception into the Kingdome of God, and by consequence, onely Necessary. And generally in all places where our Saviour saith to any man, *Thy faith hath saved thee*, the cause he saith it, is some Confession, which directly, or by consequence, implyeth a beleaf, that *Jesus is the Christ*.

11. But because no man can believe *Jesus to be the Christ*, who, when he knows that by Christ is understood that same king, who was promised from God by Moses and the prophets for to be the king and Saviour of the world, doth not also believe Moses and the prophets; neither can he believe these, who believes not that God is, and that *he governs the world*; it is necessary, that the faith of God and of the Old Testament be contained in this faith of the New. Seeing therefore that atheism, and the denial of the Divine Providence, were the only treason against the Divine Majesty in the kingdom of God by nature; but idolatry also in the kingdom of God by the old covenant; now in this kingdom, wherein God rules by way of

a new covenant, apostacy is also added, or the renunciation of this article once received, that Jesus is the Christ. Truly other doctrines, provided they have their determination from a lawful Church, are not to be contradicted; for that is the sin of disobedience. But it hath been fully declared before, that they are not needful to be believed with an *inward faith*.

9. About these points fundamental there is little controversy amongst Christians, though otherwise of different

14. But some men perhaps will wonder, if (excepting this one article, that Jesus is the Christ, which only is necessary to

18. But a man may here aske, whether it bee not as necessary to Salvation, to beleeve, that God is Omnipotent; Creator of the world; that Jesus Christ is risen; and that all men else shall rise again from the dead at the last day; as to beleeve, that *Jesus is the Christ*. To which I answer, they are; and so are many more Articles: but they are such, as are contained in this one, and may be deduced from it, with more, or lesse difficulty. For who is there that does not see, that they who beleeve Jesus to be the Son of the God of Israel, and that the Israelites had for God the Omnipotent Creator of all things, doe therein also beleeve, that God is the Omnipotent Creator of all things? Or how can a man beleeve, that Jesus is the King that shall reign eternally, unlesse hee beleeve him also risen again from the dead? For a dead man cannot exercise the Office of a King. In summe, he that holdeth this Foundation, *Jesus is the Christ*, holdeth Expressely all that hee seeth rightly deduced from it, and Implicitely all that is consequent thereunto, though he have not skill enough to discern the consequence. And therefore it holdeth still good, that the beleeve of this one Article is sufficient faith to obtaine remission of sinnes to the *Penitent*, and consequently to bring them into the Kingdome of Heaven.

sects amongst themselves. And therefore the controversies of religion, are altogether about points unnecessary to salvation; whereof some are doctrines raised by human ratiocination, from the points fundamental. As for example: such doctrines as concern the manner of the real presence, wherein are mingled tenets of faith concerning the omnipotency and divinity of Christ, with the tenets of Aristotle and the Peripatetics concerning substance and accidents, species, hypostasis and the subsistence and migration of accidents from place to place; words some of them without meaning, and nothing but the canting of Grecian sophisters; and these doctrines are condemned expressly Col. 2, 8, where after St. Paul had exhorted them *to be rooted and builded in Christ*, he giveth them this further caveat: *Beware lest there be any man that spoil you through philosophy and vain deceits, through the traditions of men, according to the rudiments of the world.* And such are such doctrines, as are raised out of such places of the Scriptures, as concern not the foundation, by men's natural reason; as about the concatenation of causes, and the manner of God's predestination; which are also mingled with philosophy; as if it were possible for men that know not in what manner God seeth, heareth, or speaketh, to know nevertheless the manner how he intendeth, and predestineth. A man therefore ought not to examine by reason any point, or draw any consequence out of Scripture by reason, concerning the nature of God Almighty, of which reason is not capable. And therefore St. Paul, Rom. 12, 3, giveth a good rule, *That no man presume to understand above that which is meet to understand, but that he understand according to sobriety*; which they do not who presume out of Scripture, by their own interpretation to raise any doctrine

salvation in relation to internal faith) all the rest belong to obedience; which may be performed, although a man do not inwardly believe, so he do but desire to believe, and make an outward profession, as oft as need requires, of whatsoever is propounded by the Church; how it comes about that there are so many tenets, which are all held so to concern our faith, that except a man do inwardly believe them, he cannot enter into the kingdom of heaven. But if he consider that, in most controversies, the contention is about human sovereignty; in some, matter of gain and profit; in others, the glory of wits: he will surely wonder the less. The question about *the propriety of the Church*, is a question about the *right of sovereignty*. For it being known what a *Church* is, it is known at once to whom the rule over Christians doth belong. For if every Christian city be that Church, which Christ himself hath commanded every Christian, subject to that city, to hear; then every subject is bound to obey his city, that is to say, him or them who have the supreme power, not only *in temporal*, but also *in spiritual matters*. But if every Christian city be not that Church, then is there some other Church more universal, which must be obeyed. All Christians therefore must obey that Church, just as they would obey Christ, if he came upon earth. It will therefore rule either by the way of monarchy, or by some assembly. This question then concerns the *right of ruling*. To the same end belongs the question concerning *infallibility*. For whosoever were truly and internally believed by all mankind, that he could not err, would be sure of all dominion, as well *temporal* as *spiritual*, over all mankind, unless himself would refuse it. For if he say that he must be obeyed in *temporals*, because it is supposed he cannot err, that right of dominion is immediately granted

to the understanding, concerning those things which are incomprehensible. And this whole controversy concerning the predestination of God, and the free-will of man, is not peculiar to Christian men. For we have huge volumes of this subject, under the name of fate and contingency, disputed between the Epicureans and the Stoics, and consequently it is not matter of faith, but of philosophy; and so are also all the questions concerning any other point, but the foundation before named; and God receiveth a man, which part of the question soever he holdeth. It was a controversy in St. Paul's time, whether a Christian Gentile might eat freely of any thing which the Christian Jews did not; and the Jew condemned the Gentile that he did eat; to whom St. Paul saith, Rom. 14, 3: *Let not him that eateth not, judge him that eateth; for God hath received him.* And verse 6, in the question concerning the observing of holy days, wherein the Gentiles and the Jews differed, he saith unto them, *He that observeth the day, observeth it to the Lord; and he that observeth not the day, observeth it not, to the Lord.* And they who strive concerning such questions, and divide themselves into sects, are not therefore to be accounted zealous of the faith, their strife being but carnal, which is confirmed by St. Paul, 1 Cor. 3, 4: *When one saith, I am of Paul, and another, I am of Apollos, are ye not carnal?* For they are not questions of faith, but of wit, wherein, carnally, men are inclined to seek the mastery one of another. For nothing is truly a point of faith, but that *Jesus is the Christ*; as St. Paul testifieth, 1 Cor. 2, 2: *For I esteemed not the knowledge of any thing amongst you, save Jesus Christ, and him crucified.* And 1 Tim. 6, 20, 21: *O Timotheus, keep that which is committed unto thee, and avoid profane and vain babblings, and opposition of science falsely so called,*

him. Hither also tends the privilege of interpreting Scriptures. For he to whom it belongs to interpret the controversies arising from the divers interpretations of Scriptures, hath authority also simply and absolutely to determine all manner of controversies whatsoever. But he who hath this, hath also the command over all men who acknowledge the Scriptures to be the word of God. To this end drive all the disputes about *the power of remitting and retaining sins*; or *the authority of excommunication*. For every man, if he be in his wits, will in all things yield that man an absolute obedience, by virtue of whose sentence he believes himself to be either saved or damned. Hither also tends the power of *instituting societies*. For they depend on him by whom they subsist, who hath as many subjects as monks, although living in an enemy's city. To this end also refers the question concerning the *judge of lawful matrimony*. For he to whom that judicature belongs, to him also pertains the knowledge of all those cases which concern the inheritance and succession of all the goods and rights, not of private men only, but also of sovereign princes. And hither also in some respect tends the *virgin life of ecclesiastical persons*; for unmarried men have less coherence than others with civil society. And besides, it is an inconvenience not to be slighted, that princes must either necessarily forego the priesthood, which is a great bond of civil obedience; or have no hereditary kingdom. To this end also tends the *canonization of saints*, which the heathen called *apotheosis*. For he that can allure foreign subjects with so great a reward, may bring those who are greedy of such glory, to dare and do anything. For what was it but an honourable name with posterity, which the Decii and other Romans sought after; and a thousand others, who cast themselves upon

which while some profess, they have erred, concerning the faith. 2 Tim. 2, 16: Stay profane and vain babblings, &c. Verse 17: Of which sort is Hymenæus and Philetus, which as concerning the truth, have erred, saying that the resurrection is past already. Whereby St. Paul sheweth that the raising of questions by human ratiocination, though it be from the fundamental points themselves, is not only not necessary, but most dangerous to the faith of a Christian. Out of all these places I draw only this conclusion in general, that neither the points now in controversy amongst Christians of different sects, or in any point that ever shall be in controversy, excepting only those that are contained in this article, *Jesus is the Christ*, are necessary to salvation, as of faith; though as matter of obedience, a man may be bound not to oppose the same.

10. Although to the obtaining of salvation, there be required no more, as hath been already declared out of the Holy Scriptures, as matter of faith, but the belief of those fundamental articles before set forth; nevertheless, there are required other things, as matter of obedience. For, as it is not enough in temporal kingdoms (to avoid the punishment which kings may inflict) to acknowledge the right and title of the king, without obedience also to his laws; so also it is not enough to acknowledge our Saviour Christ to be the king of heaven,

incredible perils? The controversies about *purgatory*, and *indulgences*, are matter of gain. The questions of *free-will*, *justification*, and *the manner of receiving Christ in the sacrament*, are philosophical. There are also questions concerning some rites not introduced, but left in the Church not sufficiently purged from Gentilism. But we need reckon no more. All the world knows that such is the nature of men, that dissenting in questions which concern their *power*, or *profit*, or *pre-eminence of wit*, they slander and curse each other. It is not therefore to be wondered at, if almost all tenets, after men grew hot with disputings, are held forth by some or other to be *necessary* to salvation and for our entrance into the kingdom of heaven. Insomuch as they who hold them not, are not only condemned as guilty of disobedience; which in truth they are, after the Church hath once defined them; but of infidelity: which I have declared above to be wrong, out of many evident places of Scripture. To which I add this one of Saint Paul's (Rom. xiv. 3, 5): *Let not him that eateth, despise him that eateth not, and let not him that eateth not, judge him that eateth; for God hath received him. One man esteemeth one day above another, another esteemeth every day alike. Let every man be fully persuaded in his own mind.*

12. *Faith* and *obedience* have divers parts in accomplishing the salvation of a Christian; for this contributes the *power* or *capacity*, that the *act*; and either is said to justify in its kind. For Christ forgives not the sins of all men, but of the *penitent* or the *obedient*, that is to say, the *just*. I say not the *guiltless*, but the *just*; for *justice* is a will of obeying the laws, and may be consistent with a sinner; and with Christ, the will to obey is obedience. For not every man, but *the just shall live by faith*. *Obedience* therefore *justifies*, because it *maketh*

19. Now that I have shewn, that all the Obedience required to Salvation, consisteth in the will to obey the Law of God, that is to say, in Repentance; and all the Faith required to the same, is comprehended in the belief of this Article *Jesus is the Christ*; I will further alledge those places of the Gospell, that prove, that all that is Necessary to Salvation is contained in both these joined together. The men to whom St. Peter preached on the day of Pentecost, next after the Ascension of our Saviour, asked him, and the rest of the Apostles,

in which consisteth Christian faith, unless also we endeavour to obey his laws, which are the laws of the kingdom of heaven, in which consisteth Christian obedience. And forasmuch as the laws of the kingdom of heaven, are the laws of nature, as hath been showed Part i. chapt. 18, not only faith, but also the observation of the law of nature, which is that for which a man is called just or righteous (in that sense in which justice is taken not for the absence of all guilt, but for the endeavour, and constant will to do that which is just), not only faith, but this justice, which also from the effect thereof, is called repentance, and sometimes works, is necessary to salvation. So that faith and justice do both concur thereto; and in the several acceptation of this word justification, are properly said both of them to justify; and the want of either of them is properly said to condemn. For not only he that resisteth a king upon doubt of his title, but also he that doth it upon the inordinateness of his passions, deserveth punishment. And when faith and works are separated, not only the faith is called dead, without works, but also works are called dead works, without faith. And therefore St. James, chapt. 2, 17, saith, *Even so the faith, if it have no works, is dead in itself;* and verse 26: *For as the body without the spirit is dead, even so faith without works is dead.* And St. Paul, Heb. 6, 1, calleth works without faith, dead works, where he saith, *Not laying again the foundation of repentance from dead works.* And by these dead works, is understood not the obedience and justice of the inward man, but the *opus operatum*, or external action, proceeding from fear of punishment, or from vain-glory, and desire to be honoured of men; and these may be separated from faith, and conduce no way to a man's justification. And for that cause St. Paul, Rom. 4, excludeth the righteousness of the law, from

just; in the same manner as temperance maketh temperate, prudence prudent, chastity chaste; namely, essentially; and puts a man in such a state, as makes him capable of pardon. Again, Christ hath not promised forgiveness of sins to all just men; but only *those of them who believe him to be the Christ.* Faith therefore justifies in such a sense as a judge may be said to justify, who *absolves*, namely, by the *sentence* which *actually* saves a man; and in this acception of justification (for it is an equivocal term) *faith alone* justifies; but in the other, *obedience only.* But neither obedience alone, nor faith alone, do *save* us; but both together.

saying, (Act. 2. 37.) *Men and Brethren what shall we doe?* To whom St. Peter answered (in the next verse) *Repent, and be Baptized every one of you, for the remission of sins, and ye shall receive the gift of the Holy Ghost.* Therefore Repentance, and Baptisme, that is, beleeving that *Jesus is the Christ*, is all that is Necessary to Salvation. Again, our Saviour being asked by a certain Ruler, (Luke 18.18.) *What shall I doe to inherite eternall life?* Answered (verse 20.) *Thou knowest the Commandements, Doe not commit Adultery, Doe not Kill, Doe not Steal, Doe not bear false witness, Honour thy Father, and thy Mother:* which when he said he had observed, our Saviour added, *Sell all thou hast, give it to the Poor, and come and follow me:* which was as much as to say, Relye on me that am the King: Therefore to fulfill the Law, and to beleeve that Jesus is the King, is all that is required to bring a man to eternall life. Thirdly, St. Paul saith (Rom. 1. 17.) *The Just shall live by Faith;* not every one, but the *Just;* therefore *Faith* and *Justice* (that is, the *will to be Just*, or *Repentance*) are all that is Necessary to life eternall. And (Mark 1. 15.) our Saviour preached, saying, *The time is fulfilled, and the Kingdom of God is at hand, Repent and Beleeve the Evangile,* that is, the Good news that the Christ was come. Therefore to Repent, and to Beleeve that Jesus is the Christ, is all that is required to Salvation.

20. Seeing then it is Necessary that Faith, and Obedience (implied in the word Repentance) do both concur to our Salvation; the question by which of the two we are Justified, is impertinently disputed. Nevertheless, it will not be impertinent, to make manifest in what manner each of them contributes thereunto; and in what sense it is said, that we are to be Justified by the one, and by the other. And first, if by Righteousnesse be understood the

having part in the justification of a sinner. For by the law of Moses, which is applied to men's actions, and requireth the absence of guilt, all men living are liable to damnation; and therefore no man is justified by works, but by faith only. But if works be taken for the endeavour to do them, that is, if the will be taken for the deed, or internal for external righteousness, then do works contribute to salvation. And then taketh place that of St. James, chap. 2, 24: *Ye see then, how that of works a man is justified, and not of faith only.* And both of these are joined to salvation, as in St. Mark 1, 15: *Repent and believe the gospel.* And Luke 18, 18, when a certain ruler asked our Saviour, what he ought to do to inherit eternal life, he propounded to him the keeping of the commandments; which when the ruler said he had kept, he propounded to him the faith, *Sell all that thou hast, and follow me.* And John 3, 36: *He that believeth in the Son, hath everlasting life.* And *He that obeyeth not the Son, shall not see life.* Where he manifestly joineth obedience and faith together. And Rom. 1, 17: *The just shall live by faith;* not every one, but the just. For also *the devils believe and tremble.* But though both faith and justice (meaning still by justice, not absence of guilt, but the good intentions of the mind, which is called righteousness by God, that taketh the will for the deed) be both of them said to justify, yet are their parts in the act of justification to be distinguished. For justice is said to justify, not because it absolveth, but because it denominates him just, and setteth him in an estate or capacity of salvation, whensoever he shall have faith. But faith is said to justify, that is, to absolve; because by it a just man is absolved of, and forgiven his unjust actions. And thus are reconciled the places of St. Paul and St. James, *that faith only justifieth, and a man is not justified by faith only;* and showed how faith and repentance must concur to salvation.

Justice of the Works themselves, there is no man that can be saved; for there is none that hath not transgressed the Law of God. And therefore when wee are said to be Justified by Works, it is to be understood of the Will, which God doth alwaies accept for the Work it selfe, as well in good, as in evill men. And in this sense onely it is, that a man is called *Just, or Unjust;* and that his Justice Justifies him, that is, gives him the title, in Gods acceptance, of *Just;* and renders him capable of *living by his Faith,* which before he was not. So that Justice Justifies in that sense, in which to *Justifie,* is the same that to *Denominate a man Just;* and not in the signification of discharging the Law; whereby the punishment of his sins should be unjust.

21. But a man is then also said to be Justified, when his Plea, though in it selfe insufficient, is accepted; as when we Plead our Will, our Endeavour to fulfill the Law, and Repent us of our failings, and God accepteth it for the Performance it selfe: And because God accepteth not the Will for the Deed, but onely in the Faithfull; it is therefore Faith that makes good our Plea; and in this sense it is, that Faith onely Justifies: So that *Faith and Obedience* are both Necessary to Salvation; yet in severall senses each of them is said to Justifie.

11. These things considered it will easily appear: that under the sovereign power of a Christian commonwealth, there is no danger of damnation from simple obedience to human laws; for in that the sovereign alloweth Christianity, no man is compelled to renounce that faith which is enough for his salvation; that is to say, the fundamental points. And for other points, seeing they are not necessary to salvation, if we conform our actions to the laws, we do not only what we are allowed, but also what we are commanded, by the law of nature, which is the moral law taught by our Saviour himself. And it is part of that obedience which must concur to our salvation.

13. By what hath been said hitherto, it will be easy to discern what the duty of Christian subjects is towards their sovereigns; who, as long as they profess themselves Christians, cannot command their subjects to deny Christ, or to offer him any contumely: for if they should command this, they would profess themselves to be no Christians. For seeing we have showed, both by natural reason and out of holy Scriptures, that subjects ought in all things to obey their princes and governors, excepting those which are contrary to the command of God; and that the commands of God, in a Christian city, concerning *temporal affairs*, that is to say, those which are to be discussed by human reason, are the laws and sentence of the city, delivered from those who have received authority from the city to make laws and judge of controversies; but concerning spiritual matters, that is to say, those which are to be defined by the holy Scripture, are the laws and sentences of the city, that is to say, the Church, (for a Christian city and a Church, as hath been showed in the foregoing chapter, art. 10, are the same thing), delivered by pastors lawfully ordained, and who have to that end authority given them by the city; it manifestly follows, that in a Christian commonweal obedience is due to the sovereign in all things, as well *spiritual* as *temporal*. And that the same obedience, even from a Christian subject, is due in all *temporal matters* to those princes who are no Christians, is without any controversy; but in *matters spiritual*, that is to say, those things which concern God's worship, some Christian Church is to be followed. For it is an hypothesis of the Christian faith, that God speaks not in things supernatural but by the way of Christian interpreters of holy Scriptures. But what? Must we resist princes, when we cannot obey them? Truly, no; for this is contrary to our civil

22. Having thus shewn what is Necessary to Salvation; it is not hard to reconcile our Obedience to God, with our Obedience to the Civill Sovereign; who is either Christian, or Infidel. If he bee a Christian, he alloweth the beleefe of this Article, that *Jesus is the Christ*; and of all the Articles that are contained in, or are evident consequence deduced from it: which is all the Faith Necessary to Salvation. And because he is a Sovereign, he requireth Obedience to all his owne, that is, to all the Civill Laws; in which also are contained all the Laws of Nature, that is, all the Laws of God: for besides the Laws of Nature, and the Laws of the Church, which are part of the Civill Law, (for the Church that can make Laws is the Common-wealth,) there bee no other Laws Divine. Whosoever therefore obeyeth his Christian Sovereign, is not thereby hindred, neither from beleieving, nor from obeying God. But suppose that a Christian King should from this Foundation *Jesus is the Christ*, draw some false consequences, that is to say, make some superstructions of Hay, or Stubble, and command the teaching of the same; yet seeing St. Paul says, he shall be saved; much more shall he be saved, that teacheth them by his command; and much more yet, he that teaches not, but onely beleeves his lawfull Teacher. And in case a Subject be forbidden by the Civill Sovereign to professe some of those his opinions, upon what just ground can he disobey? Christian Kings may erre in deducing a Consequence, but who shall Judge? Shall a private man Judge, when the question is of his own obedience? or shall any man Judg but he that is appointed thereto by the Church, that is, by the Civill Sovereign that representeth it? or if the Pope, or an Apostle Judge, may he not erre in deducing of a consequence? did not one of the two, St. Peter, or St. Paul erre in a superstructure,

14. The difficulty therefore of obeying both God and man, in a Christian commonwealth is none: all the difficulty resteth in this point, whether he that hath received the faith of Christ, having before subjected himself to the authority of an infidel, be discharged of his obedience thereby, or not, in matters of religion. In which case it seemeth reasonable to think, that since all covenants of obedience are entered into for the preservation of a man's life, if a man be content, without resistance to lay down his life, rather than to obey the commands of an infidel; in so hard a case he hath sufficiently discharged himself thereof. For no covenant bindeth farther than to endeavour; and if a man cannot assure himself to perform a just duty, when thereby he is assured of present death, much less can it be expected that a man should perform that, for which he believeth in his heart he shall be damned eternally. And thus much concerning the scruple of conscience that may arise concerning obedience to human laws, in them that interpret the law of God to themselves. It remaineth, to remove the same scruple from them that submit their controversies to others, not ordained thereunto by the sovereign authority. And this I refer to the chapter following.

12. And though it be true, whatsoever a man doth contrary to his conscience, is sin; yet the obedience in these cases, is neither sin, nor against the conscience. For the conscience being nothing else but a man's settled judgment and opinion, when he hath once transferred his

covenant. What must we do then? Go to Christ by martyrdom; which if it seem to any man to be a hard saying, most certain it is that he believes not with his whole heart, *that Jesus is the Christ, the Son of the living God*; for he would then desire to be dissolved, and to be with Christ; but he would by a feigned Christian faith elude that obedience, which he hath contracted to yield unto the city.

See 12.2 and 14.16–17

when St. Paul withstood St. Peter to his face? There can therefore be no contradiction between the Laws of God, and the Laws of a Christian Commonwealth.

23. And when the Civill Sovereign is an Infidel, every one of his own Subjects that resisteth him, sinneth against the Laws of God (for such as are the Laws of Nature,) and rejecteth the counsell of the Apostles, that admonisheth all Christians to obey their Princes, and all Children and Servants to obey their Parents, and Masters, in all things. And for their *Faith*, it is internall, and invisible; They have the licence that Naaman had, and need not put themselves into danger for it. But if they do, they ought to expect their reward in Heaven, and not complain of their Lawfull Sovereign; much lesse make warre upon him. For he that is not glad of any just occasion of Martyrdome, has not the faith he professeth, but pretends it onely, to set some colour upon his own contumacy. But what Infidel King is so unreasonable, as knowing he has a Subject, that waiteth for the second comming of Christ, after the present world shall bee burnt, and intendeth then to obey him (which is the intent of beleeving that Jesus is the Christ,) and in the mean time thinketh himself bound to obey the Laws of that Infidel King, (which all Christians are obliged in conscience to doe,) to put to death, or to persecute such a Subject?

See 27.1 and 29.7

right of judging to another, that which shall be commanded, is no less his judgment, than the judgment of that other; so that in obedience to laws, a man doth still according to his conscience, but not his private conscience. And whatsoever is done contrary to private conscience, is then a sin, when the laws have left him to his own liberty, and never else. And then whatsoever a man doth, not only believing it is ill done, but doubting whether it be ill or not, is done ill; in case he may lawfully omit the doing.

13. And as it hath been proved, that a man must submit his opinions, in matters of controversy, to the authority of the commonwealth; so also is the same confessed by the practice of every one of them that otherwise deny it. For who is there differing in opinion from another, and thinking himself to be in the right, and the other in the wrong, that would not think it reasonable, if he be of the same opinion that the whole state alloweth, that the other should submit his opinion also thereunto? or that would not be content, if not that one or a few men, yet that all the divines of a whole nation, or at least an assembly of all those he liketh, should have the power to determine of all the controversies of religion? or, who is there that would not be content, to submit his opinions, either to the pope, or to a general council, or to a provincial council, or to a presbytery of his own nation? And yet in all these cases he submitteth himself to no greater than human authority. Nor can a man be said to submit himself to Holy Scripture, that doth not submit himself to some or other for the interpretation thereof; or why should there be any church government at all instituted, if the Scripture itself could do the office of a judge in controversies of faith?

But the truth is apparent, by continual experience, that men seek not only liberty of conscience, but of their actions; nor that only, but a farther liberty of persuading others to their opinions; nor that only for every man desireth, that the sovereign authority should admit no other opinions to be maintained but such as he himself holdeth.

24. And thus much shall suffice, concerning the Kingdome of God, and Policy Ecclesiasticall. Wherein I pretend not to advance any Position of my own, but onely to shew what are the Consequences that seem to me deducible from the Principles of Christian Politiques, (which are the holy Scriptures,) in confirmation of the Power of Civill Sovereigns, and the Duty of their Subjects. And in the allegation of Scripture, I have endeavoured to avoid such texts as are of obscure, or controverted Interpretation; and to alledge none, but is such sense as is most plain, and agreeable to the harmony and scope of the whole Bible; which was written for the re-establishment of the Kingdome of God in Christ. For it is not the bare Words, but the Scope of the writer that giveth the true light, by which any writing is to bee interpreted; and they that insist upon single Texts, without considering the main Designe, can derive no thing from them cleerly; but rather by casting atomes of Scripture, as dust before mens eyes, make every thing more obscure than it is; an ordinary artifice of those that seek not the truth, but their own advantage.

Précis Appendix

The précis at the head of each chapter are collected here.

They are expanded to include the entire set of précis from those chapters in *Leviathan* that appear in excerpted form in the text. The added précis attach to material in the chapters that is unique to *Leviathan*; they are identified with italics. For entirely novel chapters and the new Part IV, titles are provided. This supplementary material is included in order to provide a comprehensive overview of the relative extent of both continuity and novelty in *Leviathan*.

PRÉCIS TABLE 1: Chapter 1 of *The Elements of Law*

Part I. Concerning men as persons natural
Chapter 1. The general division of man's natural faculties
1, 2, 3. Preface
4. Man's nature
5. Division of his faculties
6. Faculties of the body
7. Faculties of the mind
8. Power cognitive, conceptions and imagery of the mind

PRÉCIS TABLE 2: Chapter 2 of *The Elements of Law* / Chapter 1 of *Leviathan*

<i>The Elements of Law</i>	<i>Leviathan</i>
Part I. Concerning men as persons natural	Part I. OF MAN
	<i>THE INTRODUCTION</i>
Chapter 2. The cause of sense	Chapter 1. <i>Of</i> SENSE
1.	1.
2. Definition of sense	2.
	3.
3.	
4. Four propositions concerning the nature of conceptions	
5. The first proved	
6. The second proved	
7, 8. The third proved	
9. The fourth proved	4.
10. The main deception of sense	
	5.

PRÉCIS APPENDIX

PRÉCIS TABLE 3: Chapter 3 of *The Elements of Law* / Chapter 2 of *Leviathan*

<i>The Elements of Law</i>	<i>Leviathan</i>
Part 1. Concerning men as persons natural	Part I. OF MAN
Chapter 3. Of imagination and the kinds thereof	Chapter 2. Of IMAGINATION
	1.
1. Imagination defined	2.
	3. Memory
2. Sleep and dreams defined	5. Dreams
3. Causes of dreams	6.
4. Fiction defined	4.
5. Phantasms defined	
6. Remembrance defined	See 3.5
7. Wherein remembrance consisteth	
8. Why in a dream a man never thinks he dreams	7. Apparitions or Visions
9. Why few things seem strange in dreams	
10. That a dream may be taken for reality and vision	
	8–9.
	10. Understanding

PRÉCIS TABLE 4: Chapter 4 of *The Elements of Law* / Chapter 3 of *Leviathan*

<i>The Elements of Law</i>	<i>Leviathan</i>
Part 1. Concerning men as persons natural	Part I. OF MAN
Chapter 4. Of the several kinds of discursion of the mind	Chapter 3. Of the Consequence or TRAYNE of Imaginations
1. Discourse	1.
2. The cause of coherence of thoughts	2.
3. Ranging	3. Trayne of Thoughts unguided
	4. Trayne of Thoughts regulated
4. Sagacity	5. Remembrance
5. Reminiscence	6.
6. Experience	7. Prudence
7. Expectation or conjecture of the future	
10. Prudence	
8. Conjecture of the past	10. Conjecture of the time past
9. Signs	8. Signes
	9.
11. Caveats of concluding from experience	
	11.
	12.

PRÉCIS TABLE 5: Chapter 5 of *The Elements of Law* / Chapters 4 and 5 (part) of *Leviathan*

<i>The Elements of Law</i>	<i>Leviathan</i>
Part I. Concerning men as persons natural	Part I. OF MAN
Chapter 5. Of names, reasoning, and discourse of the tongue	Chapter 4. Of SPEECH
	1. Originall of Speech 2.
1. Of marks	3. The use of Speech 4. Abuses of Speech
2. Names or appellations	5.
4. Advantage of names maketh capable of science	9–10.
5. Names universal and singular	6. Names Proper & Common; Universall
6. Universals not in <i>rerum natura</i>	7–8.
7. Equivocal names	24. Inconstant names
8. Understanding	22. Understanding
9. Affirmation, negation, proposition	11.
10. Truth, falsity	12. Necessity of Definitions 13.
11. Ratiocination	14. Subject to Names 15–17.
3. Names positive and privative	18. Use of Names Positive 19. Negative Names with their Uses
	20. Words insignificant 21.
	23.
	Chapter 5. Of REASON, and SCIENCE¹
	1. Reason what it is 2. Reason defined 3. Right Reason where 4. The use of Reason
12. According to reason, against reason	5. Of Error and Absurdity
13. The causes, as of knowledge, so of error come by names	6–7.
	8. Causes of absurdity 9–16.
14. Translation of the discourse of the mind into the discourse of the tongue, and of the errors thence proceeding	

¹ Paragraphs 17–22 are in Précis Table 6.

PRÉCIS TABLE 6: Chapter 6 of *The Elements of Law* / Chapters 9, 5 (part) and 7 of *Leviathan*

<i>The Elements of Law</i>	<i>Leviathan</i>
Part I. Concerning men as persons natural	Part I. OF MAN
Chapter 6. Of knowledge, opinion, and belief	Chapter 9. Of the Severall SUBJECTS of KNOWLEDGE
1. Of the two kinds of knowledge	1–3.
2. Truth and evidence necessary to knowledge	
3. Evidence defined	
	Chapter 5. Of REASON, and SCIENCE²
4. Science defined	17. Science 21. Prudence & Sapience, with their difference
	18–19.
	20.
	22. Signes of Science
	Chapter 7. Of the Ends, or Resolutions of DISCOURSE
	1.
5. Supposition defined	
6. Opinion defined	2. Judgement, or Sentence final; Doubt 3. Doubt
8. Conscience defined	4. Science; Opinion; Conscience
7. Belief defined	5. Beliefe Faith
9. Belief, in some cases, no less free from doubt than knowledge	6–7.

PRÉCIS TABLE 7: Chapters 7, 9 and 12 of *The Elements of Law* / Chapter 6 of *Leviathan*

<i>The Elements of Law</i>	<i>Leviathan</i>
Part I. Concerning men as persons natural	Part I. OF MAN
Chapter 7. Of delight and pain; good and evil	Chapter 6. Of the Interiour Beginnings of Voluntary Motions; commonly called the PASSIONS. And the Speeches by which they are expressed
2. Appetite, aversion, fear	1. Motion Vitall and Animal; Endeavour 2. Appetite; Desire; Hunger; Thirst; Aversion 16. Feare
1. Of delight, pain, love, hatred	3. Love; Hate 9. Delight; Displeasure 10. Pleasure; Offence 11.

² Paragraphs 1–16 are in Précis Table 5.

PRÉCIS APPENDIX

	4. 5. Contempt 6.
3. Good, evil, pulchritude, turpitude	7. Good; Evill 8. Pulchrum; Turpe
4. 5. End, fruition 6. Profitable, use, vain	
7. Felicity	58. Felicity
8. Good and evil mixed	57. Good and Evill apparent
9. Sensual delight, and pain; joy and grief	12. Pleasures of sense; Pleasures of the Mind; Joy; Paine; Griefe
	13.
Chapter 9. Of the passions of the mind	
1. Glory, aspiring, false glory, vain glory 2. Humility and dejection	39. Glory; Vain-glory 40. Dejection 41.
3. Shame	44. Shame; Blushing 45. Impudence
4. Courage	17. Courage
5. Anger	18. Anger
6. Revengefulness	34. Revengefulness
7. Repentance	
8. Hope, despair, diffidence	14. Hope 15. Despaire 19. Confidence 20. Diffidence
9. Trust	
10. Pity and hardness of heart	46. Pitty 47. Cruelty
11. Indignation	21. Indignation
12. Emulation and envy	48. Emulation; Envy
13. Laughter	42. Sudden Glory; Laughter
14. Weeping	43. Sudden Dejection; Weeping 30. Kindnesse
15. Lust	31. Naturall Lust 32. Luxury
16. Love	33. The passion of Love; Jealousie

PRÉCIS APPENDIX

17. Charity	22. Benevolence; Good Nature
18. Admiration and curiosity	38. Admiration 35. Curiosity
	36. Religion; Superstition; True Religion
	37. Panique Terroure
19. Of the passion of them that flock to see danger	
	23. Covetousnesse
	24. Ambition
20. Of magnanimity and pusillanimity	25. Pusillanimity 26. Magnanimity 27. Valour 28. Liberality 29. Miserableness
21. A view of the passions represented in a race	
Chapter 12. How by deliberation from passions proceed men's actions	
1. Of deliberation	49. Deliberation 50–2.
2. Of will	53. The Will
3. Of actions, voluntary, involuntary, mixed	54.
4. Actions from sudden appetite are voluntary	
5. Appetite and our passions not voluntary	
6. Opinion of reward and punishment make and govern the will	
7. Consent, contention, battle, aid	
8. Union	
9. Intention	
	55. Formes of Speech, in Passion 56.
	59. Praise; Magnification; μακαρισμός

PRÉCIS TABLE 8: Chapter 8 of *The Elements of Law* / Chapter 10 of *Leviathan*

<i>The Elements of Law</i>	<i>Leviathan</i>
Part I. Concerning men as persons natural	Part I. OF MAN
Chapter 8. Of the pleasures of the sense; of honour	Chapter 10. Of POWER, WORTH, DIGNITY, HONOUR, and WORTHINESSE
1, 2. Wherein consist the pleasures of the sense	

PRÉCIS APPENDIX

3, 4. Of the imagination, or conception of power	1. Power 2.
	3-15.
5. Honour, honourable, worth	37. Honourable 38. Dishonourable 39-49. 16. Worth 17. 18. Dignity
6. Signs of honour	19. To Honour and Dishonour 20-33.
	34-6. 50. Coats of Armes 51. 52. Titles of Honour
	53. Worthinesse; Fitnessse 54.
7. Reverence	
8.	

PRÉCIS TABLE 9: Chapter 10 of *The Elements of Law* / Chapter 8 of *Leviathan*

<i>The Elements of Law</i>	<i>Leviathan</i>
Part I. Concerning men as persons natural	Part I. OF MAN
Chapter 10. Of the differences between men in their discerning faculty and the cause	Chapter 8. Of the VERTUES commonly called INTELLECTUALL; and their contrary DEFECTS
	1. Intellectuall Vertue defined
1. That the difference of wit consisteth not in the different temper of the brain	2. Wit, Naturall, or Acquired; Naturall Wit
2. That it consisteth in the diversity of vital constitution	3. Good Wit, or Fancy; Good Judgement; Discretion
3. Of dulness	
4. Of fancy, judgment, wit	
5. Of levity	
6. Of gravity	
7. Of stolidity	
8. Of indocibility	
	4-9.
	10.

PRÉCIS APPENDIX

See 4.10	11. Prudence 12. Craft
	13. Acquired Wit 14–15.
9. Of madness from self-conceit 10. Of follies which seem to be degrees thereof 11. Of madness and degrees thereof from vain fear	16. Giddinesse; Madnesse 17–18. 19. Rage 20. Melancholy 21–6. 27. Insignificant Speech

PRÉCIS TABLE 10: Chapter 11 of *The Elements of Law* / Chapter 15 (part) of *De Cive* / Chapters 11, 12, 34, 33 and 31 (part) of *Leviathan*

<i>The Elements of Law</i>	<i>De Cive</i>	<i>Leviathan</i>
Part I. Concerning men as persons natural		Part I. OF MAN
Chapter 11. What imaginations and passions men have, at the names of things supernatural		Chapter 11. Of the difference of MANNERS
		<ol style="list-style-type: none"> 1. What is here meant by Manners 2. A restlesse desire of Power, in all men 3. Love of Contention from Competition 4. Civil obedience from love of Ease; From feare of Death, or Wounds 5. And from love of Arts 6. Love of Vertue, from love of Praise 7. Hate, from difficulty of Requiting great Benefits 8. And from Conscience of deserving to be hated 9. Promptnesse to hurt, from Fear 10. And from distrust of their own wit 11. Vain undertaking from Vain-glory 12. 13. Ambition, from opinion of sufficiency 14. Irresolution, from too great valuing of small matters 15.

PRÉCIS APPENDIX

		<p>16. Confidence in others from Ignorance of the marks of Wisdome and Kindnesse</p> <p>17. And from Ignorance of naturall causes</p> <p>18. And from want of Understanding</p> <p>19–20.</p> <p>21. Adhærence to Custome, from Ignorance of the nature of Right and Wrong</p> <p>22. Adhærence to private men, From ignorance of the Causes of Peace</p> <p>23. Credulity from Ignorance of nature</p> <p>24. Curiosity to know, from Care of future time</p>
<p>1. That by nature a man may come to know that there is a God</p> <p>2.</p>		<p>25. Naturall Religion, from the same</p> <p>26–7.</p>
		<p>12. Of RELIGION</p>
		<p>1. Religion, in Man onely</p> <p>2. First, from his desire of knowing Causes</p> <p>3. From the consideration of the Beginning of things</p> <p>4. From his observation of the Sequell of things</p> <p>5. The naturall Cause of Religion, the Anxiety of the time to come</p> <p>6. Which makes them fear the Power of Invisible things</p>
<p>3. That the attributes of God signify our defect of conception, or our reverence of him</p> <p>5. That spirit and incorporeal are terms contradictory</p>		<p>7. And suppose them Incorporeall</p>
		<p>8. But know not the way how they effect anything</p> <p>9. But honour them as they honour men</p> <p>10. And attribute to them all extraordinary events</p>

		<p>11. Foure things, Naturall seeds of Religion</p> <p>12. Made different by Culture</p>
6. The error from which the heathens suppose dæmons and ghosts whence it proceedeth		<p>13. The absurd opinion of Gentilisme</p> <p>14–17.</p> <p>18–19.</p> <p>20. The designs of the Authors of the Religion of the Heathen</p> <p>21.</p>
		<p>22. The true Religion, and the lawes of Gods kingdome the same</p>
		<p>23. The causes of Change in Religion</p> <p>24.</p> <p>25. Injoyning beleefe of Impossibilities</p> <p>26. Doing contrary to the Religion they establish</p> <p>27.</p> <p>28. Want of the testimony of Miracles</p> <p>29–32.</p>
		<p>Part III. OF A CHRISTIAN COMMON-WEALTH</p>
		<p>Chapter 34. Of the Signification of SPIRIT, ANGEL, and INSPIRATION in the Books of the Holy Scripture</p>
4. The signification of the word spirit		<p>1. Body and Spirit how taken in the Scripture</p> <p>2–4.</p>
		<p>5. <i>The Spirit of God taken in the Scripture sometimes for a Wind, or Breath</i></p> <p>6. <i>Secondly, for extraordinary gifts of the Understanding</i></p> <p>7. <i>Thirdly, for extraordinary Affections</i></p> <p>8. <i>Fourthly, for the gift of Prediction by Dreams and Visions</i></p> <p>9.</p> <p>10. <i>Fifthly, for Life</i></p> <p>11. <i>Sixtly, for a subordination to authority</i></p> <p>12–14.</p> <p>15. <i>Seventhly, for Aeriall Bodies</i></p> <p>16. <i>Angel what</i></p> <p>17–24.</p>

PRÉCIS APPENDIX

7. The knowledge of spirit and inspiration from the Holy Scriptures		25. Inspiration what 26.
		Chapter 33. Of the Number, Antiquity, Scope, Authority, and Interpreters of the Books of Holy SCRIPTURE
		<ol style="list-style-type: none"> 1. <i>Of the Books of Holy Scripture</i> 2. 3. <i>Their Antiquity</i> 4. <i>The Pentateuch not written by Moses</i> 5. 6. <i>The Book of Joshua written after his time</i> 7. <i>The Booke of Judges and Ruth written long after the Captivity</i> 8. <i>The like of the Bookes of Samuel</i> 9. <i>The Books of the Kings, and the Chronicles</i> 10. <i>Ezra and Nehemiah</i> 11. <i>Esther</i> 12. <i>Job</i> 13. <i>The Psalter</i> 14. <i>The Proverbs</i> 15. <i>Ecclesiastes and the Canticles</i> 16. <i>The Prophets</i> 17–19. 20. <i>The New Testament; Their Scope</i>
8. How it is said we know the Scriptures to be the Word of God		21. The question of the Authority of the Scriptures stated
	Part III. Of Religion	
	Chapter 15. Of God's government by nature³	
9. Whence we have knowledge of the interpretation of Scripture 10.	See 18.4 17. God ruling by nature only, the city, that is to say, that man or court who under God hath the sovereign authority of the city, is the interpreter of all the laws	See 43.6–9 22. Their Authority and Interpretation 23–5.

		Part II. OF COMMON-WEALTH
		Chapter 31. Of the Kingdome of God by Nature³
	<ol style="list-style-type: none"> 1. The proposition of the following contents 2. Over whom God is said to rule by nature 3. The word of God threefold; reason, revelation, prophecy 4. The kingdom of God twofold; natural, and prophetic 5. The right whereby God reigns, is seated in his omnipotence 6. The same proved from Scripture 7. The obligation of yielding obedience to God, proceeds from human infirmity 8. The laws of God in his natural kingdom, are those which are recited above in chapters II. III. 	<ol style="list-style-type: none"> 1. The scope of the following Chapters 2. Who are subjects in the kingdome of God 3. A Threefold Word of God, Reason, Revelation, Prophecy 4. A twofold Kingdome of God, Naturall and Propheticque 5. The Right of Gods Sovereignty is derived from his Omnipotence 6. Sinne not the cause of all Affliction 7. Divine Lawes
11. What it is to love and trust God		
12. What it is to honour and worship God	<ol style="list-style-type: none"> 9. What honour and worship is 10. Worship consists either in attributes or in actions 11. And there is one sort natural, another arbitrary 12. One commanded, another voluntary 13. What the end or scope of worship is 	<ol style="list-style-type: none"> 8. Honour and Worship what 9. Severall signes of Honour 10. Worship Naturall and Arbitrary 11. Worship Commanded and Free 12. Worship Publique and Private 13. The End of Worship

PRÉCIS TABLE 11: Chapter 13 of *The Elements of Law*

Part I. Concerning men as persons natural

Chapter 13. How by language men work upon each other's minds

- 1, 2. Of teaching, persuading, controversy, consent
3. Difference between teaching and persuading
4. Controversies proceed from dogmatics⁴
5. Counselling

³ The latter portion of these chapters (*De Cive* paragraphs 14–16, 18–19; *Leviathan* paragraphs 14–41) is located in Précis Table 25.

⁴ See the Epistle Dedicatory, ¶1.

PRÉCIS APPENDIX

6. Promise, threatening, commanding, law
7. Raising and allaying of the passions
8. Words only are not sufficient signs of the mind
9. In contradictories the part directly signified is preferred before the part drawn from it by consequence
10. The hearer is interpreter of the language of him that speaketh to him
11. Silence sometimes a sign of consent

PRÉCIS TABLE 12: Chapter 14 of *The Elements of Law* / Chapter 1 of *De Cive* / Chapter 13 of *Leviathan*

<i>The Elements of Law</i>	<i>De Cive</i>	<i>Leviathan</i>
Part I. Concerning men as persons natural	Part I. Of Liberty	Part I. OF MAN
Chapter 14. Of the estate and right of nature	Chapter 1. Of the state of men without civil society	Chapter 13. Of the NATURALL CONDITION of Mankind, as concerning their Felicity, and Misery
1.	1. The Introduction	
	2. That the beginning of civil society is from mutual fear	10. 12.
2. Men by nature equal	3. That men by nature are all equal	1. Men by nature Equall 2.
3. By vain glory indisposed to allow equality with themselves to others	4. Whence the will of mischieving each other ariseth	4. From Diffidence Warre
4. Apt to provoke one another by comparisons	5. The discord arising from comparison of wits	5.
5. Apt to encroach one upon another	6. From the appetite many have to the same thing	3. From Equality proceeds Diffidence
		6-7.
6. Right defined	7. The definition of <i>right</i>	14.1
7. Right to the end, implieth right to the means	8. A right to the end, gives a right to the means necessary to that end	
8. Every man his own judge by nature	9. By the right of nature, every man is judge of the means which tend to his own preservation	
9. Every man's strength and knowledge is for his own use		
10. Every man by nature hath right to all things	10. By nature all men have equal right to all things 11. This right which all men have to all things, is unprofitable	13. In such a Warre, nothing is Unjust
11. War and peace defined	12. The state of men without civil society, is a mere state of war: the definitions of <i>peace</i> and <i>war</i>	8. Out of Civil States, there is always WARRE of every one against every one
12. Men by nature in the state of war		9. The Incommodities of such a War

PRÉCIS APPENDIX

	13. War is an adversary to man's preservation	11.
13. In manifest inequality might is right	14. It is lawful for any man, by natural right, to compel another whom he hath gotten in his power, to give caution of his future obedience	
14. Reason dictateth peace	15. Nature dictates the seeking after peace	14. The Passions that incline men to Peace

PRÉCIS TABLE 13: Chapter 15 of *The Elements of Law* / Chapter 2 of *De Cive* / Chapter 14 of *Leviathan*

<i>The Elements of Law</i>	<i>De Cive</i>	<i>Leviathan</i>
Part 1. Concerning men as persons natural	Part 1. Of Liberty	Part 1. OF MAN
Chapter 15. Of the divesting natural right by gift and covenant	Chapter 2. Of the law of nature concerning contracts	Chapter 14. Of the first and second NATURALL LAWES, and of CONTRACTS
14.6	1.7	1. Right of Nature what
		2. Liberty what
1. The law of nature consisteth not in consent of men, but reason	1. That the law of nature is not an agreement of men, but the dictate of reason 2. That the fundamental law of nature, is to seek peace, where it may be had, and where not, to defend ourselves	3. A Law of Nature what; Difference of Right and Law 4. Naturally every man has Right to every thing; The Fundamentall Law of Nature
2. That every man divest himself of the right he hath to all things, is one precept of nature	3. That the first special law of nature, is not to retain our right to all things	5. The second Law of Nature
3. What it is to relinquish and transfer one's right	4. What it is to quit our right: what to transfer it	6. What it is to lay down a Right
4. The will to transfer, and the will to accept, both necessary to the passing away of right	5. That in the transferring of our right, the will of him that receives it is necessarily required	7. Renouncing a Right what it is; Transferring Right what; Obligation; Duty; Injustice
Cf. 17.2	Cf. 3.14	8. Nor all Rights are alienable
5. Right not transferred by words <i>de futuro</i> only	6. No words but those of the present tense, transfer any right	15. Free gift passeth by words of the Present or Past
6. Words <i>de futuro</i> , together with other signs of the will, may transfer right	7. Words of the future, if there be some other tokens to signify the will, are valid in the translation of right	
7. Free gift defined	8. In matters of free gift, our right passeth not from us through any words of the future	12. Free-gift

PRÉCIS APPENDIX

8. Contract, and the sorts of it 9. Covenant defined	9. The definition of contract and compact 10. In compacts, our right passeth from us through words of the future	9. Contract what 10. 11. Covenant what 16. Signes of Contract are words both of the Past, Present, and Future
		13. Signes of Contract Expresse 14. Signes of Contract by Inference
		17. Merit what
10. Contract of mutual trust is of no validity in the estate of hostility	11. Compacts of mutual faith, in the state of nature are of no effect and vain; but not so in civil government	18. Covenants of Mutuall trust, when Invalid 19–20.
Cf. 14.7	Cf. 1.8	21. Right to the End, Containeth Right to the Means
11. No covenant of men but with one another	12. That no man can make compacts with beasts, nor yet with God without revelation 13. Nor yet make a vow to God	22. No Covenant with Beasts 23. Nor with God without speciall Revelation
18. Covenants bind but to endeavour	14. That compacts oblige not beyond our utmost endeavour	24. No Covenant, but of Possible and Future 25.
12. Covenant how dissolved	15. By what means we are freed from our compacts	26. Covenants how made voyd
13. Covenant extorted by fear, in the law of nature valid	16. That promises extorted through fear of death, in the state of nature are valid	27. Covenants extorted by feare are valide
14. Covenant contrary to former covenant, void	17. A later compact contradicting the former, is invalid	28. The former Covenant to one, makes voyd the later to another
	18. A compact not to resist him that shall prejudice my body, is invalid	29. A mans Covenant not to defend himself, is voyd
	19. A compact to accuse one's self, is invalid	30. No man obliged to accuse himselfe
15. An oath defined	20. The definition of swearing	31. The End of an Oath; The forme of an Oath
16. Oath to be administered to every man in his own religion	21. That swearing is to be conceived in that form which he useth that takes the oath	32. No Oath, but by God
17. Oath addeth not to the obligation	22. An oath superadds nothing to the obligation which is made by compact	33. An Oath adds nothing to the Obligation
	23. An oath ought not to be pressed, but where the breach of compacts may be kept private, or cannot be punished but from God himself	

PRÉCIS TABLE 14: Chapters 16 and 17 of *The Elements of Law* / Chapter 3 of *De Cive* / Chapter 15 of *Leviathan*

<i>The Elements of Law</i>	<i>De Cive</i>	<i>Leviathan</i>
Part 1. Concerning men as persons natural	Part 1. Of Liberty	Part 1. OF MAN
Chapter 16. Some of the laws of nature	Chapter 3. Of the other laws of nature	Chapter 15. Of other Lawes of Nature
1. That men stand to their covenants	1. The second law of nature, is to perform contracts	1. The third Law of Nature, Justice
	2. That trust is to be held with all men without exception	9. Covenants not discharged by the Vice of the Person to whom they are made
2. Injury defined	3. What injury is	2. Justice and Injustice what See also 14.7
3. That injury is done only to the covenantee	4. Injury can be done to none but those with whom we contract	12. Justice of Manners, and Justice of Actions what
		3. Justice and Propriety begin with the Constitution of Common-wealth 4. Justice not Contrary to Reason 5-8.
4. The signification of these names, just, unjust	5. The distinction of justice into that of men, and that of actions	10. Justice of Men, & Justice of Actions what 11.
5. Justice not rightly divided into commutative, and distributive	6. The distinction of commutative and distributive justice examined	14. Justice Commutative, and Distributive 15.
	7. No injury can be done to him that is willing	13. Nothing done to a man, by his own consent can be Injury
6. It is a law of nature, that he that is trusted, turn not that trust to the damage of him that trusteth 7. Ingratitude defined	8. The third law of nature, concerning ingratitude	16. The fourth Law of Nature, Gratitude
8. It is a law of nature, to endeavour to accommodate one another	9. The fourth law of nature, that every man render himself useful	17. The fifth, Mutuall accommodation, or Complaisance
9. And that man forgive upon caution of the future	10. The fifth law, of mercy	18. The sixth, Facility to Pardon
10. And that revenge ought to respect the future only	11. The sixth law, that punishments regard the future only	19. The seventh, that in Revenges, men respect onely the future good
11. That reproach and contempt declared, is against the law of nature	12. The seventh law, against reproach	20. The eighth, against Contumely
12. That indifference of commerce is of the law of nature		
13. That messengers employed to procure or maintain peace, ought to be safe by the law of nature	19. The fourteenth, of the safeguard of them who are mediators for peace	29. The fifteenth, of Mediators

PRÉCIS APPENDIX

Chapter 17. Other laws of nature		
1. A law of nature, that every man acknowledge other for his equal	13. The eighth law, against pride	21. The ninth, against Pride
2. Another, that men allow <i>æqualia æqualibus</i>	14. The ninth law, of humility 15. The tenth, of equity, or against acceptance of persons	22. The tenth against Arrogance 23. The eleventh Equity 24.
3. Another, that those things which cannot be divided, be used in common	16. The eleventh, of things to be had in common	25. The twelfth, Equall use of things Common
4. Another, that things indivisible and incommunicable, be decided by lot	17. The twelfth, of things to be divided by lot	26. The thirteenth, of Lot
5. Natural lot, primogeniture, and first possession	18. The thirteenth, of birthright and first possession	27. The fourteenth, of Primogeniture, and First seising 28.
6. That men submit to arbitration	20. The fifteenth, of constituting an umpire	30. The sixteenth, of Submission to Arbitrement
7. Of an arbitrator	21. The sixteenth, that no man is judge in his own cause 22. The seventeenth, that umpires must be without all hope of reward from those whose cause is to be judged 23. The eighteenth, of witnesses 24. The nineteenth, that there can no contract be made with the umpire	31. The seventeenth, No man is his own Judge 32. The eighteenth, no man to be Judge, that has in him a natural cause of Partiality 33. The nineteenth, of Witnesses
8. That no man press his counsel upon any man against his will		
	25. The twentieth, against gluttony, and all such things as hinder the use of reason	34.
9. How to know suddenly what is the law of nature	26. The rule by which we may presently know, whether what we are doing be against the law of nature or not	35. A rule, by which the Laws of Nature may easily be examined
10. That the law of nature taketh place after security from others to observe the same	27. The laws of nature oblige only in the court of conscience	36. The Lawes of Nature oblige in Conscience alwayes, but in Effect then onely when there is Security
13. Whatsoever is against conscience in a man that is his own judge, is against the law of nature	28. The laws of nature are sometimes broke by doing things agreeable to those laws	37.
11. The right of nature not to be taken away by custom, nor the law of nature abrogated by any act	29. The laws of nature are unchangeable	38. The Laws of Nature are Eternal;
15. Aptitude to society fulfilleth the law of nature	30. Whosoever endeavours to fulfil the laws of nature, is a just man	39. And yet Easie

PRÉCIS APPENDIX

14. Of <i>malum pœnæ, malum culpæ</i> ; virtue and vice	31. The natural and moral law are one 32. How it comes to pass, that what hath been said of the laws of nature, is not the same with what philosophers have delivered concerning the virtues	40. The science of these Lawes, is the true Morall Philosophy
12. Why the dictates of nature are called laws	33. The law of nature is not properly a law, but as it is delivered in Holy Writ	41.

PRÉCIS TABLE 15: Chapter 18 of *The Elements of Law* / Chapter 4 of *De Cive*

<i>The Elements of Law</i>	<i>De Cive</i>
Part I. Concerning men as persons natural	Part I. Of Liberty
Chapter 18. A confirmation of the same out of the Word of God	Chapter 4. That the law of nature is a divine law
A Confirmation out of Holy Scripture of the Principal Points Mentioned in the Two Last Chapters, concerning the Law of Nature	
1.	1. The natural and moral law is divine
2.	2. Which is confirmed in Scripture, in general
3.	3. Specially, in regard of the fundamental law of nature in seeking of peace
	4. Also in regard of the first law of nature in abolishing all things to be had in common
5.	5. Also of the second law of nature, concerning faith to be kept
	6. Also of the third law, of thankfulness
8.	7. Also of the fourth law, of rendering ourselves useful
	8. Also of the fifth law, concerning mercy
11.	9. Also of the sixth law, that punishment only looks at the future
	10. Also of the seventh law, concerning slander
	11. Also of the eighth law, against pride
6.	12. Also of the ninth law, of equity
	13. Also of the tenth law, against respect of persons
	14. Also of the eleventh law, of having those things in common which cannot be divided
7.	15. Also of the twelfth law, of things to be divided by lot
	16. Also of appointing a judge
	17. Also of the seventeenth law, that the arbiters must receive no reward for their sentence
	18. Also of the eighteenth law, concerning witnesses

PRÉCIS APPENDIX

	19. Also of the twentieth law, against drunkenness
4.	20. Also in respect of that which hath been said, that the law of nature is eternal
10.	21. Also that the laws of nature do pertain to conscience
	22. Also that the laws of nature are easily observed
9.	23. Lastly, in respect of the rule by which a man may presently know, whether what he is about to act, be against the law of nature, or not
12.	24. The law of Christ is the law of nature

PRÉCIS TABLE 16: Chapter 19 of *The Elements of Law* / Chapter 5 of *De Cive* / Chapter 17 of *Leviathan*

<i>The Elements of Law</i>	<i>De Cive</i>	<i>Leviathan</i>
Part I. Concerning men as persons natural	Part II. Of Dominion	Part II. OF COMMON-WEALTH
		Chapter 16. Of PERSONS, AUTHORS, and things Personated
Chapter 19. Of the necessity and definition of a body politic	Chapter 5. Of the causes and first original of civil government	Chapter 17. Of the Causes, Generation, and Definition of a COMMON-WEALTH
See 20.6	See 6.4	1. The End of Common-wealth, particular Security:
1. That men notwithstanding these laws are still in the state of war, till they have security one against another	1. That the laws of nature are not sufficient to preserve peace	2. Which is not to be had from the Law of Nature:
2. The law of nature in war, is nothing but honour	2. That the laws of nature, in the state of nature, are silent	
3. No security without the concord of many	3. That the security of living according to the laws of nature, consists in the concord of many persons	3. Nor from the conjunction of a few men or families:
4. That concord of many cannot be maintained without power to keep them all in awe	4. That the concord of many persons is not constant enough for a lasting peace	4. Nor from a great Multitude, unless directed by one judgement: 5. And that continually
5. The cause why concord remaineth in a multitude of some irrational creatures, and not of men	5. The reason why the government of certain brute creatures stands firm in concord only, and why not of men	6. Why certain creatures without reason, or speech, do nevertheless live in Society, without any coercive Power 7–12.
6. That union is necessary for the maintaining of concord	6. That not only consent, but union also, is required to establish the peace of men	13. The Generation of a Common-wealth; The Definition of a Common-wealth
7. How union is made	7. What union is	
8. Body politic defined	8. In union, the right of all men is conveyed to one	
	9. What civil society is	

PRÉCIS APPENDIX

9. Corporation defined	10. What a civil person is	See Ch. 22. Of Systemes Subject, Politicall and Private
10. Sovereign and subject defined	11. What it is to have the supreme power, and what to be a subject	14. Sovereigne, and Subject, what
11. Two sorts of bodies politic, patrimonial and commonwealth	12. Two kinds of cities, natural, and by institution	15.

PRÉCIS TABLE 17: Chapter 20 of *The Elements of Law* / Chapter 6 of *De Cive* / Chapter 18 of *Leviathan*

<i>The Elements of Law</i>	<i>De Cive</i>	<i>Leviathan</i>
Part II. Concerning men as a body politic	Part II. Of Dominion	Part II. OF COMMON-WEALTH
Chapter 20. Of the requisites to the constitution of a commonwealth	Chapter 6. Of the right, whether we consider it in an assembly or in one person, which he hath who is endued with supreme authority	Chapter 18. Of the RIGHTS of Soveraignes by Institution
1. Introduction		
2. A multitude before their union is not one person, nor doth any one act to which every particular man assenteth not expressly See 21.11	1. There can no right be attributed to a multitude out of civil society, nor any action to which they have not under seal consented	
3. Express consent of every particular required at first to give right to the major part to involve the whole. Democracy, aristocracy, monarchy	2. The right of the greater number consenting, is the beginning of a city 7.1	1. The act of Instituting a Commonwealth, what 5. 3. No man can without injustice protest against the Institution of the Sovereigne declared by the major part 19.1
		2. The Consequences to such Institution, are
		3. 1. The Subjects cannot change the forme of government
21.2 and 21.7	7.7, 9 and 12	4. 2. Sovereigne Power cannot be forfeited
21.3	7.14	6. 4. The Soveraigns Actions cannot be justly accused by the Subject
12. Sovereign power includeth impunity	12. Whatsoever he doth is unpunishable	7. 5. What soever the Sovereigne doth, is unpunishable by the Subject
4. Democratical, aristocratical, and monarchical union may be instituted for ever, or for a limited time		

PRÉCIS APPENDIX

5. Without security no private right relinquished	3. That every man retains a right to protect himself according to his own free will, so long as there is no sufficient regard had to his security	8. 6. The Sovereigne is judge of what is necessary for the Peace and Defence of his Subjects
6. Covenants of government, without power of coercion, are no security	4. That a coercive power is necessary to secure us	See 17.1
7. Power coercive consisteth in not resisting him that hath it	5. What the sword of justice is 6. That the sword of justice belongs to him, who hath the chief command	14. 11. And of Rewarding, and Punishing, and that (where no former Law hath determined the measure of it) arbitrary:
8. The sword of war is in the same hand, in which is the sword of justice	7. That the sword of war belongs to him also	12. 9. And of making War, and Peace, as he shall think best:
9. Decision in all debates, both judicial and deliberative, annexed to the sword	8. All judicature belongs to him too	11. To him also belongeth the Right of all Judicature and decision of Controversies:
10. Laws civil defined, the making of them annexed to the sword	9. The legislative power is his only	10. 7. The right of making Rules, whereby the Subjects may every man know what is so his owne, as no other Subject can without injustice take it from him
11. Appointment of magistrates and public ministers annexed to the same	10. The naming of magistrates and other officers of the city belongs to him	13. 10. And of choosing all Counsellours, and Ministers, both of Peace, and Warre:
	11. Also the examination of all doctrines	9. And Judge of what Doctrines are fit to be taught them
		15. 12. And of Honour and Order
13. A supposed commonwealth, where laws are made first, and the commonwealth after	13. The command his citizens have granted is absolute, and what proportion of obedience is due to him 17. The opinion of those who would constitute a city, where there should not be any one endued with an absolute power	20. Sovereigne Power not so hurtfull as the want of it, and the hurt proceeds for the greatest part from not submitting readily, to a lesse
14. The same refelled		
15. Mixed forms of government supposed in sovereignty	See 7.4	See 29.16
16. That refelled		
17. Mixed government hath place in the administration of the commonwealth, under the sovereign		
		17. And can by no Grant passe away without direct renouncing of the Sovereign Power

PRÉCIS APPENDIX

		18. The Power and Honour of Subjects vanisheth in the presence of the Power Sovereign
		19.
18. Reason and experience to prove absolute sovereignty somewhere in all commonwealths	14. That the laws of the city bind him not 15. That no man can challenge a propriety to anything against his will 16. By the laws of the city only we come to know what theft, murder, adultery, and injury is	
19. Some principal and most infallible marks of sovereignty	18. The marks of supreme authority	16. These Rights are indivisible
	19. If a city be compared with a man, he that hath the supreme power is in order to the city, as the human soul is in relation to the man	Cf. THE INTRODUCTION, ¶ 1
	20. That the supreme command cannot by right be dissolved through their consents, by whose compacts it was first constituted	See 17.13

PRÉCIS TABLE 18: Chapters 21 and 24 of *The Elements of Law* / Chapters 7 and 10 of *De Cive* / Chapters 19 (part) and 21 (part) of *Leviathan*

<i>The Elements of Law</i>	<i>De Cive</i>	<i>Leviathan</i>
Part II. Concerning men as a body politic	Part II. Of Dominion	Part II. OF COMMON-WEALTH
Chapter 21. Of the three sorts of commonwealth	Chapter 7. Of the three kinds of government, Democracy, Aristocracy, and Monarchy	Chapter 19. Of the severall Kinds of COMMON-WEALTH by Institution, and of Succession to the Sovereigne Power⁵
20.3	1. That there are three kinds of government only, democracy, aristocracy, monarchy	1. The different Formes of Commonwealths but three
	2. That oligarchy is not a diverse form of government distinct from aristocracy, nor anarchy any form at all 3. That a tyranny is not a diverse state from a legitimate monarchy	2. Tyranny and Oligarchy, but different names of Monarchy, and Aristocracy
See 20.14–16	4. That there cannot be a mixed state, fashioned out of these several species	
		3. Subordinate Representatives dangerous

⁵ Paragraphs 14–23 are in Précis Table 19.

PRÉCIS APPENDIX

1. Democracy precedeth all other institution of government	5. That democracy, except there be certain times and places of meeting prefixed, is dissolved 6. In a democracy the intervals of the times of meeting must be short, or the administration of government during the interval committed to some one	
2. The sovereign people covenanteth not with the subjects	7. In a democracy, particulars contract with particulars to obey the people: the people is obliged to no man	See 18.4
3. The sovereign people cannot properly be said to do injury to the subject 4. The faults of the sovereign people are the faults of those private men by whose votes their decrees pass	14. What kind of sin that is, and what sort of men are guilty of it, when the city performs not its office towards the citizens, nor the citizens towards the city	See 18.6
5. Democracy in effect an aristocracy of orators		
6. Aristocracy how made	8. By what acts aristocracy is constituted	
7. The body of the optimates not properly said to injure the subjects	9. In an aristocracy the nobles make no compact, neither are they obliged to any citizen or to the whole people	See 18.4 and 18.6
8. The election of the optimates belongeth to their own body		
	10. The nobles must necessarily have their set meetings	
9. An elective king not sovereign in property, but in use	11. By what acts monarchy is constituted	
	12. Monarchy is by compact obliged to none for the authority it hath received	
	13. Monarchy is ever in the readiest capacity to exercise all those acts which are requisite to good government	
10. A conditional king not sovereign in property but in use	15. A monarch made without limitation of time hath power to elect his successor 16. Of limited monarchs	10-12.
		13.
11. The word people equivocal	6.1	

PRÉCIS APPENDIX

		Chapter 21. <i>Of the LIBERTY of Subjects</i> ⁶
13. How such releases are to be understood	17. A monarch, retaining his right of government, cannot by any promise whatsoever be conceived to have parted with his right to the means necessary to the exercise of his authority	20.
12. Obedience discharged by release from the sovereign 14. Obedience discharged by exile 15. By conquest 16. By ignorance of the right of succession	18. How a citizen is freed from subjection	23. In case the Sovereign cast off the government from himself and his Heysrs 24. In case of Banishment 21. In what Cases Subjects are absolved of their obedience to their Sovereign 22. In case of Captivity 25. In case the Sovereign render himself Subject to another
Chapter 24. The incommodities of several sorts of government compared	Chapter 10. A comparison of the three kinds of government, each with other, according to the inconveniences of each one	Chapter 19. <i>Of the severall Kinds of COMMON-WEALTH by Institution, and of Succession to the Sovereigne Power (cont.)</i>
1. The utility of the commonwealth, and of the members is the same	1. A comparison of the natural state with the civil 2. The conveniences and inconveniences of the ruler and his subjects are alike 5. A rejection of their opinion, who say, that a lord with his servants cannot make a city	
2. The loss of liberty, or the want of propriety in goods against the right of the sovereign, no real inconvenience		
3. Monarchy approved by the most ancient examples	3. The praise of monarchy 18. The best state of a city is that, where the subjects are the ruler's inheritance	4. Comparison of Monarchy, with Sovereign Assemblies
4. Monarchy less subject to passion than other governments	4. The government under one, cannot be said to be unreasonable in this respect, namely, because one hath more power than all the rest	
5. Subjects in monarchy less obnoxious to enrich private men, than in other governments	6. Exactions are more grievous under a popular state, than a monarchy	8.

⁶ See Précis Table 19 for paragraphs 1–5, 7, 9–19 (3–5, 7 and 9–19 are new material) and Précis Table 22 for paragraph 6.

PRÉCIS APPENDIX

6. Subjects in monarchy less obnoxious to violence than in other governments	7. Innocent subjects are less exposed to penalties under a monarch, than under the people	
See 21.5	<p>9. It is no disadvantage to the subjects, that they are not all admitted to public deliberations</p> <p>10. Civil deliberations are unadvisedly committed to great assemblies, by reason of the unskilfulness of the most part of men</p> <p>11. In regard of eloquence</p> <p>14. In regard of the want of secrecy</p> <p>15. That these inconveniences adhere to democracy, forasmuch as men are naturally delighted with the esteem of wit</p>	5.
7. Laws in monarchies, less changeable than in other governments	13. In regard of the unstableness of the laws	6.
8. Monarchies less subject to dissolution than other governments	<p>12. In regard of faction</p> <p>17. The power of generals is an evident sign of the excellence of monarchy</p> <p>19. The nearer aristocracy draws to monarchy, the better it is; the further it keeps from it, the worse</p>	7.
	16. The inconveniences of a city arising from a king that is a child	9.
		Chapter 21. Of the LIBERTY of Subjects (cont.)
Cf. 27.3	8. The liberty of single subjects is not less under a monarch, than under a people	8. The Liberty which writers praise, is the Liberty of Sovereigns; not of Private men

PRÉCIS TABLE 19: Chapters 22 and 23 of *The Elements of Law* / Chapters 8, 9 and 11 of *De Cive* / Chapters 20, 21 (part) and 19 (part) of *Leviathan*

<i>The Elements of Law</i>	<i>De Cive</i>	<i>Leviathan</i>
Part II. Concerning men as a body politic	Part II. Of Dominion	Part II. OF COMMON-WEALTH
Chapter 22. Of the power of masters	Chapter 8. Of the right which lords and masters have over their servants	Chapter 20. Of DOMINION PATERNALL, and DESPOTICALL
		<p>1. A Common-wealth by Acquisition</p> <p>2. Wherein different from a Common-wealth by Institution</p> <p>3. The Rights of Sovereignty the same in both</p>

PRÉCIS APPENDIX

<p>1. Titles to dominion 2. Master and servant defined 3. Chains and other material bonds a presumption of no bond by covenant. Slave defined</p>	<p>1. What lord and servant signify 2. The distinction of servants, into such as upon trust enjoy their natural liberty, and slaves, or such as serve being imprisoned or bound in fetters</p>	<p>10. Despotical Dominion how attained</p>
	<p>3. The obligation of a servant arises from the liberty of body allowed him by his lord</p>	<p>11. Not by the Victory, but by the Consent of the Vanquished</p>
	<p>4. Servants that are bound, are not by any compacts tied to their lords</p>	<p>12.</p>
<p>4. Servants have no property against their lord, but may have one against another 5. The master hath right to alienate his servant</p>	<p>5. Servants have no propriety in their goods against their lord 6. The lord may sell his servant, or alienate him by testament 7. The lord cannot injure his servant</p>	<p>13.</p>
<p>6. The servant of the servant is servant of the master</p>	<p>8. He that is lord of the lord, is lord also of his servants</p>	
<p>7. How servitude is discharged 8. The middle lord cannot discharge his servant of obedience to the supreme lord</p>	<p>9. By what means servants are freed</p>	
<p>9. The title of man to his dominion over beasts</p>	<p>10. Dominion over beasts belongs to the right of nature</p>	
<p>Chapter 23. Of the power of fathers, and of patrimonial kingdom</p>	<p>Chapter 9. Of the right which parents have over their children, and of a kingdom paternal</p>	
<p>1. The dominion over the child is originally the right of the mother 2. Pre-eminence of sex giveth not the child to the father, rather than the mother 3. The title of the father or mother to the person of the child, is not the generation but the preservation of it 5. The right to the child given from the mother sometimes by express covenant 6. The child of the concubine not in the power of the father by that title</p>	<p>1. Paternal dominion ariseth not from generation 2. Dominion over infants belongs to him or her who first hath them in their power 3. Dominion over infants is originally the mother's 4. The exposed infant is his, from whom he receives his preservation 6. In such a conjunction of man and woman, as neither hath command over the other, the children are the mother's, unless by compact or civil law it be otherwise determined</p>	<p>4. Dominion Paternal how attained; Not by Generation, but by Contract; 5. Or Education;</p>

PRÉCIS APPENDIX

4. The child of a woman-servant is the dominion of her master 7. The child of the husband and the wife in the power of the father	5. The child that hath one parent a subject, and the other a sovereign, belongs to him or her in authority.	8. 6. Or Precedent subjection of one of the Parents to the other 7.
8. The father, or he or she that bringeth up the child, have absolute power over him	7. Children are no less subject to their parents, than servants to their lords and subjects to their princes	
	8. Of the honour of parents and lords	
		9. The Right of Succession followeth the Rules of the Rights of Possession
		14.
10. A great family is a patrimonial kingdom	10. There is the same right over subjects in an hereditary government, which there is in an institutive government	15. Difference between a Family and a Kingdom
		Chapter 21. Of the LIBERTY of Subjects⁷
9. Freedom in subjects what it is	9. Wherein liberty consists, and the difference of subjects and servants	1. Liberty what 2. What it is to be free
		3. <i>Feare and Liberty consistent</i> 4. <i>Liberty and Necessity Consistent</i> 5. <i>Artificall bonds, or Covenants</i>
		7. <i>Liberty of the Subject consistent with the unlimited power of the Sovereign</i>
		9. 10. <i>Liberty of Subjects how to be measured</i> 11. <i>Subjects have Liberty to defend their own bodies, even against them that lawfully invade them;</i> 12. <i>Are not bound to hurt themselves;</i> 13–15. 16. <i>Nor to warfare, unlesse they voluntarily undertake it</i> 17. 18. <i>The Greatest Liberty of Subjects, dependeth on the Silence of the Law</i> 19.

⁷ See Précis Table 22 for paragraph 6 and Précis Table 18 for paragraphs 8, 20–5.

PRÉCIS APPENDIX

<p>11. Succession of the sovereign power, absolute disposable by will</p> <p>12. Though the successor be not declared, yet there is always one to be presumed</p> <p>13. The children preferred to the succession before all others</p> <p>14. The males before the females</p> <p>15. The eldest before the rest of the brothers</p> <p>16. The brother next to the children</p> <p>17. The succession of the possessor followeth the same rule with the succession of the predecessor</p>	<p>11. The question concerning the right of succession belongs only to monarchy</p> <p>12. A monarch may dispose of the command of his government by testament</p> <p>13. Or give it, or sell it</p> <p>14. A monarch dying without testament, is ever supposed to will that a monarch should succeed him</p> <p>15. And some one of his children</p> <p>16. And a male rather than a female</p> <p>17. And the eldest rather than the younger</p> <p>18. And his brother, if he want issue, before all others</p> <p>19. In the same manner that men succeed to the power, do they also succeed to the right of succession</p>	<p>Chapter 19. Of the severall Kinds of COMMON-WEALTH by Institution, and of Succession to the Sovereigne Power⁸</p>
<p>See 25.4</p>	<p>Chapter 11. The places and examples of Scripture concerning the right of government, which make for proof of the foresaid doctrines</p> <p>1. The beginning of institutive government from the consent of the people</p> <p>2. Judicature and wars depend on the will of supreme commanders</p> <p>3. That they who have the chief authority, are by right unpunishable</p> <p>4. That without a supreme power there is no government, but anarchy</p> <p>5. That from servants and sons there is a simple obedience due to their lords and parents</p> <p>6. Absolute authority proved by most evident places, as well of the New as the Old Testament</p>	<p>Chapter 20. Of Dominion PATERNALL, and DESPOTICALL (cont.)</p>
		<p>14. Of the Right of Succession</p> <p>15–17.</p> <p>18. The present Monarch hath Right to dispose of the Succession</p> <p>19.</p> <p>20. Succession passeth by expresse Words;</p> <p>21. Or, by not controlling a Custome;</p> <p>22. Or, by presumption of naturall affection</p> <p>23. To dispose of the Succession, though to a King of another Nation, not unlawfull</p>

⁸ Paragraphs 1–13 are in Précis Table 18.

	18. Sovereign Power ought in all Common-wealths to be absolute
	19.

PRÉCIS TABLE 20: Chapters 22–5 of *Leviathan*, new chapters

Part II. OF COMMON-WEALTH
Chapter 22. Of SYSTEMES Subject, Politicall and Private
Chapter 23. Of the PUBLIQUE MINISTERS of Sovereign Power
Chapter 24. Of the NUTRITION, and PROCREATION of a Common-wealth
Chapter 25. Of COUNSELL

PRÉCIS TABLE 21: Chapter 27 of *The Elements of Law* / Chapter 12 of *De Cive* / Chapter 29 of *Leviathan*

<i>The Elements of Law</i>	<i>De Cive</i>	<i>Leviathan</i>
Part II. Concerning men as a body politic	Part II. Of Dominion	Part II. OF COMMON-WEALTH
Chapter 27. Of the causes of rebellion	Chapter 12. Of the inward causes which dissolve all civil government	Chapter 29. Of those things that Weaken, or tend to the DISSOLUTION of a Common-wealth
		1. Dissolution of Common-wealths proceedeth from their Imperfect Institution
		2.
		3. Want of Absolute power 4–5.
1. The things that dispose to rebellion. Discontent, pretence, and hope of success	1. That <i>the judging of good and evil belongs to private persons</i> is a seditious opinion	6. Private Judgement of Good and Evil
2. Discontent that disposeth to sedition, consisteth partly in fear of want or punishment		
3. Partly in ambition	10. Ambition disposeth us to sedition	Cf. 21.8⁹
4. Six heads of pretences to rebellion		
5. The first of them: that men ought to do nothing against conscience, confuted See 25.12	2. That <i>subjects do sin by obeying their princes</i> is a seditious opinion	7. Erroneous conscience
6. The second: that sovereigns are subject to their own laws, confuted	4. That <i>those who have the supreme power are subject to the civil laws</i> is a seditious opinion	9. Subjecting the Sovereign Power to Civill Lawes

⁹ Précis Table 18

PRÉCIS APPENDIX

7. The third: that the sovereignty is divisible, confuted	5. That <i>the supreme power may be divided</i> is a seditious opinion	12. Dividing of the Sovereign Power
	6. That <i>faith and sanctity are not acquired by study and reason, but always supernaturally infused and inspired</i> , is a seditious opinion	8. Pretence of Inspiration
8. The fourth: that subjects have a propriety distinct from the dominion of the sovereign, confuted	7. That <i>each subject hath a propriety or absolute dominion of his own goods</i> is a seditious opinion	10. Attributing of absolute Propriety to Subjects 11. 18. Want of Mony
9. The fifth: that the people is a person distinct from the sovereign, confuted	8. Not to understand the difference between the people and the multitude, prepares toward sedition	
10. The sixth: that tyrannicide is lawful, confuted	3. That <i>tyrannicide is lawful</i> is a seditious opinion	14. Imitation of the Greeks, and Romans
See ¶2	9. Too great a tax of money, though never so just and necessary, prepares toward sedition	
11. Four heads of hope of success in rebellion	11. So doth the hope of success	
12. Two things necessary to an author of rebellion: much eloquence, and little wisdom		
13. That the authors of rebellion necessarily are to be men of little wisdom	12. Eloquence alone without wisdom, is the only faculty needful to raise seditions	
14. That the same are necessarily eloquent.		
15. In what manner they concur to their common effects	13. How the folly of the common people, and the elocution of ambitious men, concur to the destruction of a common-weal	See 30.7
		13. Imitation of Neighbour Nations
		15.
See 20.15	See 7.4	16. Mixt Government 17.
		19. Monopolies and abuses of Publicans
		20. Popular men
		21. Excessive greatnesse of a Town, multitude of Corporations; Liberty of disputing against Sovereign Power
		22.
		23. Dissolution of the Common-wealth

PRÉCIS APPENDIX

PRÉCIS TABLE 22: Chapter 28 of *The Elements of Law* / Chapter 13 of *De Cive* / Chapters 30 and 21 (part) of *Leviathan*

<i>The Elements of Law</i>	<i>De Cive</i>	<i>Leviathan</i>
Part II. Concerning men as a body politic	Part II. Of Dominion	Part II. OF COMMON-WEALTH
Chapter 28. Of the duty of them that have sovereign power	Chapter 13. Of the duties of those men who sit at the helm of state	Chapter 30. Of the OFFICE of the Sovereign Representative
1. The law over sovereigns, <i>salus populi</i>	1. The right of supreme authority is distinguished from its exercise 2. The safety of the people is the supreme law 3. It behoves princes to regard the common benefit of many, not the peculiar interest of this or that man 4. That by safety is understood all manner of conveniences	1. The Procuration of the Good of the People
2. That sovereigns ought to establish the religion they hold for best	5. A query, whether it be the duty of kings to provide for the salvation of their subjects' souls, as they shall judge best according to their own consciences	
3. That to forbid unnatural copulation, promiscuous use of women, one woman to have many husbands, marrying within degrees of consanguinity, is the law of nature	6. Wherein the safety of the people consists	
9. Avoiding of unnecessary war is a necessary duty of the sovereign for the defence of a commonwealth	7. That discoverers are necessary for the defence of the people 8. That to have soldiers, arms, garrisons, and moneys in readiness, in time of peace, is also necessary for the defence of the people	
		2. By Instruction & Lawes 3. Against the duty of a Sovereign to relinquish any Essential Right of Sovereignty: Or not to see the people taught the grounds of them 4. 5. Objection of those that say there are no Principles of Reason for absolute Sovereignty 6. Objection from the Incapacity of the vulgar

PRÉCIS APPENDIX

See 27.15	See 12.13	7. Subjects are to be taught, not to affect change of Government:
		8. Nor adhere (against the Sovereign) to Popular men:
		9. Nor to Dispute the Sovereign Power:
		10. And to have dayes set apart to learn their Duty:
		11. And to Honour their Parents
		12. And to avoyd doing of Injury:
		13. And to do all this sincerely from the heart
8. The institution of youth in true morality and politics necessary for keeping the subjects in peace	9. A right instruction of subjects in civil doctrines, is necessary for the preserving of peace	14. The use of Universities
5. <i>Meum</i> and <i>tuum</i> , to be set out to the subjects, distinct from one another, and the burdens of the commonwealth to be laid according to men's expenses, a duty of sovereigns by the law of nature	10. Equal distributions of public offices conduces much to the preservation of peace 11. It is natural equity, that monies be taxed according to what every man spends, not what he possesses	17. Equall Taxes
		15. 16.
7. The suppressing of popularity in such as find fault with the present government necessary for the avoiding of sedition	12. It conduceth to the preservation of peace, to keep down ambitious men 13. And to break factions	
		18. Publique Charity
4. That to leave man as much liberty as may be, without hurt of the public, and to ordain means for trade and labour, and to forbid superfluous expenses, is a duty of a sovereign by the law of nature	14. Laws whereby thriving arts are cherished and great costs restrained, conduce to the enriching of the subject 15. That more ought not to be defined by the laws, than the benefit of the prince and his subjects requires	19. Prevention of Idlenesse See 21.1 ¹⁰ 21.6. Liberty of Subjects consisteth in Liberty from covenants
		20. Good Lawes what 21. Such as are Necessary 22. Such as are Perspicuous

¹⁰ See Précis Tables 18 and 19 for margin notes for the rest of the chapter, which has extensive new material.

PRÉCIS APPENDIX

	16. That greater punishments must not be inflicted, than are prescribed by the laws	23. Punishments 24. Rewards
6. An extraordinary power for judging the abuses of magistrates necessary for the peace of the commonwealth	17. Subjects must have right done them against corrupt judges	
		25. Counsellours 26. 27.
		28. Commanders 29.
		30.

PRÉCIS TABLE 23: Chapter 29 of *The Elements of Law* / Chapter 14 of *De Cive* / Chapter 26 of *Leviathan*

<i>The Elements of Law</i>	<i>De Cive</i>	<i>Leviathan</i>
Part II. Concerning men as a body politic	Part II. Of Dominion	Part II. OF COMMON-WEALTH
Chapter 29. Of the nature and kinds of laws	Chapter 14. Of laws and sins	Chapter 26. Of CIVILL LAWES
		1. Civill Law what
1. All expressions of the mind concerning future actions, are either covenant, counsel, or command 2. The difference between a law and a covenant 3. The command of him whose command is law in one thing, is law in every thing 4. The difference between law and counsel	1. How law differs from counsel 2. How from covenant	2.
5. The difference between <i>jus</i> and <i>lex</i>	3. How from right	43. Difference between Law and Right 44. And between a Law and a Charter
6. The division of laws into divine, natural, and civil; written and unwritten; simple and penal		Cf. ¶29–35.

PRÉCIS APPENDIX

7. That the divine moral law, and the law of nature, is the same	4. Division of laws into divine and human: the divine into natural and positive; and the natural into the laws of single men and of nations	36. 37. 39. Divine Positive Law how made known to be Law 40.
8. That the civil laws are the common measure of right and wrong, and all other things subject to controversy	5. The division of human, that is to say, of civil laws into sacred and secular	3. 4. 5. The Sovereign is Legislator: 6. And not Subject to Civill Law
9. Martial law is civil law		
	6. Into distributive and vindicative 7. That distributive and vindicative are not species, but parts of the laws	38. Another Division of Law
	8. All law is supposed to have a penalty annexed to it	Cf. 28.10 ¹¹
	9. The precepts of the decalogue of honouring parents, of murder, adultery, theft, false witness, are civil laws 10. It is impossible to command aught by the civil law contrary to the law of nature	8. The Law of Nature, and the Civill Law contain each other
		10. Some foolish opinions of Lawyers concerning the making of Lawes 11. Sir Edw. Coke, upon Littleton Lib. 2. Ch. 6 fol. 97.b
		12. Law made, if not also made known, is no Law
	11. It is essential to a law, both that itself and also the lawgiver be known	15.
	12. Whence the lawgiver comes to be known	16. Nothing is Law where the Legislator cannot be known; Difference between Verifying and Authorising 17. The Law Verified by the subordinate Judge 18. By the Publique Registers 19. By Letters Patent, and Publique Seale

¹¹ Précis Table 24.

PRÉCIS APPENDIX

	<p>13. Publishing and interpretation are necessary to the knowledge of a law</p>	<p>20. The Interpretation of the Law dependeth on the Sovereign Power</p> <p>21. All Lawes need Interpretation</p> <p>22. The Authentickall Interpretation of Law is not that of writers</p> <p>23. The Interpreter of the Law is the Judge giving sentence <i>vivâ voce</i> in every particular case</p> <p>24. The Sentence of a Judge, does not bind him, or another Judge to give like Sentence in like Cases ever after</p> <p>25.</p> <p>26. The difference between the Letter and the Sentence of the Law</p> <p>27. The abilities required in a Judge</p> <p>28.</p>
	<p>14. The division of the civil law into written and unwritten</p>	<p>13. Unwritten Lawes are all of them Lawes of Nature</p> <p>14.</p>
<p>10. Written laws are the constitutions of the sovereign power; unwritten are nothing but reason. Customs and opinions have the force of law from the tacit consent of the sovereign</p>	<p>15. The natural laws are not written laws; neither are the wise sentences of lawyers nor custom laws of themselves, but by the consent of the supreme power</p>	<p>7. Use, a Law not by virtue of Time, but of the Sovereigns consent</p> <p>9. Provinciall Lawes are not made by Custome, but by the Sovereign Power</p> <p>See ¶ 34-5.</p>
	<p>16. What the word sin, most largely taken, signifies</p> <p>17. The definition of sin</p> <p>18. The difference between a sin of infirmity and malice</p>	<p>See 27.1. Sinne what</p>
	<p>19. Under what kind of sin atheism is contained</p>	
	<p>20. What treason is</p> <p>21. That by treason not the civil, but the natural laws are broken</p>	
	<p>22. And that therefore it is to be punished not by the right of dominion, but by the right of war</p>	<p>See 28.13¹²</p>
	<p>23. That obedience is not rightly distinguished into active and passive</p>	

¹² Précis Table 24.

PRÉCIS APPENDIX

Cf. §6		29. Divisions of Law 30. 31. 32. 33.
Cf. §10		34. 35.
		41. Another division of Lawes 42. A Fundamentall Law what

PRÉCIS TABLE 24: Chapters 27 and 28 of *Leviathan*, new chapters

Part II. OF COMMON-WEALTH

Chapter 27. Of CRIMES, EXCUSES, and EXTENUATIONS

Chapter 28. Of Punishments, and Rewards

1. *The definition of Punishment*
2. *Right to Punish whence derived*
3. *Private injuries, and revenges no Punishments*
4. *Nor denyall of preferment*
5. *Nor pain inflicted without publique hearing:*
6. *Nor pain inflicted by Usurped power:*
7. *Nor pain inflicted without respect to the future good*
8. *Naturall evill consequences, no Punishment*
9. *Hurt inflicted, if lesse than the benefit of transgressing, is not Punishment*
10. *Where the Punishment is annexed to the Law, a greater hurt is not Punishment, but Hostility*
11. *Hurt inflicted for a fact done before the Law, no Punishment*
12. *The Representative of the Commonwealth Unpunishable*
13. *Hurt to Revolted Subjects is done by right of War, not by way of Punishment*
- 14–15.
16. *Punishments Corporall*
17. *Capitall*
- 18.
19. *Ignominy*
20. *Imprisonment*
21. *Exile*
22. *The Punishment of Innocent Subjects is contrary to the Law of Nature*

PRÉCIS APPENDIX

23. *But the Harme done to Innocents in War, not so; Nor that which is done to declared Rebels*
 24. *Reward is either Salary, or Grace*
 25. *Benefits bestowed for fear, are not Rewards*
 26. *Salaries Certain and Casuall*
 27.

PRÉCIS TABLE 25: Chapter 15 (part) of *De Cive* / Chapter 31 (part) of *Leviathan*

<i>De Cive</i>	<i>Leviathan</i>
Part III. Of Religion	Part II. OF COMMON-WEALTH
Chapter 15. Of God's government by nature ¹³	Chapter 31. Of the KINGDOME OF GOD BY NATURE ¹³
14. What the natural laws are concerning God's attributes	14. Attributes of Divine Honour 15–28.
15. What the actions are whereby naturally we do give worship	29. Actions that are signes of Divine Honour 30–6 37. Publique Worship consisteth in Uniformity
16. In God's natural kingdom, the city may appoint what worship of God it pleaseth	38. All Attributes depend on the Lawes Civill 39. Not all Actions 40. Naturall Punishments 41. The Conclusion of the Second Part
	Part IV. OF THE KINGDOME OF DARKNESSE
	Chapter 45. Of DÆMONOLOGY, and other Reliques of the Religion of the Gentiles
18. Certain doubts removed	13. Distinction between Divine and Civill Worship
19. What sin is in the natural kingdom of God; and what treason against the Divine Majesty	

PRÉCIS TABLE 26: Chapters 32–4 of *Leviathan*

Part III. OF A CHRISTIAN COMMON-WEALTH
Chapter 32. Of the Principles of CHRISTIAN POLITIQUES: New chapter
Chapter 33. Of the Number, Antiquity, Scope, Authority, and Interpreters of the Books of Holy SCRIPTURE: Table 10
Chapter 34. Of the Signification of SPIRIT, ANGELL, and INSPIRATION in the Books of the Holy Scripture: Table 10

¹³ The first thirteen paragraphs of these chapters (and paragraph 17 in *De Cive*) are parallel to *The Elements of Law* chapter 11; they appear in Précis Table 10.

PRÉCIS TABLE 27: Chapter 16 (part) of *De Cive* / Chapters 35, 40 (part), 42 (part) and 36 (part) of *Leviathan*

<i>De Cive</i>	<i>Leviathan</i>
Part III. Of Religion	Part III. OF A CHRISTIAN COMMON-WEALTH
Chapter 16. Of his government by the old covenant¹⁴	Chapter 35. Of the signification in Scripture of KINGDOME OF GOD, of HOLY, SACRED, and SACRAMENT
1. Superstition possessing foreign nations, God instituted true religion by the means of Abraham	1. The Kingdom of God taken by Divines Metaphorically but in the Scriptures properly 2.
2. By the covenant between God and Adam, all dispute is forbidden concerning the commands of superiors	3.
3. The manner of the covenant between God and Abraham	4. The originall of the Kingdome of God 5. That the Kingdome of God is properly his Civill Sovereignty over a peculiar people by pact 6–13.
	14. Holy what 15–16. 17. Sacred what 18. Degrees of Sanctity 19. Sacrament
	Chapter 40. Of the RIGHTS of the Kingdome of God, in Abraham, Moses, the High Priests, and the Kings of Judah¹⁴
4. In that covenant is contained an acknowledgment of God, not simply, but of him who appeared unto Abraham	1. The Sovereign Rights of Abraham
5. The laws unto which Abraham was tied, were no other beside those of nature, and the law of circumcision	
6. Abraham was the interpreter of the word of God, and of all laws among those that belonged to him	2. Abraham had the sole power of ordering the Religion of his own people
7. Abraham's subjects could not sin by obeying him	3. No pretence of Private Spirit against the Religion of Abraham 4. Abraham sole Judge, and Interpreter of what God spake
8. God's covenant with the Hebrews on Mount Sinai	5. The authority of Moses whereon grounded
9. From thence God's government took the name of a kingdom	6.
	Chapter 42. Of POWER ECCLESIASTICALL¹⁵
	36. Of the Power to make Scripture Law

¹⁴ *De Cive* chapter 16 paragraphs 13–18 and the parallel section in *Leviathan* (ch. 40, ¶7–14) are in Précis Table 29.

¹⁵ Margin notes for the rest of the chapter, including new material in paragraphs 1–18, 32–5, 42–8, 61–5, and 72–135, are in Précis Table 29.

PRÉCIS APPENDIX

10. What laws were by God given to the Jews	37. Of the Ten Commandements 38. Of the Judiciall, and Leviticall Law 39. The Second Law
12. What was held the written word of God among the Jews	40. 41. The Old Testament when made Canonically
	Chapter 36. Of the WORD OF GOD, and of PROPHETS¹⁶
11. What the word of God is, and how to be known	1. Word what 2. The words spoken by God and concerning God, both are called Gods Word in Scripture 7. Divers acceptions of the word Prophet 8. Prædiction of future contingents, not alwaies Prophecy 9. <i>The manner how God hath spoken to the Prophets</i> 10. <i>To the Extraordinary Prophets of the Old Testament he spake by Dreams, or Visions</i> 11–12. 13. <i>To Prophets of perpetuall Calling, and Supreme, God spake in the Old Testament from the Mercy Seat, in a manner not expressed in the Scripture</i> 14. 15. <i>To Prophets of perpetuall Calling, but subordinate, God spake by the Spirit</i> 16. 17. <i>God sometimes also spake by Lots</i> 18. 19. Every man ought to examine the probability of a pretended Prophets Calling 20. All prophecy but of the Sovereign Prophet is to be examined by every Subject

PRÉCIS TABLE 28: Chapters 37 and 38 of *Leviathan*, new chapters

Part III. Of a CHRISTIAN common-wealth

Chapter 37. Of MIRACLES, and their Use

Chapter 38. Of the Signification in Scripture of ETERNALL LIFE, HELL, SALVATION, THE WORLD TO COME, and REDEMPTION

¹⁶ *Leviathan*, chapter 36 paragraphs 3–6, with parallel passages in *De Cive* chapter 17 paragraphs 15–18, are in Précis Table 29.

PRÉCIS TABLE 29: Chapter 26 of *The Elements of Law* / Chapters 16 (part) and 17 of *De Cive* / Chapters 40 (part), 41, 36 (part), 39 and 42 (part) of *Leviathan*

<i>The Elements of Law</i>	<i>De Cive</i>	<i>Leviathan</i>
Part II. Concerning men as a body politic	Part III. Of Religion	Part III. OF A CHRISTIAN COMMON-WEALTH
Chapter 26. That subjects are not bound to follow the judgment of any authority in controversies of religion which is not dependent on the sovereign power	Chapter 16. Of his government by the old covenant¹⁷	Chapter 40. Of the RIGHTS of the Kingdome of God, in Abraham, Moses, the High Priests, and the Kings of Judah¹⁷
1. The question propounded, who are the magistrates in the kingdom of Christ		
2. The question exemplified, in the controversies between Moses and Aaron, and between Moses and Corah	13. The power or interpreting the word of God, and the supreme civil power, were united in Moses while he lived	7. Moses was (under God) Sovereign of the Jews, all his own time, though Aaron had the Priesthood
3. Amongst the Jews, the power temporal and spiritual in the same hand		8. All spirits were subordinate to the Spirit of Moses
	14. They were also united in the high-priest, during the life of Joshua	9. After Moses the Sovereignty was in the High Priest
	15. They were united too in the high-priest until king Saul's time	10. Of the Sovereign power between the time of Joshua and of Saul
	16. They were also united in the kings until the captivity	11. Of the Rights of the Kings of Israel 12. The practice of Supremacy in Religion, was not in the time of the Kings, according to the Right thereof 13.
	17. They were so in the high-priests after the captivity	14. After the Captivity the Jews had no settled Common-wealth
	18. Denial of the Divine Providence, and idolatry, were the only treasons against the Divine Majesty among the Jews; in all things else they ought to obey their princes	
	17. Of his government by the new covenant	41. Chapter Of the OFFICE of our BLESSED SAVIOUR
		1. Three parts of the Office of Christ
	1. The prophecies concerning Christ's dignity	
	2. The prophecies concerning his humility and passion	2. His Office as a Redeemer
4. Parallel of the twelve princes of Israel, and the twelve apostles	3. That Jesus was that Christ	6. The third part of his Office was to be King (under his Father) of the Elect

¹⁷ *De Cive*, chapter 16 paragraphs 1–12 and the parallel sections in *Leviathan* (ch. 35, ¶1–13, and ch. 40, ¶1–6) are in Précis Table 27.

PRÉCIS APPENDIX

<p>5. Parallel of seventy elders, and seventy disciples</p> <p>6. The hierarchy of the church in our Savior's time, consisted in the twelve, and the seventy</p>	<p>4. That the kingdom of God by the new covenant, was not the kingdom of Christ, as Christ, but as God</p>	<p>7. Christs authority in the Kingdome of God subordinate to that of his Father</p> <p>8.</p>
		<p>9. One and the same God is the Person represented by Moses, and by Christ</p>
	<p>5. That the kingdom by the new covenant is heavenly, and shall begin from the day of judgment</p>	<p>3. Christs Kingdome not of this world</p>
<p>7. Why Christ ordained no priests for sacrifice, as Moses did</p>		
<p>9. The preaching of the gospel was not commanding, but persuasion</p>	<p>6. That the government of Christ in this world was not a sovereignty, but counsel, or a government by the way of doctrine and persuasion</p>	<p>4. The end of Christs coming was to renew the Covenant of the Kingdome of God, and to perswade the Elect to imbrace it, which was the second part of his Office</p>
		<p>5. The preaching of Christ not contrary to the then law of the Jews, nor of Cæsar</p>
	<p>7. What the promises of the new covenant are, on both parts.</p> <p>8. That no laws are added by Christ, beside the institution of the sacraments</p> <p>9. Repent ye, be baptized, keep the commandments, and the like forms of speech, are not laws.</p>	
	<p>10. It pertains to the civil authority, to define what the sin of injustice is</p> <p>11. It pertains to the civil authority, to define what conduces to the peace and defence of the city</p> <p>12. It pertains to the civil authority, to judge (when need requires) what definitions and what inferences are true</p> <p>13. It belongs to the office of Christ, to teach morally, not by the way of speculation, but as a law; to forgive sins, and to teach all things whereof there is no science, properly so called</p> <p>14. A distinction of things temporal from spiritual</p>	

PRÉCIS APPENDIX

		Chapter 36. <i>Of the WORD OF GOD, and of PROPHETS</i> ¹⁸
	15. In how many several sorts the word of God may be taken	3. The Word of God metaphorically used, first, for the Decrees and Power of God 4. Secondly, for the effect of his Word 5. Thirdly, for the words of reason and equity
	16. That all which is contained in Holy Scripture, belongs not to the canon of Christian faith 17. That the word of a lawful interpreter of Holy Scriptures, is the word of God 18. That the authority of interpreting Scriptures, is the same with that of determining controversies of faith	6.
		Chapter 39. <i>Of the signification in Scripture of the word CHURCH</i>
	19. Divers significations of a Church	1. Church the Lords house 2. <i>Ecclesia</i> properly what 3.
	20. What a Church is, to which we attribute rights, actions, and the like personal capacities	4. In what sense the Church is one Person; Church defined
	21. A Christian city is the same with a Christian Church 22. Many cities do not constitute one Church	5. A Christian Common-wealth, and a Church all one
		Chapter 42. <i>Of POWER ECCLESIASTICALL</i> ¹⁹
		1. 2. <i>Of the Holy Spirit that fel on the Apostles</i> 3. <i>Of the Trinity</i> 4. 5. <i>The Power Ecclesiasticall is but the power to teach</i> 6. <i>An argument thereof, from the Power of Christ himself:</i> 7. <i>From the name of Regeneration:</i>

¹⁸ *Leviathan* chapter 36 paragraphs 1–2, 7–8 and 19–20 are in Précis Table 27, as are margin notes for new material (paragraphs 9–18).

¹⁹ *Leviathan*, chapter 42 paragraphs 36–41 and the parallel passages in *De Cive*, chapter 16, paragraphs 10 and 12 are in Précis Table 27.

PRÉCIS APPENDIX

		<p>8. <i>From the comparison of it, with Fishing, Leaven, Seed</i></p> <p>9. <i>From the nature of Faith:</i></p> <p>10. <i>From the Authority Christ hath left to Civill Princes</i></p> <p>11. <i>What Christians may do to avoid persecution</i></p> <p>12. <i>Of Martyrs.</i></p> <p>13-14.</p> <p>15. <i>Argument from the points of their Commission,</i></p> <p>16. <i>To Preach;</i></p> <p>17. <i>And Teach;</i></p> <p>18. <i>To Baptize;</i></p>
		<p>32. <i>Of the Interpreter of the Scriptures before Civil Sovereigns became Christians.</i></p> <p>33-5.</p>
		<p>42. <i>The New Testament began to be Canonically under Christian Sovereigns</i></p> <p>43-4.</p> <p>45. <i>Of the Power of Councils to make the Scriptures Law</i></p> <p>46-8.</p>
<p>8. The hierarchy of the church in the apostles' time. Apostles, bishops, and priests</p>	<p>23. Who are ecclesiastical persons</p> <p>24. That the election of ecclesiastical persons belongs to the Church, their consecration to pastors</p>	<p>49. <i>Of the Right of constituting Ecclesiastical Officers in the time of the Apostles</i></p> <p>50.</p> <p>51. <i>Matthias made Apostle by the Congregation</i></p> <p>52. <i>Paul and Barnabas made Apostles by the Church of Antioch</i></p> <p>53.</p> <p>54. <i>What Offices in the Church are Magisteriall</i></p> <p>55.</p> <p>56. <i>Ordination of Teachers</i></p> <p>57.</p> <p>58. <i>Ministers of the Church what:</i></p> <p>59.</p> <p>60. <i>And how chosen what:</i></p>

PRÉCIS APPENDIX

	25. That the power of remitting the sins of the penitent, and retaining those of the impenitent, belongs to the pastors; but that of judging concerning repentance belongs to the Church	19. And to Forgive, and Retain Sinnes
10. Excommunication. Sovereigns immediate rulers ecclesiastical under Christ	26. What excommunication is, and on whom it cannot pass	20. Of Excommunication 21. The use of Excommunication without Civill Power, 22. 23. Of no effect upon an Apostate 24. But upon the faithfull only 25. For what fault lyeth Excommunication 26. Of persons liable to Excommunication 27–31.
		61. <i>Of Ecclesiasticall Revenue, under the Law of Moses</i> 62. 63. <i>In our Saviours time, and after</i> 64. 65. <i>The Ministers of the Gospel lived on the Benevolence of their flocks</i>
11. That no man hath any just pretence of religion, against obedience to commonwealth. God speaketh to man by his viceregens	27. That the interpretation of Scripture depends on the authority of the city 28. That a Christian city ought to interpret Scriptures by ecclesiastical pastors	66. 67–70. That the Civill Sovereign being a Christian hath the Right of appointing Pastors 71. The Pastorall Authority of Sovereigns only is <i>de Jure Divino</i> , that of other Pastors is <i>Jure Civili</i>
		72. <i>Christian Kings have Power to execute all manner of Pastoral function</i> 73–8. 79. <i>The Civill Sovereigne if a Christian, is head of the Church in his own Dominions</i> 80. 81. <i>Cardinal Bellarmines Books DE SUMMO PONTIFICE considered</i> 82. <i>The first book</i> 83–5. 86. <i>The second Book</i>

PRÉCIS APPENDIX

		<p>87. <i>The third Book</i></p> <p>88.</p> <p>89. <i>The fourth Book</i></p> <p>90. <i>Texts for the Infallibility of the Popes Judgement in points of Faith</i></p> <p>91-3.</p> <p>94. <i>Texts for the same in point of Manners</i></p> <p>95-109.</p> <p>110. <i>The question of Superiority between the Pope and other Bishops</i></p> <p>111-20.</p> <p>121. <i>Of the Popes Temporall Power</i></p> <p>122-35.</p>
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PRÉCIS TABLE 30: Chapter 25 of *The Elements of Law* / Chapter 18 of *De Cive* / Chapter 43 of *Leviathan*

<i>The Elements of Law</i>	<i>De Cive</i>	<i>Leviathan</i>
Part II. Concerning men as a body politic	Part III. Of Religion	Part III. OF A CHRISTIAN COMMON-WEALTH
Chapter 25. That subjects are not bound to follow their private judgments in controversies of religion	Chapter 18. Of those things which are necessary for our entrance into the kingdom of heaven	Chapter 43. Of what is NECESSARY for a Mans Reception into the Kingdome of Heaven
<p>1. A difficulty concerning absolute subjection to man, arising from our absolute subjection to God Almighty, propounded</p> <p>2. That this difficulty is only amongst those Christians that deny the interpretation of the Scripture to depend upon the sovereign authority of the commonwealth</p> <p>3. That human laws are not made to govern the consciences of men, but their words and actions</p>		<p>1. The difficulty of obeying God and Man both at once,</p>
<p>4. Places of Scripture to prove obedience due from Christians to their sovereign in all things</p> <p>5. A distinction propounded between a fundamental point of faith, and a superstruction</p>	<p>1. The difficulty propounded concerning the repugnancy of obeying God and men, is to be removed by the distinctions between the points necessary and not necessary to salvation</p>	<p>2. Is none to them that distinguish between what is, and what is not Necessary to Salvation</p>

PRÉCIS APPENDIX

	<p>2. All things necessary to salvation, are contained in faith and obedience</p> <p>3. What kind of obedience that is, which is required of us</p>	<p>3. All that is <i>Necessary</i> to Salvation is contained in <i>Faith</i> and <i>Obedience</i></p> <p>4. What Obedience is Necessary;</p> <p>5. And to what Laws</p>
See 11.9–10		6. In the Faith of a Christian, who is the Person believed
	4. What faith is, and how distinguished from profession, from science, from opinion	<p>7. The causes of Christian faith</p> <p>8. Faith comes by Hearing</p> <p>9.</p> <p>10.</p>
<p>6. An explication of the points of faith, that be fundamental</p> <p>7. That the belief of those fundamental points, is all that is required to salvation, as of faith</p>	<p>5. What it is to believe in Christ</p> <p>6. That that article alone, that Jesus is the Christ, is necessary to salvation; is proved from the scope of the evangelists</p> <p>7. From the preachings of the apostles</p>	<p>11. The onely Necessary Article of Christian Faith,</p> <p>12. Proved from the Scope of the Evangelists:</p> <p>13. From the Sermons of the Apostles:</p>
8. That other points not fundamental, are not necessary to salvation as matter of faith; and that no more is required by way of faith to the salvation of one man, than to another	8. From the easiness of Christian religion	14. From the Easiness of the Doctrine:
	9. From this also, that it is the foundation of faith	<p>16. From that it is the Foundation of all other Articles</p> <p>17.</p>
	10. From the most evident words of Christ and his apostles	15. From formall and cleer texts
	11. In that article is contained the faith of the Old Testament	
		18. In what sense other Articles may be called Necessary
9. That superstructions are not points of the faith necessary to a Christian	14. The doctrines which this day are controverted about religion, do for the most part relate to the right of dominion	
10. How faith and justice concur to salvation	12. How faith and obedience concur to salvation	<p>19. That Faith, and Obedience are both of them Necessary to Salvation</p> <p>20. What each of them contributes thereunto</p> <p>21.</p>

PRÉCIS APPENDIX

<p>11. That in Christian commonwealths, obedience to God and man stand well together</p> <p>14. That Christians under an infidel are discharged of the injustice of disobeying him, in that which concerneth the faith necessary to salvation, by not resisting</p>	<p>13. In a Christian city, there is no contradiction between the commands of God and of the city</p>	<p>22. Obedience to God and to the Civill Sovereign not inconsistent, whether Christian,</p> <p>23. Or Infidel</p>
<p>12. This tenet, whatsoever is against the conscience, is sin, interpreted</p> <p>13. That all men do confess the necessity of submitting controversies to some human authority</p>	<p>See 12.2 and 14.16–17</p>	<p>See 27.1 and 29.7</p>
		<p>24.</p>

TABLE 31: Conclusion of *Leviathan*, new material

Part IV. OF THE KINGDOME OF DARKNESSE

Chapter 44. *Of Spirituall Darknesse from MISINTERPRETATION of Scripture*

Chapter 45. *Of DÆMONOLOGY, and other Reliques of the Religion of the Gentiles*

Chapter 46. *Of DARKNESSE, from VAIN PHILOSOPHY, and FABULOUS TRADITIONS*

Chapter 47. *Of the BENEFIT that proceedeth from such Darknesse, and to whom it accreweth*

A REVIEW, and CONCLUSION

Index

- Abraham
as interpreter of God, 425
sovereign rights of, 425
and true religion, 420–7
absolute power, 208, 220, 228, 317
of parents, 277
Scripture regarding, 298
want of, 208, 222, 231, 300, 306, 569, 577
absurdity, 24, 33–6. *See also* error
accommodation
divine law of, 190
and laws of nature, 162, 173–4
actions, justice of, 161, 170. *See also*
voluntary action
ambition
as passion, 45, 58
and rebellion, 312–13
ruler's duty to keep down, 356
Apostles (as ecclesiastical officers),
487–91
appellation. *See* names
appetite
in human nature, 44, 46–8, 59
role in deliberation, 59–61
and voluntary action, 44, 49
arbitration
divine law of, 193
and the laws of nature, 162, 179–80
aristocracy
as form of government, 235, 237–9,
250
institution and working of, 245–6
Aristotle, 9, 29, 104, 125, 176, 185, 200,
258, 275, 313, 316, 322, 327, 352,
373–4, 381, 475, 540
assembly government, 206, 223–5, 227,
232. *See also* aristocracy
atheism, 371, 402–3, 417
attributes of God
as defined by civil law, 414
by light of nature, 410–12
authority
of Scriptures, 110–13
of sovereign. *See* sovereign rights
authorization covenant, 202
consequences of, 211–14
between master and servant, 283
aversion
in human nature, 44, 46–8
role in deliberation, 59–62
beasts
dominion over, 277, 285
no contracts with, 153
belief, 37, 42. *See also* faith
and trust and doubt, 42–3
bishop, as ecclesiastical officer, 490
charity
as natural and divine law, 173, 190
as passion, 45, 56, 59
public, 337, 357
charter, as distinguished from law, 369,
375
children
in line of succession, 278, 295–6
paternal (parental) dominion, 204, 277,
286–90
Christ. *See also* faith
did not preach against Jewish or Roman
law, 466–7
faith required for salvation, 516, 528–39
as King, 457–63
magistrates in kingdom of Christ, 436,
440–1
office of Messiah, 454–77
as Pastor, 464–5
prophecies concerning, 454–7
as Redeemer, 456–7
Christian subjects
easiness of obedience for, 516, 545–6
obedience necessary for salvation, 516,
542–4
obedience to an infidel, 517, 545–6
Christianity, doctrinal controversies in,
539–42
church
Christian, 486–7
and commonwealth, 112–13
meaning of, in Scriptures, 438, 483–7
citizen. *See* subjects
civil authority, 438, 472–7
civil law, 372–98
branches of, 382
as common measure of right and wrong,
369, 380
as definition of crimes, 208, 229
and divine law, 472–7
and laws of nature, 369, 384–5, 398–400
made by sovereign, 207, 217–18
martial law as, 369, 382
regarding religions worship, 414
sovereign not subject to, 227
written and unwritten, 371, 398
civil war, as state of nature, 222
civil worship, 416
common man. *See* subjects
commonwealth, 196, 202–3. *See also*
dominion
infirmities of, 308–10
instituting, 210–11
obedience to God and man in, 545–6
origin of justice and property in, 161,
166
purpose of creating, 196
sovereign power in, 220–1
commonwealth by acquisition. *See*
despotic dominion
competition, in human nature, 135, 200
conquest. *See also* despotic dominion
and consent, 140, 278
as release from obligation, 236, 255
conscience
definition of, 37, 42
and divine law, 188, 194
as *in foro interno* obligation, 183
and the laws of nature, 163, 182–3
as pretext for rebellion, 306, 315
consent, 46, 61, 124
as basis of household and paternal
dominion, 276, 280, 286–7
as basis of institutive government, 196,
204, 276, 280
as basis of kingdom of Israel, 298, 427
express and unanimous, to the political
covenant, 206, 210, 232
majority, 206, 210, 232, 242
silence as sign of, 124, 126
tacit, 211, 371, 408
contract. *See also* conquest; consent;
covenant
based on fear, 155
as basis of justice, 164–6
definition of, 142, 149–50
express and by inference, 142, 150–1
forgiveness of, 154–5
limits of possible, 156
merit performance, 151–2
and natural and divine law, 161, 163–4,
190
none with God or beasts, 153
reply to the Foole regarding, 166–70
requires acceptance, 153

INDEX

- void, 156
- corporation, 196, 203
- corporeal, 31, 85, 105–8
- angels and spirits, 92–5
- counsel, 124, 125
- and law, 372
- nature and divine law regarding, 163, 181, 190
- counsellors, right and duty of sovereign to appoint, 202, 230–1, 338, 365–7
- covenant. *See also* contract
- as basis of political union, 202, 210, 212
- definition of, 142, 150
- between God and Abraham, 420–1, 424
- and law, 372
- custom
- and civil law, 371, 399–400, 408
- and law of nature, 163, 183
- Decalogue*, 428
- deliberation, 46, 59–60
- in various forms of government, 248, 268–9
- and the will, 41, 46, 59–60
- democracy
- Aristotle's praise of, 313
- in comparison to other forms of government, 262–7, 269
- as form of government, 206, 210, 234, 237–8, 242–5
- as origin of aristocracy and monarchy, 243–4
- succession in, 293–4
- despotical dominion, 204–5, 276 280–5.
- See also* conquest, dominion
- discontent, and rebellion, 306, 310–13
- discourse, 37, 41–2. *See also* speech
- divine law, 87, 119, 187ff
- Decalogue*, 428
- distinguished from precepts of faith, 471
- given to the Jews, 428, 517
- and the laws of nature, 188–95
- no laws added by Christ, 464, 470
- positive, 376–7
- relationship to civil law, 375–6, 379, 472–7
- divine worship, 410, 412–14
- dominion, 204, 279
- despotical, 276, 280–5, 290
- paternal (parental), 277, 286–90
- rights of government, Scriptural proofs of, 298–305
- dreams, 12
- causes of, 12
- confusion with reality, 14
- drunkenness, 181–2, 188, 193
- duels (private), 68
- ecclesiastical authority
- hierarchy of, 439, 487–94, 490–6
- and law (sacred and Scriptural), 380–1, 427–30
- relationship with civil authority, 445, 502, 510–514
- eloquence
- exacerbates indignation and pity, 54
- inconvenience of democracy, 237, 268–9
- as power, 65, 67
- role in rebellions, 307, 325–9
- equality
- defined as arithmetical or geometrical proportion, 171
- of men, 127, 133
- as natural and divine law, 162, 176–80, 191
- and state of war, 264
- in taxation, 353–4
- equity. *See* equality
- error, 24, 33
- in legal proceedings, 392–4
- nosce teipsum* as remedy for, 35–6
- and opinion, 41
- evil, 44, 48–50
- excommunication, 439–40, 501–8
- experience, 13, 17, 20–1. *See also* history; prudence
- faction, 328
- faculties
- of body and of mind, 3–4, 32, 128, 133
- faith. *See also* belief; Christ; Christian subjects
- Christian, 515–6, 521–6
- definition of, 524
- distinguished from science, knowledge, and opinion, 524–7
- foundation of Christian, 534–7
- family, 291
- compared with cities and kingdoms, 197–8, 228, 277, 280
- distinction between servants and slaves in a, 280–5
- fear, 44, 47
- covenants made from, 142, 155
- of death, 156
- of invisible power, 57
- as motivation to enter society, 127, 131
- felicity, 44, 49–50, 59
- free gift, 141, 148–9
- freedom. *See* liberty
- free-man, 292–3
- future
- anxiety regarding the, 90
- expectation of the, 17, 20
- verbal promises regarding, 142, 148–50
- God
- impossibility of covenant with, 142, 153
- natural knowledge of, 85, 88–92
- word of, 86, 110, 116, 188, 419, 430–1, 438, 477–83
- good, 44, 47–50
- government
- forms compared, 222, 236–7, 257–74
- forms of, 206, 210–11, 234–5, 242–9
- mixed, 207, 223–5
- succession in, 278, 293–8
- gratitude, as natural and divine law, 161, 172, 190
- Greek and Roman thought. *See also* Aristotle
- regarding political liberty, 274–5
- regarding tyranny, 240, 307, 322–3
- history, 38, 43, 77. *See also* experience
- honour, 63, 67, 120–3. *See also* worship
- civil, 70–2
- of God, 87, 119–23, 412–14
- signs of, 67–70
- hope, 45, 53
- of overcoming in rebellion, 324–5
- human nature
- different from animals, 196, 200–2
- faculties of, 3–4, 128
- imagination, 10–16
- incorporeal. *See* corporeal
- infidel sovereign, obedience to, 517, 545–6
- injury (injustice), 146, 161, 164
- none in absence of consent, 161, 165, 172
- inspiration, 86, 108
- intellectual virtues, 74–6
- judges
- abilities required in, 370, 396–7
- corrupt, 338, 351, 364–8
- divine law regarding, 193
- as interpreters of law, 370, 392–6
- judgment, 74, 76
- right of private, 136–7
- submission to sovereign's, 202–3, 215–7, 260
- just man, 163, 170, 184, 544
- justice, 161, 164, 170–1
- as law of nature, 164
- natural, 368, 399, 415
- as necessary for salvation, 516, 519, 528, 542–4
- sovereign duty to teach, 351
- sword of, 207, 216–17

INDEX

- kingdom of God, 427
 entrance into, 522
 by nature, 114–18, 410, 417
 by the new covenant, 437, 454, 461–3, 470
 by the old covenant, 418, 420–4, 427, 454
 two-fold nature of, 87, 116
- knowledge, 38–9. *See also* reason; science
- languages, uses of, 124–6
- law, 372. *See also* civil law; divine law; law of nations; laws of nature
 common law, 385–7
 different kinds of, 369–71, 370, 376, 382, 407, 409
 distinguished from counsel, covenant, charter, 369, 372–5
 distinguished from right, 375
 God's, different kinds of, 428–30
 good, 360–1
 interpretation of, 391–7
 knowledge of, 388–92
 and liberty of subjects, 360
 and reason, 386–7
 should have punishment attached, 383
- law of nations, 368
- law-making, comparison in different forms of government, 270
- laws of nature, 141, 143–86
 and civil law, 384–5
 and divine law, 188
 and law of nations, 368
 limited efficacy of, 197–8
 obedience, *in foro interno*, 182–3
 in taxonomy of kinds of law, 376–7
 as unwritten law, 398–400
- liberty. *See also* subjects
 in different forms of government, 274–5
 of subjects, 235–6, 254–6, 277, 292–3, 338, 358–60
- life as race, 59
- lord, definition of, 276, 280
- lot, in natural and divine law, 162, 179, 187, 192
- love, 44, 47
 thy neighbour, 351
 varieties of, 55–56
- madness, 74, 79–84
- marks, names as, 23, 26
- martial law, 369, 381–2
- mathematici vs. dogmatici*, 125
- memory, 10, 11
- mercy, as natural and divine law, 162, 187, 191
- military commander, 338, 367
- mind, cognitive and motive powers of, 3–4
- minister, 494
- miracles, 86, 103, 108, 115, 116, 319, 377
 Christ's, 464, 467, 529
 in kingdom of Israel, 431, 446, 448, 450
- mixed forms of government, 223–5, 240
- monarchy
 elective (temporary), 249–52
 as form of government, 234–42, 247–53
 law-making in, 270, 237, 453–76
 succession in, 278, 293–8
 superiority of, 236–7, 262–74
- Moses, 82, 95, 103, 121, 192, 347, 379, 388, 477, 478, 522, 523, 544
- authority of, 298–303, 421–37, 440–53, 501
 as interpreter of word of God, 441–4, 448–50
 as predecessor to Christ, 457–67
 prophecy of Christ, 454, 527, 538
 religious and secular authority unified under, 517–9
 as representative of God, 461
- motion, vital and animal, 44, 46
- multitude. *See* people, concept of
- names, 23–6. *See also* speech
 advantage of having, 26–7, 29
 in propositions and syllogisms, 30
 subjects of, 30
 and understanding, 28
 various kinds of, 27, 30–1
- natural religion, 85–99. *See also* religion concerning God's attributes, 410–12 and the laws and kingdom of God, 87, 114–19, 415
- nature, state of, 127–140
- nosce teipsum*, 36
- oaths, 142, 158–9
- obedience, 301
 absolute, according to Scripture, 301–3
 faith and, 515–6, 521–3, 539–44
- opinion, 37, 41–2
 will follows upon, 46, 61
- pardon. *See* mercy
- passions, 44–6, 521–3
 as basis of deliberation and will, 59–62
 as cause of difference of wits, 79
 enclining peacefulness, 128, 140
 enumeration of, 46–59
 and opinion, 126
 speech expressing, 62
- paternal and parental dominion, 277, 286–91
 Scripture regarding, 277–8, 300
- peace, 128, 140
 mediators for, 162, 176
 as natural and divine law, 141, 145, 187, 189
 reason dictates, 128, 140
- people, concept of, 209, 235, 253–4, 307, 321–2
- person, sovereign as artificial, 203, 226, 228, 262–3
- personality types, 75–7
- persuasion, 124
 and pastoral office of Christ, 437, 464
- philosophy, 38, 57
 moral, 163, 184–6
- pity, 45, 53, 59
- political covenant
 making of, 196, 202–3
- political education, as sovereign's duty, 337, 345–53
- Pope (Bishop of Rome), 104, 353, 493, 508
- poverty, 323–4
- power, 63
 of God, 87, 116, 117
 of invisible things, 57, 85, 89–94
 of a man, 63, 65–7
 and the political covenant, 196, 199–200, 202
 sovereign, 196, 203, 204
- pride, 51, 80
 law of nature and divine law against, 13, 162, 177, 191
- property
 absence of, in state of nature, 161, 166, 210
 divine law concerning, 187, 189
 false opinion regarding, 351–2
 instituted by commonwealth, 208, 228
 private property, 337, 353, 382
 of servants, 276, 283
 sovereign authority regarding, 217, 236, 261, 262, 314, 320, 540
- prophet(s), 419, 430–5, 491, 519
 false, 517, 524
 in kingdom of Israel, 443, 450–2
 as speaker of the word of God, 478
- prudence, 17, 37, 39–40, 74, 78
- punishment
 and civil law, 370, 382–4
 God's natural, 410, 415
 in law of nature and divine law, 162, 174–5, 187, 191
 as right and duty of sovereign, 207, 215–16, 280, 338, 356, 362–3
 right of self-defence in connection with, 157
 of traitors, 405

INDEX

- reason, 31–3
 and law of nature, 141, 143–4
 right, 24, 33, 144
 and science, 39–41
- reasoning, 23, 30–3
 distinguished from deliberation, 62
- rebellion, causes of, 308–14
- religion, 417. *See also* natural religion
- remembrance, 10, 13, 17, 19
- representative, sovereign as, 210, 237–8, 241–2. *See also* person, sovereign as artificial
- resistance, no right of, 210, 206, 216, 227
- revenge
 law of nature regarding, 162, 174–5
 as passion, 45, 52
- reward. *See* punishment; sovereign duties
- right(s)
 and contract, 142, 149–50
 definition of, 127, 136
 distinguished from law, 141, 143, 369, 375
 inalienable, 141, 147–8
 of nature, 127, 135–7, 141, 145
 renunciation and transfer of, 141, 145–8
- safety of people, as sovereign's duty and supreme law, 336, 338–41
- salvation
 easiness for Christian, 516, 533
 sovereign duty regarding, 336, 341
 what is necessary and unnecessary to, 515–16, 521–3, 528–9, 539–42
- sapience. *See* wisdom
- science, 37, 39–42, 67. *See also* reason
 advantages of, 29, 125
 distinguished from inspiration, 110
 distinguished from opinion, 41–2, 326
 as knowledge required of sovereigns, 415
 and moral philosophy, 163, 184–5
 requires language, 26, 29
 skill of few men, 133
 small power of, 67
- Scripture
 authority to interpret, 87, 111–13, 438, 482–3, 509–14
 and law of nature, 187, 188
- sovereign's authority regarding, 440
 as word of God, 419, 430–1
- security
 necessary condition of obligation *in foro externo*, 168, 182–3, 196, 197–8
 purpose of instituting government, 207, 215
 requires concord of many, 196, 199
- sedition. *See* rebellion
- self-preservation, right of, 127, 136, 137, 142
- sense(s), 5–9
 pleasures of, 44, 50, 64–65
- servants, 276
 distinguished from slaves, 280–3, 292, 416
- sign(s), 17, 21
 of contract, 142, 150–1
 of honour, 63, 69–70. *See also* worship
 of science, 37, 40
- sin, 371, 400–3, 417
 forgiveness of, 439, 496–9
- slaves. *See* servants
- sovereign, 196, 204
- sovereign duties, 336–65
- sovereign power, 206
 how attained, 196, 204, 211, 214
singulis majores, 226–7
- sovereign rights, 207–8, 211–22
- speech, 24–6. *See also* discourse;
 names
 abuse of, 26
- spies, 342–4
- state. *See* commonwealth
- subjects, 196, 204. *See also* liberty; people,
 concept of; political education
 banished or conquered, 236, 256–7
 private judgment of, 306, 310, 515–8, 546–8
- succession, 277, 290, 293–8
- swords of justice and war, 207, 216–17
- sylogism, 30
- systems, private, 196, 203
- taxes
 as cause of rebellion, 307, 312, 323–4
 sovereign's duty regarding, 337, 353–4
- temporal authority
 among the Jews, 100–1, 438, 441–3
 and spiritual, 330–2, 436, 476, 523, 545–6
- thought, xvii
 train of, 17–19
- treason, 371, 403–5
 against God (atheism), 410, 417, 437
 in the kingdom of Israel, 436, 453
- trust, 45, 53
- truth, 23, 29, 37–8. *See also* science
- tyrannicide, 307, 314, 322–3
- tyranny, 234, 238–40
- understanding, 10, 16, 23, 28
 Aristotelian doctrine regarding, 9
- unity, as created by political covenant, 202
- universities, use of, 337, 351–3
- vain glory, 44, 51, 127, 134
- virtue, 163, 184–5
- vision, 6–8
- visions, 10, 14
- voluntary action, 46, 60
- voluntary motion. *See* passions
- war, 128, 138
 avoid unnecessary, 343
 in law of nature, 145, 184, 196, 198
 prisoners of, 155, 281
 state of, 127, 138–9
 sword of, 207, 216–17
 treason as an act of, 405
- will, 46, 60
 free-, 292–3
- wisdom, 20, 39
- word of God, 116, 419, 430–5
 among the Jews, 427–30
 Scriptures as, 86, 110
- worship, 87, 120–3
 actions that demonstrate, 410, 412–14
 distinction between civil and divine, 410, 416
 in natural religion, 94ff, 417
 as sign of inward honour, 112