

POLITICASTER:

O R,

A Comical DISCOURSE, in Answer to Mr. *Wren's* Book, intituled, *Monarchy asserted, against Mr. Harrington's OCEANA.*

By J. H.

Ad Populum phaleras, ego te intus et in cute novi.

EPISTLE to the READER.

READER,

THEY say well, that a Man who hath written should not trouble himself with such as write against him; but let the World bear on both Ears, and then judge. That this in Time would do well enough in my Case, I make as little Doubt as another. Nevertheless, where through Silence there may be Damage, at the tenderest Point or Season, I hold my self obliged forthwith to answer the present Book, though it be but meer Raillery or Jest: and for this Cause, if I also be merry, you will have me excused. Another Instigation or Spur to this laudable Adventure, is, that as Gloves which have lain in Spanish Skins give Notice of themselves in fair Assemblies, so hath some Book by having lain in some Man's Pocket. For Order, though where there are but two Speakers, I shall scarce observe the Laws of a Play, yet the best Method I can upon this Occasion fit my self withal, will be by distributing my Discourse into Acts and Scenes. The Acts, as well because I have not taken my Degrees, as that Multitudes of University Scholars (they say, soberly and seriously) profess themselves to be converted by Mr. Wren, shall not be dramatical, but University Acts: and to these, being the Scholars slight me for a Law-giver, I will for once give such Laws, as, let them do what they can, they shall never evade. The same shall be done in such Manner, as, if they cannot answer nor get loose from my first Act, then will I thereupon declare my self A Batchelor of Arts: if they cannot answer or get loose from my second Act, then will I be undeniably A Master of Arts: The Third shall make me in like Manner A Batchelor of Law; the Fourth, A Doctor of Law, and perhaps of Divinity. For without Confutation by Divines or Lawyers, there will be no Reason why my Exercises are not sufficiently performed; and these being sufficiently performed, why have not I legitimately acquired my Degrees? Then in the latter End, I will do something to go out Orator; and in the last Place, shall I stand to be Poet Laureat. But you must think that a Man may as lawfully be two Years, if he have nothing else

to do, about Buſineſs of ſuch Importance, as Mr. Wren hath been about leſs Matters. Be then attentive: for the preſent you ſhall have the firſt Act; and what you find Mr. Wren or me to be in this, I here engage my Reputation, that the reſpect Characters ſhall be made good throughout.

But now upon Occaſion of theſe Acts, I warrant you we ſhall have my Antagoniſt go pitifully complaining unto Dr. Wilkins, of diſingenuous Contumely thrown upon the Univerſity. Goodneſs! What is an Univerſity, at leaſt one where they can call ſuch a Writer as Mr. Wren ingenious; and ſuch Trumpery as his Writings, full Satisfaction or Conviction, that it ſhould be unlawful for any Man, though but a Ballad-finger, to laugh ſuch a white Mother into red Cheeks!

March 20, 1656.

T H E
P R O L O G U E,
In Answer to Mr. Wren's P R E F A C E.

GENTLE Mr. Wren, (*ſine ira & obſequio*) without Paſſion or Partiality, give me your Hand, and let me as it were by ſome familiar and unſtudied Diſcourſe, treat with you upon the Contents of that ſame Book you call *Monarchy aſſerted*, and ſo forth.

SIR, for Method, I ſhall take thoſe Places which are moſt material, in the Order you have borrowed for them, and ſo beſtowed upon them; omitting none that is not implied in the Answer I ſhall give unto theſe: you ſhall not find me ſkipping, as you do, whole Pages and Chapters. And whereas you (upon my taking that Liberty which is every Man's Right, of uſing a Libel without a Name, as he thinks fit) have appealed in the Conclusion unto my Lords, the Provosts of *Oceana*, as if I had given you ill Language; and have alſo in divers and ſundry Places of your Work, as it were, dared my Muſe; I ſhall at leiſure (it may be within two Years) add a Piece of Oratoty, addreſſed unto the ſaid Lords, the Provosts of the Academy in *Oceana*, and ſome Poems not abhorring from your Deſires or Provocations, not in the Thunder-thumping Way of Grandſire *Virgil*, but in the ſugar'd Speech of mine Uncle *Chaucer*. If you pleaſe by the Way to take a Lick of it, I ſhall at this Diſtance from the *Opera*, inſert the Prologue.

What Chaucer ha, we han the Engliſh Rep,
Of the high Rock Parnas with the Towres twep.
Four ſcoren Sab, ſo han I well thus far,
Of Courteſy the Hate till me unſpar.
But here be Babins in the Way I trow,
All to be prickled like Archin, hi ho.
Forth come wi brand, em ye ha been em green
The more they keepen out that nere were in.

Pray,

Pray, Sir, ha' me commended to them that ſay, your Book is un-
anſwerable, and let them know, it is to them that the Prologue is
ſpoken. The Body of the Work is heroick; the Title thereof be-
queathed by famous *Selden*, runneth thus: *The Wars of the Makers*
of Mouſe-traps againſt Inigo Jones; and it beginneth in this wiſe.

Heſt Miſtreſs Margery Melpomene,
Out how ye ſuorten! ſooth it been brede Day
Re Mother Midnight ſit in Skye, ne duſkin,
For Shame now buckle on your bloodred Buſkin:
Or if ye like pour Caſe, ſweet Lady Meg,
Of Womanhood, lend me pour Arcthen Leg:
And gun, I lig it not about ſquare Caps
That meet in hugger for to make Mouſe-traps,
And wagen War anenſt Inigo Jones
That harpen, like Amphion, till huge Stones
And maken riſe in betw of Herſon People
Into the Element, and ſit on Sceptle.
Note I ne tack ye mere by the ſmall Fute
When ye mount Pegalus in Crimſon bute.

Look you there now, is not this fair? You have the Length of my
Weapon. Moreover, I have maniſeſted unto you the whole Order of
my Work. Now to my Tackling.

Noble Mr. *Wren*, you have declared your ſelf to be of an *Assembly*
of Men who are known both at home and abroad to be of the moſt learned
Perſons of this Age: and ſome ſuſpect it to have been under their Eye,
that you have been about two Years in anſwering my laſt Book; an
Enterpriſe in which you have performed, ſeeing you now own the
former, your ſecond Adventure in like Chivalry; yet where I vouch
Ariſtotle, *Machiavel*, and like Authors for the undoubted Right, which
a private Man may claim in treating upon the Politicks, or upon the
Nature of Government, you tell me, that this Privilege is not to be
extended unto every little *Writer*. I, againſt whom one of the *Aſ-*
ſembly, known both at home and abroad to be of the moſt learned Perſons
of this Age, hath written twice, and been ſo long about it, *A little*
Writer! Sir, you forgot your ſelf.

Again, the Teſtimony of *Machiavel* throughout his Works, is,
that he intendeth not careleſſly to ſtart ſome *Philosophical Opinion*, but
applieth every Thing home and expreſſy unto *Italy*, though not
without ſome Deſpair, yet with the Ardour, or, if you will have it
ſo, with the *Heat and Paſſion belonging unto ſo noble a Deſign*.
Wherefore for you to adoperate this Teſtimony quite contrary to the
Truth of it, as a Proof that my *Way of Writing bath no Affinity with*
this Author's, is Subornation of a Witneſs.

But, good Mr. *Wren*, is your Propoſition of German-horſe, or,
which is all one, of a mercenary Army for a ſtanding Government,
ſuch as profeſſeth to have any *Fiction or Romance*, while you enter not
into Deſpair (as you ſay) of living to enjoy your Share of the Fel-
cities which will belong unto the Subjects of ſuch a Government, or adapted to
the Occaſions or Neceſſities of a particular Juncture? Is it ſuch as in
ſo many fair Compliments wherewith you interweave me nominally,

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is propoſed with the Temper and Moderation becoming a philoſophical Opinion, and not with the Heat and Paſſion belonging to a Deſign? Was my Book which named no Man, a *Libel* or a *Paſquin*; and are both yours, each Page whereof is endued with my Name, moſt ſerious Tracts, and true Hiſtory? Alas, that ever I fell into the Hands of ſuch an Hiſtorian: what will become of my Name, preſerved in ſuch ſugar'd Eloquence to future Ages? But notwithstanding you are a great Hiſtorian, Mr. *Wren*, yet as concerning *Chriſtopher Columbus*, and becauſe you will go to that, as concerning *Sebaſtian Gabato* likewiſe, I appeal unto my Lord *Verulam*, whether they firſt framed not Deſigns or Cards before they found out their Discoveries; or if Discoveries cannot be made but by Deſign or Chance, what need I appeal to any Man for this, ſeeing it is known that they made their previous Contracts with Princes, before they undertook their Adventures? What mean you then to ſay, that they who underſtand that *Chriſtopher Columbus* muſt firſt have been at the Indies, before he could make a Card to teach others the Way thither, will go near to ſuſpect Mr. *Harrington's* Abilities in modelling a Commonwealth, till he have ſpent ſome Years in the Miniſtry of State?

Good Sir, beſides the Trick you put upon your Reader, in your Antecedent, you are quite out in your Conſequence. For how many Years, I pray you, had *Lycurgus*, or *Numa Pompilius* ſpent in the Miniſtry of State before they modelled their Governments? Or what Modelling of Government hath been bequeathed unto the World, by all the Miniſters of State in *France*, ſince the Diſſolution of the three Eſtates, the ancient Model of that Government, or by all the Miniſters of State ſince *Henry* the ſeventh in *England*; or have not theſe rather been the Ruin of the Engliſh Model? Mr. *Wren*, if you will believe me, the main, nay the whole Ability of modelling a Commonwealth, lyeth in two Things; the one, in being well verſed in ancient Prudence; the other, in being diſengaged from all Parties: neither of which Qualifications is common with Miniſters of State.

Talk not to me of *French Taylors*; to model is not ſo eaſy a Thing as you take it for, if we may but count our late Changes of Government: when the King left the Parliament, and the two Houſes governed without a King, there was one Change. When the Peers were excluded, and the Commons governed without King and Peers, there was two: when the Commons were excluded, and the General governed alone, there were three: when the General governed with a Convention of his own making, there were four: when by the Major-Generals, there were five: when the Protector governed by the Inſtrument, there were fix: when he governed by the Petition and Advice, there were ſeven; the preſent ſhould be the eighth: Nor hitherto hath there been any Model at all, or any ſuch as the Makers themſelves have approved of. I hope I give no Offence; for I ſay but as they ſay: But you aſe ſuch a Man, you can ſhew me no Body ſo good at modelling as I, except it be your ſelf; who I am ſure have had as little Miniſtry; and yet the next *Dung-bill*, which is your own ſweet Book, you think fitteſt to be my *Magazine*. Why ſeeing you will have it ſo, come your ways.

ACT I.

Scene I. In Answer to Chap. I.

Whether Prudence be well diſtinguiſhed into ancient and modern.

Fough! this ſame mixen in the ſtirring, is like Pepper in the Noſe; but he ſaith, it is Hellebore for to purge Heads.

Now as concerning purging of Heads, Mr. *Wren*, there ſeemeth already to peep out a *Queſtion*. Do your *Universities* (gentle Sir) derive their *Learning* from *Nimrod*, from the *Kings of China*, from the *Monarchies*? (to be equally with *Macedon*, I doubt, as to this Point, *paſſed over in wiſe Silence*.) Are they deſcended (do you underſtand me?) from the *Times in Greece* called by *Thucydides*, *The Imbecillity of ancient Times*; from thoſe in *Rome*, called by *Florus*, *The Childhood of that Government*? Or ſpeak out, is their whole *Stock of Learning*, without which they had not had any kind of Thing whereupon to ſet up, derived from the *Hebrew*, the *Greek*, and the *Roman Commonwealths*? If ſo, Mr. *Wren*, whether I pray you call you not now that *Stock of Learning* *ancient Learning*, albeit they could not call it ſo then? and if *Politicians* have no other *Pedigree of Prudence*, than the ſame that you have of *Learning*, why is not that *Prudence*, which they have received in the like Manner, *ancient Prudence*, albeit thoſe *Commonwealths* could not call it ſo then?

To ſhift theſe Things which are thus plain, you are in this Chapter a wonderful *Artificer*; yet cometh all but to this, That neither *Thucydides* nor *Florus* divide *Prudence* into *ancient* and *modern*. Why, Mr. *Wren*, neither did the *Commonwealths* mentioned divide *Learning* into *ancient* and *modern*. This *Diſtinction* belongs unto latter *Times*, in *Regard* of ſome *modern Learning* that is of latter *Invention*. So, Mr. *Wren*, in *Regard* of ſome *modern Prudence*, which firſt I tell you what it is, namely, *Government by King, Lords and Commons*: and ſecondly, how it came in, namely, by the *Goths* and *Vandals*. I call the *Prudence* (do you mark?) of thoſe *ancient Commonwealths*, *ancient Prudence*; and the *Prudence* remaining unto us from theſe *Goths* and *Vandals*, *modern Prudence*. What could you deſire more? Nay, and this is according unto the plain *Senſe of Janotti* too: For, ſaith he, as to his two *Limits or Periods of Time*, *Of the former, or that wherein Rome was oppoſed by the Arms of Cæſar, came the ſecond, or that when Italy was overrun by the Huns, Goths, Vandals and Lombards; and of the ſecond came all that Alteration, which hath given unto the World the Face in which we now ſee it, and utterly loſt it that Face which it had in the Time of the Romans*. Wherein *Relation* unto the two *Governments* (the one popular, which was the more *ancient*; and the other by *King, Lords and Commons*, which is the more *modern*) is ſo plain, that you are put unto a *Shift*, who can ſay no more than that: I make *Janotti* Author of the *Division of Prudence into ancient and modern*. How dare you for your *Reputation* do thus, Mr. *Wren*? while firſt by your own *Acknowledgment* I infer this *Division* from more *ancient Authors*, as *Thucydides* and *Florus*: And ſecondly, the Words relating unto *Janotti* do no where from him derive the *Division of Prudence into ancient and modern*, as to thoſe *Terms*, upon which runneth your *Equivocation*; but ſo-
riſy

tify this Division of my own, by the two Periods of Time by him observed, and that are of like Sense with these Terms.

But, Mr. *Wren*, there was never the like of you! Whereas the Question by me proposed, was, whether Prudence be not rightly divided into ancient and modern, you have conveyed it into a Question, whether Monarchy be not a more ancient Government than a Commonwealth? This have I hitherto not disputed, as that which concerneth not the present Controversy. But seeing it may be for your Service, I do flatly deny that Monarchy is the more ancient Government, not that Mr. *Hobbs* holdeth 'Democracy to be of all Governments the first in Order of Time; but first, because upon the Place where it is said, That *Nimrod* was a mighty Hunter before the Lord, it is resolved by Divines that *Nimrod* was the first Monarch. Now, Sir, *Nimrod* began his Reign about the One thousand eight hundredth Year of the World: Whence I conclude thus: Either the World had no Government till *Nimrod*, or a Commonwealth may be above a thousand Years elder than Monarchy: nay, unless you can find some Government that was neither a Commonwealth nor a Monarchy, must have been no less. I know what you will say, That the Government till *Nimrod* was by Fathers of Families. Why so, I hope, you will yield it was afterwards, at least in the Line of *Shem*. Now let us compute from *Noah*, and consider in the Posterity of *Shem*, what Judgment may be made of the Government by Fathers of Families; or whether this were indeed, as Divines affirm, monarchical, or may not much rather be esteemed popular.

Gen xi *Noah* had three Sons, *Shem*, *Ham* and *Japhet*, of *Shem*, by *Arphaxad* and others, descended *Reu*; of *Reu*, *Serug*, of *Serug*, *Nabor*, of *Nabor*, *Terah*; of *Terah*, *Abram*; of *Abram*, *Isaac*, of *Isaac*, *Jacob*; and of *Jacob* descended the Commonwealth of *Israel*. So much for the elder Brother, which was *Shem*. Now, Sir, for the second Son of *Noah*, that is *Ham*: of *Ham* descended *Cush*, and of *Cush*, *Nimrod*: by which, plain it is at the first Sight, that the Commonwealth, as to Precedence in Dignity, is of the elder House, and as to Precedence in Time, unless you can shew the Descendants of *Shem* to have been under Monarchy, must also have been the more ancient Government, that is, if Government by Fathers of Families were popular.

Gemara Ba bylonia an tit Sanhedrim Now as to this, it is a Tradition with the Rabbins, that there were seven Precepts delivered to the Children of *Noah*: 1. Concerning Judicatories: 2. Concerning Blasphemy: 3. Concerning perverse Worship: 4. Concerning uncovering of Nakedness: 5. Concerning the shedding of Man's Blood: 6. Concerning Rapine or Theft: 7. Concerning eating of Things strangled, or of a Member torn from a living Creature. This Tradition throughout the Jewish Government is undoubted: for to such as held these Precepts, and no more, they gave not only, as I may say, Toleration, but allowed them to come so near unto the Temple as the Gates, and called them *Proselytes of the Gates*. Nor do I think the Proof in Scripture of these Precepts, though not set down together, to be obscure: as where it is said, None of you shall approach to any that is near Kin to him, to uncover their Nakedness:—for in all these the Nations (that is, the Canaanites) are defiled, which I cast out before you. The Canaanites were descended from *Ham*; and that in these Words it must be implied that they had violated the foregoing Precepts, is in my Judgment evident. Seeing there is nothing in the Law

f Nature why a Man might not approach in this manner unto one that is near of Kin to him.

AGAIN, that two other of theſe Precepts were given by God unto *Joab*, the Scripture is plain, where he ſaith, *Fleſh with the Life thereof, which is the Blood thereof, ſhall you not eat. And whoſo ſheddeſt Man's Blood, by Man ſhall his Blood be ſhed.* Whence it muſt follow, that either Fathers of Families were not ſubject unto this Law, which becauſe it is given generally and without any Exception, were abſurd to think; or elſe that during patriarchal Government, they ſubjected themſelves unto ſome common Judicatories, according unto the firſt of the ſeven Precepts. Of which ſaith *Mai-monides*, *By this the Sons of Noah conſtituted Judges in every City, to judge of the other fix Precepts, and to govern the People; and the Genara Babylonia ſaith, That this was done after the Manner that Moſes commanded Judges to be ſet in the Gates throughout the Tribes.* By the Advice of *Jethro* to *Moſes*, the like ſhould have been the Cuſtom of the *Midianites*, who, (as alſo the *Gibeonites*, deſcended of the ſame Line with the Monarchy of *Nimrod*, and for ought perhaps to the contrary, of as ancient ſtanding) were a Commonwealth. But above all, it ſhould ſeem by ſome of the Rabbins, that there was a Conſistory or Senate inſtituted by *Shem*, which was of Uſe with his Poſterity. Now if patriarchal Government was exerciſed by or under the common Ligament of a Senate or Conſistory, then was the Government of the Patriarchs of a popular Nature, or a Commonwealth; at leaſt theſe, *Mr. Wren*, muſt be diſproved by them, who will have Monarchy out of all Controverſy to be the more ancient Government.

GOOD Sir, I do not know, nor do I think that this ſame Way (do you ſee?) of Diſputation hath any Predeceſſor. What do you tell me then, that you have Cauſe to think by the laſt or any Book of mine, that my Stores of Reaſon and Arguments are brought very low? You ſee already that it is far otherwiſe. Tell not me in this Place, that *Dionæſius* is as good a Book as the Bible; nor let Divines (for a Thing that I know) run here as they do from the Scripture unto Heathen Authors. It is confeſt that *Diodorus Siculus*, *Ariſtotle*, *Cicero*, *Saluſt* and *Trogus* ſay, That in the Beginning of Things and of Nations, the Power was in Monarchs. But then the Heathen Stories know nothing beyond *Nimrod*, or his Succeſſor *Belus*; which is no Excuse to you, while the Scripture is ſo much a more ancient Record; much leſs to Divines, at leaſt ſuch of them as preach againſt the ſquaring of Government according to the Rule of Heathen Authors. *Mr. Wren*, (to be plain) there are of theſe that have a ſtrange Kind of Frowardneſs; If a Commonwealth be deſcribed out of Heathen Authors, they will undertake to prove that of *Iſrael* to have been a Government of King, Lords and Commons. And if a Commonwealth be out of this of *Iſrael* deſcribed unanſwerably otherwiſe, then they run to *Ariſtotle*, *Trogus*, and the reſt of the Heathens, for the Antiquity of Monarchy. When none of this will do, they fall flatly upon conjuring the People to take heed how they hearken unto Men of Wit, Reaſon, or Learning, and not in any wiſe to be led but by Grace, and ſuch Grace only as is without any Mixture of Wit, Reaſon, or Learning. *Mr. Wren*, I deſire them but to tell us once, what they mean by ſuch Grace as is without any Mixture of Wit, Reaſon,

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ſon, or Learning; and you in the mean Time to conſider, that Hea-then Authors, though they give Monarchy the Precedence in Time, are very far from giving it the Van in Prudence. Nay, for this Matter you will find them ſo much of one Mind, that we need hear no more of them than *Ariſtotle*, who divides *Monarchy* into two Kinds, the one whereof he calleth *Barbarous*, and in this he relates to your *Nimrod*, or your Eastern Monarchs; the other *Heroick*, in which he relates expreſſly to Principality in a Commonwealth, and namely, that of the *Lacedemonian* Kings. Say you then, To which giveth he the Van in Dignity, to the heroick, or to the barbarous Prudence? But it is no Matter, ſtrike up and let us have the *Rodomontado*, which it pleaſeth you ſhall be of or belong unto the preſent Scene; *This* (ſay you, for you may as well ſay it of this as of any thing elſe) *approaches very near unto raving, and gives me Cauſe to ſuſpect I have taken a wrong Courſe of curing Mr. Harrington's political Diſtempers. For whereas I think to do it by giving him more Light, knowing Men (and known to be of the learnedeſt in this Age) are of Opinion, that I ought to have ſhut up the Windows, and ſo forth. Now very paſſing good indeed-law!*

Scene II. In Answer to Chap. II.

Whether a Commonwealth be rightly defined to be a Government of Laws and not of Men, and a Monarchy to be the Government of ſome Man or few Men, and not of Laws.

THE readieſt Way, *Mr. Wren*, of Diſpatch with the preſent Queſtion, will be to ſhew how far you and I are at length agreed, *And we are agreed, that Law proceeds from the Will of Man, whether a Monarch or a People; that this Will muſt have a Mover; and that this Mover is Intereſt.*

NOW, Sir, the Intereſt of the People is one Thing; it is the publick Intereſt; and where the publick Intereſt governeth, it is a Government of Laws, and not of Men. The Intereſt of a King or of a Party, is another Thing; it is a private Intereſt; and where private Intereſt governeth, it is a Government of Men, and not of Laws. What aſks ye! If in *England* there have ever been any ſuch Thing as a Government of Laws, was it not *Magna Charta*? Well; and have not our Kings broken *Magna Charta* ſome thirty Times? I beſeech you, Sir, did the Law govern when the Law was broken? Or was that a Government of Men? On the other Side, hath not *Magna Charta* been as often repaired by the People, and the Law being ſo reſtored, was it not a Government of Laws, and not of Men? I think you are wild! Why have our Kings in ſo many Statutes or Oaths engaged themſelves to govern by Law, if there were not in Kings a Capacity of governing otherwiſe? And if ſo, then by every one of thoſe Oaths or Statutes it is agreed both by King and People that there is a Government by Laws, and a Government by Men. Why Goodneſs, *Mr. Wren*! is there not a Government of Men, and a Government of Laws? Whence do you dwell! Such as have laid People in Lavender for the late great Man and his Government. it is

now

now thought will be left unto the Law and her Government. Come, come; Divines and Lawyers are indeed good Men to help a Prince at a dead Lift; but they are known well enough: for they will no ſooner have ſet him up, than if he do not govern by their Laws, they will be throwing Sticks at him. But do you hear? if a Prince would be intirely freed of ſuch Danger, let him get a Parliament of Mathematicians.

WHAT Miracles hath Mr. *Hobbes* done in this Kind! and how many more are there will make you a King by Geometry? But I ſhall at this Time content myſelf, Sir, to let them paſs, and conſider only your grand mathematical Demonſtration, with the Nooks, Crooks, Angles and Appertenances of the ſame. You Gentlemen of lower Forms, be attentive; it hath paſt the Trial and Teſt of the Doct^r's Academy, conſiſting of Men known to be of the learnedeſt of this Age; and the Manner thereof is as followeth.

TO be plain (and rousing) if the declared Will of the ſupreme Power be conſidered as the immediate Cauſe of Government, then a Monarchy is as much as a Commonwealth, an Empire of Laws and not of Men. If we look farther back, and conſider the Perſon whoſe Will is received as Law, a Commonwealth is, as much as a Monarchy, an Empire of Men, and not of Laws.

(HERE, Sir, is your Caſt for the Game: Now, Sir, for your Shout.)

THIS is ſo manifeſt, and yet Mr. Harrington ſo firmly reſolved not to underſtand it, that conſidering his Temper, I muſt needs applaud his Reſolution of having nothing to do with the Mathematicks; for half this Obſtinacy would be enough to keep him from apprehending, that the three Angles of a Triangle are equal to two right Angles.

MR. *Wren*, you ſpit crooked Pins; you ſhould be exorciſed. For pray now hear me, did you ever ſee 'em chooſe Knights of the Shire? Thoſe ſame People, the *big Shoone*, as you call them, expect not, I conceive, that Angels ſhould come down there to ride upon their Shoulders: nor, I doubt if the Truth were known, do they greatly care for Saints; they are moſt for Men that drink well, or at leaſt for ſuch as eat good Meat in their Houſes. Nor have I found by my reading, that thoſe ſame *big Shoone* have at any time ſet the worthy Gentleman on foot, and taken his Horſe upon their Backs: by which it is manifeſt, that they do not conceive their Laws to be made by any thing above the Nature of Man, as Angels; or below the Nature of Man, as Horſes. Now, Sir, all you have proved by your wonderful Mathematicks, is, that Laws are neither made by Angels nor by Horſes, but by Men; therefore the *big Shoone* are as good Mathematicians as your ſelf. The Voice of the People is as much the Voice of Men, as the Voice of a Prince is the Voice of a Man; and yet the Voice of the People is the Voice of God, which the Voice of a Prince is not, no not as to Law-giving, the Voice of the Prince who was a Man after God's own Heart: for thus *David* propoſeth unto the Congregation of *Iſrael*: *if it ſeem good unto you, and that it be of the Lord* 1 Chro. xiii. *our God—let us bring the Ark to us.* *David* in Matter of Law-giving, maketh not himſelf, but the People judge of what was of God; and the Government of Laws, ſaith *Ariſtotle*, is the Government of God.

Liv. li. 2.

W. p. 171.

W. p. 172.

Mr. Wren, were you contented to be no wiser than *Titus Livius*, (who in passing from the Government of the *Roman Kings* unto that of the Commonwealth, hath this Transition; *I come now unto the Empire of Laws more powerful than that of Men*) some who conceive the said *Titus* to have done passing well, would think you the better Politician, for not taking the upper Hand of him: You will not find that *Augustus Cæsar*, in whose time this Author wrote, did set any Mr. Wren upon him; which is a shrewd Suspicion that *Princes* in that Age either wanted such a Wit as you are, or would scarce have thanked you for your subtil Argument, somewhat too mercurial to stay even in your own Head. For do not you yourself say in another Place, that a Commonwealth having no Eyes of her own, (as if this of all other were a Mark of Blindness) is forced to resign her self to the Conduct of Laws? What imply you in this, less than that a Monarch is not forced to resign himself unto the Conduct of Laws? Or what less can follow from this Confession of your own, than that a Commonwealth is a Government of Laws and not of Men, and that a Monarchy is a Government of a Man, or some few Men, and not of Laws? Nay, Mr. Wren, nor is it once that your Mind misgives you; for soon after you are at it again, in shewing what you fancy befalls a Commonwealth as she is a Government of Laws.

But now, for Joy, let me my Cap up throw;
For one thing I have said, 'tis Sense, I trow.

SIR, for this Rhime I have some Reason; seeing in a Monarchy, that the Laws being made according to the Interest of one Man or a few Men, must needs be more private and partial, than suits with the Nature of Justice; and in a Commonwealth, that Laws being made by the whole People, must come up to the publick Interest, which is common Right and Justice; are Propositions, which Mr. Wren can confess to have indeed some Sense in them. But this Milk, alas! is kick'd down again, while you add, that they have not any more Truth than those other which wanted Sense. Now this is a sad Case; yet such, as you say, will be apparent, if we examine the different Tempers of a single Person, and a multitude asking Laws.

ARE we no farther yet? I verily believed that the different Temper of a single Person, and of a popular Assembly, had been long since considered in the Propositions already granted, in as much as the single Person is tempered by a private, the Multitude by the publick Interest: which were heretofore by your self acknowledged to be the first Movers of Will, and to the efficient Causes of Law. If your Mathematicks, or what shall I call them? would but lead to any thing, we might have some End. But for the Discovery of these different Tempers, you forget all that is past, and begin a new in this manner.

When a Monarch acts the Legislature's Part, he ought to be so far from Partiality, or respecting his own private Interest, that he is then chiefly to direct his Thoughts to the common Good, and take the largest Prospect of publick Utility, in which he must be so completely included.

THIS Proposition then of yours is opposed to mine, or those in which you say there is some Sense, but no Truth: for in this, both the Sense and the Truth should be apparent. But Mr. Wren, if I should say, that the Father of a Family, in giving Rules to the same, ought to be so far from respecting his private Interest, or the regard of keeping his whole Estate and Command unto himself, and holding the Ser-

vants

wants that live upon him, ſhort, or in neceſſity to obey him, and work for him, that he were to take a larger, nay, the largeſt Proſpect of what is the publick Utlity of the Men that ſerve him, which is to attain unto means whereby to live of themſelves: ſhould I ſay that a Father of a Family would find the common and natural Intereſt of his Servants, which is to be free, that wherein his own Intereſt, which is to have Servants, is eminently included; I am confident you would neither allow this Aſſertion to be Truth or Senſe. The like I ſay to your Monarchy, whether it be by a ſingle Perſon, or by a Nobility. A Monarchy not keeping the People in Servitude, is no Monarchy; therefore either Servitude muſt be the Intereſt of the People, or the Intereſt of the People is not that, to which a Monarch ought chiefly to direct his Thoughts. Yet can you not believe that there are many Examples to be produced of Princes, who in enacting Laws have conſidered their own private perſonal Intereſt: You are coſtly of Belief, Mr. Wren: Conſider the Turkiſh and Eaſtern Monarchies, and ſhew me any one of their Laws from any other Principle. It is true, in Monarchies by a Nobility, or by Parliaments, Princes have not in enacting Laws, been able to make ſo thorough Work: for which Cauſe, leſt Laws ſo enacted ſhould give check unto this private Intereſt ſo eſſential to Monarchy, they have ſtill been breaking them. But neither can you believe that Laws have been broken by any Prince, ſeeing that in buying and ſelling, and other private Contracts, Princes are content to tie themſelves up to the ſame Rules which they preſcribe to others. Rare! A King that plays fair at Piquet, can never break Magna Charta. Cæſar paid no leſs for an Horſe than another Man; therefore Cæſar's Monarchy was a lawful Purchase. O! but ſuch Laws, as upon that occaſion were made by Cæſar, were neceſſary to attaining the Ends of Government: Good! and ſo that which is neceſſary unto a private Intereſt, or a ſingle Perſon, towards the attaining unto the Ends of Government, the ſame cometh up to the publick Intereſt, which is common Right and Juſtice. Is this diſputing, Mr. Wren, or is it ſidling? Yet again: A Prince breaketh not the Law, but for the publick Tranquillity. Wonderful! not the Tinkers that fight, but the Conſtable breaks the Peace. That the Poſſe Comitatus is according unto the Laws; or that there is a War in the Law for the Maintenance of the publick Peace, I have heard; but that the publick Peace is in any Caſe by the Breach of the publick Peace, whereof the Laws only are the Bond, to be defended, in good earneſt I have not formerly heard. Yet take heed, I pray. On this ſide of yours, there muſt be no fond Imagination: but on the other ſide, ſay you, there can be no ſonder Imagination, than to think that (in the Republick of Iſrael framed by God or Moſes, in the four hundred thouſand that judged Benjamin, in all, in any of the Commonwealths) or when any Multitude is aſſembled to enact Laws, it is neceſſary their Reſolutions (though thoſe of a ſingle Perſon muſt) ſhould be conſonant to publick Juſtice. I have a weary Life with you, Mr. Wren, and with ſuch of your Admirers, as if at their Pleaſure I pick not Straws, can ſoberly and ſeriously reſolve you to be Conqueror of Mr. Harrington: what is that? nay, of Moſes, of Salom, and Lycurgus. The Straw that is your firſt Lance in this Encounter, is, that a great Part of this Multitude (ſo you will have it called, though Politicians underſtand not a People under Orders by the Word Multitude, but the contrary) will not, for want of Capacity, comprehend what this Juſtice and Intereſt is.

SIR,

SIR, it a Man know not what is his own Intereſt, who ſhould know it? And that which is the Intereſt of the moſt particular Men, the ſame, being ſummed up in the common Vote, is the publick Intereſt. O! but the abler ſort will preſently be divided into Factions and Juncto's; and under Pretence of publick Intereſt, will proſecute their own Deſigns.

BUT, good Sir, if theſe abler ſort act as a Council under a ſingle Perſon, what ſhould hinder them from doing the like, except they debate only, and propoſe unto the Prince, who only may reſolve? Wherefore if in popular Government the Senate or Council of the People have no more than the Debate, and the Reſult remain wholly unto a popular Council having no Power to debate; how can the abler ſort any more divide into Juncto's or Factions under popular Government, than under Monarchical? Speak your Conſcience; the Intereſt of the People being as you ſay, that *juſtice be impartially adminiſtr'd, and every Man preſerved in the Enjoyment of his own*; whether think you the more probable Way unto this End, that a Council, or the abler ſort, propoſe, and a ſingle Intereſt, that is, a ſingle Perſon, reſolve; or that the abler ſort propoſe, and the common Intereſt, that is, the whole People, have the Reſult? O! but take heed, for it is to be remembred, that the greateſt Part of Laws concerns ſuch Matters as are the continual Occaſion of Controverſy between the People of a Nation, ſuch as regard Regulation of Trade, Privileges of Corporations, &c. Sweet Mr. Wren! are there more Corporations in England, than diſtinct Sovereignities in the United Provinces? Have thoſe People no Trade in compariſon of ours? Or what Quarrels have they about it? Perſuade them to have a King; and to this End be ſure you tell them, that if we had not had Kings in England, there had certainly inſtead of the Barons Wars, been Wars between the Tanners and Clothiers, and inſtead of thoſe of York and Lancaſter, others between the Shoemakers and the Hoſiers. Say, if you have any Ingenuity, do you not make me pick Straws? But the longeſt Straw comes here after all, ſay you.

IT being eſſential to popular Aſſemblies, that the Plurality of Votes ſhould oblige the whole Body, thoſe Laws which lay claim to the Conſent of all, are very often the Reſolutions of but a little more than half, and muſt conſequently go leſs in their Pretenſions to publick Intereſt.*

GENTLEMEN, here are forty of you, whereof five and twenty ſee in yonder Grove a Rook's-neſt, which the other fifteen of you ſee not; now, Gentlemen, is that leſs a Rook's neſt for this? Or do theſe five and twenty ſee farther than thoſe fifteen? If ſo it be with every thing that is to be ſeen, felt, heard; or underſtood, how cometh the World to be reſolved otherwiſe upon any thing, than that, *quod pluribus viſum id valeat*, which appeared unto the moſt, is moſt authentick? And what can you deſire more of Certainty in a Government, than all that Certainty which can be had in the World?

IT was even now that we came from the Prince to the People; now from the People to the Prince again. Good Mr. Wren, why do you ſay, or whoever ſaid the like, that thoſe Laws which are reputed the People's greateſt Security againſt Injuſtice and Oppreſſion, have been eſtabliſhed by the Authority of ſome Prince? Do you find any ſuch thing in Iſrael, Athens, Lacedæmon, Rome, Venice, Holland, Switz? But you equivocate; as to Authority in Princes, Magiſtrates, or ſole Legiſlators,

lators, in Matter of Law-giving, you well know that I am for it; but not as you impoſe upon this Term for their Power. Thus be it granted, that *Alfred, Edward, Lewis, Alphonſo, have been excellent Legiſlators*; what is this to Power, or to your Purpoſe, ſeeing the Laws propoſed by Authority of theſe Princes, were enacted no otherwiſe than as *Poſning's* Laws, by the Power of the People, or Aſſemblies of their three Eſtates? But above all, ſay you, ſeveral of the Roman Emperors, and chiefly *Juſtinian*, have fabricated thoſe Laws ſo much admired for their Reaſon and Equity, which have ſtretched themſelves farther than ever the Roman Legions were able to march, and which are ſtill embraced by thoſe People, who have long ſince ceaſed to acknowledge the Roman Empire. Herein you have paid your ſelf to ſome Purpoſe: for moſt eloquent Mr. *Wren*, who but your ſelf ſaith, that *Juſtinian* fabricated thoſe Laws you ſpeak of? I have heard indeed, that he compiled them; and ſurely, Sir, in that Work of his, he did but new vamp the old Boots of the People of Rome. Nay, good Mr. *Wren*, your Roman Emperors at the gallanteſt were no better, for the full Proof whereof, I need go no foot farther than your own ſweet ſelf, for do not you give out of *Juſtinian* this very Definition of a Law; *Lex eſt, quod Populus Romanus Senatorto Magiſtratu interrogante* Wren p. 59
(ſc. luti conſule) conſtituebat? How ſay you then, that *Juſtinian* fabricated theſe Laws, which he plainly telleth you, were propoſed by the Senate, and reſolved by the People of Rome? Do you ſee what your Emperors themſelves acknowledged to have been a Government of Laws, and more excellent than a Government of Men, though they themſelves were the Men that governed? And you yourſelf have ſaid enough to confirm, that the Juſtice of the dead People went farther than the Arms of the living Emperors; nay, and that ſuch Laws as are yet of the greateſt Treasures in the World, are ſtill extant of the Roman People, though of the Emperors there remain nothing that is good.

BUT ſay you, on the other ſide (you may pleaſe to ſay as you will, but it is on the ſame ſide yet) *theſe Commonwealths that have been moſt celebrated for their Laws, have received them from the Hands of a ſole Legiſlator*, which both Words and Things, though you liſt not to acknowledge it, every Body knows that I taught you. Now let us ſee how you can hit me with my own Weapon; therefore it may be doubted, whether theſe People of Athens and Lacedæmon thought ſo well of themſelves, as Mr. *Harrington* ſeems to do of popular Aſſemblies. Why, do not I ſay, that a popular Aſſembly, as to the Formation or fabricating of Government, through the want of Invention, muſt of Neceſſity have ſome ſole Legiſlator? What Fault do you find with Mr. *Harrington*? Why, that with ſuch repeated Confidence he aſſerts, that the People never fail to judge truly of the publick Intereſt, where (the Legiſlator) the Senate diſcharge their Duty. And what have you been ſaying all this while in theſe Examples of *Solan* and *Lycurgus*, whoſe Laws being by them prudently propoſed unto the People, were as prudently judged, and thereupon enacted by the People? So likewiſe for the Roman *Decemvirs*: for if you think that theſe did any more than propoſe to the People, or that any Law of theirs was otherwiſe good than as voted and commanded by the People, you ſhould go to School. Yet that if the Legiſlator or the Senate divide well, the People ſhall be ſure to make a good Choice, you muſt confeſs is too hard for your Faith. Why if

it be Matter of Faith, you might have let it alone. But do you think it right in civil Matters, that the Tenderneſs of Faith ſhould ſupply the want of Senſe in you? or what is the Scruple can yet remain in your Conſcience? Goodneſs! the Obſervation which *Anachariſis* made, who ſaid of the popular Aſſemblies in *Greece*, that *wiſe Men propounded Matters, and Fools decided them*. Why, Mr. *Wren*, *Anachariſis* would not loſe his Jeſt, and you cannot find it. Do you think that the Commonwealths of *Greece* thought *Anachariſis*, for this fine thing, wiſer than *Lycurgus*, *Solon*, or themſelves? Why, Mr. *Wren*, in this Earneſt you make yourſelf the Jeſter. But let you alone, you will be the Gaſcon ſtill; that which is thrown out of the Windows where-ever you come, is no leſs than the whole Houſe; or if you leave any thing, it is but that you are weary to diſcover all the weak Arguments and falſe Inferences of Mr. *Harrington*, as a Work to others of ſmall Profit, and to your ſelf of little Glory. Poor Mr. *Harrington*! He will now leave you a while to take breath, and confer a little with your Patron.

B. 1. c. 14.

DOCTOR *Wilkins* having laughed ſo much as is ſuggeſted in the Epistle, ſhould not methinks be altogether left out of our Game. He in his Book called *Mathematical Magic*, pretends to a Balance too. And his Balance is made for all the World like a Jack; the whole Force of which Engine conſiſteth in two double Pulleys, twelve Wheels and a Sail; the Sail is inſtead of the Creſt of the Jack, at which a Fellow ſtands blowing; and by blowing in this manner, the ſaid Author pretendeth to demonſtrate mathematically, that the ſaid Fellow, with the ſaid Jack, ſhall tear you up the ſtrongeſt Oak by the Roots. This, to Men who know that ſome Ships in a Storm will break the ſtrongeſt Anchor that is made of Iron, and the ſtrongeſt Cable that is made of Hemp, muſt needs be wonderful: of what then muſt this Jack and this String be made, that it break not before it fetch up this Oak? Nay, how can any Man blow a Million of Years together? Or if he could, where would the Oak or the Jack be? And in a leſs time the Oak it is confeſt could not by this Means be removed one Inch. This nevertheleſs muſt be a Mathematical Demonſtration. Goodneſs! what Stuff is here for Mathematicians, upon which to uſurp Demonſtration in ſuch wiſe, that it muſt be forbidden unto all the reſt of Mankind?

Cb. 16.

MR. *WREN*, I have *Du Moulin*, and *Sanderſon*; will you deny theſe Authors to be good Logicians? Upon the Credit of my two Eyes, in all their Examples of Demonſtration, they have not one that is mathematical. Are not they clearly on my Side then, that there may be Demonſtration, and yet not mathematical? Why ſure there may, Sir; nay, and ſuch a Demonſtration may be every whit as valid and convincing, as if it were mathematical. For this I appeal to Mr. *Hobbes*: All true Ratiocination, ſaith he, which taketh its Beginning from true Principles, produceth Science, and is true Demonſtration. This afterwards he declares in all ſorts of Diſciplines or Arts, and conſequently in the Politicks, to be holding. Wherefore, ſay I, if we Commonwealthſmen have nothing that can be ſo ſtrong or holding as this ſame Jack and Jack-line of Doctor *Wilkins*, let us ſoon with Patience turn the Spit, while our Salary Men eat the roaſt Meat.

Elements, p. 6.

BUT now, Sir, mark me well: What was always, and no otherwiſe, and ſtill is ſo and no otherwiſe, the ſame ſhall ever be, and no otherwiſe. What think you of this for a Principle? A Principle which is

Right

right and ſtraight, ſhould be ſuch as admitteth of as little Proof or Denial, as that the Fire burns. I can no more prove the one than the other: wherefore if you can no more deny the one than the other, by the leave of your Mathematicians, this Principle is no leſs ſure and certain than the beſt in their Art: and what *Ratiocination* I uſe in my Politicks, *that taketh not its beginning*, or is not legitimately and undeniably derived from this Principle, I am contented ſhould go for nothing. What would you have more? Or, why muſt I be hit in the Teeth with the want of Demonſtration? Stand away, I will demonſtrate that's certain: but here is the Miſchief; not every Man that pretends unto Underſtanding in the Politicks, hath converſed with them; and ſo in theſe, through mere want of Underſtanding, a Man will confidently deny, what in other Converſation, where he is more ſkilled, he would be aſhamed to queſtion. For this Cauſe I will not fall full butt upon the Politicks at firſt daſh, but begin fairly and ſoftly, *Puris naturalibus*.

THAT Converſation, which with Men is moſt general, I apprehend, to be with Women: and ſo here I come with my firſt Demonſtration.

WHAT was always ſo, and not otherwiſe, and ſtill is ſo, and not otherwiſe, the ſame ſhall ever be ſo, and not otherwiſe.

BUT, Sir, Women have been always ſome handſome, and ſome unhandſome, and not otherwiſe, and Women ſtill are ſome handſome, and ſome unhandſome, and not otherwiſe.

THEREFORE, Women ſhall ever be ſome handſome and ſome unhandſome, and not otherwiſe.

MR. WREN, the Reaſon why I begin to demonſtrate in this manner, or in ſomething merely natural and known to every Body, is, that otherwiſe I ſhould never ſtave Men off from ſaying, that *what was always ſo, and not otherwiſe, and ſtill is ſo, and not otherwiſe, muſt ever be ſo, and not otherwiſe*, muſt needs be true; that is, except a Man can give a Reaſon why it may be otherwiſe. This is that when I come unto the Politicks, things not leſs natural, but only more remote from Men's Knowledge or Acquaintance, which they will be all ſure enough to return. Wherefore let them begin here to ſhew me ſuch Reaſon as hereafter they will aſk, that is, why Women, notwithstanding what is paſt or preſent, may for the future be all handſome. Would not the undertaking of ſuch an Adventure be a notable ridiculous Piece of Knight Errantry? In ſooth, Mr. Wren, though Men will not ſo eaſily ſee it, it is no otherwiſe in the Politicks, which are not to be erected upon Fancy, but upon the known Courſe of Nature; and therefore are not to be confuted by Fancy, but by the known Courſe of Nature. Remember, Sir, Anatomy is an Art; but he that demonſtrates by this Art, demonſtrates by Nature, and is not to be contradicted by Fancy, but by Demonſtration out of Nature. It is no otherwiſe in the Politicks. Theſe things therefore being duly conſidered, I proceed.

WHAT always was ſo, and ſtill is ſo, and not otherwiſe, the ſame ſhall ever be ſo, and not otherwiſe.

BUT where the Senate was upon Rotation, and had not the ultimate Reſult, there was not any Feud between the Senate and the People; and where the Senate is upon Rotation, and hath not the ultimate Reſult, there is no Feud between the Senate and the People.

THEREFORE, where the Senate ſhall be upon Rotation, and not have the ultimat Reſult, there ſhall be no Feud between the Senate and the People.

I KNOW the humour of theſe Times: though any thing that will patch be now called Prudence, it will be known that what is after this manner undeniably deducible from the major of theſe Propoſitions, is Prudence or Policy, and no other.

BUT Mr. *Wren*, true it is that the Demonſtration given is but *Floti*, that is, from the Effect; which tho a certain Effect imply a certain Cauſe, and come after that manner to be as good and undeniable a Proof as the other Demonſtration; yet becauſe this is not ſo honourable an Argument as the other, I ſhall now give you the ſame, *Diboti*, or from the Cauſe.

WHERE the Senate hath no Intereſt diſtinct or divided from the Intereſt of the People, there can be no Feud between the Senat and the People.

BUT where the Senate is upon Rotation, and hath not the ultimate Reſult, there the Senate can have no Intereſt diſtinct or divided from the Intereſt of the People.

THEREFORE, where the Senate is upon Rotation, and hath not the ultimate reſult, there can be no Feud between the Senate and the People.

SIR, this I ſay is *Diboti*: and ſeeing it is a Cuſtom with you to give my things a turn over the Tongue, I am reſolved hereafter to *boti* them and *diboti* them in ſuch manner, as ſhall make you take your Teeth. You will ſay, that I am a *paſſionate Gentleman*. But what hath any Man to do in this place to tell me of the Feuds between the Senate and the People of *Rome*, or thoſe of the States in regulated or Gothick Monarchies? Did I ever undertake to *boti* or *diboti* any of theſe? If they break looſe, let them look to that whom it concerneth. Nevertheless, I ſay, that Laws, whether in Commonwealths or regulated Monarchies, are made by Conſent of the Senate and the People, or by Conſent of the States, or Lords and Commons. And I pray you Mr. *Wren*, what is in your Allegation to confute this Saying? Your Words are theſe.

IF any one of theſe States have, in caſe of Difference, a juſt Power to force the Obedience of the other, it is all one as if they were private Perſons; but if no one of them be acknowledged to have ſuch Power, then it comes in caſe of Diſagreement to a State of War.

BUT doth this prove, that in caſe of a Senate upon Rotation, there may be Feud between them and the People? or that Laws in regulated Monarchy are not enacted by the Lords or Commons? You might as well have argued thus, Mr. *Wren*: Theſe ſame Lords and Commons have Power enough to diſagree, or make Wars; therefore they have no Power to agree or to make Laws: Or what doth this concern me?

BUT now for the Jig at parting. Mr. *Hobbes* ſaith, that *Ariſtotle* and *Cicero* wrote not the Rules of their Politics from the Principles of Nature, but tranſcribed them into their Book out of the Practice of their own Commonwealths, as *Grammaticians* deſcribe the Rules of Language out of the Practice of the Times: Mr. *Wren*, if I had answered Mr. *Hobbes* thus; That the whole Force of his Argument amounted

but to this, that becauſe Grammarians deſcribe the Rules of Language out of the Practice of the *times*, therefore *Ariſtotle* and *Cicero* did ſo in their Diſcourſes of Government, what would you have ſaid? But becauſe Mr. *Hobbes* doth not prove, but illuſtrate what he ſaith by way of Similitude; therefore I anſwer him by way of Similitude in this manner: " That for Mr. *Hobbes* to ſay, *Ariſtotle* and *Cicero* wrote " not the Rules of their Politicks from the Principles of Nature, but " tranſcribed them into their Book out of the Practice of their own " Commonwealths, is as if a Man ſhould ſay of the famous *Harvey*, that " he tranſcribed his Circulation of the Blood, not out of the Principles " of Nature, but out of the Anatomy of this or that Bod, " Yet you anſwer me, that the whole Force of this Objection amounteth but to this; That becauſe *Harvey* in his Circulation hath followed the Principles of Nature, therefore *Ariſtotle* and *Cicero* have don ſo in their Diſcourſes of Government. Mr. *Wren*, I have complain'd of you for repeating me fraudulently, but not ſo often as I might: for whereas upon this Occaſion I told you, " That a Similitude is brought for Illuſtration, or to ſhew how a thing is, not to prove that it is ſo;" You repeat me thus: Mr. *Harrington* aſſured me in his laſt Book, that he produced this only as a Similitude, and never intended that any Man ſhould look for Reaſon or Argument in it. Sir, though a Similitude have not that Proof in it, which may draw a Man, yet it hath ſuch Inducement in it as may lead a Man. But, why ſhould I be troubled, ſeeing in the cloſe you heartily crave my Pardon? Good Mr. *Wren*, abundantly enough: Nay, no more, no more, I beſeech you. Look you, do what I can, he will be making Reparation too. Well then, if it muſt be ſo, what is it? Why, ſay you, by way of Reparation to Mr. *Harrington*, I make here a ſolemn Declaration, that for the future he ſhall have no Cauſe to accuſe me for expecting Reaſon or Argument in any of his Diſcourſes. O Ingenuity! he confeſſeth that he hath taken my Similitude for an Argument, my Goole for my Pig; and the Satisfaction promiſed comes to this, that he will take my Arguments for Similitudes: when he ſhould be ſhoosing my Goole, he is ſoling my Pig? for which he will make, as ye ſhall find hereafter, this Amends, that when he ſhould be ſoling my Pig, he will be ſhoosing my Goole. Mr. *Wren*, good Night.

. THE next is the Balance. Gentlemen, to Morrow we play Hunks that bears thirty Dogs.

Hunks of the Bear-Garden to be ſeared if he come nigh one.

Pour enclouer le Canon.

IT is obvious and apparent unto Senſe, that *Venice*, *Holland*, *Switz*, are not moleſted with Civil War, Strife or Sedition, like *Germany*, *France*, *Spain*, and *England*; yet will Men have a Commonwealth to be a Confuſion. What Confuſions, we have had in *England*, while the Norman Line ſtrove for abſolute Power; while the Barons ſtrove for ancient Liberty; while the Houſes of *York* and *Lancaster* ſtrove for

Royal Dignity; and last of all, during these eighteen Years, in the Wars that have been between the King and the People, in the Difference of Judgment both concerning Religion and Government, and under the pernicious Yoke of the late Tyranny, is known. At the Apparition, or put Name of a Commonwealth, and before any such Orders are introduced, or perhaps truly understood, all Men, or the most of them, are upon a sudden agreed that there be a good and perfect Fixation of the Army unto the old Cause; and that the Remnant of the Long Parliament be assembled: so we have this for a Taste or Relish of a Commonwealth, that of the eighteen, the present Year is already the most unanimous. Nor can this be attributed unto Chance, seeing the Wit of Man, our Case considered, could not, I think, have invented a more natural and necessary Way of launching into the Orders of a Commonwealth, than first by Fixation of the Army so, as no Council ensuing may have any ambitious Party on which to set up: and then to assemble that Council, which hath given Testimony of it self, to have been the most popularly addicted. By these it is no less than demonstrated, that the Army is faithful, and the People, for the most active Part of them, which in like Cases cometh to more than all the rest, is wise. Be it granted, that the far greater Part of them (*Libertatis dulcedine nondum experta*) would force us unto the Continuation of Monarchy, if they could, this is the old Temper of a People in like Cases: thus the *Romans*, upon the Death of *Romulus*, forced the Senate, who would have introduced a Commonwealth, to elect *Numa* with the succeeding Kings, and could not be brought unto the Abolition of Monarchy, till it was imposed upon them by *Brutus* to abjure it. Nevertheless, this People having once tasted of Liberty, were of all others the most constant Assertors of the same. It causeth with the best Politicians Despair, and, as it were, a kind of Tearing themselves, that the People, even where Monarchy is apparently unpracticable, and they have no Way but a Commonwealth or Confusion, hold their ancient Laws and Customs unalterable, and persecute such as advise the necessary Change of them, how plainly soever demonstrated, as Authors of Innovation, with Hatred, if not in Tumult and with Violence, as when *Lycurgus* in a like Assault lost one of his Eyes. Here is the Discouragement; the many through Diversity of Opinions, want of Reach into the Principles of Government, and Unacquaintance with the Good that may by this Means be acquired, are never to be agreed in the Introduction of a new Form: but then there is also this Consolation, that the many upon Introduction of a new Form, coming once to feel the Good, and taste the Sweet of it, will never agree to abandon it. This is all the Comfort that Politicians, in like Cases, have been able to give themselves, upon Consideration of the Nature of People in general. But if we consider the Nature of the People of England, I am much deceived, or the Consolation of knowing Men, and good Patriots, may yet be far greater. For though the People of England may be twenty to one for Monarchy, they are but deceived by the Name, seeing they having of late Years been more minutely governed than formerly, desire no more under this Name, in the Truth of their Meaning, than not to be at the Will of Men, but return unto the Government of Laws; for the late Monarchy being rightly considered, was indeed no more than an ill-regul'd Commonwealth: only here

is the Fault of all unequal Commonwealths, they pretend to be Governments of Laws, and at the same time defer unto some one, or few Men, such Power, Prerogative and Preheminence, as may invade and oppress Laws, which Fault was the Cause of perpetual Feud, or at least Jealousy between our Kings and our Parliaments. But there is in Relation unto the People of *England*, yet a greater Encouragement unto Commonwealthsmen, for though if we look upon the true Cause of Popular Government, the Balance hath been many Years in turning, yet since it came to be so perceivable as to cause any Mention of a Commonwealth, it is but a short Time. Should we go so far as to compute it from the Beginning of the late War, it exceedeth not eighteen Years, in which the Eyes and Affections of the People are so wonderfully opened and extended, that I do not think there are fewer than fifty thousand of the more active and knowing that drive vigorously at a Commonwealth; while the rest are not only calm and passive, but mature for any good Impression without Danger, or indeed Appearance of any War or Tumult that can ensue upon the Introduction of a new Form: nor is there the least Improbability that an equal Commonwealth may be receiv'd with Embraces, seeing a Tyranny came not only in, but was supported without Blood. But if People for the Extent of their Territory, and for their Bulk or Number so great as this of *England*, should fall (to take a larger Compass than I hope we shall need) within the Space of thirty Years out of Monarchy, to which they have ever been accustomed, unto a Commonwealth of which they have had no Experience nor Knowledge, and that (except in the Ruin of Monarchy, which, how infirm soever, useth not to expire otherwise) without Rapine, War, or indeed without any great Confusion, I doubt whether the World can afford another Example of the like natural, easy and sudden Transfusion of one Government into another. Yet ere two Parts in three of this Time be expired, Men can be despairing. In what, say they, have you shewn us, that we must necessarily be a Commonwealth? Why in this, say I, that you cannot shew me how we should be any thing else. In what Posture, say they, do we see the People to give us this Hope? Why in the very best, say I, that in this State of Affairs, a People, if you consider their Humour or Nature, could have cast themselves into. This Posture or Return is thus, or at least thus I take it to be. The Armies of this Nation by Restitution of their old Officers, are fixed, resolved upon, and encouraged by the most active Part of the People towards the Prosecution of the old Cause, or introduction of a popular Form. The framing of this Form is modestly and dutifully defer'd by them unto the civil Power in the Restitution of the Long Parliament, in that Remnant of the same, which declared for, and obligeth themselves unto this End.

NOW putting this to be the Case, I come to the Scope of this Paper, which is to discourse upon this Posture; in which to my Understanding, there are but three Things that can interpose between us and a Commonwealth, and but two more that can interpose between us and an equal Commonwealth. The Things that may interpose between us and a Commonwealth, are such Monarchy, as can no otherwise get up than by foreign Invasion; or Tyranny, which at the strongest among us was not of any Duration, and which changing Hands must fall be weaker. Of these two, they being only possible, and not a whit probable,

probable, I shall say no more. But the third Thing which can interpose between us and the Commonwealth is Oligarchy, which in like Cases hath been more probable and incidental, than I conceive it to be at the present. Such a Thing if it be introduced among us, is most likely to be of this Form.

IT may consist of a Council not elected by the People, but obtruded upon us, under the Notion of a Senate or a Balance, or of Religion; and it may be for Life, or for some certain or pretended Term, with a Duke or princely President at the Head of it, or without one.

THE Power at which such a Council doth naturally drive, is to call Parliaments, and to govern in the Intervals. But the Success of such Council, will be, that if in calling Parliaments, it do not pack them, it will be forthwith ruined; and if it do pack them, then the Case of such a Council, and a Parliament, will be no otherwise different from the Case of a single Person and a Parliament, than that more Masters, less able to support, their Greatness, and whose Greatness we shall be less able to support, will be a Burthen by so much more heavy, than one Master more able to support his Greatness, and whose Greatness we were more able to support. But this will either not be, or be of no Continuance.

THE Things that can interpose between us and an equal Commonwealth, are either a Senate for Life, or an Optumacy.

THE seventy Elders in *Israel* were a Senate for Life: this though constitutively elected by the People, became after the Captivity, or in the *Jewish* Commonwealth (how anciently is uncertain) meer Oligarchy, by the Means of Ordination; no Man being capable of Magistracy, except he were a Presbyter, no Man being made a Presbyter but by laying on of Hands, and the Prince with the Senate engrossing the whole Power of laying on of Hands.

NOR were the People thus excluded, and trampled upon by the Pharisees, under other Colour than that of Religion, or Tradition derived in their Oral Law or Cabala from *Moses*, in whose Chair they sat, and not only pretended their Government to be a Government of Saints, but in some Things had fairer for that Title than others, who assumed it afterwards. For that they did Miracles, is plain in these Words of our Saviour unto them: *If I by Beelzebub cast out Devils, by whom do your Children cast them out? therefore they shall be your Judges*, Mat. xii. 27. By which I may believe that Miracles themselves do not in any wise oblige us to hope that such a State of Government can be religious or honest, much less, where there are no Miracles, nor any such certain Distinction to be outwardly made between a Saint and an Hypocrite, as may secure us that we shall not have Hypocrites imposed upon us for Saints. The surest Testimony of Saintship in Rulers, is, when they are willing to admit of such Orders in Government, as restrain the Power to do wickedly, or of lording it over their Brethren.

UPON the Pattern of the High-priest, and the seventy Elders, arose the Government of the Pope and his seventy Cardinals, pretending also unto Saintship, which nevertheless is as little yielded unto them, as they assume that a Council of Seventy for Life is a good Guard of the Liberty of Conscience.

THE next Senate for Life, was that of *Lacedemon*, consisting of two Kings hereditary, and twenty eight Senators elective. These notwithstanding they were not eligible but by the People, and at the fiftieth Year of their Age, and by the Balance or equal Agrarian of their Commonwealth, could not any one of them excel the meanest Citizen in their Lot, or Shares in Land; so vigorously attempted to draw the whole result of the Commonwealth unto themselves, that if the People had not striven as vigorously for the Preservation of their Right, they had been excluded from making their own Laws. The Expedient found out by the People in this Exigent, was their Election of five annual Magistrates out of their own Number, called the *Ephors*, with Power to try, condemn and execute any of their Kings or Senators, which thenceforth should go about to subvert the fundamental Laws of their Government, by which it belonged unto the Senate to debate and propose only, and unto the Assembly of the People to resolve. Without this Expedient (which in another Commonwealth not planted upon a like Agrarian, would have availed little, as the *Roman* People heard afterwards by their Tribuns) had the People of *Lacedemon* through a Senate for Life been deprived of their Liberties.

THE *Roman* Commonwealth was also founded upon a Senate for Life; which, though first instituted by Election of the People, came afterwards to be such into which their Children found other Admittance, in such Manner as from hence grew a *Patrician* Order, ingrossing not only the Senate, and excluding the People from bearing Magistracy in the Commonwealth, but oppressing them also by an heavy Yoke of Tyranny, which causeth perpetual Feud between this Senate and the People, and in the End the Ruin of the Commonwealth; yet entituled this Nobility themselves unto these Prerogatives, no otherwise than by such religious Rites, as among them were believed to confer Saintship, and thereby to intitle them unto a Dominion over the People, in which they were also aided by the Optimacy.

NOW Examples of a Senate for Life being of like Nature and necessary Consequence, it is my Hope and Prayer, that never any such be introduced in *England*.

BUT in Case of an Optimacy, a Commonwealth, though not admitting of a Senate for Life, may yet be unequal.

ATHENS consisted of a Senate upon annual Rotation; yet through the Optimacy, which was instituted by *Solon*, came under such a Yoke of the Nobility, as upon Victory obtained in the Battle of *Plataea*, they took the Opportunity to throw off, and reduce the Commonwealth unto more Equality.

AN Optimacy is introduced, where a People is not only divided by Tribes according to their Habitation; but every Tribe into Classes, according unto their Estates or different Measures in Riches; as if you should cast all that have above two thousand Pounds a Year, into one Classis; all that have above one thousand Pounds a Year, into another; all that have above five hundred, into a third; and so forth, for as many Classes as you like to make.

NOW if in this Case the first and second Classes may give the Suffrage of the whole People, as in *Rome*; or that these only may enjoy the Senate, and all the Magistracies, though but upon Rotation,

as in *Athens*; yet the People, as to these Parts being excluded, the Commonwealth must needs remain unequal: wherefore this also ought to be forewarned, to the end that it may be prevented.

TO conclude, if we in *England* can have any Monarchy, we shall have no Commonwealth; but if we can have no Monarchy, then but a Senate for Life, and an Optimacy, and we must have an equal Commonwealth. Successive Parliaments, whether immediately, or with Councils in the intervals, and like Fancies, will be void of Effect, as of Example, or Reason.

BUT an abundance of Things is tedious; we would have such a Commonwealth as may be dictated in a Breath. Thus then: Let a Senate be constituted of three hundred, and a popular Assembly of one thousand and fifty, each for the term of three years, and to be annually changed in one third Part. But in Case a Commonwealth were thus briefly dictated, what would this abate of those many Things, which must of Necessity go unto a like Structure, that it may be equally and methodically brought up from a firm and proper Foundation? There is no way of dictating a Commonwealth unto facile Practice, but by the seeming Difficulty of the whole Circumstances requisite, even to a Tittle. Nevertheless to try again: Let the Lands throughout *England* be all cast into some Parish. Let every Parish elect annually a fifth Man; let every hundred of these fifth Men, with the Places of their Habitation, constitute one hundred; then cast twenty of these hundreds into one Tribe or Shire. Putting the Case the Tribes or Shires thus stated amount unto fifty, let the fifty Men or Deputies in every Tribe or Shire, elect annually two out of their own Number, to be Senators for three Years, and seven to be of the Assembly of the People for a like Term, each Term obliging unto an equal Interval: which Senate being for the first Year constituted of three hundred, and the Assembly of the People of one thousand and fifty, gives you those Bodies upon a triennial Rotation, and in them the main Orders of an equal Commonwealth. If you must have a Commonwealth, and you will have an equal Commonwealth, then (pardon my Boldness) after this or some like Manner must you do, because like Work never was, nor can be done any otherwise.

May 2. 1659.

James Harrington.

A
D I S C O U R S E
U P O N
This SAYING :

The Spirit of the Nation is not yet to be trusted with Liberty; lest it introduce Monarchy, or invade the Liberty of Conscience.

DAVID was a Man after God's own Heart, yet made the People Judges of what was of God, and that even in Matters of Religion; as where he proposeth unto the Representative, consisting of Twenty four thousand, in this Manner: *If it seem good unto you, and that it be of the Lord our God, let us—bring again the Ark of our God to us: for we enquired not at it in the Days of Saul,* 1 Chro. xiii. But Men in this Nation blow hot and cold: one main Exception which the Prelatical and Presbyterian Sects have against popular Government, is, that as to Religion it will trust every Man unto his own Liberty; and that only, for which the rest of the Religious Sects apprehend popular Government, is, that the Spirit of the Nation (as they say) is not to be trusted with the Liberty of Conscience, in that it is inclining to persecute for Religion. What Remedy? Ask the former Sects, or Parties different in Judgment as to Matter of Religion, (for the Word signifies no more) they tell you a King; ask the latter, they tell you some certain or convenient Number of Princes, or an Oligarchy. But saith the Scripture, *Put not your Trust in Princes.* It doth not any where say the like of the *Congregation of the Lord*, or of the People; but rather the contrary, as is implied in the Example already alledged of *David's* Proposition unto the Representative of *Israel*, and is yet plainer in the Proposition of *Moses* unto the whole People, even before they were under Orders of popular Government; and when they were to introduce such Orders, as where he saith, *Take unto you wise Men, and known among your Tribes, and I will make them Rulers over you.* Now these Rulers thus elected by the People, were supreme, both in Matter of Religion and Government: in which Words therefore, both by the Command of God, and the Example of *Moses*, you have the Spirit of the People trusted with all Matters either Civil or Religious. Throughout the Testaments, Old and New, (as I have over and over demonstrated unto you) the Proceedings of God, as to the Matter of Government, go not beside the Principles of human Prudence the Breadth of one Hair. Let Saints therefore, or others, be they who or what they will, work otherwise in like Cases, or (to speak more particularly unto the present State of Things) obtrude upon us Oligarchy, when they can or dare, they shall be, and soon confess themselves to be below Men, even of natural Parts. In the mean While, having thus the free Leave and Encouragement both of Scripture and Religion, I

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come

come unto a farther Disquisition of this Point by the Card of Reason, and the Course of Prudence.

IN all the Circle of Government, there are but three Spirits, the Spirit of a Prince, the Spirit of the Oligarchy, and the Spirit of a free People: wherefore if the Spirit of a free People be not to be trusted with their Liberty, or, which is all one, with the Government, then must it follow of Necessity, that either the Spirit of a Prince, or of the Oligarchy, is to be trusted with the Liberty of the People, or with their Government.

WHAT the Spirit of a Prince intrusted with the Government or Liberty of the People hath been, we have had large Experience; and full enough of the Spirit of the Oligarchy: for a single Council having both the Right of Debate and Result, never was nor can be esteemed a Commonwealth, but ever was and will be known for mere Oligarchy. It is true, that the Spirit of the People, in different Cases, is as different as that of a Man. A Man is not of that Spirit when he is sick, as when he is well; if you touch a sick Man, you hurt him; if you speak to him, he is froward; he despairs of his Health; he throws down his Medicines: but give him Ease, he is *debonaire* and thankful; give him a Cure, and he blesteth you. It is no otherwise with the People. A People under a Yoke which they have lost all Hopes of breaking, are of a broken, a slavish, a pusillanimous Spirit, as the *Peasant* in *France*. A People under a Yoke which they are not out of Hopes to break, are of an impatient, of an active, and of a turbulent Spirit, as the *Romans* under their Senate for Liberty, the *Hollanders* under the King of *Spain*, and the *English*, after the Ruin of the Nobility, under the late *Monarchy*. A People broken loose from their ancient and accustomed Form, and yet unreduced unto any other, is of a wild, a giddy Spirit; and, as the Politician saith, like some Bird or Beast, which having been bred in a Lease or Chain, and gotten loose, can neither prey for itself, nor hath any Body to feed it, till, as commonly comes to pass, it be taken up by the Remainder of the broken Chain or Lease, and tyed so much the shorter; as befel those in *Spain* after the War of the Comunidades, and the *Neapolitans* after that of *Mazimello*. But a People under Orders of popular Government, are of the most prudent and serene Spirit, and the voidest of intestine Discord or Sedition; as the *Venetians*, the *Switz* and the *Hollanders*.

WHEREFORE thus we may in no wise argue: A Ship without Tackling and Steerage is not to be trusted with any Freight, nor can make any Voyage; therefore a Ship with Tackling and Steerage is not to be trusted with any Freight, nor can make any Voyage. But to say that the People not under fit Orders of popular Government, are not capable of Liberty; therefore the People under fit Orders of popular Government, are not capable of Liberty, is no better. As the former Argument breaketh up all Hope of Trade, so the latter breaketh up all Hopes of popular Government.

HERE lyeth the Point. The Mariner trusteth not unto the Sea, but to his Ship. The Spirit of the People is in no wise to be trusted with their Liberty, but by stated Laws or Orders; so the Trust is not in the Spirit of the People, but in the Frame of those Orders, which, as they are tight or leaky, are the Ship out of which the People being once imbarqued, cannot stir, and without which they can have no Motion.

If the Trumpet give an uncertain Sound, who shall prepare himself unto the Battle? It is not a Multitude that makes an Army, but their Discipline, their Arms, the Distribution of them into Troops, Companies, Regiments, and Brigades, this for the Van, that for the Rear-ward; and these Bodies must either rout themselves, which is not their Interest, or have no Motion at all, but such only as is according unto Orders. If they march, if they halt, if they lodge, if they charge, all is according unto Orders. Whereof he that giveth the Orders, trusteth not to the Army, but the Army trusteth him. It is no otherwise in the ordering of a Commonwealth. Why say we then, that the People are not to be trusted, while certain it is, that in a Commonwealth rightly ordered, they can have no other Motion than according unto the Orders of their Commonwealth? Have we not seen what Difference there may be in an House elected by the Counties only, and an House elected both by the Boroughs and the Counties? Is this so much from the People, as from their Orders? The Lacedemonian Senate for Life, before the Institution of the *Ephori*, was dangerous; after the Institution of the *Ephori*, was not dangerous. The *Venetians*, before the Introduction of their present Policy, were very tumultuous; since the Introduction of the same, are the most serene Commonwealth. Was this from the People who are the same, or from the Difference of their Orders? If you will trust Orders, and not Men, you trust not unto the People, but unto your Orders: see then that your Orders be secure, and the People fail not.

YOU the present Rulers of *England*, now the Object of Angels and Men, in the Fear of God look to it. I dare boldly say, and the World will say to all Posterity, if *England* through the Want of Orders be ruined, it was not that you needed to trust the People, but that the People trusted you.

AND of what Orders have some of you that lay the People so low, and think yourselves only to be trusted, made Offer? Do you not propose,

THAT they who are or shall be intrusted, (with Power or Authority) be such as shall be found to be most eminent for Godliness, Faithfulness, and Constancy to the good old Cause and Interest of these Nations?

NOW I beseech you consider, if you mean to make your selves Judges, without the People or Parliament, in such Manner as you have owned your Commander in Chief, who are godly, and what the Interest of the Nation is, what kind of Commonwealth this must make. Or if you mean to make the People Judges, without which it is impossible there should be any well-ordered Commonwealth, whether you can give them any other Rule than according unto *Moses*, *Take ye wise Men, and understanding, and known among your Tribes*.

CONSIDER whether those you would indemnify for strengthening the late unnatural and dishonourable Yoke, be eminent for Godliness, Faithfulness to the good old Cause, or for asserting the Interest of these Nations; and whether to impose such Qualifications as may bring these or the like again into Power, be the more probable Way unto a free State; or to leave the People according to the Rule of *Moses*, unto their Judgment in these Cases.

YOU propose, *That to the End the Legislative Authority of this Commonwealth may not by their long sitting become burthensom or inconvenient, there may be effectual Provision made for a due Succession thereof.*

I BESEECH you to consider what Example can be produced of any one Commonwealth wherein the legislative Authority was not continually extant or sitting, and what Reason there can be that it should possibly be otherwise, the Government remaining a Commonwealth. Consider whether in case the two Houses of Parliament had been heretofore perpetually sitting, the Government had not been a Commonwealth; whether the Intervals of the same, were not that in a good Part, which caused it to be Monarchical; and so, whether the legislative Authority in a Commonwealth being intermitted, must not convert the Commonwealth into Monarchy, in case the Intervals be guided by a single Person; or into Oligarchy, in case they be guided by a Council. Lastly, consider whether such a Council in the Intervals of Parliaments, be not, of all others, that Mole-hill by which a Tyrant can be most conveniently raised for a jump into a Throne; or what there is in this Case to withstand him, though *Whiteball* should be sold or pulled down.

AGAIN, you propose, *That the Legislative Power be in a Representative consisting of an House successively chosen by the People, and of a select Senate, co-ordinate in Power.*

UPON which I beseech you to consider whether there can be any safe Representative of the People, not constituted of such a Number, and by such Rules as must take in the Interest of the whole People. Whether there be not Difference between the Interest which a People can have under Monarchy, and the Interest which a People ought to have under a Commonwealth: and whether it be a good Argument, that an Assembly of four hundred upon Intervals, was a sufficient Representative of the People under Monarchy, or under Lords on whom they depended; therefore the like may be sufficient under a Commonwealth, where they are their own Lords, and have no dependence. I beseech you to consider whether it be natural unto any Assembly to resolve otherwise than according unto the Interest of that Assembly. Whether it be not natural unto the Senate, especially being not elected by the People, but obtruded, and, as I suspect, for Life, to debate according as they intend to resolve, and to resolve according to the Interest of the Few, or of a Party. Whether it be not unnatural, confused and dangerous unto a Representative of the People, rightly constituted, to debate, whether it be not natural to such a Representative to resolve according unto the Interest of the whole People. Whether the Senate resolving according unto the Interest of *the few*, and the Representative resolving according to the Interest of *the many*, be not the certain Way of creating Feud between the Senate and the People, or of introducing Blood and civil War. And last of all, whether to declare the Senate and the Representative co-ordinate, be not to give unto either Council both the Debate, and the Result indifferently, and in that the unavoidable Occasion of such Feud.

LASTLY, you propose, *That the executive Power be in a Council of State.*

UPON which I beseech you to consider whether ever the Prytans in *Athens*, the College in *Venice*, or a Council of State in any Commonwealth, had any executive Power, except in the Management perhaps of a War or Treaty with foreign States.

UPON the whole, I beseech you to consider whether these Propositions, and such like, be not contrary unto the whole Course of popular Prudence in all or any one Commonwealth, and tending unto the

the certain Destruction, or at least intolerable Confusion of the People. Yet are these, I suppose, intended by you as a Bar unto Monarchy, and a Guard unto the Liberty of Conscience.

TO the ORDERS of a COMMONWEALTH. The whole Territory is equally divided into fifty Tribes or Shires; in every one of these Tribes, the People of each Parish elect out of themselves one Man in five to be for that Year a Deputy of that Parish. I but, they will choose Cavaliers or Presbyterians. Well, if that be the worst, for Discourse Sake be it so. These Deputies thus chosen in each Parish, are upon some certain Day in their Year to assemble at the Capital of their Tribe or Shire, and there to elect a few to be Knights or Senators, and a fuller Number to be Burgesses or Deputies in the Representative of the People. Good: and these also must therefore be such as were their Electors. So the Sovereign Assemblies of the Nation will consist of Presbyterians and Cavaliers; and being thus constituted, will either introduce Monarchy, or invade the Liberty of Conscience, or both.

BUT these at their Election take an Oath of Allegiance unto the Commonwealth. An Oath is nothing. How! not among Christians? Let us see what it hath been among Heathens. *Brutus* having driven out the *Tarquins*, or *Roman* Kings, thought the Spirit of that People not yet fit to be trusted with their Liberty; and for this Cause gave them an Oath, whereby they abjured Kings; which was then thought and found in that Case to be enough. But if this would not have served the Turn, what could? For *Brutus* to have expelled the Kings, and yet not to have given the People their Liberty, he well knew was not to have driven forth Monarchy, but to have laid Obligation upon the People to bring it back again in hatred of the Oligarchy; as we in our way of proceeding have felt, and continue still to feel, yet blame the People upon as good Grounds as if we should say, the People are impatient of trusting Oligarchy with their Liberty; therefore the People are not to be trusted with their Liberty. But supposing an Oath were as slight a Matter as indeed in these Days it is made; these Sovereign Assemblies, tho' they should be thus constituted of Presbyterians and Cavaliers only, yet could in no wise either introduce Monarchy, or invade the Liberty of Conscience, for these Reasons. The natural Tendency of every thing, is unto the Preservation of itself; but Cavaliers and Presbyterians under these Orders are a Commonwealth; therefore their natural Tendency must be to the Preservation of the Commonwealth. It is not so long since a Roundhead was made a Prince; did he make a Commonwealth? Or what more Reason can there be, why if you make Cavaliers and Independents a Commonwealth, they should make a King? What Experience is there in the World, that the greatest Cavaliers being once brought under the Orders of popular Government rightly balanced, did not thenceforth detest Monarchy? The People of *Rome*, *Libertatis dulcedine nondum experta*, where the greatest Cavaliers in the World; for above one hundred Years together they obstructed their Senate, which would have introduced a Commonwealth, and caused them to continue under Monarchy; but from the first Introduction of popular Government, continued under perfect Detestation of the very Name.

PUTTING the Case that the Senate could have a Will to destroy it self, and introduce Monarchy. you must also put the Case that they may

may have some Interest to do it; for the Will of every Assembly ariseth from the Interest of the same. Now what Interest can there be in a Senate thus instituted, to destroy it self and set up Monarchy?

THE Senate can do nothing but by proposing unto the People: it is not possible for them to agree unto any thing that can be proposed, without debating it; nor can any Debate tend unto any such Agreement, but in the force of Reasons thereunto conducing. Now what Reason had ever any Senate, or can any Senate ever have, to incline them unto such an End?

NO Man nor Assembly can will that which is impossible: but where a Commonwealth is rightly balanced, that a Monarchy can there have any Balance, except the Senate can persuade People to quit three Parts in four of the whole Territory unto a Prince, or to a Nobility, is impossible. But if the Introduction of Monarchy can neither be in the Will of the Senate, though that should consist altogether of Cavaliers and Presbyterians, then much less can it be in the Will of the Assembly of the People, though this also should consist altogether of Cavaliers and Presbyterians.

BUT while we talk, that the People will be so rash in Elections, we observe not that this is but the Rashness of the few, exalting their Wisdom above the Wisdom of the People. If it be not seen that a Commonwealth so ordered as hath been shewn, must of Necessity consist in the Senate of the Wisdom, and in the popular Assembly of the Interest of the whole Nation, after such manner that there can be no Law not invented by the wisest, and enacted by the honestest, what the People under such a Form shall do, cannot be judged: and if this be seen, we must either believe that the Exclusion of Monarchy, and the Protection of Liberty of Conscience, concern not the Wisdom or Interest of the Nation, in which case they are Points upon which the present Power ought in no wise to insist; or that being according unto the Wisdom and Interest of the Nation, that Wisdom and Interest so collected as hath been shewn, must be much more able to judge of, obliged to adhere unto, and effectual to prosecute those Ends, than any hundred or two hundred Men in the World, were they never so select and unbiassed. Which nevertheless is not said against the Ways we have to go, but for the End in which we are to acquiesce.

THE Distinction of Liberty into Civil and Spiritual, is not ancient, but of a later Date; there being indeed no such Distinction, for the Liberty of Conscience once granted separable from Civil Liberty, Civil Liberty can have no Security. It was the only Excuse that the late Tyrant pretended for his Usurpation, that he could see no other Means to secure the Liberty of Conscience. Suppose an Oligarchy were like minded, would it follow that the Tyrant did not, or that the Oligarchy could not usurp civil Liberty? Or is not this the only plausible way by which they might? What Encouragement, except for present Ends, or some short time, hath Liberty of Conscience had to trust more unto Med, than civil Liberty? Or what became of that civil Liberty which was at any time trusted unto a Prince, or to the Oligarchy? On the other side, where hath that free State or Commonwealth been ever known, that gave not Liberty of Conscience?

IN Israel at the worst, or when it was scarce a Commonwealth, Paul earnestly beholding the Council, that is, the Sanhedrim, or Senate
of

of the Jews, cryed out—*Men and Brethren—of the Hope and Resurrection of the dead I am called in Question: and when he had so said, there arose Dissention between the Pharisees and the Sadduces—For the Sadduces say, that there is no Resurrection, neither Angel nor Spirit; but the Pharisees confess both.* Acts xxiii. Howbeit the Sadduces, for the rest adhered unto the *Scriptures* of the Old Testament, of which the *Pharisees* made little or no Account in Respect of their Oral Law, or Traditions. Whence it followeth, that in this *Senate* there were two Religions, and by Consequence that in this Commonwealth there was Liberty of Conscience; and so much the rather, in that besides these Sects, and that also of the *Essenes*, this Commonwealth consisted in a good Part of *Proselytes of the Gates*, who did not at all receive the Law of *Moses*, but only the Precepts given by God to *Noah*.

PAUL, Acts xvii, in like manner, seeming to be a Setter-forth of strange Gods, in the Commonwealth of *Athens*, because he preached unto them *Jesus*, and the *Resurrection*; and the *Athenians*, being given to spend their time in telling or hearing some new Thing, they took him and brought him, not by Application of any Violence, but out of Curiosity and Delight in Novelties, unto *Areopagus*, or unto the famous Senate in *Athens*, called *The Areopagites*, honoured by *Cicero* to furnish an Argument against *Atheists*, where he argued, that to say, *the World is governed without God*, is as if one should say, that the Commonwealth of *Athens* is governed without the *Areopagites*. Paul being thus brought unto *Areopagus*, or unto the Place, that you may see it was not under Custody, where the Senators used to walk, stood in the midst of *Mars-hill*, and preached: now the *Areopagites* or Senators, were some *Epicureans*, who held as the *Sadduces*, and others *Stoicks*, who held as the *Pharisees*: and when they heard of the *Resurrection of the Dead*, some, that is, the *Epicureans*, mocked, and others, that is, the *Stoicks*, said, *we will hear thee again of this Matter.* And Paul, for another Argument that he was all this while at his own disposing, and full Freedom, departed from among them. Howbeit, certain Men clave unto him, and believed, among which was *Dionysius the Areopagite*. So in the Senate of *Athens* there were now three Religions; the *Epicurean*, *Stoick*, and *Christian*; whence it must needs follow, that in the Commonwealth of *Athens*, there was Liberty of Conscience. Men that are vers'd in *Roman* Authors will have little reason to doubt, that the learnedst of this People gave not much credit unto the fabulous Religion that among them was national. Among these, as is yet apparent by his Writings, was *Cicero*, who nevertheless lamenteth, that he found it easier to pull down a Religion, than to set up any; yet was neither *Cicero*, nor any Man of his Judgment, for this, less capable of being Consul, or of any other Magistracy. All things are not equally clear in every Story, yet shall no Man give one Reason or Example that it hath been otherwise in any Commonwealth.

IT is true, that the *Papish* Commonwealths do not give the Liberty of Conscience. No Man can give that which he hath not: they depend in Part, or in the Whole, as to Religion, upon the Church of *Rome*; and so have not the Liberty of Conscience to give: but even these do not take it away; for there is no *Papish* Commonwealth that endureth any Inquisition. Now I say, if there be no Reason nor Example that a Commonwealth ever did invade the Liberty of Conscience, either

either there must be some Cause in Nature, which hath hitherto had no Effect, or there is no Reason why a Commonwealth can invade the Liberty of Conscience. But the Reason why it cannot, is apparent: for the Power that can invade the Liberty of Conscience, can usurp civil Liberty; and where there is a Power that can usurp civil Liberty, there is no Commonwealth. To think otherwise, is to measure a Commonwealth by the overflowing and boundless Passions of a Multitude, not by those Laws or Orders, without which a free People can no otherwise have a Course, than a free River without the proper Channel. Yet as far as we in this Nation do yet stand from this Object, we can perceive a Difference between Men, and Orders or Laws. A Man will trust the Law for a thousand Pound, nay must trust it with his whole Estate. But he will not trust a Man for an hundred Pounds; or if he do, he may repent it. They who dare trust Men, do not understand Men; and they that dare not trust Laws or Orders, do not understand a Commonwealth. I told a Story of my Travels to some Gentlemen that were pleased with it. The *Italians* are a grave and prudent Nation, yet in some Things no less extravagant than the wildest; particularly in their Carnival or Sports about Shrovetide: in these they are all Mummings, not with our Modesty, in the Night, but for divers Days together, and before the Sun; during which Time, one would think by the Strangeness of their Habit, that *Italy* were once more overrun by *Goths* and *Vandals*, or new peopled with *Turks*, *Moors* and *Indians*, there being at this Time such Variety of Shapes and Pageants. Among these, at *Rome* I saw one, which represented a Kitchen, with all the proper Utensils in Use and Action. The Cooks were all Cats and Kittlings, set in such Frames, so ty'd and so ordered that the poor Creatures could make no Motion to get loose, but the same caus'd one to turn the Spit, another to baste the Meat, a third to scim the Pot, and a fourth to make Green-sauce. If the Frame of your Commonwealth be not such, as causeth every one to perform his certain Function as necessarily as this did the Cat to make Green-sauce, it is not right.

BUT what talk we of Frames or Orders? Though we have no certain Frame, no fitting Orders, yet in this Balance there are Bounds, set even by his Hand *who stilleth the Raging of the Sea, and the Madnes of His People*. Let the more wary Cavalier, or the fiery Presbyterian march up when he may into the Van, he shall lead this Nation into a Commonwealth, or into certain Perdition. But if the old Officers, Men for the greater Part of small Fortunes, but all of large Souls, ancient *Heroes*, that dared to expose themselves unto Ruin for their Country, be restored unto their most deserved Commands, this will be done, and done without a bloody Nose, or a cut Finger.

WE hope ye are Saints; but if you be Men, look with all your Might, with all your Prudence, above all, with fervent Imploration of GOD's gracious Assistance, who is visibly crowning you, unto the well-ordering of your Commonwealth. In the Manner consists the main Matter. Detest the base Itch of the narrow Oligarchy. If your Commonwealth be rightly instituted, seven Years will not pass, ere

ere your Clusters of Parties, Civil and Religious, vanish, not through any Force, as when cold Weather kills flies; but by the rising of greater Light, as when the Sun puts out Candles. These in the Reason of the Thing are demonstrable, but suit better with the Spirit of the present Times, by way of Prophecy. *England* shall raise her Head to ancient Glory, the Heavens shall be of the old Metal, the Earth no longer Lead, nor shall the sounding Air eternally renounce the Trumpet of Fame.

May 16. 1659.

JAMES HARRINGTON.

A

DISCOURSE

SHEWING,

That the Spirit of PARLIAMENTS, with a COUNCIL in the Intervals, is not to be trusted for a Settlement; lest it introduce Monarchy, and Persecution for Conscience.

THE present Case considered, I need say no more, than, if there be no Bar, a Parliament may consist wholly, or in the greater Part, of Presbyterians or Royalists; and if there be a Bar, it is no Government by Parliaments, but by the Bar that is upon them; which must be of greater Danger. But the House of Commons, as hath been hitherto usual in *England*, consisted of about four hundred Deputies of the People, for the most Part Gentlemen, and old Stagers, elected again and again unto the same Employment, without Vacation: this is that which being sweet in the Stomach of divers, is the old Love for which they detest new Forms. Such an Assembly, for the Number or Nature of their Elections, is somewhat too low and too large to come up unto the true Interest of a King, and too high and too narrow to descend wholly unto the true Interest of the People; they have antiently provided diligently, that they might hawk and hunt without Impediment of the King, and of the lower sort, to whom it was almost capital to spoil their Game: and though this may seem but a jesting Instance, yet have the rest of their Laws, for their Pitch, been much of the middle Way, or of the like Genius, while they were under a Nobility; but since, through the natural Decay of that Order, they came to a greater Height, it hath been to endure no Check. Wherefore as it hath been found under a King, that such an Assembly will endure no King, through the Check they apprehend from him; so it will be found that under a Commonwealth they will be addicted unto the Introduction

duction of Monarchy, through the Check they apprehend from the People.

CERTAIN it is, that an Alteration of Government going no farther than the Institution of Parliaments, and a Council in the Intervals, can come to no more than that, so often as the Council shall be changed for a King, or the King for a Council, so often the Commonwealth (if this deserve any such Name) must be changed into Monarchy, and the Monarchy into a Commonwealth; which Changes may be made with such Ease and Suddenness, that every Night it may be a Cast of a Dye, what the Government shall be the next Morning. Where the Alteration (I say) of the Government is no greater than from a King's Chair, to a narrow Bench of Counsellors; there goeth no more to make a single Person, than throwing down the Bench, and setting up the Chair; nor to make a Commonwealth (such an one as it is) than throwing down the Chair, and setting up the Bench. But for the farther Discovery of such Causes, as in so strange and unheard-of Innovation may give frequent or continual Mutation, if this Posture of Things be upheld (as I cannot see how otherwise it should stand) by an Army. Let us consider three Things:

FIRST, What is incident unto such an Army.

SECONDLY, What is incident unto such a Council.

AND thirdly, What is incident unto such a Parliament.

IT is incident unto such an Army, let the Body thereof be never so popularly affected, to be under a monarchical Administration, or to be top-heavy in their great Officers, which will have Power, whether they will or no, to overfway both the Army and the Government; as in the setting up of the late single Person. Again, if the Body of the Army mutiny against the Government, neither their great Officers, nor any Thing else in the Parliament or Council, can withstand them; as in the pulling down of the latter single Person: whence it is evident that such an Army can be no Foundation of any Settlement.

A Council in the Intervals, though it should rule well, will yet have a Tendency toward Preservation or Prolongation of itself; and if it rule ill, will be obnoxious unto Parliaments. For which Cause, what Help for themselves shall be in their Power, is to be presumed, will be in their Will; and they have the same Power which the King had, or which is all one, are in as effectual a Posture to obstruct or elude the Meeting of Parliaments; therefore it will be in their Will to do it. And if they will this, they reduce the Government into Oligarchy, then into Faction, and last of all, into Confusion.

THE People this while must unavoidably perceive this Council to consist of too few to be Fellows, and of too many to be Masters. For which Cause, being all broken into Faction, some for a Commonwealth, and some for Monarchy, Parliaments coming by Gufts, whether with or against the Will of the Council, will either be torn with like Faction among themselves, or pull down the Council as no Government, and endeavour some Settlement. Now if a Monarchy (as most likely, because most obvious) be set up; it can be no Settlement, because it is quite contrary unto the Balance of the Nation; and so they mend nothing, but make greater Confusion. And a Commonwealth or Democracy consisteth of such Orders and such Novelties in this Land, as will never be kept upon by an Assembly,

nor

nor credited by such as are unexperienced in the Art. So that this Nation going thus far about, will come but unto that very Point, where it now stands at gaze, or to far greater Confusion; for which there is no Remedy, save only that they who are in Power would lay aside all Prejudice unto pretended Novelties and Innovations, or rather not give themselves unto such Novelties as tend unto Confusion, (for such have been the late Changes) but consider such Antiquities as have been, and must be the Rule and Reason of a wise Proceeding in that, which by the Providence of God never was before, and yet is now come to be the Truth of their Case.

BUT if what hath been hitherto shewn, be the certain Consequence of Parliaments with a Council in the Intervals, as that it will be no Settlement, but a State now setting up, then pulling down Kings or single Persons; it is apparent that what introduceth Monarchy, introduceth Suppression of civil Liberty, and in that, of Liberty of Conscience. Wherefore certain it is, that the Spirit of a Parliament with a Council in the Intervals, is not to be trusted, lest it introduce Monarchy and Suppression of Liberty, and in that, of the Liberty of Conscience; nor the Spirit of any Form whatsoever, but that only of a Democracy or free State, which is the same that through Novelties introduced by God himself, is only practicable as a Settlement in the present Case of this distracted Nation.

THE true Form of a Democracy or free State consisteth especially in this, That as to Lawgiving, the Wisdom of the Nation propose, and the Interest of the Nation resolve. If this be possible in *England*, then it is impossible, that there should be in *England* greater Security unto Liberty, whether civil or of Conscience, which but for a new Distinction is the same. Now that it is possible and easily practicable to frame such standing Assemblies in *England*, whereof the one shall contain the Wisdom, the other the Interest of the whole Nation, hath been long since evinced.

BUT Men that go upon picking up Arguments against an House out of the Rubbish, and distinguish not between the People under the Ruins of the old Government, and what they must needs be when raised into a proper Structure of a new Frame, will say, that the People have a general Aversion from being built up into any new Form at all. So hath the Rubbish, and yet it may have good Stones and Beams in it. They will say, that there is a general Disaffection, nay Hatred, throughout the Countries, unto the Government; and that more now, than in the Time of the late Usurper. Which I easily believe, because the Change of a Person, with what Loss forever, is yet a less Change than the Change of a Government. The former is a Change from a Thing that was known, to another that is known; but the latter must be a Change from a Thing that hath been known in this Nation, to a Thing that was never known in this Nation. A Man that walketh, treadeth, with almost equal Boldness his next Step, if he see it, though it be in the Dirt; but let it be never so fair, if he see it not, he stands stock-still. This is the present State of the People, and this Effect in the People is especially occasioned by their natural Distrust of such Novelties as they cannot penetrate or discover what they are. Nor is it an ill Pulse, the Case considered, in which it signifies no other than their Constancy and dear Affection unto their old Laws and

Ways, how unfit soever they be now become. Wherefore, so soon as you have fitted them better, none of this will be against you, but all for you. It is certain, that a People under proper Orders, is the least effeminate, and most manly Government in the World. But such an one as hath no Experience or Knowledge in these, hath a Forwardness, that is altogether childish. What they find uneasy, they tear off and throw away, as in the late War; but no sooner find the Nakedness unto which by like means they are brought, than being unable to clothe themselves, they fall into an unmanly Penitence, and betake themselves unto picking up of their old Trappings. If there be not Men at the Head of them, who by Introduction of a proper Form, can clothe their Nakedness, and reduce their Passion unto Temper, there is nothing to be expected, but Darknes, Desolation and Horror.

NOW if you be Saints, *do good unto them that hate you, and would persecute you. Now cast your Bread upon the Waters, and after many Days, nay after a few Days, you shall find it.*

THAT the People of this Land have an Aversion from Novelties or Innovations, that they are incapable of Discourse or Reasoning upon Government, that they do not understand the true Form of a free and equal Commonwealth, is no Impediment unto them, nor Excuse unto wise and honest Men, why they should not be embarked.

AS the Soul of Man being by the Wisdom of God embarked in Flesh, doth all the Functions of the Body, not that she understandeth it, but that she can work no otherwise; so the Body of a People, by the Wisdom of one Man, (if there be any such Man, as having such Power, can be so honest) or of a few Men (if there be any so few, as having such Power, can agree in such a Matter) embarked in the true Form of a Government, do all the Functions of the same, not that they understand it, for how much understood they the late Monarchy, when it was in the greatest Vigour, but that through the Necessity of the Form, except it came to be insufficient (as through the late Decay of the Church and the Nobility) they can work no otherwise than according unto the Nature of it.

IF the Form thus introduced be that of a free and equal Commonwealth, the People not being able to work otherwise than according unto the Nature of it, can never introduce Monarchy, nor Persecution for Conscience, because either of these is contrary and destructive unto the Nature of the Form.

THAT the former is so, I need not prove; and that the latter is so, is obvious. For without invading civil Liberty, there is no invasion of the Liberty of Conscience; and by invading civil Liberty, this Form is dissolved. But some will say, Thrust the People into Innovations unto which they have so great Aversion? before they can be brought to understand them, and against their Consent? What a Violation of Freedom? what a Difficulty? what an Injustice?

BUT taking all this together; what less can be said to whatever the Parliament shall next introduce? Or if you take them apart,

As to Aversion, I have already spoken; it is not any Malice in the People, but their Nature in this Case, which being through mere want of Acquaintance with such Things, as they can so well understand but by Trial, is not to be rectified but by the Introduction of such a Form as they believe to be more worthy of their holding, will by

by changing of the Hand, but improve their more deserved Constancy.

AS to the Difficulty of introducing a new Form, of obtaining the People's Consent, and the Violation that in Failure of the same may be made upon Liberty, I say, that Elections, at divers Times, have already been divers; that in this there hath been no Violation of Liberty, nor Difficulty in obtaining the People's Consent: and such Elections as will necessarily introduce the whole Form of a new Commonwealth, have no such Difference in them from the former, that they should not be as easily consented unto, and performed by the People; and this done by ordaining the Cause, they have ordained the Effect, and so introduced the new Form by common and universal Consent.

LASTLY, If it be just that the People should have their Liberty, they will soon find by this Change, that they both have it, and know how to hold it: which a People once finding, were never willing to part with; and in this consisteth the strongest Security against Monarchy, and for Liberty of Conscience.

TO conclude: This to our present Commonwealths-men is dictated by universal Experience, and written by the best Politicians, as their certain Doom.

IF they introduce a well-ordered Commonwealth, they shall be safe while they live, and famous when they are dead, and if they introduce not a well-ordered Commonwealth, they shall be unsafe while they live, and infamous when they are dead.

July 21. 1659.

Certain Maxims calculated unto the present State of
England.

WHERE nothing is to be obtained by Reasoning, there every Thing is referred to Event; and so are these Maxims.

1. WHERE there is no publick Endowment of a Ministry, there can be no National Religion.

2. WHERE there is no National Religion, there can neither be any Government, nor any Liberty of Conscience.

3. WITHOUT Invasion there may be a Tumult, but can be no Civil War in England.

4. WITHOUT a Civil War, there can be no Monarchy in England.

5. WHERE there is no Situation like that of Venice, there can be no lasting Oligarchy.

6. A Commonwealth upon Intervals is against Nature.

7. Parliaments upon Intervals set up Kings or Tyrants.

8. Parliaments when they are salaried, will sit in Harvest.

9. *Captus Republicæ est nolle Republicam.* When the Orders of any one Commonwealth that is or hath been, are rightly understood by such as have the Power, England will be a Commonwealth.

10. IF the narrowest Commonwealth require at least twice the Root of the largest Monarchy, and the English Monarchy were founded upon two Assemblies containing six or seven hundred; then a Commonwealth in England,

A Parallel of the Spirit of the People.

England, must be founded upon Assemblies consisting of about thirteen hundred at the least.

11. IF Justice be the common Interest, and the common Interest be Justice; then private or partial Interest, opposed unto the common, must be Injustice.

12. IF the Laws of the People must needs go upon the common Interest, and the Laws of the Oligarchy must needs go upon partial or private Interest, opposed to the common; then the Laws of the People must be just, and the Laws of the Oligarchy must be unjust.

13. EVIL Men, that can do no other than make just Laws, are safer than good Men, that must either make unjust Laws, or ruin themselves.

A
P A R A L L E L
O F

The SPIRIT of the PEOPLE

WITH

The SPIRIT of Mr. Rogers.

AND

An Appeal thereupon unto the READER, whether the Spirit of the People, or the Spirit of Men like Mr. Rogers, be the fitter to be trusted with the Government.

MR. ROGERS's first Character of himself is, that he is *one through Grace kept under many Sufferings a faithful Servant to Jesus Christ, his Cause, and the Commonwealth.*

THE Character that by Men of his Judgment is but too often given of the People, is, that they are *propane Wretches, haters of the Godly, or of a persecuting Spirit.* Whereas if the jails be looked into under any Commonwealth that is popular, the most of the Prisoners will be found to be in for Matter of Crime, few for Debt, and none at all for Conscience; the contrary whereof is known in other Governments. And this is Matter of Fact, whereof every Man, that doth not like Mr. Rogers give his Spirit wholly unto Passion, and never think himself bound either to give or take any one Reason or Example, is a competent Judge.

BUT Men skill'd in common Conversation know, that if the People be offended by a Man upon whom they live, they are very patient; but if they be offended by a Man upon whom they do not live, they are very apt to fly out; and their common Expression upon this Occasion is, *What care I for him? I can live without him.* From the common and vulgar Expression of this Reason or Truth, the whole Spirit of the People, even as to Matter of Government, may be defined; which in the Definition (because there are but too many who in like Comparisons boast their Spirit for Righteousness, Godliness and Justice above that of the People) I shall make bold to parallel with that of Mr. Rogers.

THE Spirit of the People, where they live by a King, will obey a King very faithfully. Mr. Rogers is not for a King upon any Terms whatsoever.

THE People, where they subsist by Lords, are always faithful unto their Lords; and where they are under the Power of a few by whom they subsist not, never desist from shaking that Yoke.

THE Spirit of Mr. Rogers is not for the Government of Lords, or such as might pretend any such Reason of their Government; but for the Government of a few, that cannot pretend any such Reason of their Government; which therefore can have no Justice nor Bottom.

A People that can live of themselves, neither care for King nor Lords, except through the mere want of inventing a more proper way of Government; which till they have found, they can never be quiet; wherefore to help a People at this Streight, is both the greatest Charity to our Neighbour, and the greatest Service that a Man can do unto his Country.

THE Spirit of Mr. Rogers is not only to have a People that can live of themselves, to be governed by none other but such as himself, but throwing away all Modesty, is a professed Enemy to any Man that at such a Streight shall fairly offer a Charity to the People, or a Service unto his Country.

WHETHER he be wronged thus far, I leave unto the Reader in what follows; where what the Sense is, we must guess; but the Words are certainly Mr. Rogers's. He takes me up, after having handled Mr. Baxter like himself in this Manner:

BUT in the winding up our Discourse, I am surpris'd or way-laid with Mr. Harrington's Correspondence with Mr. Baxter against an Oligarchy, (I wish he had been as much against Anarchy or Atheism) if he means by it the Parliament, or such a Parliament, or the Body of Adherents to the Cause, as one of them I believe he must, and some say all; (wherein Mr. Baxter and he agree.) But when he tells us his meaning without mumping and scoffing, (which we must understand before we reply) he may hear further.

I ever understood and explained Oligarchy, without mumping or scoffing, to be the Reign of the few, or of a Party, excluding the main Body of the People; yet saith he, *from their old Mumpsibus, and his new Sumpsibus, good Lord deliver me.* He should be fined 5*l.* By the *new Sumpsibus*, he intimates that he means the Government by a Senate and by the People: and the Reason why he deprecates this by his *Litany*, is, that most undoubtedly, it must bring in a single Person. This Consequence he pursueth with much Greek, in which

*Mark his Art
in slandering
He dares not
to call me A-
theist, because
by my writings
all Men may
know that I
am none*

keep up the Honour of Magistracy from Contempt, made a Law, *Ut nemo habilis esset, ad Honores Reipublicæ, suscipiendos, nisi Decem Annis à Mercaturâ desistisset, &c.* That no Man should be accounted qualified for the Honours of the Commonwealth, *i. e.* in Magistracy, unless he had first left his merchandizing ten Years: Such a care had they to keep out the *Joans* and *Toms*, which Mr. *H.* admits, by Turns and Times, as the Rotation boulds them into the Government, and their Betters out. And what was said of *Clisibenes* an Athenian, *Κλισίβην δὲ τὸ θεῶν ἱεροπραξίᾳ εὐνοησάμενον, αὐτὸς ἵταρχε τῆς ἀναδικῆς πρώτῳ*, might possibly be applied to Mr. *H.* were their Rogation effected; that he was one of the first that introduced this Government by *Ostracism*, and one of the first that felt it, and would have retroduded it; the first that brought it in, and the first that wrought it out. Therefore let him secure his own Bull, before he baits another's, and take his Play! *ἐκὼν βῆς ἀπόλοιτο, εἰ μὴ γείτων κακὸς εἴη.*

Mark the In-
geniousness of these
Men. That I

LASTLY, I would willingly be informed how his new Platforms or Principles *Paganish* or *Papist*, fetch'd from *Athens*, or from *Venice*, can, without cruciating Extremities and Applications, be adequated to our Commonwealth under Christian Profession? so that *Quæ semel possidebant Papistæ, semper possideant Rapistæ*; what the *Papists* once had, *Rapists* and ravenous ones would ever have, *viz.* our Rights and Liberties from us; nor could it be acquired, I think, without greater Advantages to *Papists* and *Atheists* than to us, seeing the very Interest of the Son of God, and Saints in the Nation, the best and noblest Cause on Earth, in all the integrating Parts thereto, is not taken notice of in his Platform; neither in the Balance nor the Wheel; in the Ballot nor Rotation (or Rogation) of it; so that *Differis curandi tempus in Annum?* *Quicquid dehrant Reges, pleclantur Achivi.* I may conclude with Mr. *B.* p. 240. That God having already given us the best Fundamental Laws; let us have but good Magistrates, and we shall have good derivative Laws, or human. It was a Law among the *Cretians*, that τὰς παῖδας μαθήναι τὰς Νόμους ἱκεῖναι μετὰ τῷ μηδῶδι; ἢ αὖ ἐκ τῆς μουσικῆς ψαλμωγῶνται καὶ ἐνελύττερον αὐτὸς τῇ μνήμῃ παραλαμβάνουσι, &c. That their Children should learn their Laws with Melody; that from the MUSICK they might take great Pleasure in them, and more easily commit them to Memory. We need no such Law, to endear or *dulcify* our Cause or the Laws of it in the Commonwealth. If the Foundation of it be that, which the Hand of the Almighty hath laid amongst us both for Church and State, from Christian Principles, rather than from *Paganish* or meer *Morals*, it will make most excellent Harmony in the Ears and Hearts of all Men and Christians; And the Governours of Judah shall say in their Hearts, the Inhabitants of Jerusalem shall be my Strength, in the Lord of Hosts their God, Zach. xii. 5. Thus our Governours thought of them in the Days of Straits, and will again see it, one of their best Interests, to have their Prayers and their God, as well as their Purse and Blood, engaged for them; and not disoblige them upon jealousies suggested by the Enemy, who for their Virgin Fidelity, and untainted Adherence to the Cause, may be called *παρθένους*, as the *Lacedæmonians* did their Wives after their Innocency did break out, and get above the Clouds of Suspicion and Réproach. But if, after all, they will be planting and founding us again in the Spirit of the Nation, as if God had owned no Cause, or made no signal Discrimination; or

have written the Common-
wealth of Is-
rael, they will
take no notice;
nor that from
thence specta-
ally Rotation
is derived

No! find them
another Way
for Liberty of
Conscience.

shaken no such Foundations of the Earth; &c. which their Lord General pretended as one Ground of their Interruption, which Mr. H. and others would hurry them into, to the endangering of the Cause, and the disobliging the Adherents; then will the *Jehovah*, that *keepeth Covenant with his People, and not alter the thing that is gone out of his Lips*, Psal. lxxxix. 34. Acts ii. 30. and iii. 20. 21. raise up others in their stead, to carry on this his Cause, both in the Civils and the Spirituals; and to form another People for himself to shew forth his Praise, *Isa. xliii. 21. Then they that rule over Men, shall be just, ruling in the Fear of God; and they shall be as the Light of the Morning when the Sun ariseth; a Morning without Clouds, and as the tender Grass that springeth out of the Earth, by a clear shining after Rain*, 2 Sam. xxiii. 3, 4. which that these may be, agrees better with my Prayer, than with his Proposals *I am sure*. But thus I leave him whom Mr. B. has quoted as a Stumbling-block before me; whom I am not only gotten over, but I presume have given a good list to the removing of him out of others Way, as to the right Foundation of the Commonwealth, and stating the Cause.

YOU might have more; but because it is no better, here is enough. I could never yet find among Men like Mr. Rogers, that my Spirit is likely to pass with them for any more than a moral Spirit; and there is nothing more usual among Divines that make mention of me, than to call me Mad-man or Atheist. On the other side, Mr. Rogers, and most of them that thus use me, hold themselves to be Men of sanctified Spirits. Yet without boasting, and upon Provocation, I submit it unto the Reader, whether Mr. Rogers or my self be of the better Spirit: nor do I blame him so much for emptying himself lustily of that which burthened him; Passion in a Man is far more pardonable than Malice. He accuseth me in his Title Page, of Venom and Vilification towards the honourable Members now in Parliament; which, for any thing he hath said, or can say to prove it, is not only to bear false Witness against his Neighbour, but in seeking the Destruction of his Neighbour by false Witness, to blast a Cause which he is no other-ways able to invade. Let this be considered; for if it prove to be the truth of his Meaning, it must be from an evil Spirit. However, the Reader may now easily judge, whether the Spirit of the People, excluding no Man, or the Spirit of Mr. Rogers, and such like, which is that which he would have, excluding the People, be the fitter to be trusted with the Government.

Sept. 2. 1659.

READER, I intreat your Pardon; I know well enough that this is below me; but something is to be yielded to the Times: and it hath been the Employment of two or three Hours in a rainy Day.

A sufficient Answer to Mr. Stubb.

THERE is a Book newly put forth by Mr. Stubb, intitled, *A Letter to an Officer, &c.* which in brief comes to this, that he would have a select Senate for Life, consisting of Independents, Anabaptists, Fifth-Monarchy-Men, and Quakers; for which he is pleased to quote Deut. xxiii. that he would have all such as adhered unto the Parliament against Sir G. Booth, to be enrolled as the People of *Bagland*: that he would have all the rest of the People of *England* to be *Holites*, *Gibeonites*, or *Payants*. This Book I have read; and I have

heard

heard a Tale of one, who, to get something, pretended the shewing of a strange Beast, and Horse and no Horse, with the Tail standing where the Head should stand; which when all came to all, was a Mare, with her Tail ty'd to the Manger; the lively Emblem of an Oligarchy. Mr. *Stubb* pretending to shew his Learning, takes those things, as it were changing the Sex of them, which I have written, and in his Writings turns their Tails unto the Manger. Now this, as to the unlearned Reader, is that upon which it is to no Purpose to move any Controversy; and as to the Learned, I need no more than appeal, whether in their proper Stables, or in the best Authors, the Heads of them stand, as I have set them, or the Tails as Mr. *Stubb* hath set them. Only let me say, that as to a select Senate, understanding thereby a Senate not elected by the People, there is no more of this in all Story, than the Senate of *Rome* only. Whence it is undeniable by any Man of common Understanding, that a select Senate bringeth in a select Interest, that a select Interest causeth Feud between that select Interest, and the common Interest, and so between the Senate and the popular Assembly; which Coal in *England* it is fitter for such as Mr. *Stubb* and his Patrons to blow, than for such as understand Story, Government, and common Honesty. But their Reasons who decry the Possibility or Plausibility of such Acts or Orders as these, it pleaseth him to call high *Rodomontado's*. Now which are the higher *Rodomontado's*, these, or those which he useth in flourishing the *Justitia* of *Aragon*, a Patch in a Monarchy, which his Design is to translate by a select Senate, into a Commonwealth, I leave any Man to judge, even by the Testimony of his own Author *Blanca*, and in a Place cited by himself, though not so well rendered. Our Ancestors, saith *Blanca*, have three ways secured our Liberties; by the *Justitia*, by the great POWER of the *Ricos hombres*, (now he speaks,) and by the Privilege of the Union. The first was a civil and forensick Curb, a Gown, the second was a domestick and more restraining one, (I think so, the Purse and the Power,) the third popular and warlike, an excellent Militia. Now let any Man say, even after *Blanca*, if without the Nobility, in whom was the Balance of this Monarchy, and their Retainers and Dependents, of which consisted the Militia, this Court of the poor Gownman called *Justitia*, must not have been a very likely thing to restrain a Prince; or consider whether without this same Mummery of the *Arragonians*, House of Peers and of Commons in other Monarchies, have not every whit as much restrained their Kings, and more, seeing this Toy, at every Election of the Magistrate called *Justitia*, it received not Breath but from a King, was blown away by a King. His other Instances, as the thirty six *Curators* of the Publick appointed unto *Lewis* the Eleventh of *France*, by the three Estates, and the twenty free select Peers; given unto King *John* of *England*, were like Shifts, and had less Effect. Security in Government must be from Entireness of Form; and Entireness of Form must be from Soundness or Rightness of Foundation. But Mr. *Stubb* founding himself upon the Authority of *Aristotle*, that the Western Parts are not capable of a right Commonwealth, is declaredly for a wrong Commonwealth in *England*. He minds not that *Venice*, for the Capacity, is a righter Commonwealth than was ever any in *Greece*; nor that the present State of *England* is of a far different, if not a quite contrary Nature to that of the Western Parts, in the time of *Aristotle*.

PROPOSITION

In order to the Proposing of

A Commonwealth or Democracy.

IF the Parliament shall be pleased to appoint a Committee to receive Mr. *Harrington's* Proposals for settling the Government of this Commonwealth, it is humbly proposed that unto the Committee of the House may be added,

The Earl of Northumberland	Mr. <i>Jofias Bernard.</i>	Mr. <i>Edward Waller.</i>	Major <i>William Packer.</i>
The Earl of Denbigh.	Mr. <i>Samuel Mayer.</i>	Colonel <i>Harloe.</i>	<i>Praefgod Barbones.</i>
The Earl of Clare.	Mr. <i>Sarbury Samuel.</i>	Major <i>Harloe.</i>	Sir <i>William Waller.</i>
The Earl of Kingston.	Major <i>Wildam.</i>	Colonel <i>John Clark.</i>	Colonel <i>Sanders.</i>
The Duke of Buckingham.	Mr. <i>Maximilian Petty.</i>	Mr. <i>John Drabam.</i>	Colonel <i>Hatcher.</i>
Lord Grey of Wark.	Mr. <i>William Harrington.</i>	Mr. <i>Morrice.</i>	Colonel <i>Edmond Salmen.</i>
Lord Faulkland.	Mr. <i>Wren.</i>	Sir <i>Hugh Biscowen.</i>	Colonel <i>Francis Hacker.</i>
Lord Lambert.	Mr. <i>Baxter of Kidderminster.</i>	Sir <i>George Booth.</i>	Mr. <i>Richard Knightley.</i>
Lord Brunker.	Mr. <i>Walsin.</i>	Mr. <i>Robert Reles.</i>	Colonel <i>John Burch.</i>
Richard Nevill, Esq.	Dr. <i>Brooks.</i>	Dr. <i>Mills.</i>	Mr. <i>John Swynson.</i>
Mr. Nathaniel Finesse.	Mr. <i>Arthur Eostling.</i>	Sir <i>Orlando Bridgeman.</i>	Mr. <i>Thomas Langfield.</i>
Lord Mayor of London.	Mr. <i>Cook.</i>	Mr. <i>Robert Stevens.</i>	Colonel <i>John Okey.</i>
Alderman Titchborne.	Dr. <i>Ferne.</i>	Mr. <i>William James.</i>	Mr. <i>William Kiffin.</i>
Mr. <i>Tewle.</i>	Dr. <i>Haymond.</i>	Sir <i>Justinian Yham.</i>	<i>Anthony Pierfon.</i>
Mr. <i>William Pierpoint.</i>	Dr. <i>Owen.</i>	Lieutenant Colonel <i>Kelley.</i>	Colonel <i>Mole.</i>
Sir <i>John Eostling.</i>	Dr. <i>Seamon.</i>	Sir <i>Robert Hamywood.</i>	Mr. <i>Frekeville of Stoveley.</i>
Mr. <i>Crew.</i>	Mr. <i>Calaway.</i>	Mr. <i>Sedgwick.</i>	Mr. <i>James Merley.</i>
Mr. <i>Aufe of Ireland.</i>	Mr. <i>Manton.</i>	Mr. <i>Philip Nye.</i>	Dr. <i>Philip Cartret.</i>
Mr. <i>Pym.</i>	Captain <i>Andrew Ellis.</i>	Dr. <i>Thomas Goodwin.</i>	Captain <i>Richard Deas.</i>
Sir <i>Paul Neal.</i>	Mr. <i>Challiner Chase.</i>	Colonel <i>Lilburn.</i>	Adjutant General <i>William Allen.</i>
Sergeant <i>Maynard.</i>	Mr. <i>Shingly Bethel.</i>	<i>Charles Howard, Esq.</i>	Mr. <i>William Forster of Aldermarten.</i>
Colonel <i>Taylor.</i>	Sir <i>Geary Culpepper.</i>	Colonel <i>Ashfield.</i>	Mr. <i>Edward Harison.</i>
Lord <i>Broughal.</i>	Sir <i>Henry Blount.</i>	Sir <i>Thomas Gonow.</i>	Mr. <i>Arthur Samuill.</i>
Mr. <i>Hubard.</i>	Sir <i>Horatio Townshend.</i>	Lord Com. <i>Bradshaw.</i>	Mr. <i>Samuel Tall.</i>
Mr. <i>John Tricker.</i>	Sir <i>Anthony Ashly Casper.</i>	General <i>Deborahow.</i>	Mr. <i>Edward Salloway.</i>
Captain <i>Adam Baynes.</i>	Mr. <i>Job Charleston.</i>	Colonel <i>James Berry.</i>	

THAT this Committee sit *Tuesdays* and *Fridays*, by three of the Clock in the Afternoon, in the Banqueting-House, Court of Requests, or painted Chamber, the Doors being open, and the Room well-fitted for all Comers; and that Mr. *Harrington* having proposed by Appointment of the Parliament, such others may propose as shall have the leave of the Parliament.

THIS by Friends of the Commonwealth is proposed with Mr. *HARRINGTON's* consent.

The REASONS for this PROPOSITION are these:

IT is the fairest way of proposing a Government, that it be first proposed to Conviction, before it be imposed by Power.

THE Persons herein nominated being convinced it may necessarily have an healing Effect.

THE

THE

ROTA:

Or a Model of a Free State, or equal Commonwealth.

Once proposed and debated in brief, and to be again more at large proposed to, and debated by a free and open Society of ingenious Gentlemen.

Ite fortes, ita felices.

At the R O T A. Decem. 20. 1659.

RESOLVED, that the Proposer be desired, and is hereby desired to bring in a Model of a Free State, or equal Commonwealth, at large, to be farther debated by this Society, and that in Order thereunto it be first Printed.

RESOLVED, that the Model being proposed in Print, shall be first read, and then debated by Clauses.

RESOLVED, that a Clause being read over Night, the Debate thereupon begin not at the sooner till the next Evening.

RESOLVED, that such as will Debate, be desired to bring in their Queries upon, or Objections against the Clause in Debate, if they think fit, in Writing.

RESOLVED, that Debate being sufficiently had upon a Clause, the Question be put by the Ballotting-Box, not any way to determine of, or meddle with the Government of these Nations, but to discover the Judgment of this Society, upon the Form of popular Government, in Abstract, or secundum Artem.

The Principles of Government.

ALL Government is founded upon Over-Balance, in Propriety. IF one Man hold the Over-Balance unto the whole People in Propriety, his Propriety causeth absolute Monarchy.

IF the Few hold the Over-Balance unto the whole People in Propriety, their Propriety causeth Aristocracy, or mixed Monarchy.

IF the whole People be neither over-balanced by the Propriety of one, nor of a few, the Propriety of the People, or of the many, causeth the Democracy, or popular Government.

THE Government of one against the Balance, is Tyranny.

THE Government of a few against the Balance, is Oligarchy.

THE Government of the many, (or Attempt of the People to govern) against the Balance, is Rebellion, or Anarchy.

WHERE the Balance of Propriety is equal, it causeth a State of War.

TO hold, That Government may be founded upon Community, is to hold, that there may be a black Swan, or a Castle in the Air,
or,

The Principles of Government.

or, that what Thing soever is as imaginable, as what hath been in Practice, must be as practicable, as what hath been in Practice.

IF the over-Balance of Propriety be in one Man, it neceffitatheth the Form of Government to be like that of *Turky*.

IF the over-Balance of Propriety be in the Few, it neceffitatheth the Form of the Government to be like that of King, Lords, and Commons.

IF the People be not over-balanced by one, or a few, they are not capable of any other Form of Government, than that of a Senate, and a popular Assembly. For Example, as followeth.

For the FORM or MODEL in Brief of a FREE-STATE, or equal COMMONWEALTH. It hath been propos'd in this Manner.

2. **L**ET the whole Territory of *Oceana* be divided as equally as may be, into fifty Parts or Shires.

2. **L**ET the whole Inhabitants (except Women, Children, and Servants) be divided according unto their Age into Elders and Youth; and according unto their Estates into Horse and Foot.

3. **L**ET all such as are eighteen Years of Age or upwards to thirty, be accounted Youth; and all such as are thirty or upwards, be accounted Elders.

4. **L**ET all such as have one hundred Pounds a Year, or upwards, in Lands, Goods, or Money, be accounted of the Horse; and all such as have under, be accounted of the Foot of the Commonwealth.

5. **L**ET every Parish in a Shire elect annually the fifth Elder of the same, to be for that Year a Deputy of that Parish; if a Parish be too small, let it be laid as to this Purpose, unto the next; and in this Respect, let every Part of the Territory appertain to some Parish.

6. **W**HERE there is but one Elder of the Horse in a Parish, let him be annually eligible, without Interval: where there are more Elders of the Horse, let no Deputy of the Parish be re-eligible, but after the Interval of one Year.

7. **W**HERE there be four Elders of the Horse, or more, in one and the same Parish, let not under two, nor above half of them be elected, at one and the same Election, or Time.

8. **L**ET the Deputies thus elected at the Parishes, assemble annually at the Capital of their Shire, and let them then, and there elect out of their own Number, two Elders of the Horse to be Knights or Senators, three Elders of the Horse, and four Elders of the Foot, to be of the Assembly of the People, for the Term of three Years, in-joining an equal Vacation, or Interval, before they can be re-elected in either of these Capacities.

9. **L**ET there be elected at the same Time in each Shire, the first Year only, two other Knights, and seven other Deputies for the Term of one Year, and two other Knights, with seven other Deputies for the Term of two Years, which in all constituted, the Senate of three hundred Knights, and the popular Assembly of one thousand and

and fifty Deputies, each being upon a triennial Rotation, or annual Change in one third Part.

10. LET the Senate have the whole Authority or Right of debating and proposing unto the People; let the popular Assembly have the whole Power of Result, and let what shall be proposed by the Senate, and resolved by the popular Assembly, be the Law of *Oceana*.

The Conclusion.

TWO Assemblies thus constituted, must necessarily amount unto the Understanding and the Will, unto the Wisdom and the Interest of the whole Nation, and a Commonwealth, where the Wisdom of the Nation proposeth, and the Interest of the People resolveth, can never fail in whatever shall be further necessary for the right constituting of itself.

The MODEL at large of a *FREE-STATE*, or equal COMMONWEALTH. Proposed in four Parts:

First, the Civil,	} Part.	{ Thirdly, the Military,
Secondly, the Religious,		

PART I.

For the Civil Part, it is proposed,

1. THAT the whole native or proper Territory of *Oceana* (respect had unto the Tax-role, unto the Number of People, and to the Extent of Territory,) be cast with as much Exactness as can be convenient, into fifty Precincts, Shires, or Tribes

2. THAT all Citizens, that is, Free-men, or such as are not Servants, be distributed into Horse and Foot, that such of them as have One hundred Pounds a Year in Lands, Goods, or Money, or above that Proportion be accounted of the Horse; and all such as have under that Proportion, be accounted of the Foot.

3. THAT all Elders or Free-men, being thirty Years of Age, or upwards, be capable of civil Administration; and that the Youth, or such Freemen as are between eighteen Years of Age and Thirty, be not capable of civil Administration, but of Military only, in such Manner as shall follow in the military Part of this Model.

4. THAT the Elder's Resident in each Parish, annually assemble in the same; as for Example, upon Monday next ensuing the last of *December*. That they then, and there elect out of their own Number every fifth Man, or one Man out of every five, to be for the Term of the Year ensuing a Deputy of that Parish; and that the first and second so elected, be Overseers, or Presidents for the regulating of all parochial Congregations, whether of the Elders, or of the Youth, during the Term for which they were elected.

5. THAT so many Parishes lying nearest together, whose Deputies shall amount to one hundred, or thereabouts, be cast into one Precinct, called the Hundred: and that in each Precinct called the Hundred,

Hundred, there be a Town, Village, or Place appointed, to be the Capital of the same

6. THAT the parochial Deputies elected throughout the Hundred assemble annually, for Example, upon Monday next ensuing the last of *January*, at the Capital of their Hundred. That they then and there elect out of the Horse of their Number one Justice of the Peace, one Jury-man, one Captain, one Ensign; and out of the Foot of their Number, one other Jury-man, one High-constable, &c.

7. THAT every twenty Hundreds, lying nearest, and most conveniently together, be cast into one Tribe, or Shire. That the whole Territory being after this Manner cast into Tribes, or Shires, some Town, Village, or Place, be appointed unto every Tribe, or Shire, for the Capital of the same: And that these three Precincts, that is, the Parish, the Hundred, and the Tribe, or Shire, whether the Deputies thenceforth annually chosen in the Parishes, or Hundreds, come to increase, or diminish, remain firm, and unalterable for ever, save only by Act of Parliament.

8. THAT the Deputies elected in the several Parishes, together with their Magistrates, and other Officers, both civil and military, elected in their several Hundreds, assemble, or muster annually; for Example, upon Monday next ensuing the last of *February*, at the Capital of their Tribe, or Shire.

9. THAT the whole Body thus assembled upon the first Day of the Assembly, elect out of the Horse of their Number one High-Sheriff, one Lieutenant of the Tribe, or Shire, one *Custos Rotulorum*, one Conductor, and two Censors. That the High-Sheriff be Commander in Chief, the Lieutenant Commander in the second Place, and the Conductor in the third, of this Band, or Squadron. That the *Custos Rotulorum* be Muster-master, and keep the Rolls. That the Censors be Governors of the Ballot. And that the Term of these Magistracies be annual.

10. THAT the Magistrates of the Tribe, that is to say, the High-Sheriff, Lieutenant, *Custos Rotulorum*, the Censors, and the Conductor, together with the Magistrates and Officers of the Hundred, that is to say, the twenty Justices of the Peace, the forty Jury-men, the twenty High-constables be one Troop, and one Company apart, called the Prerogative Troop, or Company. That this Troop bring in, and assist the Justices of Assize, hold the Quarter-Sessions in their several Capacities, and perform their other Functions as formerly.

11. THAT the Magistrates of the Tribe, or Shire, that is to say, the High-Sheriff, Lieutenant, *Custos Rotulorum*, the Censors, and the Conductor, together with the twenty Justices elected at the Hundreds, be a Court for the Government of the Tribe called the *Phylarch*; and that this Court proceed in all Matters of Government, as shall from Time to Time be directed by Act of Parliament.

12. THAT the Squadron of the Tribe, upon the second Day of their Assembly, elect two Knights, and three Burgesses out of the Horse of their Number, and four other Burgesses out of the Foot of their Number. That the Knights have Session in the Senate, for the Term of three Years, and that the Burgesses be of the Prerogative Tribe, or Representative of the People for the like Term. That if in case of Death, or Expulsion, a Place become void in the Senate, or
popu-

popular Assembly, the respective Shire or Tribe have timely Notice from the Seignory, and proceed in the Manner aforesaid unto extraordinary Election of a Deputy or Senator, for the remaining Part of the Term of the Senator or Deputy, deceased or expelled.

13. THAT for the full and perfect Institution, at once, of the Assemblies mentioned, the Squadrop of each Tribe or Shire, in the first Year of the Commonwealth, elect two Knights for the Term of one Year, two other Knights for the Term of two Years, and lastly, two Knights more for the Term of three Years, the like for the Burgesses, of the Horse first, and then for those of the Foot.

14. THAT a Magistrate, or Officer elected at the Hundred, be thereby barred from being elected a Magistrate of the Tribe, or of the first Day's Election. That no former Election whatsoever bar a Man of the second Day's Election at the Tribe, or to be chosen a Knight or Burgess. That a Man being chosen a Knight or Burgess, who before was chosen a Magistrate or Officer of the Hundred or Tribe, delegate his former Office or Magistracy in the Hundred or the Tribe, to any other Deputy, being no Magistrate nor Officer, and being of the same Hundred, and of the same Order, that is, of the Horse, or of the Foot respectively. That the whole and every Part of the foregoing Orders for Election in the Parishes, the Hundreds, and the Tribes, be holding and inviolate upon such Penalties, in case of Failure, as shall hereafter be provided by Act of Parliament against any Parish, Hundred, Tribe or Shire, Deputy or Person so offending.

15. THAT the Knights of the annual Election in the Tribes take their Places on Monday next ensuing the last of *March*, in the Senate. That the like Number of Knights, whose Session determineth at the same Time, recede. That every Knight or Senator be paid out of the publick Revenue quarterly seventy five Pounds, during his Term of Session, and be obliged to sit in purple Robes.

16. THAT annually upon Reception of the new Knights, the Senate proceed unto Election of new Magistrates and Counsellors. That for Magistrates they elect one Archon or General, one Orator or Speaker, and two Censors, each for the Term of one Year, these promiscuously; and that they elect one Commissioner of the Great Seal, and one Commissioner of the Treasury, each for the Term of three Years, out of the new Knights only.

17. THAT the Archon or General, and the Orator or Speaker, as Consuls of the Commonwealth, and Presidents of the Senate, be during the Term of their Magistracy paid quarterly five hundred Pounds: that the Ensigns of these Magistracies be, a Sword born before the General, and a Mace before the Speaker: that they be obliged to wear Ducal Robes; and that what is said of the Archon or General in this Proposition, be understood only of the General sitting, and not of the General marching.

18. THAT the General sitting, in case he be commanded to march, receive Field-pay; and that a new General be forthwith elected by the Senate to succeed him in the House, with all the Rights, Ensigns and Emoluments of the General sitting, and this so often as one or more Generals are marching.

19. THAT the three Commissioners of the Great Seal, and the three Commissioners of the Treasury, using their Ensigns and Habit,

and performing their other Functions as formerly, be paid quarterly unto each of them three hundred seventy five Pounds.

20. THAT the Censors be each of them Chancellor of one University by Vertue of their Election: That they govern the Ballot: That they be Presidents of the Council for Religion: That they have under Appeal unto the Senate right to note and remove a Senator that is scandalous: That each have a Silver Wand for the Ensign of his Magistracy: That each be paid quarterly three hundred seventy five Pounds, and be obliged to wear scarlet Robes.

21. THAT the General sitting, the Speaker, and the six Commissioners above said, be the Seigniori of this Commonwealth.

22. THAT there be a Council of State consisting of fifteen Knights, five out of each Order or Election; and that the same be perpetuated by the annual Election of five out of the new Knights, or last elected into the Senate.

23. THAT there be a Council for Religion consisting of twelve Knights, four out of each Order, and perpetuated by the annual Election of four out of the Knights last elected into the Senate. That there be a Council for Trade consisting of a like Number, elected and perpetuated in the same Manner.

24. THAT there be a Council of War, not elected by the Senate, but elected by the Council of State out of themselves. That this Council of War consist of nine Knights, three out of each Order, and be perpetuated by the annual Election of three out of the last Knights elected into the Council of State.

25. THAT in case the Senate add nine Knights more out of their own Number into the Council of War, the said Council be understood by such Addition, to be Dictator of the Commonwealth, for the Term of three Months, and no longer, except by further Order of the Senate the said Dictatorian Power be prolonged for a like Term.

26. THAT the Seigniori have Session and Suffrage, with Right also jointly or severally, to propose both in the Senate and in all Senatorian Councils.

27. THAT each of the three Orders or Divisions of Knights in each Senatorian Council elect one Provost for the Term of one Week; and that any two Provosts of the same Council so elected may propose unto the respective Council, and not otherwise.

28. THAT some fair Room or Rooms well furnished and attended, be allowed at the State's Charge for a free and open Academy unto all Comers, at some convenient Hour or Hours, towards the Evening. That this Academy be governed according to the Rules of good Breeding or civil Conversation, by some or all of the Proposers: and that in the same it be lawful for any Man by Word of Mouth, or by Writing, in jest or in earnest, to propose unto the Proposers.

29. THAT for Embassadors in ordinary there be four Residences, as *France, Spain, Venice, and Constantinople*: That every Resident upon Election of a new Embassador in ordinary, remove to the next Residence in the Order nominated, till having served in them all, he return home. That upon Monday next ensuing the last of *November*, there be every second Year elected by the Senate some fit Person, being under thirty five Years of Age, and not of the Senate,

nate, nor of the popular Assembly: That the Party so elected repair upon Monday next ensuing the last of *March* following, as Ambassador in Ordinary unto the Court of *France*, and there reside for the Term of two Years, to be computed from the first of *April* next ensuing his Election. That every Ambassador in Ordinary be allowed three thousand Pounds a Year, during the Term of his Residencies; and that if a Resident come to die, there be an extraordinary Election into his Residence for his Term, and for the Remainder of his Removes, and Progress.

30. THAT all emergent Elections be made by Scrutiny, that is, by a Council, or by Commissioners proposing, and by the Senate resolving in the manner following: That all Field Officers be proposed by the Council of War: that all Ambassadors extraordinary be proposed by the Council of State: that all Judges and Serjeants at Law be proposed by the Commissioners of the Great Seal. That all Barons and Officers of Trust in the Exchequer be proposed by the Commissioners of the Treasury, and that such as are thus proposed and approved by the Senate, be held lawfully elected.

31. THAT the Cognizance of all Matter of State to be considered, or Law to be enacted, whether it be provincial or national, domestick or foreign, appertain unto the Council of State. That such Affairs of either Kind as they shall judge to require more Secrecy, be remitted by this Council, and appertain unto the Council of War, being for that End a select Part of the same. That the Cognizance and Protection both of the national Religion, and of the Liberty of Conscience equally established, after the Manner to be shewn in the religious Part of this Model, appertain unto the Council for Religion. That all Matter of Traffick and Regulation of the same appertain unto the Council for Trade: That in the Exercise of these several Functions, which naturally are senatorian or authoritative only, no Council assume any other Power, than such only as shall be entrusted upon the same by Act of Parliament.

32. THAT what shall be proposed unto the Senate by one or more of the Seignior or Proposers general, or whatever was proposed by any two of the Provosts, or particular Proposers, unto their respective Council; and upon Debate at that Council shall come to be proposed by the same unto the Senate, be necessarily debatable and debated by the Senate. That in all Cases wherein Power is derived unto the Senate by Law made or by Act of Parliament, the Result of the Senate be ultimate; that in all Cases of Law to be made, or not already provided for by Act of Parliament, as War and Peace, Levy of Men, or Money or the like, the Result of the Senate be not ultimate. That whatsoever is decreed by the Senate upon a Case wherein their Result is not ultimate, be proposed by the Senate unto the Prerogative Tribe, or Representative of the People, except only in Cases of such Speed or Secrecy, wherein the Senate shall judge the necessary Slowness, or Openness, in this way of proceeding, to be of Detriment, or Danger unto the Commonwealth.

33. THAT if upon the Motion or Proposition of a Council or Proposer General, the Senate add nine Knights, promiscuously chosen out of their own Number unto the Council of War; the same Council, as thereby made Dictator, have Power of Life and Death, as also to enact Laws in all such Cases of Speed or Secrecy for and during the

Term of three Months and no longer, except upon new Order from the Senate. And that all Laws enacted by the Dictator be good and valid for the Term of one Year and no longer, except the same be proposed by the Senate, and resolved by the People

34 THAT the Burgesses of the annual Election returned by the Tribes, enter into the Prerogative Tribe, popular Assembly, or Representative of the People, upon *Monday* next ensuing the last of *March*, and that the like number of Burgesses, whose Term is expired, recede at the same time. That the Burgesses thus entered, elect unto themselves out of their own Number, two of the Horse, one to be Captain, and the other to be Cornet of the same, and two of the Foot, one to be Captain, and the other to be Ensign of the same, each for the Term of three Years. That these Officers being thus elected, the whole Tribe or Assembly proceed to the Election of four annual Magistrates, two out of the Foot to be Tribunes of the Foot, and two out of the Horse to be Tribunes of the Horse. That the Tribunes be Commanders of this Tribe in Chief, so far as it is a military Body, and Presidents of the same, as it is a civil Assembly. And lastly, that this whole Tribe be paid weekly, as followeth. Unto each of the Tribunes of Horse seven Pounds. Unto each of the Tribunes of Foot six Pounds. Unto each of the Captains of Horse five Pounds. Unto each of the Captains of Foot four Pounds. Unto each of the Cornets three Pounds. Unto each of the Ensigns two Pounds, seven Shillings. Unto every Horseman two Pound, and to every one of the Foot one Pound, ten Shillings

35 THAT inferior Officers, as Captains, Cornets, Ensigns, be only for the Military Discipline of this Squadron or Tribe. That the Tribunes have Session in the Senate without Suffrage, that they have Session of Course and with Suffrage in the Dictatorian Council, so often as it is created by the Senate. That they be Presidents of the Court in all Cases, to be judged by the People. And that they have Right under an Appeal unto popular Assembly, to note or remove any Deputy or Burgess that is scandalous.

36 THAT Peculate or Defraudation of the Publick, all Cases tending to the Subversion of the Government, be triable by this Representative, and that there be an Appeal unto the same in all Causes, and from all Magistrates, Courts, and Councils, whether National or Provincial

37 THAT the Right of Debate, as also of proposing to the People, be wholly and only in the Senate, without any Power at all of Refult, nor derived from the People.

38 THAT the Power of Refult be wholly and only the popular Assembly, without any Right at all of Debate.

39. THAT the Senate having debated and agreed upon a Law to be proposed, cause Promulgation of the same to be made for the Space of six Weeks before Proposition, that is, cause the Law to be printed and published, so long before it is to be proposed.

40 THAT Promulgation being made, the Seigniorie demand of the Tribunes being present in the Senate, an Assembly of the People. That the Tribunes upon such Demand by the Seigniorie or by the Senate, be obliged to assemble the Prerogative Tribe or Representative of the People in Arms by sound of Trumpet with Drums beating, and Colours flying, in any Town, Field, or Market-place, being not above
fix

fix Miles distant, upon the Day and at the Hour appointed, except the meeting through Inconvenience of the Weather, or the like, be prorogued by consent of the Signiory and the Tribunes. That the Prerogative Tribe being assembled accordingly, the Senate propose to them by two or more of the Senatorian Magistrates thereunto appointed, at the first Premulgation of the Law. That the Proposers for the Senate open unto the People the Occasion, Motives and Reasons of the Law to be proposed, and the same being done, put it by distinct Clauses unto the Ballot of the People. That if any material Clause or Clauses be rejected by the People, they be reviewed by the Senate, altered, and proposed, if they think fit, to the third time, but no other.

41 THAT what is thus proposed by the Senate, and resolved by the People, be the Law of the Land, and no other, except as in the Case reserved unto the Dictatorian Council.

42 THAT every Magistracy, Office, or Election, throughout this whole Commonwealth, whether annual or triennial, be understood of Consequence, to injoin an Interval or Vacation equal unto the Term of the same. That the Magistracy of a Knight and of a Burgess, be in this Relation understood as one and the same, and that this Order regard only such Elections as are national and domestick, and not such as are provincial or foreign.

43. THAT for an Exception to this Rule, where there is but one Elder of the House in one and the same Parish, that Elder be eligible in the same without Interval, and where there be four Elders of the House or above in one and the same Parish, there be not under nor above Half of them eligible at the same Election.

44 THAT throughout all the Assemblies and Councils of this Commonwealth, the *Quorum* consist of one Half in the time of Health, and of one third Part in a time of Sickneſs, being so declared by the Senate.

P A R T II.

For the religious Part, it is proposed:

45 THAT the Universities, being prudently reformed, be preserved in their Rights and Indowments for and towards the Education and Provision of an able Ministry.

46. THAT the legal and ancient Provision for the national Ministry be so augmented, that the meanest sort of Livings or Benefices, without Defalcation from the greater, be each improved to the Revenue of one hundred Pounds a Year, at the least.

47. THAT a Benefice becoming void in any Parish, the Elders of the same may assemble, and give Notice unto the Vice-Chancellor of either University, by Certificate, specifying the true Value of that Benefice; that the Vice-Chancellor upon a Receipt of such Certificate, be obliged to call a Congregation of the University, that the Congregation of the University to this End assembled, having regard unto the Value of the Benefice, make choice of a Person fitted for the ministerial Function, and return him unto the Parish so requiring, that the

Pro-

Probationer, thus returned unto a Parish, by either of the Universities, exercise the Office and receive the Benefits, as Minister of the Parish for the Term of one Year. That the Term of one Year expired, the Elders of the Parish assemble, and put the Election of the Probationer unto the Ballot. That if the Probationer have three Parts in four of the Balls or Votes in the Affirmative, he be thereby ordained and elected Minister of that Parish; not afterwards to be degraded or removed but by the Censors of the Tribe, the Phylarch of the same, or the Council of Religion, in such Cases as shall be unto them reserved by Act of Parliament. That in case the Probationer come to fail of three Parts in four at the Ballot, he depart from that Parish; and if he return unto the University, it be without Diminution of the former Offices or Preferments which he there enjoyed, or any Prejudice unto his future Preferment; and that it be lawful in this case for any Parish to send so often to either University, and be the Duty of either Vice-Chancellor, upon such Certificates, to make return of different Probationers, till such time as the Elders of that Parish have fitted themselves with a Minister of their own Choice and Liking.

48. THAT the national Religion be exercised according to a Directory in that Case, to be made and published by Act of Parliament. That the national Ministry be permitted to have no other publick Preferment or Office in this Commonwealth. That a national Minister being convicted of Ignorance or Scandal, be moveable out of his Benefice by the Censors of the Tribe, under an Appeal unto the Phylarch, or to the Council for Religion.

49. THAT no Religion being contrary unto, or destructive of Christianity, nor the publick Exercise of any Religion, being grounded upon, or incorporated into a foreign Interest, be protected by, or tolerated in this State. That all other Religions, with the publick Exercise of the same, be both tolerated and protected by the Council of Religion; and that all Professors of any such Religion, be equally capable of all Elections, Magistracies, Preferments and Offices, in this Commonwealth, according unto the Orders of the same.

P A R T III.

For the military Part it is proposed:

50. THAT annually upon *Wednesday* next ensuing the last of *December*, the Youth of each Parish, under the Inspection of the two Overseers of the same, assemble, and elect the fifth Man of their Number, or one in five of them, to be for the Term of that Year, Deputies of the Youth of that Parish.

51. THAT annually, on *Wednesday* next ensuing the last of *January*, the said Deputies of the respective Parishes meet at the Capital of the Hundred, where there are Games and Prizes allotted for them, as hath been shewed elsewhere, that there they elect to themselves out of their own Number, one Captain, and one Ensign. And that of these Games, and this Election, the Magistrates, and Officers of the Hundred, be Presidents and Judges for the impartial Distribution of the Prizes.

52. THAT annually, upon *Wednesday* next ensuing the last of *February*, the Youth through the whole Tribe thus elected, be received at the Capital of the same, by the Lieutenant, as Commander in

in chief, by the Conductor, and by the Censors; that under Inspection of these Magistrates, the said Youth be entertained with more splendid Games, disciplined in a more military Manner, and divided by Lot into sundry Parts or Essays, according to Rules elsewhere given.

53. THAT the whole Youth of the Tribe thus assembled be the first Essay. That out of the first Essay there be cast by Lot two hundred Horse, and six hundred Foot, that they whom their Friends will, or themselves can mount, be accounted Horse, the rest Foot. That these Forces amounting in the fifty Tribes to ten thousand Horse, and thirty thousand Foot, be always ready to march at a Week's warning, and that this be the second Essay, or the standing Army of the Commonwealth.

54. THAT for the holding of each Province, the Commonwealth in the first Year assign an Army of the Youth, consisting of seven thousand five hundred Foot, and one thousand five hundred Horse. That for the Perpetuation of these provincial Armies, or Guards, there be annually at the Time and Place mentioned, cast out of the first Essay of the Youth, in each Tribe or Shire ten Horse, and fifty Foot, that is, in all the Tribes five hundred Horse, and two thousand five hundred Foot for *Marpesia*, the like for *Pampha*, and the like of both Orders for the Sea-Guards, being each obliged to serve for the Term of three Years upon the State's Pay.

55. THAT the Senate and the People, or the Dictator, having decreed or declared War, and the Field-Officers being appointed by the Council of War, the General, by Warrant issued unto the Lieutenants of the Tribes, demand the second Essay, or such Part of it, as is decreed, whether by way of levy or recruit. That by the same Warrant he appoint his Time and Rendezvous; that the several Conductors of the Tribes or Shires deliver him the Forces demanded at the Time and Place appointed. That a General thus marching out with the Standing Army, a new Army be elected out of the first Essay as formerly, and a new General be elected by the Senate; that so always there be a General sitting, and a Standing Army, what Generals soever be marching. And that in Case of Invasion, the Bands of the Elders be obliged unto like Duty with those of the Youth.

56. THAT an only Son be discharged of these Duties without Prejudice. That of two Brothers, there be but one admitted to foreign Service at one time. That of more Brothers not above Half. That whoever otherwise refuseth his Lot, except upon Cause shewn he be dispensed withal by the Phylarch, or upon Penitence, he be by them pardoned and restored by such refusal, be incapable of electing, or being elected in this Commonwealth; as also, that he pay unto the State a fifth of his Revenue for Protection, besides Taxes. That Divines, Physicians and Lawyers, as also Trades not at leisure for the Essays, be so far forth exempted from this Rule, that they be still capable of all Preferments in their respective Professions with Indemnity.

57. THAT upon Warrants issued forth by the General for Recruits or Levies, there be an Assembly of the Phylarch in each Tribe: That such Volunteers or Men being above thirty Years of Age, as are desirous of further Employment in Arms, appear before the Phylarch so assembled. That any Number of these not exceeding one Mithry of the Recruits or Levies of that Tribe or Shire, may be taken on by the Phylarch, so many of the Youth being at the Discretion of this Council disbanded, as are taken on of the Volunteers. That the Levies

vies thus made, be conducted by the Conductor of the respective Tribe or Shire, unto the Rendezvous appointed: And that the Service of these be without other Term or Vacation, than at the Discretion of the Senate and the People, or such Instructions unto the General, as shall by them in that case be provided.

PART IV.

For the provincial Part it is proposed:

58. **T**HAT upon Expiration of Magistracy in the Senate, or at the annual Recess of one third Part of the same, there be elected by the Senate out of the Part receding into each provincial Council four Knights for the Term of three Years, thereby to render each provincial Council, presuming it in the beginning to have been constituted of twelve Knights, divided after the manner of the Senate, by three several Lists or Elections, of annual, triennial and perpetual Revolution or Rotation.

59. **T**HAT out of the same third Part of the Senate annually receding, there be unto each Province one Knight elected for the Term of one Year. That the Knight so elected be the provincial Archon, General or Governor. That a provincial Archon, Governor or General, receive annually in *April*, at his Rendezvous appointed, the Youth or Recruits elected in the precedent Month to that end by the Tribes, and by their Conductors delivered accordingly. That he repair with the said Youth and Recruits, unto his respective Province, and there dismiss that Part of the provincial Guard or Army, whose triennial Term is expired. That each provincial Governor have the Conduct of Affairs of War and of State, in his respective Province, with Advice of the provincial Council; and that he be President of the same.

60. **T**HAT each provincial Council elect three weekly Proposers or Provosts, after the manner, and to the Ends already shewn in the Constitution of Senatorian Councils; and that the Provost of the senior List during his Term, be President of the Council in Absence of the provincial Archon, or General.

61. **T**HAT each provincial Council proceed according unto Instructions received from the Council of State, and keep Intelligence with the same by any two of their Provosts, for the Government of the Province as to matter of War, or of State. That upon Levies of native, or proper Arms, by the Senate and the People, a provincial Council, having unto that End received Orders, make Levies of provincial Auxiliaries accordingly. That Auxiliary Arms upon no Occasion whatsoever exceed the proper or active Arms in Number. That for the rest, the provincial Council maintain the Provincials, defraying their peculiar Guards and Council, by such known Proportion of Tributes, as on them shall be set by the Senate and the People, in their proper Rights, Laws, Liberties and Immunities, so far forth as upon the Merits of the Cause, whereupon they were subdued, it seemed good unto the Senate and the People to confirm them. And that it be lawful for the Provincials to appeal from such provincial Magistrates, Councils, or Generals, to the People of *Ossene*.

I N D E X

OF THE

PRINCIPAL MATTERS

Treated of in

HARRINGTON's WORKS.*

* N. B. This INDEX does not *particularly* refer to the small Tracts at the End of the Volume; they being only the same Principles *defended, abridged* or reduc'd to *Aphorisms*. Yet in the perusal of these the *Index* will be found no less useful, as it will direct the Reader to a fuller Explanation or Proof of any Phrase or Position that may seem to want it.

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H

Hecyopia (aka Thowar)
Helo (Whitehall)

Majmoot,

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