

THAT annually, upon the reception of the new Knights, the Senat Chap. 1. proceed to the election of new Magistrats and Counsellors. That for Ma-
gistrats they elect one General, one Speaker, and two Censors, each for the ¹⁷ Senatorian
term of one year; these promiscuously: and that they elect one Commissioner ^{Magistrat.}
of the Great Seal, and one Commissioner of the Treasury, each for the
term of three years, and out of the new Knights only.

THIS Proposition supposes the Commissioners of the Seal and
those of the Treasury to consist each of three, wheel'd by the annual
Election of one into each Order, upon a triennial Rotation. For farther
explanation of the Senatorian Magistracys, it is propos'd,

THAT the General and Speaker, as CONSULS of the Common- ¹⁹ The General
wealth, and Presidents of the Senat, be, during the term of their Magi-
stracy, paid quarterly five hundred pounds: That the Insigns of these <sup>sitting, and
on Speaker.</sup>
Magistracys be a Sword born before the General, and a Mace before the
Speaker: That they be oblig'd to wear Ducal Robes; and that what is said
of the General in this Proposition, be understood only of the General sitting,
and not of the General marching.

THAT the General sitting, in case he be commanded to march, receive ^{19.} The General
Field Pay; and that a new General be forthwith elected by the Senat to suc-
cede him in the House, with all the Rights, Insigns, and Emoluments of
the General sitting: And this so often as one or more Generals are marching.

THAT the three Commissioners of the great Seal, and the three Com- ^{20.} Commis-
missioners of the Treasury, using their Insigns and Habit, and performing <sup>sioners of the
Sealand of the
Treasury.</sup>
their other Functions as formerly, be paid quarterly to each of them three
hundred seventy five Pounds.

THAT the Censors be each of them Chancellor of one University by ^{21.} The Censors
virtue of their Election: that they govern the Ballot; that they be Pre-
sidents of the Council for Religion; that each have a silver Wand for the
Insign of his Magistracy; that each be paid quarterly three hundred seventy
five Pounds, and be oblig'd to wear scarlet Robes.

THAT the General sitting, the Speaker, and the six Commissioners ^{22.} The Signory.
abovesaid, be the Signory of this Commonwealth.

THIS for the Senatorian Magistrats. For Senatorian Councils it
is propos'd,

THAT there be a Council of State consisting of fifteen Knights, five ²³ Council of
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 eld'd into the
Senat.

THAT there be a Council for Religion consisting of twelve Knights, ^{24.} Council of
four out of each Order, and perpetuated by the annual Election of four out
of the Knights, last elected into the Senat. That there be a Council for <sup>Religion, of
Trade.</sup>
Trade, consisting of a like number, elected and perpetuated in the same
manner.

THAT there be a Council of War, not elected by the Senat, but elect- ^{25.} Council of
ed 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.

THAT in case the Senat adds nine Knights more out of their own num- ^{26.} The Dictator.
ber to the Council of War, the said Council be understood by this addition
to be DICTATOR of the Commonwealth for the term of three months,
and no longer, except by farther Order of the Senat the said Dictatorian
Power be prolong'd for a like term.

²
The Propo-
sition General

²⁵
Propoſt, or
particul^r
Propoſers

²⁷
Academy

THAT the Signory have Session and Suffrage, with right also jointly or severally to propose, both in the Senat and in all Senatorian Councils.

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 to their respective Council, and not otherwise.

THAT some fair Room or Rooms well furnish'd and attended, be allow'd at the States charge for a free and open Academy to all comers at some convenient hour or hours towards the Evening. That this Academy be govern'd according to the Rules of good Breeding, or civil Conversation, by some or all of the Proposers; and that in the same it be lawful for any man by word of mouth or by writing, in jest or in earnest, to propose to the Proposers.

FROM the frame or structure of these Councils, I should pass to their Functions; but that besides annual Elections, there will be some biennial, and others emergent: in which regard it is propos'd, first, for biennial Elections,

³⁰
Limit all elections
in ordinary

THAT for Embassadors in ordinary, there be four Residences; as France, Spain, Venice, and Constantinople: that every Resident, upon the Election of a new Embassador in ordinary, remove to the next Residence in the Order nominated, till having serv'd in them all, he returns home. That upon Monday next ensuing the last of November, there be every second year elected by the Senat some fit Person, being under thirty five years of Age, and not of the Senat or popular Assembly: that the Party so elected, repair upon Monday next ensuing the last of March following, as Embassador in ordinary to the Court of France, and there reside for the term of two years, to be computed from the first of April next ensuing his Election. That every Embassador in ordinary be allow'd three thousand pounds a year during the term of his Residences; and that if a Resident comes to dy, there be an extraordinary Election into his Residence for his term, and for the remainder of his Removes and Progress.

³¹
Emergent
Elections

THAT all emergent Elections be made by Scrutiny, that is, by a Council, or by Commissioners proposing, and by the Senat resolving in the manner following: That all Field-Officers be propos'd by the Council of War; that all Embassadors extraordinary be propos'd by the Council of State; that all Judges and Sergeants at Law be propos'd by the Commissioners of the great Seal; that all Barons and Officers of Trust in the Exchequer, be propos'd by the Commissioners of the Treasury: and that such as are thus propos'd, and approv'd by the Senat, be held lawfully elected.

THESE Elections being thus dispatch'd, I com to the Functions of the Senat, and first, to those of the Senatorian Councils: for which it is propos'd,

⁷²
Division of
the Senatorian
Councils

THAT the cognizance of all matters of State to be consider'd, or Law to be enact'd, whether it be Provincial or National, Domestic or Foreign, pertain to the Council of State. That such Affairs of either kind, as they shall judge to require more Secrecy, be remitted by this Council, and belong to the Council of War, being for that end a select part of the same. That the cognizance and protection both of the National Religion, and of the Liberty of Conscience equally establish'd in this Nation, after the manner to be shewn in the Religious part of this Model, pertain to the Council for Religion. That all matters of Trade, and the regulation of the same, belong to the Council of Trade. That in the exercise of these several Functions, which naturally are Senatorian or Authoritative only, no Council assume

assume any other Power than such only as shall be sett'd upon the same by Chap. 1.
Act of Parliament.

THAT what shall be propos'd to the Senat by any one or more of the Signory or Proposers general; or whatever was propos'd by any two of the Provosts or particular Proposers to their respective Council, and upon de-³³ Function of the Senat
bate at that Council shall com to be propos'd by the same to the Senat, be necessarily debatable and debated by the Senat. That in all cases wherein Power is committed to the Senat by a Law made, or by Act of Parliament, the Result of the Senat be ultimat: that in all cases of Law to be made, or not already provided for by an Act of Parliament, as War and Peace, let; of Men or Money, or the like, the Result of the Senat be not ultimat. That whatsoever is resolv'd by the Senat, upon a case wherein their Result is not ultimat, be propos'd by the Senat to the Prerogative Tribe or Representative of the People; except only in cases of such speed or secrecy, wherein the Senat shall judg the necessary slowness or openness in this way of proceeding to be of detriment or danger to the Commonwealth.

THAT if upon the motion or proposition of a Council or Proposer General, the Senat adds nine Knights promiscuously chosen out of their own number, to the Council of War; the same Council, as therby made Dictator, have power of Life and Death, as also to enact Laws in all such cases of speed or secrecy, for and during the term of three months and no longer, except upon a new Order from the Senat. And that all Laws enacted by the Dictator be good and valid for the term of one year, and no longer; except the same be propos'd by the Senat, and resolv'd by the People.

THIS Dictatorian Council (as may already appear) consists fundamentally of the Signory, with nine Knights elected by the Council of State, additionally of nine Knights more emergently chosen by the Senat, and of the four Tribuns of course; as will appear when I com to speak of that Magistracy. Now if Dictatorian Power be indeed formidable, yet this in the first place is remarkable, that the Council here offer'd for a Dictator is of a much safer Constitution, than what among us hitherto has bin offer'd for a Commonwealth, namely, a Parliament and a Council in the interim. For here is no interim, but all the Councils of the Commonwealth not only remaining, but remaining in the exercise of all their Functions, without the abatement of any; speed and secrecy belonging not to any of them, but to that only of the Dictator. And if this Dictatorian Council has more in it of a Commonwealth than has hitherto among us bin either practis'd or offer'd, by what Argument can it be pretended that a Commonwealth is so imperfect thro the necessity of such an Order, that it must needs borrow of Monarchy; seeing every Monarchy that has any Senat, Assembly, or Council in it, therby most apparently borrows more of a Commonwealth, than there is to be found of Monarchy in this Council?

TO dismiss this whole Senat with one Parallel: The institution of ^{The first Pa-} the seventy Elders in Israel (as was shewn in the second Book) for ^{rallel} their number related to an Accident, and a Custom therupon antiently introduc'd. The Accident was that the Sons of JACOB who went into Egypt were so many; these, first governing their Familys by natural right, came, as those Familys increas'd, to be for their number retain'd and continu'd in the nature of a Senatorian Council, while the People were yet in Egyptian Bondage. So we, having had no like Custom, have as to the number no like Inducement. Again, the

Book III. Territory of *Canaan* amounted not to a fourth of our Country; and in Government we are to fit our selves to our own proportions. Nor can a Senat, consisting of few Senators, be capable of so many distributions as a Senat consisting of more. Yet we find in the restitution of the Sanhedrim by JEROSHAPHAT, that there was AMARIAH chief in all matters of the Lord, that is, in judgment upon the Laws, which, having bin propos'd by God, were more peculiarly his matters; and ZEBADIAH chief in all the King's matters, that is, in political debates concerning Government, or War and Peace. Lastly, Judg 11 5, When the Children of Ammon made War against Israel, the People of Israel made JEPHTHA not only Captain, but Head over them. So the Judg of Israel, being no standing Magistrat, but elected upon emergencies, supplants the Parallel as to Dictatorian Power in a Commonwealth.

DEBATE is the natural Parent of Result; whence the Senat throuth the Latin Authors is call'd *Fathers*, and in Greec Authors the compellation of a popular Assembly is *Men*; as *Men* of Athens, *Men* of Corinth, *Men* of Lacedemon: nor is this Custom Heathen only, seeing these Compellations are us'd to the Senat and the People of the Jews, not only by STEPHEN, but also by PAUL, where they begin their speeches in this manner: *Men, Brethren, and Fathers*. To com then from the Fathers to the People, the Popular Assembly, or Prerogative Tribe; it is propos'd,

THAT the Burgeses of the annual Election return'd by the Tribes, enter into the Prerogative Tribe upon Monday next insuing the iast of March; and that the like number of Burgeses, whose term is expir'd, recede at the same time. That the Burgeses thus enter'd elect to 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, the other to be Insign of the same, each for the term of three years. That these Officers being thus elected, the whole Tribe or Assembly proceed to the Election of four annual Magistrats; two out of the Foot, to be Tribuns of the Foot: and two out of the Horse, to be Tribuns of the Horse. That the Tribuns be Commanders of this Tribe in chief, so far as it is a Military Body; and Presidents of the same, as it is a civil Assembly. And lastly, that this whole Tribe be paid weekly as follows. To each of the Tribuns of Horse, seven pounds. To each of the Tribuns of Foot, six pounds. To each of the Captains of Horse, five pounds. To each of the Captains of Foot, four pounds. To each of the Cornets, three pounds. To each of the Insigns, two pounds seven shillings. To every Horseman two pounds, and to every one of the Foot one pound ten shillings.

FOR the Salaries of the Senat and the People together, they amount not to three hundred thousand pounds a year; which is cheaper by near two parts in three, than the chief Magistracy ever did or can otherwise cost: for if you give nothing, (*summa dat qui iusta negat*) men will be their own Carvers. But to proceed, it is propos'd,

THAT inferior Officers, as Captains, Cornets, Insigns, be only for the Military Discipline of the Tribe. That the Tribuns have Session in the Senat without suffrage; that they have Session of course in the Dictatorian Council, so often as it is created by the Senat, and with suffrage. That they be Presidents of the Courts in all cases to be judg'd by the People.

THAT

THAT Peculat or Defraudation of the Public, and all cases tending to the subversion of the Government, be triable by this Representative; and that there be an Appeal to the same in all Causes, and from all Magistrats, Courts and Councils, whether National or Provincial.

Chap. 1.
37
Appeal to the People.

THIS Judicatory may seem large: but thus the Congregation of Israel, consisting of four hundred thousand, judg'd the Tribe of Benjamin. Thus all the Roman Tribes judg'd CORIOLANUS. And thus Duke LOREDANO was try'd by the great Council of Venice, consisting yet of about two thousand.

The sixth Parallel judg. 20. Habacuc. Janottu.

THIS is as much as I have to say severally of the Senat and the People; but their main Functions being joint, as they make one Parliament, it is farther propos'd,

THAT the right of Debate, as also of proposing to the People, be wholly and only in the Senat; without any power at all of Result, not deriv'd from the People.

38
The main Function of the Senat

THAT the power of Result be wholly and only in the People, without any right at all of Debate.

39.
The main Function of the Prerogative Tribe

THAT the Senat having debated and agreed upon a Law to be propos'd, cause promulgation of the same to be made for the space of six weeks before proposition; that is, cause the Law to be printed and publish'd so long before it is to be propos'd.

40
Promulgation

THAT promulgation being made, the Signory demand of the Tribuns, being present in the Senat, an Assembly of the People. That the Tribuns, upon such a demand of the Signory or of the Senat, be oblig'd to assemble the Prerogative Tribe in Arms by sound of Trumpet, with Drums beating and Colors flying, in any Town, Field, or Market-place being not above six miles distant, upon the day and at the hour appointed; except the meeting, thro any inconvenience of the weather or the like, be prorog'd by the joint consent of the Signory and the Tribuns. That the Prerogative Tribe being assembled accordingly, the Senat propose to them by two or more of the Senatorian Magistrats, thereto appointed at the first promulgation of the Law. That the Proposers for the Senat open to the People the Occasion, Motives, and Reasons of the Law to be propos'd; and the same being done, put it by distinct Clauses to the Ballot of the People. That if any material Clause or Clauses be reject'd by the People, they be review'd by the Senat, alter'd, and propos'd (if they think fit) to the third time, but no oftner.

41.
Manner of Proposition.

THAT what is thus propos'd by the Senat, and resolv'd by the People, be the Law of the Land, and no other, except as in the case refer'd to the Dictatorian Council.

42.
Act of Parliament.

THE Congregation of Israel being monthly, and the Representative propos'd being annual and triennial, they are each upon Courses or Rotation: the Congregation of Israel consisting of twenty four thousand, in which the whole number of the Princes of the Tribes and of the Princes of the Families amounted not, I might say, to one hundred, but will say to one thousand; it follows, that the lower sort in the Congregation of Israel held proportion to the better sort, above twenty to one. Whereas in the Representative propos'd, the lower sort hold proportion to the better sort but six to four; and that popular Congregation where the lower sort hold but six to four, is by far the most Aristocratical that is or ever was in any well-order'd Commonwealth, except Venice; but if you will have that Gentry to be all of one sort, or if you allow them to be of a better and of a meaner sort, Venice is not excepted. The Sanhedrim made no Law without the

The seventh Parallel.

Book III.

FIG. 10. 8.

the People; nor may the Senat in this Model: but the Sanhedrim with the Congregation, might make Laws; so may the Senat, in our Model, with the Representative of the People. Lastly, as the Congregation in *Israel* was held either by the Princes in person, with their Staves and Standards of the Camp, or by the four and twenty thousand in Military Disciplin; so the Representative propos'd is in the nature of a Regiment.

EXCEPTING *Venice*, where there is a shadow, and but a shadow of Law made by the Senat (for the Sovereign Power is undeniably in the great Council) and *Athens*, where a Law made by the Senat was current as a Probationer for one year before it was propos'd to the People; there neither is nor has bin any such thing in a Commonwealth as a Law made by the Senat. That the Senat should have power to make Laws, reduces the Government to a single Council; and Government by a single Council, if the Council be of the Many, is Anarchy, as in the Assembly of the *Roman* People by Tribes, which always shook, and at length ruin'd that Commonwealth: Or, if the Council be of the Few, it is Oligarchy, as that of *Athens* consisting of the four hundred, who nevertheless pretended to propose to five thousand, tho they did not. Of which says THUCYDIDES,

Thucyd. lib. 8.

This was indeed the form pretended in words by the four hundred; but the most of them, thro privat ambition, fell upon that by which an Oligarchy made out of a Democracy is chiefly overthrown: for at once they claim'd everyone not to be equal, but to be far the chief. Anarchy, or a single Council consisting of the Many, is ever tumultuous, and dos ill even while it means well. But Oligarchy, seldom meaning well, is a Faction wherein every one striving to make himself, or som other from whom he hopes for advantages, spoils all. There is in a Commonwealth no other cure of these, than that the Anarchy may have a Council of som few, well chosen, and elected by themselves, to advise them; which Council so instituted, is the Senat: Or that the Oligarchy have a popular Representative to balance it; which both curing Tumult in the rash and heady People, and all those Corruptions which cause Factiousness in the sly and subtil Few, amount to the proper Superstructures of a well-order'd Commonwealth. As, to return to the example of the Oligarchy in *Athens*, where the four hundred (whose Reign, being very short, had bin as seditious) were depos'd; and the Sovereignty was decreed to a popular Council of five thousand, with a Senat of four hundred annually elective upon Courses, or by Rotation. Of this says THUCYDIDES, *Now first (at least in my time) the Athenians seem to have order'd their State aright, it consisting of a moderat temper both of the Few and the Many. And this was the first thing that, after so many misfortunes, made the City again to raise her Head.* But we in *England* are not apt to believe, that to decree the Sovereignty to thousands, were the way to make a City or a Nation recover of its Wounds, or to raise its Head. We have an aversion to such thoughts, and are sick of them. An Assembly of the People Sovereign! Nay, and an Assembly of the People consisting in the major vote of the lower sort! Why, sure it must be a dull, and unskillful thing. But so is the Touchstone in a Goldsmith's Shop, a dull thing, and altogether unskill'd in the Trade; yet without this, would even the Master be deceiv'd. And certain it is, that a well-order'd Assembly of the People is as true an Index of what in Government is good or great, as any Touchstone is of Gold.

Lib. 8.

A

A COUNCIL (especially if of a loose Election) having not only the Debate, but the Result also, is capable of being influenc'd from without, and of being sway'd by Interest within. There may be a form'd, a prejudic'd Party, that will hasten or outbawl you from the Debate to the Question, and then precipitat you upon the Result: Whereas if it had no power of Result, there could remain to the same no more than Debate only, without any Biass, or cause of diverting such Debate from Maturity; in which Maturity of unbiased Debate lyes the final cause of the Senat, and the whole Light that can be given to a People. But when this is don, if your resolving Assembly be not such as can imbibe or contract no other Interest than that only of the whole People, all again is lost; for the Result of all Assembly, goes principally upon that which they conceive to be their own Interest. But how an Assembly upon Rotation, consisting of one thousand, where the Vote is six to four in the lower sort, should be capable of any other Interest than that only of the whole People by which they are orderly elect'd, has never yet bin, nor, I believe, ever will be shewn. In a like distribution therefore of Debate and Result, consists the highest Mystery of Popular Government; and indeed the supreme Law, wherein is contain'd not only the Liberty, but the Safety of the People.

FOR the remainder of the Civil part of this Model, which is now but small, it is farther propos'd,

THAT every Magistracy, Office, or Election throout this whole Commonwealth, whether annual or triennial, be understood of consequence to injoin an interval or vacation equal to the term of the same. That the Magistracy of a Knight and of a Burgess, be, in this relation, understood as one and the same; and that this Order regard only such Elections as are National or Domestic, and not such as are Provincial or Foren.

THAT, for an exception from this Rule, where there is but one Elder of the Horse in one and the same Parish, that Elder be eligible in the same without interval; and where there be above four Elders of the Horse in one and the same Parish, there be not above half, nor under two of them eligible at the same Election.

OTHERWISE the People, beyond all manner of doubt, would elect so many of the better sort at the very first, that there would not be of the Foot or of the meaner sort enough to supply the due number of the Popular Assembly or Prerogative Tribe: and the better sort being excluded subsequent Elections by their intervals, there would not be wherewithal to furnish the Senat, the Horse of the Prerogative Tribe, and the rest of the Magistracys; each of which Obstructions is prevented by this Exception. Where, by the way, if in all experience such has bin the constant temper of the People, and can indeed be reasonably no other, it is apparent what cause there can be of doubt who in a Commonwealth of this nature must have the leading. Yet is so man excluded from any Preferment; only Industry, which ought naturally to be the first step, is first injoin'd by this Policy, but rewarded amply: seeing he who has made himself worth one hundred Pounds a year, has made himself capable of all Preferments and Honors in this Government. Where a man from the lowest state may not rise to the due pitch of his unquestionable Merit, the Commonwealth is not equal: yet neither can the People, under the Limitations propos'd, make choice (as som object) of any other than

Chap. I.

43
Rule for Vacations.

44
Exception from the Rule

the

the better sort, nor have they at any time bin so inclining to do, where they have not bin under such Limitations. Be it spoken, not to the disparagement of any man, but on the contrary to their praise whose Merit has made them great, the People of *England* have not gon so low in the election of a House of Commons, as som Prince has don in the election of a House of Lords. To weigh Election by a Prince with Election by a People, set the Nobility of *Athens* and *Rome* by the Nobility of the old Monarchy, and a House of Commons freely chosen by the Nobility of the new. There remains but the *Quorum*, for which it is propos'd,

⁴⁵
The *Quorum* *THAT, thro'out all the Assemblys and Councils of this Commonwealth, the Quorum consist of one half in the time of Health, and of one third part in a time of Sickness, being so declar'd by the Senat.*

HOW the City Government, without any diminution of their Privileges, and with an improvement of their Policy, may be made to fall in with these Orders, has * elsewhere bin shewn in part, and may be consider'd farther at leisure. Otherwise the whole Commonwealth, to far as it is merely Civil, is in this part accomplish'd. Now as of necessity there must be a natural Man, or a Man indu'd with a natural Body, before there can be a spiritual Man, or a Man capable of Divine Contemplation; so a Government must have a Civil, before it can have a Religious part. And if a man furnish'd only with natural parts can never be so stupid as not to make som Reflections upon Religion, much less a Commonwealth; which necessitates the Religious part of this Model.

CHAP. II.

Containing the Religious Part of this Model, propos'd practicably.

THERE is nothing more certain or demonstrable to common Sense, than that the far greater part of Mankind, in matters of Religion, give themselves up to the public Leading. Now a National Religion rightly establish'd, or not coercive, is not any public driving, but only the public leading. If the Public in this case may not lead such as desire to be led by the Public, and yet a Party may lead such as desire to be led by a Party, where would be the Liberty of Conscience as to the State? Which certainly in a well-order'd Commonwealth, being the public Reason, must be the public Conscience. Nay, where would be the Liberty of Conscience in respect of any Party which should to procede as to ~~show~~ that without taking their Liberty of Conscience from others, they cannot have it themselves? If the Public, refusing Liberty of Conscience to a Party, would be the cause of Tumult, how much more a Party refusing it to the Public? And how, in case of such a Tumult, should a Party defend their Liberty of Conscience, or indeed their Throats from the whole or a far greater Party, without keeping down or tyrannising over the whole or a far greater Party by force of Arms? These things being rightly consider'd, it is no wonder that Men, living like men, have not bin yet found without a Government, or that any Government has not bin yet found with-

out a National Religion; that is, som orderly and known way of public leading in divine things, or in the Worship of God. Chap. 2.

A NATIONAL Religion being thus prov'd necessary, it remains that I prove what is necessary to the same; that is, as it concerns the State, or in relation to the Duty of the Magistrat.

CERTAIN it is, that Religion has not seen corruption but by one of these three causes; som Interest therewith incorporated, som ignorance of the truth of it, or by som complication of both. Nor was ever Religion left wholly to the management of a Clergy that escap'd these Causes, or their most pernicious Effects; as may be perceiv'd in Rome, which has brought Ignorance to be the Mother of Devotion, and indeed Interest to be the Father of Religion. Now the Clergy not failing in this case to be dangerous, what recourse but to the Magistrat for safety? specially seeing these Causes, that is, Interest and Ignorance (the one proceeding from evil Laws, the other from the want of good Education) are not in the right or power of a Clergy, but only of the Civil Magistracy. Or if so it be that Magistrats are oblig'd in duty to be *nursing Fathers and nursing Mothers* to the Church; how shall a State in the sight of God be excusable, that takes no heed or care lest Religion suffer by Causes, the prevention or remedy whereof is in them only? To these therefore it is propos'd,

THAT the Universities being prudently reform'd, be preserv'd in their Rights and Indowments, for and towards the education and provision of an able Ministry. 46
Universities.

WE are commanded by CHRIST to *search the Scriptures*: The Scriptures are not now to be search'd but by skill in Tongues: The immediat gift of Tongues is ceas'd: How then should skill in Tongues be acquir'd but mediately, or by the means of Education? How should a State expect such an Education (particularly, for a matter of ten thousand men) that provides not for it? And what provision can a State make for this Education, but by such Schools so indow'd and regulated, as with us are the Universities? These therefore are a necessary step towards the prevention of such Ignorance or Interest, as thro the infirmitys or bias of Translators, Interpreters, and Preachers, both have and may frequently com to be incorporated with Religion; as also to the improvement or acquisition of such Light as is by the command of CHRIST to be attain'd or exercis'd in searching the Scriptures. Joh. 5. 39.

THE excellent Learning of the *Levites* in all kinds, not ordinarily infus'd, but acquir'd (there having bin among them as well the Teacher as the Scholar) leaves little doubt but their forty eight Cities were as so many Universities. These with their Suburbs or Indowments, contain'd in the whole (each of their Circuits in Land reckon'd at four thousand Cubits deep) about a hundred thousand Acres; that is, if their measure was according to the comon Cubit: if according to the holy Cubit (as with *Levites* was most likely) twice so much; which, at the lowest account, I conceive to be far above the Revenues of both our Universities. The eighth Parallel
1 Chron 25. 8.
Mal 2. 12

THESE being order'd as has bin said, it is propos'd,

THAT the legal and antient provision for the national Ministry be so augmented, that the meanest sort of Livings or Benefices, without devaluation from the greater, be each improv'd to the Revenue of one hundred pounds at least. 47
Augmentation of Law
1000.

Book III.

This must
Pass '11

THIS, in regard the way is by Tithes, comes up to close to the Orders of *Israel*, as, in our day, may shew that a Commonwealth may come too near that pattern to be lik'd. We find not indeed that the Apostles either took or demanded Tithes, in which case the Priests, who were legally possist of them, might have had suspicion that they, under color of Religion, had aim'd at the violation of Propriety. But putting the case that generally the Priests had been converted to the Christian Faith, whether the Apostles would for that reason have injoin'd them to relinquish their Tithes. Or what is there in the Christian Religion to favor any such surmise? To me there seems abundantly enough to the contrary. For if the Apostles stuck not to comply with the *Jews* in a Ceremony which was of mere human Invention, and to introduce this, as they did Ordination by imposition of hand, into the Christian Church, that they would, upon a like inducement, have refus'd a standing Law undoubtedly Mosaiical, is in my opinion most improbable. So that, I conceive, the Law of Tithes now in being, may or may not be continu'd, at the pleasure of the Lawgivers, for any thing in this case to the contrary. Confident I am, that the introducing of this Model in the whole, which is thought impracticable, were not to willing minds so difficult a work as the abolition of Tithes.

BUT Benefices, whether by way of Tithes or otherwise, being thus order'd; it is propos'd,

47
Ordination

THAT a Benefice becoming void in any Parish, the Elders of the same may assemble and give notice to the Vice-Chancellor of either University by a Certificat, specifying the true value of that Benefice: that the Vice-Chancellor, upon the receipt of this Certificat, be oblig'd to call a Congregation of his University: that the Congregation of the University to this end assembl'd, having regard to the value of the Benefice, make choice of a Person fit for the Ministerial Function, and return him to the Parish so requiring: that the Probationer thus return'd to a Parish by either of the Universities, exercise the Office, and receive the Benefits as Minister of the Parish for the term of one year: that the term of one year being expired, the Elders of the Parish assemble and put the Election of the Probationer to the Ballot: that if the Probationer has three parts in four of the Ballot Votes in the Affirmative, he be then by ordain'd and elected Minister of that Parish; not afterwards to be degraded or remov'd, but by the Consent of the Tribe, the Phylarch of the same, or the Council of Religion in such cases as shall be to them reserv'd by Act of Parliament: That in case the Probationer comes to fail of three parts in four at the Ballot, he depart from that Parish; and if he returns to the University, it be without diminution of the former Offices or Preferments which he there enjoy'd, or any prejudice to his future Preferment: and that it be lawful in this case for any Parish to send so often to either University, and it be the duty of either Vice-Chancellor upon such Certificats to make return of different Probationers, till such time as the Elders of that Parish have fitted themselves with a Minister of their own choice and liking.

IN case it was thought fit that a Probationer thus elected should, before he departs, receive imposition of hands from the Doctors of the University, I cannot see what the most scrupulous in the matter of Ordination could find wanting. But let this be so, or otherwise, it is indifferent. The Universities by proposing to the Congregation in every Parish, do the Senatorian Office; and the People,
thus

thus fitting themselves by their Suffrage or Ballot, reserve that Office Chap. 2.
which is truly popular, that is the Result, to themselves.

MOSES (for so far back the Divines reach at Ordination) in the *The term Parall.*
institution of the Senat of *Israel*, wherein he can never be prov'd to
have us'd imposition of hands, performing the Senatorian Office, caus'd
the People to take wise men, and understanding, and known among *Deut. 1.*
their Tribes, wherof the Lot fell upon all but *ELDAD* and *MEDAD*. *Numb. 11.*
And the Apostles doing the Senatorian Office, in like manner without
imposition of hands, caus'd the whole Congregation to take two, *Acts. i. 26.*
wherof the lot of Apostleship fell upon *MATTHIAS*. So that this
way of Ordination being that which was instituted by *MOSES*, and
the chief or first of those which were us'd by the Apostles, is both
Mosaical and Apostolical. Nor has a well-order'd Commonwealth
any choice left of those other ways of Ordination, us'd by the Apo- *See Book 2, chap. 8.*
stles in complaisance to worse sort of Government; but is naturally
necessitated to this, that is, to the very best.

ORDINATION being thus provided for, it is propos'd,

THAT the National Religion be exercis'd according to a Directory in
that case to be made, and publish'd by Act of Parliament. *40.*
That the National Ministry be permitted to have no other public Preferment or Office in
this Commonwealth. That a National Minister being convict of Ignorance
or Scandal, be movable out of his Benefice by the Censors of the Tribe, under
an appeal to the Phylarch, or to the Council of Religion. *National Religion, and provision against scandalous Ministers.*

THAT no Religion, being contrary to or destructive of Christianity,
nor the public exercise of any Religion, being grounded upon or incorporated
into a foren Interest, be protected by or tolerated in this State. *50.*
That all other Religions, with the public exercise of the same, be both tolerated and
protected by the Council of Religion: and that all Professors of any such Religion,
be equally capable of all Elections, Magistracys, Preferments, and
Offices in this Commonwealth, according to the Orders of the same. *Liberty of Conscience.*

UPON the whole of these Propositions, touching Church Discipline, we may make these Observations. Thus neither would the
Party that is for gifted Men, and Enemys to Learning, thro ignorance
(which else in all probability they must) lose Religion; nor the Clergy
be able to corrupt it by Interest. But Decency and Order, with
liberty of Conscience, would still flourish together; while the Minister
has a Preferment he sought, the Parish a Minister they chose, the
Nation a Religion according to the public Conscience, and every man
his Christian Liberty. He therefore that endeavours to confute this
Chapter, must either shew how these things may be omitted, or more
effectually provided for; or tithe Mint and Cumin, and neglect the
weightier things of Lawgiving.

A COMMONWEALTH having, in the establishment of
Religion, made resignation of herself to God, ought in the next
place to have regard to the natural means of her defence; which in-
troduces the Military part of this Model.

C H A P. III.

Containing the Military part of this Model, propos'd practicably.

THE Military Part, on which at present I shall discourse little, consists in the Disciplin of the Youth, that is, of such as are between eighteen and thirty years of Age: and for the Disciplin of the Youth it is propos'd,

51.
Disciplin of
the Youth.

THAT annually upon Wednesday next insuing 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 Deputy of the Youth of that Parish.

52.
Their Troops,
and Sports.
* In Oceana.

THAT annually on Wednesday next insuing the last of January, the said Deputy of the respective Parishes meet at the Capital of the Hundred (where there are Games and Prizes allotted for them, as has bin shew'd elsewhere) and there elect to themselves out of their own number, one Captain, and one Insign. And that of these Games, and of this Election, the Magistrats and Officers of the Hundreds be Presidents, and Judges for the impartial distribution of the Prizes.

53.
Their Squa-
drons, and
Exercises.

THAT annually upon Wednesday next insuing the last of February, the Youth thro the whole Tribe thus elected, be receiv'd at the Capital of the same, by the Lieutenant or Commander in chief, by the Conduetor, and by the Censors; that under the inspection of these Magistrats, the said Youth be entertain'd with more splendid Games, disciplin'd in a more military manner, and be divided by lot into sundry parts, or Essays, according to the Rules* elsewhere given.

54.
The second
Essay, or the
standing Ar-
my.

THAT the whole Youth of the Tribe, thus assembl'd, 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.

55.
Provincial
Guards.

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 Armys or Guards, there be annually, at the time and places mention'd, cast out of the first Essay of the Youth in each Tribe ten Horse, and fifty Foot: that is, in all the Tribes five hundred Horse, and two thousand five hundred Foot for Scotland; the like for Ireland; and the like of both orders for the Sea Guards: being each oblig'd to serve for the term of three years upon the States pay.

THE standing Army of the Commonwealth consisting thus of forty thousand, not Soldiers of fortune neither in body nor in pay, but Citizens at their Vocations or Trades, and yet upon command in continual readines; and the Provincial Armys each consisting of nine thousand in pay in body, and possess'd of the Avenues and places of strength in the Province, it is not imaginable how a Province should be so soon able to stir, as the Commonwealth must be to pour forty thousand men upon it, besides the Sea Guards. Nor coms this Militia thus

thus constituted, except upon Marches, to any charge at all; the standing Army having no pay, and the Provinces, wherof the Sea thus guarded will be none of the poorest, maintaining their own Guards. Such is the military way of a Commonwealth, and the Constitution of its Armys, whether levy'd by Suffrage, as in Rome; or by Lot, as in *Israel*.

WE will go up by Lot against Gibeah.

Judg 20. 9

STANDING Forces being thus establish'd; for such as are upon emergent occasions to go toith, or march, it is propos'd,

THAT the Senat and the People, or the Dictator having decreed or declar'd War, and the Field Officers being appointed by the Council of War; the General by Warrant issu'd to 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 Rendevous; that the severall Conductors of the Tribes deliver in the Forces demand'd at the time and place appointed. That a General thus marching out with the standing Army, a new Army be elect'd out of the best Essays formerly, and a new General be elect'd by the Senat; that so always there be a General sitting, and a standing Army, whet General or Army never be marching. And that in case of Invasion the Bands of the Elders be oblig'd to like duty with those of the Youth.

THAT an only Son be disbur'd of these Dutys without penance. That of two Brothers there be but one admitted to serve his time. That of more Brothers, not above a half. That whomever they of refuses his Lot, except upon cause shewen he be dispens'd with by the Parliament, or upon penitence he by them pardon'd and restor'd, by such refusal be incapable of electing, or being elect'd in this Commonwealth; as also that he pay to the State a fifth of his Revenue for protection, besides Taxes. That Divines, Physicians, and Lawyers, as also Trades not at leisure for the Essays, be so far exempted from this Rule, that they be still capable of all Preferments in their respective Professions, with Indemnity, and without Military Education or Service.

A COMMONWEALTH whose Militia consists of Mercenaries, to be safe, must be situated as *Venice*, but can in no wise be great. The Industry of *Holland* is the main Revenue of that State; whence not being able to spare hands to her Arms, she is cast upon Strangers and mercenary Forces, thro which we in our time have seen *Amsterdam* necessitated to let in the Sea upon her, and to become (as it were) *Venice*. To a Popular Government that could not do the like, Mercenary Arms have never fail'd to be fatal; whence the last Proposition is that which in every well-order'd Commonwealth has bin look'd to as the main guard of Liberty.

IN this *Israel* was formidable beyond all other Commonwealths, with a kind of Fulmination. SAUL when he heard the Cruelty of NAHASH the Ammonit, at the Leaguer of *Jabesh-Gilead*, took a yoke of Oxen and bew'd them in pieces, and sent them throout the Castles of *Israel*, by the hands of Messengers, saying, Whosoever comes not out after SAUL, and after SAMUEL, so shall it be don to his Oxen. Which amounted not only to a confiscation of Goods (the Riches of the *Israelites* lying most in their Cattle) but to a kind of Anathema, as more plainly appears, where it is said, Curse ye Meroz, curse ye bitterly the Inhabitants thereof, because they came not forth to help the Lord against the Mighty. Nay this (as *zartius*) desertion of the Military

Book III. Military Orders and Services in Israel, was sometimes punish'd with total extermination, as after the Victory against Benjamin, where the Congregation or Political Assembly of that People, making inquiry what one of the Tribes of Israel came not up to the Lord in Mizpeh (the place where before the taking of Jerusalem they held, as I may say, their Parliaments) and finding that there came none to the Camp from Jabesh-Gilead, sent thither twelve thousand men of the valiantest, saying, Go and smite the Inhabitants of Jabesh-Gilead with the edge of the Sword, and the Women and the Children: which was don accordingly.

Judg. 21

BUT by this time men will shrink at this as a dreadful Order, and begin to compute that a Commonwealth, let her Prerogatives for the rest be what they will, must at this rate be but a dear purchase: whereas indeed, if this way costs something, there is no other that does not hazard all, forasmuch as discarding this Order, play your game as you can, you are some time or other a Prey to your Enemies, or to your Mercenaries. This certainly is that root in (the Penetrata) the bowels of a Commonwealth, whence never any Court Arts, or Politeness, could attain to the gallantry or splendor of the Education in Popular Governments. For let any man (remembering what it was to be a GIDEON, a MILTIADES, a TIMOLEON, a SCIPIO, or a Magistrat in a Commonwealth) consider if there should be no way with us to Magistracy, but by having serv'd three years at Sea, and three years at Land, how the whole face and genius of Education, both in the better and in the lower sort, would of necessity be chang'd in this Nation, and what kind of Magistrats such experience in those Services must create to the Commonwealth. Consider, whether the threaten'd Punishments of this Order, tho thro unacquaintance they may at first sight have som brow, would not, as they have don in other Commonwealths of like structure, even with low spirits, expire in scorn and contempt, or thro the mere contemplation of the reward of Honor, nay of the Honor it self, in which point where right has not bin don, men, under Governments of this nature, have bin much more apt to heats, as where the men of Ephraim fought against JEPHTHA, for an affront in this kind which they conceiv'd him to have put upon them. *Wherefore passedst thou over to fight against the Children of Ammon, and didst not call us to go with thee? We will burn thy house upon thee with fire.* Nor is this way so expensive of the Purse or of Blood. Not of the public Purse, because it detests Mercenaries; nor of the privat Purse, because the ways of Education thus directed, are all assisted with the States pay: so that a man in this road might educat three Children cheaper, and to the most solid ends, than he could any one to trifies in those which among us hitherto have bin usual. And as to Blood, there is nothing more certain, than that Idleness, and its inseparable companion Luxury, are exceedingly more wastful as of the Purse, so of Health, nay and of life it self, than is War; which nevertheless this Order is such as does rather prevent than necessitat, in regard that to be potent in Arms is the way of Peace. But whereas in a Martial Commonwealth there may be men having exceded the thirtieth year of their Age, who like those of Ephraim would yet take it ill to be excluded the Lists of Honor, and it must also be to the detriment of the Commonwealth that they should; for these, whom we may call Volunteers, it is propos'd,

Judg. 12.

THAT

THAT upon Warrants issued forth by the General's Reports or Chap. 22
 Levys, there be an Assembly of the Phylarchs, each Levying such Vol. II
 Volunteers, or men being above thirty years of Age, as are fit for farther
 employment in Arms, appear before the Phylarch so assembled. That any
 number of these, not exceeding one moiety of the Recruits or Levys of that
 Tribe, may be taken on by the Phylarch, so many of the Youth being at
 the discretion of this Council disbanded, as are taken on of the Volunteers.
 That the Levys thus made, be conducted by the Conductor of the respective
 Tribe to the Rendezvez appointed. And that the Service of these be
 without other term or vacation, than at the discretion of the Senat and the
 People, or such Instructions to the General, as shall by them in that case
 be provided.

THUS much for the Military or Defensive part of this Model.
 For Offences in general it is written, *Wo unto the world because of Offences*;
 for it must needs be that Offences come, but wo to that man by whom
 the Offence comes. Among Offences are offensive Wars: now it be-
 ing out of question, that for the righteous Execution of this Wo upon
 him or them by whom the Offence comes, a War may be just and
 necessary, as also that Victory in a just and necessary War may intitle
 one Prince or one People to the Dominion or Empire of another
 Prince or People; it is also out of question, that a Commonwealth,
 unless in this case she be provided both to acquire, and to hold what
 she acquires, is not perfect: which Consideration brings me to the
 Provincial part of this Model.

CHAP. IV.

*Containing the Provincial Part of this Model, propos'd
 practicably.*

THE word *Province* is with Roman Authors of divers signifi-
 cations. By these it is taken sometimes for Magistracy, as that
 of the Consul, which is call'd *His Prætor*: sometime for any Reli-
 gion or Country, in which a Roman Captain or General was com-
 manded to make War; but specially for such a Country as was ac-
 quir'd and held by Arms, or by *Provincial Right*. The word is of
 the like different use in Scripture; as where it is said, That ANA-
 SURUS reign'd over a hundred and seven Provinces; by which are
 understood as well the divisions of the native, as those of the ac-
 quir'd Territorys. But where TANAIUS the Governor writes to the
 King of *Assyria* concerning the Province of *Judea*, it is understood
 a Country acquir'd and held by Arms; which comes to the usual
 signification of the word with the Romans, it being in this sense that
 the Governor FELIX ask'd PAUL of what Province he was, and came
 to understand that he was of *Cilicia*, then a Province of the Roman
 Empire: and this signification is that in which I take the word thro-
 out this Chapter.

THE mighty load of Empire which happen'd to the Common-
 wealth of Rome thro the Acquisition of many and vast Provinces,
 is that wherto the Songs of Poets, and the opinions of more serious
 Writers attribute the weight which they say overway'd her. But
 this Judgment, tho in itself right, is not in the manner they take it to
 be swallow'd without chewing. For how probable it is that the

Book III. succeeding Monarchy was able to support a weight in this kind, which the Commonwealth could not bear, may at this distance be discern'd, in that the Provinces were infinitely more turbulent in the Reign of the Emperors, than in that of the Commonwealth, as having a far stronger Interest, thro' ambition of attaining to the whole, to tear the Empire in pieces: which they did, while divers Provinces made divers Emperors, which before could not hope to make divers Commonwealths, nor to acquire safety by retreat to a petty Government. But in this, the acquisition of Provinces devour'd the Commonwealth of *Rome*, that, she not being sufficiently fortify'd by *Agrarian* Laws, the Nobility, thro' the spoil of Provinces, came to eat the People out of their popular Balance of Lands in *Italy* by Purchases, and the Lands that had been in the hands of the Many, coming thus into the hands of the Few, of natural and necessary consequence there follows Monarchy.

Plutarch in
Cicero.

NOW that *England*, a Monarchy, has bin seiz'd of Provinces (one of them, while *France* was such, being as great as any one of the *Roman*) is a known thing, and that the Militia propos'd by the present Model, contains all the causes of Greatness that were in that of *Rome*, is to such as are not altogether strangers to the former no less than obvious. Now of like Causes not to presume like Effects, were unreasonable. The safety therefore of the foregoing *Agrarian*, as hitherto propos'd, or that Lands be divided in their descent, must in this case be none at all, unless there be som stop also given in their Accumulation by way of purchase, lest otherwise the spoil of som mighty Province be still sufficient to eat out the People by purchase.

TO submit therefore in this place (for ought I perceive) to inevitable necessity, it is propos'd,

59
Additional
Propositions
to the *Agrarian*
Law

THAT (great Commonwealths having bin overrun by the spoil of Provinces) an Estate of two thousand pounds a year in Land, be incapable of any Accumulation by way of purchase.

DONATIONS and Inheritances will be fewer than to be dangerous; and as some fall, others will be dividing in their descent. But to resume the Discourse upon the *Agrarian* Law, which, because they were not till in this Proposition complete, remains imperfect. That to *Agrarian* Laws som Standard is necessary, appears plainly enough. This Standard in a well-founded Monarchy, must bar recess; and in a well-founded Commonwealth must bar increase. For certain it is, that otherwise each of the Policies dos naturally breed that Viper which eats out the Bowels of the Mother: as Monarchy, by Pomp and Luxury, reduces her Nobility thro' debt to poverty, and at length to a level with the People, upon which no Throne ever stood or can stand: such was the case of this Nation under her latter Princes. And a Commonwealth by her natural ways of frugality, of fattening and cockering up of the People, is apt to bring Estates to such excess in som hands, as eating out the rest, bows the Neck of a free State or City to the yoke, and exposes her to the goad of a Lord and Master, which was the case of *Rome* under her perpetual Dictators. But why yet must this Standard of Land in the present case, be neither more nor less than just two thousand pounds a year? Truly, where som Standard was necessary to be nam'd, I might as well ask why not this as well as any other? yet am I not without such Reasons why I have pitch'd upon this rather than

than any other, as I may submit to the judgment of the Reader in the following computation or comparison of the divers Effects or Consequences of so many different Standards, as by the rules of proportion may give sufficient account of the rest.

LET the dry Rent of *England* (that is, at the rate a man may have for his Land without sweating) be computed at ten Millions: This presum'd, if you set the Standard at ten thousand pounds a year, the whole Territory can com into no fewer than one thousand hands. If you set it at five thousand pounds a year, it can com into no fewer than two thousand hands, and if you set it at two thousand pounds a year, it can com into no fewer than five thousand hands. It will be said, In which way you please, it will never com into so few hands as are capable of having it; which is certain: yet because the Effects in their approaches would be such as may be measur'd by their Extremes, I shall pitch upon these as the readiest way to guide my Computation. The Balance in a thousand hands might affect the Government with a hankering after Monarchy; in two thousand hands it might usurp it, as did the *Roman* Nobility, and thereby occasion a feud between the Senat and the People. These not only in the extremes, but with much of a like nature in the approaches.

BUT letting these pass, as also the numbers or compass necessary to the Rotation of such a Commonwealth (none of which inconveniences are incident to the Standard of two thousand pounds a year, as that whereby Land can com into no fewer than five thousand Proprietors) we will suppose these Standards to be each of them, as to the safety of the Government, indifferently practicable.

YET it is recorded by Experience, and wise Authors, that the true cause whence *England* has bin an overmatch in Arms for *France*, lay in the communication or distribution of Property to the lower sort; and for the same cause let it be consider'd, if the Commonwealth upon the Standard of two thousand pounds a year (*ceteris paribus*) must not necessarily be an overmatch in the potency of its Militia for the other two. Such are the advantages, such is the glory of the like moderation to the public, *Mony* (says the Lord *VIRULAM*) *is like muck, not good except it be spread*. Much rather in Popular Government is this holding as to Land, the latter having upon the State a far stronger influence, at least in larger Territories, than Mony: for in such, Mony, while scarce, cannot overbalance Land; and were Silver and Gold as plentiful as Brass or Iron, they would be no more, nor would Land be less worth. And for privat men, were it not that *it is easier to fill the belly of a Glutton than his eye*, not only Virtue, but the Beatitude of Riches, would be apparently consistent in a mean. But what need I play the Divine or the Philosopher upon a Doctrin, which is not to diminish any man's Estate, not to bring any man from the Customs to which he has bin inur'd, nor from any emergent expectation he may have; but regards only the Generation to com, or the Children to be born seven years after the passing such a Law? Whence it must needs follow, that putting the case this *Agrarian* be introduc'd, it is to our Age as if there were none; and if there be no *Agrarian*, it is to our Age as if there was one. The difference is no more, than that in the one way the Commonwealth is at all points secur'd, and in the other it is left to its fortune even in the main. Of

Book III. such sovereign effect are the like Laws, that I would go yet farther, and propose,

60.
Agrarian for
Scotland and
Ireland

THAT in Scotland the Standard be set at five hundred pounds a year; in Ireland at two thousand pounds a year in Land; the rest for each as for England.

NARROWNESS of an *Agrarian* for Scotland, being a Martial Country, would make the larger provision of a good Auxiliary Militia; and largeness of an *Agrarian* for Ireland, being less Martial, would cast a Sop into the Jaws of the Avarice of those who should think it too much confin'd in England. And lest the Provincials in this case should think themselves worse dealt with than the Citizens themselves, the sum of the *Agrarian* Laws being cast up together, any man in the three Nations may hold four thousand five hundred pounds a year in Land; and any small Parcel of Land, or mere Residence in England, makes a Provincial a Citizen. Should the Commonwealth increase in Provinces, the Estates at this rate both of the Citizens and Provincials would be more and greater than ever were those of the ancient Nobility of these Nations; and without any the least hazard to Liberty. For he, who considering the whole *Roman* story, or that only of the *GRACCHI* in *PLUTARCH*, shall rightly judge, must confess, that had *Rome* preserv'd a good *Agrarian* but in *Italy*, the Riches of its Provinces could not have torn up the Roots of its Liberty, but on the contrary must have water'd them. It may be said, What need then of putting an *Agrarian* upon the Provinces? I answer: For two Reasons: first is Indulgence to the Provincials; and the second, Advantage to the Commonwealth. For the first, it is with small foresight apparent enough, that the Avarice of the Citizen being bounded at home, and having no limits in the Provinces, would in a few years eat up the Provincials, and bring their whole Countrys (as the *Roman* Patricians did *Italy*) to sound in their Fetters, or to be till'd by their Slaves or Underlings. And so, for the second, the Commonwealth would by such means lose an Auxiliary Militia, to be otherwise in Scotland only more worth than the *Indys*. The things therefore thus order'd, it is propos'd,

61.
Provincial
Councils.

THAT upon the expiration of Magistracy in the Senat, or at the annual Recess of one third part of the same, there be elected by the Senat 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 bin constituted of twelve Knights, divided after the manner of the Senat by three several Lists or Elections) of annual, triennial, and perpetual Revolution or Rotation.

Provincial
Governors or
Generals.

THAT out of the same third part of the Senat annually receding, there be to each Province one Knight elected for the term of one year. That the Knight so elected be the Provincial General or Governor. That a Provincial Governor or General receive annually in April at his Rendezvous appointed, the Youth or Recruits elected in the precedent Month to that end by the Tribes, and by their Conductors deliver'd accordingly. That he repair with the said Youth or Recruits to his Province, and there dismiss that part of the Provincial Guard or Army whose triennial term is expir'd. 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.

THAT

THAT each Provincial Council elect three weekly Provoests, 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 General.

Chap. 4.
63.
Provincial
Provosts.

THAT each Provincial Council proceed according to Instructions receiv'd from the Council of State, and keep intelligence with the same by any two of their Provoests, for the Government of the Province, as to matters of War or State. That upon Levys of native or proper soldiers by the Senat, and the People, a Provincial Council (having to that end receiv'd Orders) make Levys of Provincial Auxiliaries accordingly. That Auxiliary Arms upon no occasion whatsoever exceed the proper or native Arms in number. That for the rest, the Provincial Council maintain the Provincials, defraying their peculiar Guards and Council, by such a known proportion of Tributs, as on them shall be set by the Senat and the People, in their proper Rights, Laws, Libertys and Immunitys, so far as upon the Merits of the Cause whereupon they were subdu'd, it seem'd good to the Senat and the People to confirm them. And that it be lawful for the Provincials to appeal from their Provincial Magistrats, Councils, or Generals, to the People of England.

14.
Subven-
tion and Fur-
tion of Pro-
vincial Coun-
cils

IN modelling a Commonwealth, the concernment of Provincial Government comes in the last place; for which cause I conceive any long Discourse upon these Orders to be at present unnecessary: But certain things there are in the way which I am unwilling to let slip without pointing at them.

SOM will have Men, som will have Money to be the Nerve of War; each of which Positions, in proper cases, may be a Maxim: For if France, where the main Body of the People is imbas'd; or Venice, which stands upon a Mercenary Militia, want Money, they can make no War. But it has heretofore bin otherwise with Commonwealths. Roman Historians (as is observ'd by MACHIAVEL) in their Military Preparations or Expeditions, make no mention of Money, unless what was gain'd by the War, and brought home into the Treasury; as the Spoil of Macedon by ÆMILIUS PAULUS, being such, as the People for som years after were discharg'd of their Tribute. Not that their Wars were made altogether without Money: for if so, why should the People at any time before have paid Tribute? Or why upon this occasion were they excus'd? but that the Money in which their Wars stood them, was not considerable in comparison of that which is requirit where Money may be counted the Nerve of War; that is, where Men are not to be had without it. But Rome, by virtue of its Orders, could have rais'd vaster numbers of Citizens and Associates than perhaps it ever did, tho during the Consulats of PAPPUS and REGULUS, she levy'd in Italy only seventy thousand Horse, and seven hundred thousand Foot. Should we conceive the Nerve of this Motion to have bin Money, we must reckon the Indys to have bin exhausted before they were found; or so much Bras to have bin in Italy, as would have made Stones to be as good as Money. A well-order'd Commonwealth does these things not by Money, but by such Orders as make of its Citizens the Nerve of its Wars. The Youth of the Commonwealth propos'd are esteem'd in all at five hundred thousand. Of these there is an annual Band, consisting of one hundred thousand. Of this one hundred thousand there is a standing Army consisting of thirty thousand Foot and ten thousand Horse, besides such as being above

15.
These Men
or Men be the
Nerve of War

Book III. thirty years of age, shall offer themselves as Volunteers: of which the number is in no wise likely to be few. To the standing Army the Provinces, or that only of *Scotland*, being both Populous and Martial, can afford at any time an equal number of Auxiliaries.

THESE Orders, thus join'd up together, render this Commonwealth ordinarily able to wage War with fourscore thousand men; a Force which, it is known, not any Prince in Christendom is able to match in Virtue, Number, or Disciplin. For these the Commonwealth in her Sea Guard has always at hand sufficient Wastage, or at least such a sufficient Convoy as may make any Vessels at hand a sufficient Transportation: all this, I say, by virtue of Orders. But that the March, the Equipage, the Wastage of so great an Army must cost Money; but that it will com to no account in comparison of a lingering War made by a matter of thirty thousand Mercenaries, the very consumption of a State: whereas fourscore thousand men so disciplin'd and so furnish'd, as has bin shewn, being once transported, must suddenly com to be no Charge, or make the War defray it self.

Whether a Commonwealth has consisted of more than one City or Town.

BUT 'tis objected, that to reckon upon such a Militia were to suppose a large Country capable of being a Commonwealth; whereas we hold them learn'd, who say that no Commonwealth has consisted of more than some one City or Town. But in what Language or in what Geography, are the twelve Tribes of *Israel*; the (erro) Peopledoms or Prytanys of *Athens*, which *THESEUS* gather'd into one body; the Tribes and Linages in *Lacedemon* instituted by *LYCURGUS*; the five and thirty Roman Tribes planted between the Rivers, *Fulturnus* and *Arno*, or between the Citys now call'd *Capua* and *Florence*; the 13 Cantons of the *Switzers*; the seven United Provinces of the Low Country, understood to have bin or to be but one City or Town? Whether were not the People of *Israel* under their Commonwealth six hundred thousand? What reason can be given why the Government that could take in six hundred thousand, might not as well take in twice that number? How much short came the Country, planted by the Roman Tribes, of 150 Miles square? Or how much over is *England*? And what reason can be given why a Government, taking in 150 Miles square, might not as well take in twice that Compass? Whether was our House of Commons under Monarchy not collected from the utmost Bounds of the *English* Territory? And whether had the Laws by them enacted not their free course to the utmost limits of the same? And why should that be impossible or impracticable to a Representative of the People in a Commonwealth, which was so facile and practicable to a Representative of the People under Monarchy?

IT is a wonder how the Commonwealth of *Rome*, which held as it were the whole World by Provinces, should be imagin'd by any man to have consisted but of one Town or City.

BUT to return: It is alleg'd by others, and as to Provincial Government very truly, that a Commonwealth may be a Tyranny: Nor do I think that *Athens*, in this point, came short of any Prince: *Rome*, on the other side, was (according to the merits of the cause) as frequent in giving Liberty as in taking it away. The Provinces of *Venice* and of *Switzerland*, would not change their condition with the Subjects of the best Prince. However the possibility in a Commonwealth of tyrannizing over Provinces, is not to be cur'd; for be the Commonwealth or the Prince a State or a Man after God's own heart, there is no way of holding a Province but by Arms. WHEN

WHEN the Syrians of Damascus came to succor HADADEZER The thir-
teenth Paral-
lel King of Zobah, DAVID slew of the Syrians two and twenty thousand 2 Sam. 8. 5, 6. Men: then DAVID put Garisons in Syria of Damascus, and the Syrians became Servants to DAVID, and brought Gifts; and the Lord preserv'd DAVID whithersoever he went.

WITH this Parallel I draw the Curtain, and close (be it Comedy to such as are for Tragedy) the Model; appealing to the present, or the next Age, whether throout I have not had God himself for my Vouchee. In the mean time, there is nothing hereby propos'd which may not stand with a supreme Magistrat. See the Carol-
lary of
Oceana.

The Conclusion :

*Shewing how the Model propos'd may be prov'd or examin'd ;
and giving a brief Answer to Mr. WREN's last Book,
intitl'd, Monarchy asserted against Mr. HARRINGTON's
Oceana.*

FOR a Nation to be still upon the cast of a Dy, to be ever in Sect. 1.
That is Com-
monwealth
not rightly
ord r'd, is
less vicious
than the best
of Monarchys. trepidation as to the main chance of Government, is a dreadful state of things. Such indeed with us has bin the Constitution of our late Governments, of which therfore not any can be call'd a Commonwealth. Yet has the like state of things (in favor of Monarchs, and thro the industry of the Clergy) bin for many Ages, that wherof Commonwealths unheard are still accus'd and condemn'd. For proof in this case, the Tribunitian Storms of the Roman People are thought abundantly sufficient. But these having bin without Blood, if with our Affairs they hold any parallel, are not to be compar'd with the Barons Wars, those of York and Lancaster, or the like; but with the Contests or Strivings of our Parliaments with their Kings, while such Disputes came not to Arms. Or if the Roman Fields from the time of the GRACCHI grew bloody, we have known a matter of a dozen years in which ours might have compar'd with them. The Seditions under the Commonwealth of Rome to those under the Empire, hold such a proportion, as the Seditions under the Commonwealth of *Israel* to those under their Kings. I am contented at this time, for discourse sake, that the Seditions of *Venice* should pass as they are computed by Mr. WREN: Let those also which have happen'd in the Commonwealths of the *Switzers*, and of the United Provinces, by the skill of som Man who may be thought more impartial than my self, be rightly enumerated and added. This being don, let the Seditions that have happen'd in the Monarchys of *England*, *France*, and *Spain*, be as impartially sum'd up; and I may venture to promise you, That you shall not find the sum of the Seditions which have happen'd in those three Commonwealths, to balance the foot of the account with those Seditions which have happen'd in any one of those Monarchys: nor are we without sufficient inducement to believe, that the whole account in this particular of those Commonwealths which have bin in the World, can com any whit nearer to that of the Monarchys. But this being so, be it also suppos'd, tho not granted, that a Commonwealth is a seditious Government, yet must it be See Book 2
chap 4

W. p. 7
Lib. 4

SECT. 2.
THAT Mr.
WREN'S Oppo-
sition to the
Popular Model
amounts to a
Confutation
of it

the least seditious Government. The Republic of *Corinth* never suffer'd but that one Sedition which is describ'd by *Xenophon*; and this too from an external cause.

BUT I am the more confirm'd by the Assaults of Mr. WREN, to have no less than demonstrat'd in the propos'd Model, that a Commonwealth rightly order'd is altogether incapable of Sedition, and so consequently of Dissolution, that is, from any internal cause. To render his Confutation intire, and the truth of this Assertion the more conspicuous, I shall first insert those Rules or Maxims wherby a Model of a Commonwealth may be exactly prov'd or examin'd, and then shew how they totally enervat and overturn those Arguments elaborated by Mr. WREN towards the examination and confutation of the Model propos'd.

Now a Model
of Popular Go-
vernment may
be try'd or
examind

THE Maxims or Rules wherby a well-order'd Model of Popular Government may be most exactly prov'd or examin'd, are specially two:

1. *It must be wholly void of any Contradiction or Inequality.*
2. *It must be such in which no number of Men, having the Interest, can have the Power or Strength, and no number of Men, having the Power or Strength, can have the Interest to invade or disturb the Government.*

IT is not in the power of Nature that there should be an effect, where there is not the cause of that effect; and in a Frame of Government that is exactly according to the foregoing Maxims, there can be no cause of Sedition or Dissolution. A Model of Government therefore that will hold examination by these Maxims, must (without ostentation, or with Mr. WREN's patience) be perfect.

NOW let us observe how he bestirs himself to examin and confute this Model. As to contradiction, he does not so much as pretend that there is any Guile in it; yet will not allow it to have any truth: For, says he, *as in a Fiction the several Members may be so contriv'd, as not to give one another the ly, but be all contain'd within the limits of Verisimilitude, and yet the whole remain without the least syllable of Truth; so in a Model of Government.* To which I answer, that there being a truth of Nature, and a truth of Fact, this way of Mr. WREN's disputing is mere equivocation. For the Model is not propos'd to shew the truth of Fact, or that there has bin any such exactly in practice; but to shew the truth of Nature, or that such a Model is practicable: wherefore he needed not to have alleg'd that it has not the truth of Fact, which we all know; but was to shew where it fails of such a truth in Nature as can any way render it impracticable. But instead of this, he is gon to the Moon, and will read us a Lecture in Politics by the Planets, or the various Hypotheses of Celestial Motions, which may be excogitated including no absurdity in themselves, and yet perhaps not any one of them prove to be the true method of Nature. But may a Man therefore argue in this manner? It is very hard to know certainly which are the Highways of the Planets, therefore there can be no certain Knowledge which are the Highways to London. Let us e'en say, Because the Rotation of the World may as well go upon the Heavens as upon the Earth, therefore a man may as well go upon his Head as upon his Heels, and a Commonwealth as well stand upon a Milkwoman's Pattins, as upon the strongest Interest, or the Interest of the strongest.

So much for Contradiction. Now for inequality, says Mr. WREN, ^{W R 179.} *Tho it should be allow'd Mr. HARRINGTON, that his Commonwealth has none in it, yet would it fail of attaining the perfection of Government, seeing there is an equality in the Nature of man, which is not rectify'd by the Model of his Commonwealth.* As if the equality of a Government was pretended to be such, as should make a crooked man straight, a wicked man good, or a passionat man a Philosopher; and it were not perfect, in being sufficient to prevent any influence that Wickedness or Passion in a man or men, may have upon the Government. But for farther discovery of these Inequalities in the Nature of man, that are not rectify'd by the Model, Mr. WREN sends us to his eighth and ninth Chapters, where he produces them in such order, as I shall observe in repeating him. *Whensoever, says he, under Popular Government the number of those whose Offences have render'd them liable to the severity of Laws, is considerable enough to qualify them for attempt, Popular Government has no more security than any other, of being free from Sedition.* It is very true: but Mr. WREN was oblig'd to shew how in an equal Commonwealth, or under the Model propos'd, it was possible that the number of such men should com to be considerable enough to qualify them for such an attempt. But in this kind he is no otherwise provided than to tell us, *That of this Original and Extraction, as to the main, was CATILIN's attempt upon the Roman Commonwealth.* So undertaking against *Oceana*, or the most equal Commonwealth, he is com to arguing against *Rome*, or the most unequal Commonwealth; and at such a time too, when being no longer capable of Liberty, but ready for bonds, there were other Partys besides CATILIN's, and others besides such as were obnoxious to the Laws, that lay in wait for her: as POMPEY and his Party, or at least CESAR and his, who at length carry'd it; so that this feat was not so much perform'd by men otherwise liable to severity of Laws, as by men puff'd up by ambition. But let these have bin of which tort he will, it remains with him to shew, how there should be of either kind enough in *Oceana* for a like attempt. It is known that long before this happen'd in *Rome*, the whole of that Commonwealth was in the hands of three men, CESAR, POMPEY, and CRASSUS: wherefore he should have first shewn, which way the whole of the Commonwealth of *Oceana* might com into the hands of three, or of a few men. But leaving this untouch'd, he runs making a dust, and a doubt where the sovereign Power of *Oceana* can be; which even in *Rome*, as unequal as it was, is acknowleg'd to have bin in the Assemblys of the People; and in *Athens*, THUCYDIDES expressly says, *That the Sovereignty was in the five thousand.* Who ever doubted but where the ultimate Result is, there also must be the Sovereignty? and the ultimate Result of *Oceana* is in the Prerogative Tribe, or Representative of the People. Then says he, *This Representative thinking not their interest, may dissolve the Government, and perpetuat themselves, and may com to think it their interest.* For the desire of Power being natural to man, a far greater share of Power remains with every particular man, when the Sovereign Power is divided among so many, than when the same Power is divided among two hundred thousand. But I shew'd that this Representative has the whole Sovereign Power in themselves, not divided with any other, or with the five hundred thousand; which I suppose he means by the two hundred thousand he mentions. Now this Representative

W. P. 85

tive cannot be understood to have the Sovereign Power by overbalance of strength, because they are but one thousand to five hundred thousand, so it is plain that they have it by consent, or by orders only: wherefore these Orders they have not the power, or strength, nor the interest to break, because breaking their Orders (by which only, and not by strength, the Power is in themselves) they com to divide the Power that was in themselves, with the five hundred thousand, as they, who, in defect of the Orders, have the far greater strength, and no legal bar. Yet says he, *That a Representative is not incapable of making such an attempt as this, will (it is not improbable) easily find belief with those who are acquainted with the Actions of these last eighteen years* Which is as much as to say, That because a Representative, by and with the People, may have both the interest, and the power or strength to free themselves of a broken Monarchy, therefore a Representative may, without, and against the People, have both the interest, and the power or strength to break the Orders of the most equal Commonwealth. But if the Representative of *Oceana* has not the power or strength to break their Orders, and perpetuat themselves, much less the Senat. True it is, if we look upon some other Commonwealths, a Senat might have the Interest to do it, but not where the Senat has bin upon Rotation. To add then to Mr. WREN'S faculty of opposition greater strength than is in it; if the Senat of *Oceana* would do any thing of this kind, their readiest way were by creating of the Dictator. The Dictator being created, has sovereign Power in carrying on the Orders of the Commonwealth: but those do not perpetuat their Power; this therefore cannot be don but by Force or Arms. The Arms of the Commonwealth are both numerous, and in a posture or readines; but they consist of its Citizens: and for the Dictator to bring the Citizen to break the Commonwealth, were for a General to command his Army to cut their own throats. It is true, the *Roman Decemvirs* put in for prolongation; but, tho in the most unequal Commonwealth, they could not make it stand one year, because of the Citizens in Arms: And for Mercenaries there are none in *Oceana*, is this news? there were none in *Israel*, there were none in *Athens*, there were none in *Lacedimon*, there were none in *Rome*, while those Commonwealths flourish'd. But were there Mercenaries, as he might perhaps reckon Servants, they are unarm'd, undisciplin'd; they cannot rise thro the vast bodys of Citizens in Arms both Elders and Youth; or if they would rise, they could, be nothing in their hands. The *Roman Slaves*, and the *Lacedemonian Helots*, being far of another and more dangerous nature, never rose against their Lords but to their own destruction. All this while I say nothing of the security which is in the frame of this Dictator, beyond any example of interest of prolongation to be found either in the *Roman Dictator* or the *Venetian Council of ten*, each whereof having had the like power, did never discover any such inclination. It is true, that in the time of *SYLLA*, the *Roman Dictator* began to be perpetual; but this is not to be attributed to much to the imperfection of the Order, as to the change of the Balance. But if the Dictator of *Oceana* cannot have the interest, or, having the interest, cannot have the power or strength to perpetuat that Magistracy, much less can the Senat.

THE sum of what has bin said, may be thus cast up, as to the whole Constitution. If Things or Persons that have neither the

right

right nor the might, may prevail against Things and Persons who have both the right and the might; then may one Order of this Commonwealth break the whole System: but the Might, thro the foundation or popular balance of Property, being in the whole People, and the whole Superstructures of this Commonwealth being nothing else but an equal distribution of common Right to the whole People, who are possess of the Might; they who have the Might, have not the interest to break, but to preserve the Orders; which therefore no other can have the power or strength to break, or som other breaking, must but lose that which they pretend to gain, to wit, the Right, which in this case must still fall to the Might devolving upon the People. That Mr. WREN will needs fancy the Tribes or Citys in *Oceana*, as those in the united Provinces, or the Cantons of *Switzerland*, to be distinct Sovereintys, concerns not me, seeing the form of *Oceana* is far otherwise; nor indeed him, seeing neither do the Citys in *Holland*, nor the Cantons in *Switzerland* go about to dissolve their Commonwealths or Leagues. The Champion having thus fail'd at the head, is contented to play low.

Tho there be care taken, says he, *that at the Assembly of the Hundred and the Tribe, such and such Magistrates should be elected out of the Horse, there is no necessary provision there should be any Horse there, out of which to elect.* And where can they be then, if not in some Parish? He might better have said, that at the Parish there was no care taken, that the People should not elect too many of the Horse, which being

indeed the defect of the former, is in this Edition rectify'd. His last exception is against the place where I say, that *They who take upon them the profession of Theology, Physic or Law, are not at leisure for the Essays, whereby the Youth commence for all Magistracy and Honors, in the Commonwealth.* To which reason he offers not so much as any Answer: nor pretends any other Argument against it, than that this excludes Divines, Lawyers, and Physicians, from those Honors to which their Parish Clerks, their Scriveners, and their Apothecarys, nay Farriers and Coblers may attain. And what can I help that, if it ought nevertheless so to be, for a reason which he cannot answer? Nay, if so it be in common practice where the reason is nothing near so strong, seeing a Parish Clerk, a Scrivener, an Apothecary, nay a Cobler or a Farrier, is not incapable of being of the Common Council, nor yet of being an Alderman or Lord Mayor of *London*; which nevertheless that a Divine, a Lawyer, or a Physician should be, were absurd to think. Divines have a Plow from which they ought not to look back: they have above a tenth of the Territory, with which they ought to be contented; and more than all, Civil Interest contracted by a Clergy, corrupts Religion. For Lawyers, their Practice and Magistracy are not only the most gainful, but for life; and in a Commonwealth, neither is accumulation of Magistracy just or equal, nor the confounding of Executive and Legislative Magistracy safe. Will Mr. WREN believe one of our own Lawyers, and one of the learnedst of them upon this point? It is the Lord VERULAM: *They*, says he, *who have written (de legibus) of Lawmaking, have hand'd this Argument as Philosophers, or as Lawyers. Philosophers speak higher than will fall into the capacity of practice (to which may be refer'd PLATO's Commonwealth, Sir THOMAS MORE's Utopia, with his own Atlantis) and Lawyers being obnoxious, and addicted each to the Laws of their particular Country, have no freedom nor sincerity of Judgment; but plead*

W. p. 87.

W. p. 181.

See Proposition 44. W. p. 185.

Verulam de Aug. Scien. Lib. 5. cap. 3.

as it were in bonds. Certainly the cognizance of these things is most properly pertaining to political Persons, who best know what stands with human Society, what with the safety of the People, what with natural Equity, with ancient Prudence, and with the different Constitution of Commonwealths. These therefore, by the Principles and Precepts of natural Equity and good Policy, may and ought to determin of Laws. For Physicians, who (as such) have in the management of State-Affairs no prejudice, if you open them the door, they will not at all, or very rarely, com in: wherby it appears, First, that such a bar may in som cases be no violation of Liberty; and, secondly, that the Divines, who for better causes might be as well satisfy'd, and for more unanswerable Reasons ought to forbear, yet are impatient, and give a full testimony that their meaning is not good.

THUS is the Commonwealth by Mr. WREN oppos'd, by him asserted. There remains no more to the full confutation of his Book, than to shew how the Monarchy by him asserted is by him destroy'd. This is to be don by the examination of his ninth Chapter, which is the next of those to which he refer'd us.

- Sect. 3. *That* THE opposition made by Mr. WREN to a Commonwealth, and his pretended asserting of Monarchy, run altogether upon Mr. HOBBS's Principles, and in his very words; but for want of understanding, much enervated: so that Mr. WREN's whole feat of Arms comes but to have given me a weaker Adversary for a stronger. In Sovereignty, says he, *the diffus'd strength of the Multitude is united in one person; which in a Monarchy is a natural person; in a State, an artificial one procreated by the majority of Votes.* This then is the grand security of all Sovereins, whether single Persons or Assemblys, that the united Forces of their Subjects, with which they are invested, is sufficient to suppress the beginnings of Seditions. Who reads Mr. HOBBS, if this be news? But what provision is made by either of these Authors, that the Forces of these Subjects must needs be united? Is Union in Forces, or in Government, an Effect wherof there is no Cause? Or to what cause are we to attribute this certain Union and grand Security? Why let there be such a Nobility as may be a Monarch's Guard against the People. And lest a Monarch stand in need of another Guard against this Nobility, let none of these excel the rest of his Order in power or dignity. Which Effects or Ends, thus commanded, vouchsafe not to acquaint us with their ways: Yes, let the Nobility have no right to assemble themselves for electing a Successor to the Monarchy, or for making a War or Peace, or for nominating the great Ministers of State, or for performing any other Act which by the nature of it is inseparable from the sovereign Power. But why then must such a Nobility be a guard against the People, and not rather a guard for the People, seeing both their Interests and Sufferings at this rate are the same, and include those very causes for which, in the Barons War, the Nobility became incendiarys and Leaders of the People of England against their Kings, and so those wherby their Captain came to excel the rest of his order in power or dignity? But for this the Prince is to be provided, by having always in pay a sufficient Militia; and such places of strength where a few may be secure against a number. For places of strength, Citadels, or Castles, there were in the time of the Barons Wars, more than forty; yet were they, as to this purpose, none. But a Militia is one thing, and a sufficient Militia is another; where the Government consists of a Nobility and of a People, what sufficient
- That* Mr. Wren's Assertion of Monarchy amounts to the Subversion of it. W. p. 97.
- W. p. 99.
- N. p. 103.
- Ibid.
- W. p. 105.

sufficient part of the Property or Revenue of the Territory can there remain to the Prince, whereby to have always in pay such a Militia, as may be sufficient to keep the Nobility and the People from joining, or to suppress them being join'd? If these be small Armies, the like may befall them, which befall those of the Kings in the Wars of the Barons. And if they be great Armies, the Prince has not wherewithal to support or content them, nay if he had, Mr. WREN tells us plainly, *W p 111. That Princes who keep great Armies, as Guards to their Persons or Empires, teach us that this is to walk upon Precipices; there being no possibility of preventing such an Army (specially if they be still without employment) from acquiring an interest distinct from that of the Prince.* Wherefore (to follow Mr. WREN and no other Leader, in his own words against himself) this Militia being great, cannot be so instituted, as to have no interest besides the pay it receives from the Monarch; nor so as to have no hopes of being safe in their own strength, if they should withdraw themselves from the Service and Obedience due to him: and being not great, against the whole Order or Orders of the Nobility and the People they cannot be sufficient. What then remains but to say, that Mr. WREN having declar'd the perfection of Monarchical Government *W p 114. to consist in a mixture of Monarchy by a Nobility, and a Monarchy by Arms,* has as to his Model intirely subverted Monarchy? In this way of disputing, I have rather follow'd my Leader than Reason; the true Answer being that which was given in the Preface, namely, that an Army to be effectual in *England*, must be such where the Officers have popular Estates, or where they have such Estates as had the antient Nobility: in the latter case, they make a King; in the former, a Commonwealth. But Mr. WREN will have his own way; and therefore, to conclude, let me but desire him to lay his hand upon his heart, and then tell me, whether the condition of the Nobility (to whose favor in my exclusion he pretends a meritorious Title) sharing eminently and according to their rank with the People in the Commonwealth by me propos'd; or the condition of the Nobility under the insolence and burden of a mercenary Army, sharing equally with the People in Oppression and Slavery, or reviving the old Barons Wars for new Liberty, in the Monarchy by him propos'd; be the more desirable. And to speak a word for my Adversary, we will submit it wholly to the present Nobility, whether Mr. WREN or I be so extravagant in these things, that they have or can have any other than the like choice. Yet enters not Mr. WREN *Ibid into despair of living to enjoy his share* (which ought to be a good one) *of the Felicities which will belong to the Subjects of such a Government.* He looks upon Persons, but Things are invincible.

THE rest of his Book (to which *The Prerogative of Popular Government* is still a complete Answer) consists altogether of gross evasion or invective, or of drawing out of story against Popular Prudence such imaginary Swords as do but stand bent. To rectify or streighten these, I may hereafter present him (if any man shall think it worth the while) with a fuller Answer.

A Word concerning

A W O R D

Concerning a House of P E E R S.

N O man knowing what is necessary to the Foundation or Being of a Popular Government, can hope or expect the introduction of any such Form, where Monarchy is not impracticable. They (where Monarchy is impracticable) who come first to discover it, and be convinc'd of it, if Reason be not altogether depos'd, are inevitable Leaders. Hence it is that our Commonwealthsmen are already renown'd throout this Nation for their invincible Reasons, even by the confession of their Opponents, or such as procede nevertheless in other ways. But where Seed is so well sown and rooted, intervening Possession and Interests are like such Weather as holding back the Spring, yet improves the Harvest: Commonwealthsmen indeed may have a cold time on't, but upon the Commonwealth it must bestow Fermentation. Had our incomparable Assertors of public Liberty appear'd before a universal eviction of the necessity which enforces their Cause, it must have bin thro such a reluctance, as would have made them glad to do things by halves, which is the only Rock to a rising Commonwealth of Scandal, or of Danger; the whole being such against which there is nothing to be alleg'd, and the half what may be easily confuted. These things consider'd, what appearance is there but that it must redound to the greater advantage of our Commonwealthsmen, that we are under the force of a present Humour which abhors the very name of a Commonwealth? Seeing by this means one of two things must of necessity happen, and come shortly to public view or discovery: either that Monarchy is practicable, or that it is not practicable; I mean, in our state of Affairs, or in this present distribution of the Balance. If Monarchy be found practicable, Commonwealthsmen are satisfy'd in their Consciences, and so ready in fair ways to return, and submit not only for Wrath, but for Conscience sake. But (let Divines cry Atheism, and Lawyers Treason) if it be once discover'd to common Understanding that Monarchy is impracticable, then in comes the Commonwealth, not by halves, but with all its Tackling, full sail, displaying its Streamers, and flourishing with Top and Toppallant.

THE ways whereby it is at hand to be discover'd whether Monarchy be practicable or impracticable, are particularly two; the one quicker, the other slower: The quicker way will be by the Workmen, the slower by the Work.

IF the Workmen, being willing, be yet overcome by the mere obstinacy of their Matter, it amounts to a plain confession, that Monarchy is impracticable. And if they give away the Libertys of the People, they are overcome by the obstinacy of the Matter; for that is not their Work: nor any other Work than such as must be useless, not so much in regard of it self (tho that may be true enough) as by the want of any other Security than what the Prince had before, that

is, an Army. And such an Army, which for security is as good as none at all, nay the very contrary, as has bin shewn already: nor to be alter'd with better success than theirs, who became Princes in *Grecian* and *Sicilian* States. 918 F 121
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BUT if the Workmen give not away the Libertys of the People, then must they so limit their Prince, that he can in no manner invade those Libertys; and this by any other means than the full and perfect introduction of a well-order'd Commonwealth, they will find to be utterly impossible: So either way they are overcome by the more obstinacy of their Matter.

IF thro som secret Dictat (as when the Senat of *Rome* was *Conviva Cæsaris*) or a haile to make riddance, this be not perceiv'd by the Workmen, it will be but the more perceivable by the Work when it comes to wearing or in practice; and the Flaws or Grievances being found insupportable, the next Parliament, thro the mere want of any other remedy, must introduce a Commonwealth.

GOOD, and egregiously Prophetical! But what say you for all this, if we have a House of Peers, and that even for the Lord's sake, there being no other way to secure Liberty of Conscience? Why I say, if we have a House of Peers, it must be a House of old Peers, or a House of new Peers, or a House of the one and the other. Moreover I say, Let it be which way you will, such a House may at som time, or for som reason, be personally affected to Liberty of Conscience; but is a Constitution in it self naturally averse, and contrary to Liberty of Conscience, and therefore can be no security to the same, whether the Lords be Spiritual, or Temporal, or partiperpale.

LORDS Spiritual are inspir'd with a third Estate, or share of a Realm, which gives no toleration to any Religion, but that only asserting this point, which is Monarchy. Setting this Oracle, and some like Reasons of State aside, we may think that every Sovereignty (as such) has Liberty of Conscience: This a King having, cannot give; and a People having, will not lose. For Liberty of Conscience is in truth a kind of State, wherein a man is his own Prince: but a House of Peers sets up another Prince, it cannot stand without a King. If the Balance be in the Lords, as before HENRY the Seventh, yet must they have a King to unite them, and by whom to administer their Government; and if the Balance be not in the Lords, they stand or fall with the King, as the House of Peers in the Long Parliament and the King falling, their Government devolves to the People. Again, a House of Peers having the overbalance, signifies something; in which case it has not bin known to be for Liberty of Conscience: and not having the overbalance, signifies nothing; in which case it cannot secure the Liberty of Conscience. Thus a House of Peers, whether something or nothing, is no way for the Liberty of Conscience, but every way for a King: and a King is a defender of the Faith. The Faith wherof a King is defender, must be that which is, or he shall call his own Faith; and this Faith it concerns his Crown and Dignity, that he defend against all other Faiths. True it is, that a King for a step to a Throne, may use what is readiest at hand: Otherwise where there is Liberty of Conscience, to assert Civil Liberty by Scripture can be no Atheism; which lames a Prince of one Arm. But where Liberty of Conscience is not at all, or not perfect, Divines, who (for the greater part) are no fair Huntsmen, but love dearly to be poaching or clubbing

A Word concerning

ling with the secular Arm (tho if we, who desire no such Advantages, might prosecute them for abusing Scripture, as they have don this thousand years, to all the ends, intents, and purposes of Monarchy, they would think it a hard case) Divines, I say, not only brand the Assertors of Civil Liberty with Atheism, but are some of them studious in Contrivance, and quaint in Plots to give a check or remove to this or that eminent Patriot, by the like pretences or charges; which succeeding accordingly by the power of a Parliament, they may at length com to have a Parliament in their power. Where there is no Liberty of Conscience, there can be no Civil Liberty; and where there is no Civil Liberty, there can be no security to Liberty of Conscience: but a House of Peers is not only a necessary, but a declar'd check upon Civil Liberty: therefore it can be no security to Liberty of Conscience. And so much for this particular.

NOW to make upon the other parts propos'd, and in a mere civil sense, som further conjecture.

WHEN a House of Peers sets up a House of Commons, as in the Barons Wars, they will govern the Commons well enough for their own purpose, and not seldom the King too.

BUT we are to speak of a thing without any example, a House of Peers set up by a House of Commons; nor, in the want of example, are we thought worthy by our Adversaries to be furnish'd with Reason: so the guidance of our Discourse upon this point is committed to Mother Wit, a notable Gossip, but not so good a Politician.

NEVERTHELESS, if this House consists of old Peerage only, we have direction enough to know how that will be; for either the single Person, or the Commons will be predominant in the Government: if the Commons be so, then it will be with the Peers, as it was before their last Seclusion; that is, while they do as the Commons would have them, they may sit; otherwise they are sent home. And if the single Person be predominant, it can be no otherwise than by an Army; in which case the old Peers being not in Arms, nor having any help that way, are as much under the Yoke as the Commons. By which it may be apparent, that it is the great interest of the present Peerage, that there be a well-order'd Commonwealth: otherwise the Commons being in bondage, the Lords, whom that least becoms, are but equal with them: and being free, the Lords are not the head, but at the foot of them; whereas in an equal Commonwealth, that the Nobility be not at the head, or have not the leading, is quite contrary to all Reason and Experience. *

IF the House consists of new Peers only, it must consist of the chief Officers in the Army; which immediatly divides the Government into two distinct Governments: the one in the House of Commons, whose Foundation is the Body of the People; the other in the House of Peers, whose Foundation is the Army. This Army if it remains firm to the Peers, they not only command the Commons, but make and unmake Kings as they please; or as ambitious Partys and Persons among themselves are diligent or fortunat: But if the Army (as is most and more than most likely) coms off to the Commons, the Peers are nothing, and the Commons introduce a Commonwealth.

IF the House consists of new Peers and old, the old Peers while they like it, are Cyphers to new Figures; and when they like it not, may go home again: nor whether they stay or go, is this case so different from

from the former, as to be any greater obstruction to a Commonwealth.

TO hate the very name of a Commonwealth, or not to see that *England* can be no other, is as if men were not in earnest. It is ask'd of the Commons what the Protector shall be, and he can be nothing but what they will. It is ask'd of the Commons what the other House shall be, and it can be nothing but what the Commons will. The Commons are ask'd whose the Army, whose the Militia, whose the Negative Vote is; nor can these be otherwise determin'd than as they please. The Commons are ask'd whether they will make such a War, whether they will pay such a Debt, whether they will advance such a Sum; all which are intirely at their discretion: therefore actually and positively *England* is a Commonwealth. Nay, and that there remain not the least doubt, whether it be safe for any man to say thus much, the present Government has either no legal denomination at all, or is legally denominated the Commonwealth: the question of the future state of it comes not one whit upon the matter, which is already granted, but upon the form only. A Commonwealth for the matter makes it self; and where they will not bestow upon it the Form necessary, fails not of coming to ruin, or, at least, to disgrace the Workmen: Or, to speak more properly and piously, a Commonwealth is not made by Men, but by God; and they who resist his holy Will, are Weapons that cannot prosper.

Feb 20.
1659.

Six Political

T R A C T S

Written on

Several Occasions.

V I Z.

- I. *Valerius* and *Publicola*. A Dialog.
- II. A System of Politics, delineated in short and easy Aphorisms, now first publish'd from the Author's own Manuscript.
- III. Political Aphorisms.
- IV. Seven Models of a Commonwealth, Ancient and Modern, &c.
- V. The Ways and Means of introducing a Commonwealth by the Consent of the People.
- VI. The humble Petition of divers well affected Persons: with the Parliament's Answer therto.

Valerius and Publicola:
 Or, the True
 F O R M
 O F A
 POPULAR COMMONWEALTH
 EXTRACTED
 EX PURIS NATURALIBUS.

Quos perdere vult JUPITER, hos dementat prius.

To the READER.

THE way of Dialog being not faithfully manag'd, is of all other the most fraudulent; but being faithfully manag'd, is the clearest and most effectual for conveying a man's sense into the understanding of his Reader. There is nothing in this World, next the favor of God, I so much desire as to be familiarly understood; which because great men have thought below them, has prov'd hitherto but the ruin of themselves, and the detriment of the Public: for which reason, having try'd all other means, I now add this. My work, if I be not given over to utter blindness, is the same with, or nearest, that of the Nation; and the Work of the Nation being not understood, is in extreme danger of utter ruin.

Valerius.

DEAREST PUBLICOLA, how have I long'd to meet you, and in the favorable silence of this long Walk!

Publicola.

What has my noble Friend VALERIUS to command his faithful Servant?

Val. Why really, notwithstanding the tumult of these extravagant Changes, your last Discourse had so much of my attention then, and has had such a digestion with me since, that I feel it running in my Veins.

Pub. Do you find in that any temptation to the buckling on of High-noon?

Val. My thoughts, PUBLICOLA, are quite of another strain; sometimes I fancy I see England grasping at Empire, like Rome it self.

P p p 2

Pub.

Pub. Why then VALERIUS, my Discourses are not such as they say, there runs nothing of them in your Veins, that has inbas'd your noble Blood.

Val. The Heraldry of them is of as high a pitch as the Policy; but I would have them be a little lower in form things.

Pub. What are those?

Val. The Vulgar complaint of you, that you are too learn'd.

Pub. I thought it was not you, VALERIUS.

Val. For all that, I could be contented to see you raise your Structure by your own strength, and without the help of other Authors.

Pub. That I dare say you may, when you please.

Val. I must see it then, before I lose the covert of these reverend Elms.

Pub. You take care that the Building should be well situated; and for the Foundation, I may presume by what has already pass'd between you and me, that we are long since agreed.

Val. That the threefold Balance, or Distribution of Property is the cause of the triple way of Government, I fully consent with you; as also, that the Balance now in *England* is in the People plainly, and exclusively both of a King and Lords.

Pub. You are not of them that grant this, and then ask which way a Commonwealth should be introduc'd in *England*.

Val. Why truly yes; seeing not only the People are so wholly unacquainted with the means, but their Leaders so averse to it.

Pub. Think you that a Plant grows the worse for not understanding the manner of its Vegetation?

Val. A Plant is not a free Agent; but among Men who are free Agents, the Introduction of Government seems to be Arbitrary.

Pub. What, where there is no more than *Hobson's* choice, this or none?

Val. It is true, that if they can have nothing else, they must at length have a Commonwealth; but tho they can have nothing else to be holding, yet they will be trying other things.

Pub. There is all the mischief.

Val. And enough to ruin the Nation.

Pub. To hurt it very sore, but not to ruin it; nor yet to evade a Commonwealth, except they expose us to foren Invasion.

Val. I am glad of your Confidence.

Pub. You may let it pass for Confidence, if you please; but if there be no other way except that only of Invasion, whereby the present Balance can receive a change sudden enough to admit of any other Form, the reason why we must have a Commonwealth is coercive.

Val. And putting the case it be the Will of God to defend us from foren Invasion, how long will it be ere they see at home the coerciveness of this Reason, or, which is all one, that all Power is in and from the People?

Pub. Good VALERIUS, how long is it since this was both seen and declar'd in Parliament?

Val. Perhaps as they meant, it might be admitted as a Principle even in Monarchy.

Pub. This with your pardon you will revoke, seeing you well remember that this their Declaration of Power in the People, has bin exclusive of King and Lords, and that in express terms.

Val.

Val. But in this they related not at all to the Distribution of Property.

Pub. Why then, there is not such a difference between the growing of a Plant and of a Commonwealth, as you thought; seeing a Commonwealth knowing as little, dos no less.

Val. This of all others is to me a Consideration fullest of comfort.

Pub. It will in time procede accordingly, thro a mere necessity of nature, or by feeling; but your desire, I suppose, is to know how it should be rationally introduc'd, or by seeing, and that with more ease and greater speed.

Val. If it might please God, I would live to have my share of it, tho I fear I never shall.

Pub. You carve for yourself ill: for by hope a man enjoys even that which he never comes to attain; and by fear he is depriv'd even of that which he comes not to lose.

Val. I must confess that our Army has it now in their power to introduce a Commonwealth.

Pub. And there is no other action in their power that can excuse them.

Val. Putting the case they would hearken to you, what course would you advise?

Pub. The same I have advis'd over and over.

Val. As how?

Pub. As how! is that yet a Question? Let them divide the Territory into fifty equal parts.

Val. They will never make a new division.

Pub. Why then they shall never have an equal Commonwealth.

Val. What ill luck is this, that the first step should be so difficult?

Pub. You speak as if never any Territory had bin divided, whereas there is none that has not; and Surveyors will tell you, it is a work to be perfectly perform'd in two months, and with ease.

Val. Putting the case this were don, what is next?

Pub. The next is, that the Commonwealth were complete.

Val. Say you so? this indeed makes amends: but how?

Pub. With no more addition, than that the People in every distinct division elect annually two Knights and seven Deputys.

Val. I dare say the People would never stick at this.

Pub. Not sticking at this, they of their own power have instituted the two great Assemblies, of which every Commonwealth consists.

Val. But in advising these things, you must advise men so that they may understand them.

Pub. VALERIUS, could I as easily have advis'd men how to understand, as what to do, there had bin a Commonwealth ere this.

Val. Com, I will have you try something of this kind, and begin upon some known Principle, as this, *All Power is in the People.*

Pub. Content. But the diffusive Body of the People (at least in a Territory of this extent) can never exercise any Power at all.

Val. That is certain.

Pub. Hence is the necessity of some form of Government.

Val. That is, the People of themselves being in a natural incapacity of exercising Power, must be brought into some artificial or political capacity of exercising the same.

Pub. Right. Now this may be don three ways; as first, by a single Person—

Val.

Val. How!

Pub. Nay, I am not likely to trouble you much upon this point; but as you were intimating just now, there are Royalists who derive the original Right of Monarchy from the consent of the People.

Val. There are so.

Pub. And these hold the King to be nothing else, but the Representative of the People and their Power.

Val. As the *Turc.*

Pub. Yes, as the *Turc.*

Val. The People's Power at that rate comes to the People's Slavery.

Pub. You say right; and so it may at other rates too.

Val. As how?

Pub. Why, as I was about to say, The Power of the People may be politically brought into exercise three ways: by a single Person; by an Assembly consisting of a few; or by an Assembly consisting of many.

Val. Or by a mixture.

Pub. Nay, I pray let that alone yet a while: for which way soever you go, it must come at length to some mixture, seeing the single Person you nam'd but now, without his *Divan* or Council to debate and propose to him, would make but bad work even for himself. But as the Government comes to be pitch'd fundamentally upon one of these three, so it differs not only in name, but in nature.

Val. I apprehend you, as Monarchy, Aristocracy, and Democracy.

Pub. Nay, you are out with your Learning, when you have forbidden it me. But in Countries where there is not a Nobility sufficiently balanc'd or enrich'd, there can be none of your Aristocracy, and yet there may (as long as it will last) be a Government in a few.

Val. What call you that?

Pub. Nay, what say you?

Val. Com, it is Oligarchy: when all is done, some words of Art we must use.

Pub. I thought you would come to it; and yet seeing I have promis'd, I will be sparing. But with your pardon, you have disorder'd my Discourse, or by this time I had shew'd, that if the Power of the People be committed to a single Person, the common Interest is submitted to that of a Family; and if it be committed to a few, it is submitted to the Interest of a few Families.

Val. Which, so many times as they are more than one, is so many times worse than Monarchy.

Pub. I am not sorry that you are of that mind. For there is no such thing as a Commonwealth, or, as you say, Democracy in Nature, if it be not pitch'd upon a numerous Assembly of the People.

Val. What call you numerous?

Pub. Why, an Assembly such for number, as can neither go upon the interest of one single Person or Family, nor the interest of a few Persons or Families.

Val. How will you constitute such an Assembly?

Pub. Commonwealths, for the Constitution of their Popular Assemblies, have had two ways. The first by enrolling all their Citizens, and stating the *Quorum* in such sort, that all to, and above the stated number repairing at the time and place appointed, are empower'd to give the Vote of the whole Commonwealth.

Val.

Val. The *Athenian Quorum* was six thousand; which towards the latter end of that Commonwealth came to five.

Pub. So, so, you may quote Authors: But you may remember also, that *Athens* was a small Commonwealth.

Val. How many would you advise for *England*?

Pub. Put the case I should say, ten thousand?

Val. They will laugh at you.

Pub. What can I help that? or how many would you advise?

Val. I would not go above five thousand?

Pub. Mark you then: they only that are nearest would com; and so the City of *London* would give Law to the whole Nation.

Val. Why really that same now is clear, but would there be less danger of it, in case you stated your *Quorum* at ten, at twenty, or tho it were at a hundred or two hundred thousand?

Pub. No: For which cause, as to *England*, it is a plain case, that this is no way for the institution of a popular Assembly.

Val. Which way then?

Pub. For *England* there is no way but by Representative, to be made to rise equally and methodically by stated Elections of the People throout the whole Nation.

Val. Needs this to be so numerous as the other?

Pub. No.

Val. Why?

Pub. Because it is not obnoxious to a Party, to any certain Rank, or such as are soonest upon the spur, or that make least account of their Pains or of their Money.

Val. Will you be so curious?

P. Do you think this a Curiosity? How else will you avoid improvement in the Interest of the better sort, to the detriment of those of meaner rank, or in the Interest of the Few, to the detriment of that of the Many?

Val. But even this way there is danger of that foul Beast the Oligarchy.

Pub. Look about you. The Parliament declares all Power to be in the People; is that in the better sort only?

Val. Stay; the King was to observe *Leges & Constitutiones quas vulgus elegerit*: That *Vulgus* is to be understood of the Parliament; and the Parliament consisted wholly of the better sort.

Pub. It is true; but then that Commonwealth acted in all things accordingly.

Val. It was, you will say, no Democracy.

Pub. And will you say it was?

Val. No truly: yet this deriv'd in part from the free Election of the People.

Pub. How free? seeing the People, then under Lords, dar'd not to elect otherwise than as pleas'd those Lords.

Val. Something of that is true; but I am persuaded that the People, not under Lords, will yet be most addicted to the better sort.

Pub. That is certain.

Val. How then will you prevent the like in your Institution?

Pub. You shall see presently. The diffusive Body of the People, in which the Power is, and is declar'd to be, consists in the far greater part of the lower sort: wherefore their Representative, to rise naturally,

ly, and to be exactly comprehensive of the Common Interest, must consist also in the far greater part of the lower sort.

Val. Of what number will you have this Representative?

Pub. Suppose a thousand, or thereabout.

Val. What proportion will you have the meaner sort in it to hold to the better?

Pub. Suppose about six to four.

Val. How will you order it, that it shall be so constituted?

Pub. Why thus. Let the People in every Precinct or Shire at Election chuse four under one hundred pounds a year in Land, Goods, or Mony, together with three at or above that proportion.

Val. I see not but this Representative must be exact.

Pub. It is yet none at all, that is, unless you presume Changes: for one thousand, without change governing the whole People, amount neither to a Representative nor to a Commonwealth, but is still to your hard name.

Val. How do you order your Changes?

Pub. By annual election of one third part for three years.

Val. So that every year one third part of your Assembly falls out of it, and a new third part at the same time enters into the same.

Pub. Even so.

Val. This causes the Representative to be perpetually extant.

Pub. It does so. But to respite that a little, I should be glad, before I stir farther, to know which way the Vote of a Representative thus constituted, can go one hur's breadth beside the common and public Interest of the whole diffusive Body of the People.

Val. No way in the Earth that I can imagin, except thro ignorance.

Pub. No Human Ordinance is infallible, and what is don thro mere ignorance or mistake at one time, will be found and amended at another.

Val. A thousand men, and six to four of the lower sort perpetually extant! this must be a grievous Charge to the most of them, it will be hard to bring them, and impossible to hold them together.

Pub. Upon such as are elected and com not, considerable Fines must be levy'd; and such as com and stay together must have good Salaries.

Val. Salaries to so many! what will that com to?

Pub. Not, with the rest of the Commonwealth, to three hundred thousand pounds a year.

Val. Why? the Kings have rarely had above six.

Pub. And did England ever grudge them any part of that proportion?

Val. I must confess the Quarrel grew when they would not be contented with so little.

Pub. Now if England never did, nor needed grudge a King six hundred thousand pounds a year, to be spent among Courtiers, why should we imagin she should grudge a Commonwealth three hundred thousand pounds a year, to be spent among Magistrates?

Val. But Parliamentmen have taken nothing.

Pub. Have the People given nothing?

Val. That was for the maintenance of Armys.

Pub. And whether had you rather maintain Armys or Magistrates?

Val.

Val. But putting the case that this Assembly needed not to be perpetually extant, this Charge in the whole or in the far greater part might be abated.

Pub. I cannot tell: for how often think you fit that this Assembly should convene?

Val. Parliaments at most met not above once a year.

Pub. If they had bin perpetually extant, there would have bin no King.

Val. No truly, except in name only.

Pub. Therefore the Popular Assembly in a Commonwealth ought not to be perpetually extant.

Val. To the end, you will say, that there may be som King.

Pub. Mock not: or what other guard of Liberty is there in any Commonwealth, but the Popular Assembly?

Val. Com, let them assemble twice a year upon their ordinary Guard.

Pub. And what if there be an extraordinary occasion?

Val. Then, as often as there is any such occasion.

Pub. How much will this abate of their necessary Charge, or of the Salaries? And how much better were it for a Representative to lead the Life of Statesmen than of Carriers?

Val. Commonwealths, whose assemblies have bin of the former kind, have call'd them no otherwise than at stated times, or upon extraordinary occasions.

Pub. But then their Assemblies were not equal Representatives, but consisted of such as being next at hand were still ready upon any occasion.

Val. That makes indeed a considerable difference: But were this Representative always extant, I cannot see but it would have nothing to do.

Pub. And in case it be not always extant, you imagin that it may have something to do.

Val. Yes.

Pub. Then whether gos it better with the Commonwealth when the Representative has something to do, or when it has nothing to do?

Val. This is very quaint.

Pub. No truly, VALERIUS, it is plain, that the Guard of Liberty perpetually extant, in doing nothing must do much; and not perpetually extant, in doing much may do nothing.

Val. I am afraid that having nothing to do, they will make work.

Pub. Such I warrant you as the Parliament and the Army made the other day.

Val. Nay, I am not so wide. A civil Council and a standing Army must needs have Interests much more distinct than two civil Assemblies; and where there is not a like cause, I know well enough there cannot be the like effect.

Pub. I shall desire no more, than that you will hold to this; and then tell me what Disputes there us'd to be between the Senat of Venice and the great Council, which is perpetually extant, and consists of about two thousand.

Val. Nay, certain it is, that between those two there never was any dispute at all.

Pub. Then tell me for what cause such a thing should any more happen between the Assemblys propos'd; or, according to your own rule, from like causes expect like effects.

Val. You put me to it.

Pub. Nay, it is you that put me to it; for you will be presuming that this Assembly can have nothing to do, before we com to consider what are their proper Businesss and Functions.

Val. I beg your pardon, and what are those?

Pub. Why surely no small matters, for in every Commonwealth truly Popular, it is inseparable from the Assembly of the People that first they wholly and only have the right of Result in all matters of Lawgiving, of making Peace and War, and in levying Men and Mony: Secondly, That the ultimat Result in Judicature ly to them: and thndly, That they have right to call to account, and to punish their Magistrats for all matters of Maladministration of Government.

Val. I assure you this must amount to a great deal of business.

Pub. Certain it is, that in som Commonwealths the Popular Assembly by this means has bin perpetually imploy'd.

Val. And so I think it might be in *England*.

Pub. It might; but I do not think it would. However, if it be in the undoubted right of the Popular Assembly to procede against their Magistrats for Maladministration, would you leave it upon the hand of those Magistrats, whether this Representative should assemble or no?

Val. Com, you have said enough, it were not prudent: but as to the matter of Appeals, it is certain that in *Israel* the ultimat Resort was to the Sanhedrim or 70 Elders.

Pub. I know it very well: nevertheless you shall find that the Congregation judg'd *Benjamin*; and if you mark the Appeal to the 70 Elders, you shall find that it was not an Appeal of the Party for Relief, but of the Judges in inferior Courts for further light and direction in difficult cases of the Law.

Val. Let me but know in what manner this Assembly is to perform these Functions, and I have don.

Pub. Why as to matter of Lawgiving, I told you that they wholly and only have the right and power of Result.

Val. But to Result, there must necessarily go precedent Debate; seeing a Man, much less an Assembly, resolves not upon any thing without som Considerations, Motives or Reasons therto conducing, which ought to be first orderly and maturely debated: and how will you bring a thousand men, especially being six to four of the lower sort, to debate any thing with order and maturity?

Pub. You say that the Popular Assembly in *Athens* consisted at the least of five thousand.

Val. And I said true.

Pub. Yet this Assembly debated: Why may not a thousand men debate as well as five thousand?

Val. As well! Nay *Publícola*, if they debate no better in your Commonwealth than they did in that, you may know what will become of it. And to tell you true, I do not think that a thousand men can debate any what more orderly and maturely than five thousand.

Pub. And so think I too.

Val. How then?

Pub.

Pub. How then? Why this is the reason of the Senat in every Commonwealth.

Val. So there must be a Senat, which amounts to thus much; without a Senat there can be no Commonwealth, and with a Senat there will always be Practices upon the Liberty of the People

Pub. How prove you that?

Val. Why by the Senat of *Lacedemon* in the beginning, and by the Senat of *Rome* throout.

Pub. But find you the like by the Senat of *Athens* and *Venice*?

Val. No.

Pub. Consider then that these were by Election of the People, and upon frequent Removes, and that the former were defective in one of in both these circumstances.

Val. You intend your Senat upon Removes then?

Pub. Right

Val. And Elective by the People?

Pub. Yes.

Val. How? by the Popular Assembly, or by the body of the People in their Precincts?

Pub. By the body of the People in their Precincts, at the same time when they elect their other Deputys, and with the same circumstances, except that these be all elected out of such as have a hundred pounds a year real or personal.

Val. What hurt, if they were elected by the Popular Assembly?

Pub. They would not derive so immediatly, nor rise so equally from the People, as when chosen in the Precincts; because this way every Shire comes necessarily to have a share in the Senat: besides, wise men and understanding are better known in their Tribes than they can be in an Assembly out of their Tribes, especially while they are new comers; nor will the Popular Assembly afford so good a choice as the whole People. There are other Reasons.

Val. Enough, enough. Of what number do you constitute this Senat?

Pub. Of three hundred.

Val. Why should not one hundred be full enough for a debating Council, especially seeing Debate is the more orderly where the Counsellors are fewer?

Pub. You are to bear it in mind, that this Senat is upon annual change in one third part.

Val. That is, every year one hundred having serv'd three years, go out, and a new hundred comes in.

Pub. Right: for which cause, to have one hundred well practis'd in debate, your Senat must consist of three hundred.

Val. May not those that go out come presently in again by a new Election?

Pub. Not at all; for that were yet another way of continuing the Government in a few.

Val. Do you mean that no man shall serve in this Capacity, or in that of the Popular Assembly, but once in his life?

Pub. I mean that a man, having serv'd his term in one of these, may after a like vacation or interval be elected again to serve in either of them, and not before.

Val. At what age do you make a man capable of these Elections?

Pub. Not till thirty.

Val. He stays a great while ere he comes to preferment, and is soon out again: at which rate a man should have much ado to attain to sufficient knowledge for the leading of the Commonwealth.

Pub. This was never objected against Parliaments.

Val. It is true: but then the Election of Parliamentmen was not oblig'd to any Interval, and divers have bin of every Parliament that was summon'd during their Lives.

Pub. Parliaments, when they were the most frequent, assembl'd not above once a year, very rarely so often; and how long, pray, did they usually sit?

Val. Som two or three months.

Pub. I allow you the most you ask: at which rate a man that had sat in twenty Parliaments, could not have sat above four years complete.

Val. And in your Parliament, at one Election he sits three.

Pub. Mark you that?

Val. Yes, and more: Whereas a Parliamentman without interval could in twenty years have sat but four complete, in your Assemblies a man observing his intervals, may in twenty years serve ten years complete.

Pub. You allow that, I hope, to be som advantage towards acquiring knowledge in conduct, and yet antiently your Parliamentmen were in this point thought able enough.

Val. Now would I desire no more than to be as fully satisfy'd, that these Senators must be honest enough.

Pub. Which way can they be dishonest?

Val. Indeed I am not yet acquainted with their ways: but if nothing can be propos'd to the popular Assembly, except by these only, they should, I think, propose nothing but what is for their own advantage.

Pub. They are the Senat: and in that they have all the advantages that a well-order'd Commonwealth can give to a Senat.

Val. But they will be still hankering after more.

Pub. As what?

Val. Why Riches or Power.

Pub. All Magistrats are accountable to the Popular Assembly, and so, without acquisition of Power, I cannot imagin which way they should turn themselves to the acquisition of Riches.

Val. They will drive then at Power; they will be coordinat.

Pub. In the World there has never yet bin any Senat that durst so much as pretend to Power.

Val. No? Had not the Senat of *Israel*, and that of *Lacedemon* Power?

Pub. Executive Power they had, in as much as they were Judicators; but Legislative or Soverain Power (which is that wherof we speak) they had none at all.

Val. Other Senats have had other power, as in the managing of foren Affairs, and the like.

Pub. Which still comes not to the point in hand, because in these and the like matters, as the creation of divers Magistrats, the Senat uses to be made Plenipotentiary by the Popular Assembly, that is, by Law.

Val.

Val. I hear them talk of making a coordinat Senat first, and without the People, and then of assembling a Parliament in the old way to govern with that Senat.

Pub. Things, VALERIUS, are soon said; but if any Parliament whatever, so it be elected by the People (and, perhaps, if otherwise) do not make it one of their first works to pull down a coordinat Senat, I ask no credit to my Politics.

Val. This is to prophesy.

Pub. Then, to reason the case: I say, That the Senat assuming Power, the popular Assembly falls immediately to debate, and the popular Assembly debating, the Senat is *ipso facto* depos'd, there being no other necessary use or function of the Senat but Debate only.

Val. You said but now, That the Popular Assembly could not debate.

Pub. Not orderly and maturely: but upon such an occasion as this, they will do as they can, nor is it avoidable.

Val. Nay, if there be som occasion in which you allow that the popular Assembly must and ought to debate, there will hardly be any in which they will be persuaded that they may not. So this will come to the pulling down of the Senat as often as the People please.

Pub. Which is so much the rather to be fear'd, because you shall never find that popular Assembly which did ever actually depose their Senat.

Val. Our Army has pull'd down a good many Parliaments.

Pub. What is that to the purpose? Is our Army a popular Assembly? Yet let them pull down a Parliament as often as they please, they must set up another; and in this indeed there may be som resemblance: for let a popular Assembly pull down the Senat as often as they please, they must set up another.

Val. Or a single Person.

Pub. Right: for that holds both ways too, and (as to our case) will stand neither.

Val. The People of Athens debated, yet for all that their Senat was not depos'd.

Pub. Not formally; but it remain'd little better than a Warren, wherein great Men did, as it were, start hares, to be hunted in the tumult of the popular Assembly.

Val. Verily, PUBLICOLA, this Model of yours is a most entire thing.

Pub. This with the necessary consequences, as the division of the Senat into Senatorian Councils, the adorning and actuating of this and the other Assembly with fit Magistrates, wherof I have sufficiently discours'd in other places, amounts to an entire thing.

Val. And you offer it freely.

Pub. I do.

Val. Would it not grieve you to see them crop a little of it, and spoil it?

Pub. They had better take it to som purpose.

Val. Nay, what they take will be to som purpose, I warrant you. Com, there is a Party, a select, a refin'd Party, a Nation in a Nation, that must and will govern.

Pub. That is it which I desire to see.

Val. You are of a rare temper: happy in unhappiness.

Pub.

Pub. O I love frequent Changes.

Val. Is that any of your Virtues?

Pub. Yes, where we are certain never to go right, while there remains a way to go wrong.

Val. They are confident men. They cannot be persuaded but they can govern the World.

Pub. Till they have try'd. Such as can govern the World, are such as can be govern'd by Reason. Now there is no Party refin'd, select, or what you will in *England*, amounting to one twentieth part of the People.

Val. One twentieth part of the People, for aught I know, may amount to a hundred thousand; there is no Party any thing near this account, I dare say.

Pub. A twentieth part of the People can never govern the other nineteen but by a perpetual Army.

Val. They do not like that the worse.

Pub. The People having been govern'd by a King without an Army, and being govern'd by a Commonwealth with an Army, will detest the Government of a Commonwealth, and desire that of a King.

Val. Yes, such is the spirit of the Nation.

Pub. Such is the spirit in this case of any Nation.

Val. And yet they make it a particular quarrel.

Pub. They make every thing particular: if you speak of *Israel*, *Athens*, *Rome*, *Venice*, or the like, they hear you with volubility of countenance; and will not have it that God ever minded the matter of Government, till he brought them in play. Nay, tho' they have corn heels over head for this very thing, I know not how often, yet they are resolv'd to take no warning.

Val. PUBLICOLA, you will be silent.

Pub. I am to perform my duty. To flatter is not my duty.

Val. But between you and me, Do you not think that the spirit of the Nation, or the main body of the People of this Land, desires the restitution of their ancient Government?

Pub. I make little doubt of it.

Val. How then in case of a Commonwealth are they to be trusted?

Pub. In case of a Commonwealth, it is not the People that are trusted, but the Orders of the Commonwealth.

Val. The Commonwealth must consist of the People.

Pub. The People under the Monarchy, when that invaded them, invaded it.

Val. True, and in such a manner as has caus'd the ruin of it.

Pub. What was the spirit of the People then?

Val. But it is now another thing.

Pub. Nay, the very same: for then it invaded a Government that invaded their Liberty, and now it would invade a Government that invades their Liberty.

Val. But how should this be minded?

Pub. Do you not see that this should not be minded, but encouraged?

Val. How should it be encouraged then?

Pub. By giving them a Government that must preserve their Liberty.

Val. I have doubt but there is in your Government a full security to the People of their Liberty: but do you think that there is in any full security

security that the People shall not cast off this Form?

Pub. If it secures their Liberty, why should they?

Val. My question is not, why they should, but whether they can.

Pub. They cannot, without going against their own interest.

Val. But they can go against their own interest.

Pub. Nay, remember your self, whether the Form shewn be not such, as you have already granted can in no wise go beside the interest of the whole People.

Val. They that are now in power, have no trust at all in Forms.

Pub. Do they sail in Ships, not upon Planks? Do they ride Horses, not Hogs? Do they travel in Coachcs, not upon Hurdles? Do they live in Houses, not in Ditches? Do they eat Bread, not Stones?

Val. Enough, enough.

Pub. But in so doing, they acknowledge such a Form to be security for such a use or action. And must the form of a Commonwealth be the only form in which they can allow no security for the proper use and action?

Val. They observe none of this.

Pub. Do they observe that there is any security in Men?

Val. That, especially in our times, were somewhat a hard matter.

Pub. And how many Securitys are there?

Val. I know no more, than one personal, or in Men; another real, or in Things.

Pub. Chuse you whether you would have.

Val. Well, be the necessary action or use of your Form what it will, I would see it more plainly and particularly demonstrated how the spirit of the Nation, or the whole People, being freely eligible into your assemblys, must presently lose that inclination which now plainly they have to set up Monarchy, or to persecute for Conscience.

Pub. You will allow no weight in the Argument, that a People in Liberty, unless the Orders of their Commonwealth were first fundamentally ruin'd, that is, broken in the balance or foundation, did never do either of these.

Val. What weight soever I allow to this Argument, it is no ways to my present purpose.

Pub. You will put me then beside experience, and to shew by what reason it is that a Peartree must bear Pears, or why men gather not Grapes on Thorns, or Figs on Thistles.

Val. Poor PUBLICOLA, be the task as hard as it will, I am for this time resolv'd to hold you to it.

Pub. What is it then that any Government can be sufficiently founded or balanc'd upon, but such an Interest as is sufficiently able to bear it?

Val. Good Sir, a Government ought to be founded upon Justice, I take it.

Pub. Right: and is not that Government which is founded upon an Interest not sufficiently able to bear it, founded upon Injustice?

Val. I suspect whether this will go. A Government founded upon the overbalance of Property, is legitimately founded, and so upon Justice; but a Government founded upon the underbalance of Property, must of necessity be founded upon Force, or a standing Army. Is not this that which you mean by Interest sufficient or not sufficient to sustain a Government?

Pub. You have it right.

Val.

Val O Atheist! this damns the Government of the Saints.

Pub Look you now, how irreligious a thing it may be made, to speak but with common honesty Do you think that such as are plainly Oligarchists, or shall exercise by a force, and without election by the People, such a Power as is both naturally and declaredly in the People, and in them only, can establish their Throne upon Justice?

Val No.

Pub Do you think that such as are truly Saints, can establish their Throne upon Injustice?

Val No.

Pub What then you have granted, that such as are plainly Oligarchists cannot be truly Saints. Again, do you still think, as you once intimated, that a Government now introduc'd in England, exactly according to the Principles of Prudence and Justice, would rule the Earth?

Val Yes.

Pub Do you think, that such as are truly Saints, if they introduce a Government, ought to introduce it exactly according to the Principles of Prudence and Justice?

Val Yes.

Pub Why then, let such as are truly Saints but see what it is to rule the Earth, and take the Rule of the Earth.

Val They will not approve of this way.

Pub How! not the Saints approve of Prudence and Justice! Who is the Atheist now, VALERIUS?

Val Good PUBLICOLA, let us keep to the point in hand. You say, That the security of Liberty lies not in the People, but in the form of their Government; so I am yet to expect when you will shew, what there is in your form, why it must be impossible for the People under it to restore Monarchy, or to persecute for Conscience.

Pub See you not, that to do either of these under such a form, must be pointblank against their Interest?

Val But so either of these is now, and yet in this posture you will confess that they would do both.

Pub Mark how I am us'd. I speak of a Form supposeth to be an Interest sufficiently able to bear it, and of an Interest contain'd under a Form sufficiently able to secure it, and you instance in a Posture which is no form at all, but such a confusion among, and force upon the People, as creates an Interest in them to rid themselves which way they can of such a misery.

Val I did acknowledge and must confess, that your popular Assembly is such as cannot err, except thro ignorance; but thro this, you your self have acknowledg'd and must confess, that it may err.

Pub I retract nothing.

Val Now first, or never, they will restore Monarchy thro ignorance.

Pub But they cannot do this first, therefore they can never do it.

Val Why cannot the Popular Assembly do this first?

Pub Because it must first be propos'd by a Senat, that can neither do any such thing thro ignorance nor thro knowledge.

Val Nay, then have at you, I will let this same Senat and Representative of yours to work in such a manner, that you shall confess they may set up Monarchy.

Pub,

Pub. Do your worst

Val. Your Senat being assembl'd (I will not have them make long Speeches,

Pub. Nor I)

Val. Rises up one of the Senators, and says, ' Mr. Speaker, ' this Nation has bin long in labor, but now thro the mercy of God, ' the Child is not only com to the Birth, but there is also strength to ' bring forth In the number of Counsellors there is strength, the ' number of this House is good (far better than has usually bin of late) ' and their Election has bin very free and fur. Here is also, I know ' not how (but the Inventions of men are overrul'd by the Providence ' of God) an extraordinary and exceeding great confluence of honest ' men, who are not so well here, and if you determin any thing thit ' is good for your Country, will go home and pray for you. Now, ' Sir, (to be brief) since our Government consist of King, Lords, ' and Commons, the antient, the only, the most happy Government ' that this Nation, nay, that the world ever knew, it is but too well ' known, thit we have had no Government at all wherefore my o- ' pinion is, thit we propose, as they call it, to these honest men (who ' you need not doubt will receive it with glad hearts) the restitution ' of Right, and of the Government in this Nation by King, Lords, ' and Commons '

As sure as you live, PUBLICOLA, thus much being said, your whole Senat will immediatly agree to propose it to the Representative : and thus much being propos'd to the Representative, those People will throw up their Caps for joy, and immediatly return to their Houses.

Pub. But VALERIUS, thus much has bin said in Parliament when the House was fuller; when they who were for this Restitution were back'd by a single Person in actual possession of the Throne; when over and above the zeal of the *Presbyterians*, there were Partys that knew no other means of self-preservation, as without, Divines be-laboring the Oak of every Pulpit, and within, Lawyers, Officers, and Pensioners: yet was it so far from being carry'd, that the single Person has bin forc'd to dissolve Parliaments, and that thro apparent danger of being overrun by the Principles of a Commonwealth not in being. But if this were so when a Commonwealth could scarce be hoped, what will it be when the Commonwealth shall be in such a condition as cannot be withstood? for the Senat can never com to propose any thing to the People without first agreeing upon debating what it is they will propose; nor is it possible that such Debate should be brought to any end, but by reasons therto conducing: now it must not only be impossible to find reasons for the restitution of Monarchy, but the reasons why Monarchy ought not to be restor'd must be obvious; not only in regard that it is quite contrary to the interest of the Nation, and of these Assemblys, but to the interest ten to one of every particular man in either of these Assemblys: nor are or have the reasons bin less obvious, or less ventilated in Parliament, why Monarchy as to this Nation is impossible in it self.

Val. Will you say the like for Liberty of Conscience?

Pub. Yes; because without Liberty of Conscience, Civil Liberty cannot be perfect; and without Civil Liberty, Liberty of Conscience cannot be perfect.

Val These things are true, but they never will see them, never, *PUBLICOLA*, you your self say, that the People cannot see, but they can feel.

Pub I meant thit of the diffusive Body of the People, not of the People under good Orders, in which case they are the sharpest sighted of any kind of government whatsoever: and therefore it is not modest that you, or I, or any particular Man or Party, blinded with self-conceit, should pretend to see with such a Constitution; or shew me that Ey undeir the Sun, that sees like that of *Venice*. But putting the case it were otherwise as to seeing, these things are plainly palpable or obvious to feeling.

Val, I have indeed observ'd, that in Commonwealths there are very few that see or understand them, and yet their affection to that way of Government is exceeding vigorous.

Pub Whence can this otherwise be than from feeling? But one thing, *VALERIUS*, I take at your hands extreme heavily.

Val. What is that, *PUBLICOLA*?

Pub. That you with one little Speech of a single Senator, should run so regardlessly over these two Assemblies, without taking any notice at all of the necessary Course of them.

Val. What Course, *PUBLICOLA*?

Pub. Why you might easily have thought that among three hundred Senators there might have bin at least one hundred as good Speakers as yours.

Val. Have I said any thing to the contrary?

Pub. And do you or I what we can, ten to one of them will be longer winded than you have allow'd.

Val. For that matter let them please themselves.

Pub. Ay, but then you should not have made an end of your Debate in a minute.

Val. What is all this?

Pub. Why I say, 'They would have bin debating on that point at least a fortnight.

Val Well, and when that had been don, would never have agreed.

Pub. No.

Val. Did not you say that before?

Pub. Well, but I am now upon that point; that was to the matter in debate, this is to the manner of proceeding: imagin the matter had bin such upon which they could have agreed.

Val. What then?

Pub. That such an agreement had bin a Decree of the Senat.

Val. Is a Decree of the Senat binding?

Pub. If it be upon a Law made, it is binding; if upon a Law to be made, it is to be propos'd to the People. Now every Proposition to the People is to be promulgated; that is, printed and publish'd to the whole nation six weeks before the time that the Representative is to assemble and give the Vote of the Commonwealth, or that test without which no such Proposition can be any Law.

Val. By this means it must follow, that the whole People both by Discourse and Letters, debate six weeks together upon the matter.

Pub. You are right.

Val. How is it then that you say, The Representative of the People must not debate? You allow to these less privilege than to the whole People.

Pub.

Pub. No less, nor in this point any more.

Val. Yet does this amount to Debate in those that are of the Representative.

Pub. You say well, but not to any Debate at all in the Representative.

Val. Why this Representative is nothing else but an Instrument or Method, whereby to receive the Result of the whole Nation with order and expedition, and without any manner of tumult or confusion.

Pub. And is that any thing the worse?

Val. No; but I am glad you have told it me: for that those of the Representative would one way or other have Debate, I knew certainly.

Pub. In sum, are you satisfy'd, that the Spirit of the Nation, or the People, however they may now under no Form at all, and in detestation of such as having govern'd them by force, will let them see no way out of confusion, desire their old Government, as having never yet known any other; yet under such a Form as is propos'd, can never go about to introduce Monarchy, without obvious discovery, that as to their Interest it is quite contrary, and as to it self impossible?

Val. The satisfaction is pretty good.

Pub. Pretty good! give me but half so good, that the Spirit of the Army, not formerly obedient to Parliaments, and now deſpising or deſpising them, must apprehend the institution of Monarchy to be quite contrary to their interest.

Val. You surprize me: for if the Army will have no Parliament, and a King restor'd can now in *England* without an Army have no Government, they may imagin this their only way to Greatness and Continuance.

Pub. Had not the Oligarchy then, if they meant well, better to have us'd sober expressions, and minded what those true and real Interests are which in the foundation and preservation of every kind of Government are paramount, than to have overcast them with the mist of new affected Phrases, and fallen on conjuring up Spirits?

Val. You have conjur'd up a Spirit that will keep me waking.

Pub. Set him on pulling down the Law and the Ministry; when that is don, let him blow up *Windsor Castle*, *Hampton Court*, and throw *Whitehall* into the *Thames*.

Val. It is the only way, for then there can be no King.

Pub. You may be sure of that, seeing the Count of *Holland's* Domain, and his Houses are yet not only standing, but diligently preserved by the *Hollanders*.

Val. *PUBLICOLA*, have you any more to tell me?

Pub. *VALERIUS*, have you any more to ask me?

Val. Not, except why you have not given the Parliament to understand thus much.

Pub. I have printed it over and over.

Val. They take no great notice of Books; you should have laid it, as they say, in their dish by some direct Address, as a Petition, or so.

Pub. I did petition the Committee for Government.

Val. What answer did they make you?

Pub. None at all.

Valerius and Publicola.

Val. I would have gone further, and have presented it to the House.

Pub. Towards this also I went as far as I could.

Val. How far was that?

Pub. Why, I think my Petition may have bin worn out in the pockets of som two or three Members.

Val. Have you a Copy of it about you?

Pub. Let me see—here are many Papers; this same is it.

*To the Parliament of the Commonwealth of
England, &c.*

The Humble Petition, &c.

Sheweth,

THAT what neither is, nor ever was in Nature, can never be in Nature.

*T*HAT without a King and Lords, no government either is, or ever was in Nature (but in mere force) other than by a Senat indu'd with Authority to debate and propose; and by a numerous Assembly of the People wholly and only invested with the right of Refult in all matters of Law-giving, of making Peace and War, and of levying Men and Money.

WHEREFORE your Petitioner (to disburden his Conscience in a matter of such concern to his Country) most humbly and earnestly prays and beseeches this Parliament to take into speedy and serious consideration the irrefragable truth of the Premises, and what thereupon must assuredly follow, that is, either the institution of a Commonwealth in the whole People of England (without exception, or with exception for a time, of so few as may be) by way of a Senat, and a numerous assembly of the People, to the ends, and for the respective Functions aforesaid; or the inevitable ruin of this Nation, which God of his mercy avert.

And your Petitioner shall pray, &c.

Val. I would it had bin deliver'd.

Pub. Look you, if this had bin presented to the House, I intended to have added this other Paper, and to have printed them together.

The Petitioner to the Reader.

Reader,

ISAY not that the Form contain'd in the Petition (if we had it, and no more) would be perfect; but that without that which (which rightly introduc'd, introduces the right) more neither is, nor, nor can be any such thing as a Commonwealth, or Government without a King and Lords, in Nature.

WHERE

WHERE there is a coordinat Senat, there must be a King, or it falls instantly by the People, as the King failing, the House of Peers fell by the Commons.

WHERE there is a Senat not elective by the People, there is a perpetual Feud between the Senat and the People, as in Rome.

TO introduce either of these Causes, is certainly and inevitably to introduce one of these Effects, and if so, then who are Cavaliers, I leave you to judge hereafter.

BUT to add farther reason to experience. All Civil Power among us (not only by declaration of Parliament, but by the nature of Property) is in and from the People.

WHERE the Power is in the People, there the Senat can legitimately be no more to the Popular Assembly, than my Council at Law is to me, that is (auxilium, non imperium) a necessary Aid, not a Competitor or Rival in Power.

WHERE the Aids of the People become their Rivals or Competitors in Power, there their Shepherds become Wolves, their Peace Decays, and their Government Ruin. But to imbrace a select or coordinat Senat upon the People, is to give them Rivals and Competitors in Power.

SOM perhaps (such is the temper of the times) will say, That so much human Confidence as is express'd, especially in the Petition, is Atheistical. But how were it Atheistical, if I should as confidently assert, that a Boy must expire in Nonage, or become a Man? I say, surely no otherwise, and this kind of Prophecy is also of God, by those Rules of his Providence, which in the known Government of the World are inviolable. In the right observation and application of these consists all human Wisdom; and we read that a poor man deliver'd a City by his Wisdom, yet was this poor man forgotten. But if the Promises of this Petition fail, or one part of the Conclusion comes not to pass accordingly, let me hit the other mark of this ambitious Address, and remain a Fool upon Record in Parliament to all Posterity.

Val. Thou Boy! and yet I hope well of thy Reputation.

Pub. Would it were but as good now, as it will be when I can make no use of it.

Val. The Major of the Petition is in form other of your Writings, and I remember some Objections which have been made against it. As, that *ad non esse nec fuisse, non datur argumentum ad non posse.*

Pub. Say that in English.

Val. What if I cannot? are not you bound to answer a thing, tho it cannot be said in English?

Pub. No truly.

Val. Well, I will say it in English then. Tho there neither be any House of Gold, nor ever were any House of Gold, yet there may be a House of Gold.

Pub. Right: but then, *ad non esse nec fuisse in natura, datur argumentum ad non posse in natura.*

Val. I hope you can say this in English too.

Pub. That I can, now you have taught me. If there were no such thing as Gold in nature, there never could be any House of Gold.

Val.

Val. Softly. The frame of a Government is as much in Art, and as little in Nature, as the frame of a House.

Pub. Both softly and surely. The Materials of a Government are as much in Nature, and as little in Art, as the Materials of a House. Now as far as Art is necessarily dispos'd by the nature of its Foundation or Materials, so far it is in Art as in Nature.

Val. What call you the Foundation, or the Materials of Government?

Pub. That which I have long since prov'd, and you granted, The Balance, the distribution of Property, and the Power thence naturally deriving, which as it is in one, in a few, or in all, dos necessarily dispose of the form or frame of the Government accordingly.

Val. Be the Foundation or Materials of a House what they will, the Frame or Superstructures may be diversly wrought up or shapen; and so may thote of a Commonwealth.

Pub. True: but let a House be never so diversly wrought up or shapen, it must consist of a Roof and Walls.

Val. That's certain.

Pub. And so must a Commonwealth of a Senat and of a Popular Assembly, which is the sum of the Minor in the Petition.

Val. The Mathematicians say, They will not be quarral'som, but in their Sphere there are things altogether new in the World, as the present posture of the Heavens is, and as was the Star in *Cassiopeia*.

Pub. VALERIUS, if the Major of the Petition extends as far as is warranted by SOLOMON, I mean, that there is nothing new under the Sun, what new things there may be, or have bin above the Sun will make little to the present purpose.

Val. It is true, but if you have no more to say, they will take this but for shifting.

Pub. Where there is Sea, as between *Sicily* and *Naples*, there was antiently Land; and where there is Land, as in *Holland*, there was antiently Sea.

Val. What then?

Pub. Why then the present posture of the Earth is other than it has bin, yet is the Earth no new thing, but consists of Land and Sea as it did always, so whatever the present posture of the Heavens be, they consist of Star and Firmament, as they did always.

Val. What will you say then to the Star in *Cassiopeia*?

Pub. Why I say, if it consisted of the same matter with other Stars, it was no new thing in nature, but a new thing in *Cassiopeia*; as were there a Commonwealth in *England*, it would be no new thing in Nature, but a new thing in *England*.

Val. The Star you will say in *Cassiopeia*, to have bin a new thing in nature, must have bin no Star, because a Star is not a new thing in nature.

Pub. Very good.

Val. You run upon the matter, but the newness in the Star was in the manner of the generation.

Pub. At *Puteoli* near *Naples*, I have seen a Mountain that rose up from under water in one night, and pour'd a good part of the Lake antiently call'd *Lacrin* into the Sea.

Val. What will you infer from hence?

Pub. Why that the new and extraordinary generation of a Star, or of a Mountain, no more causes a Star, or a Mountain to be a new thing

thing in nature, than the new and extraordinary generation of a Commonwealth causes a Commonwealth to be a new thing in nature. ARISTOTLE reports, that the Nobility of *Tarantum* being cut off in a Battle, that Commonwealth became popular. And if the Powder Plot in *England* had destroy'd the King and the Nobility, it is possible that Popular Government might have risen up in *England*, as the Mountain did at *Putzuoli*. Yet for all these, would there not have bin any new thing in nature.

Val. Som new thing (thro the blending of unseen causes) there may seem to be in shuffling; but Nature will have her course, there is no other than the old game.

Pub. VALERIUS, let it rain or be fair weather, the Sun to the dissolution of Nature shall ever rise; but it is now set, and I apprehend the mist.

Val. Dear PUBLICOLA, your Health is my own, I bid you good-night.

Pub. Goodnight to you, VALERIUS.

Val. One word more, PUBLICOLA: Pray make me a present of those same Papers, and with your leave and licence, I will make use of my Memory to commit the rest of this Discourse to writing, and print it.

Pub. They are at your disposing.

Val. I will do it as has bin don, but with your name to it.

Pub. Whether way you like best, most noble VALERIUS.

Onsh. 22.
1659.

A

System of Politics

Delineated in short and easy

APHORISMS.

Publish'd from the Author's own Manuscript.

CHAP. I.

of GOVERNMENT.

1. **A** PEOPLE is either under a state of Civil Government, or in a state of Civil War; or neither under a state of Civil Government, nor in a state of Civil War.
2. CIVIL Government is an Art whereby a People rule themselves, or are rul'd by others.
3. THE Art of Civil Government in general is twofold, National, or Provincial.
4. NATIONAL Government is that by which a Nation is govern'd independently, or within it self.
5. PROVINCIAL Government is that by which a Province is govern'd dependently, or by som foren Prince or State.
6. A PEOPLE is neither govern'd by themselves, nor by others, but by reason of som external Principle therto forcing them.
7. FORCE is of two kinds, Natural and Unnatural.
8. NATURAL Force consists in the vigor of Principles, and their natural necessary Operations.
9. UNNATURAL Force is an external or adventitious opposition to the vigor of Principles, and their necessary working, which, from a violation of Nature, is call'd Violence.
10. NATIONAL Government is an effect of natural Force, or Vigor.
11. PROVINCIAL Government is an effect of unnatural Force, or Violence.
12. THE natural Force which works or produces National Government (of which only I shall speak hereafter) consists in Riches.
13. THE Man that cannot live upon his own, must be a Servant; but he that can live upon his own, may be a Freeman.
14. WHERE a People cannot live upon their own, the Government is either Monarchy, or Aristocracy: where a People can live upon

upon their own, the Government may be Democracy.

15. A MAN that could live upon his own, may yet, to spare his own, and live upon another, be a Servant: but a People that can live upon their own, cannot spare their own, and live upon another, but (except they be no Servants, that is, except they com to a Democracy) they must waste their own by maintaining their Master's, or by having others to live upon them.

16. WHERE a People that can live upon their own, imagin that they can be govern'd by others, and not liv'd upon by such Governors, it is not the Genius of the People, it is the Mistake of the People.

17. WHERE a People that can live upon their own, will not be govern'd by others lest they be liv'd upon by others, it is not the Mistake of the People, it is the Genius of the People.

18. OF Government there are three Principles; Matter, Privation, and Form.

CH A P. II.

Of the Matter of Government.

1. **T**HAT which is the Matter of Government, is what we call an Estate, be it in Lands, Goods or Money.

2. IF the Estate be more in Money than in Land, the port or garb of the Owner gos more upon his Monys than his Lands; which with privat Men is ordinary, but with Nations (except such only as live more upon their Trade than upon their Territory) is not to be found: for which cause overbalance of Riches in Money or Goods, as to the sequel of these Aphorisms, is altogether omitted.

3. IF the Estate be more in Land than in Goods or Money, the garb and port of the Owner (whether a Man or a Nation) gos more if not altogether upon his Land.

4. IF a Man has som Estate, he may have som Servant, or a Family, and consequently som Government, or something to govern of: he has no Estate, he can have no Government.

5. WHERE the eldest of many Brothers has all, or so much that the rest for their livelihood stand in need of him, that Brother is as it were Prince in that Family.

6. WHERE of many Brothers the eldest has but an equal share, or not so unequal as to make the rest stand in need of him for their livelihood, that Family is as it were a Commonwealth.

7. DISTRIBUTION of shares in Land, as to the three grand Interests, the King, the Nobility, and the People, must be equal or unequal.

8. EQUAL distribution of Land, as if one man or a few men have one half of the Territory, and the People have the other half, causes privation of Government, and a state of Civil War: for the Lord or Lords on the one side being able to assert their pretension or right to rule, and the People on the other their pretension or right to Liberty, that Nation can never com under any form of Government till that Question be decided; and, Property being not by any Law to be violated or mov'd, any such Question cannot be decided but by the Sword only.

9. **INEQUAL** distribution of shares in Land, as to the three grand Interests, or the whole Land in any one of these, is that which causes one of these three to be the predominant Interest.

10. **ALL** Government is Interest, and the predominant Interest gives the Matter or Foundation of the Government.

11. **IF** one man has the whole, or two parts in three of the whole Land or Territory, the Interest of one man is the predominant Interest, and causes absolute Monarchy.

12. **IF** a few men have the whole, or two parts in three of the whole Land or Territory, the Interest of the few or of the Nobility is the predominant Interest; and, were there any such thing in nature, would cause a pure Aristocracy.

13. **IT** being so that pure Aristocracy, or the Nobility having the whole, or two parts in three of the whole Land or Territory, without a Moderator or Prince to balance them, is a state of War, in which every one, as he grows eminent or potent, aspires to Monarchy; and that not any Nobility can have Peace, or can reign without having such a Moderator or Prince, as on the one side they may balance or hold in from being absolute, and on the other side may balance or hold them and their Factions from flying out into Arms: it follows, that if a few men have the whole, or two parts in three of the whole Land or Territory, the Interest of the Nobility being the predominant Interest, must of necessity produce regulated Monarchy.

14. **IF** the Many, or the People, have the whole, or two parts in three of the whole Land or Territory, the Interest of the Many or of the People is the predominant Interest, and causes Democracy.

15. **A PEOPLE** neither under absolute or under regulated Monarchy, nor yet under Democracy, are under a Privation of Government.

C H A P. III.

Of the Privation of Government.

1. **WHERE** a People are not in a state of Civil Government, but in a state of Civil War; or where a People are neither under a state of Civil Government, nor under a state of Civil War, there the People are under Privation of Government.

2. **WHERE** one Man, not having the whole, or two parts in three of the whole Land or Territory, yet assumes to himself the whole Power; there the People are under Privation of Government, and this Privation is call'd *Tyranny*.

3. **WHERE** a few Men, not having the whole, or about two parts in three of the whole Land or Territory, yet assume to themselves the whole Power; there the People are under Privation of Government, and this Privation is call'd *Oligarchy*.

4. **WHERE** the Many, or the People, not having the whole, or two parts in three of the whole Land or Territory, yet assume to themselves the whole Power; there the People are under Privation of Government, and this Privation is call'd *Anarchy*.

5. **WHERE** the Tyranny, the Oligarchy, or the Anarchy, not having in the Land or Territory such a full share as may amount to the

the truth of Government, have nevertheless such a share in it as may maintain an Army; there the People are under Privation of Government, and this Privation is a state of Civil War. Chap IV.

6. WHERE the Tyranny, the Oligarchy, or the Anarchy, have not any such share in the Land or Territory as may maintain an Army, there the People are in privation of Government; which Privation is neither a state of Civil Government, nor a state of Civil War.

7. WHERE the People are neither in a state of Civil Government, nor in a state of Civil War, there the Tyranny, the Oligarchy, or the Anarchy, cannot stand by any force of Nature, because it is void of any natural Foundation; nor by any force of Arms, because it is not able to maintain an Army; and so must fall away of it self thro the want of a Foundation, or be blown up by some tumult: and in this kind of Privation the Matter or Foundation of a good orderly Government is ready and in being, and there wants nothing to the perfection of the same, but proper Superstructures or Form.

CHAP. IV.

Of the Form of Government.

1. **T**HAT which gives the being, the action, and the denomination to a Creature or Thing, is the Form of that Creature or Thing.

2. **T**HERE is in Form something that is not Elementary but Divine.

3. **T**HE contemplation of Form is astonishing to Man, and has a kind of trouble or impulse accompanying it, that exalts his Soul to God.

4. **A**S the Form of a Man is the Image of God, so the Form of a Government is the Image of Man.

5. **M**AN is both a sensual and a philosophical Creature.

6. **S**ENSUALITY in a Man is when he is led only as are the Beasts, that is, no otherwise than by Appetit.

7. **P**HILOSOPHY is the knowledge of Divine and Human Things.

8. **T**O preserve and defend himself against Violence, is natural to Man as he is a sensual Creature.

9. **T**O have an impulse, or to be rais'd upon contemplation of natural things to the Adoration or Worship of God, is natural to Man as he is a Philosophical Creature.

10. **F**ORMATION of Government is the creation of a Political Creature after the Image of a Philosophical Creature; or it is an infusion of the Soul or Faculty of a Man into the body of a Multitude.

11. **T**HE more the Soul or Faculty of a Man (in the manner of their being infused into the body of a Multitude) are refin'd or made incapable of Passion, the more perfect is the Form of Government.

12. **N**OT the man's Spirit of a Man, or of some Men, is a good Form of Government; but a good Form of Government is the refin'd Spirit of a Nation.

Chap IV. 13. THE Spirit of a Nation (whether refin'd or not refin'd) can neither be wholly Saint nor Atheist: Not Saint because the far greater part of the People is never able in matters of Religion to be their own leaders, nor Atheists, because Religion is every whit as indelible a Character in man's Nature as Reason.

14. LANGUAGE is not a more natural intercourse between the Soul of one man and another, than Religion is between God and the Soul of a man.

15. AS not this Language, nor that Language, but form Language; so not this Religion, nor that Religion, yet form Religion is natural to every Nation.

16. THE Soul of Government, as the true and perfect Image of the Soul of Man, is every whit as necessarily religious as rational.

17. THE Body of a Government, as consisting of the sensual part of Man, is every whit as preservative and defensive of it self as sensual Creatures are of themselves.

18. THE Body of a Man, not actuated or led by the Soul, is a dead thing out of pain and misery, but the Body of a People, not actuated or led by the Soul of Government, is a living thing in pain and misery.

19. THE Body of a People, not led by the reason of the Government, is not a People, but a Herd not led by the Religion of the Government, is at an inquiet and an uncomfortable loss in it self, not disciplin'd by the Conduct of the Government, is not an Army for defence of it self, but a Rout, not directed by the Laws of the Government, has not any rule of right, and without recourse to the Justice or Judicatorys of the Government, has no remedy of wrongs.

20. IN contemplation of, and in conformity to the Soul of man, as also for supply of those his Necessitys which are not otherwise supply'd, or to be supply'd by Nature, Form of Government consists necessarily of these five parts: The Civil, which is the Reason of the People, the Religious, which is the Comfort of the People, the Militar, which is the Captain of the People; the Laws, which are the Rights of the People; and the Judicatorys, which are the Avengers of their Wrongs.

21. THE parts of Form in Government are as the Offices in a House; and the Orders of a Form of Government are as the Orders of a House or Family.

22. GOOD Orders make evil men good, and bad Orders make good men evil.

23. OLIGARCHISTS (to the end they may keep all others out of the Government) pretending themselves to be Saints, do also pretend that they in whom Lust reigns, are not fit for Reign or for Government. But *Lubido dominandi*, the Lust of Government, is the greatest Lust, which also reigns most in those that have least right, as in Oligarchists: for many a King and many a People have and had unquestionable Right, but an Oligarchist never; whence from their own argument, the Lust of Government reigning most in Oligarchists, it undeniably follows that Oligarchists of all men are least fit for Government.

24. AS in Houses not differing in the kinds of their Offices, the Orders of the Families differ much; so the difference of Form in different Governments consists not in the kinds or number of the Parts, which

which in every one is alike, but in the different ways of ordering those parts. And as the different Orders of a House arise for the most part from the quantity and quality of the Estate by which it is defray'd or maintain'd, according as it is in one or more of the Family as Proprietors, so it is also in a Government.

25. THE Orders of the Form, which are the manners of the mind of the Government, follow the temperament of the Body, or the distribution of the Lands or Territories, and the Interests thence arising.

26. THE Interest of Arbitrary Monarchy is the absoluteness of the Monarch, the Interest of Regulated Monarchy is the greatness of the Nobility, the Interest of Democracy is the felicity of the People: for in Democracy the Government is for the use of the People, and in Monarchy the People are for the use of the Government, that is, of one Lord or more.

27 THE use of a Horse without his Provender, or of the People without some regard had to the necessities of Human Nature, can be none at all. nor are those necessities of Nature in any Form whatsoever, to be otherwise provided for than by those five parts already mention'd, for which cause every Government consists of five parts the Civil, the Religious, the Military, the Laws, and the Judicatorys.

CHAP. V.

Of Form in the Civil parts.

1. **T**HOSE Naturalists that have best written of Generation, do observe that all things procede from an Egg, and that there is in every Egg a *Punctum Salens*, or a part first mov'd, as the purple Speck observ'd in those of Hens, from the working whereof the other Organs or fit Members are delineated, distinguish'd, and wrought into one Organical Body.

2. A NATION without Government, or fallen into privation of Form, is like an Egg unhatch'd, and the *Punctum Salens*, or first mover from the corruption of the Former to the generation of the succeeding Form, is either a sole Legislator or a Council.

3 A SOLE Legislator, proceeding according to Art, or Knowledge, produces Government in the whole piece at once and in perfection. But a Council (proceeding not according to Art, or what in a new case is necessary or fit for them, but according to that which they call the Genius of the People still hankering after the things they have bin us'd to, or their old Customs, how plain soever it be made in reason that they can no longer fit them) make patching work, and are Ages about that which is very seldom or never brought by them to any perfection; but commonly come by the way to ruin, leaving the noblest Attempts under Reproach, and the Authors of them expos'd to the greatest miseries while they live, if not their Memories when they are dead and gone to the greatest infamy.

4. IF the *Punctum Salens*, or first mover in generation of the Form be a sole Legislator, his proceeding is not only according to Nature, but according to Art also, and begins with the Delineation of distinct Orders or Members.

5. **DELINEATION** of distinct Organs or Members (as to the Form of Government) is a division of the Territory into fit Precincts once stated for all, and a formation of them to their proper Offices and Functions, according to the nature or truth of the Form to be introduc'd.

6. **PRECINCTS** in absolute Monarchy are commonly call'd *Provinces*; and as to the delineation or stating of them, they may be equal or unequal. Precincts in regulated Monarchy, where the Lords or Nobility as to their Titles or Estates ought not to be equal, but to differ as one Star differs from another in Glory, are commonly call'd *Countys*, and ought to be unequal. Precincts in Democracy, where without equality in the Electors there will hardly be any equality in the Elect'd; or where without equality in the Precincts, it is almost, if not altogether impossible there should be equality in the Commonwealth, are properly call'd *Tribes*, and ought by all means to be equal.

7. **EQUALITY** or Parity has bin represented an odious thing, and made to imply the levelling of mens Estates, but if a Nobility, how unequal soever in their Estates or Titles, yet to com to the truth of Aristocracy, must as to their Votes or participation in the Government be *parēs regni*, that is to say Peers, or in parity among themselves: as well likewise the People, to attain to the truth of Democracy, may be Peers, or in parity among themselves, and yet not as to their Estates be oblig'd to levelling.

8. **INDUSTRY** of all things is the most accumulative, and Accumulation of all things hates levelling: The Revenue therefore of the People being the Revenue of Industry, tho som Nobility (as that of *Israel*, or that of *Lacedemon*) may be found to have bin Levellers, yet not any People in the World.

9. **PRECINCTS** being stated, are in the next place to be form'd to their proper Offices and Functions, according to the truth of the Form to be introduc'd; which in general is to form them as it were into distinct Governments, and to indow them with distinct Governors.

10. **GOVERNMENTS** or Governors are either Supreme or Subordinat. For absolute Monarchy to admit in its Precincts any Government or Governors that are not subordinat but supreme, were a plain contradiction. But that regulated Monarchy, and that Democracy may do it, is seen in the Princes of *Germany*, and in the Cantons of *Switzerland*: Nevertheless these being Governments that have deriv'd this not from the Willom of any Legislator, but from accident, and an ill disposition of the matter, whereby they are not only incapable of Greatness, but even of any perfect State of Health, they com not under the consideration of Art, from which they derive not: but of Chance, to which we leave them. And, to speak according to Art, we pronounce that, as well in Democracy and in regulated as in absolute Monarchy, Governors and Governments in the several divisions ought not to be Sovereintys, but subordinat to one common Sovrain.

11. **SUBORDINAT** Governors are at will, or for life, or upon Rotation or Changes.

12. **IN** absolute Monarchy the Governors of Provinces must either be at will, or upon Rotation, or else the Monarch cannot be absolute. In regulated Monarchy the Governors of the Countys may be for life or hereditary, as in Counts or Lords; or for som certain

term

term and upon rotation, as in Viscounts or Sheriffs. In Democracy Chap. V. the People are Servants to their Governors for life, and so cannot be free; or the Governors of the Tribes must be upon rotation and for some certain term, excluding the Party that have born the Magistracy for that term from being elected into the like again, till an equal Interval or Vacation be expir'd

13. THE term in which a man may administer Government to the good of it, and not attempt upon it to the harm of it, is the fittest term of bearing Magistracy; and three years in a Magistracy describ'd by the Law under which a man has liv'd, and which he has known by the carriage or practice of it in others, is a term in which he cannot attempt upon his Government for the hurt of it, but may administer it for the good of it, tho such a Magistracy or Government should consist of divers Functions.

14. GOVERNORS in subordinat Precincts have commonly three Functions; the one Civil, the other Judicial, and the third Military.

15. IN absolute Monarchy the Government of a Province consists of one *Beglerbeg*, or Governor for three years, with his Council or *Droan* for Civil matters, and his Guard of *Janizarys* and *Spahys*, that is, of Horse and Foot, with power to levy and command the *Timarists* or Military Farmers.

16. In regulated Monarchy the Government of a County consists of one Count or Lord for Life, or of one Viscount or Sheriff for some limited term, with power in certain Civil and Judicial matters, and to levy and command the *Posse Comitatus*.

17. IN Democracy the Government of a Tribe consists of one Council or Court, in one third part elected annually by the People of that Tribe for the Civil, for the Judicial, and for the Military Government of the same; as also to preside at the Election of Deputys in that Tribe towards the annual supply in one third part of the common and sovereign Assemblies of the whole Commonwealth, that is to say, of the Senat and of the Popular Assembly; in which two these Tribes, thus delineated and distinguish'd into proper Organs or fit Members to be actuated by those sovereign Assemblies, are wrought up again by connexion into one intire and organical Body.

18. A PARLAMENT of Physicians would never have found out the Circulation of the Blood, nor could a Parliament of Poets have written VIRGIL's *Æneis*; of this kind therefore in the formation of Government is the proceeding of a sole Legislator. But if the People without a Legislator set upon such work by a certain Instinct that is in them, they never go further than to chuse a Council; not considering that the formation of Government is as well a work of Invention as of Judgment; and that a Council, tho in matters laid before them they may excel in Judgment, yet Invention is as contrary to the nature of a Council as it is to Musicians in consort, who can play and judge of any Air that is laid before them, tho to invent a part of Music they can never well agree.

19. IN Councils there are three ways of Result, and every way of Result makes a different Form. A Council with the Result in the Prince makes absolute Monarchy. A Council with the Result in the Nobility, or where without the Nobility there can be no Result, makes Aristocracy, or regulated Monarchy. A Council with the Result

Chap. V. sult in the People makes Democracy. There is a fourth kind of Result or Council which amounts not to any Form, but to Privation of Government; that is, a Council not consisting of a Nobility, and yet with the Result in itself, which is rank Oligarchy: so the People, seldom or never going any further than to elect a Council without any Result but itself, instead of Democracy introduce Oligarchy.

20. THE ultimat Result in every Form is the Sovereign Power. If the ultimat Result be wholly and only in the Monarch, that Monarchy is absolute. If the ultimat Result be not wholly and only in the Monarch, that Monarchy is regulated. If the Result be wholly and only in the People, the People are in Liberty, or the Form of the Government is Democracy.

21. IT may happen that a Monarchy founded upon Aristocracy, and so as to the Foundation regulated, may yet com by certain Expedients or Intrusions (as at this day in *France* and in *Spain*) as to the Administration of it to appear or be call'd absolute; of which I shall treat more at large when I com to speak of *Reason of State*, or of Administration.

22. THE ultimat Result in the whole body of the People, if the Commonwealth be of any considerable extent, is altogether impracticable; and if the ultimat Result be but in a part of the People, the rest are not in liberty, nor is the Government Democracy.

23. AS a whole Army cannot charge at one and the same time, yet is so order'd that every one in his turn coms up to give the Charge of the whole Army; so tho the whole People cannot give the Result at one and the same time, yet may they be so order'd that every one in his turn may com up to give the Result of the whole People.

24. A POPULAR Assembly, rightly order'd brings up every one in his turn to give the Result of the whole People.

25. IF the popular Assembly consists of one thousand or more, annually changeable in one third part by new Elections made in the Tribes by the People, it is rightly order'd; that is to say, so constituted that such an Assembly can have no other Interest wherupon to give the Result, than that only which is the Interest of the whole People.

26. BUT in vain is Result where there is no Matter to resolve upon; and where maturity of Debate has not preceded, there is not yet Matter to resolve upon.

27. DEBATE to be mature cannot be manag'd by a Multitude; and Result to be popular cannot be given by a Few.

28. IF a Council capable of Debate has also the Result, it is Oligarchy. If an Assembly capable of the Result has Debate also, it is Anarchy. Debate in a Council not capable of Result, and Result in an Assembly not capable of Debate, is Democracy.

29. IT is not more natural to a People in their own affairs to be their own chusers, than upon that occasion to be provided of their Learned Council; in so much that the saying of *PACUVIUS*, That either a People is govern'd by a King or counsel'd by a Senat, is universally approv'd.

30. WHERE the Senat has no distinct Interest, there the People are counsellable, and venture not upon Debate: where the Senat has any distinct Interest, there the People are not counsellable, but fall into Debate among themselves, and so into Confusion.

31. OF Senats there are three kinds: First, A Senat eligible out of the Nobility only, as that of *Rome*, which will not be contented to be merely the Council of the People, but will be contending that they are Lords of the People, never quitting their pretensions till they have ruin'd the Commonwealth. Secondly, A Senat elected for life, as that of *Sparta*, which will be a species of Nobility, and will have a kind of *Spartan* King, and a Senat upon rotation; which being rightly constituted is quiet, and never pretends more than to be the learned Council of the People.

32. THIRDLY, Three hundred Senators, for example, changeable in one third part of them annually by new Elections in the Tribes, and constituted a Senat to debate upon all Civil matters, to promulgate to the whole Nation what they have debated, this Promulgation to be made som such convenient time before the Matters by them debated are to be propos'd, that they may be commonly known and well understood, and then to propose the same to the Result of the Popular Assembly, which only is to be the Test of every public Act, is a Senat rightly order'd.

FORM of Government (as to the Civil part) being thus completed, is sum'd up in the three following Aphorisms.

33. ABSOLUTE Monarchy (for the Civil part of the Form) consists of distinct Provinces under distinct Governors, equally subordinat to a *Grand Signor* or sole Lord, with his Council or Divan debating and proposing, and the Result wholly and only in himself.

34. REGULATED Monarchy (for the Civil part of the Form) consists of distinct Principalities or Countys under distinct Lords or Governors, which if rightly constituted are equally subordinat to the King and his Peerage, or to the King and his Estates assembled in Parliament, without whose Consent the King can do nothing.

35. DEMOCRACY (for the Civil part of the Form) if rightly constituted, consists of distinct Tribes under the Government of distinct Magistrats, Courts, or Councils, regularly changeable in one third part upon annual Elections, and subordinat to a Senat consisting of not above three hundred Senators, and to a popular Assembly consisting of not under a thousand Deputys; each of these also regularly changeable in one third part upon annual Elections in the Tribes, the Senat having the Debate, and the Popular Assembly the Result of the whole Commonwealth.

CHAP. VI.

Of Form in the Religious part.

1. FORM for the Religious part either admits of Liberty of Conscience in the whole or in part; or dos not admit of Liberty of Conscience at all.

2. LIBERTY of Conscience intire, or in the whole, is where a man according to the dictates of his own Conscience may have the

Chap. 6. free exercise of his Religion, without impediment to his Preferment or Employment in the State.

3. LIBERTY of Conscience in part is, where a man according to the dictates of his Conscience may have the free exercise of his Religion; but if it be not the national Religion, he is thereby incapable of Preferment or Employment in the State.

4. WHERE the Form admits not of the free exercise of any other Religion except that only which is National, there is no Liberty of Conscience.

5. MEN who have the means to assert Liberty of Conscience, have the means to assert Civil Liberty; and will do it if they are oppress'd in their Consciences.

6. MEN participating in Property, or in Employment Civil or Military, have the means to assert Liberty of Conscience.

7. ABSOLUTE Monarchy, being sole Proprietor, may admit of Liberty of Conscience to such as are not capable of Civil or Military Employment, and yet not admit of the means to assert Civil Liberty; as the *Greek* Christians under the *Turk*, who, tho' they enjoy Liberty of Conscience, cannot assert Civil Liberty, because they have neither Property nor any Civil or Military Employments.

8. REGULATED Monarchy, being not sole Proprietor, may not admit naturally of Liberty of Conscience, lest it admits of the means to assert Civil Liberty, as was lately seen in *England* by pulling down the Bishops, who, for the most part, are one half of the Foundation of regulated Monarchy.

9. DEMOCRACY being nothing but intire Liberty; and Liberty of Conscience without Civil Liberty, or Civil Liberty without Liberty of Conscience being but Liberty by halves, must admit of Liberty of Conscience both as to the perfection of its present being, and as to its future security: As to the perfection of its present being, for the Reasons already shewn, or that she do not enjoy Liberty by halves; and for future security, because this excludes absolute Monarchy, which cannot stand with Liberty of Conscience in the whole and regulated Monarchy, which cannot stand safely with it in any part.

10. IF it be said that in *France* there is Liberty of Conscience in part, it is also plain that while the Hierarchy is standing this Liberty is falling, and that if ever it comes to pull down the Hierarchy it pulls down that Monarchy also: wherefore the Monarchy or Hierarchy will be beforehand with it, if they see their true Interest.

11. THE ultimat Result in Monarchy being that of one Man, or of a few Men, the National Religion in Monarchy may happen not to be the Religion of the major part of the People; but the Result in Democracy being in the major part of the People, it cannot happen but that the National Religion must be that of the major part of the People.

12. THE major part of the People, being in matters of Religion enabled to be their own Leaders, will in such cases therefore have a public leading; or, being debar'd of their Will in that particular, are debar'd of their Liberty of Conscience.

13. WHERE the major part of the People is debar'd of their Liberty by the minor, there is neither Liberty of Conscience nor Democracy, but Spiritual or Civil Oligarchy.

14. WHERE

14. WHERE the Major part is not debar'd of their Liberty of Chap 6.
Conscience by the Minor, there is a National Religion.

15. NATIONAL Religion is either coercive, or not coercive.

16. RELIGION is not naturally subservient to any corrupt or worldly Interest, for which cause to bring it into subjection to Interest it must be coercive.

17. WHERE Religion is coercive, or in subjection to Interest, there it is not, or will not long continue to be the true Religion.

18. WHERE Religion is not coercive, nor under subjection to any Interest, there it either is (or has no obstruction why it may not com to be) the true Religion.

19. ABSOLUTE Monarchy pretends to Infallibility in matters of Religion, employs not any that is not of its own Faith, and punishes its Apostats by death without mercy.

20. REGULATED Monarchy coms not much short of the same pretence; but consisting of Proprietors, and such as if they dissent have oftentimes the means to defend themselves, it dos not therefore always attain to the exercise of the like power.

21. DEMOCRACY pretends not to Infallibility, but is in matters of Religion no more than a Secker, not taking away from its People their Liberty of Conscience, but educating them, or *so* many of them as shall like of it, in such a manner or knowledge in Divine things as may render them best able to make use of their Liberty of Conscience, which it performs by the National Religion.

22. NATIONAL Religion, to be such, must have a National Ministry or Clergy.

23. THE Clergy is either landed or a stipendiated Clergy.

24. A LANDED Clergy attaining to one third of the Territory, is Aristocracy; and therefore equally incompatible with absolute Monarchy, and with Democracy: but to regulated Monarchy for the most part is such a Supporter, as in that case it may be truly enough said, that NO BISHOP, NO KING.

25. THE Sovereignty of the Prince in absolute Monarchy, and of the People in Democracy, admitting not of any Counterpoise, in each of these the Clergy ought not to be landed; the Laborer nevertheless being worthy of his hire, they ought to be stipendiated.

26. A CLERGY well landed is to regulated Monarchy a very great Glory; and a Clergy not well stipendiated is to absolute Monarchy or to Democracy as great an Infamy.

27. A CLERGY, whether landed or stipendiated, is either Hierarchical or Popular.

28. A HIERARCHICAL Clergy is a Monarchical Ordination; a Popular Clergy receives Ordination from Election by the People.

FORM of Government (as to the Religious part) being thus completed, is sum'd up in the three following Aphorisms.

29. ABSOLUTE Monarchy (for the Religious part of the Form) consists of a Hierarchical Clergy, and of an *Alcoran* (or form Book receiv'd in the nature of Scripture) interpretable by the Prince only and his Clergy, willingly permitting to them that are not capable of Employments a Liberty of Conscience.

Chap. 7.

30. REGULATED Monarchy (for the Religious part of the Form) consists of an Aristocratical Hierarchy, of the Liturgy, and of the Holy Scriptures (or som such Book receiv'd for a Rule of Faith) interpretable only by the Clergy, not admitting Liberty of Conscience, except thro mere necessity.

31. DEMOCRACY (for the Religious part of the Form) consists of a Popular Clergy, of the Scriptures (or som other Book acknowleg'd divine) with a Directory for the National Religion, and a Council for the equal maintenance both of the National Religion, and of the Liberty of Conscience.

C H A P. VII.

Of Form in the Military part.

1. **A** MAN may perish by the Sword; yet no man draws the Sword to perish, but to live by it.

2. SO many ways as there are of living by the Sword, so many ways there are of a Militia.

3. IF a Prince be Lord of the whole, or of two parts in three of the whole Territory, and divides it into Military Farms at will and without rent, upon condition of Service at their own charge in Arms whenever he commands them, it is the Sword of an absolute Monarchy.

4. IF the Nobility, being Lords of the whole or of two parts in three of the whole Territory, let their Lands by good pennyworths to Tenants at will, or by their Leases bound at their Commands by whom they live to serve in Arms upon pay, it is the Sword of a regulated Monarchy.

5. IN Countrys that have no Infantry, or Militia of free Commoners, as in *France* and *Poland*, the Nobility themselves are a vast Body of Horse, and the Sword of that Monarchy.

6. IF a People, where there neither is Lord nor Lords of the whole, nor of two parts in three of the whole Territory, for the common defence of their Liberty and of their Livelihood, take their turns upon the Guard or in Arms, it is the Sword of Democracy.

7. THERE is a fourth kind of Militia, or of men living more immediately by the Sword, which are Soldiers of Fortune, or a mercenary Army.

8. ABSOLUTE Monarchy must be very well provided with Court Guards, or a mercenary Army; otherwise its Military Farmers having no bar from becoming Proprietors, the Monarchy it self has no bar from changing into Democracy.

FORM of Government (as to the Military part) being thus completed, is sum'd up in the three following Aphorisms.

9. IN a regulated Monarchy where there is an Infantry, there needs not any Mercenary Army; and there the People live tolerably well.

10. IN a regulated Monarchy where there is no Infantry, but the Nobility themselves are a vast Body of Horse there must also be

a mercenary Infantry, and there the People are Peasants or Slaves. Chap. 8.
 11. THERE is no such thing in nature as any Monarchy (whether absolute or regulated) subsisting merely by a mercenary Army, and without an Infantry or Cavalry planted upon the Lands of the Monarch, or of his whole Nobility.

C H A P. VIII.

Of Form in the Legal part.

1. IF Justice be not the Interest of a Government, the Interest of that Government will be its Justice.
2. LET Equity or Justice be what it will, yet if a man be to judge or resolve in his own case, he resolves upon his own Interest.
3. EVERY Government, being not obnoxious to any Superior, resolves in her own case.
4. THE ultimat Result in every Government is the Law in that Government.
5. IN absolute Monarchy, the ultimat Result is in the Monarch.
6. IN Aristocracy, or regulated Monarchy, the ultimat Result is in the Lords or Peers, or not without them.
7. IN Democracy the ultimat Result is in the People.
8. LAW in absolute Monarchy holds such a disproportion to natural Equity, as the Interest of one Man to the Interest of all Mankind.
9. LAW in Aristocracy holds such a disproportion to natural Equity, as the Interest of a few Men to the Interest of all Mankind.
10. LAW in Democracy holds such a disproportion to natural Equity, as the Interest of a Nation to the Interest of all Mankind.
11. ONE Government has much nearer approaches to natural Equity than another; but in case natural Equity and Selfpreservation come in competition, so natural is Selfpreservation to every Creature, that in that case no Government has any more regard to natural Equity than another.
12. A Man may devote himself to death or destruction to save a Nation, but no Nation will devote it self to death or destruction to save Mankind.
13. *MACHIAVEL* is decry'd for saying, that *no consideration is to be had of what is just or unjust, of what is merciful or cruel, of what is honorable or ignominious, in case it be to save a State, or to preserve Liberty*; which as to the manner of expression is crudely spoken. But to imagine that a Nation will devote it self to death or destruction any more upon Faith given or an Engagement therto tending, than if there had bin no such Engagement made or Faith given, were not piety but folly.
14. *WHERSOEVER* the power of making Law is, there only is the power of interpreting the Law so made.
15. *GOD* who has given his Law to the Soul of that man who shall voluntarily receive it, is the only Interpreter of his Law to that Soul; such at least is the Judgment of Democracy. With absolute Monarchy, and with Aristocracy, it is an innate Maxim, That *the People are to be deceiv'd in two things, their RELIGION and their LAW*;

Chap 9 or that the Church or themselves are Interpreters of all Scripture, as the Priests were antiently of the *Sibyls Books*.

FORM of Government (as to the Legal part) being thus completed, is jum'd up in the three following Aphorisms.

16. **ABSOLUTE Monarchy** (for the Legal part of the Form) consists of such Laws as it pretends God has deliver'd or given the King and Priests power to interpret, or it consists of such Laws as the Monarch shall or has chosen.

17. **ARISTOCRACY** (for the Legal part of the Form) consists of such Laws as the Nobility shall chuse or have chosen, or of such as the People shall chuse or have chosen, provided they be agreed to by their Lords, or by the King and their Lords.

18. **DEMOCRACY** (for the Legal part of the Form) consists of such Laws as the People, with the advice of their Council, or of the Senat, shall chuse or have chosen.

C H A P. IX.

Of Form in the Judicial part.

1. **MULTIPLICITY** of Laws, being a multiplicity of Snares for the People, causes Corruption of Government.

2. **PAUCITY** of Laws requires arbitrary Power in Courts, or Judicatorys.

3. **ARBITRARY Power** (in reference to Laws) is of three kinds. (1) In making, altering, abrogating, or interpreting of Laws, which belong to the Sovereign Power. (2) In applying Laws to Cases which are never any one like another. (3) In reconciling the Laws among themselves.

4. **THERE** is no difficulty at all in judging of any case whatsoever according to natural Equity.

5. **ARBITRARY Power** makes any man a competent Judge for his Knowledge; but leaving him to his own Interest, which oftentimes is contrary to Justice, makes him also an incompetent Judge, in regard that he may be partial.

6. **PARTIALITY** is the cause why Laws pretend to abhor Arbitrary Power; nevertheless, seeing that not one case is altogether like another, there must in every Judicatory be som arbitrary Power.

7. **PAUCITY** of Laws causes arbitrary Power in applying them; and Multiplicity of Laws causes arbitrary Power in reconciling and applying them too.

8. **ARBITRARY Power** where it can do no wrong, dos the greatest right; because no Law can ever be so fram'd, but that without arbitrary Power it may do wrong.

9. **ARBITRARY Power**, going upon the Interest of One or of a Few, makes not a just Judicatory.

10. **ARBITRARY Power**, going upon the Interest of the whole People, makes a just Judicatory.

11. **ALL** Judicatorys and Laws, which have bin made by Arbitrary Power, allow of the Interpretation of Arbitrary Power, and acknowledge an appeal from themselves to it.

12. **THAT**

12. THAT Law which leaves the least arbitrary Power to the Judge or Judiciary, is the most perfect Law.

13. LAWS that are the fewest, plainest, and briefest, leave the least arbitrary Power to the Judge or Judiciary; and being a Light to the People, make the most incorrupt Government.

14. LAWS that are perplex, intricat, tedious, and voluminous, leave the greatest arbitrary Power to the Judge or Judiciary, and raising snares on the People, make the most corrupt Government.

15. SEEING no Law can be so perfect as not to leave arbitrary Power to the Judiciary, that is the best Constitution of a Judiciary where arbitrary Power can do the least hurt, and the worst Constitution of a Judiciary is where arbitrary Power can do the most ill.

16. ARBITRARY Power in one Judge does the most, in a few Judges does less, and in a multitude of Judges does the least hurt.

17. THE ultimat Appeal from all inferior Judicatorys is to some sovereign Judge or Judiciary.

18. THE ultimat Result in every Government (as in absolute Monarchy, the Monarch; in Aristocracy, or Aristocratical Monarchy, the Peers; in Democracy, the Popular Assembly) is a sovereign Judge or Judiciary that is arbitrary.

19. ARBITRARY Power in Judicatorys is not such as makes no use of the Law, but such by which there is a right use to be made of the Laws.

20. THAT Judiciary where the Judge or Judges are not obnoxious to Partiality or privat Interest, cannot make a wrong use of Power.

21. THAT Judiciary that cannot make a wrong use of Power, must make a right use of Law.

22. EVERY Judiciary consists of a Judge or some Judges without a Jury, or of a Jury on the Bench without any other Judge or Judges, or of a Judge or Judges on the Bench with a Jury at the Bar.

FORM of Government (as to the Judicial part) being thus completed, is sum'd up in the three following Aphorisms.

23. ABSOLUTE Monarchy (for the Judicial part of the Form) admits not of any Jury, but is of some such kind as a *Cadee* or Judge in a City, or as we say in a Hundred, with an Appeal to a *Cadafskar* or a Judge in a Province, from whom also there lyes an Appeal to the *Muphti*, who is at the devotion of the *Grand Signior* or of the Monarch.

24. ARISTOCRACY or Aristocratical Monarchy (for the Judicial part of the Form) may admit of a Jury, so it be at the Bar only, and consists of some such kind as Delegates or ordinary Judges, with an Appeal to a House of Peers; or some such Court, as the Parliament at *Paris*, which was at the institution in the Reign of *HUGH CAPET*, a Parliament of sovereign Princes.

25. DEMOCRACY (for the Judicial part of the Form) is of some such kind as a Jury on the Bench in every Tribe, consisting of thirty Persons or more annually eligible in one third part by the People of that Tribe, with an Appeal from thence to a Judiciary residing in the Capital City of the like Constitution, annually eligible in one third part out of the Senat or the popular Assembly, or out of both; from which also there lyes an Appeal to the People, that is to the Popular Assembly.

C H A P. X.

Of the Administration of Government, or
REASON OF STATE.

1. **A**S the Matter of a Ship or of a House is one thing, the Form of a Ship or of a House is another thing, and the Administration or Reason of a Ship or of the House is a third thing, so the Matter of a Government or of a State is one thing, the Form of a Government or of a State is another, and the Administration of a Government (which is what's properly and truly call'd *Reason of State*) is a third thing.

2. **THERE** are those who can play, and yet cannot pack the Cards, and there are who can pack the Cards, and yet cannot play.

3. **ADMINISTRATION** of Government, or Reason of State, to such as propose to themselves to play upon the square, is one thing; and to such as propose to themselves to pack the Cards, is another.

4. **REASON** of State is that in a Kingdom or a Commonwealth, which in a Family is call'd **THE MAIN CHANCE**.

5. **THE** Master of a Family that either keeps himself up to his antient bounds, or increases his Stock, looks very well to the main Chance, at least if his play be upon the square, that is, upon his own Abilities, or good Fortune, or the Laws; but if it were not upon the square, yet an Estate however gotten, is not for that a less Estate in it self, nor less descending by the Law to his Successors.

6. **IF** a People thro' their own Industry, or the prodigality of their Lords, com to acquire Liberty; if a few by their Industry, or thro' the folly or slothfulness of the People, com to eat them out, and make themselves Lords; if one Lord by his Power or his Virtue, or thro' their Necessity, their Wisdom, or their Folly, can overtop the rest of these Lords, and make himself King, all this was fair play and upon the square.

7. **REASON** of State, if we speak of it as fair play, is foren or domestic.

8. **REASON** of State, which is foren, consists in balancing foren Princes and States in such a manner, as you may gain upon them, or at least that they may not gain upon you.

9. **REASON** of State, which is domestic, is the Administration of a Government (being not usurp'd) according to the Foundation and Superstructures of the same if they be good, or so as not being good that they may be mended, or so as being good or bad they may be alter'd; or, the Government being usurp'd, the *Reason of State* then is the way and means whereby such Usurpation may be made good or maintain'd.

10. **REASON** of State, in a Democracy which is rightly founded and rightly order'd, is a thing of great facility, whether in a foren or in a domestic relation. In a foren, because one good Democracy, weighing two or three of the greatest Princes, will easily give the Balance abroad at its pleasure; in a domestic, because it consists not of any