are things different; for men by that which is proper are severed, united they are by that which is common. Wherefore, besides that which moveth each man in particular to seek his private, there must of necessity in all public societies be also a general mover, directing unto the common good, and framing every man's particular to it. The end whereunto all government was instituted, was bonum publicum, the universal or common good. Our question is of dominion, for that end and purpose derived into one. Such as in one public state have agreed that the supreme charge of all things should be committed unto one, they I say, considering what inconveniences may grow where states are subject unto sundry supreme authorities, were for fear of those inconveniences withdrawn from liking to establish many; ἐν δὲ ἀγαθών πάλιν καταρθοῖ, the multitude of supreme commanders is troublesome. "No man," saith our Saviour, "can serve two masters:" surely two supreme masters would make any man's service somewhat uneasy in such cases as might fall out. Suppose that to-morrow the power which hath dominion in justice require thee at the court; that in war, at the field; that which in religion, at the temple: all have equal authority over thee, and impossible it is, that thou shouldest be in such case obedient to all: by choosing any one whom thou wilt obey, certain thou art for thy disobedience to incur the displeasure of the other two.

But there is nothing for which some colourable reason or other may not be found. Are we able to shew any commendable state of government, which by experience and practice hath felt the benefit of being in all causes subject unto the supreme authority of one? Against the polity of

1 E inserere be here, and omit it after societies. 2 them SM. E. 3 is all in E. 4 inconveniency E. 5 have E.C.L.Q. 6 these E.C.L.Q. 7 one's E.C. 8 then in such case thou shouldst be E. 9 or pattern em. E.C.L.Q. 10 comparable E.C. 11 policy E. 12 Ob utilitatem publicam Reip. per unum consilii operture, pruden- tiissimi jurisconsulti docuerunt*. Just. Dig. i. 2. de Orig. Juris. 2. § 14. quoted in substance. The words are, "Novissime, sicut ad "pauciores juris constitendi via "transisse ipsis rebus dictantibus


Stapleton's Objections to That Analogoy.

Israel*, I hope there will no man except, where Moses deriving so great a part of his burden in government unto others, did notwithstanding retain to himself universal supremacy. Jehosaphat appointing one to be chief in the affairs of God, and another in the king's affairs, did this as having himself dominion over them in both. If therefore, with approbation from heaven, the kings of God's own chosen people had in the affairs of Jewish religion supreme power, why not Christian kings the like power also in Christian religion? Unless men will answer, as some have done, "that touching the Jews, first their religion was of far less power em. E. 1 and their E.C. Rights E. 2 so generally em. Q. 3 government E.C.L. 4 Stapleton de Princ. Doct. p. 197. [194. Opp. i. Contr. 11. lib. v. c. 22. "Primum, ut Judaeo- 

sacrdotum imperius erat, 
quia ubraticum tantum ac meli-
oris prahgurativum, suoque tem- 
pore in meius commutandum: 
secipsi sacerdotii regimem imper- 
rectus fuit", ut illud viz. etiam "aliqua ex parte ad Reges pertinere 
non inconuee possent.

Stapl. ibid. " [Rursum, sacer-
dotum vetus habuit suas leges, 
sacriarum, ritus, et ceremonias 
omnes a Moyse prescriptas atque 
conscripsas, quibus nefas erat vel 
addere vel detrhere quicquam: 
"ut hic nulla fere alia re opus

* the Israelites E. 7 chosen E. himself E. 2 from E.C.L. 3 of E.C.L. 4 power E. 5 First, unless E.C. 6 that the Jews 1 and their E.C. Rights E. 2 so generally em. Q. 3 government E.C.L. 4 * this quotation em. E.
BOOK VIII. "delivered unto us in writing; for which cause the state of the Church doth now require that the spiritual authority of ecclesiastical persons be large, absolute, and not subordi-

nate to regal power." Thirdly, "that whereas God armeth religion Jewish, with temporal, Christian, with "a sword but of spiritual punishment; the one with power to imprison, to scourge, and to put to death, the other with bare authority to censure and excommunicate; there is no reason that the Church, which now hath no visible sword, should in regiment be subject unto any other power, than only unto theirs which have authority to bind and loose." Fourthly, "that albeit while the Church was restrained unto one people, it seemed not incommodious to grant their kings the general chiefty of power; yet now, the Church having spread itself over all nations, great inconveniency might thereby grow, if every Christian king in his several territory should have the like power." Of all these differences, there is not one which doth prove it a thing repugnant unto the law either of God or nature, that all supremacy of external power be in Christian kingdoms granted unto the kings thereof, for preservation of quietness, unity, order, and peace, in such manner as hath been shewed.

1 as E. * the E.C.L. * and cm. E. * now cm. E. * whilst E.C.L.Q. * of nature E. * the cm. E.

1 Idem ibid. [* Tertio, synagogae disciplina erat gladius, et poene temporales... Ut totus ille status servorum erat, non filiorum; sic terrore et externis poenis, non amore et spiritualibus poenis duceabant. * Quod enim tunc fiebat gladio, lapidationibus, alicumque corporeis censuabat, illud (alt Augustinus*, degradationibus et excommunicationibus faciendum esse significatum est hoc tempore; * cum in ecclesia disciplina visibilis fuerit gladius cessaratur. * Hac ille. Hinc ergo factum est, ut propter disciplinam illam corporalem, et visibilis gladio, qui in manu regum erat, reges ipsi causis ecclesiasticis non solum pie, sed etiam necessario esse nonnihil im-

miscuerint. Nunc vero, cum visibilis gladius non pertineat amplius ad disciplinam ecclesiae, ut docuit Augustinus, datur intelligi non amplius ad reges disciplinam ecclesiasticam et regiam pertinere; sed ad illos tantum quorum est igare et solvere, et iudicium.*]

2 Stapl. ibid. [* Quarto, cum synagogae vettes in uno populo adcluderetur, et in uno loco sub illo sacrificaretur, non erat in commodum, ut uni quoque regi synagogae cura magna ex parte committeretur. At in ecclesia multarum gentium ut idem fiat impossibile est... Cum unitate religionis Christianae bene constat multitudo regnorum.]*

[2.] The service which we do unto the true God who made heaven and earth is far different from that which heathens have done unto their supposed gods, though nothing else were respected but only the odds between their hope and ours. The offices of piety or true religion sincerely performed have the promises both of this life and of the life to come: the practices of superstition have neither. If notwithstanding the heathens, reckoning upon no other reward for all which they did but only protection and favour in the temporal estate and condition of this present life, and perceiving how great good did hereby publicly grow, as long as fear to displease (they knew not what) divine power was some kind of bridge unto them, did therefore provide that the highest degree of care for their religion should be the principal charge of such as having otherwise also the greatest and chiefest power were by so much the more fit to have custody thereof: shall the like kind of provision be in us thought blameworthy?

A gross error it is, to think that regal power ought to serve for the good of the body, and not of the soul; for men's temporal peace, and not for their eternal safety: and if God had ordained kings for no other end and purpose but only to fat up men like hogs, and to see that they have their mast? Indeed, to lead men unto salvation by the hand of secret, invisible, and ghostly regiment, or by the external administration of things belonging unto priestly order; (such as the word and sacraments are,) this is denied unto Christian kings: no cause in the world to think them incapable of supreme authority in the outward government which disposeth the affairs of religion so far forth as the same are disposable by human authority, and to think them incapable thereof, only for that the said religion is everlastingly beneficial to them that faithfully continue in it. And even as little cause there is, that being admitted thereunto amongst the Jews, they should amongst the Christians of necessity be delivered from ever exercising any such power, for the

* [De Fid. et Oper. c. 3]

[3] The following paragraphs, to "kings and priests" in p. 367, are inserted here on the authority of the Dublin MS.; and collated with Clavi Trabales, pp. 64-71. * for om. Cl. Trab. D.

[1] [See book v. c. 76, § 4]
BOOK VIII.

364 Answer to alleged Need of more absolute Discretion:

Ch. iii. 3.

3. It may be a question, whether the affairs of Christianity require more wit, more study, more knowledge of divine things in him which shall order them, than the Jewish religion did. For although we deny not the form of external government, together with all other rites and ceremonies, to have been in more particular manner set down: yet withal it must be considered also, that even this very thing did in some respects make the burthen of their spiritual regimen the harder to be borne; by reason of infinite doubts and difficulties which the very obscurity and darkness of their law did breed, and which being not first decided, the law could not possibly have due execution.

Besides, inasmuch as their law did also dispose even of all kind of civil affairs; their clergy, being the interpreters of the whole law, sustained not only the same labour which divines do amongst us, but even the burthen of our lawyers too. Nevertheless, be it granted that moe things do now require to be publicly deliberated and resolved upon with exacter judgment in matters divine than kings for the most part have: their personal inability to judge, in such sort as professors do, leteth not but that their regal authority may have the selfsame degree or sway which the kings of Israel had in the affairs of their religion, to rule and command according to the manner of supreme governors.

4. As for the sword, wherewith God armed his Church of old, if that were a reasonable cause why kings might then have dominion, I see not but that it ministreth still as forcible an argument for the lawfulness and expediency of their continuance therein now. As we degrade and excommunicate, even so did the Church of the Jews both separate offenders from the temple, and depose the clergy also from their rooms, when cause required. The other sword of corporal punishment is not by Christ's own appointment in the hands of the Church of Christ, as God did place it himself in the hands of the Jewish Church. For why? He knew that they whom

Ad ter. tium.

he sent abroad to gather a people unto him only by persuasive means, were to build up his Church even within the bosom of kingdoms, the chiefest governors whereof would be open enemies unto it every where for the space of many years. Wherefore such commission for discipline he gave them, as they might any where exercise in quiet and peaceable manner; the subjects of no commonwealth being touched in goods or person, by virtue of that spiritual regimen whereunto Christian religion embraced did make them subject.

Now when afterwards it came to pass, that whole kingdoms were made Christian, I demand whether that authority, which* served before for the furtherance of religion, may not as effectually serve* to the maintenance of Christian religion. Christian religion hath the sword of spiritual discipline. But doth that suffice? The Jewish which had it also, did nevertheless stand in need to be aided with the power of the civil sword. The help whereof, although when Christian religion cannot have, it must without it sustain itself as far as the other which it hath will serve; notwithstanding, where both may be had, what forbiddeth the Church to enjoy the benefit of both? Will any man deny that the Church doth need the rod of corporal punishment to keep her children in obedience withal? Such a law as Macabaeus\(^1\) made amongst the Scots, that he which continued an excommunicate two years together, and reconciled not himself to the church, should forfeit all his goods and possessions.

Again, the custom which many Christian churches have to fly to the civil magistrate for coercion of those that will not otherwise be reformed,—these things are proof sufficient that even in Christian religion, the power wherewith ecclesiastical persons were endowed at the first is unable to do of itself so much as when secular power doth strengthen it; and that,

* which * Cl. Trab. 


* Qui pontificis authoritatem annun totum exercitum contemperit, neque se interim reconciliavit, hostis reip. habetor: quia vero duos annos in ea contumacia per-

\(^2\) seem D.

"severarit, fortunis omnibus multo: tator." This may be seen in the Councils, Hard. t. vi. p. 1. pag. 974: with his other canons, the one transferring all judicature over Christians to the clergy, the other confirming their right to tithes and oblations.]
how to be obviated under regal Supremacy.

Christ directing that people to see it for good and weighty considerations expedient that their sovereign lord and governor in causes civil have also in ecclesiastical affairs a supreme power; forasmuch as the light of reason doth lead them unto it, and against it God's own revealed law hath nothing: surely they do not in submitting themselves thereunto any other thing than which a wise and religious people ought to do.

It was but a little overflowing of wit in Thomas Aquinas, so to play upon the words of Moses in the Old, and of Peter in the New Testament, as though because the one did term the Jews “a priestly kingdom,” the other us “a kingly priesthood,” those two substantives “kingdom” and “priesthood” should import, that Judaism did stand through the kings’ superiority over priests, Christianity through the priests’ supreme authority over kings. Is it probable, that Moses and Peter had herein so nice and curious conceits? Or else more likely that both meant one and the same thing; namely that God doth glorify and sanctify his, even with full perfection in both; which thing St. John doth in plainer sort express, saying that “Christ hath made us both kings and priests.”

1 [In I Pet. ii. 9. Comm. in Epist. omnes Canonicas, Antwerp, 1591. fol. 270. “Cum dicitur, Exod. xix, Vos eritis in regnum sacerdotii, quare dicatur hic regale sacerdotium? Serve: ‘praerogativam novi testamenti rei spectu veteris: in novo enim templo, amento sacerdotii praeminentia regno: sicut spiritus praeminet corpori. Regnum enim consistit in regimine corporali, sacerdotium vero in regimine spirituali. Ideo potestas sacerdotalis ponitur in substantivo, regalis autem in adjectivo.” This work is omitted in the Roman and Venetian editions of Aquinas, and is ascribed by many critics to Thomas Anglicus; i.e. to Thomas Guaiensis or Wallensis, a Dominican of Oxford, about A.D. 1332: whose nomen gentilissimum may have been confounded with Angelicus, the well-known epitaph of Aquis. See Wharton ap. Cave, Hist. Lit. i. 728, and App. to 29 ed. 1668; Sixth Senens. Biblioth. i. 482. Neap. 1742; Lorinus, in S. Jac. Pref. § 11. The same doctrine however is clearly enough taught in the treatise De Regimine Principium, Aquin. t. xvii. Opusc. xx. Lib. i. c. 14. “Ab eo (Christo) regale sacerdotii iunum derivatur ... Quia in veteri lege promittebatur bona terrae ... religioso populo exhibenda, ideo et in lege veteri sacerdotes regibus leguntur suisse subjecti. Sed in nova lege est sacerdotes alius, per quod homines traduntur ad bona coelestia: unde in lege Christi reges debent sacerdotes titular esse subjecti.” Wharton however doubts the genuineness of this treatise also.] 2 Exod. xix. [6] 3 I Pet. ii. [9] Thomas in eum locum.

These things being thus first considered, it will be the easier to judge concerning our own estate, whether by force of ecclesiastical dominion with us kings have any other kind of prerogative than they may lawfully hold and enjoy. It is as some do imagine too much, that kings of England should be termed Heads, in relation to the Church. That which we understand by headship, is their supreme power in ecclesiastical affairs or causes. That which lawfully princes are, what should make it unlawful for men by special styles or titles to signify? If the having of supreme power be allowed, why is the expressing thereof by the title of head condemned? They seem in words, the leastwise some of them, now at the length to acknowledge that kings may have supreme government even over all persons and causes. We in terming our princes heads of the Church, do but testify that we acknowledge them such governors.

Against this peradventure it will be replied, that therefore the Prince may not be called the Head of this Church under Christ. What the name of Headship doth import being attributed unto Christ; that his headship over all churches doth not exclude the authority of governors placed as heads over each particular church for the visible regiment thereof. That a Christian prince within his dominions hath supreme power, authority, and headship, over all governors, and that in causes of whatsoever kind, both as they belong to the Church of Christ than if they merely concern the temporal and civil state.

Their minds, I doubt not, are far from treason. Howebeit, in the days of Henry VIII. to have held that which now is maintained concerning the prince's power, had then been adjudged a capital offence. as encroaching on our Lord's Prerogative.