

Hobbes, empire and the politics of the cabal: political thought and policymaking in the Restoration

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Pax et obedientia and the Politics of the Cabal: Political Thought and Policymaking in the Restoration

Among the works dedicated to Charles II's principal secretary of state, Henry Bennet, Earl of Arlington, was a sizeable manuscript treatise entitled *Pax et obedientia*. Now in the Beinecke Library at Yale, and running to twenty-one chapters, plus dedicatory epistle, preface, and epilogue, it comprises 428 pages, accompanied by a design for an elaborate frontispiece, all bound in reversed calf and measuring 30 by 20 centimetres. *Pax* declared itself to be "An Antidote against Rebellion Setting Forth The Vnreasonableness of mens Complaints against the present government, The true causes of the Late warre, and the mischiefs that did ensue Thereby with Some Remedies Humbly offered from Experience and Observation To prevent Those Inconveniencies that Arise from Warre and Disobedience." The "Remedies" in this "Antidote" ranged widely. *Pax* discusses the causes and impact of the Civil Wars (chapters 1-4), the nature of man and the origins of government and property (chapters 6-13), the state of England's trade and its relationship to toleration and plantations, especially Jamaica (chapters 5, 7, 14-17), law (chapter 18), and the king's ecclesiastical powers (chapters 19-21). The "Little Treatise" of which Arlington was asked to be a "Tutelary Angell"¹ amounts to nearly a quarter of a million words, making it a sizeable work of Restoration political theory. Yet scholars have only paid fleeting attention to it.² Perhaps this is unsurprising, given the barriers that exist to understanding it. The author is hard to identify and the overall purpose of their text difficult to discern. *Pax*'s capaciousness confuses our established categories of political thinking; indeed, it tests the limits of intellectual historians' ability to approach incoherent or not very adept political thought so far that it can be tempting to dismiss what the author called their "Ammunition" as mere intellectual shrapnel, scattered around a text too sprawling and diffuse to merit serious analysis.³

This article argues that *Pax* is both comprehensible and revealing. In part, it was the product of the conjunction of political, institutional, and intellectual contexts at a particular historical moment. It seems probable that the manuscript was completed in 1672 or 1673, for chapter seventeen refers to a "Late booke" printed in 1672 and Arlington was impeached in

* [acknowledgements deleted to maintain the integrity of the review process]

¹ MS Osborn fb234, Beinecke Library, Yale [hereafter, *Pax*], ep. ded., a. The manuscript has a title page with a design for a frontispiece on the reverse, followed by an epistle dedicatory (pages a-c), a blank side, and a preface (paginated I-XXIII in a paler shade). After this the pagination runs 1-75, 75a (with a in paler shade), 76-136, 163 (corrected to 137), 138-342, 243-4 (i.e. 343-4), 345-421, and a blank side. The size is taken from the online catalogue: <http://hdl.handle.net/10079/bibid/7041807>

² Discussed in Jacqueline Rose, "Royal Ecclesiastical Supremacy and the Restoration Church," *Historical Research* 80, issue 209 (Aug. 2007): 324-45, at 328-30 and [deleted], "'Thinking with Hobbes': Political Thought in Ireland, c.1660-c.1730" (PhD diss., University of Oxford, 2020), ch 2; and mentioned in Mark Somos, "Harrington's Project: The Balance of Money, a Republican Constitution for Europe, and England's Patronage of the World," in *Commerce and Peace in the Enlightenment*, ed. Béla Kaposy, Isaac Nakhimovsky, and Richard Whatmore (Cambridge, 2017), p. 36, n. 76; Mark Somos, "Open and Closed Seas: The Grotius-Selden Dialogue at the heart of Liberal Imperialism," in *Empire and Legal Thought*, ed. Edward Cavanagh (Brill, 2020), p. 351, n. 90.

³ *Pax*, xxiii.

January 1674 (although he held the secretaryship until September).⁴ *Pax* therefore emerged from the politics of the “Cabal”, whose members had taken opposing sides in the Civil Wars, differed in religion (during the Cabal era, the government’s position swung wildly between intolerance and open indulgence of Dissenters and Catholics), had conflicting views of foreign policy, and quarrelled over the shape of an imperial composite monarchy. The dynamic and unstable politics of the Cabal also generated a rich political discourse. In this period, Hobbes penned several significant works, a popular image of “Hobbism” was formed,⁵ and Locke wrote on toleration and colonies while advising Anthony Ashley Cooper. Significantly, policy debates played out in manuscripts and memoranda produced by men who – like Locke – advised the Cabal’s leading ministers, staffed the various councils of trade and plantations with which the Restoration monarchy experimented, and occasionally engaged in political theorising. This was the milieu in which *Pax* was produced and in which, this article argues, it can and must be understood. The context of Cabal era politics explains the debates in which *Pax* seems most invested: not just whether colonies were economically beneficial, but how they fitted into a centralising British and Irish monarchy, what sort of citizenship the members of this composite state held, and how to stabilise political relationships in the aftermath of the Civil Wars. This context also explains the apparent incoherence of its content, as the author attempted to navigate conflicting positions on these topics.

Pax is also revealing. It captures the political thought of the governing bureaucracy. Exploring it demonstrates the methodological necessity and fruitfulness of bringing together the linguistic contexts used by historians of political thought and the wider institutional contexts that are the domain of political action. It signals the importance of seeing, and indeed helps us to recover, the wider scribal and oral hinterland behind printed debate on the economy, since it seems to have emerged from groups discussing imperial policy and to fit (on a massive scale) with a wider pattern of memoranda to the government. Yet this peculiar manuscript also tells us about more than one particular phase of Restoration politics, for that unique moment was part of a wider transition between well-established languages of political and religious sovereignty and the growing need for policymakers to consider the political economy of empire. *Pax* occupies a pivotal position, straddling older political, jurisdictional, and ecclesiastical notions of *imperium* and an emerging geographical and commercial discourse of British Atlantic empire.⁶

⁴ *Pax*, 338; Richard Blome, *A Description of the Island of Jamaica*, available in early 1672: *The Term Catalogues, 1668-1709*, ed. Edward Arber (London, 1903-1906), 3 vols, I, 96 (7 Feb. 1671/2); Arlington: Alan Marshall, “Bennet, Henry, first earl of Arlington (bap. 1618, d. 1685), politician,” *ODNB*, 3 Jan. 2008 [accessed 5 Mar. 2020]

⁵ Jon Parkin, *Taming the Leviathan: The Reception of the Political and Religious Ideas of Thomas Hobbes in England, 1640-1700* (Cambridge, 2007), ch. 5.

⁶ *Pax* therefore partly demonstrates David Armitage’s claim that political economy (in the sense of commerce being an affair of state) provided a way to describe British relationships in an Atlantic economic context, but its way of conceptualising those relationships differed from some of the examples Armitage cites, and it appeared before such discourse really took off in the early eighteenth century. David Armitage, *The Ideological Origins of the British Empire* (Cambridge, 2000), esp. 7-8 and ch. 6.

I

Pax deserves to be described as “incoherent;” but it does not deserve to be neglected because of its incoherence – a term that merits deeper consideration. It has been half a century since Quentin Skinner deconstructed the “mythology of coherence”: the fallacy that authors of political theory always aim to construct a “coherent” set of political doctrines or provide a “coherent” commentary on a set of “perennial problems”; and that the task of their interpreters is to identify these properties in the author’s writing, rebuke the author for their absence, or manufacture them on the author’s behalf.⁷ It was in response to this and other “mythologies” that Skinner proposed his alternative method of interpreting political theory as a type of political act, understanding of which would result not from a search for “coherence”, but from identifying the linguistic or discursive contexts of the author and the author’s intentions within these contexts.⁸ One of the many salutary effects of Skinner’s intervention was that it broadened the range of texts that are studied in the history of political thought: “classic texts” are now studied alongside the “anonymous texts that emerge from political practice.”⁹ Yet the neglect of *Pax*, such a promising example of the second type of text, suggests that Skinner’s method and the scholars it has inspired continue to require a level of “coherence” that many authors involved in “political practice” have been unable to attain.

Skinner has admitted his preference for one type of coherence: although allowing for the possibility that an author might adopt different positions in different texts, he suggests that a single text that endorses and rejects the same proposition is altogether impossible to interpret.¹⁰ But a preference for another type of coherence is also implicit in his method. For if the interpretation of a text involves the study of its relationships with a discourse, it becomes a more intelligible and attractive subject of study as the stability and sophistication of these relationships increases. For Annabel Brett, it is quite proper that those who study texts in this way continue to focus on the “great texts,” for they are “the most complex explorations of the limits of language or conceptual frame at a given time.”¹¹ *Pax*, however, exhibited neither type of coherence. It contradicted itself straightforwardly on one of the key political issues it addressed, and its behaviour in fields of discourse was erratic and indeterminate – as will be shown below, its author contorted themselves into advancing multiple propositions that never coalesced into an identifiable or compelling whole.

However, the qualities that make *Pax* so unattractive to many historians of political thought may be less off-putting to historians of political action. Indeed, *Pax*’s argumentative gymnastics may prove crucial to understanding it. For what appears to be inconsistency or incoherence when assessed as a piece of political theorising looks more intelligible when

⁷ Quentin Skinner, “Meaning and Understanding in the History of Ideas,” *History and Theory* 8, no. 1 (1969): 3-53, at 16-22.

⁸ *Ibid.* 45-8.

⁹ Marco Geuna, “Skinner, pre-humanist rhetorical culture and Machiavelli,” in *Rethinking the Foundations of Modern Political Thought*, ed. Annabel Brett et al. (Cambridge, 2006), 54.

¹⁰ Quentin Skinner, “Interpretation, rationality and truth,” in *Visions of Politics. Volume One: Regarding Method* (Cambridge, 2002), 54-6.

¹¹ Annabel Brett, “What is Intellectual History Now?,” in *What is History now?*, ed. David Cannadine (Basingstoke, 2002), 127.

considered as an intervention in the policy debates that characterised the Cabal ministry. *Pax*'s dedicatory epistle to Arlington, and the support for the "present Government" expressed therein, is not the only reason to view the text as such an intervention. It also contained detailed discussions of – and took up positions on – contemporary religious, economic and imperial policies. Admittedly, its comments on specific policies did not always cohere with the general thrust of the discussion. But we must remember that the nature of the "present Government," a coalition of uneasy alliances, made what might now be described as "triangulation" – or quintangulation – necessary to achieve objectives or gain a hearing. Indeed, the character of *Pax*'s policy discussions, at once detailed and indeterminate, suggests that the author was involved in a junior capacity in the policymaking process. In *Pax*, a political actor attempted political thought to advance his objectives in the field of political action, and consequently voiced a variety of political languages when adopting a plethora of disparate positions. Ultra-royalist, advocating religious intolerance, the text (as section II below shows) proclaimed a willingness to engage with and echoed Hobbes's ideas while diverging from them at critical points; furthermore, it surrounded this natural jurisprudential discussion with a discourse on the economy, trade, and plantations that (as section III below demonstrates) took a stance on a debate within the Cabal. Strikingly, the most Hobbesian parts of the work were those that analysed economic and imperial policies and (as section IV below shows) citizenship within this imperial composite monarchy rather than those that attempted a natural jurisprudential dissection of sovereignty.

Who could have been motivated to write in this way? Although there are plenty of textual clues to the institutional contexts from which *Pax* emerged and which are key to interpreting it, it would certainly help if we could identify its author. To do so it is necessary to delve into the world of the junior policymaker in the councils and commissions established by the Cabal ministry to manage its trade policies. Their membership shows how the Cabal provoked the sort of bizarre alignments that *Pax* offered. At council boards, Cromwellians jostled royalists. On the council of foreign plantations, later the combined council of trade and plantations, we find men like Sir Edmund Waller and John Evelyn. Waller was a poet and admirer of Hobbes who had offered to translate *De cive* into English in the 1640s.¹² Evelyn, a Fellow of the Royal Society who read Hobbes closely in the 1670s,¹³ combined an interest in the horticulture of Jamaica with a talent for designing frontispieces, such as that for Thomas Spratt's *History of the Royal Society*.¹⁴ Benjamin Worsley served on Interregnum and Restoration councils of trade; William Petty, though less successful in obtaining office in the Restoration, advised officials informally.¹⁵ The nexus of informal counsellors to the Cabal

¹² Parkin, *Taming*, 36.

¹³ *Ibid.* 342-3.

¹⁴ Michael Hunter, *The Image of Restoration Science: The Frontispiece to Thomas Spratt's History of the Royal Society (1667)* (London, 2016). It is worth noting that Wenceslaus Hollar, who etched the frontispiece for Spratt's *History*, also etched Blome's map of London of 1673.

¹⁵ Worsley and Petty both benefited from the creation of new offices and councils under Cromwell and again under the Cabal ministry. Worsley served on the council of trade established in 1650, the council of trade established in 1668, and the council for trade and plantations established in 1672: Thomas Leng, *Benjamin Worsley (1617-1677): Trade, Interest, and the Spirit in Revolutionary England* (Woodbridge, 2008), 61, 155, 165. Worsley also served as Surveyor-General under Cromwell, in which role he came into conflict with Petty, who was appointed to conduct the "Down Survey" of Irish land: Ted McCormick, *William Petty and the Ambitions of Political Arithmetic* (Oxford, 2009), 95-106. For Petty's advice see below, n. 000.

also included Henry Stubbe, who sent memoranda defending toleration to Arlington, had been an adherent of Hobbes in the 1650s, publicly declared his allegiance to the king at the Restoration, worked as the crown's physician in Jamaica and was granted the reversion of its secretaryship in 1673.¹⁶

While each of these men's works bears some affinity to *Pax*, none quite match the distinctive political and personal profile of the probable (and therefore probably male) officeholder in the Cabal that emerges over the course of the text: an associate of Arlington, who resided in London but also had connexions to or interests in Jamaica and Ireland,¹⁷ and whose interests in the Caribbean extended to horticulture and natural history as well as commerce and government. He was a supporter of conformity to the Church of England with a strong, but possibly unreciprocated, loyalty to the Stuart monarchy. But he was also a proponent of Hobbes's political philosophy and defended him as an "obedient subject to the King" and a "conformable son to the church."¹⁸ He was also keen to experiment with various literary and visual media, including poetry and engraving. His style also suggests that as well as being well-informed, the author was rather incompetent and struggled with limited literary abilities.

Sir Henry Slingsby, the secretary of the council of foreign plantations from 1670 until 1672 and a member of the combined council of trade and plantations thereafter, appears to be the most credible candidate for authorship of *Pax*. Slingsby's role as secretary of the council of foreign plantations connected him to Jamaica and the Caribbean, but also to Arlington, who seems to have directed the work of the council until it merged with the council of trade. The council had been granted extensive powers to interfere in the government of the colonies,¹⁹ and its journal and papers reveal that during a tumultuous episode in the island's politics which *Pax* addresses, Slingsby became a key intermediary between the Crown and its governors in Jamaica.²⁰ Though there is no evidence that Slingsby had the personal relationship with Hobbes that Stubbe and Waller enjoyed, it is intriguing to note that his London lodgings, which served as the council's chambers, were in the same aristocratic townhouse in which Hobbes lived, and nearly died, in 1668.²¹

Most of the evidence relating to Slingsby documents his activities as an administrator: beyond *Pax*, his own perspective on the policies on which he worked remains obscure. In his other role as Master of the Mint, however, he was known to favour the argument of Thomas

¹⁶ Mordechai Feingold, "Stubbe [Stubbes, Stubbs], Henry (1632-1676)," *ODNB*, 3 Jan. 2008 [accessed 24 June 2019].

¹⁷ The author refers to the "Accident of Fire" that had befallen "our City" and the "mighty care" the King had taken in "rebuildinge it": *Pax*, 120. References to the City of London Corporation, the River Thames and Chatham confirm his familiarity with the capital and the surrounding area: *Pax*, 291, 293.

¹⁸ *Pax*, 164.

¹⁹ The "Instructions for the Council for Foreign Plantations, 1670-1672" are printed in Charles McLean Andrews, *British Committees, Commissions, and Councils of Trade and Plantations, 1622-1675* (Baltimore, 1908), Appendix II, 117-124, and discussed by Abigail L. Swingen in *Competing Visions of Empire: Labor, Slavery and the Origins of the British Atlantic Empire* (New Haven, 2015), 85.

²⁰ Slingsby was responsible for communicating with Sir Thomas Lynch, an official in Jamaica favoured by Arlington who became Governor in 1672 following Sir Thomas Modyford's dismissal: "Journal of the Council for Foreign Plantations," I, 84-5.

²¹ Slingsby seems to have leased the "Earl of Bristol's House" on Queen's Street: John Evelyn, *The Diary of John Evelyn*, ed. William Bray (London, 1901), 2 vols, I, 65. For Hobbes's occupation of the house, see John Aubrey, *Brief Lives*, ed. Andrew Clark (Oxford, 1898), 2 vols, I, 350.

Mun that exporting bullion augments rather than depletes its value, an argument that was invoked in favour of colonisation in *Pax*.²² Slingsby also had familial connexions which correspond to certain features of *Pax*. His family's much-tested commitment to the Stuart monarchy corresponds to the royalist identity expressed in *Pax*; his kinsman Slingsby Bethel was deeply involved in the same debates about religion and trade in which *Pax* intervened;²³ and his involvement with the Irish branch of his family, apparent from his correspondence, correlates with *Pax*'s criticism of trade policies that disadvantaged Ireland and its reference to the province in Ireland, Connaught, where the family owned land.²⁴ Slingsby, who in the 1680s was fired by the king for his failure to keep the records of the Mint in order,²⁵ seems to be the curiously well-informed incompetent that we are looking for.

The evidence that points to Slingsby as the author of *Pax* is compatible with the possibility that Slingsby received help in writing it. Variations in the way certain letters are constructed in the text suggest that it may have been written in several stages; in which case, there would have been plenty of opportunities for the author to be exposed to the influence of an adviser or collaborator as he developed his arguments. The author would have had good reason to seek assistance to better organise his thoughts; but any assistance he did receive seems to have contributed only to *Pax*'s capaciousness. The most credible candidate for the role of Slingsby's assistant is John Collins, Slingsby's clerk on the council for foreign plantations.²⁶ Collins's involvement with *Pax* would certainly help to explain some of *Pax*'s themes: the politics and society of Venice,²⁷ for which Collins had fought in the 1640s, the science of the Royal Society, of which he was a Fellow,²⁸ and the prohibition of exports of Irish cattle, which he opposed in print.²⁹

Though the circumstantial evidence that Slingsby wrote *Pax* is considerable, the attribution is not without some problems. Though Slingsby's few surviving letters share the grammatical disorder of *Pax* and record further instances of his incompetence, his hand is not the same as the hand in evidence in *Pax*.³⁰ Collins's hand is closer to the hand in *Pax*, but certainly not identical with it. It is possible that *Pax* was authored by Slingsby, perhaps with the assistance of Collins, but written by an amanuensis. But this would raise the question of why the amanuensis permitted such grammatical disorder in the text.

There is, however, one very specific piece of evidence that supports the attribution to Slingsby. Slingsby, like Collins, was a Fellow of the Royal Society (called the "Society of Virtuosi" in *Pax*) and he was involved in an experiment to which the author of *Pax*, in one of his characteristically clumsy rhetorical flourishes, refers by comparing his book to

²² *The Diary of Samuel Pepys*, ed. Robert Latham and William Matthews (London, 1970-83), 11 vols, VI, 23 (27 Jan. 1665). cf. *Pax*, 313.

²³ See below, 00.

²⁴ Henry Slingsby to Sir Henry Slingsby, 21st April 1670, ZKZ 5/5/2/1, Northallerton Record Office. For the Slingsbys' interests in Connaught see John Cunningham, *Conquest and Land in Ireland: The Transplantation to Connacht, 1649-1680* (London, 2011), 134.

²⁵ C. E. Challis, "Slingsby, Henry (1619/20-1690), master of the mint," *ODNB*, 3 Jan. 2008 [accessed 13 Oct. 2021].

²⁶ "Journal of the Council for Foreign Plantations," Phillipps No. 8539, I, 3, Library of Congress, Washington, DC.

²⁷ *Pax*, 116, 294.

²⁸ Christoph J. Scriba, "Collins, John (1626-1683), mathematician and scientific administrator," *ODNB*, 23 Sep. 2004 [accessed 19 June 2021].

²⁹ John Collins, *A Plea for the bringing in of Irish Cattel* (London, 1680).

³⁰ Sir Henry Slingsby to "Mr Williamson", 18 June 1672, ZKZ 4/5/2/1b, Northallerton Record Office.

the philosophicall Reasoninges of a fish in the water. That the water is not more weighty for that Imponderous Creature, That nothinge can be heavy in its proper Element till the wise moderator prudently weighed the Assertion³¹

It is not entirely clear what the author intended by this simile; indeed, the passage is a good example of the sort of language with which *Pax*'s reader has to contend. We can be fairly certain, however, that the author was referring to an experiment designed by Robert Boyle that studied the function of the swim bladder in fish, and proved, for the first time, that it controlled the buoyancy of fish in water and did not perform a digestive function, as was widely believed in England.³² None of the other discussions of swim bladders in English and European science before that date contained the specific details to which *Pax* referred. In the 1640s Gilles Roberval had suggested that the swim bladder had the sole purpose of containing air, but *Pax*'s allusion to the weight of fish in water seems to refer specifically to Boyle's experiments.³³ This is significant because Boyle's experiments were not published until 1675, after *Pax* was written, so the author must have been a Fellow of the Royal Society and was probably involved in the experiments. Slingsby fulfils not only the first criterion but possibly also the second, more exclusive, one: Boyle cited the inspiration of his "Ingenious Friend Mr. Slingsby" in his 1675 account of his research into the Hydrometer,³⁴ which he pursued alongside his research into the swim bladder.³⁵

Slingsby's career at the Mint had commenced in 1657, yet he came from a royalist family (his namesake, Sir Henry Slingsby, was executed for plotting in 1658). Several members of the Slingsby family had compounded in the Civil Wars, although many royalist estates lost in this manner were either not sold or went to kin (such as Slingsby Bethel, who purchased Sir Henry Slingsby's estates and held them in trust for his children) and were therefore recovered in the 1660s.³⁶ Traces might be found in *Pax* of the experiences of royalist suffering and recovery. The text's early chapters are akin to the literature of a decade earlier, in which royalists expressed disappointment and anxiety about failure to regain lands, lack of titles and rewards, and the loss of prestige that resulted from the inherent difficulties

³¹ *Pax*, 121.

³² Robert Boyle's experiment was first described in "A Conjecture concerning the Bladders of Air that are found in Fishes," *Philosophical Transactions (1665-1678)* 10 (1675), 311. John Ray's response confirms the novelty of Boyle's experiment and its findings: "A letter written to the Publisher by the Learned Mr. Ray ...," *Philosophical Transactions (1665-1678)* 10 (1675), 349-51. Though he did not mention Boyle by name, Charles Preston later described Boyle's experiment and suggested that it refuted Walter Needham's claim that the swim bladder served a fish's digestion: "A General Idea of the Structure of the Internal Parts of Fish," *Philosophical Transactions (1683-1775)* 19 (1695-1697), 422-3.

³³ Charles Webster, "The Discovery of Boyle's law, and the Concept of the Elasticity of Air in the Seventeenth Century," *Archive for History of Exact Sciences* 2, no. 6 (1965): 441-502, at 449-450.

³⁴ Robert Boyle, "A New Essay-Instrument Invented and Described by the Honourable Robert Boyle Together with the Uses Therof," *Philosophical Transactions (1665-1678)* 10 (1675), 331.

³⁵ Robert Boyle, *Tracts written by the Honourable Robert Boyle containing New Experiments* (London, 1672), Appendix, 25-39.

³⁶ *Calendar of the Proceedings of the Committee for Compounding ... 1643-60*, ed. Mary Anne Everett Green (London, 1889-92), 5 vols, II, 1387; various other Slingsbys appear at III, 1800, 1889-90 and (with less clear kinship links) I, 14, 113, 623, 33, 380; II, 1154. See also P. G. Holiday, "Land Sales and Repurchases in Yorkshire after the Civil Wars, 1650-70," in *The English Civil Wars: Local Aspects*, ed. R. C. Richardson (Stroud, 1997); David Scott, "Slingsby, Sir Henry, first baronet (1602-1658), royalist army officer and conspirator," *ODNB*, 23 Sep. 2004 [accessed 9 Oct. 2021].

of unpicking conveyancing of land, too many suitors, and not enough money.³⁷ *Pax* bemoaned empty estates and declining hospitality as “the Decimated Gentleman, is Rowlinge Sisiphus His stone” to recover lost land and income.³⁸ It was not everywhere, it noted with a particular dig at Shaftesbury, that former traitors enjoyed pardons and rewards, and one of the text’s poetic ventures vocalized a petition to the king from a mournful royalist recalling their five years’ incarceration in the Tower.³⁹ Its occasional suggestions of moderation were accompanied by a vehement attack on the constitutional and religious ideas that the author blamed for the Civil Wars. The first chapter admitted that there had been “some Irregularities ... some grieuances” on which parliament had legitimately addressed the king.⁴⁰ Nevertheless, using the homely metaphor of a plumber who breaks a pipe while trying to mend a crack in it, *Pax* noted how parliament’s actions slid into illegality. By limiting monarchy, Parliamentarians “kill[ed Charles I] legally” and irrationally fought against his person in the name of the king.⁴¹ Repeated denunciations of disloyal nonconformists and plotting Presbyterians sat uneasily with *Pax*’s urging royalists not to despair, nor to appear vengeful or despondent, not least because such attitudes would succour the king’s past and present enemies.⁴²

By the early 1670s, the intricate politics of the Cabal – “half-Oliverian and half-papistical”⁴³ – complicated any simple account of who the king’s friends and enemies might be. Navigating this situation shaped *Pax*. Even if the attribution to Slingsby cannot be totally definitive, establishing the relationship between *Pax* and the politics of administration in the Cabal ministry helps to explain some of the text’s contradictory statements about government policy as prudent attempts to avoid controversy or placate powerful conflicting personalities in the ministry. Like his contemporaries, the author of *Pax* believed that engagement with political philosophical discourse would help him achieve his polemical objectives. As a contribution to, or rendition of, this discourse, *Pax* was unsatisfactory: the discourse was conducted in a sophisticated juridical language which *Pax* was unable or unwilling to speak with proficiency. Locating the institutional context of *Pax*’s production, however, allows us to see that the author was not particularly concerned to make a satisfactory contribution to this discourse; this was not what he was *doing* with his text. His main priority was to address the policy problems that he encountered as an administrator in the Cabal ministry.

On this front too *Pax* was inadequate. The author’s attempts to engage with political theory while simultaneously presenting policy advice did not, unlike those of his contemporaries, take a form that approached what we would now call policy memoranda. Jesse Norman describes Adam Smith, a century after *Pax*, engaging in “a descriptive pragmatic-commercial mode” of giving advice, “cool, exhaustive and analytic in tone,”

³⁷ Melanie Harrington, “Disappointed Royalists in Restoration England and Wales” (Ph.D. diss., University of Cambridge, 2014); Paul H. Hardacre, *The Royalists during the Puritan Revolution* (The Hague, 1956), ch. 7; John Miller, *After the Civil Wars* (Harlow, 2000), ch. 9.

³⁸ *Pax*, 54-5.

³⁹ *Pax*, 22, ii, 37, 47. The *ODNB* entry on Slingsby mentions him receiving assistance from Ashley Cooper, but see below for their disagreement over Restoration policy.

⁴⁰ *Pax*, 6-7.

⁴¹ *Pax*, 56, 25, 60, 62, 57.

⁴² *Pax*, 41-6.

⁴³ Mark Goldie, “Danby, the Bishops and the Whigs,” in *The Politics of Religion in Restoration England*, ed. Tim Harris, Paul Seaward, and Mark Goldie (Oxford, 1990), 76.

recognizable to us today.⁴⁴ The origins of this style merit attention: if not universal in the Restoration, shades of it are detectable. Petty in particular developed a distinctive style, characterised by clipped prose organised into numbered lists or bullet points. Like these documents, *Pax* sought to describe a situation, recommend a particular policy, and offer a justificatory rationale. Yet its style (if such it can be called) failed to bridge the sophisticated juridical language of political philosophy and the pithy *précis* of a policy document. Perhaps we should not blame the author too much for this. His peculiar political thought derived in part from his support for an unusual combination of policies, but also from the fact that many of these policies related to new areas of government activity. The expansion of Britain's colonial economy created problems that would later be discussed using the language of political economy, but which *Pax* had to address in the juridical language of political philosophy.⁴⁵ The author sometimes had to distort his language to do this, and the imprecision of his writing facilitated this process, which was compounded by the need to navigate the unstable politics of the Cabal. *Pax*'s incoherence was, therefore, the price that had to be paid to connect political thought with political action.

II

One of the first elements of *Pax* that a reader encounters is the design for its frontispiece. It seems more than probable, given *Pax*'s many references to Hobbes, that this could have been composed with the engraved title pages of *Leviathan* or *De cive* in mind – and yet it also encapsulates the text's ambivalent engagement with Hobbes. *Leviathan* famously depicted the sovereign personating his subjects, an idea which Hobbes's book developed in highly sophisticated juridical language. But the image in *Pax* lacked the sophistication of *Leviathan*'s. At the centre of the frontispiece, where Hobbes had the composite figure of the sovereign person, *Pax* had an image of Charles II “with His Scepter and globe,”⁴⁶ surrounded by a clutter of thematic “emblemes” and impenetrable poetry. *Pax* positioned representations of nature (wild beasts, naked men), interest, toleration, war, and rebellion (emblematised by regicide) on the left of the portrait of Charles II, and depictions of civilisation (including religion, obedience, law, peace, plenty, and trade) on the right. The title page of the first edition of *De cive*, which Hobbes probably had a hand in, depicted a personified “libertas” on the right of the title and a figure of “imperium” on the left; the conceit was retained, though the figures were reworked, and the sides on which they appeared reversed, in the second edition and the 1651 *Philosophical Rudiments*.⁴⁷ Redolent of Hobbes's contrast between

⁴⁴ Jesse Norman, “Smith as Spad? Adam Smith and Advice to Politicians,” in *Political Advice: Past, Present and Future*, ed. Colin Kidd and Jacqueline Rose (London, 2021), 106.

⁴⁵ Although its length is exceptional, in this way *Pax* fits with the anonymous, policy-focused, and unsystematic economic literature that Julian Hoppit describes in “The Contours and Contexts of British Economic Literature, 1660-1760,” *Historical Journal* 49, no. 1 (2006): 79-110. Hoppit alludes to but does not discuss scribal publications.

⁴⁶ i.e. orb. This is a textual description of what to draw rather than an image. *Pax*, “The Frontispice [*sic*].”

⁴⁷ M. M. Goldsmith, “Hobbes's ambiguous politics,” *History of Political Thought* 11, no. 4 (Winter 1990): 639-73, esp. 641-3, 655-7; M. M. Goldsmith, “Picturing Hobbes's politics? The illustrations to *Philosophical Rudiments*,” *Journal of the Warburg and Courtauld Institutes* 44 (1981): 232-7.

liberty and the state, *Pax* characteristically overcomplicated itself, discarding single striking figures in favour of a multiplicity of intricate designs.⁴⁸

This reflects a wider textual pattern of erratic and eccentric engagement with Hobbes. *Pax* did not deliberately eschew or hide references to Hobbes, although its author was well aware of the risks of defending such ideas, referring both to the case of Daniel Scargill, expelled from Cambridge for espousing Hobbes's views, and to the rumours that Hobbes would be prosecuted for heresy.⁴⁹ Nevertheless, it insisted that the violent opposition to Hobbes's ideas made them worthy of consideration⁵⁰ and presented engagement with them as an acceptable route into finding an "antidote to rebellion." If Hobbes was correct about the natural unsociability of man, *Pax* argued, this was no threat after the establishment of laws and the commonwealth. Men "inclind to bee Traitors" might "yett bee forced to be Loyall." Once law and religion existed, they suppressed unruly natural inclinations, for "new obligations of Law ... curbe that Inbredd Licentiousnesse."⁵¹ Herein lay a Hobbesian paradox: how did naturally unsociable men create and adhere to the sovereign?

While at crucial moments *Pax* lacked Hobbes' critical precision and showed a greater debt to other authors, sections of the text did defend Hobbes and echoed Hobbesian language. The "great naturalist" and "Honest Gentleman"⁵² had always sought to persuade men to seek peace and keep their covenants. Quite correctly, *Pax* noted that Hobbes' *first* law of nature was to seek peace, and only when that failed would the second, to "use all Helpes & Advantages of warre," come into effect, and that it was a natural law "that men performe covenants made." While *Pax* cited "Hobs de cive 64," both the pagination and the division of seeking peace and using all advantages of war into two separate natural laws demonstrate that its author must actually have been looking at *Leviathan*.⁵³ This is paralleled by the passages of *Pax* that were saturated in specifically Hobbesian language about men living without "a common power to keepe them all in awe," of a war of all against all "in the Chapter of the naturall Condition of mankind" and of the chapter of natural laws allowing men to use all

⁴⁸ For example, Law is represented by Magna Carta, judges, and an executioner; toleration by "A Conventicle drawne Hatts on men kicking at the comon pray[er] booke."

⁴⁹ *Pax*, 164, 205; see James L. Axtell, "The Mechanics of Opposition: Restoration Cambridge v. Daniel Scargill," *Bulletin of the Institute of Historical Research* 38, issue 97 (1965): 102-11; Jon Parkin, "Hobbesism in the Later 1660s: Daniel Scargill and Samuel Parker," *Historical Journal* 42, no. 1 (1999): 85-108; Philip Milton, "Hobbes, Heresy, and Lord Arlington," *History of Political Thought* 14, no. 4 (Winter 1993): 501-46. Jon Parkin, "Baiting the Bear: The Anglican Attack on Hobbes in the Later 1660s," *History of Political Thought* 34, no. 3 (2013): 421-58, argues that there was a concerted targeting of Hobbes, whose particular concern (448-50) was the threat of a writ *de haeretico comburendo*, the point to which *Pax* refers. On the wider reception of Hobbes, see in particular Mark Goldie, "The Reception of Hobbes," in *The Cambridge History of Political Thought, 1450-1700*, ed. J. H. Burns and Mark Goldie (Cambridge, 1991), 589-615; Parkin, *Taming*; Jeffrey R. Collins, *In the Shadow of Leviathan: John Locke and the Politics of Conscience* (Cambridge, 2020), esp. chs 2-3.

⁵⁰ *Pax*, 161, ch. 8.

⁵¹ *Pax*, 160, 166-7.

⁵² *Pax*, 181, 185.

⁵³ *Pax*, 185-6; 189 cites "Hobs 80" praising peace. Slingsby's citations match the pagination of the "head" edition of *Leviathan* (Wing H2246), but not of the second (1647) edition of *De cive*, nor *Philosophical Rudiments* (1651), nor that in Hobbes's 1668 *Works*. For the single natural law on peace and war and the need to keep one's covenants, see *On the Citizen*, ed. Richard Tuck and Michael Silverthorne (Cambridge, 1998), 34, 43-4.

means to defend themselves.⁵⁴ If these and the clichéd account of that natural condition (from *Leviathan*) are predictable points a reader of Hobbes might have picked up, further close reading emerged in the references to men being at liberty when “All externall Impediments” were absent (*Leviathan*’s distinctively physical description of the “proper signification” of liberty) and their “diffidence” (distrust) of others, desire for glory, and ambition undermining peace.⁵⁵ Like Hobbes, *Pax* “proved” the case for natural unsociability by civilized man’s behaviour, such as the state’s fortifications and arms.⁵⁶

Yet *Pax* also misread some crucial Hobbesian concepts, speaking in a single breath of “compacts & Covenants agreemts & Contracts.” Unlike Hobbes, *Pax* did not discuss the distinction between these terms, nor between a present and future transfer of rights, and the problem that outside of the commonwealth a mutual promise of future performance might be rendered void by suspicion.⁵⁷ It is also not clear that *Pax* wanted to destabilise the notion of good and evil in the way that Hobbes did. Furthermore, it seems to have muddled together self-preservation (defined by Hobbes in strictly natural jurisprudential terms) and self-interest. No wonder, therefore, that *Pax* was ambiguous at best, or confused at worst, about the origins of government and property. Its narrative of man’s Fall and redemption sat very uneasily with its protests that “the Hypothesis of Mr Hobbs should bee true in all the parts of it.”⁵⁸

Working its way through Genesis, *Pax* explored the increasing quarrels generated as the human population spread and land ran out, making the donation of the earth to mankind in common (Genesis 1:28, quoted on page 190) insufficient. Yet, having cited Genesis 10 on the division of the world amongst Noah’s descendants on page 192, page 193 of *Pax* then rejected this as an explanation of property. Instead it argued:

How thinges went into a propriety whither partly by a consentaneous Act of the mind, partly by a certaine covenant either expresse as Division or by occupation is a subiect fitt for the most Learned pen And a discourse extant is worthy of Him that writt ~~Him~~ it, The glory of the English nation (as Grotius calls Him) Selden in His Thalassacrotico [*sic*] It is Apposite enough to the present purpose to suppose that an agreement was, That euery one should enjoy what Hee was seized on⁵⁹

This messy ambiguity failed to answer the crucial question about the basis of individual appropriation. But it may have derived from *Pax*’s real source, Grotius. Grotius had described the need to move from some sort of common holding given to all by God to individual dominium (exclusive ownership) when what was held might be exhausted (using Cicero’s analogy of seats in a theatre, which anyone could take, but which might become full). However, the passage of Grotius that *Pax* cited itself merely spoke of “a certain *covenant*,

⁵⁴ *Pax*, 177; Thomas Hobbes, *Leviathan*, ed. Noel Malcolm (Oxford, 2012), 3 vols, II, 254, chs 13-14. The language *Pax* uses is drawn from *Leviathan* rather than *De cive*.

⁵⁵ *Pax*, 181, 177-8, 202; Hobbes, *Leviathan*, II, 198 (cf. Hobbes, *De cive*, p. 111, which shares the sentiment, but *Pax*’s language derives from *Leviathan*, II, 192, which has “Competition” rather than ambition).

⁵⁶ *Pax*, 181; Hobbes, *Leviathan*, II, 194, 196.

⁵⁷ *Pax*, 160, 177, 189; Hobbes, *Leviathan*, II, 204 (separating contract and covenant), 210; Hobbes, *De cive*, 36-7 distinguishes an immediate contract from an agreement involving trust.

⁵⁸ *Pax*, 161.

⁵⁹ *Pax*, 197-8, 193 cites Clement Barksdale’s translation of Grotius: *Of the Law of Warre and Peace* (London, 1654, 1655), 198.

either *express*, as by division; or *tacit*, as by occupation.” Bypassing the much more explicit contractual arrangements described by Selden, *Pax* thus reflected Grotius’s ambiguity as to how “it ought to be supposed an agreement amongst all, that every one should have proper to himself, what he seised on,” although later parts of *De iure belli* had analysed in great detail what counted as consent and different types of contracts, topics absent from *Pax*.⁶⁰

Instead, *Pax*’s comments on property were followed by a discussion of how this division of the world provoked men to seek a supreme magistrate and “submitt their wills” to them. This rather Hobbesian phrase was not the only hint that consent was the origins of government. Later, *Pax* spoke of the necessity of government being “not unlikely but by the concurrence & consent of Iniurd persons for their own preservation.”⁶¹ Again, however, *Pax* offered vague references rather than a clear-cut account of a foundational contract. In a heavily corrected passage (which in itself is a stark sign of the problems the author had in explaining his ideas) *Pax* argued that fear induced men to see it was their self-interest to obey, but that such fear could not be termed a natural law strictly speaking because law required a superior force that could impel obedience.⁶²

Obedience to one person was therefore initially tacitly accepted as a law out of fear, from “An vnanimous consent to bee quiet.” Found to be a shaky basis for peace, fear gave way to incorporation into society and the introduction of true law, based – in two different explanations in one paragraph – on “consentaneous Agreemt” or later divine ratification. First, *Pax* claimed that “civill power beinge the effect of feare was afterwards Ratified by the Authority of god Himselfe.” It then stated that “men did therefore saith the same Grotius Associate & dwell together and consent that Justice shall punish for all Iniuries wch man before by nature might Haue done.”⁶³ Such contractual arguments could appear unconvincing or – significantly given *Pax*’s aim of establishing obedience – open up a route to resistance. Grotius himself had muddied the waters on the question. After first arguing that the creation of the commonwealth had limited any “promiscuous right of resisting” as it would dissolve a real union into a multitude, he then grappled with the question of whether this would apply in extremis, reaching the extremely convoluted conclusion that, if you asked those who originally entered the commonwealth, “whether their will was to impose upon all this burden, to dy rather than in any case to repell by force the force of their superiours, I know not whether they would answer, it was their will.” Grotius implied not, “unless perhaps with this additament; if resistance cannot be made without very great perturbation of the Commonwealth, or the destruction of very many innocent persons.”⁶⁴

Here, *Pax* refrained from making the widespread Anglican royalist claim that a contractual basis for government might legitimise claims to resist authority, despite its author

⁶⁰ Grotius, *Law of Warre and Peace*, trans. Barksdale, 203; the equivalent passage is found in Grotius, *De iure belli*, II.II.II.i, II.II.II.v (ed. Richard Tuck (Indianapolis, 2005), 3 vols (cont. pag.), 421, 426-7); for promises vs contracts see II.XI-XII; for Selden, who offered a more historically dense discussion, see Richard Tuck, *Natural Rights Theories* (Cambridge, 1979), 86-9.

⁶¹ *Pax*, 198, 213.

⁶² *Pax*, 203-4; the text stresses the foundation of law on superior command at pp. 188-9 and 200-1, though inelegantly described human law as making sin “exceedinge sinfull” at 198.

⁶³ *Pax*, 204-5, citing 1 Peter 2 and Romans 13 and then *Of the Law of Warre and Peace*, trans. Barksdale, 323-4.

⁶⁴ Grotius, *Of the Law of Warre and Peace*, trans. Barksdale, pp. 136-7, 150-1 (and *De iure belli*, I.IV.II, VII (ed. Tuck, 338-9, 358)).

clearly knowing of such critics, for at precisely this point in the manuscript he cited Roger Coke, who had pinpointed the flaw in Hobbes's argument – how could men who behaved so badly in their natural condition form a government?⁶⁵ The opportunity for a royalist critique of Hobbes was bypassed. Despite its praise for Samuel Parker in other parts of the text, *Pax* diverged sharply from Parker's critique of Hobbes's "late wild Hypothesis" of a natural state of war. Parker had called this a "lamentable Foundation" for authority but, as has been seen, what he dismissed as "palpably false, absurd, and mischievous" was taken rather more seriously by *Pax*.⁶⁶ Indeed, *Pax* rejected Parker's account of patriarchy as the origins of government. Patriarchy was unstable, either too severe or too partial, and had therefore required regular direct divine intervention in specific cases. Post-diluvian patriarchal authority was "peculiar ... to the comonwealth of the Hebrews & did not extend it selfe to other nations." It could not be deemed "the proper patterne for ensuing monarchy."⁶⁷

Nevertheless, when *Pax* turned from temporal to ecclesiastical sovereignty its account of royal authority over religion hewed more to Parker's line than to Hobbes's. As scholars have recently shown, Parker was not Hobbesian in any straightforward sense, particularly on religion.⁶⁸ Yet it was Parker's *Discourse of Ecclesiastical Politie* that *Pax* termed "that well-penned, and Most Methodicall Treatise, which Hath Asserted the Authority of the ciuill magistrate ouer the consciences of subiects, in the matters of Religion."⁶⁹ While contemplating natural jurisprudential and contractual claims about temporal sovereignty more than its contemporaries, *Pax* mounted a strenuous defence of royal ecclesiastical supremacy and attacked nonconformity. Speaking of the noise of liberty of conscience equalling the cannons of war, and the likely "Confusion, from this Intolerable Toleration," it reflected a Cabal-era pattern of presenting conscience as an imperious tyrant that it was imperative to control.⁷⁰

Both the early and later chapters of *Pax* endorsed royal authority as necessary to subdue unruly religious Dissent. Their account clearly diverged from the sacerdotal supremacy of the Hobbesian Leviathan: while the sovereign was "persona mixta" (not purely a layman) his supremacy was categorically not priestly. The seemingly Hobbesian claim that the sovereign decides the canon of scripture was drawn instead from Chamberlayne's *Angliae Notitia*.⁷¹ Indeed, many of the claims about sovereign ecclesiastical powers, sketched in chapter nineteen and more systematically surveyed in chapter twenty, seem unsurprising: the monarch's "very great and controuling" powers of visitation, authority over convocation, and the right to appoint bishops, albeit *Pax* evidenced an unusual tendency to remark on their

⁶⁵ On royalist critics see Goldie, "Reception of Hobbes," 603-5; Roger Coke, *A Survey of the Politicks of Mr Thomas White, Thomas Hobbs and Hugo Grotius* (1662), sig. Er-v, pp. 25-26, cited in *Pax*, 205-6.

⁶⁶ *Pax*, 164; Samuel Parker, *A Discourse of Ecclesiastical Politie* (1670 [1669]), 115-19.

⁶⁷ *Pax*, 209-13 (qu. 214, 212), albeit 211 quoted Parker's *Ecclesiastical Politie*, 31, on fathers being kings and priests. Parker briefly referred to fathers being the first kings (*Ecclesiastical Politie*, 29-30) and stressed that men were always born under government.

⁶⁸ Jacqueline Rose, "The Ecclesiastical Polity of Samuel Parker," *The Seventeenth Century* 25, no. 2 (Autumn 2010): 350-75; Collins, *Shadow of Leviathan*, 155-65.

⁶⁹ *Pax*, 19.

⁷⁰ *Pax*, 4, 5, 19; Parker, *Ecclesiastical Politie*, passim; the language of conscience as a tyrant is also prominent in the series of works stemming from Simon Patrick's *A Friendly Debate* (1668).

⁷¹ *Pax*, 365-6, 371, 379; Edward Chamberlayne, *Angliae Notitia* (1669), p. 123 of Wing C1819.

application to Ireland too.⁷² Yet in the circumstances of the issuance or immediate aftermath of the Declaration of Indulgence of spring 1672 to spring 1673 even the most apparently anodyne elements of *Pax*'s discussion had implications that their author seemed peculiarly blind to. *Pax* called the king's supremacy "Royall And Absolute <though counseled> power," evinced no interest in exploring any constraints on this authority and indeed stated that it was not to be shared with parliament, nor constrained in the ways that some common lawyers imagined and noted that the House of Lords had added a proviso to the Second Conventicles Act (1670) protecting it.⁷³

Pax paradoxically combined political insights with short-sightedness about their implications. In the early 1670s, emphasising that statutes "declared" rather than introduced or "created" a supremacy that was "noe new gift" to the king and acknowledging the power of dispensing in religious matters was to employ the language used to justify exactly the policy that *Pax* rejected: toleration of non-conformists, implemented by royal prerogative (through the Declaration of Indulgence). Stubbe, who also wrote to or for Arlington on the topic at this time, likewise stressed Charles's personal supremacy, but he did so in order to deny that parliament could reject Indulgence.⁷⁴

The final chapter of *Pax*, which expressed the comfortable (if wrong) conviction that Charles II would never be tempted into Catholicism, attacked papal usurpation of royal authority, but reverted at the end to *Pax*'s primary religious worry – the problem of Protestant Dissent. Both the beginning and the end of the entire manuscript insisted that, whatever disloyalty Catholics showed, non-conformists were far worse.⁷⁵ Its discussion of supremacy included mention of power over consciences and the duty to obey the king in matters that were not unlawful (i.e. matters of doubt were not a reason for dissent), but paid less attention to these topics than other defences of intolerance did. Instead, earlier parts of the work refuted the emerging case – proposed by a number of authors in the years preceding the composition of *Pax* – that toleration facilitated trade. Locke and his patron Shaftesbury referred to it. The Independent John Owen argued that opponents of toleration blocked the trade so vital to the crown, gentry, corporations, and the navy. Stubbe endorsed the need to encourage immigration, trade, and fishing when defending the Declaration and the war against the Dutch.⁷⁶ The links between Dissent and trade were rarely systematically analysed. Perhaps many thought doing so to be unnecessary, given the prominent nonconformists in the London mercantile community. Yet it was such a man, Slingsby Bethel, who was most forthright about liberty of conscience being vital for trade. Bethel attacked "the new Philosophy of Poverty, and the transplantation of all Non-Conformists" as "the ready way to penury." Among the "violent obstructions" to trade, intolerance played a key role in reducing

⁷² *Pax*, chs 19-20, pp. 377, 379, 385.

⁷³ *Pax*, 364-6, 379, 368. < > denote inserted material.

⁷⁴ *Pax*, 379; for Stubbe, see TNA, SP 29/319/220-2.

⁷⁵ *Pax*, 394, 13-14, 406-7.

⁷⁶ John Locke, "An Essay concerning Toleration," in *Political Essays*, ed. Mark Goldie (Cambridge, 1997), 159; W. D. Christie, *A Life of Anthony Ashley Cooper, First Earl of Shaftesbury* (London, 1871), 2 vols, II, appx I; John Owen, *Truth and Innocence Vindicated* (1669), 77-81; Henry Stubbe, *A Further Iustification of the Present War* (1673, Wing S6046), 29; Anon., *A Second Letter ... against Comprehension* (1668), 3.

population and the wool industry.⁷⁷ Samuel Fortrey's description of English trade was less energised on this point, but still stated that uniformity should be in "barely necessary" things.⁷⁸

In the wealth of Cabal-era anti-tolerationist literature, dismissive remarks about this economic case were made.⁷⁹ But even Roger Coke, who vehemently attacked nonconformists as "furious Pedagogues" who had caused the Civil Wars, and who sneeringly dismissed their "Consciences (as they called them)" never wholly rejected the possibility of allowing domestic liberty of conscience, even if he thought it unnecessary. Indeed, Coke positively urged that immigrants of other denominations be permitted, as Elizabeth I had welcomed the Huguenots, partly to mitigate the depopulation that he attributed to migration to the colonies and the damage of the Navigation Act – two of Coke's particular bugbears with which *Pax* disagreed.⁸⁰ *Pax*, however, went much further, both rejecting any claim that toleration was economically necessary or beneficial, *and* proposing – at length – an alternative set of remedies.⁸¹ Pleading for toleration was self-destructive, especially on the part of monarchs: "madd," "fatall," to "sett their owne Houses on fire." Slingsby offered four reasons why, as he put it, his city of London should not be rebuilt if its new walls were to be plastered with liberty of conscience. First, he questioned whether non-conformists were really rich enough to make a difference to trade: economic decline was, he posited, due to other factors. Second, even if these supposed riches existed, there was no guarantee that they would be invested in trade, a notion *Pax* dismissed in a series of emotive phrases as a bladder inflated by self-interest, a painted pretence, the "whimsy of a Giddy people." If the word enthusiasm did not appear, *Pax*'s description of this adherence to fanciful notions based on opinion rather than reason certainly echoed it. Nevertheless, the insistence that any non-conformist investment in trade would be "petty" and "Insignificant" remained just an assertion: no figures or evidence were deployed to back it up. Third, *Pax* urged that trade with other countries would gain more for the economy and, fourth, that it was in the national interest to suppress the dangers of Dissent. Its author's inherent suspicion of non-conformists was clear in his argument that Quakers *seemed* sensible and trustworthy, but that one could not be sure that this was not a careful pretence.⁸²

If the above was, potentially, Henry Slingsby's argument with his relative Slingsby Bethel, it was also embedded in a transitional chapter in the text. The latter parts of chapter seven praised the value of trade, identifying three "wheels" of wealth: commodities, manufactures, and industry. Endorsing Bacon's essays that urged the importance of naval

⁷⁷ Slingsby Bethel, *The Present Interest of England Stated* (London: 1671), 7-8 (qu.), 13, 17-18. On the nexus of London Dissent see Gary S. De Krey, *London and the Restoration* (Cambridge, 2005), chs 2-3.

⁷⁸ Samuel Fortrey, *Englands Interest and Improvement* (1673), 8-11. This is a reprint of a work of 1663, at which point the debate on political economy was less prominent than it was by the later 1660s.

⁷⁹ Fleeting in Parker, *Ecclesiastical Politie*, sig. [b8]r and in the anonymous attack on Parker's critic Marvell: *S'too him Bayes* (Oxford, 1673), 58-9.

⁸⁰ Roger Coke, *A Treatise wherein is demonstrated that the Church and State of England are in Equal Danger with the Trade of it* (1671), sig. A2r and pp. 4-5, 90, and *passim*.

⁸¹ Page ten made some positive noises about reunion on a Grotian or "Cassandrian" model, but page sixty-five conflates comprehension and toleration.

⁸² *Pax*, 145-8.

supremacy,⁸³ it laid the foundations for *Pax*'s investigation into support for trade and overseas plantations. The significance of the work – its distinctive blend of multiple discourses – therefore lies less in its account of government, its religious intolerance, or its proposals for economic recovery, than in its atypical combination of these. Nobody else, it seems, attempted such a wholesale account of reflections on the Civil Wars, ecclesiastical supremacy, quasi-Hobbesian foundations for the state, and the colonial economy of a composite monarchy. While we might not be surprised that elements of this intellectual hotchpotch came unstuck, its ambitious breath of vision offers insights into the transition between different meanings of *imperium*, for it encompassed both jurisdictional claims about sovereignty over church and state and an account of the geographical and commercial expansion of Charles II's kingdoms. Furthermore, although *Pax* did not present an unambiguously Hobbesian treatment of the origins or ecclesiastical powers of government, it paradoxically demonstrates how *Leviathan* proved surprisingly useful when outlining a vision of an imperial composite monarchy.

III⁸⁴

The haphazard process by which Britain's Atlantic empire was formed, now a commonplace of British imperial history, was attended by widespread metropolitan opposition to imperial expansion.⁸⁵ Many in seventeenth century England regarded the establishment of overseas colonies as a waste of the country's human and financial resources and doubted the capacity of the state to govern them effectively. Criticism of colonisation reached a high pitch in the early 1670s when the coincidence of war, plague and fire caused a serious economic crisis in England.⁸⁶ Coke's view that colonisation was a danger to England, argued in his *Church and State of England in Equal Danger* of 1671, has already been alluded to, and he developed his position with reference to lapses of religious discipline in Jamaica.⁸⁷ Bethel shared Coke's concern that colonisation was "a dammage" to the English "in the loss of their Inhabitants" and emphasised the logistical challenges of supplying distant islands "with men, monie, and necessaries."⁸⁸ The Cabal ministry responded to this criticism by centralising the government of plantations and colonies. In July 1670, the King commissioned a council of plantations to advise him on the business of colonial government. The council was instructed to examine the "state and condition" of the Crown's colonies and to correct "any neglect, or miscarriage"

⁸³ Francis Bacon, "Of the true Greatnesse of Kingdomes and Estates," in *The Essayes or Counsels, Civill and Morall*, ed. Michael Kiernan (Oxford, 1985), 98. On commerce and naval strength, see John Evelyn's *Navigation and Commerce, their Original and Progress* (1674), in *Miscellaneous Writings*, ed. William Upcott (London, 1825), 635.

⁸⁴ Sections III and IV develop sections of Matthew Ward, "'Thinking with Hobbes': Political Thought in Ireland, c.1660-c.1730" (PhD diss., University of Oxford, 2020), ch. 2.

⁸⁵ David Armitage, "Greater Britain: A Useful Category of Historical Analysis?" *The American Historical Review* 104, no. 2 (1999): 427-45, at 427.

⁸⁶ Barbara Arneil, "Trade, Plantations, and Property: John Locke and the Economic Defense of Colonialism," *Journal of the History of Ideas* 55, no. 4 (1994): 591-609.

⁸⁷ Coke, *Church and State of England in Equal Danger*, 25.

⁸⁸ Bethel, *The Present Interest of England Stated*, 32.

they might discover.⁸⁹ It was empowered to resolve disputes about colonial charters, challenge Governours that “oppressed” the King’s “Loving Subjects” in the colonies and to nullify the laws of colonial assemblies.⁹⁰ As secretary of the council, Slingsby was one of its most active members. After two productive years, the council merged with the council of trade which Slingsby served as an ordinary member.⁹¹ The combined council of trade and foreign plantations carried on the work of its predecessor until it was disbanded in 1674.

But the centralising direction of the Cabal’s imperial policy would seem to have concealed a debate within the ministry, played out in manuscripts and memoranda, about what a centralised empire should look like.⁹² Like the Cabal debate over foreign policy, this debate pitched Buckingham and Shaftesbury against Arlington.⁹³ Confirming a pattern identified by David Armitage in the discourse of the “British empire,” the debate about imperial government was continuous with an older debate about the commercial and constitutional relationships between the three kingdoms, the original “British empire” which England’s colonies expanded.⁹⁴ It came down to whether colonies could trade with each other, Ireland and Scotland, or with England exclusively, and therefore connected with contemporaneous debates about restrictions on Anglo-Irish trade, which also divided the Cabal.

Ashley and his associates, Benjamin Worsley foremost among them, conceived of the empire as a centripetal system with England at the centre. They argued that plantations ought to be for the “exclusive” benefit of England and supported navigation legislation which redirected colonial trade via English ports and deprived Ireland and Scotland of a share in it.⁹⁵ Ashley viewed Ireland as a particularly dangerous commercial rival. The Staple Act, passed in 1663 with Ashley’s support, removed Ireland from the list of places through which certain goods from the plantations had to pass before they entered domestic or foreign markets;⁹⁶ and the Cattle Acts, supported by Ashley and opposed by Arlington, restricted and eventually prohibited the importation of Irish cattle into England.⁹⁷ Ashley was responsible for convincing Charles to combine the councils of trade and plantations in 1672 and his influence

⁸⁹ “Instructions for the Council for Foreign Plantations, 1670-1672,” in Andrews, *British Committees*, Appendix II, 117-124.

⁹⁰ *Ibid.* Appendix II, 122.

⁹¹ The council of plantations met at least 145 times: Ralph Paul Bieber, “The British Plantation Councils of 1670-4,” *English Historical Review* 40, no. 157 (1925): 93-106, at 94.

⁹² Though historians of colonial administration have noticed the “movement for centralization” throughout the Restoration, the debate about the nature of this centralisation has been largely overlooked: Phillip Haffenden, “The Crown and the Colonial Charters, 1675-1688: Part II,” *The William and Mary Quarterly* 15, no. 4 (1958): 452-66; Michael J. Braddick, “The English Government, War, Trade, and Settlement, 1625-1688,” in *The Oxford History of Empire: British Overseas Enterprise to the Close of the Seventeenth Century, Volume 1*, ed. Nicholas Canny (Oxford, 1998), 298-300; Nuala Zahedieh, *The Capital and the Colonies: London and the Atlantic Economy, 1660-1700* (Cambridge, 2010), 27-54.

⁹³ Violet Barbour, *Henry Bennet, Earl of Arlington, Secretary of State to Charles II* (Washington, 1914), 176.

⁹⁴ Armitage, *Ideological Origins*, ch. 1.

⁹⁵ Benjamin Worsley, “The peculiar advantages which this Nation hath by the trade of our Plantations above any other,” 1668, Rawlinson MS, A478, fol. 65v, Bodleian Library, Oxford. See also Tim Harris, “England’s ‘little sisters without breasts’: Shaftesbury and Scotland and Ireland,” in *Anthony Ashley Cooper, First Earl of Shaftesbury, 1621-1683*, ed. John Spurr (Farnham, 2011), 183-205, at 188.

⁹⁶ Thomas M. Truxes, *Irish American Trade, 1660-1783* (Cambridge, 1988), 9.

⁹⁷ Carolyn A. Edie, “The Irish Cattle Bills: A Study in Restoration Politics,” *Transactions of the American Philosophical Society* 60, no. 2 (1970): 26-7.

over the direction of colonial policy increased thereafter.⁹⁸ Now the earl of Shaftesbury, Ashley replaced the earl of Sandwich as the president of the council and appointed Worsley secretary, depriving Slingsby of his job.⁹⁹ When Worsley refused to conform to the Test Act in 1673, he was replaced by Locke, Ashley's secretary and a member of his household since the mid-1660s.¹⁰⁰ As secretary, Locke did not express views on colonial trade as forcefully as Worsley, though there is reason to believe that he supported those of Worsley.¹⁰¹ We do know that Locke thought that England should treat the colonies like Ireland, and that Ireland was subject and subordinate to England.¹⁰² His 1691 response to a prolonged debate about interest rates, which incorporated a manuscript written in 1668, alluded to the advantages of the Cattle Acts.¹⁰³ He also campaigned for the prohibition of Irish woollen exports as a member of the board of trade in the late 1690s, a policy that was considered by the council of trade and foreign plantations when he was secretary.¹⁰⁴

Pax contains some of the most comprehensive evidence of the alternative vision of empire developed by Arlington and his associates. The author discussed imperial policy with reference to Jamaica, a colony which preoccupied the council in the early 1670s and whose short history demonstrated both the dangers and opportunities of colonisation. The island of Jamaica "had been wantonly filched from Spain by rebels to the English Crown," and Charles had promised its return on condition that Spanish forces helped him to regain his British kingdoms.¹⁰⁵ When he was restored without Spanish assistance, Charles reneged on his promise. Convinced of Jamaica's potential "for Trade and Commerce," he pursued policies to develop the island's plantation economy.¹⁰⁶ Over the course of the 1660s, however, Jamaica became increasingly reliant on privateers to protect itself from Spanish invasion and support its economy.¹⁰⁷ The Spanish weaknesses that the privateers exploited also opened up opportunities for France to replace Spain as the dominant power in the Caribbean.¹⁰⁸ Faced with this prospect, Arlington initiated a hasty rapprochement with Spain, marked in May 1667 by a treaty of "peace, alliance and commerce" and in July 1670 by the Treaty of Madrid.¹⁰⁹ But the arrangement, finalised in 1670, that England and Spain would respect each

⁹⁸ Andrews, *British Committees*, 106-107; Bieber, "British Plantation Councils," 100.

⁹⁹ "Journal of the Lords of the Committee for Trade and Foreign Plantations," Phillipps No. 8539, vol. II, 1-3.

¹⁰⁰ Ibid. 45-6. For Locke's involvement in the government of colonial America, see Mark Goldie, "Locke and America," in *A Companion to Locke*, ed. Matthew Stuart (Oxford, 2016), 67-9.

¹⁰¹ *Locke on Money*, ed. Patrick Hyde Kelly (Oxford, 1991), 2 vols, I, 6-7.

¹⁰² Thomas Leng, "Shaftesbury's Aristocratic Empire," in *Anthony Ashley Cooper, First Earl of Shaftesbury 1621-1682*, ed. John Spurr (Farnham, 2011), 119.

¹⁰³ John Locke, *Some Considerations of the Consequences of Lowering of Interest, and Raising the Value of Money*, in *Locke on Money*, ed. Kelly (Oxford, 1991), 2 vols, I, 289.

¹⁰⁴ Patrick Kelly, "The Irish Woollen Export Prohibition Act of 1699: Kearney re-visited," *Irish Economic and Social History* 7 (1980): 22-44, at 24, 27-28. For the discussion about prohibiting "the Importation of Woollen yarne out of Ireland," see "Journal of the Lords of the Committee for Trade and Foreign Plantations," 56.

¹⁰⁵ A. P. Thornton, *West-India Policy under the Restoration* (Oxford, 1956), 67.

¹⁰⁶ *A Proclamation for the encouraging of Planters in His Majesties Island of Jamaica in the West-Indies* (London: 1661).

¹⁰⁷ Swingen, *Competing Visions*, 75-81; for detailed discussions of privateering in Jamaica under Modyford, see Jon Latimer, *Buccaneers of the Caribbean: How Piracy Forged an Empire, 1607-1697* (London, 2009), chs 9-11, and Nuala Zahedieh, "'A Frugal, Prudential and Hopeful Trade': Privateering in Jamaica, 1655-89," *The Journal of Imperial and Commonwealth History* 18, no. 2 (1990): 145-68, at 145-157.

¹⁰⁸ Leng, *Benjamin Worsley*, 160.

¹⁰⁹ *European Treatises bearing on the History of the United States and its Dependencies*, ed. Frances Gardiner Davenport (Washington, D.C., 1929), 4 vols, II, iv.

other's possessions in the Caribbean, was violated flagrantly within months of its agreement by Sir Thomas Modyford, Jamaica's governor since 1664. His retaliation for a Spanish raid on northern Jamaica in June 1670 culminated in the destruction of Panama in 1671.¹¹⁰ Modyford returned as a prisoner to London where he remained incarcerated until 1674.¹¹¹

The episode certainly exposed the vulnerabilities of plantations and the inadequacies of their government. In its aftermath, officials were more candid about the condition of Jamaica. Among them was Sir Thomas Lynch, the lieutenant of governor of Jamaica since the autumn of 1670,¹¹² who took over from Modyford as *de facto* governor.¹¹³ Lynch complained to Arlington about both the condition of the church in Jamaica and the resistance among colonists to metropolitan authority.¹¹⁴ But Modyford's dismissal also presented an opportunity for those who remained committed to Charles's original vision of Jamaica's plantation economy. In the late 1660s, Worsley had suggested a programme of reforms which by increasing the population and therefore the trade of the Jamaica would convert privateers to planting; he may have been anticipating a change of regime.¹¹⁵ Following Modyford's dismissal, the case against privateering and for the maintenance of peace with Spain was revived by associates of Arlington with connexions to Jamaica, including Lynch;¹¹⁶ but their proposals for the development of Jamaica's plantation economy differed from Worsley's in a crucial respect. As we have seen, Worsley was in favour of a navigation system which regulated colonial trade to England's advantage, and his proposals for Jamaica reflected this position. They made use of a variety of mercantilist mechanisms to impel Jamaican planters to produce cocoa and indigo and to prohibit other English colonies from competing with them.¹¹⁷ Arlington's associates shared Worsley's belief in Jamaica's economic potential; Lynch's regular correspondence with the council of foreign plantations in the early days of his government tells of his enthusiasm for suppressing privateering, "the sickness of Jamaica," and expanding the plantation and logwood trades in its absence;¹¹⁸ under Lynch's government, Jamaica's sugar production increased significantly.¹¹⁹ But they also believed

¹¹⁰ Stephen Saunders Webb, *The Governors-General: The English Army and the Definition of the Empire, 1569-1681*, (Chapel Hill, 1979), 245-9; For Arlington's pro-Spanish diplomatic policy and the consequences for it of Modyford's actions, see Maurice Lee, *The Cabal* (Urbana, 1965), 115-16.

¹¹¹ Swingen, *Competing Visions*, 91-3. There is evidence that the Crown was planning to dismiss Modyford before the destruction of Panama. On Thursday 10 November 1670, the council was informed of the King's intention to revoke Modyford's Commission and the "disposing of the privateers" was also debated: "Journal of the Lords of the Committee for Trade and Foreign Plantations," 29.

¹¹² "Journal of the Lords of the Committee for Trade and Foreign Plantations," 10, 19.

¹¹³ Modyford's formal replacement, the Earl of Carlisle, stayed in England: Latimer, *Buccaneers of the Caribbean*, 205.

¹¹⁴ Sir Thomas Lynch to Lord Arlington, 29 November 1671, BL Add MS 11410, 410-412; TNA, CO 1/27/22.1, f. 43v.

¹¹⁵ Worsley referred cryptically to the importance of Jamaica having a prudent and eminent Governor: Worsley to Buckingham, "Discourse of the Privateers of Jamaica," undated, BL Add. MS 11410, 670. This MS is paginated; and we have followed other scholars in citing the page rather than folio numbers.

¹¹⁶ Lynch to Lord Arlington, undated, BL Add. MS 11410, 371-380, esp. p. 373; Mr Ball to Lord Arlington, 17 December 1671, BL Add. MS 11410, p. 442. For Lynch's connexion to Arlington see Webb, *The Governors-General*, 232.

¹¹⁷ Worsley, "Discourse of the Privateers," 671.

¹¹⁸ CSP Col., *America and West Indies, 1669-1674*, 339-41, 420, 425-7.

¹¹⁹ Dunn, *Sugar and Slaves: The Rise of the Planter Class in the English West Indies, 1624-1713* (Chapel Hill, 2000), 156-7, 168-9.

that Jamaica's potential would not be realised within the present navigation system which, for Lynch, represented the "greatest obstruction" to Jamaica's trade.¹²⁰

Pax contained the most comprehensive, if not the most cogent, statement of the ambitions for Jamaica held by associates of Arlington. Though he acknowledged the popularity of the "late Governor" amongst Jamaican planters and city merchants,¹²¹ the author called for Modyford's execution if guilty of the charges against him;¹²² and though he opposed proposals to invite Dutch and Jewish planters to Jamaica,¹²³ which Lynch supported,¹²⁴ and was rather more sanguine than Lynch about "piracy,"¹²⁵ the author certainly favoured expanding Jamaica's plantation trade. He was concerned particularly to promote Jamaica's trade in cocoa and set out an ambitious programme for the expansion of the island's cocoa plantations in chapter 17. This policy, said the author, agreed with Francis Bacon's advice for the development of plantations, and he leaned on Bacon to refute the "objection" that plantations were "destructive to the Stocke of the nation" and encouraged prodigal consumption.¹²⁶ Though the author did not name his adversary here, he referred elsewhere to "that painfull discourse of Mr Coke": *Church and State of England in Equal Danger*.¹²⁷ Alongside Bacon himself, *Pax* also recruited Bacon's acolytes in the Royal Society to the case for plantations;¹²⁸ and it padded out its programme for cocoa planting with statistical predictions in the style of Petty.¹²⁹ The Royal Society's interest in the colonies was mainly natural historical, but throughout the seventeenth century it also became interested in studying the enslaved African people on whom the development of monocultural agriculture in Jamaica depended.¹³⁰ *Pax* had offered a characteristically convoluted justification of slavery in chapter 4. There, it extolled the benefits of what it termed a "Dominion of Slaues and villeins" in the Middle Ages, which had the economic and political advantages of creating "Industrious Bees" and "Innocent sheepe" rather than "Idle and Imperious" men.¹³¹ Clearly conscious of objections to slavery, the author defended the practice as compatible with Christianity and similar in crucial respects to indentured servitude.¹³²

¹²⁰ Lynch to Lord Arlington, 29 November 1671, BL Add. MS 11410, 429.

¹²¹ *Pax*, 337.

¹²² *Pax*, 447-8.

¹²³ *Pax*, 297.

¹²⁴ *CSP Col., America and West Indies, 1669-1674*, 298.

¹²⁵ *Pax*, 126-7.

¹²⁶ *Pax*, 341.

¹²⁷ *Pax*, 309.

¹²⁸ *Pax*, 336. The author seems to refer to the publication of material relating to the natural history of American colonies in *Philosophical Transactions* 8, no. 93 (1673).

¹²⁹ *Pax*, 338-339.

¹³⁰ Mark Govier, "The Royal Society, Slavery and the Island of Jamaica: 1660-1700," *Notes and Records of the Royal Society* 53, no. 2 (1999): 203-217.

¹³¹ *Pax*, 90-5. The numbers of enslaved people in Jamaica rose sharply from the late 1660s: Dunn, *Sugar and Slaves*, 154-5, 157, 167-70, 237. *Pax*'s author was probably writing just before rebellions of those enslaved people began there: *ibid.*, 256, 259-60, 161. The idea of involuntary labour solving the problem of idleness was also suggested by the Royal Fishing Company's Charter of 1664: Govier, "Royal Society," 206.

¹³² Jamaica experienced an influx of English servants in the 1660s, but they had quite distinct legal rights from enslaved people, who were governed by a separate legal system: Dunn, *Sugar and Slaves*, 239-40; Diana Paton, "Punishment, Crime, and the Bodies of Slaves in Eighteenth-Century Jamaica," *Journal of Social History* 34, no. 4 (2001): 923-54, esp. 926-8.

Pax also approached the problem of Jamaica's economic renewal as a problem of imperial economic policy, however, and explained the advantages of "freedom of Trade & [sic] Commerce" with reference to the Treaty of Madrid.¹³³ Given the restrictive nature of the navigation system, and the imminent imposition of further restrictions on inter-colonial trade, one might have expected its author to have criticised this system as Arlington's other associates had.¹³⁴ But though he seems to have shared these criticisms, he was constrained from expressing them directly by his role in government alongside Ashley. Indeed, the problem of imperial economic policy was responsible for the most striking examples of "triangulation" and contradiction in *Pax*. Initially, the author endorsed the existing trade and navigation legislation, including the Acts "against importinge Cattell" into England.¹³⁵ Later, however, he attacked the Cromwellian legislation on which the Restoration navigation system was based and decried the injustice of the Cattle Acts.¹³⁶

Without seeking to resolve these contradictions on the author's behalf, we may still be able to ascertain his objectives in relation to imperial trade by considering his political context. It seems likely, given his connexion to Arlington, that his initial move was intended as cover for the latter, and the character of his criticism of the navigation system supports this supposition. In other works connected to Arlington, Hobbes and Petty had addressed the iniquities of this system by arguing about the principles of subjecthood and sovereignty in composite monarchies and island empires. *Pax* employed the same strategy and engaged with Hobbes as it did so. Incoherent though it was on policy, *Pax*'s account of imperial citizenship was coherent in its engagement with Hobbes. As we have seen, the reverse was true of *Pax*'s account of ecclesiastical authority. This difference might reflect the nature of the debate about imperial trade under the Cabal. The contours of the debate were fluid, and insofar as they were discernible, they had to be negotiated carefully. As an associate of Arlington, *Pax*'s author had to advance his objectives in relation to imperial trade without antagonising Shaftesbury, who now determined the direction of imperial policy. Paradoxically perhaps, the author would serve these objectives best by fudging his position on individual trade policies while developing an account of imperial citizenship that supported multilateral trade within the empire.

IV

Although it was usually imprudent to invoke Hobbes's authority in political advice, *Pax*'s author had good reasons to believe that Arlington would be receptive to a Hobbesian account of imperial citizenship. Arlington was Hobbes's most important connexion in government in the Restoration and received the dedications of two of Hobbes's works in the late 1660s, a work of geometry and *Behemoth*, a dialogue history of the Civil Wars, both of which referred to offices that Arlington had performed for Hobbes.¹³⁷ There has been some debate about the

¹³³ *Pax*, 120-21.

¹³⁴ Parliament severely restricted "inter-colonial trade" in 1673: E. E. Rich, "The First Earl of Shaftesbury's Colonial Policy," *Transactions of the Royal Historical Society* 7 (1957): 47-70, at 67-8.

¹³⁵ *Pax*, 121.

¹³⁶ *Pax*, 308-309.

¹³⁷ Thomas Hobbes, *Behemoth, or, The Long Parliament*, ed. Paul Seaward (Oxford, 2010), 2, 6, 106.

nature of these offices and what they tell us about the political agenda that Hobbes pursued through his relationship with Arlington under the Cabal; but most historians have concentrated on Hobbes's agenda in the politics of religion.¹³⁸ As Paul Seaward has shown, some of the clearest evidence of Hobbes pursuing a political agenda through his relationship with Arlington relates to the politics of imperial citizenship.¹³⁹ In *Behemoth*, Hobbes engaged with the debates about the common law rights of Scots in England that followed James VI and I's failed attempt to unite "the Scotch and English ... into one People" after the Union of the Crowns of 1603. These debates culminated in Sir Edward Coke's judgement in Calvin's Case that only Scots born after the Union enjoyed these rights. Hobbes rejected Coke's judgement. Though it was purportedly "grounded in Equity," Hobbes could "see little Equity in this that those Nations that are bound to equal Obedience to the same King, should not have Equal Privileges." For Hobbes, "Equity" was a law of a nature which demanded that subjects of the same commonwealth be treated equally.¹⁴⁰ These words were timely. Between 1667 and 1669, during which time *Behemoth* was completed, the Crown, with the enthusiastic support of Arlington, attempted to secure firstly a free trade agreement and secondly a parliamentary union between England and Scotland.¹⁴¹

Hobbes's remarks about imperial citizenship in *Behemoth* were founded in two key concepts of his political theory: that of the "people" and that of "conquest." *The Elements of Law* defined the "people" in strictly juridical terms. Though it was used improperly to describe "a number of men, distinguished by the place of their habitation," it signified properly "a person civil ... in the will whereof is included and involved the will of every one in particular."¹⁴² The "people" was "virtually contained in the body of the commonwealth" and was thus coterminous with it. Hobbes's concept of "conquest" cohered with his concept of the "people." *Leviathan* defined "conquest" as the "Acquisition ... of a Right" over a subjugated person by either his explicit or tacit consent.¹⁴³ It denoted the incorporation of this person into the conquering sovereign's commonwealth and the "people" with which it was coterminous. This definition established the sovereign's absolute right over those he had conquered; but, in doing so, it also established the equality of conquered and non-conquered subjects. Noel Malcolm suggests that Hobbes developed his account of conquest with an eye to reassuring the exiled Stuart court that a royalist conquest of England from Scotland, the strategy for restoring the Stuart monarchy favoured by Hobbes's allies at court, (including Arlington, then Bennet), would not result in the oppression of the English.¹⁴⁴ Chapter 20 of *Leviathan* warned "a Monarch of divers Nations" that "to demand more" of his conquered nations than his others "from the title of Conquest" was "an act of ignorance of the Rights of Sovereignty."¹⁴⁵ *Leviathan* also endorsed the Roman practice of extending to the conquered

¹³⁸ See, for example, Richard Tuck, "Hobbes and Locke on Toleration," in *Thomas Hobbes and Political Theory*, ed. Mary G. Dietz (Lawrence, Kansas, 1990), 159, and Philip Milton's response to Tuck in Milton, "Hobbes, Hersey and Arlington," 153-71.

¹³⁹ Hobbes, *Behemoth*, 48-50.

¹⁴⁰ Hobbes, *Leviathan*, II, 236.

¹⁴¹ Hobbes, *Behemoth*, 48-9.

¹⁴² Hobbes, *The English Works of Thomas Hobbes of Malmesbury*, ed. Sir William Molesworth (London, 1840), 11 vols, IV, 145-147.

¹⁴³ Hobbes, *Leviathan*, III, 1134

¹⁴⁴ Hobbes, *Leviathan*, I, 33-5.

¹⁴⁵ Hobbes, *Leviathan*, II, 314.

“not onely the Privileges, but also the Name of Romans” and praised James VI and I for emulating the Romans “in endeavouring the Union of his two Realms of England and Scotland.”¹⁴⁶

The Cabal ministry resurrected the policy of Anglo-Scottish union in the late 1660s, and Hobbes repeated his case for it in *Behemoth*. But the concepts on which Hobbes’s case was based could also be applied to debating the Cabal’s other imperial policies; and they were particularly applicable to promoting the positions that Arlington and his associates adopted in these debates. In 1673, Arthur Capell, Earl of Essex, the Lord Lieutenant of Ireland, received a “Report from the Council of Trade in Ireland” composed by Petty, which found its way subsequently to Arlington and Locke.¹⁴⁷ The “Report” can be identified politically with Arlington and Essex especially, the latter of whom was a leading opponent in government of restricting trade between Ireland and the colonies.¹⁴⁸ In the “Report,” Petty called for the restoration of this trade, the repeal of the Cattle Acts and a union between England and Ireland.¹⁴⁹ Petty’s proposals in the “Report” were born of a vision of empire that he had developed recently in two manuscript treatises, *The Political Anatomy of Ireland* and *Political Arithmetick*. Petty once announced with characteristic bluff that “The Words Sovereignty & Empire doe signify as Large a Power as Mr Hobbs attributes to his Leviathan.”¹⁵⁰ Though Petty did not engage explicitly with other authors in *Political Anatomy* and *Political Arithmetick*, there is evidence that he engaged with Hobbes to develop a vision of empire as a single polity with a single system of multilateral trade. For Petty, only this sort of empire could be defended against the objection, which Petty clearly summarised from Coke’s *Church and State in Equal Danger*, that an empire was of “no Advantage” to the “Crown.”¹⁵¹ Petty spoke of an imperial “People,” of which he conceived of imperial “Councils” as representative institutions of government,¹⁵² and he argued that Anglo-Irish union was the proper consequence of England’s conquest of Ireland.¹⁵³ In *Pax*, another associate of Arlington engaged explicitly with Hobbes to develop a similar vision of empire.

Having accounted for the origins of the commonwealth, *Pax* turned in chapter 15 to the problem of its government. Here, despite its earlier deviations from Hobbes, it described the commonwealth without reservation as the “great Leviathan.”¹⁵⁴ The perennial problem of “Holdinge the commonwealth together” had been complicated by the steady expansion of trade, which was now as “boundlesse as the Sea.” The commonwealth had been rendered increasingly dependent on international and colonial trade and its territorial extent had been increased by the addition of several diffuse dominions. It might seem surprising that *Pax*

¹⁴⁶ Hobbes, *Leviathan*, II, 304.

¹⁴⁷ Sir William Petty, *The Economic Writings of Sir William Petty*, ed. Charles Henry Hull (Cambridge, 1899), 2 vols, I, 212. Arlington’s copy is in TNA, SP 9/2/2, RSL MS Classified Papers XVII, item 18. Locke’s copy is in “Locke’s 1661 Notebook,” 1673, MS Film 77, ff. 220-231, Bodleian Library, Oxford. Locke’s copy is attributed incorrectly to Worsley by Leng: *Benjamin Worsley*, 169.

¹⁴⁸ Essex to Arlington, 26 October 1672, in *Essex Papers, Vol. 1, 1672-1679*, ed. Osmund Airy (London, 1890), 36, cited in Truxes, *Irish American Trade*, 10.

¹⁴⁹ Petty, *Economic Writings*, I, 219-21.

¹⁵⁰ Sir William Petty, “Essay on the King’s right to the dominion of the seas,” BL, Add. MS 72865, f. 119r.

¹⁵¹ Petty, *Economic Writings*, I, 242, n. 4.

¹⁵² Petty, *Economic Writings*, I, 298.

¹⁵³ Petty, *Economic Writings*, I, 300.

¹⁵⁴ *Pax*, 288.

should return to Hobbes's theory in its discussion of trade. Hobbes has acquired a reputation as "uncommercial": for Istvan Hont, his claim that the commonwealth was the exclusive site of human sociability was belied by the experience of "commercial society" and repudiated by political economy.¹⁵⁵ As the author of *Pax* saw it, however, international trade and "Correspondence" depended on the prior establishment of an "Imperial Jurisdiction" by which "our Lives are made sociable."¹⁵⁶ This Hobbesian thought was followed by a sustained engagement with Hobbes on the issue of how this jurisdiction should relate to both its trade and its subjects, now that both were spread across the globe.

Hobbes recognised the importance of international trade to "public safety."¹⁵⁷ Even Hont acknowledges this. For Hont, however, Hobbes's approach to trade was that of a mercantilist: he claims that Hobbes was in favour of a "regulated or command economy" governed by the "Body Politique of Merchants" that Hobbes described in chapter 22 of *Leviathan*.¹⁵⁸ In fact, when Hobbes referred to a "Body Politique of Merchants" he referred to a joint stock trading company, or corporation, like the Virginia Company of which he had been a member.¹⁵⁹ In keeping with his wider approach to corporations, moreover, he did not discuss them sympathetically. The legal discourse of corporations was a crucial conceptual resource for Hobbes. The idea that a corporation was a legal person with a single will inspired his definition of the commonwealth itself.¹⁶⁰ In borrowing from corporate discourse to define the commonwealth, however, Hobbes also disabled the aspects of the discourse that might subvert his concept of the commonwealth. During Hobbes's lifetime, corporations "began to enjoy an independent authority" as "mediators" between subjects and their rulers;¹⁶¹ trading companies, by virtue of operating outside the English realm, enjoyed "many of the legal rights that had traditionally defined the nature of sovereignty."¹⁶² In chapter 22 of *Leviathan*, Hobbes characterised corporations in such a way as to emphasise their subordination to the "Sovereign Power" of the commonwealth, the only corporation that was "*Absolute, and Independent.*"¹⁶³ When he considered trading companies later in the chapter, Hobbes focused on the damaging economic consequences of corporate privilege. He complained that "a Company incorporate for any particular forraign Country" enjoyed a "double Monopoly, whereof one is to be sole buyers; another to be sole sellers," to the disadvantage of producers and consumers, foreign as well as domestic.¹⁶⁴ Hobbes's alternative trade policy was expressed more clearly in the 1668 Latin edition of *Leviathan*

¹⁵⁵ Istvan Hont, *Jealousy of Trade: International Competition and the Nation-State in Historical Perspective* (Cambridge, 2005), esp. 17-21 and 182-184.

¹⁵⁶ *Pax*, 134.

¹⁵⁷ Tom Sorell, "Hobbes, Public Safety and Political Economy," in *International Political Theory after Hobbes. Analysis, Interpretation and Orientation*, eds. Raia Prokhovnik and Gabriella Slomp (Basingstoke, 2010), 42-55, at 50-52.

¹⁵⁸ Hont, *Jealousy*, 18.

¹⁵⁹ Hobbes, *Leviathan*, II, 364.

¹⁶⁰ Hobbes, *English Works*, IV, 207.

¹⁶¹ Henry S. Turner, *The Corporate Commonwealth: Pluralism and Political Fictions in England, 1516-1651* (Chicago, 2016), 88.

¹⁶² Idem, "Corporations: Humanism and Elizabethan Political Economy," in *Mercantilism Reimagined: Political Economy in Early Modern Britain and Its Empire*, ed. Philip J. Stern and Carl Wennerlind (Oxford, 2013), 153-176, at 167.

¹⁶³ Hobbes, *Leviathan*, II, 348.

¹⁶⁴ *Ibid.*, II, 362-364.

than it was in the English edition of 1651. He supported incorporating companies for selling “merchandize outside their own commonwealth” but argued that both export and import trades within the commonwealth should be free.¹⁶⁵ More than has been appreciated, Hobbes favoured liberating trade; and in an economy dominated by corporate monopolies, free trade depended on sovereignty.

Broadly speaking, *Pax*'s author shared Hobbes's views on trade. He argued both that trade should be free: “restraint cuts off the ends of its institution,”¹⁶⁶ and that state “Regulation” of trade was necessary to ensure that it was free, for merchants were liable to damage trade pursuing their “private Interest.”¹⁶⁷ For *Pax*'s author, however, merchants were less likely to behave in this way if they were incorporated into trading companies. For Hobbes, of course, trading companies only encouraged such behaviour. In chapter 15 of *Pax*, the author proposed establishing a company to challenge the Spanish monopoly on the Canary Island wine trade which increased prices for consumers in England.¹⁶⁸ This was not a novel proposal: the Canary Company had been incorporated in 1665 for the express purpose of reducing the price of wine in England but was dissolved within two years.¹⁶⁹ The author engaged with Hobbes as he developed his proposal, referring to that “which Mr Hobbs calls a Double Monopoly,” but it was not an altogether positive engagement.¹⁷⁰ He argued that trading companies should be granted a “Double Monopoly” if they were incorporated in London in recognition of the city's “Antient” record of good government. But though *Pax*'s author differed from Hobbes on what rights companies should be granted, he agreed with Hobbes that companies depended for their rights on the sovereign. Corporate privilege was a recurring theme of *Pax*. The author praised the Crown for its efforts to “regulate all bodies politiq” by reviewing their charters and purging them of Cromwellians;¹⁷¹ but he was concerned especially with “keeping order and discipline” in trading companies: if their members were “Refractory & Troublsome the magistrate must master them.”¹⁷²

Hobbes's discussion of trading companies in *Leviathan* accounted for the government of colonies as well as the regulation of trade.¹⁷³ Though the Crown appointed committees for plantations from the 1620s onwards, they were only “temporary” and not as powerful as the councils of trade and plantations appointed under the Cabal.¹⁷⁴ Hobbes's account of colonial government was rendered somewhat obsolete by the appointment of these councils; as *Pax*'s author recognised, the “Commissioners for Foreigne plantations” and the “council of trade” constituted new “platformes of regulation,” over and above the trading companies.¹⁷⁵ *Pax*'s author continued to engage with Hobbes when he turned to colonial government; as we have

¹⁶⁵ Ibid, II, 364, n. 66.

¹⁶⁶ *Pax*, 310.

¹⁶⁷ *Pax*, 293.

¹⁶⁸ *Pax*, 292.

¹⁶⁹ Caroline A. J. Skeel, “The Canary Company,” *The English Historical Review* 31, no. 124 (1916): 529-44, at 533.

¹⁷⁰ *Pax*, 293.

¹⁷¹ *Pax*, 121. Paul Halliday discusses these efforts in *Dismembering the Body Politic: Partisan Politics in England's Towns, 1650-1730* (Cambridge, 2009), 85-92.

¹⁷² *Pax*, 342.

¹⁷³ Hobbes, *Leviathan*, II, 358-60.

¹⁷⁴ McLean, *British Committees*, 14-23.

¹⁷⁵ *Pax*, 121, 293-4.

seen, he described the empire as “the great Leviathan.” But he engaged not with *Leviathan’s* account of colonial government but with its broader account of subjecthood and sovereignty, with which its account of colonial government did not cohere as rigorously as it might have done. Hobbes spoke of colonies as constituting separate “Provinces” which, by virtue of being placed under the control of trading companies, were governed separately and differently from the metropole.¹⁷⁶ As Arash Abizadeh has pointed out, when Hobbes discussed the relationship between Rome and Judea, a metropolitan-provincial relationship, he contradicted his concept of the “people” as coterminous with the commonwealth.¹⁷⁷ The centralization of imperial government under the Cabal allowed *Pax’s* author to apply what Abizadeh describes as Hobbes’s “official” account of subjecthood and sovereignty to colonial contexts. By virtue of this policy, “men when they be most remote, may continue both good subjects and good Christians.”¹⁷⁸ Within the “great Leviathan,” a colonial subject’s geographical distance from the metropole had no bearing on his duty of obedience to the sovereign.

But *Pax’s* author did not employ Hobbes’s account of subjecthood and sovereignty only to defend the centralization of imperial government; he employed it also to argue that a centralized empire should be an “incorporated” one, in which subjects within and without the metropole enjoyed the same privileges.¹⁷⁹ This principle had informed Hobbes’s endorsement of Anglo-Scottish union in both *Leviathan* and *Behemoth*; in *Behemoth*, Hobbes explained the principle in terms of “Equity.” *Pax’s* author adopted Hobbes’s account of “Justice and equity and the other secondary Lawes of Nature” during his lengthy discussion of natural law and returned to it to develop his vision of an “incorporated” empire.¹⁸⁰ The author endorsed “the Intended Union with Scotland” to guarantee “freedom of Trade and Commerce” and recalled the “Injurious” consequences of Cromwell’s “Lawless Law of prohibiting commerce between England and Scotland.”¹⁸¹ But he also applied Hobbes’s “secondary Laws of Nature” to England’s relationship with Ireland and colonies when he began to demur from the imperial policies supported by Ashely. The author criticised the Cromwellian legislation that reserved the plantation trade for English merchants (though neglected to mention that it had been readopted at the Restoration), and argued that it would be “just and equitable” to repeal restrictions on Irish trade, including the Cattle Acts.¹⁸² The author spoke of a single “people of great Britaine,” inclusive of the Irish, and called for a “Treble League” of the “three kingdoms” to represent its interests.¹⁸³ Strikingly, at the particular moment he was writing, critical engagement with Hobbes seemed to offer a way of advocating a policy of multilateral imperial trade within the Stuart empire.

¹⁷⁶ Hobbes, *Leviathan*, II, 358-60.

¹⁷⁷ Arash Abizadeh, “Sovereign Jurisdiction, Territorial Rights, and Membership,” in *The Oxford Handbook of Hobbes*, eds. Al P. Martinich and Kinch Hoekstra (Oxford, 2016), 97-432, at 425-6; cf. Hobbes, *Leviathan*, II, 298.

¹⁷⁸ *Pax*, 335.

¹⁷⁹ *Pax*, 289.

¹⁸⁰ *Pax*, 189.

¹⁸¹ *Pax*, 121, 308.

¹⁸² *Pax*, 308-310.

¹⁸³ *Pax*, viii.

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Pax's quite sudden transitions from broad issues in political philosophy to specific questions of public policy remind us how imperative it is to consider both the institutional and linguistic contexts of this text. To fathom how it could be created, we need to understand the political strategies that lay behind it, even if it is ultimately unclear whether the result was a brilliant essay in political obfuscation or a discursive muddle. Political circumstances and the author's institutional position provided him with the occasion and motivation to write, while the era in which he worked offered him the conceptual resources of royalism, Hobbism, natural jurisprudence, *imperium*, and emerging political economy to draw on; together, these generated an inchoate but not incomprehensible text. In this regard *Pax* is revealing. It was written, it seems, by a policymaker who assembled a strange and discordant chorus of philosophical voices to address a series of policy debates which he was directly involved in *and* still thinking about. Atypical though it may seem, it reminds us that some officeholders had a political vision and conceptual awareness and did not simply act as "pragmatic" proto-bureaucrats. It also suggests the importance of paying attention to the less adept of our sources. Rather than dismissing *Pax* as a "failed" attempt to think coherently, we should therefore exploit the potential it offers us to listen in on arguments as they were being formed, and to capture the rather bewildering cacophony of political languages that the contemporaries of Hobbes and Locke would have heard and, occasionally, tried to deploy.

Pax was a failure, but not in the way that might initially appear. Its impressive ambition and range produced discursive contortions that show its limitations as a piece of political thinking, but these were not its main flaw. Rather, it failed as a piece of policy advice. Proposing policy was a particular way of political thinking being political action, needing a specific skill-set. Policy memoranda should be crisp, concise, and direct; offering pithy summaries of a position, with a recommendation and rationale. *Pax*'s author did not need to be a better philosopher; he needed to learn the art of bullet points. Nevertheless, if his aspirations outran his achievement, his work is still important. *Pax* provides a window onto the intellectual hinterland of the junior policymaker, the record of which survives primarily in manuscripts and memoranda. Though often fragmentary, incoherent, and incomplete, it is these sources that show how political languages translated into policymaking. Engagement with them provides a crucial opportunity for historians of politics and political thought to understand the relationship between political ideas and political action in the Restoration – and beyond.