

Hobbes, Empire, and the Politics of the Cabal: Political Thought and Policy Making in the Restoration

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Abstract This article explores a sizable and largely unknown manuscript treatise from the 1670s, “Pax et Obedientia,” which discusses the Civil Wars, trade, the origins of government, toleration, plantations (especially Jamaica), and the royal supremacy, embedding within it a distinctive engagement with Hobbes and a particular vision of imperial composite monarchy. This first analysis of what “Pax” said, who wrote it, and why he did so in the way that he did nuances the present understanding of Restoration debates over a centralizing empire; it reveals the different forms that policy makers thought that empire might take, while also capturing a moment of transition between different meanings of *imperium*. The anonymous author’s engagement with Hobbes further suggests how questions that later fell into the realm of political economy were discussed at the time, using the language of natural jurisprudence. In demonstrating the methodological necessity of utilizing both linguistic and institutional contexts, the authors argue that the apparent incoherence of “Pax” reflects an essential although ineptly executed strategy on the part of its author. Inchoate though the manuscript is, it offers a significant opportunity to understand the intellectual world of junior members of the government and to reconsider the intersection of political thinking and political action.

Among the works dedicated to Charles II’s principal secretary of state, Henry Bennet, Earl of Arlington, is a sizable manuscript treatise titled “Pax et Obedientia.”¹ Now in the Beinecke Library at Yale University, it is bound in reversed calf, measures 30 by 20 centimeters, and runs to 428 pages, comprising twenty-one chapters accompanied by a dedicatory epistle, preface, and epilogue, along with a design for an elaborate frontispiece. The full title declares

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¹ MS Osborn fb234, Beinecke Library, Yale, epistle dedicatory; a. The manuscript (hereafter referred to as “Pax”) 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 the “a” in a paler shade), 76–136, 163 (corrected to 137), 138–342, 243–44 (i.e., 343–44), 345–421, and a blank side. The size is taken from the Yale University Online Catalogue, <http://hdl.handle.net/10079/bibid/7041807>.

the work to be “An Antidote against Rebellion Settinge Forth The Vnreasonable-nesse 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 Inconueniences that Arise from Warre and Disobedience.” The “Remedies” it offers range widely. “Pax” discusses the causes and impact of the recent Civil Wars (chapters 1–4), the nature of man and the origins of government and property (chapters 6–13), and 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).

This “Little Treatise,” of which Arlington was asked to be a “Tutelary Angell,” amounts to nearly a quarter of a million words, making it a sizable work of Restoration political theory. Yet scholars have paid only 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 the text difficult to discern. Its 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 to the extent that it can be tempting to dismiss what the author called “Ammunition” as mere speculative shrapnel, scattered around a text too sprawling and diffuse to merit serious analysis.³

We argue, however, 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 17 refers to a “Late booke” printed in 1672 and Arlington was impeached in January 1674 (although he held the secretaryship until September).⁴ “Pax” therefore emerged from the politics of the Cabal ministry, whose five leading and eponymous 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 quarreled 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, Thomas Hobbes penned several significant works,

² Discussed in the following: Jacqueline Rose, “Royal Ecclesiastical Supremacy and the Restoration Church,” *Historical Research* 80, no. 209 (2007): 324–45, at 328–30; Matthew Ward, “Thinking with Hobbes’: Political Thought in Ireland, c.1660–c.1730” (PhD diss., University of Oxford, 2020), chap. 2. Mentioned in the following: 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 Kapossy, Isaac Nakhimovsky, and Richard Whatmore (Cambridge, 2017), 20–43, at 36n76; 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), 322–61, at 351n90.

³ “Pax,” xxiii.

⁴ “Pax,” 338; Richard Blome, *A Description of the Island of Jamaica: with the other isles and territories in America* [...] (London, 1672); Edward Arber, ed., *The Term Catalogues, 1668–1709 A.D.: With a Number for Easter Term, 1711 A.D.*, 3 vols. (London, 1903–1906), 1:96 (7 February 1671/72); Arlington: Alan Marshall, s.v. “Bennet, Henry, First Earl of Arlington (bap. 1618, d. 1685), Politician,” *Oxford Dictionary of National Biography Online*, 3 January 2008, <https://doi.org/10.1093/ref:odnb/2104>.

a popular image of “Hobbism” was formed,⁵ and John 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 theorizing. This was the milieu in which “Pax” was produced and in which, as we argue, 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 centralizing British and Irish monarchy, what sort of citizenship the members of this composite state held, and how political relationships could be stabilized 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. Our exploration of the work 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 policy makers to consider the political economy of empire. In this way, “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

CONTEXTS AND AUTHORSHIP

“Pax” deserves to be described as incoherent, but it does not deserve to be neglected because of that 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 to 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

⁵ Jon Parkin, *Taming the Leviathan: The Reception of the Political and Religious Ideas of Thomas Hobbes in England, 1640–1700* (Cambridge, 2007), chap. 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 conceptualizing those relationships differed from some of the examples that 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 chap. 6.

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

proposed his alternative method of interpreting political theory as a type of political act, an understanding of which would result not from a search for “coherence” but from identifying the author’s linguistic or discursive contexts and authorial intentions within these contexts.⁸ One of the many salutary effects of Skinner’s intervention was to broaden the range of texts 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 not attained by many authors involved in what might be commonly termed political practice.

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 absolutely impossible to interpret.¹⁰ But also implicit in his method is a preference for another type of coherence. 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 increase. 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, exhibits neither of these types of coherence. It contradicts itself straightforwardly on one of the key political issues it addresses, and its behavior in fields of discourse is erratic and indeterminate—as is shown below, its author contorts the text so that it advances multiple propositions that never coalesce into an identifiable or compelling whole.

However, the qualities that make “Pax” so unattractive to many historians of political thought may be less of a deterrent to historians of political action. Indeed, its argumentative gymnastics may prove crucial to understanding it. For what appears to be inconsistency or incoherence when assessed as a piece of political theorizing looks more intelligible when considered as an intervention in the policy debates that characterized the Cabal ministry. The dedicatory epistle to Arlington and the support for the “present Government”¹² the manuscript expresses are not the only reasons to view “Pax” as such an intervention. It also contains detailed discussions of contemporary religious, economic, and imperial policies and takes up positions on them. Admittedly, its comments on specific policies do 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 the manuscript’s policy discussions, at once detailed and indeterminate, suggests that the author was involved in a junior

⁸ Skinner, “Meaning and Understanding in the History of Ideas,” 45–48.

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), 50–72, at 54.

¹⁰ Quentin Skinner, “Interpretation, Rationality and Truth,” in *Visions of Politics*, vol. 1, *Regarding Method* (Cambridge, 2002), 27–56, at 54–56.

¹¹ Annabel Brett, “What Is Intellectual History Now?,” in *What Is History Now?*, ed. David Cannadine (Basingstoke, 2002), 113–31, at 127.

¹² Denoted in the full title of “Pax.”

capacity in the policy-making process. In “Pax,” a political actor attempts to use political thought to advance his objectives in the field of political action and consequently voices a variety of political languages when adopting a plethora of disparate positions. Ultra-royalist, advocating religious intolerance, the text proclaims a willingness to engage with Hobbes’s ideas, echoing while diverging from them at critical points; furthermore, it surrounds this natural jurisprudential discussion with a discourse on the economy, trade, and plantations that takes a stance on a debate within the Cabal. Strikingly, the most Hobbesian parts of the work are those that analyze economic and imperial policies and citizenship within this imperial composite monarchy rather than those that attempt 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 policy maker 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” offers. 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 an admirer of Hobbes who had offered to translate *De cive* into English in the 1640s.¹³ Evelyn, a fellow of the Royal Society who read Hobbes closely in the 1670s,¹⁴ 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*.¹⁵ Benjamin Worsley served on Interregnum and Restoration councils of trade; William Petty, though less successful in obtaining office in the Restoration, advised officials informally.¹⁶ The nexus of informal counselors to the Cabal 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 1673.¹⁷

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

¹³ Parkin, *Taming the Leviathan*, 36.

¹⁴ Parkin, 342–43.

¹⁵ 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.

¹⁶ 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; see 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, a role in which he came into conflict with Petty, who was appointed to conduct the Down Survey of Ireland; see Ted McCormick, *William Petty and the Ambitions of Political Arithmetic* (Oxford, 2009), 95–106. For Petty’s advice, see below, at note 150.

¹⁷ Mordechai Feingold, s.v. “Stubbe [Stubbes, Stubbs], Henry (1632–1676),” *Oxford Dictionary of National Biography Online*, 3 January 2008, <https://doi.org/10.1093/ref:odnb/26734>.

of Arlington, who resided in London but also had connections to or interests in Jamaica and Ireland,¹⁸ 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."¹⁹ He was keen to experiment with various literary and visual media, including poetry and engraving. His style also suggests that, in addition to being well informed, he 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,²⁰ and its journal and papers reveal that during a tumultuous episode in the island's politics that "Pax" addresses, Slingsby became a key intermediary between the crown and its governors in Jamaica.²¹ 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 1668.²²

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 favor the argument of Thomas Mun that exporting bullion augments rather than depletes its value,²³ an argument that is invoked in "Pax" in favor of colonization.²⁴ Slingsby also had familial connections that correspond to certain features of "Pax." His family's much-tested commitment to the Stuart monarchy corresponds

¹⁸ 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.

¹⁹ "Pax," 164.

²⁰ "Instructions for the Council for Foreign Plantations, 1670–1672," printed in Charles McLean Andrews, *British Committees, Commissions, and Councils of Trade and Plantations, 1622–1675* (Baltimore, 1908), appendix 2, 117–24, 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.

²¹ Slingsby was responsible for communicating with Sir Thomas Lynch, an official in Jamaica favored by Arlington; Lynch became de facto governor in 1671 following Sir Thomas Modyford's dismissal; "Council for Foreign Plantations, Journal, 1670–1686," 3 vols., Library of Congress, Phillips no. 8539, 1:84–85.

²² Slingsby seems to have leased the Earl of Bristol's House on Queen's Street; see John Evelyn, *The Diary of John Evelyn*, ed. William Bray, 2 vols. (London, 1901), 1:65. For Hobbes's occupation of the house, see John Aubrey, "Brief Lives," *Chiefly of Contemporaries*, ed. Andrew Clark, 2 vols. (Oxford, 1898), 1:350.

²³ *The Diary of Samuel Pepys*, ed. Robert Latham and William Matthews, 11 vols. (London, 1970–1983), 6:23 (27 January 1665).

²⁴ "Pax," 313.

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;²⁵ and his involvement with the Irish branch of his family, apparent from his correspondence, correlates with the criticism in “Pax” of trade policies that disadvantaged Ireland, and its reference to Connaught, the province in Ireland where the family owned land.²⁶ Slingsby, who in the 1680s was dismissed by the king for his failure to keep the records of the Mint in order,²⁷ thus 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 he received help in writing it. Variations in the construction of certain letter forms in the text suggest that it may have been written in several stages; in that 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. He would have had good reason to seek assistance to better organize his thoughts, but any assistance he did receive seems to have contributed only to the capaciousness “Pax” displays. The most credible candidate for the role of Slingsby’s assistant is John Collins, Slingsby’s clerk on the Council for Foreign Plantations.²⁸ Collins’s involvement would certainly help explain some of the manuscript’s themes: the politics and society of Venice,²⁹ for which Collins had fought in the 1640s, the science of the Royal Society, of which he was a fellow,³⁰ and the prohibition of exports of Irish cattle, a policy he opposed in print.³¹

Though the circumstantial evidence that Slingsby wrote “Pax” is considerable, the attribution is not without problems. Although 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 that of the manuscript.³² Collins’s hand is closer, but certainly not identical. It is possible that “Pax” was authored by Slingsby (perhaps with the assistance of Collins) but written by an amanuensis. Yet this conjecture raises 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. Like Collins, Slingsby was a fellow of the Royal Society (in “Pax” called the “Society of Virtuosi”), and he was involved in an experiment to which the author of “Pax” refers in one of his characteristically clumsy rhetorical flourishes, comparing his book to “the philosophicall Reasoninges of a fish in the water. That the water is

²⁵ See below, in the section “‘Pax’ on the Theory of Subjecthood and Sovereignty.”

²⁶ Henry Slingsby to Sir Henry Slingsby, 21 April 1670, North Yorkshire County Record Office, Northallerton, ZKZ 5/5/2/1. For the Slingsbys’ interests in Connaught, see John Cunningham, *Conquest and Land in Ireland: The Transplantation to Connacht, 1649–1680* (London, 2011), 134.

²⁷ C. E. Challis, s.v. “Slingsby, Henry (1619/20–1690), Master of the Mint,” *Oxford Dictionary of National Biography*, 3 January 2008, <https://doi.org/10.1093/ref:odnb/58155>.

²⁸ “Council for Foreign Plantations, Journal, 1670–1686,” 1:3.

²⁹ “Pax,” 116, 294.

³⁰ Christoph J. Scriba, s.v. “Collins, John (1626–1683), Mathematician and Scientific Administrator,” *Oxford Dictionary of National Biography Online*, 23 September 2004, <https://doi.org/10.1093/ref:odnb/5941>.

³¹ John Collins, *A Plea for the bringing in of Irish cattel* (London, 1680).

³² Sir Henry Slingsby to “Mr Williamson,” 18 June 1672, North Yorkshire County Record Office, Northallerton, ZKZ 4/5/2/1b.

not more weighty for that Imponderous Creature, That nothinge can be heavy in its proper Element till the wise moderator prudently weighed the Assertion.”³³

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 a reader of the text must 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; it proved, for the first time, that the bladder controlled the buoyancy of fish in water and did not perform a digestive function, as was then widely believed in England.³⁴ No other discussions of swim bladders in English and European science before that date contain the specific details to which “Pax” refers. In the 1640s, Gilles Roberval had suggested that the swim bladder had the sole purpose of containing air, but the allusion in “Pax” to the weight of fish in water seems to refer specifically to Boyle’s experiments.³⁵ This is significant, because Boyle’s work was not published until 1675, after “Pax” was written, so the author must have been a fellow of the Royal Society and even 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,³⁶ which he pursued alongside his research on the swim bladder.³⁷

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 Slingsby’s children) and were therefore recovered in the 1660s.³⁸ Traces can be found in “Pax” of the experiences of royalist suffering and recovery. Its early chapters are akin to the literature of a decade earlier, in which royalists expressed disappointment and anxiety about their failure to regain lands, a lack of titles and rewards, and

³³ “Pax,” 121.

³⁴ Robert Boyle’s experiment was first described in “A Conjecture concerning the Bladders of Air that are found in Fishes,” *Philosophical Transactions (1665–1678)*, no. 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)*, no. 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; see “A General Idea of the Structure of the Internal Parts of Fish,” *Philosophical Transactions (1683–1775)*, no. 19 (1695–97): 422–23.

³⁵ 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 449–50.

³⁶ Robert Boyle, “A New Essay-Instrument Invented and Described by the Honourable Robert Boyle Together with the Uses Therof,” *Philosophical Transactions (1665–1678)*, no. 10 (1675): 331.

³⁷ Robert Boyle, appendix to *Tracts written by the Honourable Robert Boyle containing New Experiments* (London, 1672), 25–39.

³⁸ *Calendar of the Proceedings of the Committee for Compounding &c., 1643–60* [. . .], ed. Mary Anne Everett Green, 5 vols. (London, 1889–1892), 2:1387; various other Slingsbys appear at 3:1800, 1889–1890, and (with less-clear kinship links) 1:14, 113, 623, 33, 380; 2:1154. 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, s.v. “Slingsby, Sir Henry, First Baronet (1602–1658), Royalist Army Officer and Conspirator,” *Oxford Dictionary of National Biography*, 23 September 2004, <https://doi.org/10.1093/ref:odnb/25727>.

loss of prestige resulting from the inherent difficulties of unpicking conveyancing of land, too many suitors, and not enough money.³⁹ “Pax” bemoans empty estates and declining hospitality as “the Decimated Gentleman, is Rowlinge Sisiphus His stone” to recover lost land and income.⁴⁰ It is not everywhere, it notes with a particular dig at Shaftesbury, that former traitors enjoy pardons and rewards, and one of the text’s poetic ventures vocalizes a petition to the king from a mournful royalist recalling five years’ incarceration in the Tower.⁴¹ Occasional suggestions of moderation are accompanied by a vehement attack on the constitutional and religious ideas that the author blames for the Civil Wars. The first chapter admits that there were “some Irregularities . . . some grievances” on which Parliament legitimately addressed the king.⁴² Nevertheless, using the homely metaphor of a plumber who breaks a pipe while trying to mend a crack in it, “Pax” notes 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.⁴³ Repeated denunciations of disloyal Nonconformists and plotting Presbyterians sit uneasily with advice to royalists not to despair nor appear vengeful or despondent, because such attitudes would succor the king’s past and present enemies.⁴⁴

By the early 1670s, the intricate politics of the Cabal—“half-Oliverian and half-papistical”⁴⁵—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 the manuscript 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” is unsatisfactory, for it was unable or unwilling to speak proficiently the sophisticated juridical language of this discourse. Locating the institutional context of the text’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 (in Skinner’s terms) 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 later engaging

³⁹ 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), chap. 7; John Miller, *After the Civil Wars* (Harlow, 2000), chap. 9.

⁴⁰ “Pax,” 54–55.

⁴¹ “Pax,” 22, ii, 37, 47. Challis mentions Slingsby’s receiving assistance from Ashley Cooper. Challis, “Slingsby, Henry.” See below for their disagreement over Restoration policy.

⁴² “Pax,” 6–7.

⁴³ “Pax,” 56, 25, 60, 62, 57.

⁴⁴ “Pax,” 41–46.

⁴⁵ 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), 75–105, at 76.

in “a descriptive pragmatic-commercial mode” of giving advice, “cool, exhaustive and analytic in tone,” recognizable to us today.⁴⁶ 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 characterized by clipped prose organized 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.⁴⁷ 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. Incoherence was, therefore, the price that had to be paid to connect political thought with political action.

“PAX” ON THE THEORY OF SUBJECTHOOD AND SOVEREIGNTY

One of the first elements of “Pax” that a reader encounters is the design for its frontispiece. It seems more than probable, given the manuscript’s many references to Hobbes, that this could have been composed with the engraved title pages of *Leviathan* or *De cive* in mind—yet it also encapsulates the text’s ambivalent engagement with Hobbes. *Leviathan* famously depicts the sovereign personating his subjects, an idea that Hobbes’s book develops in highly sophisticated juridical language. But the image in “Pax” lacks the sophistication of *Leviathan*’s. At the center of the planned frontispiece, where Hobbes has the composite figure of the sovereign person, “Pax” has an image of Charles II “with His Scepter and globe,” surrounded by a clutter of thematic “emblems” and impenetrable poetry.⁴⁸ “Pax” positions representations of nature (wild beasts, naked men), interest, toleration, war, and rebellion (emblemized by regicide) on the left of the portrait of Charles II, and depictions of civilization (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, depicts 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 in the 1651

⁴⁶ 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), 99–115, at 106.

⁴⁷ Although its length is exceptional, in this way “Pax” fits with the anonymous, policy-focused, and unsystematic economic literature that Julian Hoppit describes. Julian Hoppit, “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.

⁴⁸ That is, orb. This is a textual description of what to draw, rather than an image; “The Frontispice,” “Pax,” n.p.

Philosophical Rudiments.⁴⁹ Redolent of Hobbes's contrast between liberty and the state, "Pax" characteristically overcomplicates itself, discarding single striking figures in favor of a multiplicity of intricate designs.⁵⁰

Both the frontispiece and its overcomplications reflect a wider textual pattern of erratic and eccentric engagement with Hobbes. "Pax" does 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 rumors that Hobbes would be prosecuted for heresy.⁵¹ Nevertheless, "Pax" insists that the violent opposition to Hobbes's ideas makes them worthy of consideration⁵² and presents engagement with them as an acceptable route to finding an "antidote to rebellion." If Hobbes is correct about the natural unsociability of man, "Pax" argues, this is 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 exist, they suppress unruly natural inclinations, for "new obligations of Law . . . curbe that Inbredd Licentiousnesse."⁵³ Herein lies a Hobbesian paradox: how do naturally unsociable men create and adhere to the sovereign?

While at crucial moments "Pax" lacks Hobbes's critical precision and shows a greater debt to other authors, sections of the text do defend Hobbes and echo Hobbesian language. The "great naturalist" and "Honest Gentleman"⁵⁴ always sought to persuade men to seek peace and keep their covenants. Quite correctly, "Pax" notes that Hobbes's *first* law of nature is 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" cites "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*.⁵⁵ This passage is paralleled by those of "Pax" that are saturated in specifically Hobbesian language about

⁴⁹ M. M. Goldsmith, "Hobbes's Ambiguous Politics," *History of Political Thought* 11, no. 4 (1990): 639–73, esp. 641–43, 655–57; M. M. Goldsmith, "Picturing Hobbes's Politics? The Illustrations to *Philosophical Rudiments*," *Journal of the Warburg and Courtauld Institutes*, no. 44 (1981): 232–37.

⁵⁰ 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."

⁵¹ "Pax," 164, 205; see James L. Axtell, "The Mechanics of Opposition: Restoration Cambridge v. Daniel Scargill," *Bulletin of the Institute of Historical Research* 38, no. 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 (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 the Leviathan*; Jeffrey R. Collins, *In the Shadow of Leviathan: John Locke and the Politics of Conscience* (Cambridge, 2020), esp. chaps 2–3.

⁵² "Pax," 161, chap. 8.

⁵³ "Pax," 160, 166–67.

⁵⁴ "Pax," 181, 185.

⁵⁵ "Pax," 185–86; 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 *Opera philosophica quae latinè scripsit, omnia* (Amsterdam,

men living without “a com[m]on 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 means to defend themselves.⁵⁶ If these and the clichéd account of that natural condition (from *Leviathan*) are predictable points a reader of Hobbes might have picked up, there is evidence of further close reading of Hobbes in references to men being at liberty when “All externall Impediments” are 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.⁵⁷ Like Hobbes, “Pax” “proves” the case for natural unsociability by civilized man’s behavior, such as the state’s fortifications and arms.⁵⁸

Yet “Pax” also misreads some crucial Hobbesian concepts, speaking in a single breath of “compacts & Covenants agreemts & Contracts.” Unlike Hobbes, the author of “Pax” does 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.⁵⁹ It is also not clear that the author of “Pax” wants to destabilize the notion of good and evil in the way that Hobbes did. Furthermore, “Pax” seems to have muddled together self-preservation (defined by Hobbes in strictly natural jurisprudential terms) and self-interest. No wonder, therefore, that it is ambiguous at best, or confused at worst, about the origins of government and property. Its narrative of man’s fall and redemption sits very uneasily with its protests that “the Hypothesis of Mr Hobbs should bee true in all the parts of it.”⁶⁰

Working its way through Genesis, “Pax” explores the increasing quarrels generated as the human population spread and land ran out, making insufficient the donation of the earth to mankind in common.⁶¹ Yet, having just cited Genesis 10 on the division of the world among Noah’s descendants, the following page of “Pax” then rejects it as an explanation of property. Instead, it argues, “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 every one should enjoy what Hee was seized on.”⁶²

1668). 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, 43–44.

⁵⁶ “Pax,” 177; Thomas Hobbes, *Leviathan*, ed. Noel Malcolm, 3 vols. (Oxford, 2012), 2:254, chaps. 13–14. The language that “Pax” uses is drawn from *Leviathan* rather than *De cive*.

⁵⁷ “Pax,” 181, 177–78, 202; Hobbes, *Leviathan*, 2:198 (cf. Hobbes, *De cive*, 111, which shares the sentiment, but “Pax”’s language derives from *Leviathan*, 2:192, which has “Competition” rather than ambition).

⁵⁸ “Pax,” 181; Hobbes, *Leviathan*, 2:194, 196.

⁵⁹ “Pax,” 160, 177, 189; Hobbes, *Leviathan*, 2:204 (separating contract and covenant), 210; Hobbes, *De cive*, 36–37, distinguishes an immediate contract from an agreement involving trust.

⁶⁰ “Pax,” 161.

⁶¹ Genesis 1:28, quoted in “Pax,” 190.

⁶² “Pax,” 192–93, 197–98; 193 cites Clement Barksdale’s translation of Grotius, *The illustrious Hugo Grotius of the law of warre and peace* (London [1654]), 198.

This messy ambiguity fails to answer the crucial question about the basis of individual appropriation. But it may have derived from the text's real source—Grotius. Grotius 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 (Grotius uses Cicero's analogy of seats in a theater, which anyone could take but which might become full). However, the passage of Grotius that "Pax" cites merely speaks of "a certain *covenant*, either *express*, as by division; or *tacit*, as by occupation."⁶³ Bypassing the much more explicit contractual arrangements described by Selden, "Pax" thus reflects 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* analyzed in great detail what counted as consent and different types of contracts, topics absent from "Pax."⁶⁴

Instead, the comments in "Pax" on property are followed by a discussion of how this division of the world provoked men to seek a supreme magistrate and "submit their wills" to that authority. This rather Hobbesian phrase is not the only hint that consent was the origins of government. Later, "Pax" speaks of the necessity of government being "not unlikely but by the concurrence & consent of Iniurd persons for their own preservation."⁶⁵ Again, however, the text offers vague references rather than a clear-cut account of a foundational contract. In a heavily corrected passage (in itself a stark sign of the problems the author had in explaining his ideas), "Pax" argues that fear induced men to see it was in 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.⁶⁶

Obedience to one person was therefore initially tacitly accepted as a law out of fear, from "An vnanimous consent to bee quiet." But fear, found to be a shaky basis for peace, gave way to incorporation into society and the introduction of true law, based—in two different explanations in one paragraph—on "consentaneous Agreeemt," or, later, divine ratification. First, "Pax" claims that "civill power beinge the effect of feare was afterwards Ratified by the Authority of god Himselfe." It then states 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."⁶⁷ Such contractual arguments could appear unconvincing or—significantly, given that the overall aim of "Pax" was to establish obedience—could 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 an exceptionally convoluted

⁶³ Barksdale, *Illustrious Hugo Grotius of the law of warre and peace*, 203.

⁶⁴ Barksdale, 203; the equivalent passage is found in Grotius, *De iure belli*, II.II.I.i, II.II.II.v, ed. Richard Tuck, 3 vols. (Indianapolis, 2005), 2:421, 426–27; for promises versus contracts, see II.XI–XII; for Selden, who offered a more historically dense discussion, see Richard Tuck, *Natural Rights Theories* (Cambridge, 1979), 86–89.

⁶⁵ "Pax," 198, 213.

⁶⁶ "Pax," 203–4; the text stresses the foundation of law on superior command at 188–89 and 200–1, though inelegantly describing human law as making sin "exceedinge sinful," at 198.

⁶⁷ "Pax," 204–5, citing 1 Peter 2 and Romans 13, and then Barksdale, *Illustrious Hugo Grotius of the law of warre and peace*, 323–24.

conclusion: if those who originally entered the commonwealth were asked “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,” he states, “I know not whether they would answer, it was their will.” He implies they would 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.”⁶⁸

Here “Pax” refrains from making the widespread Anglican royalist claim that a contractual basis for government might legitimize claims to resist authority, despite its author’s clearly knowing of such critics, for at precisely this point in the manuscript he cites 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?⁶⁹ The opportunity for a royalist critique of Hobbes was bypassed in “Pax.” Despite its praise for Samuel Parker in other parts of the text, it diverges sharply from Parker’s critique of Hobbes’s “late wild Hypothesis” of a natural state of war. Parker called Hobbes’s theory a “lamentable Foundation” for authority but, as has been seen, what he dismissed as “palpably false, absurd, and mischievous” is taken rather more seriously in “Pax.”⁷⁰ Indeed, “Pax” rejects Parker’s account of patriarchy as the origins of government; patriarchy is unstable, either too severe or too partial, and therefore requires 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 cannot be deemed “the proper patterne for ensuinge monarchy.”⁷¹

Nevertheless, when “Pax” turns from temporal to ecclesiastical sovereignty, its account of royal authority over religion hews 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.⁷² Yet it was his *Discourse of Ecclesiastical Politie* that “Pax” terms “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.”⁷³ While contemplating natural jurisprudential and contractual claims about temporal sovereignty more than its contemporaries, “Pax” mounts a strenuous defense of royal ecclesiastical supremacy and attacks nonconformity. Speaking of the noise of liberty of conscience equaling the cannons of war, and the likely “Confusion, from this Intolerable Toleration,” it reflects a Cabal-era pattern of presenting conscience as an imperious tyrant that must be controlled.⁷⁴

⁶⁸ Barksdale, *Illustrious Hugo Grotius of the law of warre and peace*, 136–37, 150–51; Grotius, *De iure belli*, I.IV.II, VII, 1: 338–39, 358.

⁶⁹ 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.

⁷⁰ “Pax,” 164; Samuel Parker, *A Discourse of Ecclesiastical Politie* (1670 [1669]), 115–19.

⁷¹ “Pax,” 209–13, at 214, 212; albeit 211 quotes 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.

⁷² Jacqueline Rose, “The Ecclesiastical Polity of Samuel Parker,” *Seventeenth Century* 25, no. 2 (2010): 350–75; Collins, *Shadow of Leviathan*, 155–65.

⁷³ “Pax,” 19.

⁷⁴ “Pax,” 4, 5, 19; Parker, *Ecclesiastical Politie*. The language of conscience as a tyrant is also prominent in the series of works stemming from Simon Patrick’s *A Friendly Debate* (1668).

Both the early and later chapters of “Pax” endorse royal authority as necessary to subdue unruly religious dissent. Their account clearly diverges 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 in “Pax” that the sovereign decides the canon of scripture is drawn instead from Chamberlayne’s *Angliae Notitia*.⁷⁵ Indeed, many of the claims about sovereign ecclesiastical powers, sketched in chapter 19 and more systematically surveyed in chapter 20, seem unsurprising—the monarch’s “very great and controuling” powers of visitation, authority over convocation, and the right to appoint bishops—albeit “Pax” evidences an unusual tendency to remark on the application of these powers to Ireland too.⁷⁶ 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 discussion have implications that their author seems peculiarly blind to. “Pax” calls the king’s supremacy “Royall And Absolute <though counseled> power,”⁷⁷ evinces no interest in exploring any constraints on this authority and indeed states that it was not to be shared with Parliament, nor constrained in the ways that some common lawyers imagined, and notes that the House of Lords have added a proviso to the Second Conventicles Act (1670) protecting it.⁷⁸

“Pax” paradoxically combined political insights with shortsightedness about their implications. In the early 1670s, emphasizing 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 meant employing the language used to justify exactly the policy that “Pax” rejected: toleration of Nonconformists, 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.⁷⁹

The final chapter of “Pax,” which expresses the comfortable (if wrong) conviction that Charles II would never be tempted into Catholicism, attacks papal usurpation of royal authority but reverts at the end to the text’s primary religious worry—the problem of Protestant Dissent. Both the beginning and the end of the entire manuscript insist that, whatever disloyalty Catholics showed, Nonconformists were far worse.⁸⁰ The discussion of supremacy includes mention of power over consciences and the duty to obey the king in matters that are not unlawful (that is, matters of doubt are not a reason for dissent), but pays less attention to these topics than do other contemporary defenses of intolerance. Instead, earlier parts of the work

⁷⁵ “Pax,” 365–66, 371, 379; Edward Chamberlayne, *Angliae Notitia* (1669), 123 of Wing C1819.

⁷⁶ “Pax,” chaps. 19–20, at 377, 379, 385.

⁷⁷ Angle brackets indicate text inserted by unknown hand.

⁷⁸ “Pax,” 364–66, 379, 368.

⁷⁹ “Pax,” 379; for Stubbe, see “An Inquiry into the Supremacy Spirituall of the Kings of England: Occasioned by a Proviso in the Late Act of Parliament against Conventicles,” The National Archives, London, SP 29/319/220; “The History of the Spirituall Supremacy as it was Exercised by Qu: Elizabeth,” The National Archives, SP 29/319/221; “An Answer unto Certaine Objections formed against the Proceedings of His Majesty to Suspend the Lawes against Conventicles by His Declaration March 15 1672,” The National Archives, SP 29/219/222.

⁸⁰ “Pax,” 394, 13–14, 406–7.

refute 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, defending the Declaration of Indulgence and the war against the Dutch, endorsed the need to encourage immigration, trade, and fishing.⁸¹ The links between Dissent and trade were rarely systematically analyzed; perhaps many thought doing so 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 population and hampering the wool industry.⁸² Samuel Fortrey’s description of English trade was less energized on this point but still stated that uniformity should be in “barely necessary” things.⁸³

The wealth of Cabal-era anti-tolerationist literature included dismissive remarks about this economic case.⁸⁴ 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” disagrees.⁸⁵ “Pax,” however, goes much further, rejecting any claim that toleration is economically necessary or beneficial, *and* proposing—at length—an alternative set of remedies.⁸⁶ Pleading for toleration was self-destructive, especially on the part of monarchs: “madd,” “fatal,” to “sett their owne Houses on fire.” The author 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 Nonconformists 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 that “Pax” dismisses in a series of emotive phrases as a bladder inflated by self-interest, a painted pretense, the

⁸¹ John Locke, “An Essay on Toleration,” in *Political Essays*, ed. Mark Goldie (Cambridge, 1997), 134–59, at 159; W. D. Christie, *A Life of Anthony Ashley Cooper; First Earl of Shaftesbury*, 2 vols. (London, 1871), 2: appendix 1; John Owen, *Truth and Innocence Vindicated* (1669), 77–81; Henry Stubbe, *A Further Iustification of the Present War* (1673), Wing S6046, 29; *A Second Letter* [. . .] *against Comprehension* (1668), 3.

⁸² Slingsby Bethel, *The Present Interest of England Stated* (London: 1671), 7–8, 13, 17–18. On the nexus of London Dissent, see Gary S. De Krey, *London and the Restoration* (Cambridge, 2005), chaps. 2–3.

⁸³ 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.

⁸⁴ Fleeting in Parker, *Ecclesiastical Politie*, sig. b8r, and in the anonymous attack on Parker’s critic Marvell, *S’too him Bayes* (Oxford, 1673), 58–59.

⁸⁵ 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*.

⁸⁶ “Pax,” 10, makes some positive noises about reunion on a Grotian or “Cassandrian” model, but at 65 conflates comprehension and toleration.

“whimsy of a Giddy people.” If the word “enthusiasm” does not appear, the description in “Pax” of this adherence to fanciful notions based on opinion rather than reason certainly implies it. Nevertheless, the insistence that any Nonconformist investment in trade would be “petty” and “Insignificant” remains just an assertion: no evidence or figures are deployed to back it up. Third, “Pax” urges that trade with other countries will gain more for the economy and, fourth, that it is in the national interest to suppress the dangers of Dissent. The author’s inherent suspicion of Nonconformists is clear in his argument that Quakers *seem* sensible and trustworthy but that one cannot be sure that this is not a careful pretense.⁸⁷

If the above is, potentially, Henry Slingsby’s argument with his relative Slingsby Bethel, it is also embedded in a transitional chapter in the text. The latter parts of chapter 7 praise the value of trade, identifying three “wheels” of wealth: commodities, manufactures, and industry. Endorsing Bacon’s essays that urge the importance of naval supremacy,⁸⁸ it lays 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 it may be unsurprising 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.

“PAX” ON IMPERIAL POLICY

It is well known that the British Atlantic empire developed “haphazardly”;⁸⁹ it also faced keen opposition in the metropole. 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 colonization reached a high pitch in the early 1670s when the coincidence of war, plague, and fire caused a serious economic crisis in

⁸⁷ “Pax,” 145–48.

⁸⁸ Francis Bacon, “Of the true Greatnesse of Kingdomes and Estates,” in *The Essayes or Counsels, Civill and Morall*, ed. Michael Kiernan (Oxford, 1985), 625–86, at 98. On commerce and naval strength, see John Evelyn, *Navigation and Commerce, their Original and Progress* (1674), in *The miscellaneous writings of John Evelyn: author of Sylva, or, a discourse of forest trees; Memoirs, &c.*, ed. William Upcott (London, 1825), 625–86, at 635.

⁸⁹ David Armitage, “Greater Britain: A Useful Category of Historical Analysis?,” *American Historical Review* 104, no. 2 (1999): 427–45, at 427. In this section and the one that follows, we build on Matthew Ward, “Thinking with Hobbes’: Political Thought in Ireland, c.1660–c.1730” (PhD diss., University of Oxford, 2020), chap. 2.

England.⁹⁰ Coke's view that colonization 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.⁹¹ Bethel shared Coke's concern that colonization was "a dammage" to the English "in the loss of their Inhabitants" and emphasized the logistical challenges of supplying distant islands "with men, monie, and necessaries."⁹² The Cabal ministry responded to this criticism by centralizing 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" it might discover.⁹³ It was empowered to resolve disputes about colonial charters, challenge "Governours" that "oppressed" the King's "Loving Subjects" in the colonies, and nullify the laws of colonial assemblies.⁹⁴ As secretary of the council, Slingsby was one of its most active members. After two productive years, it merged with the Council of Trade, which Slingsby served as an ordinary member.⁹⁵ The combined Council of Trade and Foreign Plantations carried on the work of its predecessors until it was disbanded in 1674.

But the centralizing 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 centralized empire should look like.⁹⁶ As with the Cabal debate over foreign policy, this debate pitched Buckingham and Shaftesbury against Arlington.⁹⁷ 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" that England's colonies expanded.⁹⁸ 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 center. They argued that

⁹⁰ 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.

⁹¹ Coke, *Church and State of England in Equal Danger*, 25.

⁹² Bethel, *The Present Interest of England Stated*, 32.

⁹³ "Instructions for the Council for Foreign Plantations, 1670–1672," in Andrews, *British Committees, Commissions, and Councils of Trade and Plantations*, appendix 2, 117–24.

⁹⁴ Andrews, 122.

⁹⁵ 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.

⁹⁶ 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," *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 the British Empire*, vol. 1, *British Overseas Enterprise to the Close of the Seventeenth Century*, ed. Nicholas Canny (Oxford, 1998), 286–308, at 298–300; Nuala Zahedieh, *The Capital and the Colonies: London and the Atlantic Economy, 1660–1700* (Cambridge, 2010), 27–54.

⁹⁷ Violet Barbour, *Henry Bennet, Earl of Arlington, Secretary of State to Charles II* (Washington, DC, 1914), 176.

⁹⁸ Armitage, *Ideological Origins*, chap. 1.

plantations ought to be for the “exclusive” benefit of England and supported navigation legislation that redirected colonial trade via English ports and deprived Ireland and Scotland of a share in it.⁹⁹ Ashley viewed Ireland as a particularly dangerous commercial rival. The Encouragement of Trade Act, known as the staple act, which passed in 1663 with Ashley’s support, removed Ireland from the list of places through which certain goods from the plantations must pass before they entered domestic or foreign markets; it also imposed fines on those importing cattle from Ireland to England during most months of the year.¹⁰⁰ Two acts of 1667 and 1668, known collectively as the cattle acts, supported by Ashley and opposed by Arlington, then prohibited importing cattle from Ireland to England all year round, punishable by heavier fines and imprisonment.¹⁰¹ Ashley was responsible for convincing Charles to combine the Council of Trade and the Council of Plantations in 1672, and his influence over the direction of colonial policy increased thereafter.¹⁰² Ashley, now the Earl of Shaftesbury, replaced the Earl of Sandwich as the president of the council and appointed Worsley as secretary, depriving Slingsby of his job.¹⁰³ When Worsley refused to conform to the Test Act in 1673, he was replaced by Locke, who was Ashley’s secretary and had been a member of his household since the mid-1660s.¹⁰⁴ 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.¹⁰⁵ We do know that Locke thought that England should treat the colonies like Ireland, and that Ireland was subject and subordinate to England.¹⁰⁶ 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.¹⁰⁷ As a member of the Board of Trade in the late 1690s, he also campaigned for the prohibition of Irish woollen exports, a policy that was considered by the Council of Trade and Foreign Plantations when he was secretary.¹⁰⁸

⁹⁹ 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.

¹⁰⁰ Thomas M. Truxes, *Irish American Trade, 1660–1783* (Cambridge, 1988), 9; Carolyn A. Edie, “The Irish Cattle Bills: A Study in Restoration Politics,” *Transactions of the American Philosophical Society* 60, no. 2 (1970): 1–66, at 12–13.

¹⁰¹ Edie, “The Irish Cattle Bills,” 17–40.

¹⁰² Andrews, *British Committees, Commissions, and Councils of Trade and Plantations*, 106–7; Bieber, “British Plantation Councils,” 100.

¹⁰³ “Journal of the Lords of the Committee for Trade and Foreign Plantations,” Phillipps no. 8539, vol. 2:1–3.

¹⁰⁴ “Journal of the Lords of the Committee for Trade and Foreign Plantations,” Phillipps no. 8539, vol. 2:45–46.

¹⁰⁵ Patrick Hyde Kelly, “General Introduction: Locke on Money,” in *Locke on Money*, ed. Patrick Hyde Kelly, 2 vols. (Oxford, 1991), 1:1–109, at 6–7.

¹⁰⁶ Thomas Leng, “Shaftesbury’s Aristocratic Empire,” in *Anthony Ashley Cooper, First Earl of Shaftesbury, 1621–1682*, ed. John Spurr (Farnham, 2011), 101–25, at 119.

¹⁰⁷ John Locke, *Some Considerations of the Consequences of Lowering of Interest, and Raising the Value of Money*, in *Locke on Money*, 1:203–342, at 289.

¹⁰⁸ Patrick Hyde Kelly, “The Irish Woollen Export Prohibition Act of 1699: Kearney Re-visited,” *Irish Economic and Social History*, no. 7 (1980): 22–44, at 24, 27–28. For the discussion about prohibiting “the Importation of Woollen yarn out of Ireland,” see “Journal of the Lords of the Committee for Trade and Foreign Plantations,” 56.

“Pax” contains some of the most comprehensive evidence of the alternative vision of empire developed by Arlington and his associates. The author discusses imperial policy with reference to Jamaica, a colony that preoccupied the council in the early 1670s and whose short history demonstrated both the dangers and opportunities of colonization. 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.¹⁰⁹ When Charles regained his kingdoms without Spanish assistance, he reneged on his promise. Convinced of Jamaica’s potential “for Trade and Commerce,” he pursued policies to develop the island’s plantation economy.¹¹⁰ Over the course of the 1660s, however, Jamaica became increasingly reliant on privateers to protect it from Spanish invasion and support its economy.¹¹¹ The Spanish weaknesses that the privateers exploited also opened up opportunities for France to replace Spain as the dominant power in the Caribbean.¹¹² 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.¹¹³ But the arrangement finalized in 1670, that England and Spain would respect each 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 1671.¹¹⁴ Modyford returned as a prisoner to London, where he remained incarcerated until 1674.¹¹⁵

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, lieutenant governor of Jamaica from the autumn of 1670,¹¹⁶ who took over from Modyford as de facto governor.¹¹⁷ Lynch complained to Arlington about both the condition of the church in Jamaica and the resistance among colonists to metropolitan authority.¹¹⁸ But

¹⁰⁹ A. P. Thornton, *West-India Policy under the Restoration* (Oxford, 1956), 67.

¹¹⁰ *A Proclamation for the encouraging of Planters in His Majesties Island of Jamaica in the West-Indies* (London, 1661).

¹¹¹ 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), chaps. 9–11, and Nuala Zahedieh, “A Frugal, Prudential and Hopeful Trade: Privateering in Jamaica, 1655–89,” *Journal of Imperial and Commonwealth History* 18, no. 2 (1990): 145–68, at 145–57.

¹¹² Leng, *Benjamin Worsley*, 160.

¹¹³ Frances Gardiner Davenport, ed., *European Treatises bearing on the History of the United States and its Dependencies*, 4 vols. (Washington, DC, 1929), 2:iv.

¹¹⁴ Stephen Saunders Webb, *The Governors-General: The English Army and the Definition of the Empire, 1569–1681* (Chapel Hill, 1979), 245–49; 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.

¹¹⁵ Swingen, *Competing Visions*, 91–93. 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.

¹¹⁶ “Journal of the Lords of the Committee for Trade and Foreign Plantations,” 10, 19.

¹¹⁷ Modyford’s formal replacement, the Earl of Carlisle, stayed in England: Latimer, *Buccaneers of the Caribbean*, 205.

¹¹⁸ Sir Thomas Lynch to Lord Arlington, 29 November 1671, British Library, London, Add. MS 11410, 410–12; Sir Thomas Lynch to Lord Arlington, “The Present State of the Government of Jamaica,” 20 August 1671, The National Archives, Colonial Office 1/27/22.1, fol. 43v.

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 program of reforms that by increasing the population and therefore the trade of Jamaica would convert privateers to planting; he may have been anticipating a change of regime.¹¹⁹ Following Modyford's dismissal, associates of Arlington with connections to Jamaica, including Lynch, revived the case against privateering and for the maintenance of peace with Spain,¹²⁰ 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 favor of a navigation system that regulated colonial trade to England's advantage, and his position was reflected in his proposals for Jamaica. These 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.¹²¹ 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;¹²² under Lynch's government, Jamaica's sugar production increased significantly.¹²³ But Lynch and his government also believed that Jamaica's potential would not be realized within the present navigation system which, for Lynch, represented the "greatest obstruction" to Jamaica's trade.¹²⁴

"Pax" contains the most comprehensive, if not the most cogent, statement of the ambitions for Jamaica held by Arlington's associates. Though its author acknowledges the popularity of the "late Governor" among Jamaican planters and city merchants,¹²⁵ he calls for Modyford's execution if found guilty of the charges against him.¹²⁶ And though opposing proposals to invite Dutch and Jewish planters to Jamaica,¹²⁷ which Lynch supported,¹²⁸ and rather more sanguine than Lynch about "piracy,"¹²⁹ the author certainly favors expanding Jamaica's plantation trade. He is concerned particularly to promote Jamaica's trade in cocoa and sets out an ambitious program for the expansion of the island's cocoa plantations in chapter 17. This policy, he says, agrees with Francis Bacon's advice for the development of plantations, and he leans on Bacon

¹¹⁹ Worsley referred cryptically to the importance of Jamaica having a prudent and eminent Governor: Worsley to Buckingham, "Discourse of the Privateers of Jamaica," undated, British Library, London, Add. MS 11410, 670. This MS is paginated; and we have followed other scholars in citing the page rather than folio numbers.

¹²⁰ Lynch to Lord Arlington, undated, British Library, Add. MS 11410, 371–80, esp. p. 373; Mr Ball to Lord Arlington, 17 December 1671, British Library, Add. MS 11410, p. 442. For Lynch's connection to Arlington, see Webb, *Governors-General*, 232.

¹²¹ Worsley, "Discourse of the Privateers," 671.

¹²² *Calendar of State Papers Colonial, America, and West Indies, 1669–1674*, ed. W. Noel Sainsbury, vol. 7 (London, 1889), 339–41, 420, 425–27. Available at *British History Online* <http://www.british-history.ac.uk/cal-state-papers/colonial/america-west-indies/vol7>.

¹²³ Dunn, *Sugar and Slaves: The Rise of the Planter Class in the English West Indies, 1624–1713* (Chapel Hill, 2000), 156–57, 168–89.

¹²⁴ Lynch to Lord Arlington, 29 November 1671, British Library, Add. MS 11410, 429.

¹²⁵ "Pax," 337.

¹²⁶ "Pax," 447–48.

¹²⁷ "Pax," 297.

¹²⁸ *Calendar of State Papers Colonial, America, and West Indies, 1669–1674*, 298.

¹²⁹ "Pax," 126–27.

to refute the “objection” that plantations are “destructive to the Stocke of the nation” and encourage prodigal consumption.¹³⁰ Though the author does not name his adversary here, he refers elsewhere to “that painfull discourse of Mr Coke,” *Church and State of England in Equal Danger*.¹³¹ Alongside Bacon, “Pax” also recruits Bacon’s acolytes in the Royal Society to the case for plantations,¹³² and pads out its program for cocoa planting with statistical predictions in the style of Petty.¹³³ 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.¹³⁴ “Pax” offers a characteristically convoluted justification of slavery in chapter 4. There, it extols the benefits of what it terms 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.¹³⁵ Clearly conscious of objections to slavery, the author defends the practice as compatible with Christianity and similar to indentured servitude in crucial respects.¹³⁶

“Pax” also approaches the problem of Jamaica’s economic renewal as a problem of imperial economic policy, however, and explains the advantages of “freedome of Trade & Commerce” with reference to the Treaty of Madrid.¹³⁷ Given the restrictive nature of the navigation system, and the imminent imposition of further restrictions on intercolonial trade, one might expect its author to have criticized this system, as Arlington’s other associates did.¹³⁸ 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 is responsible for the most striking examples of “triangulation” and contradiction in “Pax.” Initially, the author endorses the existing trade and navigation legislation, including the acts “against importinge Cattell” into England.¹³⁹ Later, however, he attacks the Cromwellian legislation on which the Restoration navigation system was based and decries the injustice of the cattle acts.¹⁴⁰

¹³⁰ “Pax,” 341.

¹³¹ “Pax,” 309.

¹³² “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).

¹³³ “Pax,” 338–39.

¹³⁴ Mark Govier, “The Royal Society, Slavery and the Island of Jamaica: 1660–1700,” *Notes and Records of the Royal Society* 53, no. 2 (1999): 203–17.

¹³⁵ “Pax,” 90–5. The numbers of enslaved people in Jamaica rose sharply from the late 1660s: Dunn, *Sugar and Slaves*, 154–55, 157, 167–70, 237. The author of “Pax” was probably writing just before rebellions of those enslaved people began there; Dunn, 256, 259–60, 161. The idea of involuntary labor solving the problem of idleness was also suggested by the Royal Fishing Company’s Charter of 1664: Govier, “Royal Society,” 206.

¹³⁶ 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. 926–28.

¹³⁷ “Pax,” 120–21.

¹³⁸ Parliament severely restricted intercolonial trade in 1673: E. E. Rich, “The First Earl of Shaftesbury’s Colonial Policy,” *Transactions of the Royal Historical Society*, no. 7 (1957): 47–70, at 67–68.

¹³⁹ “Pax,” 121.

¹⁴⁰ “Pax,” 308–9.

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 connection to Arlington, that he initially expressed support for the navigation system to provide himself with cover for criticizing it. The character of his criticism supports this supposition. In other works connected to Arlington, Hobbes and Petty addressed the iniquities of this system by arguing about the principles of subjecthood and sovereignty in composite monarchies and island empires. "Pax" employs the same strategy and engages with Hobbes as it does so. Incoherent though it is on policy, its account of imperial citizenship is coherent in its engagement with Hobbes. As indicated above, the reverse is true of the manuscript'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, had to be negotiated carefully. As an associate of Arlington, the author of "Pax" had to advance his objectives in relation to imperial trade without antagonizing 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.

"PAX" ON SUBJECTHOOD AND SOVEREIGNTY IN ISLAND EMPIRES

Although it was usually imprudent to invoke Hobbes's authority in political advice, the author of "Pax" had good reasons to believe that Arlington would be receptive to a Hobbesian account of imperial citizenship. Arlington was Hobbes's most important connection 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 works referred to offices that Arlington had performed for Hobbes.¹⁴¹ There has been some debate about the 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.¹⁴² 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.¹⁴³ In *Behemoth*, Hobbes engages 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 judgment in Calvin's Case that only Scots born after Union enjoyed these rights. Hobbes rejects Coke's judgment. Though it was purportedly "grounded in Equity," Hobbes can "see little Equity in this that those Nations that are bound to equal Obedience to the same king,

¹⁴¹ Thomas Hobbes, *Behemoth, or, The Long Parliament*, ed. Paul Seaward (Oxford, 2010), 2, 6, 106.

¹⁴² See, for example, Richard Tuck, "Hobbes and Locke on Toleration," in *Thomas Hobbes and Political Theory*, ed. Mary G. Dietz (Lawrence, 1990), 153–71, at 159; also, Philip Milton's response to Tuck in Milton, "Hobbes, Hersey and Arlington," 153–71.

¹⁴³ Hobbes, *Behemoth*, 48–50.

should not have Equal Privileges.” For Hobbes, “Equity” is a law of a nature that demands that subjects of the same commonwealth be treated equally.¹⁴⁴ His words were timely. Between 1667 and 1669, during which time *Behemoth* was completed, the crown, with the enthusiastic support of Arlington, attempted to secure first a free trade agreement and then a parliamentary union between England and Scotland.¹⁴⁵

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* defines “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 signifies properly “a person civil . . . in the will whereof is included and involved the will of every one in particular.”¹⁴⁶ “The people” is “virtually contained in the body of the commonwealth” and is thus coterminous with it. Hobbes’s concept of “conquest” cohered with his concept of “the people.” *Leviathan* defines “conquest” as the “Acquisition of a Right” over a subjugated person by either that person’s explicit or tacit consent.¹⁴⁷ It denotes the incorporation of this person into the conquering sovereign’s commonwealth and “the people” with which it is 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 favored by Hobbes’s allies at court (including Arlington, then Bennet), would not result in the oppression of the English.¹⁴⁸ Chapter 20 of *Leviathan* warns “a Monarch of divers Nations” that “to demand more” of his conquered nations than his others “from the title of Conquest” is “an act of ignorance of the Rights of Sovereignty.”¹⁴⁹ *Leviathan* also endorses the Roman practice of extending to the conquered “not onely the Privileges, but also the Name of Romans,” and praises James VI and I for emulating the Romans “in endeavouring the Union of his two Realms of England and Scotland.”¹⁵⁰

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 based his case could also be applied to debating the Cabal’s other imperial policies; they were particularly applicable to promoting the positions that Arlington and his associates adopted in these debates. In 1673, Arthur Capell, Earl of Essex and the lord lieutenant of Ireland, received from the Council of Trade in Ireland a report composed by Petty, which found its way subsequently to Arlington and Locke.¹⁵¹ The report can be identified politically with Arlington

¹⁴⁴ Hobbes, *Leviathan*, 2:236.

¹⁴⁵ Hobbes, *Behemoth*, 48–49.

¹⁴⁶ Hobbes, *The English Works of Thomas Hobbes of Malmesbury*, ed. Sir William Molesworth, 11 vols. (London, 1840) 4:145–47.

¹⁴⁷ Hobbes, *Leviathan*, 3:1134.

¹⁴⁸ Hobbes, 1:33–35.

¹⁴⁹ Hobbes, 2:314.

¹⁵⁰ Hobbes, 2:304.

¹⁵¹ William Petty, “Report from the Council of Trade in Ireland,” *The Economic Writings of Sir William Petty*, ed. Charles Henry Hull, 2 vols. (Cambridge, 1899), 1:212. Hull refers to Arlington’s copy of the report, now in the National Archives, which was “apparently transmitted” to Arlington by Essex.

and Essex especially, the latter a leading opponent in government of restricting trade between Ireland and the colonies.¹⁵² In the report, Petty called for the restoration of this trade, the repeal of the cattle acts, and a union between England and Ireland.¹⁵³ Petty's proposals in the report were born of a vision of empire that he had recently developed in two manuscript treatises, "The Political Anatomy of Ireland" and "Political Arithmetick." He once announced with characteristic bluff that the "Words Sovereignty & Empire doe signify as Large a Power as Mr Hobbs attributes to his Leviathan."¹⁵⁴ 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, clearly summarized from Coke's *Church and State in Equal Danger*, that an empire was of "no Advantage" to the crown.¹⁵⁵ Petty wrote of a single imperial "People," which he proposed should be represented in two "Grand Councils" for the government of empire;¹⁵⁶ he also argued that Anglo-Irish union was the proper consequence of England's conquest of Ireland.¹⁵⁷ In "Pax," another associate of Arlington engages explicitly with Hobbes to develop a similar vision of empire.

Having accounted for the origins of the commonwealth, "Pax" turns in chapter 15 to the problem of its government. Here, despite its earlier deviations from Hobbes, it describes the commonwealth without reservation as the "great Leviathan." The perennial problem of "Holdinge the commonwealth together" has been complicated by the steady expansion of trade, which is now as "boundlesse as the Sea."¹⁵⁸ The commonwealth has been rendered increasingly dependent on international and colonial trade, and its territorial extent has been increased by the addition of several diffuse dominions. It might seem surprising that "Pax" 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.¹⁵⁹ 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."¹⁶⁰ This Hobbesian thought was followed by a sustained engagement with Hobbes on the issue of how this juris-

Locke's copy is in "Locke's 1661 Notebook," 1673, Bodleian Library, Oxford, MS Film 77, fols. 220–31. It is attributed incorrectly to Worsley in Leng, *Benjamin Worsley*, 169.

¹⁵² 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.

¹⁵³ Petty, "Report from the Council of Trade in Ireland," 219–21.

¹⁵⁴ Sir William Petty, "Essay on the King's right to the dominion of the seas," [possibly late 1680s], British Library, Add. MS 72865, fol. 119r.

¹⁵⁵ Petty, "Report from the Council of Trade in Ireland," 242n4.

¹⁵⁶ Petty, 298.

¹⁵⁷ Petty, 300.

¹⁵⁸ "Pax," 288.

¹⁵⁹ Istvan Hont, *Jealousy of Trade: International Competition and the Nation-State in Historical Perspective* (Cambridge, 2005), esp. 17–21 and 182–84.

¹⁶⁰ "Pax," 134.

diction should relate to its trade and its subjects, now that both were spread across the globe.

Hobbes recognized the importance of international trade to “public safety.”¹⁶¹ While Hont acknowledges this, for him, Hobbes’s approach to trade was that of a mercantilist: Hont claims that Hobbes was in favor of a “regulated or command economy” governed by the “Body Politique of Merchants” that Hobbes describes in chapter 22 of *Leviathan*.¹⁶² In fact, when Hobbes refers to a “Body Politique of Merchants,” he refers to a joint stock trading company, or corporation, like the Virginia Company, of which he had been a member.¹⁶³ In keeping with his wider approach to corporations, moreover, he does 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.¹⁶⁴ In borrowing from corporate discourse to define the commonwealth, however, he also disables 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;¹⁶⁵ trading companies, by virtue of operating outside the English realm, enjoyed “many of the legal rights that had traditionally defined the nature of sovereignty.”¹⁶⁶ In chapter 22 of *Leviathan*, Hobbes characterizes corporations in such a way as to emphasize their subordination to the “Sovereign Power” of the commonwealth, the only corporation that was “*Absolute*, and *Independent*.”¹⁶⁷ When he considers trading companies later in the chapter, he focuses on the damaging economic consequences of corporate privilege. He complains that “a Company incorporate for any particular forraign Country” enjoys 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.¹⁶⁸ Hobbes’s alternative trade policy is expressed more clearly in the 1668 Latin edition of *Leviathan* than in the English edition of 1651. He supports incorporating companies for selling “merchandize outside their own commonwealth” but argues that both export and import trades within the commonwealth should be free.¹⁶⁹ More than has been appreciated, Hobbes favored liberating trade, and in an economy dominated by corporate monopolies, free trade depended on sovereignty.

¹⁶¹ Tom Sorell, “Hobbes, Public Safety and Political Economy,” in *International Political Theory after Hobbes: Analysis, Interpretation and Orientation*, ed. Raia Prokhovnik and Gabriella Slomp (Basingstoke, 2010), 42–55, at 50–52.

¹⁶² Hont, *Jealousy of Trade*, 18.

¹⁶³ Hobbes, *Leviathan*, 2:364. Noel Malcolm revealed Hobbes’s membership in the Virginia Company in “Hobbes, Sandys, and the Virginia Company,” *Historical Journal* 24, no. 2 (1981): 297–321, at 298.

¹⁶⁴ Hobbes, *English Works*, 4:207.

¹⁶⁵ Henry S. Turner, *The Corporate Commonwealth: Pluralism and Political Fictions in England, 1516–1651* (Chicago, 2016), 88.

¹⁶⁶ Henry S. Turner, “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), 153–76, at 167.

¹⁶⁷ Hobbes, *Leviathan*, 2:348.

¹⁶⁸ Hobbes, 2:362–64.

¹⁶⁹ Hobbes, 2:364n66.

Broadly speaking, the author of “Pax” shared Hobbes’s views on trade. He argues both that trade should be free (“restraint cuts off the ends of its institution”¹⁷⁰) and that state “Regulation” of trade is necessary to ensure that it is free, for merchants are liable to damage trade in pursuing their “private Interest.”¹⁷¹ However, in his view, merchants are less likely to behave in this way if they are incorporated into trading companies. For Hobbes, of course, trading companies only encouraged such behavior. In chapter 15 of “Pax,” the author proposes establishing a company to challenge the Spanish monopoly on the Canary Island wine trade that increased prices for consumers in England.¹⁷² 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.¹⁷³ The author engages with Hobbes as he develops his proposal, referring to that “which Mr Hobbs calls a Double Monopoly,” but it is not an altogether positive engagement.¹⁷⁴ He argues that trading companies should be granted a “Double Monopoly” if they are incorporated in London, in recognition of the city’s “Antient” record of good government. But though he differs from Hobbes on what rights companies should be granted, he agrees with Hobbes that companies depend for their rights on the sovereign. Corporate privilege is a recurring theme of “Pax.” The author praises the crown for its efforts to “regulate all bodies politiq” by reviewing their charters and purging them of Cromwellians,¹⁷⁵ but he is concerned especially with “keeping order and discipline” in trading companies; if their members are “Refractory & Troublsome the magistrate must master them.”¹⁷⁶

Hobbes’s discussion of trading companies in *Leviathan* accounts for the government of colonies as well as the regulation of trade.¹⁷⁷ Though the crown appointed committees for plantations from the 1620s onward, they were only “temporary” and not as powerful as the councils of trade and plantations appointed under the Cabal.¹⁷⁸ Hobbes’s account of colonial government was rendered somewhat obsolete by the appointment of these councils; as “Pax” recognizes, the “Commissioners for Foreigne plantations” and the “council of trade” constituted new “platformes of regulation,” over and above the trading companies.¹⁷⁹ The author continues to engage with Hobbes when he turns to colonial government; as we have seen, he describes the empire as “the great Leviathan.” But he engages not with *Leviathan*’s account of colonial government but with its broader account of subjecthood and sovereignty, with which its account of colonial government does not cohere as rigorously as it might. Hobbes spoke of colonies as constituting separate “Provinces” which, by virtue of being placed under the control of trading companies, were governed

¹⁷⁰ “Pax,” 310.

¹⁷¹ “Pax,” 293.

¹⁷² “Pax,” 292.

¹⁷³ Caroline A. J. Skeel, “The Canary Company,” *English Historical Review* 31, no. 124 (1916): 529–44, at 533.

¹⁷⁴ “Pax,” 293.

¹⁷⁵ “Pax,” 121. Paul Halliday discusses these efforts in *Dismembering the Body Politic: Partisan Politics in England’s Towns, 1650–1730* (Cambridge, 2009), 85–92.

¹⁷⁶ “Pax,” 342.

¹⁷⁷ Hobbes, *Leviathan*, 2:358–60.

¹⁷⁸ Andrews, *British Committees, Commissions, and Councils of Trade and Plantations*, 14–23.

¹⁷⁹ “Pax,” 121, 293–94.

separately and differently from the metropole.¹⁸⁰ 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.¹⁸¹ 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.”¹⁸² Within the “great Leviathan,” colonial subjects’ geographical distance from the metropole had no bearing on their duty of obedience to the sovereign.

But “Pax” does not employ Hobbes’s account of subjecthood and sovereignty only to defend the centralization of imperial government; its author employs 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.¹⁸³ This principle informed Hobbes’s endorsement of Anglo-Scottish union in both *Leviathan* and *Behemoth*; in *Behemoth*, Hobbes explains the principle in terms of “Equity.” “Pax” adopts Hobbes’s account of “Justice and equity and the other secondary Lawes of Nature” during a lengthy discussion of natural law and returns to it to develop a vision of an “incorporated” empire.¹⁸⁴ The author endorses “the Intended Union with Scotland” to guarantee “freedom of Trade and Commerce” and recalls the “Injurious” consequences of Cromwell’s “Lawless Law of prohibiting commerce between England and Scotland.”¹⁸⁵ But he also applies Hobbes’s “secondary Lawes of Nature” to England’s relationship with Ireland and colonies when he begins to demur at the imperial policies supported by Ashley. He criticizes the Cromwellian legislation that reserved the plantation trade for English merchants (though he neglects to mention that it was readopted at the Restoration) and argues that it would be “just and equitable” to repeal restrictions on Irish trade, including the cattle acts.¹⁸⁶ He refers to a single “people of great Britaine,” inclusive of the Irish, and calls for a “Treble League” of the “three kingdoms” to represent its interests.¹⁸⁷ 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.

CONCLUSION: POLITICAL THOUGHT AND POLICY MAKING

The quite sudden transitions in “Pax” from broad issues in political philosophy to specific questions of public policy remind us how imperative it is to consider both

¹⁸⁰ Hobbes, *Leviathan*, 2:358–60.

¹⁸¹ Arash Abizadeh, “Sovereign Jurisdiction, Territorial Rights, and Membership,” in *The Oxford Handbook of Hobbes*, ed. Al P. Martinich and Kinch Hoekstra (Oxford, 2016), 97–432, at 425–26; see the similarities in Hobbes, *Leviathan*, 2:298.

¹⁸² “Pax,” 335.

¹⁸³ “Pax,” 289.

¹⁸⁴ “Pax,” 189.

¹⁸⁵ “Pax,” 121, 308.

¹⁸⁶ “Pax,” 308–10.

¹⁸⁷ “Pax,” viii.

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 cunning 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 appears to have been written by a policy maker who assembled an enigmatically discordant chorus of philosophical voices to address a series of policy debates that 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 it might initially appear. Its impressive ambition and range produced discursive contortions that show its limitations as a piece of political thinking, but these are 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. The author of "Pax" 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 policy maker, 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 policy making. 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.