



THE
RAYMOND J. LORD

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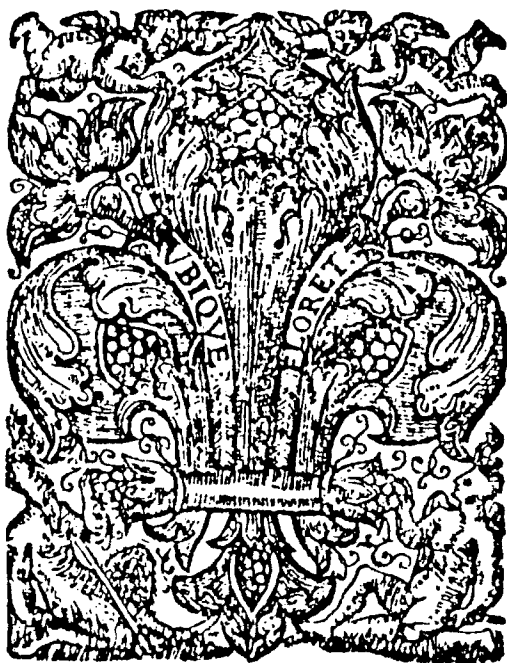
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DISCOVERSES OF
VVARRE AND
single Combat,

*Translated out of French by
I. Eliot.*



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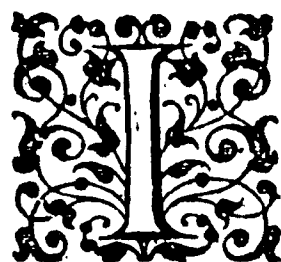
L O N D O N

Printed by Iohn Wolfe, and are to be solde at his shop
right ouer against the great South doore of
Paules, 1 5 9 1.



TO THE RIGHT HONORABLE LORD, THE LORD ROBERT, EARLE OF ESSEX and Ewe, Vicount of Hereford and Bouchier, Lord Ferrers of Chartley, Bouchier and Louaine, Master of the ~~Queenes~~ ^{Queenes} Maiesties Horse, and one of the Knightes of the most Honorable order of the Garter.

John Eliote wisheth all encrease of Honour and Vertue.



I Am not ignorant (Right Honorable) that diuers famous Capitaines, braue men, and renowned Martialistes, some strangers, and some of our owne Nation also haue largely and learnedly discoursed of warre, like expert souldiars and men of great skil and sufficient knowledge in the conduct of armes & pollicie of martiall discipline. Neuerthelesse, I haue presumed to present vnto your Lo. these discourses of Warre and Single Combat, written lately by a French gentleman, and by him dedicated to no worse personage, then to the Maiestie of the most christian King: and now by mee translated, because I sawe them to be by the Author excellently handled, containing matter most godly worth the reading of all Christian souldiars, setting downe the an-

THE EPISTLE

cient rules of warre, grounded on Gods holy word, seeking reformation of sundrie abuses committed by those of militarie profession, discussing besides many matters vndiscusse. I by anie that euer haue written of the same subiect, and now as fit to be perused as patronized by some magnanimous Martialist of our own Countrie. It may please you then (Right Ho.) to read these Treatises in a rude stile, & shew them your fauourable countenance, that they maie passe to the view of all valiant warriors (in whose number our countrie counteth your Lo. formost for your forwardly indeuours and approoued magnimitie.) In which honorable resolution or minde, wherewith God hath endewed you euer from your tender yeares, the Almighty with his most holie protection continue, conduct and blesse your good Lo. to the encouragement of all noble hartes your countrymen, who shall follow your footsteps in warlike attempts, to your Lo. worthie fame and renowne, the credit of your countrie, and the manifold increase of all honorable vertues, which shall neuer decay in your name, but bee eternized and remaine in the memorie of men for euer.



The Authors Epistle Dedicatorie to the most Christian King of France and Nauarre, &c.



I feare not (most Christian and mightie King) that Archidamus come to cast me in teeth, as vpon a time he did Periander, for that he contemned the fame of a skilfull Phisition, to be saluted by the name of a paltrie Poet. But as for mee, I am no good Phisition: I meane, I am not excellent in the profession that I vse: and I feare mee, Apelles will serue me, as he serued the sawcy shoemaker, that found fault with his picture, and bid me with his Ne sutor ultra crepidam: medle with mine owne art, and let other mens mysteries alone. I can answere Apelles well ynough, that in my Discourses I haue not gone beyonde my profession: for I take not vpon me to make my selfe as wise a Capitaine, as was Cæsar, Pompey, Alexander, or Epaminondas: nor I teach not how a man at armes should be equipped, and harnessed to the warre, how well fortified, or how feeble euerie place of defence ought to be esteemed by the counterpoise of forces that assaile: what number of men ought to be in an army, how many should be harquebuziers, how manie pikemen, how manie horsemen, how a Fortresse or a Citie should be assiged or defended, how a battell ought to be ranged and set in order, how an assault may be giuen,

The epistle to the King of France.

or sustained, how an ambush may be laid, and how a skirmish should be made, or how to performe other exploits of warre: all these things are besides my purpose, and left unto those that make absolute profession of Armes, who haue written and spoken like men of knowledge, well scienced, and experienced. The rules that I set downe, touch simplie the conscience, and shew how it is expedient that euerie man march uprightly according to the ancient policie of militarie profession, set downe vnto vs in the word of God. Having finished this litle discourse of Warre, I haue thought it not impertinent to penne another litle Treatise of Combat, the which I haue ioyned to the other, for that the abuse is most commonlie practised in time of warre, and ought necessarily to be reformed. For if two haue anie quarrell or difference betwene them, they must trie and end it by the combat, all iustice troden under foot. If he be a gentleman of a companie, a man at armes, yea but a single souldier, he must not pocket vp the least looking in the face awrie, the ye giuen, or the least iniurie that is, but he must craue reuenge, to the field they must man to man, to trie their manhood, or else his honour and reputation is lost, and hee is counted but a coward and a dastard. By this meane it commeth to passe daily that we haue so manie murders and manslaughters committed in time of warre, what by the furious and outrageous mindes of some men, who seeke nothing but quarrelling and fighting: and what by the nonchallancie and negligence of Captaines and chiefe leaders, that take no order for the reformation of this excessiue riot in good time: so manie that be seruiceable to Prince and Countrey, & pom a braverie lose their liues: and when they are slaine, it is too late to raise the dead againe. These are the mooues, most renowned Sir, that perswaded me to write these discourses
of

The epistle to the king of France.

of Warre and Combat, the which I cannot dedicate to any other Prince, but onely to your maiestie. For hauing this honour to be yours and no mans else, the benefite of all that I am able to do, belongeth to you onely by good right. And seeing that the mightiest hath created and elected you to be Gardian and defender of his Church: and that besides from your tender yeares upwards you haue had the warres still on your shoulders, I could find no other Prince that manageth armes daily, fitter and more worthie of this subiect, then your Maiesty. Receiue then most Christian King (if it please you) these two small Treatises to your royall protection, and shew them your gracious fauour, that vnder your auctoritie they may see the light, and present themselves boldly to the view and handling of all good Christians, carrying in their foreheads the title and inscription of your sacred Maiestie. The which, Sir, I beseech the God of Heauen to haue alwaies in his most safe and holy keeping. From Castel-geloux the 5 of
October 1590.

Your most humble, most faithfull,
and most obedient seruant

B. de Loque.



A Discourse of VVarre.

Chapter 1.

Whether it bee lawfull for a Christian Prince, or Magistrate to make warre.



All men are not of opinion, that the Christian Prince, or ciuill Magistrate may warre with a safe conscience against the enemies of his estate, or of the Church. But I hold the contrary, and I proue it by five reasons.

The first reason is, because God hath so expressely commaunded. And the Lord spake vnto Moyses, saying: Avenge the children of Israel vpon the Madianites, and after ward thou shalt be brought againe to thy people; then spake Moyses vnto the people saying: arme some of you vnto the warre, and let vpon Madian, and avenge the quarrel of the Lord vpon him. You shall send to the warre a thousand of euery Tribe, out of euery Tribe of Israel, &c.

The second reason is, because God himselfe hath at sundry times counsell'd, and taught his seruantes, how they ought to gouerne themselves in warre. Deut. 20. 1. & 23. 14. 2 Chr. 20. 16.

The third reason is, because God himselfe in holy writ is called the God of Hostes: and the Lord God of battels, likewise, that iust warres are called the battels of God.

The fourth reason is, because many Kings and Princes

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Gen. 14. 14. are highly commended in holy writt, for that they had warred valiantly against their enemies. Abraham with a little band of men warred against four tiramous kinges, whom he discomfited, and so by that meanes recovered his cousin Lot, and all his wines, seruantes, goods and cattels, that they had taken from him in pillage, thanking God the giuer of so great a victory.

Nom 31. 1. and without any comparison in courage
Iof. 1. 2. 3. and valoure there haue neuer bin found any able to surmount
&c. them.

Jonathan sonne of King Saul was a mighty and valiant
1 Sam. 14. 1. Captaine, and a man fearing God, as signably he shewed by
Iof 7. the great ouerthrow he gaue to the Philistines.

Gedeon hath bin a man not of the least resolution for martiall affaires.

2 Sa. 5. 10. & 8. 5. &c. But amongst the most famous warriors that euer were, David hath bin one of the most excellent and most remarkable: he subdued in warre the Philistines, the Syrians, and many other nations and peoples.

V. The first reason is, because Iesus Christ and his Disciples haue allowed the warre. Marcion affirmed that in the newe Alliance, that is to say, in the Gospell, all warres are prohibited, and that it is not lawfull for any Christian to wage warre, because our Sauiour Christ said vnto S. Peter: Put vp thy sword into thy sheath: for whosoever shall smite with the sword, shall perish with the sword. But I answer, that this saying of our Sauiour is to be vnderstood of particular reuenge, as by and by wee will declare more at large. For as touching the rest that Iesus and his Disciples, haue at no time prohibited lawfull and iust warres, it appeareth by these places of holy Scriptures. The Centurion sayd vnto Iesus Christ: I am a man set vnder the power of another man, and I haue vnder me Soldiers, and I say vnto one goe, and he goeth: and to another come, and he cometh. To whom Christ answered not, that he should forsake and leaue quiteall warfaring: but commending him, hee sayd to the multitude that

of christian Warre.

that followed him; I say vnto you, I haue not found so great fayth not in Israell.

The Soldiers demanded Iohn Baptist, saying: and we, what shall we doe? Iohn said not vnto them: lay down your armes, forsake this warfaring, for it displeaseth God: but hee told them plainly what they should do. Hurt no man, neither trouble any man wrongfully, and be content with your wages. Luk. 3. 14.

Saint Peter baptised Cornelius the Centurion of the band of Italians, who was the first fruite of the Gentils: and neuer exhorted him to leaue his charge. Act. 10.

The Apostle to the Heb. praiseth those captaines and guides of warre, who by faith haue encountered with forces of foraine kingdomes, and haue behaued themselves valiantly in fight repelling strangers encroching on their territories. Heb. 11. 33.

The first reason is grounded on the law of armes, and the lawfull vse of the sword: for the Prince beareth not the sword in vaine, saith S. Paul, because he is the seruant of God, for the safegard of the good, and the punishment of the wicked. VI. Rom. 13. 4.

Now if it be lawfull for a prince to punish a small number of offenders, by a small number of his seruants and officers: why shall it not be lawfull for him, to punish a multitude by a greater number, when necessity shall urge him therunto?

It is then apparant by these five reasons, which I haue alledged, that it is lawfull for christian Princes and Magistrates to wage warre when necessity shall require. And that which the Anabaptistes reply to the contrary, is most frivolous and of no force. Say they, it is written in the law of God, Thou shalt not kill: and in the Gospell, Resist not euill. And so likewise Christ said to saint Peter. Put vp thy sword into thy sheath: for whosoever shall smite with the sword, shall perish with the sword. I answer by these wordes of our Sauiour, private reuenge is forbidden, and not publike reuenge, which is executed by the magistrat, according to law, by the commandment of God. For sithens private men haue not receaued the sword from God, if they take it in hand, to vse it, and strike, hauing no authority from their superiour, they are

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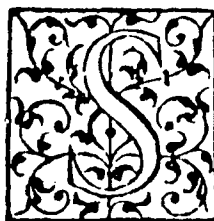
L. I. C.
de Seditio-
nis.

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are *ipso facto* seditious persons, so: so saith the Law, albeit the cause seeme iust. But when the Prince delivereth such the sword, which God hath giuen into his hand to dispose, it is an other thing. For if he cause the offender to die, be it vpon a gibbet by sentence of a Iudge, be it in warres, it is not he, to speake properly, who doth this execution, but it is God himselfe who doth it, by the sword which he hath committed into his hande, as vnto his Lieutenant, and that according to law and right. Prouided neuerthelesse, that the prince or magistrate execute iustice, as becommeth the seruant of God, without any priuate grudge or pretence of reuenge. For so he himselfe should also be a murderer, and should transgresse the commaundement of God. Now let vs proceede to declare the causes of warre.

Chapter 2.

Of the causes that may moue a christian Prince or Magistrate to make warre.



First that thou haue perfect knowledge of that which thou doest enterprise (saith Bias one of the 7. sages) and then put thy selfe in practise to effect it. And indeed a man ought not to undertake any action unlessse god and lawfull occasions moue him thereunto: otherwise God breatheth out his anger vpon the action, and giueth it his malediction. If then christian princes or magistrates will undertake warre vpon some hope conceiued of good successe, the causes thereof must be set downe before hand to be iust and lawfull. The causes then are two

1. Cause. that may moue vnto warre. One, that respecteth the gods of this world, and the naturall life of man: and this is of two sorts.

First when it cometh to the point of repelling the violence and inuersion of tyrants that giue the oulet: for if it cannot be denied

of christian Warre.

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denyed, but by the law of God and man it is tollerable for innocency to defend it selfe by some means when it is iniured & outraged, and that nature hath, not in vaine grafted in the hartes of all liuing creatures a desire to preserve and maintaine their liues and goods: who will then deny that it is lawfull for a Prince to take armes and to goe to the field to defend his state, and to keepe his subiects from the fury of the inuaders? Moyses giueth a very good example hereof, fighting against the Cananeans, and against Ogg the king of Basan, who had assailed the Israelites.

King Iosaphat giueth vs also an example, giuing battell against the Ammonites and the Moabites, who were issued out to set vpon him.

Dauid left vs also a notable example, repelling the Syrians which warred on him. And his owne sonne Absalom, who was vp in armes against him with his men of warre, by the aduise and counsaile of Achitophel.

But best worthy to be marked is this: Dauid hearing and knowing that the Amalechites had burned Siceleg, and taken his wines that were there prisoners away with them, asked counsaile of the Lord, if he should pursue the army of the Amalechites: And the Lord answered him that he should, and he took foure hundred men with him, and so pursued his enemies, till at the last he vanquished and discomfited them, and recovered all that they had carryed away before.

Secondly, when it cometh to the point of relieving those that are allyed and haue concluded some league of amity with vs being wrongfully oppressed: For Christian Princes may conclude alliance with their next neighbour Nations, so that nothing be done against the honoz of God. Some one will say, that the borders and iurisdictions are distinct, and that it is against all right to inuade one another.

I answer that indeed it is ill done to inroch one vpon another, when inuasion is pretended to each others territories (and as did the Arbitrator of whom Cicero maketh mention) to appropriate to himselfe that, which is yet in controuersie. But here the case standeth otherwise, when it cometh to the

Cic. 1. Off.

Nom. 21. 1.
21. & 33.

2. Chr. 20. 1.

2. Sam. 10.
18.

2. Sam. 30. 1

1. Sam. 30. 1

Off.

push, to invade and encroach vpon others, to defend the right of those that are allied and confederate vnto vs.

Ios. 10. 1. So it was that Iosuah having concluded a peace, and being allied with the Gabaonites, gave them aid against the five kings, which warred vpon them, in so much that hee raised the siege from before Gabaon, and discomfited the five kings.

1 Sam. 11. 1. So it was that Saul relieved the towne of Iabes assieged by Naas the Ammonite, a most cruell and tyrannous Prince: in so much, that Saul carried along therewith by the spirit of God, caused the siege to be raised, and put to flight all the Ammonites.

Gen. 14. 14 So it was that Abraham, the father of the faithfull, caused three hundred and eightene of his owne seruantes borne in his owne house, to be armed and set in order to fight to aid his nephew Lott, and to take him by force out of the hands of his enemies, who had taken him prisoner, and carried him and all his substance away with them.

1 cause. The second cause why christian Princes may warre, concerneth Religion: for they deceiue themselves, that say no warre may be waged for the maintenance of Christian Religion. True it is, that the Church doth not vse to bee too forward and overhasty in taking armes: but so it is, that it may iustly bee defended and preserved by the meanes of armes. Then it followeth, that princes and christian magistrates may wage warre. First against Apostatates, that fall from the faith.

Deut 13. There is an expresse commaundement giuen from God, touching this, that what towne soeuer shall reuolt from him and from his seruice, shall be assailed by warre, and if it continue rebell and obstinate, then to be razed. But in the third chapter wee will thoroughly discusse this point, and shew how far Christian Princes and magistrates may constraune their hereticall subiectes by lawfull warre.

Secondly, christian Princes may war for the defence of the Church, when a Prince being enemy of God, and an Idolater would offer violence & oppresse it, to the end to establish

a false religion, and to suppress the truth. For God hath giuen it them in charge, and made a covenant with them, enioyning them to maintaine it, and to haue great care thereof, and not onely of some particular members: but of all the whole and entire bodie thereof. For it is but one called by the name of Catholike or vniuersall: as also in old time there was in Ierusalem, but one temple, a figure and tipe of the same Church.

When christian kings are consecrated they promise and sweare solemnly, faithfully to protect this Church, and to employ the temporall sword which is there giuen them for the safegard and defence thereof. And for the same effect hauing the same sword in their hands, they turne themselves to the foure corners of the world: towards the East, the West, the North and South, there bowing solemnly to performe the sayd promise. By which ceremonie they vse to signify, that they take there into their protection and safegard the vniuersal Church, for as much as in them lyeth to do, against all those that would undertake to assaile and oppresse the same. This is to be vnderstood of the true Church, *nonobstant* the abuse vsed vnder the popish empire.

Also all kings and christian Princes are, or ought to bee members of this Church. Therefore they haue this interest therein, so that they are bound in conscience to preserve it safe and in good estate, and to keepe it from all danger. The Pilote that is on the sea in his ship, ought to stand in feare of shipwacke, because he is in ieopardy as well as the rest. The gouernour of a Cittie ought to feare the surprizing of the same, because he is in as great danger as the rest of the citizens. So christian kings and Princes, and all Magistrates honoured for the true knowledge of God, ought greatly to feare the ruine of the Church of God, for if it be ruined, with it they must needs be ruined also.

But especially they ought to uphold it, because they are the tutors and guardians thereof: because they are the seruantes of God: because the two tables of the law haue bin deliuered into their hands, because that to them belongeth the care, not

Isa. 49. 23.
Rom. 13. 4
Deut. 17.
19.
1. Tim. 2. 4.

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onely of the honest demeanour thereof, but also of the zeale & godlines, as saith the holy scripture.

Agg. 2.

When y^e prophet Aggeus exhorteth the Jewes, after their coming backe from Babylon, to reedify the Temple of God, he addreſſeth not himſelfe onely to the people and to their prieſtes, but alſo unto Zorobabell the chiefe ruler of Iuda: which ſheweth evidently that not onely private men and miniſters ought to do, as much as lyeth in them, for the edifying and preſerving of the Church, but alſo all chriſtian princes & magiſtrates whatſoever. The private men ſo; their part ought to take hede, that they be true members of this church. The miniſters, that they exhort both private men and magiſtrates truly and ſincerely to do their duty. The magiſtrates, that they endeavour to helpe and ſtay the ruine and corruption of the church, and to make it ſafe from all iniurie, both within and without: not in eſtabliſhing of lawes contrary to the lawe of God: but in making every one to receive the lawe of God, and maintaining it boldly againſt all the errorrs of falſe prophets, and againſt the violence of infidell and tyrannous princes.

Nehc. 4.

At the building of the Temple by the ordinance of the Elders, and by their conduct, one part of the people carried mortar, and the other part carried weapons, and ſome in one hande carried trewels, and in the other hand they carryed a ſword, to the end if their enemies came to diſturb them at their worke, they might be provided for them, to chaſe them away.

Iof. 22. 10.

The ten tribes under the conduct of Iofua overthrow the Rubenites with their companions, of the tribes of Gad, and Manaſſes, becauſe they had erected an altar againſt the worſhip of God.

1 Mac. 1 83
8c 3. 1.

Judas Machabeus fought againſt the armie of Antiochus, who would offer violence, and throwe downe the religion of the Jewes (which then was the true religion) and compell them to receive the religion of the Pagans.

Euſt. 9. c. 8
de hiſtor
Eccles.

Eusebius reciteth an hiſtory of the Armenians, who being compelled by the emperor Maximinus to change the ſort

of christian Warre.

To the of chriſtian religion into idolatrie, became of his friends his mortal enemies: of a people beſore in league of amity with him, his capitall adverſaries: ſo that to defend themſelves with ſtrong hand againſt his wicked ordinances, they both warred ſore vpon him, charged him hardily, and purſued him in fight very neere.

The ſame Eusebius writeth, that Constantine the great, Licinius (brother in law) and copartners in the Empire; Licinius commaunding in the Eaſt, and Constantine in the Weſt, neither of them having any authority over the other: at the length Licinius raiſed a great perſecution againſt the Chriſtians in his dominion, diſturbſing the exercise of their religion, baniſhing them out of all partes, putting many of them to death, with many kindes of barbarous cruelty, til Constantine ſet vpon him, and made open warre vpon him ſo long, till at the laſt he was forced to moderate himſelfe, and to accord vnto chriſtians the free exercise of their religion. Which thing Licinius hauing confirmed by ſolemne promiſe, after a ſhort ſpace returned to barbarousnes againe, and as beſore (againſt his faith and promiſe) did begin to perſecute chriſtians ſerely. Wherefore Constantine ſet vpon him againe, purſued him, tooke him, and cauſed him to be ſlaine by his owne ſoldiers in the towne of Theſſalonica. And it is a thing to be noted, ſince that time all Diuines do ſo highly commend that act of Constantine that they ſay in him is verified the promiſe contained in Eſay: That Kinges ſhalbe thy nourſing fathers, and Queenes ſhall be thy nourſing mothers: ſpeaking of the Church. Iſa. 49. 23.

Wee reade the ſame of that worthy enterpriſe, that the French with the greateſt part of the people of Europe, to the number of three hundred thouſand footmen, and one hundred thouſand horſemen, under the charge and conduct of Godfreyd of Bouillon, duke of Lorraine, made againſt the miſcreants and infidels, to recover Ieruſalem and the holy land.

When may chriſtian princes make warre for the ſafeguard of the true religion: and indeed (as we haue ſaid) they are eſtabliſhed of God for the ſame purpoſe: and they are moſt expreſſly

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Pfal. 2. 12.

commanded to kisse the Sonne, lest he be angry in signe of homage, acknowledging him for their true King, and for their soueraigne Lord.

If God haue strictly commaunded princes and people that he hath elected to arme themselves for to keepe possession of the land of Canaan, which was a figure of the church, and of euerlasting life: who may deny that princes at this day may not with a safe conscience arme themselves, and their people, to keepe their possession and inheritance of the Church, and of life euerlasting, against all tirantes that haue leagued themselves to put them out thereof:

If piety (as the Pagans hold) commaund both princes and their subiects, to expose their goods and liues for the safegarde and preservation of their kingdomes, seignories, and countries: how much the more ought wee christians to thinke, that the same piety both commaund and bind us to do the same for the defence of the Church, which is the kingdome of God, and the true countrie of all good faithfull christians.

If the life and goods do but serue ouerly vnto piety, why should not one do that for piety, that one would do for life and goods.

It is said, that the church ought not to be defended by armes: But wherefore then should it be assailed with armes? Is there any greater tyranny, then that which is exercised against the soule: And is there then any warre so lawfull and iust, as that which christian princes wage, to repress so great a tyranny?

The Pope he will haue his Crusado, and his knights of Malta, and of other places, to maintaine his faith and his Romish church against the Turkes. Why then would hee condemne the same power in other christian princes, to defend by armes their true religion against the inuasions of all tyrannous and infidell princes.

Alphonfus king of Aragon, a christian prince, had this piety devise in all his armes and Banderds: *Pro lege, & pro grege*; that is to say, For the law, and for the people. Which was very proper to signify, that he perceived himselfe called of God, not onely to defend his countrie, but also to preserve the church

of christian Warre.

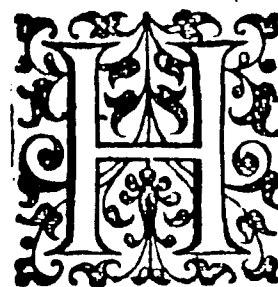
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church, the true faith, and religion.

Now is it sufficiently proued, at toores for matters of religion are not contradictory to the vocation of christian princes and magistrates: Let vs proceede, and examine what a christian prince ought to do, when it falleth out, that hee must needs chastice and punish his heretical subiects, either by war or else otherwise, according to the default committed.

Chapter III.

That a Prince may chastice by warre, or otherwise, his heretical subiects, but with some moderation: and yet not before he haue conuined them to be heretiques by the word of God.



Here knowledge and conscience are necessarily to bee had. The Christian prince ought indeed to driue away all heretikes from among his subiects, if there be found amongst them any such: and hee ought to chastice and punish them, either by warre, or else by some other forme of iustice, lawfull and approved. For in this error were the Manichees, & the Donatistes, that no man ought to be troubled or molested for his religion, much lesse punished: but that euery one myght liue freely after his owne fantasie. S. Augustine himselfe was sometime of this opinion, but afterwards retracted his error, approving that christian princes might punish heretikes: as appeareth in the epistle that he wrote to Bonifacius.

This law is made in the booke of Exodus: That whosoever maketh sacrifice to strange Gods, but onely vnto the soueraigne Lord, should be slaine. In Leviticus commaundment is giuen: that the blasphemier should be stoned and put to death. In the booke of Numbers it is said,

Ex. 22. 20.

Leuit. 24.

14. & 16.

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 Num. 15. 34 that whosoever shall violate the Sabaoth, shall die the death.

Deut. 18. 20 And in Deuteronomy: That the Prophet which shall presume to speake a word in the name of God, which he hath not commaunded him to speake, or that speaketh in the name of strange Gods, the same Prophet shall dye.

Deut. 15. Now by whom should these erecutions of Gods iustice bee done, but by the prince or magistrate: We heare before that God commaunded, that the citty that should reuolt from him and from his true religion should bee set vpon by warre, and if it be obstinate and rebellious, that it should bee rased.

1 Tim. 1. 19. That which some alledge, that S. Paul was content onely to excommunicate Hymeneus and Alexander, who had made shipwrecke of their sayth: and that he commaunded Titus to excommunicate after the like manner all hereticks, after the first and second admonition, maketh nothing against the erecution of the christian prince or magistrate. For saint Paul doth not shew there, how the prince ought to behaue himselfe in such a case, but sheweth what the pastour of the church his duty is in like matter. No man doubteth, but the incestuous person ought to bee punished by the Magistrate: albeit saint Paul writing to the Corinthians, speaketh nothing more of the incestuous person that was amongst them, but onely his counsell was to excommunicate him: and the reason is, because he there spake vnto the Consistorie of the congregation, and not vnto the ciuill magistrate, making a great difference betwene the office of the one and of the other.

When by this that wee haue already sayd, it appeareth that the christian prince may, and ought to suppress his hereticall subiectes, either by warre or by any other lawfull meanes, so that it be done with iudgement and some moderation.

And first he must make a difference betwene shameles, obstinate and contumacious heretiques, who are the letters on fire, the plagues, and chiefe captaines, to consume, infect, and leade others headlong into perdition: and betwene the poore ignorant people, who are seduced and abused by them,

and do not offend deliberately of mallice or obstination.

The first are inexcusable, and without all doubt ought to bee persecuted by the prince as murthrerers and popsoners of soules. For albeit no man may be compelled to receaue the faith violently, yet so it is, that the prince ought by no means to permit any to oppose himselfe publikely against the faith.

Concerning the ignorant people, and those that offend not vpon any purposed malice, nor by any selfwill, and in whom there is as yet some hope of amendment and conuersion, they ought not to be prosecuted with death uncontintently, but there should be prayer made vnto God for them, and they must bee instructed with patience, till they come to better understanding.

Secondly the prince ought not to condemn, nor punish by warre, or otherwise any of his subiectes for hereticks, before hee haue conuined them to bee such by the word of God: for such proceeding is cleane contrary to the deuoir of christian princes, who hauing their subiects suspect, or accused of heresie, yet being such that they will submit themselves to verifie their doctrine by y word of God: in stead of hearing them, stop their mouthes and will not let them speake for themselves: in stead of causing disputation to bee made against them by the holy scriptures, refuse and contemne the holy scriptures: in stead of examining their arguments and reasons by the true analogie and proportion of the faith, condemne them strait against the faith, persecute them, massacre, and burne them, warre on them, and vsing all kind of barbarous cruelty towards the, violate their owne lawes and promises.

King Lewis the twelfth of that name was not such a one: This good king and father of the people being importuned by the Cardinals and Bishops of his time to vse some rigoure & some manner of bloody execution against those of Cabrieres and of Merindol in Prouence, whom the most part held for hereticks: vnto whom hee made this answer worthy of a Christian king. I am (saith he) King and ruler ouer my people, to administer iustice amongst them: which I cannot do without hearing them who are accused. And there-

fore I must heare them before I can condemne them, yea were they Turks, Iewes, Sarazins or Deuils.

And thereupon, although they certified the King sundry times that the doctrine of those of Cabrieres and of Merindol had bin often condemned by the Councils, and namely by the Councell of Lateran: neuerthelesse he persuered in his holy aduise, and said: I will not straine my conscience so farre, to be so hasty in iudgement vpon the sole authority of condemnations set downe by the Councilles, but I will haue the hearing of the persons accused, before I procede to condemne them.

A most golden saying: for indeed it is not sufficient that men be accused to be heretikes, if they be not conuicted to be such by the holy scriptures. For if the sole accusation would suffice to condemne a man, there is no kind of innocency but loseth his right.

Let vs now see what mischiefs warre bringeth, to the end that christian princes do not vse it, but in time of good occasion and of great necessity.

Chapter IIII.

That because of the great inconueniences and mischiefs that accompany warre, princes ought not to attempt it, except in time of great extremity.



As heles the Spartan King, and Aristotle were wont to say, that a King ought to gouerne his people, as a father doth his children. For so also in ancient time kinges were called by an Hebrew word, Abimelech, which signifyeth, *My father the king.*

Now the father gouerneth his children in al lenity and godlines, and not in rigour, so saith Martinus the Lawyer: The king then ought to rule his people in lenity & godlinesse, and not in rigour: but he doth the contrary, when he enueryeth them with warre. For it is not to rule in py-

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ety and lenity, to exercise such tyrannicall gouernment ouer his people, namely by ciuill warre, which is the very scourge of the people, far more vnsupportable and hurtfull then foreign warre of strangers. Let vs then see, what mischiefs warre bringeth vnto a common wealth in generall.

Warre maketh all things deare, and causeth famine: for the souldiers treade downe the fruites of the earth vnder their feet, spill the vines, steale, burne whole townes and villages, spoile and rob mens houses, take away mens cattell, fowrage their barnes, lye in waite to set vpon men in the high waies hinder the traffique and concourse of Marchants, and doe commit many such like mischiefs, which for the most part cause great famine and scarcity.

Warre is cause of great sickness, and namely of the plague and contagion: it bringeth great paine and toymole with it: a man in the warre is ill lodged, hee must eate that which hee findeth, and drinke what he can come by, and oftentimes the aire is corrupted by the infection and stinking ordures of an armye, and by the number of dead carcasses, as well of men as of horses, which lie scattering here and there not farre from the campe.

Warre causeth all Lawes and iustice to cease, the true seruice of God to be corrupted, or the free course thereof to be hindered.

Warre maketh all reason and equity to yeelde to violence, abandoneth youth to a wickednesse, and loseth liuing, causeth gray haire to be whiperded and set at naught, abastardizeth all estates, and causeth them to degenerate, exalteth men of small quality, bringeth low honorable estates, bringeth in innovations and dissolutions, maintaineth disorder and confusion, interrupteth the Vniuersities, and maketh all scholes of learning (the seminarie of vertue) to cease, and make intermission, solueth the very sides of all trouble and sedition, entertaineth and fostereth the rascallest sort of people, some that haue gone about with a bag, and some that haue deserued the corde: maketh one neighbour not to know an other, to eate and distroy one another, taketh away by force the plowman from

his tollage, and carrieth the Artizan will hee, or will hee, from his shop and family. No man is able to furnish so many contributions as it craveth. The poore man dyeth for hunger, the innocent suffreth wrong, wiues and maidens are rauished and defiled, thousands of children made orphans and fatherles, blasphemie and renning the name of God committed, murders, thestes, and adulteryes perpetrated daily, all exesse used: and what mischief or villany is to be named, wherewith the warre aboundeth not:

Some warre traineth after it so many and infinite mischises, that worthily it is called the scourge of God. Therfore Virgil sayd: No hope of health in war, therefore wee demaund peace. So also Seneca saith: Peace is to be esteemed aboue the greatest things of account, & aboue al the riches and treasures of this world. And he which hath not this peace in possession, ought to purchase it and buy it dearly. And the maister of sentences saith: That man is mad who liueth in peace, and yet will seeke warre: for peace (saith he) bringeth abundance of good, & warre taketh it away againe, and scattereth it.

When Princes which haue this priuledge to be christians, if they loue their people, as good fathers loue their children, they ought not to manage warre but in great neede, and in case of extremity: and then to use it as a remedy very dangerous and mortall, as is the searing and incision of any member. And as the skilfull Physicion saith: Extreame remedies must be applyed to extreame maladies. But let vs now see with what lawes and rules they ought to wage warre if necessity require.

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Chapter V.

Certaine rules and lawes to be practised of those that vndertake to wage warre, to the end that God may blesse and prosper their actions.



Do all things with aduise (saith Salomon) and thou shalt neuer repent. Plato (saith Socrates) thre things are contrary to good aduise: hast, anger, and couetousnes. It falleth out often that warres are not taken in hand vpon good and lawfull occasions: and so are cursed of Gods mouth: and albeit they be vpon good and lawfull occasions taken in hand, it cometh to passe yet, that being ill managed and made in hast, or els being waged vpon some excessive choller and stomacke, or for a thirst of lucre and couetousnes, or vpon some particular humour of enuy, they are also cursed of God. Princes therefore haue these selue rules to practise and follow.

1. Rule.

That warres be not taken in hand, but for some great and important affaires: as some are whereof we haue spoken a litle before.

2. Rule.

That the Prince be not troubled vpon euery light occasion, but before hee make warre, that hee assay by all meanes possible to maintaine peace and concord: for if the end of war be to seeke to conclude peace againe (as Cicero saith) without all doubt the christian Prince ought to procure and seeke all honest and lawfull meanes, whereof hee can bethinke himselfe, to pacify and accord all differences, before he procede to armes and to warre: and aboue all thinges if he be well aduised, ought

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Offic. 1.

A Discourse

to be very milde and patient aboue all thinges in his sharpest afflictions, and sorest temptations. Plato being asked bypon a time how a wise man should be knowne: answered, when he had great and sundry troubles, if he overpasse them mildly, and with much patience.

¶ We read of Fabius Maximus, who by his great patience and long delay in taking his sytte time, stopped and disappointed the furious rage of Hanniball, and overthrew his forces which seemed almost invincible. So by this meanes he preserved the common-wealth of Rome from most imminent danger. And in very deede if running headlong and over great haste be condemned as a rashnes in all persons, especially it is to bee blamed in Princes, when they take in hand to make warre. For (as a Greeke Poet said) the second thoughts are commonly the wisest, and the best.

Euripid.

3 Rule.

That no man warre, to the end to usurpe the goods and inheritances of other men. For that were flatly to go against the commaundement of God, which forbiddeth to steale. Wherefore Alexander the great was as much a thiefe, when he sacked any province, or when he did usurpe it with a strong and mighty naup: as was Diomedes the litle Pyrate, that did but skimme vp and downe the sea in a litle Brigandine, robbing here and there where he could come by a booty. But (as one said very prettily) all the world is as it were a great bed garnished with diuers little coverings and litle kiverlets; every man drawing a peece to himselfe, and uncovering his next bedfellow.

¶ If one demaund whether Mydas or Crates was the better soke: whether Mydas for that hee made account of nothing in this world so much as of gold: or Crates, for that he cast a great summe of gold, being all that he had, into the sea: He that hath any reason, will say that Crates was the wiser of the two: for Mydas drowned himselfe in his golde, but Crates knowing that his golde was a great hinderance to his minde, that he could not intend to apply himselfe wpp of Philosophy, cast

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of christian Warre.

it into the sea, saying it was better for him to drowne it, then it should drowne him. I bring in here this example of the poore Pagan, to condemne the ambition of diuers Christians, who not contented with their owne possessions, like by all meanes possible to encroch vpon the possessions of other men: as wee reade of king Pyrrhus, who hauing made an enterpryse vpon Italy, Cineas his sage counsellor said vnto him: wel (my Lord the King) you pretend to be shortly master of all Italy: I marry, saith he: and what will you do when you haue got it all? I will pas, saith he, into France and Spaine. And what will you do then? I will goe to subdue all Africke. And after that what then? when I shall haue subdued the world vnder my Dominion and subiection, I will bee (saith he) content, I will liue at mine ease and rest my selfe. For Gods sake (saith Cineas) my Lord tell me, what holdeth you, that if you will, you are not in possession presently of this estate: what want you? what stand you in neede of to be content, for you are sure of it by all these sage demaunders and replies Cineas thought to make Pyrrhus perceauie at last the vanity of his ambition: but he talked vnto a deafe man that would not heare.

And it is a *maxime* verisped from all times, that euery empire or kingdome enlarged by extorsions and rapines, by encroching vpon the signiories and territories of other Princes, must fall to decay at last, must be overthrowen & ruined within it selfe by ciuill warres, dissentions, or other tumultuous broyles.

4 Rule.

That the Prince that will undertake to warre against others, first let him knowe how to rule and overcome his owne passions and affections. For (as Socrates saith) it is a matter of greater difficulty, and a more vertuous act to overcome his owne will, then to overcome his enemy. And Plato saith, Hardly will he overcome his enemy, who knoweth not how to overcome himselfe. Let not then the Prince be carryed away with his foolish passions, especially by too much choler, by a particular desire of reuenge, by hatred or

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by other such like affections, which hurt and hinder the true order of proceeding in right and iustice.

It was a rare example of the choler of Scuerus Cassius, of whom it is reported, that he did pleade better being troubled & moued, then otherwise: and that his aduersaries stood in feare to moue him to anger, fearing lest in his angry mode hee redoubled the eloquence that he vsed otherwise being not moued.

Anger (saith Cassiodorus) is the mother of all other vices: and the corruption of all vertues, as Aristotle saith. Take heede of anger (saith Varro) for it ouerthroweth all reason quite, and troubleth the vnderstanding. The man (saith Cicero) that in his fury and anger, will reuenge himselfe of any other, and chastise him presently, can neuer keepe any meane betweene too much and too little.

But for the enuyous man, he bolleth inwardly, as Horace saith, and is content to beatey and hurt himselfe to hurt and enuouage another.

5 Rule.

Fulgo. liu.
7. ch. 2.

That the prince trised of necessity to warre, chose out wisse Captaines and guides well expertised and valiant men. For in the pollicy and counsell of the captaines and guides (so saith Publius) consisteth all the prouidence and aduantage of the men at armes. Another said, he had rather haue an army of Hartes vnder the conduct of one Lyon, then an army of Lyons vnder the conduct of one Hart. Cæsars souldiers being one day chased backe and put to flight, by Pompeius compe, Pompey daring not to pursue him in the chase long, Cæsar said that night secretly to his friends, that that same day his enemies had won the last victory, if they had had in their army but one captaine or leader, that had known how to overcome or conquer.

Now a dayes some such are made captaines that were neuer souldiers before, or at the least, good souldiers. So, for lacke of experience, before they euer haue bin in field, they are worn down hardy, in so much y they dare eate prouid they are not.

But

But when indeede they must lay about them and fight in god earnest, to make proue of their valour, they are astonished, and their hart faileth them incontinent.

But about all thinges the Prince ought to make choise of such men for guides and leaders, as haue the feare of God before their eyes. For often times it cometh to passe, that for the wickednes and peruerfines of the Captaines and chieftes, God pouereth out his anger vpon all the poore people: as appeareth by that one example of Acham, who for taking spoils that were forbiddē him, the anger of God was kindled against all the Israelites. 10f. 7. 1.

6 Rule.

That he chose also for his men at armes and souldiers, men that feare God: for the victory dependeth not of the multitude of fighting men, but of the grace and fauour of God.

We finde many worthy exploits, which surpass all military discouries and reasons in Cæsar, accompanied onely with a few valiant and hardy men at armes. For with howe small a number did he enterpryse to subdue Egypt, to set vpon the armies of Scipio and Iuba, and atchieue his enterpryse? His forces were by ten partes more feeble then theirs. With howe poore equippage at the streight of Hellespontus durst he assaile, seth in, and force to yeild Lucius Cassius? He had but a litle barqueroll, and the other had ten great ships of warre: neuerthelesse hee atchieued his enterpryse. With howe harde meanes did he hazard himselfe to assiege Alexia: and yet he had but slender and meane forces. Within the towne there were 70000. men of defence, and without the walles were the Gaulois camped against him, to make him raise the siege to y number of 109000. horsemen, and 240000. footmen: non obstant all this he encountered first with the succour, and vanquished them in fight, and afterwards compelled those within the walles to yeild to his mercy.

Now if the pagan Cæsar hath done so valiant exploits, reposing the confidence of his victory, not in the great number of his

his souldiers, but in the good lucke of his fortune (to speake after the manner of the *Pyrrhus*) and in the valour of his men at armes. What shall our christian captaines do, who haue their men of warre, not onely couragious and valiant, but also such as haue aboue all thinges the feare of God before their eyes: albeit they be not very many in number? and surely the body of a maine campe ought to consist but of an indifferent and moderate number of men: for these huge and mighty armies consisting of men innumerable almost, do very seldome any thing worth the speaking of. But those armies that are reigled with certaine moderat boznes, for the most part do achieve most glorious exploits, and signally when they are all sincere and true Christians.

Whether haue relation the holy histories of Gedeon, of Baruc, of Sampson, of Ieptha, of David, and of diuers other captaines and guiders in warlike affaires: who (as the Apostle *Heb. 11. 33.* saith to the *Hebrewes*) by faith haue encountred with forraine kingdomes, and turned to flight the campest of Alians and Strangers.

And who doubteth, but that most famous and great victory which the King of Spauarre had in a battell this last yeare against the Duke of Foyuse at Coutras, hath relation and referreth it selfe to this place: The pastour that offered up the prayers vnto God, immediatly after so great a victory to giue him thanks therefore, might very wel say that, which he saith: *1 Sam. 14. 6.* Our arme hath encountred, but the arme of the Lord hath vanquished. *Judith. 9. 15.* To conclude, it is not an hard matter for God to saue with a small number of people, that which the holy scripture affirmeth to be true.

7 Rule.

That good and holy lawes haue course and vigour in christian armies, and not onely in towncs and Cities, but also abroade in the middest of the campaignne. For this sentence, that the lawes cease, & are of no force in warre, is not of God but of the Deuill.

But

But it is expedient, that these lawes be common to all, and that they hold vnder, not onely souldiers, but also the Chieffes and Captaines, from the least in the campe to the greatest, in such sort that none aduantage be taken of these lawes, as was by the lawes of Anacharsis, which were compared to the Spiders webs: for as the webbe of the Spider keepeth the little flies fast prisoners till the Spider come, and breaking when the great flies fall in, letteth them goe: so Anacharsis lawes punished those of small and base quality, and let the mighty and great ones escape unpunished. And it is in lawes commonly, as in the Poets censure: Which spareth the crows, and putteth the poore pigeons to paine. *Horat. Sat. 20.*

Papinian the Lawyer chose rather to die, then to excuse the parricide of the Emperour Caracalla.

Zaleucus enacted in his lawes, that whosoever should see Val. Max. found to commit adultery, should haue both his eyes put out: *li. 6. cap. 5.* it fell out that his owne sonne was convinced of this crime, wherefore his father would in any wise haue the law executed vpon him: & sure so it had bin, had not the importunate prayers of his people, entreating him to remit wholly the culpe, moued him some thing in the matter: but see what he accorded vnto the people, because he would not haue his lawes violated, and to be made without effect: to satisfy the law, he put out one of his owne eyes, and commaunded that his sonne should haue one of his eyes put forth in like manner.

Archidamus being asked, who were the chieffest gouerners of the City of Sparta: made answer, the lawes and the magistrates lawfully established in authority. Agefilaus king of the same city of Sparta said, that the captaine generall in warre is bound to follow and do that which the lawes commaunde him, and to prosecute iustice, without the which, all promise is nothing worth. It is a very seemely thing (sayd the emperours Theodosius and Valentinian) for his Majesty that ruleth ouer others, to declare that hee his a Prince conformable to all good lawes. To conclude, saint Augustine saith, the law guideth all force and power in martiall affaires, and giueth great vigour and lustre to iustice and equity. *Plut. in the life of Agefilaus.* *In an epist. to Volusia.* *Aug. l. 4. of the city of God. ch. 4.*

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And 6.

And indeede looke by how much the more matters are troubled and troubled (as in warre) by so much the more haue they neede of some good order and reiglement. If a Carpenter or Mason should cast away his square, his rule and his compasse, how shall he be able to worke? If the Pilote, when there ariseth a great tempest at sea, do cast away his bellishing, his carte, his needle, and his sterne, how shall hee bee able to conduct his ship with iudgement to the place whither he pretendeth to saile? We see by experience euery day what is done in warre. There is no mischiefe, that souldiers do not put daily in practise against the poore people. In warres the lawes are silent, and men at armes will haue no execution of iustice. The cause that is pleaded is open and iust: but that is all. Besides that, there is nothing done according to iustice and right. As maruell then though many times the enemy get the upper hand.

3 Rule.

That the leaders and Captaines bee valiant and courageous in all such difficulties, as of custome fall out in exploits of warre. The cunning Pilote is knowne and tryed in tempestuous weather at sea: for in a calme euery sayler can play the cunning navigator. Metellus was wont to say, that it was a common and easy matter to do well where no danger was: but that the part of a brave and valiant man was, to behaue himselfe well in matters of great difficulty and danger. Vertue, saith one, reacheth to hard matters full of difficulty and danger. Shee hideth her selfe and is as it were vnknowne, in easie thinges, but appeareth and sheweth her selfe where any difficulty presenteth it selfe. Shee resisteth facility for her companion, she is painfull and full of triuall and toymole: she dwelleth vpon the top of an high rocke, and the way that bringeth to her is rough, hard, and full of prickles and thornes. So bee byiese, difficulty setteth the price of vertue.

9 Rule

9. Rule.

That Captaines be diligent and painfull, and in no wise idle and sluggish. Diligence, saith Homer is the mother of riches, the health of the body, and the safeguard of the soule. And againe by great diligence a man cometh soone to perfection. I am come, said Caesar, I haue seene, I haue got the victory.

The sluggish idleness of the emperor Theophilus, caused him to lose the battell that he fought against the Agarens, and yet after he had lost the field he was so lazy, and slouthfull, that he could not make any shift to flye and retire. But Manuel a chiefe captaine in his armie, shaking him by the sleue, and drawing him away by force of armes, to awake him out of his drowsy sluggishnes, told him plainly, if he would not follow and make away speedily, hee would kill him with his owne hands: for (saith he) it is better that thou shouldst lose thy life, then being taken prisoner to ruine the empire.

But as abstinence is a punishment to the gourmande glutton, sobriety to the drunken wine bibber, thrift to the prodigall spendall, chastity to the filthy adulterer, study to the idler loyterer: so labour and diligence is a racke and torment to an idle person that hath little minde of affaires committed to his charge. But military profession hath nothing of impossibility or difficulty in it: were it not for our nonchallancy and sluggishnes that maketh thinges to seeme impossible and difficult. Many Captaines now a dayes content themselves with very small deliberation in their affaires: but for their paines and diligence in any exploit or enterprise, they imploy that but to the halles, and very sleightly God wot. They referre all to their officers, their officers to their souldiers: so putting trust the one in the other, they overpasse oftentimes the boundes of their deuoir: and at the last being pursued and surprised by the crafty wiles of their enemies, they are faine to yeld and be overcome.

10 Rule.

Isay. 30.1. That nothing bee enterprised or attempted without asking
advice at the mouth of God. A curse fall on those rebel-
lious children, saith the Lord, that take counsaile, but not
of me, and weaue their webbe, and not by the counsaile of
my spirit, to the end they may heape sinne vpon sinne:
who walke to goe downe into Egypt, and haue asked no
question at my mouth to fortify themselves in the might
of Pharao, and to put their trust in the shadow of Egypt.

Prayer must be then made vnto God, before any thing be
attempted, but not sleightly, or from the teeth or lippes out-
wards, but inwardly from the hart, with reuerence, hono^r, and
carefull regard due vnto the diuine Maies^{ty}: for prayer is an
action so diuine to be used onely by the lungs and tongue: it
ought to proceede from the very entrails of the hart, and from
a deuout and religious conscience: and therefore all armie
ought to haue true pastors and ministers to make prayers and
supplications, and to do other their charges enioyned them of
Deut. 10.2. God. For the Lord hath willed and commaunded, that there
should be priests to sacrifice in the warres of old time, as also
now hee hath appointed ministers of the true religion for the
same purpose.

11 Rule.

Isay. 31.1. That the armie put their trust in God alone, and not in the
helpe of man. A curse fall vpon them, that go downe
into Egypt for aid, saith the Lord, and put their trust in hor-
ses, & their confidence in charriots, because they are many
in number, & in their horsemen because they are lusty &
strong, and haue no regard to the holy one of Israell, and
aske no question at the Lord. And a little after: The Egip-
tians are men and not Gods, and their horses are flesh, and
not spirit. The Lord shall stretch forth his hand, and then
shall the helper fall: and hee that should bee helped shall fall

fall together with him, and they shall all together be des-
troyed.

The aide of men may deceiue and delude those that put their
confidence therein, as are the huge and mightie armies, the
great force of people, the adroesse and swiftnesse of horses, alled-
ged before out of Esay the prophet: as David himselfe could
well tell in his 33 psalme. Ther is no king that can be saued
by the multitude of an host, neither is any mighty man
deliuered by much strength. Likewise, a horse is counted
but a vaine thing to saue a man, neither shall he deliuer a-
ny man by his great strength. Examples hereof are euident
in many places of holy writ: in the host of Pharao, in Goliath,
in the armie of Senacherib king of Assyrians: in many bat-
tailes fought in our daies, namely in that most famous victo-
ry which the king of Spawarre got against the duke of Joyeuse
1587. whereof we spake before.

Exo. 14.10.

1 Sam. 17.

Isa. 37.36.

But the aide and helpe of God is most sure to be trusted to,
and infallible. As appeareth by the Israelites warring vnder
their captaine Iosua against the Amalechites: for it is said, that
when Moyse held up his hand, the people of Israell vanqui-
shed and overcame: but when he plucked backe his hand, A-
malec overcame. By the lifting up of Moyse hand, the as-
sistance of God is understood.

There is also another notable example of the same in Asa
king of Israell: for Hanani to make him acknowledge his
fault in ioyning his forces with Benadad king of Syria, per-
suading him to repose more confidence in him then in the helpe
of the Lord, in the warre, that he had against Baasa king of
Israell, told him in this wise. Because thou hast trusted in
the king of Syria, and not in the Lord thy God, therefore
is the host of the king of Syria escaped out of thy hand.
Had not the Ethiopians and Lybians an exceeding great
host, with an innumerable company of charyots & horse-
men? and yet because thou trustedst in the Lord, he deli-
uered them into thyne hand. For the eyes of the Lord be-
hold all the earth to strengthen them that are of a perfect
hart towards him. Herein thou hast done foolishly, and
therefore

2 Chr. 16.7

therefore from henceforth thou shalt haue warre.

1 Sam. 17. 37. In this aid of God did Dauid trust and rest himselfe when he fought against the great gyant Goliath. The Lord God saith he, who hath deliuered me out of the clawes of the Lyon, and from betweene the pawes of the Beare: he shall deliuer me also from the hand of this Philistia: *which the Lord performed indeede.*

1 Chr. 20. 6 Likewise Iosaphat fighting against the Ammonites and the Moabites: O Lord, saith he, the God of our fathers, art not thou the God of heauen, and reignest ouer all the kingdomes of the heathen? in thy hand is power and might, and no man may withstand thee. Behold, the children of Ammon and Moab come to cast vs out of our possession, which thou hast giuen vs to inherit. O our God, wilt thou not iudge them? for we haue not power & might ynough to resist so great a multitude that come against vs, and we know not what to do, but our eies looke vnto thee. &c.

Deut. 1. 28. In like manner Moyses exhorting the Israelites to goe vp into the land of the Amozites, sayth, you say, how shall wee goe vp? Our brethren haue discouraged our hearts saying, the people are more in number, and taller then wee, and they haue strong citties walled vp to heauen, and there wee haue seen the somies of the Giant Enachim: but I say vnto you, dread not, and be not affraid of them: the Lord your God which goeth before you, he shall fight for you, as he did in Egypt and in the wilderness.

Psal. 10. 8. So the people of God seeing their king to march so ballantly before their enemies in a warre so doubtfull and dangerous, prayed for him, presaging his victorie, assuring themselves as though he had then already obtained it, rendering hartly thanks vnto God, alleadging for all reason: some put their trust in charyots, and some in horses: but we will remember the name of the Lord our God: they are cast down and fallen, but we are risen and stand vpright.

Rom. 8. 30. Psal. 68. 1. As S. Paul saith very well: If God be on our side, who can be against vs? And the holy Prophet Dauid saith in another place: Let God arise, & let his enemies be scattered:

let

let them also that hate him, flye before him,

Like as the smoke vanisheth, so shall he driue them away: and like as the waxe melteth before the fire, so shall the vngodly perish at the presence of God.

Very true it is, that wee ought not to contemne ordinary meanes of humane aid, seeing that they be lawfull to be used: but there must be such as God hath lawfully appointed, and we must take heede that we leane not on them too much.

12 Rule.

That the armies about all things be Godly and holy, if wee will haue them worke good effect. The Lord thy God Deut. 23. 1. walketh in the midst of the campe to saue and deliuer thee, and to make thine enemies flie before thee: therefore shall thy campe bee pure, that he see none vncleane thing in it, and so turne himselfe from thee.

It is a *maxime* set downe in the former rule, that if God be in the midst of our host, to conduct and preserue it, the effect shall alwaies be good and happy. This is it also, that the first article of this sentence of Moyses, containeth: on the contrary side then if God bee not in the midst of our hostes, and be not conductor and guider of them, there is no hope to be had of any victorie. Wherefore Moyses said vnto the Israelites, that would haue gone vp into the land of Canaan, to fight against their enemies: no, do not goe vp in any wise to fight at all, (for the Lord is not with you) lest yee be discomfited by your enemies.

But howe is this, that the Lord shall bee in the midst of our hostes? It is (saith Moyses) if they be godly and holy, so that God see none vncleane thing amongst them. There are three things that ought to incite vs to be Godly and holy, as to liue holily at warre.

First the honour and reuerence which wee owe of bounden duty vnto Gods diuine maiestie: for as the coate and liuery of Princes, is the marke whereby men at armes and souldiers are known: so the sanctiuous of life, which we pretende and

the to proceeding from a true faith, and from his very heart sincerely, is the true livery, whereby we ought to be recognised to be the servants of God, and soldiers fighting under his banner. If we have a good captain at warre, shall not we endeavour by all meanes possible to obey him: and if any thing in us displease him, to amend it by and by. And shall we not do as much unto God? For what honor shall it bee for him to haue such men at armes and soldiers that are dissolute, & of naughty life and conversation:

Secondly, the great extremity and danger wherein we live daily, while we be in war. For when perilles do threaten us on euery syde, and death it selfe is before our eyes, and both picke us forwarde behind, and horrible as it is, doth compass us round about: ought we not then to haue so much the more great care and feare of God, and so much the more haue a great regard to thinke of our conscience. If you stand not in feare of men (said one in Virgil) nor the weapon of valiant men, yet feare the Gods. As S. Augustine said better. Stand you in feare of nothing, feare God?

Thirdly the promise that God hath made us, to be victorious ouer our enemies, if we be vertuous, godly, and holy: and his threat to the contrary. If you walke in myne ordinances saith the Lord, you shall chase your enemies, and they shall fall before you vpon the sword. Five of you shall chase an hundred, and an hundred of you shall put ten thousand to flight.

Deut. 28. 17 Likewise, If thine enemies come vpon you one way, they shall flye before you an hundred waies. And to the contrary: If you shall dispise and transgresse mine ordinances, saith he, I will set my face against you, and ye shall fall before your enemies, and ye shall flye beyng pursued of none. Likewise, the Lord shall make you fall before your enemies: ye shall come out one way against them, and flye seauen waies before them.

And to this ende is the grievous complaint that God made of his people. That my people would haue harkened vnto me: for if Israell had walked in my wayes, I should sone haue

haue put downe their enemies, and turned mine arme against their aduersaries. The haters of the Lord should haue bene found lyers, but the happy time of the godly should haue endured for euer. And in another psalme. Like as the children of Ephraim, which being harnessed, & carrying bowes, turned themselues backe in the day of battaile: they kept not the couenant of God, and would not walke in his law. And the contrary, what hee doth promise to such as be of vertuous and godly life, and serue the Lord faithfully. The Lord deliuereth the soules of his seruants, and all they that put their trust in him, shall not bee destitute.

And againe in another psalme: the hilles stande about Ierusalem: even so standeth the Lord round about his people, from this time forth for euermore.

Thus much for the rules of warfarers, which I thinke most needfull to bee followed of those which will be military profession.

Chapter VI.

Whether it bee lawfull in Christian warres to lay ambushes, and to vse pollicy to surpise the enemy.



Do we haue this question to discusse: if the warre be iust and lawfull, and not destitute of her iustice, whether it be lawfull for christians to vse stratagems, artifices, pollicie, ambushes, and other subtilties to set vpon the enemy vnawares: I answere it is, so that the promise made be not violated, nor piety and godlines offended.

For any private persons they are expressly forbidden to kill or to take any vengeance, bee it openly or in secret: we haue before alleadged what God sayth. Thou shalt not kill: thou shalt not auenge thyne owne quartell. And for killing in secret, God saith also: if any man haue sought priuie meanes

to kill his neighbour secretly, he ought to be put to death:

1. Sam. 2. 8. Therefore are condemned as murderers, Iobab, who slew Ab-
ner and Amasa: Tryphon, that slew Antiochus: Alcymus,
20. that slew the Jewes: Ismael, that slew Godolias. And to
1. Mac. 13. Verily this Dauid speaking to God, sayth: Thou shalt dis-
1. Mac. 7. troy them that speake leasing: the Lord wil abhorre both
Ierem. 41. the bloudthirsty and deceitfull man:
Psalms. 5.

Put if one object the act of Ahud, who slew Eglon king of
Iudg. 3. 20. Moab by a pollicy: or that act of Iaell, who with a masse and
Iudg. 5. 24. a hammer knocked Sisira in the head, and so slew him whilest
he was a sleepe: the answer is easy, that these particular ex-
amples ought not to be drawn in consequence. For God hath
raised up these personages to execute his iudgement by extra-
ordinary manner. And we must understand this, that their
actions in that matter are iust and excusable, because God hath
blessed them, and approued them by his most holy word.

But touching Princes, Captaines, and officers in wars,
in actions of their proper charge, and namely in exploits of
warfare: there is a consideration a part to be made. For if it
be lawfull for them to take and hang the thiefe, the robber, the
assionate, and others oflike quality: If they cannot do open
execution, why may they not do it secretly by ruse and pollicy:
and if this may be done lawfully at home, why not abroad in
warre:

Aug. li. 8. 4. Saint Augustine was of this minde, and the examples hee
q. ex cap. 8. alleadged are found in the holy scriptures.
Ios.

The children of Israel fighting against the Beniamites, coun-
terfeited to spee before them, and by this pollicy getting them
out a great way into the campaign, hauing layed diuers am-
bushes against their coming, ouerthrew and slew them ene-
ry mothers child.

Iosua being commaunded of God to arme himselfe against
the towne of Hay, hauing chosen out thirty thousand mighty
and valiant men of warre, caused them to approach the towne
by night, and said vnto them. Behold, you shall lay an am-
bush on the backe side of the towne: be not farre off from
the citty, but be all ready. I, and all the people that are
with

with me, will approach the city. And when the rush out
against vs, as they did at the first time, we will flie before
them: for they will pursue vs till we haue brought them
a good way out of the citty: for they wil say, they fly be-
fore vs, as at the first time, and we will flye before them:
but you shall rise quickly out of the ambush, and conquer
the citty, for the Lord God shall deliuer it into your
handes, and so it came to passe.

There are many other like examples in the holy Scripture
which proue manifestly, that christian princes & magistrates
may with a safe conscience lay ambushes, and vse pollicies in
warre, to surpriſe and ouertake their enemies. But we must
take heede that in such actions nothing be attempted or done
against the faith promised, nor against godlines and piety.
Wherefore herein Cleomenes is worthy to be condemned,
who hauing confirmed a truce with the Argians for 7. dayes,
the third night after set vpon them whilest they were all slee-
ping, and so slew and ouerthrew them all, alledging for his
reason, that the truce he concluded, was made but for 7. daies,
and not for the nightes. This was an hostile subtilty that
God himselfe after wards reuenged. Hardly would euer the
patrium Cæsar haue done the like: for vpon a time warring
vpon Ariouistus, as he parled with him, there happened a
great tumult betwene the two armies, which began through
the fault of Ariouistus horsemen. In this tumult Cæsar per-
ceiued he had great aduantage of his enemy, yet was hee so
scrupulous, or of so good conscience, that hee would not take
that aduantage, fearing lest he should haue bin said afterwards
to haue gone against the law of armes. And it booteth not
here to bring in the counsel and pollicy that Lysander giueth:
that is: if the skinne of the Lion will not serue, to sow vn-
to it a peece of the Foxes skinne: For we must put a dis-
tinction betwixt subtilty and treachery. Treachery is al-
waies forbidden & condemned as not lawfull to be vsed. Who
hath once lost his faith (saith Seneca) hath nothing more
to lose: and Cicero saith, by two waies is iniury offered: either
by force, or frawde: frawde is proper to the Foxe,

Hostile and
treache-
rous pol-
licie,

L. 1. D. de
dolo malo.

Cicossic. 1.

force to the Lyon: both ought to be far from a man, but frawdought alwaies to be had in detestation.

Hearc a worthy sentence, worthy also a christian man, yet spoken by a pagan. He saith mozeour, that faith or promise made is not to bee violated towards the very enemy.

So then let the chiefe captaines and guides at warre make no difficulty to vse pollicy, and rule of warre, to surpris and take their enemies at aduantage, if it be possible: so that by no meanes they violate their promise giuen, nor falsify their faith by any treachery or hostility.

Chapter VII.

Of the resolution that men of Warre and Souldiers ought to haue, either to liue or die when they come to battaile.



Here resteth one point yet to bee handled, concerning the resolution that men at armes ought to haue in martiall affaires: and without all doubt, resolution in all thinges may do very much. And that is the cause why Physicians require a good hart of their patients, befoze they minister unto them

any phisicke, to the end their good hart and resolution may helpe them sooner to recouer health, and supply for fault of medicine. I say then that the principall part of the wisdome of a warrior consisteth in this wholly, that he resolue himselfe in any wise not to feare death: and in this point do not onely all the sectes of Philosophers encounter, but also all the writings of the learned diuines agree, in exhorting vs to contemne and dispise death. The remedy of the vulgar sort against the feare and apprehension of death is, not to thinke of it, but to receiue the deaths wound without thinking or remembering it.

Per.

Yet Caius Iulius the noble Romane did not so, for being condemned to die by Caligula, euen when the executioner held vp his hand to strike of his head, a certaine philosopher asked him: What Caius, tell me, whereupon dost thou thinke now? I thought (saith he) in my spirit to be ready and watchfull, as nere as I could, to see if in this instant of death so short and sodaine, I could perceiue the dislodging of my soule, and to see whether she had any feeling or perceiuing of her owne going forth of my body or not. The dangers of warre do represent vnto vs indeede death very sodaine and horrible. But death commeth sodainly also vpon vs, when we liue at greatest quiet, and in our deepest delicacies, as some haue very wel noted in these examples following.

A certaine Duke of Britanny was stifled in the presse of people at Pope Clements entering into Lyons. One of the kings of France was slaine sodainly at tilt. Aeschiles was knot in the head with the scale of a Tortise, that fel out of the beake of an Eagle flying in y aire: another was choked with the kernell of a raisin sticking in his throat, another with a haire, another died with the pricke of a needle in his finger. One of the Emperours died with the scratch of a combe in curbing his head. Aemilius Lepidus took his death by hitting his foot against the threshold of his doze. Caius Iulius a Whisition, applying a plaster or ointment to a mans eies that was sicke, death came and closed vp his owne eies sodainly. Cornelius Gallus a Iudge, Tigillius captaine of the watch in Rome, Lewis sonne to Guir de Gonsague Marquis of Mantua, died all thzee sodainly betweene Womens thighes, and there was their ende. These examples so rise and ordinarie (to the which we may add an infinite of these, which being well at ease and in health, eating, and drinking, euen now merily, and within an howre dead) to sortify the exhortation and good counsaile of Homer.

Twixt hope and hate, twixt anger, care and feare.

Thinke euery howre thine end of life drawes neare.

And that was the cause that the Egyptians used in their

¶ 2

lea

feastings and banquettings to lying in among their lesse a type anatomy of a dead mans carkas, to aduertise all their guesstes thereby the better to remember their end.

Now if in the middelt of our greatest iollities and pleasures, liuing in peace, wee ought to represent before our eyes the Image of death, in open sight and not with a courtaine: What should wee then do in time of warre? in time of combatting and fighting: in time of rencounting and ioyning armies: in time of assault: in time of skirmish, and in time of breach?

The first day of our birth we beginne to take our iourney towards death. But it is a thing of great importace to know wheraboutes in our iourney death will finde vs out. The emperor Vespasian was not of the mind of these Lechargiers, who are so drowsy that they will not be awaked, but dye sleeping: but he said, I will die doing something. So ought euery vertuous man to do: wee are borne to do something, therefore death should finde vs not idle, but doing something: but that which we do ought to be honest, godly, and holy. We are daily occupied in thinges that the body might be without wel ymough: yet we do nothing but turne round like a wheele in vanities and superfluities. We eate, we drinke, we sleepe: and againe we sleepe, we drinke, wee eate a great deale more then would serue our turne: and so we do nothing but turne round in this wheele of pleasure and voluptuousnes. But we ought to haue some care and consideration of our state and vocation wherin we liue, to exercise and vse that: and being busied therein, should our death come vpon vs and finde vs occupied: and our action being honest, vertuous & godly, no doubt but it pleaseeth God wel. And no doubt such is the action in our state and vocation, that we exercise in iust and lawfull warre, and namely, when it is made for Gods cause and quarrell, and for the defence of his Church vnder christian princes: so that if we dye in warre, we are no lesse martirs of our Saviour Iesus Christ, then are some of our brethren who haue bin buried, drowned and massacred cruelly before our owne eyes, for the cause of Gods true faith and religion.

Our life hath it limits, no man dieth before his houer, but

all men prolong not their liues alike, nor with like disposition as did the Musitian Xenophilus, who liued in perfect health an hundred and sixe yeares, hauing neuer in all that space the least apprehension of any mallady or paine. Wee dye without any exception all, either young or old. The time before we were borne was none of ours, nether is that time any of ours, that cometh after our death.

There is nothing more certaine then death, and nothing more uncertaine then the howe and moment of death, death is common to all and no man may auoide it. It is but a kinde of sleepe. It is the period and last degree of all miseries and trauels of this life, saith Saint Iohn. It is our last paine, saith Lucan. Of others it is called the soueraigne felicity of nature, the doze into liberty, a soueraigne medicine, god for all diseases, the marke wherewith all mankinde is celled. Why then do wee feare it so much? Death (saith Hermes) is as the fall of an arrow, and our life is as the time, when it is shot out of the bow till it light on the ground.

Our life is, as it were a prison (saith the holy scripture) it is like a pilgrimage, or a short voyage, as a vapour which is scene a little, and by and by vaniseth away, as a shadow, which passeth alway swiftly, as an Image, as a puff of wind, as the weavers shuttle which glideth through the cloth quickly, as a flower that soon fadeth, as a shadow that followeth a man hard at the heeles, and stayeth now here behinde him. What is then this mortall life, that wee make so much account of it: and what is this death that wee should so much feare it? The very words seeme fearefull to little children, when they come before them masked. So playeth death with vs: so let vs but plucke the maske or visard from his face, and all dread and feare will vanish away. Socrates said, that a man should not feare death, for death hath in it none other bitterness but onely feare, and the apprehension of feare that one conceiueth. Those that by some violent hap are fallen into a sword, and those that haue bin more then halfe drowned, or more then halfe hanged and strangled, may well say, that in some respect they haue looked death in the face, be-

Heb. 9. 27.

1 The. 4. 15

Apo. 14. 13

Phil. 1. 23.

Gen. 47. 9

2 Cor. 5. 9.

Iam. 4. 14.

1 Cor. 7. 31.

Psal. 39. 7.

Iob. 7. 6. &c

14. 1.

ing so nere vnto him as they were. It hath nothing then in it that is to be feared: and the reason is to be noted, which is this: that the sting of death, which is sinne, is brought to nothing, and that death is the last enemy that Christ ouercame in his victory: to be hys selfe, after death we haue no place to be taken hold of by any other misfortune. Euen as before the coming of death (as the wise man Solon said to Cræsus) no man can indge aright of our good fortune or bad, by reason of the great varieties and changes of humaine affaires. For what is there in this world permanent and durable? Vanity of vanities (saith the sage Salomon), and all is but vanity.

Eccles. 12.

Democritus finding the state of humaine actions to bee vaine and ridiculous, mocking and grinning, was wont to laugh alwaies when he came abroad into any company. Heraclitus finding the same condition most wretched and miserable, had some pittie with him, and wept alwaies bitterly. Diogenes came somewhat nere the humour of the first, for hee was safe rowling vp and downe in his torme, made none accompt of worldly riches, esteemed not any whit of the pompe and magnificence of men, whom hee made accompt to bee, as it were flies, or as it were bladders full of wind. It is our best & needest way then (if God haue so ordained it) to passe quickly by the last pace, that wee may bee happy in heauen, after our terrestre pilgrimage. The marchant wil he be soze to arrive at a city whither hee hath long trauelled, taking great daies iourneys for his traffike: and shall wee bee soze to arrive at Death, whither we goe daily following our vocation? The host is glad when hee is safe come home againe to his owne being, after hee hath wearied himselfe with so many hostes, and ridden many a weary iourney. The Pilot is glad for soze when he striketh saile in the wished haven, after that he hath stoted long time in great danger vpon the frothy waues of the swelling Sea. The man at armes that runneth for a game within the lisses, is glad when hee cometh at the end of his race, to cary away the ringe, and win the price of the game: And the sculbier shall he suffer himselfe to be sluggish with sadness

nes and feare, when he shall see himselfe in the midst of the battaile, or in the midst of any other exploit, to see himselfe and his life honorably: so as God hath appointed him:

We read that among the Romans Brutus, the two Decij and some others: and among the Grækes Codrus, king of Athens, Themistocles, and others who killed themselves for none other reason, but for the benefyt of their countrie. And shall we make so great difficultie in farre more lawfull and iust vocation then they: yet not giuing our owne selues our death wound, and not hastening our bowe by any rashnes, to looke death in the face, and to pull him by the collar in one battaile, for the glory of God, and for the defence of our owne patrie? If wee die in so famous a place, and for so iust a cause, how much lesse tragicall and more honorable shall our death bee, then the death of those pagans was: Pythagoras was wont to say, that it was better to die with honor then to liue with shame: and therefore vpon a time espying a sculbier which ran from the sight, he said vnto him: thou dost very ill fellow to flie from an honorable death, to liue with dishonour and shame.

It is very true (as Socrates said) that we ought not to make small accompt of our enemies, and stand in feare of them. For (saith he) be they neuer so few and simple, but they may annoy vs easily. And (as another saith) there are no beastes in the world so much to be feared of men, as men: and againe, we ought not to redoubt them so much, as though they had our liues at their deuotion.

If then we must needs fight, let vs fight: if we must needs die, let vs die like christ, good and godly men, honourably in our vocation: yet must wee take heede that we do not abuse the secret counsaile of God. It is written that the Bedonians a mingrel nation with the Sarazins, against whom the king Saint Lewis fought in the holy land, beleued firmly, that the dayes and howers of euery one were prefixed and counted from all eternity, by a certaine predestination inuitable, so that they went to warre quite naked, sauing onely that they had a whyte sherte to cower their body withall, and had no

The Lord of Ioinuille

Esa. 55. 8. weapons but onely every man a Cartelasse after the Turquesque. What is to abuse the decree of God himselfe, and to prepose our ignorance before his knowledge. For thus saith the Lord: My thoughtes are not your thoughtes, and my wayes are not your waies: for as farre as the heauens are higher then the earth, so far do my waies exceed yours, and my thoughtes yours. So likewise the *Turkes* do abuse *Fatum*, after the manner of the *Stoiches*.

Albeit then that the ordinance of God be the soueraigne & principallest cause, of all that happeneth in this world: yet are there some second causes which in their orders ought to come in consideration, seeing that God himselfe doth sometimes serue himselfe therewith, and will also that we vse them. When no man ought to say: If I shall die with this harquebuzado, or with this cannon-shot I shall die: if I shall not die, then I shall not die. I cannot hasten my death, although I thrust my selfe vpon myne enemy, neither can I diue it any further off, although I recolle and runne away. No, that is a tempting of God, and to meddle with his iudgement, which is altogether vnknown to vs: and such temerity saileth not out so well to every one, as it did to Iason Phereus, of whom it is reported, that hauing an apostume in his breast, and being abandoned of all phisitions and surgeons, as one past care making none other account but to die, ran headlong in a battail amongst the thickest throng of his enemies, and by great chance had a wound cleane overthwart his body, so full vpon the place of his apostume, that by and by it bzake out of him: not long after was healed. This was in him not good fortune, (as one would say) but the especiall fauour of God, who directed his aduise against his intention, and corrected it.

I do not say, but if the occasions of warre require that one should stand fast and strong against the harquebuzadoes and cannon-shot, it were very vnseemely, and cowardly done to wolue like a ducke, to voltige, or runne hether and thether, or to range to the quarter for feare of a blow: but plant himselfe and stand full in the Cannons mouth, or to hazard himselfe too farre nere the play of the harquebus, rashly and without discretion,

tion, is to overpasse and goe beyond the lawes and rules of manly resolution and constancy. The warrior ought to take great heed he be not too rash, but following his vocation with magnanimity of courage ought to bee sage and well aduised, to husbände the time, to take occasions offered in due time: and thereupon to resolute himselfe whatsoeuer fall out, life or death to be in the hands of God, in his grace and fauour, and so he shall neuer do amisse. To that great God of hostes, most mighty and puissant, perfectly good and wise, only the true God and the father of our Lord Iesus Christ, be all dominion, power and glory, now and for ever. Amen.



A
TREATISE
OF SINGLE
COMBATE.

Wherein is disclosed this question,

Whether it be lawfull for Christians to
discide a difference or contro-
versy by single combat,
or not.



LONDON

Imprinted by *John Wolfe*, and are to bee sold at his
shop over against the great South dore
of Saint Paul.

1591.



A Treatise of single Combat.

Chapter I.

Whether a King or Soueraigne Prince may with a safe conscience grant the combat.



The first question, touching the single Combat, that is, betwene two men, to the end to discide and end any matter in controuersie, is this: whether the King or soueraigne Prince may grant and accord with safe conscience the combat. I say and hold, he may not, and proue it by these reasons.

First, because y^e affection of the King or Prince, who granteth the combat, can not bee good and right, but contrary to charity and to the deuoure of iustice and equity: For either hee hateth both the combatants, or he loueth them both, or else he loueth and hateth the one more then the other.

If he hate them both, ouer and bespdes that he is a murderer in his hart, hee hath not well to make them away by such meanes. For if the Prince be ordained of God, but to minister and execute law and iustice, and cannot put to death any but those whom the law condemneth to die: and moreover, if it be not lawfull to reuenge his owne quarrell, not by the way of

1 reason.

1 Ican.3.13.

iustice, (so that the law saith) that a Judge cannot be iudge in his owne cause: how shall it then be lawfull for him to reuenge himselfe by the way of combat, wherein the innocent and the faulty person are both alike exposed to the danger of death?

If he loue them both, yet is he cruell towards them. in that hee doth not by his absolute authority, or else by arbitratours make some agreement betwene them, and take vp the matter: seeing it cannot be but a matter of certaine deedes or wordes, thwarting the one or the other to their discontentment: where of the foolish world thinketh, the point of honor and reputation of euery man wholly dependeth.

If he loue or hate the one more then the other, it cannot bee but that he be transported with some particular affection & passion. For who soeuer should sound the depth of his hart, might well auouch that he would neuer grant the combat, but vpon hope, that he whom he affectioned most should get the victory. The contrary whereof falleth out for the most part, as we see daily. Is not that then flat against the deuoir of charity and Justice.

1 Reason.

The second reason is, because the combat is sometimes granted to the great prejudice of the innocent: for considering the Prince is ordained for the common good of euery one, and that by the deuoir of iustice, he ought alwayes to defende the innocent: why doth he then put him in iopardie of his life, geuing as well to the culpable person, as vnto him, equall weapons, and equall power to kill who can, the other? And so himselfe is not he guilty and culpable of homicide by the lawes? Moreouer seeing the person culpable, hath oftentimes the upper hand, and preuaileth, and signally because of his aduantage, if he haue choise of armes befoze the other, followeth it not then therupon, that the combat is contrary to the deuoir of iustice?

This reason is alleaged in the Decretals. *De purg. vulg. Cap. 1.*

3 reason.

The third reason is, that albeit the culpable be overcome and slaine, neuertheless in the execution of him the Prince hath gone farre beyond the boundes of iustice. For the deuoir of iustice requircth, that those who are employed for the execution and pu-

nishing,

nishment of offenders, should bee both of all hate, and free from all desire of reuenge: in so much that when a Judge hath condemned a transgressor to die, hee ought not to deliuer him into the hands of such an hangman, whom hee knoweth assuredly to be his sworne and professed enemy, and wiseth in his hart nothing else but to take vengeance of him by executing him to death. Now the Prince that both accorde and grant the combat, doth he not as much? for to whom doth he deliuer the culpable person to haue his punishment? is it not to the fury and choler of his aduersarie partie, that is innocent: for he may bee assured, that both of them be puffed vp with anger, gnawed inwardly at the hart with enuy, & thrust forward headlong with a longing desire to be reuenged. Moreouer if the innocent chance to kill the culpable, is it not flat against all lawfull and right proceeding, that y Prince should make him executioner in his owne quarrell? Then this is no more to bee called iustice, but reuenge.

Causa 29.
q. 5. de occid.

4 reason.

The fourth reason is, because the Prince would punish him that should be culpable, as it were by aduventure or chance medle, in respect of the Prince. For although the issue of all combats, as also of all other thinges dependeth vpon God onely: yet so it is, that the Prince, who doth take vpon him to appoint and commaund them, without knowing at all rightly the causes of both, who hath right or wrong, appointeth and commaundeth them by chaunce and aduventure. And I pray you, what else may a man call that, but to tempt God (as the holy Canons asseigne, & foolishly and rashly to haue God shew miracles at our appetite. For is it not to tempt God, to attempt by combat to knowe what God will haue done of this man or of that man, cleare contrary to all forme and order of iustice?

Causa 29.
4. Ca. Mo-
no. & de
purg. vulg.
cap. 3.

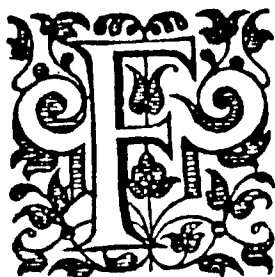
I conclude, that seeing iustice ought to giue euery man his owne, and that it ought not to be administered by chaunce or aduventure, but with good and sufficient knowledge of euery cause, and by that which we haue already alleaged, is sufficiently proued that the combat is against these points: it followeth then that the Prince, who is minister of iustice, cannot with a good conscience grant the combat, to holde any controversy betwene

C. de Glar. 1. lib. 11. de purg. in the ciuill. vulg. per totum.

two. And that is the cause why it is in expresse and p laine termes defended and prohibited, as well in the ecclesiasticall lawes, as

Chapter I I.

Arguments whereby some maintaine that the King or Prince soueraigne may grant the combat; and the refutation thereof.



First they say, that the King or soueraigne Prince, is a law vnto himselfe and vnto his subiectes, and therefore, because hee will decide and auoide any different in this sort by combat, hee may, and will do it with iustice. I make answer, that the King or Soueraigne Prince is not God, but a man, who ought to confesse

Rom. 13. 4. and acknowledge himselfe to be but a seruant of God, as the holy Scripture calleth him.

It is most true, that whatsoeuer God will haue done is most iust, because it is God that will haue it so: but that which the King or Prince will haue done, if it be iust, it must be so, before he will to haue it done. For if it be iust, it is iust not for that he will haue it so, but for that it is iust of it owne selfe, and agreeable to the will of God.

Plut in the life of Alexander.

Anaxarchus (as Plutarcke reciteth) saide vnto Alexander vpon a time bring very heauy for the death of his friende Clitus, whom he had slaine a litle before with his owne hands: that Themis and iustice sit as hard by kinges sides, as they did by Iupiters side, to confirm that incontinent, that they thought good of: but it is farre other wise, for Themis and Iustice sit vpon the toppe of kinges heades, to punish them if they violate the maiesty of their lawes. Therefore farre vnbeseeming kinges and Soueraigne Princes is that tyrannicall and vniuersall saying of the good wife to her husband in the Poet

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et Iunenall. Sic volo, sic iubeo, stet pro ratione voluntas: i. So Iunenall. I will, and so I commaund, my will shall serue for law and Sat. 6. reason.

Secondly they say, that God doth direct and guide all things to their right end, and that he that is vanquished, should be vanquished, as hee that is also victor, should also be victor. I answer, that here we do not speake of the secret counsaile of God, but of that which God hath of his owne will revealed vnto vs in his word. For albeit that God disposeth & gouerneth all things, and that nothing be done against his will: yet so it is, that hee hath prescribed certaine rules in his word, and especially for the order of iustice, within the irrevocable limits whereof, hee bindeth and commaundeth vs to containe our selues: other wise the enoughest crimes and ryots, as are priuie and wilfull murders, robberies, empoisonings, incestes, parricides, rapes, and all kind of trahisons shall be excusable by this reason, that God guideth and directeth all things to their right end, and that nothing is done against his will.

They say moreover, that the Prince cannot, nor may not take vp the matter betwene these two, nor decide the different but by the combat. I answer, in deede hee cannot, because hee will not. For what may the matter in controuersy be: forsooth the one hath spoken some words of reproch to the other, where in hee hath touched his honour or reputation. And the other hath giuen him the lie: or else the one hath outragiously abused him, in beating or hurting him. And the other will be reuenged of him, & be euill with him, fighting man to man at the sharpe. In summe, the one hath abused and prouoked the other: and the other to maintaine his reputation and honour, hath repaid, or will repay mischief for mischief, euill for euill, and one injury for another. In this case why may not the Prince cause iustice to scanne the cause, and commaund them both to referre their controuersie to the iudgement thereof?

They alledge further, that the iudges and officers of iustice can not tell what to do in this case: when hee, who hath giuen diuers words of disgrace and reproch to another, being the accusant saith, and will maintaine for his life, that he hath sayd the

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truth.

truth. Yet he is destitute of sufficient witness to prove his accusation to be true. What shall then these Judges do here? they can not condemn the party accused by the lawes, because it is necessary the accusator should haue some witness. I answered that if the Judges may not condemn the party accused, for that y^e accusant is able to produce no witness, yet may they condemn the accuser for a calumniator and a slanderer: for there are many good lawes made for calumniators, sycophants and false accusers, according to their default and offence, to cause them to take hede how they offend therein. And I pray you tell mee, is it but a small crime to take away from a man his good name and name, the which (as saith Salomon) we ought to set more store by, then by all the treasures and riches of the world.

Lex Corn.
de iniur.
Lex Corn.
de falsis.
Iuris cons.
D. Cl.
Prou. 22.1.

Pro. 10.12.

They reply againe, that the accusant may haue spoken nothing but a troth, and that his accusation being iust, the Iudges should do him iniury to punish him. I answered that the accusator cannot excuse himselfe, but that he is a calumniator, for that he doth cleane against the deuoir of charitye. For if hee haue spoken that which is false, and burdened him with a lie, he is a manifest sycophant, and a malicious slanderer. And therefore deserveth wel to be punished accordingly as the lawes set down. If he sayd truly in his accusation, yet offendeth hee against charity (which couereth the multitude of sinnes) in disclosing that which is secret and unknowne, and such a one ought to be reputed for an iniurious person, and a backbiting slanderer. For he is not onely to be accounted and holden an iniurious person and slanderer, that falsly accuseth another, but he also that reproacheth a man with any secret fault, to defame and hurt him. And therefore in so much that hee doth accuse him, not of any good meaning towards him to redresse him, but of an ill will to defame him if he could, he ought to haue such punishment inflicted him as the lawes haue appointed.

L. Si quis a
viam. C. de
iniuriis.
L. Vni. C.
de famos.
libet

To conclude, they bringe against vs the famous combats fought by Dauid and Goliath, spoken of in the holy scriptures. I answered them, that it is but one particular example, which may not be dialwen in consequence: for God hath raised up Dauid to execute his iudgement by an extraordinary meane. And besides

besides, it was enemy against enemy, for the seruice of all the common people. But it was nothing like these priuate quarrels betwene two men, which liue vnder one and the same policy, and vnder the same lawes, where the Prince commaundeth them to auoide their difference by the single combat, man to man.

Chapter III.

Of the Combat vndertaken by priuate authority.



Come now to another case, which is: if the Combate be not lawfull when it is granted by the prince or soueraigne magistrate, much lesse is it lawfull, when it is undertaken by priuate men, without the authority of their superiour gouernour. For all vengeance taken by priuate authority, is condemned, as a thing contrary to the pro-

fection of Christians.

Yet the Combat wherein second part-takers are admitted, is lesse tollerable, and farre more vniust. For what equity is this? A man praieth his friend to call one to the combat with a second: he accepteth the combat, and desireth a friend of his to second him: his friend agreeth to be his second. It falleth out often that both these are friends, and peradventure of kinne, or else allied by blood. Notwithstanding all this, they must needs fight, without any respect either of amity or affinity: and such is the ill lucke oftentimes, the one killeth the other, or else both of them, the one killeth the other before they goe from the place. By what law of God or man may this combat be iustified? What apparence of equity may one see in this? but that it is manifest that all priuate reuenge is forbidden and condemned, as contrary to the vocation and deuoir of christians: see here the reasons.

First y^e God doth forbid it: Thou shalt not kill, so saith his Law: and S. Paul saith; Auenge not your selues, but rather

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I. Ezo. 10. 15.
I. Iuoc Rom. 12. 19

give place unto wrath: for God hath said: Vengeance is mine, and I will repay.

2 That we cannot be admitted to be iudges in our owne cause. For that we being blindfolded with a certaine phylantpy which is naturally in euery man: that is to say, with the love of our selues, we should be partiall in iudgement, and iudge the right still on our sides, and the wrong to our neighbour.

3 That the impatience which is in vs, and the choler which both dominate and beare rule in vs, both let and distemper vs so much, that we cannot keepe a meane in the vengeance, that we would take of him that wrongeth vs. This reason is alledged by Terrullian in his booke of Patientie. One said, that choler serued sometimes in stead of weapons to vertue and valiance. But another made answer, that it was but a mad kind of weapon, and newly found out: for wee can stirre other weapons, but this stirreth vs. Our hands handle other weapons, but this handleth our handes: we possesse other weapons, but this possesseth vs. Therefore one of the Catoes said very well and wisely, that anger or choler did blind much the understanding, that it could not discern & know the verity of any thing, and did let it so much, that it knew not how to keepe a meane in giuing any chastisement or punishment to any body. And that was the reason why Charillus the Macedonian said upon a time to one Elote, who behaued himselfe too too sauely and irreuerently towards him: by the Gods (saith he) if I were not angry I should kill thee now presently.

4 That vengeance appertaineth vnto God only. Vengeance is mine (saith he) and I will repay. Therefore it followeth, that whosoever doth reuenge himselfe, committeth sacriledge, appropriating vnto himselfe that, which belongeth by right vnto God himselfe.

5 That seeing the wrong that our neighbour doth, happeneth not without the prouidence of God, it is not lawfull for vs to resist and withstand it by oblique and sinister meanes, and such as displease God. See what David did: 2. Sam. 16. vers. 5. &c.

6 That the prayer, that our blessed Saviour Iesus Christ hath taught vs, is contrary to all vengeance. Pardon vs (say wee

vnto God) as we pardon them that trespass against vs.

What say we there else, but that we offer him by our soules bolde of all rancour and vengeance?

But if it be not lawfull for the civil magistrat, to put to death the transgressor, without giuing him before sometime and leisure to repent himselfe, for feare lest hee destroy the soule with the body: how shall it be lawfull for a private man to reuenge himselfe of his neighbour, by endangering vpon a sodaine both his body and soule? If he who hateth his neighbour be a murderer, how shall not he be one, that hating his neighbour, lifteth vp his hand to be reuenged of him?

But if he kill him outright, that is the greatest offence of all, for the mischief is maruellously aggrauated. Who so sheddeth the blood of a man (saith the Lord in his law) by man shall his blood bee shed also. Likewise: Yee shall take no price for the life of the murderer, who is wicked, worthy to die, but let him die the death. And a little after: See that yee pollute not the land wherein you dwell: for blood defyleth the land, and the land can none otherwise be cleansed of the blood that is shed, but by the blood of him that hath shed blood. And in the Gospel. All they that shall take the sword, shall perish with the sword. And againe: If any man kill with the sword, he must be killed with the sword.

But see, here is a saying more fearfull & horrible then these: The murderer shall not inherit the kingdome of God.

And as for him, who is overcome in combat, and slaine, what braue and noble resolution will excuse him? The Death of Cato Vtricensis (no displeasure to the iudgement and opinion of the popular) who made a hole into his owne belly with his sword, and pulled out his bowels with his owne handes, to the end hee would not fall into his enemy Cæsars hande, cannot be excused by the word of God, the onely rule of our actions (no displeasure also to companies of lusty cutters and swashbucklers, that follow our fence plaiers) hee that loseth his life in a single combat for his owne quarrell, and to please and satisfy the motions of his owne mind, is no more to be excused, then the other was: for all tast of vertue is taken away from that action, nether can

It be named by the title of magnanimity and constancy.

Plut. in the
life of Iul.
Cæsar.

One demanded Cæsar upon a time, what death he thought the best to bee desired: That which is best thought of before (saith he) and the shortest. But the Christian may not altogether allow this answer. For if we haue not leisure to thinke of our death earnestly before hand, and with a perfit mind, and stedfast vnderstanding to looke it full in the face, euen then when it commeth nere vs to strike vs: with what conscience can we resolue to receiue it, when it commeth vpon vs indeede? How these which dye in combate, hauing their minde purposed and bent to reuenge, to kill and slay, hauing their deaths blow on a sodaine, so farre are they from hauing any leisure to premeditate of their death, as contrariwise they are eger and hasty to cast themselves headlong into the nets of death, euen as a man should runne blindfold into the sea.

Soe, I haue alledged reasons sufficient against priuate reuenge, the which is more agreeable to y nature of brute beasts then of reasonable men, For brute beasts be destitute of reason, to prosecute their right, and haue no superiour to do them iustice: and to this purpose did Socrates answer a clown, that in his anger had stroke him on the soote. If I were an Asse (saith he) I should kicke against thee. Moreover how many troubles hath this desire of vengeance in it selfe: what paines and vexations doth it require of vs: How miserable is the thirst of reuenge: how hurtfull is the atchieuing thereof? She maketh thee take no quiet rest in thine house, and thou hast no assurance to bee in the fieldes: shee tosseth thee with continuall cares, she tormenteth thee with ten thousand feares, she carrieth thy iudgement and reason cleane out of their proper seats, and playeth the tyrant ouer them. When thou thinkest thy selfe safest, then shee threatneth thee most: shee is importunate with thee, she gnaweth thee to the hart, she deuoureth thee. Why then dost thou suffer her to harbour in thy breast: why dost thou giue place to her violence, to incurrer thy small diuersion and vndoing, thou deceivest thy selfe if thou thinke by her meanes to atchieue any honourable or vertuous act. The honour that is wonne by her, hath an ill grownd, and that vertue should be baine, and of small

•accompt

accompt, that taketh recommendation from so vile a passion of the mind. Wise men haue alwayes set before themselves more full actions to purchase and winne their honour, and to be witnesses sufficient of the praise of vertue.

Honour is a thinge too pretious, and vertue a thinge too noble of it selfe, to depend of a superfluous humour, so base and villanous, as the desire of vengeance is.

Chapter I I I I.

The reasons of those that iustify the combat vndertaken by priuat men to bee lawfull, and the refutation thereof.



But thou wilt make answer, and say: this man hath iniured and prouoked me first, and therefore must I needs call him forth to bee reuenged of him, and to bee euen with him. I answer thee with that, that our Saviour Iesus Christ hath said: that we should not Mat. 5. 38. requite euill for euill, nor one iniury for an other. But to the contrary: loue your enemies (saith he) blese them that curse you: do good to them that hate you, and pray for them which hurt and persecute you, be of a pacient mind (saith S. Paul) forbearing one another: Col. 3. 12. If any man haue a quarrell against another, as Christ forgave you, euen so do ye. And S. Peter saith: Iesus Christ hath suffered for vs, leauing vs an example that yee should I Pet. 2. 21. follow his steps, which did not sinne, neither was there any guile found in his mouth, who when he was reuiled, reuiled not againe: when hee suffered iniury, hee threatned not, but committed the vengeance to him that iudgeth righteously. By these commendments, and by this example of our Saviour Iesus Christ, patience and sufferance is straitly enioyned vs, and all priuate reuenge absolutely and ex-

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medly forbidden.

Tert. lib de patient. *Plut. in the life of Dio.* Thou sayest that this man or that man hath first provoked and injured thee. I allow that to be true: but wilt thou do mischief as well as he? For as Tertullian saith: what difference is there betwene the first prouoker and the reuenger, but that the one beginneth to do mischief, and the other followeth by and by. Dion was resolved in that matter: his friends vpon a time exhorted him to be reuenged on Heraclides and Theodetes, of whom hee had receiued some iniurie: But he made them answer. It may not be, that Dion by choler staine his vertue. True it is, the lawes of men say, it is more iust to be reuenged of an iniury offered, then to offer an iniury: albeit nature it selfe sheweth that both do proceede from the selfe same infirmity.

I say moreouer, that those which take reuenge, requiting euill for euill, doe redouble the mischief, and (as Origines saith) do sinne more grieuouly then they, who were the first prouokers. For it may be that the first prouokers haue offended by inconsideration and vniwares, either not knowing, that the hurt or iniury that they did, was hurt or iniury, or not knowing that it was so great and harmful as it was: which they, that to be reuenged do mischief, by no means can pretend.

Thou objectest yet, that the combat is still vsed now adales amongst them who follow the warres, and make profession of armes. Custome and time haue brought it to this passe, thou saiest. I answer, that the matter is not alike in combat, as it is in money or coine, in the putting away whereof, we care no more for the weight and valour of the peece, but every man taketh it for so much as it is currant, according to the common valour and approbation thereof, we speake no more of the value, but of the vse. But what if in Lacedemonia it be lawfull to picke and steale: shal it be then wel done to picke and steale? In Germany and in Switzerlande they vse very much drunkennes: tis honest then for a man to be drunken. At Rome & in diuers other places, where the common felues are yet suffered, the custome & vsage permitteth bachaunt women to make marchandise and profit of their owne bodies, and suffereth men

to

to be naught with them. Therefore whosoer may not bee condemned. But I say, that neither vse nor custome, nor time can cut of or derogate any thing from the lawes of God: but they all aggrauate the offences and sinnes of men. No vse may giue any scope or libertie to men to offend, for that were an error, and he is farre dectrued, who to reigle himselfe well, regardeth what is accustomed and wont to be done, and not that which ought to be done. So also ther is no prescription of time able to iustify those, who violate the lawes. There is no appealing to the time: vices are in men, and not in the times and seasons.

To what ende then sayst thou, do I carry my sword at my side? Thou mayst weare thy sword at any time, either in time of peace or in time of warre, not to reuenge thine owne quarrell: for thou art no magistrate, but to helpe the magistrate to gouerne and rule the countrey in peace, to repulse the enemy, to stop his incursions, to keepe him from robbing and spoiling the Countrey, to chase away and banish vices farre from thy countrey: in summe, to defend and maintaine goodlines, law, iustice, and the common weale. If thou be a good Christian, doth thy sword any thing at all dispence with thee, from doing the deuotire of good christians: doth it giue thee any greater priuledge, then it doth to the marchant or artificer, who carry it not to abuse their vocation;

Thou wilt say then, mine enemy hath called mee forth to haue a blow or two with me, and to fight with me. I answer: if thine enemy will destroy thee, wilt thou destroy thy selfe also? if he will offend God, wilt thou offend God as well as he? he calleth thee forth to kill thee, and thou wilt goe forth to kill him. If he called thee forth, to goe both together to cast your selues downe headlong from the top of a tower, or of a bridge into the water wouldest thou follow him, or goe with him: rather considering him to be mad, furious, and out of his wit, and thy selfe to be wise and wel aduised, shouldest thou not take heed of the danger wherein he casteth himselfe wilfully? For knowest thou not that the danger of one man, proceedeth commonly from another man. Think then (saith Seneca) of the danger

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Seneca ep^a
104.

that may befall thee by a man. But thinke also of that deuotes whereunto nature doth bind thee. Thinke of the one, to the ende thou bee not offended: and thinke of the other to the ende thou offend no man. In the Combat there is as much occasion to stand in feare as in hope. The very apprehension of fight doth trouble a man meruellously. It maketh a man chafe and fret, it maketh him tremble and quake, it maketh him looke pale and wan, it maketh him blush and cry out in his imagination, to thinke of the blowes he shall abide, and of that which shall chance vnto him.

Cast not then thy selfe headlong (saith the wise man Cleobulus of India) into danger, but before thou dost hazard thy selfe, regard the end, and see how thou mayst escape it.

Of the point of honor and reputation.

But mine honour and reputation, saith he, lyeth vpon it: if I goe not out with him into the field, I shall be counted but a coward. Here the vaine glory of man, which is a malady in him naturally and originally ingrafted, sheweth her selfe signally, what shee is. For (as Epictetus saith) man hath nothing of his owne, but the vse of his ambition, pride, and of his other passions: a strange case. Man is the weakest, and the most miserable creature of all other, without the feare of God: and yet (as Plinie saith) the proudest and the fullest of ambition. If thou wouldest say but vnto thy selfe, the least thought of that which is in thy soule regenerated, or the least of that which remaineth yet whole and sounde in thy nature corrupted, which cannot altogether be effaced and blotted out of thyne vnderstanding by time, thou wouldest satisfy thy selfe in these thinges, and say as the Poet: *Vides meliora, proboque deteriora sequer.* i. I see the best, and allow of it, yet I follow that which is worst. This vice is naturally rooted in vs, but let vs amend it by the vse of reason: as Socrates, who confessing a fault, that some found in his physiognomy, sayd: It is indeede my naturall inclination, but I haue corrected it by philosophy.

Touching

Touching the rest, I say first, that it is great maruell, that this point of honor (which in this place is but a vaine and light opinion, inuented by the Deuill) hath found place among so many good and honest men, and that Kinges and Princes allow of it: for (no displeasure to their maiesties, and excellencies) they torap themselves in a great contradiction. For if a man be called to the field to fight with another, and kill him, the King shall not suffer him to liue, vntlesse he giue him a pardon: and yet if he do not goe to the field, the King shall count him a coward, and his honour shall be thereby impaired. But how can these things agree? For if he haue done an honourable act, what needeth he any pardon: or if he haue neede of a pardon, what act of honor hath he done? Is not this a plaine contradiction, that if a man take the life of another, or suffer any other injury, he should by and by, by the King, according to the deuoir and law of armes be degraded of his nobility and honour: and yet if hee reuenge the matter, the same king by the ciuill law shall inflict vpon him sentence of death: what a pity is this? Soe to the lawes to haue iustice for an offence committed against thyne honour, & they shall tell thee, that thou dishonourest thy selfe. So to armes against the lawes, they shall tell thee, that thou oughtest to be punished by the lawes. What iustice is this? What pollicy is this? In one and the very selfe same thing, by and by the lawes must giue place to armes, and by and by armes to the lawes. Here may one fully perceiue the inconstancy of men, concerning their sundry iudgements and foolish fantasies: much like to the Camelon, which changeth colour in euery place that it cometh vnto: or much like the Queene of whom the poets saie, that vpon a time she desired her mother to make her a garment, that might be fit for her, and handsome for her body. How can that bee Daughter (saith hir mother) seeing thy body kepeth neuer at one state, but it is so variable, that it changeth euery day?

Secondly, thou sayst, thyne honour is lost if thou do not goe out into the field to meete thyne enemy. And is not thy conscience lost also, if thou do goe sooth? Demosthenes had a wise saying: that the beginning of euery vertuous act, is consultation

and deliberation, the progresse or going forwards, is magnanimity and constancie: the end and perfection is praise and honour, with tranquillity of mynde and conscience.

Life indeede is a death, if the honour or good name be lost. But thou mayst not take the shadow for the body. Thyne error proceedeth of the too great force and vehemence of selfelove, that thou bearest to thyne owne imaginations: as the Poets saie Narcissus to haue bin rauished with the loue of his owne shadow: and so was Pygmalion ouercome and troubled with the impression of an Image of Iuoy, that he fell in loue with it, as though it had bin aliue.

Tell me, wilt thou liue in honour: liue then like a good Christian. Wilt thou make knowne y care thou hast of thyne owne credit, and after this life make thy selfe famous in the mouth of many: Endeavour then that thy fame fly no further, then the vertue and good report thereof be spread, and may carry it: and that it remaine for a memorisall and crample to the posterity, to be worne in the feare of God: and do not as Trogius Pompeius speaketh of one Herostratus: & Titus Liuius of one Manlius Capitolius, who were desirous of great fame and honour for their naughty deedes.

Cursed is that honour and fame. Thou mistakest the matter in taking dishonour for honour: and so doth thy poore soule deceiue hir selfe, in imagining and representing to her selfe a false and fantastickall object, euen against hir owne conscience, if shee would say the truth. For a staffe be it neuer so streight, seemeth crooked in the water: and the sound of a Trumpet which wee thinke is before vs, cometh a quarter of a mile behind vs, by the reuerberation of the aire neare vnto a foynest: so also all that glistereth is not Gold. And vertue alwaies hath the one of his two extreames, with the which shee hath more conformity and resemblance, then with the other: and therefore the Poet sayd

14. Iouenalis. true, That vice doth deceiue vs by the apparence and shadow of vertue. So then when the question is of the point of honour, we ought not to speake of it, nor estimate it after our owne iudgement and opinion, but according to that which is in it selfe, and in it owne naturall.

For that which men imagin for honour in this respect, is like the Atomes of Epicurus, the Ideas of Plato, and to the numbers of Pythagoras: which are things too uncertaine, and need great dispute to proue them. To take this for honour, is to feede of the aire or of the wind: as those, whom Plutarch reporteth to be in a certaine place of India, who haue no meuth at all, but feede and nourish themselves with smelling of certaine sweet odours. There is the name of the thing, and the thing it selfe: and the name of the thing is no part of the thing, nor any part of the thinges substance. The name, is but a voice which doth comprehend in it oftentimes that which cannot be attributed to the thing.

Dost thou call it honour, to do that which God forbiddeth thee: is it not thyne honour to obey God, and thy dishonour to disobay him: If thy lawfull Prince prohibit thee any thing vpon iust occasions, and for good reasons, wilt thou not then say: myne honour bindeth mee not to do it, so that the King hath commaunded mee the contrary: Wilt thou then make more account of men then of God: God forbiddeth thee to reuenge, and thou sayst, thy good name, that is, thyne honour is taken away, if thou do not reuenge. God forbiddeth thee to kill thy neighbour: and thou saiest, thine honour is lost, if thou do not kill him. A manifest falsehood, and imposture of thyne owne foolish opinion.

There is nothing more honorable for a Christian, then to byde and keepe vnder his owne passions by reason. This is no dishonour nor discredit not to bee able to do that which a man would. But it is both dishonour and discredit to be willing to do that which a man ought not to be willing to do: and yet the greatest dishonour that is, is to doe that which God and his lawes forbid.

But, saith another, they will cast in my teeth, that I am affraid of death, the which waiteth for me. either there, or in another place: and I shall be esteemed a very Poltron and a coward, if I like not to reuenge the wrong that hath bin offered me. I answer first to this, that to put a mans selfe in no danger, where occasion of danger is, is to be no wiser then Pirrho

the Philosophers bogge was, who looked on the whirlewinde and tempest in the sea, without any whining or noise at all: or else to be as wise as Pirrho himselfe was, whom Laertius and others picture out to be very blunt and blockish, of a brutish and savage life, refusing to live under any law, without any order, standing, who would stay till chariots ranne over him, and offer to cast himselfe downe headlong from the toppe of any high place. Agelilas (as Plutarke reporteth) was wont to say in his priuy deuises, that iustice was the first and chiefest of all other vertues, and that prowesse was worth nothing, if it were not accompanied with iustice.

Chalancy hath her limits, as other vertues haue, the which if thou once overpasse, thou shalt straight finde thy selfe in the path of vice. In very deed thou oughtest not in any wise to feare death: for God forbid that we should feare death, which bringeth vs so great benefit, that it maketh vs free from all feare: and although it be most true, that thou canst not tell, where it attendeth thee, but that therefore thou oughtest to attend it euery where boldly, without all feare: yet oughtest not thou to runne headlong without any regard of thyne estate within the compasse of his sickle, nor making way for thyne anger, to runne after it, and wittingly to bring thy selfe in danger. Thou oughtest to waite for it indeed, but not to preuent it. In the first there is resolution and courage, in the second temerity and desperatnesse.

When they will object, saiest thou, that thou art a coward and a colwarde. Colwardize indeede according to the lawes of Charondas, doth merit to be punished by shame and ignominy: yea with death if selfe, by the lawes of Greece and of Rome, when it is cause of any great prejudice: as if in warre any captaine should turne his backe to his charge, or runne away the same time, when the battell is to be giuen. And moreover if he giue vp for feare any place that is assieged, that may by the rules of warre be kept well ynough, but it is another matter, not to be willing to reuenge any priuat injury or quarrell. That ought neuer to be imputed to cowardlines, or to pusillanimity. yet, thou wilt say, that some will say, it is. But who is he that will

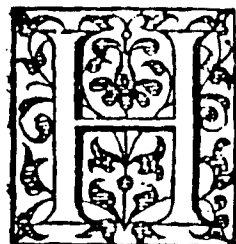
will say, it is: Men. But what men? not honest and vertuous men, and such as feare God, but men of this worlde. Euery thing hath in it some good or euill, for the which it is esteemed good or euill. The goodnes of euery action is that which proceedeth from vertue. The ill contrariwise, that which cometh from vice. An action then ought to be esteemed good and lawdable, when it is vertuous: and contrariwise euill and blameworthy, when it is vicious: for there is none other good but vertue, and none other euill but vice. In so much that the vertue is straitly commended by God, and the vice absolutely condemned. And there is great reason why we should esteem all that which God commaundeth good and vertuous, & all that which he defendeth euill and vicious without climbing any higher. For it is he who hath put a difference betwene good & bad, betwene vertue and vice, and hath engrauen a certaine generall knowledge and notice in the iudgement of man euer since his creation. And therefore it followeth that, that act is good and vertuous, because it is conformable to the will of God. And this act is euill and vicious, because it is repugnant, and contrary to his will.

Let then the world speake his mind, and make what foolish estimation of honour that shee will: for the worlde is impure, wicked, and altogether giuen to mischief. And therefore esteemeth and valueth nothing, but that which agreeth and resembleth altogether with her nature, and doth speake well of nothing, according to her thinking, but of that which sympathizeth with her manners of doing. Her reason, or rather appearance of reason, which she saucth to haue in her selfe, halteth alwayes, is crooked many wayes and cleane without all square or compasse, hauing little truth ioyned with it, or rather none at all: and alwayes, or for the most part, accompanied with lies and tales: And is as the leaden instrument called *regula Lesbica*, which may be applyed, and made true to measure any thing that a man can deuise. Demetrius was wont to say, that hee made as little account of the wordes of the ignorant, as hee did of the wind that cometh from the body: for what neede a man passe (sayth hee) what the prattle of the vulgar is, babble they

they from above or from below. Let it suffice thee to be esteemed of God, & of those that feare God, who can iudge of thine actions, and of all others by the word of God: for nothing is worthy of praise, or blame worthy, but that which is approued or repproued by God. And his iudgement that is not here planted and settled in Gods word, deceiveth him much: and in stead of true honour bringeth forth to his minde monsters and fantastick Chimæres, where nothing is to be had but meer illusions, and lying images of true honour.

Chapter V.

Remedies against single Combat.



Hitherto we haue but opened the soare: now we must seek some remedies for it, if it be possible. Now the remedies against Combat in mine opinion ought to be taken partly of private men, and partly of chiefe governours, and ciuill Magistrates. As for private men, we know there are some so active, and of such a boyling nature, and such that loue quarrelling and brawling so well, that at the perill of their owne salvation, they utterly contemne the use of all vertues, which helpe to bridle and moderat the boyling force of their immoderat passions. As it is reported of a certaine fellow, that would not haue his phisition to take away the alteration of his fener, to the end he might not lose the great pleasure he tooke in drinking and beeling. His opinion that a man hath cometh from a savage humour, vagrant without any bridle or stay in his spirit, who hath none other stirring and mouing in it selfe, but euen as the senses and humours of the body carry him. But as he that loueth the health of his bodye, being in perfect health, doth take great pleasure to practise the rule & regimen of health, that y skillfull phisition prescribeth him, to y end, that he might keepe and maintaine himselfe long time in health: euen so hee that

that he that loueth that his soule be well reigled and gouerned, and he that hath well ordered and guided it, as a man vertuous & wise doth take great delight in the precautions and meanes that he hath learned, to preserve and keepe it from falling into vice.

I say then to private men, that make profession of armes, that they banish out of their hart all ambition and pride. For this plague is the onely cause of quarrelling and brawling: for as a certaine Romaine said, it is the nature and property of the ambitious man to contemne men of simple and lowe estate, to enuy those of higher and greater condition, and to agree and liue in charity with none of his equals, men of as good quality as himselfe. Let private men then be purged and cleane void of this vice of ambition: let them bee meeke, courteous and gentle towards euery man, and in no wise opiniatrous nor quarrellous. Let them be carefull to keepe unity and concord of mind, by the band of peace: let them do nothing by strife or baine glory: but in humility of hart let euery man thinke better of another then of himselfe. Let them be charitable, for charity swelleth not. Let them put the salt of discretion in their wordes, and weigh them well before they utter them. Let them liue in good amity and brotherly charity one with another: for as the Prophet sayth, Concord maketh little things grow and encrease, and discord plucketh all quite by by the roote, and bringeth by and by great and mighty things to naught: and in this concord, as saith our sauour Iesus Christ consisteth the preservation not onely of whole families, cities prouinces and earthly kingdoms, but also of the Church which is the house and family of God.

And because the deuil is very subtil to sow dissensions among men, let them not moue themselves lightly one against another, for euery small wrong or iniury that is offered them. Let them be patient, ready to forgive, and ready to suffer wrong and injury, without any desire or thirst of reuenge, because they are Christians, and ought to followe the example our sauour Iesus Christ. And if the worst fall out, let them haue recourse to their superiours, and prosecute their right by such way of iustice as is ordained for them by God: alwaies provided, they do it

Planchus
Numatius
scholar to
Cic.

Eph. 4.3.
Phil. 2.3.

Rom. 12.10

1 Cor. 13.4

Col. 4.6.

Salust in

Iugur.

Mat. 12.25

not to seeke any vengeance, and pretend not to vse the Magistrate, as an instrument to execute their wicked will. For it is the deuoir of the Magistrate to preserve the honour and good name of his subiectes, as well as their goods and liues, as witnesseth the holy Scripture.

Rom. 13.3.
1 Pet. 3.14.

See here is the summe of that I had to say of the first remedie of Combat concerning the part of priuat men. The second remedie toucheth Princes and Rulers. It is, that they imploy their authority to take some speedie order for this dangerous mischiefe. It is evidently seene, that the pleasure that diuers take, their nonchallance, fault of knowledge, and lacke of conscience hath caused them to grant this excelle to great fighters and fray-makers, to let them put in a sorce with them, to holde them by by the chaine, and to haue secret intelligence with the in the practise of this combating: so that the superiour gouernours haue of purpose given over their authority to the inferior magistrates, because they would not vse it in this matter their owne selues: and the inferior haue usurped this licence to abuse the sword of iustice, in treading under foete the right of their superiours.

It is then first of all needfull that Kinges and soveraigne Princes bidde their subiects, for their benefite and good in common, and that they make strait decree vpon this matter, according to law and iustice, forbid vpon grievous paines this excelle of single Combat, so vnuall now adaires: and that they cause proclamations to be made through all places of their dominions, to the ende no man pretende hereafter any excuse or cause of ignorance: or if they haue once so done already, yet that they do it not once againe, & commaund all their Officers, & namely all their chiefe Captaines of war to lay their handes to the execution of this their ordinance. If they do thus, they shall deserue great commendations, and honour, doing much for the benefite in common.

Plutarcke praiseth Flaminius, for that bee being borne to command, knewe not onely how to commaunde according to the lawes, but also the lawes themselves, when common necessity should require. And who doubteth then, but honest & vertuous

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ous people do praise our Kinges and Princes, when for the common utility and the benefite in publike, they shall commaunde according to true lawes and iustice, against that which is fallacy and against all reason learned the law or deuoir of warre, and armes in this matter of single Combat?

Secondly, that as Christian Princes, and such as are furnished with members about them fit for their dignities, discourse themselves priuatly and publicly when there shall fall out any matter to be decided by combat, against the combat, blaming and reprehending it, and shewing that they do not allow of it in any wise, and that it is a very foolish thing for those that make profession of armes, to thinke that their reputation, their valour, their noblenes, their resolution, their stoutnes of courage: and in summe the point of their honour consisteth in this lawlesse and wicked practise of single combat. And then when the other shall knowe and vnderstand fully their opinion in the matter, they will willingly agree vnto them to bee of the same mind with them. For so it is, the inferiours alwayes conforme themselves to the manners and opinions of their superiours.

Thirdly, that the chiefe captaines of warre be more carefull then heretofore they haue bin, to make diligent enquiry of the state and behauing of their men at armes and souldiers: and if there arise any strife or difference amongst them, that by and by, as soone as they can, they seeke to appease it: and if they can not by reason of some difficultnes, that they shall find, that they commaund and charge them vpon paine of death not to dispute any further, or meddle any more in the matter, vntill they haue taken further aduice by assembling some greater number of Captaines that feare God: for there is no difference, bee it neuer so great, but among Christians by the word of God & good lawes it may be decided, and auoyded well ynough without euer combatting for the matter.

If these medecines be applyed to this so dangerous and mortall a disease, we may hope that y^e ayre of our France shal quickly be purged. True it is that they will seeme somewhat bitter to diuers, and of a very sower tast at the first. But the bitterness hath his circumstances, that serue to the operation: and you

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A Discourse

know that Apothicary drugges haue little vigoure, when they are taken pleasantly and with a sweet tast. The effectes hercof in tyme shall shew themselves to be profitable and holtsome, if it please God to further and blesse them. When I beseech God that they take some effect and deepe roote in the harts of the readers which make profession of armes, and abuse the lawfull usage thereof: as sometime it did in þe hart of Polenion, a yong, licentious and brutish Grecke, who by chance going to heare but one good lesson of a Philosopher, with the knowledge and learning that he brought away, vpon a great sodaine changed and amended his former lewd life wherein he had so long before continued. But to God aboute be all laudable beginning all good proceeding, and all happy ending: and to the same God be all glory, might, and power now and for evermore Amen.

