

OF THE CIVIL STATE.

§ 530. **The civil, military, and maritime states.**—The lay part of his majesty's subjects, or such of the people as are not comprehended under the denomination of clergy, may be divided into three distinct states, the civil, the military, and the maritime.

§ 531. **The civil state.**—That part of the nation which falls under our first and most comprehensive division, the civil state, includes all orders of men from the highest noblemen to the meanest peasant, that are not included under either our former division, of clergy, or under one of the two latter, the military and maritime states: and it may sometimes include individuals of the other three orders; since a nobleman, a knight, a gentleman, or a peasant, may become either a divine, a soldier, or a seaman.

§ 532. **1. The nobility and commonalty.**—The civil state consists of the nobility and the commonalty. Of the nobility, the peerage of Great Britain, or lords temporal, as forming (together with the bishops) one of the supreme branches of the legislature, I have before sufficiently spoken: we are here to consider them according to their several degrees, or titles of honor.

§ 533. **2. The nobility.**—All degrees of nobility and honor are derived from the king as their fountain:^a and he may institute what new titles he pleases. Hence it is that all degrees of nobility are not of equal antiquity. Those now in use are dukes, marquises, earls, viscounts and barons.^b

§ 534. **a. Dukes.**—^[397] A *duke*, though he be with us, in respect of his title of nobility, inferior in point of antiquity to many others, yet is superior to all of them in rank; his being the first title of dignity after the royal family.^c Among the Saxons

^a 4 Inst. 363.

^b For the original of these titles on the Continent of Europe, and their subsequent introduction into this island, see Mr. Selden's Titles of Honor.

^c Camden. Britan. tit. Ordines.