

I. De Homine

II. De Civitate
Cap. XXVI. De Legibus Civilibus

CAPUT XVI.

DE PERSONIS ET AUTHORIBUS.

PERSONA est. is qui suo vel alieno nomine res agit: si suo, persona propria, sive naturalis est; si alieno, persona est ejus, cujus nomine agit, *representativa*. Personam Græci vocant πρόσωπον, quod significat faciem hominis naturalem. Sed a Latinis persona frequentissime sumitur pro facie fictitia, quæ et larva dicitur, quali utebantur in theatris histriones.

CAP. XVI.
De personis et authoribus.

Invenio voces *legem civilem* et *jus civile* a scriptoribus promiscue usurpatas esse; quod fieri non debet. *Jus enim libertas* est, id est, a legibus civilibus exemptio. Contra, *lex civilis obligatio* est, libertatem a natura datam tollens aut restringens. Per naturam enim unicuique jus erat viribus et facultatibus suis sui ipsius arbitrio utendi; id quod lex civilis, nisi quibus legis civilis protectionem tutum non erat expectare, sustulit.

I. Of Man

II. Of Commonwealth
Chap. XXVI. Of Civil Laws

CHAPTER XVI.

OF PERSONS, AUTHORS, AND THINGS PERSONATED.

A PERSON, is he, whose words or actions are considered, either as his own, or as representing the words or actions of another man, or of any other thing, to whom they are attributed, whether truly or by fiction.

A person what.

When they are considered as his own, then is he called a *natural person*: and when they are considered as representing the words and actions of another, then is he a *feigned* or *artificial person*.

Person natural, and artificial.

The word person is Latin: instead whereof the Greeks have πρόσωπον, which signifies the *face*, as *persona* in Latin signifies the *disguise*, or *outward appearance* of a man, counterfeited on the stage;

The word person, whence.

Difference between law and right.

I find the words *lex civilis*, and *jus civile*, that is to say *law* and *right civil*, promiscuously used for the same thing, even in the most learned authors; which nevertheless ought not to be so. For *right* is *liberty*, namely that liberty which the civil law leaves us: but *civil law* is an *obligation*, and takes from us the liberty which the law of nature gave us. Nature gave a right to every man to secure himself by his own strength, and to invade a suspected neighbour, by way of prevention: but the civil law takes away that liberty, in all cases where the protection of the law may be safely stayed for. Insomuch as *lex* and *jus*, are as different as *obligation* and *liberty*.

