THE COLLECTED WORKS OF

ERIC VOEGELIN

VOLUME

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HISTORY OF POLITICAL IDEAS

VOLUME V

RELIGION AND THE RISE
OF MODERNITY

EDITED WITH AN INTRODUCTION BY
JAMES L. WISER

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HISTORY OF POLITICAL IDEAS
Series Editor, Ellis Sandoz

Ellis Sandoz

The Collected Works of Eric Voegelin: Volume 23

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Contents

Editor's Introduction

I

In one of several differing descriptions of the "History of Political Ideas" project that Voegelin prepared for his editors, he divided his proposed study into three chronological periods.[1] The first period, entitled "Polis and Philosophy," went to 300 B.C. The second, entitled "Empire and Christianity," covered the period from 300 B.C. to A.D. 1500; and the last, entitled "The Gnostic Age," was from A.D. 1500 to the present.

Those who are familiar with Voegelin's work, especially his *New Science of Politics* and *Science, Politics, and Gnosticism,*[2] will recognize the term *Gnosticism* as one of the concepts Voegelin found most helpful in his own efforts to better understand the nature of political modernity. Concerned that contemporary political science had not yet succeeded in truly comprehending the nature of the then dominant political ideologies and their accompanying collectivist movementsthat is, Nazism, fascism, and CommunismVoegelin sought a better understanding of what he considered to be the disorder of the age. His first attempt, published as *Die politischen Religionen,*[3] argued for the essentially religious character of what at first may have appeared to be a purely secular phenomenon.

[1.] *The Collected Works of Eric Voegelin,* vol. 19, *History of Political Ideas,* vol. I, *Hellenism, Rome, and Early Christianity,* ed. Athanasios Moulakis (Columbia: University of Missouri Press, 1997), 13.

[2.] Eric Voegelin, *The New Science of Politics: An Introduction* (Chicago: University of Chicago Press, 1952) and *Science, Politics, and Gnosticism: Two Essays,* trans. William Fitzpatrick, introduction by Ellis Sandoz (1968; rpt. Washington, D.C.: Regnery, 1997).

[3.] Eric Voegelin, *Die politischen Religionen* (Vienna: Bermann-Fischer, 1938).

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In this analysis, Voegelin interpreted National Socialism, in particular, as an example of an essentially immanentist political religion. By immanentizing the object of mankind's quest for the ground of Being, such forms of religion were in fact based upon a divinization of selected features of the profane order. On the one hand, National Socialism was a peculiarly modern phenomenon inasmuch as it claimed that its principles were supported by the teachings of modern science. At the same time, however, according to Voegelin's early analysis, National Socialism, albeit modern, represented simply another example of a specific and apparently recurring form of religious consciousness.

In time, Voegelin himself came to question the adequacy of this understanding. By grouping together such immanentist religious movements as modern National Socialism, on one hand,

and the ancient cult of the Egyptian sun-god, on the other, this argument failed to acknowledge important differences in kind. The cult of the Egyptian sun-god existed prior to the emergence of the Israelitic, Greek, and Christian articulations of transcendence. It is as if the human soul as a sensorium of transcendence had not yet been "discovered."[4] Prior to such a discovery, reality was experienced as compact and undifferentiated. However, given the events of Greek philosophy and Israelitic and Christian revelation, the earlier understanding of a compact and undifferentiated reality was "corrected" by the discovery of the transcendent source of order itself. This discovery was a historical event in consciousness. Once it had occurred, one could not simply go back to earlier formulations without intentionally ignoring this newly articulated truth. Movements like National Socialism were fundamentally different from the cult of the Egyptian sun-god inasmuch as they required a turning away from a dimension of reality that had not yet become apparent to those who lived prior to its discovery. The cult of the Egyptian sungod expressed the truth of reality as it was experienced at the time. National Socialism, on the other hand, sought to deny the order of reality as it had come to be understood after the discovery of the soul as the sensorium of transcendence. Voegelin's earlier treatment of the two cults as essentially similar phenomena failed to appreciate this important difference.

[4] Bruno Snell, *The Discovery of the Mind: The Greek Origins of European Thought,* trans. T. G. Rosenmeyer (New York: Harper and Row, 1960).

Voegelin's dissatisfaction with the imprecision of the concept of political religion as an analytical category for understanding political modernity led him to a reexamination of his prior worka reexamination that occurred during the time he was working on his *History of Political Ideas*. The result of that effort appeared in his *New Science of Politics*. There, Voegelin concluded that "the essence of modernity [is] the growth of Gnosticism."[5] From his perspective, the superiority of this analysis, vis-à-vis his earlier efforts, was due to the fact that it more precisely explained that which differentiated the mass movements of modernity from their ancient analogues. Given that the transcendent ground of reality had been discovered and articulated in the philosophical traditions of Greece and in the revelatory traditions of Israel and Christianity, modern Gnosticism's attempt to improperly redivinize that which had been appropriately dedivinized necessarily presupposed a prior denial of the very structure of human existence itself. With the discovery of the soul, reality was understood to have both a mundane and a transcendent dimension. As both physical and spiritual beings, individuals participated in both dimensions and, rather than belonging to either fully, lived their historical existence "in

between." Inasmuch as modern Gnosticism rejected the transcendent dimension and consequently absolutized the realm of the mundane, it replaced the reality of human existence in the In-Between with an imaginary second reality in which mankind was complete and fulfilled. By denying the transcendent beyond, modern Gnostic consciousness created a vision of reality that located mankind at its center. Rejecting the transcendent source of order, mankind was now empowered to create the order of reality in its own image. At the core of the modern project, therefore, is an attempt to create an image of reality that sustains the possibility that mankind itself becomes the source of meaning and order.

> Philosophy springs from the love of being; it is a man's loving endeavor to perceive the order of being and attune himself to it. Gnosis desires dominion over being; in order to seize control of being the gnostic constructs his system. . . . But the thinker can seize control of being

[5.]*New Science of Politics,* 126. Later, as his work continued to mature, Voegelin would acknowledge that a description of modernity as singularly Gnostic unfairly reduced its complex character. While Gnosticism would remain a fundamental, if not essential, element in modern consciousness, a more adequate analysis would also have to include apocalyptic, Neoplatonic, hermetic, and alchemistic themes.

> with his system only if being really lies within his grasp. As long as the origin of being lies beyond the being of this world; as long as eternal being cannot be completely penetrated with the instrument of world immanent, finite cognition; as long as divine being can be conceived of only in the form of the *analogia entis,* the construction of a system will be impossible. If this venture is to be seriously launched at all, the thinker must first eliminate these inconveniences: he must so interpret being that on principle it lies within the grasp of his construct.[6]

Voegelin's analysis of modernity as fundamentally Gnostic suggests that the diminishing appreciation for the experience of transcendence is the result of a conscious decision. Modern mankind has chosen to ignore the experience of reality as open and transcendentally grounded in order to satisfy its will for power. The process by which this choice appears to have become normative for modern Western civilization has its beginnings in the sixteenth century, and it is this period Voegelin examines in this volume.

II

The volume begins with the second part of a discussion already initiated at the end of Volume IV, *Renaissance and Reformation*. This bridging section is entitled "The Great Confusion." In Volume IV, it introduces Voegelin's analysis of Luther and Calvin. More specifically, it refers to that vast range of events and ideas which were touched off by Luther's Ninety-Five Theses. Their promulgation introduced a period of controversy, revolution, and partialitythe focal meaning of which escaped almost all of its participants. Part of the difficulty in gaining an adequate self-understanding during this age was due to the lack of an appropriate philosophical language. The antiphilosophical spirit of the Reformation had undermined the authority of scholastic analysis, and attempts to restore scholasticism by such Jesuit thinkers as Suárez often resulted in the recreation of a dogmatic system rather than in the development of a renewed tradition of critical inquiry. As a consequence, much of the political debate of the period was limited to partisan and particularist literature and did not produce either a coherent analysis of or an appropriate response to the problems of the timeproblems having both an ecclesiastical and a political dimension.

[6.]*Science, Politics, and Gnosticism,* 30.

For the church, these problems occurred primarily because of the dissolution of medieval Christianity into a plurality of creedal communities. In addition to being the object of reformist pressures, schismatic tendencies, and sectarian movements, the church was also threatened by Calvin's presentation of a new universalistic alternative, seeking neither to reform nor to break from Roman Catholicism but to replace it altogether with a new universal model. In time, this complex field of creedal communities produced both widespread social unrest and religious warfare.

For the governments of the period the central problem was one of political legitimacy. With the dissolution of Christendom, governments could no longer explain their role by referring to the traditional Christian understanding of society. Absent such references, secular or natural principles had to be found that could form the basis of political order. In time, the concept of popular sovereignty would emerge as the most powerful of these principles and *raison d'état* would be accepted as a self-justifying claim.

Throughout the sixteenth century the intellectual traditions of Europe were changing, but the changes were ones that occurred as a result of the cumulative effects of disparate earlier

movements rather than as the result of a single event or thinker. As such, the period lacked an apparent intellectual coherence. In retrospect, it now appears that the new understanding of human nature, the world, and society that was in the process of emerging would not in fact achieve its systematic expression until the seventeenth century. The traditional intellectual and spiritual order of Europe had broken apart, and the new general order of Western modernity had not yet emerged. Thus, during the sixteenth century civilization appeared spiritually dissolute and intellectually fragmented. The Reformation had replaced the unified medieval church with a plurality of churches, each claiming to represent the true faith; and the Renaissance's revival of classical texts, revealing a powerful if not superior pagan culture, presented a plurality of civilizations much like the plurality of churches.

In spite of the fragmented and complex character of the age, Voegelin's analysis suggests a point in the future toward which these various lines of change were converging. That point is the birth of a distinctly modern form of human consciousness, one that he describes as follows:

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> The common factor is the growing awareness that man is the origin of meaning in the universe, and at the point of convergence arises an image of the universe that owes its meaning to the fact that it has been evoked by the mind of man. This new awareness, which we shall designate by the term *modern*, constitutes a radical break with the medieval image of the closed universe in its dimensions of nature and history. The medieval idea of the closed cosmos gives way to the idea of an open, infinitely extending universe evoked as a projection of the human mind and of its infinity into space. And the medieval Christian idea of a providential, straight line of history ending in the eschatological crisis gives way to the idea of an intramundane history determined by the same natural forces as man himself.[7]

Voegelin's *Religion and the Rise of Modernity* is important as scholarship not only because of its treatment of individual thinkers and doctrines but also because of its close examination of those experiences that became formative of the modern outlook. Whether this outlook is adequately characterized as Gnostic or not, some of the materials supporting such an analysis are available here for the first time. If modernity is Gnostic and if Gnostic consciousness does in fact require the willful denial of the experience of reality as open unto its transcendent ground, it still may remain a mystery both why one would choose such a denial and why such an action would be accepted by so many as the basis for a new civilizational order. These questions as to the motivations behind such decisions become more central to Voegelin's later work as he moves away from the study of the order of history as the history of order to his later attempt to

develop a theory of human consciousness. Yet the two tasks are necessarily intertwined. Human consciousness is always the consciousness of particular, concrete individuals. As such, the intellectual and spiritual "work" of such individuals becomes the material to be studied in an effort to develop a theory of consciousness in general. To an important extent, therefore, many of the materials necessary for gaining an understanding of modern consciousness are contained in this present volume.

III

The range of thinkers and ideas examined in *Religion and the Rise of Modernity* is truly impressive. In addition to such obvi-

[7.] See below, 136.

ous political thinkers as Calvin, Althusius, Hooker, and Vitoria, Voegelin includes others less frequently represented in standard political science surveysBracciolini, Savonarola, Copernicus, Tycho de Brahe, and Giordano Bruno. The themes he investigates include not only the traditional arguments for monarchy, just war theory, and the philosophy of law but also analyses of astrology, cosmology, and mathematics. What is perhaps most surprising, however, is the attention he gives to Jean Bodin.

In his own "Introduction" to the "History of Political Ideas" project,[8] Voegelin discusses the function of political ideas both as being evocative of specific historical communities and as compelling the allegiance of the community's members. In contrast to the majority, who are more or less captured by the power of such ideas, Voegelin posits two alternative human types. The first is the political realist, who achieves enough distance from the prevailing ideas to understand the inevitable gap between theory and practice, between that which is claimed and that which is achieved. As an example of such a realist, Voegelin mentions La Boétie, one of the thinkers studied in this volume. The other type is the political theorist, one whose intellectual strength is of such quality that it allows for a degree of distanced detachment analogous to the disinterested contemplation characteristic of the Aristotelian *bios theoretikos*. This detachment allows for a larger view of the political process and thus provides for a more objective perspective from which one can observe the particular phenomena under review. Yet it is not easily achieved. As Voegelin writes, "There are only a very few [instances] in history

that an intellectual temperament has been strong enough to [. . .] powers and to build the materials into a comprehensive system. Aristotle, Thomas, and Bodin may be reckoned among them, and it may prove difficult to find a fourth one."[9]

The place given to Bodin is surprising, not only because he is typically treated as a minor figure in most surveys of Western political thought but also because he is more or less invisible in Voegelin's other writings. This volume, on the other hand, contains two studies of Bodin. It is not clear how Voegelin intended to eventually incorporate these into the finished text inasmuch

8. Vol. I, *Hellenism, Rome, and Early Christianity,* app. A.

9. Ibid., 232.

as one appears to have been written later and repeats some of the analyses of the former. Yet given the differences between the two and given Voegelin's claim concerning Bodin's importance, it seemed advisable to include both manuscripts in this volume without attempting to reconcile one with the other.

Although Voegelin is critical of certain elements in Bodin's thought and style, his treatment of him is particularly sympathetic. At the level of ideas, he credits Bodin with three major achievements: his theory of sovereignty, his analysis of the relationship of climate to national character, and his defense of toleration. More important, however, Voegelin's analysis penetrates to what he believed was the motivating center of Bodin's thought, which in turn imparted to each of his particular ideas their true meaning and significance. At this center was the consciousness of a mystic philosopher whose spiritual sensitivity Voegelin compares to that of Plato. As Voegelin understood Plato to be the source of spiritual order amid the disorder of Athens, so too does he present Bodin as the prophet of a new, true religion amid the civilizational disorder of the post-Christian era. Given this analysis, one would expect that Voegelin would return to Bodin repeatedly in his later work just as he returned to Plato and Aristotle. Yet he declined to do so, thus underscoring once again the surprising nature of Voegelin's treatment of him in this volume.

Editor's Note

In editing this volume, I have made only those changes that I thought were necessary in order to establish the meaning of the text. These have been indicated by the use of brackets. When possible, I have supplemented Voegelin's footnotes with additional bibliographic information and provided translations for several references.

In addition, I have joined the other editors in following the guidelines and suggestions of the University of Missouri Press. In general, I have attempted to preserve Voeglin's own styleeven in cases where it may appear somewhat strained or dated to the reader of contemporary English. Because Voegelin himself was not always consistent in matters of capitalization, punctuation, and hyphenation, I have followed the standardized usage selected for the series as a whole; I have also corrected obvious grammatical lapses. Jane

Lago of the University of Missouri Press was particularly helpful throughout the copyediting process.

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JAMES L. WISER

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The Great Confusion II:
Decisions and Positions

There can come nothing of contention but the mutual waste of the parties contending, till a common enemy dance in the ashes of both.
HOOKER

In the preceding chapter we repeatedly dwelt on the breakdown of ordered, systematic thought that must be presupposed in the Reformation and that was further aggravated by the work of the reformers.[1] As a consequence, the sixteenth century is singularly barren with regard to work of intellectual distinction in politicsif we except Bodin, whose work we shall treat in a separate chapter. There is practically nothing in the plethora of partisan literature that would merit attention as the attempt of a first-rate mind to come to grips with the problems of his age.

Nothing else can be expected, considering that the antiphilosophism of the reformers had discredited the scholastic medium in which political thought could be articulated. Systematic philosophizing on politics could not get underway before a philosophical language was restored. Hence, if we can discern any overall intellectual trend in the sixteenth century at all, it is the attempt at a recovery of the medium of expression, a recovery in the most literal sense of a restoration of scholastic modes of thought in politics. The trend was carried by Melanchthon for German Protestantism, by Hooker for England, and by the Jesuit thinkers for the Counter-Reformation. This trend must not be underrated, for it restored

[1.] See *The Collected Works of Eric Voegelin,* vol. 22, *History of Political Ideas,* vol. IV, *Renaissance and Reformation,* ed. David L. Morse and William M. Thompson (Columbia: University of Missouri Press, 1998), "The Great Confusion I: Luther and Calvin," 21791.

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at least some intellectual order to Western thought and it carried at least a part of medieval tradition as a precious inheritance into the seventeenth century; but it should not be overrated either, for even its most splendid achievement, that is, the work of Francisco Suárez, is no more than a last flowering of scholasticism and not a new beginning.

Whenalways excepting the solitary, peerless Bodinwe come to the first major thinker of the new era, to Hobbes, we are moving indeed in a new world; the scholastic, systematic interpretation of Christian society has become for Hobbes something like a despised curiosity of a foreign civilization; by the middle of the seventeenth century, medieval Christianity and its intellectual culture had become as remote as antiquity. The new philosophy of world-immanent

nature and reason, however, proved as ephemeral as the scholastic recovery. The Reformation, in the end, had not broken the continuity of Western civilization; it had broken only its naïveté of existence. The society that emerged from the storm had acquired a consciousness of the accidental character of its existence; the problem of its own historicity had to be faced; and after the passing attempt of finding order in nature and reason, the theory of politics became inseparably linked with philosophy of history. The painful process of recovering intellectual order, extending through centuries, could not be achieved through a revival of scholasticism; it had to be achieved through a philosophy of human existence that took account of the new problem of history. The trend toward a recovery of scholastic traditions, thus, was no more than a first attempt at restoring intellectual order; it did not result in the creation of a permanent style of systematic thought; and it petered out in the first decades of the seventeenth century because it could not cope with the questions indicated.

On the level of scholastic recovery, there is at least a consciousness of the necessity of systematic thought. When we descend below this level, we are moving in a vast field of literature that, without ultimate systematic coherence, defends partisan positions with intellectual fragments picked from the storehouse of tradition. Pieces from William of Ockham and Marsilius of Padua are much in use, there is a goodly sprinkling of Stoicism, we find pickings from Roman law, and of course there are always plenty of quotations from Scripture. Nothing is to be found in this literature that could be considered even an approach to a systematic philosophy of politics,

nothing even that could be considered an evocative idea of some importance like Calvin's evocation of a new universal church. The argument moves too close to the particular aims. No purpose can be served in a general history of political ideas by a detailed survey of this voluminous literature; hence, we shall adopt the following procedure. We shall, first, describe the issues that were created by the movement of the Reformation and that became topical in the controversial literature, and we shall, second, touch briefly on a number of representative examples from the literature itself. For the wealth of details the reader should refer to the standard treatises on the period, especially to Preserved Smith's *The Age of the Reformation* (New York: H. Holt, 1920), for political and civilizational history, and to J. W. Allen's *History of Political Thought in the Sixteenth Century* (London: Methuen and Co., 1928), for a detailed survey of the political literature.

§1
Survey of Issues

We shall properly commence our survey of issues with the problem of the church. With regard to this problem we must distinguish among (1) reform, (2) schism, (3) sectarianism, and (4) the new universalism. Luther's earliest intentions were not schismatic but directed toward a reform of the Catholic Church. The Catholics and the Lutheran reform party were engaged in attempts at compromise and reconciliation as late as the Diet of Ratisbon of 1541; and we may push the date even further if we include the religious conference at Ratisbon of 1546, immediately preceding the outbreak of the Schmalkaldic War. The Lutheran schism was a factual situation, only gradually growing into a split by principle; if we must choose a date from which the schism may be considered as accomplished, the most convenient would perhaps be the great reformulations of doctrine, on the Catholic side through the Council of Trent (closed in 1564), on the Lutheran side through the Formula of Concord of 1580. In fact, the two churches coexisted in the empire under the regulations of the Religious Peace of Augsburg of 1555. Germany was not spared her religious wars; and she suffered the most catastrophic of them all in the seventeenth century. Nevertheless, in spite of all venomous invective, despoliation, and bloody strife, the process of dissociation was tempered by the suspense of a possible reunion in a common reformed church. An important factor in this

gradualism was the spread of opinion in the camp of the reformers, ranging from the Swiss sacramentarians to the more than half Catholic Melanchthon; in his later years, Luther would on a doctrinal question rather spite the sacramentarians than the Catholics.

An entirely different note was brought into the issue of the church through Calvin. In the original intention of Calvinism there was no problem of reform or schism. One could neither reform Catholicism nor split from it; the Catholic Church was a nonchurch; and Calvin established the new universal church directly on the Apostolic foundations. No compromises, no dilatory negotiations were possible; the Catholic Church simply had to go. The historical result of this attitude did not differ materially from the Lutheran; in the end Calvinism issued into separate church organizations by the side of the Catholic, just as did Lutheranism. But the intransigence of the new universalism added notably to the bitterness of the process of dissociation wherever Calvinism spread; and [in the societies that bear the Calvinist inheritance] it has remained a factor of tension in church relations.

Both Lutheranism and Calvinism (and the Zwinglian reform as well) were in agreement on the undesirability of the sectarian development that was represented by the Anabaptists; both were characterized by the trait that we called the "respectable eschatology." In the social and political struggle, the consequence was, on the one side, the alienation of the agricultural lower classes from the Reformation after an initial, enthusiastic support; on the other side, the tendency of the reforming parties, with their primary social locus in the middle class, toward alliances with the princes and the town aristocracy in Germany and with the nobility in France. In the internal organization of the Protestant churches, this trait determined the inclination toward consistorial, rather than congregational, organization.

The English development is the most complicated of all, for it contains all three factors: the reforming, the schismatic, and the universal. The schismatic factor predominates. The Act of Supremacy of 1534 vested the headship of the Church of England in the kingwith a quite clear idea about the king's right to legislate with regard to ecclesiastical and monastic property, and a not quite so clear idea concerning the problems of doctrine. Underneath the schismatic autonomy we findbesides the confiscation of propertya drift of Lutheran reformism in the earlier years and

a return to a schismatic Catholicism in the last years of Henry VIII, followed by the Lutheran reaction under Edward VI. The subsequent Catholic interlude under Mary Tudor is followed by the long Elizabethan procrastination, maintaining the schism against the Catholics, but under increasing pressure from the universalist demands of the reformist groups who are now no longer Lutheran but predominantly Calvinist "Puritans."

The dissociation of Christianity into a plurality of creed communities became a cause of political disturbance and of religious wars. Each of the new communities continued the medieval idea of the church as the spiritual branch of the public order, to be maintained in this position by the temporal authorities whose primary function was the defense of the church. The formation of new creed communities, and their proselytizing struggle at each other's expense, developed into the struggle for control of the temporal branch that would support a monopolistic church within its territory. All of the new churureswhether reformed, schismatic, or universalfollowed this pattern; only toward the end of the century do we find indications of a new development in the separatism of the Brownists in England.

A situation had been created that profoundly affected the institutional and civilizational history of Western society as a whole as well as of its national subdivisions. A return to the old order was barred by events: it did not prove possible to suppress the movement of the Reformation, nor did the new communities achieve a compromise and a reunion. By the end of the century, after the rapid advance of Protestantism in its various forms and after its partial loss of ground under pressure of the Counter-Reformation, it had become clear that the plurality of churches was going to stay; between 1600 and the rise of the modern political mass movements, no appreciable change occurred in the relative strength and territorial entrenchment of the various creed communities. Since wars cannot go on forever, a modus vivendi had to be found, varying from country to country according to the concrete situation. We cannot enter into this variety of solutions, ranging from a practically monopolistic Catholicism in Spain to the separation of church and state. We can only describe the general trend as a reluctant acceptance of the coexistence of churches and the emergence of the resolve that the claims of the churches must disrupt neither the peace of a nation nor the peace of Europe. By the end of the

sixteenth century the religious wars and the mutual intolerance of the churches had produced a new Western principle of politics, the *raison d'état,* subordinating the churches to the peace of the community.

In these matters, we cannot speak of more than trends and processes. There are no clear-cut phases following each other, either on the institutional or on the intellectual level. In particular, there are no clear phases in the development of political ideas dealing with the problems. The situation is rather that of an exhaustion through wars and an acceptance of facts, accompanied and followed by theorizing within a situation of fact that is taken for granted but not penetrated intellectually. Not before the rise of the philosophy of history, as indicated earlier, do we regain a level of competent theorizing. Only when the coexistence of a plurality of churches had become an unalterable historical fact, [did there begin] to grow a general awareness that governmental authority had lost its status as a charismatic function within the Christian *corpus mysticum,* and that the subordination of churches to the temporal authority and its *raison d'état* had metamorphosed temporality into secularity. Government had to rest on a basis that was independent of the idea of a Christian society. Human life in society had to go on in spite of the churches; and toward the end of the century the idea began to crystallize that principles of social order could be found in the natural existence of society, that a society could exist by natural principles without a spiritual order. This is the idea that was elaborated in the

seventeenth century and dominated political speculation from Grotius to Locke. In fact, the idea was unrealizable; one cannot eliminate the life of the spirit from society any more than one can the biological constitution of man.

An appearance of its realization could be achieved insofar as the Western societies could coast for a long time on the Christian heritage, and insofar as the corrosion of this heritage through nationalism, enlightenment, and liberalism was not recognized as the growth of a new public order of a perverted, intramundane spiritualism until the fact became unpleasantly obtrusive in the rise of the politico-religious mass movements of the nineteenth and twentieth centuries. That the secularization of government in the wake of the Reformation meant the exclusion of the spiritual life of man from public status, that this elimination constituted a civilizational breakdown, and that the acceptance of this fact would

lead sooner or later to catastrophic disorders was realized only by a few solitary thinkers without public effectiveness. In the sixteenth century, only Bodin grappled with the problem of the historicity of the churches; and he penetrated to the idea of a nondogmatic, mystical religiousness as the new spiritual order of the polity after the historical relativism of dogmatic religiousness. In the seventeenth century we get glimpses of the problem in Pascal and Hobbes, and more than a glimpse in Spinoza's idea of the minimum dogma. By 1700 the fatality of the decline and its cause had become sufficiently visible to inspire Vico's philosophy of civilizational cycles that are determined by evocation and exhaustion of the myth. The importance of Bodin's and Vico's insights was barely noticed in their time; the decisive part of Bodin's work, the *Heptaplomeres,* was not even printed before the nineteenth century. Only our own generation witnessed the great shift of proportions; and, though certainly the last word in this matter has not been said, Bodin and Vico begin to tower as giants above their age.

The violent disorders caused by the contending spiritual movements had the general result of a contraction of public order and of a reduction of politics to the essentials of preserving peace in the material sense. On this point the critical, historical analysis is at variance with the unanalyzed clichés of contemporary political science. In the modern conventional approach to politics, the resuits of the Reformation are accepted as unquestioned premises of discussion; a passing historical phase is endowed with the dignity of a natural order of things; and the political symbols expressing this phase are used as if they were theoretical concepts. The uncritical use of symbols as concepts makes it practically impossible to understand political

problems outside the sphere of the secular state. If the concept of politics is restricted, as it conventionally is today, to the meaning of an inquiry into idea, structure, and operation of the secular state, all politics before 1600 will be unintelligible in various degrees; and equally unintelligible will be the processes of our time that tend to restore the spiritual dimension to the secular fragment.

In the sixteenth century does not begin, as is conventionally phrased, a separation or differentiation of politics from a religious context; what actually begins is the elimination of the life of the spirit from public representation and the corresponding contraction of politics to a secular nucleus. In this process again we cannot

distinguish clear-cut phases; we can speak only of a trend toward such contraction. A complete institutional realization of this contraction occurs in a Western country for the first time in the American Constitution of 1789; and this type of institutionalization has never covered the Western world completely. If a significant date can be fixed at all in this process, it would perhaps have to be the year 1648 with the Treaties of Westphalia. The provisions of the treaties profoundly affected church interests, but no representative of the Curia was admitted to the negotiations. The protest note of the Curia was simply ignored by the powers. At least on the international scene, the public representation of spiritual order was eliminated from this date.

Within the single political units of the West, the course of events and of accompanying ideas is not altogether uniform. We must distinguish between a stratum of the process that affects all governmental structures in the same manner and a rich field of local varieties. The common stratum concerns the secularization of politics and the emergence of the *raison d'état* that we discussed previously; and one can, furthermore, say that the strengthening of monarchical power in the direction of absolute monarchy is a common trait of the century. The trend toward absolute monarchy, however, is not initiated by the religious disorders; it was well under way, as we have seen in the chapter on Machiavelli,[2] by the second half of the fifteenth century. It was an autonomous development, preceding the troubles of the Reformation, though the increase of governmental power through secularization of politics, in the nature of the case, turned to the advantage of the rising monarchy. We must distinguish between the two components of the development because they are both represented in the political literature of the period. In the first place, there is a considerable amount of literature, the so-called monarchomachic group, which attacks the rising monarchy from either the Calvinist or the

Catholic position because the monarch is not amenable to the wishes of the respective religious parties; and there is a corresponding group of literature, represented in France by the *politiques,* which favors a strong, nonpartisan monarch in order to make an end to the religious civil wars. Beyond this whole class of literature, which is motivated by

2. see ibid., "The Order of Power: Machiavelli," 3187.

the religious disorders in its position for or against the monarchy, however, there stands in isolation one of the most interesting literary productions of the century, that is, the *Discours de la servitude volontaire* by Étienne de la Boétiean attack on monarchy from a classic, humanistic position that gives a foretaste of things to come in later periods. La Boétie's *Discours* is a reminder that certain problems of politics were pressing for solution, independent of the events of the Reformation.

The general trend toward secularized government, favoring the rising monarchy, is inseparably interwoven with more special problems that vary from country to country. In Germany, it is the splintering of the country into towns and principalities of various sizes, down to the smallest of a village and its surroundings, that determines the political course. A sort of armistice between the religious parties, if not real toleration, could be achieved because each of these small units could make a more or less independent decision for Catholicism or for the Reformation. Even if nonconformers had to leave a particular area, they did not have to emigrate far to find a more congenial environment within their own country. A truce between the entrenched positions could be achieved much earlier than elsewhere in the sixteenth century; but, on the other hand, this division of the country into territorially interlocking units belonging to opposite religious parties was inducive to the great Protestant and Catholic alliances within the nation that exploded in the catastrophe of the Thirty Years War. The situation, on the whole, favored the attitude of nonresistance laid down by both Luther and Calvin.

Even under such favorable circumstances for peace, however, there were moments in which popular resistance against government seemed the preferable course, leading to the type of theorizing that found its full development in the French monarchomachic literature. Such a moment occurred after the Battle of Mühlberg, of 1547, with the victory of Charles V. The battle was followed by the Augsburg Interim of 1548, restoring for Protestant territories most Catholic rites and doctrines. Resistance in this case was not a matter of dissenting individuals

moving from their own town to the next of the opposite persuasion. The Protestant political unit that wanted to resist was spatially immovable and had to face the ban of the empire. This was the situation of resisting Magdeburg. While Magdeburg was under siege, a number of pamphlets appeared, and

one of them, the *Bekenntnis* of 1550, elaborated for the first time the theory that resistance against governmental authority in matters of religion was a duty.[3] If the superior authority (*hohe Obrigkeit*) fails in its obligation of maintaining true religion, then the duty of remedying the situation devolves on the inferior authority (*die untere Obrigkeit*). The argument is very closely cut to the conflict between imperial authority in Germany and the territorial political units. Nevertheless, the tract contains also the more general appeals to the princes at large to resist the emperor on the national scale, thus approaching the later Scottish and French problems; and it even contains suggestions that the *hohe Obrigkeit* might be resisted when it impinges in other than religious matters, such as life, liberty, and property. The line becomes already clear that will lead from the right of resistance for religious reasons to a more general right of the people to resist encroachments on their liberties.

Entirely different was the French situation. The organizational unification of the realm was by far not yet completed; but national sentiment was already intense enough to prevent a dismemberment of the country along the lines of religious entrenchment. The wars of religion had to become civil wars on the national scale; the question was which of the parties would control all of the country. In particular the towns (which, as everywhere, were the principal centers of the Protestant movement) were handicapped by the fact that the evolution toward a confederation of Protestant towns would have resulted in a dismemberment of France that nobody really wanted, and that an appeal to the Estates of the Realm for resistance against the king was hopeless because the estates would rather furnish Catholic majorities. The conflict between national and religious loyalties injected into the French struggle a hopelessness and bitterness, a growing awareness of its futility, that found its expression in the Bartholomew Massacre [1572] and the assassination of two kings. In the course of these wars the potentialities of Calvin's doctrine of resistance found their fullest development. We have seen Calvin qualifying the general rule of nonresistance by the duty of the constitutional authorities to resist a tyrannical ruler. Under French conditions, the ideas suggested by

3. On the *Bekenntnis Unterricht und Vermanung,* see J. W. Allen, *A History of Political Thought in the Sixteenth Century* (London: Methuen and Co., 1928; rpt. with revised bibliographic notes, 1957, 1961), 103 ff.

the Magdeburg tract of 1550 were elaborated in a rich literature into something like a reasoned system of the rights and duties of princes and people to resist the heretical ruler. The most important tract of this class was the *Vindiciae contra tyrannos,* of 1579.

The English development received its specific color through the prevailing higher degree of centralization of the state. While the German area showed the formation of semi-autonomous splinter units, and while France at the time was still engaged in the process of overcoming the diffusion of the feudal power field, England enjoyed the advantages of the rationalization and centralization that had followed the Norman conquest. Parliament had become an institution of considerable representative prestige, and the early rationalization of the legal system had favored the growth of a lawyers' class with a social weight of its own on the national scale. Movements of any kind had to count in England on the existence of established national institutions of a stability without parallel on the Continent. Moreover, the Reformation did not start in England with a people's movement but assumed the form of legal actions on the part of the government. One might even say that the English Reformation, in spite of parliamentary enactments, had a touch of the coup d'état. The preponderant initiative of the crown, socially and politically effective even under Mary Tudor, could keep the Reformation in bounds during the Elizabethan period. Nevertheless, precisely this preponderance created the cracks in the constitutional system that widened into the revolutionary conflicts of the seventeenth century. The supremacy of the king in the Church of England made the crown responsible for the semi-Protestantism that could not satisfy the Calvinist dissenters and for the extension of royal prerogative in temporal matters, encroaching on the domain of the lawyers. These were the tendencies that crystallized in the seventeenth century in the peculiarly English alliance of lawyers and dissenters against the crown and determined the structure of the English Revolution.

Beyond the more immediate political effect, however, the alignment had far-reaching consequences for English intellectual history, consequences that affect the structure of Western politics to this day. For the association of legal and religious struggle has fostered the English

and, with ever greater intenseness, the American habit of injecting legal categories into conflicts of ideas and historical forces. It is the habitwhich grates so much on the nerves

of the rest of the worldof treating such clashes as legal issues and, consequently, branding the opponent in a historical conflict as "aggressor" or "criminal," "outlawing" his ideas, and burdening him with the "guilt" of the disturbance. The effects of the habit made themselves felt even in the relation with Spain, through the creation of the *leyenda negra;* and it produced the formidable outbursts in the struggle with Napoleon and the British propaganda in the First World War. Since the habit, like all bad habits, can easily be acquired by others, and since, in fact, the Soviet government in turn defined as "aggressor" anybody who was at war with the Soviet Union, it seems that any future war will be a war between criminals.

§2
La Boétie

Étienne de la Boétie (15301563) wrote his *Discours de la servitude volontaire* at a date that cannot be fixed exactly. Most probably he was eighteen years of age at the time; and he may have revised it during the next two or three years. Hence the *Discours* was written some time between 1548 and 1551, in the first years of the reign of Henry II. While the work attracted attention, and circulated as manuscript among friends, it was published in print only after the Bartholomew Massacre, during the wave of Huguenot monarchomachic writing.[4] The publication in collections of Huguenot writings, though, does not mean that La Boétie was a religious partisan. The *Discours* seemed useful to the publicists of the 1570s because it attacked tyranny in such general terms that it could be understood as an attack on French monarchy. There is no indication, however, in the work that La Boétie was attached to any of the religious parties; on the contrary, if anything is characteristic of the *Discours* it is the atmosphere of a humanistic paganism, quite unconcerned about Christian problems. By family connection and position La Boétie belonged to the magistracy of the *parlements;* by

[4.] A long fragment of the *Discours* was first published in the second dialogue of *Dialogi ab Eusebio Philadelpho cosmopolita* (1574) and shortly afterward in the French edition of the same work, *Réveille matin des Français,* a collection in which probably François Hotman participated. The complete text, edited for the political purpose of the moment, appeared in *Mémoires de l'Estat de France,* a collection published by Simon Goulard in 1576. We are using the edition by Paul Bonnefon: La Boétie, *Discours de*

intellectual affinity he belonged to the circle of Ronsard, Du Bellay, and Bail; he became the friend of Montaigne; and for the inspiration of his early politics he drew on Herodotus, Polybius, Plutarch, Xenophon, Tacitus, and Seneca.

The work is weak in more than one respect, and that may account for its neglect by historians. It is written by a precocious youth; its rhetorical enthusiasm and moral indignation are not matched by intellectual firmness; and its range of problems would, for systematic elaboration, require an experience and knowledge that are rare in riper age. Nevertheless, the work is not negligible. Impetuously, it penetrates to the core of fundamental problems that must arise in the wake of political secularization; and through its unbalance of youth it anticipates sentiments and ideas that, in later centuries, we would have to attribute to the unbalance of mature ignorance. La Boétie tries to master the situation of a polity that has cut loose from its Christian charismatic and moral moorings. The phenomenon of power (we are in the time of the late Valois) has lost its magic as the support of meaningful order; and as a consequence, the ruler tends to become the "tyrant." On this point, however, La Boétie's attitude is hesitant. He was torn between the logic of his conception that every ruler is a tyrant because rule as such is tyranny and his loyalties to the French monarchy; we find pages in the *Discours* that frankly subsume the institution of French monarchy under tyranny; and we find occasionally a passage that exempts the French monarchs as "good" rulers from the general condemnation of rulership as tyrannical. His fundamental assumptions of nature and reason leave no room for the historical order of a political society; the only order beyond the individual that he recognizes as valid is the family. The immanent logic of his assumptions would lead to something like a republican anarchy of federated families. In the nineteenth century, a man of his temper might have become an anarchist; in reading the *Discours* one is haunted by the feeling that Bakunin was a reincarnation of La Boétie. In the sixteenth century, he still could find his way into the social order and become a member of the Parlement de Bordeaux. His position, thus, is difficult to describe because his youthful lack of theoretical finish permits too many associations. His secularized humanism, apparently untouched by the Reformation, lets him appear as a continuator of the mode of thought that began to crystallize in 1516, with Machiavelli, Erasmus, and More, though he has neither

the range nor the weight of these earlier thinkers. Still, one may accord him the rank of an intermediate figure between the group of pre-Reformation enlightenment and the later Charron and Herbert of Cherbury, leading to the great philosophers of the natural order of society in the seventeenth century. But we also may throw the arc wider. In his bitter characterization of the types of courtiers we may find preformed the attacks on the court by the prerevolutionary thinkers of the eighteenth century; his criticism of the use of "religion" for increasing the respect of subjects for dubious rulers reminds us of the utilitarian and Marxian attitude toward the opium of the people; and his radical dislike of governmental authority as unreasonable oppression foreshadows the anarchism of Bakunin and Tolstoy.

The overt, rhetorical center of the *Discours* is La Boétie's astonished question of why men should live under tyranny. The tyrant is a sole individual, while the people are many; the tyrant by his individual force could not exert dominion; he must find people who are willing to obey him; and why should anybody surrender his freedom and obey a tyrant? From this question arises La Boétie's thesis that servitude is voluntary; and it becomes his task to inquire into the motives of voluntary servitude. This is indeed a puzzling question, striking at the roots of governmental authority; it has been raised more than once by revolutionaries, and not by revolutionaries alone. There is an anecdote about Frederick the Great (or II of Prussia): On occasion of a battle a foreign observer admired the discipline and exactness of the fire of his infantry line. Frederick agreed: "Yes, and the most miraculous thing about it is that they don't turn around and shoot at us!" It is a suggestive turn. A Soviet film, glorifying the revolution, took up the theme in the 1920s: the climactic scene was the execution of a group of revolutionaries by an army platoon. When fire was commanded, the platoon turned around and attacked the officers. Freedom is as simple as that. La Boétie puts his question with the radical simplicity of such anecdotes and scenes. He extends the meaning of tyranny and voluntary servitude to all governmental situations, though he admits that the subjection to a monarch must not always originate in ignoble motives. He considers it possible that a man is raised to royal office because the people admire his virtue and his services to the community; admiration for virtue and gratitude for benefits are "reasonable"; "but I do not know whether it is wisdom

to raise a man from a place where he did good, to a place where he can do evil."[5] Even a good ruler is a "master," and his subjects have impaired their status as free men.

If the issue of freedom versus governmental authority is put in such terms, it sounds naive. Still, we should not forget that precisely this naïveté lies at the bottom of the speculations on the state of nature and on the origins of civil government through contract. In the seventeenth century and after, the simplistic character of the issue is overlaid by the vast constructions of a right political order; the imposing superstructure of political materials lets us forget the precariousness and perhaps ludicrousness of the question at the basis. La Boétie's youthful radicalism is of importance in the history of ideas because it reveals the indeed somewhat naive issue out of which the later imposing systems have grown. Moreover, La Boétie is in many respects more honest than his successors so that the theoretical difficulties inherent in the speculation on a natural order of society become more clearly visible than in later systems, as for instance the Lockean. This higher degree of honesty makes itself felt, in particular, in his handling of his fundamental concepts. La Boétie answers his great question, as we might expect, by distinguishing between nature and reason on the one side as the determinants of right order in society, and custom on the other side as the cause of tyrannical perversion of the natural order. It is the ancient distinction of *physis* and *nomos*. Since, however, he does not possess a carefully elaborated philosophical system, the terms rattle a bit loosely; and he is quite aware of their rattling. While he tries to maintain the distinction between nature and custom, his philosophical conscience lets him suspect that custom perhaps is also part of the nature of man; and do we not speak of custom as a second nature? Hence, in order to fortify his position, he differentiates the nature that he has in mind as an innate *(naif)* nature from the other human nature that manifests itself in undesirable customs. Similar problems arise in the relation between innate nature and reason. Innate nature as such seems to be inarticulate; as soon as it becomes articulate and reveals, for instance, freedom as a part of nature, it also is reasonable. Nature is "route raisonnable";[6] what then is left as a difference between nature and reason? Such

[5] Ibid., 52.

[6] Ibid., 62.

questions spring up but are not answered; for the answer would require serious theoretical effortand that is no longer the style of political literature after the breakdown of intellectual order. The philosophical terms have lost their precision; if we want to know what they mean, we must look to the concrete use that the author makes of them. Let us take a look at the page in which La Boétie summarizes his idea of "natural" existence.

"If we would live according to the rights and teachings of nature, we would naturally be obedient to our parents, subject to reason, and serfs to nobody. . . . There is a natural seed of reason in our soul that will flower into virtue if nourished by good counsel and custom, but often will be smothered and atrophied when it cannot hold out against overcoming vices. But certainly, if anything is clear and apparent in nature, . . . it is that nature (the minister of God and guide of men) has made us all of the same form, as it were from the same mold, so that we can recognize each other as companions, or rather as brothers." Differences of body and mind are not given in order to make the weaker a prey to the stronger, but in order to intensify relations between those who can give aid and those who are in need of it. When the good mother has cut us all according to the same pattern so that we can recognize ourselves in the others; when she has given us voice and language for fraternization, for agreement of thought and communion of will; when she has shown in every way that we should not only be united but all be one; "there can be no doubt that by nature we are all free because we are all companions, and it cannot enter anybody's mind that nature, who has put us into company, has committed anybody to servitude."[7]

We might consider all this a flourish of fine sentiments or, as did Paul Janet, *une belle page* in French literature, foreshadowing more weighty formulations in the period of the Revolutionunless there were a serious experience at the bottom; and fortunately, while brief, La Boétie was articulate on this experience. The description of free companionship is followed by the reflection: "But there is hardly a point in debating whether freedom is natural, for one can keep nobody in servitude without doing him wrong; and there is nothing in this world so contrary to nature (who is all reasonable) but injury. Hence it is true that liberty is natural; and for the same

[7.] Ibid., 61 f.

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reason, in my opinion, we are in possession not only of freedom but also of the affection of defending it."[8] In this passage we have the experiential core of La Boétie's issue. If we remove from these sentences the "nature" and "reason" vocabulary, which has no precise meaning, we find the affection that can be aroused by injury, the affective readiness to defend the integrity of the person—in brief, the Platonic virtue of *andreia*.

We remember the virtue of the Platonic guardians of the *Republic*. It is not simple physical courage but the habitual readiness of being aroused by a threat to the right order of the polis; it is not blind, animal courage but a courage that rushes to the defense of right values. While the guardians thus participate in the right order of the polis through their possession of rightly directed courage, they do not hold the highest rank of the man whose soul has become the dwelling place of the Idea, in whom the right order is incarnate. Hence, in the Platonic system of virtues, the *andreia* of the guardians is entrusted with the defense of the polis but not with its government; the ruling function itself requires the virtue of *sophia*. Only within the realized order of wisdom will the guarding *andreia* have the result of intelligently defensive, and not perhaps of indignantly destructive, action.

La Boétie's experience is of symptomatic interest for us because it shows the effect of the decay of order on a morally and spiritually sensitive man; it is an effect that we shall have occasion to observe with increasing frequency the closer we come to our own time. With increasing disorder in society the integrity of the individual soul is in danger. As a consequence, the representatives of the decaying order appear as tyrants; and the individual tries to protect [himself] against the endangering disorder by withdrawing into the bulwark of his freedom, that is, into his courage of revolt. When the order of society suffers a loss of spiritual and moral substance, the virtue of *andreia* cannot manifest itself in the support of order; the individual is thrown back on [himself], and [his] virtue must express itself in revolt against the existing disorder. Beginning with the sixteenth century, "freedom" acquires a revolutionary tone because it becomes the cry of the soul in revolt against a social order of doubtful value. At the same time, however, it acquires a

[8.] Ibid., 62.

peculiar tone of utopian hollowness because righteous revolt can reveal the existence of evil but will not by itself produce a new good. The revolt against disorder can have positive results only

when its carrier also carries in his soul the image of the new orderwhen he is a Plato, or, in the sixteenth century, when he is a Bodin. Fundamental integrity, sensitiveness for injury, indignation, and courage of revolt alone are not enough; the creation or restoration of order requires the presence of ordering substance in the souls of the revolutionaries. This is the problem of La Boétiein his experience we have the paradigmatic case of *andreia* without *sophia*.

The peculiar contraction of the will to order into the revolt against disorder reveals the weakness not only of La Boétie but generally of the secularized, humanistic position in politics. The contraction into revolt is the purest expression of the difficulties that arise with the disintegration of the Western Christian spiritual and intellectual order. The thinkers who abandon Christianity are faced with the problem of replacing it with a new order of the soul; and when they are political thinkers, the order must be more than a personal escape; it must be an order that can penetrate society. We are acquainted already with several humanistic miscarriages of the problem. We have seen Machiavelli's abortive attempt at replacing Christianity with a polybian myth of cosmic nature, the Erasmian futile attenuation of Christian faith to a *philosophia Christiana,* and More's escape into Utopia.[9] And, in the seventeenth century, we shall see the attempts at deriving the substantive order of society through speculations on nature and reason. Such attempts at circumventing the problem of Christianity by substituting a humanistic substance of one variety or the other for the historical Christian order, however, have only makeshift character; the stabilizations of the moment are followed by a renewed realization of the actual disintegration of substantive order until, in the nineteenth century, the revolt begins to find its complement of substance in totalitarian eschatologies. La Boétie's contraction into revolt is historically and theoretically instructive precisely because it leaves blank space for positive order and thus makes more clearly visible the common problem in the Widely differing solutions at which the search for order arrives. His *andreia* without *sophia* is the concise formula for the malaise of Western order.

[9.] See vol. IV, *Renaissance and Reformation,* Part Four, chaps, 12.

In his attitude of revolt La Boétie strips the historical reality of political society down to what he calls innate nature. This "nature," which he posits as the free existence of man among his brothers, is in fact the generalization of his withdrawal from a historical order, which he experienced as "tyrannical," into the integrity of his personal courage. He imagines the free

coexistence of men who all, like himself, have withdrawn from historical society. The imagination of this general state of nature, however, does not abolish the surrounding reality; and in the conflict between reality and the imagined nature originates his great question: why do men not live naturally and reasonably? Again the *Discours* becomes valuable because in its radical simplicity it reveals the theoretical issues that later are obscured by more elaborate systematization. Obviously, one can bridge the gap between La Boétie's prepolitical state of nature and political society through the assumption of an agreement about civil government. This is the assumption of later thinkers who operate with the categories of contract and consent. But equally obviously, a thinker will indulge in this construction only if he wishes to justify and support the political order; it is a typical auxiliary idea.[10] The flowering of the theory of contract comes after the upheaval of the wars of religion, as the desperate means of supplying a new legitimacy to government after the breakdown of the traditional ideas of order. La Boétie's position is precontractual; he attacks the political order as unreasonable, and in order to explain its existence he must pay attention to a variety of factors that indeed contribute to the cohesion of a society. As a consequence, his analysis of governmental order is distinguished by a high degree of realism, rather suggesting the postcontractual realism that, in the eighteenth century, follows the exhaustion of the theory of contract.

The principal factors that induce submission to tyranny are in his opinion the following. A tyranny can be established in a society by force or by fraud. Once the conquest or the coup d'état has taken place, the formerly free citizens may submit to the state of fact

[10] It is possible, however, to use the theory of contract not for conservative but for revolutionary purposes, as did the monarchomachic thinkers of the sixteenth century. This possible use of the contractual theory for revolutionary as well as for conservative purposes does not affect the point that we are discussing in the text. Even when the theory of contract is used against the existing order, it is used in support of an alternative order that, in the opinion of the thinker, will and should find the consent of the governed. La Boétie's thesis is that no governmental order could find reasonable consent by the subjects.

under compulsion. But very soon, with the next generation, the state of submission will have become a custom; and men hesitate to break with a state of things in which they have grown up. Custom is the first factor that must be used in explaining why a tyranny continues to exist while the citizens could end it through refusing obedience. "Certainly custom, which in all matters has such great power over us, has nowhere such a great function as in teaching us to

serve."[11] Our natural inclination, however good it may be, will weaken without support; "and nurture will model us according to its will in spite of nature."[12] Nevertheless, such fashioning through custom needs a narrowing of the horizon that makes us forget former freedom. Nature, while overlaid by custom, is not dead; the preservation of memories and historical studies are apt to reawaken natural sentiments. There are always some "better born than the others" who will be inclined to shake off the yoke. Those "with a clear understanding and spirit" will not be satisfied "like the gross populace"; they will remember the past in order "to judge the future and measure the present"; "they have better heads, refined by study and knowledge." "When liberty will be completely lost and quite out of the world, these men will imagine and feel it in their spirits; they will savor freedom and find servitude not to their taste, however much it is praised." When he steps out of his dream of equal companions and looks at society, La Boétie discovers quite realistically that nature is not so equal after all, that there is a gross populace on whom one can impose the custom of tyranny, but that there is also a more fiery and intelligent elite, less manageable than the mass. The torch of freedom is carried by the few; and, here speaks the humanist, the few are the better heads who cultivate the letters and have standards of criticism. And quite realistically he also understands that the tyrant will not favor studies that are apt to arouse critical consciousness in the student. The few who think will be effectively isolated if the tyrant preserves a low general level of literacy among the subjects. Without public discussion, the few will not even know each other. Thus, the tyrant destroys the liberty "to act, to talk, and as it were even to think; for the few will be locked up in their phantasies."[13]

[11.] *Discours,* 68.

[12.] Ibid., 68 f.

[13.] Ibid., 74 ff.

The tyrant can isolate the dangerous few and render them innocuous because he can capture the many. Once deprived of their liberty, the many lose such courage and valor as they formerly had, and "their hearts become base, soft, and incapable of great things." The tyrants know [this] and do what they can to foster deprivation by providing for the people *panem et circenses*. The Roman tyrants with their public feedings quite properly abused *ce canaille* that indulges in the pleasures of the belly: "the best and most prudent among them would not have left their bowl of soup to recover the freedom of Plato's republic." In addition, public honors and such titles as tribune of the people are apt to impress the gullible small fry and inculcate

respect for the tyrants. But even when using all these devices, the rulers themselves cannot believe that the masses will stand their rule, and they surround themselves with religious superstitions in order to make the people see something divine in them. La Boétie adduces ancient examples as well as the *oriflamme,* the *sainte-ampoule,* and the healing power of the French kings as instances of such "proofs of divinity for the maintenance of the tyrant's evil way."[14]

Even the superstitious *canaille,* however, could become dangerous if aroused unless there was provided a machinery to suppress revolts. This machinery is "the secret of domination, the support and foundation of tyranny." The tyrant does not rule directly over the mass of the people, nor does he keep them down with soldiers; between the tyrant and the people is extended a hierarchy of ranks. There are half a dozen men next to the ruler who directly support a rule that is profitable to themselves; from them depend hundreds who hold their positions through the protection of the half dozen; from them again depend thousands; and so on. A hierarchy of courtiers, petty chiefs, executives, bureaucrats, and minor office-holders is the firm, unbreakable structure that keeps the tyrant in power by virtue of identity of interests with his rule. As soon as a ruler becomes a tyrant, "all that is evil in a kingdom, all its dregsand I do not mean a bunch of thieves and crooks who hardly can do good or evil in a republic, but all those who are tainted by ardent ambition and strong avariceflock around him and support him in order to participate in the loot and to be little tyrants themselves

[14.] Ibid., 7789.

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under the great tyrant."[15] The position of these unpleasant characters is not quite enviable. They are dependent with their life, property, and families on the whims of the tyrant; they must exert themselves in his service, cater to his pleasures, and anticipate his thoughts; they are engaged in intrigues with their rivals; and they are threatened with social if not physical extinction through a change of regime. But nothing will deter them from rendering their services in exchange for advantages that are below the dignity of a free man.

Much of this typology is cliché from classic authors; but there is enough of contemporary allusion in La Boétie's exposition to prove beyond a doubt the meeting of classic categories with personal observation. The few in whom freedom lives, isolated in the sea of a gross populace and powerless against the hierarchy of ambition and avaricethis is a rounded picture

of the social world as it would be experienced by a young man in his position. The great empirical defect of his picture, the absence of spiritual order, stems from his underrating of the substance of order still present in his society in spite of the disturbances of the ageit is an underestimation that we find again and again with revolutionary thinkers, down to our own time, who are inclined to believe that the end of civilization has come and that they are called to provide the order for a new realm. Precisely this underrating of ordering substance, however, sharpens La Boétie's eye for the all too human motivations that furnish the hard cement of every society. His psychology of populace and rulers lies on the line that leads from Machiavelli to the more elaborate psychology of the seventeenth century, of Pascal, Hobbes, and La Rochefoucauld. And there is only one step from his analysis of motives that serve tyranny to the utilitarian politics of Helvétius, who intends to mobilize the same motives for the greatest good of the greatest number. His psychology of a society without spiritual orientation nevertheless receives a specific color from his pathos of *andreia*. The *Discours* closes with a Platonic (or Xenophontean) gesture, delivering the tyrannical corruptor of human nature to eternal damnation with choice torments. In the attitude of revolt, empirical psychology somehow becomes nonempirical; after the worst has been said about human nature as it presses itself to the

15. Ibid., 91.

observer, this nature turns out to be not true, innate nature at all but a corruption to be overcome. While analyzing human motives, La Boétie does not accept them as ultimate reality, as Locke and Helvétius do; his analysis rather has the character of a critique of civilization, foreshadowing Rousseau's critique. It is not a judgment of the age like Plato's, which presupposes the incarnation of the Idea in the soul of the judge; the Idea is present, but only as a direction toward substance in La Boétie's nature in revolt, not as the substance of order itself. As a consequence, the judgment with the authority of new order is reduced to a critique in the name of a utopian nature. Through the work of La Boétie we are able to locate one source of the modern revolt of nature against civilization in the region of the soul that we designated as *andreia* without *sophia*.

§3
The Monarchomachic Trend

The term *monarchomachs* was originally used for designating certain antiroyalist thinkers of the sixteenth century. It occurred for the first time on the literary level in the title of a work by William Barclay (15461608), *De regno et regali potestate adversus Buchananum, Brutum, Boucherium et reliquos Monarchomachos libri sex* (Paris, 1600). The men specifically named in the title were George Buchanan (15061582), whose *De jure regni apud Scotos dialogus* was published in Edinburgh in 1579; Junius Brutus, the pseudonymous author of the *Vincidiae contra tyrannos* (Basel, 1579); and Jean Boucher (15511646), the author of *De justa Henrici III abdicatione e Francorum regno libri quatuor* (Paris, 1589). In addition to these three authors, Barclay dealt in his work with Luther and with Rossaeus, the pseudonymous author of *De justa Reipublicae Christianae in reges imios et haereticos authoritate* (Paris, 1590). The constellation of persons involved in this work is symptomatic for the confusion of the age. The book is written by a Scotch royalist who emigrated to France, studied under Cujas, and became professor of civil law in Pont-à-Mousson. It is directed against the German Luther; against the Scot Buchanan, a Gallicized humanist and dubious Protestant with many Catholic friends; against the French Calvinist, whether Languet or Du Plessis-Mornay, who is hidden behind the pseudonym of Junius Brutus; against the French Catholic Boucher; and against the pseudonymous Rossaeus, who probably was a Catholic Englishman.

a
Character of the Trend

We shall not enter into the details of the voluminous literature of which the constellation of Barclay's work is representative; we shall rather try to characterize the trend of ideas that Barclay diagnosed correctly as the common denominator of the authors of widely different national, religious, and philosophical backgrounds. We have studied the most radical expression of this trend in La Boétie's *Discours*. It is an antimonarchism, as characteristic for the second half of the sixteenth century as was promonarchism for the second half of the fifteenth century. The term *monarchomachism* is quite suitable for its designation, as long as we do not restrict its meaning too narrowly. An author may have monarchomachic inclinations because, as a Calvinist, he is aggrieved by the suppression and persecution of his religion or because, as a Catholic, he is dissatisfied with toleration extended to Protestants; and, later in the century, men such as Thomas Cartwright or Walter Travers may be counted as monarchomachs when Puritan zeal is dissatisfied with royal supremacy in the Church of England. Moreover, the antiroyalist attitude need not be determined primarily by religious motives at all. It may be

strongly flavored by argument drawn from a real or fictitious constitutional tradition, like Francois Hotman's *Franco-Gallia* (Geneva, 1573), and designed to defend the vested interests of towns and nobility against the increasing strength of the monarch; or it may be induced by a constitutional case, as was Buchanan's attitude by the dethronement of Mary Stuart; or it may assume the form of a well-reasoned theory of limited, constitutional monarchy, supplemented by tyrannicide as an emergency measure for the protection of the people, as in the work of Juan de Mariana.[16] And, finally, we may stretch the term (though this is usually not done) to include the Jesuit and Dominican authors who

[16.] Mariana's *De rege et regis institutione libri III* (Toledo, 1599), dedicated to Philip III, is perhaps the most important work of this variant of monarchomachism, based as it is on a sound knowledge of Spanish history. Mariana had previously published the *Historiae de rebus Hispaniae libri XXV* (Toledo, 1592); this history of Spain has long remained the standard treatise on the subject. The *De rege et regis institutione* was still being republished in Spanish translation in 1880 as one of the Spanish classics on politics. The name of Mariana has become notorious because of the chapter on tyrannicide in the *De rege* and the praise of Jacques Clément, the assassin of Henry III. The ill repute is unjustified. The age was in turmoil, and tyrannicide was discussed and defended on all sides. Mariana is distinguished from other publicists insofar as he had moral scruples about tyrannicide and, therefore, went into some detail concerning the reasons that would justify this extreme measure.

defend the spiritual and indirect temporal power of the pope, and correspondingly make the holding of royal office dependent on the fulfillment of the secular functions of rulership.

What these various authors have in common is not a new theory of politics; one can hardly speak of a theory at all, as we said, before the end of the century and the revival of scholasticism. What they have in common is a new problem that they try to solve more or less skillfully by means of theoretical fragments picked from ancient and medieval literature. Their problem arises through the release of the polity (the term *state* is not yet permissible) from the enveloping charismatic order of imperial Christianity. What endows rulership with legitimacy when transcendental sanction falls away? What, in particular, becomes of the legitimacy of rulership when the king is at odds with large groups of his subjects on the question of religion? If legitimacy depends on conformity with the religious wishes of the people, who shall be ruler if the people are religiously split? And if the question of religion is eliminated and this criterion falls away, what then shall be the basis of governmental authority? If we should fall back on

tradition, what shall be done if circumstances enforce a new departure? And if we derive rulership from popular institution and consent, where does the people's legitimacy have its origin? Obviously with such questions we are drifting toward the world-immanent existence of a people as an absolute that must not be questioned, and toward an idea of rulership that ultimately rests on nothing but its ability [to make] itself accepted by the subjects. At the end of the drift would lie an idea of political existence from which all components of meaning have disappeared so that nothing would be left but the self-legitimating brute fact of successful existence. The "accident of existence" that is always a component in the order of power would permeate the polity completely and transform it as a whole into an existential accident. We discussed the "accident of existence" in the chapter on Machiavelli; and we saw the awareness of the problem growing as a consequence of traumatic experiences on the political scene; the trauma of Near Eastern events and of the French invasion of Italy made the contemporaries aware that meaningful existence can be erased by power. This Italian experience was now spreading north of the Alps. The domestic tensions, caused by the transformation of feudal power fields into national realms, and aggravated by the troubles of the Reformation, created an atmosphere of unsettlement and a succession of wars

that seemed to evaporate the meaning of traditional order. In La Boétie's *Discours* the evaporation of meaning actually went so far that only the association of families was left as the order of society.

b
Salamonius

The evaporation of meaning is the problem; the monarchomachic thinkers attempt its solution by injecting fragments of meaning into a polity that threatens to fall apart into a meaningless struggle for existence. While the systematic value of these attempts was low, especially in the beginning, they had nevertheless a considerable importance in the history of ideas because they accumulated a stock of symbols that went into the systems of the seventeenth century. The typical elements of the theoretical situation were already given in the earliest work of this class, the *De Principatu* of an unknown author, probably a Spaniard, perhaps a Jesuit, who wrote under the name of Marius Salamonius and designated himself as Patritius Romanus.[17]

For the construction of meaning in a political society Salamonius draws on Roman law, on Aristotle, and on Stoic sources; and above all, there is present in his work a strong touch of Marsilius of Padua. The participants of the dialogue are agreed on one meaning, that is, on the validity of divine and natural law; a ruler is a tyrant unless he holds himself bound by this complex of rules. But as soon as this agreement is reached, the debate turns to the really decisive question of human, positive law and the lawmaking power of the ruler. While the relevance of divine and natural law is not denied, the interest is concentrated on the *potentia coactiva* in the sense of Giles of Rome and Marsilius of Padua. How can the position of the prince as the maker of coercive law be justified? As a first answer the Roman construction of the *lex regia* is suggested. The prince is an agent of the people; his lawmaking power is delegated to him by its original possessor, the people; and the delegation is unconditioned. The philosopher is not quite satisfied by this suggestion of the lawyer. Nevertheless, when embarking on his own speculations, he accepts the lawyer's implied premise that rulership is a phenomenon to be debated and justified, but not to

[17.]*Marii Salamonii Patritii Romani De Principatu Libri Septem* (Rome, 1544). The book was republished in Paris in 1578, at the height of the monarchomachic wave.

be condemned roundly. That differentiated political society with rulership exists as one of the phenomena in the world besides others is taken for granted; what has to be explored is the nature of the phenomenon as a cosmion of meaning.

For such exploration, the Ciceronian conception of the people as a *societas* proves useful. An organized people is a *societas civilis;* the rules by which the people are ordered, their laws, are a *consensus in idem, pactum et stipulatio* into which the members of a society have entered; by such *pactiones* the individual men have become *socii* in the association; and *pactiones* to which men give their consent can only have the purpose of common welfare, of the *utilitas populi*. Within this generally Ciceronian setting, Salamonius lets his philosopher construct the function of rulership. The ruler is one of the *socii* like the other members of the community, bound by the same laws and obligations; his function as *praepositus vel institor societatis* must be exerted for the welfare of the society; he is a functioning member of the society in the same sense in which the father is a functioning member of the family. This argument then is applied specifically to the lawmaking function of the prince and his coercive power. Lawmaking is a function of the society as a whole; every law is a *pactio inter cives,* though the actual making

of the law is delegated to the prince as a servant and perpetual magistrate of the society. Hence, the prince has no original lawmaking power, nor is this authority delegated to him to be used at his discretion; in true Marsilian fashion the real *legislator* is the people themselves; the prince must not use his delegated power in such a manner that his abolishing or making of laws cannot find the consent of the *socii*.

This construction by Salamonius obviously leaves more questions open than it answers. Above all, the declaration of principles is not supplemented by an exposition of institutional means that would safeguard their realization. Nevertheless, a formidable instrumentarium for the interpretation of a world-immanent, secularized, utilitarian society is assembled. There is a body of divine and natural law in the background into which can be filled as much of Western social and political culture as should happen to survive at the moment. There is a Ciceronian conception of society as a legal order by agreement of its members that will develop into the social contract of the later systems; there is enough talk about the *lex regia* to prepare the later *pactum subjectionis;* and there is the Marsilian *legislator* that will flower into the constituent

power of the people. Moreover, the construction is not consistently individualistic. While the order of society is conceived as an order of *pactiones* between its members, the people are somehow an entity whose common welfare is not identical with the separate welfare of its members; it is a whole that can delegate functional authority, while retaining its original power. The basis is laid for the idea of a sovereignty of the people as a historical entity. And, finally, we have formulations of the purpose of social existence, primarily utilitarian but also echoing the Aristotelian "good life," limiting the functions of government to those of the modern welfare state.

c
The Absorption of the Religious Movements

In describing the monarchomachic trend, we are again faced with the problem that the Reformation interrupted an evolution toward enlightened secularism in politics. The works that are not yet affected by the religious movements of the sixteenth century are in a peculiar way premodern and, at the same time, tinged by an enlightened modernism that is more characteristic of the seventeenth and eighteenth centuries than of their own age. The work of Salamonius belongs in this class. It lies on a line of tradition that goes back to the high Middle

Ages. The occupation with a worldimmanent polity begins, under Aristotelian-Averroist influences, in the thirteenth century; and we have studied the long, humanistic preparation in Italy that culminated in the work of Machiavelli. The *De Principatu* continues this evolution by virtue of its concentration on the autonomous existence of a secular polity. Church and empire have no more function in the argument of Salamonius than in the ideas of Florentine historians. In spite of its publication in 544, the problems of the Reformation are ignored.

This peculiar secularism had to give way under the pressure of historical circumstance. The Reformation was a fact; the religious movements of the masses had become politically effective; and the work of disentangling the autonomous polity from a Christian context of meaning had, in a sense, to be done all over again. This does not mean, however, that the monarchomachic authors who carry this trend have the *intention* of isolating a secular polity from a Christian society; their intention is quite frequently the opposite. Nevertheless, the arguments for the people of God against the heretical king are the very same that are used for the people

without God against the secular king. When the *lex regia* is used as an argument for the people's right to deprive the king of a power that has been delegated to him during good behavior only, it does not matter whether the argument is advanced by a pre-Reformation secularist or by a Calvinist; the cumulative result of such arguing will be the idea of the sovereignty of the people.

This point needs special emphasis. While the Reformation interrupts the secularistic trend in political speculation, it does not interrupt, but on the contrary strengthens, the populist component that is present in it. Calvin's theocratic idea of the polity is essentially quite as monarchomachic as is the antiroyalism of the monarchomachs in the narrower sense, in the 1570s and 1580s. When the theocratic component is eliminated from Calvinist political doctrine, there remains a secularist idea of the sovereignty of the peoplediffering, however, from the pre-Reformation speculation of the Marsilian type because the "people" have absorbed the substance of the religious movements.

In the historiography of political ideas this continuity of problems is usually obscured through an overemphasis on points of "doctrine." Calvin's attitude toward temporal authority is conventionally identified with the doctrine of nonresistance, while the monarchomachic

literature proper is considered as the great break with Calvin because of its advocacy of violent resistance against the heretical king. If the doctrines of nonresistance and resistance are isolated in this manner, obviously they exclude each other, and the shift from one to the other must be considered a momentous break. If, however, we do not isolate the doctrine of nonresistance but place it in the context of Calvin's eminently activist evocation of his universal church, then it will sink to the level of a principle of conduct for Christians who regrettably find themselves under a ruler who is opposed to the Calvinist church. The situation is regrettable; it is not "normal"; "normally" the ruler should himself be a member of the church, and civil authority should be subordinated to spiritual power. Hence, nonresistance is not simply a matter of doctrine; it becomes a question of the weight that will attach to the principle in the economy of passions of a religious activist who wants to live in a state of realized theocracy. If we relate the monarchomachic resistance against a heretical king to the doctrine of nonresistance in the abstract, it will appear as a break with original Calvinism; if we relate it to Calvin's theocratic

evocation it will appear as the policy that we might expect of a theocrat under adverse circumstances.

d
Calvin's Theocracy

Let us now turn to that part of Calvin's evocation that is relevant for the problem under consideration. Calvin, as we have seen, rejects the chiliastic dream of transforming mankind into a people of God that will need no government with coercive powers. Human nature being what it is, civil government is necessary. It is designed "to cherish and support the external worship of God, to preserve the pure doctrine of religion, to defend the constitution of the Church, to regulate our lives in a manner requisite for the society of men, to form our manners to civil justice, to promote our concord with each other, and to establish general peace and tranquillity." If the kingdom of God should arrive and extinguish the structure of man and society as we know it, then civil government would become unnecessary; but if it is the will of God that "we be pilgrims on the earth," then the abolition of civil government would deprive man of his human nature; to entertain the thought of its abolition is "inhuman barbarism." The idea is inhuman not only because without government there could be no security of existence on the utilitarian level, but especially because civil government has for its object "that idolatry, sacrileges against the name of God, blasphemies against his truth, and other offenses against

religion, may not openly appear and be disseminated among the people . . . ; in short, that there may be a public form of religion among Christians, and that humanity may be maintained among men." These sweeping formulations concerning the function of civil government, however, could be misunderstood as a transfer of jurisdiction in matters of religion to the temporal ruler. Calvin hastens, therefore, to reassure his reader that he has no intention of putting "the due maintenance of religion" into the charge of men. "For I do not allow men to make laws respecting religion and the worship of God now, any more than I did before." Christian doctrine and the form of worship are not the work of man; they are instituted by Godas interpreted by Calvin. The general declaration in favor of civil government must be qualified by the formula, "I approve of civil government, which provides that the true religion which is contained in the law of God, be not violated, and polluted by public blasphemies, with impunity." This

carefully conditioned approval implies Calvin's disapproval of all civil government not fulfilling the conditions. And since the law of God as understood by Calvin is fairly all-embracing from the cradle to the grave, the only government that can be approved in practice is one that operates institutionally under the close supervision of a board of Calvinist divines.[18]

It seems to us that Calvin's theoretical construction of the normal place of civil government in a society has been insufficiently explored hitherto. Parallels are drawn between Calvinists and Jesuits, Calvin and Boniface VIII, Calvin's idea of the relation between spiritual and temporal power and the medieval idea. These parallels are not without merit; for, at least, they draw attention to an important problem; nevertheless, they are wanting in precision. Calvin's idea is not quite the Gelasian idea of the separation of spiritual and temporal powers and of the checks and balances between the two. In the medieval idea the spiritual and temporal orders are, indeed, two orders of life to which every man belongs; only if they both receive their proper institutional expressions, and if the coordinated institutions cooperate harmoniously, will the integral order of a society be achieved. Calvin changes this idea of the balanced, harmoniously cooperating orders through a peculiar twist that he gives to the construction of civil government as a charismatic function within the mystical body. We are acquainted with the origin of this idea in the ninth century; and we have studied the revolutionary radicalization that it received at the hands of Luther through his principle of the general priesthood of laymen. But then we also saw the impasse to which Luther's radicalization led in practice when the rulers, who supposedly were priests and charismatic functionaries, indulged in governmental acts in

opposition to Luther's wishes. Calvin had understood this lesson of history; he took over Luther's idea of the charismatic magistrate in principle, but he also took measures to keep the magistrate in line.

Calvin's unrivaled gift for unscrupulous interpretation enabled him to find the status and function of civil government outlined

[18.] All quotations in this paragraph are from *Institutes* IV.xx.23 in the translation by John Allen (London: Walker, 1813; slightly revised by Joseph Peterson Engles in 1841; last U.S. edition, Philadelphia: Westminster, 1936). More recent translation: John Calvin, *Institutes of the Christian Religion,* 2 vols., Library of Christian Classics, 2021, ed. John T. McNeill, trans. Ford Lewis Battles (Philadelphia: Westminster Press, 1960).

in the very Epistles of Saint Paul that in the preceding fifteen hundred years of Christian history had been understood to place governmental power outside the charismatic order of the Christian community. "The authority possessed by kings and other governors over all things upon earth is not a consequence of the perverseness of men, but of the providence and holy ordinance of God; who hath been pleased to regulate human affairs in this manner; forasmuch as he is present, and also presides among them, in making laws and in executing equitable judgments. This is clearly taught by Paul, when he enumerates governments *(o proistamenos)* among the gifts of God, which being variously distributed according to the diversity of grace, ought to be employed by the servants of Christ to the edification of the Church. For though in that place he is properly speaking of the council of elders, who were appointed in the primitive church to preside over the regulation of the public discipline, the same office which in writing to the Corinthians he calls *kuberneseis;* yet as we see that civil government tends to promote the same object, there is no doubt that he recommends to us every kind of just authority."[19] With three masterful sentences Calvin extracts from Saint Paul (1) presbyterianism as the form of church government enjoined by Scripture, (2) public discipline as understood by Calvin, to be laid down by the presbyters, (3) a subsumption, through extensive interpretation, of civil government under church government, (4) an identification of the purpose of civil government with the enforcement of Calvin's discipline, and (5) the insinuation that a governmental authority is "unjust" if it does not adhere to these principles.

In the light of this construction [we must] read Calvin's praise of rulers who "have their command from God, are invested with his authority, and are altogether his representatives, and act as his vicegerents." "No doubt ought to be entertained by any person that civil magistracy is a calling, not only holy and legitimate, but far [the] most sacred and honorable in human life." Such praise is extended to rulers not primarily in order to make the people submissive to civil authority (though, in the fight against Anabaptism, this is a secondary motive with Calvin), but in order to make the rulers submissive to Calvin. The rulers should be impressed by the

[19.]*Institutes* IV.xx.4. The passages to which Calvin's text refers are Rom. 12:8 and 1 Cor. 12:28.

responsibilities of their position; the praise "is calculated to furnish them with a powerful stimulus, by which they may be excited to their duty." If these "ministers of divine justice" remember that they are the vicegerents of God, they will in their administration "exhibit to men an image, as it were, of the providence, care, goodness, benevolence, and justice of God"all of which they can do only if they administer their duties according to God's justice as interpreted by Calvin.[20]

This construction bears a certain resemblance, as has been suggested, to the hierarchical construction of Boniface VIII and Giles of Rome in the *Unam Sanctam*. The resemblance, however, extends only to the formal aspects of the hierarchy. Calvin, like Boniface VIII, wants to subordinate temporal power to spiritual; but the Bonifacian substance of the hierarchy, that is, the Gnostic distinction of *pneumatici* and *psychici,* is not to be found in Calvin. In Calvin's evocation the rulers are church members (*pneumatici* in the Pauline sense) of the same spiritual rank as the ministers or the people. The hierarchy is determined by the different charismata; and the charisma of rulership is conceived as subordinate to the charisma of apostles and teachers who authoritatively interpret the word of God. In spite of its theocratic character the construction is, therefore, only one step removed from the Marsilian conception of the autonomous polity with its constituent *legislator* in the background: when the voice of the people replaces the word of God, we have a secular polity with a government that is strictly subordinated to the law as understood by the people.

A word must be added concerning the Geneva theocracy, for Calvin would not be what he is without the opportunity that the city offered for the realization of his ideas. One hears frequently talk of the Geneva of Calvin, but it is at least equally justified to speak of the Calvin

of Geneva. The reform movement is essentially a town movement; and it could unfold its possibilities much better under the conditions of town life than under those of a large, populous, territorial realm. The Swiss towns, and later the New England settlements, have become the great instances of Calvinist discipline, not because the Swiss or New Englanders were more religious than other people, but because medieval town life, with small communities on a small territory, was conducive to close supervision of the

20. All quotations from *Institutes* IV.xx.46.

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people and enforcement of discipline. Petty snooping, petty rules of conduct, and their enforcement were features of medieval town life without Calvinjust as today hicktowns are hells of supervision by interested neighbors. The most typical case was perhaps the Zurich of Zwingli, where the Reformation found the completely Erastian solution, with statement of doctrine, persecution of heretics, and enforcement of discipline lying in the hands of civil authority. Only the peculiarly terroristic atmosphere of a small town permits the tight control of the people that the Reformers intended; in large territories like France the attempt at its realization will provoke the resistance of a more widely differentiated population with possibilities of regional defense.[21]

e
Knox

The further development of the monarchomachic problem is preformed in the tensions and ambiguities of Calvin's position. It is hardly a theoretical development but rather an activation of potentialities under the pressure of circumstance. We have already touched upon one of these activations in the situation of Magdeburg in 1550. More famous, and more important on the level of pragmatic history, is the case of John Knox (15101572). In a general history of ideas we cannot go into the details that would reveal the role of Knox as one of the formers of the Scottish nation and of its character. Let us only state that in the Scottish instance there occurred the amalgamation of Calvinist religious sentiments with a nationalism in revolt against a kingship both foreign and Catholic. Knox's *First Blast of the Trumpet against the Monstrous Regiment of Women* (1558) is as much a Calvinist tract as it is the tract of a nationalist who sees the crown of England pass to Spain and the crown of Scotland to France. God, in the opinion of Knox, will not suffer "that the liberties, laws, commodities and fruits of whole realms

be given into the power and distribution of others by the reason of marriage; and in the power of such as, besides that they be of a strange tongue, of strange manners and laws, they are

21. Small-town situations, however, can be created through improvement of communications in large territories and through dependence of large populations on centrally controlled institutions. Technological "progress" with its effect of tightening controls over large territories and populations has produced in modern nations a hicktown atmosphere without which the rise and maintenance of terroristic regimes would hardly be possible.

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also ignorant of God, enemies to his truth, deniers of Christ Jesus, persecutors of his true members and haters of all virtue." For God has not created the earth "to satisfy the ambition of two or three tyrants, but for the universal seed of Adam and hath appointed and defined the bounds of their habitation, to diverse nations assigning diverse countries."[22]

The knowledge that God will not suffer such iniquities, however, is not enough; God needs a helping hand. Nonresistance will not do. "Horrible shall the vengeance be, that shall be poured forth upon such blasphemers of God, his holy name and ordinance. For it is no less blasphemy to say that God has commanded kings to be obeyed when they command impiety, than to say that God by his precept is author and maintainer of all iniquity."[23] The principle of obedience to the temporal ruler is frankly thrown overboard, and it is abandoned in the name of a populist activism, supported by the enjoinder of Deuteronomy 13 to slay everybody who follows a false God. All idolaters, whatever their station in the community may be, must be killed, and idolatry is extended to mean Catholics. The question of who will do the killing is not answered with institutional precision, but Knox's formulations seem to support even assassination by any individual who has a chance to commit the deed: "The punishment of such crimes as are idolatry, blasphemy and others that touch the Majesty of God, doth not appertain to kings and chief rulers only, but also to the whole body of the people, and to every member of the same, according to the vocation of every man and according to that possibility and occasion which God doth minister to revenge the injury done against his glory, what time that impiety is manifestly known."[24]

f
The Vindiciae

The problems of Knox were further developed by the French authors of the [1570s]. The most important tract of this group is the

22. *First Blast,* in *The Works of John Knox,* ed. David Laing (Edinburgh: J. Thin, 1895), 4:412. See John Knox, *On Rebellion,* ed. Roger A. Mason (Cambridge: Cambridge University Press, 1994).

23. *The Appellation of John Knox from the cruel and most unjust sentence pronounced against him by the false bishoppes and clergie of Scotland, with his supplication and exhortation to the nobilitie estates and communaltie of the same realme, in Works,* ed. Laing, 4:496.

24. Ibid., 501.

Vindiciae contra tyrannos, of 1579. The theories of the *Vindiciae* are not original; they can be found in one form or another in the wealth of preceding and surrounding monarchomachic pamphlets; but the tract has achieved a considerable renown because it systematized a diffuse body of contemporary argument and because, as a consequence, it was reprinted and translated, perhaps with some influence on arguments of the English Revolution. The progress of the monarchomachic problem can most clearly be discerned in the organization of the tract into four *quaestiones*. The four chapters embody the following questions in their titles:

(1) Are subjects obliged to obey their prince if he commands anything against the law of God?

(2) Do subjects have the right to resist their prince when he commands anything against the law of God?

(3) Do subjects have a right to resist the prince when he oppresses the republic?

(4) Do neighboring princes have the right to come to the aid of subjects of another prince when they are oppressed for the sake of their religion or by manifest tyranny?

The sequence of the questions unfolds the implications of Calvin's cautious ambiguity. We start with quiet disobedience in religious matters and proceed to resistance; from resistance in religious matters we proceed to resistance in civil matters; and from there we go on to international crusades against tyrants for any reason. And by what authority do we proceed to such comprehensive revolts? In the name of the people and their rights. The preface of the *Vindiciae* makes it the purpose of the tract to explore the principles on which rest the *imperium principum* and the *jus populorum* and to define the mutual boundaries between these two complexes of rights. The argument is juristic; and the apparatus of legal concepts draws on

three clearly distinguishable sources, that is, on the Hebrew *berith,* Roman law, and feudal law.

In spite of the systematic intention, aggressively asserted in the preface, the execution is wanting in many respects. We shall, therefore, summarize the systematic thought of the tract, collecting the parts from their dispersion. The argument has as its core the acceptance of the Old Testament accounts of the *berith*. In the development of the *berith* we can distinguish three phases: (1) the Sinaitic *berith* between God and his people; (2) the *berith* between God on the one side and the people and the king as joint partners

on the other side, on the occasion of the institution of Saul as king; and (3) the Davidic *berith* between the king and the people in the presence of the Lord. All three phases are of importance in the argument of the *Vindiciae*. The Sinaitic *berith* secures the primacy of the people's obligation to walk in the ways of the Lord against all demands of the king, who is of secondary institution. The *berith* in which king and people are joint partners creates the obligation of the king toward God to observe the law and to keep the people on the straight path, as well as the obligation of the people to observe the law whatever the king does. And the Davidic *berith,* finally, makes the king's tenure conditional on observing the stipulations with the people into which he has entered at the time he assumed office. Here is a neat system of *pacta* that can be used for justifying a popular revolt against the government for practically any reasonif the interpretation of the law of God is left to the subjects.

The question, however, must arise inevitably of why anybody should care about the Hebrew covenants in a discussion of matters of public law in a Western kingdom in the sixteenth century. The answer given by the author of the *Vindiciae* is of considerable interest for the further development of contract theory in the seventeenth and eighteenth centuries because it rests on a peculiar combination of historicism with religious and systematic motives. Obviously, the author does not want to support his argument by a secular philosophy of natural law; he wants a scriptural basis; but, on the other hand, he wants a construction that, on the whole, delivers the same results as a speculation in the style of Marsilius. The way out of this dilemma is the acceptance of a historical, legal construction, endowed with scriptural sanction, as valid positive law. In the speculation of the *Vindiciae,* the Hebrew covenants have the same function as the recourse to constitutional history in the works of Hotman or Buchanan. The covenants are assumed to be a positive law for mankind, outlasting by their validity the existence of the Israelitic polity, and obligatory not only for Christians but also for pagans. With the

secularization of contractual theory in the seventeenth century, this component in the speculation of the *Vindiciae* will assume the form of the debate about the historical or hypothetical nature of the social contract.

The details of the argument are more conventional than original. Let us mention only the feudalistic construction of the failure of the king to abide by the provisions of the covenant. Through the *berith* all kings are *Dei vassales*. If they violate their contract with God, they must be deprived of their fief; and the subjects would become rebels against the superior feudal lord, if in this contingency they would follow the king rather than God. Of greater interest are the reflections on the procedure of resistance in case of a violation of the *pactum* on the part of the king. For this case, the author follows Calvin rather than Knox. Neither the people in the mass nor individual subjects have a right to take arms against the king. The "people" have the right to depose a king who does not keep faith with God and the stipulations of his contract with the people; but by the "people" is meant the organized people who will act through their representative authorities, that is, through the stratum of magistrates between the king and the people, variously institutionalized as counselors of state, judicial magistrates, parliaments, diets, and estates. The Anabaptist experiences have impressed the author of the *Vindiciae* quite as much as Calvin. He points out carefully that the *berith* was concluded not between the individual members of the people and the king, but between the king and the people as *universi;* and the *populus universus* is represented by its princes and magistrates. This *populus universus,* however, need not be understood as the whole nation. In the situation of the French Calvinists this assumption would have destroyed the value of the speculation of the *Vindiciae;* for not much could be hoped for the Calvinists from the representation of the realm in the estates. [As the realm itself (*regnum*) must be considered as an *universitas* of man so, too, must the provinces *(regiones)* and towns *(urbes)* of which the realm consists.] The resistance against the king need not rely on an action on the part of the estates of the realm; the individual citizen is justified in joining the revolt when any of the provinces or towns, as an organized *populus,* resists the king. The larger territorial polity, of the size of a national realm, thus, is conceived as a federative association of smaller territorial units, held together by allegiance to the crown but retaining their individual right of resistance. This peculiar pluralistic idea of a nation was certainly motivated by political necessities of the moment; but it was a fertile idea, nevertheless, and its rich potentialities are by far not yet exhausted.

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Althusius

The various theoretical intentions of the *Vindiciae* found their systematic fulfillment in the work of Johannes Althusius (15571638). In his *Politica,* of 1603, the Calvinist line of monarchomachic speculation reached the point from which the next, slight step would lead to a secularized system of natural law.[25]

The work of Althusius has a transitional flavor. And this flavor is perhaps due more to changes in the intellectual atmosphere than to an actually new development in theory. Between the *Vindiciae* and the *Politica* the influence of Bodin had become effective. [Bodin's] *République* had created standards for the treatment of political problems; it had developed the juristic method for the classification of forms of government; and, especially, it had made the theory of sovereignty the centerpiece of a theory of the autonomous polity. An author who wanted to treat competently of politics could not ignore the new standards; a Calvinist tract on politics had to develop a theory of the sovereignty of the people with at least the same thoroughness and consistency as Bodin had developed a theory of royal sovereignty. The *Politica* of Althusius is *methodice digesta;* it is animated by a critical consciousness of the subjects that belong in the field of politics; it is not a tract inspired by the political struggle of the moment, but a professorial performance with the intention of exhaustive, systematic treatment of the subject matter of politics.

Quite as important as the pressure of Bodinian standards is the influence of the logic of Peter Ramus (Pierre de la Ramée). The Calvinist philosopher, who was assassinated in the wake of the Bartholomew Massacre, had attempted to replace Aristotelian logic by a new system based on the Roman art of rhetoric. The attempt had considerable public success; in the second half of the sixteenth century logicians divided into Ramists and anti-Ramists; Ramist logic found its representatives, in particular, in all German universities; and we may consider it part of the success that the

[25.] Johannes Althusius, *Politica methodice digesta et exemplis sacris et profanis illustrata* (Herborn, 1603). A second edition (Groningen, 1610) not only is enlarged but also shows some alterations of theoretical importance. The standard treatise on the subject is still Otto von Gierke, *Johannes. Althusius und die Entwicklung der naturrechtlichen Staatstheorie* (1880), 3d ed., with appendixes (Aalen: Scientia Verlag, 1913; 7 th ed. rpt. 1981). An English translation by Bernard Freyd was published as *The*

Development of Political Theory (New York: H. Fertig, 1939). Also see Althusius, *Politica,* ed. and trans. Frederick S. Carney (Boston: Beacon, 1964); rpt. with a foreword and bibliographies by Daniel Elazar (Indianapolis: Liberty Fund, 1995).

assassination of Ramus allegedly was engineered by Jacques Charpentier, his scholastic opponent at the Sorbonne.

The part of Ramist logic that is of interest for us is the part on disposition of subject matter. Ramus considered it the task of authorship, first, to assemble the materials and, then, to present the propositions in a clear and orderly fashion, proceeding from the general to the specific; and Althusius has taken from Ramus the principle of developing his concepts by dichotomies, that is, by the division of each concept into two more specific concepts resulting from the affirmation and negation of a predicate. Obviously, such a logic of presentation is external to the logic of subject matter; it must result, as it does with Althusius, in an orderly clearness without profoundness of thought or penetration of problems. It is a method that will prove useful in writing a textbook if somebody else who can think has provided the problems; and it may prove useful in certain historical situations as a substitute for systematic thought. Hence, the use of the Ramist method will aid us in fixing the rank of Althusius's workwhich is still overrated as a consequence of Otto von Gierke's monograph. The *Politica* is by far the most solid work of the Calvinist monarchomachic group; it clearly reveals the cumulative effect of the monarchomachic polemic as a preparation for the political systems of the seventeenth century; it is the work of an experienced practical lawyer who could digest his rich knowledge, with the aid of his "method," into a well-ordered book; but it is definitely not the work of a great political thinker.[26]

In the presentation of Althusius's ideas we shall not follow his Ramist dichotomies but rather reflect on the subject matter itself that was pressed into this straitjacket. Althusius was a western German, with affinities to the Low Lands. In 1604, the year fol-

[26.] The term *method* in the title of Althusius's *Politics* is taken from the concluding part of the Ramist system. The "method" had been used by Althusius before, in his *Jurisprudentia Romana* of 1586, with special reference to Ramus. It should be noted that the necessity of applying some method to the discussion of politics had occurred already to earlier Calvinist publicists. The preface of the *Vindiciae* assures the reader that he will find the problems treated according to the "geometrical method" in the most rigorous manner. The problem of Ramist logic and its social success seems to us not yet to have been explored

sufficiently. The Ramist system apparently was, in the field of logic, the response to the breakdown of philosophical speculation in the sixteenth century. When the logic of being and the logic of science break down, one can hardly do anything but retreat to a logic of presentation for the mass of fragmentized knowledge. Also the works of Giacomo Aconcio, in particular his *De methodo,* of 1558, would deserve some attention under this aspect.

lowing the publication of his *Politica,* he was appointed syndic of the city of Emden, a city having close relations with the newly founded Republic of the United Netherlands. The federalism of the empire as well as of the Netherlands was the political experience that entered into his thought. For the author of the *Vindiciae,* this pluralism of provinces and towns could be no more than an emergency argument in a desperate situation. The subjects should have the right of revolt against the king if the resistance is led by only one of the organized subdivisions of the realm; but the purpose of the revolt would be the domination of the whole realm by the revolting party. The Althusian pluralism cuts deeper insofar as the author of the *Politica* can envisage the separation of a town or province from the more comprehensive polity to which it belongs, whether it be for the purpose of becoming independent or for that of associating with other towns and provinces in a more desirable federation. The existence of the national realm, which the French Calvinists did not want to destroy, was no problem for Althusius. His consistent pluralism and federationism are nourished from his special political environmentand that is probably the principal reason his work, after a passing storm of criticism, was neglected and all but forgotten in an age of nationalism until it was unearthed by von Gierke.

The principal idea of the *Politica* can be characterized as a deliberate reinjection of Aristotelian and Ciceronian elements into the complex of Calvinist monarchomachism, with the result that we approach again the position of Salamonius as far as the construction of the autonomous polity is concerned. The subject matter of methodical politics is the organization of social life. The term that designates organized social life is the Aristotelian *koinonia,* rendered in Althusius's Latin as *consociatio*. Consociation is induced by necessity and produced by contract *(contractus socialia)*. Through the contract the members of the group become *symbiotici,* bound together in a communion of interests with regard to things necessary and useful. The consociation is governed by two sets of laws: (1) the laws of the communion *(communicatio)* defining the terms and purpose of the consociation; and (2) the laws of government *(gubernatio),* which ordain the administration of the sphere that has been put into communion. Behind these contracts, however, lies the irreducible fact that consociation exists at all as part

of the divine order of the world.

Once the principles of consociation are set forth, Althusius proceeds to his survey of the various types of society, the *species consociationis*. With regard to this survey, the Ramist dichotomies partly reveal, partly conceal, the true order of classification. The main types are family, corporation, commune, province, and polity; but there also are subtypes, such as the division of communes into *vicus, pagus, oppidum* (all of them "rural"), and *civitas*. The actual principle guiding Althusius in his classification seems to have been the Aristotelian division of social forms into family, village, and polis, differentiated so as to include the empirical types of the time. To the Aristotelian three types would correspond the Althusian division into *consociatio privata* and *consociatio publica,* and the further division of the *consociatio publica* into *particularis* and *universalis*. The *privata* comprises the Aristotelian family as well as the corporation; the *publica particularis* comprises the Aristotelian village and in addition parishes, towns, cities, and provinces; the *publica universalis* corresponds to the Aristotelian polis. This last coordination is confirmed by the use of the term *politia* in alternation with *imperium, regnum, populus,* and *respublica,* as well as by the definition of the purpose of the *politia* as the welfare not only of the body but also of the soul (*salus et cura animae*), corresponding to the Aristotelian purpose of the polis as the differentiation of the *bios theoretikos*.

The Aristotelianism of the conception makes itself furthermore felt in Althusius's insistence that the series of types is not simply the result of logical classification but represents a natural and historical order. The history of consociation is supposed to have taken the course of a growth from the smallest unit, the family, to the highest, the *politia*. Every higher form, as a consequence, must be interpreted as a consociation of lower forms, reserving to the lower forms the right of withdrawal when the higher consociation does not fulfill the stipulations of the contract by which it was Created. Through this part of his construction, Althusius transforms the pluralism of the *Vindiciae,* which was occasioned by the circumstances of political strife, into a principle of political organization.

From these principles follow the applications to the problem of governmental authority. The existence of the polity expresses itself legally in the *jus majestatis* or *jus regni,* its sovereignty. The *jus majestatis* is defined as the supreme; universal power to regulate what pertains to the spiritual and bodily welfare of the members

of the republic. Like Bodin, Althusius assumes this power to be indivisible, but limited by divine and natural law as well as by the constitution. This power, as to its administration, lies in the hands of the chief magistrate (be he one man or a college); but the chief magistrate is the agent of the consociation; the *jus majestatis* is the inalienable possession of the people; the people remain the *dominus* in a relation in which the magistrate is the *mandatarius*. Since the sovereignty under all circum stances is the people's, a classification of forms of government in the Aristotelian sense loses its meaning. It is possible only to distinguish *species summi magistratus,* that is, types of the administration of sovereignty through monarchic or polyarchic magistrates. When the magistrate abuses his power, he becomes a tyrant; and in this case the people have a right of resistance, to be exerted, however, not by single individuals but only by the people collectively or through their "ephors."

The principles of Althusius's politics could be presented without reflecting on the problem of religion. The problem is not absent, but it is subordinated to the main construction. The question of the church appears only in the subdivision of the *jura majestatis* into *ecclesiastiea* and *civilia.* Caring for the welfare of souls is part of the sovereignty of a polity. The polity is an ecclesiastical society insofar as it serves the salvation of souls; it is a secular society insofar as it serves the purposes of public order, general welfare, and aid in emergencies. The organization of the ecclesiastical society into presbyteries and synods, to be sure, follows the Calvinist model, but the Calvinist activism of the people of God has been completely absorbed into the main construction of the sovereignty of the people. We have, indeed, reached the point at which the momentum of the religious mass movement is carried over into the political momentum of the sovereign, secular people.

§4
The Jesuit Thinkers

We have characterized monarchomachism as a trend in political speculation, nourished from various sources, but converging toward the idea of an autonomous, intramundane polity that derives its governmental authority from the "people." The analyses of the preceding section have not, however, exhausted the varieties of thought that, by their cumulative effect, produce the sovereignty of the people in the secular state. At least one group of thinkers

must be added whose work has contributed substantially to the formation of the new idea, that is, the Jesuits of the late sixteenth and early seventeenth centuries. Nevertheless, we cannot treat the Jesuits as an adjunct to monarchomachism. Various factors complicate the situation. In the first place, the Jesuits are members of the Society of Jesus; and the Jesuit Order enters the political scene as a new power of which the thinkers are only exponents. Second, the Jesuit thinkers are thinkers, indeed; they revive the scholastic apparatus of philosophical speculation and apply it to the problems of politics; their monarchomachism is incidental to a more comprehensive philosophy of law and politics. Third, their politics is not limited by national boundaries; their field is the *respublica Christiana* under the spiritual headship of the pope; hence, their political speculation has become an important factor in the development of modern international law. And fourth, their theory and action reactively provoked the idea of divine right of kingship, especially in James I. As a consequence, Jesuitism has become an inseparable factor of the seventeenth century, the prelude to the Puritan Revolution.

With the divine right of kingship and the repercussions of Jesuitism in the reigns of Elizabeth and James I, we shall deal later in this study, in connection with the English Revolution.[27] In the present context we shall deal with the general aspects of the Jesuit Order as a new political force and with the place of its thinkers in the mainstream of political ideas.

The most remarkable characteristic of the Jesuits was their ability to arouse ill will on all sides, even among Catholics; and the international resentment in its turn has magnified their importance far beyond its true measure. Let us be clear, therefore, that the Society of Jesus, like most of the great orders, had seen its best time within a century of its foundation; that its internal decline, like that of the other orders, was the consequence of its success; and that, during its century of success, its nuisance was greater than its achievement, great as that was. The order had as its nucleus a gathering of friends around Ignatius of Loyola, formalized through vows

[27.] *The Collected Works of Eric Voegelin,* vol. 25, *History of Political Ideas,* vol. VII, *The New Order and Last Orientation,* ed. Jürgen Gebhardt and Thomas A. Hollweck (Columbia: University of Missouri Press, forthcoming), Part Seven, chap. 2.

in Paris, in 1534. The group of friends obtained papal confirmation for organization as the Society of Jesus in 1540. Its purpose was the advancement of souls in Christian life and doctrine, the hearing of confession, the propagation of the faith by public preaching and the ministry of the word of God, spiritual exercises, works of charity, and, especially, the instruction of children and ignorant people in Christianity.

More revealing than the list of purposes is the organization of the order. Ignatius and his friends applied for confirmation at a time when the Curia was considering the abolition of all orders, with the exception of half a dozen, as a measure that would rid the church of one of its worst liabilities. The remaining orders should be conventual, with strict rules, and with a careful selection of persons fit for monastic life. The hesitations could be overcome only because the plans of Ignatius appeared as a new departure. His foundation was not considered to be just another order. It received the name of a "society," probably translating the Spanish *compañia,* that is, a military band or cohort. Its members would not be selected because they were fit for a conventual life of contemplation. On the contrary, their activity should lie in the world. In addition to firmness in the faith, a high degree of intelligence, fitness for discipline, and the energy that is necessary for undergoing a rigid course of studies, the members would have to possess a representative appearance, a pleasant character, and persuasive manners. One of the great assets of Cardinal Bellarmine, for instance, was his imperturbable politeness in his polemic against heretics; it was difficult to be rude toward a man of such accomplished mannersa great change from the time of the Reformers. Moreover, this activity in the world was under the strict direction of a hierarchy of superiors, culminating in the general of the society. The internal discipline was secured through a series of special measures: no member could take steps for his own advancement to higher dignities within the order; every member would denounce any such steps that came to his knowledge to his superiors; no member could receive outside appointments or dignities without permission of the order; the general himself was bound to his office. Such provisions concentrated the interests of the members exclusively on the order; nobody could use it as a stepping stone for ecclesiastical preferment; and the order was safe against raids on its gifted members.

Such concentration of talents and training, combined with military discipline and able leadership, could and did become a formidable power. The society did not enter into competition with the religious mass movements on their own level but concentrated its efforts on the key positions of the educational system, on members of the ruling group, and above all, on the point where the reform movements were weakest, that is, on the raising of intellectual standards. Much to the chagrin of Protestants, for instance, the *Disputationes Metaphysicae* (1597) of Suárez supplanted the influence of Melanchthon's works in German universities. The organization of the order as such has always aroused admiration, even that of its enemies. It was the first modern politico-religious order, operating through an elite on the key positions of a society; and as such it has attracted the attention of later intellectual elites who wanted to transform a society in conformity with their faith. The philosophes of the eighteenth century, like Helvétius, yearned for an order of their own, rivaling the Jesuits; and the model has exerted its influence, directly or indirectly, in later political leagues and orders from Marx, Bakunin, and Mazzini to Lenin, Mussolini, and Hitler.

That Ignatius intended his society to become a political power of European effectiveness is more than doubtful. Anyway, Diego [Lainez], his successor in the leadership (vicar 15561558), embarked the order on the course of its fame and ill repute; and the society had, indeed, the almost incredible success of stemming the tide of the Reformation and of regaining southern and western Germany and the Slavic countries for Catholicism. This success, however, was substantially achieved before the outbreak of the Thirty Years War. The generalate of Aquaviva (15811615) marks the high period of the society. The dates are of a certain importance. An [elitist] order is not a nation; the phases of its effectiveness depend on small groups of men who act in unison as an age class. With Aquaviva, the second generation of the society moved into action. Aquaviva was born in 1542, Molina in 1535, Mariana in 1536, Bellarmine in 1542, Suárez in 1548, and the highly active Robert Parsons in 1546. With the death of Molina in 1600, of Parsons in 1610, of Aquaviva in 1615, of Suárez in 1617, of Bellarmine in 1621, and of Mariana in 1624, the great generation passed away and with it the greatness of the order.

The reasons for the decline are manifold. In the first place, the rigid organization of the order seems to have been self-defeating.

We have preserved a pamphlet of criticism by Mariana, published after his death under the title *Discursus de erroribus qui in forma gubernationis societatis Jesu occurrunt* (Bordeaux, 1625). Among the defects of the organization that Mariana mentions is the spying system, resulting in an accumulation of files in the general's office that do not leave a single member's character untouched; he, furthermore, criticizes the monopolization of the higher offices by a small clique and, intimately connected with such monopolization, the lack of relation between the qualities of a member and his reward through rank in the society. The criticisms seem to indicate that after the enthusiasm of foundation and the first spurt of expansion, a ruling clique of politicians established itself, prevented the rise of new talent, and kept the increasing number of members in submission through a debasing espionage system. It does not sound like an environment that would attract men of great qualities. In the 1590s the internal stagnation can no longer have been a secret to the more intelligent members of the society. The external success of the society, on the other hand, doubtless exerted a fascination on men who wanted to participate in the reputed power of the organization, perhaps become themselves powers behind the throne, and so forth. Such types, more distinguished by *pleonexia* than by spiritual qualities, seem to have flocked to the society in the seventeenth century and pulled it down to their mediocrity. Moreover, at its best the rigid discipline, submitting even spiritual exercises to minute direction, must have been detrimental to a free unfolding of human qualities. The society, due to its selectiveness and training, has been distinguished by a high intellectual level of its members; but it has never produced high peaks. There are no Jesuits of the rank of the Dominicans Albert, Thomas, and Eckhart, or the Franciscans Bonaventure, Duns Scotus, and Ockham. Even the great generation of 1580, even Bellarmine and Suárez, owe a good deal of their intellectual stature to the surrounding flatness of the political debate; and their possession of the Scholastic treasure makes them shine in comparison with the Reformers; but one would hesitate to name them together with Bodin, Giordano Bruno, and Baconthat is, with the men who carried the intellectual burden of the age.

The great success, finally, of recapturing large territories for Catholicism was of doubtful value. It must be qualified as being a success only in terms of a political struggle for limited possessions. In terms of the spiritual unity of Europe, the Jesuit struggle resulted

in a dismal failure. In Germany, the Jesuit success contributed materially to the tensions that reached their breaking point in the Thirty Years War. In France, the successful activities of the Jesuits aggravated the atrociousness of the civil wars. In England, they only succeeded in

making the position of Catholics more miserable than it was anyway and in branding Catholicism with the stigma of treason that it retains to this day in broad sections of the Protestant population in England and America. Their influence on later political events, such as the separation of Portugal from Spain in 1640, or the revocation of the Edict of Nantes in 1685, did not endear them either to the governments or to the peoples who happened to be the victims of their interference. After the first, short flowering, the society thus has a curiously mixed record of spiritual integrity, high intellectual standards without personal distinction, zeal in the service of the church, diplomatic skill, political astuteness in details, and a sometimes astonishing obtuseness in calculating the effects of meddling with major political issues.

When we judge the Jesuit performance in terms of the spiritual unity of Europe, we are not using an arbitrary standard. The spiritual unity of Europe was the concern of the Jesuits; and the institutional expression of this unity through universal recognition of the spiritual headship of the pope was their aim. Theoretically the concern and aim found their expression in the doctrine of the pope's indirect power in temporal matters, advanced by Bellarmine and adopted by the other Jesuit thinkers of the period.[28] The doctrine accepts the end of the empire as a fait accompli. There is no longer any question of the emperor as the temporal partner of the pope in the headship of Christianity; as far as temporal politics is concerned, Europe has fallen apart into autonomous kingdoms and republics. All the more important becomes the question of whether a unity of Christian mankind can be preserved at least on the level of spiritual institutions; and the only universal representative of Western Christianity that is left is the pope. If the declaration of the pope as

28. The doctrine was developed in Bellarmine's *Disputationes de controversiis Christianae fidei adversus hujus temporis haereticos,* in the third controversy, *De Romano Pontifice,* published in 1581, book V, chaps. 18. The doctrine is restated in Bellarmine's *Tractatus de Potestate Summi Pontificis in rebus tempralibus adversus Guliemum Barclaium* (Rome, 1610), chap. V. The work to which the title of the treatise refers is William Barclay's posthumous *De potestate Papae: An et quatenus in reges et principes seculares jus et imperium habeat* (London, 1609).

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the spiritual head should be more than verbiage, a papal jurisdiction would have to be defined, and sanctions would have to be provided for disobedience to papal decisions. To provide for jurisdiction and sanctions is the purpose of the doctrine of indirect temporal power.

Bellarmine begins with the assurance that the power of the pope is exclusively spiritual. The papacy has no power over the realms of this earth; government is not an institution of grace and faith, but rests on necessity and reason; the realms exist not by divine law, but by *jus gentium*. This part of the doctrine seems to preclude all possibilities of papal interference in temporal affairs. The appearance, however, is deceptive; for Bellarmine distinguishes between direct and indirect aspects of spiritual power. Spiritual power "directly" is only concerned with spiritual affairs; "indirectly," however, it is also concerned with temporal affairs, insofar as the temporalities may affect the spiritual life of Christians. The pope has received the keys only to the *Regnum caelorum,* not to the *Regnum terrarum;* but governmental policies in the terrestrial realm may obstruct the Christian's access to the celestial realm; hence, *jure divino* the pope has the power of regulating temporal affairs *in ordine ad finem spiritualem.*

Since the pope would have to decide whether a governmental action endangers the spiritual welfare of the subjects, there would be in principle no limitation to papal interference in the governments of Europe. In fact, however, the doctrine was developed under concrete, historical circumstances; and Bellarmine, as well as the other Jesuits, had a quite specific type of interference in mind, that is, the excommunication and deposition of a heretical ruler, such as the deposition of Elizabeth and the excommunication of Henry of Navarre. "Christians must not tolerate a heretical king if he tries to draw his subjects into his heresy." But the question of whether the king is heretical or not, and whether he draws his subjects into his heresy or not, must be decided by the pope; hence, it also requires a papal decision whether the king should be deposed or not. The construction of the deposition itself is perhaps the most interesting part of Bellarmine's doctrine. The transfer of legitimate power from one prince to another is construed as a spiritual direction. The direction affects the prince himself, who must submit to the papal order unless he wants to exclude himself from membership in the body of Christ. But such a transfer is also a direction of the people. God himself gives royal power to human beings only *mediante*

consensu, et consilio hominum, and he also transfers empire from people to people only with the consent and counsel of the men affected. The papal depositions and transfers follow this model; in brief: the deposition of a king by the pope is a spiritual instruction of the people to execute the judgment if necessary by withdrawing their consent from the deposed ruler and giving it to the new king, that is, by rebellion. Obviously, a heretical king will not be amused when the pope instructs his subjects to engage in treason and rebellion. Here we touch on the

previously mentioned strange unrealism of Jesuit thinkers, a curious lack of judgment with regard to the effects that such doctrines must produce in realms that prove impermeable to papal invitations to revolt.

Bellarmine's construction of deposition as a spiritual direction, to be executed by the consent of the people, presupposes a theory of the natural existence of a politically organized community. Such a theory is, indeed, to be found in the Jesuit systematic treatises on politics. These treatises are impressive by their comprehensiveness, but they contain little that could be considered a noteworthy development in the history of political ideas. The principles are scholastic, in particular Thomistic, while the intellectual situation of the age makes itself felt in the sharpening of the issue of sovereigntyfor the pressure of Bodin motivates the Jesuits in the same manner as does Althusius. The historical importance of this branch of Jesuit literature lies in the fact that now we have again a systematic philosophy of law and government at all, reviving the medieval tradition and transmitting a fundamental stock of knowledge to the seventeenth century.

The representative work of this class is Francisco Suárez's *De legibus ac Deo legislatore* (1612). By its literary form it is organized into an independent treatise of the problems that are contained in the sections *De lege* of a *Summa* of the Thomistic type. While problems and solutions are fundamentally Thomistic, the *De legibus* is characterized by a change in the manner of philosophizing. It is certainly justified to speak of Suárez as the continuator of scholastic tradition. Nevertheless, three hundred years have elapsed between Saint Thomas and the Jesuits; and Suárez, while continuing the tradition, may also be said to hold a position beyond it. Scholastic philosophy, in fact, had run its course, and the works of the scholastics, as a whole, had become for Suárez a body of classic literature. When

Saint Thomas philosophizes, his authorities are mainly Aristotle, the patres, and Dionysius Areopagita; they form the background of tradition for his systematic range and his methods of speculation. When Suárez philosophizes, the scholastics themselves are his background. It can no longer be his task to develop a philosophy of law and politics by building Aristotelian politics into the patristic tradition; that task had been performed by Saint Thomas. When Suárez develops a theory of law, he considers it his task to harmonize the intellectualist and voluntarist speculations of Thomists and Scotists into a new balanced system. His work, thus, does not represent a new phase in the development of scholastic problems; we rather may say that his

work is an encyclopedic harmonization of the scholastic tradition. In his work, scholasticism has become historical; it is no longer a living force.

The authoritative restatement of the scholastic speculation on law and politics was of considerable importance for the restoration of theoretical standards in the seventeenth century. With the recognition of this fact, however, our main task is done; a detailed presentation of the contents of the work would be out of place in a general history of political ideas. We shall only touch on one or two points in which the formulations of Suárez seem to add further precision to the idea of popular sovereignty. Human association is for Suárez part of the order of being as created by God. Life in community *(communitas)* is natural insofar as it is necessary for the conservation of the human race. Communal life, however, is impossible without some form of organization and regulating power. Insofar as the community is organized, it is a body politic *(corpus politicum)* and it finds itself endowed with a community power *(potestas communis)* for ordering the life of the group *(congregatio)*. There can be no question with regard to the legitimacy of civil authority as such; the *potestas* of the body politic is part of its existence; it can be considered as ordained by God only insofar as God has created man as a being that naturally organizes itself in a community.[29] In these formulations Suárez is at his best. Here he has succeeded, indeed, in penetrating through the clichés of political terminology to an ontology of politics; the *potestas* has its ultimate foundation in the order of existence itself.

[29.] Suárez, *De legibus* I.13.

Unfortunately, Suárez does not go very far beyond this point. A political philosopher of rank would have acted on this insight; he would have proceeded to a survey of the varieties of *potestates* peculiar to each [body politic]; and he would perhaps have proceeded to a philosophy of history and found a meaningful order in the variety of existence. But Suárez was no Bodin. Nevertheless, he saw the difference between a family and a *corpus politicum;* and he made it clear that civil authority cannot be derived from patriarchal authority.[30] Moreover, what is more important, he recognized that the plurality of political entities offers a serious problem. In medieval political speculation, the manifold of *regna* and *civitates* was roofed over by speculations on world monarchy. With the acceptance of the end of the empire, this speculative closure of the political horizon also had to give way. In face of the open manifold of temporal polities the question had to arise of whether mankind as a whole did not also have some form of social existence. A partial answer to this question was given through the spiritual headship of

the pope over Christian mankind, as well as through the doctrine of indirect papal power, which Suárez, like Bellarmine, adopted. Even this answer, however, left open the question of a temporal unity of mankind. Suárez faced this question. He insisted that mankind was more than an animal species; that it had indeed a moral, and even something like a political, unity that manifests itself in the love and pity that naturally reach out to members of foreign polities. While the unity of mankind has no organization comparable to that of the ordinary body politic, it nevertheless is tangibly experienced as a comprehensive, universal society insofar as the several realms have need of each other in various respects. Every realm is for Suárez a *societas perfecta,* but (somewhat illogically) none is so perfect that it would not need communion with others for utilitarian as well as moral reasons. This need for community has led to the growth of a body of law governing the relations between polities, that is, to the grown of *jus gentium,* a mixture of natural law and customs practiced by all peoples.[31] Mankind, thus, can be understood as a temporal society with the rules of *jus gentium* as its rudimentary legal form. The theoretical importance of the construction again lies in the recognition of existential factors like love and pity,

[30.] *De legibus* III.2.

[31.] *De legibus* II.19.

utilitarian and moral communion, as the basis of legal form. But again we must stress that the existential problem is no more than touched on in principle; Suárez has not carried out his insight in a philosophy of history, as did Bodin. The limits of scholasticism are reached when the problem of history becomes acute.

3

The English CommonwealthHooker

The present chapter has the nature of a digression. In the introductory part of the preceding chapter, we briefly compared the various forms that the problems of the Reformation assumed in Germany, France, and England; and in particular, we mentioned a higher degree of political centralization as the factor that distinguished the English course of events and ideas. In England, the problems of the Reformation blend inseparably with the self-articulation of the national polity; and, as a consequence, the ideas of the Reformation become in the English environment the beginnings of national political thought. This subject matter requires a more detailed treatment. The digression will be lengthy; and for that reason it seemed advisable to elevate it to the rank of a separate chapter.

§1
The Beginnings of English Political Thought

While continental thinkers groped their way through the troubles of the Reformation toward the idea of an autonomous, secularized polity, England entered the age of Reformation with a polity that was autonomous and centralized enough to reform the church by transforming it into an adjunct of the secularized commonwealth. In the wake of the Norman Conquest, and aided by geographical isolation, there had grown a national society, politically articulated and represented in Lords and Commons, institutionally unified through royal administration, courts, and common law. By the time of the Tudors, England had become "in fact," that is, in sentiment and institutions, a closed national polity ready to crown this development by the idea of its autonomous existence when the emergency should arise. The pathos of this polity found its illuminating expression when Henry VIII addressed his Parliament

in George Ferrers's case (1543): "We be informed by our Judges that we at no time stand so highly in our estate royal as in the time of Parliament, wherein we as head and you as members are conjoined and knit together into one body politic, so as whatsoever offence or injury (during that time) is offered to the meanest member of the House is to be judged as done against our person and the whole Court of Parliament." The well-knit body politic of king and Parliament is the unquestioned governing authority of England: the king being enhanced in his royal estate when he participates in the representation of the realm, the Parliament participating in the privileges of majesty when it functions as the king's high court.

The unquestioned existence of the polity and its institutions must be presupposed as a fundamental fact when we approach the evolution of English politics in the age of Reformation. It is the key to understanding otherwise baffling ideas and attitudes. When we reflect, for instance, on the crazy sequence of Henrician almost Catholic supremacy, Edwardian Lutheran reformism, Marian Catholic reaction, and Elizabethan settlement, all within a generation, we begin to wonder what sort of people these English are who switch dogmas every ten years along with their kings, and who do not respond to the secularization of their church for scandalous reasons with a major civil war and the ejection of the dynasty. Are the English perhaps a particularly abject, Byzantine race? It would be unfair to answer the question in the affirmative without qualifications. To be sure, there is a streak of genuine Byzantinism in the English pattern of political conduct. The smelly and sticky details in the performance of Henry's bishops and lawyersespecially in view of the royal burlesque, of this barbaric mixture of foul thievery, wenching, vandalism, cruelty, and bloody tyranny with political astuteness, legal rites, dignity, majesty, and humanistic charmamply justify the judgment.

Nevertheless, we are not dealing with a case of abject submissiveness under a despotthe Byzantinism of Tudor society was strongly tempered by bribery. Henry fortified his ecclesiastical polity by distributing confiscated monastic lands (through free gifts or nominal sales) to a rather broad stratum of society, numbering about one thousand persons, fifteen peers and thirty commoners receiving grants with a yearly value of more than two hundred pounds. A substantial new upper class, thus, was engaged with its material interests in the Supremacy. And the Marian return to Catholicism again

was purchased by leaving the holders of abbey lands in safe possession. Obviously, it would be grossly inappropriate to approach the problems of the English Reformation with categories taken from the environment of Luther or Calvin. The curious switches of church policy from reign to reign lose much of their strangeness if we realize that English society had so far advanced in secularization of sentiment that the spiritual problems involved were hardly experienced as such except by politically powerless individuals and small groups. The representative ruling class was ready to sell the church for a good price, and even to take it back provided that it could keep the price, too.

While the formal secularization of the church through the Supremacy should not be underrated as an event in itself, it must be placed in the context of social processes in a polity that was

already secularized in substance. As far as the structure of the polity is concerned, we can now more clearly understand the social implications of the previously quoted remark of the king in Ferrers's case. The "body politic" of king and Parliament was indeed closely knit; and Henry had contributed materially to conjoining and knitting it even more closely together. Instead of being used for educational purposes and poor relief, the church plunder had been appropriated by the king to himself, his servants, and his supporters; the community of robbery had created a community of interests that at the moment served the king's purposes well. Even more important, however, was the long-range effect of this astute method of "conjoining" the representative powers of the realm; for the newly created and enriched social stratum became the nucleus of the forces that, in the constitutional struggle of the seventeenth century, were the carriers of the Revolution and ultimately shifted the power of the polity toward the Parliament.

At the opening of the sixteenth century, thus, the English polity had achieved a high degree of secularized, world-immanent existence on the level of sentiments and institutions. In the reign of Henry VIII, under double pressure from the royal marital affairs and the continental Reformation, the process of closing and secularizing the existence of the polity suddenly moved to the level of consciousness. When we speak of consciousness we do not mean a high degree of intellectual clarity. On the contrary, a style of political thought begins to form in which an unrivaled sense for the concrete in human and legal relations is combined with an almost

pathological fear of facing issues on the level of principles. The style is specifically English; and since, by its parochial nature, it prevents a generally communicable expression of problems, it has become the greatest obstacle to an understanding of English politics for anybody who has not grown up on the island. Nevertheless, there is no sense in attributing this peculiar style to some mystery of the English "national character." It is the quite unmysterious result of the factors that historically contributed to its formation.

The geographically and civilizationally marginal situation of England on an island had produced this style, under both its positive and its negative aspects. The sheltered existence of the centralized polity had made possible the national style of treating political questions in the legal terms of statutes and decisions; and the same sheltered isolation had minimized English participation in the great European debate of the high Middle Ages so that a treatment of politics in terms of metaphysical principles had never been a national concern. And, finally, we must take into account that England entered its period of continuous political debate precisely

at the time when the antiphilosophism of humanists and reformers had ruined the standards of political theorizing. When we look at the politically astute but intellectually muddled legislation of Henry VIII in matters of church and faith, and when we see the insouciance with which the king in Parliament defines the dogma of transubstantiation for his subjects, we may assume that the problems of the *corpus mysticum,* of the spiritual substance of the church, of *sacerdotium* and *magisterium* were beyond the intellectual grasp of the ruling group of England. Isolated remarks show that individuals here and there were uneasily aware of the implications of Supremacy, but this occasional awareness found no representative expression. Even the great Hooker, at the end of the century, had not yet understood the connection between secularization and the destruction of spiritual freedom.

Unpropitious as the circumstances were, the continuity of English political thought begins under Henry VIII. In the present context we shall deal with the first great idea that was fully developed before the end of the century through Hooker, that is, the idea of the commonwealth. In the later part of Elizabeth's reign, the evolution of the commonwealth idea overlaps with the beginnings of the constitutional struggle between king and Parliament. With this group of problems, as well as with the role the Jesuits played

in the struggle, we shall deal in §5, below, in connection with the Puritan Revolution.

§2
The Closure of the Commonwealth

The idea of the commonwealth, as it became articulate during the sixteenth century, is the idea of the closed, secularized, autonomous polity. In order to understand the implications of the idea, we must briefly enumerate the various aspects of closure and secularization. By closure is meant jurisdictional independence from empire and papacy. Jurisdictional independence from the empire could be formalized very simply through a declaration enunciating the principle of *imperator in regno suo,* which had become current in the Middle Ages. The jurisdictional independence from the papacy was a more complicated matter. Here we have to distinguish between the autonomy of the *Ecclesia Anglicana,* which substantially had been achieved through the statutes of the fourteenth century; the schismatic break with the universal church, achieved through rejecting the authority of its institutions in matters of faith; the abolition of the autonomy of the *Ecclesia Anglicana,* achieved by submitting its canonical legislation to the

consent of the king; and the actual secularization of spiritual power, achieved by transferring the infallible authority in matters of faith to the king in Parliament. The first group of measures, advancing Anglicanism, means no more than a decentralization of church government according to national regions. The second step, the schismatic break, destroys the institutions that embody the universality of the church; but the situation created by this measure did not differ substantially from the situation that existed in Christianity through the schism between Western and Eastern churches. The third step, consummated through the Act for Submission of the Clergy (25 Henry VIII, c. 19), of 1534, is a real attack on the church because it abolishes its self-government. And only the fourth step destroys the spiritual substance of the church by making the symbols of faith a matter of secular declaration. Only this fourth step establishes what today we call a totalitarian government. This last proposition, however, must be qualified by the reminder that the king and his advisers did not know what they were doing and that, when the consequences of totalitarianism began to show, the result was a formidable constitutional struggle. Nevertheless, we must realize that the English

development of the sixteenth century was not simply an assertion of national independence, and that it was considerably more than a "break with Rome." It entailed, indeed, the establishment of the first totalitarian government, foreshadowing the possibilities of a future when the creed promulgated by the government would have become anti-Christian.

From the numerous enactments that have a bearing on the closure of the commonwealth, we shall select only a few passages in which the idea of the autonomous polity receives explicit formulation. The Act in Restraint of Appeals (24 Henry VIII, c. 12), of 1533, opens with the declaration: "By divers sundry old authentic histories and chronicles it is manifestly declared and expressed that this realm of England is an empire, and so hath been accepted in the world, governed by one Supreme Head and King having the dignity and royal estate of the imperial Crown of the same, unto whom a body politic, compact of all sorts and degrees of people divided in terms and by names of Spirituality and Temporalty, be bounden and owe to bear next to God a natural and humble obedience." The declaration of England as an empire, as we have indicated, does no more than resume the idea of the *imperator in regno suo;* the style of *imperator* had been claimed for the first time by Edward I in the thirteenth century. In the Act in Restraint of Appeals it is the preliminary to the enactment that no appeal can lie from an English court, spiritual or temporal, to a foreign higher instance; and that no decision rendered by a foreign authority in contravention of this act can be enforced by an English court, and in

particular not by English "prelates, pastors, ministers and curates." [Behind] this sudden concern about appeal to "foreign princes and potentates" lies the king's secret marriage with Anne Boleyn in January 1533. While the act cuts off the embarrassing appeals to Rome, it does not impair the spiritual substance of the *Ecclesia Anglicana;* the autonomy of the "Spirituality" remains untouchedbarring of course the king's prodding for a favorable decision in his marital affairs.

The Act of Supremacy (26 Henry VIII, c. 1), of 1534, adds the headship of the Church of England to the imperial crown: "The King our Sovereign Lord, his heirs and successors kings of this realm, shall be taken, accepted and reputed the only Supreme Head in earth of the Church of England called *Anglicana Ecclesia,* and shall have and enjoy annexed and united to the imperial Crown of this realm

as well the title and style thereof, as all honours, dignities, etc." The function implies the jurisdiction "to visit, repress, redress, reform, order, correct, restrain, and amend all such errors, heresies, abuses, offences, contempts and enormities whatsoever they be" that come within spiritual authority and jurisdiction. The language of the act is comprehensive but vague. That it actually implied the secularization of the Church of England is convincingly shown by later enactments. The act *extinguishing the authority* of the Bishop of Rome, of 1536, for instance, admirably shows the new atmosphere as well as the precise nature of the new headship. The act is directed against "the pretended power and usurped authority of the Bishop of Rome, by some called the Pope"; and it assumes spiritual authority in pronouncing not only on the pope's ambitions and tyranny but also on his nefariousness in "excluding Christ out of his kingdom" and seducing English subjects "unto superstitious and erroneous opinions" to the great damage of their souls. And the Statute of Six Articles, "abolishing diversity in Opinions," of 1539, finally, establishes through king in Parliament the correct view of transubstantiation in terms of "real presence." With this intervention in matters of dogma begins something like an opera buffa of infallibility: the First Prayer Book, of 1549, bent the sacrament of the altar more in the Lutheran direction; the revised Prayer Book, of 1552, went more in the direction of Zwingli; the Elizabethan Prayer Book, of 1559, achieved a diplomatic compromise.

The Supremacy was not concerned only with such questions as independence from the bishop of Rome and the secularization of the Church of England; of equal, if not greater, importance was the dissolution of the monasteries and the appropriation of abbey lands and other property

for secular purposes. The techniques employed in this vast campaign of confiscation are of considerable value for understanding the general atmosphere in the secularized polity. There are preserved "confessions" by the monks whose houses were dissolved. A few passages from the confession concerning St. Andrew's Priory in Northampton, of 1537, signed by the prior, the subprior, and eleven brethren, will illustrate the problem. The confessing monks address themselves to the king and assure him that they are "stirred by the grief of our conscience unto great contrition for the manifold negligence, enormities, and abuses" committed "under the pretence and shadow of perfect religion." They confess "voluntarily and only by our proper conscience compelled" that

they and their predecessors have never used the revenue of the priory for the purposes for which it was destined but "Taking on us the habit or outward vesture of the said rule (of Saint Benedict) only to the intent to lead our lives in an idle quietness and not in virtuous exercise, in a stately estimation and not in obedient humility, have under the shadow or color of the said rule and habit vainly, detestably, and also ungodly employed, yea rather devoured, the yearly revenues . . . in continual ingurgitations and farcings of our carayne bodies, and of others, the supporters of our voluptuous and carnal appetite, with other vain and ungodly expenses, to the manifest subversion of devotion and cleanness of living, and to the most notable slander of Christ's holy Evangel." Moreover, they have corrupted the simple and pure minds of the king's subjects, "steering them with all persuasions, engines, and policy, to dead images and counterfeit relics for our damnable lucre." But now they admit their "most horrible abominations and execrable persuasions of your Grace's people to detestable errors, and our long covered hypocrisy cloaked with feigned sanctity"; they ponder them continually in their sorrowful hearts; they perceive the bottomless gulf of everlasting fire ready to devour them; they are constrained by the intolerable anguish of their conscience; they prostrate themselves at the king's noble feet and crave his pardon. In order that such horrors will never happen again in the monastery, finally, they beseech the king "graciously to accept our free gifts without coercion, persuasion, or procurement of any creature living other than of our voluntary free will," offering the possessions and the rights of their priory to dispose of them at his discretion.[1]

The Moscow trials and the trials of churchmen in the Soviet satellite states have trained our ear for the overtones of "confessions." The abject self-accusations of the monks of St. Andrew's Priory have the authentic ring of the ceremonial confessions exacted by totalitarian governments.

§3
The Literary Chorus

We should like to warn the reader that the preceding section has not given a historical survey of enactments concerning the Church

[1.] All quotations are from the reprint of the confession in J. R. Tanner, *Tudor Constitutional Documents,* 2d ed. (Cambridge: Cambridge University Press, 1930), 89 ff.

of England in the sixteenth century. We have selected only a very few decisive statutes that were apt to illustrate the commonwealth idea. Nothing could be gained for our study of the typical features, for instance, by going into the details of the Six Articles, or by dwelling on the Ten Articles of Henry, or the Forty-Two Articles of Edward VI, or the Thirty-Nine Articles of Elizabethexcept additional proof that the Tudor mess was truly gorgeous. The idea of the commonwealth as a closed, world-immanent, secularized polity has become clear. The church is an "aspect" of the commonwealth; and the symbols of faith are defined by the king in Parliament. Nonrecognition of royal supremacy in matters of faith is high treason. A dangerous development that began in the thirteenth century has now reached its grotesque end. At the core of the Inquisition's persecution of heretics had been the doctrine, invented by the lawyer Pope Innocent III, that heresy was high treason against God and must be punished in the same manner as high treason against political authority; now doubts about the spiritual infallibility of the government have become heresy and are counted as temporal high treason.

The problem in itself is clear. Hence, we shall not go into details of the enormous literature that was provoked by the Supremacy. It is, according to the capacities of the authors, learned, serious, persuasive, vehement, and bitter, but intellectually it is undistinguished. Let us only characterize the positions that, from the nature of the problem, had to be represented. On the one side there would be the partisans of the Supremacy. On the other side, there would have to be the partisans of spiritual autonomy, differentiated according to the various religious divisions and subdivisions. This fundamental pattern would, then, suffer some distortion through the fact that partisans of spiritual autonomy would also support on occasion the position of the king when, and as long as, they believed that the king was on the side of their peculiar brand of reformation. On the whole, we may say that Catholics such as More, Cardinal Pole, and Cardinal Allen had a clearer view of the problem than othersnot because they were Catholics

but because anybody who had a clearer view and some personal integrity probably would be forced to the Catholic side in the dilemma. And a clearness of simplicity was to be found at the opposite extreme where a lawyer such as Christopher Saint Germain roundly identified realm and church and accorded to the king in Parliament the right of expounding

Scripture with binding force for the people; or where Sir Thomas Smith laid down the rule: "The Parliament legitimateth bastards, establisheth forms of religion, altereth weights and measures."[2]

The spiritually concerned Protestants inevitably cut the sorriest figure because they were caught between their rejection of Catholicism and the frustration of their aspirations through the Elizabethan settlement; to be for and against the Supremacy at the same time was, indeed, a difficult position. The term *Puritan* has its origin in this peculiar situation. It seems to have been used for the first time in 1567, in the course of the vestiarian controversy; it probably originated among the separatists in order to characterize the thoroughness of their reform, was then used by the partisans of Supremacy with slanderous intention against all reforming groups, and was gradually accepted as a designation for all those who wished to purify the established church according to some discipline derived from Calvinism.[3]

The intellectual level of this whole body of literature, as we have said, was not very high. Nevertheless, after two generations, there emerged something like a "sense of the meeting"if we may apply this phrase to the bitter controversy. While everybody still insisted that he himself was just plain right, everyone had become aware at last that something was fundamentally wrong when the other fellow wanted to be just plain right, too. The invective sharpened to the mutual accusation of popery. To be sure, the pope himself still held a place of distinction as the pestilent idol and the Antichrist; but before the end of the century the partisans on the other side had, in one form or another, called each other "little popes" all round. Through the fracas about jurisdictions of ecclesiastical courts, payments and appeals to Rome, surplices and squares, taking the sacrament in one or two forms, taking it kneeling or standing, ecclesiastical supremacy of the king and alliances of Catholics with Spain, episcopal, presbyterian, and congregational organiza-

[2.] More's *Apology* was published in 1533. It is an answer to Saint Germain's *Treatise concerning the division between the spiritualtie and temporaltie* (ca. 1532). Cardinal Pole's *Pro ecclesiasticae unitatis defensione* was published in 1536, Cardinal Allen's *Apology* in 1581, and his *Defence of English*

Catholics in 1584. Sir Thomas Smith's *De republica Anglorum* was published posthumously in 1583. For a careful presentation of the vast Tudor literature the reader should refer to Allen's *History of Political Thought* and for an even more detailed study of the rise of Puritanism to M. M. Knappen's *Tudor Puritanism* (Chicago, 1939).

3. See on this question Knappen, *Tudor Puritanism,* 488 f.

tion, altars, images, relics, organs, and Sabbatarian holinessthe essential point began to dawn on the happy warriors: that they could not replace the pope by Scripture but only by a plurality of popes. The problem of institutionalizing the spirit in society was still with them; the rejection of the universal authority in matters of faith had resulted in a multiplicity of particular authorities. Even the gentlemanly opportunists who occupied episcopal thrones under Elizabeth began to understand that the spiritual substance of the church was no joke. Under the pressure of the younger generation of Puritans, of Cartwright and Travers, they found it increasingly difficult to maintain order in their church with no other authority than that of servants of the crown; and toward the end of the century the trend becomes noticeable of claiming an authority *jure divino* for the bishops of the establishment.

§4
Hooker's Christian Commonwealth

After 1570 it became increasingly clear that the Supremacy was seriously threatened by the Puritan movement. Disciplinarian ministers within the established church grew in numbers, presbyterian classes were formed, and the movement spilled over into congregational separatism. The strength of the movement lay in its spiritual seriousness; the demands for disciplinarian reform were carried by the consciousness that a church was no church when its spiritual substance was determined by the civil government. Against this dangerous enemy was directed the great work of Richard Hooker (15531600) in defense of Supremacy.[4]

4. Richard Hooker, *Of the Laws of Ecclesiastical Polity,* in *Works,* ed. John Keble, 7th ed., rev. R. W. Church and F. Paget (Oxford: Oxford University Press, 1888), vols. 12. The first four books of *Ecclesiastical Polity* were published in 1594 and the fifth book in 1599. After Hooker's death, two Puritan ministers called at his home and, apparently with connivance of Hooker's widow, destroyed the unpublished remaining three books. Books VIVIII in their present form go back to rough drafts of the manuscript. A critical edition of book VIII has been edited by R. A. Houk (New York: Columbia University

Press, 1931). The publication of *Ecclesiastical Polity* provoked an answer by an anonymous author (whose identity Hooker has not revealed but seems to have guessed) under the title *A Christian Letter of certaine English Protestants,* 1599. There is extant a copy of the *Christian Letter* with Hooker's marginal notes; almost all of the annotations are published in Keble's edition of the *Works*. The *Christian Letter* with the notes is reprinted in R. Bayne's edition of the fifth book of *Ecclesiastical Polity,* 1902. New edition: *The Folger Library Edition of the Works of Richard Hooker,* W. Speed Hill, gen. ed., 6 vols. (Cambridge: Belknap Press, 1977-). Student's edition: *Of the Laws of*

(footnote continued on next page)

An interpretation of Hooker's work presents the historian with a delicate task. Hooker defended Supremacy, and he paid the price of his defense by rejecting the authority of the spirit. We would be justified in rejecting him as one more of the grave diggers of spiritual life in Western civilization and classifying him as one more of the abettors of national parochialism. Nevertheless, if we indulged in such summary dismissal, we would cast aside our chance of studying at its origin an attitude toward the problems of Western civilization that becomes of decisive pragmatic importance in the following centuries. Hooker makes the conscious, and very subtle, attempt of interpreting the English commonwealth of his timethat is, the Caesaropapist church-state of the Tudors as a Christian *corpus mysticum,* endowed with visible organization through the government of England. Hooker, we may say, expressed for the first time the spiritual nationalism that is peculiarly English. Viewed from the larger Western scene, the growth of this idea caused one of the fatal cracks in the unity of our civilization; viewed from the island, it produced a nation that keeps faith with its Christian conscience. The coup d'état of Tudor supremacy, while secularizing Christianity, has integrated it into the constitutional life of the nation. This does not mean, of course, that the English historical record is less solidly atrocious than that of other nations; nor do we deny that the English Christian conscience shows itself most splendidly after the plunder is in the bag; nevertheless, this conscience must be recognized as a highly effective national force, permeating all strata of the people as a consequence of its regenerations through the Puritan Revolution of the seventeenth century and the Wesleyan Reform of the eighteenth. Because nationalized Christianity has become a permanent and strong factor in English politics and English political thought, we must reflect on its first systematic expression in Hooker's idea of the Christian commonwealth.

When we approach Hooker's idea, we must realize that we are moving not in a realm of philosophical discourse but in the realm

Ecclesiastical Polity: Preface, Book I Book VII, ed. A. S. McGoode (Cambridge: Cambridge University Press, 1989). The anonymous *Christian Letter* was answered, after Hooker's death, by William Covell in his *Just and Temperate Defence of the Five Books of Ecclesiastical Policie* (London, 1603). A brief but excellent study of Hooker is to be found in Alexander Passerin d'Entrèves, *The Medieval Contribution to Political Thought* (London: Oxford University Press, 1939); see also the same author's *Riccardo Hooker: Contributo alia teoria e alia atoria del diritto naturale* (Turin: Instituto giuridico della R. Università, 1932).

of England. That the turmoil of the century has something to do with a challenge to the traditional authority in spiritual affairs, and that with the breakdown of this authority the whole structure of Western civilization is in a critical statesuch problems are blandly ignored. As long as the English polity holds together, and as long as the government is strong enough to decapitate the worst troublemakers, the main problem is mastered. Hooker is quite aware of the revolutionary implications of the Puritan movement; but his awareness does not move him to explore the problem of the age seriously; it only moves him to elucidate the excellence of the established order. This order he characterizes as a commonwealth that, at the same time, is a church. "With us therefore the name of church importeth only a society of men, first united into some public form of regiment, and secondly distinguished from other societies by the exercise of Christian religion."[5] Every human society serves two principal classes of purposes, already distinguished by Aristotle as the needs of life and the good life. Every society, even the pagan polities, distinguishes between temporal and spiritual goods in this sense and provides for both of them.[6] Only when the religion accepted is the true religion, however, do we speak of a church. "We say that the care of religion being common unto all societies politic, such societies as do embrace the true religion have the name of the Church given unto every of them for distinction from the rest; so that every body politic hath some religion, but the Church that religion which is only true."[7] Hence, a society may be a commonwealth and a church at the same time, according to the purpose that we have in view. "When we oppose the Church therefore and the commonwealth in a Christian society, we mean by the commonwealth that society with relation unto all the public affairs thereof, only the matter of true religion

excepted; by the Church, the same society with only reference unto the matter of true religion, without any other affairs besides."[8] In the English case, every member of the Church of England is also a member of the commonwealth, and every member of the commonwealth is a member of the Church of England; the identity of membership

[5.] Hooker, *Ecclesiastical Polity* VIII.i.2.

[6.] *Ecclesiastical Polity* VIII.i.4.

[7.] *Ecclesiastical Polity* VIII.i.2.

[8.] *Ecclesiastical Polity* VIII.i.5.

makes English society a church, for "truth of religion is that proper difference whereby a church is distinguished from other politic societies of men."[9] "In a word, our estate is according to the pattern of God's own ancient elect people, which people was not part of them the commonwealth, and part of them the Church of God, but the selfsame people whole and entire were both under one chief Governor, on whose supreme authority they did all depend."[10]

The Church of England, thus, follows the pattern of God's own people. Obviously, we have reached a danger point in the construction that even Hooker could not pass over with silence. If England is organized as God's own people, what has become of the rest of Christianity? Did the Catholic Church cease to exist when England separated from it? And if it has not ceased to exist, what is the status of the English church polity in universal Christendom? Hooker could not dare to deny existence to the Catholic Church, as Calvin had done, because the Puritans were ready to do the same to him. "As there are which make the Church of Rome utterly no Church at all, by reason of so many, so grievous errors in their doctrines; so we have them amongst us, who under pretence of imagined corruptions in our discipline do give even as hard a judgment of the Church of England itself." Hence, while finding Rome submerged in "gross and grievous abominations, yet touching those main parts of Christian truth wherein they constantly still persist, we gladly acknowledge them to be of the family of Jesus Christ."[11] But if the universal church continues to exist, however tainted by abominations, how can one justify the separatist walkout? Luther lived by the hope that the trouble he had stirred up would ultimately subside and that the institutional universality of a reformed church would be restored. Calvin expected his own foundation to expand into Western universality. What did Hooker do? Apparently he had no sensitiveness for institutional universality as the symbol of

the *civitas Dei* in the Augustinian sense. He solved his problem in a manner that can hardly be called anything but a cheap trick. He simply called the universal church the "Church of Rome," pretending that it was a local, particular church like the Church of England. As a consequence, the separation from "Rome" was no separation

9.*Ecclesiastical Polity* VIII.i.2.

10.*Ecclesiastical Polity* VIII.i.7.

11.*Ecclesiastical Polity* VIII.i.7.

from the universal church at all; and the Church of England was still quite as much within the Catholic Church as before the break with "Rome."

The trick, in order to be effective, required a redefinition of Catholicity. If "Rome" is no longer the symbol of universality, where then does universality rest? In order to arrive at a suitable concept of universality Hooker revised the theory of the visible church. The term *visible church* traditionally designates the whole body of the faithful as received into the sacramental community of the church. *Visibility* receives its meaning from its opposition to the "invisibility" of election and salvation; the idea of the "visible" church was elaborated in order to prevent the formation of sectarian communities of the elect. The *civitas Dei* is "invisible"; its "visible" representative in history is the sacramental church of all professed Christians, whether they are destined for salvation or for damnation. "Visible"if we may stress the obviousdoes not mean that the assembled church membership should be small enough to be surveyable by a human glance, perhaps from a grandstand; or that it should be so small that all the members are physically visible to each other. Wild as it may sound, however, that is precisely the meaning Hooker superimposed on the Augustinian idea of the visible church. He accepted the Augustinian distinction of visible and invisible church, as well as the designation *Catholic Church* for the visible churchand then he proceeded to reflect on the vastness of the Catholic Church. The preservation of Christianity requires, not perhaps a universal authority in matters of faith, but "that such as are of the visible Church have mutual fellowship and society with one another." Christianity as a whole is too large for such opportunities. "In which consideration, as the main body of the sea being one, yet within divers precincts hath divers names; so the Catholic Church is in like sort divided into a number of distinct Societies, every [one] of which is termed a Church within itself." "In this sense the Church is always a visible society of men."[12]

The characteristics of Hooker's thought begin to emerge. The universality of the spirit and its symbolization were genuinely beyond his understanding. The representative universalism of the church becomes, under his hands, something like an oversize statistical

collective; and sacramental visibility is translated into optical visibility. Self-respect makes it impossible to enter into discussion with such ideas. We have warned the reader that with Hooker we are not moving in a universe of philosophical discourse but in the realm of England; and the idea, so quaint and charmingly English, of improving on the visibility of the church by cutting it up into handy chunks for closer inspection reminds us that from the Realm of England has flowered the Wonderland of Alice. Nevertheless, even delightful nonsense can go too far. Hooker knows that others might take him up on his game. For him the church is visible enough when it is the Church of England; but the Puritan enemy might wish to make it even more visible by cutting it into still smaller pieces. And if Hooker plays the trick of calling the universal church the "Church of Rome" with territorial implications because its organizational head functions in Rome, somebody else might play the trick of calling his Church of England the "Church of Westminster" with territorial implications because the king in Parliament happens to function in Westminster. What will he do if somebody makes himself visible by organizing a Church of Southampton as distinguished from the Church of Westminster? Hooker saw the danger and provided for the contingency. He had divided the Catholic Church into a number of "distinct Societies," each to be a church within itself. But the line had to be drawn at the "societies." A society is "a number of men belonging unto some Christian fellowship, the place and limits whereof are certain."[13] Hooker's explicit definitions do not go beyond this sentence; but from the context it is clear that he meant a society to be a people, with its political organization, in historical existence. Specifically excluded from the societies are all "Christian assemblies" formed as free congregations. He does not deny that the term *church* in early Christianity denoted precisely such "assemblies" whose membership was drawn from a surrounding society; he even quotes Tertullian to the effect that "there is a Church, where only three are assembled, even when they are only laymen"; but these days are gone and "a Church, as now we are to understand it, is a Society."[14]

The time for assemblies—toward which the leftist Puritans were inclined—has passed; the proper form of ecclesiastical organization

13. *Ecclesiastical Polity* III.i.14.

14. *Ecclesiastical Polity* III.i.14.

is the church polity of the English type. This fiat decision shows better than all argument that Hooker's position is animated by a mysticism of history, and in particular by a mysticism of the English establishment. History has taken such a turn that the Church of England has become established; Puritans and Catholics may say what they want, there lies no appeal from the fact of history (as long as it is English) to any argument of principle. Hooker's last systematic word in this matter is his classification of the types of ecclesiastical organization. There are three such types. The first type is represented by the organization of the church as an autonomous society in a surrounding pagan commonwealth. The second type is represented by the societies that are both church and commonwealth, organized, however, in such a manner that the society is divided into two bodies with a bishop of Rome as the head of the church. And the third type is represented by England, where church and commonwealth are undivided under the headship of the king. Christian history, thus, consists of three parts: the church in pagan antiquity, universal Christianity, and the Church of England. You may argue as well with a stone wall.[15]

Throughout Hooker's argument runs the idea that church and commonwealth are two societies unless they are united under a common head. In the English church polity there is only one society, though the complications of business require two different sets of officers for the discharge of ecclesiastical and civil duties.[16] Moreover, Hooker accepts without debate the doctrine of the Henrician enactments that a spiritual head of the church, located outside the boundaries of England, is a "foreign potentate" and that the acceptance of his authority in matters of faith implies a division of political loyalty. The medieval idea of a Christian society in which spiritual and temporal orders cooperate under the headship of Christ has sunk below the horizon. The decisionist hardening that resulted from the struggles of the sixteenth century required a concentration of ordering power in society; and this ordering power could be supplied only by the national government. In terms that are probably influenced by Bodin, Hooker affirmed that "when we grant supreme authority to kings" we mean "to exclude partly foreign powers and partly the power which belongeth in several

[15] *Ecclesiastical Polity* VIII.i.7.

[16] *Ecclesiastical Polity* VIII.i.4.

unto others, contained as part within that politic body over which those kings have supremacy."[17]

Once the closed, autonomous polity is established it must be endowed with the qualities of a church. These qualities are conferred in two steps. In a first step, the polity must become an autonomous church under Christ; in a second step, the temporal government must become a spiritual government. For his first step, Hooker uses the argument from visibility that we know already. "Visible government is a thing necessary for the Church; and it doth not appear how the exercise of visible government over such multitudes every where dispersed throughout the world should consist without sundry visible governors. . . . Wherefore, notwithstanding that perpetual conjunction by virtue whereof our Saviour remaineth always spiritually united unto the parts of his mystical body; heads endued with supreme power, extending unto a certain compass, are for the exercise of visible government not unnecessary."[18] For his second step, Hooker develops a concept of kingship as the visible figuration of Christ, the king, and priest. "Kings are Christ's, as saints; and kings are Christ's as kings: as saints, because they are of the Church; as kings, because they are in authority over the Church. . . . And even of Christ it is that they have received such authority, inasmuch as of him all lawful powers are: therefore the civil magistrate is, in regard of this [the ecclesiastical] power, an under and subordinate head of Christ's people."[19]

Once these points are secured, there is no difficulty in applying the construction to the English constitution. "The parliament of England together with the convocation annexed thereunto, is that whereupon the very essence of all government within this kingdom doth depend; it is even the body of the whole realm; it consisteth of the king, and of all that within the land are subject unto him: for they all are there present, either in person or by such as they voluntarily have derived their very personal right unto."[20] When making laws concerning articles of faith, rites, and ceremonies, Parliament will do well to lean on the advice of bishops as experts in such matters; but, "when all which the wisdom of all sorts can do

[17.] *Ecclesiastical Polity* VIII.ii.3.

[18.] *Ecclesiastical Polity* VIII.iv.7.

[19.] *Ecclesiastical Polity* VIII.iv.6.

[20.] *Ecclesiastical Polity* VIII.vi.11.

is done for devising of laws in the Church, it is the general consent of all that giveth them the form and vigour of laws." Without parliamentary enactment, the episcopal opinions could be no more than admonitions and instructions; "but laws could they never be without consent of the whole Church, which is the only thing that bindeth each member of the Church, to be guided by them." Not God himself would impose his law on the people by the hand of Moses "without their free and open consent"; the parliamentary enactment supplies the consent of the people that bestows obligatory force on ecclesiastical law.[21] Hooker escapes the problem of secularization by making the polity itself the church and the temporal government its spiritual government. The boldest stroke in the construction is the denial of an episcopal government of the Church of England. In his fight against Puritanism, Hooker does not oppose "prelacy" to the presbyterian and congregational demands of his enemies. The bishops are only "experts"; the government of the church is parliamentary and rests on the consent of the people as expressed by their constitutional representatives.

There remained only one big question: would the Puritans believe the story?

§5
Portrait of the Puritan

It will not have escaped the reader that Hooker's idea of the Christian commonwealth is in some respects reminiscent of Luther's idea of the Christian estate. And we know what happened to Luther's idea under the impact of princely recalcitrance and popular revolt. Both Hooker and Luther assume a Christian nation, capable of going its course through history without regard for what is happening on the larger Western scene; and they indulge in this assumption because they are convinced that the Christian nation is an internally stable body, capable of organizing itself harmoniously even if at the moment it should still be marred by grievous economic, moral, and spiritual defects. Such assumptions and convictions were illusionary; the outburst of parochial selfassertion that produced the particular polities and churches did not conveniently quiet down at the limits that Luther or Hooker had projected for it. We must briefly recall the general problem

[21.]*Ecclesiastical Polity* VIII.vi.11.

of *pleonexia* in order to understand the specific variant that upset Hooker's lovely idea.

We have entitled this part "The Great Confusion" because the overall character of the period is to be sought in the release of particular forces that break up the previous spiritual and intellectual order. The result of the successful breaking operation is not a new general Western order but a pluralistic field of smaller ordering centers. These particular ordering centers, then, may become sources of disorder because they claim validity and dominion for their intellectually and morally fragmentized existence beyond the social and territorial place that they at the time actually occupy. Absolute princes and nouveaux riches, respectable reformers and revolutionary paracletes, intellectual humanists and unlearned spiritualists, feudal lords, merchants, and peasantsall of them are in competition with each other to impose their mode of existencespiritually, intellectually, morally, and economicallyon everybody else. *Pleonexia* in this sense lies at the root of the strife and contradiction of the age, and in particular at the root of the bewildering about-faces from freedom to tyranny and from revolt to conservatism.

The competing forces, however, do not want to be in a permanent state of competition. They want a break of traditional order to the extent that they can find room for themselves, and once their particular aim is achieved they want to stabilize society again at the level that is most favorable to their success. When Luther and Calvin reform the church they do not mean that rival reformers should radicalize their plans; when England breaks away from the universal church, the supporters of Supremacy do not mean that now other schismatics should break away from the Church of England; when the Henrician and Edwardian nobility and gentry bag the plunder of the church lands, they do not mean that the peasantry should now expropriate the landlords; when the lawyers are willing to agree that the king defines articles of faith in competition with the popea function that incidentally enriches their clientsthey are not willing to agree that he should lay down rules of law in competition with common law courtsa function that incidentally might curb the rapaciousness of their clients; when the bishops of the Church of England support certain changes of dogma and ritual, they sternly insist that all the rest is not worth changing, that it belongs among the *adiáphora,* and that demands for further changes are a frivolous

disturbance. These examples serve as an illustration of the pattern of political conduct that is forming in the sixteenth century and, with its rhythm of partial revolt and subsequent temporary stabilization, will remain a pattern of politics down to our own time when the partial revolutions merge in the critical, total revolution against the remnants of Western order.

Moreover, the expansive self-assertion of a particular mode of existence inevitably affects the whole structure of a differentiated civilization at numerous, sometimes unexpected, points. Luther's call for spiritual freedom was a factor in the Peasant War; Luther's and Calvin's scripturalism intensified the antiphilosophism of the age; Calvin's evocation of a new universal church caused the eight civil wars in France; the Jesuit campaign for recapturing territories for Catholicism was an important contributing factor in the Thirty Years War; Henry's break from Rome destroyed the medieval architecture of England; his reform of the church had the result that "there were probably more schools in proportion to the population at the end of the fifteenth century than there were in the middle of the nineteenth."[22] Sometimes such consequences were heartily approved by the causative groups or persons; sometimes they were a matter of indifference; but sometimes also they were deeply deplored. It would be unfair to suggest that the Tudor bishops who supported the Supremacy were delighted to see the abbeys of England taken apart and sold as building material, or to watch the intensification of enclosure in the wake of the confiscation of abbey lands, or to see the poor and sick without the relief they had received from the monasteries, or to see the school endowments pocketed by political gangsters. On the contrary, they, and not they alone, were highly critical of these incidental results of the "reform."[23] A disturbance of a national Civilization, produced by the successful *pleonexia* of a particular social group, will take centuries to wear

[22] R. H. Tawney, *Religion and the Rise of Capitalism* (New York: Harcourt, Brace, and Co., 1926), 143. On the same page we find the information that "King Edward VI's Grammar Schools" are not perhaps the schools founded by the king, but rather the schools he did not destroy.

[23] On the economic and social effects of the Tudor supremacy see ibid., in particular the section on "The Land Question" in chap. 3, "The Church of England." On the literature concerning this question, in particular on Thomas Starkey's *Dialogue between Cardinal Pole and Thomas Lupset* (ca. 1538) and Robert Crowley's *Way to Wealth* (1550), see Allen, *History of Political Thought,* the chapter on "The Very and True Commonweal."

off. The Tudor disturbance that we are discussing at present had not run its course before the control of government by the possessioners was assured through the Glorious Revolution, before the idea of this government had achieved the smirk of Locke's political philosophy, which knows only rights of property but no social obligations, and before we have landed in the moral desert of the first half of the eighteenth century. Only after the Tudor tensions had been exhausted by civil wars and revolutions could the rebuilding of moral substance begin with the Wesleyan reform.

The peculiar economic and moral disturbance that originated in the character of the Tudor reform as a coup d'état of the upper class, however, belonged to the generation before Hooker. It had become a fait accompli and had to run its fatal course. Hooker himself was faced with another of these incidental consequences of *pleonexia,* that is, with the antiphilosophism of the Puritans. Antiphilosophism was not yet a settled part of the English pattern of ideas; and it was never to become quite comfortably settledthanks, above all, to the energetic resistance of Hooker. We have discussed the earlier forms of antiphilosophism in Erasmus, Luther, and Calvin. By the time of Hooker, among the English disciplinarians, antiphilosophism had become a point of honor. Fanatical scripturalism made it impermissible to discuss problems of faith and politics in other than biblical terms. To quote Aristotle, the patres, or the scholastics was an attack on true religion; any attempt at systematic thinking was proof that the author relied more on reason than on the word of God. To be philosophically ignorant was the mark of the right-minded citizen; to be philosophically educated was not only heretical but bordered on treason and called for governmental action. This interesting trend, as we said, was checked due to the resistance of Hooker; but it has remained a powerful component, nevertheless, in English, and even more so in American, public life. Philosophical illiteracy is still considered something like a civic duty, even in broad sectors of the academic world; and concern with philosophical problems still makes a man suspect of Catholic inclinations[24]with all the latent implications of organizing the Spanish Armada for an attack on Anglo-Saxony. The point deserves special attention because this Puritan heritage

[24.] I am speaking from experience.

has become one of the fatal handicaps in American democratic leadership of Western civilization and of the world at large. It is extremely difficult, if not impossible, to make the treasure of democratic ideas appealing to the educated classes outside the Anglo-Saxon area unless it is conceptually linked with the tradition of Western philosophical thought and, thus, can be made intelligible for people who live in this tradition.

Hooker's *Ecclesiastical Polity* was motivated by the antiphilosophical, and generally anticivilizational, aggressiveness of his Puritan contemporaries. While we must entertain the previously expressed misgivings about his achievements as a systematic philosopher of politics, we are in heartfelt sympathy with his defense of learning against viciously ignorant louts. How

effective this defense and counterattack was, and how justified, we may gather from the fact that after his death two ministerial hoodlums of the Puritan persuasion gained access to his study and destroyed the unpublished part of his manuscript.

Hooker's resistance gained in inner firmness over the years. In his tiff with Travers, in 1585, he had to defend himself against the charge of discoursing in his sermons "upon school-points and questions, neither of edification, nor of truth"; and there was not missing in the charges the denunciatory tone that such "absurdities . . . have not been heard in public places within this land since Queen Mary's days." His answer, directed to the archbishop of Canterbury, was rather apologetic in tone: "If . . . I used the distinctions and helps of schools, I trust that herein I have committed no unlawful thing. These school-implements are acknowledged by grave and wise men not unprofitable to have been invented. The most approved for learning and judgment do use them without blame."[25] And he thought it wise to support his apology by a passage from the *Institutes* where Calvin admits that certain scholastic distinctions are not audacious. A decade later his attitude had stiffened. In 594, in the preface of the *Ecclesiastical Polity,* he speaks of Calvin politely but with unmistakable irony: "His bringing up was in the study of the civil law. Divine knowledge he gathered, not by hearing or reading so much, as by teaching others. For, though thousands were debtors to him, as touching knowledge in that kind; yet he

25. Travers's *Supplication* to the High Commission and Hooker's *Answer* are printed in *Works,* ed. Keble, vol. 3. The passage quoted in the text is on 585 f.

to none but only to God, the author of that most blessed fountain, the Book of Life, and of the admirable dexterity of wit."[26] The Puritans were not pleased by such disrespectful insistence on learning, and the *Christian Letter,* of 1599, complains bitterly: "In all your books, although we finde manie trueths and fine points bravely handled, yet in all your discourse, for the most parte, Aristotle the patriarch of philosophers (with divers other humane writers) and the ingenuous schoolemen, almost in all points have some finger: reason is highlie sett up against Holie Scripture, and reading against preaching." Now, however, Hooker has become quite frank in his contempt; on the margin of this complaint he wrote: "If Aristotle and the schoolmen be such perilous creatures, you must needes think yourself an happie man, whome God hath so fairely blest from too much knowledge in them."[27]

The expression of contempt was more than an exchange of amenities between controversialists. Hooker had gained a position that appears in outline in a series of excerpts from Philo Judaeus, Tertullian, Lactantius, and Averroës, jotted down on the second page of the *Letter*. In particular an excerpt from Averroës deserves attention: "Discourse *[sermo]* about the knowledge that God in his glory has of himself and the world is prohibited. And even more so is it prohibited to put it in writing. For the understanding of the vulgar does not reach such profundities; and when it becomes the subject of their discussion, the divinity will be destroyed with them. Hence, discussion of this knowledge is prohibited to them; and it is sufficient for their felicity if they understand what they can perceive by their intelligence. The law, whose primary intention it was to teach the vulgar, did not fail in intelligible communication about this subject because it is inaccessible to man; but we do not possess the human instruments that could assimilate God for intelligible communication about him. As it is said: 'His hand founded the earth, and his right hand measured the Heaven.' Hence, this question is reserved for the sage whom God dedicated to truth."[28] This passage, as well as the supporting excerpts, was noted in preparation for Hooker's answer to the *Letter*. Whether he would actually have

26. *Works,* 1:127 f.

27. The passage from the *Christian Letter* and Hooker's marginal note in ibid., 1:373.

28. The Latin text of the passage in ibid., I:cxix.

given them to the public in print, of course, we do not know; but we may assume that they reflect his intimate opinion at the time.

Under the pressure of environmental circumstance he seems to have arrived at the insight that the life of the intellect is not only a personal but also a social problem and that the life of the intellect in a society can easily be destroyed when everybody starts talking about things they do not understand. When the common man dabbles with theology and metaphysics, he will not produce a society in which intelligent discourse is possible for all; he will produce a sea of nightmarish nonsense in which the order of the intellect cannot be maintained even by the few. The social division in Islamic civilization between a creed, to be accepted by the people without discussion, and an esoteric, intellectual mysticism, to be cultivated by philosophers in sectarian seclusion, must have appealed to him as a way out of controversies in which the philosopher inevitably must suffer defeat. For one cannot defend the order of the intellect against an

opponent who hates excellence of intellect and uses the instruments of wit and reason for its deliberate destruction. Hooker seems to have understood that a controversy of this type cannot be ended by persuasion and agreement but only by stopping it at both ends. The "vulgar" will have to adhere to his Scripture (the "law") without discussion; and the *sapiens* will communicate expressions of his insight only to those who are capable of understanding him. Between the vulgar and the sage there is no ground of common opinion; for "an opinion may be poison to some men, and nourishment to others."[29] The gap between them cannot be filled by argument, but only by the order of society to be imposed, if necessary, by force on the vulgar who insist on disputation. Hooker's problem is shifting, slowly but unmistakably, from a religious controversy between Anglicanism and Puritanism to the much more formidable issue of whether we can preserve a civilized society in which there is room for the life of the intellect, or whether we are heading toward a reign of terror by the rabble that will make the good life in the classic sense impossible. The Puritans represented the anticivilizational revolt of the rabbleand they found their match in Hooker's gifts of observation and characterization.

In the preface of his *Ecclesiastical Polity* Hooker studied the psychological mechanism that is put into operation in the creation

29. Hooker's excerpt from Averroës in ibid.

of mass movements. First, there must be somebody who has a "cause."[30] In order to advance his cause, he will, "in the hearing of the multitude," indulge in severe criticisms of social evils and in particular of the conduct of the upper classes. Frequent repetition of the performance will induce the opinion among the hearers that the speakers must be men of singular integrity, zeal, and holiness; only men who are singularly good, of course, can be so much offended by evil. The next step is the concentration of popular ill will on the established government; this task is psychologically performed by attributing all fault and corruption, as it exists in the world because of human frailty, to the action or inaction of the government. By such imputation of evil to a specific institution they prove their wisdom to the multitude who never would have thought of that connection; and at the same time they show the point that must be attacked if evil shall be removed from the world. After such preparation, the time is ripe for recommending a new form of government as the "sovereign remedy of all evils." People who are "possessed with dislike and discontentment at things present" are crazed enough to "imagine that any thing (the virtue whereof they hear recommended) would help them; but that most, which they least

have tried."

When a movement, such as the Puritan, relies on the authority of a literary source, its leaders will then have to fashion "the very notions and conceits of men's minds in such a sort, that when they read the scripture, they may think that every thing soundeth toward the advancement of that discipline, and to the utter disgrace of the contrary." The minds of the followers must be indoctrinated to the degree that they will automatically associate scriptural passages and terms with their doctrine, however ill-founded the association may be, and that with equal automatism they will be blind to the content of Scripture that is incompatible with their doctrine. The next step in psychological consolidation will be "the persuading of men credulous and over-capable of such pleasing errors, that it is the special illumination of the Holy Ghost, whereby they discern those things in the word, which others reading yet discern them not." It will, furthermore, be instilled in their hearts "that the same Spirit leading men into this opinion doth thereby seal them to be God's

[30.] Preface in ibid., 1:146. From the context it appears that the term *cause* was of recent usage and that probably the Puritans were the inventors of the "cause."

children." They will experience themselves as the elect; and this experience breeds "high terms of separation between such and the rest of the world"; mankind will be divided into the "brethren" and the "worldlings."

When this level is reached, the psychological nucleus for social organization is created; for such people will prefer each other's company to that of the rest of the world, they will voluntarily accept counsel and direction from the indoctrinators, they will neglect their own affairs and devote excessive time to service of the cause, and they will extend generous material aid to the leaders of the movement. [Women have an especially important function in the formation of these new societies because] they are weak in judgment, emotionally more accessible, tactically well placed to influence husbands, children, servants, and friends, more inclined than men to serve as a kind of intelligence officer concerning the state of affections in their circle, and more liberal in financial aid.

Once a social environment of this type is organized, it is difficult, if not impossible, to break it up by persuasion. "Let any man of contrary opinion open his mouth to persuade them, they close up their ears, his reasons they weight not, all is answered with rehearsal of the words of

John: 'We are of God; he that knoweth God heareth us': as for the rest, ye are of the world: for this world's pomp and vanity it is that ye speak, and the world, whose ye are, heareth you." They are impermeable to every argument and have their answers well drilled. Suggest to them that they are unable to judge in such matters, and they will answer, "God hath chosen the simple." Show them convincingly that they are talking nonsense, and you will hear "Christ's own apostle was accounted mad." Try the meekest warning of discipline, and they will be profuse on "the cruelty of bloodthirsty men" and cast themselves in the role of "innocency persecuted for the truth." In brief: the attitude is psychologically ironclad and beyond human help.[31]

After the followers come the leaders. Hoping against hope, Hooker marshals his arguments that might persuade the Puritan divines to desist from their propaganda and organizational activity, which, considering the legal situation, is nothing less than the preparation of a revolution. The decisive phase of the argument is

[31.] Ibid., 1:14555.

concerned with the problem of public and private opinion. Hooker takes the Puritans up on their challenge to a public disputation of the respective positions. He rejects such a disputation roundly if it should have no other purpose than to provide an opportunity for Puritan propaganda. The suggestion would be acceptable only if the parties could agree on a procedure and on acceptance of a final judgment by an authority. Procedurally, both parties would have to agree on the minutes of the disputation; and after publication of the agreed minutes both parties would have to refrain from further debate. And the disputation would have to be followed by a sentence to be accepted by both parties; the controversy would end with the sentence. For, "so full of willfulness and self-liking is our nature, that without some definitive sentence, which being given may stand, and a necessity of silence on both sides afterward imposed, small hope there is that strifes thus far prosecuted will in short time end quietly."[32] Of course, reasons can always be found for one side or the other; but when a public sentence has been given, the protest of a private person is of no avail. Neither is the argument valid that the private opinion is shared by thousands, some of them in public office. "As though when public consent of the whole hath established any thing, every man's judgment being thereunto compared were not private, howsoever his calling be to some kind of public charge. So that of peace and quietness there is not any way possible, unless the probable voice of every entire society or body politic

overrule all private of like nature in the same body."[33] No claims of sincere conviction and conscience can alter the fact of the Puritan attempt to overthrow the established ecclesiastical order. And Hooker has no doubts what the sentence of the constitutional authorities in such a disputation would be, for the disciplinarian demands imply a social and civilizational revolution. Do the Puritans really believe that the nobility of England will submit to a project that erects every parish and congregation into a spiritual supremacy, and that the peers will be at their call and "stand to the sentence of a number of mean persons assisted with the presence of their poor teacher"? Or that the universities will peaceably agree to the abolition of their organization? Or that the lawyers will with equanimity accept the abolition of the civil

[32.] Ibid., 1:169.

[33.] Ibid., 1:171.

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law in favor of the law of Scripture? The fundamental error of the Puritans lies in the belief that their discipline, being "the absolute commandment of Almighty God, . . . must be received although the world by receiving it should be clean turned upside down; herein lieth the greatest danger of all."[34]

It is hardly necessary to elaborate on Hooker's analysis. In his description of the Puritan follower we recognize the pathological type that fills the ranks of the modern politico-religious mass movements down to Communism and National Socialism. And in the description of the leader we recognize the vicious egomaniac who will not rest until his private [will] has become the public will, even though the achievement of this aim will destroy the civilization of his country. As the excerpts from Averroës show, Hooker seems to have felt that the danger could not be mastered through persuasion; but it took the actual civil war to convince Hobbes that force was the only remedy, that the Leviathan was needed to keep down the egomaniacs. Within the English history of ideas, Hooker's portrait of the Puritan is the basis for Hobbes's analysis of the inflated existence, while Hooker's philosophy of law is the still persuasive answer to a problem that Hobbes solved through the evocation of the Leviathan.

§6
Philosophy of Law

Hooker still tried persuasion. If we look at the portrait of the Puritan the attempt seems to be doomed to failure. And, indeed, we can hear the tone of despair in his work on more than one occasion. The Church of England may be ground to pieces between the Puritan revolt and the rapaciousness of the upper class. The great defense may be no more than a document for history: "there shall be for men's information extant thus much concerning the present state of the Church of God established among us, and their careful endeavor which would have upheld the same." "Posterity may know we have not loosely through silence permitted things to pass away as in a dream."[35] Nevertheless, the attempt of persuasion must be undertaken, and it may perhaps appear as less hopeless if we consider that it is not that the Puritans must be persuaded at all cost, but that

34. Ibid., 1:182.

35. Ibid., 1:125.

socially it will be sufficient to fortify potential victims against the contagion. We have seen Hooker's problem shifting from the religious to the philosophical issue. While the Puritan perhaps will not be persuaded to mend his ways, it will be possible to discredit him socially as an illiterate enemy of civilization. In order to achieve this indirect therapy of society, the antiphilosophism of the reformers must be reversed and the traditional standards of intellectual order must be reestablished; for only when the standards are restored will the anticivilizational character of the Puritan revolt appear in its true light. This was the task that Hooker set himself. The root of the Puritan evil was the destruction of civilizational content and the attempt to derive the order of society from Scripture. In order to restrain the scriptural fanaticism of divine law, it was necessary to restore a philosophy of law in which divine law received its proper place by the side of several other laws. Hence, "the laws" of ecclesiastical polity became the object of Hooker's investigation.

The error of the Puritan position lies in the contraction of law into rules for the individual without regard for the order of society. "It is both commonly said, and truly, that the best men otherwise are not always the best in regard of society. The reason whereof is, for that the law of men's actions is one, if they be respected only as men; and another when they are considered as parts of a politic body." Many men are excellent when met as individuals, and yet they may be unfit to discharge their duties in society. This is the case of the Puritans, "whose betters amongst men would hardly be found, if they did not live amongst men, but in some wilderness

by themselves." The cause of such a hermitical disposition is their inability to discern between the various kinds of laws and their function in society. They judge of everything "by that rule which they frame to themselves with some show of probability"; they cling to what they have understood as right; and "whatsoever any law of man to the contrary hath determined they weigh it not." "Thus by following the law of private reason, where the law of public should take place, they breed disturbance."[36]

Again Hooker sharpens the conflict to the issue of public and private reason. Man is not solitary; his existence is social. And even society is not an ultimate order, but society itself must be

[36.]*Ecclesiastical Polity* I.xvi.6.

seen as part of a pluralistic field of societies with an order of its own; and the pluralistic field of societies embracing mankind, in its turn, is part of the general constitution of being. The law must be differentiated into the plurality of laws, corresponding to the manifold sectors of being. "There are in man operations, some natural, some rational, some supernatural, some politic, some finally ecclesiastical: which if we measure not each by his proper law, whereas the things themselves are so different, there will be in our understanding and judgment of them confusion."[37] The conception is in principle Thomistic. The order of being is due to the creative imprint of God's eternal law; and the order of being has meaning insofar as it is ultimately oriented toward the communion of man with God. Hooker accepts the Thomistic distinctions of eternal, natural, divine, and human law, but he goes beyond Thomas in differentiating realms of being and corresponding bodies of law. He restricts the meaning of natural law to the order of inorganic and organic being and uses the term *law of reason* for the designation of order in specifically human nature. Moreover, he distinguishes municipal law and the law of nations; he further subdivides municipal law into political and ecclesiastical laws, and the law of nations into a political law of nations and a law of nations that prevails between polities insofar as they are churches.

Insofar as this philosophy of law restores the Thomistic tradition, we do not have to go into its details. As in the case of Suárez, it is sufficient to state the fact of restoration. We have only to touch upon a few points at which Hooker bends the medieval tradition in such a manner that his theory of law will fit the exigencies of his own age. These points are of a certain historical

interest because, according to a tradition that needs some qualification, they have influenced Locke's *Second Treatise of Government*. If we should believe Locke, he had found his theory of natural rights and of the social contract in Hooker. While in fact no theories of this kind are to be found in Hooker's work, it contains reformulations of scholastic doctrine that lend themselves to the tendentious interpretation put upon them by Locke. Hooker transmits the scholastic tradition, but he has not remained untouched by the Reformation and the political literature in its wake. He regains the Thomistic

[37.] *Ecclesiastical Polity* I.xvi.5.

view of the hierarchy of being, culminating in God, but he does not reproduce the Aristotelian idea of the polity as a natural growth. Political society has an order of its own, not to be derived from Scripture; but while this order is natural, it nevertheless rests on the consent of individuals.

The idea of political order as arising from the consent of individuals would presuppose the assumption of a state of nature preceding the establishment of civil government. The term *state of nature* does not occur in the *Ecclesiastical Polity,* but Hooker has its meaning. He assumes, indeed, a historical state in which families coexisted without government, inevitably involved in strife; and the inconvenience of this state induced the creation of political order. Injuries and wrongs could be overcome only "by growing unto composition and agreement among themselves, by ordaining some kind of government public, and by yielding themselves subject thereunto." In forming their political society, men knew "that no man might in reason take upon him to determine his own right" and become ruler by his arbitrary decision; "and therefore that strifes and troubles would be endless, except they gave their common consent all to be ordered by some whom they should agree upon." Without such consent "there were no reason that one should take upon him to be lord or judge over another." Aristotle assumes "a kind of natural right" in the noble, wise, and virtuous to govern those who are of a servile nature; but "for manifestation of this their right, and men's more peaceable contentment on both sides, the assent of them who are to be governed seemeth necessary." It is impossible that anybody "should have complete lawful power, but by consent of men, or immediate appointment of God." A rule that does not rest on consent of the governed or on divine appointment is usurped and therefore unlawful. Human nature in itself would not have required such public regiment. "Howbeit the corruption of our nature being presupposed, we may not deny but that the Law of Nature doth not require of necessity some kind of regiment, so that to bring things unto the first

course they were in, and utterly to take away all kind of government in the world, were apparently to overturn the whole world."[38]

We have quoted the critical passages in full in order to show that the debate about the precise character of Hooker's theory of political

38. *Ecclesiastical Polity* I.x.5.

order is futile. The passages contain several theoretical intentions, and it is impossible to extract a coherent theory from them. We can only analyze the motives that have caused the confusion. There is, first, the question of the state of nature. Obviously Hooker needed some natural basis of government in order to get away from the Puritan kingdom of God. "True it is, that the kingdom of God must be the first thing in our purposes and desires. But inasmuch as righteous life presupposes life; inasmuch as to live virtuously it is impossible except we live"; therefore we must remove the impediments to necessary satisfactions. Only when want and strife are removed through public order will righteous life become possible.[39]

When, however, government is a matter of nature and convenience, if it is not ordained by God, Hooker is in danger of losing his argument against the anarchic tendencies of the age, which he saw as manifest in particular in the Anabaptist movement. Public authority had to be fortified against the demand of a return to a prepolitical state of society; and this purpose he achieved by stressing the corruption of human nature that makes "some kind of regiment" a necessity of the law of nature. Thus, we find ourselves suddenly beyond scholasticism in the patristic theory of "relative natural law." But then again, though human nature is corrupt, government is not inflicted on men by God as a punitive measure. Government serves a positive civilizational order. The ruler represents the "law"; and "law" is the body of rules to which men can reasonably give their assent. "All public regiment of what kind soever seemeth evidently to have risen from deliberate advice, consultation and composition between men, judging it convenient and behoveful."[40] At this point Hooker has absorbed the line of tradition that runs from Marsilius into the political literature of his own time, as well as the English ideas of representative government. This line of argument, however, if pursued consistently, might lead to the idea of the autonomous individual, equipped with a natural right, giving a consent to government that also might be withdrawn. Hence, no such natural right can be admitted. The term *natural right* occurs indeed, but it appears characteristically as an attribute of the "noble,

wise and virtuous" who have a "natural right" to

[39.] *Ecclesiastical Polity* I.x.2.

[40.] *Ecclesiastical Polity* I.x.4.

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govern. Hooker seems quite willing to accept this Aristotelian distinction of the noble and the servile, and with it the idea of a natural hierarchy in society that would justify political order without recourse to consent; but the general intellectual situation apparently made it impossible to follow this course; and, thus, the "natural rights" of the individual creep in, without being named, in the form of an assent of the governed to be ruled by their natural rulers in the Aristotelian sense.

Considering this maze of motivations we shall not be surprised that skillful interpreters can extract many a meaning from the text of the "judicious Hooker." From the *Ecclesiastical Polity* one can draw lines into the past to the patres, to Saint Thomas, and to Marsilius, and one can draw lines into the future to Locke as well as to Burke. Nevertheless, while no articulate doctrine can be derived from Hooker's theoretical groping, there is no doubt about his intention: he wants to justify the historical order of the English polity. And in his endeavor to ward off the arguments that could be derived from his own rambling theory against this order, he arrives at something like a philosophy of the historical existence of society. The reader, for instance, will have noticed Hooker's qualification of his theory of consent by the remark that nobody can have lawful power except by consent or "immediate appointment of God." What is this "immediate appointment of God" that may substitute for consent? Originally "every independent multitude . . . hath, under God's supreme authority, full dominion over itself." But "some multitudes are brought into subjection by force"; a conqueror, "by just and lawful war," will obtain power, "divine providence itself so disposing."[41] God gives "victory in the day of war"and if you don't consent you still are a subject by due process of law. From the point of view of manners in logic, this qualification of the theory of consent is an impertinence; from the point of view of a philosophy of existence, Hooker has discerned quite rightly that a political society does not live by consent alone but also needs some conquest and force. England not only has a representative government, it also has the Norman Conquest. The logical deficiencies show only that Hooker must not be taken by the word of his doctrines, but that we must penetrate to the intention behind the doctrinal muddle.

Hooker comes closest to an articulation of his intention when he develops his doctrine of royal government. "Unto kings by human right, honour by very divine right, is due; man's ordinances are many times presupposed as grounds in the statutes of God. . . . that the Christian world should be ordered by kingly regiment, the law of God doth not anywhere command; and yet the law of God doth give them right, which once are exalted to that estate, to exact at the hands of their subjects general obediences in whatsoever affairs their power may serve to command. So God does ratify the works of that sovereign authority which kings have received by man." In particular, in a realm such as England, "where the people are in no subjection, but such as willingly themselves have condescended unto, for their own most behoof and security," the ruler has indeed "universal dominion, but with dependence upon that whole entire body, over the several parts whereof he hath dominion; so that it standeth for an axiom in this case, the king is 'major singulis, universis minor.'"[42] If I understand Hooker rightly, he wants to recognize political society and its course in history as part of the constitution of being as ordained by God. He extends his recognition impartially to all structural and dynamic elements of politics: to consent of the people, to force, to conquest, to the natural differences between men, to biological, economic, utilitarian, aesthetic, intellectual, and spiritual factors in human nature. What prevents such recognition from becoming a justification of brute power is precisely the comprehensiveness that includes reason and the spirit as factors in the balance.

Hooker has understood that the answer to the problems of the age must be sought in a philosophy of historical existence. That is the strength of his position. Its weakness stems from the technical difficulty that he wants to express his insight in terms of obsolete doctrinal clichés. This technical obsoleteness involves him in interminable safeguarding against the consequences of doctrines that he should not have formulated or accepted in the first place. The passages quoted in the preceding paragraph, for instance, are followed by the warning that he does not mean to construe the king's dependence on the body politic as a dependence of a hereditary king on the consent of the people expressed in coronation

42.*Ecclesiastical Polity* VIII.ii.67.

ceremonies.[43] The radicalists of the doctrine of consent maintain that where power is settled in a royal family, "the stock itself is thereby chosen, but not the twig that springeth from it." Such ideas are to the eye of Hooker "strange, untrue and unnatural conceits, set abroad by seedsmen of rebellion." To be sure, royal power is derived from the body politic, but it is not derived as a free gift of the people on the occasion of entrance into the office. The cause of dependency lies "in that first original conveyance, when power was derived from the whole into one" to pass from him to his legal issue. It would have been simpler to say that the law of succession is quite as much part of the order of a polity as the people's acquiescence in the order. And with the recognition of the law of succession, of course, we have not reached the end of the argument. The seesaw of doctrines, qualifications, exceptions to the qualifications, and further qualifications of the exceptions goes on and on. When we have the hereditary king secured, we must consider that sometimes we want to get rid of him if he becomes a tyrant. But we cannot get rid of him without his consent. Nevertheless, it will be wise of the king to remove himself when his rule becomes a public detriment. The implication seems to be that the people, while having no right of resistance against a hereditary ruler, will resist in fact. Such unpleasant situations, however, can be forestalled by limiting the king's power from the outset by appropriate institutions. And that suggestion finally leads us to the beauties of the English constitution, to Bracton, and to such principles as *Lex facit regem* and *Rex nihil potest nisiquod jure potest*. And thus, we have landed safely back on the island.

In conclusion we may say that the qualities of Hooker do not manifest themselves in the development of a clear theory of politics. They are rather to be found in his sensitiveness for the crisis of his age, as well as in his stubborn defense of the order of civilization against the anticivilizational rabble. In the course of this defense he was compelled to restore the scholastic tradition of philosophizing about law and politics, and through this act of restoration he has become one of the great transmitters of the medieval heritage to the seventeenth century. Beyond this compact act of transmission he has exerted a profound influence on later political thought in

[43.] This part of Hooker's polemic is directed against the *Vindiciae contra tyrannos*.

England by creating a style of cautious rambling that will take up a doctrine, follow it for a while, and drop it when the results would hurt an inarticulate but sensitive realism. Hooker has influenced Locke, for instance, considerably more by the model of this gentlemanly irresponsible style than by any specific doctrines. Moreover, the lack of articulation in Hooker should not prevent us from acknowledging his sense for the problem of history. And while his philosophy of history clings so closely to concrete English problems that it is almost incommunicable on the level of concepts, his thought nevertheless rises on occasion to a clear expression of his mysticism of the harmony of being. Such an expression we find in the beautiful page on music: "Touching musical harmony whether by instrument or voice, it being but of high and low in sounds a due proportionable disposition, such notwithstanding is the force thereof, and so pleasing effects it hath in that very part of man which is most divine, that some have been thereby induced to think that the soul itself by nature is or hath in it harmony. . . . The reason hereof is an admirable facility which music hath to express and represent to the mind, more inwardly than any other sensible mean, the very standing, rising, and falling, the very steps and inflections every way, the turns and varieties of all passions whereunto the mind is subject. . . . In harmony the very image and character even of virtue and vice is perceived, the mind delighted with their resemblances, and brought by having them often iterated into a love of the things themselves. . . . So that although we lay altogether aside the consideration of ditty or matter, the very harmony of sounds being framed in due sort and carried from the ear to the spiritual faculties of our souls, is by a native puissance and efficacy greatly available to bring to a perfect temper whatsoever is there troubled, apt as well to quicken the spirits as to allay that which is too eager, sovereign against melancholy and despair, forcible to draw forth tears of devotion if the mind be such as can yield them, able both to move and to moderate all affections."[44]

But some minds are not such that harmony will draw forth tears of devotion; such mental cripples hate harmony and want to cripple public order until it becomes a true image of their defective minds. To these Puritan haters of the beauty of being, Hooker addresses

[44] *Ecclesiastical Polity* V.xxxviii.I.

himself, in his admirable concreteness, with the warning: "They which, under pretence of the Law ceremonial abrogated, require the abrogation of instrumental music, approving nevertheless the use of vocal melody to remain, must show some reason wherefore the one

should be thought a legal ceremony and not the other."

4
Interpolity RelationsVitoria

The disintegration of imperial Christianity into the plurality of churches and national monarchies created new problems with regard to relations between the autonomous units. The representative character of empire and papacy certainly was near the point of extinction, but Western mankind was still experienced as a spiritual and civilizational unit. If the older institutions had lost their representative value, the calamity would be an incitement to search for new institutions in which the actually surviving civilizational substance could find a more adequate expression. The age of imperial Christianity was followed, if we may anticipate the later term, by the age of internationalism and international organization. In the sixteenth century the ideas began to form that to this day determine the relations between the political subdivisions of the Western world. Moreover, the discovery of America and the Spanish conquest extended the problem of interpolity relations over the whole earth; and, as a consequence, the sixteenth century became also the critical period for the formation of patterns of conduct in intercivilizational relations. In the present chapter we shall but briefly survey the principal factors determining the structure of this new field of relations and then analyze the systematic treatment that the rules governing interpolity relations received at the hands of Francisco de Vitoria (14801549).

§1
Internationalism

The specific problems of internationalism, as distinguished from Christian universalism, arise when particular movements within Western civilization attempt to form the whole of Western mankind in their image. The reader will remember Calvin's rivalry

with the Catholic Church and his idea of a universal, Western federation of reformed churches with the center in Geneva. The project, inevitably, had certain implications that from here on will characterize the dynamics of Western internationalism in general.

First of all, the project accepted as final the failure of creating universal Western institutions in continuity with the past. Calvin's reformation, in spite of its name, did not attempt to reform the existing universal institution of the spirit, but created a competitive universalism. While the federation was conceived with the intention of its becoming, in due course, the one and only Christianity, it did in fact institutionalize spiritual unity on the new, postrevolutionary level in a society in which the revolution had been only partially successful. In idea, the new Christianity succeeded to the universalism of the old; in reality, the old ecclesiastical institutions did not cease to exist; and, hence, the new Christianity was forced into a partisan position in fact. The split, furthermore, did not occur along the boundaries of territorial communities but cut across the nations and the social strata within them. As a consequence, Western mankind did not split into religiously revolutionized nations and others that were not touched by the movement, but the religious movement disrupted the national bodies and led to civil wars. Hence, the new Christianity not only fought against the old church but had several fighting fronts in the national civil wars as well. This embattled situation of a movement with universal claims led to the question of the *Vindiciae* as to whether it was the right and duty of princes to interfere on behalf of neighboring peoples when they were oppressed for their adherence to the true religion. In practice it was the question of whether English and German interventions on behalf of the Calvinists in France were justified; and the answer was affirmative. Out of the religious movement arose for the first time the idea of an international that might use its entrenchment in one of the Western countries for the purpose of mobilizing the state power of that country for intervention in domestic affairs in other countries. We are faced with something like an inversion of the idea of the crusade. While formerly crusades within Western Christianity were conducted under leadership of the church against heretical minoritiesas, for instance, against the Albigensians or the Hussitesnow the movements had become strong enough and sufficiently well organized to conduct countercrusades on the European scale. As a consequence,

divided loyalties became for the first time an international problem; the subjects of one country issued appeals for foreign intervention against their national government; phenomena that in our time have received the names of fifth columns and Quislingism began to emerge.

The new pattern that crystallized at the time remained a constant in the dynamics of Western politics thereafter. It recurred in the successive outbursts of the great revolutionary movement in the centuries following the sixteenth. The typical features of this pattern are the following: (1) the rise of a spiritual, revolutionary movement with a tendency of transcending national limits; (2) a rallying of the forces of tradition, which may result in a movement of reaction, in wars of intervention and counterintervention; and (3) a temporary stabilization. With every new outburst and subsequent stabilization the European political situation becomes more complicated because none of the competing universalisms is ultimately victorious; the sentiments aroused by the conflict, and the institutions created in its wake, become additional factors in the situation. Moreover, the enlargement of the political scene brings into play the non-European forces. As a consequence, the pattern just outlined becomes blurred with the successive outbursts, while the periods of stabilization become briefer and [outbursts] follow each other at shorter intervals. Nevertheless, we can discern the pattern with sufficient clearness in the sequel of the four great outbursts. They are, in chronological order:

(1) The international movement of the Reformation with its international reaction in the Counter-Reformation. The climax is reached with the Thirty Years War. Then follows the period of stabilization with the Treaties of Westphalia (1648), of the Pyrenees (1659), of Oliva (1660), of Utrecht (1713), and of Rastatt (1714).

(2) The French Revolution and the Reaction; with the interventionist climax in the Wars of the Coalition to the ultimate defeat of Napoleon; and with its temporary stabilization through the Congress of Vienna and the subsequent concert of Europe.

(3) The Marxist movement with its series of Internationals and its entrenchment in Russia; with its interventions through Comintern and Cominform, its wars of counterintervention after 1918, and the later variants of guerrilla warfare and cold war. In this instance, however, the pattern is strongly blurred through the entrance of a number of new factors. The First World War, which issued into

a temporary stabilization through the treaties after 1918 and the League of Nations, was not caused by the Marxist movement but by the power tensions within Europe through the increase of Slavic populations in eastern Europe, the rise of German national power through population increase, and the rivalries of industrialized societies. That the Marxist movement entered its climactic phase of interventionist warfare after the establishment of Communism in Russia was incidental to a crisis that had been nourished from other sources. Moreover, the anticommunist reaction blended with the anticommunism of the next outburst in the Fascist and National Socialist movements of the lower middle class. The internationalisms of Marxism and of the traditional forces were facing a third internationalism before their own fight had reached the phase of stabilization, with the result of strange alliances. And, finally, the temporary stabilization through the League of Nations had to ensue on the world scale and introduced the non-European power factors.

(4) The movements of the lower middle class, of the Fascist and National Socialist type with its interventionist expansion and the counterinterventions of the Second World War. Due to the reasons indicated under the preceding point, the pattern is strongly blurred. For the time being, something like a stabilization is reached, not quite devoid of comic aspects for the detached observer, with two internationalisms baring their teeth at each other across the temporary corpse of a third one, and calling the whole thing the United Nations.

§2
The Great Design

Once we have gained insight into this pattern of political dynamics, we shall understand why the ideas of the international and of interventionist wars, as they appear in the *Vindiciae,* belong to a definite phase in the political process. When the revolutionary forces are exhausted, the interventionist ideas will subside, and the time will have come for a new class of ideas, concerned with the organization of a field of powers that now has reached a temporary balance. This does not mean that interventionist and stabilizing ideas follow each other in strict chronological order. As a matter of fact, the interventionist ideas dominated the political scene well into the middle of the seventeenth century, while at the same time

the ideas concerned with stabilization had proceeded far toward systematic elaboration. Nevertheless, the period of stabilizing ideas is clearly marked by the appearance of a peculiar

genus of literature on interstate relations, that is, by the projects for federal organization of a balanced state system. It is the great dream of a modern substitute for the medieval empire that emerged for the first time at an earlier critical hour in Western history, in the work of Pierre Dubois, and reappeared, after the fall of Constantinople, in the project of an alliance and confederation of Western powers for meeting the Turkish danger, by George of Podiebrad, the king of Bohemia. Such projects now appear in greater number, spread over the century of stabilization following the religious wars. The four treatises belonging to this genus are Emetic Crucé's *Nouveau Cynée* (1613), Maximillian de Béthune, Duc de Sully's *Great Design of Henry IV* (written at an uncertain time before the death of the author in 1641), William Penn's *Essay toward the Present and Future Peace of Europe* (1693), and the Abbé de Saint-Pierre's *Projet pour rendre la paix perpétuelle* (3 volumes, 17131717). For the details of these projects the reader should refer to the monographic literature; the treatises interest us in this context as a class, and it will be sufficient to indicate the typical content by a few remarks about the *Great Design*.[1]

The *Great Design,* whether it actually reflected ideas of Henry IV or rather those of a *désoeuvré* Sully, was representative of the trend of ideas that led to the Peace of Utrecht. It envisages a Europe organized into national monarchies, hereditary and elective, with a sprinkling of republics, such as Venice, Genoa, Switzerland, and the Low Lands. These states will balance each other after the House of Austria has been crushed, and they will be federated, with an amphictyonic council as the central organ. The dynamics of this new Europe would be the balance of powers. The religious question was to be removed from the political scene through the definite recognition of the three main creeds, Catholic, Lutheran, and Calvinist, and the suppression of all others. Countries with a predominantly Catholic population should be permitted to have a single confession.

[1.] For the *Great Design* see *Mémoires de Sully,* Nouvelle collection des mémoires pour servir à l'histoire de France (Paris: L'Editeur du commentaire analytique de code civil, 18361854), 3:42235.

§3
The Conception of Interstate Law

The projects for federative organization of the new states are of interest only as a class because they do no more than reflect the yearning for peace among the polities. Pragmatically, as far as

the organization of concrete political relations was concerned, they were of little importance. Anybody can dream up a blueprint of international organization in which the polities are cut to size so that they balance each other and none is too powerful, and in which international organs of deliberation, legislation, and arbitration are devised, with a military force thrown in to sanction the decisions.

Of considerably greater practical relevance was the movement of ideas that accepted the split of the *Christianitas* into sovereign states and tried to evolve a code of conduct for the relations between the sovereign units in peace and war. While the systematic approach to this problem came under way only in the sixteenth century, there was a considerable body of unsystematic growth through the centuries from 1100 to 1500. The high and late Middle Ages had developed something like a practice of international law through numerous arbitration treaties between various princes and cities. The Western political world was recognized as a *communitas communitatum*. And the compositors or arbitrators could draw for their decisions on a considerable number of legal sources, such as the provisions of the arbitration treaties themselves; or on the customary law as it had evolved in particular for maritime law in the Consulate of the Sea, the Rôles d'Oléron, and the law of Gotland or Wisby; or on the generally accepted principles of positive law; or on the principles of reason, justice, and equity.[2] In the movement of the sixteenth century the Spaniards had the leading role; to them we owe the first systematic development of ideas concerning interstate relations proper. Circumstances and tradition assigned to the Spanish thinkers this role. The discovery of America and in its wake the conquest of the Indian empires had aroused misgivings concerning the legality of expansion at

[2.] See Mikhail A. Taube, "Les origines de l'arbitrage internationale: Antiquité et Moyen Age," *Recueil des cours de l'Académie de droit internationale de la Haye* 42 (1932), and Alfred Zimmerman, "La crise de l'organization international à la fin du Moyen Age," *Recueil des cours de l'Académie de droit internationale de la Haye* 44 (I933).

the expense of independent governments. Francisco de Vitoria's *Relectiones de Indis,* of 1532, attempted a systematic development of rules governing relations between states, on the occasion indicated in the title of the work. Moreover, due to the course of the Spanish Reformation, the Spaniards had preserved the continuity of scholastic tradition and, thus, were enabled to deal with the new problems more competently than were other European thinkers

who had been exposed to the antiphilosophism of the transalpine Reformation. Only in the second half of the sixteenth century did the treatment of interstate relations become a more general European concern, in particular through the work of A1berico Gentili (15521608) in England. Gentili's treatment of the law of embassies in his *De legationibus libri tres* (London, 1585) and of the law of war in his *De jure belli* (London, 15881589) became the basis on which Grotius could erect his edifice in the seventeenth century.

The greatest asset that the Spanish thinkers brought to the task was their insight into the new problem of the secular polity. Even Vitoria's position in this respect does not differ substantially from that of the much later Suárez.[3] In his *De Indis* he created the notion, if not the concept, of *jus gentium* when he distinguished legal rules governing the intercourse between polities in peace and war from the Roman and medieval concept of *jus gentium* as the body of legal rules accepted by all peoples.[4] In order to give validity to rules governing the relations between sovereign states, we must assume a sacramental unity of mankind transcending the bodies of humanity that are enclosed within the boundaries of single polities. And Vitoria, as later Suárez, tried to rescue, from the wreck of the *Christianitas,* the idea of a human community larger than the single subjects of the new interstate law. For that purpose he used the construction that mankind as a whole is a single republic with power to create law. The rules governing the relations between the political units are, therefore, not pacts or agreements that can be abrogated by a declaration of the sovereign will; they rather have the force of *jus gentium* in the older sense, and their violation would be

[3] On Suárez see above, 6669.

[4] Francisco de Vitoria, *De Indis et de Jure Belli Relectiones,* ed. Ernest Nys (Washington, D.C.: Carnegie Institution, 1917). The critical passage is on p. 386. Suárez made the same distinction more clearly in his *De legibus* II.19.8.

a mortal sin.[5] The formulation is of theoretical interest insofar as it reverses the process in which the idea of the closed secular state has grown. The idea of the closed state [arose] through the transfer of the universal characteristics of the mystical body of Christian mankind to the parochial, national communities. Now, in the ideas of Vitoria and Suárez, we can observe an attempt to make the moral unity of mankind intelligible as an analogue of the closed, parochial state. Here we touch the origins of a problem that will occupy us at length in a later context when we shall study the positivist philosophy of history with its tribalist conception of

mankind.[6]

§4
The Distinction between Interstate and Intercivilizational Relations

The momentous political implications of the new idea of a unity of mankind over and above the single republics become apparent in Vitoria's *Relectiones,* in particular in the parts that deal with the expansion of the Spanish empire into the Western Hemisphere. On this occasion the conflict becomes acute that ever since has infested political relations between Western powers and non-Western civilizations, that is, the conflict between an idea of mankind that assumes Western Christian man as the model of humanity and the empirical fact that the majority of civilizations do not conform to the model. In the ideas governing relations between polities, as well as in the patterns of conduct themselves, a differentiation becomes manifest that has been glossed over by the innocuous language of international law and international relations. Nevertheless, from the sixteenth century onward, this differentiation has remained one of the fundamental factors determining political relations on the world scene. In order to bring this point into proper relief we shall introduce a terminological distinction. We shall speak in the present context of the relations between political units as

[5.] Vitoria, *De potestate civili,* in James Brown Scott, *The Spanish Origin of International Law,* pt. 1 (Oxford: Clarendon Press, H. Milford, 1934), app. C, p. lxxxiii. Suárez did not go so far as to speak of a power of the republic of mankind to create law, but he asserted that the human race was a moral unit just as the single politics and that precepts of natural law were valid for all members of this unit. See *De legibus* II. 19.9.

[6.] See *The Collected Works of Eric Voegelin,* vol. 26, *History of Political Ideas,* vol. VIII, *Crisis and the Apocalypse of Man,* ed. David Walsh (Columbia: University of Missouri Press, forthcoming), chap. 2., "Positivism."

interpolity relations; and we shall subdivide interpolity relations into patterns prevailing in relations between the states belonging to Western civilization and patterns prevailing in relations between Western powers and non-Western civilizations. The first we shall designate as interstate relations, the second as intercivilizational relations.

The differentiation imposes itself for Vitoria most acutely with regard to the treatment of the war guilty. Sometimes, he opines, it is permissible and expedient to kill all the guilty *(nocentes);* for war is waged in order to gain peace and security, and sometimes security cannot be gained unless all the enemies are destroyed. This situation is apt to arise especially with regard to infidels, with whom one never can hope to live in equitable peace. "Hence the only remedy is to destroy all who are able to bear arms against us, provided they have been found guilty of it." This rule is valid, however, only in relation to "infidels" or "barbarians." In wars between Christians such conduct is not allowable. For "as needs must be that offences come" (Matt. 18:7), and since wars between princes are inevitable, the ruin of mankind and of Christianity *(pernicies humani generis et Christianae religionis)* would result if the victor would always slay all his enemies. If such were the rule, wars would be waged not for the public good but for the public misery. Moreover, the assumption that everybody who has taken up arms in an unjust cause should suffer punishment for his guilt would introduce a rather disturbing factor into the domestic structure of the Christian republics. For "subjects are not bound, and ought not, to examine the causes of a war. They may follow the prince into war, relying on the authority of the prince and of his public counsel." Hence the troops who fight have to be considered innocent on both sides in the majority of cases. Not a single man should be killed if there is the presumption that he entered the strife in good faith.[7]

Some important principles emerge from these reflections. The reader will have noted the association of mankind with Christianity. The fate of mankind is bound up with Christian mankind. Wars of extermination are no danger to mankind as long as they do not occur between Christian republics. The internal structure

[7.] Vitoria, *Relectio Posterior: De Jure Belli Hispanorum in Barbaros,* section 48.

of Christian republics is, furthermore, treated with a consideration that is denied to barbarian principalities. The inevitable wars between princes are to be treated as scandals in the Christian family. Punishment will be necessary, but it should be meted out only to the principals in the strife. Wars between states are not wars between peoples, and subjects should not be punished for the misdeeds of princes. Loyalty to governmental authority must not be considered a crime, for if it were, every tension between states would create internal dissensions and perhaps civil war over the justice of the causes of the war.[8] Other civilizations are denied such consideration. Infidels are an incorrigible lot; their subjects should be treated as culprits along with the princes;

and mankind and Christianity will not be the worse for it. Presently we shall see that Vitoria considers it permissible even to arouse unrest among the subjects and disaffection for the ruler, in the case of infidels.

§5
The Just War

The preceding reflections on the war guilty presuppose a number of assumptions concerning the just causes of wars that are neither obvious nor simple.

First of all, Vitoria assumes that a war will always be just on one side and unjust on the other. The assumption that both sides have an equally good or bad cause is inadmissible. The reasoning leading to this result is somewhat intricate. Vitoria sees that it is difficult to determine the justice of a war. Man may fall into error; and the inclination is strong to see one's own cause as the just cause. "It is not sufficient that a prince or a private person believe they are acting justly." "An act is not good because just anybody believes that it is good." The justice of a cause has to be measured by a wise man *(sapiens),* in the sense in which Aristotle demands the judgment of a wise man as the criterion of the rightness of an action, in *Ethics* III.4.[9] But who will be the *sapiens* in a concrete case? There is no general answer to this question, but for the concrete case of the Spanish conquest in America the *sapiens* is Vitoria himself. And in his capacity as the *sapiens* he discusses the lawfulness of the Spanish expansion.

[8.] *Relectio Posterior,* sections 2426, 31.

[9.] *Relectio Posterior,* section 20. Compare the elaboration of this question in *Relectio Prior,* section 1.

At this point we become aware of a second implication of Vitoria's reasoning: it is reasoning about a fait accompli. The conquest lies in the past; the *sapiens* has to show that its causes were just and that the atrocious means of pacification were, on the whole, legitimate. Right at the beginning of the Western overseas expansion we encounter the situation that the problem of just wars in intercivilizational relations is not discussed in an atmosphere of detached contemplation but for the purpose of justifying the results of victorious warfare. Vitoria's reasoning becomes disarmingly naive in this honest endeavor. The *sapiens* has a necessary function precisely because princes do not conduct wars in bad faith but are convinced of the righteousness of their cause. For where would such good faith on all sides lead us? To the

deplorable result that all belligerents are innocent and that it would be unlawful for them to kill each other. Killing, however, is a lawful activity, at least for one of the two parties to a war; and it becomes the task incumbent on the *sapiens* to develop a theory of just war in order to show the lawfulness of killing, at least for one belligerent. If we would accept the good faith of the belligerents we should arrive at the most absurd conclusions, such as for instance that Turks and Saracens can wage a just war against Christians since they believe that they are following a command of God.[10]

In order to avert this result, the taking up of arms in a just cause has to be proved permissible for the Christian. In this enterprise the Christian *sapiens* will meet with difficulties; for the evangelical counsels are regrettably clear on the point that a Christian should not resist violence by violence. Some reformers, among them Luther, have taken the counsels seriously. Especially Luther, "who left nothing uncontaminated," went so far as to declare that Christians should not take up arms even against the Turks; and if the Turks invaded the *Christianitas* that would be the will of God. Against such nefarious doctrine we have to rely on the passages of the Old Testament that legitimate warfare, as well as on the tradition of the church and on the patristic literature. While there is an occasional exception, such as, for instance, the opinion of Tertullian, on the whole tradition is in solid consensus on the legitimacy of warfare. And even Luther, who otherwise influenced the

[10.] *Relectio Posterior,* section 20.

Germans greatly in dogmatic matters, could not impose on them his doctrine of nonresistance; for the Germans are born soldiers.[11]

The reasoning of Vitoria is conducted throughout on the basis of a third implication, that is, the assumption that the victor has the just cause. It would be easy to charge Vitoria with unscrupulous justification of the victor; but this charge would be unfair. A serious theoretical question has to be taken into consideration. If war is conceived as a procedure in the administration of justice, if furthermore the assumption is granted that every war has a just cause on one side, then it follows that the belligerent who represents the unjust side in the struggle has no justification for his warring activities at all. The actions of the unjust belligerent are altogether unlawful, from the opening of the war to the imposition of a peace in case he should remain the victor. The investigation of the law of war, and of the casuistry concerning

actions permissible and impermissible in a war, can reasonably extend only to the actions of the belligerent who has the just cause; and for the same reason only the actions of the just victor can be an object of discussion for the *sapiens*. If the unjust side should remain victorious, that would be a calamitous victory of evil beyond rational inquiry. Hence Vitoria is justified theoretically in neglecting the case of the unjust victory.

Justice, thus, is not always on the side of the victorious battalions. And most emphatically it is not so in the case of victorious infidels. Nevertheless, the atmosphere of victory with justice is penetrative in the *Relectiones*. The author writes as the advocate of the power that has remained victorious against Islam and in America. The weight of the concrete victory and its justification prevail against the deceptive neutrality of general formulations. In every sentence the reader can feel the defense of a victory that has resulted in an aggrandizement of worldly empires, accompanied by atrocities, painful to the Christian author; and even more than the victory, the aggrandizement has to be found just. The most subtle trick in this defense is perhaps Vitoria's condemnation of aggrandizement as a cause of war. Extension of empire cannot be a just cause of war. Why not? Perhaps because aggrandizement is evil? Certainly not. Aggrandizement as a cause has to be unjust because, if it were just,

[11.]*Relectio Posterior,* introduction.

again we would have the unfortunate result that the powers bent equally on aggrandizement at each other's expense would both be innocent. As a consequence, killing would not be lawful. "This, however, implies a contradiction because we would have a just war and still it would not be permissible to kill the enemy."[12] Aggrandizement, thus, is lawful only as the result of war; it should not be admitted as the purpose of war; the *causa* must be chosen in such a manner that the enemy is wrong.

The outlines of Vitoria's position become visible. His formulations concerning the law of war are on the whole general. Nevertheless, the concrete occasion and the character of a defense of the Spanish conquest are obvious. The primary concern is with the justification of aggrandizement at the expense of infidels. In intercivilizational relations rules of warfare are valid that today we would call totalitarian. If the war is protracted, it is permissible to despoil the civilian population of their property in Order to sap the enemy's strength.[13] And it [must] be considered whether or not even wholesale slaughter of civilians, men, women, and children, is

permissible, considering that they will furnish the manpower for future wars. Vitoria condemns wholesale slaughter, though a point in its defense could be made, but only because the same purpose can be achieved by the less bloody means of deportation and slavery.[14]

The restrictions on such thoroughgoing destruction of enemy populations, on the other hand, are illustrated only by instances of interstate warfare. Only Christian civilians should not be submitted to deportation and slavery, except temporarily for the purpose of gaining ransom money.[15] If, furthermore, the legal title to a possession is doubtful, and not clearly invalid, one must not resort to war among Christian republics; for in a doubtful case it is not lawful to dispossess a possessor.[16] And if in order to gain a city it would be necessary to destroy many cities, to kill many people, to arouse the resentment of other princes, perhaps to give rise to new wars that would endanger the church, or offer an opportunity for infidels to invade and occupy Christian countriesa Christian

12. *Relectio Posterior,* section 11.

13. *Relectio Posterior,* section 39.

14. *Relectio Posterior,* section 42.

15. *Relectio Posterior,* section 42.

16. *Relectio Posterior,* section 27.

republic must not resort to war in order to enforce its title, however good it may be.[17]

Clearly, the problems of interpolity relations are not understood as lying all on the same level of argument. The *Christianitas* is the providential island of mankind in a pagan sea. Within the *Christianitas* conduct in interstate relations is conceived as subordinated to the necessity of preserving the wider society, while in relation with the pagan world unrestrained warfare is the rule, with the ultimate goal of destroying the organized social life of the enemy. In this latter case we have to speak of specifically intercivilizational relations because the *Christianitas* is understood as a civilizational unit in history.

Vitoria's rules of war are incompatible with the evangelical counsels; and consistently he construes the counsels as a new dimension of spiritual freedom added to pagan civilization, but not as a new law superseding natural law.[18] As a consequence the *Christianitas* remains a natural body of humanity, struggling for existence and survival in history and governed by

pre-Christian natural law. At the same time, however, this natural law has ceased to be the one and only law for all mankind because within this mankind one group, the body of the Christians, is distinguished from the rest as a group with special privileges. From this subtle combination of pre-Christian natural with Christian spiritual existence grows the possibility, on the one hand, of claiming the rights of natural law for Christians equal with pagans and, on the other hand, of claiming the privileges of a providential group that is not obliged to meet the rest of mankind on an equal footing. We shall now turn to Vitoria's treatment of the Spanish expansion in America in order to observe this conceptual apparatus of civilizational imperialism in operation.

§6
The Legal Technique of Imperialism

With the lawfulness of the Spanish conquest in America, Vitoria deals in the *Relectio Prior, De Indis Recenter Inventis*. The *Relectio* is divided into three *Sectiones*. The first section deals with the question of whether the Indians, before their discovery, had a *verum dominium* in public and private law. The second section deals with

[17.] *Relectio Posterior,* section 33.

[18.] *Relectio Posterior,* section 3, prop. 3.

the illegitimate titles for the Spanish conquest. The third section deals with the legitimate titles whereby the aborigines could have come into the power of Spain.

a
The Organization of the Argument

Of the first section we can dispose briefly. The question of *verum dominium* arose mainly because there was still alive the doctrine of Richard Fitzralph and John Wycliffe that nobody could have a *verum dominium* who was not in the state of grace. This argument, as well as others destined to deprive the pagan aborigines of legal titles in private ownership and public rulership, is rejected by Vitoria. According to his opinion, the aborigines are indeed legal rulers in their country and legal owners of their property. Hence, to dispossess them by conquest raises a serious legal problem. To its discussion are devoted the second and third sections.

The organization of the legal materials under the headings of illegitimate and legitimate titles seems on the surface a simple logical classification. As so frequently with Vitoria, however, the neutral, general formulation is deceptive; it covers, in fact, a momentous political question. As illegitimate are classified all titles that originate in the authority of the emperor qua emperor, or in a temporal authority of the pope; while as legitimate are classified the titles that originate in the authority of the emperor qua king of Spain, or in the indirect temporal authority of the pope insofar as it might assist the authority of the king of Spain. In other words: imperial expansion of the *Christianitas* is impermissible if the agents are emperor and pope, while it is permissible if the agent is the king of Spain, supported by the papacy. The institutions of the empire are rejected, while the national state is recognized as the representative instrument of Western imperialism. The function of Vitoria's work with regard to Spain resembles the function of Bodin's work with regard to France, insofar as in the discussion of intercivilizational relations is implied a theory of the national prince as the sovereign who acts independently of church and empire. Vitoria can rightly be styled the "Father of International Law"; the rules he develops are indeed rules *inter gentes,* understood as *nationes,* not rules *inter homines.*[19] This introduction of the gens, of the nation, as the

[19.] *Relectio Prior* III, section 2. On the substitution of *inter gentes* for *inter homines* in the quotation from [Justinian's] *Inst.* 1.2.1, see the introduction by Nys

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ultimate unit of politics admirably serves Vitoria's various political purposes: it, first, enables him to avoid the problems of a constitution of mankind as well as of a constitution of the Christian empire; it, furthermore, permits him to construe the relations between Christian *gentes* differently from the relations between Christian and non-Christian *gentes;* and it, finally, permits him to make the Spanish nation the heir to the Christian imperial tradition and to establish the national state as the representative of the Western providential *Christianitas.*

With regard to the discussion of illegitimate titles themselves, a summary of the results will be sufficient. The emperor is not the lord of the whole world, and even if he were, that would not entitle him to seize the Indian territories and depose the native rulers. Neither is the pope the temporal head of the world, nor could he, if he were, transfer his power to other rulers such as the king of Spain. The natives in their turn are not bound to recognize the dominion of the pope,

nor are they bound to hearken to the announcement of the Christian creed, nor is their refusal to embrace the Christian faith a reason to make war on them. And, finally, Christian princes have no right to restrain the natives from sins against natural law, not even on the authority of the pope. The rules seem to leave no loophole; the conquest ought to be illegitimate.

The third section breaks the deadlock by setting forth the legitimate titles of conquest. As far as I can see, the importance of this section has never been fully recognized. It is a classic of politics, worthy of a man whose lifetime overlaps with that of Machiavelli. It develops, for the first time, the techniques and justifications for the conquest and destruction of foreign civilizations by Western powers. Just as the second section left no loophole for conquest by emperor and pope, so the third section now demolishes with judicious thoroughness every conceivable legal claim of non-Western mankind to preserve the integrity of its civilizations. The interplay of the various levels of argument and the cumulative effect of presenting a watertight legal case for imperialism are truly impressive. The arguments are organized for this purpose in three groups in such a manner that they supplement each other, the second and third

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in his edition of *De Indis,* 42 ff., and "Francisci de Victoria De Jure Belli Relectio" (Ph.D. diss., Catholic University of America, 1916) by H. F. Wright, the editor of the *Relectiones*.

groups closing the gaps that the first and second groups might have left open for legitimate native resistance to conquest. The three groups deal, in this order, with the titles for conquest arising from the natural laws of human intercourse, with the titles arising from the obligation to propagate Christianity, and with the titles that arise from the obligation to impose a superior civilizational order.

b
The Natural Law of Human Intercourse

The first group of arguments comes under the title of natural society and communication between men. The Spaniards have the right to travel and sojourn in foreign countries; and they must not be hindered by the native princes in the enjoyment of this right. The world is given to all mankind in common; and the divisions of property and national dominions are not intended to abolish reciprocity of intercourse. To prevent foreigners from dwelling peacefully in a city or

province, or to expel those who are already resident, is an act of war.[20] Beyond traveling, Spaniards have the right to carry on trade; and the native princes have no right to prevent the commerce of their subjects with the Spaniards; for it is contrary to natural law that a man should dissociate himself from others without good reason.[21] If the natives would hinder the Spaniards in the enjoyment of these and other rights,[22] then the Spaniards should first use reason and persuasion; if the natives should prove impermeable to reason and resort to force, then the Spaniards would be justified in defending themselves by force and in building fortresses; and if they have suffered wrong, they have a just cause for offensive warfare against the Indians.[23] Due consideration should be given to the fact that the natives, who are timid, dull, and stupid, are excusably afraid of the strange-looking Spaniards. Hence, the war should at first be conducted rather with restraint, for self-protection only, since invincible ignorance makes the hostilities just on the other side, too.[24] This, however, cannot go on forever. Ignorance must be invincible no longer than a reasonable time. If the Spaniards have used all diligence in overcoming ignorance and in explaining the

[20] *Relectio Prior* III.2.

[21] *Relectio Prior* III.3.

[22] Dealt with in *Relectio Prior* III.45.

[23] *Relectio Prior* III.67.

[24] *Relectio Prior* III.6.

peacefulness of their intentions, and the native ignorance remains invincible, then the natives must be treated as *perfidi* and unrestrained offensive warfare against them is justified. In its course, the natives may be deprived of their property, they may be reduced to captivity, their former lords may be deposed, and new ones may be set up. "For the Spaniards are the ambassadors of the Christians." And ambassadors ought to be treated with courtesy and must not be repelled.[25]

Throughout this part of the argument we are faced again by the conflict that is so persistent in Vitoria's work, that is, by the conflict between the generality of the formulation and the concreteness of the situation. Vitoria takes great pains to make it clear that his program of traveling and economic penetration is not one-sided. The rights of intercourse are reciprocal. The rights that the Spaniards claim against the American natives, they also claim against the

French and any other Christian nation; and they are willing to grant the same rights in their turn to the French as well as to American Indians. All the Indians have to do is come over and conduct themselves in Spain in the same manner as the Spaniards do in America. The Muhammadans, who are nearer at hand, are not mentioned on this occasion. We have to deal with this question more closely later on. For the moment, the reader should be aware that we find in Vitoria already well developed the technique of generously formulating a principle of reciprocity at a time when it is not applicable to the concrete situation because concretely the advantages of technology and power are on one side so that reciprocity is impossible. We see emerging in the field of intercivilizational relations the great principle of fair play with loaded dice, the majestic impartiality of the law that at the same time begins to become within the Christian republics the principal economic stronghold of the *beatus possidens* and leads in due course, in the nineteenth century, to the antibourgeois revolutions.

c

The Propagation of Christianity

The second group of arguments is concerned with the propagation of Christianity. The Christians have a right to preach the Gospel; this right is implied in the injunction of Mark 16:15 to preach

[25.] *Relectio Prior* III.8.

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the Gospel to every creature. How this injunction to the Apostles can be construed as a legal right to preach and as a corresponding legal obligation on the part of the pagans to listen, Vitoria does not explain. Anyway, the assumption forms the basis of the further argument.[26] From the right to instruct and correct the brethren who live in the sin of unbelief follows the legitimacy of certain measures that are apt to increase the efficiency of instruction. First of all, the pope can now show his usefulness in support of the Spanish conquest. Instruction as such would be a common task of all Christians and permitted to all. Nevertheless, the pope may grant the Spaniards a monopoly of propagation to the exclusion of all other Christians, if by such monopolization the Gospel can be spread more effectively in the new provinces. The pope may even use his indirect temporal power and prohibit other nations from trading with America if the trade monopoly is highly desirable for spiritual reasons. Without such a prohibition, we should witness an indiscriminate inrush of Christians; they would fall to quarreling with each

other and the conversion of the natives might suffer from such disturbance. Besides, the Spanish government has put up the capital for the discovery of America and should now be protected in reaping the profits from the investment.[27]

If the natives listen patiently to the preaching, there will be no just cause for war, even if they should not become converts.[28] But if they should interfere with the free preaching of the Gospel, then the sequence that was already detailed in regard to the right to trade would enter into force: persuasion, warfare, deposition of the ruler. The same would hold true if the native rulers should take punitive measures against converts.[29] In this contingency, however, some restraint will have to be exerted because "war, massacre, and spoliation" might prejudice the natives against Christianity. This "method of evangelization" might become self-defeating, and one would have to search for another.[30] War can, furthermore, be made justly if the native government exerts pressure on the converts to return to their idolatry.[31] And, finally, if there are a

[26.] *Relectio Prior* III.9.

[27.] *Relectio Prior* III.10.

[28.] *Relectio Prior* III. 11.

[29.] *Relectio Prior* III. 12.

[30.] *Relectio Prior* III.12.

[31.] *Relectio Prior* III. 13.

considerable number of converts, the pope can depose the native ruler for sufficient reason and install a Christian prince whether the natives request the change of rulership or not. Neither does it matter whether the conversions were obtained by terroristic methods as long as they are genuine.[32]

The question of reciprocity does not arise on occasion of this group of arguments.

d
Civilizational Superiority

The third group of arguments is based on miscellaneous titles, of which the most important are the titles allowing intervention by virtue of civilizational superiority. Human sacrifices would be

a just cause for war leading to the abolition of native sovereignty. To save the innocent from unjust death is an obligation. And it is no valid counterargument that the Indians consent to such laws and sacrifices and do not want to be saved by the Spaniards; for they are not *sui juris* to the extent that they can commit themselves and their children to death.[33] This last argument is of importance with regard to the general problem of civilizational superiority and inferiority. The barbarians are not imbeciles *(amentes),* but they are not very far from it. They are hardly fit to establish and administer a republic that is legitimate by human and civil standards. They have no proper laws nor magistrates, and they are not even able to order their family affairs. They are deficient in the arts and letters, and not only in the liberal but even in the mechanical arts; their craftsmanship and agricultural technique are poor; they are lacking the conveniences and even the necessities of life; and their menus are atrocious. Obviously, such backward people present a problem to the Christian. The question has to be raised of whether in all charity, for their own good, and without exploiting them, they should not be put under governmental tutelage and submitted to a civilizing process. Vitoria does not wish to commit himself on this question; he hesitates to give a straight affirmative answer, but he admits that a good case can be made for conquest and rule by the civilizationally superior power on these grounds. We can observe in formation an opinion that later becomes rather widespread, that is, the opinion

[32.] *Relectio Prior* III. 14.

[33.] *Relectio Prior* III. 15.

that people with gadgets should conquer and govern people without gadgets; it is the incipient sentiment of the white man's burden.[34]

e
Conclusion

The *Relectio Prior* closes with a few remarks that are formulated somewhat obscurely. Nevertheless, it seems possible to extract from them a clear meaning. From the *Relectiones* the reader may have gained the impression that Vitoria was a fervent imperialist and zealously assembled all conceivable arguments that would justify the Spanish conquest. The author himself was rather afraid that his contemporaries might arrive at the opposite conclusion. The formidable array of just causes for war could lead to an unpleasant reflection. If the legitimacy of this most profitable conquest depends on the just causes of war, where would we stand if all

these good titles would become inoperative for the reason that the barbarians give no just cause for war so that they cannot be conquered, and if on the other hand they would not voluntarily express a desire to come under Spanish sovereignty? In this case, "would all this traveling and trading have to cease," to the great loss of the Spaniards; and would perhaps the royal treasury have to accept a severe reduction of revenue, which is quite inadmissible? Nothing of the sort, answers Vitoria. The trade would continue on a barter basis; and in addition there are plenty of commodities that the natives treat as ownerless or common and that can be appropriated by the first comer. The Portuguese have a profitable trade with native populations on this basis, without war and conquest. And the demands of the royal treasury would be satisfied by the imposition of an import duty of 20 percent, or more, on precious metals. Moreover, the question is academic; for the number of barbarian converts to Christianity has become so large that it would be impermissible for the king to surrender the administration of these provinces.[35]

§7
Vitoria's Personality

It is not easy to understand the personality that emerges from the *Relectiones de Indis*. In following the analysis the reader will have

[34.] *Relectio Prior* III. 18.

[35.] *Relectio Prior* III. 18, *in fine*.

asked himself: Who is this man Vitoria? Is he a smooth rascal who writes his lectures tongue-in-cheek? Is he a professional lawyer who defends a racket for a fee? Or is he an egregious example of the human capacity for self-deception? The questions impose themselves, but they can find no simple answer. They are the same questions that disturb the historian frequently when he studies the works of the sons of the "Father of International Law" in the four centuries that have passed since Vitoria; and they are the questions that occur to him more than once when he lets his eye dwell with critical detachment on the contemporary scene. But in the case of the sons it would be quite as rash as in the case of the father to assume a simple answer. Rascality and self-deception are probably present; but they are hardly more than touches in the whole picture. Vitoria was a pride of the Dominican Order; he was a distinguished scholar and holds a place of honor in the revival of Spanish theology; he was a devout religious; and we have no reason to assume that the human sacrifices brought by the Spaniards to the Christian

god aroused his compassion less than the sacrifices brought by the Indians to the pagan god; his organization of the materials for a law of war was a great intellectual achievement; and the very ardor of the defense proves his sensitiveness to the moral issues involved.

Such qualities are respectable, but they do not add up to a strong, independent personality, spiritually and morally. Vitoria was a conventionalist and traditionalist in an age of confusion. And in such times the secondary figures cannot find the great philosophers by which they can take their bearings when they wish to express themselves on public questions; for, by definition, greatness cannot express itself in a public, representative manner in an age of confusion. When the homogeneousness of society gives way to new forces, strength will guide its possessor into partisanship for the new venture, and greatness into the contemplative life that preserves the integrity of the spirit. The situation is difficult for a conservative who reacts sensitively to historical events. His traditionalism makes him shrink from the irrationality of violent historical processes, while his conventionalism prevents the life of contemplation. A man of this complexion is in double danger. First, he is not enough of a force to become himself an irrational, determining factor in events, but he is vital enough to sense sympathetically the historical forces; he will not lead, but he will accept the place where he finds himself; and since Vitoria was a Spaniard,

he accepted Spain, right or wrong. Second, a thinker of this type has neither enough spiritual intenseness nor intellectual power to be a mystic who can see the disorder of the age in its proportions as well as in its distance from the life of the spirit; but he has a conscience and a desire for order; hence, he will not Create a great work of contemplation, but he will use his learning as well as his by no means negligible intellectual powers for the purpose of linking the forces of history with the life of the spirit in a work of justification and rationalization. He can render valuable service to the governors of men, for he can provide the authoritative sanction of learning and reason to a victory, he can prove the justice in acts of violence, and he can link a 20 percent tax on precious metals with the propagation of faith. And he can render this service, on the whole, in good faith. Vitoria is a model case of intermediate existence between contemplation and action. We have met the type before, in the instance of Giles of Rome. Beginning with the sixteenth century, its social importance and frequency is steadily increasing. The broker of the spirit becomes the indispensable companion of despiritualized force. We may award Vitoria the distinction of being the first outstanding political intellectual of the modern period.

The function, particularly when coupled with the gifts of a metaphysician or with pontifical legal scholarship, has its considerable worldly reward. But there is a price to be paid for such distinction. Let us compare Vitoria with the great political thinkers of the sixteenth century, Machiavelli and Bodin. Such comparison is not unreasonable. The Spanish bias of Vitoria was paralleled by the Italian of Machiavelli and the French of Bodin; the three thinkers were equally faced with the great political problems of the age, that is, with the final disintegration of imperial Western civilization and the self-assertion of national consciousness; and all three were active in public professions, as theologians, diplomats, and lawyers. Let us compare their responses to the problem of action. In Machiavelli we admire the cold, clear virility of his thought. *Virtù* and *fortuna* determine the realm of action. It would be better if the social order were permeated by the spirit, but when the spirit of the institutions is corrupt, and when the thinker in the awareness of his limitations cannot infuse into them a new spirit, the problem of politics has to be put in terms of demonic heroism. Machiavelli accepts the despiritualized immorality of action in the service of the nation; but he never pretends it is moral. In Bodin we admire

the unwavering desire of the mystical soul that suffers under the political and religious disorder of France. His answer to the partisan strife of the confessions is a tolerance, far from indifference, which recognizes the adogmatic divinity beyond the varieties of dogmatic symbolisms; and his answer to political factionalism is the evocation of a royal monarchy as the analogue of the hierarchically ordered and divinely ruled cosmos. In Vitoria we admire the subtlety of spiritual corruption and intellectual dishonesty. He cannot accept the irrationality of force with defiance as can Machiavelli, or with resignation as can Bodin. He feels compelled to catch force in a network of reason. The idea that in a conflict both sides can be equally right or wrong, or rather that the strife of existence is fundamentally beyond right and wrong, is for him unbearable. What is so revolting in Vitoria is the complete lack of the sense of tragedy in existence. His victor cannot bow before the vanquished, respecting the mystery of rise and fall in which the roles might be reversed; he must defile the enemy and execute him as a criminal. With the breakdown of the heroic and saintly spiritual morality of the Middle Ages, the ignobility of rational morality makes its appearance. And he cannot accept the irrationality of existence with defiance or resignation because he is lacking in spiritual intenseness. Neither does he have that negative awareness that makes Machiavelli feel his own spiritual limitation and protects him against the moralization of force, nor does he have the desirous soul of the

intellectual mystic that carries Bodin through the temptations of power toward the contemplation of the divine order in nature. Vitoria, thus, becomes doubly a traitor: he betrays nature when he refuses to recognize *polemos* as the father of things; and he betrays the spirit when he bends reason to justify the victor.

§8
Later Development of Intercivilizational Relations

In conclusion, a few words are necessary concerning the later history of the ideas developed by Vitoria. We can be brief for we have to do no more than remind the reader of the obvious. Throughout the analysis of the *Relectiones* we felt that the pattern of economic and civilizational penetration had a familiar ring. This does not mean that the work of Vitoria had a direct influence on the methods used by Western powers in their assaults on India, China, and Africa.

Such methods come easily without recourse to a textbook. It means that we recognize in Vitoria the first representative, systematic elaboration of the pattern of penetration that has been followed by Western powers in their intercivilizational relations during the last four centuries. As far as this war of the West against mankind is concerned, it looks as if the present fifth century of its duration will be its last. Still, what the ultimate result of this longest war will be, we cannot even surmise; we can only record some of the intermediate results that have become visible. Certainly, the comparative seclusion of the several human civilizations is destroyed; certainly, the ascendancy of power lies still with the West; and certainly, one sector of Western civilizational content is penetrating and transforming non-Western civilizations, that is, the sector of science and technology. Beyond this point only guesses are possible, especially with regard to the questions of to what extent the penetration by the humanly peripheral content of science and technology has affected, or will affect, the spiritual nucleus of foreign civilizations, and to what extent the West is affected, or will be affected, by the breakdown of its own seclusion and by the closer acquaintance with foreign civilizations.

One effect on non-Western civilizations, however, has become visible in recent years, and it deserves special attention because it may be a symptom of things to come. Moreover, this effect has already had disastrous repercussions within the West itself. Foreign civilizations seem to be able to imitate not only Western science but also the Western pattern of intercivilizational

relations that was developed during the last four hundred years. The two foreign civilizations that Westernized themselves in time before they could be victimized, the Russian and the Japanese, have displayed a surprising ability of following the Western pattern of imperial penetration and conquest. The pattern may be followed by other civilizations in due course when they develop science, industry, and rational administration. We experience the repercussions of this imitation not only on the world scene where non-Western civilizations enter into imperialistic rivalry with the Western but also within the West itself. The debt that the methods of National Socialism owe to Russian communism is acknowledged; and we may also acknowledge the debt that Russian expansionism in recent years owes to the methods of National Socialism. And the influence of the Japanese expansion in Chinaaggravated by

the failure of the League of Nations to deal with it adequately in 1931on the rise to power and the subsequent expansion of National Socialism is perhaps less widely recognized but none the less real. We can see now the value of our terminological distinction between interstate and intercivilizational relations. The current terminology of international relations implies the tacit assumption that interpolity relations develop historically in the direction of the pattern that Vitoria suggested in outline for relations between Christian republics. The uncritical terminology obscures the decisive empirical fact that interpolity relations develop, at least at present, in the direction of the intercivilizational pattern, and that with the rise of National Socialism this pattern has invaded the relations between the Western powers themselves.

5
Man in History and Nature

§1
The Problem of Modernity

Toward the end of the sixteenth century a change in the intellectual atmosphere makes itself felt that cannot be traced to a single event or a single thinker as its cause; it appears rather as the cumulative effect of shifts in sentiments and ideas that have occurred during the preceding two centuries. This change of atmosphere, furthermore, does not yet assume the form of a new systematic view of man and the world; the crystallization into systematic form takes place only in the seventeenth century; it expresses itself rather in the disintegration of certain medieval views and in a groping for new directions. The complexities of the intellectual situation must not deter us, however, [from approaching] the problem of the atmospheric change, for precisely in this fluid field of sentiments and ideas we shall find the roots of the new view of man in his universe that we have to designate as the specifically "modern" view.

The problem of "modernity" to which we have referred in this preliminary fashion obviously cannot be reduced to a simple formula. The chapter "The People of God" has already revealed some of the complications,[1] for one of the most important components of the "modern" complex of sentiments, the free sectarian spirituality, is not "modern" at all if by modern we mean an attitude that follows in time the medieval, but is a medieval element that rises from the subinstitutional to the institutional level. Modern is not the anti-ecclesiastical spirituality itself but rather the change of its social relevance. And only when sectarian spirituality becomes socially so effective that it leads to a schism of the church do we encounter

[1] See vol. IV, *Renaissance and Reformation,* 131214.

as a result sentiments and attitudes that can be called modern in the sense that they did not exist before the split in the medieval unit of the church. The experience of a plurality of churches, each claiming to represent the true faith, becomes a decisive factor in the growth of such phenomena as mystical religiousness beyond dogmatic differences, tolerance, skepticism with regard to spiritual authority, religious indifferentism, and agnosticism.

Similar complexities arise when we gauge the influence of the humanistic revival of classic sources on the formation of modern sentiments. In a first approach we would have to say that a new body of knowledge was introduced that enlarged the intellectual horizon, and that the very fact of this introduction shattered the self-contained security of standards through the awareness of a rival and superior civilization: The experience of a plurality of civilizations has effects resembling those of the experience of a plurality of churches. But the influences of a

revived antiquity are not exhausted by the enlargement of the horizon or by a loss of assurance in the face of a plurality of civilizations. We have to take into consideration also the reaction against antiquity that is quite as essentially a part of the humanistic movement as is the main tendency of revival and acceptance. The revival of antiquity was experienced as the opening of a world of civilizational wonder, but it was also experienced, with increasing penetration, as a deadweight on the will to live in the present. The compound of sentiments that may be called "modern" contains a will to self-assertion against the ancient model that is not less strong than the will to overcome medieval limitations by means of the model. The very opposition to antiquity has sharpened the consciousness of modernity.

The renewed acquaintance with ancient sources, furthermore, not only served the advancement of learning, the formation of rational attitudes, and the openness to experience but also revived the world of cosmology and Hellenistic astrology. The Renaissance was, well to the end of the seventeenth century, the age of astrology; and at times, and in certain regions, the astrological creed was of equal importance with Christianity. This submovement of humanism enters into a variety of relations with the other trends of the age. From the ancient celestial myth, with its cult of the central sun-god, seems to have derived a component, however extenuated, of the sentiments that motivated the heliocentric conception of the cosmos. And the mathematical rationalization of the heliocentric

conception was, in its turn, instrumental in overcoming both the biblical cosmology and the astrological components of the ancient conception.

The astrological movement and the reaction against it are, furthermore, curiously intertwined with Christianity. The reaction against the astrological-Christian syncretic creed of the fifteenth century stems both from humanism and from Christianity. In the 1490s Pico and Savonarola, side by side, protested against [this creed] in the name of the secular dignity of man and of Christian spiritual freedom. A century later the constellation has changed. The ancient cosmology is purified and transformed by this time into the modern heliocentric astronomy, and Christianity is purified by the Counter-Reformation. Astrology has become the common enemy, but the sharpened Christian awareness is now in opposition to the heliocentric conception and clashes with it in the cases of Bruno and Galileo.

The pattern of currents, crosscurrents, and countercurrents, thus, is extremely intricate. Nevertheless, we can discern a point toward which the various trends converge, and we can isolate the common factor that determines the convergence. The common factor is the growing awareness that man is the origin of meaning in the universe, and at the point of convergence arises an image of the universe that owes its meaning to the fact that it has been evoked by the mind of man. This new awareness, which we shall designate by the term *modern,* constitutes a radical break with the medieval image of the closed universe in its dimensions of nature and history. The medieval idea of the closed cosmos gives way to the idea of an open, infinitely extending universe evoked as a projection of the human mind and of its infinity into space. And the medieval Christian idea of a providential, straight line of history ending in the eschatological crisis gives way to the idea of an intramundane history determined by the same natural forces as man himself. This shattering of the old world of objective meaningthat is, the stable framework of a divinely created, closed cosmos and a history guided by divine providenceand the subsequent evocation of the new world of meaningthat is, a nature and history that owe their structure of meaning to mando not, however, occur, as we have seen, through one grandiose, evocative act of a single thinker. The transition has the character of a slow process marked by the pangs of creation: by a despondent pessimism stemming

from the consciousness that an epoch comes to its end, by the shudders of anxiety that accompany the leaving of a safe abode and the uncertain first steps into the unknown, by the optimism and confidence that stem from self-conscious action and the discovery of the strength to grapple with a new situation, by a joy of adventure in sensing new possibilities, and by the exuberance of successful creation.

Hence, in the following pages we cannot give simply the outlines of a new view of nature and history. We rather have to follow a tortuous path of problems, of sentiments and ideas, winding its way through the literary expressions of a century and a half, that is, from the middle of the fifteenth to the end of the sixteenth century. We shall begin with the misgivings about the meaning of history that were aroused in the minds of humanists by the rise of Turkish power and by the appearance of Timur. The magnitude of these events overshadowed everything that occurred in the West and let the Western preoccupation with ancient models appear as a somewhat futile provincialism. The attempts at a reinterpretation of history, in the work of Poggio and Le Roy, had to fall back on such categories as the *fortuna secunda et adversa* and on the idea of rhythms of history that are subrhythms of the cosmos. This revival of Hellenic

cosmological categories in the interpretation of history will, then, lead us to the general problem of astrological interpretation in politics; and the problem of astrology in its turn will compel a consideration of the Copernican cosmology because the new mathematized interpretation of nature is the potent dissolvent of astrology. From Copernicus we proceed to an analysis of the grandiose analogical construction of nature and politics, of the closed cosmos and the closed sovereign state, in Bodin's *Universae naturae Theatrum*. This late work of Bodin stands on the divide between the natures of humanism and of mathematized science. The religiousness of Bodin has withdrawn from the warring Christian churches into a nondogmatic mysticism of nature. The attitude is specifically "modern" insofar as it has its roots in the new atmosphere of supraconfessional tolerance; and in his attempt to found the vision of a new political order on the idea of a stable order of nature, Bodin has even to be put by the side of the great thinkers of the seventeenth century who made this problem the center of their systematic thought. But the nature that furnishes the model of order is still the Hellenic closed cosmos; it is the last time that Hellenic

nature determines in a representative manner the ideas of man and politics, and Bodin's work marks the end of the humanistic phase of politics. The trend that presses beyond the humanistic horizon is the development of astronomy and mathematics. Hence, we have to deal with the destruction of the Hellenic closed cosmos in the section on Tycho de Brahe, and with the anti-Hellenic development of mathematical speculation in the section on mathematics. The result of this opening of the cosmos was the great outburst of metaphysical speculation on the infinite; with this outburst of the new speculation we shall deal in the section on Giordano Bruno. The analysis of Bruno's work, finally, will be followed by some concluding remarks that anticipate the speculation on the infinite in the ontology of the eighteenth century.

§2
Poggio Bracciolini

a
Fame

We may open the survey with a letter by Poggio that is to be dated by the middle of the fifteenth century. The letter reflects on the relative merits of military and literary activities for the acquisition of lasting fame with posterity. Poggio does not wish to decide which of the two

is the more valuable intrinsically; he simply finds that solid fame can no longer be acquired by a military life because the most grandiose feats of rulers and generals are forgotten within a generation for lack of historians who record and praise them properly. As evidence for this state of things he refers to the deeds of Timur, which are practically forgotten, though his victories lie back fewer than fifty years. His military achievements surpass anything that has occurred in antiquity; nevertheless their memory has all but vanished. Hence, the most laudable activity will be one that does not depend on the aid of others to be preserved for posterity, and the reflection concludes with an exhortation to cultivate the letters.[2]

There is nothing extraordinary about the sentiments voiced in this passage. The concern about fame and the weighing of the relative merits of military and literary virtues for achieving it are a standard topic of the age. The passage is of interest precisely because

[2.]*Poggii Florentini Oratoris et Philosophi Opera* (Basel, 1538), 344 ff.

of its typical character.[3] Ever since the thirteenth century, the desire [to develop] an intramundane meaning of life had been growing, and now, by the middle of the fifteenth century, fame had become the first generally accepted symbol for expressing [this] sentiment. The intramundane afterlife of fame is replacing the life beyond. Salvation by fame, however, is precarious, just as is salvation by Grace; many are called, but few are the elect. The orientation within the world requires no less a theology of fall and redemption than does the transcendental orientation. In the distinction between the merits of military and literary virtues we sense a transformation of the *contemptus mundi*. The world itself reveals now a stratification into a region of unstable achievement and one of saving achievement. For the realm of ruling and military action is for Poggio not only mediated in its value because it is dependent on the historian for the grace of fame but also governed by an order that makes it intrinsically a realm of misery. In this realm, the man who is successful achieves his glory at the expense of the opponent who goes down in defeat, and the fate of the vanquished may be in the future the fate of the victor of the moment. This realm of action is governed by *fortuna,* the unpredictable goddess who may favor one man as the *secunda* and break another man as the *adversa;* and there is no preestablished harmony between good and bad fortune and the merits of a man and his aims.[4]

There is a certain pagan nobility in this early intramundane orientation. It disappears in the later speculation on the structure of intramundane action under the impact of the Reformation and of urban, competitive society. By the nineteenth century the biological formula of the survival of the fittest has replaced the Renaissance speculation on the *fortuna secunda et adversa,* and the survival of the fittest implies the plebeian assumption that he who survives is the better man. Poggio is still aware of the tension

[3.] On the problem of fame see Jakob Burckhardt, *Die Kultur der Renaissance in Italien,* ed. Horst Günther (Frankfurt: Deutscher Klassiker Verlag, 1989), pt. II, chap. 3, "Der moderne Ruhm." English translation: *The Civilization of the Renaissance in Italy,* trans. S. G. C. Middlemore (London and New York: Penguin, 1990).

[4.]*Poggii Bracciolini Florentini Historiae de varietate fortunae libri quatuor* (Paris, 1713), 25 ff. See on this question Ernst Walser, *Poggius Florentinus, Leben und Werke* (Leipzig: B. G. Teubner, 1914), 237 ff., and Werner Kaegi in his introduction to Ernst Walser, *Gesammelte Studien zur Geistesgeschichte der Renaissance* (Basel: Benno Schwabe Co., 1932), xxvi. For the interconnectedness of the *fortuna secunda* of the victor with the *fortuna adversa* of the defeated see Poggio's *De humanae conditionis miseria,* in *Poggii Florentini Opera* (Strasbourg, 1513), fol. 45r.

between fate and value; he is sensitive to the tragedy of history; and there is something alive in him of the Polybian shudder in the face of victory. In the later adoration of success the two dimensions of action, victory and value, are made to coincide and the flow of action becomes untragically progressive; the plebeian victor does not like to see the shadow of *fortuna;* he wants to be the victor by his merit. Poggio's pessimism with regard to the misery of human life gives way, first, to the hypocritical optimism of competitive society, which overlooks the sacrifices brought to progress, and, later, to the frank brutality of the collectivist era, which acknowledges with a shrug that shavings will fly when planing is going on.

b
Europe and Asia

The development from the partial immanentism of the fifteenth to the total immanentism of the twentieth century is, however, only one line that can be drawn from the passage of Poggio as the starting point. The preoccupation with the problem of fame goes, in itself, further back. A century earlier Petrarch wrote his *Trionfi,* and a suggestion may be even gleaned from Dante's

Monarchia.[5] By the time of Poggio, however, a new factor had entered the situation and bent the sentiments in a new direction. In the passage in question, Poggio gives as the example of military greatness soon forgotten the rise of Timur. A rich train of reflection originates in the history of Timur and his fame. The victories of Timur surpass, in the opinion of Poggio, the most famous battles of antiquity by their magnitude as well as by their generalship. Nevertheless, the world is filled with the fame of Marathon and of Alexander, while Timur is an almost forgotten figure. What, then, is fame? We have already considered the train of thought leading from this consideration to the praise

[5.] Dante, *De Monarchia* I.1: "Omnium hominum in quos amorem veritatis natura superior impressit, hoc maxime interesse videtur, ut quemadmodum de labore antiquorum ditati sunt, ita et ipsi posteris prolaborent, quatenus ab eis posteritas habeat quo ditetur" (In the case of all men whose superior nature imprints the love of truth, it seems of great interest that as they are enriched by the labor of the ancients, so they themselves have labored on behalf of posterity, so that posterity might be enriched by them). The passage is of interest not only because it shows Dante's concern to enrich posterity but also because of the pronounced rivalry in this endeavor with the ancients. The paragraph goes on to ask: what sense could there be to demonstrate again what the ancients have demonstrated already? We have to do something new. And the new in this case is the exploration of the notion of a temporal monarchy. For further discussion on this question, see the section on Poggio in vol. IV, *Renaissance and Reformation,* 4652.

of literary achievements. Another train, now, leads in an almost opposite direction. Why should the fame of antiquity, conferred by the ancient historians, be final? If so much greater actions are close at hand, why should we admire the lesser feats of the ancients? And why should we set so much store by the ancient authors, if all we have to do to equal them in greatness is to tell the story of our own time? The pride of the age breaks through and revolts against the oppression by the ancient model. It is a desperate pride that the time may be miserable but that at least in the measure of its misery it is superior to antiquity.[6]

The relevance of antiquity becomes doubtful; and it becomes doubtful not because of a newly discovered grandeur in the European scene itself, but because of the Asiatic events that touch the fate of the West most intimately. The great Western crusade of 1396 had ended in the disaster of Nicopolis, and in the following years the Turks advanced into Greece; the advance was stopped for the time being by the sudden Mongol invasion of Anatolia and by the defeat of Bayazid I at the hands of Timur in the Battle of Ankara in 1402. By the middle of the century

the Turkish advance was renewed; Constantinople fell in 1453, and the Turkish danger to central Europe, with the sieges of Vienna in 1529 and 1683, lasted until the end of the seventeenth century. The disorder of Europe in the shadow of the Asiatic danger has impressed itself deeply into the sentiments of political thinkers, though the impression was submerged for the wider public by the ecstasy of the overseas expansion of the Atlantic powers: This impression introduces an element of pessimism into the compound of modern sentiments, an apprehension of impending doom that will befall the West as a whole in spite of the grandiose expansion and advancement of rational civilization. In Poggio we notice its beginnings. A blight befalls the glory that was Greece and Rome when the production of ancient authors is no longer seen aesthetically as a civilizational heritage of model value but when instead the eye penetrates to the realities reported in the works of the ancient historians. Then the old European-Asiatic struggle comes into view, as recorded since Herodotus, and the reality of the present is experienced as a continuation of Greco-Roman reality on a vaster scale. Timur

[6.] See for the attack on the achievements of antiquity and on the ancient historians, *De varietate fortunae,* 77, 37 ff.

moves into the position of Xerxes,[7] and the West emerges from the enclosure of its imperial finality into the openness of a world scene on which mightier emperors threaten the existence of Europe; Asia becomes again a determinant in the meaning of history and politics.

While Timur moves into the role of Xerxes, there is no European force to act as the counterpart of Athens, or Sparta, or Macedonia. The Asiatic events exert a peculiar fascination because the disorders of Italy, France, and the empire do not furnish a comparable spectacle of the rise and fall of power. The great age of internal Western coherence is past, and the dissensions make themselves felt that undermine the pathos and the striking power of a united West. Poggio's turn against antiquity is at the same time a turn against Europe, a shifting of the accents of interest toward Asia. This fascination will become clearer if we remember a formulation that the same sentiment had found in Hellas. In the *Alcibiades I,* sometimes attributed to Plato, Socrates speaks to Alcibiades: "When you have gained the greatest power among us, you will go on to other Hellenic states, and not only to Hellenes, but to all the barbarians who inhabit the same continent with us. And if the God were then to say to you: Here in Europe is your seat of empire, and you must not cross over into Asia or meddle with Asiatic affairs, I do not believe that you would choose to live upon these terms; but the world, as I may say, must be filled with

your power and name—no man less than Cyrus and Xerxes is of account with you."[8] And then Socrates explains to Alcibiades that his ambition is vain, for he is no match to the figures who really dominate the world scene, either by birth, or by wealth, or by education: "O my friend, be persuaded by me, and hear the Delphian inscription, 'Know thyself'—not the men whom you think, but these kings are our rivals."[9] Through the differences of circumstance we can discern a historical situation similar to Poggio's. In the fifteenth century, a European-Asiatic historical relation is reactivated that had remained dormant in the Hellenistic-Roman time and again in the centuries of imperial Christianity following the migration

[7.] See Poggio's *Letter* in *Opera* (Basel, 1538), 344 ff.: "Maximas vastavit nationes, regna plura in suam ditionem redegit, habuit numerum militum parem Xerxi" (he laid waste the greatest nations, reduced many kingdoms to his sway, and had had an equal number of soldiers as Xerxes).

[8.] *Alcibiades* I.105 (Jowett translation).

[9.] Ibid., 124.

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period. Roman-Christian universalism, with its linear construction of history, is now seriously disturbed by the emergence of the Asiatic "parallel" history.

§3
Louis Le Roy

In the century after Poggio, the historical literature remembers Timur frequently, and in the chapter on Machiavelli we have seen the *Vita Tamerlani,* the standardized model life of Timur, penetrating into the image of Castruccio Castracani and determining the new idea of the Prince.[10] In a more elaborate form the Asiatic problem reappears, at the end of the sixteenth century, in the work of the late humanist Louis Le Roy. The determinants of the new historical situation have become more clearly established by this time, and the sentiments have consequently become more articulate. On the one hand, the internal European situation had deteriorated since Poggio: while the efficient French absolutism of Louis XI could still be a model for Machiavelli and inspire the hope that someday the disorders of Italy would be subdued by a similarly effective prince, France herself had now moved into the zone of civil disorder through the religious wars of the sixteenth century. On the other hand, the Turks had meanwhile conquered the Balkans and Hungary, and historical knowledge had increased, so that Le Roy was aware not only of the current Turkish danger but also of the danger that had

threatened Europe during the Mongol invasion of the thirteenth century.

a
Pessimism and Optimism

The consciousness of the internal disorder, combined with the Asiatic menace, induces in Le Roy a profound pessimism and inspires apocalyptic visions of an end of European civilization: "I can see already in my mind peoples strange of form, color, and garb descend on Europe, as did formerly the Goths, Huns, Lombards, Vandals, and Saracens, who will destroy our towns, cities, castles, palaces, and temples, change our customs, laws, languages, and religion, burn our libraries, ruining everything they find beautiful in the countries occupied by them, in order to destroy their honor and virtue *[vertu]*.

10. See vol. IV, *Renaissance and Reformation,* 5559.

I foresee wars arising everywhere, domestic and foreign; factions and heresies raising their heads that profane everything they find divine and human; famine and plague threatening the mortals; the order of nature, the regularity of celestial movements, and the harmony of elements disrupted; on one side deluges coming, on the other excessive heats and violent earthquakes; and the universe approaching its end by one or the other disorder, bringing about the confusion of all things, and reducing them to their ancient chaos."[11]

This apocalyptic pessimism is crossed in the sentiments of Le Roy by a civilizational optimism. The humanist is profoundly impressed by the enlightenment of his age. During the preceding one hundred years not only have things come to light that formerly were covered by the darkness of ignorance *(les tenebres d'ignorance)* but things also have been discovered that were unknown even to the ancients such as new oceans, countries, races, customs, laws, minerals, vegetables, animals, celestial bodies, and above all the three great inventions of the age: the printing press, gunpowder, and the compass.[12] The distinction between things that were known to the ancients but covered by ignorance in the intermediate age and others that were unknown even to the ancients implies the opposition of the enlightened modern age to the dark period of the Middle Ages (which was not yet known by that name), as well as the opposition of superior modern knowledge to the restricted knowledge of antiquity. A new situation has arisen for Le Roy that sets off the modern world against both the medieval and the ancient. Many people, he observes, expect something extraordinary to happen, now that relations have been

established between all continents of the earth, and the expectation is supported by the appearance of marvelous celestial phenomena.[13]

b
Civilizational Epochs

The optimism with regard to the civilizational advancement of the age is curiously connected in the ideas of Le Roy with the same Asiatic events that induce the pessimism. The appearance

11. Louis Le Roy, *De la vicissitude ou varieté des choses en l'univers* (Paris, 1576), fol. 114v.

12. Louis Le Roy, *Considerations sur l'histoire françoise* (Paris, 1567), fol. 9r.

13. Ibid., fol. 8r. This, as well as the previous passage, is from the preface dedicated to Catherine de Medici.

of Timur gains a new significance for the periodization of history because Le Roy assumes that every great epoch is opened by the manifestation of a great warring power, and that the flowering of a civilization comes only in the wake of the warring phase. Alexander and his conquests opened the period of Hellenism; Caesar, that of the Roman-imperial civilization; and Timur marks the beginning of the modern age. "And as we recognized the other ages by the appearance of an illustrious warrior and of a great power that marks each epoch *[chacune mutation],* so it seems to us that the marvels of our age should begin with the great and invincible Tamerlane, who frightened the world with the terror of his name about the year of the Lord fourteen hundred."[14] During his reign began the revival of the languages and the sciences, and the first to devote himself to this work was "Petrarch, who opened the formerly closed libraries and removed the dust from the good books of the ancient authors."[15] The construction is of importance under several aspects. First, it is an attempt at an articulation of historical ages in other categories than the Christian. Le Roy's ages are neither the *saecula* of sacred history nor the empires of profane history. They are civilizational epochs. Second, the epochs are marked by the figures of the great conquerors. While there are not to be found in Le Roy's works any traces that would betray a knowledge of Joachitic speculation, the analogy between the "illustrious warriors" opening a civilization and the Joachitic *dux* opening a providential period is too obvious to be neglected. The works of Joachim had been reprinted at the beginning of the sixteenth century in response to an interest awakened by the Reformation. The idea of the *dux* must have been afloat and, by one or the other channel, may have reached the knowledge of Le Roy. One would have to consider also in this connection the suggestive

three: Alexander, Caesar, Timur. Third, the choice of Timur as the leading figure of the modern age reduces, just as with Poggio, the relevance of the continuous Western linear history and integrates the Western problems into the larger context of Eurasian history. Altogether, the construction reveals the strength of intramundane sentiments in the speculation on history and the extent to which the Christian pattern has dissolved. The facts selected as relevant for the determination of "ages" are, on the

14. *De la vicissitude,* fol. 97r.

15. Ibid., fol. 98r.

one side, discoveries, inventions, and advancements of knowledge; on the other, political events outside the European scene proper.[16] Moreover, the tension between optimism and pessimism induced by these two complexes of facts is already, in principle, the tension that still today determines the conflicting opinions concerning the progress or decadence of our civilization. In the course of the discussion of Spengler's *Untergang des Abendlandes,* we find a willingness to accept Spengler's pessimism with regard to the cultural cycle, while the thesis of civilizational advancement is maintained for the sphere of science and technical inventions.[17]

c
The Rhythms of Nature

In the construction of the civilizational ages, Le Roy expresses his intramundane sentiments on the level of concrete historical events. He goes, however, beyond the construction of a concrete pattern of history and attempts a formulation of his position on the level of a general philosophy of history. This general philosophy has a considerable importance for us because it represents an early attempt at substituting consciously the idea of eternal recurrence for the Christian vision of the destiny of mankind under the providential plan of fall and redemption. The tension between the two evocations appears perhaps clearest in a passage in which Le Roy tries to protect his non-Christian position against possible accusations of heresy by pleading his belief in the ultimate providential government of the world. In the opening paragraph of the *Vicissitude* he informs the reader that he is going to present the vicissitudes of things in the universe and the causes of their principal variations, but that nevertheless he "recognizes most humbly divine Providence ruling over all" and determining the affairs of the world to the last detail. In order to harmonize causality and providence, he

16. with regard to the outburst of technical inventions in the late Middle Ages, particularly with regard to the three great inventions (gunpowder, printing press, and compass), the opinion should be noted that it is due to cultural diffusion from China, as a consequence of the renewed contact with Far Eastern civilization through the Mongol invasion. Jean Pierre Abel-Rémusat believed that the Mongol invasion had the effect of breaking the spiritual and intellectual narrowness into which western Europe had fallen after the end of the Roman empire. See Abel-Rémusat, *Mémoires sur les relations politiques des princes chrétiens, et particulièrement des rois de France, avec les empereurs Mongols,* Mémoires de l'Institut Royal de France, Academic des Inscriptions et Belles Lettres, vols. VIVII (1822, 1824), 7:373, 414.

17. See Alfred Weber [the text cuts off here in the manuscript].

then offers an ingenuous construction: God has given an order to the world at its creation and he maintains the order by alternative changes so that the oscillations balance each other and "the eternal essence remains always the same and immutable."[18] The plea is not very convincing because the idea of a divinity that preserves the immutable essence of the world by means of rhythmic oscillations can hardly be called Christian even if it is named providence. The Christian vocabulary barely veils the conception of order in terms of natural rhythms. On other occasions, Le Roy reveals his idea more clearly: "Nothing lasts long in the same manner, nothing is exempt from change, neither the heaven, nor the earth, nor the constitution of the universe. However it may be guided by divine Providence, the universe does not preserve its order. . . . All things march by stated measure from birth, through growth, to death. . . . All that is, will not be, though it does not perish entirely. It rather is resolved, dying and living again."[19] Providence has moved to the second place, and an immortal substance of the world moves infinitely through the alternative forms of life and death, of growth and dissolution. "The composite will dissolve, and the dissolved will be composed, for the corruption of the one is the generation of the other."[20] The formulation and sentiment are close to the Heraclitean: "The way up and the way down are one and the same."

d
Eternal Recurrence

Under the cover of a commentary to Plato's *Timaeus,* finally, Le Roy has fully developed the idea of eternal recurrence. The Great Year is the cycle of the world, repeated over and over, so that all that happened once will happen again, and all that is happening now has happened in

the same manner in previous cycles.[21] In the application of this idea of the *magnus annus* to the destiny of man, there occurs the decisive reversal of the Christian meanings of finite and infinite, which leaves no doubt either about the sources of Le Roy's ideas or about their drift.[22] The destiny is for Le Roy

18. *De la vicissitude,* fol. 1r.

19. Louis Le Roy, *Exhortation aux François pour vivre en concord, et jouir du bien de la Paix* (Paris, 1570), fol. 26r.

20. Ibid.

21. Louis Le Roy, *Le Timée de Platon* (Paris, 1581). I have used this edition of 1581; there exists, however, an earlier one of 1551.

22. The disquisition on destiny is a longish excursion on the "laws of destiny" in *Timaeus* 41e. It occupies fols. 47v55v in the 1581 edition of *Le Timée*.

the finite and limited essence of the world; "for neither law, nor reason, nor other things divine would be infinite."[23] The divine, the reasonable, the essential are for Le Roy, in the Hellenic tradition, the measure that imposes limits and form on the infinity of matter; the unmeasured infinite is the chaotic to be organized by divine, limiting order. In the light of this reversal, we have to understand such formulations as the following: "For as the movement of the circle is a circle, and time itself is a sort of circle, so may the reason of things, which occur in a circle, be rightly called a circle."[24] This circle of destiny is the "great" or general destiny, not the destiny of the individual thing or person. The general circle of reason may be compared, therefore, to civil law: for civil law, "first, governs most of the things, if not all, by supposition; and, second, it governs all things, as far as possible, that pertain to the public in general."[25] The concrete cases are codetermined by the general law because they lie in its consequence. "The destiny does not comprehend all things clearly and expressly, but only the universal and general ones."[26] The finite is the character of divine wisdom, and so it is of the divine and civil law; "and the infinite is in the individual and single things."[27] The finite divine essence determines eternally the order of the world and of mankind. It is not a static order only, but an order in time. Hence, the historical order of events is not history at all in the Christian dramatic sense but is in itself an essence to be realized in eternal recurrence. Both time and space are the images of God *(images de Dieu),* the time of God's eternity, the space of his substance. "For God, insofar as he moves, is time; insofar as he exists, he is the spatial world."[28]

We said that Le Roy's is an early attempt at substituting in the interpretation of history the idea of eternal recurrence for the

23. Ibid., fol. 48r.

24. Ibid., fol. 48v.

25. Ibid., fol. 49r.

26. ibid., fol. 49r. This last formulation is a protection against the possible accusation that the author favors the *pars genethlialogica* of astrology, that is, the judicial astrology that makes predictions with regard to individual destiny. For the divisions of astrology see Ptolemy's *Tetrabiblos,* bk. II; it was frequently reprinted in the sixteenth century, for instance in Nuremberg in 1535 and in Basel in 1551, in the translation of Joachim Camerarius.

27. Ibid., fol. 49v.

28. Ibid., fol. 42r. Time and space are still the dimensions of God in Newton's physics. An aftermath of Newtonianism is probably to be found in the nineteenth century in Schopenhauer's assumption of time and space as the fundamental dimensions from whose interpenetration results the causality of the empirical world.

Christian drama of fall and redemption. We can now determine his position more precisely. The idea of the recurrent world cycles had been revived as early as the thirteenth century by the Latin Averroists, as we have seen in the chapter on Siger de Brabant.[29] At the time, however, the idea had been repressed severely and successfully as being heretical, though it still appeared in a surreptitious fashion in the *Defensor Pacis* of Marsilius of Padua. Now, with Le Roy, we find it elaborated completely and applied in a comprehensive work to the interpretation of historyfor the first time, as far as we know. For Le Roy, the world has become again transparent for transcendental reality in the Hellenic direction of nature instead of in the Christian direction of the soul. Not the drama of the soul [but the rhythm of nature] furnishes for Le Roy the categories of historical articulation. This is the first clear, though somewhat restrained, manifestation of the sentiments that later express themselves fully in the person and the work of Nietzsche.[30]

§4
Astrology

The inclination of Le Roy to discover the meaning of history in the rhythms of nature is not a unique phenomenon in its time. We have sensed in the ideas and formulations of the humanist a rich background of ancient cosmology and astrology that is the common possession of his age. We shall now refer, in a rather cursory manner, to a few instances that are apt to illustrate the pervasiveness of the cosmological and astrological revival.

[29.] See *The Collected Works of Eric Voegelin,* vol. 20, *History of Political Ideas,* vol. II, *The Middle Ages to Aquinas,* ed. Peter von Sivers (Columbia: University of Missouri Press, 1997), 178204.

[30.] J. B. Bury in his *Idea of Progress: An Inquiry into Its Origins and Growth,* intro. Charles A. Beard (1920, 1932; rpt. New York: Dover, 1955), 48, says in his summary of Le Roy, "He has no conception of an increasing purpose or underlying unity in the history of man, but he thinks that Providencethe old Providence of Saint Augustine, who arranged the events of Roman history with a view to the coming of Christmay, for some unknown reason, prolong indefinitely the modern age. He is obeying the instinct of optimism and confidence which was already beginning to create the appropriate atmosphere for the intellectual revolution of the coming century." It seems that this interpretation takes Le Roy's safeguards against persecution for the substance of his thought and does not give due regard to the new non-Christian sources of optimism and pessimism and their expression in Hellenic symbols.

a
Savonarola

We mentioned above the treatises of Pico and Savonarola against astrology, written in the last decade of the fifteenth century. The treatise of Pico is the earlier and was used extensively by Savonarola, but the treatise of the latter is of greater importance for us because it was addressed to the common people. What Pico did to bring the educated back from their error and indulgence, Savonarola wanted to do in a more popular fashion, in the *lingua volgare,* for the broader public.[31] This more popular treatise had become necessary, in his opinion, because the *pestifera fallacia* had befallen practically all the world.[32] The disease itself did not consist simply in the willingness of some people to have an occasional horoscope made, but rather in the habitual guidance of the *electio* by astrological advice. The *electio* is the free choice of action, and astrological guidance meant that people would decide on a course of action, positively or negatively, and on its timing, by recourse to the counsel of the stars. Such submission to the stars would undermine ethical responsibility, destroy the free personality, and be in open contradiction to the Christian principles of morality.[33]

In his attack on astrological practices and his defense of the Christian conduct of life, Savonarola is not satisfied with an exhortation. Both attack and defense are founded on a careful formulation of the theoretical issue. The practice of judicial astrology implies contradictions to Christian theology as well as to empirical science. In both respects Savonarola clarifies the issue. Men can predict effects

[31.] *Opera singolare del Reverendo Padre F. Hieronimo Savonarola contra l'astrologia divinatrice in corroboratione delle refutatione astrologice del S. conte Joan Pico de la Mirandola* (Venice, 1536), fol. 2v: "Mi sono acceso di fare quello io per li huomini vulgari: que lui ha fatto per li dotti" (I am all excited [lit up] to do for the common man what he has done for the learned). The attacks of Pico and Savonarola did not remain without answers; see *Defensio Astrologiae contra Joannem Picum Mirandulam. Lucii Bellantii Senensis Mathematici ac Physici Liber de Astrologica Veritate. Et in disputationes Joannis Picii adversus Astrologos Responsiones* (Venice, 1505).

[32.] *Opera,* fol. 2r.

[33.] "Sed et turpi quoque teneretur errore, quicunque electiones suas coelestibus, tanquam legibus subjiceret, ut vitae, actionum, studiorum, negociorumque suorum regulam, normanque inde peterent" (But he would also be held in disgraceful error whoever should subject his choices to celestial events as if to the laws, so as to seek from them [the actual events] the rule and hence the norm of his life, actions, studies, and business transactions). From *Apologeticus interpretis, in Hieronymi Savonarolae Ord. Praed. Opus Eximium adversus divinatricem astronomiam . . . Interprete F. Thoma Boninsignio Senensi eiusdem Ordinis* (Florence, 1581), 25.

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only where causal necessity prevails or where empirical regularities have been observed. With regard to contingent events, with regard to acts of God and of the free human will, certain knowledge of the future is reserved to God. "God embraces in his eternity all time." God knows the future, because to him it is not future but present, but the future is not knowable by created intellect, except insofar as the causality of nature makes its knowledge possible.[34] The issue lies between two ideas of nature: a Christian nature that is closed within itself, and does not include the realm of the soul, and a pagan nature that determines by its rhythms not only the body of man but his soul as well. Savonarola's distinctions foreshadow the constellation of problems for the next two centuries. In order to destroy the idea of astrological causality and to preserve intact the Christian soul, he has to analyze carefully the legitimate meanings of causality.[35] The analysis has the intention of setting off more clearly the soul beyond nature, but it serves inevitably also the methodological purification of the object of science. And the purification of

the object of science may result, once the sentiments are bent in an intramundane direction, not in a renewed life of the soul but in a submission of the soul to the categories of science thus purified.

b
Melanchthon

The resistance of Pico and Savonarola did not stop the movement of astrology. Wherever humanistic knowledge exerted its influence, we find men preoccupied with astrological problems. The result is sometimes a curious syncretistic anthropology, as in the case of Philipp Melanchthon, the humanist reformer. On the one side, Melanchthon is a reforming Christian and cannot accept the idea of a human will determined by the stars; on the other side he is a humanist willing to accept at least part of ancient science. He combines, therefore, an astrological psychology of passions with a Christian discipline that is supposed to overcome the natural inclinations. The stars, in his opinion, determine the "inclinations" of man, but they do not determine them absolutely. The human will can and should control the inclinations. "We do not

34. Savonarola, *Opera,* fol. 3r.

35. See his analysis of the four types of causes, ibid., fol. 1112.

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propose the idea of a fatal necessity, and we do not say that Nero was compelled to his crimes by the stars."[36] Theemperament, as determined by the stars, is a natural material that will be channeled into actions under the influence of other "causes." The instrument of further determination is the will that has to confirm or repress the natural inclinations; and the will in its turn will follow God or the devil in its course of confirmation and repression. "What is honest discipline if not the diligence in regulating life; and how can discipline be exerted unless the determining factors are understood?" Judicial astrology is useful because it supplies man with a knowledge of the natural constants of his character; and if man is thoroughly acquainted with his good and bad inclinations he will be able to regulate his life rationally.[37] Astrology becomes in the conception of Melanchthon a study of the natural personality; and the net result of his acceptance of astrology does not differ very much from Savonarola's rejection: the sphere of nature is more clearly penetrated and set off against the realm of the soul. On another occasion Melanchthon expressed himself in such a manner that hardly a doubt can be left about his

intentions: "It is not a deviation from Christian doctrine if we believe that all is governed by Providence and still do not disregard the operation of nature, as in the case of an ailing body: God has imparted life and motion to the body, but we can favor its functions by nourishing it with food, drink, and other things that protect life."[38] This is the attitude of a practitioner who builds a discipline of life on his knowledge of its natural conditions. On occasion of Melanchthon's attitude, we can observe the process in which a rational naturalism disengages itself from the astrological context.[39]

[36.] *Praefatio Philippi Melanthonis in librum Jo. Schoeneri de judiciis nativitatum, in Artis divinatricis, quam Astrologiam seu judiciariam vocant, encomia et patrocinia* (Paris, 1549), 56. This volume is a collection of "praises and defenses" of astrology; it presents a good crosscut through the pro-astrological sentiments at the middle of the sixteenth century.

[37.] Ibid., 52 ff.

[38.] In the preface to *Sphaera of Joannes de Sacrobosco,* in ibid., 61.

[39.] May I remark, in parenthesis, that the rich empirical study of personality types, contained in astrological psychology, is unduly disregarded by modern psychologists. The prejudice against astrological psychology is understandable but not entirely justified. We know from experience in our own time that a psychology can be empirically sound and even render excellent therapeutic results in spite of the fact that its metaphysical foundations are untenable, as for instance in the case of Freud's psychoanalysis.

c
Rantzau

The idea of natural rhythms was applied extensively to political and historical phenomena. An impression of the extent of this application can be formed in thumbing through Henrik Rantzau's *Catalogus*.[40] The *Catalogus* is a handbook of contemporary knowledge concerning the astrological aspects of politics. It consists of four principal parts. First comes the treatise that has given the title to the whole book, the *Catalogus* of princes and illustrious men who have cultivated the art of astrology.[41] The *Catalogus* is followed by a collection of *Testimonia* that show the influence of celestial constellations on the elements and on the bodies composed by them.[42] Then follows a collection of astrological predictions that have come true.[43] And, finally, there is added a *Treatise on the Climacteric Years,* which deals specifically with political and historical rhythms.[44]

The *Treatise on the Climacteric Years* is not a theoretical work but rather an overstuffed storehouse of factual information. Nevertheless, there is an order in the sequence of the facts, and we can infer a theory from the sequence. The theoretical basis of politico-astrological speculation is to be found in the assumption that human life can be articulated into climacteric periods of seven and nine years, the hebdomatic and enneatic periods. The periods can be distinguished as such because at the end of each period, at the transition to the next, an "inflection" occurs that produces a change of temperament.[45] The "great" crisis in life is marked by the sixty-third year, the *annus climactericus et enneaticus mag-*

[40.]*Henrici Rancovii Catalogus*. I am using the 2d ed. (Leipzig, 1584). The first edition was published in Leipzig in 1581. A third edition was published in Cologne in 1585. The book was still being reprinted in Leipzig in 1624.

[41.]*Catalogus Imperatorum, Regum ac Virorum Illustrium, qui artera astrologicam amarunt, ornarunt et exercuerunt.*

[42.]*Testimonia, quae ostendunt elementa, et quae ex his constant corpora, perpetuo affici a corporibus coelestibus: atque ab horum diverso positu, varias et diversas actiones tum fieri, tum hominibus denunciari.*

[43.]*Astrologicae quaedam praedictiones verae ac mira biles omnium temporum, desumptae ex Josepho, Suetonio, Tacito, Dione, Xiphilino, Cuspiniano, Jovio et aliis, ex quibus certitudo et veritas harum disciplinarum colligi potest.*

[44.]*Tractatus De annis Climactericis, et periodis Imperiorum, una cure variis exemplis Illustriorum virorum, qui annis illis, et praesertim anno aetatis suae 49. 56. aut 63. mortem obiere: Unde perspicitur, quomodo periodi illae circumactae insignes in Imperiis et Rebus publicis mutationes adferre soleant.*

[45.] For the ten seven-year periods, the inflections are detailed in the table of Censorinus, *Henrici Rancovii Catalogus,* 261.

nus, because it is the year in which the hebdomatic and enneatic periods coincide.[46] On this climacteric speculation with regard to the individual human life, then, is built the speculation with regard to the periods of world history. The editor gives a survey of biblical, rabbinical, Pythagorean, and patristic speculation on historical periods, and he takes particular pains to demonstrate the connection between the various periodizations. He interprets, for instance, the three two-thousand-year periods of the rabbinical speculation as six millennial periods; the one-thousand-year period corresponds to a day of God, on the basis of 2 Pet. 3:8, so that the speculation as a whole corresponds to the six days of Creation to be followed by the eternal

Sabbath and is, therefore, a subtype of hebdomatic speculation.[47] The connection is thus established between the creative phases of Genesis, the periods of world history, and the articulation of the individual human life. The concluding part of the treatise, finally, deals with the subdivisions of the great historical periods, under the title *De periodis imperiorum*.[48] Here we find extensive materials on the rhythms of reigns, especially on the seven- and fourteen-year periods of imperial and papal reigns, as well as on the duration and articulation of empires, which follow a 490-year rhythm. The summarizing passage of the whole book restates sweepingly the style of order pervading the universe from the creator, through the organization of the cosmos, down to the structure of history and politics, "for God is the founder of the natural order as well as the moderator of empires and of political affairs."[49]

d
Papal Constitutions

Most revealing for the sentiments of the age is the attitude of the Curia toward judicial astrology. In the time of the Counter-Reformation, the papacy pronounced itself on the question twice through constitutions. The first constitution, of 1586, condemns roundly the practice of judicial astrology as incompatible with the humility of a true Christian. A Christian should not attempt to pry

46. Ibid., 26268, contains a catalog of illustrious men who died in hebdomatic or enneatic years.

47. Ibid., 256 ff.

48. Ibid., 40849.

49. Ibid., 448 ff.

into the future, for God has reserved the knowledge of the future to himself in order to keep the *superbum animal homo* in fear and veneration of Divine Majesty. The constitution does not deny, however, the possibility of predictions; it denies only that they are the result of an astrological science; if predictions are made nevertheless, they must have been obtained with the aid of demons who by virtue of their finer intellect can foresee things that remain hidden to man; and that is a bad thing to do.[50] The second constitution, of 1631, deals with the more special problem of political predictions. The judicial prediction of events of political importance, such as the death of princes, and particularly of the pope himself, seems to have

been a flourishing business. Again the constitution does not deny the possibility of predictions; it only condemns the "nefarious curiosity" concerning the demise of high-placed persons. It threatens with severe punishment those who render *judicia* for the death of the Roman pontiff, and it describes generally the danger of such practices: for predictions concerning the life of a prince cause disquiet to him and are liable to arouse public disturbances because revolutionary-minded persons will make plans and even take actions on the basis of the predictions.[51] The problem is similar in nature to the one that is raised by modern public-opinion polls.

§5
Cosmology

a
Copernicus

Sketchy as this survey has been, it will have shown the pervasiveness of the astrological thought that resulted from the humanistic revival of ancient sources. We have to be aware of this pervasiveness if we want to understand the process in the course of which the nature of science disengaged itself from the nature of the humanists. The great evocation that marks the beginning of this process is the heliocentric conception of the cosmos as developed by Copernicus in his *De Revolutionibus,* of 1543. The actual historical meaning of the evocation is today somewhat misunderstood by the

[50.]*Constitutio S.D.N.D. Sixti Papae Quinti contra Exercentes Astrologiae Judiciariae Artem* (Rome, 1586).

[51.]*S.D.N.D. Urbani divina providentia Papae VIII: Constitutio Contra Astrologos Judiciarios, qui de statu Respublicae Christianae, vel Sedis Apostolicae, seu vita Romani Pontificis, aut eius consanguineorum Judicia facere, necnon eos qui illos desuper consulere praesumpserint* (Rome, 1631).

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broader public because there have been projected into the work of Copernicus ideas that today are associated automatically with the heliocentric conception but that actually were added to the Copernican evocation over the course of a century. Moreover, we project today into the work of Copernicus the emotions that were aroused by the condemnations of Giordano Bruno and of Galileo by the church, the first some sixty and the second some ninety years after the publication of the *De Revolutionibus*. Both types of projection, of later ideas and of later

emotions, have made the name of Copernicus the symbol for a specifically "modern" view of the world as compared with the medieval-Christian. In this perspective, however, the idea of "modernity" becomes oversimplified and some of its important components are lost.

In order to arrive at the nucleus of the Copernican achievement, we have to stress the fact that the heliocentric conception aroused considerable interest at the time, even before the publication of the work, but that the excitement about the heretical implications gained momentum only on occasion of the propagation of the system by Giordano Bruno, forty years later. Setting aside the numerous complications of the problem, we may say that the delay was caused by the circumstance that the principal "implications" that aroused the ecclesiastical resistance were not contained in the work at all, but were indeed later additions. These decisive additions were: (a) the idea of infinity of space and of the "plurality of worlds," introduced by Giordano Bruno; and (b) the deanimation of the cosmos through the mathematization of physics by Galileo and Descartes.[52] Only if we subtract these implications can we arrive at the Copernican problem proper: the simplified mathematical description of celestial movements by means of a heliocentric cosmology.

The problem obviously contains two components, closely inter-related but, nevertheless, to be distinguished clearly. The first is the scientific motivation to search for a theoretical interpretation

[52] A third point might be added that, however, did not interest the broader public. The theory of Copernicus was purely descriptive. The assumption of the sun as a center of force was added by Kepler. Kepler's conception put the ontological weight into the heliocentric description. See on this point Emil Wohlwill, *Galilei und sein Kampf für die Copernicanische Lehre,* vol. 1, *Bis zur Verurteilung der Copernicanischen Lehre durch die römische Kongregation* (Hamburg and Leipzig: L. Voss, 1909), 36.

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of astronomical observations that does away with homocentric and eccentric circles, with epicycles, and so forth, and permits a strict economy of fundamental assumptions. The second is the use of the heliocentric conception for the purpose. Both are psychologically interrelated insofar as the scientific motivation must have been strong enough to use the heliocentric conception in the face of the resistance of common sense, as well as of the authority of the Ptolemaic and the biblical cosmology.[53] The interest is usually focused so strongly on the second component that the first is somehow taken for granted in spite of the fact that it supplied

the motive force and that in its strength lies the greatness of Copernicus. The heliocentric conception as such was a heritage from antiquity and belonged to the common stock of humanistic knowledge; its new importance is due to the merger with a mathematically elaborated theory of celestial phenomena; and the merger could be achieved because the will to an intramundane, rational orientation was strong enough to overcome the forces of tradition. Hence, the achievement of Copernicus is twofold. As far as the content of his theory is concerned, the heliocentric view replaces the geocentric. As far as the motivation is concerned, the intramundane orientation of science outweighs in strength the transcendental Christian orientation, which, in its *contemptus mundi,* is willing to put up with a traditional cosmology, irrespective of its theoretical deficiency; the *amor Dei* gives way to the *amor mundi*. In the line of this deflection from the transcendental to the intramundane, anthropocentric orientation, we still see Kant, at the end of the eighteenth century, interpret his reorientation of metaphysics from the old ontology to the critique of reason as a Copernican reorientation.[54] Kant's self-interpretation draws only on the more general analogy of an inversion of point of view, but his critical attempt is, indeed, an expression, for the problems of metaphysics, of the Copernican sentiment that inclines toward an anthropocentric order of science as the determinant for a view of the world.

The intramundane anthropocentrism of science, the sentiment of

[53.] See for the two components and their interrelation the *Praefatio* of Nicolai Copernici Torinensis, *De Revolutionibus Orbium Coelestium,* bk. VI, Nuremberg: Apud Joh. Petreium, 1543.

[54.] Kant, *Kritik der reinen Vernunft,* preface to the 2d ed. English edition: *Critique of Pure Reason*, trans. F. Max Müller (Garden City: Doubleday, 1966), xxxiii.

"mathematics for the mathematicians,"[55] dominates the thought of Copernicus. The other component, the heliocentric content, makes itself felt only in a comparatively conventional, humanistic form. Certainly, the heliocentric description replaces the Ptolemaic, but for the rest the cosmos of Copernicus is still the Hellenic sphere, "because everything has the tendency to limit itself in this form,"[56] and the shell of the cosmos is the sphere of the fixed stars.[57] There is one passage, however, that deserves attention in a history of political ideas, the passage praising the sun: the sun is in the center of the whole; and who would place the sun anywhere but in the center of this most beautiful temple from where it can illuminate everything? "Trismegistus calls it the visible God." "And thus the sun, holding court as it were on a royal throne, governs the

family of celestial bodies circling around it."[58] The image of the sun holding court like a king is reversed a century later by the *roi soleil* in the image of the king holding court like the sun surrounded by the stars.

b
Bodin

aa
Science and Contemplation

If we consider that Copernicus was moved to adopt the heliocentric description by the requirements of systematic order, we shall not be surprised to see that the new theory was received with coolness by thinkers who were in possession of other principles of order than the mathematical. For a contemplative mystic like Bodin, the Copernican theory was more of a nuisance than an achievement, because the mathematical aspect did not interest him while the structure of the Hellenic cosmos as such was not changed

[55.] Copernicus, "Mathemata mathematicis scribuntur," in *De Revolutionibus,* preface.

[56.] Ibid., bk. I, chap. 1: "Quod mundus sit sphaericus," fol. 1r. For the spherical form of the cosmos see any of the cosmologies available at the time: Ocellus Lucanus, *On the Nature of the Universe;* Timaeus of Locri, *On the Soul of the Cosmos;* and Aristotle's *Cosmos*. The three works were still printed together as the classics of ancient cosmology, with the French translation of Charles Batteux (Paris, 1768).

[57.] *De Revolutionibus,* bk. I, chap. 10, fol. 7v.

[58.] Ibid., fol. 9v. See on this question Alexandre Koyré, "Nicolas Copernicus," *Quarterly Bulletin of the Polish Institute of Arts and Sciences in America* 1:4 (July 1943): 25 f.

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by the new description. "In what way can the tables of celestial movements be corrected whether the earth is mobile or immobile? Whether there are epicycles or not?" "For if the pilot leaves port and takes his course toward the high sea, and if he thinks that the port moves back while the ship does not move, as the poet says: *urbesque domusque recedunt*there will always be the same distance from the ship to the port as from the port to the ship."[59] The argument is a direct polemic against Copernicus, who had used the passage from Virgil in order to argue that the earth is the moving ship and the sun the firm point of reference.[60] Bodin could be indifferent, and even hostile, to the new theory because nature was to him not an object of

mathematical investigation, but an object of contemplation and speculation. In the dedication of the *Theatrum Naturae* he declares the constitution of nature to be the table of creation, revealed by God to the eyes of all that they might recognize his majesty, his power, and his provision for all things, the greatest as well as the smallest. Many will be blind to the truth of the *divina historia* as revealed in Scripture, but the order of nature will compel the assent of faith even from the recalcitrant. It is the task of the philosopher to make the assent inevitable by the cogency of his presentation, whereas compulsion by the secular arm could at best produce conformity of conduct.[61]

bb
Natural Order and Political Order

The argument is rich in implications. Above all we have to note the shift in relevance from the Christian revelation to the persuasiveness of the natural order for the faith in God. The mystical religiousness of Bodin is founded on the contemplation of the hand

[59.] *Apologie de René Herpin pour la République de J. Bodin, s.1,* 1608. This edition is annexed to the edition of the *Six livres de la République* of 1608. The *Apology* was published, however, for the first time in 1581. Jean Bodin, *Les six livres de la république* (Paris, 1576, 1583 [French]; 1586 [revised edition in Latin by Bodin]); the 1583 edition, by Jacques du Puys, was reprinted in facsimile, Aalen, Germany: Scientia Press, 1961. English edition: *The Six Bookes of a Commonweale,* trans. Richard Knolles (London: G. Bishop, 1606), reprinted and edited with apparatus by Kenneth Douglas McRae (Cambridge, Mass.: Harvard University Press, 1962). Student editions: *Six Books of the Commonwealth,* ed. and trans. M. J. Tooley (1955; rpt. New York: Barnes and Noble, 1967); *On Sovereignty: Four chapters from The Six Books of the Commonwealth,* ed. and trans. Julian H. Franklin [based on French edition of 1583 as reprinted in 1961] (Cambridge: Cambridge University Press, 1992).

[60.] *De Revolutionibus,* bk. I, chap. 8, fol. [16?]r.

[61.] Jean Bodin, *Universae naturae Theatrum* (Lyons, 1596).

of God in nature and ascends from nature through the order of the intellect to the sublime rapture and the beatific *fruitio dei*. This shift of emphasis toward nature has political motives as well as purposes. In the dedication, Bodin stresses that he has written the treatise during the religious wars in France; the occupation blotted out for him the calamities and sorrows of the war and even made him forget the sweeter pleasures of former times;[62] and this motivation of

the work is emphatically established through the *postscriptum* to the whole work: that it was written "while all France was burning with civil war."[63] The spiritual withdrawal from the disorder of politics into the order of nature, however, is not final; the withdrawal has a political purpose, or rather more than one. The French civil wars were religious wars; the political disorder was due to a spiritual disorder that manifested itself in the several interpretations of one revealed truth. To search for the revelation of God in the tables of nature served for [Bodin] the establishment of religion beyond the disorderly interpretations of revealed Christianity. Bodin tried to find a solution for a political problem that, in the seventeenth century, was met by Grotius through the assumption of a natural code of ethics, by Hobbes through the evocation of the Leviathan who will keep down the proud, by Spinoza through the demand for a minimum dogma imposed by the government, by Locke through the relegation of religion to the sphere of private associations.

cc

Certainty and Catharsis

The penetration of the cosmic order seemed to be a suitable means for creating civil order because, first, the cosmos was for Bodin a model of order superior to the vagaries of the empirical political order; and, second, because Bodin projected into the cosmos the model of an ideally ordered state. In the dedication Bodin reflects on his earlier inquiry into politics. The practice of politics, he finds, nowhere has arrived at certainties of order; the influence of human error is too great, as can be gathered from the fact that what is considered praiseworthy in one place will be considered a punishable offense in another. This insight diverted him from the

62. Ibid., dedication.

63. Ibid., 633: "Finis Theatri Naturae, quod Jo. Bodinus Gallia tota bello civili flagrante conscripsit."

enterprise of finding certainty in the laws, though he has collected them (in the *République*) from all peoples with the intention of revealing, by the comparative method, the thread of absolute, divine or natural, law running through them without which they would be nothing but a manifestation of human willfulness and passion. The law, thus, is uncertain; "but in nature nothing is uncertain,"[64] for God himself has created in nature order out of confused matter. This is the order to which Bodin directs his attention now. "Nothing is more beautiful to contemplate than order. . . . That is why in all things we search for order until we find it and can enjoy it; and

that is why we judge nothing more disagreeable and ugly than confusion and perturbation."[65] The contemplation of the certain order will have the cathartic effect of "purging us of all impiety so that we are compelled to adore the one and same eternal deity."[66]

dd
Cosmic Hierarchy and Political Hierarchy

The catharsis, moreover, is not only supposed to have the general effect of overcoming the religious dissensions by a new piety pervading the community; it is also supposed to establish a true, positive order. This second purpose can be achieved because for Bodin the cosmos is animated as a whole and in its parts. The cosmic order is an order of intelligences, ranking hierarchically from God down to the guardian angels of every single man. "God illuminates with his light the minds of his people as the sun illuminates the bodies. And as a wise prince will organize his republic in such a manner that everywhere and for all affairs there are ready at hand his magistrates and officials, so has the provident Procurator of the Cosmos placed his angels everywhere for the discharge of duties, everyone in his station, that is, in the heavens, in the air, in the waters, in the landmasses, under the earth, in the villages, and in the cities; and, finally, he has assigned good and bad angels to the animals, plants, minerals, elements, and to every single man, for rewards and for punishments."[67] This hierarchy is one not of rank only but also of jurisdiction. "God commands the superior angels, they in their turn the lower ones, the lower angels command the

64. Ibid., dedication.

65. Ibid., "Propositio totius operis,"1.

66. Ibid., dedication.

67. Ibid., 528.

men, man the beasts, the soul the body, and reason the passions."[68] The cosmos is modeled on the centralized royal state, and the proper order for the political cosmion ought to be an analogue of cosmic government.[69]

The hierarchical conception of the animated cosmos seems to have been for Bodin the decisive reason for rejecting the Copernican theory. In the closing pages of the *Theatrum Naturae* he resumes the heliocentric question. "My face is to be seen by no mortal man, but only my

back"in these words God has revealed that he will not be understood by antecedent causes, but by his works. In his work shall we contemplate the glory of the Creator, and, for that reason, he has placed us not in an obscure corner of the cosmos but in its very center so that in contemplation we can better behold the universe of things; and through the works, as through spectacles, shall we behold the sun, that is, God himself *(Solere, id est, Deum ipsum)*.[70]

In Bodin's mysticism of the cosmos, there are intertwined in a rich knot the strains of naturalism that even in his lifetime begin to separate and to run on independently. In one respect, in spite of the overt opposition, Bodin's evocation is closely related to the Copernican: for in both instances nature is the new "certain" order that emerges from the crumbling of political and religious institutions. This search for "certainty" of order is the preoccupation, in the seventeenth century, of the naturalistic speculation on man and society. But the human and social nature of the seventeenth century and after tends increasingly to find its "certainty" in the analogue of mathematical physics, rather than in the analogous contemplation of the *cosmos empsychos*. The humanistic *cosmos empsychos,* however, is not forgotten either. We have seen already the strength of the idea in Le Roy, and we shall see it bridging the centuries from Giordano Bruno to the Romantic philosophy of nature and to Nietzsche. This latter development, though, could not continue in the tradition of the closed Hellenic cosmos that still is common to both Copernicus and Bodin, for in the second half of the sixteenth century occurred the decisive advancements of astronomy that opened the Hellenic cosmos and

[68.] Ibid.

[69.] The analogical construction is repeated, with slight variations, in ibid., 639.

[70.] Ibid., 633.

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started the modern speculation on the infinite. We have now to turn to these new factors and their repercussions in the world of ideas.

§6
Tycho de Brahe

While Bodin was engaged in evoking his image of the cosmos with the full apparatus of Hellenic, Arabic, and Jewish tradition, the astronomical observations were made that shattered the Hellenic idea of the closed spherical cosmos: the observations of the *stella nova* in

Cassiopeia of 1572, and of the comet of 1577. The problems aroused by these observations were enormous. The sphere of the fixed stars had been supposed to be an immutable creation of God, while the nature that is born, lives, and dies was supposed to be confined to the sublunar region. The nova of 1572, presented the revolutionary phenomenon, if observed correctly, of an alteration in the cosmic shell of the fixed stars. The excitement over the incredible event can be felt in the account given of it by Tycho de Brahe.[71]

a
Renascent Creation

Tycho opens his discourse with a presentation of the traditional view. It is generally accepted by philosophers, and their observation is correct, that in the ethereal region of the cosmos no generation or corruption takes place; the celestial bodies of this region do not increase in numbers, size, or intensity of light. And now we are faced by the unheard of fact of a new star. The theologians cannot explain the phenomenon, for the Bible is clear on the point that after the hexaemeron no new species were created. Therefore: "Be quiet you philosophers . . . be quiet you theologians . . . be quiet you mathematicians: none of you ought to pretend that he can make out anything certain about the generation of this star." The phenomenon has to be accepted as a miracle of God beyond explanation.

But while explanations are futile, interpretations can be given. And Tycho continues his discourse by dwelling on the creative

[71.] *Tychonis Brahe, Dani, de nova et nullius aevi memoria prius visa Stella, jam pridem Anno a nato Christo 1572, mense Novembrj primum conspecta, Contemplatio Mathematica* (1573; rpt. Copenhagen: Danish Royal Society, 1901).

powers of God, which now are revealed in a new light. The nova is an *ostentum,* a sign, outside the order of nature as instituted by God in the beginning, given now, at a time when the evening descends on the world *(nunc advesperascenti mundo)*. "The divine majesty acts most freely, and is not bound by the fetters of nature, but at its will it stops the flow of the river and reverts the course of the stars."[72] The new star is a sign that the creation of the world has not come to an end. The order that had been assumed to be permanent is indeed only provisional. A creative mutation of the mundane order is in the offing, and the mutation will not be confined to the celestial sphere only: the new star permits [one] to prognosticate a new order of the monarchies

and revolutions in the "administration of religion and the laws."[73] A new element obviously is entering the atmosphere: the assumption of a stable order is shaken badly, and the vision of a "most freely" acting God who changes the order foreshadows the analogue of the "most freely" acting man who will produce some mutations of the traditional order by his interventions.

b
Conservative Misgivings

The excitement aroused by the new phenomenon embarked a man like Tycho finally on his career as an astronomer. The same phenomenon must have caused, however, considerable uneasiness to his more conservative contemporaries. We can gather an impression of the sentiments that were touched from the *Dialexis* on the new star by the imperial court physician Thaddaeus von Hayek.[74] The author denies neither the phenomenon itself nor the correctness of its observation. Something, indeed, has happened in the ethereal region. But he tries to cast some doubts on the significance of the event. The extraordinary character of the phenomenon, which caused Tycho to envisage political and religious revolutions, is stressed by Hayek in order to suggest that perhaps it does not mean too much; if new stars would appear in greater numbers, that would be a different matter. Moreover, speculations about new stars have

[72.] From the preface (pages unnumbered) of *De stella nova*.

[73.] From the last chapter of *De stella nova*, entitled "Astrologicum judicium de effectibus hujus nuper natae stellae."

[74.] Thaddaeus Hagecius ab Hayek, *Dialexis de novae et prius incognitae stellae inusitatae magnitudinis et splendidissimi luminis apparitione, et de eiusdem stellae vero loco constituendo* (Frankfurt, 1574).

excited the world before, in 1475 and in 1532. But the new stars turned out to be comets, and the calculations of Regiomontanus for 1475, and of Voegelin for 1532, showed them positively to be shining in the sublunar region, in spite of all the probabilistic speculations and philosophic arguings to the contrary. And sublunar comets are not exciting; they are authenticated even by Aristotle. This time, however, the situation is graver and serious questions must be raised, such as: could God create a new star although he is engaged in his sabbatical rest? And out of what matter could such a star be created? On the other hand, God had created a new star for the three magi in order to guide them to the cradle of Christ; why should he not have repeated the feat?[75] Still, the situation is dangerous; for anybody who asserts that the star is newly created

would run the risk of committing the *crimen laesae majestatis Divinae*.[76]

§7
Mathematics

a
Function and Effects of Mathematical Speculation

The conservatively minded cannot have found much consolation in the following years. In 1577 appeared a new comet, and by the comparison of observations Tycho was able to show that the parallax of the new comet was smaller than that of the moon, which proved that the comet did not move in the sublunar region. The observation was important in two respects: first, it added a further phenomenon to the disquieting alterations in the ethereal region; and, second, it shattered thoroughly the traditional Aristotelian belief in the crystal spheres supporting the celestial bodies, for the comet moved right across them, apparently without meeting any resistance.[77] Nevertheless, disturbing as these phenomena and observations were, they alone would not have induced a rapid or

[75.] This question had also occurred to Tycho, but he could dispose of it easily. Tycho was an expert astronomer and he knew that the star of the three Magi was sublunar.

[76.] *Dialexis de novae,* 37. The works of Regiomontanus and Voegelin on the comets of 1475 and 1532 are appended to the *Dialexis,* apparently in order to [attach] the new phenomenon to the older, more innocuous ones.

[77.] See Emil Wohlwill, *Galilei und sein Kampf für die Copernicanische Lehre,* vol. 2, *Nach der Verurteilung der Copernicanischen Lehre durch das Dekret yon 1616* (Leipzig: L. Voss, 1926), 10; see furthermore Tycho de Brahe, *De mundi aetherei recentioribus phaenomenis* (1588).

radical change in the interpretation of the cosmos. On the level of discussion that we have just exemplified, there always would have been possible auxiliary constructions to bolster the older view; Tycho de Brahe himself did not adopt the heliocentric view without reserve and rather preferred to develop a construction of his own that struck a compromise between the Copernican and the Ptole-maic systems. The new observations could create an atmosphere of readiness to accept a reinterpretation, just as the mere existence of two theoretical constructions of the cosmos, or rather of three if we count the Tychonian, made men

fundamentally more willing to break away from tradition, but the impetus of the change had to be supplied by the imaginative exploits of mathematical and metaphysical speculations.

The first type of speculation, the mathematical, is intimately connected with the development of astronomy and physics as exact sciences. This whole complex of problems lies outside the scope of our study, for the development of mathematics has a direct bearing on political science only in the more peripheral sphere of statistical methods. In the main, the development of the exact sciences has influenced the course of political ideas only in an indirect manner through the changes operated by it in the physical and intellectual environment of man, such as: the deanimation of nature, the development of applied sciences, their effects on the growth of industrial society with its accompanying political problems, the acceptance of the exact sciences as the model sciences, the replacement of demonology by the superstitions of scientism, the shift of emphasis from pneumatocentric to pragmatic attitudes, the shift of value accents from contemplation to action, the transition from a spiritual order of life to a material standard of living, the increasing nomadism and social fluidity with its accompanying shift of accents from social status to social climbing, and so on. The phenomena of this class in which the influence of the exact sciences is a factor will have to be treated, however, in their proper contexts.

b
Ontology and Mathematics

While the problems of mathematics and physics lie beyond the scope of this study, we have to dwell, nevertheless, on some instances of the arguments that mark the transition from the Aris-

totelian [approach] to cosmological problems to the modern mathematical [approach].

An early instance of the mathematical argument that tends to destroy the Hellenic speculation on the cosmos is to be found in the work of Benedetti. The Italian mathematician attacked the Aristotelian thesis that on a finite straight line no continuous movement was possible because the moving body would have to come to rest at the ends of the straight line before reversing its course. Benedetti refuted the thesis by first demonstrating the continuous movement of a body on a closed circular line and then projecting every point of the circle [onto] a straight line. From the possibility of interpreting a straight line as the projection of a circle, he argued that there could be no essential difference between the movements of bodies on the two lines, and that in

both cases the movement would be continuous.[78] Benedetti's argument breaks the classic preference for the circular movement by showing that circular and straight lines do not differ in essence, but only in the perspective of a projection. Hellenic geometry was plastic or aesthetic in the sense that the fundamental geometrical forms (triangle, square, circle, and so on) were perceived sensually as independent entities. The method of projection, which comes into use in the sixteenth century, makes it possible to interpret apparently absolute qualitative differences as variations of an identical form. The ordering of geometrical forms is based no longer on visual perception but on the operation of a rule of variation. The aesthetic preferences that can be founded on one or the other sensual form lose their interest for the mathematician who is able to reduce one sensual form to another by an intellectual operation.

Benedetti's problem was formulated on the level of principles by Kepler. Again Aristotle is the object of attack. This time, however, the attack is directed not against a special proposition but against the Aristotelian attempt to found a general science of things, an ontology, not on geometry but on the logical opposition of identity and otherness. Kepler, on his part, finds that all otherness is founded on matter. "But where there is matter, there is geometry." And while

[78.] Benedetti, *Diversarurm speculationum mathematicarum et physicarum liber* (Turin, 1585). This example, as well as the following in this section on mathematics, is taken from Ernst Cassirer, *Das Erkenntnisproblem in der Philosophie und Wissenschaft der neueren Zeit,* 3d ed. (Berlin: B. Cassirer, 1922), vol. 1. On Benedetti see pp. 430 ff.

there is no medium between the Aristotelian opposites, "geometry philosophically considered" does not operate with otherness as the opposite to identity but with "*plus et minus*." For the absolute opposites of Aristotelian ontology Kepler substitutes the mathematical continua of variation. The momentous consequences of this substitution were quite clear to Kepler: if a scientific approach to nature is possible only by a mathematized science, if nature is covered by the mathematical network of continua, the insight into the substance of nature has to be abandoned as an illusion. In the controversy between Kepler and Robert Fludd, the English mystic, the issue received its clearest formulation. Fludd wanted to understand nature itself, into its "marrow"; the calculation of the processes of matter through conceptual abstractions seemed to him vain. "Mathematicians are wont," he says on occasion, "to talk about the quantitative shadows; the alchemysts and hermetics grasp the very marrow of natural bodies." Kepler takes deliberately the side of the "quantitative shadows." "I grasp," he answers, "reality by its tail, as

you say, but I hold on to it; you may try to reach its head, if you would not do it only in a dream. I am satisfied with the effects, that is, with the movements of the planets; if in their causes themselves you can find such intelligible, harmonious relations as I have found in their revolutions, it will be only fair if I congratulate you on the discovery and myself on its understandingas soon as I am able to understand it."[79] The substance of nature disappears for Kepler behind the veil of mathematical relations; nature becomes opaque under the hard surface of a conceptual system, extended between the intramundane poles of the human intellect and the movements of matter. Intramundane science is won, but the transparency of the world toward its transcendental origin is lost.

§8
Giordano Bruno

The access to the "marrow" of nature by means of the hermetic sciences was permanently broken by the advancement of the mathematized sciences of natural phenomena. The controversy between Kepler and Fludd was already a rearguard fight; by the end of the

[79.] On Kepler and Fludd see Cassirer, *Das Erkenntnisproblem,* 350 ff. Kepler's treatise in the controversy with Fludd is the *Apologia adversus Rob. De Fluctibus,* of 1622.

eighteenth century, with the rise of chemistry, the battle was definitely lost. The consequences of the defeat were momentous. Her-metical knowledge was no science at all by the standards of critical, empirical science; and with the development and acceptance of critical standards the work of alchemists was inevitably doomed to wither away.

Alchemy, however, while not a science, had an important function in the life of the spirit. The Christian pneumatocentric attitude restricts the problem of the spirit and its salvation to the strictly human sphere; the more comprehensive problem of the life of the spirit in nature and of its liberation from matter, which is the concern of certain oriental religious movements, as for instance of Manichaeism, is suppressed; Christ is the Savior of mankind, not of nature. This other side of the work of salvation had found, during the Christian centuries, its most important expression in the operations of alchemists; the alchemic opus was in substance the attempt to extend the work of salvation to matter.[80] When alchemy fell into disrepute because its nonscientific character became clear, the spiritual desire that expressed itself in the opus was

compelled to search for other forms of expression. Hence, with the agony of alchemy in the eighteenth century and with its death in the nineteenth, we find the homeless desire reappear as an active component in the most unexpected contexts.

The conception of society in materialistic terms offers the opportunity to conceive political action as a liberation of man from the bondage of matter. The forms that this salvational creed assumes have a wide range. In Western liberalism it appears as the faith in the liberation of man through control of the material environment and an economy of abundance; in Marxism it appears as the liberation of the true man through the abolition of economic exploitation and governmental compulsion; in National Socialism it appears as the liberation of the true man through his disentanglement from racial bastardization. The common factor in these various creeds is the faith in intramundane salvation through human action that will defeat the iniquity of matter. With the problems of this class, however, we shall have to deal in more detail in later parts of this study.

80. See on this question C. G. Jung, *Psychologie und Alchemie* (Zurich: Rascher Verlag, 1944). English edition: *Psychology and Alchemy,* trans. R. F. C. Hull, 2d ed. (Princeton: Princeton University Press, 1968).

And equally we have to reserve for later explicit treatment the direct line of transfer that runs from alchemy proper, through Goethe's alchemistic *Faust* drama with its conception of the *Übermensch,* into Nietzsche's idea of the *Übermensch,* as the true man who owes his existence to the intramundane grace bestowed by man on himself.

For the present we have rather to deal with the impetus that the tension between an incipient mathematization of science and the older philosophy of nature gave to metaphysical speculation.

The post-Copernican advancement of mathematized science has dominated, and still dominates, the public consciousness so forcefully that the parallel advancement of metaphysical speculation has become obscured and is little known except to a small group of scholars who have a professional interest in the history of ideas. The great philosopher whose work stands at the beginning of the new metaphysical development, Giordano Bruno, owes his fame rather to the fate he suffered at the hands of the Inquisition than to an understanding of his achievement. One might even say that the fate for which he is generally known has contributed to the

obscuring of his real greatness. For in Bruno's condemnation was involved, though as a minor issue, his acceptance and defense of the Copernican theory; and a disproportionate emphasis on this circumstance can let him appear as a thinker who, in spite of certain unscientific preoccupations, has to be counted in the ranks of the defenders of the mathematical sciences.[81]

a
Intellectual Liberation

While it is true that Bruno propagated the Copernican heliocentric theory,[82] it is not true that his admiration for the new conception

[81.] For a typical expression of this perspective see Dorothy Stimson, *The Gradual Acceptance of the Copernican Theory of the Universe* (New York: Baker and Taylor, 1917), pt. 1, chap. 2, "Bruno and Galileo." For a more recent appreciation of Bruno under this aspect see Abraham Wolf, *A History of Science, Technology, and Philosophy in the 16th and 17th Centuries* (London: G. Allen and Unwin, 1935): "Among the early adherents of the Copernican doctrine was Giordano Bruno (15481600), who started as a Dominican monk, and thereafter wandered through Europe teaching heretical opinions, for which he was finally burned at the stake by the Inquisition" (p. 25); and the summarizing judgment: "Bruno's poetic exuberance about the life and beauty of Nature may seem strange, but it was essentially a similar kind of aesthetic attitude toward Nature and its geometric harmony that inspired the pioneer astronomers, especially Kepler, and thereby secured for mathematics its place of supreme importance in modern science" (p. 632).

[82.] *De Immenso et Innumerabilibus* (1591), particularly 1.3, in *Opera Latina,* I.1 (Naples, 1879), 209 ff.; and *La Cena delle Cenere* (1584), particularly the praise of Copernicus in the First Dialogue, in *Opere Italiane,* I [Göttingen, 1888], 124 ff.

of the cosmos was aroused by its achievement as a simplified mathematical description. Not only was Bruno not interested in mathematized science; he even actively disliked it as an inferior type of knowledge that paid undue attention to the accidents of nature rather than to its substance. "Substance and being are separate and independent of quantity; and consequently measure and number are not substance but incidental to substance, not essence but incidental to essence; hence we have to say that substance in its essence is free of number and measure."[83] "That what is multitude in things, is not their essence, not the thing itself but only the appearance presented to the senses, and only at the surface of things."[84] "If, therefore, we go

into the depth of things with the philosophers of nature and leave alone the logicians with their conceits, we find that all that effects difference and number is mere accident, mere shape, mere complexion."[85] As far as the issue of philosophy of substance against science of phenomena is concerned, Bruno is on the side of natural philosophy.[86]

What in the Copernican theory did arouse the admiration of Bruno? And did his speculation mark a break with the older philosophy of nature as radical as the break marked by mathematized science? In our pages on Copernicus we have stressed the will to systematic simplification as the motivating force of the new conception. The intellect of man becomes the ordering center determining structurally what has to be considered systematic knowledge of the external world. This anthropocentrism of science, however, was in Copernicus still embedded deeply in the traditional idea of the cosmos as a closed sphere. What fascinated Bruno was not the advancement of science, and still less the traditional element in Copernicus, but the act of intellectual liberation from a millennial tradition, the act by which human cognitive and speculative powers were posited as the ultimate standards of ordered knowledge. For Bruno, the break with the old order of the cosmos was a break in the absolute; for him, the break should not liberate man from the

[83.] *De la causa, principio et uno,* fifth dialogue, in *Opere Italiane,* I:285.

[84.] Ibid., 282.

[85.] Ibid., 280.

[86.] Bruno was still well acquainted with the older natural philosophy. His *De Magia Mathematica* (1590) is an excerpt from older writings on natural philosophy, particularly from the *Occulta Philosophia* of Agrippa of Nettesheim; see *Opera Latina,* III (Florence, 1891), 491 ff. Cf. Frances A. Yeates, *Giordano Bruno and the Hermetic Tradition* (1964; rpt. Chicago: University of Chicago Press, 1978).

Hellenic-Hebraic tradition in order to trap him in the network of science; the break should set free the speculative powers of man in order to enable him to find his true position in the cosmos.

b
The Substance of the Cosmos

The cosmos in which the man of Bruno has to find his position is not, however, the Copernican cosmos, nor is it the cosmos of science at all. It is again the *cosmos empsychos*. Bruno continues, or rather he resumes, the speculation on the substance of nature with a new speculative instrument. He resumes the inquiry into the substance, but he does not try to determine the substances of specific natures like his alchemist and hermetic predecessors; he rather inquires into the basic substance of the cosmos, and he finds the access to it at the one point at which the substance of nature is given to man in its immediacy, that is, in the spirit of man himself. By the radically anthropological approach to the problem of ontology Bruno avoids the aberration of the attempt at penetrating into the "marrow" of the nonhuman substances by human means and at the same time avoids the aberration of scientism that treats the substance of man as if it were a phenomenon. "He who tries to know the infinite by his senses is like a man who wants to see substance and essence with his eyes; he who would deny everything that is not perceptible to the sense would have to deny in the end his own being and substance." "The truth starts *from* the senses, but only as from a weak and very small starting point; it is not in the senses." "In the object of the senses it is as in a mirror, in reason it is in the form of argument and discourse, in the intellect it is in the form of principle and conclusion, and in the spirit it is in its proper and living form."[87] The cosmos is one in substance though manifold in forms, and in the spirit it reaches its self-consciousness, the form in which it can possess itself, the form in which object and subject are identical. "Thus differs the vision of the eye from the vision of the spirit, like a seeing mirror from a mirror that does not see; for the spirit is an illuminated and informed mirror, it is both the light and the mirror, and in the spirit the object and the subject of perception are one."[88]

[87] *De l'infinito universo et mondi,* I, in *Opere Italiane,* I:307 f.

[88] *De Compositione Imaginum,* I, 13, in *Opera Latina,* II.3 (Florence, 1889), 119; I owe this quotation to Cassirer, *Das Erkenntnisproblem,* 281.

c

The Ecstasy of Speculation

In man the cosmos becomes self-reflection and reveals its substance as spiritual: the cosmos is the life of a spiritual soul, as a whole and in all its parts, from matter as the lowest rank in the hierarchy, through vegetable and animal forms, to man himself. "The universal intellect is the most intimate, real, and proper faculty, as well as the potential part of the world-soul. It is an

identical that fills the whole, illumines the universe, and directs nature to produce the species according to their order. Thus it is in respect to the production of the things in nature what our intellect is in respect to the production of rational forms *[specie rationali]*."[89] The identity of the spiritual substance throughout the cosmos, in the manifold of the differentiated forms, is the decisive point in the speculation of Bruno. By virtue of this identity, nature is spirit and the spirit in man is a manifestation of nature. Bruno's interest in the Copernican feat comes now more clearly into view, not as a theoretical but as a practical interest. In the Copernican assertion of the intellect against tradition, nature in man has become active; [the activation of nature in the human spirit that conceived it, rather than the advancement of our knowledge, is the primary factor in the heliocentric conception]. In the Christian pneumatocentric attitude, nature was externally a shell and internally a resistance to the spiritual purpose and destiny of man; now the cleavage between spirit and nature is overcome and the spirit has found its place in nature by understanding its identity with nature; and it has understood the harmony by acting it in an ordering expansion of the intellect. The act of conceiving is for Bruno an act of exuberant nature. This fundamental quality of Bruno's philosophizing [was] sensed by Hegel when he found that the peculiar character of Bruno's work is "the enthusiasm of a self-consciousness that feels the spirit alive in itself and knows about the harmony of its essence with all essences. There is something bacchic in this grasp of a consciousness on itself."[90]

d
The Infinity of the Cosmos

The experience of the identity of nature and spirit in the ecstasy of ordering intellectual action compels Bruno to weigh the question

[89] *De la causa, principio et uno,* in *Opere Italiane,* I:231.

[90] Hegel, *Vorlesungen über die Geschichte der Philosophie,* vol. III, in *Werke,* vol. 15 (Berlin, 1836), 226.

as to what extent the universe is knowable. Can we know anything about the substance of the universe, except that the substance is spirit? Bruno answers: the spirit that animates the infinity of forms, that is, God, is unknowable in itself; we can ascend the ranks of creation from matter to spirit and arrive at insight into its all-pervasive Oneness; but this Oneness itself in its infinity is unknowable by the finite spirit of man; we can know something of it only by knowing of its traces in creation as in a mirror or a shadow. The infinity of forms in the universe are, in a

sense, the accidents of God, and of these accidents we can know scientifically again the phenomenal accidents only. To "know" the universe, therefore, would mean only "to know the accidents of accidents." In order to understand the greatness of the universe the speculative philosopher will have to contemplate rather, with a measured and ordered mind, the infinity of the *prima causa* in the infinity of its cosmic manifestation. And the intellect of man is equipped, indeed, for this task, for it can, by an act of imaginative expansion, project the finite experience of the universe into the infinite. By such an act man can comprehend "those magnificent stars and luminous bodies, which are as many inhabited worlds, and great organisms and glorious divinities, which seem to be and really are innumerable worlds not very dissimilar from the one that surrounds us. It is impossible that they have their being out of themselves. . . . Therefore, necessarily, they know the principle and the cause; and, consequently, by the grandeur of their being, living and operating they demonstrate and preach in an infinite space, with innumerable voices, the infinite excellence and majesty of their first principle and cause."[91] In one majestic sweep of speculation the shell of the Hellenic cosmos now really is broken; the horizon opens into an infinity of space, populated by an infinity of inhabited worlds. This is not an opening, however, into phenomenal space, and no experience of infinite phenomena (by definition of impossibility) is involved; it is an opening into the substantial infinity of cosmic forms, which is a manifestation of, as well as it is transparent for, the infinity of the spiritual *causa prima;* and this substantial infinity is revealed by the image of infinity

[91.]*De la causa, principio et uno,* second dialogue, in *Opere Italiane,* I:229. See also *De l'infinito universo et mondi, Proemiale Epistola,* in *Opere Italiane,* I:304.

that the speculative mind of man has produced.[92] On the level of this speculation on the substantial infinity of the cosmos, the Copernican question itself must become comparatively irrelevant. Whether the sun revolves around the earth or the earth around the sun has no bearing on the relation between any celestial body and the substance that animates it. "Every one of the innumerable worlds that we see in the universe is not in it as in surrounding space, or as in an extension or in a place, but as in a comprehensor, conservator, motor, effector, which is embraced by every one of these worlds quite as completely as the soul by every part of it. Even if, therefore, a particular world turns toward or around another, as the earth toward the sun and around the sun: in relation

92. Giordano Bruno is not the first thinker in his age to create an image of the cosmos by means of imaginative speculation. He refers himself to a predecessor whose methods of speculation, if not his results, seem to have impressed him. In the *Farewell Address* at Wittenberg, Bruno mentions five German thinkers whom he considers great: Albertus Magnus, the Cusanus, Copernicus, Palingenius, and Paracelsus. Of the five he singles out Palingenius as the man who has advanced new ideas concerning the dimensions of the universe, the substance of the stars, the nature of light, the habitation of the worlds, and the soul of the spheres (Giordano Bruno, *Oratio Valedictoria,* March 8, 1588; in *Opera Latina,* I.1 [Naples, 1789], 17). It is worthwhile to consider two instances of Palingenius's anthropomorphic speculation, because they will elucidate the attitude of Bruno. The first instance concerns the infinity of the universe. "Who would set himself a limit if he could be most free and pour his power as far as he liked?" Would God then, who has power without limits, voluntarily set himself narrow limits? "Non decet hoc certe, quare non credere fas est" (This certainly is not fitting, wherefore it is right not to believe it). The creativeness of God has to be imagined in analogy to the boundless expansiveness of man (Palingenii, *Zodiacus Vitae* [Rotterdam, 1722], bk. XII, pp. 40 ff.). The second instance concerns the existence of an incorporeal, spiritual world in the infinity of space beyond our visible world. Of this spiritual world, pictured as a golden age, our world is an imperfect image. The assumption of such a spiritual world is speculatively founded on the structure of man. "Many believe that there is another world, better and incorporeal, which cannot be perceived by the senses, but can only be seen by the spirit." The belief is, in the opinion of Palingenius, well founded. The spirit is nobler than the senses. Why should the senses have a world appropriate to their mode of perception, and the spirit have none? Should the spirit have nothing that exists in reality, but dreams and vain specters only? Either the spirit is nothing, or nature created for him a world of his kind (*consimilis*). This *mundus archetypus* is as much more perfect than the sensible world as the spirit is more perfect than the senses (ibid., bk. VII, pp. 460 ff.). The results of the speculation differ from Bruno's, but the principle of anthropomorphic speculation is even more outspoken. May we add that in general in the sixteenth century the awareness of anthropomorphism in speculation is acute; we even find the deliberate use of sexual functions in speculative imagination: symbolisms that were discovered by psychoanalysis as sexual in origin were consciously coined by thinkers of that period in order to project microcosmic sexuality into the macrocosmic analogue. The relation of Bruno's speculation on the infinite to that of Lucretius will be dealt with presently in the text [reference unclear].

to the universe, none moves toward it or around it, but it moves in it."[93]

§9
The Idea of the Infinite and Its Application

The type of metaphysical speculation inaugurated by Giordano Bruno was not pursued systematically for the next two centuries. Only with Schelling does metaphysics become reestablished consciously in the succession of Bruno. The immediate future belonged to the mathematized sciences and to the philosophers, from Descartes to Kant, who tried to cope with the epistemological problems raised by the new sciences of phenomena. Nevertheless the impetus imparted by Bruno did not remain entirely dormant. We can discern its effectiveness in the preoccupation with the problem of the infinite that characterizes the eighteenth century. While the details of this preoccupation have to be dealt with in a later context, a few remarks have to be added here in order to clarify the general structure of the process that links the resumption of the speculation on the substance of nature in the nineteenth century with the intellectual situation at the end of the sixteenth century. The first phase in this process is marked by the development of the concept of the mathematical infinite in the seventeenth century. This development itself lies outside our sphere of interests; we have only to characterize the new problem of the infinite in its distinction from the older ideas of infinity.

a
The Mathematical Infinite

Up to the time of the beginning of the mathematization of science, the problem of infinity had two principal aspects that we may distinguish as the Hellenic cosmological and the Christian pneumatocentric. For Hellenic speculation the infinite was the *apeiron,* the indetermined, the unmeasured, the shapeless; the finite was the element of form and measure. We have encountered the Hellenic idea again in the sixteenth century, as for instance in the speculations of Le Roy. In the Christian pneumatocentric speculation, on the other hand, we find the opposition of creaturely finiteness and divine infinity. With the acceleration of the development of

[93.] *De la causa, principio et uno,* fifth dialogue, in *Opere Italiane,* I:281.

mathematics, by the end of the sixteenth century, a number of problems, some of which had been known since antiquity, received renewed attention and systematic treatment. As a consequence, the ideality of intellectual operations and their peculiar problems came into clearer view: the problems of transfinite numbers, of the indefinite series, of integration and differentiation begin to unfold. [The difficulties of Galileo in constructing a line out of its

component points may serve as an example of the problems and their treatment at the time.] The Hellenic atomizing approach to the problem of finding the component points, that is, the division of the line into infinitely small parts, would not solve it, for the process of division is indefinite. The continuum of the line is inexhaustible by division, and we would never arrive at ultimate constituent points; at the indefinite end of the Hellenic division would, indeed, lie the *apeiron,* an immeasurable nothing. The line has to be constructed out of indivisible points, while the indefiniteness of division can lead only to further divisible points. Hence we are faced by the dilemma that the sensually perceived continuum of the line is inexhaustible by division, while its integral has to be the sum of indivisible constituent elements. The solution is to be found in the "ideal" mathematical point, which must be understood not as an independent entity given to the perception of the senses but as an expression for relations that are determined by the operational rules for the production of magnitudes.[94]

b

The Infinite in Ontological Speculation

The discovery of mathematical ideality, and in particular the development of the idea of the mathematical infinite, becomes the starting point for the application of the idea of the infinite to the solution of ontological problems in the eighteenth century. At this juncture the lines of mathematization and of philosophy of nature, which diverged from each other at the end of the sixteenth century, begin to approach each other again, though the complete merger, as we have indicated, occurs only in the speculation of Schelling. In the eighteenth century we witness a process that, in a sense, is the reversal of the process in the course of which

94. On Galileo see Cassirer, *Das Erkenntnisproblem,* 424 ff. The problem related in the text was developed by Galileo in the *Discorsi e dimonstrazioni matematiche intorno a due nuove scienze,* I.

mathematics and physics disengaged themselves from the context of Hellenic cosmology. When the elaboration of the mathematical infinite had reached its climax in the infinitesimal calculus of Newton and Leibniz, a movement set in to transfer the intramundane, mathematical idea of the infinite, which hitherto had developed in the most intimate connection with the intramundane science of physics, to problems of an ontological nature, which again take into account the totality of being and its relation to its origins. The movement extends to all realms of being: to the totality of the material cosmos, to the totality of the series of living forms, and

to the totality of human history. The eighteenth is the classic century of speculation on the infinite. With regard to the structure of the material cosmos, which otherwise was the object of the intramundane science of physics, arose the dialectical conflict between the indefinite chain of empirical causality and the idea of the "whole" of that chain and its beginning in time; or, in theological terms, the conflict between a creational view of the cosmos and the idea of a cosmos existing uncreated in infinite time. The problem was settled by Kant, in the section on the Antinomies of Reason in the *Kritik der reinen Vernunft,* through its demonstration as a dialectical border problem that does not permit a rational solution one way or the other. In biology the analogous problem arose over the attempt to "explain" the individual living organism by deriving its structure, in an indefinite regress, from preceding individuals of the same species, and over the attempt to derive the structure of the species, in an indefinite regress, through "evolution" from lower forms of lifeboth in order to escape the idea of divinely created species. The dialectical structure of the explanation through indefinite regress again was analyzed by Kant in the *Kritik der Urteilskraft*. In history and politics the problem arose in connection with the idea of progress and the assumption that the civilizational process is governed by the law of indefinite approximation to a state of perfection. The dialectical implications of this idea also were a matter of grave concern to Kant; in this case, however, he did not pass beyond the stage of being "bewildered" *(befremdet)* by it; the solution was found only in the nineteenth century in the philosophy of human existence. The general problem, which is common to all three of these special problems, finally, was treated by Hegel, in his Logik, in the critique of the "bad infinite" *(das schlechte Unendliche)*.

For all the realms of being to which the adventure of the infinite extended, the result was the return to a critically purified ontology. In the case of Kant, the problem appears perhaps clearest. His idea of the *Ding an sich,* the idea of a noumenal realm that is inaccessible to the exact science of phenomena, accepts the results of the controversy between Kepler and Fludd. Fludd's nature is the inaccessible *Ding an sich;* Kepler's nature is the object of science. But in accepting the result, Kant restricts its meaning: his critique of reason is limitative and has the purpose of revealing and safeguarding the "marrow" of the world in the religious and moral sphere. [The critique of dialectical biology has a] similar result: from the critique of the dialectical illusion emerge the ideas of the organism, of the species, and of the chain of living forms, as irreducible and inexplicable constants of nature. And from the critique of progress emerge, in the nineteenth century, the science of philosophical anthropology and the insight

into the historicity of human existence. The whole movement for the application of the mathematical infinite, its breakdown, and the restoration of ontology on a new basis might almost be called a Counter-Reformation of philosophy against the exact sciences.

6
Bodin

There is general agreement that Jean Bodin (15301596), as a political thinker, towers massively above his contemporaries in the second half of the sixteenth century. There is, furthermore, general agreement that he owes his rank to his systematic development of the theory of sovereignty in the modern national state. There is, finally, agreement concerning the importance of his theory of climates and national characters, as well as of his idea of tolerance. This clear nucleus of agreement, however, is surrounded by an atmosphere of uneasiness and uncertainty. The effectiveness of Bodin's work in his own time was great, as evidenced by the numerous reprints of it before 1600; it, then, has noticeably influenced such thinkers as Grotius, Hobbes, and Montesquieu; and we can observe a brief flurry of abridgments of the *République* in the second half of the eighteenth century. Nevertheless, on the whole, Bodin is not an author to whom later generations return as to Plato or Aristotle. The reason for the neglect is frequently sought in his lack of literary gifts. Bodin is not a classic of his language like Calvin. The display of his vast erudition is apt to obliterate the structure of his system; the logical clearness of his definitions is not matched by theoretical penetration; the style, save for a few magnificent pages, is cumbersome and boring.

There is a good deal of truth in such complaints, but they are hardly sufficient in explaining the peculiar twilight that surrounds Bodin. The shadow of misgivings and suspicions that falls heavily on the thinker is caused rather by the content of the work. It is not a specific doctrine, however, that causes the resistance. Bodin has provided successive periods, right up to the present, with variegated opportunities for irritation. Even in his lifetime began the attacks on his anti-Christianity; he was charged with being an

atheist as well as with being a Judaizing theist. Throughout the seventeenth and eighteenth centuries his name had an ill repute, rivaling that of Machiavelli and of Spinoza. His religious colloquy, the *Heptaplomeres,* had an underground circulation in manuscript form, with the aura of a dangerous book that would shake the foundations of Christian civilization. Then, with the advancement of constitutionalism, his theory of royal sovereignty became the target of critics; his political theory fit neither the separation of powers nor the sovereignty of the people. Moreover, his theory of sovereignty was found to be in logical contradiction with his recognition of the household (in the Aristotelian sense) as a sphere beyond state intervention. For the period of enlightened liberalism and scientism, finally, Bodin became a dubious figure because of his "superstitions": he believed, indeed, in witchcraft, sorcery, and the influence of the stars; and he did not think much of the Copernican heliocentric theory. While fortunately there is no consensus today in the appreciation of Bodin, it would seem that the majority of authors would settle for the formula that the French thinker, while distinguished by admirable features of modernity in the treatment of politics, was still a half-medieval figure. And that, of course, is a bad thing.

§1
Mediterranean Modernity

An examination of this judgment will be the best method for penetrating into the problem of Bodin's historical position. Was he, indeed, half-modern, half-medieval in his thought? About the "modern" elements there is no quarrel. Bodin has radically broken with the speculation on the medieval empire. The object of his explorations is the national state, and in particular the French monarchy; the "empire" has become a territorially limited political unit among others, organized in the form of an aristocracy. He, furthermore, introduced the juristic method into the characterization of governmental forms; and he considered the new method a great advancement over the unsystematic, unphilosophical politics of Machiavelli. He saw clearly the necessity of giving a new basis to political science; and, while criticizing details of Aristotelian politics, he consciously attempted to create a system for the world of national states in emulation of the system that Aristotle had created for the polis. The richness of his system is due to the fact

that he embraced in it the Aristotelian range of problems. He is "modern," finally, insofar as he eliminated the church as the public, spiritual order of society and reduced all religious varieties to an equal sectarian rank under the one public order of the national state.

While we can agree with the characterization of the enumerated elements as "modern," we must doubt that the other half of Bodin is "medieval." The characterization Of Bodin as a half-medieval thinker seems to us due to the currency of the liberal, black-white dichotomy that labels everything that is not modern in the sense of scientism and laicism with the deprecatory term *medieval*. As a matter of fact, it would be difficult to find much in Bodin that could be called truly medieval. There is no firsthand knowledge of scholastic literature in his work at all, and very little secondhand; one would look in vain for substantial traces of Thomistic thought or of scholastic nominalism. His logic is derived from Pierre Ramus. In particular, the great medieval problem of faith and reason does not exist for Bodin; in his humanistic metaphysics the variety of religions is reduced to a manifold of symbolisms, veiling and revealing a transcendental reality equally intended by them all; the dogma of the historical church has become a *Weltanschauung* of no higher rank than a private religious view. And above all, one can hardly qualify as medieval Bodin's Judaizing monotheism, his indifference for the person of Christ, and his insensitiveness to the gospel of love.

We must abandon the clichéd dichotomies of the liberal era and return to the principles of critical historiography. The interpretation of a thinker must be based on the actual content of his work; it must not attach itself to particular doctrines (for instance, the theory of sovereignty) but penetrate to the motivating center of his thought that endows the particular doctrines with their meaning; and it must place thinker and work in their civilizational environment.

It is necessary to recall these principles because the great obstacle to an adequate understanding of Bodin's ideas is the civilizational environment in which he moves. Categories like medieval and modern suggest time under the image of a line on which historical periods occupy successive sectors. The actual time structure of a civilization like the Western, however, is considerably more complicated. The Western world does not move in an even flow, as a whole, from one phase into another; we must rather speak

of changes of sentiments and ideas that spread slowly from regional centers over the rest of the civilizational area. Moreover, in spreading, these sentiments and ideas do not remain identical but are profoundly transformed in every region they touch. Hence, what we call modern is not a definite state of mind that all of a sudden spreads evenly over the West; modernity (if we can attach any meaning to the term at all) is a historical process, extending over centuries, in which the medieval, spiritual-temporal order of Western mankind gradually dissolvesearlier in some regions, later in others; faster in some regions (not necessarily the earlier ones), more slowly in others. The process is further complicated because with time and region the nature of the predominant dissolving ideas changes, too. Considering this plurality of dimensions in the problem, we can see that grave misunderstandings must arise if we conceive of modernity in terms of a late phase of the process in one particular region and then apply the term to an earlier phase of the process in a different region. Our prevalent idea of modernity is conceived in terms of the French and English seventeenth and eighteenth centuries; it has absorbed the dogma of secularism and scientism. If we measure a thinker of the sixteenth century like Bodin by this standard, he will appear as only "half-modern," not because there is anything actually medieval about him, but because we are operating with an uncritical concept of modernity.

Bodin is as modern as any thinker after him; on occasion he has even been characterized as the first truly modern thinker. He belongs, however, to the Mediterranean modern civilization, which flowered in the fifteenth and sixteenth centuries and broke down in the generation after Bodin. Beginning with the seventeenth century, the political and civilizational initiative definitely shifted to the Atlantic area, and at the same time began the rise of the natural sciences. This double shift in preponderance, of civilizational area as well as of problems, has changed the complexion of modernity so thoroughly that the earlier Mediterranean phase seems almost bewilderingly strange. This strangeness is not due to the fact that the problems of Bodin have become obsolete, or that his attempt at a systematic philosophy of politics has been superseded by more perfect solutions; on the contrary, the shift of civilizational preponderance to the transalpine area was accompanied in most respects, at least temporarily, by an intellectual retrogression. While the intellectual horizon has doubtless become enlarged through the new

sciences, even this enlargement was not an unmixed blessing; for in the wake of the new science came the dogmatism of scientism, which damaged the Western intellectual heritage so severely that some of the damages are not repaired even today, and probably are irreparable. In

particular Bodin's cosmology, which still had the richness of Platonic and Hellenistic tradition, was, by the time of Hobbes, completely obliterated by the new materialistic metaphysics; and, save for the episode of Berkeley's *Siris,* this richness was not recovered before Schelling.[1] Of the idea of tolerance one can hardly say that it has ever been recovered with the profoundness of Bodin's *Heptaplomeres.* His courageous advances into a comparative science of religions and into Bible criticism were not surpassed before the development of a critical science of religions in the late eighteenth and early nineteenth centuries. And for a treatise on politics that would attack the tension between the Aristotelian *bios theoretikos* and the necessities of human existence with the penetration and responsibility of Bodin we are looking today in vain. Anticipating the results of subsequent analysis, we may say therefore that the appearance of strangeness in Bodin's thought is not due to the survival of supposedly medieval ideas; it is due to the differentiation of modern intellectual history into an early Mediterranean and a later transalpine phase. From the position of our transalpine modernity it requires a special effort adequately to reconstruct the systematic thought of Bodin, which holds together a wealth of materials and problems, far surpassing in range our contemporary attempts at systematic thought.

§2
The Style of Work

Before we enter into the analysis itself, we must assemble a few data to which we shall have to refer.

An analysis of Bodin's ideas cannot be conducted on the basis of the famous main work, that is, the *Six livres de la République,*

[1.] On the interpretation of nature see the previous chapter and *The Collected Works of Eric Voegelin,* vol. 24, *History of Political Ideas,* vol. VI, *Revolution and the New Science,* ed. Barry Cooper (Columbia: University of Missouri Press, 1998), chap. 4, §3, pt. e, on Berkeley, and vol. VII, *The New Order and Last Orientation,* Part Eight, "The Last Orientation." Cf. also *The Collected Works of Eric Voegelin,* vol. 1, *On the Form of the American Mind,* trans. Ruth Hein, ed. Jürgen Gebhardt and Barry Cooper (Baton Rouge: Louisiana State University Press, 1995), esp. 2729, 14041, and *passim.*

alone. While the thought of Bodin shows a certain inner development, especially in his last years, the evolution has more the nature of a shift of accents (from the juristic to the cosmic order of society) than of a change of principles. The principles seem to have been settled in his midthirties, that is, at about the time when he wrote his *Methodus*. From this time on, the literary production of Bodin assumes the form of a recasting of his system. Hence it could be said rightly that the *Methodus* contains, in principle, the whole later thought of Bodin. Nevertheless, the successive casts of the system are not repetitious. While giving his complete system each time, he successively laid the stress on different major complexes. The result is that each of his works, as it were, has an enormous bulge, while the other parts of the system dwindle out of proportion, and sometimes are reduced to a few summarizing sentences. Hence, an adequate view of Bodin's system can be obtained only if we do not treat the works chronologically but project their content on one systematic level and let the "bulges" balance each other.

The first of Bodin's great systematic works was the *Methodus ad facilem historiarum cognitionem,* of 1566. The title is somewhat misleading, for the work is not concerned only with providing a guide to historical literature; it actually gives a philosophy of history and a guide to the writing of history. Moreover, besides this principal content the work has a secondary "bulge" in chapter VI, on the forms of government. This long chapter, which contains already the theory of sovereignty, foreshadows the principal topic of the next great work, the *Six livres de la République,* published in 1576. The *République* contains the formal treatment of politics, while the other topics of the *Methodus* are reduced to minor, and the cosmology to very minor, proportions. The next work, the *Colloquium Heptaplomeres* (finished ca. 1593, but published only in the nineteenth century), extensively treats the philosophy of religion, though Bodin's position in this late work does not differ in principle from the position he held even at the time of the *Methodus*. The last work, the *Universae Naturae Theatrum,* of 1596, presents the formal exposition of Bodin's philosophy of nature. In the case of this last work, however, the section on politics brings a very important development of Bodin's theory beyond the *République*. To these great systematic works let us add the *Response au Paradoxe de M. de Malestroit,* of 1568. This is the tract on monetary problems that established the relation between increase of currency and rise

of prices. The economic problems of this tract were absorbed and elaborated in the *République*. And let us, finally, add the much neglected, but for the understanding of Bodin's thought highly

important, *Démonomanie des sorciers,* of 1580.[2]

§3
Bodin's ReligionBiographical Data

The animating center of Bodin's thought lies in his religiousness. It is a personal religiousness; and it cannot be characterized in terms of adherence to one or the other of the religious movements of the sixteenth century. Even the briefest survey of biographical data shows that his formal affiliations were accidents, conveniences, or episodes.

At an early age he entered the Carmelite order as a novice but later was released from his vows because he had been too young to render them. The date of his release is uncertain, but early in the 1550s we find him studying law at Toulouse.[3] After 1560 we can discern a distinct Calvinist period; when these inclinations started we do not know for certain,[4] but they are marked in the

[2.] The best critical bibliography of the works of Bodin is to be found in Roger Chauviré, *Jean Bodin: Auteur de la République* (Paris: E. Chapion, 1914). To this should be added the bibliographical note in A. Garosci, *Jean Bodin: Politica e Diritto nel Rinascimento Francese* (Milan: A. Corticelli, 1934). The *Colloquium Heptaplomeres de Rerum sublimium arcanis abditis* was published, under this title, for the first time completely by L. Noack in 1857. This edition is textually highly defective. Wherever possible we, therefore, use the partial edition of the old French translation, edited by Roger Chauviré under the title *Colloque de Jean Bodin des secrets cachez des choses sublimes entre sept sçauans qui sont de differens sentimnens* (Paris: Librairie de la société du Recueil Sirey, 1914). English edition: Jean Bodin, *Colloquium of the Seven about Secrets of the Sublime . . .* , trans. with intro., notes, and critical readings by Marion Leathers Daniels Kuntz (Princeton: Princeton University Press, 1975). The *Response* was published in a critical edition with an introduction by Henri Hauser, *La vie chère au XVI siècle* (Paris: A. Colin, 1932). French translation: *La méthode de l'histoire,* trans. Pierre Mesnard (Alger-Paris: Société d' Édition "Les Belles Lettres," 1941); English edition: *Method for the Easy Comprehension of History, by Jean Bodin,* trans. and intro. Beatrice Reynolds (New York: Columbia University Press, 1945; rpt. New York: W. W. Norton, 1969).

[3.] The Carmelite episode is reported by the early biographers of Bodin but was doubted by Chauviré, *Jean Bodin,* because of lack of documentary evidence. This evidence has come to light and is published in A. Ponthieux, "Quelques documents inédits sur Jean Bodin," *Revue du Seiziè Siècle* 15 (1928). Chauviré has corrected himself in *La pensée religieuse de Jean Bodin* (La Province d'Anjou, 1929), vol. 4.

[4.] *La France Protestante* by Eugène and Emile Haag notes a Jean Bodin received as a citizen of Geneva in 1552 (2d ed. [Paris, 1879], 2:671). This is possibly, but not certainly, another Jean Bodin. See on this question N. Weiss, "Huguenots emprisonnés à la conciergerie du Palais à Paris en Mars 1569," Société de l'Histoire du Protestantisme Français *Bulletin* 72 (1923): 87, n. 2.

Lettre à Jean Bautru, of 1563.[5] In 1569, for a short while, Bodin was imprisoned as a Huguenot; and in 1572 he barely escaped the Saint Bartholomew Massacre.[6] At the same time, that is, in the 1560s, his Judaizing tendency became more strongly marked than before. Beyond the content of his work, this problem has become of a certain biographical importance insofar as it has been asserted that his mother was a Portuguese Marranic Jewess and that the maternal influence would explain the early and surprisingly intimate acquaintance with Hebrew problems. Regrettably we are without any documentary evidence concerning this question. The assertion appears for the first time in a letter of Chapelain to Conring, of 1673. Chapelain speaks of Bodin's mother as a Portuguese Jewess as if it were a well-known and established fact, but he gives no source. The absence of a reliable source must not, however, induce us to reject the story outright, for precisely in the case of Bodin we have so many belated documentary confirmations of unsupported assertions of earlier biographers that this particular assertion may in the end turn out to be well-founded, too.[7] The best argument in favor of the assertion has perhaps been made by A. Garosci when he pointed out that the Judaism of Bodin was a matter not of ideas only but also of such practices as the observation of the Sabbath and the abstention from porkpractices that seem to indicate an early domestic influence in this direction.[8] Perhaps it is also worth some attention that the two main speakers of the *Heptaplomeres,* Salomo and Toralba, are a Jew and a Portuguese.[9] In spite of this variegated religious life, Bodin does not seem to have interrupted the formal observance of Catholicism, at least not in the last twenty

[5.] The *Lettre de Bodin à Jean Bautru de Matras* is to be found in Paul Colomiès, *Gallia Orientalis, sive Gallorum qui linguam Hebraeam vel alias Orientales excoluerunt Vitae,* Labore et Studio Pauli Colomesii (Hagae-Comitis, 1665), 76 ff.; the letter is reprinted in Chauviré, *Jean Bodin,* 532 ff. On the letter see Pierre Mesnard, "La pensée religieuse de Bodin," *Revue du Seizième Siècle* 16 (1929).

[6.] See Weiss, "Huguenots emprisonnés," and Ponthieux, "Quelques documents inédits."

[7.] On Bodin's Jewish problem see Jakob Guttmann, *Jean Bodin in seinen Beziehungen mit dem Judentum* (Breslau: M. and A. Marcus, 1906). The letter of Chapelain to Conring is published in *Commerciaum Epistolicum Leibnitianum* (Hannover and Göttingen, 1745), 1122.

[8.] The practices are established for Bodin as early as 1555 through his *Oppiani de venatione libri* of that year, fols. 76v and 77r. See on this question Garosci, *Jean Bodin,* 78.

[9.] Toralba is usually assumed to be a Spaniard. For his characterization as a Portuguese, see Garosci, *Jean Bodin,* 113, n. 4.

years of his life. He died and was buried, in Laon, with the rites of the church.

§4
The Letter to Jean Bautru

The religious attitude that emerges from these data obviously is complex. On the one hand, the historical religions are important enough for Bodin to occupy him seriously, so important that he is even willing to run bodily risks for them; on the other hand, none of them engages his faith seriously. In face of this situation two questions must be raised. We must ask, in the first place, whether the faith of Bodin was engaged seriously anywhere at all. And, if there was a point of serious engagement beyond such vacillations, we must ask, second, why did Bodin bother about historical religions?

The two questions are intimately connected. The problem posed by their interrelation is present in the literary work of Bodin from the earliest to the latest. And it is not only the constant problem in Bodin's thought; it is also its central problem. From this center go forth the rays of meaning that hold the system together. We may say that an understanding of Bodin's ideas is impossible without clearness on this point.

In an early form the problem appears in the *Letter to Jean Bautru,* of 1563. The topic of the letter to his friend is the confusion of the soul caused by the conflicting appeals of the varieties of religion. He admonishes his friend not to let himself be carried away by the various opinions *(sententiae)*, but to understand that "true religion is nothing but the intention *[conversio]* of a purified mind toward the true God."[10] This admonition would answer the first of our questions. Beyond the conflict of historical religions there lies, indeed, a realm of certainty and seriousness, that is, the realm of "the purified mind" that is oriented toward God. True religion, as distinguished from historical religions, thus would be a state of the soul in solitude.

Why then can we not dispense with historical religions? The letter continues, explaining that mortals err from the right path

[10.] This definition of true religion remains a constant in the work of Bodin. In the *Methodus,* 1566, it reappears in the formula "Religio vero ipsa, id est purgatae mentis in Deum recta conversio" (1566 ed., 32).

of virtue and that we would turn in perpetual darkness and night unless, at stated times, the *Deus Optimus Maximus* stirred up the "highest virtue" in some men so that they can give direction to the others. There is no need to enumerate the great figures of sacred history; and only in passing may be mentioned the sages of pagan history: Pythagoras and Heraclitus, Socrates and Plato, Lycurgus and Numa, the Scipios and Catos. The fate of these divine vessels was distressing. None escaped calumny by the impious, many were exiled, some were killed, others were punished as if they were seditious citizens. Yet they are all bound together by virtue and piety; and not much is missing, says Augustine, [for] the Platonists [to] become Christians. Nevertheless, there are differences of rank in this saintly group. Plato certainly preached the cult of the one God and the power of immortal souls, but he warned that one should follow him only until a greater one would come. This greater one was Christ, who inspired "chosen men of a purer life" in order to guide mortals, who were in bondage to execrable superstition, toward the true cult of God.

The sentences have the terse richness of a letter between friends, but their meaning is not obscure. Although true religion is a state of the soul in solitude, we cannot dispense with historical religions because the spiritual life of man is essentially a life in society and history. Solitary man is weak; he is apt to err. Only mankind as a whole can have a true life of the spirit under the guidance of God. Mankind in history receives spiritual direction through transcendental irruptions in chosen individuals *(selecti vitae purioris homines)*. While they are not all of the same rank, they nevertheless are a community of godly messengers *(omnes summa virtute ac pietate conjuncti)* and as such are the spiritual nucleus of mankind, all equally worthy of respect. The Hebrew patriarchs and prophets, the sages of pagan antiquity, Christ, and the saints—in all of them has God revealed himself to man. Bodin evokes the image of a mankind stratified into prophets and the common herd. A community of initiates grows through the ages, and what fascinates Bodin is the fate that the divine messengers suffer at the hands of the superstitious mass when they fulfill their ineluctable duty. Not only are they calumniated and persecuted in their own time; even if their message takes effect it will degenerate into superstition when the historical, human form of the revelation is taken for its essence, when fanatical literalism obscures the function of the message, that

is, the purification of the mind and the direction of the soul toward God. Mankind, thus, is conceived as a great society in history, differentiated by civilizational periods and regions; in every one of these periods and regions is enacted the socially inevitable drama of the prophet whose true religion of the solitary soul becomes the historical religion to the solitude of the prophetic soul. Obviously this evocation is still rather sketchy; nevertheless, in substance it contains the problem that occupied Bodin throughout his life: the role that is imposed on the prophet by the historical and social nature of the life of the spirit.[11]

§5
Preciosa Mors

The various components of this complex problem were not unraveled by Bodin all at once, and never were they presented as a balanced system in a single work. We shall not try to be more systematic than Bodin, and thereby perhaps falsify his thought; we shall rather present the explicit treatments of the several components, which are scattered over the various works, and suggest their systematic connection only through the order of our presentation. We shall begin with a few passages from the *Methodus* that show the connection between Bodin's "true religion" of the soul in solitude and the Aristotelian *bios theoretikos*.

Bodin criticizes the Aristotelian classification of the forms of government. There are, indeed, the three types of monarchy, aristocracy, and democracy; but the further subdivision into good and bad forms according to whether the rulers are good or evil is beside

[11.] Bodin's construction of the relation between Plato, the forerunner, and Christ, the greater one who brings fulfillment, deserves special attention. It is conceived as similar to the relation between Jesus and Muhammad, the latter being the greater prophet. The construction is of interest because in the literary work of Bodin the *Letter to Jean Bautru* marks the high point of the thinker's esteem for Christ. The letter seems to have been written at the time when Bodin's enthusiasm for the Reformation was at its peak. In the earlier as well as in the late work, the highest honors go to Moses; only three years later he already praises Moses in the language of Philo as the only one among all mortals who was at the same time "fortissimus imperator, prudentissimus legislator, ac divinissimus propheta" (most brave general, most prudent legislator, and most divine [inspired] prophet; *Methodus,* 1566 ed., 131). Even in the letter, however, where the inclination toward Christianity is strongest, Christ remains one of the historical prophets, of the same nature as the others, though higher in rank. The drama of redemption and the gospel of love have not touched the soul of Bodin; Christ does no more than free men from superstitions and restore the cult of the true God.

the point. The form of a state is determined by the location of sovereignty. If one man exerts the rights that are traditionally called the rights of the sovereign, then the state is a monarchy; when a minority exerts these rights, then the state is an aristocracy; when the multitude of the people has these rights in hand, then the state is a democracy. To distinguish further between the goodness and wickedness of rulers does not make sense, for the moral qualification of the ruler does not affect the decisive, juristic structure of the state. And, in principle, the evil man is no less a citizen than the good man; moreover, the best man happens to be the worst citizen because, following his nature, the good man will seek solitude and be turned toward God in contemplation.[12] Meditation and affairs do not go well together; the effect of contemplation can, indeed, be described as a sharpening of understanding and, consequently, a dividing of man from man. Contemplation removes man from social connections; man withdraws, as it were, from life and penetrates into the presence of God; and hence the Hebrews and Academics have called this solitude of contemplation "the precious death."[13] In the precious death of contemplation, Bodin blends the Aristotelian *bios theoretikos* with the mystical experience of Hellenistic gnosis. The "purified mind" of the truly religious soul is now identified with the action of speculative intellect in the Aristotelian sense; and intellectual purification is understood as a step in the ascent toward a vision in which the soul is filled with the knowledge of things divine. The precious death "in the sight of God," *in conspectu Dei,* is understood as the *fruitio Dei* of mystical experience, for the reality of God is reflected more clearly in the *mens purgata* than in a soul that is prey to its bodily passions. From such vision, the contemplative soul returns as a

[12.]*Methodus,* trans. Reynolds, 172, 187. For the convenience of the English reader I give the page numbers of the translation by Beatrice Reynolds; the page numbers of the first edition of 1566 will be added only where the original text is of critical importance.

[13.]*Methodus,* trans. Reynolds, 113; 1566 ed., 127: the contemplation "quae preciosa mors ab Hebraeis et Academicis appellatur." The "preciosa mors" goes ultimately back to Ps. 116:15: "precious in the sight of the Lord is the *death of his saints*." Psalm 116 deals with the life in sin which is death; only when the saint dies to the life of the world does he gain true life through the mercy of God. The same double meaning of life and death appears in Plato's *Gorgias,* in the concluding "Judgment of the Dead." The two lines of Hellenistic tradition, that is, of Philo Hebraeus and the Neoplatonists, merge in Bodin's conception of the *preciosa mors.* For the further combination of this tradition with the Aristotelian *bios theoretikos* see the following text.

prophetic soul that can reveal difficult and miraculous things to ordinary men.[14]

This theory of contemplation and vision closely resembles Dante's blending of intellect and grace; and as from Dante's theorizing emerges the figure of the *perfectus,* so emerges from Bodin's theory the figure of the divine messenger, the prophet.[15] The parallel is not accidental. It has its profounder reasons in the parallelism of Dante's and Bodin's problems. The breakdown of the imperial Christian order induced Dante's evocation of the new universal order with the double headship of emperor and philosopher; the further disintegration of the old order through the rise of the national states, through the split of the church, and the factionalism within France, now induces Bodin's vision of the national order under the double headship of royal sovereign and contemplative prophet. The problem of finding a spiritual order for civil society after the failure of the church has narrowed down to the national state; and it has received a new urgency through the beginning of the French religious civil wars in 1563.

§6
The Program

The reader will perhaps have been surprised that a train of thought can start for Bodin with a criticism of Aristotle's classification of governmental forms and within a page arrive at the problem of the *preciosa mors*. In this amplitude of speculation, however, and in this awareness of systematic connections between the spiritual existence of man and the technical details of a theory of politics, lies precisely the greatness of Bodin. In the most prolix display of political materials, he never loses the consciousness of principles; however phantastically the "bulges" may grow in the various works, he never forgets the system into which they must fit. The outline of this system he has given tersely in the opening pages of *Methodus,* chapter III, "The Proper Arrangement of Historical Material." With a few modifications, this outline has absorbed the anthropological nucleus of Aristotelian politics; and it has absorbed this nucleus because it offers the opportunity for injecting the religiousness of

[14.]*Methodus,* trans. Reynolds, 113; 1566 ed., 127.

[15.] For Dante's theory (in *Convivio* and *Paradiso*) see vol. IV, *Renaissance and Reformation,* 208 ff.

the *mens purgata* as the spiritual order into society. Let us briefly list the principal categories of this outline.

History is of three kinds: human, natural, and divine. The *Methodus* will be confined to the history of human affairs. By human affairs is meant the field of human action insofar as it is volitional, embracing plans, words, and deeds. Next we must proceed to the classification of actions; the principal types are: (1) actions that stem from the desire for self-preservation; they pertain to the protection of life and health and the most elementary procurement of food and shelter; (2) actions that stem from the desire for comforts; they pertain to the trades and elementary mechanical arts; (3) actions that stem from the desire for luxury, magnificence, and glory and generally from the desire to eclipse others; they pertain to acquisition of riches, gaining of dominion over others, violence inflicted on the weaker, wars, and slavery; at the same time they pertain to the refinement of mechanical arts and the elegances of living, to the cultivation of sciences, architecture, and music; (4) actions that stem from the desire for solitude and tranquillity of the soul in harmony with nature; they pertain to the contemplation of human affairs, of nature, and, ultimately, of things divine, until the soul, in search of its origins, is united with God in mystical experience.

The last of these types carries man beyond society into solitude with God. Here only does man find the fulfillment of his nature as the *imago Dei*. Nevertheless, the basis of his existence is social and the chief activities of man are turned, therefore, toward the development and defense of the society that is the field of the first three types of action. In classifying social relations, Bodin simply adopts the Aristotelian trinity of household relations, of division of labor and common defense in household groups, and finally of the republic with its art of civil discipline.

Civil discipline embraces the three functions of dominion, counsel, and execution. Dominion consists of the activities that in their aggregate are called sovereignty. They are principally four: (1) creating magistrates and determining their jurisdictions; (2) creating and abrogating laws; (3) the power of war and peace; and (4) the power of punishment, reward, and pardoning in the highest resort. The function of counsel includes the deliberation of legislation and the shaping of policies. Execution includes the coercive functions of ruling, administration, and justice, as well as the persuasive func-

tion of religious rites. The administrative discipline extends not only to military and economic affairs but also to a supervision of intellectual and artistic activities so that no disturbance of the polity may arise from these quarters; and it extends specifically to the supervision of priests and their performance of sacrifices and rites.

From civil discipline, which extends to the whole of political society, including its cultural activities and religious practices, must be distinguished the "true religion" of contemplation. This true religion can exist without civil discipline, without association, in the solitude of one man.[16] This is the systematic distinction that enables Bodin to reduce the historical religions to state departments that are concerned about rites and for the rest must keep civil peace, and to raise above them the true religion of the contemplative prophet. The distinction, if left at this stage, would, however, solve the problem of civil, religious peace at the price of eliminating true religion from the political arena altogether. The contemplative mystic would withdraw into his solitude, and public life would degenerate into a spiritually stagnant welfare administration with a department of rites. Bodin does not intend this result. He admits a "consensus of great men" that the man ought to be considered happiest who is farthest removed from civil society, but he does not agree with their judgment. The highest felicity obtainable in life certainly is the *preciosa mors,* but the existence of man nevertheless remains social. The life of the polity requires perpetual action to sustain it; and the whole citizenry can no more be occupied with contemplation than all the forces of body and mind can be engaged in speculation. Besides, if we put true happiness in contemplation alone, we would run into the theoretical difficulty that the good of society and the good of man would not be the same. Hence, we must define the good of man who is engaged in the business of life neither by the practice of affairs nor by the leisure of contemplation. Life, while it lasts, is social; in order to preserve the systematic unity of a philosophy of human existence as social, we must define the good, for both man and society, as mixed in character. In life, the mind of man can only become purified, it cannot become pure *(mens purgata, mens pura);* pure contemplation can be enjoyed by

16. "Religio veto ipsa, id est purgatae mentis in Deum recta conversio, sine coetu, in unius hominis solitudine, esse potest." *Methodus,* trans. Reynolds, 33 f.; 1566 ed., 32.

the mind only when it is completely separated from its body, that is, in death.[17]

A polity cannot be considered truly happy unless there is room in it for contemplation; and a man cannot be considered happy unless his contemplation is that of a man in society. Hence, the question arises of how the solitude of contemplation can be turned back into a function in the polity. The question arises at the end of Bodin's theoretical considerations; in practice however, it stands at the beginning of his work. In the dedication of the *Methodus,* addressed to Jean Tessier, Bodin relates that he was animated, from the beginning of his legal studies, by the desire of returning whatever he could in whatever manner possible to the polity, "to which, after immortal God, we owe everything." It is the sentiment that Plato expressed in the Parable of the Cave: the thinker owes his formation to the polity; and when, in the educational process, he has risen to the vision of the Agathon, there is incumbent on him the duty of returning to the cave and letting his cocitizens partake of the fruits of his wisdom. The fruit of contemplation, however, is history (in Bodin's sense)human, natural, and divine. The contemplative thinker fulfills his duty toward the polity by making the fruit of his work accessible to the citizenry; he thus will serve as a guide to contemplation of human affairs, of nature, and finally of God for the ordinary citizens who cannot take this course on their own initiative. Through such guidance, the contemplation of the thinker will become effective as a source of order in society.

Nevertheless, the thinker will have to exert a little restraint; it would not be helpful to pour out divine history on the citizenry first, for they would not understand it. "We must act for the benefit of the unlettered first." And the first and greatest benefit to the unlettered is the knowledge of human affairs. No polity can be governed well without prudence; and prudence in affairs cannot be acquired without knowledge of history.[18] Hence, Bodin starts with the history of human affairs, following the example of Plato, with the purpose of assembling and comparing the legal structures of all states, or at least the most famous ones, and of arriving through such comparison at conclusions concerning the best governmental

[17.] Ibid.

[18.] *Methodus,* trans. Reynolds, 17.

structure.[19] Never since antiquity have time and situation been so favorable to a project of this kind as the present ones. Nowhere is learning flowering as in present-day Europe; no country is more famous for its legal science than present-day France; and no more brilliant scene of learning is to be found than Paris. Plato's plan to develop a right political order for the people has no better chances of achievement than in the present learned age and in the law school of

Paris.[20]

The religiousness of the contemplative thinker amalgamates with national and professional pride in this program of creating a civil order through contemplative science, in emulation of Plato. We must consider the rivalry with Plato as the most serious motive determining the course of Bodin's literary work. There can be hardly a doubt that Bodin's *République* is conceived as the modern counterpart of Plato's *Republic* and that the late works, the *Heptaplomeres* and the *Theatrum Naturae,* are meant as the counterparts to *Timaeus* and *Laws*.

§7
God, Angels, and Men

Bodin's Platonism is not a mere literary rivalry. The French mystic has understood the problem of the well-ordered soul as the source of order in the polity. His political science is not merely conceived as an improvement over the ancients on the empirical level (though it is that, too); his "history" is conceived as the fruit of contemplation; and such contemplation, from which order radiates over the materials of experience, is not everybody's affair; it is reserved to the soul that has undergone the perfection of the *preciosa mors*. The Platonic Eros, which carries the soul toward the vision of the Agathon, has its parallel in Bodin's purging of the mind and its conversion toward God. The order in the soul of the mystic becomes again the model of order in society. Hence the question arises of to what extent the order of the Bodinian psyche is formed by mystical tradition and to what extent it is existentially original.

[19.] This program of the *Methodus* is still the program of the *République;* for the change in Bodin's position in his late work, the reader should refer to the section on Bodin in the previous chapter, 15862.

[20.] *Methodus,* 1566 ed., 6 f.

For the answer to this question we must rely mostly on Bodin's *Démonomanie des sorciers*.[21]

In the *Démonomanie,* Bodin tells the story of a person who was attended by a spirit, beginning from his thirty-seventh year. The account is now well established as autobiographical.[22] The "person" was of the opinion that the spirit had accompanied him all his life and revealed itself through dreams and visions that warned him of vices and dangers; but it had made no sensible appearance before the age of thirty-seven. The sensible appearance was preceded by a year of

continuous prayer, morning and evening, that it please God to send his Angel in order to guide him in his actions. The prayers were preceded and followed by meditations, of two or three hours, principally on the question of which of the various religions that were debated at the time on all sides was the true one. In the course of these meditations, supported by the reading of Holy Scriptures, he found, in Philo Hebreaus's *De Sacrificiis Abeli et Caini,* that the most agreeable sacrifice that a good and integral man can bring to God is the sacrifice of himself, purified by God. "He followed that counsel and offered his soul to God." After that occurred a series of dreams and visions "full of instruction." And once, in a dream, he heard the voice of God assuring him that he would save his soul. Then began the sensible appearances of the spirit, at first in the form of a knocking at three or four o'clock in the morning, which continued until he would rise and begin his morning prayers. The spirit also once made himself heard in the presence of a friend so that he was compelled to tell the friend the whole story. Further on, the spirit became a permanent companion, touching his right ear when he did something wrong or when he was in some danger and his left ear when his action was right. During this life with the spirit, he did not cease his practice of prayer and meditation; and he even set aside a day of the week other than Sunday ("because of the debaucheries committed on this day") for reading the Bible, contemplation, and so forth.

Thus far goes Bodin's account of his mystical experience. The implications are far-reaching, but their reconstruction is hazardous.

21. Jean Bodin, *De la démonomanie des sorciers* (Paris, 1580; rpt. Paris, 1979; Hildesheim, 1988).

22. The story is to be found in *Démonomanie,* fol. 10v ff. For the autobiographical character of the story see F. Von Bezold, "Jean Bodin als Okkultist und seine Démonomanie," *Historische Zeitschrift* 105 (1910).

Bodin does not give a systematic presentation of the philosophical anthropology that is presupposed, nor does he, in the scattered pages and passages on the subject matter, refer too clearly to his sources. Nevertheless, while we are still far from the last word on the complexities of Bodin, at least the outlines of the problem can be made visible by now. In the story of his experience we can, first of all, discern the degrees of prophecy that Bodin has taken over from Maimonides (Moses ben Maimon). At the lowest level we find the revelations in dreams admonishing the dreamer to devote himself to the good and to flee evil. The prophet of this lowest degree experiences in his soul "a teacher who renders him prudent and well-advised."[23] On the higher level, prophetic gifts express themselves in hearing words without a visual source,

in seeing in dreams a man who reveals divine things, in hearing God speaking in dreams, and so on. According to the classification, Bodin would have reached at least the fourth, and perhaps the seventh, degree of prophecy.

This prophecy of Bodin, second, appears in the course of a spiritual discipline that involves the sacrifice of the soul to God, a meditative process resulting in the *conversio in Deum,* and the assistance of a spirit that is identified as an angel. For the idea of sacrificial existence Bodin himself gives his source as Philo Hebraeus. For the idea of conversion with angelic assistance, the ultimate source is [Pseudo-]Dionysius Areopagita.[24] Whether Bodin has used the Areopagita directly, or whether his ideas have reached him through mediation of the Renaissance neo-Platonists, cannot be said with certainty since direct references are missing and, in any case, Bodin uses his sources quite freely. We can do no more than characterize the *ambiente* of ideas in which the French thinker moves.

The term *conversio* renders the Dionysian *epistrophé*. The translation as *conversio* is used by Erigena, and the term is common in

[23.] *Démonomanie,* fol. 23r. The degrees of prophecy, altogether eleven, are detailed on this and the following page. On the derivation of this classification from Maimonides see Guttmann, *Jean Bodin,* 61 f., and Von Bezold, "Jean Bodin als Okkultist," 50 ff. See also Paul Lawrence Rose, ed., *Jean Bodin: Selected Writings on Philosophy, Religion, and Politics* (Geneva: Librairie Droz, 1980); Paul Lawrence Rose, *Bodin and the Great God of Nature: The Moral and Religious Universe of a Judaizer* (Geneva: Librairie Droz, 1980).

[24.] This source has been indicated by Von Bezold, "Jean Bodin als Okkultist," 48 f.; see the footnotes on these pages for literature on the subject.

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Renaissance literature.[25] Pico della Mirandola discusses the problem of conversion in angels in the *Heptaplus*. He characterizes this "movement of conversion" more closely as a *motus amoris;* and the assistance of angels to man in this process extends to the three phases of purgation, illumination, and perfection.[26] In order to understand the range of the problem in the sixteenth century we should consider, however, that Pico also defines human felicity as the return to the origin, in the same manner as Dante.[27] We are faced by a field of meaning with an amplitude from a Platonic *motus amoris* to an Aristotelian *ritornare al suo principio*. A further facet—we may call it the humanistic—becomes visible in Marsilio Ficino. The turning toward God is

used in his *De Christiana Religione* as the characteristic that distinguishes man from animals: "the erection of the mind toward God, the king of heaven, is proper to us, as is the erection of our body toward heaven."[28] The erection will be achieved through a discipline of ascent that frees the true nature of man from its corporeal and sensuous coverings; and since man is created as the *imago Dei* the discipline of ascent has the consequence of unveiling the hidden *statua Dei* in man.[29] We are close to an intellectual operation in which man endows himself with grace with the result of deification. In Ficino, however, this possibility is restrained by Christian tradition. The *fruitio Dei* is less a moving toward God than a being-moved-by-him; it is not an intellectual approach to the *bonum,* but rather a being-carried-into-it by love.[30] Again, as in the case of Pico, we must observe an amplitude of meaning that reaches from Dionysian mysticism (for

25. See for instance *Oratio Joannis Trithemii de vera conversione mentis ad deum* [1500], without place and date. For the terminology of Dionysius see the terminological table in P. G. Théry, *Études Dionysiennes,* Études de Philosophis Médiévale, vol. 19 (Paris: Vrin, 1937), vol. 2 s.v. *epistrepho.* Very useful also is the index of terms in Maurice de Gandillac's *Oeuvres complètes du Pseudo-Denys l'Aréopagita* (Paris: Aubier, 1943).

26. Pico della Mirandola, *Heptaplus* III.2, 5. In the "Prooemium" to book III Pico stresses that in matters of angelology he is closely following Dionysius. The edition used is *Opera* (Basel, 1601).

27. *Heptaplus* VII, "Prooemium: Felicitatem ego sic definio, reditum uniuscuiusque rei ad suum principium."

28. Ficino, *De Christiana Religione,* chap. 1, in *Opera* (Basel, 1576), vol. 1.

29. Ficino, *Dionysii Areopagitae, de Mystica Theologia, ad Timotheum Liber,* in ibid., 2:1020.

30. Ibid., 2:1019: "Deum frui non est ad Deum agere, sed potius agi Deo. Non est aliquied per se haurire, sed aliunde prorsus impleri. Non est per intellec versari circa bonum, sed amore transferri." The intellectual self-deification, which is always a near possibility in Ficino's idea of man, becomes realized for the first time

(footnote continued on next page)

the passages of Ficino occur in his commentary on the Dionysian *Theologia Mystica*) very near to the mysticism of modern, intra-mundane man.

The source of the light that is broken into this spectrum of experiences lies in the *Coelestis Hierarchia* of Dionysius Areopagita. By hierarchy is meant a sacred order of being, pertaining

to knowledge and action, which enables the ranks of creation, as far as possible, to realize in themselves resemblance to the divine origin, the Thearchy. The hierarchy is the "image of thearchic splendor"; and on each member of the hierarchy is incumbent the duty of perfecting itself through *imitatio Dei*. Such individual perfection, however, is not isolated action. The hierarchical creation is a whole, cooperating among its ranks in mutual perfection. To some it is given to receive purification, to others to purify; to some to receive illumination, to others to illuminate; to some to receive perfection, to others to perfect. "Each rank imitates God in the manner that is suitable to its proper function."[31] [The angels have an] important function in this cooperative effort of creation at mutual purification, illumination, and perfection. They are endowed in a specific manner with the power of "converting themselves fully toward the Principle that is beyond all principles," and consequently of guiding others toward the source of all principles.[32] Such guidance through the hierarchy of angels, however, is not necessitation for man; the vision must be assimilated, and individuals as well as nations show marked differences in their ability and inclination toward assimilation. Historically, the Hebrew nation has shown a superior willingness to walk the narrow path of spiritual ascent; if the others did not emulate them, it was not the fault of God and the angelic hierarchy: among them also were "lovers of God" (as for instance Melchisedek, Gen. 14:18) whose function it would have been to guide their people toward "conversion" but who did not find followers.[33] The conception of the celestial hierarchy expands into a philosophy of history and society through the conception of a difference of rank [among] men, corresponding to the hierarchical differences [among] angels,

in a great manner in Descartes. See Jacques Maritain, *Descartes ou l'Incarnation de l'Ange,* in *Trois réformateurs: LutherDescartes Rousseau* (Paris: Plon, 1939).

[31.] The foregoing text summarizes chap. III of the *Coelestis Hierarchia*.

[32.] *Coelestis Hierarchia* IX.1.

[33.] *Coelestis Hierarchia* IX.3.

with regard to their ability of being converted and of converting. There is no objection to extending the terms *angel* and *god* to men who are distinguished by their saintliness and consequently have the angelic guiding, prophetic, and perfecting function toward other men.[34]

We have assembled the elements of neo-Platonic and Dionysian tradition that have a direct bearing on Bodin's mysticism and philosophical anthropology. We shall now examine the

specific form this tradition has assumed in the hands of Bodin.

In his idea of man, Bodin accepts the general conception of the hierarchical, cooperative universe. The sacred order of the universe makes conversion toward God the decisive criterion of perfection in all being. The stature of man, in particular, is determined by the degree of conversion; by this criterion various types of men can be distinguished. There are men, for instance, who "never devote themselves to contemplating things intellectual and never raise their mind higher than their snout; they live like the pigs and brutes of whom Psalm 49 says: 'They are no longer men; they resemble beasts; and their souls will die with their bodies.'" Such men, it seems, cannot have company with spirits, either good or bad, "for the difference is too great between such pigs and the spirits which by their nature are incorporeal essences."[35] Above the piggish type rises man proper, who is the mediating link between subhuman creation and the intelligible world. Man in himself is neither good nor bad, but he has the faculty of inclining toward good or evil; one can say of man that he holds the middle between angel and demon.[36] According to the inclination which the spiritual man follows, we then can distinguish between those who devote their thought to evil until their souls become diabolic in nature and those who raise their souls to God until they gain communication with the angelic world.[37] Above the normal type of man, finally, rises the exceptional type of man, who, by the grace of God, can associate so intimately with the Angel of God that he will experience not only the Angel's guidance but his very presence. This, however, "happens only to a very few men, and only through a special grace

[34.] *Coelestis Hierarchia* IX.23.

[35.] *Démonomanie,* fol. 1.8v. [This notation refers to unpublished MSS.]

[36.] Ibid., fol. 7r.

[37.] Ibid., fols. 8v, 9r.

and favor of God. Averroës calls this state the adeption of the intellect and recognizes it as the highest felicity in this world."[38]

This classification of human types is in principle dependent on the Dionysian criterion of conversion; and historical sources can be adduced for every single one of the types. In their combination, however, the Bodinian anthropology is original. It has been suggested that in the

opposition of evil and good types the Calvinist influence can be felt strongly; to us it would rather seem that the quadripartite division, if anything, proves Bodin's independence from the dogma of any of the historical religions of his time. The classification is a peculiar Platonic-Jewish-Christian mixture. The first type, the spiritually dead, echoes passages of the Old Testament; but in the characterization as pigs *(pourceaux)* it also carries Platonic associations. The second and third types have affinities with the Tyconian-Augustinian *corpus diaboli* and *civitas Dei*. The fourth type, the prophetic saint, has Jewish-Arabic sources. The aggregate, as we said, does not fit into the anthropology of any of the conflicting Christian churches of the age; and in anticipation we may say that a politics based on this anthropology will not fit into the conventional categories of constitutionalism or democratic ideas.

By this time, the "modern" reader will probably be somewhat disturbed by the ease with which we move in the company of angels and demons; for we are enlightened and we know that such creatures don't exist. Was Bodin, after all, a premodern thinker? This problem existed already in the sixteenth century. As a matter of fact, one of the functions of the *Démonomanie* is an attack on the modernity that denies the existence of spirits. Bodin discusses the problem in the preface of his treatise, and his methodological remarks are still valid today. He complains about people who, from the position of natural science, deny the power of spirits and the actions of sorcerers; and he calls it the *comble de tous erreurs* and an *incongruité notable* to talk about supernatural things or about metaphysics in terms of physics. "For every science has its principles and they differ from each other." For the physicist atoms are indivisible bodies; while for the mathematician with his ideas of indefinite divisibility such an assumption is stark heresy. The physicist measures time, past and future, through the number of

[38.] Ibid., fol. 9r.

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movements; the metaphysician has the idea of an eternity without number, time, or movement. For the physicist there is nothing in the world that is not body, movement of bodies, or effect of bodies; for the metaphysician there are spirits who move the heavens and have effects on each other. If we translate this argument into modern language we might say that the methods of a science are not valid beyond the realm of that science; or that from the validity of a method nothing follows ontologically for the universe at large. From the fact of physics nothing follows for the existence or nonexistence of spirits; the assertion that spirits do not exist is not a judgment in science, it is a dogma of scientism.

The argument is final. The problem of spirits must be discussed on its own terms. What then are the terms in which Bodin conceives the existence of spirits? The question of existence itself can hardly be called a problem for him. He is a Platonist; the substance of the universe is psyche; the existence of angels, as we might expect, is settled in one sentence: "When I say Angel, I mean all power and all virtue in general, which God bestows on being; considering that good and evil spirits, as well as man, as well as wind and fire, are called angels in Scripture."[39] It is the pan-psychic metaphysics of nature of the *Timaeus* that inspires Bodin. Moreover, we should note that for him there is no conflict between natural science and the Platonic-Aristotelian idea of celestial bodies as moving intelligences. Classic cosmology and modern physics are for him not an either-or; both are legitimate interpretations of nature. A star can follow a course that can be expressed in mathematical equations; and, at the same time, it can be a moving intelligence. The real difficulties of an angelology arise for Bodin on the level of religious symbolization. If the universe of powers from stars to man is a cooperative hierarchy of intelligences in the Dionysian sense, a conflict may arise with the biblical conception of the omnipotent God who has created the world and at any time can intervene in its affairs. The pan-psychic universe seems to transact its own business without God; and, in particular, the interposition of a host of intelligible existences seems to disturb the immediacy of the relation between God and man. The universe becomes something like a constitutional monarchy in which the king is a ceremonial figure while actual power rests with his ministers.

39. Ibid., fol. 28v.

This is, indeed, the fear of Bodin, and we see him indulge in argument calculated to demonstrate the majesty of God in spite of the overwhelming activity of numerous minor divinities. If there were fifty heavens, there would be indeed, as Aristotle suggests, fifty angels and intelligences; but, Bodin continues, this does not mean that God could not conduct the world according to his will by other means than the action of the intelligences. "It is more suitable, however, for divine Majesty to make use of his creatures. That is why one reads in Scripture that God sits in assembly with his angels and that even the evil spirits appear in the assembly, for God speaks to Satan in the assembly of the angels as we can read in Job 1." Like a true monarch, God uses the ministry of his creatures; he speaks to man through his angels, and he directs the corporeal world through the celestial world.[40] Nevertheless, his power and virtue are in no way diminished by this *modus procedendi;* rather is his power heightened by it

and made visible in its full grandeur.[41] This is precisely the argument Bodin uses in the *République* when he explains that the estates of the realm assembled do not impair the absoluteness of royal power but on the contrary give foil to its greatness. The cosmological and political construction are in close correspondence; the polity is conceived as a cosmic analogue, as the cosmion; and rulership and administration of the state are conceived in analogy to the thearchy and hierarchy of the cosmos. The conception of the polity, analogous to the cosmos, as a cooperative universe under a sovereign who rules absolutely like a transcendental God, but at the same time rules within an ordered universe through ministerial powers and sits in assembly with his political intelligences, has introduced into the political theory of Bodin the problem that on the level of institutions appears as an indecision and oscillation between the ideas of absolute and of limited, constitutional monarchy. The politics of Bodin is hardly intelligible if we interpret it on the level of institutional devices exclusively; the greatness of the French thinker lies in his concern about the spiritual enigma of a rulership that welds a people into a political cosmos.[42]

40. Ibid., fol. 30r.

41. Ibid., fol. 31v.

42. At least an awareness of this problem one may find in Beatrice Reynolds, *Proponents of Limited Monarchy in Sixteenth Century France: Francis Hotman and Jean Bodin* (New York: Columbia University Press, 1931), 195 f.

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§8
ToleranceThe Heptaplomeres

The position that Bodin develops in the *Démonomanie* is inseparably connected with the idea of tolerance that he develops in the *Colloquium Heptaplomeres*. In the more conventional interpretations of Bodin we still find expressions of surprise, and even revulsion, that the enlightened, tolerant humanist of the *Heptaplomeres* could at the same time be a superstitious person who believed in witchcraft and demanded the utmost rigor of the law against sorcerers. As a matter of fact, there is no contradiction between the two positions. Tolerance, in its profounder, historical sense, does not mean the indifferentism of spiritual obscurantists who infest the contemporary scene; such tolerance as springs from the indifference of spiritually impotent individuals would have been characterized by Bodin rather as the attitude that is

typical for "pigs"; tolerance means for him the attempt to understand the core of "true religion" that is to be found in historical religions, however much it may be veiled by the historically and geographically conditioned varieties of symbols. The establishment of this true core is a public concern, not only because the historical religions are engaged in civil war at this time, but also because mankind is a spiritual whole, part of the cooperative universe. The existence of this cooperative universe has no other meaning but perfection through conversion toward God; defection from this course is the supreme crime against God, which stains not only the individual who commits it but the whole community, which is coresponsible for guidance toward God. In particular this responsibility for the spiritual weal of the community rests with those who by the grace of God are endowed with superior gifts of guidance; and Bodin, as we know, was an angelic messenger, a prophet. On Bodin, the prophet, is incumbent the duty of preserving and revealing the core of true religion and guiding the community in conversion. This operation, however, is endangered not only by the fighting historical religions; it is endangered perhaps even more by the men who are indifferent toward the spiritual order of mankind,

The presentation of Bodin's theory of angels in the text is incomplete. A very important further component is the theory of the *intellectus agens,* in particular in its Arabic development. For this problem, as well as for the relevant passages in *Universae naturae Theatrum,* the reader should refer to Von Bezold's "Jean Bodin als Okkultist," 58 ff. See also Garosci, *Jean Bodin,* 77.

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as well as by the men who are spiritually sensitive but incline toward evil spirits, that is, by the "pigs" and the "demonomaniacs." Against these two types the tolerant Bodin is intolerant. The true tolerance of spiritual understanding inevitably is accompanied by a fanatical intolerance against the equally well understood sin of spiritual defection. Systematically this attitude, of course, is based on the quadripartite anthropological classification we have discussed previously.

The *Démonomanie* is, therefore, directed not only against actual demonomaniacs, as is too rashly supposed by many interpreters, but also against a whole gamut of defections. At the bottom of the ladder of malefactors are the simple village witches who practice surviving pagan rites; next comes the multitude of people, of all social ranks, who use amulets and sacred figures for producing miracles and healings; then come the Christians, and in particular Catholics, who desecrate God by the cult of intermediate powers, as this means "aversion from

the Creator to the creature"; in the same class belong the ecclesiastical practices of exorcism, for magic rites are used in them for the overcoming of demons instead of the conversion toward God in prayer; further on, we find the Italianizing court society in which magic practices are rampant for the pursuit of political projects; then, the litterati and philosophers who revivify occult sciences; and, finally and worst, the enlightened intellectuals who deny the existence of demonic forces. On this last class the true wrath of Bodin is concentrated because (an elementary truth that in our time is all but forgotten) unbelief with regard to evil is the conclusive symptom of insensitiveness toward spiritual good; lack of discrimination with regard to evil is rooted in lack of discrimination with regard to good. On this point Bodin is inexorable: "When a magistrate mocks himself of sorcery, the presumption must be that he is a sorcerer himself." In this radicalism, Bodin's judgment may be a misclassification; perhaps the magistrate is not a sorcerer himself, but simply a *pourceau*. Nevertheless, in principle, Bodin has correctly diagnosed the symptoms of a beginning spiritual dissolution in society of which today we witness the horrible consequences. Spiritual indifference and *démonomanie* in the sense of a corrosion of the ego by the *amor sui* had become mass phenomena by the middle of the seventeenth century. At that time they produced Pascal's psychology of the obsessed individual; at the same time they induced Hobbes to develop

a theory of politics that assumes the demonomaniac type as the normal human type and to devise the Leviathan as the instrument for mastering the evil nature of man. Between Bodin and Hobbes, in face of the demonic reality, the idea of the polity as a cooperative universe, held together by the spiritual process of guidance and conversion, has become a joke not worth the discussion of the foremost political thinkers. For the further phases of this process the reader should refer in particular to the chapters "The English Quest for the Concrete" and "The Apocalypse of ManComte" in later parts of this study.[43] Its final phase has come in our time, when the tolerance of indifferentism lets the demonic forces take possession of the polity and transform it into the slaughterhouse of the totalitarian *ecclesia diaboli* in which unfortunately not only the "pigs" get slaughtered.[44]

There is only one serious flaw in Bodin's position of tolerance and intolerance, the flaw that really contains an element of "superstition," the flaw that reveals the human limitations of the French thinker: that is, his advocacy of the use of violence for the suppression of sorcery and witchcraft. He defends capital punishment for the malefactors with the argument that the punishment is inflicted on them not in a spirit of revenge in order to make them suffer but "in

order to avert the wrath of God from the whole people." The argument is sound insofar as it is based on the principle of the guilt of the community for the evil committed in its midst; it is "superstitious" insofar as it suggests rigorous punishment of certain malefactors as an adequate practical means for averting spiritual disaster from the community. His activist temper apparently was not capable of the Platonic restraint and insight that spiritual problems cannot be solved by violence; nor was he capable of Kierkegaard's resigned wisdom: "A single man cannot help an age or save it; he only can express that it perishes." The spiritual crisis of the sixteenth and seventeenth centuries could no more be solved by burning witches than the contemporary degeneration of enlightened liberalism into the totalitarian stench can be stopped by the police.

[43.] See vol. VI, *Revolution and the New Science,* chap. 4, and vol. VIII, *Crisis and the Apocalypse of Man,* chap. 3.

[44.] For the numerous passages of the *Démonomanie* that are relevant for this paragraph the reader should refer to the account of the problem given by Garosci, *Jean Bodin,* 82107.

While the *Démonomanie* deals with the enemies of spiritual order, the *Heptaplomeres* deals with its problem children, that is, with the historical religions.[45] The *Heptaplomeres,* on a grand scale, unfolds the problem that had occupied Bodin since his youth, the problem of the relation between true religion, which can be only one, and the manifold of historical religions. We must state the problem in this careful manner because from disregard for its precise nature have resulted regrettable misjudgments concerning the meaning and value of his late work. In particular we have to beware of simplistic, half-true formulations, as for instance that the topic of the dialogue is the idea of tolerance, or that it is a disputation between representatives of various historical religions concerning the merit of their respective persuasions. We also must beware of the judgment that the dialogue is inconclusive, or ends on a note of despair, because no decision falls in favor of one of the representatives and his religion. And, finally, we cannot admit that the personal position of Bodin can be discerned only with difficulty, or not at all, in the conflict of voluminous argument. Such errors can be avoided best by clearly stating the conditioning factors of the dialogue.

The dialogue is called *Heptaplomeres* because seven persons participate in the series of table talks. The seven persons are usually characterized as representatives of various religions. This characterization is true, but it omits the decisive point. Only five of the participants are

representatives of historical religions: Coronaeus, the Venetian Catholic, in whose house the conversations take place; Fridericus, the German Lutheran; Curtius, the French Calvinist; Octavius, the Italian renegade, who had become a Muslim; and Salomo, the Jew. If only these five were present, the dialogue would not get very far because the clash of irreconcilable dogmatic positions would end in an early, more or less polite, explosion. The

45. The best studies on the *Heptaplomeres* are, in chronological order, the following: (1) Wilhelm Dilthey, "Das natürliche System der Geisteswissenschaften im 17. Jahrhundert," first published in *Archiv für Geschichte der Philosophie* (1892/3), now in *Gesammelte Schriften* 2 (1914); the section on the *Heptaplomeres* is on 14553; (2) F. Von Bezold, "Jean Bodins Colloquium Heptaplomeres und der Alttheismus des 16. Jahrhunderts," *Historische Zeitschrift* 11314 (19141915); (3) the section on the *Heptaplomeres* in Garosci's *Jean Bodin,* 10727; (4) Ernst Benz, "Der Toleranzgedanke in der Religionswissenschaft," *Deutsche Vierteljahreschrift für Literaturwissenschaft und Geistesgeschichte* 12 (1934). The studies by Benz and Garosci are superior in penetration of Bodin's meaning to the earlier studies by Dilthey and Von Bezold.

rigidity of such a situation is loosened dramatically by the presence of the remaining two interlocutors, Toralba and Senamus. Their positions are highly personal ones and cannot be briefly named by historical type concepts. Toralba professes a religion that he finds historically in pre-Abrahamitic humanity; he claims for this religion a special authority because it is the "oldest" and most "natural." The Old Testament is his source; and this source is accepted as legitimate by the representatives of the historical religions; moreover, they are all inclined toward accepting "old" and "natural" as legitimate claims for the value of a religious view. The presence of Toralba, thus, eases the situation because he represents a more or less acceptable common denominator. The position of Senamus is more complex. One might characterize it perhaps as a pagan humanism; there are Stoic, Platonic, and Epicurean elements in his attitude; moreover, he is more markedly than the others a "naturalist" who does not accept irrational or "supernatural" phenomena like animated celestial bodies, broom-riding witches, and so on. With regard to historical religions he is willing to accept them all because all of them contain divine truth and we do not know which of them is "more true" than the others.[46] All historical religions are symbolic veils of the one spiritual religion that is hidden in them all. Wherever he sojourns he joins with the prevalent services; he is a Jew with the Jews and a Greek with the Greeks. The judgments of historians that the *Heptaplomeres* is inconclusive are mainly based on the figure of Senamus, whose attitude dominates the conclusion of the dialogue. While

Toralba introduces a "natural" minimum into the discussion that is acceptable to all members of the company, Senamus injects the idea that variety as such is legitimate and that agreement is unnecessary. From the point of view of dramatic technique, the figures of Toralba and Senamus are excellently devised as representing the common substance that actually is present in the others, too, but would be warped in its expression through the dogmatic fixation of the speakers unless it gained independence and initiative through separate personifications.

[46.] His position is summarized in one sentence: "Omnes omnium religiones probare malo quam eam, quae fortassis vera est, excludere" (I prefer to approve all the religions of all peoples than to exclude one that may perhaps be true). *Heptaplomeres* (Noack ed.), 354.

The differentiation between the five representatives of historical religions, on the one side, and the two figures who represent the common religious substance, on the other side, is essential for the dynamics of Bodin's dialogue. Nevertheless, even this differentiation may still be too crude. Ernst Benz, in his study, has drawn attention to certain characteristics, common to all seven speakers, that make it doubtful whether the characterization of the first group as representatives of historical religions is the last word in the matter. While, indeed, they are adherents of their religions, they are far from being fanatics or intellectual provincials. All of them move in a universe of discourse that presupposes an encyclopedic knowledge of religious literature. And all of them quote everything; "The Lutheran quotes the Rabbinic and Masoretic literature; the Jew, Luther and Melanchthon; the Calvinist, the Catholics; and Toralba, Brenz and Schwenckfeld."[47] They all have broken the limits of their dogma; in none of them is living seriously the exclusiveness of his faith; they all have a wide comparative knowledge of religions; and all of them are aware of historical conditions of the variety of religions and are willing to discuss them under this aspect. They are not irreconcilables; they are rather in the position of Bodin himself: of being in their faith through biographical circumstance, but profoundly shaken by their comparative knowledge of the historical religious manifold.

The mysticism of true religion through conversion toward God and the disturbance of the soul through a wide comparative knowledge of historical religions appear as the ingredients of the atmosphere of tolerance that pervades the conversations of the *Heptaplomeres*. This formulation clarifies the Bodinian problem in principle; but it raises at the same time the question of what conceivable importance such tolerance of the mystic humanist could have in society and politics. Such tolerance is possible for everybody who fulfills the conditions; but the

private attitude does not end the civil wars of France and create religious peace. Here lies the central problem of the *Heptaplomeres,* whichin spite of the previously enumerated excellent studiesis yet far from being explored sufficiently. On the surface, the dialogue, indeed, looks unsatisfactory as far as the solution of the burning political problem is

47. Ernst Benz, *Der Toleranzgedanke,* 550.

concerned. The conversations take place in Venice, in the house of a wealthy merchant who assembles scholars and philosophers for cultivated company. The choice of the place is significant. Venice, the meeting place of the West with Byzantium and Islam, had achieved in the sixteenth century a practical state of toleration without parallel. Its intellectual atmosphere was an epitome of the Mediterranean. It gave room to classic antiquity, as well as to Plotinism, to Renaissance neo-Platonism, to Arabic philosophy, to the Jews who were expelled from Spain (in 1534 a Jewish university was founded), and to religious refugees from the rest of Europe. The social and economic background of this flowering was furnished by the commercial oligarchy of the city. In this atmosphere of an international and, more than that, of an intercivilizational metropolis with far-flung economic and political interests, of wide traveling, of wide information, of first-rate libraries and other scientific facilities, of elegant and cultivated living well supported by funds, meet the seven men. Their style of life is their common bond that must not be broken by boorish insistence on personal opinions. When the argument reaches a critical point, the break is avoided by a polite gesture. It would be a pity to dissolve such pleasant company because of a disagreement on Original Sin or the nature of Christ. The determining order of life for these men is not the church but the political society in which they find their material existence. Moreover, they are very much aware of the true community between them, and they do not have the faintest intention of endangering it by religious dispute. Some of them have grave misgivings against starting the conversation on such a topic at all; and when in the heat of conviction Salomo becomes aggressive, the attacked Coronaeus, after a silence, answers: "It was my intention to refute Salomo, but I prefer to put it off for another time in order to avoid the appearance that we have abridged anybody's freedom of speech."[48] Even an opposing opinion is checked tactfully if its expression could make the speaker feel that he has hurt a sensitive point by his own free expression. The problem is summarized in a remark of Fridericus on the suitability of religious disputation: "I consider it always very fruitful when *scholars among themselves* investigate things divine."[49] Tolerance

48. *Heptaplomeres* (Noack ed.), 160.

49. Ibid., 126.

in practice, thus, would be possible only among humanists whose horizon is sufficiently large to perceive the intention, through the walls of symbols, toward the one God who is common to all the disputants.

The result of the *Heptaplomeres* would be the insight that tolerance is a practicable attitude among well-fed, slightly relativistic humanists. Benz in particular has insisted in his study that this is the result. The tolerant conversation is possible because the participants actually are no longer seriously engaged in their faith; the churches and positive religions are reduced to personal religious worldviews; the historical positivism of the churches has experienced "a political pseudo-morphosis"; the existentially serious basis of the disputants is the political order.[50]

In spite of the authority of Benz, we cannot agree with his interpretation; we believe it is due to an hermeneutical mistake. As happens so frequently also in the interpretations of Platonic doctrine, the meaning on the level of literary form is mistaken for the meaning of the author. The *Heptaplomeres* is a dialogue; and under the uncouth bulges of theological argument, it is a masterpiece of dramatic construction. It actually contains the result that Benz finds in it; but that is the result on the level of the "story." We may consider it quite possible that the learned conversations among cultivated scholars, surrounded by the luxuries and elegances of a Venetian palace, are a [daydream] of Bodin that to his regret will never be reality in his intellectually and politically cramped environment of Laon.[51] Nevertheless, while the fictional content of the work may be a fancy of Bodin, it certainly is not his ultimate position. The personal faith and intention of Bodin are of such seriousness that he had good reason for hiding them under the symbolic play of his dialogue. It is no less than the claim of his mystical religiousness to be the true religion that, as the public religious order, ought to supersede the fighting historical religions. His position resembles substantially that of the late Plato. The historical religions have moved for Bodin into the position of the "people's myth" that will be superseded by the new mystical

50. Benz, *Der Toleranzgedanke,* 570 f.

51. For the actual situation of Bodin at the time of his writing the *Heptaplomeres* see the pathetic *Lettre de Monsieur Bodin* (Paris, 1590), dated from Laon, January 20, 1590.

religion of Plato; and his tolerance for the historical religions is substantially the Platonic respect for the truth of the people's myth. The formulation that he intended to subordinate the varieties of Christianity to the political order of the national state is one of the half-truths that prevent an adequate understanding of Bodin's ideas. He wants, indeed, to submit them to the state; but his state is not the laicist state that has separated from the church; it is the analogue of the cosmic hierarchy in conversion toward God just as the polis of the *Laws* is not a laicist, constitutional government but the "serious play" that reenacts the order of the cosmos.

A full exposition of Bodin's idea would require a monograph. We must restrict ourselves to marking a few salient points that will at least make recognizable the outline of his conception. First of all, Bodin has to explain the fact of plurality of religions. Why has God not revealed himself to mankind in an unambiguous manner, once and for all? Why must, in the name of God, men miserably kill each other? The variety of historical religions has its cause in the hierarchical diversification of the universe. God has revealed himself, indeed, to his elect in an unambiguous manner. The truly elect are the people who worship the God of Abraham and Moses. The other religions are not without justification; but these religions of the nonelect are determined by lower celestial influences. "The other nations are governed by the laws and powers of the celestial bodies; only the Israelites, and those who are willing to join their community, are free from the law of celestial bodies and have the one God as the author of their life and felicity."[52] The juristic formulation with regard to the Israelites who are *coelestium siderum legibus soluti* suggests the parallel with the royal monarchy whose prince is *legibus solutus;* it elucidates Bodin's idea of hierarchical perfection in both directions. Religions are differentiated in rank by the degree to which persons or peoples penetrate through the lower levels of guiding intelligences to spiritual guidance by the one God himself. Polities are differentiated in rank by the degree to which they can penetrate through the guidance by lower hierarchies of political intelligences to the analogue of thearchic rule in the royal monarchy. The systematic implications of this classification are of the greatest importance for a philosophy and science of religions.

52. *Heptaplomeres* (Noack ed.), 199.

Following the Platonic model in this respect, Bodin breaks with the provincialism of an orthodoxy that draws from the truth of its own religion the unwarranted conclusion that the plurality of religions does not constitute an intellectual problem of the first order in metaphysics. Moreover, in order to bring the problem into the range of philosophical discussion, he must accept all religious phenomena as religions on the same level; he cannot distinguish between them, except as an accommodating *façon de parler,* as true and false religions; he is compelled to define the fundamental experience that characterizes them all as religions, and then to explain the *differentiae specificae* that distinguish them as higher or lower in the scale. The fundamental experience, common to all religions, is the "fear of God" *(divini numinis metus)* without which social order is impossible.[53] The *differentia specifica,* slightly obscured for the "modern" reader by Bodin's theory of intelligences, is the development of spiritual consciousness in the human personality. The religions that are due to guidance by celestial bodies and the others that arise under direct authorship of God correspond substantially to the Platonic distinction between the people's myth and the religiousness of the mystic-philosopher. The myth of nature and the religion of the spirit are for Bodin as for Plato the fundamental categories. We can hardly see in Bodin a systematic advancement, but at least the problem is restored and the foundation is laid on which, in the following centuries, can rise the theogonic problems of Vico and Schelling.

In particular, we should note that the plurality of religions presents itself for Bodin not only under the aspect of their succession in time but also, and above all, under the aspect of their simultaneity. The problem of plurality is not exhausted by historical advancement from lower to higher religions. Bodin has no use for a pattern of orthodox sacred history in which the spiritual development of mankind reaches its climax in Christianity so that, forever after, the only relevant history of mankind is Christian history. For him, the coexistence of lower and higher religions is as much part of the cosmic order as their succession. The "idolatrous" religions are established by the power of intermediate celestial intelligences; they also have their right of existence by virtue of a divine decree.

[53.] Ibid., 4.

"Idolatrous" religious institutions are part of the public order of nations in their historical existence. Any attempt to interfere with this God-willed order in the name of a higher principle will run into resistance of the people. "One may even say that peoples claim sovereignty *[dominatum]* in such matters and it would not be safe for a prince to run counter to this claim."[54] This declaration of a religious sovereignty of the people is more immediately directed against the contemporary principle of *cuius regio, ejus religio,* but it has a general importance in the history of political ideas insofar as here, at the beginning of the critical modern problems, there makes itself felt, at least in one thinker, a respect for the historical order of the spirit that by the time of the eighteenth century is practically lost. In the period of Enlightenment, the hubris of historical destruction, [the will to destroy all historically grown orders of the spirit and to compel the conformance of mankind to Western intellectualism, becomes predominant in the West].[55]

The principle of religious sovereignty of the people is supported and clarified by a host of corollaries, scattered throughout the *Hep-taplomeres*. First comes the conservative, political rule that innovations in religion should be avoided. The position of Bodin with regard to this point is the same as that of Plato in *Laws* and *Epinomis*. A change of religion under all circumstances entails for a people a shattering of ancient piety; in its wake come revolutions, wars, economic disorders, and the mental disorders of demonic obsession. Especially this last danger must be considered. In the vacillation between old and new faith, the soul is left unprotected and falls an easy prey to demonic forces. Even a public discussion of religious questions should not be permitted in order to avoid the unbalancing effects on the psyche.[56] This first, conservative rule, then, must be qualified; for otherwise it would be impossible that a higher religion ever replace a lower one. At this point, Bodin introduces the argument of effective historical force. Disturbing the public religious peace even by discussion is "criminal" "unless one is in a position to make oneself heard, either by the will of God like

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[54.] Ibid., 355.

[55.] For the details of this problem see the part of this study devoted to the will to destruction and the pre-positivists in vol. VIII, *Crisis and the Apocalypse of Man.*

[56.] *Colloque,* ed. Chauviré, 58 f.

Moses or by the force of arms like Muhammad."[57] The great historical upheavals that take effect are the form in which the spiritual order of mankind is constituted in history. Whether an innovator is a criminal or a legitimate prophet in arms must be judged by his success. We find the same reasoning applied with regard to the sovereignty of the prince; effective force lies at the basis of rulership. Such legitimacy of effective force, however, can apply only to the great figures in history; it does not solve the problem of the private individual caught in the turmoil of the public scene. "When laws are in conflict with laws, and inimical legislators with the views of their opponents, when religion is in conflict with religion, and pontiff with pontiff, what then are the unfortunate subjects *[miseri subditi]* supposed to do when they are drawn from one sect into the other?"[58] With regard to this question Bodin distinguishes between the plain people who cannot have a judgment of their own and the savants. For the plain people the rule prevails that they are on the right path when they follow the leadership of their priests, however erroneous this leadership may be. What counts is the subjective intention, not the objective error. For the savants who know through their study of nature that there is only one omnipotent God, there is no excuse if they adhere to idolatrous creeds.[59]

The reader will have observed that the last mentioned rules, concerning the plain people and savants, are rules of conduct for the individual in an age of confusion but that they do not abolish the confusion. Here again we have reached the fact of history; religious conflicts and wars occur, and no theory of tolerance can prevent them. The last word in this matter is contained in the *Lettre de Monsieur Bodin,* from Laon, of 1590. At the height of the troubles of the league in Laon, Bodin himself was caught in the conflict and forced to change sides in order to save his life. "When you live in a town of this kind it is very necessary either to be the strongest or to belong to the party of the strongestor you will be ruined." If you don't have the stuff of a martyrwhich he does not haveall you can do is adapt yourself. He believes that the civil war is a judgment of God on France, and that nobody from prince to humble citizen, including Bodin, will escape it. He foresees that

[57.] Ibid., 59.

[58.] Ibid., 56.

[59.] Ibid., 130 f.

this war will not end in less than five years, that most of the nobility will fall in it, and that the realm will be frightfully weakened. But in the end, God will have mercy on the realm and give it a king according to his pleasure. "This may seem to you like a dream, but I rather believe it to be in the nature of an oracle or prophecy" based on the order of nature. "For I have observed in my study of sacred and profane history that all great and notable changes of empires, realms, and monarchies take a time of five or six years, and that in the seventh (which is the sacred, mystic, and divine number) calm and tranquillity return in order that man may not despair, that he may not lose courage, and that he may relax from his miseries." The year 1589 was to be counted as the first year of this prediction; and Bodin and his friends had the satisfaction of seeing the prophecy come true in 1595 with the final establishment of Henry IV.

The fact of religious plurality and civil disorder is a mystery that lies with God. True religiousness in conversion toward God is always the personal way out of historical clashes, but this private solution is no remedy for the public disorder. All one can do is to wait for the end of the affliction, perhaps fortified by prophetic hope. The problem of tolerance, thus, dissolves into the tension between true religion and the mysterious course of history. If it does not please God to establish the one and true religion as the public order through his human instruments in history, it does not lie within the power of a private individual to produce this order through pragmatic devices. The mysterious historical disorder, on the other hand, does not impair the validity of true religion, about whose nature the prophetic initiates of all ages are well informed. The oldest record reveals the essence of true religion as the submission of man to the destiny of his existence. Man is God's creature, and his destiny is revealed in the story of Adam. "Everybody is his Adam to himself." "What happened to Adam happens to all those who abandon themselves incontinently to their sensuous nature . . . , who put the highest good in the complete satisfaction of their senses, and who consider it the greatest evil to face pain and misfortune." And as it is written that Adam returned to himself, that he detached himself from the pleasures of the senses and devoted himself to contemplation of things of the intellect, so it happens to us that we return to the right path after we have deviated from it and plunged into our sensuality. Such return is "the eating

from the Tree of Life that Salomo calls true wisdom," and thus we gain eternal life.[60] As far as it can be symbolized, Bodin expresses his true religion in the form of Adamitic speculation that he found in Philo and Leo Hebraeus.[61]

Symbolization, however, is no more than the last word in religion; the reality of faith lies beyond symbols. The conversations of the *Heptaplomeres* are closed by a choir intoning the words of Ps. 133:1: "Behold, how good and how pleasant it is for brethren to dwell together in unity!" Then, under embraces and assurances of their friendship, the participants depart and return to their various occupations; and "never afterward did they dispute about religions, though each of them observed his religion through the highest sanctity of life."[62] Beyond the historical contest of symbols lies the reality of mystical silence and of the sanctity of life. Without this ultimate position, Bodin's idea of tolerance is not fully comprehensible. It is in substance the position even of Plato, for whom the free play with mythical symbols is possible because he has understood the truth in every myth; and it is the position that has been unfolded fully in the mystical theology of the neo-Platonic thinkers. For Bodin's position the principal direct sources seem to have been Philo and the Renaissance Platonists; its classical expression, however, is to be found in the *De nominibus Dei* of the Areopagitea work that Bodin does not seem to have used directly, though its influence can be felt strongly. The "God who has no names and has them all," in his absolute, supra-essential transcendence, is not accessible to the intellect through symbols; it can only be touched "through the veneration of a mind that has freed itself from all curiosity and respects the Ineffable through the silence of wisdom."[63] Tolerance or intolerance is a problem that can arise only with regard to symbolic expressions of the ineffable, transcendental reality in dogma and cult. The "true religion" of Bodin lies beyond the play of symbols in the seriousness of silence. Tolerance is possible, when the symbolism of faith does not degenerate into literalism, when a consciousness of the symbolic character of dogma is kept alive through experiential faith in the

60. Ibid., 183 f.

61. On the general background of Adamitic speculation at the time of Bodin, see vol. IV, *Renaissance and Reformation,* chap. 3, "The People of God."

62. Closing passage of the *Heptaplomeres*.

63. *De nominibus Dei* I.3, 6.

practice of contemplation. It was the intention of Bodin to aid in the establishment of a tolerant public order by communicating to the people his "fruits of contemplation." The work of Bodin holds a unique place in modern political history insofar as it makes the conscious attempt at founding the idea of political order on mystical culture.

§9
History

The religious schism and the consolidation of the national states mark an epoch in the history of political ideas insofar as the breakdown of church and empire on the level of pragmatic history entailed the breakdown of the premises on which speculation had rested in the realm of ideas. The horizon of historical meaning was no longer comfortably closed by the actual existence of a church that symbolized the final, Christian era of sacred history, or of an ever so shadowy empire that continued symbolizing the *imperium Romanum* as the final form of profane history. With the actual breakdown of church and empire their role as symbols of historical finality was ended; they had broken down, and history was going on; the continuing flux of history left church and empire in its wake as relative historical phenomena. The meaning of history was a problem that had to be reopened because history itself had become open again. We have seen the situation reflected in the Bodinian tension between mystical religiousness and the plurality of historical religions. This tension expresses the split that has occurred in the realm of ideas: the compact unit of historical Christianity has fallen apart into the absolute religiousness of the mystic and the historical relativity of symbols. By the sixteenth century, we may say, the course of history had separated from its Christian meaning. Two questions required an answer. Did the course of history, which apparently could run independent of Christian meaning, have a structure of its own? And if so, did the structure have a meaning, Christian or otherwise? The problem of history, under these two aspects, presented itself to Bodin and motivated his first systematic work, the *Methodus,* of 1566.

a
History and Anthropology

The title of the work is a challenge. Bodin opposes his systematic attack on the problems of history and politics through a *Methodus to*

the rhapsodic and aphoristic approach of Machiavelli's *Discorsi*.[64] He was, indeed, able to fulfill the implied promise; but he fulfilled it more in execution of his work than through a clarification of principles. The opening chapter of the *Methodus,* which contains the exposition of fundamental concepts, is both tantalizing and disappointing. The definitions are clear and precise, as always with Bodin, but their theoretical implications are not unfolded. In some instances the formulations are so brief that one cannot even guess what the unfolding would have brought; in other instances, however, the discursive explication goes just far enough to make us profoundly regret that Bodin did not communicate more of the Gnostic speculation that apparently formed the background for his brief, exoteric definitions.

The definition of history, for instance, as a "truthful narration of things" is a blind end because the concepts of truth and narration remain unanalyzed. Of greater value is the division of history, with which we are acquainted already, into human, natural, and divine history. While Bodin does not elaborate on the theoretical implications of his division, it becomes clear in the course of the *Methodus* that he was struggling with the factors that determine the structure of history. "Human" history is the field for action of the will *(voluntas)* through [which] the human factor *liberum arbitrium* enters the course of history. "Nature" signifies all the factors that can be summed up as "law" or "necessity," supplying an objective frame of order for history that limits the *liberum arbitrium*. By "divine" are meant extraordinary, miraculous irruptions of transcendental power into the objective flow of nature. The three factors appear to be conceived as autonomous forces and the structure of history as resulting from their interplay.

Immediately following the section on the threefold division of history, however, Bodin indulges in a piece of reflection that lets the three factors appear in a quite different light. The subject of the reflection is human history, which "principally flows from the will of men." Hitherto, the will seemed primarily to be the faculty of forming projects in terms of means-end relations and of carrying out such projects through action; but now the will becomes something vastly more complex. The will is now the source of instability in

64. For the rivalry with Machiavelli see *Methodus,* opening pages of chap. VI, as well as the preface to the *République*.

history. The will never resembles itself, and one cannot discern its objective; each day are born new laws, new customs, institutions, and rites. For human action invariably leads to new errors

unless it is oriented by nature and, if nature fails, by divine prudence as its guide. At this juncture the *voluntas* disappears terminologically from the scene and is replaced by the *mens humana*. Bodin seems to conceive the "mind of man" as a morally neutral substance. This substance, though partaking[65] of the divine mind *(aeterna et divina mens),* is marred by "earthly stains" because it is "deeply immersed in impure matter," "affected by the contact with it," and "a victim to the weakness and illusions of the senses." This is the source of error (and consequently of the varieties of political order), and we cannot free ourselves from its bondage, cannot acquire a sense of justice, nor even conduct ourselves in harmony with nature, without divine help.

The terseness of the passage (perhaps deliberate?) cannot veil the Gnostic origin of Bodin's anthropology. The divine substance has descended into matter and become man. The contact with impure matter has affected it so strongly that man cannot rise from his confusion and illusion without help from above. This help must come, in the first place, from "nature" *(natura dux)*, which in this context is identified as right reason *(recta ratio)*; and if right reason should become corrupted *(depravari)*, too, then divine prudence, which is "less removed from the principle of origin," would have to come to the rescue directly, without the use of

[65.] The phrase "partaking of the divine mind" is very useful for illustrating the difficulties that face an interpreter of Bodin. By this phrase I try to render Bodin's "ab aeterna divinaque mente delibata." The precise meaning of the phrase hinges on the meaning of *delibare*. Reynolds (*Methodus,* 17) translates it as "plucked from the eternal divine mind"; Mesnard (*La méthode de l'histoire,* 3) translates it as "sous la touche de l'esprit eternel et divin." Both translations are philologically tenable, but neither conveys a technical, philosophical meaning with certainty. Consulting a dictionary s.v. *delibo,* I found by accident that the phrase has a parallel in Cicero's *Pro Sestio* 56: "ex universa mente divina delibatos animos habere." Unfortunately, this parallel does not clear up Bodin's meaning, perhaps by relating it to a Stoic conception of the soul as an *apospasma,* a spark, sprung from the divine mind. Most probably, Bodin's rhetorical training made available to him phrases of this kind, half remembered, without too clear a remembrance of the implication that they might carry in the original. I have compromised on "partaking" because it indicates consubstantiality of *mens humana* and *mens divina;* but a point can be made for the "plucked" of Reynolds because it stresses the vicissitudes of immersion in matter; and Mesnard's "sous la touche" very subtly indicates the pull from the *mens divina* that counteracts the contagion of matter. Problems of this kind arise with regard to practically every single one of Bodin's philosophical terms.

"secondary causes." The history of man, thus, seems due to the fall of an aeon into matter (which is *not* nature). If we remember that in the *Heptaplomeres* Adam appears as a symbol of human destiny, we may assume that in the unveiled background of Bodin's speculation we would find the *Protos Anthropos*. There is, however, also a strong touch of direct Platonic influences, as for instance in the idea of a right reason that can decline and become corrupt. The formula of right reason is Ciceronian, but there is more to it than even a Stoic *nomos-logos*. The right reason is identical with the order of "secondary causes," that is, with the order of nature, and in particular with the celestial order. There are assonances with the myth of the *Statesman* and *Timaeus* and with the "decline of the idea." The whole imagery, however, suggests also further steps in a Gnostic hierarchy. The logos of nature itself seems to be an aeon that is exposed to corruption, apparently as the consequence of some fall; and a higher power must be invoked as the redeemer, "divine prudence," which is closer to the origin but still not the origin itself.

The suspicion that the *recta ratio* is a Gnostic aeon finds support in a variant division of history that Bodin introduces without further explanations. It is a division of history for those who would not like to include mathematics in the natural sciences. One could divide history into human, "which is uncertain and confused"; natural, which is normally certain but sometimes uncertain "because of contact with matter or the influence of evil spirits"; mathematical, which is even more certain because "it is free from all admixture of matter"; and, finally, divine, which is most certain and by essence unchangeable. The logos that determines the order of nature would still be affected by *impura materia,* while numbers free of matter would determine a further level in the structure of history. Bodin does not elaborate on the question, but we know that through his work run frequent manifestations of his belief in certain numbers that determine longer and shorter periods in history, as well as the perfect and less perfect forms of government.

This is about as far as we can go in our interpretation without leaving the firm basis of the text. Whatever the ultimate ideas of Bodin may have been (if he has ever thought them through clearly), there can be no doubt that his philosophy of history is sketched against a background of Gnostic speculation. Unfortunately, even the exoteric outline of his thought is so broken that, for instance,

the theory of man that we have just discussed is linked with the threefold division of history by nothing but contiguity in text. If we assume that the physical contiguity stands for an unexpressed connection of meaning, we may say that Bodin intended to adopt the mystical doctrine of man as the epitome of creationas we have found it, for instance, in Scotus Erigena. The three levels of divine, natural, and human history are analogically repeated in the hierarchy of factors that determine the *mens humana,* that is, divine prudence, right reason, and sensuous matter. The forces that appear to the eye of man as externalized principles determining the ontological ranks of the cosmos are, at the same time, experienced as the forces that determine the *mens humana*. Human history, thus, is an analogue of cosmic history.

Due to the interplay of these various factors of order and disorder, of corruption and renascence, the history of man has a discernible structure. The same situations recur cyclically. Hence, an understanding of this order in disorder will be the foundation of true prudence in affairs for the statesman. The speculation of Bodin leads back to his personal tension between contemplation and action. The interplay of factors determines the cycle of order and disorder whether anybody knows it or not; still, an understanding of this cyclical structure of history will be important as a guide for the statesman in action. Can contemplation, after all, be more than contemplation? Can it become the instrument that will break the cycle? We touch again on Bodin's activism; and we can sense now more clearly its source in a Gnostic faith that evil can be overcome by an intellectual operation.

b
Individual and Universal History

The structure of history cannot be discovered by means of empirical studies, however detailed, which extend to only a small sector of the history of mankind; the field of observation must be large enough. The question is: how large must the field be? Bodin deals with this question through his division of history into individual and universal history.[66] Individual history he defines as the history of a single human being or of a single people; universal history is defined

[66.] In chap. I of the *Methodus,* 1566 ed., 13, Bodin uses the terms *historia propria* and *historia communis;* chap. II substitutes *historia universa* for *historia communis*.

(in chapter I) as a history that treats of several human beings or of several polities *(civitates),* or of all of them, or at least of the most famous. The importance of this passage from chapter I lies

in its definition of individual history insofar as the people *(populus)* in its political form *(civitas)* appears as the historical individual. The concept of *historia communis* does not yet unfold its full meaning because the definition as a history of "several polities" seems to imply that any comparative study beyond the range of national history will be sufficient for rendering the structure of history. Chapter II, which as a whole is devoted to this problem, makes it clear that universal history is not simply a multiplication of individual histories but has a subject of its own, that is, the history of mankind. In principle, this universal history would include the history of all historical individuals (peoples), but for the main purpose, the clarification of the structure of history, it will be sufficient to include the most famous ones, whose histories are known from their origins. For reasons we shall set forth presently, we give the name *cosmic individual* to this individual sui generis who is the subject matter of universal history.

For the treatment of this cosmic individual Bodin has developed his *Methodus*. He distinguishes between synthesis and analysis. By synthesis he means the accumulation of facts and their organization into an encyclopedic corpus. Such synthesis he does not consider his task, first, because it is done already by erudite scholars and, second, because even the vastest accumulation of facts will not make visible the structure of the cosmic individual unless the materials are properly organized through analysis. By analysis he means an arrangement of materials proceeding from general to particular. For the history of mankind this would mean that [the origin of the world, the floods, the beginnings and ends (if they have ended) of the most famous polities and religions will] first have to be established. This outline will then have to be filled in with the principal data concerning origin, equilibrium, corruption, and fall of the principal historical individuals, but still with such conciseness that the structure of the individual courses can be grasped at a glance. Only then can we proceed to a more detailed study of the various historical individuals, approaching them in their chronological order.

The explanation of the *Methodus* is followed by a further precision of the object to which the *Methodus* applies, that is, the

cognitio historia. Somewhat awkwardly, but the awkwardness is excusable in view of the newness of the subject, Bodin distinguishes between "writing" and "reading" of history. By writing of history he means what today is called historiography; and he defends historiographers against the charge that they deal with too small periods in too much detail and neglect the general problems of history. The careful study of historical detail is precisely the function of the

"writer" of history. Quite different is the task of the "reader" of history, who today would be called a philosopher of history. His subject is not the detail of a limited period but the structure of what we have called the cosmic individual. The accumulation of detail beyond a certain point, as we have seen, will not aid him in his special interest. He must proceed by the *methodus* of analysis. That is why the *Methodus* contains chapters that are a bibliographical guide to historical literature and give advice concerning the order of reading. Not history in the sense of historiography, thus, is the subject matter of the *Methodus,* but the *cognitio historiarum,* the analytical "reading" of history with a view to understanding the structure of the cosmic individual.[67]

We have named the subject matter of universal history the cosmic individual. We consider the term justified because Bodin amplifies his reflections on analytical method by including "cosmography" in their scope. The earth is the scene of the historical drama, and every historian must be at the same time a geographer. The relationship between the two sciences is so close that one seems to be a part of the other. [Not only must the historian use geographical data, but he finds also a good deal of his materials concerning both the ancient and the American peoples in the works of geographers.] Hence, the historian should commence with making a survey map of the earth, and then deal with cosmography according to the same analytical method that he uses in the cognition of history. He should begin with the relations between celestial bodies and the elements, a study that will result in the disciplines of uranography, anemography, hydrography, and geography; and then he will proceed to the subdivisions of geography by dividing the earth into circles and zones; further on to the continents; then to the

[67.] In view of these distinctions of Bodin it is methodologically justified when Eduard Fueter in his standard treatise, *Geschichte der Neueren Historiographie* (Munich: R. Oldenbourg, 1936), excludes Bodin's Methodus from consideration.

most important area, the European; the subregions of continental areas will be dealt with in a science called chorography, and the further details in topography. This is the same manner in which "we divide and define universal history." Those are in error who study the maps of particular regions before they are acquainted with the order of universal history. This mutual elucidation of the methods employed in history and cosmography is more than a methodological parallel. As we shall see presently, cosmography is an integral part of universal history. The

structure of universal history cannot be analyzed without reflecting on the cosmographic conditions of the peoples who are the individuals in history. And one of the most important cosmographic conditions is the fact that the earth is a globe with a limited, surveyable surface. The scene of history is finite; it can, in principle, be studied by the method of proceeding from an outline map to topographical details. Bodin's all-important implication is that the drama enacted on this scene has the same structure. By means of his cosmographical analysis, Bodin slips finiteness of structure into his philosophy of history. The great problem of a philosophy of historyhow to arrive at the meaning of a process of which we know only the closed past but not the open futureis solved by endowing the process of history with a spatial structure. The future is disregarded and the known past becomes the model of history, in its structure analogous to the cosmos.

The course of history, thus, is closely related to the structure of the cosmos. As a consequence, Bodin's concrete philosophy of history is dominated by two major problems, that is, by the spatial and temporal orders of history.

c
The Spatial Order of History

The earth is the scene of history. Its regions are the habitats of the historical individuals, the peoples. The habitat influences the *physis* and *psyche* of man; the peoples, inhabiting the various regions, differ physiologically and characterologically; the physiological and characterological differences in their turn determine variations of mores, religions, arts and sciences, and political institutions; the diversification of peoples in history, and in particular the diversification of political forms, would be unintelligible unless we took into account the differentiation through the influence of habitat.

This is, in brief, Bodin's theory of the influence of climate on civilizations and political institutions of the peoples.

The details of the theory are not new; and while in the characterization of various national dispositions Bodin adds a good deal of material collected by himself, the general organization and particular description of national dispositions have a long tradition, too. The theory of climatically determined differences of national characters is fully developed by Plato and Aristotle.[68] Ample materials can be found in the authors whom Bodin lists as *geographistorici,*

ancients like Strabo as well as moderns like Munster.[69] And above all, the system of Ptolemy, which coordinates human varieties and zones of zodiacal influence, remained known through the ages into the Renaissance. The Ptolemaian classification of human types was a source of inspiration for similar classifications throughout the sixteenth century.[70] The conventional judgment that Bodin was the originator of the theory of climates in politics obviously requires a few qualifications.

The ingredients that enter Bodin's theory are old. What is new is the use to which he puts them in his system. Bodin was very conscious of his achievement; and he praised it in terms of an advancement beyond Plato. Bodin shares with Plato the knowledge that a critically tenable system of political theory must be based on a philosophical anthropology; he disagrees with Plato, however, on certain details of anthropology, and he disagrees with him on the role that the climatically determined differences of character must play in the system. Let us first consider the differentiation of characters or personality types.

According to Bodin, the climatic factors (heat-cold, moisture-dryness) bend human nature into variants that are most visible in the respective climate. As far as these variants express themselves characterologically, they result in three principal human types.

[68.] Plato, *Laws* 747; Aristotle, *Politics* 1327b.

[69.] The *geographistorici* are listed as such in *Methodus,* chap. X.

[70.] The *Tetrabiblos* of Ptolemy was frequently printed in the sixteenth century; an edition much in use was the *Opera Omnia* (Basel, 1551). Under Ptolemaean influence is the classification by Gerolamo Cardano in his *De rerum varietate* (Basel, 1557). Cardano's classification seems to have been the direct model for Bodin; see on this question Garosci, *Jean Bodin,* 151 ff. Louis Le Roy gives a survey of climatically determined human varieties, following Ptolemy, in the *Politiques d'Aristote,* of 568; he repeats the survey in his *De la vicissitude ou varieté des choses en l'univers,* of 1576.

The types must be defined in terms of the predominance of one element in the whole structure of the soul. Thus far the procedure is Platonic; and also the resulting types resemble the Platonic classification; they are (1) the wise, (2) the prudent, and (3) the strong. In the elaboration, however, a decisive difference emerges. Characters are differentiated by predominance of the virtues of wisdom, prudence, and strength (robustness, vigor); these virtues correspond to parts of the soul, that is, to mind, reason, and senses; predominance

creates specific abilities, such as maintaining the state through sacrifices and contemplation, through the art of ruling, and through military and manual services; the abilities correspond to the three supports of the state that are principles, ordinances, and actions; and they, finally, correspond to the three estates of priests, rulers, and common people. The elaboration of such a catalog of parallels still is Platonic; and the religious and philosophic type is still at the top of the hierarchy. The new intention of Bodin, however, is revealed in the destination of the middle type, characterized by prudence, for rulership. Between the highest type of contemplation without action and the lowest type of action without contemplation emerges the mixed type as the truly political one. Based on arguments of historical experience, Bodin considers the contemplative type unfit for rulership and points to the disaster of Syracuse as an object lesson for Plato's error. We may say, of course, that Plato's philosophy of politics was the evocation of a mystic-philosopher, while Bodin propagates the lawyer and administrator. This "sociological" explanation of the difference, which certainly has its merit, however, should not obscure the very serious effort of Bodin in clarifying *prudentia* as the characteristic of true rulership. That rulership requires qualifications is a point that, in the following centuries, has been obscured by the concentration of political thought and propaganda on the right to rule, and, more lately in the age of mass democracy, by the spittle-licking confusion between ability to win and hold power and qualification to rule.

Incidentally, in his clearsightedness of rivalry, Bodin has achieved a profound understanding of Platonic motivations. He speaks of Plato's postulate that kings should be philosophers, or that philosophers should rule ("a word that is praised by many, but understood by few"); and he surmises that Plato, in this postulate, "wished to restore the reign of Saturn." From our analysis of the myth of

the *Statesman*[71] we know that the Platonic idea of the royal ruler was, indeed, a transposition of the myth of a Saturnian golden age from the historical period of the people's myth to the new historical period of the mystic-philosopher. This offhand remark reveals an insight into the functioning of the theoretical imagination that is rarely paralleled, if at all, in our contemporary political literature. Moreover, it reveals an important motivation of Bodin's own political thought, that is, the motive of removing all eschatological speculation from political theory, of understanding the order of the polity as an order within the world, inexorably conditioned, though not exclusively determined, by nature and matter. Philosophy in the academic sense is "the perpetual contemplation of the most beautiful reality"; but, adds Bodin, that "has nothing

in common with military and civil affairs." The conduct of politics is not for the philosopher; it belongs to the man of prudence who understands the conditions of action in historical reality and humbly submits to them.

The most important natural condition that the theorist of politics must accept is the plurality of human types, not in one polity alone, but in their distribution as national types over the climatic regions of the earth. A theory of politics, however excellently based on philosophical anthropology, is defective if it applies to only one polity. Proudly Bodin declares, "Quod igitur Plato in sua, nos in mundana republica facie mus; What Plato did in his republic, that we shall do in the world-republic."[72] Bodin has laid his finger on the limitations of the Platonic-Aristotelian theory of politics: it is a theory of the Hellenic polis, it is not a theory of the political and historical existence of mankind. The theoretical principles are acceptable as a starting point (with such corrections as Bodin found necessary to make), but their evolution into a system that will interpret mankind in its historical existence lies still before us. The *Methodus* is Bodin's enlargement of Plato's theory of the polis to a theory of the world-republic.

The *mundana republica* is not a federation or league of nations, or a Dantean monarchy, or any form of superstate that ought to be created by men of good or less good will; it is mankind as it

71. Cf. Eric Voegelin, *Order and History,* vol. III, *Plato and Aristotle* (Baton Rouge: Louisiana State University Press, 1957), 13569.

72. *Methodus,* trans. Reynolds, 117; 1566 ed., 132.

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exists historically, diversified into historical individuals by climatic regions. Bodin assumes that the differences of heat and humidity in the north-south dimension influence the peoples of the northern hemisphere in such a manner that one can speak of distinct southern, northern, and intermediate types. The southern peoples surpass the others in science and religion, while the northern are distinguished by their achievements in the mechanical [arts, and] the middle region is inhabited by people who are skillful in negotiating, judging, commanding, establishing governments, and making laws and ordinances. The three regional types distributed over the north-south dimension correspond to the three types of philosophical anthropology. The exhaustion of typology raises the question of distribution of types in the east-west dimension. This question proves, indeed, to be a thorny one, for the earth goes round and round; and where are east and west in absolute terms? Fortunately, there "remains America," which is far enough

from everything to be used as a neutral point dividing east and west. The undoubted historical and civilizational differentiations of Orient and Occident thus need not be slighted, and types are provided by approaching the Oriental types to the southern and the Occidental to the northern. The classification leaves much to be desired empirically; nevertheless, there is present the systematic intention of interpreting the civilizational diversification of mankind as an intelligible whole. Mankind is not uniform because men are differentiated according to character types; no human being represents humanity as a whole; the potentiality of the human mind can only unfold historically through the various types; they supplement each other, and only their aggregate is the fullness of man. With the opening of the historical field beyond the Christian *corpus mysticum,* Bodin has made the systematic attempt of evoking a new mystical body of mankind, an idea of man that can be realized fully only through the differentiation into civilizational and political types in the course of history. This grandiose evocation, and the understanding of its theoretical necessity, makes Bodin the great founder of a modern political science.

The regionally diversified types supplement each other to the totality of man; none can be dispensed with. Nevertheless, there remains a difference of rank between them. On the surface of the earth, there is one area that has achieved greater importance in history than the others, that is, the Mediterranean basin and Europe.

Bodin's classification of types is distinctly Eurocentric. His south is the Mediterranean, his north the Germanic central and northern Europe, his middle the Celtic France. Within this Eurocentrism, as we see, we must discern Bodin's Gallocentrism. He characterizes the middle region as combining northern and southern features in a happy mixture; the practical materialism of the north is tempered by southern spiritualism to a character that creates law and order and becomes the teacher of mankind in the art of government. France is the country of the temperate region, the middle between the Orient and the Western hemisphere, between the English north and the Spanish and Italian south.

This idea of the world center is in substance a renewal of the Hellenic idea of the *omphalos* in its Aristotelian form[73]only the *omphalos* has shifted from Hellas to France. The idea of France as the *omphalos* of historical mankind inspires Bodin's pathos when he develops the ideal of the royal monarchy. Not every nation is fitted by its character for this perfect form; in the south the theocratic inclinations, in the north the democratic ones, are too strong. Nevertheless, its

description and theoretical foundation are of prime importance, for there exists at least one nation capable of realizing it, that is, the model nation France. The argument that the royal monarchy would be a somewhat parochial affair if it can be realized perfectly nowhere but in France is warded off by pointing to the complementary function of the national characters; the royal monarchy is France's specific contribution to mankind. Through the idea of the *omphalos,* the theory of cosmic diversification is bent to serve the French national idea. Europe is the center of the historical world; France is the center of Europe; Paris is the center of France; the law school is the center of Paris; and in the center of the law school sits Bodin writing his *Methodus*. The gift of France to mankind will be communicated through the work of Bodin. This is the first instance, on a grand scale, of the appearance of a national mission, discovered and propagated by a thinker who thus becomes the intellectual apostle of his nation to mankind. The mixture of contemplation and action that may result in the prudence of the statesman has dangerous consequences in a realm that should be reserved to contemplation, foreshadowing the

[73.]*Politics* 1327b.

disaster of intellectual imperialism in the period of Enlightenment and after.

d
The Temporal Order of History

The reflections of Bodin on the temporal order of the cosmic individual, contained in chapter VII of the *Methodus,* contributed most to the fame of the work in the sixteenth century. The reflections are simple and the consequences easy to understand: Theoretically, Bodin tries to purge political speculation of its traditional eschatological admixtures; politically, the consequences are a diminution of the prestige of the empire and an enhancement of France.

The theoretical issue concerns the contemporary political eschatology in its two forms of an interpretation of profane history in terms of the Danielic symbolism of the four monarchies and of the myth of the golden age. The philosophy of history that employed the Danielic symbolism assumed the four monarchies to be the Assyrian, Persian, Greek, and Roman. With the Roman the sequence of monarchies had come to its end; the *imperium Romanum,* as continued by the German emperors, was to be the final form of profane history, lasting until the end of the world. It is the straight-line interpretation of history that has dominated the West since Saint Augustine

and Orosius. The criticism of the theory is simple. In our analysis of Orosius in this study,[74] we noted the curiosity that the myth of the straight line could be established and maintained in face of the existence of a rival empire in the East. When the power of the myth was broken through the actual decline of the empire and the rise of the national states, a flood of empirical arguments were at the disposition of anybody who cared to destroy the myth. Bodin avails himself of the opportunity with Voltairean gusto. The advocates of the myth overlook that there are empires in existence, much bigger and stronger than the German, such as the Turkish, which actually is in possession of most of the former Roman territory, as well as the colonial empires of Spain and Portugal. For the ancient period, the myth overlooks such little items as the Babylonian, Median, and Parthian empires;

[74.] See *The Collected Works of Eric Voegelin,* vol. 19, *History of Political Ideas,* vol. I, *Hellenism, Rome, and Early Christianity,* ed. Athanasios Moulakis (Columbia: University of Missouri Press, 1997), 22023; see also vol. VI, *Revolution and the New Science,* chap. 1..

for the Middle Ages it overlooks the Arab empire and Byzantium. In particular, it is ridiculous to claim Charlemagne as a German; he is the founder of the Frankish empire from which the German territory split off. And, finally, the Far East enters the argument through a reference to the Tartar empire and the reports of Marco Polo. In brief, it is the same type of argument that was used, after an interval of almost two centuries, by Voltaire in his attack on Bossuet. Even today the argument has not yet become quite obsolete because the progressive interpretation of history with its antimodern, medieval straight-line pattern is still engaged in a last-ditch struggle against the modern philosophy of history, which recognized the historical diversification of mankind in a plurality of civilizations.

The attack on the myth of the Golden Age may be considered a phase in the battle of the ancients and moderns. Again Bodin has easy play when he shows empirically that ages that were considered by this or that philosopher as golden were in fact not so golden at all. The beginnings of mankind, on the contrary, seem to have been rather ferocious; and golden, if any, were later periods. But even such golden ages as the Periclean or the Augustan were not so wonderful if compared with the modern period. For certainly we have advanced beyond the ancients in the sciences and mechanical arts, in discoveries and our horizon of knowledge, and "the art of printing alone will easily balance all inventions of antiquity." Empirically, history does not show a continuous ascent or decline; it rather seems to be governed by a law of eternal

return that lets vice follow virtue, evil follow honesty, ignorance follow knowledge, and darkness follow light, until the course of civilization recovers and moves again upward in its cycle.

Bodin ignores Christian sacred history as a source of meaning for the process of mankind in history; he eliminates all remnants of eschatological speculation from profane history; what is left is an empirical structure of history governed by the law of eternal return. In the long run, that might be boringunless we escape into a philosophy of tragic existence. But Bodin's temper was not tragic. The problem of meaning in history, of a finality inherent in the process, occupied him, but unfortunately his hints concerning this problem are brief. Bodin ignored Christian sacred history, but he was inclined favorably toward the Talmudic periodization of history of Rabbi Elia, based like the Augustinian on the symbol of the *hexaemeron*. Rabbi Elia assumed a duration of the world of

six thousand years, corresponding to the six days of creation. Bodin uses the assumption of six thousand years and suggests that the history of the world is divided into three periods of two thousand years each, which correspond in their meaning to his division of mankind into three types. He again constructs a catalog of parallels. The cosmos has three realms: the intellectual, the celestial, and the elemental. Correspondingly the mind has three orders: the first turns the purified mind toward God, the second attends to the order of the republic, and the third controls matter and form. Correspondingly we have the three types of man excelling in contemplation, action, and production. To this catalog of parallels he now adds the three periods of history. In the first period, men excelled in religion and wisdom; and at the same time they acquired knowledge of the celestial world and the forces of nature. In the second period they were occupied with founding polities, enacting laws, and establishing colonies. In the third period, which roughly corresponds to the Christian era, numerous new inventions were made in the arts and crafts; and at the same time, this is the period of worldwide wars and disturbances, for the empire has passed from the southerners to the warring northerners. The sequence of religious, political, and technological ages, corresponding to the faculties of the soul, is not identical in content with the Law of the Three Phases of Turgot and Comte, but it is sufficiently close to it to permit its characterization as a first, tentative formulation.[75] By means of periodization, Bodin

75. In the text I have rendered Bodin's own account of his theory. From a closer examination of this account it becomes clear that Bodin has amalgamated two independent sources in his theory of the three ages. The first source, to which he refers as "Rabbi Elia," is the Talmud. In the *Tract Abuda Zara (Idolatry),* chap. I, we find the following passage: "the disciples of Elijah taught: The world will continue for six thousand years, the first two thousand of which were a chaos *(Tahu),* the second two thousand were of Thora, and the third two thousand are the days of the Messiah, and because of our sins many years of these have elapsed, and still he has not come" (*Babylonian Talmud,* ed. Michael L. Rodkinson [New York, 1930], 10:16). The same formulation recurs in *Tract Sanhedrin,* trans. Michael L. Rodkinson (Boston: The Talmud Society, 1918), chap. XI, p. 303. The Talmud, thus, has furnished the three periods of two thousand years each, but it has not furnished the characterization of the periodsunless one wishes to find in the period of the Thora a parallel to Bodin's middle period of political foundation. (The "Rabbi Elia," by the way, seems to have been invented by Bodin.) About the Talmud as the direct source there is no doubt because Bodin has indicated it himself. Concerning Bodin's second source, the source from which he derived his characterization of the three periods, we are in the dark. Most probably he did not use a definite direct source at all but drew on some classification of powers of the soul, as well as of effects of such powers, that was current at the time. We can only form an opinion with

(footnote continued on next page)

arrives at a meaning of history. The history of mankind has fulfilled its meaning when in the course of its periods the potentialities of the mind have completely unfolded.[76] What will happen at the end of the six thousand years, no mortal can know; there exist various speculations with regard to a change of the elemental world that will occur at this time and the great quiet that will ensue. "We, however, think that in such matters which transcend the grasp of the human mind, and are not decided by a word of divine revelation, a too subtle investigation seems no less stupid than impious."[77]

In the discussion of spatial order that opened the pluralistic civilizational field, Bodin returned to a nationalist idea, making France the teacher of mankind of politics. In the discussion of temporal order that eliminates the eschatological elements from speculation on profane history Bodin returns to an immanent meaning of history. The return is pregnant with implications for the future. Bodin has not simply given way to anti-Christian and pro-Hebrew sentiments when he exchanges the speculation of Saint Augustine for the speculation of Rabbi Elia. The theoretical content of the two symbolisms is not the same. In the Augustinian construction

regard to the type of source that he must have used. The *animae vires* that appear in Bodin's classification are named *scientia, prudentia,* and *ars*. The functions of these forces are named *contemplatio, actio,* and *effectio*. This classification reminds us of Giles of Rome's classification of *potestates;* see *The Collected Works of Eric Voegelin,* vol. 21, *History of Political Ideas,* vol. III, *The Later Middle Ages,* ed. David Walsh (Columbia: University of Missouri Press, 1998), 5051. Giles assumes four types of forces: the natural forces, the arts, the sciences, and the domination of men. Three of these forces correspond to Bodin's *scientia*. The *potestas scientifica,* which is right reason in speculation, corresponds to Bodin's *scientia*. The *potestas principatum,* which enables princes to exert dominion over men, corresponds to Bodin's *prudentia*. The *potestas artificialis,* which enables its possessor to produce artifacts, corresponds to Bodin's *ars*. Even Giles's *potestas naturalis* is not quite absent from Bodin's schema, for in the characterization of the first of the three periods of two thousand years, we read: "Ita quoque duobus annorum millibus homines religione ac sapientia praestiterunt. Syderumque caelestium motus, ac naturae vim universam magno studio conquisierunt" (Thus also for two thousand years men have excelled in religion and wisdom. They have sought out with great zeal the motions of the heavenly stars and the universal force of nature; *Methodus,* 1566 ed., 137). The *universa vis naturae* is present as an object of study in the first period. Classifications of this type, which roughly correspond to occupational differences (such as [1] priests, theologians, philosophers, scholars; [2] rulers, lawyers, administrators; [3] artisans and peasants) must have always existed. This inquiry into the sources does not intend to diminish the merits of Bodin. On the contrary, it looks like a stroke of genius to produce, out of such unpromising materials, a theory of periods that has remained a staple in the philosophy of history.

[76.]*Methodus,* trans. Reynolds, 122; 1566 ed., 137.

[77.]*Methodus,* closing passage of chap. VIII.

of sacred history, the meaning of history is to be found in the transcendental drama and not on the level of empirical history. The assumption of the *imperium Romanum* as the final form of profane history is empty of empirical meaning; it is no more than a profane blank space that bridges the *saeculum senescens,* the time of waiting for the Second Coming in an empirically indeterminate future. In Bodin's construction the meaning of history has become immanent to its empirical course. Through this transfer of meaning from the transcendental to the immanent plane, empirical history is apt to acquire the qualities of sacred history. In Bodin this tendency is still checked through his mystical culture; the meaning of history for him does not yet absorb

the meaning of life. Nevertheless, the pattern of speculation is set that will develop under the hands of Comte into an intramundane, sacred history of mankind. In the *Methodus* we can lay our finger on the Talmudic and neo-Platonic origins of the later Positivistic speculation on history which injects the peculiar flavor of a perverted, medieval sectarianism into the modern intellectual climate.

§10
Bodin: Variorum[78]

"Pretiosa in conspectu Dei,
mors sanctorum eius."
PSALM 116

a
BodinA Representative of Mediterranean Civilization

Jean Bodin is a unique figure in the history not only of political thought but of Western thought in general. The interpreters of his person and work agree that he is a great thinker, but they experience a certain difficulty in giving precision to their feeling. The later effectiveness of his work is doubtful, and he certainly does not rank as an author to whom later generations return as to Plato and Aristotle. The reasons are usually sought in his lack of literary gifts; his writings show a vast erudition, badly organized,

[78.] [This section, perhaps a draft originally meant for publication in an academic journal but never published, includes a similar but more condensed discussion of many of the themes on Bodin covered in the previous sections. See the "General Introduction to the Series" by Thomas A. Hollweck and Ellis Sandoz, in vol. I, *Hellenism, Rome, and Early Christianity,* 12, n. 1.]

presented in a weighty but boring style. He is not a classic of his language like Calvin. While complaints of this kind are amply justified, they are not sufficient to explain the peculiar twilight that surrounds him. The reason for the neglect has rather to be sought in the fact that Bodin was a representative of Mediterranean civilization, and that this civilization broke down in the generation after him. The cosmological element in Bodin's system, for instance, was discarded early in the seventeenth century under the impact of the newly rising natural science; in Hobbes it has disappeared already. In other respects the Mediterranean was far ahead of the

European development north of the Alps; and it took two centuries before the French, English, and German national civilizations, to which the center of gravity had shifted, caught up with the ideas of Bodin. The idea of toleration reaches a stage similar to that of Bodin only in the French Enlightenment of the eighteenth century, and the science of religion and Bible criticism reaches his level only in the late eighteenth and early nineteenth centuries. What is left, the theory of sovereignty, the theory of national characters and of the influence of climates, looks not too impressive if torn out of context, and we can understand that historians who single out these fragments of Bodinian theory are somewhat apologetic about them.

b
Style of Work

A proper presentation of Bodin's ideas becomes furthermore difficult, if not impossible, if the historian insists that the *Six livres de la République,* of 1576, is to be Bodin's systematic treatment of politics. It simply is not. Bodin as an author has a way of his own in attacking his problems. He cast and recast his view of the world several times, and each time while treating the whole he stressed a different aspect of it. The result is that every one of his works has, so to speak, an enormous bulge, while the other parts of the system dwindle out of proportion, are put in the wrong place, and sometimes are reduced to a few sentences. A proper understanding of Bodin is possible only if one projects the whole of his written work on one systematic level and permits the "bulges" to balance one another. The first of his great surveys was the *Methodus ad facilem historiarum cognitionem,* of 1566, which, as the title indicates, concerns mainly the historical structure of the world, giving

an elaborate theory of human action from the natural determinants to the contemplation of God. The second cast was the *Six livres,* of 1576, dealing primarily with the theory and structure of government, but not neglecting the problems of the *Methodus*. In his third work, the *Heptaplomeres,* probably 1593, he focuses on religion and toleration, though again his fundamental attitude does not differ from that expressed in the earlier works. And in his last treatise, the *Theatrum Naturae,* of 1596, he elaborates the cosmology that was already underlying the *Methodus*.

c
Religious Attitude

The center of Bodin's thought is his religious attitude. It cannot be explained in terms of Reformation problems, as is obvious even from the biographical data. He had an enormous learning in Hebrew, and his Jewish inclinations have led to the assumption that his mother was a Jewess and influenced him in this direction, though documentary evidence on this point is lacking. Certainly he received an early Catholic education in a Carmelite convent; and equally certain is that he was jailed for a time as a Protestant and barely escaped the Massacre of Saint Bartholomew; toward the end of his life he was again a Catholic. His personal religiousness has nothing to do with the issues of the sacramental church or of the priesthood of the layman but is that of a contemplative mystic. He must have gone beyond Christianity as a historical religion very early; in his *Letter to Jean Bautru,* of 1563, the Greek and Roman spiritualists from Pythagoras to Cato rank with the Christian. Plato is the greatest of them, holding the promise of a still greater to come, of Jesus. The relation between Plato and Jesus is similar to the Islamic conception of the relation between Jesus and Muhammad, the [latter] being the greater prophet. God appears with the adjectives of the Roman Jupiter as *Deus Optimus Maximus*. The definition of religion as "the direction of a purified soul toward God" is the same which appears three years later in the *Methodus* and remains his notion of religion to the end.[79] The characteristic Mediterranean atmosphere can perhaps best be felt in the sigh of Louis Le Roy, his great contemporary to whom he owes [more than a] little: "O

[79.] *Letter to Bautru,* in Colomiès, *Gallia Orientalis,* 76 ff. (reprinted in: Chauviré, *Jean Bodin,* 522 ff.).

Heaven, by the continued movement and influence of which divine providence rules and incessantly restores and renews in France an incredible abundance and insatiable variety of all things; O Sol, father of time, warmth and light, whose approaching and receding makes the four seasons, necessary for the ripening of the harvest, and the temperature of the bodies; O Luna, Lady of the humors, mother of all growth; O Planets and other Stars who assist in their effects on the Elements and on that which they engender: do you cause and sustain in France this temperateness of air, this fertility of water and earth, multitude of all sorts of grains, fruits, animals, plants, in order that the French starve and destroy one another?"[80] Here is on the one side the Platonic order of the cosmos, and on the other the Reformation and the religious wars of France. Le Roy and Bodin do not take sides in it; the struggle as a whole is a disturbance of the world order; the issues have no meaning.

Bodin has given to his religiousness the perfect expression and setting in the *Heptaplomeres,* the dialogue between seven men of different religious persuasions, meeting in the house of Coronaeus, the wealthy Catholic merchant of Venice. The choice of the place is significant. Venice, the meeting place of the West with Byzantium and the Islamic world, had achieved in the sixteenth century a state of toleration that was unparalleled anywhere in Europe. Its spiritual atmosphere was an epitome of the Mediterranean; it gave room to classic antiquity, as well as to Plotinism, neo-Platonism, Arabic philosophy, the Jews who were expelled from Spain (in 1534 a Jewish university was founded), and religious refugees from the rest of Europe. The dialogue of Bodin, placed in this environment, reveals the sources of toleration and the lines of the later European religious development. Toleration has two great sources: contemplative mysticism and comparative knowledge. Contemplative mysticism, with its culminating experience in the *fruitio Dei,* is essentially ahistoric and adogmatic, which means in practice that the confessional and institutional differences that underlie the turmoil of the sixteenth century become indifferent. It is in the radical extreme the attitude that we could sense in

80. Le Roy, *Exhortation,* fol. 21v.

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the "minimum-dogma" solution of religious strife. Comparative knowledge of religion sharpens the eye for the "essentials" (which we found in Hooker) and operates again in the direction of removing the differences to a sphere of indifference. Both attitudes taken singly may lead, of course, to other results. Mysticism may lead to religious isolation and disrupt society; knowledge is the great source not only of toleration but also of skepticism. With Bodin the destructive tendencies are checked through his profound humanistic realism in the Aristotelian sense, which assigns to every element of reality its proper place in the structure of the cosmos and of human life. The colloquy on religion does not end in an easy solution. Every one of the interlocutors retains his position; no final agreement is reached between the Muslim, the Jew, the Catholic, the Calvinist, the Lutheran, the humanist, and the adherent of the pre-Abrahamitic original religion. But they acknowledge one another's piety and sincerity, as well as the historical justification of each of the attitudes; the light of true religion shines through the veils of each of the dogmatic symbolsbut it does so, and this is the decisive practical limitation, only in a company of *scholars* whose horizon is sufficiently large to perceive through the symbols

the "direction" toward the one God common to them all.

e
Contemplative RealismThe Aristotelian Problem

The tolerance of contemplative realism permits giving due weight to social reality as well as to religious experience. The Reformers despised the "secular" authority. For Bodin the natural sphere is as much human as the solitude of the *fruitio Dei;* the spheres differ in essence and in rank, but nature must not be despised. Luther wanted to abolish the financier; Calvin wanted to discipline him; Bodin wrote a book on prices, money, and inflation, reputedly the first economic treatise.[81] His attitude is fixed as early as the *Methodus,* where he takes up the Aristotelian problem of *theoria,* of contemplation, as the highest form of human activity. We remember the Aristotelian difficulty. Bodin solves the problem by asserting that the contemplative life must not be an occupation for man, but that the perfect life, in order to make possible the

[81.]*La Response de Maistre lean Bodin Advocat en la Cour au paradoxe de monsieur de Malestroit, touchant l'encherissement de toutes choses, et le moyen d'y remedier* (1568; reedited by Henri Hauser, Paris: A. Colin, 1932).

existence of society, should be of a mixed nature, partly active, partly contemplative. Contemplation can never be more than an approximation in this life, a momentary experience from which we have to revert to the daily natural existence; pure contemplation is only for the soul that has been purged of nature, that is in death *in conspectu Dei*. Man should not [lead] the *bios theoretikos* of the Aristotelian philosopher, but in humility fulfill his duties to nature and the community that has given him birth.[82] Contemplation is the purpose of life, of man, and of the Republic, but it has to rest firmly on the everyday household and political actions. "The least illustrious actions are the first."[83]

f
The Theory of ClimatesFrance, the New Omphalos

Following this advice we begin the exposition of Bodin's political theory proper with the theory of climates and their influence on human nature. The subject as such is not new. Plato and Aristotle have dealt with it.[84] Ancient geographers have given surveys of human varieties, bodily and moral, and above all, the system of Ptolemy, coordinating the varieties with the

zones of zodiacal influence, remained known through the ages. The *Tetrabiblos* of Ptolemy was reedited in the sixteenth century and widely read; Bodin, though he does not accept the implications of astrological causality, used amply the general pattern for his own system.[85] The details of the classification are less important for us than its principle. Bodin assumes that the differences of heat and humidity in the north-south dimension influence the peoples living in the northern hemisphere in such a way that one can speak of distinct southern, northern, and intermediate types. The north-south is crossed by an east-west division, the eastern approaching the southern and the western the northern types; wind and surface formations of the earth differentiate the types further within the larger groups. Two ideas emerge from the analysis that have a direct bearing on Bodin's

[82] *Methodus,* 32.

[83] *Six livres de la République,* 1576 ed., 7.

[84] Plato, *Laws* 747; Aristotle, *Politics* 1327b.

[85] Editions used were Claudii Ptolemaei mathematici opens, *Libri Quatuor in quibus de iudiciis disseritur, ad Syrum,* Joachimo Camerario interprete, in Ptolemaei, *Opera Omnia* (Basel, 1591). There is an earlier edition (Nuremberg, 1585). Louis Le Roy gives a survey of climatically determined human varieties, following Ptolemy, in the *Politiques d'Aristote,* of 1568, reprinted 1576; he repeats the survey in his *Vicissitude ou varieté des choses en l'univers,* of 1576.

system of politics. The characterological varieties complement one another to the unit of mankind. God has ordered "the universal Republic of this world" in such a way that the southern peoples excel over the others in science and religion while the northern are distinguished by their achievements in the mechanical arts; the middle region, then, is inhabited by people who are skillful in negotiating, judging, commanding, establishing governments, and making laws and ordinances. Every one of these types has a contribution to offer to mankind and has, therefore, a meaningful existence as part of the whole. The national governmental organizations, which are created on the natural basis of the different characters, are not simply mechanical repetitions of one another,[86] but their manifold constitutes the mystical body of a differentiated mankind. Bodin has a formula that gives meaning to the world of states now that the meaning that Western mankind had as the mystical body of Christ, organized in church and empire, is shattered.

The second idea is that of the ideal middle region, taken without change from Aristotle.[87] North and south are distinguished in the manner just indicated. The middle region combines northern and southern features to a happy mixture; the practical materialism of the north is tempered by the spiritualism of the south to the character that creates law and order and becomes the teacher of mankind in the art of government. France is the country of the temperate region, the middle between the Orient and the Western Hemisphere, between the English north and the Spanish and Italian south. The idea, as we said, is Aristotelian—but the center has shifted from Hellas to France. The theory gives Bodin his pathos when he develops the ideal of the royal monarchy. Not every nation is fitted by character to this perfect form—the north has democratic inclinations, the south has theocratic ones; but its description and theoretical foundation are nonetheless of prime importance, because there is at least one nation suited for it, the political model-nation France. Nor is the royal monarchy a parochial affair of France; but, because of the complementary function of the national characters, it is France's specific contribution to mankind. Through the theory of climates the world of nation-states becomes a cosmos;

86. "One silliness more" was Nietzsche's comment on the addition of the German empire to the series of great powers in 1871.

87. *Politics* 1327b.

France is its *omphalos;* and Bodin, the Frenchman, is the teacher of mankind in politics.[88]

g
Cosmological Thought

If we proceed now to the structure of government, and particularly of the royal monarchy of France, we have to clarify first a bit further the intellectual style of Bodin. Modern interpreters find fault with Bodin, because he does not answer the questions that are foremost in their minds, the questions of the end of government and of why men consent to be governed. Bodin, indeed, does not answer these questions in the sense in which they are answered by the later contract theories: that men derive a definite advantage from entering into political association and oblige themselves to obey the authority instituted by them. But this lack does not detract from the merits of Bodin. He was too intelligent and knew too much about government to give cheap answers of this kind. The theories of contract and consent have their function in the struggle for constitutional government; they are of a controversialist character; and [they offer]

no answers to the fundamental question: why does [human existence] take the form of political society? Bodin was a cosmological thinker. That means he accepted the structure of the cosmos, including the realm of politics; he is aware that this structure is an object of description, not of explanation. There is no more sense in the attempt to explain "why" men live in political society than there would be in the attempt to explain "why" the element *Fe* has certain qualities, or "why" the law of gravity has a certain formula and not another. Man with his natural and spiritual structure in historical evolution is an ultimate structural feature of the cosmos beyond explanation. The task of describing it, by the way, is sufficiently hard to have occupied the best minds for several thousand years, and no end is yet in sight.

h
HierarchyThe Feidh

The thought of Bodin moves in cosmic analogies. The structure of the Republic is seen in analogy to the structure of the cosmos. At this point, there streams into the thought of Bodin the

88. For the theory of climates see *Methodus* chap. V; *République* 1.V, chap. 1.

Mediterranean tradition in all its richness from Plato, through Philo Judaeus, Plotinus, to Maimonides and the neo-Platonists of the Renaissance. It is Bodin's particular contribution to the theory of government to have adapted the Mediterranean speculation on cosmic hierarchy to the theory of the national state. He does not simply take over one of these theories but uses the essence of hierarchical thought in the construction of the ranks of state administration. We have met with the hierarchical idea in the political speculation of Ikhnaton. Bodin seems to have been influenced most by the Arabs and by his favorite philosopher, Maimonides; it may be justified, therefore, if from many others we single out the formula of Maimonides in order to explain the problem. The world is in [Maimonides'] view an emanation of the divine essence over the intermediate ranks of the cosmos down to matter. "The power descends from God to the Intelligences in their successive order; the Intelligences let overflow of the benefices and lights received [go] to the celestial spheres, and the celestial spheres let overflow of the benefices and forces received [go] to the lower body which is born and perishes."[89] The category of the "overflow," the Arabic *feidh,* determines the unfolding of the hierarchy and the relations between its ranks. Bodin uses the symbol of the hierarchy, but he changes the meaning of the *feidh* in an important point. The *feidh,* as used by Maimonides, would make the lower

ranks of the hierarchy depend exclusively on the next higher and thus mediate the relation to God. Bodin combines the hierarchy of powers due to delegation emanating from God with the idea of the direct relation of every rank to God, which in a critical situation might overcome the mediation.[90] The *feidh,* in the adaptation of Bodin, has a function for the construction of the hierarchical order of the Western national state similar to that of the *berith* for the contractual basis of political society.

i

Legal HierarchyThe Structure of the Modern State

Bodin has worked out carefully the hierarchical construction in all its aspects, the personal hierarchy as well as the hierarchy of legal forms, as follows:

[89.] Moise ben Maimoun, *Le guide des egares: Publie pour la premiere foi dans l'original Arabe et accompagne d'une traduction francaise et des notes critiques literaires et explicatives,* ed. S. Munk (Paris, 1861), 2:95.

[90.] See Bodin's criticism of the *feidh* of Avicenna and the expression of his preference for the construction of Averroës in *Theatrum Naturae,* 547.

(I) Hierarchy of persons: (a) God; (b) the sovereign prince has his power directly from God and does not recognize anybody besides God as his superior; (c) the magistrate holds his power, after God, directly from the prince and is subject to his laws and orders; (d) the private citizens recognize, after God, as their superiors the prince and his magistrates within their competency.[91]

(2) Hierarchy of legal forms: (a) The private acts of citizens (contracts, testaments, and so on) cannot derogate the ordinances of the magistrates; (b) the ordinances of the magistrates cannot derogate the *coutume;* (c) the *coutume* cannot derogate the laws of the prince; (d) the laws of the prince cannot derogate natural and divine law.[92]

The hierarchies just outlined are Bodin's most important contribution, if not to political science, then to the legal construction of the modern state. Here we find developed, in contrast to the medieval theory of diffused authority, the delegation of the jurisdictions from the top of the legal hierarchy to the concrete legal acts of the citizens. Bodin was absolutely clear about the significance of his construction and took special care to explain not only that the administrative acts were legally valid through their delegation from royal statutes but also that the *coutume,*

the customary law, derives [its validity] in the closed national state from the sufferance of the prince as the highest statutory authority. The integration of customary law into the uniform legal order of the state is one of the technically best features of Bodin's reasonings.[93] The juristic structure of the legally closed national state is practically complete.

j
Corollaries

The theory of the sovereign national legal pyramid has a number of corollaries, of which we have to mention a few of the most important. The legal closure of the state had to defend itself against

[91.]*République,* 351.

[92.] Ibid., 146.

[93.] The problem of delegation and of the unity of the legal system of the state has been worked through more closely only in the nineteenth and twentieth centuries in the positivistic schools of law. Cf. Rudolf Bierling, *Zur Kritik der juristischen Grundbegriffe* (1877), vol. 1; Adolf Merkl, *Die Lehre von der Rechtskraft* (Leipzig and Vienna: F. Deuticke, 1923); Hans Kelsen, *Allgemeine Staatslehre* (Berlin: J. Springer, 1925); Eric Voegelin, "Die Einheit des Rechtes und das soziale Sinngebilde Staat," *Internationale Zeitschrift für Theorie des Rechts* 1:2 (1930).

several opposing legal claims. Bodin has to assert, therefore, that the legal authority emanating from the prince is independent (a) of the emperor, who has no more than a prerogative of honor on public occasions;[94] (b) of the pope;[95] (c) of the Roman law;[96] and (d) of the estates of France.[97] These assertions of independence do away with the medieval field of powers and leave the monopoly of legal power to the national prince as the sole survivor. In other respects, however, the legal pyramid [still has] gaps; the national state has not yet disentangled its metaphysical substance completely from the Christian universalism. The legally closed state is not yet a closed commercial and a closed spiritual state. The prince is the sovereign lawgiver, but he is restricted as to the content of his statutory power by natural and divine law. This means specifically that the magistrates and subjects have, in severe and clear cases of deviation of the positive law from the natural and divine, the right and duty to disobey.[98] But the right of disobedience under no circumstances implies a right of rebellion or tyrannicide.[99] The marvelous juristic mind of Bodin reveals itself again on this occasion in the technical remark

that strictly speaking the prince cannot act against the law of God, his *seigneur,* because through the very act of violation of divine law he loses "the title and honor" of a prince. Similar intricate problems have again been discussed in modern legal theory on occasion of the question of whether a government official, if he counteracts the law, is still acting in his official capacity.

k
Definitions of Sovereignty

We may now turn to Bodin's definitions of sovereignty. It is unwise to start an interpretation of Bodin from these definitions because they are unintelligible as long as the implications of the system are not known. They are, however, not confused or contradictory, as is sometimes said, but they bring out the different aspects of the problem with which we have dealt. In the French edition of

94. *République,* 188.

95. Ibid., 182 ff.

96. Ibid., 149 ff.

97. Ibid., 136.

98. Ibid., 147.

99. Ibid., 258.

[the *République,* of] 1576 sovereignty is defined as "the absolute and perpetual power of a Republic,"[100] unlimited in power, function, and time.[101] This is the declaration of independence of the national state as such; sovereignty means nothing more or less than the immediacy of the nation, organized as a body politic, under God, responsible to no other earthly instance. Organizationally this power has to be located somewhere, in the people, in the nobility, in the prince; the location determines the different forms of government (Bodin's *états*); but irrespective of its location the sovereign power is always one and indivisible (the later formula of the French *république une et indivisible*) as a quality of the mystical body of the nation.[102] Once the national sovereignty is placed in the monarchy in the hands of the prince, the hierarchical aspects come to the fore. In the Latin edition of the *République* we find the definition: "Majesty is the supreme power over citizens and subjects, free of legal restraint,"[103]

which obviously stresses the personal hierarchy. And we find definitions of sovereignty that stress the supreme legal competency, such as: "absolute power is nothing but the power to derogate the civil law,"[104] or "the main point of sovereign majesty and absolute power is to give law to the subjects in general without their consent."[105]

l
The Problem of Power

A last group of definitions of sovereignty introduces the problem of power into the system. "He is sovereign, who owes nothing, after God, but to his sword";[106] and "in matters of state, he who masters the force, masters the men, the law, and the whole Republic."[107]

[100.] Ibid., 125.

[101.] Ibid., 126.

[102.] Bodin discusses, therefore, at length and dismisses as an illogical construction all theories of a mixed form of government. See particularly *République,* 21831. The pages contain careful analyses of Dikaerchos, Polybius, Contarini (*De Magistratibus et republica Venetorum Libri quinque,* authore Gasparo Contareno Patricio Veneto [Paris, 1543]), and of Hotman, who in his *Franco-Gallia* had elaborated the ideal of limited monarchy, with an eye on the English constitution, similar in its sentiment to the later attempt of Montesquieu.

[103.] *De Republica* (1591), 123.

[104.] *République* (1576), 150.

[105.] Ibid., 140, 197; see also the Latin edition (1591), 240: "the power to give law to the citizens as a whole and singly, without consent of a superior, an equal or an inferior."

[106.] *République,* 154.

[107.] Ibid., 231.

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The theory of the hierarchy expresses the governmental structure as part of the static structure of the cosmos; the theory of power expresses the contingency of government, the mechanics of its rise and fall in the history of the universe. Bodin is frequently criticized for developing a theory of power that has little systematic connection with the legal aspects of his theory of sovereignty. I think the criticism is unjustified. There is, indeed, a gap in Bodin's system between the delegation of law emanating from God, over the prince and the magistrates, to the subjects, and the foundation of government on the brute fact of force, and for a good reason.

"Reason and our natural light," he says, "lead us to believe that force and violence have given origin to the Republics." But the acknowledgment of force as the decisive factor in the *existence* of government has no bearing on the question of *legitimate order*. He separates carefully the spheres of existential power and of legitimate order. Bodin does not make the least attempt to justify force; it remains a brute driving power of history under all circumstances, even if the order established is good. That the amorality of force may combine with the morality of purpose in the establishment of a cosmion that fits into the larger cosmic order of God is the ultimate mystery of politics. A political thinker who is worth the name will accept the mystery respectfully and leave it alone; and Bodin was a great political thinker.

m
The Harmonious Cosmion

Once a position of sovereignty is gained, the question of the internal order of the Republic as to its content arises. The legitimate order does not permit an unlimited exertion of royal pleasure but requires the observation of definite limits. At the basis of the national body politic is the broad mass of families with their natural male heads. The household sets a limit to royal power; for the purpose of the well-ordered national society is the possession and protection of the property of the household.[108] The liberty of the citizen consists in the safe enjoyment of his goods and in the freedom from fear that his honor, his life, his wife, and his family might be violated.[109] Only if these essentials are secured can the relation

[108.] Ibid., 682.

[109.] Ibid.

between the sovereign and the people be harmonious and a stable order be granted. The stability of the order requires further that the legal and economic basis of the hereditary monarchy should not be touched, which means in practice that the law of succession (in France the Salic Law) and the state domain are beyond the reach of the sovereign. Historical institutions, like the Estates of France, have to be respected; their assembly does not detract from the sovereign power, because legally the king can do what he wants, but actually he will take pride in the assembly of his realm, which testifies to his power, and consider the granting of requests as an expression of the harmony prevailing between him and his people. The meaning becomes clear beyond doubt when Bodin finds that the consent of the English

Parliament, which is necessary for extraordinary financial levies, does not infringe on the sovereignty of the king of England, "because it is not in the power of any prince in the world to levy taxes on his people at his pleasure."[110] "Power" in this context means political power, not legal. The legal formality of consent is of little importance if compared with the submission of the king to the exigencies of the political situation and with his endeavor to preserve a stable national order. There is, therefore, no conflict between the two principles of Bodin, that the king cannot infringe on the property of his subjects, and that the king has unlimited taxing power. The household is a national institution, and so is the national revenue including the taxing power. The limit between taxation and confiscation of property is drawn by social custom and the necessities of national politics. And, finally, the national consciousness, based on the national character, is a limit to sovereignty. A foreign prince can maintain himself in a country only through bodyguards, fortified places, and the employment of foreigners in the administration"things unbearable to any nation in the world; at the least trouble, if the foreigners are not the stronger, they will have their throats cut."[111]

The total of these and similar rules concerns neither the hierarchical legal structure nor the problem of force but the mystical body of the nation in its historical reality. The substance of government, as distinguished from legal forms and the application of

[110] Ibid., 138.

[111.] Ibid., 7:24

force, is the success of the balance between sovereign command and popular obedience. In preserving this balance the sovereign has to take into account the climatically determined national character, the contentment of the community of free householders, the social customs and institutions, the continuity of the constitutional structure beyond the life of the sovereign prince of the moment, and the financial basis of government. The nation as a closed organism, in its continued existence in history, has become the substance of the political cosmion. To construe this part of the Bodinian system of politics as a limitation of legal sovereignty, and to find an inconsistency in the theory of sovereignty on this count, as sometimes is done, is a grave misunderstanding.

n
Ascent to God

Let us return to the beginning. The prohibitive style of Bodin inevitably handicapped his literary success; the deeper reason for his neglect has to be sought, however, in his greatness. The contemplative realist continued the tradition of Plato and Aristotle, enriched by the influx of Hellenistic, Arabic, and Jewish speculation. But the contemplative realist is, and always will be, an isolated figure. Aristotle is more frequently read than Bodin because of the prestige attached to his name, but whether his actual influence on the political science of our day is greater than Bodin's may well be doubted. The center of attention is always held by political thought of the ancillary evocative type because it is nearer to the excitement and intoxication of the political struggle. To see the Republic as a balanced cosmion, as a part of the structure of the universe, requires the contemplative temperamentwhich is rareand a range of knowledge of things human and divinewhich is still rarer among political thinkers. Most revealing is the earlier mentioned criticism, leveled in recent histories of political thought against Bodin, that he had no clear idea of the end of government. We admitted that he had not the ready answers that were expected of him. But he has anotherif anybody was ever clear about the end of government, it is Bodin. The purpose of government is the transformation of the national polity into a cosmic analogy. The high point of the *Theatrum Naturae* is, on the other hand, the formulation of

the cosmic structure in terms of the well-ordered republic.[112] The stable cosmion offers the existential basis for the end of human life: to ascend, after the necessities are taken care of, in contemplation to the *fruitio Dei*. And at the same time, the well-ordered republic is intellectually one of the ranks in the hierarchy of the universe that have to be surveyed in the contemplative ascension. "We have to observe first the benevolence and excellence of God in things human; then in the causality of nature; then in the description and splendor of the celestial bodies; then in the admirable order, movement, greatness, and harmony of the whole universe, that in such steps we may return to our relationship and origin in God."[113] But who would consider this an end of government? No serious person.

[112.] *Theatrum Naturae,* 527, 632.

[113.] *Methodus,* 11.

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