

Republicanism

A Shared European Heritage

VOLUME I

Republicanism and Constitutionalism in Early Modern Europe

Edited by Martin van Gelderen
and Quentin Skinner



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Republicanism

These volumes are the fruits of a major European Science Foundation project and offer the first comprehensive study of republicanism as a shared European heritage. Whilst previous research has mainly focused on Atlantic traditions of republicanism, Professors Skinner and van Gelderen have assembled an internationally distinguished set of contributors whose studies highlight the richness and diversity of European traditions. Volume I focuses on the importance of anti-monarchism in Europe and analyses the relationship between citizenship and civic humanism, concluding with studies of the relationship between constitutionalism and republicanism in the period between 1500 and 1800. Volume II is devoted to the study of key republican values such as liberty, virtue, politeness and toleration. This volume also addresses the role of women in European republican traditions, and contains a number of in-depth studies of the relationship between republicanism and the rise of commercial society in early modern Europe.

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Republicanism

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VOLUME I

*Republicanism and Constitutionalism
in Early Modern Europe*

Edited by MARTIN VAN GELDEREN

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Acknowledgments

In May 1995 the European Science Foundation (ESF) accepted a proposal to set up a network for the study of republicanism as a shared European heritage. The proposal had been worked out by a group of six scholars interested in different aspects of this theme: Catherine Larrère (University of Bordeaux 3), Hans-Erich Bödeker (Max-Planck-Institut für Geschichte, Göttingen), Ivo Comparato (University of Perugia), Iain Hampsher-Monk (University of Exeter) and ourselves.

We were influenced in our choice of subject by two earlier international collaborations. One of these was the *convegno* held at the European University Institute in 1987 on the place of republicanism in the political theory of the Renaissance. Organised by Gisela Bock, Maurizio Viroli and Werner Maihofer, this meeting eventually gave rise to the volume *Machiavelli and Republicanism* published by Cambridge University Press in 1990. Our other source of inspiration was the ESF programme *The Origins of the Modern State in Europe, 13th to 18th Centuries*. As part of this project, Janet Coleman chaired a group studying many aspects of the relationship between the development of notions of individuality and the formation of the European system of states. The role played by republics and republican values in this process was a subject of discussion in the group, but it was not one of the themes of the ESF programme. It was specifically noted in the discussions of the group that more attention should be paid to the history of republicanism after the era of the Renaissance and outside the confines of Italy. This became our theme, and between September 1995 and September 1997 we devoted four *Arbeitsgespräche*, workshops and *convegni* to discussing it.

We are deeply indebted to the institutions which agreed to act as our hosts on these occasions, and to the individual members of our network who organised our meetings and made them such a success. Our warmest thanks go

to Hans Bödeker and the Max-Planck-Institut für Geschichte in Göttingen, where we held our first meeting on 'Republicanism as Anti-Monarchism' in April 1996; to the Netherlands Institute of Advanced Study (NIAS) in Wassenaar, where our meeting on 'Republicanism and the Rise of Commercial Society' took place in September 1996; to Ivo Comparato and his colleagues at the University of Perugia, where we held our third meeting on 'The Political Institutions of the Republic: Discourse and Practice' in April 1997; and to Catherine Larrère and the University of Bordeaux 3, where our fourth meeting on '*Les Mœurs républicaines*: the political culture of Republicanism' was held in September 1997.

We were able to take stock of our findings, and to pursue their implications in new directions, at a final meeting in Siena in September 1998. This additional *convegno*, under the title 'The Historical Perspectives of Republicanism and the Future of the European Union', was organised in cooperation with the Comune di Siena and took place in the Sala della Pace of the Palazzo Pubblico. We are deeply grateful to Siena's *sindaco* Pierluigi Piccini and to Carlo Infantino for their invaluable support and splendid hospitality. We should also like to thank Monte dei Paschi di Siena for contributing a generous grant towards our expenses.

We also wish to express our thanks to Christ's College Cambridge for agreeing to allow our steering committee to hold its meetings there. We initially met in June 1995 to plan our workshops and decide whom to invite to them. We met again in January 1999 to evaluate the activities of our network in company with representatives of the European Science Foundation and to discuss our plans for publication with Cambridge University Press. On both occasions the College made us very welcome and offered us much hospitality.

The academics and administrators of the European Science Foundation have aided us in very many ways. In the planning phase of our network Max Sparreboom offered especially valuable advice. Vuokko Lepisto attended our first two workshops and gave us much help and support. During the latter phases of our project we were especially fortunate to work with Antonio Lamarra, who took a highly scholarly interest in our activities as well as providing us with further generous support. The Chairman of the ESF's Standing Committee in the Humanities, Wim Blockmans, proved willing at all times to offer academic, administrative and good-humoured diplomatic advice on a variety of European academic matters.

The period since our meetings came to an end has been one of unexpectedly heavy editorial work. The business of translating, reshaping, revising and adding to our original conference papers has had the effect of

transforming them almost out of recognition, but it has taken us a long time. We are deeply grateful to the editorial staff at Cambridge University Press for their patience and encouragement throughout this period. We owe particular thanks to Richard Fisher, who gave us excellent advice at the outset and has edited our volumes with great good humour and unwavering efficiency. The Press also provided us with a handsome grant towards our translation expenses, matched by a no less handsome sum from the European Science Foundation. We should note that these volumes are not the only fruits of our network's research. Ivo Comparato, Catherine Larrère and Hans-Erich Bödeker are editing a volume of essays on 'Republican Founding and Republican Models' to be published by Olschki in Florence. Meanwhile a number of papers from our *convegno* in Siena have already been published in *Demands of Citizenship* (London, 2000), edited by Iain Hampsher-Monk and Catriona McKinnon.

We end with the expression of our greatest debt, which is of course to our friends and fellow members of the network. We are deeply grateful to our fellow coordinators Catherine Larrère, Hans-Erich Bödeker, Ivo Comparato and Iain Hampsher-Monk, all of whom discussed every aspect of our project with us at numerous meetings in Cambridge, in Amsterdam cafés and in restaurants in Perugia, Bordeaux and Siena. We are likewise grateful to all our contributors, each of whom participated in at least two of our workshops. They succeeded in turning each one of these occasions into a highly successful combination of hard work, intense discussion and exemplary sociability. We are grateful too for their forbearance in the face of our subsequent calls for the revision – and in many cases the complete re-writing – of their individual chapters. As these volumes go to press, we are delighted to learn that there is still time to offer our warmest thanks to our sub-editor Virginia Catmur, who has brought to bear an extraordinary level of skill and meticulousness, and has succeeded in sorting out a very large number of last-minute difficulties.

While our volumes were in final preparation, our friend Eluggero Pii died after a terrible illness stoically borne. It is an honour to publish here his final paper, the last testimony to the depth, breadth and grace of his scholarship.

QUENTIN SKINNER
MARTIN VAN GELDEREN

Introduction

The following chapters stand in little need of introduction, since they are all the work of recognised experts on the history and theory of European republicanism. A word does need to be said, however, about the editorial decisions we have made in respect of the topics we have chosen to cover and the chronological limits of our coverage.

Chronologically our two volumes focus on the period roughly extending from the mid-sixteenth to the late-eighteenth century. This reflects our sense that the earlier history of republicanism in the Renaissance, and the later fortunes of the movement in the nineteenth century, have both been better served in the existing scholarly literature. In particular, it is worth noting that several contributors to these present volumes took part in the production of *Machiavelli and Republicanism* (1990), in which the origins and influence of the Florentine model of the *vivere libero* were extensively surveyed. The basic decision we made in setting up our more recent network was that the period most in need of further study was the one following the demise of the Renaissance city-republics and preceding the recrudescence of republican theory and practice in the era of the French Revolution.

A word next needs to be said about the specific themes on which we have chosen to concentrate. These reflect our sense of how the values and practices associated with European republicanism can most illuminatingly be made to fit together. We accordingly begin, in Part 1 of Volume 1, with the rejection of monarchy. Whatever else it may have meant to be a republican in early-modern Europe, it meant repudiating the age-old belief that monarchy is necessarily the best form of government. We already find this assumption implicitly questioned in some Huguenot political writings of the French religious wars, and we encounter a far more explicit challenge among the enemies of absolutism in eastern Europe, perhaps above all (as Chapter 3 reveals) in

Poland. But it was in the Netherlands, and later in England, that the repudiation of monarchy assumed its most dramatic forms. The Dutch abjured their allegiance to their overlord, Philip II, in 1581 and went on to fight successfully for the establishment of a federated republic, while the English executed their lawfully anointed king, Charles I, in 1649 and set up 'a Commonwealth and Free State'. Chapters 1, 2 and 4 of Part I examine the rôle of anti-monarchical sentiment in the unfolding of these unprecedented events.

We turn in Part II of Volume I to the figure of the citizen, the figure whom we take to be pivotal to the republican politics of early-modern Europe. One crucial fact, duly emphasised by all the contributors to this section, is that the image of citizenship projected by the republican writers of our period was largely drawn from classical and 'civic humanist' sources. This generalisation is shown to hold across much of the European map, from England (Chapter 5) and the Netherlands (Chapter 6) to Germany (Chapter 7) and Poland (Chapter 8).

According to the classical authorities beloved of early-modern republicans, the essence of what it means to be a *civis* or citizen is to be in possession of one's liberty as opposed to being a slave. This assumption not only underlies much of what our contributors have to say about the concept of citizenship in Volume I, but resurfaces in Part I of Volume II in the discussions of freedom (Chapter 1) and its connections with empire (Chapter 2). The predicament of the slave, as we learn from the rubric *De statu hominis* in the Digest of Roman Law, was held to be that of someone condemned to living in *potestate domini*, within the power and hence at the mercy of a master possessed of arbitrary powers. As Hobbes was to complain in *Leviathan*, the republican and 'democratical' writers proceeded to extend this definition in such a way as to argue 'that the Subjects in a Popular Commonwealth enjoy Liberty; but that in a Monarchy they are all Slaves'. If we live as subjects of rulers with arbitrary or prerogative powers, they claimed, we are living at their mercy and hence in a state of servitude.

Hobbes was only the most prominent among numerous defenders of monarchy who raised an obvious objection to this line of argument. How can the mere fact of living under a monarchy limit our options and thereby deprive us of liberty? The answer drawn by the exponents of republicanism from their classical and 'civic humanist' authorities was that slavery inevitably breeds slavishness; that those condemned to a life of servitude will find themselves obliged to cultivate the habits of servility. As Sallust and Tacitus had warned, no deeds of manly courage or great-heartedness can ever be expected from such abject peoples. They will be too fearful of attracting the

envious attention of their rulers and thereby bringing ruin instead of glory upon themselves. Nor can they be expected to benefit themselves and their country by winning great fortunes from daring ventures of exploration or commerce. Since they know that whatever gains they accrue will always be subject to arbitrary confiscation with impunity, they will scarcely trouble to take the risks or expend the energies required. It accordingly became a trope of republican writing to claim that nothing but torpor and sullen acquiescence can be expected from the subjects of absolute monarchies. We must expect to find them – as a revealing series of neologisms put it – discouraged, dis-hearted, dis-spirited. By contrast, the freedom of the republican citizen was taken to consist essentially in being secured against such arbitrary domination or interference. The republican citizen was consequently said to enjoy something far more substantial in the way of *libertas* than mere *de facto* absence of constraint. He was said to enjoy protection from the possibility of suffering such constraint. Republican citizens could be governed, but not mastered. This was taken to be the most precise way of distinguishing between genuine citizens and mere subjects. The espousal of this exacting vision of civil liberty brought with it some fundamental questions about forms of government. What type of constitution is best suited to upholding both the liberty of citizens and the stability of commonwealths? Under what form of constitution, in other words, will it be possible to ensure that the laws are duly enforced but that citizens are at the same time immune from arbitrary domination or interference on the part of their government? These are among the issues to which our contributors turn in Part III of Volume 1, our section entitled ‘The Republican Constitution’.

As one might expect, many republicans took it to be obvious that, whatever else is true of such constitutions, they must eschew any vestiges of monarchical authority. This was because, as the English Act of 1649 abolishing kingship put it, there is an inherent tendency for regal power ‘to oppress and impoverish and enslave the subject’. Paradoxically, however, the upholding of civic liberty was not invariably taken to require a republican constitution in the strictest sense. Sometimes it was conceded that, if one could have a Doge-like monarch, subject to election and bereft of prerogative powers, this might offer the best prospect of assuring the right combination of public order and civil liberty. This paradox echoes throughout the early-modern period. We encounter it in Machiavelli’s question as to whether a *repubblica* can be sustained ‘per via di regno’, and we hear it again in Hume’s suggestion that the progress of the arts and the maintenance of liberty may often fare better under ‘civilised monarchies’.

Whatever view was taken of this issue, it was generally agreed that, in order to avoid the dangers of tyranny, it will always be essential to prevent our rulers from imposing their wills on us arbitrarily and without check. This was taken to follow from the cardinal assumption that subjection to unchecked power is equivalent to servitude. These commitments help in turn to explain why so many republican theorists – as we learn from Part III of Volume I – were preoccupied by two constitutional problems above all. One was the question of how best to frame a mixed constitution, a *respublica mixta*, in such a way as to deploy power to balance power. The other was the associated question of how to ensure that the people are able to make their voice heard – at least by representation – in the process of law-making, so that whatever laws are enacted may be said to reflect their wills as opposed to being arbitrarily imposed upon them. As a number of chapters in Part III of Volume I reveal, these problems were eclectically solved by reference to whatever sources seemed most serviceable, including local custom, classical theory and the exemplary instance of the Jewish commonwealth, a constitution widely believed to reflect God's own political preferences. Republican writers generally agreed that, so long as arbitrary power is duly outlawed and representation assured, we can legitimately claim to be living in 'a free state'. As this terminology reveals, the republicans took as seriously as possible the alleged analogy between natural and political bodies. Just as natural bodies are said to be free if and only if they are moved to act by their own wills, so too with political ones. To live in a free state is to live under a constitution in which the body politic is never moved to act except by the will of the citizen body as a whole.

If we have the good fortune to live under such a constitution, this will not only have the effect of securing our civil rights; it will also emancipate us from the servility that comes of living under any form of absolute government. To put the point another way, the liberty enjoyed by republican citizens was at the same time held to be an inducement to civic virtue. Freed from the dread of the mighty, we can hope to undertake great and courageous deeds. Freed at the same time from any fear that our property may be taken away from us with impunity, we can likewise hope to pursue our fortunes without anxiety and thereby benefit our community as well as ourselves. Just as the subjects of arbitrary power become disheartened and discouraged, so the constitution of a free state helps to hearten and encourage its citizens to expend their best energies in their own and the public's interests. One consequence of these assumptions was that many defenders of free states became proponents of expansionist policies, seeking in James

Harrington's words to establish commonwealths not merely 'for preservation' but 'for increase'. As we learn from a number of the contributions to Volume II, however, the question of empire always remained for republicans a vexed and difficult one. On the one hand, a number of free states, including the Netherlands after independence and Britain in the 1650s, took the view that liberty at home should be matched by greatness abroad, and turned themselves into enthusiastic and successful imperialists. But on the other hand, many republicans feared that the acquisition of an overseas empire might undermine the conditions of virtuous citizenship at home. They were worried about the large armies needed for policing extended frontiers, partly because such forces undermined the traditional identity between soldier and citizen, but even more because they offered governments a tempting means of seizing absolute power. But they also feared moral contamination at the hands of the conquered, a fear as old as Sallust's concern that the introduction of what he called 'Asiatic habits' might bring about the corruption of European *mœurs*. We are left pondering the various ways in which early-modern republicans conceived of the relationship between the values of the *patria* and those of other and wider communities.

A further important topic raised in Part I of Volume II concerns the character of the virtuous citizen. As constructed by the theorists of free states, the republican citizen was undoubtedly a figure of powerful energies and commitments. His concern for liberty made him a vigilant critic of governmental encroachment (Chapter 1), while his belief in the equal standing of citizens made him at least potentially a friend of religious toleration (Chapter 3). By the beginning of the eighteenth century, however, we find his limitations as a moral exemplar increasingly exposed to criticism and even ridicule. His vaunted free-speaking and contempt for courtliness were both challenged by new ideals of politeness and urbanity (Chapter 5), while his fierce insistence on the need for independence was overtaken by new conceptions of civility and sociability (Chapter 6).

We bring our volumes to a close by considering in greater detail the two most important limitations of the republican citizen and his system of values. One stemmed from the fact that his virtue was very much the classical *virtus* of the *vir civilis*, and was consequently viewed as an eponymously male attribute. A construction of masculinity undoubtedly underpinned the ideology of 'civic humanism'. What place did this leave for women in the republic? How was the public space of the republic gendered? These are the questions addressed in Part II of Volume II, in which we examine the confrontation between the republican image of virtue and the demand

for greater sexual equality. The other limitation on which we focus arose in a similar way from the classical sources of republican thought. As we have seen, the ancient moralists believed that freedom acts to release all kinds of energies, including those which enable prudent and courageous men to amass fortunes for themselves. But they also believed that the highest duty of the *vir civilis* is to employ his energies for the good of his community, whether in a civil or a military capacity. This latter commitment prompted most republicans to insist on honour and glory as the proper goals of the *vir civilis*, and this in turn frequently prompted them to speak disparagingly of the acquisition of wealth as a base and even an unpatriotic pursuit.

The ambiguous implications of this inheritance for the relationship between republicanism and the rise of commerce form the subject of our concluding section in Volume II. We end with the figure of Adam Smith, and with the confrontation between republican principles and commercial realities. With Smith's reflections on our theme, we begin to move away from early-modern debates about virtue and commerce and to enter a more recognisably modern world.

One question that cannot be ignored in discussions about our republican heritage is how far we are confronting a usable past. In our own case these discussions gave rise to a further editorial decision which the present volumes reflect. We resolved to exclude such questions as far as possible, and we further resolved to consider them at a separate conference and, eventually, in a separate book. As we note in our Acknowledgments, this additional *convegno* duly took place, and a volume arising from it has already been published. By contrast, our aim in the present volumes has been to stand back from the politics of republicanism and to produce a series of purely scholarly studies aimed at furthering an historical understanding of this aspect of our intellectual heritage.

Part I

The Rejection of Monarchy

‘That a Republic is Better than a Monarchy’: Anti-monarchism in Early Modern Dutch Political Thought

WYGER R. E. VELEMA

Historical scholarship has not been very generous in its treatment of seventeenth- and eighteenth-century Dutch republicanism. Whereas it is hard to keep track of the continuous stream of studies devoted to early modern Italian or English republicanism, publications on the political thought of the Dutch Republic have remained few and far between. Indeed, although the situation has somewhat improved in recent years, it may still be stated without exaggeration that large areas of early modern Dutch political thought remain entirely unexplored. There are, leaving aside the remarkable fact that the history of political thought has never been a prominent field of study in Dutch academia, at least two reasons for this rather unsatisfactory state of affairs.

First of all, there is the deep-seated conviction that the Dutch have always been a thoroughly practical, pragmatic, and commonsensical people, not much inclined to theory. Thus, in a recent overview of early modern Dutch republicanism, Herbert Rowen once again ends with the time-worn cliché that Dutch political theory did not match Dutch political practice. ‘Can it be’, his concluding rhetorical question goes, ‘that those who possess liberty – as the Dutch did in these two centuries more than any other people in Europe – are not driven to philosophize about it?’ (Rowen 1994: 340). Quite an amazing verdict, one cannot help thinking, on a culture that produced not only Grotius and Spinoza, but also an astonishingly rich political pamphlet literature – see for instance Knuttel 1889–1920.

Even more important than this strangely tenacious myth however, is the fact that those relatively few scholars who decided to ignore it have, until quite recently, attempted to study the history of early modern Dutch political thought with the sole purpose of identifying a particularly and exclusively Dutch form of political discourse. This was the dominant (and severely

limiting) perspective both in Ernst Kossmann's classic 1960 monograph – the first, it should be mentioned in passing – on the political thought of the Dutch seventeenth century and in the Dutch debate following the publication of J. G. A. Pocock's *Machiavellian Moment* in 1975.¹ Kossmann's conclusion in the exchange last mentioned that there was no 'Dutch paradigm' in early modern political thought may very well be true, but the question it answers does not seem to be particularly fruitful or enlightening, for there were very few if any early modern European nations with totally original and entirely exclusive traditions of political thought or language (Kossmann 1985). The dominant early modern political languages were, to a large extent, international. The interesting question, therefore, is how and why they were applied, rejected, adapted or extended in various national and international contexts and under different circumstances. Fortunately, such an approach is now at last slowly gaining ground in the study of Dutch political thought, the pioneering effort in this respect being E. O. G. Haitsma Mulier's 1980 monograph on *The Myth of Venice and Dutch Republican Thought* (Haitsma Mulier 1980).

The above general observations on the study of early modern Dutch republicanism all strongly apply to the subject of the present article, the anti-monarchical element in early modern Dutch political thought. First of all, this evidently crucial aspect of Dutch republicanism has so far not been subjected to systematic study. Secondly, it is eminently suited to dispel the myth that the Dutch were disinclined to give political matters much thought. There can be no doubt that the anti-monarchical literature in the Dutch Republic, ranging from popular and cheap pamphlets to learned treatises, was enormously rich, both in quantity and in quality. It would, of course, only have been surprising had this not been the case in a country that originated in a revolt against a monarch and prided itself on its republican liberty ever since.² Thirdly and finally, even the most superficial perusal of Dutch anti-monarchical writings immediately makes it clear that Dutch theorists did not operate in national isolation. Just as they liberally used French Huguenot theories of resistance during the sixteenth-century struggle with Philip II, they borrowed from Machiavellian republicanism, Cartesian psychology, and Hobbesian philosophy in the course of the seventeenth century (Van Gelderen 1992; Kossmann 1960; Haitsma Mulier 1980). In the eighteenth century in turn they adapted Addison and Steele's spectatorial politeness, utilised Montesquieu's new typology of the forms of government, and absorbed Paine's anti-monarchism

1. Kossmann 1960. Pocock 1982.

2. Early modern Dutch concepts of liberty are discussed in Haitsma Mulier and Velema (eds.) 1999.

(Buijnsters 1991; Velema 1997; Leeb 1973; Klein 1995). To look for a purely Dutch and entirely original form of anti-monarchism would, it is clear, be both useless and nonsensical.

The interesting question to be asked, then, is not whether Dutch anti-monarchical theorists did or did not use predominantly non-Dutch authors as their sources of inspiration, but how they adapted the various available international political languages to their own needs and circumstances. Here it needs to be pointed out with some emphasis that the circumstances the early modern Dutch found themselves in were rather exceptional.³ In an age that saw the growth of various forms of territorially extended and more or less centralised monarchy, the Dutch inhabited a small, decentralised, commercial republic. The first function of their reflections upon the monarchical form of government was therefore to increase their understanding of the organisation of their own state by comparing it to the political life of the countries surrounding the Dutch Republic. Had this been all, Dutch anti-monarchism might never have become as intense as it did. What provided the stimulus for the most principled and fervent rejections of monarchy from the mid-seventeenth century on, however, was not international comparison, but the rôle of anti-monarchism in domestic political dispute.

The state that had emerged from the Dutch Revolt was a republic in which the assemblies of the States, variously composed in each province, were held to be sovereign. At the same time, however, and for a variety of reasons, the function of Stadholder was retained in the new political system. Throughout the history of the Dutch Republic the position of the Stadholder remained, as Herbert Rowen has remarked, 'an improvisation' (Rowen 1988: ix). It was based on an ill-defined assembly of special rights, privileges, usurpations and informal influence. Despite or because of the opaque nature of their position, the Stadholders, elected by each province separately, succeeded in accumulating a considerable amount of symbolic and real power on both the national and the provincial level. Particularly important in this respect was the fact that their function combined substantial political power and the supreme military command in one and the same person. It was precisely this combination that made William II such a formidable opponent in his 1650 conflict with the province of Holland and that prompted the abolition of the Stadholderate in that most important of all the Dutch provinces – and several

3. All previous general histories of the Dutch Republic, both in English and in Dutch, have now been superseded by Jonathan Israel's magisterial work (Israel 1995). Illuminating reflections on the history of the Dutch Republic in comparative perspective are offered in Davids and Lucassen (eds.) 1995.

others – between 1651 and 1672 (*ibid.*: 77–112). During this so-called First Stadholderless Era, the opponents of the Stadholderate argued their case by equating the Stadholder with a monarch. Their anti-monarchism, in other words, was the outcome of a domestic political need. Since the adherents of the Stadholder were careful not to present him as a monarch, but as one of the indispensable elements in a republican system of mixed government, their opponents were necessitated either to reject mixed government altogether or to come up with a modified version of it.⁴ The clear-cut opposition between Orangists and *Staatsgezinden* that took shape in these years would dominate Dutch political debate until the final decades of the eighteenth century (Leeb 1973, *passim*).

It will be my aim in the present article to attempt to further our understanding of Dutch anti-monarchism by discussing two powerful and widely influential, yet quite different, varieties of it. Although, as we have seen, it would be incorrect to equate Orangism with monarchism, it nonetheless remains true, for the reasons outlined above, that the most intense anti-monarchism surfaced among the opponents of the Stadholderate. The authors I have chosen to discuss shared their intense dislike of that institution. They also worked outside the mainstream of academic political theory and wrote in their native language. Their relatively sophisticated anti-monarchism was crudely echoed in hundreds of less refined political pamphlets and may therefore be taken to represent an important current in early modern Dutch political thought. In the following section I will discuss the anti-monarchical treatises the brothers De la Court published in the 1660s. I shall then turn to the anti-monarchism of the Zeeland regent Lieven de Beaufort, who wrote during the Second Stadholderless Era, the period between 1702 and 1747. Finally, in a short concluding section, I shall briefly indicate why both these forms of strong and principled anti-monarchism lost much of their relevance and appeal in the political discourse of the Dutch patriots during the last two decades of the eighteenth century.

1. True Liberty and Anti-monarchism: De la Court

In 1664 an Englishman summarised the prevailing political mood among the Dutch with the following remark: ‘Tell them of Monarchy but in jest, and they will cut your throat in earnest.’⁵ The intense contemporary anti-monarchism this anonymous observer was referring to can be found in a great

4. On Orangist political thought during the First Stadholderless Era see Van de Klashorst 1986.

5. *The Dutch Drawn to the Life*, London, 1664, p. 39. Cited in Rowen 1978: 381.

variety of writings, ranging from the historical polemics of Johan Uytenhage de Mist to Radboud Herman Scheels's classically inspired *Libertas publica* and from the learned and abstract treatises of Spinoza to a host of popular pamphlets.⁶ Perhaps its best known expression came from the government of Holland itself in the form of Johan de Witt's famous *Deductie* of 1654, written in defence of the adoption of the Act of Seclusion earlier that same year.⁷

Yet despite the considerable importance of all these anti-monarchical writings, there can be no doubt that Dutch anti-monarchism in these years of so-called 'true liberty' found its most eloquent and complete expression in a series of works, published in the early 1660s, by the Leiden entrepreneurs Johan and Pieter de la Court. These works included the *Considerations of State, or Political Balance*, the *Political Discourses*, and the *Interest of Holland*, an expanded version of which was translated into English in 1702 as *The True Interest and Political Maxims of the Republic of Holland*.⁸ All of these books enjoyed a wide readership and were reprinted numerous times – the *Interest of Holland* eight times in 1662 alone – and underwent constant revision between various editions.⁹ It was Pieter de la Court who supervised their publication, since Johan had died in 1660. Exactly who wrote what will probably never be known and is not a matter of relevance to the present topic. For the sake of convenience, I shall simply refer to De la Court from here on. Although there is no full-length monograph on De la Court and his work, a number of aspects have been analysed. Thus Van Tijn has studied his economic thought, Kossmann has presented him as the first representative of Dutch 'republican modernism', Haitsma Mulier has related his work to Italian political thought in general and the so-called myth of Venice in particular, and most recently Blom has proclaimed him to be one of the most eminent representatives of Dutch 'naturalism'.¹⁰ Valuable as all of these contributions are, none of them has discussed at length and in detail De la Court's views on the monarchical form of government. In what follows, this will be attempted, with special reference to his most general discussion of monarchy, the entire first part of the *Political*

6. Indispensable to the study of the political thought of this period is Van de Klashorst, Haitsma Mulier and Blom (eds.) 1986. General discussions of the debate over the Stadholderate in the First Stadholderless Era include Geyl 1971 and Van de Klashorst 1999.

7. [De Witt] 1654. Parts of the *Deductie* have been translated into English in Rowen 1972:

192–200. Rowen discusses the *Deductie* and De Witt's republicanism in Rowen 1978: 380–400.

8. The first editions of the three main books were De la Court 1660, 1662a, 1662c.

9. An indispensable and exhaustive bibliographical guide is provided by Wildenberg 1986.

10. Van Tijn 1956; Kossmann 1960: 36–49; Haitsma Mulier 1980: 120–69; Blom 1995: 157–82. See also the various contributions in Blom and Wildenberg (eds.) 1986.

Balance, and, to a lesser extent, the much shorter Book v of the *Political Discourses*.¹¹

De la Court's political thought was both extraordinary lively and highly unsystematic. He freely mixed Cartesian philosophy with political anecdotes and maxims, effortlessly combined grave historical examples with humorous political fables. Yet despite this seemingly chaotic mode of proceeding, the main elements in his political thought were fairly clear and simple. At the basis of his view of political life stood a theory of human nature which was strongly influenced, as Kossmann has shown, by Descartes's *Les Passions de l'âme*, first published in Amsterdam in 1649 (Kossmann 1960: 37–43). For De la Court, man was a vulnerable, needy, and weak creature, dominated by strong passions and powerful natural drives, among which self-love and the desire to further his own interests – defined as the limitless accumulation of property, honour, and power regardless of the cost to others – were the most important ones. These passions could and should be bridled and tamed by various means, the development of reason and virtue through education being among them. Yet in the end – flesh and blood being stronger than mind and reason – it was unrealistic to expect even the most civilised and reasonable person entirely to rise above his selfish passions unless he was literally forced to do so. 'It is necessity, and the fear of harm, which bridle man much more than reason and virtue, for reason and virtue can do no more than to give advice, whereas necessity forces. It breaks, as the saying goes, both laws and iron' (De la Court 1662b, Book v, p. 145).

Departing from this rather bleak view of human nature and behaviour, De la Court immediately moved on to its implications for political life. In the state of nature, he explained with several references to Thomas Hobbes, man lived in a perpetual state of war and in constant fear of all his fellow human beings. Given the fact that this was the most dreadful situation imaginable, a perfect hell on earth to which even the worst of all governments was to be preferred, everybody was desirous to leave it (De la Court 1662d: 13–23). The way to do so was 'to make a peace with several people and a treaty not to damage each other, but to help each other against the violence of all others' (*ibid.*: 23). For the treaty to succeed, it was essential that it stipulate who was to be given the power to maintain it. This could be one person (monarchy), a small assembly (aristocracy), or everybody (popular government or democracy), as long as this highest sovereign power was not divided. For to establish a

11. The editions I have used are De la Court 1662d, 1662b. The quotation that gives the present article its title is from De la Court 1662b, Book v, p. 105.

divided sovereignty, De la Court maintained with great emphasis, was to choose a straight road back to the disastrous state of nature (*ibid.*: 23–36).

From De la Court's brief treatment of the nature of man and the origins of political society two core elements of his political thought emerged with great clarity. On the basis of his bleak view of man, he emphatically rejected any form of government based on the political virtue, that is to say the capacity to pursue the common good in a disinterested way, of either rulers or ruled. The only realistic way to arrive at good government was to make the inevitable human self-interest promote the common good. 'A good government', he remarked in a key passage, 'is not one in which the welfare or the misery of the subjects depends on the virtue or vice of the rulers, but . . . one in which the welfare or the misery of the rulers necessarily follows the welfare or the misery of the subjects' (De la Court 1662d: 34). Secondly, it was perfectly clear that he would only be discussing the three pure forms of government, since any mixed form was equivalent to chaos and the disintegration of the body politic.

Before he started his discussion of each of the three separate forms of government, however, he made a further point, which constituted his first blow against monarchy. In a short section of the *Political Balance* on the origins of the three forms of government, he pointed out that nobody in a political community was by nature born to rule or to be ruled. The power to rule of any group smaller than the political community as a whole – that is to say either an aristocracy or a monarch – therefore, had, if it were to be called legitimate, at some point to be entrusted to it by the entire community. Democracy or popular government, it followed, was the oldest and most legitimate form of government. Now it was perfectly conceivable, he continued, that a popular assembly would entrust the power to rule to a number of elected and capable men. Aristocracy could therefore be considered a legitimate form of government. But it was utterly inconceivable that it would entrust this power to one single man and his descendants in all eternity. Even before he started discussing this form of government, in other words, De la Court had already decided that the origins of monarchy could never be legitimate and had to be sought, as he would later put it, in violence and fraud. The tone, one might say, was set (De la Court 1662d: 36–9).

De la Court's definition of monarchy was simple: it was that form of government where one person rules and all others obey. Remarkably, he did not sharply distinguish between different forms of monarchy and did not set monarchy off from tyranny. The Greeks, he observed at the beginning of the *Political Balance*, called the rule of one 'monarchia'; later on in the same

work, however, he repeatedly remarks that the Greeks and the Romans called it ‘tyranny’ (De la Court 1662d: 35). The Turkish Empire, generally regarded in Europe as the epitome of tyranny, De la Court discussed at length as the most perfect example of monarchical government (*ibid.*: 175–229).

In general, De la Court pointed out, monarchy was regarded as the best form of government.¹² The first reason for this was sought in the advantages of a monarchical upbringing. If a person was known to be the successor to the throne at the moment of his birth, he could be given a fitting education and be provided with the best teachers available and thus be fully prepared for his task at the moment of accession to the throne (De la Court 1662d: 40–4). The second reason for the general preference for monarchy had to do with the intrinsic merits of this form of government. In a monarchy, so the theory went, the ruler identifies with the welfare of his subjects. He is able to surround himself with the best advisers. Decisions are swiftly taken, seldom changed, and executed with vigour. Because the prince has great powers to reward and to punish, moreover, he will be eminently successful in rooting out violence and corruption (*ibid.*: 40–4). Unfortunately, however, De la Court observed at the end of this summary of monarchical political thought, those who hold these lofty views have forgotten one crucial fact: princes are human beings and will therefore generally follow their passions, lusts, and immediate self-interest rather than reason (*ibid.*: 47). That this was so and had disastrous consequences, he proceeded to demonstrate in great detail.

The first perspective from which De la Court treated the horrors of monarchy was that of court life.¹³ The trouble began with the upbringing of princes. Far from receiving the most perfect education imaginable, as the monarchical theorists maintained, successors to the throne in fact were brought up in the worst possible way. The reason was simple. Since the incumbent prince always feared that his successor would want to rule as soon as he was fit to do so, he would do his utmost to keep the child stupid and ignorant. The courtiers helped the prince in this design to gain his favour, but also so that they should later have the advantage of a weak ruler they could dominate. Young princes were therefore brought up with useless entertainments. The only thing they learned was to follow their lowest lusts, whereas their reason remained underdeveloped. Small wonder that, when

12. That monarchism indeed had ‘extraordinarily tough roots’ is rightly emphasised in Koenigsberger 1997.

13. It is perhaps worth pointing out that many of De la Court’s strictures on court life are strikingly similar to those found in contemporary English political discourse. Cf. Skinner 1998: 89–93 and the literature mentioned there.

they eventually came to the throne, they were already 'more evil than other people'.¹⁴

Once on the throne, most princes simply wanted to continue following their basest passions. In order to be able to do so they needed unlimited wealth and therefore sucked the country dry (De la Court 1662d: 70–3). It was also essential, as will be seen below, that no threat to their position should be allowed to develop: provincial governors were distrusted and frequently replaced, big and populous cities were kept in check with castles and armies. Yet the prince himself was only to a very limited extent directly involved in this ruthless exploitation of his subjects. Since he rather followed his lusts than engaged in the hard task of governing, he gladly left most decisions to his courtiers (De la Court 1662d: 86–92; 1662b, Book v, pp. 150–6). Monarchies, it was clear to De la Court, were never administered by virtuous counsellors, magistrates, and public servants, but invariably by the 'vicious courtiers' who were in the direct environment of the prince and who constantly had his ear. Since these courtiers could only ingratiate themselves with the prince by constant flattery and by following him in the relentless pursuit of base pleasures, none of them escaped moral corruption. This is why, De la Court remarked, a monarchical court is justly described as 'a great whore' or 'an immense brothel' (De la Court 1662d: 110 and 132; 1662b, Book v, p. 150). Indeed, and this is the second great horror of monarchy, untruthfulness was the very essence of court life. To illustrate his point, De la Court told one of his many fables. A Frenchman and a Dutchman visit the Kingdom of the Apes. During the first two days of their visit they are lavishly entertained. On the third day they are brought before the king and asked what they think of his magnificent government. The Frenchman replies with great eloquence that he has never seen such beauty and style and is promptly offered a position on the king's secret council. The blunt Dutchman, however, remarks 'that he has seen nothing that even remotely resembles good government, but only luxury, gluttony, excessive drinking, fornication, hunting, dancing, and gaming; which confirms the saying: an ape is an ape, even if it wears golden clothing'. The Dutchman, of course, is immediately executed, with the Frenchman commenting on the justness of this punishment and all the apes saying 'Amen' (De la Court 1662d: 77–9). Apart from the inevitable corruption of young princes and the general and inherent perversity of the system of court life, a third and final drawback of monarchical rule, viewed from the perspective of the functioning of the court, was constituted by the fact that the problem of succession could never be fully solved,

14. De la Court 1662d: 56–69; 1662b, Book v, pp. 145–50 (the quotation is on p. 145).

with periodic bitter struggles and even open armed conflict as a result (*ibid.*: 113–17).

The exposure of the revolting nature of court life, however, was insufficient to bring out the full horrors of monarchical rule. There was no better way to reveal these, De la Court insisted, than by studying the degradations and deprivations the subjects of all monarchies necessarily underwent. The basic explanation of the gruesome fate of the monarchical subject was that it was in the interest of the court to be slavishly served by the rest of the population and not to be resisted or threatened in its power in any way (e.g. De la Court 1662b, Book v, p. 132). This meant, first of all, that all laws were formulated in the interest of the court, not of the subject. This in itself was bad, yet here one could still say *dura lex attamen scripta*. Far worse was the fact that the interpretation or explanation of these laws was also in the hands of the king and his court and therefore totally unpredictable and arbitrary. Should the king want someone's life or money, he could simply accuse him of treason, *crimen maiestatis*, or of being a heretic, and take whatever he wanted. For the subjects of a monarchy, there could be no legal certainties (De la Court 1662d: 124–30).

The one certainty monarchical subjects did have was that the king and his court would do everything in their capacity to make them powerless and to make the whole life of the nation depend on the wishes and whims of the court. There were various means by which the king and his court attempted to achieve this aim. First of all, the entire administration of the country was directed from the court itself, so as to prevent the emergence of independent centres of power. Secondly, cities were deliberately kept weak and defenceless. They were allowed neither to put up fortifications of their own nor to train their citizens in the use of arms. Having thus been made entirely powerless, the subjects were, in the third place, subjected to ever-increasing taxes, to the point where nobody in the end had anything left. Indeed, in a monarchy anyone who showed any sign of wealth, wisdom, learning or moral courage was feared by the court and consequently in danger of losing his life. Under an effective monarchy, therefore, these things rapidly disappeared (De la Court 1662d: 134–7). To increase their power over their subjects, finally, monarchs frequently engaged in offensive wars. For apart from giving them the opportunity to add to their own riches, such wars allowed them to raise taxes to levels previously unheard of and to use the army against the last remnants of urban power and independence (*ibid.*: 138–42).

Having thus outlined the main characteristics of monarchical rule, De la Court was left with three important questions. Why was it, in the first

place, that, given the unmitigated dreadfulness and barbarism of monarchical government, it almost invariably received higher praise than republican government? The answer was simple. In republics, where there was a greater freedom of speech, everyone wanted to rule and the sitting government was therefore constantly criticised. In monarchies, on the other hand, the only voices to be heard were those of paid court flatterers and – much the same thing – royal historiographers (De la Court 1662b, Book v, pp. 108–10). The second question was somewhat more complicated. Why was it, De la Court asked, that the monarchies of the countries surrounding the Dutch Republic were less harsh than his own general typology of monarchical rule would lead one to expect? The answer was historical. That monarchical rule in western Europe was relatively mild, that the subjects of these kingdoms still possessed some riches, commerce, learning, and virtue, was solely due to the fact that these hereditary and centralised monarchies were relatively recent creations, erected on the remnants of republican forms of government which they had so far not been able to eradicate completely. But that, De la Court warned, was only a matter of time (De la Court 1662d: 168–70 and 230–57).

The third, final and most burning question, of course, was: what did this analysis of monarchical government tell the inhabitants of the Dutch Republic? The answer was: everything. For De la Court made it abundantly clear that all he had said about the nature of monarchical rule also applied to so-called republics with an hereditary head who was the supreme military commander. Reinstall the Stadholder, such was his message to his compatriots, and you will in time be exposed to all the horrors of monarchy (*ibid.*: 275–398, especially 307–8). Should his fellow Hollanders, after all he had said, nonetheless decide to take this step, De la Court had one final piece of advice to offer. The appropriate symbolic accompaniment and expression of such a decision, he suggested, would be to replace the proud lion in the coat of arms of the province with a mule (*ibid.*: 298).

II. Eighteenth-century Anti-monarchism: De Beaufort

In 1737, three-quarters of a century after De la Court's *Political Balance* and *Political Discourses* had appeared, Lieven de Beaufort's *Treatise on Liberty in Civil Society* was posthumously published. The political developments in the intervening years had been dramatic. The first Stadholderless Era had ended in 1672 with the murder of that embodiment of republican statesmanship, Johan de Witt. Between that year and 1702 William III, the Stadholder-King,

accumulated more power than any of his predecessors in the Stadholderate had possessed. Indeed, a contemporary joke had it that his position was best described as Stadholder in England and king in Holland.¹⁵ At William's death, partly because there was no direct male heir, most provinces decided not to elect a new Stadholder. Thus started the Second Stadholderless Era, which would last until 1747. From the early 1730s on however it was already clear, among other things from his marriage to Anna of Hanover, that the Frisian Stadholder Willem Karel Hendrik Friso, later to become William IV, had serious political ambitions (Rowen 1988: 148–62; Schutte 1979).

It was in this political context that De Beaufort, about whose life unfortunately very little is known, wrote his bulky treatise. De Beaufort, a regent in the province of Zeeland, described the increasingly oligarchic Dutch Republic of his days as a perfect example of republican liberty and has for that reason repeatedly been called a smug and self-satisfied hypocrite in later historiography (Geyl 1948–59: II, 315; De Jongste 1977–83: IX, 49). This evaluation misses the mark completely however, for a close reading of the *Treatise on Liberty in Civil Society* reveals it to be a deeply pessimistic book about the fragility of republican liberty and the ever-increasing threat to it the European monarchies were posing.¹⁶ Although both rejected the Stadholderate, De Beaufort's intellectual world was sharply different from that of De la Court, to whose work he never even referred. Of the two, De Beaufort was clearly the more old-fashioned theorist. No Descartes or Hobbes for him. His work was totally dominated by the authors of classical antiquity, with Aristotle, Tacitus, Sallust, Plutarch, and Cicero in the most prominent roles. His view of political life was classical in the fullest sense of the word.¹⁷

De Beaufort's entire treatise revolved around the opposition between liberty and slavery.¹⁸ Liberty, he explained, consisted of two elements. First of all it meant the rule of law and the protection of the life, liberty and property of each individual inhabitant of a country ([De Beaufort] 1737: 30). Secondly, and more importantly, liberty meant the right to participate in

15. On the reign of William III see Israel 1995: 807–63; Rowen, 1988: 131–48.

16. For an attempt to approach De Beaufort as a serious political writer rather than as a mere propagandist for the regent oligarchy see Velema 1987.

17. This may help explain why he singled out the equally classically oriented republican theorist Radboud Herman Scheels, author of *Libertas publica* (1666), as his only worthy predecessor in the Dutch Republic: [De Beaufort] 1737: 3.

18. This opposition has recently been identified as the core of early modern 'neo-roman' theory in Skinner 1998.

government. Where what De Beaufort calls ‘full liberty’ reigns, ‘there Civil Society, the body of the People, participates in Government; indeed the Government, and the Sovereignty of the Land, consists of the body of the People, or those who represent it’ (*ibid.*: 52). This full republican liberty was and had always been quite rare, but was clearly present in the early eighteenth-century Dutch Republic. For it was evident that in the Dutch Republic ‘the Sovereignty of the State consists of the body of the People, and that the Citizenry has no reason to complain that it is being excluded from the Government or that its voice is not heard in affairs of State’ (*ibid.*: 129–30). The survival of this precious Dutch republican liberty, De Beaufort insisted, entirely depended on the willingness of both citizens and regents to sacrifice their own direct interest and to completely devote themselves to the common good. His conception of virtue, in other words, was classically republican in a way De la Court’s had not been.¹⁹

De Beaufort was quite explicit about the fact that the political virtue he deemed necessary for the attainment and survival of republican liberty was a demanding and difficult ideal. Indeed, he was convinced that most peoples and many individuals were altogether unfit for it. A truly free republic had to be inhabited by citizens and regents whose elevated mind would allow them to disregard material gain and direct self-interest, whose reason would enable them to discern the value of liberty, and whose virtue would always make them act ‘for the good of the Fatherland and the welfare of the people ([De Beaufort] 1737: 207–10). Although De Beaufort’s *Treatise* at times seems preoccupied with the proper behaviour of regents, its central message was certainly not directed at regents only. On the contrary. *All* members of a republican political community, both regents and citizens, had to display political virtue. More importantly, in good Aristotelian or classical republican fashion De Beaufort emphasised the constant reversal of roles between regents and citizens, the alternation of ruling and being ruled. In order for such a system to work the maintenance of a high degree of what he called ‘civic equality’ was an absolute necessity (e.g. *ibid.*: 200, 338–9, 348–9).

The decline of republican liberty, De Beaufort was convinced, invariably commenced with the joint disappearance of civic equality and political virtue. Following classical authors, he identified ambition and luxury as the two main causes of this process. Ambition, the burning desire to elevate oneself in the political world, he observed, ‘destroys equality, ignores the laws, and raises

19. Despite a quarter-century of discussion, criticism and revisionism, the most convincing and powerful account of early modern classical republicanism remains Pocock 1975.

itself above fellow-citizens, above the laws, and above the Fatherland. This results in disorder, dispute, discord, public violence and eventually in the loss of liberty' (*ibid.*: 348–82; the quotation is on p. 349). Almost equally harmful was luxury. It made people proud and haughty and therefore unwilling to live in a world of civic equality. At the same time it replaced virtue with a voluptuous cowardice and thus paved the way for the introduction of political slavery (*ibid.*: 304–48).

The worst form of political slavery, the very opposite of republican liberty, was absolute monarchy. Contrary to De la Court, De Beaufort distinguished between various types of monarchy, absolute and limited monarchy being the most important ones. It was to absolute monarchy that he devoted most of his attention, on the one hand because he thought that this was the form to which most monarchies in the end tended, on the other hand because it had become such a powerful phenomenon in recent European history. Indeed, he was convinced that 'the love of liberty that has always been so characteristic of the peoples of Europe has become so weak that it has almost disappeared' (*ibid.*: 76). To counter this trend, it was of the utmost importance to demonstrate that, whatever paid royal propagandists might endlessly repeat, absolute monarchy was the worst possible form of government.²⁰ It was, briefly put, contrary to the natural state of man, to reason, to the goal of good government, and to sound politics.

In the state of nature, De Beaufort remarked – appealing to Roman law – all men were equal and equally free. Now this obviously changed with the transition to civil society, yet even there it remained true that slavery, the total subjection to the will of another person, was incompatible with human nature and the rights of man. Absolute monarchy, the form of government which in effect reduced men to slaves, could therefore only be founded on violence and was illegitimate. It was also plainly contrary to reason and to the goal of good government (*ibid.*: 15–21). That goal, the age-old *salus populi suprema lex*, was incompatible with all power being vested in the unlimited will of one person. Here De Beaufort sounded somewhat like De la Court. 'The will of one person', he remarked, 'always follows his own interests, prejudices, and pleasure and is usually the most unreasonable, the nastiest, and the most variable thing in the world, subject to all sorts of wicked passions and desires' (*ibid.*: 79–80). It was therefore highly unlikely that any reasonable people had ever entrusted its welfare

20. On the dangerous and misleading arguments of 'courtly politicians': [De Beaufort] 1737:

243–55.

to such an unlimited individual will or would do so in the future. But perhaps the most telling argument against absolute monarchy was the fact that it brought, as De la Court had also pointed out, nothing but misery and suffering to the subjects of the monarch. It was simply an evil political system. Not only was it completely incompatible with the rule of law, that first and most fundamental element of liberty, but it was also inherently aggressive. Taking Louis XIV as his most important example, De Beaufort at this point launched into a long litany about the perfidious and ultimately self-destructive behaviour of Europe's modern absolute monarchs, who laid waste a whole continent to satisfy their own ambitions with wars of conquest. Under their reign of terror, he was convinced, Europe had already lost a considerable part of its population. Should their capacity for destruction increase even further, which the rise and continuous expansion of standing armies made highly likely, the future of Europe looked bleak indeed (*ibid.*: 96–103).

That same conclusion was to be drawn from an analysis of limited monarchy. At first sight, De Beaufort remarked, this was quite an acceptable form of government. The king was bound to fundamental and other laws and the subjects, although they evidently did not enjoy the full liberty of participating in government, were generally secure in their life and property. Yet the system had one fatal flaw: the balance between the sovereignty of the crown and the rights and liberties of the people was very hard to keep. In the end, it had to go one way or the other. In modern Europe, where monarchs had considerable standing armies at their disposal, it was evident where matters would end (*ibid.*: 103–15).

De Beaufort had now assembled all the elements necessary to describe and understand the process whereby a free republic degenerated into an absolute monarchy. It started with the loss of equality and virtue through ambition and luxury. This weakening of political vigilance permitted the rise of one person to a position of great power. Should that power include military command, there was very little that could be done to prevent the eventual transition to absolute monarchy and political slavery. The implied lesson for his contemporaries, of course, was quite simple and straightforward. Although it was reached from a different perspective, it was the same as De la Court's had been. To remain the 'bulwark of European liberty', the Dutch Republic had to prevent the reinstalment of the semi-monarchical Stadholderate at all cost (*ibid.*: 139–41 (the quotation is on p. 140), 348–82 and 439–40).

III. Anti-monarchism and Patriot Republicanism

Different as the basis of their anti-monarchical theories ultimately was, De la Court and De Beaufort were both convinced that the republican political structure of the Seven United Provinces was fundamentally different from, and indeed far superior to, that of the surrounding monarchies. De Beaufort held it to be near perfect as it was, whereas De la Court warned against the closing of the regent élite and pleaded for expanded political participation of well to do citizens. For both, however, the greatest threat to the liberty of the country was posed by the Stadholderate, which was viewed as the first step in the direction of monarchy. It was this perspective which gave their anti-monarchism such urgency.

It was only in the final decades of the eighteenth century that both these forms of anti-monarchism came to lose much of their relevance. During the 1780s, the Dutch Republic saw the rise of the so-called Patriot political movement. This, obviously, is not the place to discuss in any detail Patriot political thought, which derived from a great variety of sources.²¹ When the movement started in the late 1770s, its spokesmen voiced many complaints against Stadholder William V that came directly from what over more than a century, with the work of De la Court and De Beaufort in a central position, had become the standard repertoire of Dutch anti-monarchism. The Patriots viewed William V's court as the centre of decadence, luxury, and sexual licence, regarded his powers of appointment as giving him a huge and corrupting political influence, and insisted that his command of the army made it impossible to resist him.²² Indeed, they held him to be a king in all but name (e.g. *Grondwettige Herstelling* 1784-6: 1, 147-8). Under such a government, the early Patriots insisted, what was still left of republican liberty would not survive long. Unless drastic action was taken against the Stadholder, republican citizens would soon be transformed into 'white negroes and chained slaves' (*De Prince Vlag* n.d.: 56).

Yet as the Patriot movement developed and its thought radicalised, the awareness grew that demands for political reform were resisted by the regents as much as by the Stadholder. This in turn led the most radical Patriots to re-think Dutch republican theory. The conclusions were startling. Having redefined liberty as the active and permanent sovereignty of the people, the Patriots became convinced that the whole history of the Dutch Republic

21. The best recent general discussion of the Patriot movement is Klein 1995.

22. These anti-monarchical themes completely dominate what is generally regarded as the most important and influential formulation of early Patriot political thought, Joan Derk van der Capellen tot den Pol's *To the People of the Netherlands*. See Zwitter (ed.) 1987.

had been one of oppression. Whether that oppression had been suffered at the hands of a Stadholder or of a small group of regents, they now maintained, was only of marginal importance and interest.²³ Indeed, in 1783 Pieter Vreede, later to become one of the leading radicals in the Batavian Republic, pointed out that since the sixteenth-century Revolt Dutchmen had been no more free than the inhabitants of monarchies such as France or Spain. They had, he insisted to the consternation of more traditional republicans, been no more than slaves ever since the formation of their independent state – with or without a Stadholder ([Vreede] 1783). With that conclusion, which would be widely adopted by Patriot and later Batavian Dutchmen in the two decades to come, the old anti-monarchical theories, largely intended for domestic political use, had lost their function. To the adherents of the new ‘philosophical republicanism’ of the late eighteenth century, all forms of government other than a representative democracy were equally despicable.

23. For a more detailed discussion of the development of the Patriot definition of republican liberty see Velema 1998.

Anti-monarchism in English Republicanism

MARTIN DZELZAINIS

In the Review and Conclusion to *Leviathan*, Thomas Hobbes sets out the terms on which individuals can submit to the new republican régime in England – an undertaking prompted, he says, by the failure of ‘divers English Books lately printed’ to explain properly the relationship between conquest and consent. Having remedied this failure, he then turns, somewhat abruptly and surprisingly, to remedy a lapse of his own. In Chapter 35 of *Leviathan* he had argued that when the scriptures spoke of the kingdom of God this was not to be interpreted metaphorically but taken literally, as signifying a commonwealth ‘wherein God was King, and the High Priest was to be (after the death of Moses) his sole Viceroy, or Lieutenant’ (Hobbes 1996: 282, 484; see Pocock 1971b: 170–4). Hobbes now finds this account of the Jewish commonwealth incomplete in that he ‘omitted to set down who were the officers appointed to doe Execution; especially in Capitall Punishments’. What concerns him in particular is that the judicial practice whereby ‘he that was convicted of a capitall Crime, should be stoned to death by the People; and that the Witnesses should cast the first stone’ had not been ‘thoroughly understood’. More alarmingly still, Hobbes says, this in turn ‘hath given occasion to a dangerous opinion, that any man may kill another, in some cases, by a Right of Zeal; as if the Executions done upon offenders in the Kingdome of God in old time, proceeded not from the Sovereign Command, but from the Authority of Private Zeal’ (Hobbes 1996: 487).

Given that Hobbes’s political theory is in large measure designed to prevent any derogation whatsoever from the sovereign’s power, he could not allow this ‘dangerous opinion’ to go unchallenged. By way of countering the threat, Hobbes scrutinises the relevant scriptural texts with the aim of showing that this supposed *ius zelotarum* is merely an illusion. For example,

Numbers 25 tells of a time when ‘the people began to commit whoredom with the daughter of Moab’ thereby provoking the wrath of God. The plague is only averted when Phineas slays one such idolatrous couple who display themselves before Moses and ‘all the congregation of the children of Israel’. Gratified by this piece of summary justice, the Lord then instructs Moses to ‘give unto [Phineas] my covenant of peace’ (Numbers 25:1–10). But, Hobbes insists,

When Phinehas killed Zimri and Cosbi, it was not by right of Private Zeale: Their Crime was committed in the sight of the Assembly; there needed no Witnesse; the Law was known, and he the heir apparent to the Sovereignty; and which is the Principall point, the Lawfulnessse of his Act depended wholly upon a subsequent Ratification by Moses, whereof he had no cause to doubt. (Hobbes 1996: 488)

Other texts are despatched similarly, leaving Hobbes free to conclude that there ‘is nothing in all this, nor in any other part of the Bible, to countenance Executions by Private Zeale; which being oftentimes but a conjunction of Ignorance and Passion, is against both the Justice and Peace of a Commonwealth’ (*ibid.*).

Unlike Hobbes’s much-discussed intervention in the Engagement debate,¹ this passage has received barely any comment, despite the fact that it sits rather uncomfortably at the centre of the Review and Conclusion. Hobbes himself speaks only in cryptic (and, as we shall see, somewhat disingenuous) terms of his original omission being the result of ‘not then thinking it a matter of so necessary consideration, as I find it since’. Given that Hobbes had completed the first thirty-seven chapters of *Leviathan* by May 1650 (see Hobbes 1996: x), Chapter 35 must have been written within sixteen months of what he would have regarded as the most spectacular modern instance of summary justice, and a signal ‘conjunction of Ignorance and Passion’: the execution of Charles I. But if the regicide had not led Hobbes to discuss the *ius zelotarum* in Chapter 35, what had occurred in the interim to make the topic ‘a matter of so necessary consideration’ when he came to compose the Review and Conclusion in April 1651?

The immediate answer is that Hobbes’s hand was forced – at a very late stage – by the putting into circulation of his earlier and very different

1. See, for example, Skinner 1974a. More recently, however, it has been argued that Hobbes is ‘essentially’ not ‘a defender of *de facto* power’ (Skinner 1990b: 146), and that, apart from the ‘rather ephemeral’ Review and Conclusion, ‘*Leviathan* related only minimally to the ideological context of the early 1650s’ (Burgess 1990: 676, 692).

thoughts on the *ius zelotarum*. On 12 March 1651, George Thomason obtained a copy of the recently published *Philosophicall Rudiments Concerning Government and Society*; that is, the unauthorised English translation of Hobbes's *De cive*, the Latin statement of his political philosophy which had first appeared in print in 1642, followed by a second, more widely available edition in 1647 (on the date and status of the translation, see Hobbes 1983a: 15, and Tuck 1985). Chapter 16 of *De cive* deals with the kingdom of God according to the old covenant, and Section 15 in particular with the period of the Judges, when

The supreme civill power was therefore *Rightly* due by Gods own institution to the High-Priest; but actually that power was in the Prophets, to whom (being rayseed by God in an extraordinary manner) the *Israelites* (a people greedy of the Prophets) submitted themselves to be protected, and judged, by reason of the great esteem they had of Prophecies. The Reason of this thing, was, because that though penalties were set, and Judges appointed in the institution of Gods priestly Kingdome, yet, the right of inflicting punishment, depended wholly on private judgement; and it belonged to a dissolute multitude, and each single Person, to punish or not punish according as their private zeale should stirre them up. And therefore *Moyes* by his own command punisht no man with death; but when any man was to be put to death, one or many stirred up the multitude against him or them, by divine authority, and saying, *Thus saith the Lord*.²

This is a reasonably accurate rendering of the original Latin (virtually identical in the two editions), despite the fact that the translator is alleged to have 'worked in an extremely slapdash manner', resulting in 'many mistranslations or misunderstandings of Hobbes's text'.³ What it shows is that Hobbes was

2. Hobbes 1983b: 211. For the Latin, see Hobbes 1983a: 245: 'Facto autem potestas illa in Prophetis erat, quibus (à Deo extraordinarie suscitas) Israelitiæ (gens Prophetarum auida) propter existimationem Prophetiæ protegendos se, & iudicandos subiecerunt. Ratio cuius rei erat, quod institutione Regni Dei Sacerdotalis, etsi pœnæstatutæ fuerint & Magistratus qui iudicarent; ius tamen pœnas sumendi dependebat ab arbitrio priuato. Et penes dissolutam multitudinem & singulos erat, punire vel non punire prout à priuato zelo excitarentur. Ideoque Moses, imperio proprio morte multauit neminem; sed quando interficiendus aliquis esset, vnus vel plures, in eum vel eos, (authoritate diuina, dicendoque, *Hoc dicit Dominus*) multitudinem concitauit.'

3. Hobbes 1998: xxxvi. The new translation is as follows (p.198): 'In fact that power was in the hands of the Prophets (who were raised up by God outside the ordinary course of things); and the Israelites (a people avid of Prophets) submitted to them for protection and arbitration, because they had a high regard for Prophecy. And the reason for this was that by the institution of the Priestly Kingdom of God, although there were penalties laid down and Magistrates to give judgment, still the right to inflict punishment depended on private initiative. And it was up to the disunited multitude of the people and to individuals either to punish or not as they were prompted by private inclination. This was why Moses did not condemn anyone to death on his

altogether untroubled by the notion of ‘private zeale’ in November 1641, when the manuscript of *De cive* was completed (see Hobbes 1983a: 76), and remained so until at least January 1647, when the second edition was published.⁴ Or, to put it another way, throughout this period Hobbes remained fundamentally in agreement with the account of the *ius zelotarum* offered by Hugo Grotius in his *De iure belli ac pacis* (1625). According to Grotius, it was a peculiarly Jewish relic of a right to punish that had originally belonged to each and every individual in the state of nature:

There remain some Footsteps of the antient Right in those Places, and amongst those Persons, who are not subject to any established Courts of Judicature; and even among those who are so subject, in some particular Cases. Thus by the Law of *Moses*, any private Man might upon the Spot, and with his own Hands, kill a *Jew* who had forsaken GOD and his Law, or who attempted to seduce his Brother to Idolatry. The *Hebrews* call this the *Judgment of Zeal*, which was first put in Execution by *Phineas*, and afterwards passed into a Custom.⁵

By the spring of 1651, however, this had become a ‘dangerous opinion’ which Hobbes was anxious to refute – all the more so because the *Philosophicall Rudiments* made it known to an English readership that it was an opinion he himself had once held, and, to all appearances, still did.⁶

own authority; but when anyone was to be put to death (whether it was one man or several men), he relied upon divine authority to rouse the crowd against him or them, saying, *Thus saith the Lord.*’

4. It should be noted, however, that Hobbes allowed the passage to stand unchanged when *De cive* was later published as part of his *Opera philosophica* (see Hobbes 1668: sigs. TTT2^v–3^r/132–3 (third pagination)), while he deleted the Review and Conclusion from the accompanying Latin translation of *Leviathan*. Perhaps the conclusion to be drawn is that Hobbes was *au fond* a confirmed Grotian on the *ius zelotarum*, but wavered between 1649 and 1651.
5. Grotius 1738: 414. For the original Latin, see Grotius 1625: 409: ‘manent vestigia ac reliquiae prisca iuris in iis locis atque inter eas personas quæcertis iudiciis non subsunt: ac præterea in quibusdam casibus exceptis. Sic Hebræorum moribus Hebræis à Deo & Dei lege deficiens aut ducem se ad falsos cultus præbens illico à quouis homine poterat interfici. Iudicium Zeli id vocant Hebræi quod à Phinea primo exercitum aiunt, & inde abiisse in morem.’
6. The fact that Hobbes placed himself in the Grotian camp on this issue makes Anthony Ascham’s attack on him in *Of the Confusions and Revolutions of Governments* (November 1649) all the more puzzling. Arguing that ‘such a totall resignation of all right and reason, as Mr. *Hobbes* supposes, is one of our morall impossibilities’, Ascham points out that it is ‘directly opposite to that antient *Ius zelotarum* among the Jewes’, and goes on to cite Grotius *against* Hobbes (Ascham 1649: 121). Skinner suggests that by this time Ascham had read *De cive* (see Skinner 1974a: 94), which, in theory, was available to him in the Latin editions of 1642 and 1647, and in the French translation which Sorbière had completed by July 1649 (see Hobbes 1649: sig. **1^v). If so, then Ascham overlooked the significance of ch. 16.15. The alternative is that Ascham had access to a manuscript of Hobbes’s *Elements of Law, Natural and Politic* (see Tuck 1979: 123), which does not discuss the *ius zelotarum*.