

## Introduction

The Scottish jurist William Barclay invented the term ‘monarchomach’ in his treatise on kingship, *De Regno et Regali Potestate* (1600). He used it to describe a genre of seditious texts written in France and Scotland from the 1570s through to the 1590s, which form the spine of the material considered in this book. Broadly speaking, these works defended the notion that a contract existed between the people, their ruler and God. They argued that if the terms of that contract were broken, power would revert to the people who could, as a whole, legitimately depose, or even authorise the assassination of a monarch. ‘Monarchomach’ was interpreted to mean ‘king-killer’, and it continues to be used to describe the genre to this day.

As an advocate of royal power, particularly that of Henri IV, to whom *De Regno* was dedicated, Barclay considered the treatises of these ‘monarchomachs’ to be dangerously seditious and heretical. In his view, they offered a set of arguments that threatened the order of society and the wellbeing of commonwealths that needed to be comprehensively disproved. In many ways, particularly in arguing that this type of resistance theory rested overwhelmingly on unskilled readings of Roman law, he succeeded in his goal. Barclay’s *De Regno* is established in the literature as one of the most authoritative Early Modern responses to arguments for tyrannicide, and his condemnation of these writers in question remains the conventional reference point in modern analyses of resistance theory.<sup>1</sup> Notwithstanding this familiarity with Barclay in the literature, there is good reason to revisit his characterisation of these apparently incendiary texts. Barclay’s authoritative verdict is both suggestive and, at crucial junctures, limited.

<sup>1</sup> See the ubiquitous use of the term ‘monarchomach’ in studies of the subject (these are just a few examples): Giesey, ‘The Monarchomach Triumvirs: Hotman, Beza and Mornay’; Mellet, *Les Traité Monarchomaques*; Mellet (ed.), *Les Monarchomaques au xvie siècle*; Bouvignies, ‘Monarchomaque: tyrannicide ou droit de résistance?’ in *Tolérance et réforme*; Zwierlein, *The Political Thought of the League*, uses the problems with Barclay’s treatment to frame his recent analysis.

Barclay included both Protestant and Catholic treatises in his description and made no distinctions between their works. A Catholic himself, he took this approach because he considered the Catholic writers to have borrowed directly from the Protestants. Partly, this was an argument of convenience: when Barclay had first started to write *De Regno* in the 1570s, he had only the Protestant treatises in mind. It was that framework, therefore, which continued to define his perspective on the later, Catholic works. Originally, Barclay had identified François Hotman's *Francogallia* (1573), the *Vindiciae, Contra Tyrannos* (1579) and George Buchanan's *De Jure Regni apud Scotos* (1579) as three notorious works which owed their origins to 'Luther's kitchen'. These writers were a few amongst many who had 'vomited' their treatises upon the princes of Europe, in Barclay's view.<sup>2</sup> However, two other Catholic Scots published their own responses to these ideas before Barclay. They were William Ninzet and Adam Blackwood, whose replies to Buchanan Barclay purported to deem so effective as to render his own intervention obsolete.<sup>3</sup> It was only in the 1590s that he saw fit to revisit his manuscript.

The years after the deposition of Mary Stuart in Scotland (1567) and the St Bartholomew's Day Massacre (1572) in France – two decisive moments for Protestants worrying about the tyrannical propensities of Catholic rule – had seen the rise of the French Holy League which threatened their very existence. The defining and unifying feature of League political thought was that it explicitly excluded Protestants, seen as heretics, from the political community which was governed ultimately by Christ, and that it correspondingly conferred a duty on the king of France to act to eradicate heresy, framed in terms of holy war. Confessional difference was, therefore, embedded in the very rationale of the League.

First established in 1576 in opposition to Henri III's attempts to pacify the kingdom by extending measures of religious toleration to the French Huguenots, the League re-emerged in 1584–5 to develop into a formidable militant force positioned against the succession of the Protestant Henri de Navarre to the French throne. After the deposition and assassination of Henri III, two significant League texts were produced justifying these actions: *De Justa Abdicatione Henrici Tertii* (1589), widely attributed to Jean Boucher, and the *De Justa Reipublicae Christianae Autoritate* (1590),

<sup>2</sup> Barclay, *De Regno*, fol. 1r.

<sup>3</sup> These were Blackwood, *Adversus Georgi Buchanani Dialogum*; Winzet, *Velitatio in Georgium Buchananum circa dialogum*.

written under the pseudonym of 'Guilielmus Rossaeus'.<sup>4</sup> Barclay appended his response to these treatises to his *De Regno*.

In his dedication to Henri IV, Barclay argued that all of the authors he discussed had sought to introduce anarchy to France and to tear the kingdom up by its roots. The dedication was probably part of an effort to assure the king of his own loyalty in the context of the ongoing controversy between the law faculty and the Jesuit leadership at Pont-à-Mousson, in which he and his colleague, Pierre Grégoire, were involved.<sup>5</sup> However, further on in the first book, he established a clearer reason for incorporating the two Catholic treatises into *De Regno*. Boucher's work in particular he saw as having a dangerous influence amongst Catholics:

Has the most mighty and most perfect God reserved me to such a corrupt age that I should behold a Catholic man and preacher nurture the inventions of heretics; imitate their false word, bring on deadly seditions to realms and states, and re-forged, embellish and amplify every error about monarchy and the power of kings?<sup>6</sup>

Barclay took the view that Boucher had plagiarised the arguments of the Huguenot writers of the 1570s, and that his and Rossaeus' treatises were just as subversive and heretical as those of Hotman, Buchanan and the author of the *Vindiciae*.<sup>7</sup> In creating the terminology of 'monarchomach', and condemning political resistance on the principle that to resist the rule of a monarch was to resist the will of God, Barclay successfully, but questionably, bound the fate of these Huguenot and Catholic treatises together.<sup>8</sup>

<sup>4</sup> As Zwierlein notes, the assumption that Boucher wrote *De Justa Abdicatione Henrici Tertii* has remained influential, despite an absence of evidence. Nevertheless, as his analysis in *League Political Thought* demonstrates, there is no strong case to suggest that Boucher did not have a major hand in its creation, and Boucher will, therefore, be treated as the author in this current study. The authorship of *De Justa Reipublicae Christianae Autoritate* is considered in Chapter Six.

<sup>5</sup> Salmon, 'Catholic Resistance Theory' in *The Cambridge History of Political Thought*, 235. On Barclay's biography see Dubois, *Guillaume Barclay*; Collot, *Pierre Grégoire et Guillaume Barclay*; Baird Smith, 'William Barclay'.

<sup>6</sup> Barclay, *De Regno*, fol. 2r: 'Mene Deus Opt. Max. in tam corruptum seculum reservavit, ut virum Catholicum et concionatorem excolere inventa haereticorum, imitari  $\mu\epsilon\upsilon\delta\omicron\lambda\omicron\gamma\iota\varsigma$ , inducere seditiones regnis et civitatibus exitiales, atque omnem de Monarchia et Regum imperio errorem recudere, ornare, et amplificare videam'. My translations of Barclay's *De Regno* are indebted to George A. Moore's 1954 translation.

<sup>7</sup> On the question of authorship, I follow *Vindiciae*, ed. Garnett. Hugues Daussy has more recently re-examined and restated the case for identifying the text exclusively with Philippe Duplessis Mornay: *Les huguenots et le roi*.

<sup>8</sup> A problem recently revisited in Zwierlein, *The Political Thought of the League* and raised by Baumgartner, *Radical Reactionaries*, 19. For treatments of League political thought as a replica of Calvinist resistance theory, see Murray, *The Political Consequences of the Reformation*, 213–14; Mousnier, *L'assassinat d'Henri IV*; Weill, *Les théories sur le pouvoir royal*; Pierre Mesnard, *l'Essor de la philosophie politique*; Mellet, *Les Traités Monarchomaques*; Lee, *Popular Sovereignty*; Turchetti,

Barclay was in some ways correct in his judgement that the Leaguers had adopted certain ideas from the Calvinist texts, showing that Boucher in particular was indebted to the *Vindiciae*, lifting sections of the text into the published version to strengthen his case against Henri III. *Francogallia* met a similar fate in the hands of League polemicists, and Hotman was startled to find it exploited in this way.<sup>9</sup> Such manipulation was made easier by the fact that French political thinkers were drawing from a common well of intellectual resources. In focussing, for example, on the relationship between the king and the French domain, Leaguers and non-Leaguers were often dealing with sets of political problems which were not directly connected to the problem of confessional difference and had their roots deep in the history of French political thinking and the interplay between Roman and customary law.

However, there are limitations to Barclay's approach. Not every League writer was indebted to the Huguenot texts, and the intellectual relationship is often complex. Many Leaguers were explicitly hostile to what they saw as the dangerously republican aspects of Huguenot arguments. It is even the case that Huguenot writers made thorough use of the ideas of those who would become Leaguers themselves: Hotman, along with the author of the *Vindiciae*, for example, made significant use of René Choppin's *De Domanio Franciae* (1574). Choppin would go on to join the League, probably after the assassination of the Guise brothers by Henri III in 1588, and become a member of its *chambre ardente*, a court designated to the trying of heretics, in 1591.<sup>10</sup> In an ironical reversal of expectations, then, in this case, the Huguenots could be said to be dependent on 'League' political thought.

A further problem with Barclay's now-notorious association of Leaguer ideas with those of the Huguenots is that it obfuscates the fact that Boucher's apparent plagiarism of the *Vindiciae* was a textual convention of the day. To cut up and splice parts of a work written in one context, and incorporate them into another, new work was part of the practice of writing, and particularly of writing polemical works in the Early Modern era.<sup>11</sup> The original text could thus be transposed entirely out of its original context and be used against and beyond the author's

*Tyrannie et tyrannicide*. Salmon, 'Catholic Resistance Theory' takes a more nuanced view, and others have placed greater emphasis on the difference between Catholic and Protestant political thought in this context: Bouvignies, 'Monarchomaquie: tyrannicide ou droit de résistance?'; Cottret, 'La justification catholique du tyrannicide'; Crouzet, *Les Guerriers de Dieu*; Van Kley, *Les Origines religieuses de la Révolution française*; Mellet, ed., *Et de sa bouche sortait un glaive*.

<sup>9</sup> Cayet, *Chronologie Novenaire*, 1. fol. 5v; Anquetil, *L'Esprit de la Ligue*, 2, 165–6; Kelley, *Francois Hotman*, 265–9; Hotman, *Francogallia*, ed. Giesey, Salmon, 91 n. 3.

<sup>10</sup> Explored in Nicholls, 'Ideas of Royal Power'. <sup>11</sup> Baranova, *À Coups de Libelles*.

original intentions. *De La Servitude Volontaire*, for example, written by the Catholic jurist Étienne de La Boétie, was incorporated into the Huguenot ‘alarm bell’ treatise produced after St Bartholomew’s Day, the *Reveille-Matin* (1573), and subsequently into Simon Goulart’s *Mémoires* (1578) where it became a component of Protestant anti-tyrannical writing. The text, if we accept Michel de Montaigne’s account, was thereby taken out of the hands of ‘men of understanding’ and transformed from a piece of delicate rhetorical performance to a highly politicised attack on tyrannical rule.<sup>12</sup> The textual environment in which these treatises circulated, and were repurposed, meant that such intellectual appropriation and cross-fertilisation of ideas was a feature of French political thought in this era, and a significant aspect of any intellectual history of the League.<sup>13</sup>

Where Barclay has made an important contribution to our understanding of League political thought, is in his verdict that the Huguenots and the Leaguers were manipulating Roman-legal principles. Modern scholars agree on this significance, and particularly the importance of interpretations of *lex regia* wherein the power transferred from people to ruler was perceived as revocable, on the basis of a contractual agreement between ruler and ruled.<sup>14</sup> Common legal education, and common source materials in Roman and canon law, Christian theology and classical political thought provide a strong basis for comparison between Huguenot and Catholic political theory. On the theoretical level, the intellectual foundations of League political thought are, therefore, identifiable in the scholastic theology of the theologians at the Sorbonne, and the legal-historical resources of the lawyers in the Paris *parlement*, local *parlements* and of the magistrates in the Estates General.<sup>15</sup> Use of these sources led to differing conceptions of the relationship between ecclesiastical and civil powers in the French commonwealth which caused civil and religious obligations to clash. These differences were a defining feature of the

<sup>12</sup> Montaigne, *Les Essais*, LXVII, 190. As John O’Brien has recently demonstrated, *De La Servitude Volontaire* continued to be carved up and scattered around significant polemical works published in the later wars of religion, in the 1580s and ’90s: O’Brien, ‘Sovereign Power, Freedom and La Boétie’s *Servitude volontaire* in the 1580s’, *Early Modern French Studies* (forthcoming, 2021).

<sup>13</sup> In taking this approach, I have been influenced by the work of Warren Boutcher in his *The School of Montaigne* and ‘Unoriginal Authors: How to Do Things with Texts’ in *Rethinking the Foundations*, 73–92. Cf. Quentin Skinner’s response, ‘Surveying the Foundations’, 236–61.

<sup>14</sup> On the significance of *lex regia*, see Skinner, *Foundations*, 2, 130–4, 331–2, 341–3; Ryan, ‘Political Thought’ in *The Cambridge Companion to Roman Law*, 423–51.

<sup>15</sup> Recent scholarship has demonstrated the significance of the Sorbonne debates in the League context, particularly the work of Amalou: ‘Une Sorbonne regicide?’ in *Les universités en Europe*, 77–116; Zwierlein, *The Political Thought of the League*.

frictions within the League and beyond it, reflective of the wider conflicts that characterised the intellectual debates of the Wars of Religion.<sup>16</sup>

Any such comparison between Huguenots and Leaguer political theorists is misleading, however, if it does not acknowledge that polemicists in the League were able to exploit the Huguenot texts so easily precisely because medieval scholasticism was foundational in Protestant resistance theory.<sup>17</sup> Recent studies of League political thought overlook the fact that Quentin Skinner, in *The Foundations of Modern Political Thought* (1978), argued that the Huguenot treatises of the 1570s had not developed a new approach to politics but instead embellished views that had already been expressed by medieval jurists and theologians, which were themselves dependent on scholastic analyses of sovereignty.<sup>18</sup> This implicitly challenges the view that the Leaguers were simply co-opting Huguenot ideas, and it is a point I wish to draw out and analyse further in this current study.<sup>19</sup>

Notwithstanding the significance of Robert Descimon's seminal work to uncover the nature of the 'moderate' voices in the League, which demonstrated the social and intellectual range of the membership of the movement in the 1980s, scholarship on the political thought of the League remains committed to describing it in terms of 'radicalism'.<sup>20</sup> The approach of Frederic J. Baumgartner's *Radical Reactionaries* (1976), was to argue that the Leaguers were indebted, on the one hand, to hackneyed medieval arguments about royal power, but were 'radical' in the extent to which they challenged that power, on the other.<sup>21</sup> Naturally, there are elements of intellectual change and continuity to be evaluated in the case of the League, and, in this sense, Baumgartner's framework appears sustainable: many of the theorists in the League remained thoroughly indebted to medieval ideas regarding the relationship between *regnum* (kingdom) and *sacerdotium* (priesthood); some went beyond these ideas to endeavour to produce a new synthesis of intellectual tradition and political power. However, a problem remains

<sup>16</sup> As analysed, for example, in Greengrass, *Governing Passions*.

<sup>17</sup> Skinner, *Foundations*, 2, 322–4; *Vindiciae*, ed. Garnett, xix–lxxvi.

<sup>18</sup> Skinner, *Foundations*, 2, 322–3. As Mark Goldie observed, 'Skinner recovered the Catholic political tradition in order to dispose of Protestant theories of liberal modernity', in his 'The Context of *The Foundations*', *Rethinking the Foundations*, 16. Zwiernie, *Political Thought of the League*, 128–30 does not acknowledge this fact when developing his own argument on the relationship between Calvinist and Leaguer resistance theory, or in reference to the significance of establishing the scholastic foundations of League political thought.

<sup>19</sup> The League receives very brief attention in Skinner, *Foundations*, 2, 345.

<sup>20</sup> Descimon, *Qui étaient les Seize ?*; Descimon, 'La Ligue à Paris (1585–1594): une révision'.

<sup>21</sup> Baumgartner, *Radical Reactionaries*.

with the imprecise nature of the category of 'radicalism', and the somewhat unreflective treatment of scholasticism it engenders.

More recent studies establish 'radical' scholasticism, or Thomism, as the defining feature of the political thought of the League, without clarification of what it means to be a 'radical' scholastic beyond a very broad framework of thinking in terms of holy war and legitimate tyrannicide.<sup>22</sup> Here some reflection needs to be introduced on the possible distinctions between the languages of medieval scholastic theories of sovereign power, and their uptake and synthesis by the theologians in the Salamanca school in the sixteenth century.<sup>23</sup> Conceptually speaking, the term 'radical' lacks precision in encapsulating such complex intellectual developments or the nature of their development and reception in France. Furthermore, if, by 'radical', scholars mean doctrines of legitimate tyrannicide, then the intellectual heritage of these arguments from antiquity through to the Early Modern period suggests that the Leaguers were not especially radical in their radicalism, nor that their uptake of such ideas was exclusively scholastic or Thomist in nature.<sup>24</sup> If 'radical' is taken to mean proto-democratic or revolutionary, an approach to League political thought which is now outmoded in its anachronism, then the terminology is again redundant.<sup>25</sup> Finally, if 'radical' is taken to mean 'constitutionalist', than we find ourselves back in a context of established, perhaps exhausted, scholarly debate in which the transferral of conciliar ideas to the political sphere is taken to be the bedrock of modern constitutionalism when, in fact, such an apparently straightforward intellectual manoeuvre is riddled with complexity.<sup>26</sup> To move forward, abandoning radicalism as a category of analysis should enable a more precise, less teleological reckoning of the intellectual contribution of the League to the political thought of this era.

As Barclay demonstrated, the Leaguers were at their least original in the case they made for tyrannicide and elective monarchy. With this in mind, and in contrast to the emphasis on the theologian Jean Boucher and his

<sup>22</sup> Renoux-Zagamé, *De Droit de Dieu*, 270–93; Zwierlein, *Political Thought of the League*.

<sup>23</sup> As considered by Brett, *Liberty, Right and Nature*.

<sup>24</sup> Turchetti, *Tyrannie et Tyrannicide de l'Antiquité à nos jours*.

<sup>25</sup> On democracy as a 'radical' feature of League ideas, see Mousnier, *Les hiérarchies sociales*; Barnavi, *Le parti de Dieu*; Constant, *La Ligue*; Armstrong, *The French Wars of Religion*; Allen, *A History of Political Thought*. On revolution, see Barnavi, 'La Ligue Parisienne (1585–1594): Ancêtre des parties totalitaires modernes?'

<sup>26</sup> Zwierlein, *Political Thought of the League*, 109, hints at, but does not engage with this bigger question in the history of political thought. On this, see Skinner, *Foundations*; Nederman, 'Conciliarism and Constitutionalism'; Oakley, 'Nederman, Gerson, Conciliar Theory and Constitutionalism'; Nederman, 'Constitutionalism – Medieval and Modern'; Brett, 'Scholastic Political Thought', 130–48.

infamous text on tyrannicide that continues to dominate scholarly accounts of League political thought, the central aim of this book is to consider this thought collectively in its breadth and depth.<sup>27</sup> In this context, the scholasticism of the sixteenth century is particularly significant. Rather than seeing it through the lens of ‘radical Thomism’, here the writings of theologians including Jacques Almain, Cardinal Cajetan, Juan de Maldonado, Domingo de Soto, Alfonso de Castro and Luis de Molina are treated in terms of their analysis of the dynamic features of legitimate political power and the moral theology they produced.<sup>28</sup> As Brett has argued, the distinctive features of scholastic thought in the sixteenth century are conditioned by its analysis of power within the church, and correspondingly by an understanding that the church was a political community, rather than in terms of two competing visions of political power.<sup>29</sup> The use of such sources by the Leaguers in their campaign against heresy in France is indicative of the extent to which they were not working on the ‘radical’ fringes of political thinking, but within these existing scholarly frameworks devoted to analysing the status of Christian commonwealths in the context of ongoing church reform and the roles of *dominium*, liberty and justice within, and beyond, the limits of those commonwealths.<sup>30</sup>

Until recently, the concept of ‘the state’, rather than the commonwealth (as a translation of *respublica/république*), has remained the dominant framework for thinking about political thought in the Early Modern period, which has important implications for the League. In his *Foundations*, Skinner demonstrated that medieval scholasticism was central to Protestant resistance theory and – correspondingly – to the development of a secular conception of the modern nation state; instead, this book examines these sources in the hands of League theologians as they analysed the purpose and nature of the Christian commonwealth, and the increasing significance of the *patrie/patria*. Debates amongst Catholics regarding the rights of the papacy, and foreign Catholic powers, to intervene in France played out within a juristic arena in which the definition of the ‘*leges patriae*’, the laws of the nation, was at stake. Correspondingly, the political thought of the Leaguers focussed intensively on the relationship

<sup>27</sup> Boucher’s *De Justa Abdicatione* recently had its status as the archetype of League political thought confirmed by Zwierlein. The focus on Boucher is a problem that was noted by Baumgartner, *Radical Reactionaries*, 18.

<sup>28</sup> Brett, ‘Scholastic Political Thought’, 139; Brett, *Liberty, Right and Nature*, 123.

<sup>29</sup> Brett, ‘Scholastic Political Thought’, 140.

<sup>30</sup> Brett, *Changes of State*; Renoux-Zagamé, *De Droit de Dieu*, 270–93.

between the *respublica* and the *ecclesia*, and between *politeia* (*la police*) and *religio* (*la religion*), within the existing frameworks of the Gallican liberties and the ancient constitution.

In approaching League political thought in this way, this book does not seek to replace the idea of a Protestant nation state, well established in scholarship, with a Catholic one; instead it argues that French Catholic theologians and lawyers, writing in the wars of religion, reinforced an existing notion that the universal Catholic community was a *patrie* or *patria* in its own right.<sup>31</sup> In doing so, it draws on recent scholarship on the *patria* in Early Modern Protestant writings, and on analyses of the role of scholastic thought in shaping ideas about the political community and ‘the state’.<sup>32</sup> The emphasis on *patrie/patria* here furthers the argument that the abstract concept of ‘the state’ had yet to be fully formulated, and that instead we find thinkers drawing their resources from medieval, Augustinian ideas in which the *patria* referred to the heavenly city. They were also thinking about ways in which the native, earthly *patria* could be the location of a particular civic identity in classical and medieval terms, adapted (or not) to the new environment of divided Christianity. The framework of the *respublica* and the *patria* remain the focal points for analyses of the common good, conceived both in a civic and a spiritual sense. In their analysis of these concepts, theologians in the League were contributing to a European and Jesuit debate about the status of Christian commonwealths and the ongoing question of church reform in an age of confessional division.<sup>33</sup> The notion that Leaguer political thought had only a ‘negative’ influence beyond the end of the movement in the 1590s is, therefore, strongly contested in this book.<sup>34</sup>

<sup>31</sup> On the role of these thinkers in forming a conception of the state, see Skinner, *Foundations*, II, 349–53.

<sup>32</sup> Brett, *Changes of State*; Robert von Friedeburg, ‘In Defense of Patria’.

<sup>33</sup> This is emerging as a field in the scholarship. Relations between the League and Spain are currently the most thoroughly examined in the works of Serge Brunet, especially his ‘*De l’Espagnol dedans le ventre*.’ See also le Goff, *La Ligue en Bretagne*. Recent treatments of relations between the League, Rome and Jesuit political thought include Penzi, ‘La Ligue et la Papauté’ in Brunet (ed.), *La Sainte Union*; Zwierlein, *Political Thought of the League*; Renoux-Zagamé, *De Droit de Dieu*. José Javier Ruiz Ibáñez has recently thought about these issues from a global perspective: ‘la Monarchie Espagnole et les Ligues’ in Brunet (ed.), *La Sainte Union*.

<sup>34</sup> Baumgartner, *Radical Reactionaries*, 241; Holt, *The French Wars of Religion*, 221. Baumgartner considers the influence of the political thought of the League, such as it was, to have manifested itself only in a ‘negative fashion’, in its contribution to seventeenth-century absolutism. Scholarship has long since contended with the problem of ‘absolutism’ versus ‘constitutionalism’, and more recent analyses, for example, the collection of essays in Forrester, Nelson, eds., *Politics and Religion in Early Bourbon France*, suggest a more fruitful path of analysis of League ideas in the context of Catholic activism and ongoing church reform. On the limits of ‘absolutism’ as a framework for

Part of the reason for the absence of a clearly established narrative of continuity for League political thought is due to the fact that the history of French political thought, as it stands in existing scholarship, is shown to develop in the religious wars through, on the one hand, the resistance theory of the Huguenot writers and, on the other, the scepticism of the *politiques*, adopted by those same Huguenots in the 1580s and '90s.<sup>35</sup> Problematically, in this kind of formulation, the *politiques* are still seen as a political party. In such discussions, theories of popular sovereignty produced by the Huguenots are seen to have been outgrown and overtaken by the rational scepticism of the *politiques* which, in the end, props up absolutist theories of Catholic monarchy as the best way to preserve the order of the commonwealth. In this way, the French wars of religion play a determining role in early seventeenth-century French political thinking. The important theoretical groundwork for that role is conventionally located in the stoic ideas of thinkers like Pierre Charron, Jean Bodin, Michel de Montaigne and Guillaume Du Vair, under the influence of Justus Lipsius, as well as in the anti-Machiavellism of theorists such as Innocent Gentillet. Within such a framework, so-called *politique* Catholics like Du Vair and Bodin, have been associated with 'rational' thinking, which precludes an analysis of their connections to the League. League political thought has been utterly eclipsed by such an understanding, consigned to the category of radical, populist reaction as an explosive, regressive, 'anti-Renaissance' moment in the history of French ideas, a 'mere bonfire of rubbish'.<sup>36</sup> Instead, this current study offers a revised analysis of the place of the League in the history of ideas.

analysing Early Modern political thought, see Brett, 'Scholastic Political Thought'. The use of the term 'absolute' in reference to the French monarchy was thoroughly and powerfully condemned for its oversimplification of the complex workings of the French state by Collins, *The State in Early Modern France*, considered along with other significant works by Mack Holt, Yves-Marie Bercé and Geoffrey Treasure in Knecht, 'Absolutism in Early Modern France'. Cosandey and Descimon discuss the concept and its limitations in *l'Absolutisme en France*. The question has recently been taken up again in Jouanna, *Le Pouvoir Absolu*, 24–34.

<sup>35</sup> Skinner, *Foundations*, 2, 249–54; Church, *Constitutional Thought*, 126–7; Keohane, *Philosophy and State*, 48–9; Allen, *Political Thought in the Sixteenth Century*, 370–7; Figgis, 'The Politiques and Religious Toleration', *From Gerson to Grotius*; Baumgartner, *Radical Reactionaries*, 18, 177. I discuss the more recent scholarship on the *politique* in Chapter Two.

<sup>36</sup> Wilkinson, *History of the League*, 170. The notion of 'anti-Renaissance' is originally from Hayden, *The Counter-Renaissance*, and considered in Denis Crouzet's analysis of the League in *Les guerriers de Dieu*, 374–9. See also Denis Crouzet, 'Henri IV, King of Reason?' in Cameron (ed.), *From Valois to Bourbon*, which uses this framework to explore what he identifies as the 'new political ideology' inherent in the 'rationalisation of the concept of monarchy' under Henri IV in opposition to the irrationality of the League. This 'rationalisation' thesis is also taken up in leading studies on French institutions in the period of the League: Ramsay discusses the opposition between Palma Cayet's 'Politique Rationality' and League zeal in her *Liturgy, Politics and Salvation*, 57–84. Cf. Hanley, *The*

In 1929, Maurice Wilkinson saw in the League 'a great clash of theories of government and even of contending ideals', and I aim to revive the spirit of that approach in this book.<sup>37</sup> Whilst Barclay and others associated the Leaguers with anarchy, identifying, in particular, the assassination of Henri III, the disruption of the commonwealth in the final decades of the religious wars, arguments for Spanish intervention and the overwhelming spiritual and temporal authority of the papacy as their *raison d'être*, it has equally been long recognised that there was a strong core of royalism at the heart of League political thought. Leaguer views on the sovereign power of the people did not detract from a fundamental loyalty to the institution of the French monarchy. As John Dryden put it, in his translation of Louis Maimbourg's *Histoire de la Ligue* (1683), 'those leaguering Catholics . . . were always for the king, and yet more, the major part of them would have him of royal stem'.<sup>38</sup> Dryden used the fact of League royalism to distinguish it from the republican ideas of those 'men of commonwealth principles' responsible for the exclusion crisis of his own day.<sup>39</sup> His views are suggestive of the fact that overemphasising the significance of popular sovereignty in League political thought, and the role of the Paris Sixteen, has the effect of rendering the League a democratic if not revolutionary movement, but that this is not in fact an idea widely reflected in the texts, most of which describe the aristocratic, even oligarchic politics of an intellectual elite that in some cases was explicitly anti-republican.<sup>40</sup>

The Leaguers' political thought shifted over time and in accordance with circumstance: it was contingent and diverse, often splintered. Correspondingly, on the basis of these divisions of opinion, contemporaries made a distinction between a *ligueur* and an '*archi-ligueur*', or '*ligueur zélé*', referring to those who ended up supporting the duc de Mayenne, and the uncompromising theologians, clergy and lawyers who formed the core of the Paris Sixteen.<sup>41</sup> This important distinction became somewhat lost in the historiography of the seventeenth century, which characterised the

*Lit de Justice*; Roelker, *One King, One Faith*; Wells, *Law and Citizenship*; Daubresse, *Le parlement de Paris*.

<sup>37</sup> Wilkinson, *History of the League*, 170. <sup>38</sup> Maimbourg, *History of the League*, preface, n.p.

<sup>39</sup> Dryden's portrayal of the League naturally served his own purposes: he continuously and provocatively made reference to the League and the Leaguers as in some way superior to the Whigs he opposed, commenting on their 'valour and subtlety', and suggesting that even the assassination of Henri III was less 'impudent' than the trial of Charles I. Maimbourg, *History of the League*, postscript, 30, 33.

<sup>40</sup> Salmon, 'The Paris Sixteen', 235–66.

<sup>41</sup> Pierre de l'Estoile, MJ, V, 180 – for example. He uses the phrase regularly.

movement wholly as '*la Ligue des Faux-zélés* [*sic*]'.<sup>42</sup> Recovering the intellectual contribution of those 'Mayenniste' Leaguers who are often overlooked in studies which emphasise the 'radical', proto-republican, democratic nature of League political thought is, therefore, long overdue, particularly in the context of a consideration of the relationship between Leaguer and *politique*. Recent historical and literary scholarship on the French wars of religion has recognised the extent to which the Leaguers were an integral, rather than peripheral, part of the complex makeup of the Counter Reformation in France; the purpose of this study is to incorporate this scholarship into the history of political thought in this era and thereby bring together historiographies that are otherwise disparate.<sup>43</sup>

In order to create space for a deeper analysis of the varieties of political thinking in this period to include the League, it is constructive to turn back to the work of the influential French intellectual historian Pierre Mesnard. Mesnard observed, in his comprehensive 1936 examination of European political thought in the sixteenth century, that the history of ideas in this period progressed through a series of dialectical oppositions. In concluding his magisterial work, he argued that the best way to comprehend the culmination of ideas at the end of the century was through the decisive restauration of spiritual values in an idealist sense, on the basis of an integral realism.<sup>44</sup> This important claim has been somewhat lost in the midst of robust critiques of Mesnard's overall approach, but it provides an important path to understanding the complexity of ideas in the late sixteenth century.<sup>45</sup> If Mesnard's 'idealist' sense is taken to refer to the relationship of the rational soul to grace, and a life of virtue, and if his 'realist' sense is taken to mean, as it would to medieval theologians and lawyers, the good of the political community anchored in peace and security, then a picture emerges of League political thought as an under-examined example of this ongoing intellectual process of reconciling the ideals of Christian living with political realism, framed within a providential order.

The fusion of idealism and realism further helps to explain the position of certain liminal figures in relationship to the League. In many ways, this approach necessarily stretches the current understanding of what it meant to be a 'Leaguer' in political thought terms, particularly when it comes to

<sup>42</sup> Maimbourg, *The History of the League*, fol. 4r.

<sup>43</sup> For two important recent collection of essays in this area, see Daubresse, Haan (eds.), *La Ligue et ses frontières*; Brunet (ed.), *La Sainte Union des Catholiques de France*. See also Racaut, 'The Sacrifice of the Mass'.

<sup>44</sup> Mesnard, *L'Essor de la philosophie*, 674–7. <sup>45</sup> Skinner, *Foundations*, I, ix–xi.

considering examples such as that of René Choppin, who produced his most significant legal analyses of the church and the kingdom before he joined the movement, and whose influence has been almost entirely neglected.<sup>46</sup> The affiliation of royalists like Choppin, and his friend Jean Bodin, to the League should not necessarily be seen as a rupture with their broader thinking on political authority. Instead their membership of the League is the result of reflection on the complex question of the 'common good' that does not contradict the views on political authority they had already laid out in other contexts. Analysing the connections between moderate Leaguers and those who were labelled *politiques*, demonstrates the extent to which there was a fruitful intellectual exchange to be had even amidst these apparent divisions in the Catholic community, right at the heart of the chaos of the religious wars.

The first chapter of this book puts League political thought into its immediate historical and publishing context, by way of an extended introduction to the material considered in the rest of this book. My approach to this material is to analyse the languages of political thought used by the Leaguers, by reading their published texts in their historical context.<sup>47</sup> The interest of the published material produced by the Leaguers lies in the fact that it formed part of a public debate on the reform and future of the French commonwealth, and that these texts were often written with an international, as well as domestic, readership in mind. Through a consideration of the ways in which medieval and classical sources were being read by theologians and lawyers in the movement, a distinctive language of political thought in the wars of religion can be interpreted through the vocabulary used by contemporaries in their published works.<sup>48</sup> For the purposes of this study, a working distinction is established between demotic, polemical pamphleteering of the League and the scholarly, juridical and theological treatises produced in professional and academic circles, as well as the genres in between, in order to analyse the political thought of the movement in all its registers. I have endeavoured not to exclude one category of text in preference for another, but to move between these registers. I have also

<sup>46</sup> See Nicholls, 'Ideas on Royal Power'.

<sup>47</sup> The implications and challenges of this methodology have been very thoroughly considered in the wider scholarship on this subject. My approach owes a particular debt to Brett, 'What Is Intellectual History Now'.

<sup>48</sup> Pocock, *Politics, Language and Time*. I take focussing on the languages of political thought to be a distinctive historical approach to that of an analysis of 'propaganda' and identity in the League pamphlet literature, thoroughly covered in recent scholarship, notably by Luc Racaut, with a view to examining the social phenomenon of religious violence in this era. Racaut, *Hatred in Print*.

preserved the original orthography when quoting directly from the texts, unless a modern edition is cited.

Chapter Two examines the status of political science, or prudence, in the League years, seen both through the lens of the polemical figure of the *politique*, a monstrous figment of Leaguer imagination, and from the perspective of *la science politique*, referring to the particular skills and form of reasoning required to find a solution to the crisis of the religious wars. It argues, first and foremost, that there is good reason to revisit the problem of the *politique* in the context of the history of political thought. I make this case to establish two central points, the first of which is the fact that the status of political science was at stake in these debates, in its power to approach and achieve a common good (*bien public*). The second, connected aim, is to demonstrate that, whilst it is more straightforward to see the controversies of these years in terms of 'Leaguer versus *politique*', there are significant connections here that have been overlooked. Intellectually speaking, we can, therefore, discuss the notion of the '*politique* Leaguer', and identify the common ground of understanding that united lawyers in the Paris *parlement* and the provinces.

Chapter Three considers dominant questions in the French political thought of this era regarding the status of the 'ancient' constitution, the power of election and deposition, and the divisive nature of debates about succession laws. It demonstrates the complex nature and range of responses to Hotman's *Francogallia* in these contexts, as well as exploring the role of both the Estates General and the often-overlooked Paris *parlement* in conserving the constitution. It also considers the problem of 'popular sovereignty' and its implications for League political thought, establishing that the Leaguers were only interested in the elective, and deposing powers of the 'prudent multitude' and not the wider populace. The double incorporation of the people, as a whole, into the commonwealth and the church is identified as centrally important in these debates.

Chapters Four and Five analyse the intractability of the issues raised regarding the relationship between the church and the commonwealth for the Gallican liberties, which would continue into the seventeenth century. This chapter does so through the works of three important lawyers: René Choppin, whose neglected *De Sacra Politia* is a crucial text for understanding the shape of League debates in the 1580s, Pierre de Belloy and Louis Dorléans. These works demonstrate the extent to which late medieval controversies about ecclesiastical power were resurrected in the sixteenth century, and the ways in which caricatured ideas of medieval controversialists like William of Ockham and Marsilius of Padua were used to score

significant polemical points. Rather than an innovative, particularly 'humanist' Gallicanism emerging in this period, we see that the debates about the relationship between church and commonwealth remained very much embedded in medieval scholasticism.

Chapter Five focusses specifically on the issue of papal power, and particularly the heightening of tensions brought about by the question of receiving the Tridentine decrees in France. It aims both to contextualise the League debates, and to position them in relation to the ongoing question of the precise content of the Gallican liberties. The Leaguers were not defined by 'ultramontanism'; the divisions in their movement mapped onto the wider disagreements amongst French lawyers and theologians as to the scope and nature of the Gallican liberties. They were, therefore, very much part of the mainstream debates. In particular, this chapter establishes that in the work of lawyers such as Antoine Hotman and Louis Dorléans, and theologians such as Gilbert Génébrard, Jean Porthaise and Jean Boucher, the deliberations over the Tridentine decrees were anchored in the context of a revival of late medieval conciliarism. From the problem of Sixtus V's power of excommunication, to the troubled issue of Henri IV's abjuration of Protestantism, this chapter further indicates that these debates, transformed and adapted from the medieval era, would go on to define Henri IV's reign after 1594 and last well beyond the lifespan of the League itself.

Chapter Six analyses the *De Justa Reipublicae Christianae Autoritate* (1590) of the pseudonymous 'Guiliemus Rossaeus' to demonstrate how a deep analysis of the relationship between natural and divine law, in scholastic terms, was used to justify the deposition and assassination of Henri III. The author's rich engagement with Jesuit and Dominican casuistry, and the Thomist commentary tradition, made his rejection of heretic tyranny a question of individual conscience as well as of French heresy laws. This demonstrates that Leaguer analyses of papal power at this academic level were not simply a recapitulation of medieval ecclesiological debates but offered a fresh synthesis of the Thomist sources. Such theories were as much a contribution to European Catholic political-theological debate as they were an immediate polemical response to Henri III's perceived tyranny.

Chapter Seven situates Jean Bodin's political thought in his *Six Livres de la République* (1576) in the League context. It builds on the concept of the *politique* Leaguer considered in earlier chapters, to draw out further implications of a close textual consideration of the concept of the *républicuel/respublica* in the political theory of the 1570s. This establishes a basis on

which to analysis the relationship between Bodin's political thought and that produced by members of the League. The problem of Bodin's membership of the League is considered, as is his friendship with René Choppin, and the League reception of his *République*. Finally, the chapter considers the concept of sovereignty itself, and particularly the question of whether or not a king could be said to own his kingdom. Rather than providing the basis of an argument for territorial sovereignty, this analysis demonstrates the extent to which the concept of sovereignty was patrimonial, and in this way distinct from the rights of subjects, who retained a right of self-defence and private property ownership. The relationship between the commonwealth and the king's regalian rights is thereby positioned as a key consideration in arguments for legitimate resistance to tyranny, that were framed in terms of obedience to the higher authorities of natural and divine law.

The final chapter of the book examines the concept of the *patria*. The unifying feature of the *Sainte Union* was its commitment to the eradication of heresy for the sake of the preservation of the French commonwealth. It was, therefore, very literally conceived of as a holy, or sacred fraternity, committed to the crusading principles of holy war. This chapter shifts the conceptual framework of analysis in order to evaluate the way in which the well-being of the political community corresponded to the well-being of the universal *patria* of the Catholic church. Here the language of loyalty to the *patrie/patria* is seen as a fusion of patriotic ideals of citizenship with sacred devotion to the church. The slippage between the particularity of the French case and the universalising framework of Christian theology thereby renders the crisis of obedience an eschatological as well as a constitutional one. The question of whether or not there is a nascent 'nationalism' in these disputes has been thoroughly considered in scholarship, but the concept of the *patrie* or *patria* needs further thought. Whether located in Paris, as the *communis patria*, or in France as a new Jerusalem, the concept of commonwealth, the common good and the collective salvation of the people is identified through the language of *patrie/patria* in these polemics. This is particularly the case when thinkers fused Augustinian conceptions of government with those of classical political thought. This chapter looks at these ideas from two perspectives: the problem of reconciling Spanish support for the League with the claim to be defending the French *patria*, and the intellectual connections between the ideas of the English Jesuit exiles and League political thought.

The conclusion to the book suggests ways in which a 'Leaguer Catholicism' survived into the seventeenth century. Contrary to the commands of Henri IV

that his subjects forget the troubled era of the religious wars, former Leaguers and their progeny continued to defend their established views of the role of the church in the commonwealth: as *dévots*, or as members of the Oratory and renewed Carmelite order. Those who chose exile rather than accept the ‘false’ abjuration of Henri, like Jean Boucher, continued to campaign against Protestant ‘heresy’, and engaged actively in some of the major controversies of the early seventeenth century.